

MINUTES
WEBER COUNTY COMMISSION
Tuesday, June 11, 2019 - 10:00 a.m.
Commission Chambers, 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; Courtlan Erickson, Deputy County Attorney and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

A. WELCOME – Chair Jenkins

B. INVOCATION – Roger Brunker

C. PLEDGE OF ALLEGIANCE – Tammy Aydelotte

D. THOUGHT OF THE DAY – Chair Jenkins

E. PUBLIC COMMENTS: None.

F. CONSENT ITEMS:

1. Warrants #1823-1830 and #439973-440107 for \$732,305.63.
2. Purchase orders for \$119,897.18.
3. ACH payment to US Bank for \$170,570.44 for purchasing card transactions ending May 27, 2019.
4. Minutes for the meeting held on June 4, 2019.
5. Change Order #001 with YESCO Sign Company for Weber County Justice Complex sign project due to Sheriff's Office logo.
6. Change Order #002 with YESCO Sign Company for the Weber County Justice Complex Sign Project due to a cost savings from changes in the engineering of the sign.
7. Beer Licenses.
8. Change Order #1 with Saunders Construction for site and utility improvements at the Ogden Valley Branch.
9. Retirement Agreement with Kera Atmore.

Commissioner Froerer moved to approve the consent items; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

G. ACTION ITEMS:

1. RATIFICATION OF THE BIDS FROM THE WEBER COUNTY TAX SALE HELD ON MAY 23, 2019.

Roger Brunker, of the Clerk/Auditor's Office, explained the tax sale statute and the intensive process staff uses to help property owners keep their properties. This year the list started with 181 properties and the final contained 8, three were not bid on and were struck off to the county. After the remaining five are ratified, the county will prepare and record a tax sale deed transferring the county's interest in the properties to the successful bidders. The commissioners stated that they had not received any written dispute during the 10 days following the tax sale. Any bids above the tax amounts, go to the State. Chair Jenkins stated that the county owns 1,800 little slivers of property and Commissioner Froerer said that there had been discussions on the best way to off-load these slivers from the county. He would like Mr. Brunker's input as well. He noted the need to address this issue as soon as possible.

Commissioner Harvey moved to ratify the bids from the Weber County tax sale held on May 23, 2019; Commissioner Froerer seconded.
Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

2. AGREEMENT WITH ALPHA COUNSELING & TREATMENT, INC. TO PROVIDE SUBSTANCE ABUSE THERAPY SERVICES TO INMATES IN THE WEBER COUNTY CORRECTIONAL FACILITY.

Lt. Phillip Reese, of the County Sheriff's Office, stated that Alpha was selected through the procurement process. The contract will be paid for by the Inmate Benefit Fund. Staff is currently exploring grant opportunities.

Commissioner Froerer moved to approve the agreement with Alpha Counseling & Treatment, Inc. to provide substance abuse therapy services to inmates in the Weber County Correctional Facility; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

3. **MEMORANDUM OF UNDERSTANDING WITH STATE OF UTAH DEPARTMENT OF NATURAL RESOURCES TO ACCEPT GRANT AWARD FOR CONSTRUCTION OF INDOOR ARCHERY FACILITY WITH MULTIPURPOSE SPACE.**

Jennifer Graham, of County Culture, Parks & Recreation, stated that the grant is for \$750,000 and she outlined other monies received from RAMP and the Governor's Office. Granite Construction has given a lot of value in-kind for ground work. No county money will be used to complete the project, which will be more of an archery park, rather than just an archery range, and it is unique for this region. The following agenda item is the contract for the construction of the building shell.

Commissioner Harvey moved to approve the Memorandum of Understanding with State of Utah Department of Natural Resources to accept the grant award for construction of an indoor archery facility with multipurpose space; Commissioner Froerer seconded.

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

4. **CONTRACT WITH WASATCH WEST CONTRACTING, LLC, FOR CONSTRUCTION OF AN ARCHERY BUILDING SHELL AT OBSERVATORY PARK.**

Todd Ferrario, County Ice Sheet and Parks & Recreation Division Director, stated that this contract followed the procurement process and 25 contractors were present for the steel building. It has been a very thorough process. The Health Department has been onsite looking at septic systems/sewer as well as the presence and work by the County Engineering, Building Inspection, etc. The next phase will include the interior space.

Commissioner Froerer moved to approve the contract with Wasatch West Contracting, LLC, for construction of an archery building shell at Observatory Park; Commissioner Harvey seconded.

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

5. **AGREEMENT WITH UNION PACIFIC RAILROAD COMPANY FOR A PERMIT TO BORE UNDER THE RAILROAD TRACKS AT 7500 WEST.**

Gary Myers, of County Engineering, stated that the county is getting ready to construct the final improvements for this section of 12th Street and needs to increase the ability to move stormwater. The area is very flat and in some cases ditches push water in both directions. This is to bore an additional storm drain line under Union Pacific's railroad tracks on 7500 W., which will allow moving more stormwater run-off, snow melt, etc., south and out of the area. This project is beneficial to the county as it currently does not have a way to move stormwater south down 7500 W., it will allow utilizing portions of existing channels, and it will also help farmers to use their fields more effectively. The county worked with area land owners on the design.

Commissioner Harvey moved to approve the agreement with Union Pacific Railroad Company for a permit to bore under the railroad tracks at 7500 West; Commissioner Froerer seconded.

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

6. **INTERLOCAL AGREEMENT WITH MARRIOTT-SLATERVILLE CITY TO COMPLY WITH THE REQUIREMENTS OF MS4 PERMIT BY HIRING AN EXECUTIVE DIRECTOR FOR THE GOLDEN SPIKE STORMWATER ADVISORY COALITION – RESOLUTION 33-2019.**

7. **INTERLOCAL AGREEMENT WITH ROY CITY FOR THE GOLDEN SPIKE STORMWATER ADVISORY COALITION TO COMPLY WITH THE REQUIREMENTS OF MS4 PERMIT BY HIRING AN EXECUTIVE DIRECTOR FOR THE GOLDEN SPIKE STORMWATER ADVISORY COALITION – RESOLUTION 34-2019.**

Braden Felix, of County Engineering, presented these standard contracts. They are close to hiring the Director. Commissioner Froerer moved to adopt Resolution 33-2019 approving the Interlocal Agreement with Marriott-Slaterville City to comply with the requirements of MS4 permit by hiring an executive director for the Golden Spike Stormwater Advisory Coalition; Commissioner Harvey seconded.

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

Commissioner Harvey moved to adopt Resolution 34-2019 approving the Interlocal Agreement with Roy City for the Golden Spike Stormwater Advisory Coalition to comply with the requirements of MS4 permit by hiring an executive director for the Golden Spike Stormwater Advisory Coalition; Commissioner Froerer seconded.

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

8. **FINAL READING OF FEE ORDINANCE AMENDMENTS RELATING TO WEBER COUNTY COMMUNITY DEVELOPMENT DEPARTMENT—SOLID WASTE DIVISION (SEC. 16-2-9-SOLID WASTE FEES) – ORDINANCE 2019-10.**

Sean Wilkinson, County Community Development Director, noted that the first reading occurred last week. It will increase the general waste tipping fee at the Transfer Station from \$39.49/ton to \$40.49/ton. He said that 51 cents/ton of that is the 1.9% CPI (Consumer Price Index) increase required by the contract with Republic

Services, the other 49 cents/ton is for operational increases at the Transfer Station. There has been some clarification regarding Freon since the first reading—Blooms Recyclers will collaborate with the county on a 1-year agreement where they will take the refrigerators and remove the Freon themselves, which saves the county the cost of removing it. Per the ordinance, if the county has to handle the refrigerator and remove the Freon, the fee remains at \$15.00/unit, but if by agreement the Freon is removed at no cost to the county, the cost is \$10/unit which is the county's cost just to receive and transport the unit to Blooms. With this agreement in place, it saves the users \$5.

Commissioner Froerer moved to adopt Ordinance 2019-10, final reading of Fee Ordinance amendments relating to Weber County Community Development Department, Solid Waste Division (Sec. 16-2-9-Solid Waste Fees); Commissioner Harvey seconded.

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

9. CONTRACT WITH AVAYA/CONVERGEONE TO UPDATE HARDWARE AND CALL MANAGER SOFTWARE TO CURRENT VERSION.

Quinn Fowers, County Information Technology Director, presented this needed update, which had been put off for over 12 years. This year is end of service life. He was able to negotiate the price down.

Commissioner Harvey moved to approve the contract with Avaya/ConvergeOne to update hardware and Call Manager software to the current version; Commissioner Froerer seconded.

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

H. PUBLIC HEARINGS:

1.

Commissioner Harvey moved to adjourn the public meeting and convene the public hearings; Commissioner Froerer seconded.

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

2. PUBLIC HEARING TO CONSIDER AND TAKE ACTION ON A REQUEST TO VACATE A PUBLIC UTILITY EASEMENT LOCATED TO THE WEST OF WEBER INDUSTRIAL PARK (LOTS 19, 20, 21 AND LOT 2 OF GL SUBDIVISION) MEASURING 35' WIDE AND REESTABLISHING A PUBLIC UTILITY EASEMENT 10' IN WIDTH, RUNNING NORTH AND SOUTH FROM 2700 NORTH TO 2550 NORTH.

Tammy Aydelotte, of the County Planning Division, stated that an existing 35-foot public utility and drainage easement was originally established for a waterline but has since been abandoned. The applicant has requested to vacate 25 feet of it, leaving a remaining 10-foot utility easement. The county has letters from all involved utility and water companies, which have given their consent. Chair Jenkins invited public comments and none were offered.

3. PUBLIC HEARING TO CONSIDER GPA 2019-01, A REQUEST TO AMEND THE GENERAL PLAN FUTURE LAND USE MAP FROM INDUSTRIAL PARK TO RESIDENTIAL/AGRICULTURAL USE AT THE INTERSECTION OF 900 SOUTH AND 7900 WEST.

Steve Burton, of the County Planning Division, noted that on 10/2/2018 the Commission approved a rezone in this area which shifted A-2 property and M-1 property. One applicant did not realize that this was going to occur and had some other property rezoned to manufacturing, which was not what he had wanted. This is a county-driven request to amend the Future Land Use Map of the West Central Weber County General Plan in order for the rezone to meet the General Plan, and it changes the land use designation in this area from Industrial Park to Residential/Agricultural. Noticing on this item was followed according to State law. On 5/14/2019 the Planning Commission recommended approval and the item has been non-controversial. He addressed Commissioner Froerer's question stating that the idea is to give a few property owners, who have their current property zoned M-1 and desire that zoning, the ability to keep it M-1. They cannot expand this zoning unless the General Plan is amended. The idea is to keep manufacturing more towards 8300 West. The rezone in the following item is for the few property owners who want their property to be agricultural. Chair Jenkins explained that these property owners were included in a previous rezone by accident and are being taken back out.

4. **PUBLIC HEARING TO CONSIDER ZMA 2019-02, A REQUEST TO AMEND THE ZONING MAP FROM MANUFACTURING (M-1) TO AGRICULTURAL (A-2) ON 32 ACRES AT THE INTERSECTION OF 900 SOUTH AND 7900 WEST.**

Steve Burton, of the County Planning Division, stated that this is a follow-up to the above item. It is to amend approximately 32 acres at the intersection to change zoning designation from M-1 to A-2. This is a county-driven proposal as one of the applicants of the rezone approved on 10/2/2018 did not fully understand or consent to that rezone.

5. Public Comments: Chair Jenkins invited public comments and none were offered.

6.

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

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

7. **ACTION ON PUBLIC HEARINGS:**

H2-VACATING 25 FEET OF A 35 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOT 5 OF WEBER INDUSTRIAL PARK ADDITION – ORDINANCE 2019-11.

Commissioner Froerer moved to adopt Ordinance 2019-11, vacating 25 feet of a 35 foot public utility and drainage easement on Lot 5 of the Weber Industrial Park Addition; Commissioner Harvey seconded.

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

H3-AMENDING THE WEST CENTRAL WEBER COUNTY GENERAL PLAN TO EXTEND THE FUTURE AGRICULTURAL/RESIDENTIAL AREA TO 7900 WEST FOR LAND IN THE 7500 WEST-7900 WEST BLOCK, NORTH OF 900 SOUTH –RESOLUTION 35-2019.

Commissioner Harvey moved to adopt Resolution 35-2019 amending the West Central Weber County General Plan to extend the Future Agricultural/Residential area to 7900 West for land in the 7500 West-7900 West block, north of 900 South; Commissioner Froerer seconded.

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

H4-AMENDING THE WEBER COUNTY ZONING MAP TO REZONE PROPERTY ON 7900 WEST AND 900 SOUTH FROM M-1 TO A-2 – ORDINANCE 2019-12.

Commissioner Froerer moved to adopt Ordinance 2019-12 amending the Weber County Zoning Map to rezone property on 7900 West and 900 South from M-1 to A-2; Commissioner Harvey seconded.

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

I. **COMMISSIONER COMMENTS:** Commissioner Harvey noted that in recent months since commissioners Jenkins and Froerer came onboard, the Commission agendas have become longer and the county is getting a lot accomplished—fixing items that needed it but the urgency had not been there before.

J. **ADJOURN**

Commissioner Harvey moved to adjourn at 10:55 a.m.; Commissioner Froerer seconded.

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

Attest:

Scott K. Jenkins, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor