

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

Tuesday, July 31, 2012 - 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: Craig L. Dearden, Chair, Jan M. Zogmaister and Kerry W. Gibson.

OTHERS PRESENT: Ricky D. Hatch, County Clerk/Auditor; David C. Wilson, Deputy County Attorney; Fátima Ferneliuss, of the Clerk/Auditor's Office, took minutes.

A. WELCOME - Chair Dearden

B. PLEDGE OF ALLEGIANCE - Dan Olsen

C. THOUGHT OF THE DAY - Chair Dearden

D. CONSENT ITEMS:

1. Purchase Orders for \$254,985.61
 2. Warrants #288150 - #288520 for \$988,739.75
 3. Minutes for the meeting held on July 17, 2012
 4. A new business license
 5. Set public hearing for August 28, 2012, 10 a.m., regarding proposed amendments to Zoning Ordinance, Chapter 32, Signs, for creation of new business sign regulations in RE-15, RE-20 Zones
 6. Retirement Contracts: Jeffrey A. Bell, Contract C2012-152; Ronald J. Kendell, Contract C2012-153
 7. ACH payment to US Bank for \$68,729.67 for purchasing card transactions made through 7/16/2012
- Commissioner Zogmaister moved to approve the consent items; Commissioner Gibson seconded, all voting aye.

E. ACTION ITEMS:

1. CONTRACTS WITH THE FOLLOWING ENTITIES TO PROVIDE ANIMAL CONTROL SERVICES:

Farr West City - Contract C2012-154
Harrisville City - Contract C2012-155
Hooper City - Contract C2012-156
Huntsville Town - Contract C2012-157
Marriott-Slaterville City - Contract C2012-158
Plain City - Contract C2012-159
Uintah City - Contract C2012-160
West Haven City - Contract C2012-161

Reed Richards, Deputy County Attorney, stated that these are 5-year contracts with termination clauses, and that pricing is based on population (which is 50% of the formula) plus the use of animal control services (measured by calls for service, which accounts for the other 50%).

Mr. Richards noted that the animal shelter services are controlled by a master agreement to which most of the cities have adjoined with the county in the operation of the shelter (run by a division of the Sheriff's Office). Inmates perform a great deal of the labor and the overall cost is much less than projected at the onset of this venture. The Animal Shelter Advisory Committee looked at a uniform animal ordinance regarding how to deal with animals across the county. It is not substantially different than the current ordinance and Mr. Richards recommends approving it because it has been agreed upon by the committee and various cities and will make the same ordinance applicable anywhere in the county, simplifying the process.

Additionally, Mr. Richards updated the Commission on the proposed indexing program at the County Jail stating that it has been very successful for the vendor and the State prison. Studies show a dramatic decrease in the percentage of return inmates that worked with this program and additionally, those incarcerated are kept busy. The partnership is with the Church of Jesus Christ of Latter Day Saints, which provides all of the hardware.

Commissioner Gibson moved to approve the above listed contracts for animal control services: Farr West City - C2012-154; Harrisville City - C2012-155; Hooper City - C2012-156; Huntsville Town - C2012-157; Marriott-Slaterville City - C2012-158; Plain City - C2012-159; Uintah City - C2012-160; West Haven City - C2012-161; Commissioner Zogmaister seconded, all voting aye.

2. FIRST READING OF AN ORDINANCE TO INCREASE SEWER FEES - TITLE 25

John Cardon, of Central Weber Sewer District (CWSD), was present. Chad Meyerhoffer, of County Engineering, presented the proposal to increase sewer fees commencing with August 1 for those who discharge into CWSD in western Weber County. As of 7/1/2012 sewer service fees have increased due to plant upgrades to increase capacity and new stringent EPA requirements. Commissioner Gibson clarified that even though the county is increasing these fees, the majority of it is an increase in fees passed on from CWSD and that the county has been subsidizing those fees for some time. Mr. Meyerhoffer concurred stating that the county collects fees for Central Weber and in 2001-2002 the county collected \$7.50/month for CWSD but that fee increased to \$21.10. The county will be collecting \$15.90/month for future maintenance/repair of those lines.

Commissioner Zogmaister moved to approve the first reading to increase sewer fees relating to Central Weber Sewer District; Commissioner Gibson seconded, all voting aye.

3. CONTRACT RATIFICATION WITH PARSONS BRINKERHOFF, INC. TO ASSIST IN CONSTRUCTION ENGINEERING OF SR-158 PROJECT - CONTRACT C2012-162

Michael Tuttle, of County Engineering, noted that Contract C2011-137 expired yesterday and there was no meeting last week, thus this contract was signed in the interim. This is simply a time extension on the contract with Parsons (aka PB America/PB World), which is doing the document monitoring on the SR-158 project. The project was delayed due to wetland issues.

Commissioner Gibson moved to ratify Contract C2012-162 with Parsons Brinkerhoff, Inc. for a time extension relating to the construction engineering of the SR-158 project; Commissioner Zogmaister seconded, all voting aye.

4. CONTRACT WITH USDA/NRCS TO EXTEND THE EXPIRATION DATE OF CONTRACT C2012-27 (EWP FY12) TO OCTOBER 26, 2012 - CONTRACT C2012-163

Dan Olsen, County Comptroller, stated that this is simply the first request for extension, a common occurrence of the federal grant process. The contract is for the flood control project in western Weber County, which received grants for \$14 million in 2012. The original contract was signed in March 2012 and is expected to be extended again before the October 26, 2012 deadline.

Commissioner Zogmaister moved to approve Contract C2012-163 with USDA/NRCS extending the expiration date of Contract C2012-27 to 10/26/2012; Commissioner Gibson seconded, all voting aye.

5. RATIFICATION OF A CONTRACT WITH SAMUEL NEWTON TO PROVIDE FOR INDIGENT APPEALS - CONTRACT C2012-164

David Wilson, Deputy County Attorney, stated that Mr. Newton has a contract with the county and has been handling half of these appeals. Starting 7/1/2012 Mr. Newton will handle all indigent appeals for Weber County. His contract expires at the end of 2012.

Commissioner Gibson moved to approve Contract C2012-164 with Samuel Newton to provide for indigent appeals; Commissioner Zogmaister seconded, all voting aye.

6. CONTRACT WITH MIKE VAN ALFEN FOR MR. VAN ALFEN TO PRODUCE THE DEMOLITION DERBY AT THE 2012 COUNTY FAIR - CONTRACT C2012-165

Jan Wilson, with the County Fair, presented this contract for \$2,800 for production of the derby by Mr. Van Alfen. The county will also provide \$12,000 for payout to winners of the demolition derby. Commissioner Zogmaister moved to approve Contract C2012-165 with Mike Van Alfen to produce the demolition derby at the 2012 Weber County Fair; Commissioner Gibson seconded, all voting aye.

7. REQUEST FOR ACTION ON PUBLIC HEARING ON AMENDMENTS TO COUNTY ZONING ORDINANCE CHAPTER 32, SIGNS,) & CHAPTER 32B, OGDEN VALLEY SIGNS, CHAPTER 1, GENERAL PROVISIONS, REGARDING THE WEBER COUNTY TEMPORARY SIGN PROVISIONS INCLUDING POLITICAL SIGNS

This item was held.

F. PUBLIC HEARING:

1. Commissioner Zogmaister moved to adjourn the public meeting and convene the public hearing; Commissioner Gibson seconded, all voting aye.

2. PUBLIC HEARING TO AMEND SUBDIVISION ORDINANCE, CHAPTER 1, GENERAL PROVISION-FILING OF PRELIMINARY AND FINAL PLANS, CHAPTER 6, PENALTY, VALIDITY, AND REPEALER (SIGNATURE BLOCK SECTION), AND CHAPTER 1, GENERAL PROVISIONS, SECTION 1-6, DEFINITIONS OF THE WEBER COUNTY ZONING ORDINANCE

Jim Gentry, of the County Planning Division, stated that the Planning Division has been working with the pertinent county departments (Engineering, Recorder/Surveyor, Health and Building Inspection), the Weber Fire District and the Commission (on policy issues) regarding Chapter 1 of the Subdivision Ordinance. It is being updated to make it consistent with the information needed by the departments and to bring it current with State code. The changes include adding a requirement for a preliminary title report, allowing the County Engineer to approve escrows under \$10,000 (i.e., for fire hydrants, piping ditches), giving the Planning Director administrative authority to approve time extensions if the project meets the ordinance requirements. Mr. Gentry said that Monette Hurtado, Deputy County Attorney, had reviewed this item. Chair Dearden invited public comments and none were offered.

3. Commissioner Gibson moved to adjourn the public hearing and reconvene the public meeting; Commissioner Zogmaister seconded, all voting aye.

4. DISCUSSION ON PUBLIC HEARING:

F.2.-AMEND SUBDIVISION ORDINANCE, CHAPTER 1, CHAPTER 6, AND ZONING ORDINANCE, CHAPTER 1, SECTION 1-6

Commissioner Zogmaister noted that a lot of work was done on this item and several meetings took place to incorporate input. The intent is to streamline the process, reduce the amount of paperwork, etc. Mr. Gentry addressed Commissioner Gibson's question stating that the previous County Engineer asked for a new definition for flood plain to whit, "The land within a community subject to a 1% or greater chance of flooding in any given year." Mr. Gentry noted that not all flood plain maps include elevations and it is desired that these be shown on subdivision plats. Commissioner Gibson asked if the current County Engineer reviewed that definition and Mr. Gentry responded that he had sent him a copy of the item months ago but had not received any comments back.

Jared Andersen, County Engineer, said that he has not reviewed it. This item was moved to next week to give the County Engineer an opportunity to review it.

G. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, AUGUST 7, 2012, 10 A.M.

H. PUBLIC COMMENTS:

Steve Clarke, of Eden, said that at this time he did not know how to formally make his request; therefore, he was approaching the Commission. On behalf of the Community Foundation of Ogden Valley he requested special consideration for two offsite special event signs in Ogden Valley starting August 8 with removal on September 9. Rob Scott, County Planning Division Director, read from the Zoning Ordinance, Chapter 31, which grants authority to the County Commission to grant, by motion, temporary exceptions from any term or condition of the Weber County Zoning Ordinance for a period not to exceed three months in duration, with or without a recommendation from the Planning Commission, and the County Commission determines that such a temporary exception is justified because of some extraordinary, or emergency situation, or act of God situation, and that the health, safety, convenience, order, and welfare of the inhabitants of Weber County will not be substantially affected, if such temporary exception is granted. Mr. Scott noted that the county is currently looking at an ordinance that would allow for this type of sign. Mr. Clarke was asked if it was satisfactory to take action on his request next week and Mr. Clarke responded that would work for his purposes.

I. CLOSED EXECUTIVE SESSION

Commissioner Zogmaister moved to convene a closed executive session to discuss strategy relating to imminent or pending litigation; Commissioner Gibson seconded.

Roll call vote:

Commissioner Zogmaister.....	aye
Commissioner Gibson	aye
Chair Dearden	aye

No action was taken on the closed executive session.

J. ADJOURN

Commissioner Gibson moved to adjourn at 11:07 a.m.; Chair Dearden seconded, both voting aye.

Attest:

Craig L. Dearden, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor