

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

Tuesday, July 30, 2013 - 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, Kerry W. Gibson and Matthew G Bell.

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

- A. WELCOME** – Chair Gibson
- B. PLEDGE OF ALLEGIANCE** – Roger Brunner
- C. THOUGHT OF THE DAY** – Commissioner Zogmaister

Chair Gibson noted that the Commission Charity Golf Tournament will occur on 8/26, which raises funds to be given to worthy local charities. He recognized one of the donors, Weber State's Hockey Team. Supporter Ray Kimber and two hockey team players, Landon Ayler and Braxton Green, listed the items in the Hockey Basket totaling about \$600.

D. CONSENT ITEMS:

1. Purchase Orders for \$140,406.03
2. Ratify Warrants #299844-#300026 for \$1,541,626.50 dated July 23, 2013
3. Warrants #300027-#300329 for \$2,804,639.23
4. Minutes for the meeting held on July 16, 2013
5. ACH payment to US Bank for \$67,968.96 for purchasing card transactions made through 7/15/2013
6. Surplus two cash registers from the Weber County Recreation Facilities and Concessions
7. Request from the Tax Review Board to deny the refund personal property account #112796
8. Request from the Tax Review Board to deny the refund personal property account #8116
9. Request from the Tax Review Board to deny the refund personal property account #3095
10. Change regularly scheduled County Commission meeting on 8/6/2013 from 10:00 a.m. to 5:30 p.m., with a public hearing beginning at 6:00 p.m.

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

E. ACTION ITEMS:

1. **REFUND ON PERSONAL PROPERTY OWNED BY LEWIS AND VICKI CARVER**

Machel Maycock, of the County Assessor's Office, stated that the Carvers requested a refund of property taxes for parcel #19-106-0012 based upon a property characteristic error. The Carvers did not appeal the value until this year. The Weber County Tax Review Committee heard this item on 7/8/2013 and recommended a refund for 2012 for \$238.42. The petitioners were not present.

Commissioner Bell moved to approve the refund \$238.42 to the Carvers, noting that they have had over 17 years to appeal; Commissioner Zogmaister seconded, noting that the Commission is upholding the Tax Review Committee's recommendation. All voted aye.

2. **NOTICE OF AWARD TO PRO-BUILD CONSTRUCTION, INC., FOR THE POWDER MOUNTAIN HIDDEN LAKE WATER PROJECT**

Jared Andersen, County Engineer, stated that this is for the construction of the 415,000 gallon water tank, pump station and well equipping. Pro-Build was the low bidder at \$930,000.

Commissioner Zogmaister moved to approve the Notice of Award to Pro-Build Construction, Inc., for the Powder Mountain Hidden Lake water project; Commissioner Bell seconded, all voting aye.

The Western Weber Planning Commission considered this item on 7/16/2013 and determined that it is compliant with the West Central Weber County General Transportation Plan and submitted their support for the alternative B1 to the County Commission requesting that they submit a letter of support to UDOT. Mr. Scott stated that sending a letter of support for this alternative does not preclude other entities from submitting their input.

Commissioner Zogmaister noted that this has been a long process that included several studies. She is pleased with the results because the terminus from Davis County is where Weber County desired it, and also that it only goes to 5500 S. Chair Gibson said that Hooper City Mayor Green feels that 5500 S. is not as acceptable for an east-west corridor to channel traffic efficiently to the freeway, the school zones, etc. Commissioner Zogmaister strongly feels that Hooper needs to state its own position, which is independent of the county's.

Commissioner Bell asked if the Commission could include in its letter of support the idea of the road going to 4000 S. From conversations with UDOT, Commissioner Zogmaister said that the further the road goes north the tendency is for them to build it further east because the population growth has not met their expectations on the west. Additionally, she had been told that funding would only take the road to 5500 S. Regarding the idea of the road going to 4000 S., Commissioner Zogmaister emphasized that West Haven and Hooper came to an agreement on where that road would come through their cities with a lot of compromise on both sides for the west coordinate. Mr. Scott suggested including language in the support letter recognizing the additional need to study east-west corridors. He said that they probably will end up being separate projects. Mr. Scott will draft the support letter for the commissioners' review.

8. FINAL APPROVAL OF BOOTH SUBDIVISION (AN AMENDED SUBDIVISION PLAT) AND THE VACATION OF A PORTION OF DAVE BOOTH SUBDIVISION - ORDINANCE 2013-19

Sean Wilkinson, of the County Planning Division, showed an area map. Previously the Dave Booth Subdivision consisted of 1-lot and the property owner divided it and sold a portion to an adjacent property owner and an amended subdivision process is required to bring the lot into compliance. The amended subdivision is a combination of a portion of the original Dave Booth Subdivision and adjacent property owned by the applicant. The lot contains an existing single family dwelling and all the improvements were installed previously. The Ogden Valley Planning Commission unanimously recommended approval of the subdivision and the vacation on 6/25/2013.

Commissioner Zogmaister moved to grant final approval of Booth Subdivision (an amended subdivision plat) and to adopt Ordinance 2013-19 vacating a portion of the Dave Booth Subdivision; Commissioner Bell seconded.

Roll call vote:

Commissioner Bell	aye
Commissioner Zogmaister	aye
Chair Gibson	aye

9. REQUEST BY COUNTY OPERATION DEPARTMENT FOR APPROVAL OF WEBER PATHWAY'S REQUEST TO WORK IN WEBER COUNTY'S RIGHTS-OF-WAY

Nate Pierce, County Operations Department Director, stated that the county is partnering with Weber Pathways in the phased development of the Pineview Loop Trail. Weber Pathways has agreed to oversee the construction of certain trail segments of the Pineview Loop Trail but needs written authorization to work in the county's rights-of-way for two segments of this trail.

Commissioner Bell moved to authorize Weber Pathway's request to work in Weber County's rights-of-way; Commissioner Zogmaister seconded, all voting aye.