

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

Tuesday, June 7, 2011 - 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 PRESENT: Jan M. Zogmaister, Chair, Craig L. Dearden and Kerry W. Gibson.

OTHERS PRESENT: Ricky D. Hatch, County Clerk/Auditor; Monette Hurtado, Deputy County Attorney; Fátima Fernelius, of the Clerk/Auditor's Office, took minutes.

A. WELCOME - Chair Zogmaister

B. PLEDGE OF ALLEGIANCE - Ricky Hatch

C. THOUGHT OF THE DAY - Chair Zogmaister

D. CONSENT ITEMS:

1. Purchase Orders in the amount of \$32,182.19
2. Warrants #274638-274786 in the amount of \$1,013,805.00
3. Minutes for the meeting held on May 31, 2011
4. Amendment to County Policy 12, Property Tax, Chapter 1, County-wide policy establishing a property tax review committee and procedures
5. Set the second public hearing for June 21, 2011 to allow citizens to provide input concerning the projects that were awarded under the 2011 Community Development Block Grant program (CDBG)
6. Retirement Agreement with James P. Hansen - Contract C2011-116

Commissioner Dearden moved to approve the consent items; Commissioner Gibson seconded, all voting aye.

E. ACTION ITEMS:

5. **RESOLUTION OF WEBER COUNTY COMMISSIONERS APPOINTING MEMBERS TO THE CAREER SERVICE COUNCIL – RESOLUTION 8-2011**

Brad Dee, County Human Resources Department Director, stated that, pursuant to State Code, the county executive body appoints a career service council. He noted that there are vacancies on this council and outlined some parameters for making the appointments.

Commissioner Gibson moved to adopt Resolution 8-2011 making the following appointments to the Career Service Council: reappointing Robert Hunter to a 3-year term, appointing Craig Heninger to a 2-year term and Marcia Owen to 1-year term, with all appointments to begin on 7/1/2011; Commissioner Dearden seconded.

Roll Call Vote:

Commissioner Deardenaye
Commissioner Gibsonaye
Chair Zogmaisteraye

1. RATIFICATION OF THE WEBER COUNTY TAX SALE HELD MAY 26, 2011

Ricky Hatch, County Clerk/Auditor, noted that State Code requires a 10-day contesting period after the tax sale. Of the 27 parcels on the county tax sale list, 26 were sold to bidders and one, having no bid, was struck off to the county. One successful bidder contested his purchase of one property to the Commission. Monette Hurtado, Deputy County Attorney, recommended approving all the properties, less the one being contested, to allow some time to review the item. The Clerk/Auditor's Office will notify the person contesting his purchase that the item will be on next week's agenda. Commissioner Gibson, who witnessed the tax sale, expressed appreciation for all the hard work and the professionalism associated with it. Chair Zogmaister also expressed thanks and stated that there was a lot of due diligence done prior to the tax sale to ensure that the parcels that went to sale qualified to be on that list.

Commissioner Dearden moved to ratify the Weber County tax sale held May 26, 2011 with the exception of LSN 04-012-0035; Commissioner Gibson seconded, all voting aye.

2. CONSIDERATION AND/OR ACTION ON A REQUEST FOR A TIME EXTENSION ON ZONING DEVELOPMENT AGREEMENT, CONTRACT C2006-62, ORDINANCE 2006-15 – CONTRACT C2011-117

Jim Gentry, of the County Planning Division, stated that the petitioner, Howard Schmidt, (Eagles Landing) is requesting a time extension to the Zoning Development Agreement. As part of a settlement to solve potential litigation in 2002, the county entered into a Consent Agreement, which allows one dwelling unit per 1½ acres. The Consent Agreement was extended in 2009 to February 2017 and this extends the Zoning Development Agreement to correspond with that date. The Planning Commission unanimously recommended approval of this item.

Commissioner Dearden moved to approve Contract C2011-117, Amended Zoning Development Agreement, to correspond with the date of the Consent Agreement; Commissioner Gibson seconded, all voting aye.

3. RESOLUTION OF THE WEBER COUNTY COMMISSIONERS APPOINTING MEMBERS TO THE OGDEN VALLEY PLANNING COMMISSION – RESOLUTION 9-2011

Rob Scott, County Planning Division Director, stated that this Planning Commission has two vacancies. One commissioner had requested reappointment. Mr. Scott and the commissioners commented on the high caliber of applicants. Commissioner Dearden asked about the board members' experience and Mr. Scott gave an overview of the current members' terms served and their experience. Chair Zogmaister noted that staff had contacted the applicants' references and stated that in the past the Commission has made an effort to have one representative of the Ogden Canyon in the Planning Commission. She also stated that when the Commission receives various applicants, they consider whether to give opportunities to new individuals.

Commissioner Gibson moved to adopt Resolution 9-2011 appointing Ann Miller and Dennis Montgomery to the Ogden Valley Planning Commission; Commissioner Dearden seconded, noting that by not reappointing Mr. Siegel, all of his experience and training will be lost. Commissioner Gibson expressed appreciation to those who serve. He stated that Mr. Siegel has done a fine job.

Roll Call Vote:

Commissioner Dearden	aye
Commissioner Gibson	aye
Chair Zogmaister	aye

4. EQUIPMENT LEASE PURCHASE AGREEMENT WITH PINNACLE FINANCE TO PURCHASE A FRONT-END LOADER FOR THE TRANSFER STATION - CONTRACT C2011-117

Dan Olsen, County Comptroller, presented this contract to borrow \$240,524.48 for 60 months at 2.24%, with no penalty for early termination. Chair Zogmaister noted that this amount had been budgeted for.

Commissioner Dearden moved to approve Contract C2011-117, Equipment Lease Purchase Agreement with Pinnacle Finance to purchase a front-end loader for the Transfer Station; Commissioner Gibson seconded, all voting aye.

F. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, JUNE 14, 2011, 10 A.M.

G. PUBLIC COMMENTS:

Sylvia Salisbury noted that a couple of months ago she had given a copy of an article to the Commission on “sustainable communities.” Ms. Salisbury gave them another article which she said explained the issue more clearly. She pointed out some key points to make the commissioners aware so they could avoid the traps that others have fallen into: a sustainable community is a development dictated by or otherwise approved by the BLM; the initiative for a community to become sustainable almost always comes from outside of that community; the comprehensive plan through which a community is transformed into a sustainable community always infringes, and in many instances completely destroys, private property rights; and the local community rarely knows anything about the plan until it reaches the final stages of adoption. These sustainable communities are brought about by grants offered from the government and she said that money from the government always comes with strings attached.

H. ADJOURN

Commissioner Dearden moved to adjourn at 10:35 a.m.; Commissioner Gibson seconded, all voting aye.

Jan M. Zogmaister, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor