

**MINUTES
WEBER COUNTY COMMISSION**

Tuesday, January 12, 2021 – 10:00 a.m.
Via Zoom meeting + at Weber Center, 2380 Washington Blvd., Ogden, UT

In accordance with the requirements of Utah Code Section 52-4-203, the County Clerk records in the minutes the names of all persons who 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 "Jim" H. Harvey, Gage Froerer, and Scott K. Jenkins.

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 Harvey

B. PLEDGE OF ALLEGIANCE - Steve Burton

C. INVOCATION - Bill Ross

D. THOUGHT OF THE DAY - Chair Harvey

E. PUBLIC COMMENTS: None.

F. CONSENT ITEMS:

1. Warrants #3419-3435 and #455854-456006 in the amount of \$3,947,439.28
 2. Purchase orders in the amount of \$462,551.71
 3. Minutes for the meeting held on January 5, 2021
 4. ACH payment to US Bank in the amount of \$185,260.86
 5. New business licenses
 6. Surplus audio visual equipment from the Weber County Sheriff's Office
 7. Surplus office furniture from Weber County Animal Services
 8. Request by County Community Development to declare Parcel Number 23-013-0225 as surplus property
 9. Retirement Agreements: Daren Crowton; Mary Kathleen Oleson; David Macinnes; Bill Hansen; Joseph Porter
- Commissioner Jenkins moved to approve the consent items; Commissioner Froerer seconded.
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

G. ACTION ITEMS:

1. RESOLUTION APPOINTING TRUSTEES TO POWDER MOUNTAIN WATER AND SEWER IMPROVEMENT DISTRICT BOARD OF TRUSTEES – RESOLUTION 2-2021

Stacy Skeen, of the Commission Office, stated that after statutorily noticing the three vacancies, she had received five applications, however, one applicant withdrew and two others were not eligible.

Commissioner Jenkins moved to adopt Resolution 2-2021 reappointing Commissioner James Harvey and appointing Robert Cabot to the Powder Mountain Water and Sewer Improvement District Board of Trustees through 12/31/2024; Commissioner Froerer seconded.

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

2. RESOLUTION APPOINTING BOARD MEMBERS TO OGDEN VALLEY RECREATION/TRANSMISSION SPECIAL SERVICES DISTRICT – RESOLUTION 3-2021

Stacy Skeen, of the Commission Office, stated that terms of three positions had expired in this District, and that she had received three applications

Commissioner Froerer moved to adopt Resolution 3-2021 appointing Michael R. Zindel, Kimbal W. Hale, and Christopher R. Wendell to the Ogden Valley Recreation/Transmission Special Services District through 12/31/2024; Commissioner Jenkins seconded.

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

3. APPROVE A PRESSURIZED SECONDARY WATER LINE AGREEMENT WITH TERAKEE FARMS, INC.

Steve Burton, of the County Planning Division, stated that the developer of Barn @ Terakee Farms PRUD and Terakee Meadow Subdivision was installing a pressurized secondary waterline for about 1,000 feet within the county's right-of-way along 900 South. There isn't a secondary water company and this agreement stipulates that Terakee Farms is responsible to install, maintain and repair any of those lines and is the liable entity. Christopher Crockett, Deputy County Attorney, confirmed that the agreement is in perpetuity.

Commissioner Jenkins moved to approve the pressurized Secondary Water Line Agreement with Terakee Farms, Inc.; Commissioner Froerer seconded.

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

4. APPROVE A SEWER DEVELOPMENT REIMBURSEMENT AGREEMENT WITH TERAKEE FARMS, INC.

Steve Burton, of the County Planning Division, stated that this is to reimburse the developer for certain costs incurred for sewer development along 900 South on two new subdivisions. The agreement terminates upon Terakee receiving reimbursement payments that reach 62% of Terakee's installation costs of the sewer line extension.

Commissioner Jenkins moved to approve the Sewer Development Reimbursement Agreement with Terakee Farms, Inc.; Commissioner Froerer seconded.

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

5. CONTRACT WITH OPTIC LOOP COMMUNICATIONS TO DEFINE AND CLARIFY ORIGINAL CONTRACT WITH TXOX NOW THAT THE COMPANY HAS BEEN CHANGED TO OPTIC LOOP COMMUNICATIONS

Mariko Rollins, with the County Ice Sheet, stated that this contract clarifies the original 2016 agreement with TXOX, which had now been sold to Optic Loop Communications, for guest wireless.

Commissioner Froerer moved to approve the contract with Optic Loop Communications to define and clarify the original contract with TXOX now that the company had been sold to Optic Loop Communications; Commissioner Jenkins seconded.

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

6. RATIFICATION FORM OF AGREEMENT BY/BETWEEN WEBER COUNTY/LIBRARY AND JARDINE MALASKA CONSTRUCTION SERVICES FOR EARTHQUAKE DAMAGE REMEDIATION

Lynnda Wangsgard, County Library Director, stated that this agreement would provide general contractor services to remediate damages to all five library buildings that resulted from the March 18, 2020, earthquake. A team of architects and engineers had evaluated each facility and prepared detailed drawings and specifications for repairs that were then advertised to the public in a competitive request for proposals (RFPs). Jardine Malaska Construction Services was the low bidder and met all of the RFP requirements. The plans and process for selecting the general contractor were reviewed by the Library Board’s legal counsel as assigned by the County Attorney, who also spent considerable time and effort onsite with the architect and their team of engineers. UCIP approved the entire base bid contract amount of \$538,536.20 with provisions for evaluating the cost of any additional, unforeseen damages that may be discovered during the remediation process. After process review and recommendation by legal counsel, the Library Board approved the agreement and recommended ratification.

Commissioner Jenkins moved to ratify the form of Agreement by/between Weber County/Library and Jardine Malaska Construction Services for earthquake damage remediation; Commissioner Froerer seconded.

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

7. CONTRACT WITH J BRAD BARTO CONSTRUCTION INC. FOR WILDWOOD BRIDGE RECONSTRUCTION

Ashley Thoman, of County Engineering, stated that this contract was for some work on the Wildwood bridge—the wood deck was failing. J Brad Barto put forth two proposals (for concrete and wood) and the county decided on concrete deck replacement. Commissioner Jenkins stated that it had been difficult to get a contractor for this item; the only bids received were for total bridge replacement. A County Commission many decades ago signed on a plan that the county would take some responsibility for bridge maintenance, not replacement.

Commissioner Jenkins moved to approve the contract with J Brad Barto Construction Inc. for the Wildwood bridge deck reconstruction; Commissioner Froerer seconded, making clear that this was an issue resulting from a past Commission decision which he normally would be opposed to—the bridge is for a private development off of a public road but an agreement that was signed many decades ago obligated the county. He further wanted it clarified that once this work is completed, that the county has no further obligation for any related improvements. Christopher Crockett, Deputy County Attorney, stated that the intent was to confirm that this item was to be completely in private hands and his office is working to ensure that there are no further legal obligations. Commissioners Jenkins and Froerer stated that this absolutely needed to be the case, that the county had fulfilled its responsibility, that this needed to be confirmed prior to authorizing construction, and if needed, that the residents of that development should sign a document that the county had no further obligation. The commissioners reiterated that if it wasn’t for what was written on the plans, the county would not be involved.

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

H. STALL OF FAME - CLERK/AUDITOR’S OFFICE

Ricky Hatch, County Clerk/Auditor, introduced Roger Brunker as the Stall of Fame recipient for the month stating that he knew of no other county employee who benefitted more departments and individuals at Weber County. Mr. Brunker has diverse expertise and contributes significantly to most county offices. Mr. Hatch stated that Mr. Brunker’s attitude was fun, very personable, with an overriding service quality, and was not above doing any task. The commissioners thanked Mr. Brunker for his excellent work and willingness to help where needed. Mr. Brunker expressed appreciation and said that he had enjoyed all 37 years with the county.

I. COMMISSIONER COMMENTS: Commissioner Froerer referred to the much needed snow for skiing and water and jokingly said that Chair Harvey, as new Commission chair, should take on the responsibility to do the snow dance.

J. ADJOURN

Commissioner Jenkins moved to adjourn 10:43 a.m.; Commissioner Froerer seconded.

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

Attest:

James H. Harvey, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor