

**MINUTES  
WEBER COUNTY COMMISSION**

Tuesday, May 15, 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, Kerry W. Gibson, and James Ebert.

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

- A. WELCOME** – Chair Harvey
- B. INVOCATION** – Tim Wenz
- C. PLEDGE OF ALLEGIANCE** – Jan Wilson
- D. THOUGHT OF THE DAY** – Chair Harvey

**E. AWARD PRESENTATION TO SWANSON FOUNDATION.**

Chuck Swanson, Tami Swanson and Cindy Swanson Purcell were present. County Sheriff Terry Thompson emphasized that the Swanson Family Foundation has been a tremendous friend in this community for many years and in many levels, including assisting the Sheriff's Office/law enforcement family for many years. At considerable expense they constructed, planned and dedicated a unique fire arms training complex, the Swanson Tactical Training Facility, now known as the Weber County Sports Shooting Complex, that provides an environment previously unavailable to law enforcement in northern Utah and includes a unique, successful village façade for law enforcement training that is used by state and federal agencies, which is an economic boom to Weber County. This could not have happened without the Foundation. At considerable sacrifice, they graciously offered the benefit of this range for public use through a minimal monetary purchase agreement with Weber County. He recognized the Foundation with an Honorary Sheriff Award that spoke to the Foundation being a major contributor to community projects over many years and recognized them for their significant contribution to public and law enforcement. Mr. Swanson, on behalf of the board of directors, expressed thanks for the honor and Ms. Purcell said it was a fun experience. The commissioners expressed thanks to the Swansons' indefatigable assistance to the community.

**F. CONSENT ITEMS:**

- 1. Warrants #1430-1433 and #428096-428288 in the amount of \$1,599,064.43.
- 2. Purchase orders in the amount of \$115,671.00.
- 3. Minutes for the meeting held on May 8, 2018.
- 4. Surplus a Police service dog from the Weber County Sheriff's Office (allowing Deputy to adopt).
- 5. Road dedication in Hucknall Subdivision, a 3-lot subdivision located at 221 North 4700 West, West Weber.
- 6. Trainee Reimbursement Agreements with the following for Academy Training:  
    Kolby Kirk           Cody Child      Grady McFarland   Alonzo Wade  
    Matthew Webster   Caleb Rivera   Zachary Lehr       Anthony Mwenda

Commissioner Gibson moved to approve the consent items; Commissioner Ebert seconded.  
Commissioner Ebert – aye; Commissioner Gibson – aye; Chair Harvey – aye

**G. ACTION ITEMS:**

- 1. **CONTRACT WITH UTAH STATE PARKS FOR BOATING LAW ENFORCEMENT AT PINEVIEW RESERVOIR.**

Steffani Ebert, of the County Sheriff's Office, presented this extension as allowed per the contract.

Commissioner Gibson moved to approve the contract with Utah State Parks for boating law enforcement at Pineview Reservoir; Commissioner Ebert seconded.

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

- 2. **CONTRACT WITH STATE OF UTAH, DEPARTMENT OF PUBLIC SAFETY, ESTABLISHING A COST-SHARING AGREEMENT IN ACCORDANCE WITH PUBLIC SAFETY OFFICER & FIREFIGHTER LINE-OF-DUTY DEATH ACT.**

Steffani Ebert, of the County Sheriff's Office, noted that participation in this trust fund in the past was optional. Legislation passed in 2017 makes it mandatory effective July 1, 2018 to provide health insurance for surviving spouses for 12 months.

Commissioner Ebert moved to approve the contract with the State of Utah, Department of Public Safety, establishing a cost-sharing agreement, in accordance with the Public Safety Officer and Firefighter Line-of-Duty Death Act; Commissioner Gibson seconded.

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

- 3. **CONTRACT WITH ROCKY MOUNTAIN POWER FOR RV PARK HOOK-UPS AT GOLDEN SPIKE EVENT CENTER - ELECTRICAL SERVICE INSTALLATION.**

Jennifer Graham, with County Parks/Recreation, said that this is for electrical service installation for the RV Park.

Commissioner Gibson moved to approve the contract with Rocky Mountain Power for RV Park hook-ups at Golden Spike Event Center for electrical service installation; Commissioner Ebert seconded.

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

4. **FINAL APPROVAL OF EAGLE RIDGE CLUSTER SUBDIVISION PHASE 6, 5 LOTS, 2 COMMON AREAS, EXTENSION OF A PUBLIC STREET & THE SUBDIVISION IMPROVEMENT AGREEMENT.**

Steve Burton, of the County Planning Division, stated that this subdivision is located at 3600 N. Eagle Ridge Dr., Eden, and is about 11.3 acres. The escrow amount is \$86,103.11. The Zoning Development Agreement was approved by the County Commission on 3/1997. On 5/2017 the Ogden Valley Planning Commission unanimously recommended final approval. A representative for the petitioner was present and had no comment.

Commissioner Gibson moved to grant final approval of Eagle Ridge Cluster Subdivision Phase 6, consisting of 5 lots, 2 common areas, and an extension of a public street, and approval of the Subdivision Improvement Agreement; Commissioner Ebert seconded.

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

5. **CONTRACT WITH WILLIAM MORRIS ENDEAVOR ENTERTAINMENT, LLC FOR WILLIAM MICHAEL MORGAN TO PERFORM AT THE WEBER COUNTY FAIR ON FRIDAY, AUGUST 10, 2018.**

6. **CONTRACT WITH JEREMY HORN’S ELITE FIGHT NIGHT FOR 8 MINIMUM MMA BOUTS AT 2018 COUNTY FAIR.**

7. **CONTRACT WITH BROKEN HEART RODEO COMPANY, LLC FOR RODEO AT COUNTY FAIR ON AUGUST 8, 2018.**

8. **CONTRACT WITH ANIMAL SPECIALTIES FOR ANIMAL EXHIBITS, DEMONSTRATIONS, A PETTING FARM, PONY RIDES AND EDUCATIONAL DISPLAYS AT THE 2018 WEBER COUNTY FAIR.**

9. **CONTRACT WITH COOK’S RACING PIGS TO PERFORM UP TO 5 SHOWS PER DAY AT 2018 COUNTY FAIR.**

Commissioner Ebert moved to approve the contracts for the 2018 Weber County Fair, G.5-9 as listed above, with William Morris Endeavor Entertainment, LLC (\$12,500), with Jennifer Howe/Jeremy Horn’s Elite Fight Night (\$20,000), with Broken Heart Rodeo Company, LLC, (\$7,750 + \$18/run), with Animal Specialties (\$5,000) and with Cook’s Racing Pigs (\$4,450); Commissioner Gibson seconded.

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

10. **CONTRACT WITH MICAH MAXSON TO BE THE SOUND DESIGNER FOR ANNIE GET YOUR GUN MUSICAL.**

Kassi Bybee, Ogden Eccles Conference Center General Manager, presented this contract.

Commissioner Ebert moved to approve the contract with Micah Maxson to be the sound designer for the *Annie Get Your Gun Musical*; Commissioner Gibson seconded.

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

11. **CONTRACT WITH LSI BUSINESS DEVELOPMENT, INC., TO ASSIST IN INTERGENERATIONAL POVERTY (IGP) EFFORTS.**

Commissioner Ebert noted that about six years ago the State passed legislation on how to address poverty locally but with a State-wide view. The State had collected data for four years but nothing happened at a county level until Weber County took the lead and the responsibility to move it forward. There is no model; Weber County is creating it. Our county started holding meetings, created an intergenerational welfare reform commission, an advisory committee, and a comprehensive plan to address the issue holistically and longitudinally. Other counties started seeing this opportunity. He said that the initiative goes beyond our State, it is a national movement. He feels that working with LSI, a large company with capable professionals/expertise, will bring drastic and tremendous change—poverty affects every facet of our lives. Commissioner Gibson outlined his concerns with the contract, which will be amended as follows: regarding measurables/deliverables, this language will added to the first bullet point, “including the creation and implementation of a pilot program by January 1, 2019 and submitting the documentation for the program by the State’s deadline;” the contract term will be corrected so that it may renew up to two times, one year each; and regarding keeping to the \$100/hour rate presented in the procurement process, a requirement will be added for LSI to track its hours and to provide that to the county at the quarterly reports. Commissioner Ebert stated that there may have been an RFP per hour figure but, for this specific agreement, it is lined out not in hours to be worked but in returns. The county only had \$60,000 for this contract, which is well below the market for the highly specific work that the county is requiring. The county backed away from an hourly rate because it could price itself out of the market. The pilot program and plan that the county submitted to the State has the items that Commissioner Gibson is asking for. Commissioner Ebert is very comfortable with this first contract phase. The State has 5 and 10-year goals and the county mirrored those goals in its plan. Chair Harvey noted that the per hour amount was not in this contract revision.

Public comments: Jim Johnston asked if the contract could be put off to another meeting so that he could meet with the pertinent group. He volunteered more time in this subject area in various boards than worked in his entire career. Commissioner Ebert noted that the changes to the contract are not substantial and just create more clarity.

Commissioner Gibson moved to approve the contract with LSI Business Development, Inc., to assist in intergenerational poverty efforts with the following changes: adding to the first bullet point, “including the creation and implementation of a pilot program by January 1, 2019 and submitting the documentation to the State for the program by the State’s deadline;” that the term may be renewed up to two times for one year each; and that LSI will track the hours spent for work done under this agreement and will provide that information to the county during its quarterly reports; Commissioner Ebert seconded.

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

**12. RATIFY A CONTRACT WITH AMPEDARTS FOR A CURATOR TO BIMONTHLY FIND ART EXHIBITS FOR THE WEBER CENTER MAIN ENTRY HALL.**

Commissioner Ebert stated that over the last several years the county has worked on a systemic approach to strengthen our community. He noted that one current area of major focus is downtown Ogden urbanization and he outlined some projects by the City, the creation of more RDAs for downtown investment incentives, etc. He said that in an urban core there is a strong need to have cultural opportunity/experience and that it plays a major role in revitalization of an area. Ogden City has invested tremendously in this in the past decade, including the art stroll and recently the creation of a downtown arts district. A couple of years ago the county desired to be a part of this and to partner with the City. As part of this effort, the county has created in the foyer of the Weber Center one of the stops for the art stroll, and Scott Patria, of AmpedARTS, was initially working with artists and bringing art to the Weber Center for free but realized that there are some associated costs. The contract formalizes this action. Chair Harvey appreciates that the county participates in various roles to help perpetuate growth and to bring all facets of our community forward.

Commissioner Gibson noted that the contract summary sheet showed the cost of \$450/month but the contract body showed \$475/month and there was discussion to change the contract amount. However, subsequent to this meeting it was discovered that the invoices have been paid for \$475/month, as stated in the contract. Commissioner Gibson supports this great idea but felt strongly that this could be done on a voluntary basis and mentioned a city that found a local volunteer to coordinate local art for its building. He expressed concerns noting that this item is a ratification, which meant there had been some discussion and the fact that there has been payment on this already, with two commissioners signing off on it, but that he had to scramble to get information on this before the agenda because he did not know that the county was paying someone to display the art, the amount of the contract, etc., and felt this was inappropriate. Commissioner Ebert apologized for not passing the information along more quickly stating that the level of funding had been kept to a minimum to see if there was a value additive.

Commissioner Ebert moved to ratify the contract with AmpedARTS for a curator to bimonthly find art exhibits for the Weber Center main entry hall; Chair Harvey seconded.

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

**H. PUBLIC COMMENTS:**

Lori Brinkerhoff, of Hooper, having consulted for Public Relations, referred to the LSI contract stating that she has found that \$100/hour is an extraordinary rate and appreciates the Commission’s vetting of the contract. She said that Superintendents Stephens and Nye who are working on the intergenerational poverty board are great public stewards. She commended the commissioners for their work with the arts, which contributes to true infusion of economic development. She stated that she would volunteer as curator, which was her area of emphasis at WSU.

**I. ADJOURN**

Commissioner Gibson moved to adjourn at 11:53 a.m.; Commissioner Ebert seconded.

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

Attest:

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James “Jim” H. Harvey, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor