

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

Tuesday, October 15, 2013 - 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:** 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 Gibson
- B. **PLEDGE OF ALLEGIANCE** – Holin Wilbanks
- C. **THOUGHT OF THE DAY** – Commissioner Bell

**D. PRESENTATIONS:**

**1. PRESENTATION OF THE CHAMPIONS OF CHILDREN AWARD RECEIVED FROM THE TREEHOUSE CHILDREN'S MUSEUM TO WEBER COUNTY COMMISSIONERS & WEBER COUNTY RAMP COMMITTEE**

Commissioner Zogmaister said that this award was presented at the Treehouse's annual event. It is for grateful recognition of the generous support provided through the RAMP Program that has strengthened and sustained arts and cultural organizations in Weber County. She noted that the RAMP work is conducted by the committee made up of citizens that work diligently in this program.

**2. PRESENTATION FROM THE UT CHAPTER, AMERICAN PLANNING ASSOCIATION, THE AWARD OF MERIT ORDINANCE DEVELOPMENT, WEBER COUNTY AGRI-TOURISM ORDINANCE, TO THE WEBER COUNTY PLANNING DIVISION AND SCOTT MENDOZA, PROJECT COORDINATOR**

Rob Scott, County Planning Division Director, stated that Scott Mendoza was recognized by the Chapter for his leadership in the work conducted for the Agri-tourism ordinance. There had been no such comprehensive ordinance in the country and a tremendous amount of work was done that involved the Planning Division team and the planning commissions. Mr. Scott emphasized that it is worthy to be recognized by the Chapter. This is the third year in a row that the County Planning Division's hard work has been recognized by them. Chair Gibson said that the county is very proud of Mr. Mendoza, and the Planning Division. Commissioner Zogmaister recently received a call from an Ogden Valley resident who is very interested in utilizing the tools that are in the Agri-tourism ordinance. She said that with Mr. Mendoza's great work the county has the tools.

**E. CONSENT ITEMS:**

- 1. Ratify Purchase Orders for \$130,996.77 dated October 8, 2013
- 2. Purchase Orders for \$336,927.00
- 3. Ratify Warrants #302457-#302619 for \$2,521,119.04 dated October 8, 2013
- 4. Warrants #302620 - #302813 for \$951,740.23
- 5. Minutes for the meeting held on October 1, 2013
- 6. New business licenses
- 7. New beer license
- 8. Approval of Tax Review Board recommendation for a 2012 tax refund of \$226.97, parcel 18-057-0003
- 9. Approval of Tax Review Board recommendation for a 2012 market value adjustment from \$84,200.00 to \$19,200.00 on parcel 22-023-0036
- 10. Approval of Tax Review Board recommendation for a 2012 tax refund of \$7,945.04 on parcel 10-042-0003

11. Surplus two vehicles from the Weber-Morgan Health Department
12. Set public hearing for October 29, 2013, 10 a.m., on a request to amend the Zoning Map by rezoning property located at approximately 2150 E. Megan Circle (Uintah Highlands) from Residential Estates-15 (RE-15) Zone to Single-Family Residential-1-10 (R-1-10) Zone to develop Combe South Estates No. 2  
Commissioner Bell moved to approve the consent items; Commissioner Zogmaister seconded, all voting aye.

**F. ACTION ITEMS:**

1. **CONTRACT WITH SMG TO HOLD THE 2014 MISS WEBER COUNTY SCHOLARSHIP PAGEANT AT THE OGDEN ECCLES CONFERENCE CENTER ON NOVEMBER 7-8, 2013 – CONTRACT C2013-254**

Jan Wilson, with Weber County Fair, presented this contract.

Commissioner Bell moved to approve Contract C2013-254 with SMG to hold the 2014 Miss Weber County Scholarship Pageant at the Ogden Eccles Conference Center on 11/7-8/2013; Commissioner Zogmaister seconded, all voting aye.

2. **CONTRACT WITH THE STATE OF UTAH FOR SR-158, CONSTRUCTION MANAGEMENT CONTRACT WITH MODIFICATION #3, FOR FUNDING TO COMPLETE THE PROJECT – CONTRACT C2013-255**

Mike Tuttle, of County Engineering, stated that this for additional funds and to extend the time on the Construction Management Contract. He noted that there had been pavement issues near Wolf Creek, which have been corrected.

Commissioner Zogmaister moved to approve Contract C2013-255 with the State of Utah for SR-158, Construction Management Contract with Modification #3, for funding to complete the project; Commissioner Bell seconded, all voting aye.

3. **REQUEST FOR CONTRACT WITH UNITED STATES AIR FORCE FOR WELL MONITORING**
4. **REQUEST FOR CONTRACT AMENDMENT WITH BOWEN COLLINS AND ASSOCIATES FOR ADDITIONAL BANK PROTECTION SITES/SCOPING REQUIREMENTS FOR WEBER EMERGENCY WATERSHED PROTECTION (EWP) PROJECT**

Items 3 and 4 were held.

5. **CONTRACT WITH KOTTAGE KUPBOARD INC. FOR THE CANDY CANE LANE CRAFT BOUTIQUE AT THE GOLDEN SPIKE EVENT CENTER (GSEC) ON NOVEMBER 16-23, 2013 – CONTRACT C2013-256**

Jim Harvey, with GSEC, presented this standard contract.

Commissioner Bell moved to approve Contract C2013-256 with Kottage Kupboard Inc. for the Candy Cane Lane Craft Boutique at the Golden Spike Event Center on November 16-23, 2013; Commissioner Zogmaister seconded, all voting aye.

6. **CONTRACT WITH JUNCTION CITY ROLLER DOLLS FOR THE OCTOBER DERBY BOUT AT THE GOLDEN SPIKE EVENT CENTER (GSEC) ON OCTOBER 26, 2013 – CONTRACT C2013-257**

Jim Harvey, with GSEC, presented this standard contract.

Commissioner Zogmaister moved to approve Contract C2013-257 with Junction City Roller Dolls for the October Derby Bout at the Golden Spike Event Center on October 26, 2013; Commissioner Bell seconded, all voting aye.

**7. ORDINANCE ADOPTING THE SUMMIT-EDEN @ POWDER MOUNTAIN COMMUNITY DEVELOPMENT PROJECT AREA PLAN, AND RELATED MATTERS – ORDINANCE 2013-28**

Douglas Larsen, Weber Economic Development Partnership, Executive Director, noted that earlier today the Redevelopment Agency of Weber County met and adopted the Plan. Notice will be published in the Standard Examiner that the plan is approved. The plan will be recorded and for 30 days from publication the public can inspect and contest the plan.

Commissioner Bell moved to adopt Ordinance 2013-28 adopting the Summit-Eden @ Powder Mountain Community Development Project Area Plan, and related matters; Commissioner Zogmaister seconded.

Roll Call Vote:

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

**8. FIRST AMENDMENT TO THE REAL ESTATE PURCHASE AND SALE AGREEMENT WITH SWANSON TACTICAL TRAINING CENTER, LLC. – CONTRACT C2013-258**

Chair Gibson stated that a few months ago the county approved a contract for the purchase of the Swanson Tactical Training Center for use as a public shooting range and public safety training facility. The contract had a due diligence that was to expire 12/31/2013. Additional time is needed and this extends the due diligence through 4/30/2014.

Commissioner Bell moved to approve Contract C2013-258, First amendment to the Real Estate Purchase and Sale Agreement with Swanson Tactical Training Center, LLC; Commissioner Zogmaister seconded, all voting aye.

**9. RESOLUTION APPOINTING MEMBERS TO THE RECREATION, ARTS, MUSEUMS AND PARKS BOARD AND APPOINTING MEMBERS TO THE ADVISORY BOARD – RESOLUTION 23-2013**

Shelly Halacy, of the Commission Office, presented the vacancies on the RAMP Advisory Board, Arts and Museums Committee and Recreation Committee.

Commissioner Bell moved to adopt Resolution 23-2013 reappointing Jeanne Hall to the Arts and Museums Committee as the Chair, and also to serve on the Board; reappointing George Hall to the Recreation and Parks Committee and also appointing him to the Board; reappointing Robert Coleman to the Arts and Museum Committee and also appointing him to serve on the Board; reappointing Helene Liebman, Willard Maughn, and Kathy Peterson to the Recreation and Parks Committee; and appointing Danette Pulley and Ann Greenwood to the Arts and Museums Committee with their terms to begin October 1, 2013 and continue for a period of three (3) years; Commissioner Zogmaister seconded.

Roll Call Vote:

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

**10. RESOLUTION COMMITTING TO THE CONSTRUCTION OF NEW JAIL BEDS FOR USE BY THE UTAH STATE PRISON SYSTEM- RESOLUTION 24-2013**

Weber County Sheriff Terry Thompson noted that the State is considering closing/relocating the Utah State Prison and during this process have asked for proposals from other agencies that may be able to assist them to house more contract State inmates. He said that under certain conditions this could be very beneficial for Weber County. The conditions are as follows:

- 1) The county would construct 400 additional jail beds conditioned upon the State committing to the following minimum requirements:

- a. To pay \$59/day for inmates housed in the newly constructed jail beds,
  - b. The commitment must be by written contract & must continue for a period of no less than 20 years,
  - c. The \$59/day amount will be increased each three years during the 20 year period to reflect the current rate of inflation for the preceding three years,
  - d. The payments for the beds constructed pursuant to this resolution will not be subject to legislative appropriation and must be paid for by the State regardless of whether all beds are filled beginning on the date agreed upon in the written contract,
  - e. Weber County will accept Class 5, 4, 3 and 2 inmates,
  - f. The classification system used to classify inmates must be agreed upon by the county and State.
- 2) Weber County will begin the process of constructing the additional beds once a firm agreement has been reached with the State relating to the above conditions. Once construction begins, Weber County will commit to have the beds ready for use within 18 months after the signing of a firm commitment between the parties.
- 3) The State and Weber County will agree upon conditions that will make otherwise eligible inmates not acceptable for housing in the Weber County facility. Other than those circumstances, the County commits to take any inmates within the classifications agreed upon in this document.
- 4) The above rate does not include the cost of transporting the inmates to and from the county facility, the cost of providing medical care to the inmates housed in the county facility, or the cost of providing drug, alcohol or sex offender treatment to the inmates housed in the Weber County facility.

The Sheriff addressed Commissioner Zogmaister’s questions including that the State has never contracted with the county guaranteeing payment and that about 24 additional jobs would be created. Commissioner Bell said that about 25% of the State inmates are from Weber County.

Commissioner Bell moved to adopt Resolution 24-2013 committing to the construction of new jail beds for use by the Utah State Prison System; Commissioner Zogmaister seconded.

Roll Call Vote:

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

**G. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, OCTOBER 22, 2013, 10 A.M.**

**H. PUBLIC COMMENTS:** None

**I. ADJOURN**

Commissioner Bell moved to adjourn at 10:47 a.m.; Commissioner Zogmaister seconded, all voting aye.

Attest:

\_\_\_\_\_  
Kerry W. Gibson, Chair  
Weber County Commission

\_\_\_\_\_  
Ricky D. Hatch, CPA  
Weber County Clerk/Auditor