

**MINUTES
OF THE BOARD OF COMMISSIONERS OF WEBER COUNTY**

Tuesday, March 15, 2011 - 10:00 a.m.
Commission Chambers, 2380 Washington Blvd., Ogden, Utah

In accordance with the requirements of Utah Code Annotated Section 52-4-7(1)(d), the County Clerk records in the minutes the names of all citizens who appear and speak at a County Commission meeting and the substance in brief of their comments. Such statements may include opinion or purported facts. The County does not verify the accuracy or truth of any statement but includes it as part of the record pursuant to State law.

COMMISSIONERS: Jan M. Zogmaister, Chair, Craig L. Dearden and Kerry W. Gibson.

OTHERS PRESENT: Ricky D. Hatch, County Clerk/Auditor; David C. Wilson, Deputy County Attorney; Fátima Fernélius, of the Clerk/Auditor’s Office, took minutes.

- A. **WELCOME** - Chair Zogmaister
- B. **PLEDGE OF ALLEGIANCE** - John Bond
- C. **THOUGHT OF THE DAY** - Commissioner Gibson

D. PRESENTATIONS:

PRESENTATION OF THE GOLDEN SEAL OF SERVICE AWARD TO JEANEEN SMITH OF THE RECORDER/SURVEYOR’S OFFICE

Ernest Rowley, County Recorder/Surveyor, stated that Ms. Smith, who works in the mapping department, has a good attitude. Ms. Smith spoke highly of her department and expressed appreciation to be a part of the county. Chair Zogmaister presented her with a plaque, a Seal of Service pin and \$100 for her excellent work and dedication.

PRESENTATION OF A PROCLAMATION HONORING “THE FATHER AND MOTHER OF RAMP”

A video presentation showed some RAMP projects in the county. Chair Zogmaister noted that this was a small sampling of RAMP’s impact on the county and that Candadai and Neila Sheshachari have made a big contribution. She read the proclamation proclaiming the Sheshacharis as “Honorary Father and Mother of RAMP” in Weber County and extending appreciation for their legacy of service. The commissioners presented Mr. Sheshachari with the proclamation. Mr. Sheshachari expressed thanks and said that the honor belongs to all who have been involved. Jeanne Hall thanked the Sheshacharis for their vision stating that her family and others have been blessed because of them.

E. CONSENT ITEMS

- 1. Purchase Orders in the amount of \$894,760.03
- 2. Warrants #271922-#272135 in the amount of \$891,732.23
- 3. Minutes for the meeting held on March 8, 2011
- 4. New business licenses
- 5. Amendment to the retirement agreement of Roger Brunker - Contract C2011-33

Commissioner Dearden moved to approve the consent items; Commissioner Gibson seconded, all voting aye.

F. ACTION ITEMS

1. CONTRACT WITH PINNACLE PUBLIC FINANCE TO PROVIDE FINANCING FOR THE PURCHASE OF 37 FLEET VEHICLES – RESOLUTION 5-2011, CONTRACT C2011-34

Dan Olsen, County Comptroller, presented the annual financing to replace 37 fleet vehicles. A Request for Proposals was issued and four banks responded. Pinnacle offered the lowest rate. The terms are for three years at 2.05%, with no penalty for early termination and the annual debt service payment will be about \$409,000.

Commissioner Gibson moved to adopt Resolution 5-2011 approving Contract C2011-34 with Pinnacle Public Finance to provide financing for 37 fleet vehicles; Commissioner Dearden seconded.

Roll Call Vote:

Commissioner Dearden	aye
Commissioner Gibson	aye
Chair Zogmaister	aye

2. CONTRACT WITH BRIGGS MADSEN 1ST ANNUAL MINIATURE BULL RIDING INVITATIONAL TO BE HELD AT THE GOLDEN SPIKE EVENT CENTER (GSEC) ON MARCH 26, 2011 - CONTRACT C2011-35

Jim Harvey, GSEC, presented this contract.

Commissioner Dearden moved to approve Contract C2011-35 with Briggs Madsen 1st Annual Miniature Bull Riding Invitational to be held at the Golden Spike Event Center on 3/26/2011; Commissioner Gibson seconded, all voting aye.

3. CONTRACT WITH UTAH DEPARTMENT OF CORRECTIONS TO PROVIDE LAUNDRY SERVICE TO UDC/NORTHERN UTAH COMMUNITY CORRECTIONS CENTER - CONTRACT C2011-36

Reed Richards, Deputy County Attorney, stated that the UCCC does not have laundry facilities and has contracted with Weber County for a few years. The contract has a termination clause.

Commissioner Gibson moved to approve Contract C2011-36 with the Utah Department of corrections to provide laundry service to UDC/Northern Utah Community Corrections Center; Commissioner Dearden seconded, all voting aye.

4. CONTRACT WITH SWANSON SERVICE CORPORATION TO CHANGE COMMISSION RECEIVED FROM CHUCKWAGON SALES” TO 25% - CONTRACT C2011-37

Reed Richards, Deputy County Attorney, stated that the contract with Swanson to provide commissary services at the jail was approved several months ago. The vendor requested that the commission rate be decreased to 25% because they had made an error in setting the commission percentage. The new rate is still higher than the commission received from the prior vendor. Sheriff Thompson stated that having this private service helps the Sheriff’s Office manage the facility more safely.

Commissioner Dearden moved to approve Contract C2011-37 with Swanson Service Corporation to change the commission received from Chuckwagon Sales” to 25%; Commissioner Gibson seconded, all voting aye.

5. **APPROVAL OF RECOMMENDATIONS FROM THE RECREATION, ARTS, MUSEUMS AND PARKS BOARD FOR 2011 RAMP GRANT AWARDS**

Mike Caldwell, County Public Information Officer, stated that the county received \$10.2 million in requests and had \$2.6 to distribute. He estimates that well over 1,000 hours of research was used for the 91 applications. After the legislative auditor reviewed four years of prior grants, the county was the only entity that received no negative marks. Chair Zogmaister noted that this item had gone before the Weber Area Council of Government. Present RAMP board members were introduced. Commissioner Dearden expressed thanks to them for all of their hard work.

Commissioner Gibson moved to approve the recommendations from the Recreation, Arts, Museums and Parks Board for 2011 RAMP Grant Awards; Commissioner Dearden seconded, all voting aye.

G. PUBLIC HEARINGS

1. Commissioner Dearden moved to adjourn the public meeting and convene the public hearings; Commissioner Gibson seconded, all voting aye.
2. **CONTINUATION OF AND ACTION ON A PUBLIC HEARING FROM FEBRUARY 22, 2011 REGARDING AMENDMENTS TO THE EDEN BLACKSMITH SHOP'S CONCEPT DEVELOPMENT PLAN WITHIN THE ZONING DEVELOPMENT AGREEMENT THAT WAS PREVIOUSLY APPROVED AS PART OF ORDINANCE 2008-17 AND AMENDED AS PART OF CONTRACT 2010-100**

Sean Wilkinson, County Planning Division, showed concept plans and renderings related to this item. The proposal was submitted in 7/2007 and heard by the Planning Commission in 2007 and 2008. The County Commission approved the rezone and original Zoning Development Agreement on 5/6/2008. The Planning Commission recommended approval of an amended concept plan development on 4/27/2010 and the County Commission granted it on 5/11/2010. A site plan for Phase 1-A, which included the blacksmith shop, the new attached Building "A," and the parking lot was approved by the Planning Commission on 5/25/2010.

Since approval of the amended concept development plan and the Phase 1-A site plan, the property owner has identified certain design element changes to improve the first phase and future development, thus this is amendment number two to the original concept development plan. The amendment now includes Building "B" or the sister building in Phase 1, which brings the project closer to completion, moves Building "C" further to the west, and the plaza area (at rear of blacksmith shop) will be reduced in size to accommodate a new 10-stall parking area.

The Planning Commission recommended approval to the County Commission of the proposed amendments on 12/7/2010 with comments regarding the gathering area, which included that they wanted it to remain in the development. Mr. Wilkinson noted that the Commission will hear an item in the next public hearing to amend the CV-2 Zone. This project will be designed with a complete street and allow these buildings to have 0 front yard setback. Chair Zogmaister asked if this project, when fully built, would have adequate parking and Mr. Wilkinson said that the first phase, presented with an office space and an ice cream parlor, has 17 spaces and that is adequate parking. There are 46 stalls for this development and the uses will be limited, depending on the parking requirement.

Chair Zogmaister invited public comments. Dan VanZeben, architect, said that Mr. Wilkinson had presented the item well and the petitioner has worked closely with county staff. The owner is spending a lot of money for restoration and construction, striving for historically-accurate buildings. He explained that these design changes improve the project and make economic sense. He had heard Chair Zogmaister's comment on parking over one year ago and made sure to alleviate those concerns in the project. Mr. Wilkinson asked that the Commission take action on the next item prior to taking action on this one.

3. PUBLIC HEARING TO AMEND COMMERCIAL VALLEY ZONES (CV-1 AND CV-2) TO ALLOW A ZERO FRONT YARD SETBACK

Jim Gentry, County Planning Division, showed renditions of the project. In 1989 the ordinance was amended to require 50 ft. setback on streets/highways of 80 ft. or more in width. This is a 99 ft. roadway through that area. The ordinance gave no reason, except to be consistent with other ordinances of that time. He showed pictures of current incomplete streets and of the proposed complete street design. The Planning Commission unanimously recommended amending the ordinance and allowing the 0 ft. setback with a complete street design.

Chair Zogmaister invited public comments and Dan Van Zeben, Architect, expressed appreciation to county staff stating there was a lot of research and work put into this item. Due to how development has occurred in this area and changes in property lines, it necessitated this request to keep the streetscape common with the north side of the park and to be in line with the blacksmith shop. Chair Zogmaister asked if traffic speed had any bearing on the current setback and Mr. Gentry said that in researching this item there was no mention of speeds when that ordinance was adopted. The berm will help provide a barrier separation, every project will be reviewed on its own merits and reviewed by County Engineering. This ordinance includes amendments to Chapter 18-C to allow the 0 ft. setback and to allow short term vendors as permitted uses to be consistent with another part of the ordinance.

- 4. Commissioner Dearden moved to adjourn the public hearings and reconvene the public meeting; Commissioner Gibson seconded, all voting aye.

5. ACTION ON PUBLIC HEARINGS:

G-3- AMEND COMMERCIAL VALLEY ZONES (CV-1/CV-2) TO ALLOW A ZERO FRONT YARD SETBACK – ORDINANCE 2011-5

Commissioner Dearden moved to adopt Ordinance 2011-5 amending the Weber County Zoning Ordinance, Chapter 18-B, Commercial Valley Zones (CV-1 and CV-2) and Chapter 18-C, Architectural, Landscape and Screening Design Standards, Section 5, Minimum Standards and Guidelines - General Landscaping Number 2; Commissioner Gibson seconded.

Roll Call Vote:

Commissioner Dearden	aye
Commissioner Gibson	aye
Chair Zogmaister	aye

G-2-CONTINUATION OF/ACTION ON PUBLIC HEARING FROM 2/22/2011 REGARDING AMENDMENTS TO THE EDEN BLACKSMITH SHOP'S CONCEPT DEVELOPMENT PLAN WITHIN THE ZONING DEVELOPMENT AGREEMENT THAT WAS PREVIOUSLY APPROVED AS PART OF ORDINANCE 2008-17 AND AMENDED AS PART OF CONTRACT 2010-100 – CONTRACT C2011-38

Commissioner Gibson moved to approve Contract C2011-38, Zoning Development Agreement (Second Amended Concept Development Plan) with Horseshoe LLC; Commissioner Dearden seconded, all voting aye.

I. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, MARCH 22, 2011, 10 A.M.

J. PUBLIC COMMENTS: None

H. CLOSED EXECUTIVE SESSION

Commissioner Gibson moved to adjourn the public meeting and convene the closed executive session to discuss strategy relating to imminent or pending litigation and character, professional competence, or physical or mental health of an individual; Commissioner Dearden seconded.

Roll Call Vote:

Commissioner Dearden	aye
Commissioner Gibson	aye
Chair Zogmaister	aye

No action was taken on the closed executive session.

K. ADJOURN

Commissioner Gibson moved to adjourn; Commissioner Dearden seconded, all voting aye.

Jan M. Zogmaister, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor