

MINUTES
WEBER COUNTY COMMISSION

Tuesday, April 24, 2018 - 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: James "Jim" H. Harvey. James Ebert & Kerry W. Gibson participated via telephone.

OTHER STAFF PRESENT: Scott Parke, County Comptroller; Bryan Baron, Deputy County Attorney; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

- A. WELCOME** – Chair Harvey
- B. INVOCATION** – Brad Mortensen
- C. PLEDGE OF ALLEGIANCE** – Holin Wilbanks
- D. THOUGHT OF THE DAY** – Chair Harvey

F. CONSENT ITEMS:

1. Warrants #1408-1421 and #427525-427677 in the amount of \$2,113,792.08.
 2. Purchase orders in the amount of \$467,052.55.
 3. Minutes for the meeting held on April 17, 2018.
 4. Extension on agreement with Triple H Construction for removal of sediment from the Weber River.
 5. RAMP contracts for previously approved RAMP grants.
 6. Ratification of Change Order #09 on Interlocal Cooperation Agreement with State of Utah (DFCM) for Depot Drive construction project
 7. Retirement Agreements with the following: ~~Patricia Rhodes~~, Kevin Burns
- Commissioner Gibson moved to approve the consent items as listed above; Commissioner Ebert seconded.
Commissioner Ebert – aye; Commissioner Gibson – aye; Chair Harvey – aye

G. ACTION ITEMS:

1. ACTION ~~ON A RESOLUTION~~ REGARDING REGIONAL ECONOMIC DEVELOPMENT STRUCTURES.

Holin Wilbanks, County Economic Development Public Outreach Director, introduced EDCUtah representatives Theresa Foxley/President & CEO, and Michael Flynn/Chief Operating Officer. About 18 months ago the county began the process to create the vision, the building up and generating of energy for the county for now and the future. The county presented its strategic plan last week to the public, which is on the county's website.

Davis County staff was present. Ms. Foxley stated that EDCUtah partners with the private sector, the State and local municipalities to bring quality jobs and capital investments into Utah. She outlined the various meetings with stakeholder involvement that has occurred since 12/2017, noting that the data demonstrated that there were a number of things that tied northern Utah's economy together, agnostic to political boundaries (i.e., Hill Air Force Base as a shared asset, a number of Davis residents and Weber residents commute daily between counties) and that both County Commissions subscribe to this regional economic concept. She outlined many pros and a few cons of a regional approach, the strategic economic plan to ensure a dynamic economy, and EDCNU's regional goals and objectives (including creating a regional economic development organization such as "EDCNU"), and the timeline. Ms. Foxley showed a potential structure for regional organization in partnership with EDCUtah. She recommended regional cooperation, stressed respecting confidentiality (EDCUtah would only want to be part of this if that confidentiality would be agreed to by all) and starting a conversation with Davis County to join in a regional approach given the level of connectedness between the two counties. She also recommended creating a coordinating council to report to timely on operations, business development and marketing activities, and for it to be directed/chaired by the private sector. This council would be an impartial observer in inter-regional relocation (to avoid poaching between counties), that would meet regularly, provide ideas, troubleshoot, etc. with a majority of seats held by the private sector. She recommended hiring an executive director or organization director, to report to Mr. Flynn directly, who would be very well integrated into the EDCUtah operations and have support from the marketing, business development team, etc. The organization, contract terms, etc., should be formalized by July 1. Chair Harvey stated that the legislature has recognized the work done in northern Utah and has contributed seed money to help perpetuate this valuable project. Our county is very interested in working with a partner county. Commissioner Ebert noted that the county has spent a lot of time collaborating/creating energy in our business community to strengthen this endeavor. He commended EDCUtah for their tremendous work and looks forward to partnering with Davis County and accomplishing the goals. The commissioners echoed those comments.

Commissioner Ebert moved to approve the Regional Economic Development Structures; Commissioner Gibson seconded.

Commissioner Ebert – aye; Commissioner Gibson – aye; Chair Harvey – aye

2. **CONTRACT WITH BARROW LAND AND LIVESTOCK, LLC, A UTAH LIMITED LIABILITY COMPANY FOR A SUBDIVISION IMPROVEMENT GUARANTEE AGREEMENT FOR VAQUERO VILLAGE CLUSTER SUBDIVISION.**

The applicants, Dean and Justin Barrow, were not present. Ronda Kippen, of the County Planning Division, stated that this is the final action needed before this subdivision can be recorded. The 13-lot subdivision is 12.424 acres located at approximately 7100 W. 900 S., it is split in two separate zones, A-1 at the entrance and A-2 for the remaining, and the subdivision improvement agreement is for \$409,888.55. Some conditional uses in the A-2 Zone require a minimum of 2-acres and the areas in this subdivision vary from 20,000 sq. ft.-22,375 sq. ft.; they were increased to the current size due to the septic systems on these lots. The Cluster Subdivision development standards allow for lot sizes to drop to 15,000 sq. ft. The Western Weber Planning Commission unanimously recommended final approval with a bonus density of 7% for access to the public open space areas and 10% bonus density for meeting the purpose/intent of the cluster subdivision (totaling 17% bonus density), based on the following conditions: All ownership needs to match the ownership that is shown on the final mylar and all recorded documentation will need to be recorded with the final mylar, a deferral agreement will have to be recorded as well as CC&Rs, an irrigation easement, a stormwater easement, the open space preservation plan and the subdivision improvement guarantee. The recommendation is based upon the following findings: the subdivision conforms to the 2003 Western Central Weber General Plan by providing a cluster-type development and preserves a minimum of 30% open space dedicated to the public, the development will not be detrimental to public health, safety and welfare, the development will not deteriorate the environment of the general area/not negatively impact surrounding properties and uses, and with the recommended conditions, the proposed subdivision complies with all of the county code and the purpose/intent of the Cluster Subdivision standards. The public right-of-ways in the development are 66 ft. wide. The West Warren-Warren Water District will provide culinary water and has provided to the county a capacity assessment letter and a construct permit. The applicants have stock certificates for secondary water from the Warren Irrigation Company. The developer will be providing pressurized water for the development. Sanitary sewer will be serviced by individual septic systems for each lot and the applicants have been working with the Weber-Morgan Health Department on this item.

Commissioner Ebert referred to the open spaces and asked who is responsible for maintaining them. Ms. Kippen responded that it is the HOA; she had met with county legal counsel to ensure that this occurs. Regarding the secondary water question, she responded that the applicants are under contract to purchase the property to the north of this subdivision, and she understands the applicants made the final payment, but this will be verified prior to recording. There is a large pond on that northern property, and with the stocks for that irrigation company, the applicants plan to utilize that pond as a storm detention area and also as a holding pond to pressurize the irrigation water for the 13 lots. Commissioner Gibson asked that if this item was approved if it would still be subject to that requirement and Ms. Kippen said that the Commission could stipulate a condition of approval that prior to recording the mylar the property on which the irrigation/storm detention basin will be located must be in the Barrow Land & Livestock legal name. Commissioner Ebert's preference was to have the answer before moving forward.

Commissioner Gibson moved to approve the contract with Barrow Land and Livestock, LLC, a Utah Limited Liability Company and the \$409,888.55 subdivision improvement guarantee agreement for the Vaquero Village Cluster Subdivision based upon the above discussion including that the property ownership requirements are met to satisfy the secondary water requirement; Chair Harvey seconded.

Commissioner Ebert – nay; Commissioner Gibson – aye; Chair Harvey – aye

3. **LEASE AGREEMENT WITH WHEELER CAT FOR A CAT BACKHOE LEASE (STATE CONTRACT MA2561) TO WORK ON WEBER COUNTY ROADS AND STORM DRAINS.**

Scott Storey, of the County Roads Division, stated this 3-year lease agreement is for \$9,990.00/year.

Commissioner Gibson moved to approve the Lease Agreement with Wheeler Cat for a CAT Backhoe lease (State Contract MA2561) to work on Weber County roads and storm drains; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Gibson – aye; Chair Harvey – aye

4. **RESOLUTION APPROVING THE 2018 MUNICIPAL WASTEWATER PLANNING PROGRAM (MWPP) ANNUAL REPORT – RESOLUTION 16-2018.**

Chad Meyerhoffer, of County Engineering, stated that the State's MWPP uses an annual survey to assist municipal sewerage system owners and wastewater treatment works in evaluating/summarizing the technical, operational, financial conditions, and requirements of these facilities.

Commissioner Gibson moved to adopt Resolution 16-2018 approving the 2018 Municipal Wastewater Planning Program annual report; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Gibson – aye; Chair Harvey – aye

5. **CONTRACTS WITH THE FOLLOWING FOR THE ANNIE GET YOUR GUN PRODUCTION TEAM:**

Kaylee Orr-Stage Manager	Cheryl Jameson-Properties Designer
Kelly Richardson-Choreographer	Liz Smith-Director
Derek Myler-Music Director	Mark Rencher-Lighting Designer
Taylor Knuth-Company Manager	Joanne Hatch-Costume Designer

Jennifer Graham, with County Parks & Recreation, briefly presented this item.

Commissioner Ebert moved to approve the contracts with the Annie Get Your Gun production team as listed above; Commissioner Gibson seconded.

Commissioner Ebert – aye; Commissioner Gibson – aye; Chair Harvey – aye

E. PRESENTATION OF THE PRELIMINARY 2017 AND 1ST QUARTER 2018 FINANCIAL REPORT.

Scott Parke, County Comptroller, presented the 2017 preliminary financial report and the highlights included that sales tax revenues grew faster than anticipated resulting in \$340,000 of additional tax revenue, registered vehicle fees brought in an additional \$466,000, and charges for services were up \$3.2 million, primarily due to additional revenue in the Jail for housing federal inmates and Salt Lake County inmates. The county also came under budget with other operating items by another \$1.3 million. In total, the county was able to add almost \$4 million to its fund balance, of which \$2 million was set aside to help fund other post-employment benefit liabilities. The county has a very healthy 22% fund balance that will help ensure maintaining its AAA bond rating. The 1st 2018 interim report includes that the county is right where expected at this time of the year.

H. PUBLIC HEARING

1.

Commissioner Gibson moved to adjourn the public meeting and convene the public hearing; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Gibson – aye; Chair Harvey – aye

2. **PUBLIC HEARING ON AMENDMENTS TO THE COUNTY OPERATING BUDGET FOR THE 2018 CALENDAR YEAR.**

Scott Parke, County Comptroller, presented the request to roll-over \$14.3 million from projects approved in previous years into this year. There are some new capital projects totaling about \$174,000, \$44,000 was set aside for the Wolf Creek Drive Pathway, and \$44,000 for the Weber Memorial Park (incoming revenue will offset the latter item). The 2016 sales tax bond was originally intended to be paid off in 2019 but the county is in a position now to pay it off one year early, saving the interest expense. There are miscellaneous equipment purchases: \$200,000 for voting machines, most will be offset with a grant from the State); \$310,000 for fleet vehicle purchases and proceeds of the sales from capital assets will be used; and also various other grants. Building service workers are being transferred from the Sheriff's Office to Property Management.

3. Public comments: Chair Harvey invited public comments and none were offered.

4.

Commissioner Gibson moved to adjourn the public hearing and reconvene the public meeting; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Gibson – aye; Chair Harvey – aye

5. **ACTION ON PUBLIC HEARING: H2-AMENDMENTS TO 2018 WEBER COUNTY OPERATING & CAPITAL BUDGETS – RESOLUTION 17-2018.**

Commissioner Gibson moved to adopt Resolution 17-2018 amending the 2018 operating and capital budgets; Chair Harvey seconded.

Commissioner Ebert – nay; Commissioner Gibson – aye; Chair Harvey – aye

I. PUBLIC COMMENTS: None.

J. ADJOURN

Commissioner Gibson moved to adjourn at 11:23 a.m.; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Gibson – aye; Chair Harvey – aye

Attest:

James "Jim" H. Harvey, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor