

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

Tuesday, July 28, 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 and James Ebert. Kerry W. Gibson was excused.

OTHERS PRESENT: David C. Wilson, Deputy County Attorney; Lynn Taylor, of the County Clerk/Auditor's Office; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

- A. WELCOME** – Commissioner Bell
- B. INVOCATION** – Commissioner Ebert
- C. PLEDGE OF ALLEGIANCE** – Javis Darcus
- D. THOUGHT OF THE DAY** – Commissioner Bell

E. CONSENT ITEMS:

1. Purchase orders for \$67,586.24
2. Warrants #323254-#323519 for \$1,187,659.25
3. Minutes for the meeting held on July 21, 2015

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

Commissioner Ebert – aye; Commissioner Bell – aye

F. ACTION ITEMS:

1. **SUBDIVISION OF COUNTY PROPERTY, INCLUDING PARTS OF PARCELS 12-101-0010, 12-098-0021, 12-098-0043, 12-098-0042, 12-098-0048, 12-098-0046, 12-098-0047, 12-098-0049, INTO THE DETENTION CENTER SUBDIVISION**

Devron Andersen, of the County Recorder/Surveyor's Office, stated that these properties are near the County Sheriff's complex and the county is combining the multiple disjointed parcels into two buildable lots. Ogden City reviewed and approved this action.

Commissioner Ebert moved to approve subdivision of Weber County property, including parts of parcels 12-101-0010, 12-098-0021, 12-098-0043, 12-098-0042, 12-098-0048, 12-098-0046, 12-098-0047, 12-098-0049, into the Detention Center; Commissioner Bell seconded.

Commissioner Ebert – aye; Commissioner Bell – aye

2. **CONTRACT WITH UTAH COUNTY PUBLIC DEFENDERS ASSOCIATION TO PROVIDE APPELLATE COUNSEL FOR THE WILLIAM TIRADO CASE – CONTRACT C2015-301**
3. **CONTRACT WITH EMILY ADAMS TO APPEAR ON BEHALF OF AND REPRESENT COURTNEY'S APPELLATE INTERESTS IN 20141171-CA AND 20141172-CA – CONTRACT C2015-302**

David Wilson, Deputy County Attorney, addressed items F.2 and F.3 together. He noted that Samuel Newton has the appellate contract with the county to handle all appeals related to indigent defense. In the Tirado case, the court determined that there was a conflict of interest for Mr. Newton. These indigent defendants are accusing each other. The Utah County Public Defenders are representing the Tirado case and asked if possible that Weber County buy them a computer and computer equipment in lieu of paying them directly. It has not been determined if this is possible; if it is not, Weber County will pay them \$5,000.

The Courtney item has two separate cases (for a total of \$10,000)

Commissioner Ebert moved to approve Contract C2015-301 with Utah County Public Defenders Association to provide appellate counsel for the William Tirado case and Contract C2015-302 with Emily Adams to appear on behalf of and represent Courtney's appellate interests in 20141171-CA and 20141172-CA; Commissioner Bell seconded.

Commissioner Ebert; Commissioner Bell – aye

G. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, AUGUST 4, 2015, 10 A.M.

H. PUBLIC COMMENTS: None

I. ADJOURN

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

Commissioner Bell – aye; Commissioner Ebert – aye

Attest:

Kerry W. Gibson, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor