

MINUTES
WEBER COUNTY COMMISSION
Tuesday, June 4, 2019 - 10:00 a.m.
Commission Chambers, 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: Lynn Taylor, of the County Clerk/Auditor's Office; Matt Wilson, Deputy County Attorney and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

- A. WELCOME** – Chair Jenkins
- B. INVOCATION** – Bill Ross
- C. PLEDGE OF ALLEGIANCE** – Kristy Bingham
- D. THOUGHT OF THE DAY** – Commissioner Froerer
- E. PUBLIC COMMENTS:** None.

F. CONSENT ITEMS:

1. Warrants #1820-1822 and #439869-439972 for \$1,622,715.16.
2. Purchase orders for \$25,913.37.
3. Minutes for the meeting held on May 28, 2019.
4. Surplus a 1977 forklift from the Weber County Fleet Department.
5. Ratify a contract with KNOWiNK for Elections Services.

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

G. ACTION ITEMS:

1. **FIRST READING OF FEE ORDINANCE AMENDMENTS RELATING TO THE WEBER COUNTY COMMUNITY DEVELOPMENT DEPARTMENT, SOLID WASTE DIVISION (SEC. 16-2-9, SOLID WASTE FEES).**

Bill Ross, County Community Development Assistant Director, stated that this amendment is to increase the general waste tipping fee at the County Transfer Station in response to the annual Consumer Price Index increase of 1.9% required by the county's contract with Republic Services (by approximately 51 cents/ton), and operational cost increases including fuel, utilities, salaries, etc. (by approximately 49 cents/ton). The current waste tipping fee is \$39.49/ton. This was presented to the Solid Waste subcommittee and WACOG earlier this year and they recommended approval. Commissioner Harvey reiterated that the main reason for the increase is for transportation costs by the transportation company to/from the facility. He complemented the Transfer Station's management stating that 2½ years ago the facility was losing \$300,000/year but it has turned that around very positively. John Watson, County Solid Waste Director, said that incoming waste has increased significantly from last year.

Commissioner Froerer moved to approve the first reading of Fee Ordinance amendments relating to the Weber County Community Development Department, Solid Waste Division (Sec. 16-2-9, Solid Waste Fees); Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

2. **FINAL READING OF FEE ORDINANCE AMENDMENTS RELATING TO THE WEBER COUNTY CLERK/AUDITORS OFFICE – ORDINANCE 2019-9.**

Lynn Taylor, of the County Clerk/Auditor's Office, noted that the passport acceptance fee is set by the Department of State and language was added to state this, rather than to indicate the current fee, in order to prevent amending the ordinance every time the Department of State changes the fee.

Commissioner Harvey moved to adopt Ordinance 2019-9, first reading of Fee Ordinance amendments relating to the Weber County Clerk/Auditor's Office; Commissioner Froerer seconded.
Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

3. **RESOLUTION APPOINTING MEMBERS TO THE VETERANS ADVISORY COMMITTEE – RESOLUTION 31-2019**

Kristy Bingham, of the Commission Office, noted that one application was received for the noticed vacancy from Daniel Czech and that Sheri Morreale, whose term expired, wished to serve another term.

Commissioner Harvey moved to adopt Resolution 31-2019 appointing Daniel Czech (through 12/31/2020) and reappointing Sheri Morreale (through 12/31/2022) to the Veterans Advisory Committee; Commissioner Froerer seconded.
Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

4. **CONTRACT WITH STIRRIN' DIRT RACING TO PRODUCE THE 2019 WEBER COUNTY FAIR DEMOLITION DERBY.**
 Ashton Wilson, County Fair Director, presented this contract.
 Commissioner Froerer moved to approve the contract with Stirrin' Dirt Racing for production of the Demolition Derby at the 2019 Weber County Fair; Commissioner Harvey seconded.
 Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

5. **CONTRACT WITH HORSE NATIONS INDIAN RELAY COUNCIL TO PRODUCE 2019 COUNTY FAIR INDIAN RELAY RACE.**
 Ashton Wilson, County Fair Director, presented this contract.
 Commissioner Froerer moved to approve the contract with Horse Nations Indian Relay Council for the production of Indian Relay Races at the 2019 Weber County Fair; Commissioner Harvey seconded.
 Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

6. **CONTRACT WITH ROBYN GRUBER TO JUDGE THE FIESTA 4-H YOUTH HORSE SHOW.**
 Ashton Wilson, County Fair Director, presented this contract.
 Commissioner Harvey moved to approve the contract with Robyn Gruber to judge the Fiesta 4-H Youth Horse Show; Commissioner Froerer seconded.
 Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

7. **CONTRACT WITH FREESTYLE 4 HOPE TO PRODUCE BULL FIGHTS AT THE 2019 WEBER COUNTY FAIR.**
 Ashton Wilson, County Fair Director, presented this contract.
 Commissioner Harvey moved to approve the contract with Freestyle 4 Hope for production of bull fights at the 2019 Weber County Fair; Commissioner Froerer seconded.
 Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

8. **FINAL APPROVAL OF THE VILLAGE AT WOLF CREEK PRUD AMENDMENT.**
 Steve Burton, of the County Planning Division, noted that the conditional use permit was before the Commission a couple of weeks ago to amend this PRUD (the developer is narrowing the roads a bit to make the multi-family buildings fit better), and this is the final step in the process. County staff and the Planning Commission recommend approval. One planning commissioner had opposed this, feeling that the narrowing of the private roads to 25 feet right-of-way was not safe.
 Commissioner Froerer moved to grant final approval of the Village at Wolf Creek PRUD amendment; Commissioner Harvey seconded.
 Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

9. **CONTRACT WITH UTAH QUARTER HORSE RACING ASSOCIATION FOR QUARTER HORSE RACES AT THE GOLDEN SPIKE EVENT CENTER (GSEC).**
 Duncan Olsen, GSEC General Manager, presented this contract.
 Commissioner Harvey moved to ratify the contract with Utah Quarter Horse Racing Association for quarter horse races at the Golden Spike Event Center; Commissioner Froerer seconded.
 Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

10. **CONTRACT WITH BROKEN HEART RODEO COMPANY, LLC, TO SUPPLY A ROUGH STOCK CONTRACTOR FOR BUCK WILD.**
 Duncan Olsen, GSEC General Manager, presented this contract.
 Commissioner Harvey moved to approve the contract with Broken Heart Rodeo Company, LLC, to supply a rough stock contractor for Buck Wild; Commissioner Froerer seconded.
 Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

11. **INTERLOCAL AGREEMENT WITH HOOPER CITY TO PARTICIPATE IN FUNDING THE GOLDEN SPIKE STORM WATER COALITION AND PROVIDING FUNDS FOR HIRING A PROFESSIONAL MANAGER FOR THE COALITION-RESOLUTION 32-2019.**
 Braden Felix, of County Engineering, stated that this is one of the last few of these MS4 agreements to participate in hiring a professional manager for the Golden Spike Storm Water Coalition.
 Commissioner Froerer moved to adopt Resolution 32-2019 approving the Interlocal Agreement with Hooper City to participate in funding the Golden Spike Storm Water Coalition and providing funds for hiring a professional manager for the Coalition; Commissioner Harvey seconded.
 Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

12. CONTRACT WITH OGDEN FRIENDS OF ACOUSTIC MUSIC FOR THE 12TH ANNUAL OFOAM FESTIVAL AT FORT BUENAVENTURA.

Jennifer Graham, of County Parks & Recreation Division Director, presented this contract ratification. Commissioner Harvey moved to approve the contract ratification with Ogden Friends of Acoustic Music for the 12th Annual OFOAM Festival at Fort Buenaventura; Commissioner Froerer seconded. Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

13. CHANGE ORDER #3 TO BH, INC., CONTRACT TO COVER CHANGES TO THE 12TH STREET CORRIDOR DESIGN SEGMENT 3 PROJECT.

Jared Andersen, of County Engineering, stated that County Engineering had met with the commissioners individually to discuss this item at length. Having worked in the contracting business for 31 years now, Commissioner Harvey has very strong feelings against change orders. Since the discussion with Mr. Andersen on this item, there have been process changes and Commissioner Harvey said that he would hold Mr. Andersen to what he committed to in an email. Commissioner Harvey cautioned that the Commission is the body entrusted by the public to make financial decisions for the county, that they should not be occurring in other divisions of the county, that change orders should only be approved in a public meeting, and the way business was done in the county in the past was poor process. This commission wants to eliminate all poor processes in the county and to be financially responsible. Commissioner Froerer understands that there are some unforeseen cases that mandate change orders. He said that it is better for change orders to come before the Commission earlier in the process rather than later, and that the contractors need to be aware that any change orders need to be brought before the Commission in a public meeting for approval. He recommended focusing on the original bidding process to try eliminating change orders. Chair Jenkins said that the largest part of this specific change order was for extra tonnage of large diameter rock to fill the bottom of ditches and it seems to be working well. Commissioner Froerer moved to approve Change Order #3 to BH, Inc., contract to cover changes to the 12th street corridor design segment 3 project; Chair Jenkins seconded. Commissioner Harvey – aye; Commissioner Froerer – aye; Chair Jenkins – aye

H. PUBLIC HEARING RICK JUST FOUND OUT THAT TO ACCOMMODATE TO TABLE TO NEXT WEEK.

Rick Grover, County Planning Division Director, said that it was just found out in the middle of this meeting that in order to accommodate the applicant, they would like to table this item until next week. The commissioners were fine with this.

1. Request for a motion to adjourn the public meeting and convene the public hearing.
2. Public hearing to consider and take action on a request to vacate a public utility easement located to the west of Weber Industrial Park (lots 19, 20, 21 and lot 2 of GL Subdivision) measuring 35’ wide and reestablishing a public utility easement 10’ in width, running north and south from 2700 North to 2550 North.
3. Public Comments:
4. Request for a motion to adjourn public hearing and reconvene public meeting.
5. Request for Action on public hearing:

I. COMMISSIONER COMMENTS: Chair Jenkins noted that a Stall of Fame recipient is chosen monthly and Steve Zaccardi, from the County Attorney’s office, was selected for June for his dedication and excellent work in the county. Mr. Zaccardi could not be present today.

J. ADJOURN

Commissioner Harvey moved to adjourn at 10:46 a.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