

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

Tuesday, October 16, 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, Clerk/Auditor; David C. Wilson, Deputy County Attorney; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

- A. **WELCOME** - Chair Dearden
- B. **PLEDGE OF ALLEGIANCE** - Scott Mendoza
- C. **THOUGHT OF THE DAY** - Commissioner Zogmaister

D. PRESENTATION OF SAVANNAH LANCASTER AS THE 2013 MISS WEBER COUNTY

This item was held.

E. CONSENT ITEMS:

1. Purchase Orders for \$152,993.37
2. Warrants #290654-#290810 for \$905,967.81
3. Minutes for the meeting held on October 9, 2012
4. Set public hearing for November 6, 2012, 10 a.m., regarding a request to amend County Zoning Ordinance, Chapter 18C-7, Architectural, Landscape, and Screening Design Standards, by permitting the use of chain link fencing materials on properties located within the Ogden Valley Manufacturing Zone where chain link materials are currently prohibited

Commissioner Zogmaister noted that the petitioner of item E.4 has been operating in Weber County for several years yet is not licensed. Scott Mendoza, of the County Planning Division, stated where there is a violation the ordinance allows an application to be submitted if it is a method to resolve the violation. Mr. Mendoza stated that there are other issues that also need resolving and he is working with the applicant. Once all the issues are resolved, the applicant can apply for a business license. David Wilson, Deputy County Attorney, asked if the lack of this particular issue prohibits the petitioner from obtaining a business license now and Mr. Mendoza reiterated that it is one of several issues—that the chain link fence is not the only compliance issue—that has come forth during the review of the conditional use application.

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

F. ACTION ITEMS:

1. **CONTRACT WITH UTAH DEPARTMENT OF TRANSPORTATION (UDOT) TO EXTEND THE TIME LIMIT ON CONTRACT C2011-187 - CONTRACT C2012-192**

Michael Tuttle, of County Engineering, stated that this is simply for a time extension for the design engineer on the SR-158 project. There are no other changes.

Commissioner Zogmaister moved to approve Contract C2012-192 with the Utah Department of Transportation to extend the time limit on contract C2011-187; Commissioner Gibson seconded, all voting aye.

2. CONTRACT WITH UTAH DEPARTMENT OF TRANSPORTATION (UDOT) FOR CHANGE ORDER #2 REGARDING UTILITY CONFLICTS DURING CONSTRUCTION OF SR-158 PROJECT - CONTRACT C2012-193

Michael Tuttle, of County Engineering, noted that this is related to the above project and is a change order for work, additional time and money spent related to the utility conflicts underground. There is no fee assessed to the county. UDOT is providing the match on this project and the project manager had confirmed earlier today that there are enough funds in the contingency to cover the change order. Commissioner Gibson moved to approve Contract C2012-193 with the Utah Department of Transportation for Change Order #2, regarding utility conflicts during construction of the SR-158 project; Commissioner Zogmaister seconded, all voting aye.

3. RESOLUTION APPOINTING MEMBERS TO THE BOARD OF ADJUSTMENTS - RESOLUTION 21-2012

Rob Scott, of the County Planning Division, noted that this is a 5-member board with two alternates. He outlined the current vacancies.

Commissioner Zogmaister moved to adopt Resolution 21-2012 appointing the following members to the Board of Adjustment: Celeste Canning with a term expiring 6/30/2015; extending the term of member Deone Smith to 6/30/2016; appointing alternate Rex Mumford as a member with a term expiring 6/30/2017; and appointing alternates Bryce M. Froerer and Nathan Buttars through 6/30/2017; Commissioner Gibson seconded.

Roll Call Vote:

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

4. REQUEST FOR CONSTRUCTION MANAGEMENT/GENERAL CONTRACTOR AGREEMENT WITH R&O CONSTRUCTION COMPANY IN REGARD TO WEBER COUNTY TRANSFER STATION REBUILD PROJECT

This item was held.

G. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, OCTOBER 23, 2012, 10 A.M.

H. PUBLIC COMMENTS: None

I. ADJOURN

Commissioner Zogmaister moved to adjourn at 10:19 a.m.; Commissioner Gibson seconded, all voting aye.

Attest:

Craig L. Dearden, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor