

MINUTES
WEBER COUNTY COMMISSION MEETING
Tuesday, March 27, 2001 - 2:00 p.m.
Commission Chambers, Weber Center, Ogden, Utah

Each Commission meeting is recorded on audio tape. The tape is available to the public through the County Clerk's Office.

Commissioners Present: Chair Camille T. Cain, Commissioner Glen H. Burton and Commissioner Kenneth A. Bischoff.

Others Present: Linda G. Lunceford, County Clerk/Auditor, David C. Wilson, Deputy County Attorney. Fátima Blackford, Administrative Assistant, Clerk/Auditor's Office, took minutes.

A. Welcome.

B. The Pledge of Allegiance was conducted by Patty Burton.

C. The thought of the day was offered by Commissioner Burton.

D. Consent Items

1. Purchase Orders in the amount of \$171,697.52.
2. Warrants #146786 - #147079 in the amount of \$3,048,628.07.
3. Meeting Minutes, March 20, 2001.

§ Commissioner Bischoff moved to approve the consent items. Commissioner Burton seconded, all voting aye.

E. Non-Action Items

1. None.

F. Action Items

1. **Appointment of Citizen Member to Serve on the Weber County Tax Review Committee**
Douglas Larsen, County Assessor's Office, outlined the purpose and membership composition of the Weber County Tax Review Committee. He stated that it consisted of five voting members, two of which are private citizens. There is an upcoming vacancy due to a term that will expire April 6. Four applications were received from private citizens who were interested in serving the 2-year term. Mr. Larsen addressed the commissioners' questions and they discussed the applications.

§ Commissioner Bischoff moved to appoint Robert DeBoer to the Weber County Tax Review Committee. Commissioner Burton seconded, all voting aye.

2. **Appointment of Member to the Weber County Fair Board**
Cathleen Dressler, Recreational Facilities and Olympic Planning Director, stated that there was a vacancy on the Fair Board under the assignment to the Exhibit Hall during the Fair. The Fair Board submitted three names in the following order: Debbie VanLeuven, Carolyn Bachman and JeNeal Parke. Ms. Dressler pointed out that the Board had unanimously recommended submitting Ms. VanLeuven's name due to her prior involvement with overseeing the Exhibit Hall.

§ Commissioner Burton moved to appoint Debbie VanLeuven to the Weber County Fair Board. Commissioner Bischoff seconded, all voting aye.

3. **Request for Waiver of Taxes Owed on Deleted Land Serial Numbers**

Roger Brunner, County Clerk/Auditor's Office, explained that each year in March the County Treasurer's Office turns over a list to the County Clerk/Auditor's Office of tax properties that have exceeded the redemption period for delinquent tax payment. This list includes land serial numbers that have been deleted by the County Recorder's Office in a previous year after having been combined with another parcel(s). He said that in the year these are deleted, the tax notice is sent to the original owner of record as of January 1 and that since that owner no longer has an interest in the property, the tax notice is often disregarded. No further notification is given on these deleted numbers since they no longer exist on the current tax rolls. The Tax Review Committee determined last year that in this situation it would be in the best interest of the county and the tax payer not to expend the resources to do all the research on the parcels if the general tax was less than \$250.

§ Commissioner Bischoff moved to approve the waiver of taxes owed on deleted land serial numbers. Commissioner Burton seconded, all voting aye.

4. **Request for Extension of Property Taxes by Jodi Green, Land Serial #01-031-0005 (\$5,634.76)**

Roger Brunner, County Clerk/Auditor's Office, stated that Jodi F. Green requested that her property be removed from the 2001 Tax Sale and that she be granted additional time to bring the delinquent tax obligation current. He outlined Ms. Green's dire financial situation and stated that The Tax Review Committee unanimously recommended that the extension be granted. Mr. Brunner added that Ms. Green had already paid \$2,000 of the tax obligation and had another \$1,000 to pay today, and that she had agreed to pay the balance in July.

§ Commissioner Burton moved to approve the extension application on property taxes for Jodi F. Green, land serial number 01-031-0005. Commissioner Bischoff seconded, all voting aye.

5. **Request for Waiver of Penalty & Interest on Property Taxes Regarding Problems Anonymous Action Group, Land Serial #01-013-0033**

Roger Brunner, County Clerk/Auditor's Office, stated that Jimmie Pelton, representing Problems Anonymous Action Group (PAAG) had requested a waiver of the penalty and interest on land serial #01-013-0033 because no notification of delinquent taxes was made to the agency. Mr. Brunner explained that PAAG had acquired this parcel in 1996 and that the 1996 tax notice had been mailed to the original owner and not forwarded to PAAG, and that the taxes had been left unpaid for that year. For subsequent years, PAAG has applied and qualified for tax exempt status, thus no tax notice was generated. The first notification alerting the agency about delinquent taxes was in February 2001, and it informed them that the property was in jeopardy of being on the tax sale. The Tax Review Committee unanimously recommended that the penalty and interest be waived.

§ Commissioner Bischoff moved to approve the waiver of penalty and interest on property taxes regarding Problems Anonymous Action Group, land serial number 01-013-0033. Commissioner Burton seconded, all voting aye.

6. **Request to Approve Implementation of the County Joint Information Center Plan**

Lance Peterson, Emergency Management, outlined the County Joint Information Center (JIC)/Joint Information System (JIS) Plan, which provides a method to help the county public information officers (PIOs) during times of emergency to disseminate critical information to the citizens of Weber County and the methodology whereby cities affected by a disaster/emergency can receive support by the PIOs. The Plan outlines the organizational structure and tasks necessary to accomplish this function. The five key PIOs as Tari Moore, Klint Anderson, Kevin Thompson, Les Townsend and Jeff Malan. The JIC is located at the Weber Center, Room #108.

§ Commissioner Burton moved to approve implementation of the County Joint Information Center (JIC)/Joint Information System (JIS) Plan. Commissioner Bischoff seconded, all voting aye.

7. **An Ordinance Establishing Regulations Governing the Time, Place & Manner of Certain Special Events in the Unincorporated Area of the County**

No one was present to present this item and it was held.

8. **Employment Agreement with Reed Richards to Provide Certain Legal Services for the Weber County Sheriff's Complex, Through the Weber County Attorney's Office - Contract C2001-49**

David Wilson, Deputy County Attorney, stated that this was a temporary employment agreement between Reed M. Richards and Weber County, through the Weber County Attorney's Office, for certain legal services on behalf of the Weber County Sheriff's Office in conjunction with the Sheriff's Office accreditation application process. Mr. Richards will also be given certain responsibilities related to ongoing training of Sheriff's Office personnel as well as training of prospective corrections officers. The term begins February 16, 2001 and continues for a period of six months, unless terminated sooner pursuant to the agreement. Mr. Wilson indicated that this position had been funded during the county's budget process. Mr. Richards is to be compensated at the rate of \$1,615.39/pay period, less appropriate withholding of taxes. Compensation is to be based upon an average 20 hour work week.

§ Commissioner Burton moved to approve Contract C2001-49, Contract Employment Agreement, between Weber County and Reed M. Richards for the provision of certain legal services for the Weber County Sheriff's Complex, through the Weber County Attorney's Office. Commissioner Bischoff seconded, all voting aye.

9. **Information on an Appeal Regarding Conditional Use Permit #06-01**

Kevin Hamilton, County Planning Department, stated that this related to an appeal of a Conditional Use Permit application that had been approved by the West Weber Township Planning Commission. A concern arose because some of the closest adjoining residents were not informed of the meeting or about the proposal, therefore, Mr. Hamilton stated that this item had been placed back on West Weber Township's agenda for the second Tuesday in May 2001. He indicated that the petitioner's representative, Mr. Gorley, was amenable to this action, that the adjoining property owners would be given notice, and that a sign was also available to place on the site regarding this item. Chair Cain asked if the permit could be repealed once it had been granted. David Wilson, Deputy County Attorney, and Craig Barker, County Planning Department Director, expressed their belief that if new information was brought out at the hearing, the Planning Commission could take another action.

10. **Request to Set Second Public Hearing for 2001/02 CDBG Projects on April 10, 2001, 4:30 p.m.**

Dennis Richardson, County Engineering, stated that WACOG had approved county sponsored projects for application for a Community Development Block Grant (CDBG). These are (1) Assistance to low-to-moderate income families to connect to the sanitary sewer that is under construction in the western area of unincorporated Weber County and in West Haven City, and (2) Operation support for the Family Summit Foundation Social Service Program. A CDBG requirement is that a public hearing be held to solicit comments on the projects' scope, implementation and effects on residents.

§ Commissioner Bischoff moved to set April 10, 2001, at 4:30 p.m. for the second public hearing for the 2001/2002 CDBG Projects. Commissioner Burton seconded, all voting aye.

11. **Request to Set Public Hearing on Vacating Old Trappers' Loop Road, May 8, 2001, 4:30 p.m.**

This item was discussed recently at the 3/20/01 Commission meeting. Curtis Christensen, County Engineer, outlined the publication requirements.

§ Commissioner Burton moved to set May 8, 2001, at 4:30 p.m. to hold a public hearing regarding vacating the Old Trappers Loop Road. Commissioner Bischoff seconded, all voting aye.

12. **Request to Set a Public Hearing, May 8, 2001, 2 p.m., Regarding ZP #16-2000 by Staff to Amend County Zoning Ordinance, Chapter 1, Definitions, to Add a Definition for Junk, Inoperable or Abandoned Vehicle**

Kelly Grier, County Planning Department, stated that the votes by each Planning Commission had been quite varied on this item. There were votes to approve, to disapprove as well as to modify the proposed ordinance as follows: East Huntsville, to approve: 6-0; Weber, to approve: 5-0; Warren, to approve: 4-0; West Weber, to disapprove: 3-2; Reese, to modify: 4-1; Nordic/Liberty, to modify: 4-3. Chair Cain asked if the requested modifications had been made and Ms. Grier responded that at this time the modifications were outlined in the memorandum to the commissioners.

§ Commissioner Bischoff moved to set May 8, 2001 at 4:30 p.m. for a public hearing regarding Zoning Petition #16-2000 by staff to amend the Weber County Zoning Ordinance, Chapter 1, Section 1-6, Definitions, to add a definition for junk, inoperable or abandoned vehicle. Commissioner Burton seconded, all voting aye.

13. **Request to Set a Public Hearing, April 17, 2001, 2 p.m., Regarding ZP #018-2000, Amending County Zoning Ordinance, Chapter 28, Non-conforming Buildings and Uses, in Order to Reference the Use of Legal Non-conforming Lots & to Reflect the Same in the Chapter Title**

Kelly Grier, County Planning Department, stated that items 13 through 15 were mainly for housekeeping purposes. This proposed amendment is to add clarification. The current Chapter 28, Non-Conforming Buildings and Uses, does not address non-conforming lots. Ms. Grier stated that all Township Planning Commissions had unanimously recommended approval of the proposed amendments.

§ Commissioner Burton moved to set a public hearing for April 17, 2001 at 2:00 p.m. regarding ZP #018-2000, to amend the Weber County Zoning Ordinance, Chapter 28, Non-conforming Buildings and Uses, in order to reference the use of legal non-conforming lots and reflect the same in the chapter title. Commissioner Bischoff seconded, all voting aye.

14. **Request to Set a Public Hearing, April 17, 2001, 2 p.m., Regarding ZP #02-2001, to Amend County Zoning Ordinance by Deleting "2 ½ Stories or" from All Chapters Making such Reference in Regard to Building Height**

Kelly Grier, County Planning Department, stated that items 13 through 15 were mainly for housekeeping purposes. Ms. Grier indicated that this item was related to the following one as well as an amendment that is presently going before the Township Planning Commissions. She stated that the county currently did not have a definition for a ½ story nor did the Uniform Building Code (UBC). The proposal is to delete all references to "2 ½ stories" from all chapters that make this reference and to solely use the number of feet permitted in each zone. This number varies between 25 and 35 feet in building height. Ms. Grier stated that staff proposed to use footage as a measure rather than the number of stories in order to be consistent with UBC. The Planning Commissions unanimously recommended approval of the amendment.

§ Commissioner Burton moved to set a public hearing for April 17, 2001 at 2 p.m. regarding ZP #02-2001 to amend the Weber County Zoning Ordinance by deleting "2 ½ stories or" from all chapters making such reference in regard to building height. Commissioner Bischoff seconded, all voting aye.

15. **Request to Set Public Hearing Date, April 17, 2001, 2 p.m., Regarding ZP #05-2001 to Amend County Zoning Ordinance, Chapter 1, Section 6, Amending Definition of "Building Height"**

Kelly Grier, County Planning Department, stated that items 13 through 15 were mainly for housekeeping purposes. The current Zoning Ordinance definition of building height has been unclear and difficult to work with, particularly for homes being built on steep slopes. The proposal is to use the vertical distance from the average of the highest and the lowest grade. Craig Barker, County Planning Department Director, stated that the industry standard was the average grade on steep slopes.

§ Commissioner Bischoff moved to set a public hearing for April 17, 2001 at 2 p.m. regarding ZP #05-2001, to amend the Weber County Zoning Ordinance, Chapter 1, Section 6, to amend the definition of "building height." Commissioner Burton seconded, all voting aye.

G. Assign Pledge of Allegiance and Thought of the Day for Tuesday, April 3, 2001 at 2:00 p.m.

H. Public Comments

Craig Barker, County Planning Department Director, introduced David Bennett, a student intern in his department.

I. Closed Executive Session

1. Commissioner Bischoff moved to adjourn the public meeting and convene a closed executive session to discuss strategy relating to the purchase or sale of real estate and strategy relating to imminent and ongoing litigation. Commissioner Burton seconded.

Roll Call Vote

Commissioner Burton aye
Commissioner Bischoff aye
Chair Cain..... aye

2. **Action on Closed Executive Session**

There was no action taken.

J. Adjourn

§ Commissioner Burton moved to adjourn the meeting at 3:25 p.m. Commissioner Bischoff seconded, all voting aye.

CAMILLE T. CAIN GLEN H. BURTON
ACTING CHAIR, WEBER COUNTY COMMISSION

LINDA G. LUNCEFORD
WEBER COUNTY CLERK/AUDITOR