

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

Tuesday, August 15, 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, Jim Harvey and Kerry W. Gibson.

**OTHER STAFF PRESENT:** Ricky D. Hatch, County Clerk/Auditor, David C. Wilson, Deputy County Attorney; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

**A. WELCOME** – Chair Ebert

**B. INVOCATION** – Tim Wenz

**C. PLEDGE OF ALLEGIANCE** – John Ulibarri

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

**E. PRESENTATION OF THE SEAL OF SERVICE AWARD TO ELEANOR DOUGHERTY (E.D.) GALLEGOS-VOLUNTEER AT THE SHERIFF'S OFFICE.**

This item was not addressed.

**F. CONSENT ITEMS:**

1. Warrants #1163-1166 and #419641-419905 in the amount of \$1,102,825.23.
2. Purchase orders in the amount of \$94,790.03.
3. Minutes for the meeting held on August 8, 2017.
4. ACH payment to US Bank for \$133,068.52 for purchasing card transactions made through July 25, 2017.
5. New business licenses.
6. Retirement Agreement with Martha Rivera.

Commissioner Gibson moved to approve the consent items; Commissioner Harvey seconded.

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

**G. ACTION ITEMS:**

1. **ORDINANCE ESTABLISHING A PROCEDURE FOR THE REVIEW AND APPROVAL OF WAIVERS OF PENALTIES UNDER UTAH CODE ANN. 59-2-307. ORDINANCE 2017-28**

John Ulibarri, County Assessor, stated that this ordinance allows the penalty for failure to file the signed statement to be waived by the Assessor's Office when a taxpayer's tangible personal property is exempt from taxation.

Commissioner Harvey moved to adopt Ordinance 2017-28 establishing a procedure for the review and approval of waivers of penalties under Utah Code Ann. 59-2-307; Commissioner Gibson seconded.

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

2. **CONTRACT WITH NARRATIV1 HOLDINGS, LLC FOR SOFTWARE THAT WILL INCREASE OPERATING EFFICIENCIES WITHIN THE WEBER COUNTY ASSESSOR'S OFFICE.**

John Ulibarri, County Assessor, gave an overview of this report writing program that integrates Excel and Microsoft Word to create a more compliant appraisal report in less time and compile commercial sales and lease information in a more accessible format. This is a one year contract with an automatic renewal clause at the end of each year. The county can terminate the contract by giving 60 days prior notice.

Commissioner Harvey moved to approve the contract with Narrativ1 Holdings, LLC for software that will increase operating efficiencies within the County Assessor's Office; Commissioner Gibson seconded.

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

3. **FINAL APPROVAL OF HENRY FLATS SUBDIVISION, AND ACCEPTANCE OF FINANCIAL GUARANTEE AND RELATED CONTRACTS.**

The applicant was present. Charles Ewert, of County Planning, stated that this plat has been in the process for some time and he had been working with the developer for a couple of years to bring it to completion.

Commissioner Harvey moved to grant final approval of the Henry Flats Subdivision, to accept the financial guarantee and related contracts; Commissioner Gibson seconded.

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

4. **REQUEST TO SPEND IMPACT FEES FOR THE PINEVIEW LOOP PATHWAY (SPRING CREEK BEACH) AND THE WOLF CREEK DRIVE PATHWAY (WOLF CREEK TO EDEN).**

Kevin McLeod, of County Property Management, stated that this is to release the impact fee to cover some of the costs incurred for these pathways.

Commissioner Harvey moved to approve spending impact fees for the Pineview Loop Pathway (Spring Creek Beach) and the Wolf Creek Drive Pathway (Wolf Creek to Eden); Commissioner Gibson seconded.

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

5. **CONTRACT WITH THE WEBER SCHOOL DISTRICT TO PROVIDE ELECTION RELATED SERVICES THROUGH THE 2017 CALENDAR YEAR.**

6. **CONTRACT WITH THE OGDEN SCHOOL DISTRICT TO PROVIDE ELECTION RELATED SERVICES THROUGH THE 2017 CALENDAR YEAR.**

Ricky Hatch, County Clerk/Auditor, presented items G.5 and G.6 together.

Commissioner Harvey moved to approve the contracts with the Weber School District and the Ogden School District to provide election related services through the 2017 calendar year; Commissioner Gibson seconded.

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

7. **CONTRACT WITH NUERA FOR SAFETY COORDINATOR SERVICE FOR THE WEBER COUNTY SOLID WASTE DEPARTMENT.**

Kevin McLeod, of County Property Management, noted that NUERA is involved with a number of the northern Utah waste facilities. This is to provide a safety specialist for the northern transfer stations and waste facilities to reduce liability and increase safety certifications, etc. Mr. McLeod addressed Chair Ebert's questions stating that this is for four facilities and costs will be split among the agencies.

Commissioner Harvey moved to approve the contract with NUERA for Safety Coordinator Service for the Weber County Solid Waste Department; Commissioner Gibson seconded.

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

8. **CONTRACT WITH ROCKY MOUNTAIN POWER TO REALLOCATE EXISTING TRANSMISSION AND DISTRIBUTION FACILITIES.**

Kevin McLeod, of County Property Management, stated that this is for Rocky Mountain to move the power poles so that the Sheriff's Office can construct the road to the Sheriff's Complex and the new Juvenile Detention facility. The county has done some work thereby reducing the contract amount from almost \$200,000 to about \$41,000.

Commissioner Harvey moved to approve the contract with Rocky Mountain Power to reallocate existing transmission and distribution facilities; Commissioner Gibson seconded.

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

## H. PUBLIC HEARING

1.

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

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

**2. PUBLIC HEARING ON PROPOSED AGRICULTURE PROTECTION AREA (APA) - SUBMITTED BY CHARLES CHAMBERLAIN AND ROBERT CHAMBERLAIN, PARCELS 18-048-0025 & 18-048-0012.**

Fátima Fernelius, of the Clerk/Auditor's Office, gave a comprehensive overview of this process and of State Code and explained the purpose of APAs. Ms. Fernelius stated that the statutory requirements for publishing, posting, noticing and mailing had been followed. The public had a 15-day period to submit written objections or requests to modify the proposal and none were received. The Western Weber Planning Commission and the APA Advisory Board recommended approval. She stated that today the Commission would take oral and written comments from the public and they could approve, modify and approve, or reject the proposal. Subsequent to approval, a document will be recorded with the County Recorder's Office, and notice filed with the Planning Commission, the Commissioner of Agriculture and Food, the County Planning Division and the Sheriff's Office. The applicant, Charles Chamberlain, was present and said that he had no additional comments.

**3. Public comments:**

Karmen Sanone, of unincorporated Weber County, expressed support of this Agriculture Protection Area (APA); she said that Mr. Chamberlain has a beautiful place and she would like to see him continue to use it in the manner he chooses.

Gaye Carter, of unincorporated Weber County, said that her land borders Ms. Sanone's land. She also submitted a proposal for an APA. Their land was part of the original Bailey Farm, before the existence of North Ogden City. She said that the land does not make enough money to pay the property taxes but they are willing to pay the difference to keep it a farm. Ms. Carter's public hearing will be held next week. They do not need to be present again next week.

Karmen Sanone, of unincorporated Weber County, expressed support of the Agriculture Protection Area for Ms. Carter stating that she would like to see them continue to use their land in the manner that they want. She stated that her farm and Ms. Carter's farm are the last two remnants of the very extensive Bailey Farm. One of the parcels was recognized at the County Fair as a century farm; it has been in continuous family ownership for over 100 years.

**4.**

Commissioner Gibson moved to adjourn the public hearing and reconvene the public meeting; Commissioner Harvey seconded.  
Commissioner Gibson – aye; Commissioner Harvey – aye; Chair Ebert – aye

**5. ACTION ON PUBLIC HEARING:**

**H.2.-AGRICULTURE PROTECTION AREA (APA) SUBMITTED BY CHARLES CHAMBERLAIN AND ROBERT CHAMBERLAIN, PARCELS 18-048-0025 & 18-048-0012**

Commissioner Gibson supports agricultural operations and stated that it is critically important to find ways to help maintain agriculture. The economic impact is truly valuable and vital to our communities.

Commissioner Gibson moved to approve the Agriculture Protection Area (APA) submitted by Charles Chamberlain and Robert Chamberlain, Parcels 18-048-0025 & 18-048-0012; Commissioner Harvey seconded.

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

**I. PUBLIC COMMENTS ON OTHER AGENDA ITEMS: None**

**J. ADJOURN**

Commissioner Harvey moved to adjourn at 10:38 a.m.; Commissioner Gibson seconded.  
Commissioner Gibson – aye; Commissioner Harvey – aye; Chair Ebert – aye

Attest:

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James Ebert, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor