

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

Tuesday, March 12, 2013 - 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: Kerry W. Gibson, Chair, Jan M. Zogmaister, and Matt G Bell.

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. PLEDGE OF ALLEGIANCE – Garaleen Parks

C. THOUGHT OF THE DAY – Chair Gibson

D. CONSENT ITEMS:

1. Purchase Orders for \$305,725.27
2. Warrants #295639 - #295831 for \$1,046,131.76
3. Minutes for the meeting held on March 5, 2013
4. New business licenses
5. Set public hearing for April 2, 2013, 10 a.m., regarding the vacation of a detention basin utility easement on Lot 1 of Basinview Estates Cluster Subdivision 1st Amendment
6. Set public hearing for April 2, 2013, 10 a.m., to consider a Zoning Map Amendment (ZMA 2013-01) to rezone properties in North Fork Area, located near 6972 N. North Fork Road, from Forest-5 Zone (F-5) to Forest Valley-3 Zone (FV-3)
7. Set public hearing for April 2, 2013 to vacate a 10-foot public utility easement on Lot 3B of Weber Industrial Park Plat D
8. Weber County Tax Review Committee's recommendation to waive penalty of \$10.00 and interest of \$170.07 on Parcel #30-300-6840
9. Set public hearing for March 19, 2013 to receive public input on the Library Expansion Plan and a proposed June 25th bond election date

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

E. ACTION ITEMS:

1. PETITION FOR THE APPROPRIATION OF FUNDS HELD BY THE STRIKE FORCE

Dee Smith, Weber County Attorney, referred to the listed items seized during drug enforcement operations where the owners are unknown or unavailable and requested to appropriate the property for continued drug enforcement operations. The Strike Force published notice in the Standard Examiner for two weeks and eight of the owners had claimed their property.

Commissioner Bell moved to approve the petition for appropriation of funds held by the Strike Force; Commissioner Zogmaister seconded, all voting aye.

2. REQUEST FROM THE RECREATION, ARTS, MUSEUMS AND PARKS COMMITTEE TO APPROVE THE 2013 RAMP GRANT RECOMMENDATIONS

Chris Ward, RAMP Administrator, presented the list of grant recommendations. This year there were 85 applications requesting about \$3.5 million and there were \$2.8 million available. Since its inception in 2006 RAMP has awarded over \$20 million (with this year's awards). Training will be available for applicants in October. Mr. Ward recognized the committee members present and expressed thanks for all of their hard work as well as to county staff involved in this process.

Commissioner Zogmaister had reviewed the recommendations at WACOG and said that the funds were well disbursed throughout the county. Mr. Ward noted that the RAMP tax will be up for vote next year. The commissioners expressed thanks to the committee members for their hard work. Commissioner Zogmaister moved to approve the 2013 Recreation, Arts, Museums and Parks grant recommendations; Commissioner Bell seconded, all voting aye.

3. RESOLUTION APPOINTING 3 MEMBERS TO PLAIN CITY CEMETERY MAINTENANCE DISTRICT – RESOLUTION 4-2013

Brooke Stewart, of the Commission Office, noted that currently there are three vacancies on the Cemetery District. The Commission Office advertised for the positions as required by State law. Three applications were received. The District had requested that Ross Taylor be appointed and that Joel Freestone and Brent White be reappointed to fill the existing vacancies.

Commissioner Bell moved to adopt Resolution 4-2013 appointing Ross Taylor to serve through 12/31/2016 and reappointing Joel Freestone and Brent White through 12/31/2016 to the Plain City Cemetery Maintenance District; Commissioner Zogmaister seconded.

Roll Call Vote:

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

4. VACATE LOTS 1 AND 2 OF THE REX MUMFORD SUBDIVISION – ORDINANCE 2013-4

Ben Hatfield, of the County Planning Division, stated that Rex Mumford petitioned to vacate lots 1 and 2 and the owners desire to amend their property boundary by trading 1.11 acres of land from one lot to the other.

Commissioner Zogmaister moved to adopt Ordinance 4-2013 vacating Lots 1 and 2 of the Rex Mumford Subdivision; Commissioner Bell seconded.

Roll Call Vote:

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

5. VACATE LOT 6 OF THE GARDEN ACRES SUBDIVISION – ORDINANCE 2013-5

Ben Hatfield, of the County Planning Division, stated that the east 90 feet of the lot was divided in the 1980's which violated the subdivision ordinance and the owners wish to clear this up by vacating lot 6 and reconfiguring the lot boundary by reducing the width on the east by 90 feet, which will be absorbed into an agriculture piece of property.

Commissioner Bell moved to adopt Ordinance 2013-5 vacating Lot 6 of the Garden Acres Subdivision; Commissioner Zogmaister seconded.

Roll Call Vote:

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

6. VACATE LOT 60 OF WOODLAND ESTATES SUBDIVISION UNIT 3 – ORDINANCE 2013-6

Ben Hatfield, of the County Planning Division, stated that the landowner divided the lot into two parcels.

Commissioner Zogmaister moved to adopt Ordinance 2013-6 vacating Lot 60 of Woodland Estates Subdivision Unit 3; Commissioner Bell seconded.

Roll Call Vote:

Commissioner Zogmaister.....aye
Commissioner Bellaye
Chair Gibson.....aye

7. CONSTRUCTION MANAGEMENT CONTRACT MODIFICATION #2 WITH THE UTAH DEPARTMENT OF TRANSPORTATION TO EXTEND THE PROJECT TO THE 2013 CONSTRUCTION SEASON – CONTRACT C2013-56

Michael Tuttle, of County Engineering, stated that this contract modification is with UDOT and Stanley Consultants, Inc., for the SR-158 improvements. Due to construction delays, this extends the contract into this year. UDOT is paying the funding match and there is no cost to the county.

Commissioner Bell moved to approve Contract C2013-56, Construction Management Contract Modification #2 with the Utah Department of Transportation to extend the project to the 2013 Construction Season; Commissioner Zogmaister seconded, all voting aye.

8. CONTRACT WITH ROCKY MOUNTAIN POWER TO PROVIDE UPGRADED ELECTRICAL POWER TO THE ICE SHEET, TO INCLUDE THE EXISTING FACILITY AND THE EXPANSION OF AN ADDITIONAL ICE SHEET & INDOOR ATHLETIC PRACTICE FACILITY FOR WEBER STATE UNIVERSITY – CONTRACT C2013-57

Nate Pierce, County Operations Department Director, noted that this is a master electrical service improvement agreement with Rocky Mountain Power for provision of power to not only the existing ice sheet but for the current expansion at Weber State University.

Commissioner Zogmaister moved to approve Contract C2013-57 with Rocky Mountain Power to provide upgraded electrical power to the Ice Sheet, to include the existing facility and the expansion of an additional ice sheet and indoor athletic practice facility for Weber State University; Commissioner Bell seconded, all voting aye.

9. FIRST READING OF AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR WEBER COUNTY UTAH; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE

David Wilson, Deputy County Attorney, presented this item for first reading. Mr. Wilson noted that it does not include the Land Use Code, which will be done in a separate adoption. He thanked the various county departments for their assistance with this process and will ask them for their continued input. After adoption, the code will be online.

Commissioner Bell moved to approve the first reading of the ordinance adopting and enacting a new code for Weber County Utah; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such code; and providing when such code and this ordinance shall become effective; Commissioner Zogmaister seconded, all voting aye.

10. RESOLUTION REAPPOINTING 2 MEMBERS TO THE CAREER SERVICE COUNCIL – RESOLUTION 5-2013

David Wilson, Deputy County Attorney, noted that the Career Service Council, comprised of three members, hears appeals regarding certain personnel matters. The Human Services Director is recommending two people to serve on the Council who meet the applicable State statute.

Commissioner Zogmaister moved to adopt Resolution 5-2013 reappointing the following to the Career Service Council: Craig Heninger (with a term beginning 7/1/2013 through 6/30/2016) and Marcia Owen (beginning 7/1/2012 through 6/30/2015); Commissioner Bell seconded.

Roll Call Vote:

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

F. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, MARCH 19, 2013, 10 A.M.

G. PUBLIC COMMENTS: None

Tom Hansen, Washington Terrace City Manager, expressed appreciation to the Commission and to the RAMP committee for their work and RAMP allocation for Rohmer Park. He was involved early on with RAMP and has been amazed at the quality of projects that have been done county-wide with RAMP funds.

H. ADJOURN

Commissioner Bell moved to adjourn at 10:39 a.m.; Commissioner Zogmaister seconded, all voting aye.

Attest:

Kerry W. Gibson, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor