

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

Tuesday, November 12, 2013 - 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 surmised 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:** Kerry W. Gibson, Chair, Jan M. Zogmaister and Matthew G Bell.

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

**A. WELCOME – Chair Gibson**

**B. PLEDGE OF ALLEGIANCE – John Bond**

**C. THOUGHT OF THE DAY – Chair Gibson**

**D. PRESENTATION - REPORT FROM GOAL FOUNDATION ON 2012 YEAR AND 2013 OGDEN MARATHON**

Jenny Scothern, GOAL's Executive Director, gave a slide presentation that included GOAL's mission, a 2013 marathon overview, and the 2012 estimated economic impact to the Ogden area (\$7.5 million).

**E. CONSENT ITEMS:**

1. Purchase Orders for \$203,408.92
2. Warrants #303478 - #303659 for \$1,492,970.92
3. Minutes for the meeting held on November 5, 2013
4. New business licenses

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

**F. ACTION ITEMS:**

**1. RESOLUTION APPROVING THE OPENING OF AN ADDITIONAL BANK ACCOUNT WITH THE PUBLIC TREASURER'S INVESTMENT FUND TO MANAGE LIBRARY BOND PROCEEDS – RESOLUTION 31-2013**

John Bond, County Treasurer, stated that this account is to facilitate tracking the monies related to the library bond proceeds.

Commissioner Zogmaister moved to adopt Resolution 31-2013 approving the opening of an additional bank account with the Public Treasurer's Investment Fund for the purpose of managing library bond proceeds; Commissioner Bell seconded.

Roll Call Vote:

Commissioner Bell.....	aye
Commissioner Zogmaister .....	aye
Chair Gibson .....	aye

**2. MEMORANDUM OF UNDERSTANDING WITH WEBER HOUSING AUTHORITY (WHA) FOR ADMINISTRATIVE SERVICES – CONTRACT C2013-269**

Andi Watkins, with the WHA, stated that when the WHA separated from the Ogden Housing Authority in 2009 it was designated as a stand alone agency and Weber County subsequently unofficially partnered with the WHA. This MOU formalizes that partnership. Commissioner Zogmaister and Dan Olsen, County Comptroller, outlined the services that the county provides.

Commissioner Bell moved to approve Contract C2013-269, Memorandum of Understanding with Weber Housing Authority for administrative services; Commissioner Zogmaister seconded, all voting aye.

**3. FINAL APPROVAL OF BAMBROUGH SUBDIVISION (3 LOTS) WITH A RECOMMENDATION FOR THE DEFERRAL OF CURB, GUTTER AND SIDEWALK IMPROVEMENTS ON 3600 NORTH AND 3675 NORTH**

Ben Hatfield, of the County Planning Division, stated that an extension of 3675 North (about 250 feet) is required. The applicant has deposited \$43,626 for subdivision improvements. The Planning Commission and staff recommend approval of this item.

Commissioner Bell moved to grant final approval of the Bambrough Subdivision with a deferral of curb, gutter and sidewalk on 3600 North and 3675 North; Commissioner Zogmaister seconded, all voting aye.

**G. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, NOVEMBER 19, 2013, 10 A.M.**

**H. PUBLIC COMMENTS:**

Toby Mileski, Pleasant View City Mayor elect, stated that the city was informed that their City Hall would be a voting center, allowing voters to vote on either floor. He said that this created a problem with provisional ballots. Voters traditionally have voted upstairs or downstairs at the City Hall, based on precinct. There were 1,400 ballots cast in the city, and only 651 were counted and reported to their city clerk that evening, leaving almost 700 provisional electronic ballots uncounted. Mr. Mileski had questioned a Weber County elections officer and was informed that those ballots were in the machine but were not recorded. Neither the city clerk nor the candidates were informed beforehand of the uncounted provisional ballots or that if voters cast ballots upstairs or downstairs their votes would be cast as provisional ballots. Had the city clerk known this, arrangements could have been made for votes to be cast in the actual precincts. He said that because of the two locations and the computers not being linked, voters could vote upstairs and then also vote downstairs. Ricky Hatch, Weber County Clerk/Auditor, responded that this did not occur. Mr. Mileski requested an official inquiry into the matter.

Mr. Hatch stated that there were two voting locations in Pleasant View and both were vote centers. He explained that in addition to checking if any voter cast a ballot in two locations there are a series of about 10 reconciliation/check procedures that every mail-in and provisional ballot goes through, including examining every voter signature of those voting and comparing it to the one on record. This needs to be done before any provisionals can be counted and was done the day after the election. He noted that normally there is a two week period after the election for all of these checks to be completed, but given the large number of provisionals, election staff worked evenings and Saturday and completed the process much earlier. Mr. Hatch said that his staff is looking at solutions to speed this process or eliminate the vote center provisionals. Other Utah counties are also impacted and this issue will be discussed at the Utah Association of Counties Annual Conference at the end of this week.

**I. ADJOURN**

Commissioner Bell moved to adjourn at 10:45 a.m.; Commissioner Zogmaister seconded, all voting aye.

Attest:

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Kerry W. Gibson, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor