

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

Tuesday, June 18, 2013 - 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 unreported 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 Matthew G Bell. Jan M. Zogmaister was excused.

OTHERS PRESENT: Ricky D. Hatch, County Clerk/Auditor; Chris F. Allred, Deputy County Attorney; and Fátima Fernelius, of the Clerk/Auditor’s Office, who took minutes.

A. WELCOME – Chair Gibson

B. PLEDGE OF ALLEGIANCE – Shelly Halacy

C. THOUGHT OF THE DAY – Commissioner Bell

D. CONSENT ITEMS:

1. Purchase Orders
2. Warrants #298697- #298869 for \$1,328,749.62
3. Minutes for the meeting held on June 4, 2013
4. Ratify beer licenses dated June 5, 2013
5. New business licenses
6. Ratify contracts with the listed entities, for Recreation, Arts, Museums and Parks grant awards
 - Project Success Coalition – Contract C2013-181
 - Downtown Ogden Inc. – Farmers Market – Contract C2013-182
 - Downtown Ogden Inc. – Amphitheater Light Board – Contract C2013-183
 - Downtown Ogden Inc. – First Friday Art Stroll – Contract C2013-184
 - Downtown Ogden Inc. – Amphitheater Summer Series – Contract C2013-185
 - Downtown Ogden Inc. – Sundance Film Festival Reception – Contract C2013-186
 - Historic 25th Street – Harvest Moon – Contract C2013-187
 - Historic 25th Street – Witchstock – Contract C2013-188

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

E. ACTION ITEMS:

1. **RESOLUTION MAKING APPOINTMENTS TO THE WEBER COUNTY TOURISM TAX ADVISORY BOARD – RESOLUTION 14-2013**

Todd Ferrario, with the County Ice Sheet, stated that the terms for Steve Ballard, Bobbie Chambers and Lisa Fuller expired and they are willing to serve another term.

Commissioner Bell moved to adopt Resolution 14-2013 reappointing Steve Ballard, Bobbie Chambers and Lisa Fuller to the Weber County Tourism Tax Advisory Board; Chair Gibson seconded.

Roll Call Vote:

Commissioner Bellaye
Chair Gibsonaye

2. **CONTRACT WITH JUNCTION CITY ROLLER DOLLS FOR THE JUNE DERBY BOUT AT THE GOLDEN SPIKE EVENT CENTER (GSEC) ON JUNE 22-23, 2013 – CONTRACT C2013-189**

Jim Harvey, with GSEC, presented this contract.

Commissioner Bell moved to approve Contract C2013-189 with Junction City Roller Dolls for the June Derby Bout at the Golden Spike Event Center on June 22-23, 2013; Chair Gibson seconded, both voting aye.

3. CONTRACT WITH WORLD CHAMPIONSHIP CUTTER AND CHARIOT RACING ASSOCIATION TO HOLD THE WORLD CHARIOT RACING FINALS AT THE GOLDEN SPIKE EVENT CENTER (GSEC) IN MARCH OF 2014, 2015 AND 2016 – CONTRACT C2013-190

Jim Harvey, with GSEC, presented this contract.

Commissioner Bell moved to approve Contract C2013-190 with World Championship Cutter and Chariot Racing Association to hold the World Chariot Racing Finals at the Golden Spike Event Center in March of 2014, 2015 and 2016; Chair Gibson seconded, both voting aye.

4. CONTRACT WITH REDD ROOFING FOR RE-ROOFING OF THE OGDEN ECCLES CONFERENCE CENTER (OECC) – CONTRACT C2013-191

Marty Smith, with the OECC, presented this contract for \$239,195.00.

Commissioner Bell moved to approve Contract C2013-191 with Redd Roofing for re-roofing of the Ogden Eccles Conference Center; Chair Gibson seconded, both voting aye.

5. INTERLOCAL AGREEMENT WITH HOOPER CITY FOR THE COUNTY TO PROVIDE ROAD MAINTENANCE IN HOOPER CITY – CONTRACT C2013-192

No representative from the Roads Department was present. Chris Allred, Deputy County Attorney, noted that David Wilson, Deputy County Attorney, had reviewed this contract.

Commissioner Bell moved to approve Contract C2013-192 with Hooper City for the county to provide road maintenance; Chair Gibson seconded, both voting aye.

6. RATIFICATION OF THE WEBER COUNTY TAX SALE HELD MAY 30, 2013

Tammy Aydelotte, of the Clerk/Auditor’s Office, referred to the list before the commissioners. One objection was filed. After consulting with the county’s legal counsel, there appears to be no reason to remove the property from the tax sale list. This year started out with 520 properties on the tax sale list (last year started with 225) and 36 ended up on the tax sale.

Commissioner Bell moved to ratify the 2013 County Tax Sale; Chair Gibson seconded, both voting aye.

7. RESOLUTIONS APPOINTING MEMBERS TO THE OGDEN VALLEY PLANNING COMMISSION, WESTERN WEBER PLANNING COMMISSION & BOARD OF ADJUSTMENT – RESOLUTION 15-2013

Rob Scott, County Planning Division Director, presented this item.

Commissioner Bell moved to adopt Resolution 15-2013 appointing Greg Graves to the Ogden Valley Township Planning Commission and Mark L. Whaley to the Western Weber Township Planning Commission to serve 4-year terms expiring 6/30/2017, and appointing Phil Hancock to the Board of Adjustment to serve a 5-year term expiring 6/30/2018; Chair Gibson seconded.

Roll Call Vote:

Commissioner Bellaye
Chair Gibsonaye

8. LEGISLATIVE AMENDMENTS TO THE WEBER COUNTY LAND USE ORDINANCE TITLE 110, CHAPTER 1 (GENERAL PROVISIONS) AND TITLE 101, SECTION 7 (DEFINITIONS) REGARDING VARIOUS SIGN REQUIREMENTS INCLUDING TEMPORARY SIGNS – ORDINANCE 2013-16

9. LEGISLATIVE AMENDMENTS TO THE WEBER COUNTY LAND USE ORDINANCE TITLE 110, CHAPTER 2 (OGDEN VALLEY SIGNS) REGARDING THE WEBER COUNTY TEMPORARY SIGN PROVISIONS INCLUDING POLITICAL SIGNS – ORDINANCE 2013-16 & ORDINANCE 2013-17

Rob Scott, County Planning Division Director, presented items 8 and 9 together. He noted that as part of a public hearing about a month ago there was interest in having further discussion regarding provisions in the ordinance dealing with size limitations for campaign signs. Item 8 addresses Western Weber County Township the standards and item 9 addresses Ogden Valley standards.

Mr. Scott stated that this makes political signs content neutral, amends the definitions and makes a few other minor changes. Commissioner Bell desires campaign signs to have a maximum of 32 square feet.

Commissioner Bell moved to adopt Ordinance 2013-16 making legislative amendments to the Weber County Land Use Code Title 110, Signs, Chapter 1 (General Provisions) and Title 101, Section 7 (Definitions) regarding various sign requirements including temporary signs and amending campaign signs to have a maximum of 32 square feet; Chair Gibson seconded.

Roll Call Vote:

Commissioner Bellaye
Chair Gibsonaye

Commissioner Bell moved to adopt Ordinance 2013-17 making legislative amendments to the Weber County Land Use Ordinance Title 110, Signs, Chapter 2 (Ogden Valley Signs) regarding the Weber County temporary sign provisions including political signs and amending campaign signs to have a maximum of 32 square feet; Chair Gibson seconded.

Roll Call Vote:

Commissioner Bellaye
Chair Gibsonaye

10. FINAL APPROVAL OF THE LEGENDS AT HAWKINS CREEK 3RD AMENDMENT LOT 34 AND THE VACATION OF LOT 34 OF THE LEGENDS AT HAWKINS CREEK – ORDINANCE 2013-18

Sean Wilkinson, of the County Planning Division, stated that the new property owner of Lot 34 desires to rearrange the existing buildable area. As part of this item the existing Lot 34 is hereby vacated. The Ogden Valley Planning Commission unanimously recommended approval of this item.

Commissioner Bell moved to grant final approval of The Legends at Hawkins Creek 3rd Amendment Lot 34 and the vacation of Lot 34 of The Legends at Hawkins Creek by Ordinance 2013-18; Chair Gibson seconded.

Roll Call Vote:

Commissioner Bellaye
Chair Gibsonaye

F. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, JUNE 25, 2013, 10 A.M.

G. PUBLIC COMMENTS:

James Mooney, representing LEAP (Law Enforcement Against Prohibition), consisting of about 1,500 former judges, law enforcement officials, under cover agents, prison officials, governors, legislators, etc., stated that LEAP is against the current laws that govern substance abuse. Mr. Mooney was successful in his work on the war on drugs and said that he was noted as the most effective undercover agent in the history of Utah and was awarded the Medal of Merit from Governor Leavitt for his achievements in lowering inmate recidivism. LEAP believes that real dialogue and evaluation needs to occur regarding what the Task Force is doing. He asked the Commission to open up dialogue on how to continue handling the war on drugs that is corrupting our judicial system and our families. He said that this is the sentiment of judges, attorneys, etc.

Patrick Powers, representing the Utah Liberty Institute, agrees that drugs are a problem and the solution is definitely not what is currently in operation. He asked the Commission to consider opening up to the public stating that many of the policies and tactical decisions are made without getting much input from those most affected. He also asked the Commission to meet with his organization and others with expertise to help better inform them on the subject. Dialogue is needed and it needs to focus on whether the tactics are worth doing, at what cost, whether they are resulting in justice being done, etc.

Michael Stewart believes that there have been several instances where people have died at the Weber County Jail and said that possibly an independent assessment should occur and to look into problems with security.

H. CLOSED EXECUTIVE SESSION TO DISCUSS STRATEGY RELATING TO ONGOING LITIGATION

Commissioner Bell moved to convene a closed executive session to discuss strategy relating to ongoing litigation; Chair Gibson seconded.

Roll Call Vote:

Commissioner Bellaye
Chair Gibsonaye

No action was taken on the closed executive session.

I. ADJOURN

Commissioner Bell moved to adjourn 11:15 a.m.; Chair Gibson seconded, both voting aye.

Attest:

Kerry W. Gibson, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor