

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

Tuesday, February 1, 2011 - 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: Jan M. Zogmaister, Chair, Craig L. Dearden and Kerry W. Gibson.

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 Zogmaister

B. PLEDGE OF ALLEGIANCE - Fátima Fernelius

C. THOUGHT OF THE DAY - Commissioner Dearden

D. CONSENT ITEMS:

1. Purchase Orders in the amount of \$342,391.22
2. Warrants #270579-#270933 in the amount of \$905,458.38
3. Minutes for the meeting held on January 25, 2011
4. Set public hearing for February 22, 2011, 10 a.m., to amend Commercial Valley Zones (CV-1 and CV-2) to allow a zero front yard setback
5. Set public hearing for February 22, 2011, 10 a.m., regarding amendments to the Eden Blacksmith Shop's Conceptual Development Plan within the Zoning Development Agreement that was previously approved as part of Ordinance 2008-17 and amended as part of Contract C2010-100
6. New business license
7. New beer licenses
8. Surplus vehicles from Fleet Management

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

E. ACTION ITEMS:

1. AGREEMENT WITH MICHAEL D. BOUWHUIS FOR AN INDIGENT DEFENSE COORDINATOR - CONTRACT C2011-11

David Wilson, Deputy County Attorney, stated that over a year ago changes were made regarding how indigent defense is provided in Weber County. The county now enters into individual contracts with defense attorneys. At the time of this change, Mr. Bouwhuis was chosen as the coordinator, and as such assigns cases, coordinates schedules, prepares reports to the county, etc. At that time he and Attorney Ryan Bushell split the calendar. Mr. Bushell does not wish to renew his contract with the county and asked that it be terminated as of 12/31/2011. However, by the time the county advertised for a replacement and reviewed the applicants, it pushed the termination date to January 31, 2011. Mr. Bouwhuis applied for the replacement position. This will not give him a full calendar and Brad Dee, County Human Resource Director (involved with indigent defense contracts), had recommended moving forward with Mr. Bouwhuis' contract. Mr. Wilson concurs, believing that Mr. Bouwhuis can adequately fulfill these duties. This contract is to pay Mr. Bouwhuis for a full calendar on a yearly basis at \$125,000, however, it is adjusted for this year.

Commissioner Gibson moved to approve Contract C2011-11, Agreement with Michael D. Bouwhuis for an Indigent Defense Coordinator; Commissioner Dearden seconded, all voting aye.

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

G. PUBLIC COMMENTS:

Douglas Hansen asked the Commission to consider agritourism and possibly setting perimeters for it because it will be coming to Weber County. He would like a response and Chair Zogmaister said that they would consider it. Commissioner Gibson attended the Valley Planning Commission meeting a few days ago where they discussed this issue. He said that agritourism plays an important role in the community, not only for the farmer but for education, etc. Jim Gentry, of the County Planning Division, said that the Ogden Valley Planning Commission would be discussing the issue tonight. Additionally, Mr. Hansen wants to ensure open space for the preservation of agriculture. The commission is supportive.

CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL

Mr. Gibson moved to convene a Closed Session to discuss the character, professional competence, or physical or mental health of an individual; Mr. Dearden seconded.

Roll Call Vote:

Mr. Dearden.....aye

Mr. Gibson.....aye

Chair Zogmaister.....aye

No action was taken on the closed session.

H. ADJOURN

Commissioner Dearden moved to adjourn at 10:17 a.m.; Commissioner Gibson seconded, all voting aye.

Jan M. Zogmaister, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor