

**MINUTES**  
**WEBER COUNTY COMMISSION**  
Tuesday, January 22, 2019 - 10:00 a.m.  
Commission Chambers, 2380 Washington Blvd., Ogden, Utah

*In accordance with the requirements of Utah Code Annotated Section 52-4-203, the County Clerk records in the minutes the names of all persons 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.*

**WEBER COUNTY COMMISSIONERS:** Scott K. Jenkins, James "Jim" H. Harvey, and Gage Froerer.

**OTHER STAFF PRESENT:** Ricky D. Hatch, County Clerk/Auditor; Christopher Crockett, Deputy County Attorney; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

**A. WELCOME** – Chair Jenkins

**B. INVOCATION** – Christopher Crockett

**C. PLEDGE OF ALLEGIANCE** – Chair Jenkins

**D. THOUGHT OF THE DAY** – Commissioner Froerer

**E. PUBLIC COMMENTS:** None.

**F. PRESENTATIONS:**

**1. PRESENTATION ON NORDIC SKIING AT OGDEN NORDIC.**

Steve Bell, of the Ogden Nordic Ski School, reported on the Ogden Nordic's operation stating that it is an all-volunteer organization that runs the cross-country skiing at the county's North Fork Park, that they have grown substantially and have had a successful partnership with Amer Sports, which has been a generous donor.

**2. REPORT ON WEBER COUNTY SHERIFF'S OFFICE.**

Weber County Sheriff Ryan Arbon reported on the evidence room incident that was discovered about a year ago. The report was prepared for him because he just began his term as Weber County Sheriff this month. After the incident was discovered, a strict process was implemented to audit all evidence under the control of the evidence custodian, an audit team was formed that included senior investigators, a crime scene analysis supervisor, outside criminal investigators, a records manager, and a new evidence custodian, security cameras were installed in the evidence room, a barcode system will help track evidence, the new evidence custodian attended a nationally recognized evidence training and certification course, and audit protocols were developed using examples from audits from around the country. Over 9,402 pieces of evidence were inspected with some being flagged as potentially having an issue. On 12/20/2018 the Chief Criminal Deputy County Attorney personally inspected the evidence room and declared it as secure and operational.

**G. CONSENT ITEMS:**

1. Warrants #1668-1671 and #435759-435935 in the amount of \$1,222,199.20.

2. Purchase orders in the amount of \$1,178,778.19.

3. Minutes for the meeting held on January 15, 2019.

4. New business licenses.

5. Surplus gym equipment from the Weber County Sheriff's Office.

6. Surplus an iPad from the Weber County Commission Office.

7. Sell surplus real property to Ogden City (Parcel Number 01-060-0041).

8. Escrow Agreement for Sun Crest Meadows Subdivision Phases 1 and 2.

9. Weber County Tax Review Committee recommendations for refund of taxes on following parcels due to discrepancy in basement finish and/or square footage on Parcel Numbers: 02-026-0014 refund amount \$234.50; 09-296-0014 refund amount \$487.60 and; 18-075-0003 refund amount of \$847.94.

Commissioner Harvey moved to approve the consent items; Commissioner Froerer seconded.

Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

**H. ACTION ITEMS:**

**1. RESOLUTION APPOINTING A MEMBER TO THE CENTRAL WEBER SEWER IMPROVEMENT DISTRICT BOARD OF TRUSTEES – RESOLUTION 2-2019.**

Commissioner Harvey noted that based on the Commission's portfolio, Chair Jenkins best fitted this position on the Board.

Commissioner Harvey moved to adopt Resolution 2-2019 appointing Chair Scott K. Jenkins to the Central Weber Sewer Improvement District Board of Trustees to fulfill the mid-term vacancy; Commissioner Froerer seconded.

Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

**2. INTERLOCAL AGREEMENT WITH NORTH OGDEN CITY FOR THE CONSTRUCTION OF A DEBRIS FLOW BASIN.**

Charles Ewert, of the County Planning Division, noted that the City wishes to do flood mitigation on Flood Canyon on the north side of North Ogden Divide. Some development is going in on the east side of the City. This allows them to be the land use and building permitting authority for that project, which is half way in the county/half in the City. That portion of property is planned to be annexed into the City.

Commissioner Froerer moved to approve the Interlocal Agreement with North Ogden City for the construction of a debris flow basin; Commissioner Harvey seconded.

Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

**3. RESOLUTION APPOINTING A MEMBER TO THE WEBER COUNTY CREATIVE ALLIANCE BOARD – RESOLUTION 3-2019.**

Jennifer Graham, of County Culture, Parks & Recreation, presented the Creative Alliance Board's recommendation to fulfill the current vacancy.

Commissioner Froerer moved to adopt Resolution 3-2019 appointing Matthew Choberka to the Weber County Creative Alliance Board through 12/31/2020; Commissioner Harvey seconded.

Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

**4. FIRST READING OF FEE ORDINANCE AMENDMENTS RELATING TO THE WEBER COUNTY COMMUNITY DEVELOPMENT DEPARTMENT, SOLID WASTE DIVISION (SEC. 16-2-9, SOLID WASTE FEES).**

Sean Wilkinson, County Community Development Director, stated that this is to request an 11 cent increase to the per ton tipping fee at the Transfer Station. The increase is related to HB115 passed in the State's 2017 general legislative session mandating a solid waste fee increase for every ton of solid waste that is transferred beginning in 2019. The State will be the recipient of those funds.

Commissioner Harvey moved to approve the first reading of Fee Ordinance amendments relating to the Weber County Community Development Department, Solid Waste Division (Sec. 16-2-9, Solid Waste Fees); Commissioner Froerer seconded.

Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

**I. COMMISSIONER COMMENTS:** Commissioner Harvey noted that in an effort to be even more transparent, there is now another website (webercountylive.com) available to the public. Commissioner Froerer attended the Hof Germanfest on Friday and thanked Marty Smith and Jennifer Graham and their staff for a very well-run event. Chair Jenkins concurred stating that it was a very festive and fun event.

**J. CLOSED MEETING**

Commissioner Harvey moved to convene a closed meeting to discuss pending or imminent litigation; Commissioner Froerer seconded.

Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

Commissioner Harvey moved to reconvene the public meeting; Commissioner Froerer seconded.

Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

There was no action on the closed meeting.

**K. ADJOURN**

Commissioner Froerer moved to adjourn at 11:32 a.m.; Commissioner Harvey seconded.

Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

Attest:

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Scott K. Jenkins, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor



# Application for Adjustment, Settlement, or Deferral of Property Tax

For use under  
UCA §59-2-1347

Property Owner Information				County Office Information	
Property owner name(s) David Knoder				Application received by (Office) on (Date) Assessor Office December 11, 2019	
Property owner address 1254 25th Street	City Ogden	State Utah	Zip 84401	County point of contact (Name) Joe Olsen	

Property Information	
Parcel, serial, or account number 02-026-0014	Type of property (e.g., commercial, primary residential, etc.) Primary Residential
Location or address 1254 25th Street Ogden, Utah	
Legal description (including acreage)	

Appeal Information
Briefly explain the situation (attach additional information as required)  Discrepancy in basement square footage.
Briefly explain the requested action  Request to refund property tax from prior years.

Property Value and Tax Information				
Current year assessed value of property (as shown on valuation and/or tax notice)				\$
Years Considered	Taxes	Penalty	Interest	Total
2017	\$ 1,723.86	\$	\$	\$ 1,723.86
2016	\$ 1,519.66	\$	\$	\$ 1,519.66
2015	\$ 1,367.50	\$	\$	\$ 1,367.50
2014	\$ 1,333.74	\$	\$	\$ 1,333.74
	\$	\$	\$	\$
<b>Total</b>	<b>\$ 5,944.76</b>	<b>\$</b>	<b>\$</b>	<b>\$ 5,944.76</b>
Amount requested as an adjustment to taxes due (May be a retroactive adjustment / refund)				\$
Amount owner offers in settlement (Attach proposed payment schedule)				\$
Amount to be deferred (Include written consent of mortgage and/or trust deed holder)				\$

**Attach the following, as directed by the coordinating county office:**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. Owner's statement of circumstances &amp; relief request.</li> <li>2. Most recent valuation/tax notice.</li> <li>3. Proposed payment schedule.</li> <li>4. Financial Summary.</li> </ol> | <ol style="list-style-type: none"> <li>5. Copies of last 5 years' filings with I.R.S.</li> <li>6. State Form PT-33A, "Agreement of Lien Holder for Deferral or Settlement of Delinquent Taxes".</li> <li>7. Other documentation as required by the County.</li> </ol> |
|---|---|

Adjustment, Settlement, or Deferral Recommendation	
Total interest, penalties, and taxes due	\$ 5,710.26
Amount paid	\$ 5,944.76
Amount abated	\$
Amount deferred (Refund)	\$ 234.50
Comments Refund calculated for tax years 2014 through 2017 (78B-2-307)	

County Decision
This property tax adjustment / settlement / deferral was (select one) <input checked="" type="radio"/> approved <input type="radio"/> disapproved by the Weber County legislative body.
Date: <u>Jan 22</u> 2019
Signature: <u>[Signature]</u> Commissioner
Signature: <u>[Signature]</u> Clerk



## Application for Adjustment, Settlement, or Deferral of Property Tax

For use under  
UCA §59-2-1347

Property Owner Information				County Office Information	
Property owner name(s) Bud W Imlay II				Application received by (Office) on (Date) Assessor Office December 11, 2018	
Property owner address 3810 W 4850 S	City Roy	State Utah	Zip 84067	County point of contact (Name) Joe Olsen	

Property Information	
Parcel, serial, or account number 09-296-0014	Type of property (e.g., commercial, primary residential, etc.) Primary Residential
Location or address 3810 W 4850 S Roy, Utah	
Legal description (including acreage)	

Appeal Information
Briefly explain the situation (attach additional information as required)  Discrepancy in square footage and basement finish.
Briefly explain the requested action  Request to refund property tax from prior years.

Property Value and Tax Information				
Current year assessed value of property (as shown on valuation and/or tax notice)				\$
Years Considered	Taxes	Penalty	Interest	Total
2017	\$ 1,576.73	\$	\$	\$ 1,576.73
2016	\$ 1,414.12	\$	\$	\$ 1,414.12
2015	\$ 1,268.56	\$	\$	\$ 1,268.56
2014	\$ 1,265.88	\$	\$	\$ 1,265.88
	\$	\$	\$	\$
<b>Total</b>	<b>\$ 5,525.29</b>	<b>\$</b>	<b>\$</b>	<b>\$ 5,525.29</b>
Amount requested as an adjustment to taxes due (May be a retroactive adjustment / refund)				\$
Amount owner offers in settlement (Attach proposed payment schedule)				\$
Amount to be deferred (Include written consent of mortgage and/or trust deed holder)				\$

**Attach the following, as directed by the coordinating county office:**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. Owner's statement of circumstances &amp; relief request.</li> <li>2. Most recent valuation/tax notice.</li> <li>3. Proposed payment schedule.</li> <li>4. Financial Summary.</li> </ol> | <ol style="list-style-type: none"> <li>5. Copies of last 5 years' filings with I.R.S.</li> <li>6. State Form PT-33A, "Agreement of Lien Holder for Deferral or Settlement of Delinquent Taxes".</li> <li>7. Other documentation as required by the County.</li> </ol> |
|---|---|

Adjustment, Settlement, or Deferral Recommendation	County Decision
Total interest, penalties, and taxes due	\$ 5,037.69
Amount paid	\$ 5,525.29
Amount abated	\$
Amount deferred (Refund)	\$ 487.60
Comments Refund calculated for tax years 2014 through 2017 (78B-2-307)	<p>This property tax adjustment / settlement / deferral was (select one) <input checked="" type="radio"/> approved <input type="radio"/> disapproved by the Weber County legislative body.</p> <p>Date: <u>Jan 22, 2019</u></p> <p>Signature: <u>Scott Jenkins</u> Commissioner</p> <p>Signature: <u>Ruby Hottel</u> Clerk</p>





## Application for Adjustment, Settlement, or Deferral of Property Tax

For use under  
UCA §59-2-1347

Property Owner Information				County Office Information	
Property owner name(s) Gerald C & Dale E Porter				Application received by (Office) on (Date) Assessor Office December 6, 2018	
Property owner address 539 E 2550 N	City North Ogden	State Utah	Zip 84414	County point of contact (Name) Joe Olson	

Property Information	
Parcel, serial, or account number 18-075-0003	Type of property (e.g., commercial, primary residential, etc.) Primary Residential
Location or address 539 E 2550 N North Ogden, Utah	
Legal description (Including acreage)	

Appeal Information
Briefly explain the situation (attach additional information as required)  Discrepancy in square footage and basement finish.
Briefly explain the requested action  Request to refund property tax from prior years.

Property Value and Tax Information				
Current year assessed value of property (as shown on valuation and/or tax notice)				\$
Years Considered	Taxes	Penalty	Interest	Total
2017	\$ 2,043.63	\$	\$	\$ 2,043.63
2016	\$ 1,902.87	\$	\$	\$ 1,902.87
2015	\$ 1,746.94	\$	\$	\$ 1,746.94
2014	\$ 1,712.60	\$	\$	\$ 1,712.60
	\$	\$	\$	\$
<b>Total</b>	<b>\$ 7,406.04</b>	<b>\$</b>	<b>\$</b>	<b>\$ 7,406.04</b>
Amount requested as an adjustment to taxes due (May be a retroactive adjustment / refund)				\$
Amount owner offers in settlement (Attach proposed payment schedule)				\$
Amount to be deferred (Include written consent of mortgage and/or trust deed holder)				\$

**Attach the following, as directed by the coordinating county office:**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. Owner's statement of circumstances &amp; relief request.</li> <li>2. Most recent valuation/tax notice.</li> <li>3. Proposed payment schedule.</li> <li>4. Financial Summary.</li> </ol> | <ol style="list-style-type: none"> <li>5. Copies of last 5 years' filings with I.R.S.</li> <li>6. State Form PT-33A, "Agreement of Lien Holder for Deferral or Settlement of Delinquent Taxes".</li> <li>7. Other documentation as required by the County.</li> </ol> |
|---|---|

Adjustment, Settlement, or Deferral Recommendation	County Decision
Total interest, penalties, and taxes due	\$6,558.10
Amount paid	\$7,406.04
Amount abated	\$
Amount deferred (Refund)	\$847.94
Comments Refund calculated for tax years 2014 through 2017. (78B-2-307)	<p>This property tax adjustment / settlement / deferral was (select one) <input checked="" type="radio"/> approved <input type="radio"/> disapproved by the Weber County legislative body.</p> <p>Date: <u>Jan. 22, 2019</u></p> <p>Signature: <u>[Signature]</u> Commissioner</p> <p>Signature: <u>[Signature]</u> Clerk</p>