

MINUTES
WEBER COUNTY COMMISSION
Tuesday, March 10, 2020 - 10:00 a.m.
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: Gage Froerer, "Jim" H. Harvey, 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 Froerer
- B. INVOCATION** - Commissioner Jenkins
- C. PLEDGE OF ALLEGIANCE** - Kristy Bingham
- D. THOUGHT OF THE DAY** - Commissioner Harvey

E. CONSENT ITEMS:

1. Warrants #2495-2523 and #44936-448093 in the amount of \$527,260.22.
2. Purchase orders in the amount \$162,527.58.
3. Minutes for the meetings held on February 25 and March 3, 2020.
4. ACH payment to US Bank in the amount of \$170,135.68.
5. Business licenses.
6. Contract with SelectHealth for 2020 Select Value Traditional Insurance Plan.
7. Contract with SelectHealth for 2020 Select Value HDHP Insurance Plan.
8. Contract with SelectHealth for 2020 Select Med Traditional Insurance Plan.
9. Contract with SelectHealth for 2020 Select Med HDHP Insurance Plan.
10. Severance Agreement with Sharlott Sutherland.

Commissioner Jenkins moved to approve the consent items; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Jenkins – aye; Chair Froerer – aye

F. ACTION ITEMS:

1. **LEASE AGREEMENT BY/BETWEEN THE WEBER COUNTY LIBRARY BOARD OF TRUSTEES & THE WEBER COUNTY LIBRARY DEVELOPMENT FUND FOR LEASE OF PROPERTY AT THE OGDEN VALLEY BRANCH.**
2. **LEASE AGREEMENT BY/BETWEEN THE WEBER COUNTY LIBRARY BOARD OF TRUSTEES AND THE WEBER COUNTY LIBRARY DEVELOPMENT FUND FOR LEASE OF PROPERTY AT THE PLEASANT VALLEY BRANCH.**

Chair Froerer recognized the Library Board members present. Lynnda Wangsgard, County Library Director, presented these two related items. This Development Fund was established in 1976 as a 501(c)(3) corporation to promote, develop, and expand the Weber County Library and its educational, scientific, and charitable objectives. The Fund may receive, hold, own, manage, use, purchase, pledge and dispose of property of all kinds for the Library's benefit. During 2007, Doug and Elaine Stephens donated property to this Fund to provide a building site for the Pleasant Valley Branch Library and Washington Terrace City provided an easement on city-owned property for expansion of green space and parking. In 2013 a small piece of property (not large enough for a home) on the west side of the Ogden Valley Branch was put on the market and county officials did not want the Library Board to purchase it using fund balance savings or available capital funding. To secure the future of that property to provide enhanced services for the Ogden Valley Branch, the lot was purchased through the Fund. This Branch's waste water disposal system was recently located on this lot as well as the outdoor education center. It recently came to their attention, that because the county's liability insurance is procured through the Utah County Insurance Pool (UCIP), that UCIP may not honor a claim if the property is titled in the Fund's name, a not for profit corporation. Marsha Harris, Library Development Fund Chair, had approached the Library Board with a proposal to offer a 50-year lease at \$1/year for each property to resolve that issue. The Library Board voted to approve this at its public meeting on February 4. Utah law includes granting the library board of directors, with the approval of the county executive, and in accordance with county ordinances and policies, responsibility for the expenditure of the library fund, construction, lease, or sale of library buildings and land, and the operation and care of the library. She outlined the county's ordinance which also grants certain related responsibilities to the Library Board of Directors for the benefit of the library. Ms. Wangsgard requested approval of the two agreements on behalf of the Development Fund. Commissioner Jenkins does not feel that this is wrong or a huge mistake but would handle it differently because he believes that the county should have possession of the deed, rather than the Library Development Fund. Chair Froerer said that a detailed discussion on this occurred on 2/24 at the Commission's work session, and that he is comfortable with it. Commissioner Harvey, sits on the Library Board and supports this 100%. He has the utmost confidence that the board members are not self-serving, that they have the Library's best interest at heart, and that it represents good government and efficiency. He appreciates their efforts to positively perpetuate the libraries.

Chair Froerer reiterated that this is a matter of resolving the liability issue and making sure there is coverage under UCIP and Ms. Wangsgard concurred that liability is the major concern.

Commissioner Harvey moved to approve the lease agreement by/between the Weber County Library Board of Trustees and the Weber County Library Development Fund for lease of property at the Ogden Valley Branch; Chair Froerer seconded.

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

Commissioner Harvey moved to approve the lease agreement by/between the Weber County Library Board of Trustees and the Weber County Library Development Fund for lease of property at the Pleasant Valley Branch; Chair Froerer seconded.

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

3. CONTRACT WITH NORTH OGDEN CITY FOR THE PURCHASE OF A RIGHT-OF-WAY THAT WILL FACILITATE ADA SIDEWALK ACCESS AT STREET CROSSING.

Bryan Baron, Deputy County Attorney, stated that North Ogden is working to expand 2600 North east of Washington Blvd. The City is currently trying to acquire the rights to the land along 2600 North. The North Library Branch sits on 2600 N. and some of the county's property will be needed for that expansion project. North Ogden made an offer of \$3,365 to the Library Board for 214 square feet of the far northwest corner of the property, but the Library Board felt it was a low offer. However, the City is offering an incentive of \$3,000, if this contract is signed and returned today, which Mr. Baron feels is more than the property is worth. The Library Board agreed. The City approved this last week.

Commissioner Jenkins moved to approve the contract with North Ogden City for the purchase of a right-of-way for \$6,365 to facilitate ADA sidewalk access at a street crossing; Commissioner Harvey seconded. Commissioner Harvey – aye; Commissioner Jenkins – aye; Chair Froerer – aye

4. CONTRACT WITH DAVIS COUNTY FOR TEMPORARY CORRECTIONAL FACILITY NURSING SERVICES.

County Sheriff Chief Aaron Perry stated that currently the Weber County Jail is experiencing a shortage of nurses. This contract allows Davis County jail nurses that perform similar services to pickup shifts temporarily at Weber County's jail. The initial term is for 30 days but can be extended 30 days at a time as needed. He addressed Chair Froerer's question stating that there are currently six vacancies out of fourteen nurse positions, that they are in the process of hiring one, that there are three more in the interview process, and other steps are also being taken to handle the issue, but this would just give an extra option if needed.

Commissioner Jenkins moved to approve the contract with Davis County for temporary correctional facility nursing services; Commissioner Harvey seconded.

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

G. PUBLIC COMMENTS: Ralph Price, of Ogden, agrees with Commissioner Jenkins on the Development Fund contracts. He would like to see more diversity in the Library Board with people of color and ethnicity but it has nothing to do with the current board or the Library Director, who do great work. Ms. Wangsgard, County Library Director, will reach out to him. Commissioner Harvey pointed out that there is diversity—there is a German, a Scott, an Italian, and a man from France, among others who serve on the Board. The avenue is always open for applications.

H. COMMISSIONER COMMENTS: Commissioner Jenkins expressed appreciation to his fellow commissioners noting that, like today, they do not always agree but respect each others' decisions.

I. CLOSED MEETING TO DISCUSS STRATEGY RELATING TO PENDING OR REASONABLY IMMINENT LITIGATION.

Commissioner Jenkins moved to convene a closed meeting to discuss strategy relating to pending or reasonably imminent litigation; Commissioner Harvey seconded.

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

Commissioner Jenkins moved to reconvene the public meeting; Commissioner Harvey seconded.

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

No action was taken on the closed meeting.

J. ADJOURN

Commissioner Jenkins moved to adjourn at 11:59 a.m.; Commissioner Harvey seconded.

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

Attest:

Gage Froerer, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor