

MINUTES
WEBER COUNTY COMMISSION
Tuesday, October 22, 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** - Commissioner Harvey
- C. PLEDGE OF ALLEGIANCE** - Daniel Wade
- D. THOUGHT OF THE DAY** - Commissioner Froerer

E. PUBLIC COMMENTS:

-Sylvia Salisbury, of Ogden, asked why her property taxes increased so much this year.
-Miranda Menzies, of Eden, said that the Municipal Services Fund revenue has steadily increased from \$5 million in 2012 to \$7 million in 2018. She researched and feels that this is not just due to the number of projects by the Summit Mountain Holding Group. She said that the General Fund shortfall is \$300,000. She referred to the large number of rental accommodations in the Ogden Valley and said that the amount of transient tax that should be collected from those properties is about \$300,000+/year, that there is also money going to the tourism tax, and that many of those properties are fraudulently claiming exemptions. She asked that the county make sure that those who are renting are not also claiming the permanent residence exemptions.

Their questions were addressed in item G.3.

F. CONSENT ITEMS:

- 1. Warrants #2096-2115 and #444112-444260 in the amount of \$1,541,491.48.
- 2. Purchase orders in the amount of \$92,942.90.
- 3. Minutes for the meetings held on October 8 and 15, 2019.
- 4. Retirement Agreement with William Follum.

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

G. ACTION ITEMS:

- 1. **DESIGNATION OF VOTER PARTICIPATION AREAS.**

Daniel Wade, of County Elections, noted that earlier this year the legislature passed HB 119, which requires counties to establish voter participation areas, primarily to use for local initiatives and referenda. Based on the Commission's recommendations in a recent work session, Elections and GIS created those required voter participation areas, including a map, precincts and their voting populations.

Commissioner Harvey moved to approve the designation of voter participation areas; Commissioner Froerer seconded.

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

- 2. **CONTRACT WITH MUNICIPAL CODE CORPORATION DBA MUNICODE TO ALLOW THE COUNTY TO PUBLISH AND MAINTAIN ITS CODE OF ORDINANCES IN-HOUSE.**

Ricky Hatch, County Clerk/Auditor, stated that this agreement has been reviewed by all the required staff. The county has contracted with Municipal Code for about nine years after a competitive bid process for codification services, but it costs the county quite a bit of money when any change is made to Code. He said that Fátima Fernelius, of the Clerk's Office, had identified a service that Municode provides that can save the county money by the county self-publishing the code and taking on that work, and instead of paying \$15,000-\$20,000/year the county will pay \$4,800/year for this service for the three years, saving between \$10,000-\$15,000/year. Ms. Fernelius worked closely with the legal team and Charles Ewert, of the County Planning Division, and they met with Municode to explore this service.

Mr. Hatch said that this heads-up thinking and the willingness of our excellent Attorneys' team, Planning & Zoning and Ms. Fernelius the county will save money with a little additional work.

Commissioner Froerer moved to approve the contract with Municipal Code Corporation dba Municode to allow the county to publish and maintain its Code of Ordinances in-house; Commissioner Harvey seconded.

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

3. PRESENTATION AND DISCUSSION OF THE INTENT TO LOWER THE COUNTY'S GENERAL OPERATIONS TAX LEVY BY \$500,000 AND INCREASE THE UNINCORPORATED SERVICES FUND TAX LEVY BY \$364,000.

- a. The purpose of the shift is to eliminate the financial subsidy currently being provided to the unincorporated residents from the County's General Fund.
- b. With this shift, approximately 94% of county residents will see a tax decrease and 6% will see a tax increase.
- c. The unincorporated services fund tax on a \$403,000 residence would increase from \$29.26 to \$58.52 per year, which represents a 100% increase in that tax line

Scott Parke, County Comptroller, presented the proposed shift in the tax rate explaining this item in great detail. The county proposes to lower its general obligation tax rate by \$500,000 and also increase the unincorporated services fund tax rate by \$364,000. Mr. Parke said that 100% of county residents will receive a decrease in their Weber County General Fund tax line, and those who live in the unincorporated areas, which is about 6% of the population, will see a tax increase on their unincorporated services fund line. This is to eliminate a subsidy that is being provided to the unincorporated residents by the residents of all of the cities through the county's General Fund and to correct this inequity. State code requires that the entire cost of providing services to unincorporated areas of the county are to be paid for by taxes or fees generated from the unincorporated areas. Mr. Parke showed all the cities tax rates in the county. In the proposal, every resident in the county (including unincorporated areas) will see a decrease in the Weber County tax line in their 2020 tax bill, 6% of the county residents (in unincorporated areas) will see an increase in their unincorporated services line—as an example for the latter, a \$403,000 house will see a tax increase from \$29.26 to \$58.52, which is still lower than the lowest city in the county. The unincorporated residents are still paying an extremely low tax rate for the services they receive. To help address the earlier public comments, he and Ricky Hatch, County Clerk/Auditor, explained in some detail how taxes work in relation to property value increases, etc. Commissioner Harvey said that Visit Ogden reported yesterday that Airbnb collects taxes and remits taxes to the county and that VRBO will start on 11/1/2019. John Ulibarri, County Assessor, outlined the process his office follows to value 95,000 taxable properties. Chair Jenkins noted that property owners have the opportunity to appeal their property values annually. He said that the law went into effect in 2014 and the county started the Municipal Services Fund account, transferring money into it to make it whole. The county has kept track of services provided. The fund balance has decreased, and this year it will go broke because there is not enough money. He said that the tax rate should increase a little more than double but they could not see increasing it more than that at this time and will continue to monitor it. He invited questions but none were offered. There will be open houses on this item and a public hearing on the 2020 tentative budget in November.

H. PUBLIC HEARING:

1.

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

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

2. PUBLIC HEARING TO DISCUSS AND/OR TAKE ACTION ON THE POTENTIAL SALE OF PROPERTY ADJACENT TO THE WEBER COUNTY SHOOTING AND SPORTS COMPLEX.

Sean Wilkinson, County Community Development Director, showed an area map highlighting the significant piece of property just north of the Fairgrounds on Rulon White Blvd. which the county is considering selling. There is an adjacent potential buyer who needs room to expand its operation. Chair Jenkins noted that this parcel is not being used and Commissioner Froerer concurred stating that with an analysis it appears that the county will not need this site for future expansion, and there was an appraisal and preliminary negotiations conducted.

Commissioner Harvey said that the previous Shooting Complex Director had met with the Sheriff and the Fire District about using that property for additional training, however, it does not contain the needed square footage. Commissioner Harvey requested ensuring that the county can service the 300 yard range with the road, and the electrical service, which sit inside that property boundary. He noted that the property sale would allow the county to start collecting taxes.

3. **PUBLIC COMMENTS:** Chair Jenkins addressed a question from the audience stating that the subject property is located in the Weber Industrial Park, just south of 2700 N.

4.

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

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

5. **REQUEST FOR ACTION ON PUBLIC HEARING:
H2-SALE OF PROPERTY ADJACENT TO THE WEBER COUNTY SHOOTING AND SPORTS COMPLEX.**

Chair Jenkins said that there would be no action today because they have not quite finished a few details, particularly the electrical service to the Complex that is located on that property. Mr. Wilkinson concurred stating that they need to address the utilities, landscaping, parking, etc. They will get an engineer's cost estimate and negotiate all of the details.

- I. **COMMISSIONER COMMENTS:** Commissioner Harvey gave a shout out to Colonial Flag which held a ground breaking ceremony about five weeks ago at the entrance to the County Shooting and Sports Complex and will place there the largest flag (approximately 330 ft.) north of Salt Lake City.

Chair Jenkins turned the time over to John Ulibarri, County Assessor, to address the Stall of Fame winner for November, Jacque Cole. Mr. Ulibarri said that Ms. Cole is a perfect representation of the type of team member that the Assessor's Office looks for. She is an important part of the team as evidenced by her co-worker of the year award. She goes above and beyond in her duties and in helping her team mates and assisting new hires.

J. ADJOURN

Commissioner Froerer moved to adjourn at 11:04 a.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