

MINUTES
WEBER COUNTY COMMISSION
Tuesday, October 8, 2019 - 10:00 a.m.
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 - Sean Wilkinson

C. PLEDGE OF ALLEGIANCE - Shelly Halacy

D. THOUGHT OF THE DAY - Commissioner Harvey

E. PUBLIC COMMENTS: Amy Oropeza, a domestic violence survivor and single mother of 9 residing at the Lantern House, asked what her city was doing to help those experiencing homelessness. She said that the Lantern House has been more troubling for her family than lending a helping hand, that she has been punished, degraded, belittled, and discriminated against by security at the Lantern House, where a large number of homeless people are not getting the services/help they need and are being turned away daily due to lack of space. She said that they need to enlarge the shelter, to make it more accessible to those who are struggling, and offer more help to large families who are forced to remain on the streets. She said she can't find affordable housing for her large family and that the Lantern House does not follow its mission statement equitably as she has seen some families get the help they need to be housed, get their rent paid for a year, etc. The barriers that large families face such as hers is concerning due to lack of housing. She said that the environment at the Lantern House has to change, that they are failing. She's tired of being treated unfairly and punished for her situation. Chair Jenkins said that the Commission will look into this, that the Lantern House is experiencing record homelessness due to various factors, and recommended she contact the Weber Housing Authority.

H.8. LEASE AGREEMENT WITH THE OGDEN VALLEY RECREATION/TRANSMISSION SPECIAL SERVICE DISTRICT.

Sean Wilkinson, County Community Development Director, said that this District has been providing television signal for the Ogden Valley for several years. Richard Menzes, newly appointed board chair, has been working with the county for several months on this agreement. The county will lease space on its tower and ground for a building and equipment to the District so they can continue to broadcast. They will pay 33% of the monthly utility cost. The Sheriff's Office also uses this radio tower site and the county helps maintain it. Mr. Menzes gave an overview of the District's mission and thanked Mr. Wilkinson and his team. Commissioner Froerer said that this is a significant step forward to what they currently have and thanked all those involved.

Commissioner Froerer moved to approve the Lease Agreement with the Ogden Valley Recreation/Transmission Special Service District; Commissioner Harvey seconded.

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

F. PRESENTATIONS:

1. REPORT ON THE SESQUICENTENNIAL CELEBRATION OF THE TRANSCONTINENTAL RAILROAD.

Sara Toliver, of Visit Ogden, and Kim Bowsher, of the Ogden Downtown Alliance, reported on this huge undertaking of hosting a three-day (12-hour event days) extension of the Heritage Festival in recognition of the 150th anniversary of the completion of the Transcontinental Railroad. The sesquicentennial event started just as an effort to support the Union Pacific and the Spike 150 State Commission in the steam meet, but it quickly became apparent that in order to really showcase our community, more than just supporting the effort had to occur. There were massive planning efforts, collaboration and joint communications with the many area entities that were also planning events here and in Box Elder County. They wanted to ensure that any event they produced supported our local businesses and created a draw to them. They also wanted to put our dynamic and vibrant community in the spotlight, celebrating where we have come from and where we are going, and to accommodate the public's safety, which brought on the addition of numerous programming elements. Weber County was the first to agree to support this event, which opened the door to many other partners. Local businesses' feedback indicated that they had record breaking sales, there was positive feedback from attendees, participants and the community, and the positive impact was felt throughout the community. This presentation was prepared in August (thus the numbers have increased since then) and only included Ogden's part of the celebration: there were more than 2,100 news articles and more than 1 billion people reached with an ad equivalency value of nearly \$11 million. They showed a video produced by Union Pacific with various leaders commenting on the event. Over the three days there were about 100,000 people in downtown Ogden and hotels were sold out for nearly a year. There were more than 1,000 volunteers. The commissioners expressed appreciation for the tremendous work done on this event. Commissioner Froerer referred to the number of people from outside of Utah at the event but he was amazed by the numbers from outside of the United States that he met.

2. DICIO CONTRACT UPDATE.

Sasha Clark, with the DICIO Group for county public relations, gave an overview of what DICIO has accomplished and their future strategies to communicate with the constituency, stating that the ideas came from weekly meetings with the commissioners, staff, the local newspaper, partners, and the community. In the past year they started instituting a project management software specific to the county, and were involved in 1,083 different projects. She reported that the county has seen a significant growth increase since 2017 across three social media platforms and is leading the country, which speaks to the county's efforts in transparency and in communicating with its constituency. She said that DICIO spent hundreds of hours each in graphic design, collaborating and video filming/editing, and content writing. They will continue their scope of work, and new for the coming year is the addition of a project manager and a drone pilot to focus outside of the downtown area, secure more proactive press to increase transparency and knowledge of county government, etc. There are quite a few initiatives and proposals coming up at the legislature and DICIO will communicate those as effectively as possible. Chair Jenkins noted that when he came into office, he was opposed to this contract but has since recognized its value. Commissioner Froerer also noted that he had been opposed to certain contracts when he ran for office but has since been able to justify DICIO's value to the taxpayers including what the county receives in economic development and that the county is more transparent with the public. The county recently launched a major effort for economic development and is receiving regional recognition. The county's job growth is at 4.6% and Ms. Clark is a part of that success. He agrees with showcasing the county's employees, which he feels are the best in the State. Commissioner Harvey did not criticize the contract because he has seen its value over the years and hopes that our 15 city partners feel the positive effect.

G. CONSENT ITEMS:

1. Ratify warrants #2051-2061 and #443154-443399 in the amount of \$1,610,172.64, dated October 1, 2019.
2. Warrants #2062-2082 and #443400-443591 in the amount of \$1,349,403.60.
3. Purchase orders in the amount of \$379,073.93.
4. ACH payment to US Bank in the amount of \$190,745.60.
5. Minutes for the meeting held on September 24, 2019.
6. Approval of Weber County Human Resources Policy 2-500, Attendance.
7. New business licenses.
8. Surplus credit card processor and pin pads.
9. Declare parcel #05-112-0026 as surplus property.

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

H. ACTION ITEMS:

1. ACTION ON TOURISM TAX ADVISORY BOARD RECOMMENDATIONS.

Sara Toliver, Tourism Tax Advisory Board Chair, presented the annual recommendations for the use of tourism tax revenues. In the past, the tourism revenues have not exceeded the expenses. She noted that the Conference Center bond payment expires this year. Past recommendations, along with Commission feedback, were that the Culture Parks and Recreation (CP&R) Department was to operate with 100% of its operation/maintenance (O&M) being covered by the tourism tax revenues, that of any remaining revenues 50% is to be moved into the Capital Improvement Fund to help with the necessary capital improvements on county facilities, and also that 50% is to go into a Future Projects Fund. The 2020 recommendations do not vary much from previous years. With the 10-year projections, one change was made. She said that with the much needed capital improvements going into the county facilities, those dollars were allocated to the CP&R Department budget this year which made their operating costs appear as though they had grown significantly when they were actually for capital improvement projects (CIP). This Board's recommendations are: to keep the CP&R funds separate to show the CP&R Department's O&M actual costs; to continue with the recommendation for CP&R to be funded through the TRCC tourism tax dollars; to fund the Convention & Visitors Bureau at 70% of the transient room tax collection; that the GOAL Foundation maintain its 60,000 annual funding; to increase the Legacy Grant Fund by 10%/year; that 50% of any remaining revenues go towards CIP; and to allocate 50% to the Future Projects Fund. She addressed Commissioner Froerer's question stating that for 2019 the TRT is at 64%. She opposes the proposed legislation to change some TRT recommendations because it becomes very attractive for elected officials to use tax dollars generated not by their constituents but by visitors, that anytime we deplete tax revenues generated by visitors into things that don't encourage additional visitation, we eliminate our opportunity to bring people into our community and generate that revenue overall. A lot of communities driving this are in areas that have national parks and highly visited destinations and are feeling the overcrowding impact, but there is so much room to grow on the annual occupancy rate, and reallocation of where the marketing and promotion is spent to fill those high need periods would be much more valuable in the long term. Commissioner Harvey spoke of his confidence in Ms. Toliver's cutting-age approach to what is happening in our community. Christopher Crockett, Deputy County Attorney, stated that this presentation satisfies the Board's legal requirement to make a recommendation and there is no requirement to take action today.

2. RESOLUTION REGARDING POSSIBLE ANNEXATION OF WEBER INDUSTRIAL PARK – RESOLUTION 56-2019.

Kaitlin Morgan and Cassidy Black, Weber State University students, presented a non-binding resolution. Harrisville has been exploring expansion through annexation of the Weber Industrial Park. Ms. Morgan and Ms. Black oppose it and believe that in order to uphold the common good and support economic development of the county it is best to maintain the de-annexation of the Park as it was established almost 50 years ago, that society can benefit from it as a whole rather than just one small part of society, and it has been enticing for businesses on taxation. They asked for the Commission’s support. They had informed the related cities of this item. Chair Jenkins will make sure his office sends letters to the pertinent cities.

Commissioner Harvey moved to adopt Resolution 56-2019 regarding possible annexation of the Weber Industrial Park; Commissioner Froerer seconded. He expressed thanks to Ms. Morgan and Ms. Black for bringing this forward stating that this Industrial Park was set up to make it a safe haven for taxation and encourage businesses to locate there, that businesses were not under any particular jurisdiction so that a municipality could not raise taxes anytime they wished. He is aware that surrounding cities have an issue with this since a majority of this property was de-annexed from Pleasant View to create the Park. This sends a bad message to businesses that located there only to have taxes raised on them; we need a stable environment that businesses can depend on for the future.

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

3. FINAL READING OF ORDINANCE SETTING A 4-YEAR LIMIT FOR PROPERTY TAX REFUNDS – ORDINANCE 2019-21.

Courtlan Erickson, Deputy County Attorney, noted that the first reading was approved a couple of weeks ago and the Commission had approved Mr. Erickson’s proposed language. There have been no other changes.

Commissioner Harvey moved to adopt Ordinance 2019-21 final reading of an ordinance setting a four-year limit for property tax refunds; Commissioner Froerer seconded.

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

4. FINAL READING OF AN ORDINANCE GOVERNING THE PREPARATION, REVIEW, ENACTMENT, AND PUBLICATION OF ORDINANCES – ORDINANCE 2019-22.

5. FINAL READING OF AN ORDINANCE GOVERNING GRAMA APPEALS - ORDINANCE 2019-23.

Courtlan Erickson, Deputy County Attorney, noted that the first readings were approved a couple of weeks ago for these two ordinances. There have been no changes since then.

Commissioner Froerer moved to adopt Ordinance 2019-22 final reading of an ordinance governing the preparation, review, enactment, and publication of ordinances; Commissioner Harvey seconded.

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

Commissioner Froerer moved to adopt Ordinance 2019-23 final reading of an ordinance governing GRAMA appeals; Commissioner Harvey seconded.

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

6. APPROVE A COUNTYWIDE POLICY GOVERNING PREPARATION, REVIEW, ENACTMENT, & PUBLICATION OF ORDINANCES.

Courtlan Erickson, Deputy County Attorney, stated that Ordinance 2019-22 requires the Commission to enact a policy outlining the process governing preparation, review, enactment and publication of ordinances.

Commissioner Harvey moved to approve a countywide policy governing the preparation, review, enactment, and publication of ordinances; Commissioner Froerer seconded.

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

7. SELL SURPLUS PROPERTY, PARCEL NUMBERS 19-037-0073 AND 19-037-0075, TO NILSON HOMES.

Sean Wilkinson, County Community Development Director, stated that the county obtained these two parcels in 1985 and 1993 for road purposes on 2200 North in an unincorporated area of Plain City. Nilson Homes is developing a subdivision and is looking at extending and improving this section of 2200 N. and would like to purchase the parcels for this purpose. There is no other use for these parcels except for future road expansion.

Commissioner Harvey moved to sell surplus property, parcel numbers 19-037-0073 and 19-037-0075, to Nilson Homes; Commissioner Froerer seconded.

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

9. CONTRACT WITH LEAVITT’S MORTUARIES, INC., FOR INDIGENT CREMATION.

Jason Horne, County Purchasing Agent, stated that the county issued an RFP because the current contract is expiring. The procurement process has been satisfied.

Commissioner Froerer moved to approve the contract with Leavitt’s Mortuaries, Inc., for indigent cremation; Commissioner Harvey seconded.

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

- 10. **CONTRACT WITH WASATCH CORRECTIONAL MEDICAL SERVICES, LLC, TO PROVIDE CONTINUING HEALTH CARE SERVICES FOR INMATES AT THE WEBER COUNTY JAIL.**
- 11. **CONTRACT WITH THE ROE FAMILY PHARMACY TO PROVIDE CONTINUITY OF PHARMACEUTICAL SERVICES TO THE INMATE POPULATION.**

Phillip Reese, of the County Sheriff's Office, presented these two contract addendums stating that both are on a month to month basis until there is a proposal to expand these services. Christopher Crockett, Deputy County Attorney, said that either party may terminate within 30 days with or without cause.

Commissioner Harvey moved to approve the contract with Wasatch Correctional Medical Services, LLC, to provide continuing health care services for inmates at the Weber County Jail; Commissioner Froerer seconded. Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

Commissioner Froerer moved to approve the contract with the Roe Family Pharmacy to provide continuity of pharmaceutical services to the inmate population; Commissioner Harvey seconded. Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

- 12. **CONTRACT WITH TNT AUCTIONS, INC., FOR SURPLUS PROPERTY AUCTION SERVICES.**

Kyle Nyland, of the County Fleet, said that Sandy City issued an RFP and contracted with TNT. The county can piggyback on that contract. It is up to the county to use the services at 5½% commission for sold items.

Commissioner Harvey moved to approve the contract with TNT Auctions, Inc., for surplus property auction services; Commissioner Froerer seconded.

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

- 13. **CONTRACT WITH STIRRIN' DIRT LLC FOR THE HALLOWEEN HAVOC DEMOLITION DERBY TO BE HELD AT THE GOLDEN SPIKE EVENT CENTER.**

Ashton Wilson, County Fair Director, presented this contract.

Commissioner Froerer moved to approve the contract with Stirrin' Dirt LLC for the Halloween Havoc Demolition Derby to be held at the Golden Spike Event Center; Commissioner Harvey seconded.

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

- 14. **CONTRACT WITH UTAH YOUTH RODEO ASSOCIATION FOR 2019-2020 UTAH YOUTH RODEO ASSOCIATION SEASON.**

Ashton, County Fair Director, presented this contract.

Commissioner Harvey moved to approve the contract with the Utah Youth Rodeo Association for the 2019-2020 Utah Youth Rodeo Association season; Commissioner Froerer seconded.

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

- I. **COMMISSIONER COMMENTS:** Commissioner Froerer recognized Christopher Crockett, Deputy County Attorney, who just ran the St. George marathon.

- J. **REQUEST FOR A CLOSED SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION.**

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

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

Commissioner Froerer moved to adjourn the closed meeting and reconvene the public meeting; Chair Jenkins seconded.

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

No action was taken on the closed session.

- K. **ADJOURN**

Commissioner Froerer moved to adjourn at 12:05 p.m.; Commissioner Harvey 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