

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

Tuesday, October 23, 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 - David Wilson

C. THOUGHT OF THE DAY - Chair Dearden

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

This item was held.

PRESENTATION OF OUTSTANDING ACHIEVEMENT AWARD FROM THE UT CHAPTER OF AMERICAN PLANNING ASSOCIATION FOR MIRADI, THE APPLICATION-TRACKING SOFTWARE PROGRAM

Rob Scott, County Planning Division Director, said that this is a special recognition of staff who accomplished great things for the county. For the second consecutive year Weber County has been recognized by this Association. This year the outstanding achievement award is for the development of Miradi. Mike Tuttle, of County Engineering, the author of this software that has become the mainstay of application-tracking within the county, said that it is a very useful tool for the applicants as well. This effort saved the county \$120,000-\$160,000, the cost to purchase that software. Input was received from various county departments during its development. The commissioners congratulated Mr. Tuttle for the great job and presented him with the award.

E. CONSENT ITEMS:

1. Purchase Orders for \$122,049.65
2. Warrants #290811-#291037 for \$1,592,948.54
3. Minutes for the meeting held on October 16, 2012
4. Surplus a 1991 International 8100 Sander/Plow from Fleet Management
5. Surplus a PatrolSim IV Driver Simulator from the Sheriff's Office

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

F. ACTION ITEMS:

1. **CONSTRUCTION MANAGEMENT/GENERAL CONTRACTOR AGREEMENT WITH R&O CONSTRUCTION COMPANY FOR THE COUNTY TRANSFER STATION REBUILD PROJECT - CONTRACT C2012-194**

Gary Laird, of the County Solid Waste Management, stated that the Notice of Award was approved on 10/2/2012 and this is the final contract to replace building structural portions that were damaged during the recent fire at the Transfer Station. This contract is for \$48,550 and includes a proposed schedule of completion (expected to be mid 2/2013). Mr. Laird said that the contractor can participate in some design elements.

Commissioner Gibson moved to approve Contract C2012-194, Construction Management/General Contractor Agreement with R&O Construction Company for the Weber County Transfer Station rebuild project; Commissioner Zogmaister seconded, all voting aye.

2. CONTRACT WITH J-U-B ENGINEERS, INC. FOR DESIGN OF EWP CONTROL MEASURES THROUGH NRCS FUNDS (SOUTH FORK OF OGDEN RIVER - BANK PROTECTION) - CONTRACT C2012-195

Jared Andersen, County Engineer, said that this contract is for work on the South Fork for \$22,850. Commissioner Zogmaister moved to approve Contract C2012-195 with J-U-B Engineers, Inc. for design of EWP control measures with NRCS funds; Commissioner Gibson seconded, all voting aye.

3. CONTRACT WITH CRS CONSULTING ENGINEERS FOR AMENDMENT 1 TO ORIGINAL CONTRACT FOR DESIGN OF EWP CONTROL MEASURES THROUGH NRCS FUNDS - CONTRACT C2012-196

Jared Andersen, County Engineer, stated that this is for the Weber River construction management services and is necessary in order to get the bid documents in place. It is not to exceed \$328,440, and is the total for all the remaining EWP construction work in the lower valley.

Commissioner Gibson moved to approve Contract C2012-196 with CRS Consulting Engineers for Amendment 1 to the original contract for design of EWP control measures with NRCS funds; Commissioner Zogmaister seconded, all voting aye.

4. CONTRACT WITH MARRIOTT-SLATERVILLE CITY PROVIDING FORMAL PERMISSION FROM THE CITY TO FILL THE COUNTY SURVEYOR'S STATUTORY DUTY RELATING TO MONUMENT [SEE UCA 17-23-1 (3)(A)(VII)] PRESERVATION WORK - CONTRACT C2012-197

Ernest Rowley, County Recorder/Surveyor, noted that on 6/12/2012 the Commission amended the ordinance relating to technical requirements for surveys. State Code 17- 23- 1 states that the County Surveyor is responsible to maintain any monument that has a spatial relationship with a section or quarter section corner. Mr. Rowley sent letters to all cities informing them of his responsibility to maintain those monuments and asking them for written permission to do so. Marriott- Slaterville requested a formal agreement.

Commissioner Zogmaister moved to approve Contract C2012-197 with Marriott-Slaterville City providing formal permission from the city to fill the County Surveyor's statutory duty relating to monument preservation work; Commissioner Gibson seconded, all voting aye.

5. CONTRACT WITH J-U-B ENGINEERS, INC. FOR THE WEBER MEMORIAL PARK SPRING CONDITION ASSESSMENT - CONTRACT C2012-198

Jennifer Graham, County Recreation Facilities Director, noted that this contract relates to the aging infrastructure of the drinking water system at the Park. This was bid out and J-U-B was selected.

Commissioner Gibson moved to approve Contract C2012-198 with J-U-B Construction for the Weber Memorial Park spring condition assessment; Commissioner Zogmaister seconded, all voting aye.

6. RESOLUTION APPOINTING MEMBERS TO THE GOLDEN SPIKE EVENT CENTER ADVISORY BOARD - RESOLUTION 22-2012

Jennifer Graham, County Recreation Facilities Director, noted that the terms of five board members are expiring this year and each is willing to serve another term. All terms expire 12/31/2016.

Commissioner Zogmaister moved to adopt Resolution 22-2012 reappointing the following to the Golden Spike Event Center Advisory Board: Tom Close, Dave Combe, Dennis Montgomery, Julie Snowball, and Rod Southwick; Commissioner Gibson seconded.

Roll Call Vote:

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

G. PUBLIC HEARING:

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

2. PUBLIC HEARING REGARDING AMENDING THE WEBER COUNTY ZONING ORDINANCE CHAPTER 18B, COMMERCIAL VALLEY ZONES, TO UPDATE THE PURPOSE AND INTENT, SITE DEVELOPMENT STANDARDS, SIGN REGULATIONS, SPECIAL REGULATIONS AND REVISION OF THE USES CATEGORIES

Ben Hatfield, of the County Planning Division, stated that staff worked with the Ogden Valley Planning Commission for about two years to amend this ordinance. A lot of the uses that were in the ordinance were outdated and other items needed to be updated as well. Chair Dearden invited public comments and none were offered.

3. Commissioner Zogmaister moved to adjourn the public hearing and reconvene the public meeting; Commissioner Gibson seconded, all voting aye.

4. ACTION ON PUBLIC HEARING:

G.2- PUBLIC HEARING ON AMENDING ZONING ORDINANCE CHAPTER 18 B - ORDINANCE 2012-17

Commissioner Zogmaister said that the update had been overdue and this was well thought out. Commissioner Gibson moved to adopt Ordinance 2012-17 amending the Weber County Zoning Ordinance, Chapter 18B, Commercial Valley Zones, updating the purpose and intent, site development standards, sign regulations, special regulations and revising the uses categories; 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, OCTOBER 30, 2012, 10 A.M.

I. PUBLIC COMMENTS: None

J. CLOSED EXECUTIVE SESSION TO DISCUSS STRATEGY RELATING TO IMMINENT OR PENDING LITIGATION

Commissioner Zogmaister moved to convene a closed executive session to discuss strategy relating to imminent or pending litigation; Commissioner Gibson seconded.

Roll Call Vote:

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

There was no action taken on the closed executive session.

K. ADJOURN

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

Attest:

Craig L. Dearden, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor