

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

Tuesday, March 10, 2015 - 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: Matthew G Bell, Vice Chair, and James Ebert. Kerry W. Gibson was excused.

OTHERS PRESENT: Ricky D. Hatch, County Clerk/Auditor; Chris F. Allred, Deputy County Attorney; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

A. WELCOME – Commissioner Bell

B. INVOCATION – Verda Rost

C. PLEDGE OF ALLEGIANCE – Shelly Halacy

D. THOUGHT OF THE DAY – Commissioner Bell

E. CONSENT ITEMS:

1. Purchase orders for \$219,890.04
2. Warrants #318952 - #319092 for \$198,986.23
3. Minutes for the meeting held on March 3, 2015
4. Cancel regular Commission meeting for 3/17/2015. Next meeting: 3/24/15

Commissioner Ebert moved to approve the consent items; Commissioner Bell seconded.

Commissioner Ebert – aye; Commissioner Bell – aye

F. ACTION ITEMS:

1. RESOLUTION APPOINTING MEMBERS TO THE EDEN PARK SERVICE AREA BOARD – RESOLUTION 21-2015

Brooke Stewart, of the Commission Office, stated that the terms of the current chair, Nicholas A. Froerer, and vice chair, Mindi L. Quinn, had expired. This item was noticed and published according to State statute and four applications were received.

Commissioner Ebert moved to adopt Resolution 21-2015 reappointing Nicholas A. Froerer and Mindi L. Quinn to the Eden Park Service Area Board through 12/31/2018; Commissioner Bell seconded.

Commissioner Ebert – aye; Commissioner Bell – aye

2. RESOLUTION APPOINTING MEMBERS TO THE LIBERTY PARK SERVICE AREA BOARD - RESOLUTION 22-2015

Brooke Stewart, of the Commission Office, stated that the five board members' terms expired. Ten applications were received and Commissioner Bell noted that they were husbands and the wives.

Commissioner Ebert moved to adopt Resolution 22-2015 appointing Ross Mertlich and Kevin Phipps to 2-year terms; Brett Hansen, Michael Rhodes, and Sharmain Kennedy-Croft to 4-year terms on the Liberty Park Service Area Board; Commissioner Bell seconded.

Commissioner Ebert – aye; Commissioner Bell – aye

3. REAL ESTATE CONTRACT FOR THE SALE OF PROPERTY LOCATED AT 701 W. 12TH STREET TO THE STATE OF UTAH, DIVISION OF FACILITIES & CONSTRUCTION MANAGEMENT, FOR A YOUTH CENTER – CONTRACT C2015-55

Kevin McLeod, of County Operations, stated that it has been a long process to sell the property to the State for the Juvenile Detention Center. Major contract changes include increasing the selling price from the original proposed amount by the State of \$1.09 million to \$1.225 million due to a re-evaluation of the property, and increasing the \$150,000 that the State originally proposed as its participation amount for the construction of the new roadway off 12th Street (the new east entrance road) to \$250,000.

Commissioner Bell noted that the county purchased the property over a year ago as part of the plan for the State to build the youth detention center, and that it was also to help Marriott Slaterville City (for a business that needed to come in). This resulted in the need for a land swap.

Mr. McLeod noted that there has been some question as to why the county would sell property purchased for over \$2 million for \$1.225 million and explained that this transaction is for only about 7.5 acres of the 11 acres. Commissioner Bell concurred, and he stated that the 12th Street frontage is still in the county's name. Chris Allred, County Attorney, had no questions or comments. Commissioner Ebert noted that the Youth Center's concept is for consolidation of services, which is not the current practice. He supports the planned consolidation.

Commissioner Ebert moved to approve Contract C2015-55 for sale of property located at 701 W. 12th Street to the State of Utah, Division of Facilities and Construction Management, for a Youth Center; Commissioner Bell seconded.

Commissioner Ebert – aye; Commissioner Bell – aye

4. CONTRACT WITH WOODEN CREATIONS TO PROVIDE A CHAINSAW CARVINGS PRESENTATION AT THE 2015 WEBER COUNTY FAIR – CONTRACT C2015-56

Jan Wilson, of the County Fair, presented this contract for \$4,000, which she said the county easily recoups.

Commissioner Ebert moved to approve Contract C2015-56 with Wooden Creations to provide a chainsaw carvings presentation at the 2015 Weber County Fair; Commissioner Bell seconded.

Commissioner Ebert – aye; Commissioner Bell – aye

5. CONTRACT WITH BROKEN HEART RODEO COMPANY TO PRODUCE THE RODEO FOR THE 2015 WEBER COUNTY FAIR – CONTRACT C2015-57

Jan Wilson, of the County Fair, presented this contract for \$7,500 and \$12 per timed event.

Commissioner Ebert moved to approve Contract C2015-57 with Broken Heart Rodeo Company to produce the rodeo for the 2015 Weber County Fair; Commissioner Bell seconded.

Commissioner Ebert – aye; Commissioner Bell – aye

6. CONTRACT WITH ANIMAL SPECIALTIES TO PROVIDE A PETTING ZOO AT THE 2015 WEBER COUNTY FAIR – CONTRACT C2015-58

Jan Wilson, of the County Fair, presented this contract for \$5,000.

Commissioner Ebert moved to approve Contract C2015-58 with Animal Specialties to provide a petting zoo at the 2015 Weber County Fair; Commissioner Bell seconded.

Commissioner Ebert – aye; Commissioner Bell – aye

7. CONTRACT WITH LIVE MUSIC IN VEGAS, INC. FOR “THE FAB” TO PERFORM AT THE 2015 WEBER COUNTY FAIR – CONTRACT C2015-59

Jan Wilson, of the County Fair, presented this contract for \$9,800.

Commissioner Ebert moved to approve Contract C2015-59 with Live Music in Vegas, Inc. for “The Fab” to perform at the 2015 Weber County Fair; Commissioner Bell seconded.

Commissioner Ebert – aye; Commissioner Bell – aye

8. **REQUEST BY THE WEBER COUNTY RECREATION, ARTS, MUSEUMS AND PARKS BOARD FOR APPROVAL OF THE 2015 GRANT RECOMMENDATIONS:**

Majors Awards 2015			
#	<i>Organization</i>	<i>Project</i>	<i>Awarded</i>
1	Farr West City	Smith Family Recreation Park Horse Riding Arena	\$250,000.00
2	Weber County Corporation	Shooting Sports Training Complex	\$389,617.00
3	Weber State University	Browning Center Seat Renovation	\$200,000.00
Arts & Museums Awards 2015			
#	<i>Organization</i>	<i>Project</i>	<i>Awarded</i>
1	Chamber Orchestra Ogden	Chamber Orchestra Ogden 2015-2016 Season	\$ 10,000.00
2	Downtown Ogden Inc.	Ogden Farmers and Art Market	\$ 15,000.00
3	Downtown Ogden Inc.	Live! Summer Concert Series	\$ 5,000.00
4	Eccles Community Art Center	Exhibits/Competition 2015	\$ 5,000.00
5	Eccles Community Art Center	Ogden Doodle Book	\$ 2,001.00
6	Egyptian Theater Foundation, Inc.	Egyptian Theater Film Series	\$ 15,000.00
7	Egyptian Theater Foundation, Inc.	Theater Main PA & Audio Infra-structure upgrade	\$ 62,397.00
8	Historic 25th Street Foundation	Harvest Moon Celebration	\$ 18,000.00
9	Historic 25th Street Foundation	Witchstock	\$ 10,000.00
10	Historic 25th Street Foundation	Music System	\$ 4,000.00
11	Hooper City Corporation	Portable Amphitheater Stage	\$ 36,000.00
12	Imagine Ballet Theater	The Nutcracker	\$ 5,000.00
13	Imagine Ballet Theater	The Nutcracker "Refreshment" Phase Three	\$ 5,000.00
14	Imagine Ballet Theater	The Secret Garden -10th Anniversary	\$ 15,000.00
15	Nurture the Creative Mind	NCM Street Pianos	\$ 6,500.00
16	Ogden Arts Festival, Inc	Ogden Arts Festival	\$ 10,000.00
17	Ogden City Arts	Ogden's First Friday Art Stroll	\$ 5,000.00
18	Ogden City Arts	Twilight Concert Series- Ogden Amphitheater	\$ 24,000.00
19	Ogden City Arts	Ogden Amphitheater Free Summer Series	\$ 15,500.00
20	Ogden Friends of Acoustic Music	8th Annual Ogden Music Festival	\$ 40,000.00
21	Ogden Friends of Acoustic Music	3rd Annual Ogden Valley Roots & Blues Fest.	\$ 25,000.00
22	Ogden Nature Center	Summer Concerts 2015	\$ 5,000.00
23	Ogden Pioneer Heritage Foundation	Trail to Pioneer Days Horse Display	\$ 10,000.00
24	Ogden Pioneer Heritage Foundation	Ogden Pioneer Days Celebration	\$ 15,000.00
25	Ogden School Foundation	Ucreate	\$ 5,000.00
26	Ogden Symphony & Ballet	All programs	\$110,000.00
27	Ogden Valley Balloon Festival	Ogden Valley Balloon and Art Festival	\$ 7,000.00
28	Ogden's George S. Dinosaur Park	Field Guide Addition & Ongoing Education 2015	\$ 40,000.00
29	Project Success	Junteenth Cultural Arts Festival	\$ 10,000.00
30	Treehouse Children's Museum	Main Street Grows at Treehouse	\$ 80,000.00

31	Treehouse Children's Museum	Science Circus	\$ 35,000.00
32	Treehouse Children's Museum	The Play is the Thing at Treehouse	\$ 50,000.00
33	Treehouse Children's Museum	Get Ready for Kindergarten Continued	\$ 35,000.00
34	Union Station Foundation	Museum Collections: Archival and Restoration Supplies	\$ 12,571.00
35	Union Station Foundation	Traveling Exhibit: American Adventure	\$ 40,000.00
36	Union Station Foundation	Heritage Festival at Union Station	\$ 15,000.00
37	Weber Arts Council	African Dance & Drum	\$ 5,000.00
38	Weber Arts Council	Ars Visualia Guerilla Truck Fair 2015	\$ 4,100.00
39	Weber Arts Council	Mountain Arts and Music Workshops	\$ 5,000.00
40	Weber County/Eccles Conference Center	Historic External Door Replacement	\$ 50,000.00
41	Weber County/Eccles Conference Center	Theater Carpet Replacement	\$ 46,607.00
42	Weber State University	Science & Arts in the Parks	\$ 15,000.00
43	Weber State University	Shaw Gallery: Elisabeth Higgins O'Connor Exhibition	\$ 6,245.00
44	Weber State University	ArtReach- Shaw Gallery Outreach Program	\$ 12,000.00
44	Weber State University	Shaw Gallery- Ogden Film Circuit	\$ 8,800.00
Recreation and Parks Awards 2015			
#	<i>Organization</i>	<i>Project</i>	<i>Awarded</i>
1	Farr West City	Smith Family Recreation & Sports Park	\$ 150,000
2	Huntsville Town	Ogden Valley Pineview Loop Trailhead	\$ 9,000
3	Marshall White Center	Gym Floor	\$ 22,775
4	Ogden City Corporation	Grandview Park Restrooms	\$ 103,679
5	Ogden Nordic	Snowmobile for grooming and storage trailer	\$ 20,000
6	Ogden Ranger District	Skyline Trail Reconstruction/Maintenance Phase 1	\$ 30,000
7	Ogden School Foundation	Ogden Community Soccer Complex Phase 1	\$ 150,000
8	Ogden's George S. Dinosaur Park	Restroom Addition	\$ 75,000
9	Pleasant View City	Walking Trail	\$ 75,000
10	Washington Terrace City	Lions Park Play Structure	\$ 13,000
11	Washington Terrace City	Rohmer Park Baseball Fields Backstop Fencing	\$ 9,000
12	Weber County Parks	Water System Update at Weber Memorial Park	\$ 69,159
13	Weber County Parks	Field Archery Range	\$ 25,000
14	Weber County Parks	Snow Thrower Attachment for North Fork Park	\$ 3,425
15	Weber Cultural Legacy Foundation	GOAL Fitness Trail at Big D Park	\$ 65,000
16	Weber Pathways	Pineview Loop Pathway-Pelican Beach Trail & Trailhead	\$ 63,276
17	West Haven City	West Haven City Trail Project	\$ 100,000
			\$983,314.00

George Hall, RAMP Chair, acknowledged the great contributions from the Clerk/Auditor's Office, (i.e., the compliance audit report), the County Attorney's Office, Shelly Halacy of the Commission Office and Holin Wilbanks, Weber County RAMP Liaison. Mr. Hall explained the process for application review for the funding requests and noted that matching funds from other sources have a tremendous impact in funding great projects. He presented the list of grant recommendations stating that the committees recognize that these are sacred tax dollars approved by the voters.

Commissioner Bell stated that as of the end of 2014 almost \$26 million have been spent thus far for RAMP projects in our community. Ms. Wilbanks gave an overview of RAMP, a one cent tax on every \$10 spent in the county that generates about \$3 million for projects in our community. She explained how the funding is allocated. Commissioner Ebert noted that RAMP acts autonomously from the county in accounting influences, and it is a very clean process.

Jeanie Hall, with RAMP, noted that this is the final year that Meg Nesbitt will serve and expressed appreciation for Ms. Nesbitt's incredible leadership and organizational processes that she has helped the RAMP Board to develop. The commissioners and Mr. Hall echoed those sentiments. The commissioners expressed appreciation to the committees for all of their hard work.

Commissioner Ebert moved to approve the request by the Weber County Recreation, Arts, Museums and Parks Board for approval of the 2015 grant recommendations; Commissioner Bell seconded.

Commissioner Ebert – aye; Commissioner Bell – aye

G. PUBLIC COMMENTS:

Doug Hansen, of West Weber, spoke about the Little Weber cut-off project for flood mitigation. He said that he found out new information this past week that changed the calculations that he had come up with previously. He has been speaking to this item for weeks but had not been aware that at the end of this canal there is a water dam, which means water going into it leaves slower and can be held up, which also means the project requires a larger facility/cement canal. He said that originally the design of this canal was to be 10 feet deep and had a dam at its end because the bottom of the canal would be lower than the Little Weber channel into which it was to flow, and that he now understands it had to be redesigned to 8 feet. He said that the amount of changes depends on how this is calculated and that he submitted one alternative to the County Engineer this morning to see if it is of value and if a design change is possible. He wants to meet/work with county staff on details of this situation. Commissioner Ebert noted that as Mr. Hansen has come to the commissioners with concerns they have contacted the engineers and that it appears they have provided him with some answers as to how to address those concerns. They continue to listen and have open dialogue.

Larry Hansen, of Warren, said that there was a presentation (on 2/17/2015) on the Ogden Bay Waterfowl Management Area Habitat Management Plan and the county was praised for its contributions to rehabilitation, however, the county came onto his property and destroyed more than half of his duck nests in 2013. During the study his property had shown to have 30 times more wood ducks hatch than Ogden Bay. He said that the county has not fulfilled its promise to put back what it had destroyed and to make him whole—this was 15 months ago. He said that Lance Peterson (of County Emergency Services) and the County Engineer both had stated that the county would rebuild and put things back, but this has not occurred. He has made several attempts to meet with the Commission, the Engineer, and Mr. Peterson but has been unsuccessful, therefore, he asked for financial compensation to be used to hire someone to put the habitat back as soon as possible.

H. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, MARCH 24, 2015, 10 A.M.

I. CLOSED MEETING TO DISCUSS STRATEGY RELATING TO PENDING OR IMMINENT LITIGATION

No action was taken on the closed executive session.

J. ADJOURN

Commissioner Bell moved to adjourn at 10:50 a.m.; Commissioner Ebert seconded.

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

Attest:

Kerry W. Gibson, Chair
Weber County Commission

Ricky D. Hatch, CPA
County Clerk/Auditor