

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

Tuesday, May 21, 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 Matthew 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 – Paige Greenhalgh

C. THOUGHT OF THE DAY – Commissioner Bell

D. CONSENT ITEMS:

1. Purchase Orders for \$109,624.95
2. Warrants #297825-#298012 for \$734,493.86
3. Minutes for the meeting held on May 14, 2013
4. Donate 13 bicycles to Child Abuse Utah from the Weber County Sheriff's Office
5. Divert property that is now clear of any evidentiary or found property requirements to the Weber County Sheriff's Office for agency use

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

E. ACTION ITEMS:

1. **RECOMMENDATIONS FROM THE RECREATION, ARTS, MUSEUMS AND PARKS (RAMP) COMMITTEE FOR THE 2013 RAMP EZ GRANTS**

Chris Ward, RAMP Administrator, presented the list of 2013 RAMP EZ grants (\$2,000 and under).

Commissioner Bell moved to approve the 2013 RAMP EZ Grant recommendations; Commissioner Zogmaister seconded, all voting aye.

2. **ACTION ON PUBLIC HEARING HELD APRIL 9, 2013 REGARDING THE VACATION OF 6300 EAST STREET, LOCATED BETWEEN HIGHWAY 39 AND PINEVIEW RESERVOIR – ORDINANCE 2013-15**

Ben Hatfield, of the County Planning Division, noted that the public hearing was tabled for the two parties to have an opportunity to discuss the issues before vacation was considered and to ensure that the legal description was correct, which has now occurred. The applicant is again requesting this vacation. The Planning Commission recommended vacation of any public right on 6300 East subject to the appropriate amount of land being deeded to the adjacent land owner for the private driveway. The new legal description has been prepared.

John Reeve, consultant for the owner of the Edge Water property, said that their surveyors and the surveyors for Marion Martin verified where the section line is, they had given Ms. Martin a description of where the center line is and are willing to give her a 12-foot strip of property from the center line of the gravel line to the east.

Doug Taggart, representing Marion Martin, stated that Ms. Martin does not object to the vacation of the road as noted by Mr. Reed with the deeding of the 12 ft. strip from the center of the road to the east, but they have not yet seen a proposed deed.

Commissioner Bell moved to adopt Ordinance 2013-15 vacating 6300 East between Highway 39 and Pineview Reservoir; Commissioner Zogmaister seconded.

Roll Call Vote:

Commissioner Bell	aye
Commissioner Zogmaister	aye
Chair Gibson	aye

3. ADMINISTRATIVE APPLICATION, CONDITIONAL USE PERMIT (CUP) 2013-08 (EDGEWATER BEACH RESORT PRUD), & REQUEST TO AMEND THE SITE PLAN REMOVING SECONDARY ACCESS DUE TO VACATION OF 6300 EAST

Ben Hatfield, of the County Planning Division, noted that the last approved site plan had two access points connected to 6300 East. With the above item's vacation, the plans show a hammerhead turnaround and termination of a stub to 6300 East after the parking area and before the trail.

Commissioner Bell moved to approve the Conditional Use Permit (CUP) 2013-08 (Edgewater Beach Resort PRUD), and amending the site plan removing secondary access due to the vacation of 6300 East; Commissioner Zogmaister seconded, all voting aye.

4. CONTRACT WITH GARY BARR FOR INDIGENT DEFENSE SERVICES – CONTRACT C2013-176

David Wilson, Deputy County, stated Mr. Barr is moving to adult court.

Commissioner Zogmaister moved to approve Contract C2013-176 with Garv Barr to provide indigent defense services in Weber County; Commissioner Bell seconded, all voting aye.

F. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, MAY 28, 2013, 10 A.M.

G. PUBLIC COMMENTS:

(See item E.2). Doug Taggart wanted to state Marion Martin's objections to the site plan, which have been previously expressed: that the setbacks (reduced from 50 ft. to 35 ft.) and the number of buildings on the west side of the property (from 1 to 3 buildings) are different than what was originally in the plan and what she has expected over the past nine years. She objects to that change. She very much supports maintaining the beauty of the Ogden Valley and feels the previous setbacks and limitation on the number of buildings provides a gradual transition in the scenic corridor and entrance to the Valley. She requests that if there are any further amendments to this site plan that she be given adequate notice. She lives out of state and received notice of this meeting late last Friday.

(See item E.2). John Bingham, with the Ogden Valley Land Trust, commends the vacation of the roadway because it will enhance and prevent encroachment of any development on the conservation easement on the Marion Martin property. In speaking with Ms. Martin, her concern with vacating the road is that she now is responsible for maintaining the gravel roadway. He asked that the County Road Department put the gravel driveway in good repair before it is turned over to her. Additionally, that adequate notice of related issues be given her because she lives out of state.

H. ADJOURN

Commissioner Zogmaister moved to adjourn at 10:27; Commissioner Bell seconded, all voting aye.

Attest:

Kerry W. Gibson, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor