

MINUTES
WEBER COUNTY COMMISSION

Tuesday, February 2, 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; Bryan Baron, Deputy County Attorney; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

A. WELCOME - Chair Harvey

B. PLEDGE OF ALLEGIANCE - Todd Ferrario

C. INVOCATION - Bryan Baron

D. THOUGHT OF THE DAY - Chair Harvey

E. PUBLIC COMMENTS: None.

F. CONSENT ITEMS:

1. Warrants #3488-3508 and #456396-456542 in the amount of \$532,918.54
2. Purchase orders in the amount of \$1,368,978.98
3. Minutes for the meeting held on January 26, 2021
4. New business licenses
5. New beer licenses
6. Severance Agreement with Paige Toll
7. Amendment to the contract with the State of Utah, Division of Wildlife Resources, to increase the amount of Division of Natural Resources grant and to extend usage to twenty-seven years
8. Amendment to the contract with Ogden-Weber Convention Visitors Bureau for the 2021 calendar year compensation amount

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 MEMBERS TO THE TOURISM TAX ADVISORY BOARD – RESOLUTION 8-2021

Jennifer Graham, of County Culture, Parks & Recreation, presented these appointments stating that each is a voting member.

Commissioner Jenkins moved to adopt Resolution 8-2021 reappointing Dakota Hyde and Sara Toliver, and appointing Jennifer Graham and Karen Higgs to the Tourism Tax Advisory Board, each through 12/31/2023; Commissioner Froerer seconded.

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

2. AGREEMENT WITH SHAWN SMITH TO PROVIDE INDIGENT DEFENSE SERVICES AT THE DISTRICT COURT

Bryan Baron, Deputy County Attorney, stated that Mr. Smith has had ½ of a public defender contract and this is for the half of another attorney who has given up his contract.

Commissioner Jenkins moved to approve the agreement with Shawn Smith to provide indigent defense services at the District Court; Commissioner Froerer seconded.

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

3. SPONSORSHIP AGREEMENT WITH HOYT ARCHERY, INC., FOR EXCLUSIVE NAMING RIGHTS TO ARCHERY PARK'S OUTDOOR RANGE

Todd Ferrario, County Ice Sheet and Parks & Recreation Division Director, stated that this item is for a \$17,500/year sponsorship (\$5,000/year) with an additional \$2,500 in cash for the first year for some of the projects going on at the Park. He said that this company takes dollars off of our budget through value in kind.

Commissioner Froerer moved to approve the Sponsorship Agreement with Hoyt Archery, Inc., for exclusive naming rights to the Archery Park's outdoor range; Commissioner Jenkins seconded.

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

4. SPONSORSHIP AGREEMENT TO HAVE EASTON AND DELTA/MCKENZIE LOGOS ON THE NORTH END OF THE ARCHERY BUILDING

Todd Ferrario, County Ice Sheet and Parks & Recreation Division Director, stated that the sponsorship is for \$5,000/year for three years. This company takes dollars off of our budget through the value in kind. Commissioner Froerer moved to approve the Sponsorship Agreement to have Easton and Delta/McKenzie logos on the north end of the Archery Building; Commissioner Jenkins seconded. Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

5. INTERLOCAL COOPERATION AGREEMENT BY/AMONG WEBER COUNTY, OGDEN CITY & UTAH TRANSIT AUTHORITY FOR ACQUISITION OF RIGHT-OF-WAYS FOR OGDEN CITY COMMUTER RAIL/BDO STATION – RESOLUTION 9-2021

Brooke Stewart, with County Community Development, stated that in 2018 Ogden City, in cooperation with UTA, submitted an application requesting Corridor Preservation Funds to preserve the needed right-of-way to extend commuter rail north of Ogden. The Weber Area Council of Governments (WACOG) recommended a \$3 million corridor preservation award to acquire right-of-way from the Ogden 23rd Street Hub Station, north to BDO, including purchase of property for the station site at BDO. WACOG's recommendation included the stipulation that once funding was received to construct the project that the \$3 million be reimbursed to the Corridor Preservation Fund. This is addressed in the agreement. The County Commission approved WACOG's recommendation as part of the 2018 project priority list.

An amendment request was submitted in 2019 and WACOG recommended a portion of the \$3 million to be used towards the necessary survey work and documents preparation for the whole length of the corridor from the Hub Station north to the Weber County/Box Elder County boundary. Ms. Stewart said that these funds were programmed for 2021 and that Weber County had been told that the Box Elder portion was about 90% complete with its acquisitions. Once this funding agreement is approved, Weber County's portion of the project can begin promptly. This agreement was adopted by UTA Board of Trustees and Ogden City Council resolutions. Commissioner Jenkins expressed support for the reimbursement requirement. Ms. Stewart addressed Chair Harvey's question stating that the remaining acquisitions between downtown's Union Station and the north border that would eventually connect into Box Elder County included the portion at the BDO Station to the border. She said that there had been discussion about Harrisville, Marriott-Slaterville, and Pleasant View cities preserving some of that right-of-way through their planning practices, but the survey work was not yet complete. Hal Johnson, UTA's manager of project development, was participating via zoom in the event there had been any questions.

Commissioner Jenkins moved to adopt Resolution 9-2021 approving the Interlocal Cooperation Agreement by and among Weber County, Ogden City and the Utah Transit Authority for acquisition of right-of-ways for the Ogden City Commuter Rail/BDO Station; Commissioner Froerer seconded. Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

6. AMENDMENT TO ORDINANCE AMENDING CERTAIN ORDINANCES AND REPEALING ORDINANCE 30-3-11 – ORDINANCE 2021-2

Matthew Wilson, Deputy County Attorney, stated that this was a housekeeping item for conflicting code sections. Section 26-2-1 was adopted in 2004 and at that time Section 30-3-11 should have been repealed. This relates to prohibited swimming, use of canoes, kayaks, etc., in or on Causey Reservoir, unless the person is properly wearing a Coast Guard-approved life jacket or supervised by a certified lifeguard.

Commissioner Froerer moved to adopt Ordinance 2021-2, amendment to an ordinance amending certain ordinances and repealing Ordinance 30-3-11; Commissioner Jenkins seconded. Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

H. COMMISSIONER COMMENTS: None.

I. ADJOURN

Commissioner Froerer moved to adjourn at 10:27 a.m.; Chair Harvey 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