

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

Tuesday, April 12, 2011 - 10:07 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 PRESENT: Jan M. Zogmaister, Chair, Craig L. Dearden and Kerry W. Gibson.

OTHERS PRESENT: David C. Wilson, Deputy County Attorney; Douglas Larsen, of the County Clerk/Auditor's Office; Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

A. WELCOME - Chair Zogmaister

B. PLEDGE OF ALLEGIANCE - David Wilson

C. THOUGHT OF THE DAY - Chair Zogmaister

D. CONSENT ITEMS:

1. Purchase Orders the amount of \$100,142.66
2. Warrants #272808-#272965 in the amount of \$1,317,191.08
3. Minutes for the meeting held on April 5, 2011
4. Surplus a 1984 Wells Cargo Utility Trailer from the Sheriff's Office
5. Surplus an IBM Selectric typewriter from the Weber County Utah State University Extension
6. Surplus a Brothers Fax Machine from the Weber County Commission Office

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

E. ACTION ITEMS:

1. **CONTRACT WITH GREAT BASIN ANTIQUE MACHINERY TO HAVE THEM AT THE 2011 WEBER COUNTY FAIR - CONTRACT C2011-43**

Jan Wilson, County Fair, presented this contract for \$800.

Commissioner Dearden moved to approve Contract C2011-43 with Great Basin Antique Machinery for them to participate in the 2011 Weber County Fair; Commissioner Gibson seconded, all voting aye.

2. **CONTRACT WITH SHAWN PAULSEN PHD TO PROVIDE A HYPNOTIST SHOW EACH EVENING AT THE 2011 WEBER COUNTY FAIR - CONTRACT C2011-44**

Jan Wilson, County Fair, presented this contract for \$2,400.

Commissioner Gibson moved to approve Contract C2011-44 with Shawn Paulsen PhD to provide a hypnotist show each evening at the 2011 Weber County Fair; Commissioner Dearden seconded, all voting aye.

3. **CONTRACT WITH BROKEN HEART RODEO COMPANY, L.L.C. FOR THE RODEO TO BE HELD AT THE 2011 WEBER COUNTY FAIR - CONTRACT C2011-45**

Jan Wilson, County Fair, presented this contract for \$6,000.

Commissioner Dearden moved to approve Contract C2011-45 with Broken Heart Rodeo Company, L.L.C. for the 2011 Weber County Fair rodeo; Commissioner Gibson seconded, all voting aye.

4. APPROVAL OF A RELEASE OF NOTICE OF NON-COMPLIANCE AND SUSPENSION OF FINAL PLAT APPROVAL FOR ASPEN FALLS ESTATES CLUSTER SUBDIVISION

Chad Meyerhoffer, of County Engineering, stated that an escrow was called in from Zions Bank on 7/17/2008 due to some hazardous conditions that required attention. The county did not receive a response from the developer or the bank. On 1/19/2010 the county filed a Notice of Non-compliance and Suspension of Final Plat Approval to inform any interested parties that there were remaining improvements to be completed. On 3/9/2010 the county entered into an Existing Subdivision Improvement Agreement with the new developer/owner. The majority of the improvements are now completed and staff feels that the amount remaining in the escrow is sufficient for that completion. Plans for two buildings in this development were submitted to the Building Inspection Department. The Notice of Non-compliance needs to be released prior to issuance of the building permits.

Mr. Meyerhoffer addressed the commissioners' questions including that the crucial items have been completed and that plans for two homes were submitted.

Commissioner Gibson moved to approve the Release of Notice of Non-compliance and Suspension of Final Plat Approval for Aspen Falls Estates Cluster Subdivision; Commissioner Dearden seconded, all voting aye.

F. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, APRIL 19, 2011, 10 A.M.

G. PUBLIC COMMENTS: None

H. CLOSED EXECUTIVE SESSION TO DISCUSS STRATEGY RELATING TO IMMINENT OR PENDING LITIGATION

Commissioner Gibson moved to convene a closed executive session to discuss strategy relating to imminent or pending litigation; Commissioner Dearden seconded.

Roll Call Vote:

Commissioner Dearden	aye
Commissioner Gibson	aye
Chair Zogmaister	aye

There was no action taken on the closed executive session.

I. ADJOURN

Commissioner Dearden moved to adjourn at 10:50 a.m.; Commissioner Gibson seconded, all voting aye .

Jan M. Zogmaister, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor