

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

Tuesday, April 14, 2015 - 10:00 a.m.

Commission Chambers, 2380 Washington Blvd., Ogden, Utah

*In accordance with the requirements of Utah Code Annotated Section 52-4-203, 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:** James Ebert and Matthew G Bell. Kerry W. Gibson was excused.

**OTHERS PRESENT:** Ricky D. Hatch, County Clerk/Auditor; David C. Wilson, Deputy County Attorney; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

- A. WELCOME** – Commissioner Bell
- B. INVOCATION** – Paige Greenhalgh
- C. PLEDGE OF ALLEGIANCE** – Steffani Ebert
- D. THOUGHT OF THE DAY** – Commissioner Ebert

**F. PRESENTATIONS:**

**1. PRESENTATION OF WEBER COUNTY HERO/HEROINE AWARDS TO BRANDON PETERSON & LESLIE MCNEELY**

Commissioner Ebert noted that as part of County Government month, the county is recognizing members of the community that through service and volunteerism can be considered heroes. Brandon Peterson was nominated by Brett Peterson, who read his nomination, and it noted that Brandon Peterson is the manager of two businesses that have long served the county and the attention and care they offer their customers are a reflection of their manager and owners' commitment to honesty and ethics. Brandon Peterson has been serving on many local boards and charitable organizations volunteering/committing countless hours to serving Weber County. He is fair and kind to all. Brandon Peterson said that it has been an honor and a blessing to serve on the various boards.

Annette Cummings read her nomination for Leslie McNeely stating that Ms. McNeely is not only committed to, but has a passion, for helping the youngest and most vulnerable citizens. She is an assistant teacher for a special education program. Last year she taught in a city/county south of Weber County but returned, taking a lower paying job, to teach in our county. She also teaches dance to underprivileged children at Marshall White Center. She is loved by the students and their parents, has made beautiful costumes for her dance students, pays out of her own pocket, and spends countless volunteer hours with students. Ms. McNeely expressed her love for our community.

The commissioners expressed their gratitude and presented each of these heroes with a plaque.

**2. PRESENTATION FROM THE WEBER ECONOMIC DEVELOPMENT PARTNERSHIP**

Douglas Larsen, Executive Director, gave a slide presentation on economic development in our community, noting that the goal is to increase business capacity and that a major component of that is transportation. He also noted that Utah is the only state to have a unified transportation plan.

**G. CONSENT ITEMS:**

- 1. Purchase orders for \$2,199,399.79
- 2. Warrants #320043-#320326 for \$3,229,922.31
- 3. Contracts with the following entities for Recreation, Arts, Museums and Parks (RAMP) grants:
  - Weber County Sheriff's Office – Shooting Sports Training Complex – C2015-132
  - Weber State University Foundation – Browning Center seat renovation – C2015-133
- 4. Retirement Agreement with Les Townsend – C2015-134
- 5. New business licenses

Commissioner Ebert moved to approve the consent items; Commissioner Bell seconded.  
Commissioner Ebert – aye; Commissioner Bell – aye

## H. ACTION ITEMS:

1. **CONTRACT WITH THE ROCKY MOUNTAIN GUN SHOW FOR THE GUN & AMMO SHOW & SALE EVENT AT THE GOLDEN SPIKE EVENT CENTER (GSEC) ON MAY 16-17, 2015 – C2015-135**

Jim Harvey, of the GSEC, presented this standard contract.

Commissioner Ebert moved to approve Contract C2015-135 with the Rocky Mountain Gun Show for the Gun & Ammo Show & Sale Event at the Golden Spike Event Center on May 16-17, 2015; Commissioner Bell seconded.

Commissioner Ebert – aye; Commissioner Bell – aye

2. **CONTRACT WITH THE WEBER COUNTY LIVESTOCK SHOW HELD AT THE GOLDEN SPIKE EVENT CENTER (GSEC) ON MAY 8-9, 2015 – C2015-136**

Jim Harvey, of the GSEC, presented this contract.

Commissioner Ebert moved to approve Contract C2015-136 with the Weber County Livestock Show held at the Golden Spike Event Center on May 8-9, 2015; Commissioner Bell seconded.

Commissioner Ebert – aye; Commissioner Bell – aye

3. **CONTRACT WITH SAMUEL P. NEWTON TO PAY FOR DEFENSE COUNSEL SERVICES FOR AN INDIGENT DEFENDANT – C2015-137**

David Wilson, Deputy County Attorney, noted that the Utah Supreme Court reversed the conviction of Doug Lovell a few years ago and the County Attorney's Office had to retry the case. D. Lovell received the death penalty again and is automatically entitled to appeal at taxpayers' expense.

Commissioner Ebert moved to approve Contract C2015-137 with Samuel P. Newton to pay for defense counsel services for an indigent defendant; Commissioner Bell seconded.

Commissioner Ebert – aye; Commissioner Bell – aye

4. **CONTRACT WITH OGDEN CITY CORP. FOR A FY2013 JAG MONITORING AGREEMENT – C2015-138**

Steffani Ebert, with the County Sheriff's Office, stated that for several years the county has been the sub-grantee for Ogden City regarding the Justice Assistant Grant that the city receives. This monitoring agreement is an addendum to the 2013 agreement (C2013-219). It authorizes the city to monitor the Sheriff's Office documents related to items purchased with the grant funds.

Commissioner Ebert moved to approve Contract C2015-138 with Ogden City Corp. for a FY2013 JAG Monitoring Agreement; Commissioner Bell seconded.

Commissioner Ebert – aye; Commissioner Bell – aye

5. **RESOLUTION APPOINTING MEMBERS TO LITTLE MOUNTAIN SERVICE DISTRICT – RESOLUTION 26-2015**

Brooke Stewart, of the County Commission, stated that there were four vacancies, which were noticed and published according to State statute. Four applications were received. The District consists of seven members—four represent property owners in the service area, two represent the county and one represents Central Weber Sewer District. The District is recommending Kent Bradford, Douglas Larsen and Lance Wood for reappointment for four years and appointment of Bob Cunliffe to fill Chris Andersen's vacancy.

Mr. Bradford stated that this is an all volunteer member district. He has been on this board for a number of years, and it has historically been represented by Westinghouse employees, which is the primary user of this sewer plant and has historically covered the administrative expenses for operation of this sewer district, which is important to Westinghouse's business.

The district was established by the county in 1978, when a business development in that area was anticipated. An industrial park was established and the sewer district was a part of it, however, the business park did not develop much. There are only a couple of businesses that discharge into the district. When the road expansion occurs for 12<sup>th</sup> Street there may be additional businesses. Mr. Bradford recommended that the Commission reconsider the future of this little district. They do not have the technical expertise or the staff and contract out the day-to-day operations of the sewer lagoons to Central Weber. He said that it makes sense to eventually incorporate into the Central Weber Sewer District and perhaps disband this service district.

Commissioner Ebert moved to adopt Resolution 26-2015 reappointing Kent Bradford, Douglas Larsen and Lance Wood for four years and to appoint Bob Cunliffe to fill Chris Andersen's vacancy in the Little Mountain Service Area District; Commissioner Bell seconded.  
Commissioner Ebert – aye; Commissioner Bell – aye

**6. CONTRACT WITH J-U-B ENGINEERS FOR ASSISTANCE WITH THE TECHNICAL REVISION UPDATE AND RE-WRITE OF THE WEBER COUNTY PORTION OF THE 2009 WASATCH FRONT REGIONAL MITIGATION PLAN AND CONVERT IT TO A WEBER COUNTY SPECIFIC PLAN AND SUBMIT IT TO UTAH STATE AND FEMA FOR APPROVAL – C2015-139**

Lance Peterson, with County Emergency Management Services, stated that in 2003 and in 2009 the State contractor with the Wasatch Front Regional Council wrote a Regional Mitigation Plan, which involved Salt Lake, Toole, Weber, Morgan and Davis counties amid protests. Now the individual counties are being extracted and this is for a Weber County-specific Pre-Disaster Mitigation Plan. The county received a grant to pay for this contract and there is an in-kind match. A Request for Proposals was issued and JUB was selected. The contract cost is \$34,705. The county can continue to submit for grants through FEMA.

Commissioner Ebert moved to approve Contract C2015-139 with J-U-B Engineers for assistance with the technical revision update and re-write of the Weber County portion of the 2009 Wasatch Front Regional Mitigation Plan and convert it to a Weber County-specific plan and submit it to Utah State and FEMA for approval; Commissioner Bell seconded.  
Commissioner Ebert – aye; Commissioner Bell – aye

**E. PUBLIC COMMENTS:** None

**CLOSED EXECUTIVE SESSION TO DISCUSS STRATEGY RELATING TO PENDING OR IMMINENT LITIGATION**

Commissioner Ebert moved to convene a closed executive session to discuss strategy relating to pending or imminent litigation; Commissioner Bell seconded.  
Commissioner Ebert – aye; Commissioner Bell – aye

No Action was taken on the closed executive session.

**I. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, APRIL 21, 2015, 10 A.M.**

**J. ADJOURN**

Commissioner Ebert moved to adjourn at 11:12 a.m.; Commissioner Bell seconded.  
Commissioner Ebert – aye; Commissioner Bell – aye

Attest:

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Kerry W. Gibson, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor