

MINUTES
WEBER COUNTY COMMISSION

Tuesday, June 26, 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 and Scott K. Jenkins.

OTHER STAFF PRESENT: Lynn Taylor, of the County Clerk/Auditor's Office; Christopher Crockett, Chief Civil Deputy County Attorney; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

- A. WELCOME** – Chair Harvey
- B. INVOCATION** – Lane Findlay
- C. PLEDGE OF ALLEGIANCE** – Bill Ross
- D. THOUGHT OF THE DAY** – Chair Harvey

E. CONSENT ITEMS:

1. Warrants #1477-1480 and #429325-429604 in the amount of \$872,325.22.
2. Purchase orders in the amount of \$19,427.60.
3. Minutes for the meeting held on June 19, 2018.
4. Approval of the Safety Policy Guidelines.
5. Retirement Agreement with Lewis Fowers.
6. Trainee Agreements with the following: Hunter Tomlinson; Brett Coleman; Austin Reeve.
Commissioner Jenkins moved to approve the consent items; Commissioner Ebert seconded.
Commissioner Ebert – aye; Commissioner Jenkins – aye; Chair Harvey – aye

F. ACTION ITEMS:

1. **INTERLOCAL AGREEMENT WITH THE BOARD OF EDUCATION OF THE WEBER SCHOOL DISTRICT FOR LAW ENFORCEMENT SERVICES.**

Steffani Ebert, with the County Sheriff's Office, stated that this contract had been in the works for over a year. The Sheriff's Office posts 7 school resource officers in the junior and high schools throughout Weber County in the county's contracted cities. The District made efforts to increase the funding for these officers.

Commissioner Jenkins moved to approve the Interlocal Agreement with the Board of Education of the Weber School District for law enforcement services; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Jenkins – aye; Chair Harvey – aye

2. **CONTRACT WITH ALCOHOL MONITORING SYSTEMS FOR A 24/7 SOFTWARE AND SERVICES AGREEMENT.**

Steffani Ebert, with the County Sheriff's Office, stated that this new program for convicted alcohol offenders will start in the State next week. She outlined this program, which has been very successful in several other states, and which allows offenders to come to the Sheriff's Office twice/day and pay a couple of dollars for a breath test. The benefits of participating in this program are that the offender is allowed to keep his/her driver's licenses, avoid incarceration and can maintain employment. Weber County Sheriff Thompson had approached Utah House Representative Fawson and the State allocated some seed money for the pilot program. Commissioner Ebert gave kudos to the Sheriff for his foresight. It is anticipated that the money collected from the offenders will pay for the program thereafter. Justice Court Judges Lambert, Renstrom, Stucki, and Junk have agreed to participate in the pilot program and the county will work with various participants, such as the Highway Patrol, the Drivers' License Division, Probation, the prosecutor's office, and the defense attorney's office. An RFP was issued last year for the software to run the program. The University of Utah will run studies on the program's effectiveness and program re-evaluation will occur.

Commissioner Ebert moved to approve the contract with Alcohol Monitoring Systems for a 24/7 software and services agreement; Commissioner Jenkins seconded.

Commissioner Ebert – aye; Commissioner Jenkins – aye; Chair Harvey – aye

3. **CONTRACT WITH SUMMERILL LAW FIRM, PLLC, FOR ASSISTANCE IN THE NEGOTIATION OF A PER DIEM RATE FOR HOUSING US MARSHALS SERVICE INMATES.**

Steffani Ebert, with the County Sheriff's Office, noted that the county currently charges \$65/day for housing U.S. Marshals inmates, which was contracted in 2013 for a period of five years for this rate. The county currently has about 180 of these inmates and wishes to increase its rate. Negotiations with the Marshals is a very cumbersome process and took about six months for the last contract. Summerill is a professional group and well versed in these negotiations and anticipates that the county could possibly get a rate of at least \$75/day

and to negotiate a new rate in about 3-4 months, which is substantially better than the county could do. The anticipated increase for about 180 inmates would provide close to \$700,000/year additional revenue.

Commissioner Jenkins moved to approve the contract with Summerill Law Firm, PLLC, for assistance in the negotiation of a per diem rate for housing U.S. Marshals Service inmates; Commissioner Ebert seconded. Commissioner Ebert – aye; Commissioner Jenkins – aye; Chair Harvey – aye

4. INTERLOCAL AGREEMENT WITH NORTH OGDEN CITY ALLOWING CITY TO BECOME LAND USE & BUILDING PERMIT AUTHORITY FOR PROPERTY LOCATED IN UNINCORPORATED WEBER COUNTY CURRENTLY IN PROCESS OF BEING ANNEXED INTO CITY (1750 N. 775 E.), PARCEL #11-004-0007).

Christopher Crockett, Deputy County Attorney, stated that the City requested this agreement. The parcel owner has submitted an annexation petition into the City.

Commissioner Jenkins moved to approve the Interlocal Agreement with North Ogden City allowing the City to become the land use/building permit authority for property located in unincorporated Weber County that is currently in the process of being annexed into the City (1750 N. 775 E.); Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Jenkins – aye; Chair Harvey – aye

5. AGREEMENT WITH WEBER HUMAN SERVICES (WHS) FOR SNOW REMOVAL SERVICES.

Christopher Crockett, Deputy County Attorney, stated that upon research this item is not necessary.

6. FINAL APPROVAL OF CAMERON CROSSING SUBDIVISION (FORMERLY KNOWN AS BLUE ACRES SUBDIVISION PHASE 4) WITH A REQUEST TO CREATE AN ESCROW ACCOUNT OF \$89,042.28 FOR THE REMAINING SUBDIVISION IMPROVEMENTS.

The applicant, Doug Hamblin, was present. Felix Lleverino, of the County Planning Division, stated that this is a 9-lot standard subdivision in the western Weber area. The Western Weber Planning Commission unanimously recommended final approval to the County Commission of the Cameron Crossing.

Commissioner Ebert moved to grant final approval of Cameron Crossing Subdivision/Hamblin Investments with an escrow of \$89,042.28 for the remaining subdivision improvements; Commissioner Jenkins seconded.

Commissioner Ebert – aye; Commissioner Jenkins – aye; Chair Harvey – aye

7. CONTRACT WITH POST BROS., LLC, TO PROVIDE A STORAGE/MAINTENANCE BUILDING AND OUTDOOR STORAGE FOR EQUIPMENT USED BY WEBER COUNTY PROPERTY MANAGEMENT.

Bill Ross, of County Property Management, presented this contract renewal, which will have a 1-year term, with a slight rate increase.

Commissioner Jenkins moved to approve the contract with Post Bros., LLC, to provide a storage/maintenance building/outdoor storage for equipment used by County Property Management; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Jenkins – aye; Chair Harvey – aye

8. MEMORANDUM OF UNDERSTANDING BY AND AMONG THE STAKEHOLDERS: UTA, WFRC, WSU, UDOT, OGDEN CITY, INTERMOUNTAIN HEALTHCARE, AND WEBER COUNTY FOR THE BRT PROJECT.

This item was held.

9. LOCAL TRANSPORTATION FUNDING AGREEMENT FOR CORRIDOR PRESERVATION FUNDS. PROJECT WAS APPROVED BY COUNTY COMMISSION AS PART OF 2017 PRIORITY LIST ON 12/12/17 & \$5,000,000 WAS RECOMMENDED BY WACOG ON 3/5/18 TO PURCHASE RIGHT-OF-WAY IN RELATION TO THE BRT PROJECT.

This item was held.

10. LOCAL TRANSPORTATION FUNDING AGREEMENT FOR SALES TAX FUNDS. PROJECT WAS APPROVED BY COUNTY COMMISSION AS PART OF 2016 PRIORITY LIST ON 12/13/16 & WACOG RECOMMENDED \$2,500,000 ON 11/17/16 TO ASSIST WITH PROJECT ENGINEERING & PROJECT DEVELOPMENT TO FACILITATE FINAL PROJECT DESIGN.

This item was held.

11. AMENDED SETTLEMENT AGREEMENT AND MUTUAL RELEASE IN SECOND DISTRICT CASE NUMBER 170906182, UINTAH HIGHLANDS IMPROVEMENT DISTRICT V. WEBER COUNTY ET AL.

Courtlan Erickson, Deputy County Attorney, noted that a couple of weeks ago he had presented a settlement agreement to the Commission, that included the parties of Wardell Brothers Construction and Jonathan Ford. Unbeknownst to the county, they negotiated a different amount that Mr. Ford would pay to Wardell Bros. for work Wardell will perform. They changed the settlement amount from \$70,194.60 to \$81,775.90.

Commissioner Jenkins moved to approve the amended settlement agreement and mutual release in Second District case number 170906182, Uintah Highlands Improvement District v. Weber County et al; Commissioner Ebert seconded.
Commissioner Ebert – aye; Commissioner Jenkins – aye; Chair Harvey – aye

12. RESOLUTION APPOINTING A NEW MEMBER TO THE WEBER COUNTY BOARD OF ADJUSTMENT – RESOLUTION 25-2018.

Rick Grover, County Planning Division Director, stated that this 5-member board has an upcoming vacancy. One application was received from Mr. Hancock, who has done a great job.

Commissioner Jenkins moved to adopt Resolution 25-2018 appointing Phil Hancock to the Weber County Board of Adjustment through 6/30/2022; Commissioner Ebert seconded.
Commissioner Ebert – aye; Commissioner Jenkins – aye; Chair Harvey – aye

13. REQUEST FOR RESOLUTION APPOINTING TWO MEMBERS TO OGDEN VALLEY PLANNING COMMISSION.

This item was held.

14. REQUEST FOR RESOLUTION APPOINTING ONE MEMBER TO WESTERN WEBER PLANNING COMMISSION.

This item was held.

G. PUBLIC COMMENTS: None.

H. ADJOURN

Commissioner Jenkins moved to adjourn at 10:37 a.m.; Commissioner Ebert seconded.
Commissioner Ebert – aye; Commissioner Jenkins – aye; Chair Harvey – aye

Attest:

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

Ricky D. Hatch, CPA
Weber County Clerk/Auditor