

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

Tuesday, December 20, 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, and Craig L. Dearden. Kerry W. Gibson was excused.

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 - Roger Brunker

C. THOUGHT OF THE DAY - Chair Zogmaister

D. CONSENT ITEMS:

1. Purchase Orders for \$74,800.74
2. Warrants #280920-#281114 for \$2,437,509.82
3. Minutes for the meeting held on December 13, 2011

Commissioner Dearden moved to approve the consent items; Chair Zogmaister seconded, both voting aye.

G. PUBLIC COMMENTS:

Larry Gibbons, of Rocky Mountain Recycling (Salt Lake City), spoke regarding item E.1. He said that Rocky Mountain Recycling is one of the largest independent waste paper recyclers in the western United States. They have several facilities throughout Utah, have been recognized for the past two years as best of State for environmental impact, and process about 75% of what is gathered in the Wasatch Front and about 80% of Salt Lake County. He cautioned the county to select a reputable company and said that their track record speaks for itself, that they can add hundreds of thousands of dollars per year to material that has not recently been compensated for and can do it in a manner that educates the public.

John Sasine, Rocky Mountain Recycling owner, stated that they invested \$8 million for a state-of-the-art processing center, the first of its kind in Utah, which Gary Laird (of Weber County Solid Waste) visited. Mr. Sasine expressed concern that the contract before the Commission involves staff bailing up the material without sorting it and then shipping it to Long Beach, CA, which takes it out of our market area. Rocky Mountain Recycling has a marketing approach for the finished materials to sell it as locally as possible, selling tons of material that is subsequently used by Utahans. They sell to Wyoming, Idaho, Oregon, etc. They also sell to the Far East but China is not their first choice because all of the jobs from sorting to repurposing the material back into the industry is lost forever if it goes to China. It is a worthy goal for a governmental body to be looking after jobs created here and to keep them here.

Marvin Acey, owner/CFO of Rocky Mountain Recycling, noted that a focus of recycling is to reduce the carbon footprint and as the material travels further away from where it is produced it increases the footprint. They try to localize the marketing as much as possible and desire to keep jobs locally and in the U.S. Contamination can occur with recycling and under this proposed contract oversight and local visibility is lost as it travels further away. Additionally, Rocky Mountain Recycling plans to educate municipalities, counties and students on recycling.

E. ACTION ITEMS:

1. **CONTRACT WITH RECYCLING WASTE SOLUTIONS, LLC, FOR THE PURPOSE OF PROCESSING, BUYING AND SELLING OF RECYCLABLE MATERIALS - CONTRACT C2011-227**

Gary Laird, of County Solid Waste Management, stated that about three months ago the county determined it could be receiving more for its recycling and gave notice to terminate the contract with the current recycling provider.

Requests for Proposals were issued and proposals were received from Recycling Waste Solutions, Rocky Mountain Recycling, and Waste Management. Recycling Waste Solutions offers the highest rebates and those funds can improve the county's operating equipment, etc. Mr. Laird stated that the county did due diligence in investigating this company. Last week, he and Nate Pierce, Director, County Operations Department, visited the company in Long Beach where the material will be going. He made a presentation that included photographs of the facility that the county uses, which was funded/constructed by Ogden City. Some of the material from Long Beach goes to China--the mills exist where the products are being used the most. During his visit, Mr. Laird asked Rocky Mountain Recycling staff where the material was going that they were loading and he was told it was going to China. He noted that a baler will be installed at the county's facility, which will be installed by Recycling Waste Solutions. The county's facility will separate cardboard and ship it baled. He reiterated that Recycling Waste Solutions offered the best proposal.

Rocky Mountain Recycling is not the current provider. Referring to a comment by Mr. Sasine, Commissioner Dearden asked then how jobs would be affected. Mr. Sasine responded that locally there would be fewer tons of materials and the job of sorting bottles and cans would leave the State and go to Long Beach. Once material moves to Long Beach, every scrap of cardboard, paper, cans, and plastic then goes offshore and there is no domestic use of it. There are many companies in the U.S.A. trying to use scrap materials that heretofore have not been used and it behooves us to utilize it.

Laron Rasban, of Recycling Waste Solutions, said that the information Mr. Laird had presented was accurate. Potential Industries, where the materials will be shipped to in Long Beach under this contract, owns two mills in China and sends products over there, but other products are sold domestically. They also sell fiber, cardboard and newsprint domestically.

Mr. Laird addressed Chair Zogmaister's questions stating that the county is leasing the bailer for \$1/year. She asked how Weber County will be receiving more for recycling, yet it will be shipped to California and also how transportation compares to the current contract because the county is not paying that much in transportation. Mr. Laird said that it depends where the material is shipped. The pricing received in the bids do not reflect that this material is being used locally, otherwise Rocky Mountain Recycling's proposal would have offered the higher rebate but it did not. Commissioner Dearden noted that the county is charged a certain amount per ton and the cost is based on OBM market price--the price of transportation cost is included. The county was receiving \$5/ton and will now receive \$80/ton and Chair Zogmaister wondered how Recycling Waste Management can pay out that. Mr. Laird feels it may be the difference in markets and availability of markets.

Mr. Sasine said that there was new information in Mr. Laird's presentation, which indicates that the county will go into direct competition with Fiber Core, an existing business that has been here for 30 years, which strikes him as inconsistent. Mr. Laird stated that Fiber Core has been a good alternative for a long time and the county still sorts cardboard in the facility, some cardboard will be shipped out but the cardboard that comes off the floor from the Transfer Station will go to Fiber Core. The commissioners expressed thanks for everyone being present and their comments. Chair Zogmaister said that she supports the industry and the jobs but with the difference in the rebates, the county has an obligation to do the best for the county.

Commissioner Dearden moved to approve Contract C2011-227 with Recycling Waste Solutions, LLC, to process, buy and sell recyclable materials; Chair Zogmaister seconded, both voting aye.

2. CONTRACT WITH SOUTH UTAH VALLEY SOLID WASTE DISTRICT FOR A TRUCK LEASE FOR C&D MATERIALS - CONTRACT C2011-228

Gary Laird, of County Solid Waste Management, stated that the county will lease this 2002 Peterbilt tractor to transport C&D material to the county's C&D landfill.

Commissioner Dearden moved to approve Contract C2011-228 with South Utah Valley Solid Waste District for a truck lease for C&D materials; Chair Zogmaister seconded, both voting aye.

3. CONTRACT WITH WEBER COUNTY SCHOOL DISTRICT FOR A RAMP GRANT FOR SNOWCREST JR. HIGH TENNIS COURTS - CONTRACT C2011-229

Reed Richards, Deputy County Attorney, explained that the hold up on this contract had been that the proposal was submitted by the School District's foundation but these contracts cannot be with foundations because they are for capital improvements and need to be with a governmental entity. The contract includes the commitment that the public has the right to use the facility, except during school hours. The project is complete. Mr. Richards noted that the contract for Ogden High School is still in negotiations.

Commissioner Dearden moved to approve Contract C2011-229 with the Weber County School District for a RAMP grant for Snowcrest Jr. High tennis courts; Chair Zogmaister seconded, both voting aye.

4. CONTRACT WITH REVCO LEASING TO REPLACE A COPIER WHOSE LEASE IS ABOUT TO EXPIRE - CONTRACT C2011-230

David Wilson, Deputy County Attorney, presented this contract.

Commissioner Dearden moved to approve Contract C2011-230 with Revco Leasing to replace a copier whose lease is about to expire; Chair Zogmaister seconded, both voting aye.

5. CONTRACT WITH WEBER HUMAN SERVICES TO PROVIDE DAY PORTER SERVICES FOR SPECIFIED OFFICES WITHIN FACILITY OCCUPIED BY WEBER HUMAN SERVICES PERSONNEL 4 HOURS DAILY (PLUS COMMUTING & BREAK PERIOD) DURING NORMAL BUSINESS HOURS - CONTRACT C2011-231

Doug Dickens, of County Property Management, presented this annual contract.

Commissioner Dearden moved to approve Contract C2011-231 with Weber Human Services to provide day porter services for specified offices within the facility occupied by Weber Human Services personnel four hours daily (plus commuting & break period) during normal business hours; Chair Zogmaister seconded, both voting aye.

6. FINAL APPROVAL OF BLANCH ESTATE SUBDIVISION WITH DEFERRAL OF CURB, GUTTER & SIDEWALK

Sean Wilkinson, of the County Planning Division, stated that the applicant is requesting final approval of this 2-lot subdivision. The lots meet the requirement of the A-1 Zone. Access to the two lots is along 4700 W. and the applicant is requesting a deferral of the improvements along their frontage. This subdivision is within 1.5 miles of the West Warren Elementary School but it is on a State highway and there is no other curb, gutter and sidewalk in the area. Both staff and the Western Weber Planning Commission recommended final approval with deferral of the improvements.

Commissioner Dearden moved to grant final approval of Blanch Estate Subdivision with deferral of curb, gutter and sidewalk; Chair Zogmaister seconded, both voting aye.

7. REQUEST TO ADD POSSIBLE COMMUNITY BLOCK GRANT (CDBG) PROJECT TO WEBER COUNTY'S CAPITAL IMPROVEMENTS FOR 2012 THROUGH 2016

Chad Meyerhoffer, of County Engineering, presented the request to add the Weber Housing Authority and the Catholic Community Services projects to Weber County's capital improvements for 2012 through 2016. Last week the Commission approved the sponsorship and this document adds them to the capital improvements. Mr. Meyerhoffer is working with the Fairgrounds to determine whether they will apply for their project. Chair Zogmaister asked about Wheat Ridge Subdivision and Mr. Meyerhoffer said CDBG now requires a survey of the neighborhood and they are still trying to get the area to qualify.

Commissioner Dearden moved to add Weber Housing Authority and Catholic Community Services to Weber County's capital improvements for the Community Block Grant projects for 2012 through 2016; Chair Zogmaister seconded, both voting aye.

8. INTERLOCAL AGREEMENT WITH WEBER STATE UNIVERSITY FOR THE ICE SHEET EXPANSION - CONTRACT C2011-232

Todd Ferrario, with the Ice Sheet, stated that this is to investigate the possibility of expanding the Ice Sheet, which sits on Weber State (WSU) land. The county inquired their opinion and originally WSU was interested in adding a second story. Subsequently, there have been a number of conversations between Weber State University and county staff. In this contract, both parties agree to invest in expanding the original drawings and obtaining accurate costs. Both parties are sharing the evaluation expense. WSU's attorney wishes to sign the contract after county legal counsel signs.

Commissioner Dearden moved to approve Contract C2011-232 with Weber State University for the Ice Sheet expansion; Chair Zogmaister seconded, both voting aye.

9. MOTION TO RECONSIDER THE COUNTY COMMISSION'S DECISION IN THE 12/13/2011 COMMISSION MEETING ON REQUEST FOR APPROVAL OF ACTION TAKEN BY WACOG ON 12/5/2011 REGARDING THE PRIORITIZATION OF LOCAL TRANSPORTATION DOLLARS

Chair Zogmaister stated that in the Weber Area Council of Government's (WACOG) meeting a proposal was submitted by UTA that was different than the one submitted to the subcommittee. UTA had submitted an application previously that was denied by the subcommittee. Because it had not gone through the subcommittee, there was much discussion at WACOG about it not having followed the process, and there was one vote against accepting the new request.

The County Commission also had much discussion on the fact that this had not followed the process, which had taken two years to set in place. Every municipality had followed the process. At the previous meeting, the commissioners voted one in favor and two opposed. Since that time, the commissioners sent WACOG an email letting them know the Commission's action and reasons and requested their response. WACOG recognizes the Commission's authority but is concerned about the impact on the project if it is not approved. Chair Zogmaister emphasized that the vote had only to do with the fact that the process had not been followed. The process will continue to be refined to help eliminate this type of issue from reoccurring.

Commissioner Dearden moved to reconsider their decision on 12/13/2011 and to approve UTA's request for \$150,000 of local transportation dollars; Chair Zogmaister seconded, both voting aye.

F. PUBLIC HEARING:

1. Commissioner Dearden moved to adjourn the public meeting and convene the public hearing; Chair Zogmaister seconded both voting aye.

2. PUBLIC HEARING REGARDING WEBER COUNTY'S 2011 BUDGET:

Dan Olsen, County Comptroller, noted that copies were available at this meeting for the public of the adjustments by fund and by department. He highlighted the significant changes stating that in the General Fund most were related to grants (i.e., for Emergency Management and Sheriff's Office), adjustments were made to revenue estimates for property taxes and sales taxes for the current year, salary adjustments in the Attorney's Office, and money was transferred from the General Fund to the Capital Projects Fund. Other adjustments include a change for \$4.2 million for the value of commodities in the WIC program (Health Department), significant changes were made for FEMA and NRCS grants received relating to flooding this Spring (Public Works budget). Additionally, adjustments were made in the Public Works budget to reflect revenues and expenses for projects relating to the partnership with Weber Pathways. While the Public Works' budget is being increased by \$1.2 million, about 95% is funded through grants. There were two capital improvement projects: CSI facility expansion funded from CSI fund balance and Information Technology equipment that started failing during the year.

Chair Zogmaister invited public comments and none were offered.

3. Commissioner Dearden moved to adjourn the public hearing and reconvene the public meeting; Chair Zogmaister seconded both voting aye.

4. **ACTION ON PUBLIC HEARING:**

F.2. - PUBLIC HEARING REGARDING WEBER COUNTY'S 2011 BUDGET - RESOLUTION 25-2011

Commissioner Dearden moved to adopt Resolution 25-2011 adjusting the operating and capital budgets of Weber County for the 2011 calendar year; Chair Zogmaister seconded.

Roll Call Vote:

Commissioner Deardenaye
Chair Zogmaisteraye

G. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, JANUARY 3, 2012, 10 A.M.

H. ADJOURN

Commissioner Dearden moved to adjourn at 11:06 a.m.; Chair Zogmaister seconded, both voting aye.

Attest:

Craig L. Dearden, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor