

MINUTES
WEBER COUNTY COMMISSION
Tuesday, February 19, 2019 - 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: Scott K. Jenkins, James "Jim" H. Harvey, and Gage Froerer.

OTHER STAFF PRESENT: Ricky D. Hatch, County Clerk/Auditor; Christopher Crockett, Deputy County Attorney; and Fátima Ferneliuss, of the Clerk/Auditor's Office, who took minutes.

A. WELCOME – Chair Jenkins

B. INVOCATION – Commissioner Harvey

C. PLEDGE OF ALLEGIANCE – Kassi Bybee

D. THOUGHT OF THE DAY – Commissioner Froerer

E. PUBLIC COMMENTS: None.

F. CONSENT ITEMS:

1. Warrants #1699-1707 and #436594-436970 in the amount of \$1,090,460.90.
2. Purchase orders in the amount of \$164,842.46.
3. Minutes for the meeting held on February 12, 2019.
4. A new beer license.
5. Surplus office equipment from the Golden Spike Event Center.
6. Request from Clerk/Auditors Office to refund \$1,257.54 in property taxes on parcel 15-005-0098 for 2018 tax relief.
7. Elective Service Benefit Agreement with Terry Thompson.
8. Retirement Agreements with Brian Johanson, Roland Hawkins, and Kathryn Pudlock.

Commissioner Froerer moved to approve consent items F.1-6 and 8 and to move item 7 under the Action Items for discussion; Commissioner Harvey seconded.

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

- F.7 -- Sarah Swan, Human Resources Director, stated that county employees retiring before 2021 are given five years of paid health insurance (as in item F.8) under a program that will be phased out in 2021. The 2014 policy was changed giving only elected officials the option to choose the five years of health insurance or the five-years equivalent cash payout. However, the policy changed on 8/2018 and any elected official elected after 1/1/2019 will not receive the cash payout benefit. Chair Jenkins asked if this could be reversed for the current relevant nine officials and Christopher Crockett, Deputy County Attorney, referred to the policy stating that the Commission can change it at any time for any reason if there is no vested right, and there is no vested right until there is an executed contract. Commissioner Harvey made his decision last August based on his understanding that this was based on a vested right for all nine officials. Questions arose that needed more research.

Commissioner Harvey moved to table this item for further research; Commissioner Froerer seconded stating that he had done some research, and he struggles with this policy, believing that the huge payouts are unfair to county taxpayers, that it was voted for by those who are affected, and that unless it is a proven vested right, a policy change should be done to discontinue the payout and to do so retroactively. Commissioner Harvey concurred believing that the policy was self-serving and robs county taxpayers.

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

G. ACTION ITEMS:

1. **RESOLUTION APPOINTING TRUSTEES TO THE GOVERNING BOARD OF THE LITTLE MOUNTAIN SERVICE AREA – RESOLUTION 9-2019.**

Stacy Skeen, of the Commission Office, noted that vacancies have been difficult to fill and one County Commissioner will be appointed. There are still four remaining vacancies.

Commissioner Froerer moved to adopt Resolution 9-2019 appointing Bryan M. Moss and Scott K. Jenkins (through 12/31/2022) to the Governing Board of the Little Mountain Service Area; Commissioner Harvey seconded.

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

2. **RESOLUTION APPOINTING MEMBERS TO THE OGDEN MUSICAL THEATRE ADVISORY BOARD – RESOLUTION 10-2019.**

Kassi Bybee, Ogden Eccles Conference Center General Manager, presented this item.

Commissioner Harvey moved to adopt Resolution 10-2019 appointing Erin Hartigan and Meghan Stettler and reappointing Ernest Gonzales and Pam Higginson to the Ogden Musical Theatre Advisory Board through 12/31/2022; Commissioner Froerer seconded.

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

3. CONTRACT WITH THE UTAH STATE UNIVERSITY EXTENSION 4H FOR THE STATE 4H SHOW.

Duncan Olsen, GSEC General Manager, presented this contract which expires on 9/26/2020.

Commissioner Froerer moved to approve the contract with the Utah State University Extension 4H for the State 4H Show; Commissioner Harvey seconded.

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

4. INTERLOCAL AGREEMENT WITH RIVERDALE CITY FOR FUNDING THE GSWAC STORMWATER COALITION PROVIDING FOR ORGANIZATION MANAGEMENT AND OTHER PERMIT OBLIGATIONS – RESOLUTION 11-2019.

5. INTERLOCAL AGREEMENT WITH WASHINGTON TERRACE CITY FOR FUNDING THE GSWAC STORMWATER COALITION PROVIDING FOR ORGANIZATION MANAGEMENT AND OTHER PERMIT OBLIGATIONS – RESOLUTION 12-2019.

Blane Frandsen, of County Engineering, presented items 4 and 5 stating that this advisory coalition includes representatives from incorporated MS4 Permit cities, Weber, and Box Elder counties. There will be a total of 19 agreements and results in mutually beneficial and cost effective government to provide for stormwater services in accordance with the Federal Water Pollution Control Act. He addressed Chair Jenkins’ questions stating that the title that includes “obligations required for small municipal separate storm sewer systems” comes from the federal permit language. The agreements call for the county to issue an RFP for the professional manager to work with the coalition (which will cost about \$1,000/month) and there will be a separate contract to engage that consultant. Thus far, the work has been done through a voluntary coalition chair.

Commissioner Harvey moved to adopt Resolution 11-2019 approving the Interlocal Agreement with Riverdale City relating to obligations required for small municipal separate storm sewer systems under UPDES Permit No. UTR090000; Commissioner Froerer seconded.

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

Commissioner Froerer moved to adopt Resolution 12-2019 approving the Interlocal Agreement with Washington Terrace City relating to obligations required for small municipal separate storm sewer systems under UPDES Permit No. UTR090000; Commissioner Harvey seconded.

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

6. REQUEST FOR CONTRACT WITH PERPETUAL STORAGE FOR BACKUP MEDIA STORAGE.

This item was held.

7. AMENDMENT TO ORIGINAL CREDIT AGREEMENT WITH UTAH SMALL BUSINESS LOANS OF UTAH.

Matt Wilson, Deputy County Attorney, stated that there are no substantive changes to the agreement for Weber County. The main reasons for the amendment are to clarify joinder procedures for Class A lenders, which does not apply to Weber County because it is a Class B lender under this agreement, and also to add a chair person to the credit committee. The county’s obligation remains the same (at \$100,000) as approved in January 2018. Commissioner Harvey stated that this is a fantastic program to provide low interest loans for small underfunded/undercapitalized businesses and it helps grow our county, and the underwriting is by Zions Bank. Commissioner Froerer stressed the importance of carefully monitoring these funds. Chair Jenkins would like to place this item on a future agenda to further discuss this concept.

Commissioner Harvey moved to approve the amendment to the original Credit Agreement with the Utah Small Business Loans of Utah; Commissioner Froerer seconded.

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

H. COMMISSIONER COMMENTS: Commissioner Froerer expressed thanks for today’s comments.

I. ADJOURN

Commissioner Froerer moved to adjourn at 10:58 a.m.; Commissioner Harvey seconded.

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

Attest:

Scott K. Jenkins, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor