

MINUTES
WEBER COUNTY COMMISSION
Tuesday, September 29, 2020 – 10:00 a.m.
Via Zoom meeting + at Weber Center, 2380 Washington Blvd., Ogden, UT

In accordance with the requirements of Utah Code Section 52-4-203, the County Clerk records in the minutes the names of all persons who 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, James "Jim" H. Harvey, and Scott K. Jenkins

STAFF PRESENT: Ricky D. Hatch, County Clerk/Auditor; Christopher Crockett, Deputy County Attorney; Courtlan Erickson, Deputy County Attorney; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes

A. WELCOME - Chair Froerer

B. PLEDGE OF ALLEGIANCE - Chair Froerer

C. INVOCATION - Christopher Crockett

D. THOUGHT OF THE DAY - Commissioner Jenkins

E. PUBLIC COMMENTS: None

F. CONSENT ITEMS:

1. Warrants #3093-3128 and #452912-453158 in the amount of \$1,935,752.96
2. Purchase orders in the amount \$108,346.61
3. Minutes for the meeting held on September 22, 2020
4. Ratify a contract with Upstage Crew Services, Inc. to upgrade the Peery's Egyptian Theater lighting system
5. Sell surplus real property, Parcel #13-075-0012

Commissioner Harvey moved to approve the consent items; Commissioner Jenkins seconded.

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

G. ACTION ITEMS:

1. **RESOLUTION APPROVING INTERLOCAL AGREEMENT FOR DISTRIBUTION OF CARES ACT (CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT) FUNDING TO OGDEN CITY – RESOLUTION 31-2020**

Christopher Crockett, Deputy County Attorney, said that the federal Coronavirus Relief Funds (CR Funds) are distributed by the State to counties/municipalities to cover necessary expenditures/losses incurred due to the COVID-19 public health emergency. The county and city recognize an immediate need to distribute CR funds to provide economic relief to local small businesses and nonprofit organizations and agree that a collective financial effort to distribute the funds will ensure that these receive the maximum amount of financial relief possible in an effort to sustain our community. The county will allocate \$3 million CR funds to the city on a reimbursement basis for grants awarded under the city's nonprofit program. John Bond, County Treasurer, said that the \$7.4 million CARES Act funds have currently helped 475 businesses.

Commissioner Harvey moved to adopt Resolution 31-2020 approving an Interlocal Agreement for the distribution of CARES Act Funding to Ogden City; Commissioner Jenkins seconded.

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

2. **CONTRACT WITH ROPER BUILDINGS DBA-DMLP RESOURCES LLC FOR PROPERTY MANAGEMENT TO BE USED FOR STORAGE AND OPERATION OF DEPARTMENT FUNCTIONS**

Bryce Taylor, with County Property Management, stated that this contract is for two pole buildings at the new Operations/Property Management site off of 12th Street and allows them to move out of the current rental facility.

Commissioner Jenkins moved to approve the contract with Roper Buildings DBA-DMLP Resources LLC to be used for storage and operation of Property Management department functions; Commissioner Harvey seconded.

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

3. **RESOLUTION CREATING AN OVERLAY DISTRICT FOR MUNICIPAL-TYPE SERVICES TO BE PROVIDED AND FOR THE ASSOCIATED TAXES TO BE LEVIED – RESOLUTION 32-2020**

Scott Parke, County Comptroller, said that in the lower valley it costs the county on average \$1,000/mile to remove snow. In the unincorporated Ogden Valley it costs about \$7,000/mile. Off of Summit Road it costs over \$50,000/mile where it generally starts snowing sooner, snows heavier and lasts longer than in the lower valley. Landowners in the lower and upper valley have been subsidizing these costs for those living on top of Powder Mountain off of Summit Pass. This new tax rate will help cover snow removal costs just for that road. The commissioners noted the hard work done for the analysis. Those who use the services need to pay for them.

Commissioner Jenkins moved to adopt Resolution 32-2020 creating the Summit Road Overlay District for municipal-type services to be provided and for the associated taxes to be levied; Commissioner Harvey seconded.

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

4. **FINAL APPROVAL OF HALCYON ESTATES PRUD CONSISTING OF 39 38 LOTS AT APPROXIMATELY 4100 W 1800 S, OGDEN**

Steve Burton, of the County Planning Division, stated that this development in the A-1 Zone now consists of 38 lots (from 10,000 square feet up to an acre) and has a 10-acre agricultural parcel. The Planning Commission recommended approval. The Subdivision Improvement Agreement is for \$305,620.10.

Commissioner Harvey moved to grant the final approval of Halcyon Estates PRUD consisting of 38 lots located at approximately 4100 W. 1800 S., Ogden; Commissioner Jenkins seconded.

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

H. PUBLIC HEARINGS

1. Commissioner Harvey moved to adjourn the public meeting and convene the public hearing; Commissioner Jenkins seconded.
Commissioner Jenkins – aye; Commissioner Harvey – aye; Chair Froerer – aye
 2. **PUBLIC HEARING TO CONSIDER AND TAKE ACTION ON A PROPOSAL TO VACATE A PORTION OF OLD SNOWBASIN ROAD, LOCATED AT APPROXIMATELY 6213 E OLD SNOWBASIN ROAD, HUNTSVILLE**
Steve Burton, of the County Planning Division, referred to this request that the county received and stated that notice was sent out for this portion of the vacation. The county is not conveying any property with this vacation.
 3. **PUBLIC HEARING TO CONSIDER & TAKE ACTION ON A REQUEST TO VACATE A 10-FOOT PUBLIC UTILITY EASEMENT LOCATED ALONG SOUTHWEST LOT LINE OF LOT 1 OF HIGHLAND COVE ESTATES SUBDIVISION**
Scott Perkes, of the County Planning Division, stated that this item was reviewed by County Engineering and there were no concerns. The applicant is requesting this vacation for better siting of an accessory structure along that rear property line. Public notice was issued to adjacent property landowners and potentially affected entities due to the vacation of this easement and no concerns were received. The subdivision was developed in the 1990s and there are no utilities in the easement proposed for vacation. Staff recommended approval.
 4. **PUBLIC COMMENTS:** Chair Froerer invited public comments on the public hearings. Scott Waterfall, who developed the subdivision in the 1990s and lives directly across from the subject property, spoke to item H3 stating that this was a standard 10-foot utility easement required by the county for all subdivided lots. He would like the other 12 homeowners on that street to have the same opportunity to petition to vacate their easements. Rick Grover, County Planning Director, stated that historically the county has required these easements but there are instances, especially on the sides, where they may not be necessary and the county is trying to look at these as subdivisions come in, rather than making a blanket requirement. If property owners desire to vacate, the county reviews it on a case-by-case basis. He addressed Commissioner Harvey’s question stating that the county reaches out to different service providers to see if the easements are necessary. In some cases, there are necessary drainage easements, etc. Chair Froerer had previous discussion with Mr. Grover and said that now the practice is to look at the original plat rather than to make a blanket requirement.
 5. Commissioner Jenkins moved to adjourn the public meeting and reconvene the public meeting; Commissioner Harvey seconded.
Commissioner Jenkins – aye; Commissioner Harvey – aye; Chair Froerer – aye
 6. **ACTION ON PUBLIC HEARINGS:**
H2-VACATE A PORTION OF OLD SNOWBASIN ROAD AT APPROXIMATELY 6213 E OLD SNOWBASIN ROAD-ORDINANCE 2020-18
Commissioner Jenkins moved to adopt Ordinance 2020-18 vacating a portion of Old Snowbasin Road, located at approximately 6213 E. Old Snowbasin Road, Huntsville; Commissioner Harvey seconded.
Commissioner Jenkins – aye; Commissioner Harvey – aye; Chair Froerer – aye
H3-VACATE A 10-FOOT PUBLIC UTILITY EASEMENT-ALONG SW OF LOT 1, HIGHLAND COVE ESTATES-ORDINANCE 2020-19
Commissioner Jenkins moved to adopt Ordinance 2020-19 vacating a 10-foot public utility easement located along southwest lot line of Lot 1 of Highland Cove Estates Subdivision; Commissioner Harvey seconded.
Commissioner Jenkins – aye; Commissioner Harvey – aye; Chair Froerer – aye
- I. COMMISSIONER COMMENTS:** Next Tuesday’s Commission meeting will commence at 10:30 a.m.
- J. ADJOURN**
Commissioner Harvey moved to adjourn at 10:50 a.m.; Commissioner Jenkins seconded.
Commissioner Jenkins – aye; Commissioner Harvey – aye; Chair Froerer – aye

Attest:

Gage Froerer, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor