

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

Tuesday, September 27, 2011 - 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: Jan M. Zogmaister, Chair, Craig L. Dearden 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 Zogmaister
- B. **PLEDGE OF ALLEGIANCE** - David Wilson
- C. **THOUGHT OF THE DAY** - Chair Zogmaister

D. CONSENT ITEMS:

- 1. Purchase Orders for \$209,112.60
- 2. Warrants #278194-#278408 for \$3,087,624.54
- 3. Minutes for the meeting held on September 20, 2011
- 4. ACH payment to US Bank for \$ 79,157.52 for purchasing card transactions through the billing cycle ending September 15, 2011

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

E. ACTION ITEMS:

- 1. **INTERLOCAL AGREEMENT WITH PLAIN CITY FOR ANIMAL CONTROL SERVICES - CONTRACT C2011-189**
- 2. **INTERLOCAL AGREEMENT WITH MARRIOTT-SLATERVILLE CITY FOR ANIMAL CONTROL SERVICES - CONTRACT C2011-190**

Reed Richards, Deputy County Attorney, stated that these two contracts are basically the same as the previously approved animal control service contracts with other cities--keeping the status quo through the end of the year and starting the new payment schedule based on the hybrid calculation of population and use effective 1/1/2012.

Commissioner Gibson moved to approve Contracts C2011-189, Interlocal Agreement with Plain City and C2011-190, Interlocal Agreement with Marriott-Slaterville City for animal control services; Commissioner Dearden seconded, all voting aye.

- 3. **REQUEST FOR INTERLOCAL AGREEMENT WITH UINTAH CITY FOR ANIMAL CONTROL SERVICES**

This item was held. Reed Richards, Deputy County Attorney, stated that Uintah has not been part of the animal control or shelter operations. It is necessary for the city to join the master agreement for animal sheltering to receive animal control services and there will be two contracts on next week's agenda. Commissioner Dearden asked if there was a penalty for cities joining late and Mr. Richards responded that there is not, however, there is a penalty for those that do not join (costing 20% more to shelter their animals). If they join, the rate schedule applies and they are committed for the term of the bonds (20 years).

4. COOPERATIVE LAW ENFORCEMENT AGREEMENT WITH US DEPARTMENT OF AGRICULTURE/FOREST SERVICE FOR ACTIVITIES ON NATIONAL FOREST SERVICE LANDS - CONTRACT C2011-191

Reed Richards, Deputy County Attorney, stated that this is the standard agreement which has been in place for a number of years. It is a 5-year contract and the amount is reviewed annually. There is a slight increase this year, that amount is \$60,413.

Commissioner Dearden moved to approve Contract C2011-191, Cooperative Law Enforcement Agreement with U.S. Department of Agriculture/Forest Service for activities on National Forest Service lands; Commissioner Gibson seconded, all voting aye.

5. CONTRACT WITH NATURAL RESOURCES CONSERVATION SERVICE (NRCS)/U.S. DEPARTMENT OF AGRICULTURE FOR REAL PROPERTY ACQUISITION ASSURANCE - CONTRACT C2011-192

Lance Peterson, of County Emergency Management, stated that this is to ratify the contract for the dredging of the lower Weber River. It is the standard assurance that the county has sufficient permission/access rights granted by the landowners along the River to access their properties. Mr. Peterson has filled out a special use permit to access the State's property and will bring it next week for ratification. He reported briefly on the river's inspection that took place yesterday by the NRCS and county staff noting that there is a lot of silt.

Commissioner Gibson moved to approve Contract C2011-192 with Natural Resources Conservation Service of the U.S. Department of Agriculture for Real Property Acquisition Assurance; Commissioner Dearden seconded, all voting aye.

6. CONTRACT WITH STATE OF UTAH, DIVISION OF OIL, GAS & MINING TO ALLOW THE STATE TO HOLD ESCROW TO INSURE POST CONSTRUCTION SITE CONDITIONS ARE SATISFACTORY - CONTRACT C2011-193

Mike Tuttle, of County Engineering, stated that there is a gravel operation on the west end of 12th Street and the county generally requires a bond for site restoration. However, the State of Utah also requires a bond for site reclamation. The owner does not want to have two bonds and this Interlocal agreement allows the State to hold the escrow to ensure satisfactory post construction-site conditions. The agreement states that funds will not be released without county approval. The term goes through 2020. Chris Allred, Deputy County Attorney, stated that this is specifically for the Fronk property and that the State will do similar transactions for other sites in this situation.

Commissioner Gibson moved to approve Contract C2011-193 with the State of Utah, Division of Oil, Gas & Mining to allow the State to hold escrow to ensure post construction site conditions are satisfactory; Commissioner Dearden seconded, all voting aye.

7. RESOLUTION CONFIRMING THE APPOINTMENT OF ADAM HALL TO THE BOARD OF DIRECTORS OF WEBER HUMAN SERVICES - RESOLUTION 18-2011

David Wilson, Deputy County Attorney, stated that the Morgan County Council has reviewed and endorsed the appointment of Adam Hall.

Commissioner Dearden moved to adopt Resolution 18-2011 confirming the appointment of Adam Hall to the Board of Directors of Weber Human Services effective January 1, 2012; Commissioner Gibson seconded.

Roll Call Vote:

Commissioner Deardenaye
Commissioner Gibsonaye
Chair Zogmaisteraye

8. CONTRACTS WITH KOTTAGE KUPBOARD, INC. FOR EVENTS AT THE GOLDEN SPIKE EVENT CENTER (GSEC) ON THE FOLLOWING DATES:

SEPTEMBER 26-OCTOBER 1, 2011 - CONTRACT C2011-194

NOVEMBER 14-19, 2011 - CONTRACT C2011-195

Jennifer Graham, of GSEC, presented these two standard contracts.

Commissioner Gibson moved to approve Contracts C2011-194 and C2011-195 with Kottage Kupboard, Inc. for events at the Golden Spike Event Center 9/26-10/1/2011 and 11/12-14/2011, respectively; Commissioner Dearden seconded, all voting aye.

F. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, OCTOBER 4, 2011, 10 A.M.

G. PUBLIC COMMENTS: None

H. ADJOURN

Commissioner Dearden moved to adjourn at 10:24 a.m.; Commissioner Dearden seconded, all voting aye.

Attest:

Jan M. Zogmaister, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor