

**MINUTES
WEBER COUNTY COMMISSION**

Tuesday, March 12, 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: Christopher Crockett, Deputy County Attorney; Lynn Taylor, of the Clerk/Auditor's Office; and Fátima Ferneliuss, of the Clerk/Auditor's Office, who took minutes.

- A. WELCOME** – Chair Jenkins
- B. MOMENT OF SILENCE**
- C. PLEDGE OF ALLEGIANCE** – Shelly Halacy
- D. THOUGHT OF THE DAY** – Commissioner Harvey

E. PUBLIC COMMENTS:

--Kerry Wayne, of Marriott-Slaterville City, had expressed concerns in the last Commission meeting regarding the large cash payouts for elected officials. Today he said that item H.3 was merely theatrics because former commissioner Ebert and Sheriff Thompson had already been paid. In 20 years of doing contracts he never saw a payout prior to its approval. He is extremely frustrated with the irresponsible misuse of county tax dollars, noting that many county citizens are on fixed incomes, etc., including his next door neighbor, a cancer survivor, whose husband died from cancer. They spent their life savings trying to save him, and she is no longer in remission and is faced with a tremendous financial burden. He said that the county passed a 22% property tax increase, and his neighbor could have used that money for treatments. He asked for elimination of that policy.

--Tom Hansen, Washington Terrace City Manager, on behalf of the mayor/city council expressed appreciation for the RAMP Committee's great volunteer efforts to make such a successful and significant difference in our county.

--Sylvia Salisbury, of Ogden, thanked the Commission for helping in her long quest to have the Pledge of Allegiance be offered with more meaning.

--Phil Swanson, on behalf of North Ogden City, thanked the RAMP committees for the great work they do. He has seen first-hand the many, many hours they put in. He appreciates the retirement program correction efforts.

--Toby Mileski, of Pleasant View City, agrees with the RAMP comments. He noted that the Elective Service agreements on the agenda today are "to approve" but since the checks have already been sent without the approval of the Commission, and this is close to a \$100,000 mistake, if there would be a job loss, as in other industries.

--Lori Brinkerhoff, of Hooper, reported on the Fremont DECA team that made a financial request and the commissioners personally supported them, and they wanted to express thanks to the commissioners. She expressed concern with item H.3--the lack of ethics crafted by a previous Commission and appreciates this Commission's efforts to reverse that bad policy.

F. PRESENTATIONS:

1. PRESENTATION FROM UTAH DIVISION OF WILDLIFE RESOURCES OF PAYMENT IN LIEU OF TAXES CHECK.

Justin Dolling, Northern Region Supervisor, presented a check for \$9,124.35 for the 2018 tax year for the 18+ acres in Weber County that the Division manages. Commissioner Froerer asked for the Division to do what it can to avoid impact to private property because due to the heavy snow year there is an overabundance of wild turkeys in Ogden Valley. Mr. Dolling, said that they moved about 700 turkeys this winter out of the region and will recommend having unlimited over-the-counter turkey permits on private lands.

2. RECOGNITION OF WEBER COUNTY ELECTION'S OFFICE.

This item will be held next week.

G. CONSENT ITEMS:

- 1. Ratify warrants #1718-1719 and #437216-437369 in the amount of \$1,302,219.86 dated March 5, 2019.
- 2. Warrants #1720-1723 and #437370-437571 in the amount of \$1,456,809.72.
- 3. Ratify purchase orders in the amount of \$45,302.09 dated March 5, 2019.
- 4. Purchase orders in the amount of \$132,548.05.
- 5. ACH payment to US Bank for \$140,776.80 for purchasing card transactions through February 25, 2019.
- 6. Minutes for the meeting held on February 26, 2019.
- 7. Surplus a fridge from the Weber County Sheriff's Office.
- 8. Surplus radios from the Weber County Sheriff's Office.
- 9. Surplus office equipment and furniture from the Weber County Information Technology Department.
- 10. Surplus office furniture and equipment from the Weber County Election's Department.
- 11. Surplus office furniture from the Weber County Clerk/Auditor's Office.
- 12. New business licenses.
- 13. Retirement agreements with Ryan Read, Thomas Rich, and David Anderson.

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

H. ACTION ITEMS:

1. WEBER COUNTY RECREATION, ARTS, MUSEUMS AND PARKS (RAMP) BOARD REQUEST TO APPROVE GRANT FUNDING RECOMMENDATIONS.

Danette Pulley, RAMP Chair, expressed thanks for the opportunity to serve and introduced the board members present. She outlined the application and allocation processes and 2019 awards. She spoke of the collaborative efforts between the county, non-profits, cities, citizens, and in-kind from private entities. The RAMP board dedicates countless hours and reviews grants line by line so that there is a comprehensive, fair and transparent process in how they are scored and recommendations are made. The average county family invests \$12/year in RAMP, which generates around \$3 million/year. For 2019, there was \$3.9 million collected and with the added previous year's unused funds the total was \$4.4 million. A tremendous amount of this tax is funded by visitors. The board implemented stricter audit/reporting requirements and are holding entities accountable for reporting of the funds. The commissioners expressed great appreciation for their tremendous volunteer work. Commissioner Froerer moved to approve the request from the Weber County Recreation, Arts, Museums and Parks Board to approve the 2019 grant funding recommendations; Commissioner Harvey seconded. Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

2. POLICY 4-300, INSURANCE AND RETIREMENT BENEFITS.

Christopher Crockett, Deputy County Attorney, noted that the Human Resources Director could not be present and he was presenting the modification that relates specifically to post retirement insurance incentives for elected officials. In researching this issue, he found that the creation of the county's retirement incentive policy was first passed in 2007, which stated that it was enacted to facilitate retirement of employees who desired to retire when they were eligible to do so under the State retirement system and who might choose not to retire because of the loss of health/dental insurance coverage. It was applicable only to employees who were hired prior to 1/1/2008, had at least 20 years of State qualified service, and those who retired prior to the age of 60 would continue on the county's health insurance program. Those retiring after 60 but before 65 would continue receiving health insurance coverage until 65 and the premiums for the remaining number of years in that 5-year allotment would be put into a health reimbursement account for qualified expenses. If retiring after 65 they would receive five years of premiums in that reimbursement account. Another provision in the 2007 policy related to elected officials, who in order to be eligible under that program, had to have served eight years and completed their term in good standing to receive five years of health insurance. That policy was modified in 2014: 1) the elected official requirement to serve 8 years was reduced to 4 years and 2) an option was added for them as an alternative to have those premiums placed in a medical reimbursement account to instead receive a cash equivalent payout for the 5 years of health insurance premiums. During the 2017 budget process, the same year the property tax increase was being discussed, and in an effort to reduce the percentage of the property tax increase, the policy was modified so that the benefit that was available to all employees would be phased out beginning in 12/31/2021 and was scheduled to be completely eliminated by 12/31/2026. In researching this, it was discovered that modification only related to the general employees, with no change to the elected official provision. On 8/2018 the policy was modified to phase out the elected official provision benefit to follow the same schedule to start in 2021 and eliminated by 2026, however, the option to receive the cash payout in lieu of the medical expense reimbursement account remained. The new language states that the same benefits and eligibility rules offered to county employees in general will apply to all elected officials.

Chair Jenkins asked that the former policy be read under, "Retirement Contract and Vesting," which states that it may be changed anytime for any reason by the Commission, however, every eligible county retiree who qualifies to retire in accordance with this policy, shall enter into an agreement with the county defining both parties' obligations upon final execution of that contract, and the benefits described in the contract shall be deemed to be vested. He said that the county had the responsibility to send out the contract and had a policy to send the contract with the check. Mr. Crockett said that the retiree could send the check back and not sign the contract or sign it and keep the check and this would fulfill the policy language that they accepted the contract. The policy states that an elected official is qualified to receive that benefit if they leave office in good standing. The courts have interpreted on general principles of contract law and the county's retirement benefit constitutes an offer, and with the additional language to either retire or leave office in good standing, it is the County Attorney's Office conclusion that there is a legally vested interest by fulfilling the terms of office. Chair Jenkins said that today's policy eliminates this issue from here forward. Mr. Crockett could not gather from the minutes the specific intent to reduce the term limit or the option to receive the cash payment. This amendment puts the elected officials back on the same level with the general employees. Paige Greenhalgh, of County Human Resources, stated that the practice to send out checks without Commission approval has already stopped. Commissioner Harvey stated that it had been a bad policy, the cash payout was wrong as was the differentiating between elected officials and county employees because we all work for Weber County; we just have different jobs.

Commissioner Harvey moved to approve Policy 4-300 Insurance and Retirement Benefits; Commissioner Froerer seconded.

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

3. ELECTIVE SERVICE BENEFIT AGREEMENTS WITH TERRY THOMPSON AND CHARLES EBERT

Chair Jenkins noted that these two former elected officials had received the checks, signed the contracts and returned them to the county. Christopher Crockett, Deputy County Attorney, addressed Commissioner Froerer's question stating that if the commissioners did not vote in favor of this item there would be a legal cause of action by these individuals against the county in court to enforce their rights under the current policy, and in his opinion there was a high probability they would succeed. The commissioners expressed their strong objections in having to approve this reprehensible policy that was approved by the 2014 Commission.

Commissioner Harvey moved to approve, under protest, the Elective Service Benefit Agreements with Terry Thompson and Charles James Ebert. Commissioner Froerer seconded. Commissioner Harvey – aye; Commissioner Froerer – abstained; Chair Jenkins – nay. Commissioner Harvey retracted his motion. The commissioners returned to this item at the completion of the other agenda items as follows below.

Christopher Crockett, Deputy County Attorney, cited the rules of procedure on recusal/conflict of interest. He noted that the commissioners had the right to meet in a closed meeting under the provision of pending/imminent litigation. They wished to continue in the open meeting. Mr. Crockett's legal opinion was that under the policy there was the option to receive a cash payout, and after analyzing case law according to principles of contract, that policy constituted an offer. That offer was accepted upon these two elected officials leaving office in good standing. In his opinion, that created legally vested rights and they were entitled to that benefit under the policy. Commissioner Froerer had been told that the checks were cashed before he took office and Mr. Crockett said that at this point it would take some legal action by the Commission to attempt to recoup those funds. Paige Greenhalgh, of Human Resources, responded to Chair Jenkins' question that they probably were paid on February 1. He stated that yesterday the elected officials were notified that they were likely to do away with the policy. Commissioner Froerer is going to ensure that County Human Resources never puts this or future commissions in the position of approving something after the fact, and that there be some accountability.

Commissioner Froerer strongly stated his disdain and made his motion under protest to approve the Elective Service Benefit Agreements with Terry Thompson and Charles James Ebert, with the understanding that it was only because there appeared to be no possible way that the county could re-collect that money and was making it in the best interest of the county citizens to possibly avoid litigation, and more importantly, today they eliminated this bad policy. Commissioner Harvey agreed with those comments stating that this had been a self-serving bad policy, and he was glad it was hereby being eliminated. His concern was with the strong possibility of losing the case and expending county dollars.

Chair Jenkins – seconded.

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

4. RESOLUTION APPOINTING MEMBERS TO THE OGDEN VALLEY PARK DISTRICT – RESOLUTION 14-2019.

Stacy Skeen, of the Commission Office, noted that the Commission needed to appoint two members and that noticing had been done according to State statute. Seven applications were received.

Commissioner Harvey moved to adopt Resolution 14-2019 reappointing Brent J. Christensen and Michael D. Rhodes to the Ogden Valley Park District through 12/31/2022; Commissioner Froerer seconded.

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

**5. INTERLOCAL AGREEMENTS WITH THE FOLLOWING ENTITIES TO FUND THE GOLDEN SPIKE STORM WATER COALITION & PROVIDING FUNDS FOR HIRING A PROFESSIONAL MANAGER FOR THE COALITION:
FARR WEST CITY – RESOLUTION 15-2019 PLEASANT VIEW CITY – RESOLUTION 17-2019
PLAIN CITY – RESOLUTION 16-2019 WEST HAVEN CITY – RESOLUTION 18-2019**

Blane Frandsen, of County Engineering, stated that these are MS4 (multiple stormwater sewer system) classified cities. The permits allow the cities and county to discharge stormwater into the natural waters of the State. The agreements provide funding to hire a professional manager for the Coalition.

Commissioner Harvey moved to adopt Resolutions 15-2019 through 18-2019 approving the Interlocal Agreements with Farr West City, Plain City, Pleasant View City and West Haven City, respectively, to fund the Golden Spike Storm Water Coalition and provides funds for hiring a professional manager for the Coalition; Commissioner Froerer seconded.

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

6. AMENDMENT TO AN INTERLOCAL AGREEMENT WITH SOUTH OGDEN CITY REGARDING THE SOUTH OGDEN AUTOMALL COMMUNITY REINVESTMENT PROJECT AREA.

Holin Wilbanks, of County Economic Development, noted that the county entered into an agreement with South Ogden City in 2017. A typographical error was recently discovered in that contract for the effective date and this is to make that correction with the intended dates of 2019-2030. Matt Dixon, of South Ogden, was present and available for questions.

Commissioner Froerer moved to approve the amendment to an Interlocal Agreement with South Ogden City regarding the South Ogden Automall Community Reinvestment Project Area; Commissioner Harvey seconded. Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

7. FIRST READING ORDINANCE GOVERNING THE USE OF FEES OBTAINED FROM THE RECREATIONAL AREAS OF PINEVIEW RESERVOIR AND CAUSEY RESERVOIR.

Holin Wilbanks, of County Economic Development, said that the county set up a restricted account and funds received by Weber County from the recreational areas of Pineview Reservoir and Causey Reservoir will only be used to make improvements to those areas for the benefit of the general public.

Commissioner Froerer moved to approve the first reading of the ordinance governing the use of fees obtained from the recreational areas of Pineview Reservoir and Causey Reservoir; Commissioner Harvey seconded.

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

8. CONTRACT WITH PACIFIC MOBILE DIAGNOSTICS TO PROVIDE X-RAY, ULTRASOUND, EKG AND ECHOCARDIOGRAM SERVICES TO INMATES HOUSED AT THE WEBER COUNTY JAIL.

Aaron Perry, of the County Sheriff's Office, noted that the county contracts with a third party provider to provide mobile diagnostics services for the Jail inmates at a significant cost savings to the alternative of having to transport to a hospital for some of those services. The previous provider discontinued services in Utah. An RFP was issued. Pacific Mobile Diagnostics came in at a lower price. The cost is on a per service basis.

Commissioner Harvey moved to approve the contract with Pacific Mobile Diagnostics to provide x-ray, ultrasound, EKG and echocardiogram services to inmates at the County Jail; Commissioner Froerer seconded.

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

9. LAW ENFORCEMENT AGREEMENT WITH THE USDA FOREST SERVICE MODIFYING THE FY2019 OPERATING PLAN AND FINANCIAL PLAN.

Brandon Roundy, of the County Sheriff's Office, presented this contract renewal to fund 2019 patrolling by the Sheriff's Office in the USDA forest areas. It allows \$48,000 in total funding reimbursement to the county.

Commissioner Froerer moved to approve the Law Enforcement Agreement with the USDA Forest Service modifying the FY2019 Operating Plan and Financial Plan; Commissioner Harvey seconded.

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

10. CONTRACT WITH YESCO, LLC, FOR DESIGN, FABRICATION AND SIGN INSTALLATION SERVICES.

Scott Mendoza, County Community Development, stated that these services are for a multi-tenant business sign (one for the County Sheriff, one for the State's Weber Valley Detention Center, and one for Weber County, which owns a vacant 5-acre parcel there) on county-owned property at 709 - 12th Street for a total of \$53,000. The State, the Sheriff, and county will share in the costs.

Commissioner Froerer moved to approve the contract with YESCO, LLC, for design, fabrication and sign installation services on west 12th Street; Commissioner Harvey seconded.

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

11. RESOLUTION APPROVING AN INTERLOCAL COOPERATIVE AGREEMENT WITH THE UTAH DEPARTMENT OF HUMAN SERVICES, DIVISION OF JUVENILE JUSTICE SERVICES (DJJS), REGARDING THE CONSTRUCTION OF A SIGN NEAR THE INTERSECTION OF DEPOT DRIVE AND 12TH STREET IN OGDEN – RESOLUTION 19-2019.

See above item. Scott Mendoza, County Community Development, stated that the DJJS currently operates the Weber Valley Detention Center on Depot Drive. In this contract the State agrees to contribute \$18,875 towards that sign, to maintain their own tenant space in the event letters fade, sign materials crack, etc., and to participate in major repairs up to a third of that cost. The county agrees to provide routine sign maintenance and guarantees that the State will always have access to the sign, even if the county sells its piece of property. The Sheriff's Office agrees to pay \$17,065. He addressed the commissioners' questions stating that the small sliver of property on the southeast corner of that intersection is a detention pond and the sign could not be located there and that the county is considering doing an amendment on lot 1, near where the sign is to be located so it can convey or dedicate land to UDOT for road purposes, but in the meantime it is considering showing on the dedication plat an access easement for others within that subdivision or to execute a separate easement. Commissioner Froerer recommended doing the amendment up front to avoid future problems.

Commissioner Harvey moved to adopt Resolutions 19-2019 approving an Interlocal Cooperative Agreement with the Utah Department of Human Services, Division of Juvenile Justice Services, regarding the construction of a sign near the intersection of Depot Drive and 12th Street in Ogden; Commissioner Froerer seconded.

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

12. CONTRACT WITH ALTA JANITORIAL SERVICES FOR JANITORIAL SERVICES IN THE WEBER CENTER, PROPERTY MANAGEMENT OFFICE AND UTAH STATE UNIVERSITY EXTENSION BUILDING.

Bryce Taylor, of County Property Management, noted that an RFP was issued and Alta was selected.

Commissioner Harvey moved to approve the contract with Alta Janitorial Services for janitorial services in the Weber Center, Property Management Office and the Utah State University Extension Building; Commissioner Froerer seconded.

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

13. LOCAL TRANSPORTATION FUNDING AGREEMENT WITH NORTH OGDEN CITY FOR THE 400/450 EAST PROJECT.

Brooke Stewart, with County Community Development, stated that in 2014 North Ogden City applied for local transportation funds for corridor preservation along 450 E. from 2650 North to 3300 North. They were awarded \$596,160 as part of the priority list approved by the Commission in 2014. At that time the City had applied for two projects and had received some funding for the second project (a portion of the Skyline Drive). The City then decided to focus on their priority project of 450 East and requested WACOG to transfer funds from the Skyline Drive project to the 400/450 East project. WACOG has enacted a policy not to transfer funds between projects. The mayor withdrew that request and reapplied in 2015 for additional funding and WACOG and the Commission approved an additional \$2,250,000, which is addressed in this agreement that establishes the terms related to the total funding of \$2,846,160 to preserve the 400/450 E. corridor.

Commissioner Froerer moved to approve the Local Transportation Funding Agreement with North Ogden City for the 400/450 East Project; Commissioner Harvey seconded.

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

14. CONTRACT WITH MYRTLE KNIGHT FOR THE PURCHASE OF PROPERTY FOR THE 12TH STREET PROJECT.

Gary Myers, of County Engineering, stated that this is one of the last few remaining properties that the county needed to acquire for the 12th Street road construction project.

Commissioner Froerer moved to approve the contract with Myrtle Knight for the purchase of property for the 12th Street project; Commissioner Harvey seconded.

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

15. CHANGE ORDER #2 TO THE CONTRACT WITH BH INC. ADDRESSING NEW ISSUES ENCOUNTERED IN THE FIELD AND CHANGES REQUESTED BY RESIDENTS AND IRRIGATION USERS.

(See 8/21/2018 minutes, Contract with BH, Inc. to pipe existing drainage ditches along 12th Street from Weber River to 7900 W. that includes replacing the West Warren water line with same project limits.) Gary Myers, of County Engineering, stated that this change order incorporates Change Order #1, which did not come before the Commission because it was directed entirely at West Warren Water, which they bore the costs. As small items were encountered, rather than bringing each to the Commission, they were all incorporated into one.

Commissioner Harvey moved to approve the Change Order #2 to the contract with BH Inc. addressing new issues encountered in the field and changes requested by residents and irrigation users; Commissioner Froerer seconded.

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

I. PUBLIC HEARINGS:

1.

Commissioner Froerer moved to adjourn the public meeting and convene the public hearings; Commissioner Harvey seconded.

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

2. PUBLIC HEARING REGARDING A PROPOSED ORDINANCE TO AMEND 106-2-4 OF THE WEBER COUNTY CODE TO ALLOW LOT AVERAGING TO OCCUR IN THE A-3 ZONE AND TO OFFER CLARIFYING PROCEDURAL AND ADMINISTRATIVE REQUIREMENTS FOR LOT AVERAGING IN ALL APPLICABLE ZONES.

Charles Ewert, of the County Planning Division, gave an overhead presentation stating that currently there is a Subdivision Code provision that allows for lot averaging only in the A-1 and A-2 Zones in Western Weber County. A petitioner with property in the A-3 Zone would like the opportunity for a lot averaged subdivision there. Under lot averaging, the A-1 and A-2 Zones allow those lots to be reduced to 20,000 square feet (sq. ft.) and the width to be reduced to 80 ft. In A-1 and A-2 the acreage is typically 40,000 sq. ft. and 150 ft. width. In the A-3 Zone, the acreage is typically 2 acres for single family residences and the required width remains the same. The West Central Weber County General Plan talks about various lot sizes that allow for preservation of open space. The Western Weber Planning Commission discussed whether this preserves open space the way that the General Plan asks. Mr. Ewert noted, however, that it provides another tool that essentially will allow for clustering of lots in a tighter area, if the developer chooses to do so with a few lots that could be larger, and the bigger acreage could be perceived as essentially holding aside a bit more open space.

The original request before the Planning Commission was to allow lots as small as 20,000 sq. ft. with 80 ft. lot widths but the Commission asked that this be changed in the A-3 Zone to no less than 1 acre with 150 ft. width. Although the petitioner would prefer 20,000 sq. ft. and 80 ft. width, he had told Mr. Ewert that he would accept it. Commissioner Froerer supports clustering, lot averaging, open space and affordable housing and agreed with Chair Jenkins on allowing some flexibility. He spoke of the need to change land policy as we move forward as the methods of the past are unsustainable. He noted that staff has asked for a couple of additions to this code to provide more clarity in approving these in the future whether in the A-1, A-2 or A-3—not allowing re-dividing lots in order to not throw off lot averaging overtime, that notes to be placed on the plats, and that developers provide tabulations that get recorded on plats showing how each of these lots were originally setup

to prevent lots from accidentally being re-divided and the density increased. Staff recommended approving the changes. Chair Jenkins expressed concern with 150 ft. frontage for corner lots because it does not allow them to square up and the subdivision to look more uniform. He preferred that they be allowed to average corner lots to 100/120 sq. ft. so that the corner looks more appropriate. Commissioner Froerer suggested a minimum of 120 ft. or even 100 ft. frontage but allowing staff in the final plat to allocate that where it makes sense on the subdivision process.

3. **PUBLIC HEARING TO CONSIDER AND TAKE ACTION ON A PROPOSED ORDINANCE, ZTA 2018-08, A REQUEST TO CREATE ARCHITECTURE, LANDSCAPING AND SCREENING STANDARDS FOR THE WESTERN WEBER PLANNING AREA'S NEW COMMERCIAL AREAS AND TO OFFER ADMINISTRATIVE EDITS FOR THESE REGULATIONS FOR THE ENTIRE UNINCORPORATED COUNTY AREA.**

Charles Ewert, of the County Planning Division, gave an overhead presentation of this staff-driven item noting that a few months ago the Commission approved a bit more commercial area in western Weber County. One of his concerns was that the county had no commercial standards that are objective and applicable to the commercial areas out west. The adopted standards for Ogden Valley can easily be applied out west and these proposed standards are applicable to commercial and multifamily uses and include minor modifications for clarity. Both planning commissions recommend the proposal. The Ogden Valley Planning Commission liked the small tweaks to help their version be more easily administered. Some of Western Weber Planning Commission's discussions focused on water conservative landscaping and they were amenable to reducing the amount of live vegetation if people volunteered for xeriscaping. They did not want the standards to apply to manufacturing zones. Both commissions focused on greater pedestrian friendliness to/from commercial areas. Staff notified the West Weber Planning Commission that this is a temporary fix and would like to do a more long-haul solution after visiting the more intimate details of the area communities.

4. **Public Comments:**

--Cindy Harper, of West Warren, has 12 acres and wants 1 acre for each of her three children. They are in the A-3 Zone but 2 acres/child is too much for them to handle. It would be more beneficial to have 1-acre minimum zoning. She responded to the commissioners that the 100 ft. frontage would work out very well for them.

5.

Commissioner Froerer moved to adjourn the public hearings and reconvene the public meeting; Commissioner Harvey seconded.

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

6. **ACTION ON PUBLIC HEARINGS:**

I.2-ORDINANCE AMENDING COUNTY CODE 106-2-4 TO ALLOW LOT AVERAGING IN THE A-3 ZONE & TO OFFER CLARIFYING PROCEDURAL/ADMINISTRATIVE REQUIREMENTS FOR LOT AVERAGING IN ALL APPLICABLE ZONES - ORDINANCE 2019-4.

Commissioner Froerer moved to adopt Ordinance 2019-4 amending the Weber County Land Use Code to allow lot averaging in the A-3 Agricultural Zone with the change allowing frontages to be reduced from 150 to 100 feet; Commissioner Harvey seconded.

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

I.3-ORDINANCE TO CREATE ARCHITECTURE, LANDSCAPING AND SCREENING STANDARDS FOR THE WESTERN WEBER PLANNING AREA'S NEW COMMERCIAL AREAS AND TO OFFER ADMINISTRATIVE EDITS FOR THESE REGULATIONS FOR THE ENTIRE UNINCORPORATED COUNTY AREA – ORDINANCE 2019-5

Commissioner Harvey moved to adopt Ordinance 2019-5 amending the Weber County Land Use Code to extend architectural, landscaping, and screening standards to apply to commercial uses, public and quasi-public uses, and multifamily dwelling uses in western Weber County; Commissioner Froerer seconded.

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

J. **COMMISSIONER COMMENTS:** Chair Jenkins asked Charles Ewert, of the County Planning Division, if the planning commission had a formal opinion regarding whether the county should proceed with amending the Western Weber General Plan in light of the recent incorporation petition for the entire West Weber area. Mr. Ewert responded that only informal discussion occurred with the planning commission regarding holding off for the time being. Christopher Crockett, Deputy County Attorney, responded that the Lt. Governor's Office has 45 days to respond to Western Weber's petition for a feasibility study for incorporation.

K. **ADJOURN**

Commissioner Harvey moved to adjourn at 12:25 p.m.; Commissioner Froerer 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