

**MINUTES**  
**WEBER COUNTY COMMISSION**  
Tuesday, February 27, 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 H. "Jim" Harvey, Kerry W. Gibson and James Ebert.

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

**A. WELCOME** – Chair Harvey

**B. INVOCATION** – Brian Bennion

**C. PLEDGE OF ALLEGIANCE** – Brooke Stewart

**D. THOUGHT OF THE DAY** – Commissioner Ebert

**E. CONSENT ITEMS:**

1. Warrants #1361-1366 and #425866-426124 in the amount of \$1,169,352.26.
2. Purchase orders in the amount of \$206,572.97.
3. Minutes for the meeting held on February 20, 2018.
4. New business licenses.
5. Cancel County Commission meeting scheduled for March 6, 2018; the next meeting will be March 13, 2018.  
Commissioner Ebert moved to approve the consent items; Commissioner Gibson seconded.  
Commissioner Ebert – aye; Commissioner Gibson – aye; Chair Harvey – aye

**F. ACTION ITEMS:**

1. **LOCAL TRANSPORTATION AGREEMENT WITH HUNTSVILLE TOWN TO ESTABLISH TERMS RELATED TO THE HUNTSVILLE TOWN HWY 166 PROJECT.**

Brooke Stewart, of Weber e.d.p., outlined the pedestrian pathway project. Huntsville committed \$30,300 towards the project and was seeking \$148,024 from sales tax funds. This request was approved by WACOG and by the Commission in December 2017.

Commissioner Ebert moved to approve the Local Transportation Agreement with Huntsville Town to establish terms related to the Huntsville Town HWY 166 project; Commissioner Gibson seconded.  
Commissioner Ebert – aye; Commissioner Gibson – aye; Chair Harvey – aye

2. **LOCAL TRANSPORTATION AGREEMENT WITH WEST HAVEN CITY TO ESTABLISH TERMS RELATED TO THE WEST HAVEN CITY 2550 SOUTH PROJECT.**

Brooke Stewart, of Weber e.d.p., presented this amended request by the City due to increased land costs and unexpected right-of-way acquisition expenses for an additional \$297,400. This request was approved by WACOG in November 2017.

Commissioner Ebert moved to approve the Local Transportation Agreement with West Haven City to establish terms related to the West Haven City 2550 South project; Commissioner Gibson seconded.  
Commissioner Ebert – aye; Commissioner Gibson – aye; Chair Harvey – aye

3. **LOCAL TRANSPORTATION AGREEMENT WITH HOOPER CITY TO ESTABLISH TERMS RELATED TO THE HOOPER CITY 5500 SOUTH PROJECT.**

Brooke Stewart, of Weber e.d.p., stated that this project, near Freedom Elementary, includes widening 5500 S. between 4600-4700 W. (about 700 feet) and was approved by WACOG and the Commission in 2017. Hooper requested \$29,872 from corridor preservation funds for right-of-way acquisition and \$251,603 from sales tax funds for construction and is contributing \$15,000 for sewer line extension to the three residences.

Commissioner Gibson moved to approve the Local Transportation Agreement with Hooper City to establish terms related to the Hooper City 5500 South project; Commissioner Ebert seconded.  
Commissioner Ebert – aye; Commissioner Gibson – aye; Chair Harvey – aye

4. **~~INTERLOCAL AGREEMENT WITH MORGAN COUNTY BOARD OF HEALTH RECOMMENDATION REGARDING THE WEBER/MORGAN HEALTH DEPARTMENT BOARD RESTRUCTURE.~~**

Brian Bennion, Health Department Director & Secretary to the Board of Health, had been asked to present this recommendation (by a 7-2 vote) from the Board of Health to the Weber County Commission and the Morgan County Council, noting that the Weber Morgan Health Department was created by an Interlocal agreement. The Board of Health is looking at its membership and exploring ways to improve representation of the community on the Board and set up a by-laws committee consisting of 5 Board members and 3 Health

Department staff members to review how the Board is presently organized to determine if there is a better way to organize it to improve that representation. At the January 22, 2018 meeting the committee members recommended changing the 11-member Board to 13 members as follows: a Weber County commissioner, an Ogden City representative, a Morgan County councilmember, a Morgan at large member, a Weber Medical Society member, a WACOG member, a rotating member between Ogden and Weber School Districts, a Weber State University (WSU) Health Administration or Public Health representative, a Weber Human Services (WHS) member, a Midtown Community Health Center member, and a rotating member between McKay Dee and Ogden Regional Hospitals. These are 3-year terms. There will still be the two at large positions, one representing local business and one environmental. The result would reduce three Weber County commissioners to one and two WACOG members to one to allow representation from a school district, WSU, WHS, Midtown and a hospital.

Christopher Crockett, Deputy County Attorney, stated that the Commission could approve the recommendation today giving the authority for the inclusion of the provision in the Interlocal and he would work with the Morgan County attorney to update that agreement. Once Morgan approves it, he will bring it back for final approval. Commissioner Gibson had been informed by staff that Mr. Bennion had requested this item for the March 13<sup>th</sup> agenda and then he saw it come through on the agenda yesterday just before 10 a.m. He was wondering if there was some urgency because the Interlocal is not drafted and the final language is not yet known. Mr. Crockett said that the language sent to the commissioners regarding the Board's composition recommendation was the majority of the changes, and if they are comfortable with it they could approve the recommendation, and that the parties wanted this done as quickly as possible.

Commissioner Ebert moved to approve the Interlocal Agreement with Morgan County regarding the Weber/Morgan Health Department Board restructure; Commissioner Gibson noted that he voted against this in committee. Chair Harvey seconded. Courtlan Erickson, Deputy County Attorney, stated that the Commission was only approving the recommendation, not the Interlocal Agreement. Commissioner Ebert made a substitute motion to approve the Board's recommendation and Chair Harvey seconded. Commissioner Gibson did not understand why this item should be approved today because it does not appear ready, and he does not agree with the recommendation. His biggest concern is with reducing the number of Weber County commissioners/reducing the number of county elected officials that can listen to the people's concerns and be their voice. He expressed confidence in Mr. Bennion but does not want to see this be the future policy direction. He asked if there was discussion of adding those voices without reducing representation from the elected body. Mr. Bennion responded that several scenarios were discussed and the committee recommended this one, that in the subcommittee meetings they wrestled how best to get the representation, and added that the budget final decisions are the Commission's. Commissioner Ebert wants subject matter experts around the table, which this structure creates, adding more experts with more contact—the school districts, Midtown, the hospitals, etc.—and as our community grows these members need to be involved in our health. Chair Harvey is grateful for the research into this and said that although he is elected he does not have the needed expertise and prefers more community representation.

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

#### **G. PUBLIC COMMENTS:**

Lori Brinkerhoffer, of Hooper, attended last night's Health Board meeting and supports the Board's restructure changes, stating that it is apparent to her that individuals with operation/institutional knowledge should be on the Board. Board members are listed on the public website. Toby Mileski, of Pleasant View, agrees with restructuring the Health Board stating that having Mr. Bennion to run the Health Department and the peers who represent the citizens is proper, and as a past Board member, he feels government regulation encumbers businesses and stifles economic development. Marion Horna, of Eden, thanked the Commission for the Health Board restructure and adding hospitals, etc., to that Board. Marcus Laub, of Fremont High School, expressed support for the local transportation agreements stating that they are a step forward.

#### **H. ADJOURN:**

Commissioner Gibson moved to adjourn at 10:37 a.m.; Commissioner Ebert seconded.

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

Attest:

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James H. "Jim" Harvey, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor