

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

Tuesday, February 22, 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; David C. Wilson, Deputy County Attorney; Fátima Fernelius, of the Clerk/Auditor's Office, took minutes.

**A. WELCOME** - Chair Zogmaister

**B. PLEDGE OF ALLEGIANCE** - Rob Scott

**C. THOUGHT OF THE DAY** - Commissioner Dearden

**D. CONSENT ITEMS:**

1. Purchase Orders in the amount of \$205,638.20
2. Warrants #221234-#271432 in the amount of \$1,312,765.23
3. Minutes for meetings held February 15 and 22, 2011 and Work Session held February 15, 2011
4. Surplus a bookcase, a table and two chairs from the Clerk/Auditors Office
5. Set public hearing for March 15, 2011, 10 a.m., to amend the Commercial Valley Zones (CV-1 and CV-2) to allow a zero front yard setback
6. Retirement Agreements with Isabel Anguiano, Contract C2011-25; Jean Maughan, Contract C2011-26, and Colleen T. Long, Contract C2011-27

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

**E. PRESENTATION OF THE SOLID WASTE TRANSFER STATION ANNUAL REPORT**

Gary Laird, of Weber County Solid Waste, noted that the county reports annually to the State on the compost facility, the C&D landfill and the former landfill to ensure compliance and gave an overview of each area. Mr. Laird addressed Commissioner Dearden's question about the landfill gas to energy recovery program stating that last year \$90,000 was generated in revenue in the first four months, but in April the generator broke down. It is now running at capacity.

**F. ACTION ITEMS**

1. **CONTRACT WITH ZIONS BANK PUBLIC FINANCE TO HAVE ZIONS SERVE AS FINANCIAL ADVISOR TO THE COUNTY FOR FIVE YEARS, ASSIST WITH ALL BOND ISSUES AND OTHER LONG-TERM FINANCING NEEDS - CONTRACT C2011-28**

Dan Olsen, County Comptroller, stated that the contract with Zions to serve as the financial advisor expired in 2010. Requests for Proposals were issued and three responses were received. The Finance Committee selected Zions. The contract is for five years, with two optional 1-year extensions.

Commissioner Dearden moved to approve Contract C2011-28 with Zions Bank Public Finance to serve as financial advisor to the county for five years, assist with all bond issues and other long-term financing needs; Commissioner Gibson seconded, all voting aye.

2. **CONTRACT WITH OGDEN PUBLISHING CORPORATION TO HAVE THE STANDARD EXAMINER HOME & GARDEN SHOW AT THE GOLDEN SPIKE EVENT CENTER MARCH 3-6, 2011-CONTRACT C2011-29**

Jim Harvey, GSEC, presented this standard contract.

Commissioner Gibson moved to approve Contract C2011-29 with Ogden Publishing Corporation for the Standard Examiner Home & Garden Show at the Golden Spike Event Center 3/3-6/2011; Commissioner Dearden seconded, all voting aye.

3. **CONTRACT WITH WEBER STATE RODEO TEAM TO CONDUCT THE WEBER STATE RODEO AT THE GOLDEN SPIKE EVENT CENTER MARCH 4-5, 2011- CONTRACT C2011-30**

Jim Harvey, GSEC, presented this contract.

Commissioner Dearden moved to approve Contract C2011-30 with Weber State Rodeo Team to conduct the Weber State Rodeo at the Golden Spike Event Center 3/4-5/2011; Commissioner Gibson seconded, all voting aye.

4. **AMEND THE ZONING ORDINANCE BY ADDING "DAY CARE" TO THE LIST OF CONDITIONAL USES IN CHAPTER 21-B, OGDEN VALLEY MANUFACTURING ZONE (MV-1) – ORDINANCE 2011-4**

Scott Mendoza, of the County Planning Division, noted that on 2/8/2011 he presented a petition in behalf of Chandra Barrong. The Commission's direction at that time was to proceed with preparing an ordinance for adoption and a draft of the Manufacturing Zone, and he presented these today.

Commissioner Gibson moved to adopt Ordinance 2011-4 amending the Weber County Zoning Ordinance by adding "Day Care" to the conditional uses in Chapter 21-B, Ogden Valley Manufacturing Zone (MV-1); Commissioner Dearden seconded.

Roll Call Vote:

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|----------------------------|-----|
| Commissioner Dearden ..... | aye |
| Commissioner Gibson .....  | aye |
| Chair Zogmaister .....     | aye |

5. **CONTRACT WITH HAROLD WELLS ASSOCIATION FOR APC SALES & SERVICE FOR A MAINTENANCE AGREEMENT FOR SERVER ROOM ELECTRICAL AND AIR-CONDITIONING COMPONENTS - CONTRACT C2011-31**

Leonard Call, Information Technology Department Director, presented this contract renewal stating that for the first couple of years the maintenance was built into the equipment purchase cost. Mr. Call stated that this contract amount is reasonable. Commissioner Dearden noted that this contract was for one year and asked if the cost could be decreased if the contract period was extended. Mr. Call had looked into this but the company does not generally do that.

Commissioner Dearden moved to approve Contract C2011-31 with Harold Wells Association for APC Sales & Service for a maintenance agreement for server room electrical and air-conditioning components; Commissioner Gibson seconded, all voting aye.

**G.PUBLIC HEARING**

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

**2. PUBLIC HEARING 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 2010-100**

Sean Wilkinson, of the County Planning Division, stated that originally two public hearings should have been held today that are somewhat related—one deals with amendments to the conceptual development plan for the Blacksmith Shop in Eden and the other an amendment to the CV-2 Zone where this shop is located to allow, under certain conditions, zero front yard setbacks when a complete street design is proposed. However, due to some miscommunication and scheduling conflicts on the publishing date for the CV-2 amendment, this item did not get published timely. This public hearing was set for 3/15 under today's consent items. Mr. Wilkinson asked that the Commission only take public comment on the conceptual amendments to the Blacksmith Shop and continue it on 3/15 in conjunction with the CV-2 Zone amendments.

Dan Van Zeben, of Eden, outlined the concept for the Blacksmith Village as had been presented to the Planning Commission last year, which included a historical renovation of the Blacksmith Shop, and constructing some commercial-type buildings on that site. The concept plan shows Phase I with the two new commercial buildings with a complete street. The second building was previously approved in concept with a zero front yard setback. The plan is to recreate the development around Eden Park as the initial incorporators had planned.

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

**4. ACTION ON PUBLIC HEARING:**

**F.2. - AMENDMENTS TO THE EDEN BLACKSMITH SHOP'S CONCEPTUAL DEVELOPMENT PLAN**

Commissioner Dearden moved to continue this item to March 15, 2011; Commissioner Gibson seconded, all voting aye.

**H. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, MARCH 1, 2011, 10 A.M.**

**I. PUBLIC COMMENTS: NONE**

**J. CLOSED EXECUTIVE SESSION**

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

Roll Call Vote:

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|---------------------------|-----|
| Commissioner Dearden..... | aye |
| Commissioner Gibson.....  | aye |
| Chair Zogmaister .....    | aye |

There was no action taken on the closed executive session.

**K. 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