

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

Tuesday, May 22, 2012 - 10:00 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:** Craig L. Dearden, Chair, Kerry W. Gibson and Jan M. Zogmaister.

**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** - Chair Dearden
- B. **PLEDGE OF ALLEGIANCE** - Sean Wilkinson
- C. **THOUGHT OF THE DAY** - Commissioner Gibson

**D. CONSENT ITEMS:**

1. Purchase Orders for \$133,178.33
2. Warrants #285711-#285948 for \$910,109.72
3. Minutes for the meeting held on May 15, 2012
4. Surplus three steel chairs from the Clerk/Auditor's Office

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

**E. ACTION ITEMS:**

**1. PRIMARY ELECTION PLAN AND POLL WORKERS**

Jennifer Morrell, County Elections Director, presented this item stating that there are 195 designated poll workers and 18 alternates. This year there will be six vote centers.

Commissioner Gibson moved to approve the Primary Election plan and the poll workers; Commissioner Zogmaister seconded, all voting aye.

**2. RECOMMENDATION FROM THE TAX REVIEW COMMITTEE REGARDING A REQUEST FOR SETTLEMENT OF DELINQUENT PROPERTY TAX FROM LADD MURDOCK, LSN 17-311-0021**

Doug Larsen, of the County Clerk/Auditor's Office, referred to the related information before the Commission. John Bond, County Treasurer, stated that during the last half hour he spoke with Mrs. Murdock, who requested that the Murdocks be allowed to pay online by credit card. This is contrary to county statute, which states that all delinquent property certified for tax sale may be redeemed within three weeks prior to the tax sale by cash or bank-certified funds only. Opening up this option for the Murdocks online would allow other tax sale properties to pay likewise. Mr. Bond pointed out that there is charge back risk to the county if such payment is made online but is then disputed. Mrs. Murdock had told Mr. Bond she would not dispute the credit card charge once it goes through. She had also indicated they would not come to this meeting because their last meeting with the county had not gone favorably. Commissioner Gibson said that perhaps there should be a document for signature by the Murdocks stating their intention to run that charge on their credit card. Commissioner Zogmaister asked if the Murdocks can come directly to the county and make the payment and Mr. Bond responded that was correct. The commissioners discussed that the Murdocks would have to pay in full, including the fees. Mr. Bond recommended that they pay in full in person.

Commissioner Zogmaister moved that the Murdocks come personally to the county to pay in full—all taxes plus penalties, on LSN 17-311-0021—prior to the tax sale, and if this does not occur, the property will go on the tax sale; Commissioner Gibson seconded, all voting aye.

**3. WAVING BUILDING PERMIT FEES FOR VALLEY CAMP RECREATION AND REHABILITATION**

Craig Browne, of County Building Inspection, noted that Valley Camp, a 501(c)(3) non-profit charitable organization, is proposing a second story addition and remodel of their existing building, located at 5325 N. North Fork Road, which is very old and has become unsafe. Commissioner Zogmaister asked if the county generally does this for other non-profits and Mr. Browne said that there are not very many in the unincorporated areas that construct buildings and Chair Dearden could not remember a similar issue coming before the Commission.

Jim Abid, of Valley Camp, stated that they are a nonprofit and a public charity. They are a very small operation and it has taken about 10 years to get enough money for the addition. The \$1,600 permit fee is a significant amount of money to them. Most of those they help have no ability to pay the \$75/week.

Commissioner Zogmaister moved to waive the building permit fee of \$1,595.87 for Valley Camp Recreation and Rehabilitation; Commissioner Gibson seconded, all voting aye.

**4. INTERLOCAL AGREEMENT WITH NORTH OGDEN CITY TO DESIGNATE NORTH OGDEN CITY AS THE LAND USE AUTHORITY TO PROCESS SUBDIVISION AND BUILDING PERMITS FOR THE AVALANCHE AND DEBRIS BASIN FOR THE COVE SUBDIVISION - CONTRACT C2012-131**

The city attorney was present. Rob Scott, County Planning Division Director, received the request from the city to be the land use authority for a specific project. The city has approved the subdivision and the requirements include detention and avalanche control improvements. The property is still in unincorporated Weber County and they are in the process of annexing it but need to proceed with various permit processes. There is no cost to the county.

Commissioner Gibson moved to approve Contract C2012-131, Interlocal Agreement with North Ogden City to designate North Ogden City as the land use authority to process subdivision and building permits for the avalanche and debris basin for the Cove Subdivision; Commissioner Zogmaister seconded, all voting aye.

**5. CONTRACT WITH CHARRO PRODUCTIONS FOR A HISPANIC MATCH RACE AT THE GOLDEN SPIKE EVENT CENTER (GSEC) ON MAY 27, 2012 - CONTRACT C2012-132**

Jim Harvey, of the GSEC, presented this contract. Commissioner Zogmaister stated the need to enforce the contract terms about vacating the premises by a certain time, removing large pieces of debris, etc.

Commissioner Zogmaister moved to approve Contract C2012-132 with Charro Productions for a Hispanic match race at the Golden Spike Event Center on 5/27/2012; Commissioner Gibson seconded, all voting aye.

**6. CONTRACT WITH WEBER COUNTY DAIRY DAYS TO HOLD THE WEBER COUNTY DAIRY DAYS AT THE GOLDEN SPIKE EVENT CENTER FROM MAY 10-12, 2012- CONTRACT C2012-133**

Jim Harvey, of the GSEC, presented this contract.

Commissioner Zogmaister moved to approve Contract C2012-133 with Weber County Dairy Days to hold the Weber County Dairy Days at the Golden Spike Event Center from 5/10-12/2012; Commissioner Gibson seconded, all voting aye.

**7. CONTRACT WITH GOLDEN SPIKE GEM & MINERAL SOCIETY FOR THE GEM STONE JUNCTION AT THE GOLDEN SPIKE EVENT CENTER APRIL 11-14, 2013 - CONTRACT C2012-134**

Jim Harvey, of the GSEC, presented this contract.

Commissioner Zogmaister moved to approve Contract C2012-134 with Golden Spike Gem & Mineral Society for the Gem Stone Junction at the Golden Spike Event Center 4/11-14/2013; Commissioner Gibson seconded, all voting aye.

**F. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, MAY 29, 2012, 10 A.M.**

**H. PUBLIC COMMENTS:** None

**G. CLOSED SESSION TO DISCUSS STRATEGY RELATING TO PENDING OR ONGOING LITIGATION**

Commissioner Zogmaister moved to convene a closed session to discuss strategy relating to pending or ongoing litigation or ongoing litigation; Commissioner Gibson seconded.

Roll Call Vote:

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

There was no action taken on the closed executive session.

**I. ADJOURN**

Commissioner Zogmaister moved to adjourn at 11:05 a.m.; Commissioner Gibson seconded, all 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