

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

Tuesday, January 26, 2016 - 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:** Kerry W. Gibson, Matthew G Bell and James Ebert.

**OTHERS PRESENT:** Ricky D. Hatch, County Clerk/Auditor; David C. Wilson, Deputy County Attorney; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

**A. WELCOME** – Chair Gibson

**B. INVOCATION** – Commissioner Bell

**C. PLEDGE OF ALLEGIANCE** – Brooke Stewart

**D. THOUGHT OF THE DAY** – Commissioner Ebert

**E. CONSENT ITEMS:**

1. Purchase orders for \$131,875.81
2. Warrants #400565-#400771 for \$1,587,744.68
3. Minutes for the meeting held on January 19, 2016
4. Request from Weber County Parks Department for approval of an application for eligibility of a Federal Surplus Property Program

Commissioner Ebert moved to approve the consent items; Commissioner Bell seconded.  
Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

**F. ACTION ITEMS:**

1. **RESOLUTION APPOINTING MEMBER TO WEBER HOUSING AUTHORITY – RESOLUTION 2-2016**

Andi Beadles, of the Weber Housing Authority, noted that there was a vacancy and the Board had forwarded the names of three individuals.

Commissioner Ebert moved to adopt Resolution 2-2016 appointing Maresha Bosgeiter to the Weber Housing Authority representing the non-profit community; Commissioner Bell seconded.  
Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

2. **AMEND CHANGE ORDER NO. 3 (2015-396) FOR GRANITE CONSTRUCTION ON PHASE 1 OF 3500 WEST FROM \$194,139.39 TO \$27,764.14**

Jared Andersen, County Engineer, County Engineer, noted that there was a reduction in costs.

Commissioner Ebert moved to approve the amended change order No. 3 (2015-396) for Granite Construction on Phase 1 of 3500 W. from \$194,139.39 to \$27,764.14; Commissioner Bell seconded.

Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

3. **RIGHT-OF-WAY CONTRACT WITH THE FOLLOWING FOR THE 3500 W. PROJECT:  
FRANCIS & NOLA HESSELGESSER, PARCEL 109**

Jared Andersen, County Engineer, briefly presented this contract.

Commissioner Bell moved to approve the right-of-way contract with Francis/Nola Hesselgesser, Parcel 109, for the 3500 W. project; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

4. **TWO RIGHT-OF-WAY CONTRACTS WITH THE FOLLOWING FOR THE 12<sup>TH</sup> STREET PROJECT:  
CODY & TERESA OSTLER, PARCEL 151; SCOTT & DEBRA CONLEY, PARCEL 171**

Jared Andersen, County Engineer, briefly presented these contracts.

Commissioner Ebert moved to approve the right-of-way contracts with Cody/Teresa Ostler, Parcel 151, and Scott/Debra Conley, Parcel 171, for the 12<sup>th</sup> Street project; Commissioner Bell seconded.

Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

5. **INTERLOCAL COOPERATION AGREEMENT WITH WEBER BASIN WATER CONSERVANCY DISTRICT FOR THEIR PORTION OF THE COST TO RELOCATE THEIR WATERLINE IN 12<sup>TH</sup> STREET, AS PART OF THE ROAD WIDENING PROJECT**

Jared Anderson, County Engineer, noted that the District is choosing to relocate its existing waterline in 12<sup>th</sup> Street (in conjunction with the county's current 12<sup>th</sup> Street widening project) and is paying for its portion of that cost.

Commissioner Bell moved to approve the Interlocal Cooperation Agreement with Weber Basin Water Conservancy District for their portion of the cost to relocate their waterline in 12<sup>th</sup> Street, as part of the road widening project; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

6. **RESOLUTION APPROVING A COOPERATION AGREEMENT WITH WEBER BASIN WATER CONSERVANCY DISTRICT – RESOLUTION 3-2016**

This resolution pertains to the above item.

Commissioner Bell moved to adopt Resolution 3-2016 approving the cooperation agreement with Weber Basin Water Conservancy District; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

7. **CONTRACT WITH JAMES RETALICK TO REPRESENT INDIGENT DEFENDANTS IN THE DISTRICT COURT**

David Wilson, Deputy County Attorney, stated that this is the last remaining contract for indigent defense; the other contracts were presented on 1/5/2016.

Commissioner Bell moved to approve the contract with James Retalick to represent indigent defendants in the District Court; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

8. **CONTRACT WITH GREAT BASIN ANTIQUE MACHINERY TO HAVE ANTIQUE MACHINERY ON DISPLAY, HOLD TRACTOR PULLS & A TRACTOR PARADE AT THE 2016 WEBER COUNTY FAIR**

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

Commissioner Bell moved to approve the contract with Great Basin Antique Machinery to display antique machinery, hold tractor pulls and a tractor parade at the 2016 Weber County Fair; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

9. **CONTRACT WITH CAPITOL INTERNATIONAL PRODUCTIONS, INC. TO HAVE CJ'S ANIMAL ADVENTURES/AUSSIE KINGDOME AT THE 2016 WEBER COUNTY FAIR**

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

Commissioner Bell moved to approve the contract with Capitol International Productions, Inc. to have CJ's Animal Adventures/Aussie Kingdome at the 2016 Weber County Fair; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

**G. PUBLIC HEARING:**

1. Commissioner Bell moved to adjourn the public meeting and convene the public hearing; Commissioner Ebert seconded.  
Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

2. **PUBLIC HEARING TO TAKE ACTION ON A PROPOSAL FOR CREATION OF AN AGRICULTURAL PROTECTION AREA (APA) – MARRIOTT #1**

Fátima Fernelius, of the County Clerk/Auditor’s Office, stated that an application for creation of an APA was received from Randy/Kami Marriott. The boundaries are along 700 N from approximately 5900 W to about 8700 W. The statutory requirements were followed for publishing, mailing and posting the notice for the proposal and for this public hearing. No written public comments were received. The Western Weber Planning Commission and the Advisory Committee recommended approval. Kami Marriott was present and had no comments. Chair Gibson invited public comments and none were offered.

3. Commissioner Ebert moved to adjourn the public meeting and reconvene the public hearing; Commissioner Bell seconded.  
Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

4. **ACTION ON PUBLIC HEARING:**

**G.2. - CREATION OF AN AGRICULTURAL PROTECTION AREA**

Commissioner Bell moved to approve the creation of the Marriott #1 Agricultural Protection Area; Commissioner Ebert seconded.  
Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

**H. PUBLIC COMMENTS:**

Gary Nielsen, Board member of Warren Irrigation, said that he is in favor of agriculture protection areas. The Warren Irrigation board’s next meeting is on February 16<sup>th</sup>. He said that if the Commission would like to submit a statement he can read it at that meeting informing the people about what is occurring with the 12<sup>th</sup> Street reconstruction/widening project because a lot of the residents in that area are being impacted and there has been a lot of miscommunication. Chair Gibson said that the Commission appreciates the help in getting the word out about the project.

**I. ASSIGN PLEDGE OF ALLEGIANCE FOR MEETING ON TUESDAY, FEBRUARY 2, 2016, 10 A.M.**

**J. ADJOURN**

Commissioner Bell moved to adjourn at 10:27 a.m.; Commissioner Ebert seconded.  
Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

Attest:

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Kerry W. Gibson, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor