

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

Tuesday, May 15, 2012 - 10:05 a.m.  
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:** Kerry W. Gibson and Jan M. Zogmaister. Craig L. Dearden was excused.

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

- A. **WELCOME** - Commissioner Gibson
- B. **PLEDGE OF ALLEGIANCE** - Chad Meyerhoffer
- C. **THOUGHT OF THE DAY** - Commissioner Zogmaister

**D. CONSENT ITEMS:**

- 1. Purchase Orders for \$211,539.23
- 2. Warrants #285543-#285710 for \$693,837.41
- 3. Minutes for the meetings held on April 10, 17, 24 and May 1, 8, 2012
- 4. New business license
- 5. Retire Serial Number 15-063-0029
- 6. Surplus vehicles from Fleet Management

Commissioner Zogmaister moved to approve the consent items; Commissioner Gibson seconded, both voting aye.

**E. ACTION ITEMS:**

**1. NRCS DEBRIS REMOVAL FINAL REPORT**

Lance Peterson, of County Emergency Management, presented this report for the debris removal portion of the emergency watershed project. He noted that there are 145 sites for debris removal between North Run and about 1900 W. at 12<sup>th</sup> Street. NRCS allocated \$880,000, which is an estimate, for the project.

Commissioner Zogmaister moved to approve the NRCS debris removal final report; Commissioner Gibson seconded, both voting aye.

**2. RESOLUTION FOR AN ORDER DESIGNATING A PROTEST AREA IN CONJUNCTION WITH THOSE PERSONS WHO WANT TO CONGREGATE AT THE WEBER CENTER IN SUPPORT OF MATTHEW DAVID STEWART - RESOLUTION 11-2012**

David Wilson, Deputy County Attorney, noted that the county received notice that a group wishes to congregate on behalf of Matthew Stewart. Because the County Attorney's Office reception area is not adequate, the Commission Chambers were designated for this use (from 11:30 a.m. to 5:00 p.m.).

Commissioner Zogmaister moved to adopt Resolution 11-2012 for an order designating a protest area in conjunction with those persons who want to congregate at the Weber Center in support of Matthew David Stewart; Commissioner Gibson seconded.

Roll Call Vote:

Commissioner Zogmaister..... aye  
Chair Gibson..... aye

**3. RESOLUTION APPOINTING FIVE MEMBERS TO THE WEBER COUNTY WEED CONTROL BOARD - RESOLUTION 12-2012**

Commissioner Gibson noted that recently there has been an explosion of invasive/noxious weeds. The legislature appropriated funds and counties can apply for these grants to help control the weeds. The five members of the Weed Control Board are also members of the Weber Soil Conservation District. Commissioner Gibson recommended that terms be changed between Blair Hancock and Jerry Hill in order to have concurrent expiring terms with the Soil Conservation District.

Commissioner Zogmaister moved to adopt Resolution 12-2012 appointing the following to the Weber County Weed Control Board: P. Lamar DeFries, Jerry Hill and John Digeorgio to 4-year terms expiring 12/31/2015 and appointing Blair Hancock and Kevin Stratford to 2-year terms expiring 12/31/2013; Commissioner Gibson seconded.

Roll Call Vote:

Commissioner Zogmaister.....aye  
Chair Gibson.....aye

**4. CONTRACT WITH TYLER JENSEN FOR THE MUD WARS TO BE HELD AT THE GOLDEN SPIKE EVENT CENTER ON 6/8-9/2012 - CONTRACT C2012-129**

Jim Harvey, of the GSEC, presented this item. He addressed Commissioner Zogmaister's question stating that the contractor will perform most of the preparatory work for this event.

Commissioner Zogmaister moved to approve Contract C2012-129 with Tyler Jensen for the Mud Wars at the Golden Spike Event Center on 6/8-9/2012; Commissioner Gibson seconded, both voting aye.

**5. CONTRACT WITH EASTON SPORTS DEVELOPMENT FOUNDATION FOR THE GOLDEN SPIKE EVENT CENTER TO HOST TEAMS FROM MULTIPLE COUNTRIES FOR QUALIFICATION ROUNDS FOR THE 3<sup>RD</sup> LEG OF THE WORLD CUP ARCHERY EVENT 6/16-22/2012 - CONTRACT C2012-130**

Jim Harvey, of the GSEC, presented this contract.

Commissioner Zogmaister moved to approve Contract C2012-130 with Easton Sports Development Foundation for the Golden Spike Event Center to host teams from multiple countries for qualification rounds for the 3<sup>rd</sup> leg of the World Cup Archery Event 6/16-22/2012; Commissioner Gibson seconded, both voting aye.

**6. FINAL APPROVAL OF LINDSLEY RANCH SUBDIVISION INCLUDING A DEFERRAL OF CURB, GUTTER AND SIDEWALK AND A FINANCIAL GUARANTEE FOR \$2,500**

Sean Wilkinson, of the County Planning Division, stated that this is a 1-lot subdivision in western Weber County and meets the zoning requirements. The applicant is requesting deferral of curb, gutter and sidewalk along the frontage. This subdivision is not within 1½ miles of any school.

All of the review agencies have responded without any concerns. The Planning Commission unanimously recommended final approval. Staff is also recommending final approval. The \$2,500 is to pipe a ditch.

Commissioner Zogmaister moved to grant final approval of Lindsley Ranch Subdivision, including deferral of curb, gutter and sidewalk, with a financial guarantee for \$2,500; Commissioner Gibson seconded, both voting aye.

**7. FINAL APPROVAL OF DRAGON ESTATES SUBDIVISION 1<sup>ST</sup> AMENDMENT INCLUDING A DEFERRAL OF CURB, GUTTER AND SIDEWALK**

Sean Wilkinson, of the County Planning Division, stated that the property owners wish to add approximately 1½ acres to their existing lot. This subdivision is within 1½ miles of Fremont High School. A deferral for curb, gutter and sidewalk was granted previously and the applicant is requesting that it continue. The Planning Commission unanimously recommended final approval with the deferral. The following public hearing is to vacate the existing Dragon Estates Subdivision. Commissioner Zogmaister asked if there is rolled curb in these cases, which aid in defining the walk-able areas and the road. Mr. Wilkinson stated that the County standard is for high-back curb/gutter and anything that differs requires a variance. There is some exception in the Ogden Valley where rolled curb is used instead of high-back curb. Commissioner Zogmaister asked that staff review this issue.

Commissioner Zogmaister moved to grant final approval of Dragon Estates Subdivision 1<sup>st</sup> Amendment including the deferral of curb, gutter and sidewalk; Commissioner Gibson seconded, both voting aye.

**F. PUBLIC HEARING:**

1. Commissioner Zogmaister moved to adjourn the public meeting and convene the public hearing; Commissioner Gibson seconded, both voting aye.

**2. PUBLIC HEARING REGARDING THE VACATION OF DRAGON ESTATES SUBDIVISION**

See item E.7. Sean Wilkinson, of the County Planning Division, presented this item. Commissioner Gibson invited public comments and none were offered.

3. Commissioner Zogmaister moved to adjourn the public hearing and reconvene the public meeting; Commissioner Gibson seconded, both voting aye.

**4. ACTION ON PUBLIC HEARING:**

**F.2. - PUBLIC HEARING - VACATION OF DRAGON ESTATES SUBDIVISION - ORDINANCE 2012-8**

Commissioner Zogmaister moved to adopt Ordinance 2012-8 vacating Dragon Estates Subdivision; Commissioner Gibson seconded.

Roll Call Vote:

Commissioner Zogmaister.....aye  
Chair Gibson.....aye

**G. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, MAY 22, 2012, 10 A.M.**

**H. PUBLIC COMMENTS:** None

**I. ADJOURN**

Commissioner Zogmaister moved to adjourn; Commissioner Gibson seconded, both voting aye.

Attest:

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Craig L. Dearden, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor