

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

Tuesday, March 24, 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:** Kerry W. Gibson, Chair, 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 James Ebert

**C. PLEDGE OF ALLEGIANCE** – Jared Andersen

**D. THOUGHT OF THE DAY** – Chair Gibson

**E. PRESENTATION-SEAL OF SERVICE AWARD TO EMILY SAWYER, OF COUNTY CLERK/AUDITOR'S OFFICE**

Ricky Hatch, Weber County Clerk/Auditor, read the nomination submitted by Ms. Sawyer's peers. He said that Ms. Sawyer has done tremendous work in the Elections and now at the front counter for the Clerk/Auditor. The commissioners expressed appreciation and presented her with a Seal of Service pin, a plaque and \$100 for her excellent customer service. Ms. Sawyer expressed her thanks.

**F. CONSENT ITEMS:**

1. Purchase orders for \$564,530.58
  2. Ratify warrants #319093 - #319348 for \$2,522,932.70 dated March 17, 2015
  3. Warrants #319349- #319569 for \$1,844,353.98
  4. Minutes for the meeting held on March 10, 2015
  5. ACH payment to US Bank for \$107,465.35 for purchasing card transactions ending March 16, 2015
  6. New business licenses
  7. Amend Contract with Journal Technologies, to add provisions for hosting storage – Contract C2015-60
  8. Surplus a property located in South Ogden City
  9. Surplus a property located in Washington Terrace
  10. Surplus South Ogden City Parcels #06-019-0002 and #06-019-0010
  11. Change Order 9 to the contract with Geneva Rock Products for Powder Mountain road and utility project for \$688,604.00 – Contract C2015-61
  12. Additional amendment to the Ogden Eccles Conference Center and Peery's Egyptian Theater Management Agreement dated October 6, 2006 – Contract C2015-62
  13. Set a public hearing for April 7, 2015, 10 a.m., to amend the operating and capital budgets of Weber County for the 2015 calendar year
  14. Cancel the regular County Commissioners for March 31, 2015. Next meeting: 4/7/2015
- Commissioner Ebert moved to approve the consent items; Commissioner Bell seconded.  
Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

**G. ACTION ITEMS:**

1. **CONTRACT WITH OGDEN CITY TO FUND SAFETY IMPROVEMENTS FOR 17<sup>TH</sup> STREET IN OGDEN; WALL AVENUE TO OGDEN CITY'S WEST BOUNDARY – CONTRACT C2015-63**

Douglas Larsen, Weber County Economic Development Partnership Director, noted that this item and the next were approved by the County Commission as part of the 2014 annual local option transportation funds application process. This subject area has limited lengths of curb and gutter and much of the infrastructure is in very poor condition. He said that \$387,500 will come from the quarter preservation fund and \$4,083,330 from the third quarter cent sales tax for transportation fund.

Commissioner Ebert moved to approve Contract C2015-63 with Ogden City to fund safety improvements for 17<sup>th</sup> Street in Ogden; Wall Avenue to Ogden City's west boundary; Commissioner Bell seconded.  
Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

**2. CONTRACT WITH OGDEN CITY TO FUND CAPACITY AND SAFETY IMPROVEMENTS FOR SKYLINE DRIVE IN OGDEN; QUAIL RUN DRIVE TO 4600 SOUTH – CONTRACT C2015-64**

Douglas Larsen, Weber County Economic Development Partnership Director, noted that there were a couple of segments of Ogden City’s portion of Skyline Drive in this area. The City recently completed a project that acquired much of the right-of-way needed for the roadway. The completed project will offer a secondary north-south route to Weber State University and 36<sup>th</sup> Street, allow for bicycling, realignment of the intersection of Skyline Drive and Country Hills and connect Skyline Drive with Harrison Blvd. The project is being funded with \$50,000 from the quarter preservation fund and \$2,950,000 from the third quart cent sales tax for transportation fund.

Commissioner Bell moved to approve Contract C2015-64 with Ogden City to fund safety improvements for Skyline Drive in Ogden; Quail Run Drive to 4600 South; Commissioner Ebert seconded. Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

**3. CONTRACT WITH FREE MOUNTAIN TRAPPERS FOR EASTER RENDEZVOUS 2015 – CONTRACT C2015-65**

Jim Carter, with County Parks, briefly presented this contract.

Commissioner Ebert moved to approve Contract C2015-65 with Free Mountain Trappers for the Easter Rendezvous 2015; Commissioner Bell seconded.

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

**4. CONTRACT WITH LAWANA W. MALAN TRUSTEE OF THE LAWANA W. MALAN TRUST FOR THE RELOCATION OF THE COMMON BOUNDARY LINES BETWEEN WEBER COUNTY AND THE LAWANA W. MALAN TRUST – CONTRACT C2015-66**

Kevin McLeod, of County Operations, stated that the county purchased property off of 12<sup>th</sup> Street about one year ago. This is to relocate the property lines between the county and the Malan’s property on the north side of the County Sheriff’s Complex. There had been some question as to where the property lines were legally; there were two monuments that showed a significant difference. He said that county staff met with Claude Malan, who was in agreement with the final legal description for the boundary lines.

Commissioner Bell moved to approve Contract C2015-66 with Lawana W. Malan Trustee of the Lawana W. Malan Trust for the relocation of the common boundary lines between Weber County and the Lawana W. Malan Trust; Commissioner Ebert seconded.

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

**5. QUIT CLAIM DEED FROM WEBER COUNTY TO SOUTH OGDEN CITY**

Nate Pierce, County Operations Department Director, noted that the county owns about 200 small pieces of properties that are of no use to the county, and appropriate action is taken when possible.

This is a follow up to the consent item approved today. This property was deeded to the county in 1896 by the Ogden Land Company for future roadway development, which never occurred and is not likely to come to fruition. It is surrounded by property owned by South Ogden City, which has expressed a desire to acquire it to facilitate development of the area. Mr. Pierce said that it is in the interest of both parties to deed the property to the City. This parcel has no parcel number; it has a legal description.

Commissioner Ebert moved to approve the Quit Claim Deed from Weber County to South Ogden City; Commissioner Bell seconded.

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

**6. QUIT CLAIM DEED FROM THE COUNTY TO SOUTH OGDEN CITY FOR PARCELS #06-019-0002 & #06-019-0010**

Nate Pierce, County Operations Department Director, stated that these two parcels on 4400 South Washington Blvd. were deeded to the county in 1958-1959 for a roadway to connect Washington Blvd. and Adams Avenue. These two parcels lie entirely within Sough Ogden City’s boundary and the City maintains that roadway.

Commissioner Ebert moved to approve a Quit Claim Deed from Weber County to South Ogden City for Parcels #06-019-0002 and #06-019-0010; Commissioner Bell seconded.

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

**7. CONSENT & APPROVAL TO APPOINT MATTHEW BELL AS THE WEBER AREA COUNCIL OF GOVERNMENTS (WACOG) APPOINTMENT TO THE UTAH TRANSIT AUTHORITY BOARD (UTA)**

Chair Gibson stated that the current representative is not seeking reappointment to this Board. The county will send forward its nomination and the majority of the cities will need to sign the document to approve the nomination. This seat also represents three cities in Box Elder County. Commissioner Ebert noted the importance of having County Commission representation on this Board.

Commissioner Ebert moved to appoint Matthew Bell as the Weber Area Council of Governments appointment to the Utah Transit Authority Board; Commissioner Bell seconded.  
Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

**8. REVISED AUDIT COMMITTEE POLICY 8.1 & INTERNAL AUDIT POLICIES AND PROCEDURES 8.2**

Ricky Hatch, County Clerk/Auditor, presented these revised policies. The Audit Committee Policy seeks to have varied representation, including a citizen member, and for the Committee to be as independent as possible. The Internal Audit Policy addresses who the internal auditor reports to, how internal jobs are decided and conducted and the reporting process.

Commissioner Bell moved to approve the revised Audit Committee Policy 8.1 and the Internal Audit Policies and Procedures 8.2; Commissioner Ebert seconded.  
Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

**H. PUBLIC COMMENTS:** None

**I. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, APRIL 7, 2015, 10 A.M.**

**J. CLOSED EXECUTIVE MEETING TO DISCUSS STRATEGY RELATING TO PENDING OR IMMINENT LITIGATION, THE PURCHASE OF REAL PROPERTY AND THE CHARACTER OR COMPETENCE OF AN INDIVIDUAL**

Commissioner Bell moved to convene a closed executive session to discuss strategy relating to pending or imminent litigation, the purchase of real property and the character or competence of an individual; Commissioner Ebert seconded.  
Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

No action was taken on the closed executive session.

**K. ADJOURN**

Commissioner Bell moved to adjourn at 12:01 p.m.; Commissioner Ebert seconded.  
Commissioner Bell – aye; Commissioner Ebert – 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