

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

Tuesday, August 7, 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, Jan M. Zogmaister and Kerry W. Gibson.

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 - Fátima Fernelius

C. THOUGHT OF THE DAY - Commissioner Gibson

D. REPORT ON THE COUNTY SEAT PUBLIC AFFAIRS TV PROGRAM

Chad Booth, producer of The County Seat, updated the Commission on the television program outlining the issues covered in this season, which include jail funding, condition of probation, county road funding, local county issues with Senator Hatch and congressman Bishop, indigent defense, planning and zoning, the election process, droughts and wildfire management. Mr. Booth invited the Commission and other elected officials to make suggestions of topics that they would like discussed. Commissioner Gibson expressed appreciation for the work in this worthwhile cause to educate citizens about their county government.

E. PRESENTATIONS OF THE "CRYSTAL BOWL AWARDS" TO RECOGNIZE CITIZENS OR GROUPS THAT HAVE MADE SIGNIFICANT CONTRIBUTIONS IN WEBER COUNTY

Commissioner Zogmaister noted that National County Government Week started in 1991 to raise awareness of the role of counties. Weber County's goal is to protect and enhance the health, welfare and safety of citizens and this is the criteria the county uses to honor a citizen and a County department/agency. Commissioner Zogmaister explained the symbolism of the quartz crystal bowl, which produces pure and powerful sounds that resonate, which is also symbolic of the people that amplify community service. Larry Slater was honored for his volunteerism with the Friends of the Weber-Morgan Children's Justice Center and the County Roads Department was honored for all the hard work during the 2011 severe flooding season. Lance Peterson, of County Emergency Services, showed a slide presentation depicting the Road Department's hard work, dedication and heroic efforts during the severe flooding problems throughout the county. They worked tirelessly at all hours and helped prevent further damage, and their efforts are ongoing. The commissioners expressed thanks for their dedication. Kelly Hipwell, of the County Roads Department, thanked the Commission for their recognition noting that staff put in a lot of hard work and long hours. The whole community came together.

F. CONSENT ITEMS:

1. Purchase Orders for \$694,792.33
2. Warrants #288521 - #288651 for \$1,837,369.00
3. Warrants #287942-#288149 for \$1,385,123.63 dated July 24, 2012
4. Minutes for meeting held on July 31, 2012

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

G. ACTION ITEMS:

1. CONTRACT WITH BUCK CONSULTANTS TO PROVIDE AN ESTIMATE OF THE TOTAL COST OF COUNTY RETIREES HEALTH INSURANCE BENEFIT FOR CURRENT & FUTURE RETIREES - CONTRACT C2012-166

Dan Olsen, County Comptroller, stated that the contract is for \$15,000, the same price as two years ago.

Commissioner Zogmaister moved to approve Contract C2012-166 with Buck Consultants to provide an estimate of the total cost of County retirees' health insurance benefit for current and future retirees; Commissioner Gibson seconded, all voting aye.

2. INTER-AGENCY AGREEMENT AMENDMENT WITH THE STATE OF UTAH, DEPARTMENT OF WORKFORCE SERVICES (DWS), TO EXTEND THE PERIOD OF PERFORMANCE FOR AN ADDITIONAL 12 MONTHS - CONTRACT C2012-167

Dan Olsen, County Comptroller, noted that two years ago the county entered into an agreement with DWS for the county to act as a conduit of State funds that go to the Ogden Community Foundation. The State simply wishes to extend that contract to 6/30/2013.

Commissioner Gibson moved to approve Contract C2012-167, Inter-Agency Agreement Amendment with the State of Utah, Department of Workforce Services, to extend the period of performance for an additional 12 months; Commissioner Zogmaister seconded, all voting aye.

3. APPROVAL OF A TEMPORARY EXEMPTION FOR TWO SPECIAL EVENT OFF-SITE SIGNS

Rob Scott, County Planning Division Director, noted that last week the County Commission discussed amending the Ogden Valley Sign Ordinance and Steve Clarke, representing the Community Foundation of Ogden Valley, requested two off-site signs for a special event. The ordinance provides for granting temporary exceptions allowing the County Commission to determine if such an exception is justified due to an extraordinary, emergency or act of God situation and the health, safety, convenience or welfare of citizens will not be substantially affected. Justification may include that the Commission is in the process of reviewing an ordinance amendment to allow for these signs. The county's code enforcement officer received a telephone call from a citizen stating that signs had already been put up over the weekend, and the county verified it. Commissioner Zogmaister noted that the county was trying to accommodate the request, had placed the item on the agenda for action today and expressed displeasure that the signs went up without approval, asking that Mr. Scott convey that to the petitioner.

Commissioner Gibson moved to approve a temporary exemption for two special event off-site signs; Commissioner Zogmaister seconded, all voting aye.

4. APPROVE THE WEBER COUNTY 2012 POLLING LOCATIONS

Jennifer Morrell, County Elections Director, stated that after reviewing feedback from poll workers, facility managers, voters, and others associated with the June Primary, it has become necessary to amend the list of polling locations. Voter turnout is anticipated at 75% in November, about a threefold increase from June. It is essential to have the appropriate facilities that are ADA compliant, have adequate parking, and can accommodate the number of poll workers, voters, and voting machines. The county has used many schools but because they are overcrowded and do not have the space to accommodate the process some church buildings will be used.

Commissioner Zogmaister moved to approve the Weber County 2012 polling locations; Commissioner Gibson seconded, all voting aye.

5. SECOND READING TO AMEND AN ORDINANCE (TITLE 25, SEWERS) TO INCREASE SEWER FEES

Chad Meyerhoffer, of County Engineering, noted that the first reading occurred last week. The Central Weber Sewer District has increased its fees from \$30 to \$37/month and the county collects the fees. Commissioner Zogmaister asked if any feedback was received since the letters were mailed with the billings and Mr. Meyehoffer had not, however, County Property Management received 1-2 calls but not in opposition to the increase. The county’s portion increased by 90 cents. No ordinance had been prepared and this item will be handled next week.

6. CONTRACT WITH THE STATE OF UTAH, ATTORNEY GENERAL’S OFFICE, FOR SERVICES AS APPROPRIATED BY THE UTAH STATE LEGISLATURE AND ADMINISTERED BY THE UTAH ATTORNEY GENERAL’S OFFICE-CHILDREN’S JUSTICE (CJC) DIVISION - CONTRACT C2012-168

Rod Layton, Children’s Justice Center Director, presented this annual contract noting that the State funds some of the CJC program. The contract amount is \$223,076. Chair Dearden noted that the contract amount on the Contract Summary sheet showed \$223,246 and Mr. Layton will look into it. Commissioner Zogmaister moved to approve Contract C2012-168 with the State of Utah, Attorney General’s Office, for services as appropriated by the Utah State Legislature and administered by the Utah Attorney General’s Office, Children’s Justice Division; Commissioner Gibson seconded, all voting aye.

7. RATIFY CONTRACT WITH UTAH DEPARTMENT OF TRANSPORTATION FOR WEBER COUNTY TO PAY THE 6.77% MATCH AND ANY OVERRUNS. THE FEDERAL MATCH IS \$1,230,837 AND THE COUNTY WILL PAY \$89,379. THIS IS MONEY THAT WE RECEIVED TO FIX PARTS OF THAT ROAD THAT WAS DAMAGED DURING THE 2011 SPRING RUNOFF. – CONTRACT C2012-169

Jared Andersen, County Engineer, noted that Old Snowbasin Road has been closed for over one year and this contract is for federal funds to repair parts of it that were damaged during the 2011 Spring flooding. Commissioner Gibson had previously signed this contract. Commissioner Gibson moved to ratify Contract C2012-169 with Utah Department of Transportation for Weber County to pay the 6.77% (\$89,379) match and any overruns for the Old Snowbasin Road project; Commissioner Zogmaister seconded, all voting aye.

8. VACATION OF LOT 25 OF THE LEGENDS AT HAWKINS CREEK, A CLUSTER SUBDIVISION, INCLUDING ALL PUBLIC UTILITIES THEREIN AND FOR FINAL APPROVAL OF THE LEGENDS AT HAWKINS CREEK 2ND AMENDMENT A CLUSTER SUBDIVISION (1 LOT) - ORDINANCE 2012-13

Ben Hatfield, of the County Planning Division, noted that when this subdivision was originally platted some lots had steep slope and were classified as restricted lots and some were left in question. For the final plat they did not remove the buildable area requirements, restricting those lots unnecessarily. The new owners wish to build a home that sits outside of the currently defined buildable area and this is to enlarge it.

Commissioner Zogmaister moved to adopt Ordinance 2012-13 vacating lot 25 of The Legends at Hawkins Creek a Cluster Subdivision, including all public utilities therein, and granting final approval of The Legends at Hawkins Creek 2nd Amendment a Cluster Subdivision; Commissioner Gibson seconded.

Roll Call Vote:

Commissioner Zogmaister.....aye
Commissioner Gibsonaye
Chair Deardenaye

9. **ACTION ON A PUBLIC HEARING TO AMEND THE WEBER COUNTY SUBDIVISION ORDINANCE, CHAPTER 1, GENERAL PROVISION-FILING OF PRELIMINARY AND FINAL PLANS, CHAPTER 6, PENALTY, VALIDITY, AND REPEALER (SIGNATURE BLOCK SECTION), AND COUNTY ZONING ORDINANCE, CHAPTER 1, GENERAL PROVISIONS, SECTION 1-6, DEFINITIONS - ORDINANCE 2012-14**

Jim Gentry, of the County Planning Division, noted that the public hearing was held last week. This item was held to give the County Engineer an opportunity to review a section of the ordinance relating to the definition of “floodplain” which has now occurred and a minor clarification was made.

Commissioner Gibson moved to adopt Ordinance 2012-14 amending the Weber County Subdivision Ordinance, Chapter 1, General Provision-Filing of Preliminary and Final Plans, Chapter 6, Penalty, Validity, and Repealer (signature block section), and the County Zoning Ordinance, Chapter 1, General Provisions, Section 1-6, Definitions; Commissioner Zogmaister seconded.

Roll call vote:

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

H. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, AUGUST 14, 2012, 10 A.M.

I. PUBLIC COMMENTS: None

J. ADJOURN

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

Attest:

Craig L. Dearden, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor