

**MINUTES
OF THE BOARD OF COMMISSIONERS OF WEBER COUNTY**

Tuesday, March 28, 2017 - 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 Ebert, Kerry W. Gibson and Jim Harvey.

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

- A. WELCOME – Chair Ebert**
- B. INVOCATION – Reverend Kim James**
- C. PLEDGE OF ALLEGIANCE – Commissioner Harvey**
- D. THOUGHT OF THE DAY – Commissioner Gibson**
- E. RECOGNITION OF MAYOR TOBY MILESKI & THE WEBER AREA DISPATCH 911 AND EMERGENCY SERVICES DISTRICT BOARD DIRECTOR TINA MATHIEU FOR THEIR WORK ON GETTING SB198 PASSED AND ALSO FOR CREATING A COST MODEL FOR SERVICES PROVIDED IN MORGAN COUNTY**

Chair Ebert stated that through a lot of hard work over the past year a better funding structure for the 911 District was created by these two individuals. Mayor Mileski stated that Ms. Mathieu did a tremendous amount of work on this item and that it takes the general burden from property taxpayers onto the users. Ms. Mathieu, District Director, had informed Mayor Mileski that based on what Weber County's taxpayers pay, Morgan County was not paying its fair share but rather an incredibly low amount for its contracted services. After about a year of discussions, Morgan has agreed to pay its share, which together with SB198 (Utah Communications Authority Amendments), will add about \$700,000 additional income to the District. Ms. Mathieu said that this bill is a big win for funding the 800 MHz radio system that is needed throughout the state. She said that for our county it will mean approximately \$1 million. The commissioners expressed thanks for her tremendous amount of hard work and leadership.

F. CONSENT ITEMS:

1. Warrants #1030-1043 and #415288-415600 in the amount of \$1,900,342.18
2. Purchase orders in the amount of \$87,638.11
3. Minutes for the meeting held on March 21, 2017
4. Surplus firearms and equipment from the Weber County Sheriff's Office
5. New business licenses
6. RAMP contracts:

Aerospace Heritage Foundation	Museum Exhibit Development/Fabrication	\$50,000.00
Boys & Girls Clubs of Weber-Davis	Create @ The Club	\$18,270.00
Chamber Orchestra Ogden	Orchestra Season 2017-2018	\$15,600.00
Eccles Community Art Center	Exhibits 2017	\$ 5,000.00
Eccles Community Art Center	Family Programs	\$ 2,100.00
Eccles Community Art Center	Art Competitions 2017	\$ 5,700.00
Good Company Theater	Fall Musical at the Ogden Amphitheater	\$15,000.00
Good Company Theater	Theater Season 2017	\$ 6,500.00
Harrisville City	Harrisville History & Virtual Museum	\$ 5,000.00
Imagine Ballet Theater	The Nutcracker	\$25,000.00
Imagine Ballet Theater	Fairyopolis	\$24,425.00
North Ogden City	Barker Park Musical	\$ 5,000.00
Nurture the Creative Mind	NCM Piano Project	\$ 9,000.00
Nurture the Creative Mind	Ogden Arts Festival	\$30,000.00
Ogden City Corp. Arts	Ogden Amphitheater-House Sound System	\$30,000.00
Ogden City Corp. Arts	Ogden Twilight Concert Series Amphitheater	\$15,000.00
Ogden City Corp. Arts	First Friday Art Stroll	\$ 5,000.00
Ogden City Corp. Arts	Ogden Amphitheater Programs	\$30,000.00
Ogden Dinosaur Park & Museum Foundation	Sound and Security	\$37,500.00
Ogden Dinosaur Park & Museum Foundation	Sculpture	\$33,000.00
Ogden Dinosaur Park & Museum Foundation	Education Programming	\$30,000.00
Ogden Downtown Alliance	Music & Arts @ Farmers Market Ogden	\$10,000.00
Ogden Downtown Alliance	Arts & Entertainment Expansion Harvest Moon	\$10,000.00

Ogden First, Inc.	Platforms - 2017 Season & Facility Upgrade	\$12,000.00
Ogden First, Inc.	Moments Festival	\$ 5,000.00
Ogden Friends of Acoustic Music	2017 Ogden Music Festival	\$35,000.00
Ogden Friends of Acoustic Music	2017 OFOAM: The Hillbenders Concert Outreach	\$ 7,500.00
Ogden Natural History Museum	Rudd Hall Exhibit Remodel	\$40,000.00
Ogden Pioneer Days Foundation	Trail to Pioneer Days Horse Project	\$ 5,000.00
Ogden Pioneer Days Foundation	Ogden Pioneer Days Celebration	\$20,000.00
Ogden School Foundation	Explore Art in Ogden	\$ 6,600.00
Ogden Symphony Ballet Association	2017-2018 Season	\$90,000.00
Ogden Valley Balloon and Artist Festival	Ogden Valley Balloon Festival	\$20,000.00
Project Success	Juneteenth Freedom & Heritage Festival	\$15,000.00
Project Success	Grios & Griottes: My Town, My Story	\$ 4,000.00
Roy City Corp. Art Council	Roy Farmer's Market	\$ 7,000.00
South Ogden City	2017 South Ogden Days Local Arts & Entertainment	\$ 5,000.00
South Ogden City Arts & Museums	Amphitheater Upgrades	\$26,050.00
Treehouse Children's Museum	RAMPed Up Play	\$50,000.00
Treehouse Children's Museum	Grandma's House	\$25,000.00
Treehouse Children's Museum	Dads in the Door	\$35,000.00
Tribalovedancer	African Dance & Drum	\$ 5,850.00
Union Station Foundation	Museum Collections Preservation Upgrades	\$ 9,644.00
Union Station Foundation	2017 Heritage Festival at Union Station	\$12,000.00
Union Station Foundation	Exhibit Development: All Out or Uncle Sam	\$25,000.00
Weber County Cultural Arts Council	NEXT Ensemble Amahl & the Night Visitors-Family Opera	\$ 8,000.00
Weber County Cultural Arts Council	Peery's Utah Musical Theater	\$15,000.00
Weber County Cultural Arts Council	Peery's 20th Annual Film Series	\$11,361.00
Weber Cultural Legacy Foundation	Ogden Marathon Finish Line Festival	\$ 4,500.00
Weber State University Foundation	String Project	\$ 8,250.00
Weber State University Foundation	Science & Arts in the Parks	\$20,000.00
Weber State University Foundation	Browning Center Orchestra Pit Lifting System Upgrade	\$15,000.00

Commissioner Gibson moved to approve the consent items; Commissioner Harvey seconded.
Commissioner Gibson – aye; Commissioner Harvey – aye; Chair Ebert – aye

G. ACTION ITEMS:

1. FINAL READING OF AN ORDINANCE AMENDING DEVELOPMENT SERVICE FEES – ORDINANCE 2017-9

Rick Grover, County Planning Division Director, said that in the first reading it had been noted that the fees from County Planning, Surveyor, Engineering, and Building Inspection had not been reviewed for 10+ years. Staff reached out to other communities and discovered that Weber County is charging low fees, not even reaching the average. During this review they were concerned about the impact to developers and residents and the fees were not increased to what they could be. The commissioners feel it is appropriate to re-evaluate these fees and the service delivery annually. They expressed thanks for the extreme amount of hard work on this item.

Commissioner Gibson moved to adopt Ordinance 2017-9 amending the development service fees;
Commissioner Harvey seconded.
Commissioner Gibson – aye; Commissioner Harvey – aye; Chair Ebert – aye

2. CONTRACT WITH PICTOMETRY TO ACQUIRE AERIAL PHOTOGRAPHY TO SUPPORT THE REVIEW OF PHYSICAL CHARACTERISTICS AS REQUIRED BY UTAH STATUTE

John Ulibarri, County Assessor, stated that this contract modification allows for annual flight, rather than biannually, which has not been keeping up with statutory requirements. This will be more efficient.

Commissioner Harvey moved to approve the contract with Pictometry to acquire aerial photography to support the review of physical characteristics; Commissioner Gibson seconded.
Commissioner Gibson – aye; Commissioner Harvey – aye; Chair Ebert – aye

3. CONTRACT WITH GREAT BASIN ANTIQUE MACHINERY FOR THE 2017 WEBER COUNTY FAIR

4. CONTRACT WITH BROKEN HEART RODEO COMPANY/BEN GERMAN TO PROVIDE THE RODEO AT THE 2017 WEBER COUNTY FAIR

5. CONTRACT WITH ANIMAL SPECIALTIES FOR A PETTING ZOO AT THE 2017 WEBER COUNTY FAIR

6. **CONTRACT WITH SHAWN PAULSEN/CINDEE PAULSEN TO PROVIDE 2 HYPNOTIST SHOWS/DAY AT 2017 FAIR**

7. **CONTRACT WITH WOODEN CREATIONS FOR CHAINSAW WOOD CARVINGS AT 2017 WEBER COUNTY FAIR**

Jan Wilson, with the County Fair, presented the contracts for items G.3 - G.7.

Commissioner Harvey moved to approve the above listed contracts for items G.3 - G.7; Commissioner Gibson seconded.

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

8. **CONTRACT WITH OGDEN ECCLES CONFERENCE CENTER (OECC) & WEBER STATE UNIVERSITY (WSU) LINDQUIST COLLEGE OF ARTS & HUMANITIES FOR A PARTNERSHIP IN SHOWING "7 DAYS IN SYRIA" ON 3/29/17**

Kassi Bybee, with OECC, had been approached about waiving the rental fee for this showing, noting that WSU is a partner with the county.

Commissioner Gibson moved to approve the contract with Ogden Eccles Conference Center/Weber County and Weber State University Lindquist College of Arts and Humanities for a partnership in showing "7 Days in Syria" on March 29, 2017; Commissioner Harvey seconded.

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

9. **LICENSE AGREEMENT WITH THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS (ASCAP) FOR USE AND BROADCAST OF MUSIC AT ALL COUNTY VENUES**

Jennifer Graham with County Culture, Parks & Recreation, presented this contract modification to include all of the county venues.

Commissioner Harvey moved to approve the license agreement with the American Society of Composers, Authors and Publishers for use and broadcast of music at all county venues; Commissioner Gibson seconded.

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

10. **RESOLUTION APPOINTING MEMBERS TO THE WEBER AREA DISPATCH 911 AND EMERGENCY SERVICES DISTRICT BOARD – RESOLUTION 13-2017**

Chair Ebert said that the process for vacancies had been followed and that WACOG's chair requested to maintain its recommendation of Mayor Minster. Commissioner Gibson noted that WACOG makes nominations and the Commission makes the appointments.

Commissioner Harvey moved to adopt Resolution 13-2017 appointing James F. Minster and Leonard Call to the Weber Area Dispatch 911 and Emergency Services District Board; Commissioner Gibson seconded.

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

H. PUBLIC HEARING

1.

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

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

2. **PUBLIC HEARING FOR CONSIDERATION & ACTION ON A REQUEST TO VACATE PUBLIC ACCESS EASEMENTS ON OPEN SPACE PARCELS LOCATED WITHIN THE ASPEN FALLS ESTATES CLUSTER SUBDIVISION AT APPROXIMATELY 4100 NORTH 4200 EAST**

Steve Burton, with County Planning, presented the applicant's (Nate Boswell) request for this vacation on parcels dedicated as Public Access Open Space A and Public Access Open Space B in the original cluster subdivision in order to mitigate liability concerns related to these public open space parcels, including liability of public access to the detention pond on Open Space B. The vacated area is 8.3 acres in the AV-3 Zone. The original cluster subdivision received approval on 12/6/2007 (10 lots) with public access easements on three open space parcels. The first amendment was submitted to County Planning on 3/28/2016 with a request to amend the open space parcels by removing public access rights to them. The Ogden Valley Planning Commission unanimously recommended approval of the subdivision amendment and vacation of public access to the open space parcels to the County Commission on 5/2016. Mr. Burton found no negative impact to the Ogden Valley General Plan.

Staff recommends approval of this request, which is based upon the following conditions: 1) the ordinance to vacate these public access open spaces shall be recorded in conjunction with the Aspen Falls Estates Cluster Subdivision First Amendment and 2) the loss of one bonus lot shall be shown on the final plat of this subdivision. Mr. Burton addressed the commissioners' questions stating that the parcels are not being used and the vacation does not impact any other public open space.

3. **PUBLIC HEARING TO ALLOW CITIZENS TO PROVIDE INPUT CONCERNING THE PROJECTS THAT WERE AWARDED UNDER THE 2017 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**

Chad Meyerhoffer, of County Engineering, explained the purpose of the hearing. The county has amended its capital investment plan and decided to apply for funds on behalf of the Weber Housing Authority, which application was successful in the regional rating and ranking process. The Authority was awarded \$30,000 for an Emergency Rental and Deposit Assistance Program and \$50,000 for a Down Payment Assistance Program. A copy of the capital investment plan is available in County Planning.

Andi Beadles, with the Weber Housing Authority, explained the projects. Currently there is no agency offering emergency rental assistance in Weber County. Chair Ebert stated that these are good programs.

4. Public comments: Chair Ebert invited public comments on the public hearings and none were offered.

5.

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

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

6. **ACTION ON PUBLIC HEARINGS:**

H.2.-VACATE PUBLIC ACCESS EASEMENTS ON OPEN SPACE PARCELS WITHIN THE ASPEN FALLS ESTATES CLUSTER SUBDIVISION – ORDINANCE 2017-10

Commissioner Gibson moved to adopt Ordinance 2017-10 vacating two public access easements labeled Public Access Open Space A and Public Access Open Space B along 4200 E. in the Aspen Falls Estates Cluster Subdivision; Commissioner Harvey seconded.

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

H.3.-PUBLIC INPUT ON PROJECTS AWARDED UNDER THE 2017 CDBG PROGRAM

Commissioner Harvey moved to approve moving forward with the CDBG projects as discussed; Commissioner Gibson seconded.

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

I. PUBLIC COMMENTS:

Blain Cutler, of West Weber, expressed concern with action item G.1 stating that the 30 (+) people that are on the sewer line are actually not even on the Weber County line but have been paying service fees for the last 13 years for services that will never be rendered. He recommends that discussion take place and that those people be placed on a fixed price rate so that they receive an increase when Central Weber increases its fees rather than for the people to pay for all development going west.

J. ADJOURN

Commissioner Gibson moved to adjourn at 11:01 a.m.; Chair Ebert seconded.

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

Attest:

James Ebert, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor