

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

Tuesday, August 30, 2011 - 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:** Jan M. Zogmaister, Chair, Craig L. Dearden and Kerry W. Gibson.

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

**A. WELCOME** - Chair Zogmaister

**B. PLEDGE OF ALLEGIANCE** - Chris Allred

**C. THOUGHT OF THE DAY** - Chair Zogmaister

**D. CONSENT ITEMS:**

1. Purchase Orders for \$220,147.08
2. Warrants #277333- #277572 for \$2,956,696.91, less #277380 (\$675.00), which is to be voided
3. Minutes for the meeting held on August 23, 2011
4. Contract with Weber State University for employment of Weber State University students on off-campus projects - Contract C2011-173

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

**E. ACTION ITEMS:**

1. **INTERLOCAL AGREEMENT WITH NORTH OGDEN CITY TO ALLOW CITY TO PROCESS LAND USE APPLICATIONS, SITE PLAN, SUBDIVISION & BUILDING PERMITS ACTING ON BEHALF OF WEBER COUNTY INCLUDING NOT HAVING TO PAY ANY FEES ON LAND LOCATED AT APPROXIMATELY 2550 N. AND 50 W. - CONTRACT C2011-174**

Rob Scott, County Planning Division Director, showed an area map. Mr. Scott has been working on this item with David Carlson, North Ogden City Attorney. The city is in the process of constructing a public works complex and the property is in an unincorporated island of the county. The city is currently in the process of annexing that land, which is within the city's annexation boundary declaration. The two property owners involved have signed the petition for annexation. The city has requested the ability to process the land use applications, site plan, subdivision and building permits acting on behalf of the county. There are no financial obligations for the county associated with this item.

Mr. Carlson addressed Chair Zogmaister's question stating that the annexation process should take 2-3 months to complete. It is possible that the annexation will occur before the city purchases the property. The city intends to use bond proceeds to purchase the property and construct the facility and is on a tight time line through the bonding process and wants to ensure that purchasing the property does not delay the process. Commissioner Gibson asked if the city intends to continue with the annexation process even if it does not construct the facility at that location and Mr. Carlson responded that was correct.

Commissioner Dearden moved to approve Contract C2011-174, Interlocal Agreement with North Ogden City to allow the city to process land use applications, site plan, subdivision, and building permits acting on behalf of Weber County including not having to pay any fees on land located at approximately 2550 North and 50 West; Commissioner Gibson seconded, all voting aye.

**2. AMENDMENT TO COUNTY ZONING ORDINANCE, CHAPTER 34, HOME OCCUPATION-SHORT TERM VENDORS-TEMPORARY OUTDOOR SALES-FARMER'S MARKETS, & MOVING A PROVISION REGARDING GARAGE & YARD SALES FROM CHAPTER 34 TO CHAPTER 23, SUPPLEMENTARY AND QUALIFYING REGULATIONS**

Chair Zogmaister stated that this item should have been placed on the agenda as a public hearing item. She noted that no public was present to address the issue. David Wilson, Deputy County Attorney, recommended that the item be heard at the end of this meeting, opened in a public hearing, and to be continued next week.

**3. CONTRACT WITH HERITAGE RANCH FOR A REGIONAL HORSE SHOW AT THE GOLDEN SPIKE EVENT CENTER SEPTEMBER 1-5, 2011 - CONTRACT C2011-175**

**4. CONTRACT WITH HERITAGE RANCH FOR SPONSORSHIP TO PRODUCE A REGIONAL HORSE SHOW AT THE GOLDEN SPIKE EVENT CENTER SEPTEMBER 1-5, 2011 - CONTRACT C2011-176**

Jim Harvey, of the GSEC, presented these two contracts. The first contract is to contract for facilities and the next is for the sponsorship. He stated that in order to create economic impact for Weber County three years ago, the county agreed to donate the facility and in exchange Heritage Ranch guarantees a number of event stalls. This has had a positive economic impact and this year will be a very large show. Mr. Harvey addressed Chair Zogmaister's questions stating that Heritage Ranch pays for the stalls, that the county is hoping to enter into a multi-year contract and for a de-escalation clause. The county does not recoup the \$11,000 sponsorship but anticipates recouping that money through economic impact to the transient room tax. The county has used this system with two other businesses and has been successful. Chair Zogmaister asked that once the county subsidizes and helps an event to grow, how does it keep that business in our community and Mr. Harvey responded that it has worked well with the other two customers, has brought great economic impact to the county and brings exposure for other large organizations to use the county facilities.

Commissioner Dearden moved to approve Contract C2011-175 with Heritage Ranch for a regional horse show at the Golden Spike Event Center September 1-5, 2011 and Contract C2011-176 for sponsorship to produce a regional horse show at the Golden Spike Event Center September 1-5, 2011; Commissioner Gibson seconded, all voting aye.

**5. RATIFY A CONTRACT WITH SMART CLUB FOR A SUPER LIQUIDATION SALE HELD AT THE GOLDEN SPIKE EVENT CENTER AUGUST 19-21, 2011 - CONTRACT C2011-177**

Jim Harvey, of the GSEC, stated that this contractor contacted him last week to use the county's facility. Commissioner Gibson moved to approve Contract C2011-177 ratifying a contract with Smart Club for a super liquidation sale at the Golden Spike Event Center 8/19-21/2011; Commissioner Dearden seconded, all voting aye.

**6. FINAL APPROVAL OF COUNTRY GARDENS SUBDIVISION PHASE 1 INCLUDING FINANCIAL GUARANTEES OF \$10,275.97 FOR SUBDIVISION IMPROVEMENTS AND \$1,400.00 FOR SURVEY MONUMENTS**

Sean Wilkinson, of the County Planning Division, stated that the financial guarantee is for \$10,275.97. He showed an area map. This is a 4-lot subdivision and there will be two phases. The Subdivision Ordinance states that maximum block lengths shall generally be 1,300 feet. From the intersection of 5600 E. and 2300 N. the road ends at approximately 1,500 feet. A future extension of 2300 N. to the north is proposed as part of the next phase and staff has determined that it is the most practical location for the northerly stub, which is why staff recommends the 1,500 feet.

Due to past flooding from sheet flow, County Engineering is requiring all the homes to have a raised area of at least 18 inches, including the actual building pad. The plat contains language that no basements are allowed in the subdivision and a berm of at least 18 inches high along the southern canal boundary on the subdivision's north boundary line is required. The canal berm has been built. The property owner has agreed that the storm water for this subdivision can run onto his adjacent property and when the additional lots are built, the detention pond will be built in the second phase. The Planning Commission unanimously recommended approval. Staff also recommends approval.

Commissioner Dearden moved to grant final approval of Country Gardens Subdivision Phase 1 including financial guarantees of \$10,275.97 for subdivision improvements and \$1,400.00 for survey monuments; Commissioner Gibson seconded, all voting aye.

**7. RESOLUTION PROVIDING NOTICE OF ITS INTENT TO REAPPOINT ADAM HALL TO THE WEBER HUMAN SERVICES GOVERNING BOARD - RESOLUTION 17-2011**

David Wilson, Deputy County Attorney, noted that this board is comprised of eight members, three are Weber County commissioners, two are Morgan County council members, and three represent private interests (aging, substance abuse and mental health). Adam Hall represents the private interest and his term will expire 12/31/2011. The Weber Human Services Advisory Council recommends the private interest nominees to the Executive Director of the Weber Human Services Board, who forwards the recommendations to the Weber County Commission. This resolution will be forwarded to Morgan County, which will then send it back with a copy of their minutes. The Weber County Commission will then adopt a final resolution.

Commissioner Gibson moved to adopt Resolution 17-2011 providing notice of its intent to re-appoint Adam Hall to the Weber Human Services Governing Board from 1/1/2012 through 12/31/2014; Commissioner Dearden seconded.

Roll Call Vote:

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

**8. AMENDMENTS TO THE WEBER COUNTY TRAVEL EXPENSE REIMBURSEMENT POLICY**

Dan Olsen, County Comptroller, outlined amendments which include that locations within a 50-mile radius of a premium city will qualify for the premium city per diem rate. Changes were made to comply with State law that the county will not reimburse the employee for any sales taxes that are charged to the employee's personal credit card for in-state lodging.

Commissioner Dearden moved to approve the amendments to the Weber County Travel Expense Reimbursement Policy; Commissioner Gibson seconded, all voting aye.

**9. INTERLOCAL AGREEMENTS WITH THE FOLLOWING FOR ANIMAL CONTROL SERVICES:**

Harrisville City - Contract C2011-178

Washington Terrace City - Contract C2011-179

Farr West City - Contract C2011-180

David Wilson, Deputy County Attorney, stated that these cities have approved their contracts. The cities agree to pay the previous costs through the end of this year and the additional expenses beginning January 1.

Commissioner Gibson moved to approve Contracts C2011-178, 179 and 180 with Harrisville City, Washington Terrace City and Farr West City, respectively, for animal control services; Commissioner Dearden seconded, all voting aye.

**10. CONTRACT WITH CENTRAL POINT WEB DESIGN TO REDESIGN THE OECC'S WEBSITE TO BE MORE USER-FRIENDLY AND INTERACTIVE - CONTRACT C2011-181**

Dan Olsen, County Comptroller, noted that this contract is with the county, and not SMG, so that the county will own the site. David Wilson, Deputy County Attorney, had made a modification to the contract but Central Point has not seen it.

Commissioner Dearden moved to approve Contract C2011-181, as modified by the County Attorney's Office, with Central Point Web Design to redesign the Ogden Eccles Conference Center's website; Commissioner Gibson seconded, all voting aye.

**PUBLIC HEARING:**

Commissioner Dearden moved to convene a public hearing to consider an amendment to the County Zoning Ordinance, Chapter 34, Home Occupation-Short Term Vendors-Temporary Outdoor Sales-Farmer's Markets, and moving a provision regarding garage and yard sales from Chapter 34 to Chapter 23, Supplementary and Qualifying Regulations; Commissioner Gibson seconded, all voting aye.

No public was present to address this item.

Commissioner Gibson moved to continue the public hearing to next week, 9/6/2011 at 10 a.m.; Commissioner Dearden seconded, all voting aye.

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

**F. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, AUGUST 23, 2011, 10 A.M.**

**G. PUBLIC COMMENTS: None**

**H. ADJOURN**

Commissioner Dearden moved to adjourn; Commissioner Gibson seconded, all voting aye.

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Jan M. Zogmaister, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor