

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

Tuesday, July 15, 2014 - 10:00 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:** Kerry W. Gibson, Chair, and Jan M. Zogmaister. Matthew G Bell was excused.

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

**A. WELCOME** – Chair Gibson

**B. PLEDGE OF ALLEGIANCE** – Charlie Ewert

**C. THOUGHT OF THE DAY** – Chair Gibson

**D. CONSENT ITEMS:**

1. Purchase orders for \$120,870.51
2. Warrants #311271-311485 for \$1,395,754.95
3. Minutes for the meeting held on July 8, 2014

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

**E. ACTION ITEMS:**

1. **FINAL READING OF AN ORDINANCE RELATING TO SOLID WASTE DIVISION OF WEBER COUNTY OPERATIONS DEPARTMENT – ORDINANCE 2014-17**

Gary Laird, with the County Solid Waste Division, noted that the first reading occurred last week. The scale works in 20 pound increments and the ordinance was amended to reflect that. There is a \$3 minimum up to 240 pounds then the waste is charged at \$26/ton. The ordinance will be effective August 18. Signage will be posted and flyers are being given as well being mailed to customers.

Commissioner Zogmaister moved to adopt Ordinance 2014-17 amending fees relating to the Solid Waste Division of the Weber County Operations Department; Chair Gibson seconded.

Roll Call Vote:

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

2. **INTERLOCAL AGREEMENTS WITH THE FOLLOWING ENTITIES FOR RECYCLING INCENTIVES:  
WASHINGTON TERRACE CITY – CONTRACT C2014-166  
PLAIN CITY – CONTRACT C2014-167**

Gary Laird, with the County Solid Waste Division, stated that a presentation was made to Weber Area Council of Governments (WACOG) in January 2014 about rate changes. Weber County is desirous to increase recycling efforts within the county and is willing to offer incentives to the municipalities within the county to increase the recycling stream. The cities will receive Interlocal Agreements that allow the county to pay them 30% of the net operating income for the recyclables that they bring to the county. These are the first two cities that have responded.

Commissioner Zogmaister moved to approve Contract C2014-166 with Washington Terrace City and Contract C2014-167 with Plain City, Interlocal Agreements for recycling incentives; Chair Gibson seconded, both voting aye.

3. **LEASE AGREEMENT WITH CLAS ROPES FOR LEASE OF THE WEBER COUNTY CHALLENGE COURSE AT NORTH FORK PARK – CONTRACT C2014-168**

Chris Ward, with County Training, noted that the county has operated a challenge course at the Park for about 18 years. There had never been standards for the course but recently standards were set. There are some liability issues due to the course's age and discussion occurred about shutting it down. The company that the county had hired to inspect/repair it annually, CLAS Ropes, approached the county about leasing it from 8/4-9/30/14. If their business does well, CLAS would like to continue the agreement. Commissioner Zogmaister noted a typographical error in the contract.

Commissioner Zogmaister moved to approve C2014-168, Lease Agreement with CLAS Ropes for lease of the Weber County Challenge Course at North Fork Park; Chair Gibson seconded, both voting aye.

4. **DISCUSSION AND/OR ACTION ON A REQUEST TO AMEND THE 2002 ZONING DEVELOPMENT AGREEMENT FOR WOLF CREEK RESORT**

This item was held.

5. **CONTRACT WITH THE STATE OF UTAH, ATTORNEY GENERAL'S OFFICE, FOR SERVICES AS APPROPRIATED BY THE UTAH STATE LEGISLATURE AND ADMINISTERED BY THE UTAH GENERAL'S OFFICE, CHILDREN'S JUSTICE DIVISION – CONTRACT C2014-169**

Rod Layton, Weber/Morgan Children's Justice Center (CJC) Executive Director, stated that this is the annual contract with the State to operate the CJC. The contract amount is \$238,313, which includes a one-time rollover amount of \$24,000. The amount is based on cases that come to the CJC.

Commissioner Zogmaister moved to approve Contract C2014-169 with the State of Utah, Attorney General's Office, for services as appropriated by the Utah State Legislature and administered by the Utah General's Office, Children's Justice Division; Chair Gibson seconded, both voting aye.

**F. PUBLIC HEARING**

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

2. **PUBLIC HEARING TO CONSIDER AND TAKE ACTION ON A REQUEST TO AMEND THE WEBER COUNTY LAND USE CODE, TITLE 108 (STANDARDS), CHAPTER 5 (PLANNED UNIT RESIDENTIAL DEVELOPMENT), CHAPTER 7 (SUPPLEMENTARY AND QUALIFYING REGULATIONS) AND CHAPTER 8 (PARKING AND LOADING SPACE, VEHICLE TRAFFIC AND ACCESS REGULATIONS TO PROVIDE ORDINANCE CLARIFICATIONS REGARDING NIGHTLY RENTAL REQUIREMENTS, GENERALLY**

Charlie Ewert, of the County Planning Division, noted that Scott Littlefield had requested nightly rentals in the FR-1 Zone and the Commission subsequently denied that request. In that review process, the Planning Division found a couple of areas in the code that can be strengthened. Mr. Ewert outlined the proposed changes to include that at least two parking spaces per dwelling are required, that an entire housing unit can be rented out within a P.R.U.D. only if it has been approved as part of a conditional use permit, and correcting a typographical error in defining nightly rental as 30 days or less. Both Planning Commissions recommend approval of the amendments.

3. Public Comments: Chair Gibson invited public comments and none were offered.

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

**5. ACTION ON PUBLIC HEARING:**

**F.2. - AMEND THE COUNTY LAND USE CODE, TITLE 108, CHAPTERS 5, 7 AND 8 – ORDINANCE 2014-18**

Commissioner Zogmaister moved to adopt Ordinance 2014-18 amending the Weber County Land Use Code, Title 108 (Standards), Chapter 5 (Planned Unit Residential Development), Chapter 7 (Supplementary and Qualifying Regulations) and Chapter 8 (Parking and Loading Space, Vehicle Traffic and Access Regulations) to provide ordinance clarifications regarding nightly rental requirements, generally; Chair Gibson seconded.

Roll Call Vote:

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

**G. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, JULY 22, 2014, 10 A.M.**

**H. PUBLIC COMMENTS:** None

**I. ADJOURN**

Commissioner Zogmaister moved to adjourn at 10:28 a.m.; Chair Gibson seconded, both voting 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