

MINUTES
WEBER COUNTY COMMISSION

Tuesday, May 8, 2018 - 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: James "Jim" H. Harvey and Kerry W. Gibson. James Ebert was excused.

OTHER 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. MOMENT OF SILENCE

C. PLEDGE OF ALLEGIANCE – Joe Hadley

D. THOUGHT OF THE DAY – Commissioner Gibson

E. PRESENTATION OF THE SEAL OF SERVICE AWARD TO SCOTT STOREY.

Sean Wilkinson, County Community Development Director, read the submitted nomination. He expressed thanks as well as the commissioners, who presented Mr. Storey with a plaque and \$100 for his exemplary customer service in the county. Mr. Storey's hard work and positive attitude changed a resident's opinion of government employees. His immediate supervisor, Joe Hadley, admires him for putting his all into Weber County. Mr. Storey expressed his sincere thanks.

F. CONSENT ITEMS:

1. Warrants #1425-1429 and #427898-218095 in the amount of \$1,251,060.63.
2. Purchase orders in the amount of \$53,237.34.
3. Minutes for the meeting held on May 1, 2018.
4. ACH payment to US Bank for \$136,799.10 for purchasing card transactions through March 26, 2018.
5. ACH payment to US Bank for \$182,433.30 for purchasing card transactions through April 25, 2018.
6. New business licenses.
7. Surplus office equipment from the Human Resources Department.
8. Road dedication in the Circle N Subdivision, a three lot subdivision.
9. Change Order #6 on Staker Parsons Contract #5160049 – moved under Action items.
10. Change Order #6 on Meridian Engineers Contract #5170034 – moved under Action items.

Commissioner Gibson moved to approve consent items 1-8; Commissioner Chair Harvey seconded.
Commissioner Gibson – aye; Chair Harvey – aye

G. ACTION ITEMS:

F.9-Staker Parsons Change Order #6. Jared Anderson, County Engineer, stated that this change order is for the first phase of 12th Street and after negotiating with subcontractors, they were able to save approximately \$15,000-\$20,000.

Commissioner Gibson moved to approve the Staker Parsons Change Order #6; Chair Harvey seconded.

Commissioner Gibson – aye; Chair Harvey – aye

F.10-Meridian Engineers Change Order #6. Jared Anderson, County Engineer, stated that this is for the environmental work for the 3300 S. project. The change order is for \$3,250.

Commissioner Gibson moved to approve the Meridian Engineers Change Order #6; Chair Harvey seconded.

Commissioner Gibson – aye; Chair Harvey – aye

1. WEBER COUNTY RAMP BOARD EZ GRANT RECOMMENDATIONS.

Shelly Halacy, of the County Commission Office, presented the recommendations to fund 33 applications.

Commissioner Gibson moved to approve the Weber County RAMP Board EZ Grant recommendations; Chair Harvey seconded.

Commissioner Gibson – aye; Chair Harvey – aye

2. CONTRACT WITH MAURIE TARBOX TO BE THE ARTISTIC DIRECTOR FOR ANNIE GET YOUR GUN.

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

Commissioner Gibson moved to approve the contract with Maurie Tarbox, the Artistic Director for *Annie Get Your Gun*; Chair Harvey seconded.

Commissioner Gibson – aye; Chair Harvey – aye

3. CONTRACT WITH CATE EQUIPMENT COMPANY FOR A DISTRIBUTOR TRUCK PURCHASE.

Joe Hadley, County Roads Division Director, stated that this used distributor truck replaces a 32-year old one.

Commissioner Gibson moved to approve the contract with Cate Equipment Company for a distributor truck purchase; Chair Harvey seconded.

Commissioner Gibson – aye; Chair Harvey – aye

4. RATIFY CONTRACT WITH DARREN BIDEAUX RV SALES FOR RV SHOW IN CONJUNCTION WITH CINCO DE MAYO FESTIVAL.

5. RATIFY A CONTRACT WITH UTAH QUARTER HORSE RACING ASSN. TO HOLD FLAT TRACK RACES IN CONJUNCTION WITH OUR CINCO DE MAYO FESTIVAL.

Duncan Olsen, with the GSEC, presented these contracts together.

Commissioner Gibson moved to ratify the contracts with Darren Bideaux RV Sales and with Utah Quarter Horse Racing Association in conjunction with the Cinco de Mayo Festival; Chair Harvey seconded.

Commissioner Gibson – aye; Chair Harvey – aye

6. CONTRACT WITH NAPOLI SHKOINIK, MAGLEBY CATAXINOS & GREENWOOD AND DEWSNUP KING OLSEN & WOREL HAVAS FOR LITIGATION AGAINST THE MANUFACTURERS AND DISTRIBUTORS OF OPIOIDS.

Bryan Baron, Deputy County Attorney, who sat in the proposal review committee, said that these firms were well qualified to represent the county. Matt McCune, of Magleby Cataxinios & Greenwood, stated that there is a contingency fee agreement between the firms (which advance the related costs) and the county, wherein they only get paid if the county recovers in this litigation. They are part of a consortium of about 150 counties across the country sharing these costs. He said that they have been very careful in crafting the lawsuit to not expose the county to any reciprocal attorney fees provisions. Commissioner Gibson is comfortable with the contract.

Commissioner Gibson moved to ratify a contract with Napoli Shkoinik, Magleby Cataxinios & Greenwood and Dewsnap King Olsen & Worel Havas for litigation against the manufacturers and distributors of opioids; Chair Harvey seconded.

Commissioner Gibson – aye; Chair Harvey – aye

7. SECOND READING-AMENDING CERTAIN SECTIONS OF THE LAND USE CODE TO PROVIDE NEW OPEN SPACE REQUIREMENTS FOR CLUSTER SUBDIVISIONS, WITH SPECIAL EMPHASIS ON AGRICULTURAL ENCOURAGEMENT, & TO OFFER NEW OR MODIFIED DEFINITIONS & OTHER CLERICAL EDITS TO OTHER SECTIONS OF CODE RELATE TO NEW OR MODIFIED DEFINITIONS – ORDINANCE 2018-6.

Charles Ewert, of County Planning, noted that minor changes were made to the proposed ordinance since it was presented for the first reading last week but nothing significant.

Commissioner Gibson moved to adopt Ordinance 2018-6 amending certain sections of the Land Use Code to provide new open space requirements for cluster subdivisions, with special emphasis on agricultural encouragement, and to offer new or modified definitions and other clerical edits to other sections of code relate to new or modified definitions; Chair Harvey seconded.

Commissioner Gibson – aye; Chair Harvey – aye

8. CONTRACT WITH LSI BUSINESS DEVELOPMENT, INC. TO ASSIST IN INTERGENERATIONAL POVERTY EFFORTS.

Marlin Jensen, Weber County Intergenerational Poverty (IGP) Advisory Committee Chair, gave a presentation and stated that Lt. Governor Cox had held a rally to initiate work related to IGP at the county level. Weber County, along with eight others, was selected to create its own Welfare Reform Commission (Reform Commission) about 1½ years ago that includes members from Workforce Services, Weber-Morgan Health Department, Weber Human Services, and superintendents of both school districts. The pilot program is to begin with about 50 families and there are about 175 poverty-serving resource organizations in the county, but they often are quite siloed, and the county can provide leadership. This work is at a point that they cannot move forward without some professional facilitating, thus this proposed contract. Commissioner Gibson wants to avoid some of the failures of previous consulting contracts. He expressed confidence in LSI but is concerned that the contract doesn't specify who will administer the contract on a day to day basis. Mr. Baron indicated that the contract doesn't need to specify as the commissioners can decide administratively who should be responsible for the contract. Mr. Jensen said that the county could give LSI direction through the Reform Commission, that this contract could be administered by said Commission, and there has been discussion about the county formalizing that Commission (which is chaired by a Weber County commissioner), and the advisory committee. Reform Commission and advisory committee quarterly meetings are a requirement, facilitated by LSI. Commissioner Gibson expressed other concerns with specific items in the contract and Mr. Jensen, Julie Fisher, of LSI, and Bryan Baron, Deputy County Attorney, provided input and suggested amendments. LSI will also take the primary role of writing grants and secure funding. LSI will pursue other funding opportunities to support IGP and will receive the additional funding budgeted for administrative costs. LSI had requested the contract's effective date to be April 1, 2018 and Chair Harvey concurred; LSI has done some work already. Commissioner Gibson requested that the contract have a 1-year term with the option to renew annually for a maximum of three years. He also expressed concern over a provision regarding additional opportunities to contract. Mr. Baron explained that the county was not obligated to hire LSI for work outside of the IGP scope. Ms. Fisher agrees with LSI reporting to the county quarterly. The hourly rate increased from \$100 to \$125, which Ms. Fisher said is a much reduced rate. Regarding travel-related expenses, Commissioner Gibson wanted a structure to vet this. This contract was tabled for amending and review by the parties.

H. PUBLIC COMMENTS: None.

I. ADJOURN

Commissioner Gibson moved to adjourn at 11:44 a.m.; Chair Harvey seconded.

Commissioner Gibson – aye; Chair Harvey – aye

Attest:

James "Jim" H. Harvey, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor