

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

Tuesday, November 5, 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 unburdened 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; David C. Wilson, Deputy County Attorney; Fátima Fernelius, of the Clerk/Auditor’s Office, took minutes.

- A. WELCOME – Chair Gibson
- B. PLEDGE OF ALLEGIANCE – Doug Dickens
- C. THOUGHT OF THE DAY – Commissioner Zogmaister

- D. **PRESENTATION OF THE 11TH ANNUAL WEBER COUNTY COMMISSIONERS’ ANNUAL FALL CHARITY GOLF CLASSIC PROCEEDS TO UNITED WAY EARLY READING PROGRAM, CATHOLIC COMMUNITY SERVICES, FAMILY COUNSELING SERVICES**

Robert Hunter, with United Way, Marci Valdez, with Catholic Community Services, and Ron Thornberg, with Family Counseling Services, thanked the Commission for the contributions and gave an overview of their organizations. The commissioners presented United Way with a \$3,000 check, and Catholic Community Services and Family Counseling Services with an \$8,500 check each.

E. CONSENT ITEMS:

- 1. Purchase Orders for \$202,837.89
- 2. Warrants #303200 - #303477 for \$2,562,843.98
- 3. Minutes for the meeting held on October 29, 2013

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

F. ACTION ITEMS:

- 1. **RESOLUTION PROVIDING NOTICE OF THE COMMISSION’S INTENT TO MAKE AN APPOINTMENT TO THE WEBER HUMAN SERVICES BOARD OF DIRECTORS – RESOLUTION 27-2013**

David Wilson, Deputy County Attorney, noted that Weber Human Services (WHS) is an interlocal entity created in 1992 by Weber and Morgan Counties. The board is comprised of eight members—three county commissioners, two county council members appointed by Morgan County and three citizens representing mental health, aging, and substance abuse. WHS submitted its recommendation to Weber County, which will forward its adopted resolution to Morgan County for their input.

Commissioner Bell moved to adopt Resolution 27-2013 providing notice of the Commission’s intent to appoint Elizabeth Later to the Weber Human Services Board of Directors; Commissioner Zogmaister seconded.

Roll Call Vote:

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

2. RESOLUTION APPOINTING A COUNTY REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE FOR THE UTAH COUNTIES INDEMNITY POOL ANNUAL MEMBERSHIP MEETING – RESOLUTION 28-2013

David Wilson, Deputy County Attorney, noted that Weber County participates in this annual membership meeting. Chair Gibson gave some history on UCIP and noted the huge rate savings to our county by participating in this self insured pool.

Commissioner Bell moved to adopt Resolution 28-2013 appointing Commissioner Gibson as the Weber County representative and Brad Dee as the alternate representative for the Utah Counties Indemnity Pool annual membership meeting; Commissioner Zogmaister seconded.

Roll Call Vote:

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

3. RESOLUTION MAKING AN APPOINTMENT TO THE WEBER AREA DISPATCH 911 AND EMERGENCY SERVICES DISTRICT ADMINISTRATIVE CONTROL BOARD – RESOLUTION 29-2013

A board member tendered his resignation on this board. David Wilson, Deputy County Attorney, noted that in 2006 the Dispatch, an interlocal entity, was transformed to a special service district and the County Commission established an Administrative Control Board to run its day-to-day operations.

Commissioner Zogmaister stated that with the commissioners’ opportunity to make board appointments comes the responsibility to look at each board and its needs. With this vacancy, she feels it is important to appoint someone with financial expertise and recommends someone from the Clerk/Auditor’s Office. Chair Gibson feels it is important to have a commissioner on the board and had spoken with Dan Olsen, County Comptroller, who will continue to offer his financial expertise. Commissioner Bell feels that it is important to have elected people on these boards.

Commissioner Gibson moved to adopt Resolution 29-2013 appointing Matthew Bell to the Weber Area Dispatch 911 and Emergency Services District Administrative Control Board; Commissioner Bell seconded. Commissioner Zogmaister prefers to wait to appoint a commissioner when the former commissioner’s term expires in 2014, noting that the Commission has a lot of control on that board.

Roll Call Vote:

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

4. CONTRACT WITH JORDAN WORLD PRODUCTIONS INC., FOR FIVE CIRCUS PERFORMANCES FROM 1/24-1/26/2014 AT THE GOLDEN SPIKE EVENT CENTER (GSEC) – CONTRACT C2013-264

Jim Harvey, of GSEC, presented this contract.

Commissioner Zogmaister moved to approve Contract C2013-264 with Jordan World Productions Inc., for circus performances from 1/24-1/26/2014 at the Golden Spike Event Center; Commissioner Bell seconded, all voting aye.

5. CONTRACT WITH FIVE CHUTE PRODUCTIONS FOR A RMPRA RODEO SERIES AT THE GOLDEN SPIKE EVENT CENTER (GSEC) ON FOUR WEEKENDS FROM 1/22/2013 TO 3/22/2014 – CONTRACT C2013-265

Jim Harvey, of the GSEC, presented this contract.

Commissioner Bell moved to approve Contract C2013-265 with Five Chute Productions for a RMPRA Rodeo Series at the Golden Spike Event Center from 1/22/2013 to 3/22/2014; Commissioner Zogmaister seconded, all voting aye.

6. CONTRACT WITH BROKEN HEART RODEO COMPANY FOR THE BULL WARS EVENT AT THE GOLDEN SPIKE EVENT CENTER ON 12/31/2013 – CONTRACT C2013-266

Jim Harvey, of the GSEC, presented this contract.

Commissioner Zogmaister moved to approve Contract C2013-266 with Broken Heart Rodeo Company for the Bull Wars Event at the Golden Spike Event Center on 12/31/2013; Commissioner Bell seconded, all voting aye.

7. CONTRACT WITH MULVEY ENTERPRISES, LLC FOR THE 3500 WEST RIGHT-OF-WAY ACQUISITION CONSULTING SERVICES – CONTRACT C2013-267

Douglas Larsen, Weber County Development Partnership Executive Director, stated that this contract is not to exceed \$30,500. Commissioner Zogmaister said that this is a much needed project; it will provide sidewalk all the way to Kanesville Elementary.

Commissioner Bell moved to approve Contract C2013-267 with Mulvey Enterprises, LLC for the 3500 West design services; Commissioner Zogmaister seconded, all voting aye.

8. CONTRACT WITH US FOREST SERVICE FOR THE 2014 COOPERATIVE LAW ENFORCEMENT OPERATING PLAN AND FINANCIAL PLAN – CONTRACT C2013-268

Weber County Sheriff Thompson noted that this contract has been in place for many years and is primarily for the Ogden Valley area. He stated that it does not pay for all of the Sheriff's costs but allows the Sheriff to have personnel in place and that it is mutually beneficial. The contract decreased by 10% and he met with a Forest Service representative who explained that this is a nationwide cut.

Commissioner Bell moved to approve Contract C2013-268 with the US Forest Service for the 2014 Cooperative Law Enforcement Operating Plan and Financial Plan; Commissioner Zogmaister seconded, all voting aye.

9. WEBER PATHWAY'S REQUEST FOR USE OF IMPACT FEES (WEBER RIVER PARKWAY SECTION OF THE CENTENNIAL LOOP TRAIL)

Nate Pierce, County Operations Department Director, stated that in 2011 the county and Weber Pathways joined to apply for funding for an extension of the trail system beyond what Riverdale City had done along the Weber River. Due to flooding in the spring of 2012 a lot of work was washed away. This request is to use \$8,800 from the lower valley account to be used for the Weber River Parkway (Riverdale extension). He recommends approval of this request.

Commissioner Zogmaister moved to approve Weber Pathway's request to use \$8,800 of impact fees for the Weber River Parkway section of the Centennial Loop Trail; Commissioner Bell seconded, all voting aye.

H. PUBLIC COMMENTS:

Commissioner Bell said that various amounts have been discussed for the county's library projects. A bond was approved for \$45 million and 2,610 voters made the difference for that issue. There are about 100,000 registered voters in Weber County—14,000 voted against the bonds and 71,000 did not vote—and his decisions take account of all the county citizens. He agrees with building libraries but stressed that the amount to be spent on the county's libraries is tremendous. Washington County took 11 years to build their libraries (they each cost between \$1 and \$6 million, and one used inmate labor) and saved \$20 million. Washington County's total to run the seven libraries is \$3.4 million/year. Weber County already spends \$9 million/year to run its libraries. Today the Commission will be discussing spending about \$35 million just for library construction projects.

There are other potentially significant tax increases coming. The Weber Area Dispatch & Emergency 911 Services District has asked for a tax increase, the RAMP tax will be on the next ballot, there may be a gas tax (10-13 cents/gallon, for roads), the jail expansion, etc. Commissioner Bell expressed concern that certain areas such as Plain City, Hooper, and Farr West do not have libraries and that perhaps the county should be not be building mega libraries but should build smaller ones as Davis County is doing for about \$4 million. The Ogden Main Library project currently is around \$17 million and the cost may be much higher (the final figures are unknown), the Roy Library will cost between \$22-25 million but this project is already \$1+ million over, and the county may have to bond to complete the Ogden Main Library and may also have to bond again for the North Ogden Library. Weber County will be spending \$3.6 million/year for interest on the \$45 million debt, which makes that bond \$67 million. The county is currently \$50 million in debt and with the library bonds it will be almost \$120 million. He recommends not building the libraries in three years but to extend the time and build smaller facilities in order not to impact the taxpayers so much.

Linda Pipkin, of North Ogden, stated that she has a very modest income, and politics reaches into every aspect of her life by taking from her constantly. She has grandchildren who cannot vote on this issue but who will have to pay for this for many years, thus the commissioners also represent them. North Ogden City had this type of issue recently where the city council wanted to bond \$10 million plus interest to build an outrageous public works facility and the citizens petitioned against it. They will now be building the facility for less than \$4 million. She pleaded with the commissioners to look for a more financially responsible way to do this library project.

Sylvia Salsbury, of Ogden, was not aware that there were other options on how the bond money can be used. She has very limited income and agreed with Ms. Pipkin (above), encouraging the commissioners to find more financially responsible ways to do the library projects, even if they are not as elaborate. She expressed appreciation to Commissioner Bell for looking into this issue, and asked that he continue as we move forward.

Toby Mileski, of Pleasant View, supports libraries but asked the commissioners to consider an update build-and-rehab program in neighborhoods on a pay as you go basis before putting citizens into further debt and increasing their taxes.

James Ebert, of Farr West, appreciates the information Commissioner Bell provided. He has attended many meetings and heard a lot of information concerning the building of the libraries but this is the first time he received concrete information. When people have asked questions about these projects, no answers have been given and he asked that these questions be answered prior to the bond being taken out because they are important. When he attended the Library Board meeting it appeared to him that decisions were determined by that board even before the bond was approved by voters (i.e., the size of the libraries, amount of money to be spent/sq. ft., etc.). He encouraged the Standard Examiner to spend a little more time vetting the libraries rather than building up what they may prefer. He suggests smaller libraries and said that people in the northwest part of the county are concerned that they will not have access to libraries unless they drive to the North Ogden or the Ogden Main Libraries. There are concerns with not being able to afford some other projects as well as with increasing taxes. He encourages the Commission to get answers to the general public before moving forward with approval of the bonds.

Lynn Penrod, of Ogden, referred to his long life and said that his experience is that if “you can’t afford it, you better not do it.” To increase taxes is harsh because people already pay high taxes. When Ogden High was built most of the money came from donations from people; churches were also built with donations from people at no additional debt to the people. He strongly recommends the county staying out of debt.

10. RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$43,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION AND REFUNDING BONDS, SERIES 2013; AND RELATED MATTERS – RESOLUTION 30-2013

Dan Olsen, County Comptroller, stated that in June the voters approved the ballot issue authorizing up to \$45 million amount for general obligation bonds for libraries. He outlined this parameters resolution including that it sets the maximum amount of the bond not to exceed \$43 million in principal, the rate is not to exceed 5% and the term is not to exceed 21 years. One part of the bond is to provide \$34-35 million for construction and about \$8 million is to refinance existing debt. By refinancing the currently outstanding bonds the county can save \$120,000/year through 2018, which reduces the amount of tax increase for the construction part of the bond. The county is scheduled to sell the bonds on Thursday December 5th. Alan Westenskow, with Zions Bank Public Finance, county financial advisor, was present.

Commissioner Bell moved to hold this item for a week to revisit the library building projects because it is too much money too fast. Commissioner Zogmaister said that there has been plenty of opportunity to receive the comprehensive information, which is posted on the library website. The plan is to be phased and each project has a budget and will be built within that budget. She noted that Commissioner Bell has been attending a lot the meetings with the architect, contractors, etc. The Finance Committee has looked at the plan and by refunding at the same time with the library bonds there is opportunity to have more investors look at this and obtain the best rate. She said that each project has been reviewed by others, including an Ogden City staff, who stated that the project costs are within those of libraries being built in the State. She invites people to become more informed and said that timing is critical on the bonds. Commissioner Bell’s motion died for lack of a second. Commissioner Zogmaister moved to adopt Resolution 30-2013 authorizing issuance and sale of not more than \$43,000,000 aggregate principal amount of General Obligation and Refunding Bonds, Series 2013; and related matters; Commissioner Gibson seconded. He stated that it has been very difficult and frustrating in trying to obtain the information the commissioners requested on this issue. He believes there was not much information available on the side of the issue that Commissioner Bell presented today during the election process, and that it was not well explained what these projects would do to the general indebtedness of the county and cost to individual tax payers. He said that the plan is too rich, and knowing what he knows now he would struggle to support it in its entirety. Now the county needs to continue being vigilant and responsible in how the monies are spent. Commissioner Zogmaister said that Roy City has agreed to donate the land for the Roy Library and that there will be a swap between a park and school land. The county will continue to use the former library for storage during construction and that the county is inclined to give Roy City the current library site. Commissioner Zogmaister recommends that the commissioners avail themselves and have a weekly meeting on the status of the libraries to have an opportunity to present information.

Roll Call Vote:

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

G. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, NOVEMBER 12, 2013, 10 A.M.

I. ADJOURN

Commissioner Bell moved to adjourn at 11:38 a.m.; Commissioner Zogmaister seconded, all voting aye.

Attest:

 Kerry W. Gibson, Chair
 Weber County Commission

 Ricky D. Hatch, CPA
 Weber County Clerk/Auditor