

MINUTES
WEBER COUNTY COMMISSION

Tuesday, January 4, 2022 – 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: James "Jim" H. Harvey, Gage Froerer, and Scott K. Jenkins.

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

A. WELCOME: Chair Jenkins

B. PLEDGE OF ALLEGIANCE: Brandan Quinney

C. INVOCATION: Commissioner Froerer

D. THOUGHT OF THE DAY: Commissioner Harvey: Kindness. Sometimes it only takes one act of kindness to change someone's life.

E. CONSENT ITEMS:

1. Warrants #4880-4909, #464539-464771 in the amount of \$6,382,601.18.
2. Warrants #4910-4934, #464772-464892 and #135-144 in the amount of \$953,210.53.
3. Purchase orders in the amount of \$229,444.67.
4. Minutes for the meeting held on December 14th.
5. Surplus sander from Weber County Road Department.
6. Contract #4736 with Cody Nebeker allowing contractor to operate and maintain a concessions for Disc Golf at Fort Buenaventura Park.
7. New business licenses.

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

F. ACTION ITEMS:

1. **DISCUSSION AND/OR ACTION ON APPOINTING CHAIR AND VICE CHAIR TO THE WEBER COUNTY COMMISSION.**

Commissioner Harvey: see motion below.

Commissioner Harvey moved to appoint Commissioner Scott Jenkins as Chair for the Weber County Commission; Commissioner Froerer seconded.

Commissioner Harvey moved to appoint Commissioner Gage Froerer as Vice Chair for the Weber County Commission; Chair Jenkins seconded.

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

2. **APPROVAL OF RESOLUTION 01-2022 PROVIDING FOR THE APPOINTMENT OF THE BOARD OF TRUSTEES MEMBERS OF THE GREEN HILLS WATER AND SEWER DISTRICT.**

Brandan Quinney (Attorney): Board is requesting Commission appointment of the board in lieu of election.

Commissioner Jenkins moved to approve Resolution 01-2022 providing for the appointment of the board of trustees members of the Green Hills Water and Sewer District; Commissioner Froerer seconded.

Roll Call Vote: Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

3. **CONTRACT WITH ELITE PRODUCTIONS TO HOLD THE RMPRA WINTER SERIES RODEO SERIES AT THE GOLDEN SPIKE EVENT CENTER.**

Duncan Olsen (GSEC): Contract similar to previous with RMPA.

Commissioner Harvey moved to approve contract with Elite Productions to hold the RMPRA Winter Series Rodeo Series at the Golden Spike Event Center; Commissioner Froerer seconded.

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

4. **CONTRACT WITH THE AMERICAN CHARIOT RACING ASSOCIATION FOR THE REGULAR ACR TO BE HELD AT THE GOLDEN SPIKE EVENT CENTER.**

Duncan Olsen (GSEC): Standard approach taken with them the last few years. Sponsorship trade for a couple days on the race track.

Commissioner Harvey moved to approve contract the American Chariot Racing Association for the regular ACR to be held at the Golden Spike Event Center; Commissioner Froerer seconded.

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

5. **CONTRACT WITH THE GOLDEN SPIKE DOG TRAINING CLUB FOR 2022 DOG TRAINING CLASSES TO BE HELD AT THE GOLDEN SPIKE EVENT CENTER.**

Duncan Olsen (GSEC): Unique to other contracts; this group adversely affected by move from hourly fees. This contract allows dog training classes for upcoming season while they look for new venue next year.

Commissioner Harvey moved to approve a contract with the Golden Spike Dog Training Club for 2022 dog training classes to be held at the Golden Spike Event Center; Commissioner Froerer seconded.
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

6. **CONTRACT WITH VEGAS PRODUCTIONS, INC. TO HOLD THE JORDAN WORLD CIRCUS AT THE GOLDEN SPIKE EVENT CENTER.**

Duncan Olsen (GSEC): Slight alteration for this contract given Vegas' methods of ticket access. Five shows at the end of this month.

Commissioner Harvey moved to approve a contract with Vegas Productions, Inc. to hold the Jordan World Circus at the Golden Spike Event Center; Commissioner Froerer seconded.
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

7. **FINAL APPROVAL OF SADDLEWOOD ESTATES SUBDIVISION CONSISTING OF 27 LOTS. THIS REQUEST FOR APPROVAL INCLUDES A REQUEST FOR COMMISSION ACCEPTANCE OF ROAD DEDICATION AND AN ASSOCIATED IMPROVEMENT GUARANTEE AGREEMENT.**

Tammy Aydelotte (Planning): Lot averaged subdivision with 27 lots. Staff recommends approval.

Commissioner Froerer moved approve to Saddlewood Estates Subdivision consisting of 27 lots. This request for approval includes a request for Commission acceptance of road dedication and an associated improvement guarantee agreement; Commissioner Harvey seconded.
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

8. **APPROVAL OF FRANCHISE AGREEMENT WITH ALL WEST/UTAH, INC. FOR THE PURPOSE OF INSTALLING, OPERATING, AND MAINTAINING A COMMUNICATIONS SYSTEM WITHIN THE PUBLIC RIGHTS OF WAY OF WEBER COUNTY.**

Sean Wilkinson (Director, Community Development): All West/Utah, Inc did not provide written acceptance of last year's approved Ordinance within 60 days of adoption and franchise was terminated, per process. This agreement rectifies the oversight and is almost identical to Utah Broadband agreement approved a few weeks ago.

Commissioner Harvey moved to approve franchise agreement with All West/Utah, Inc. for the purpose of installing, operating, and maintaining a communications system within the public rights of way of Weber County; Commissioner Froerer seconded.
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

9. **APPROVAL OF AGREEMENT WITH LAMONT MCPHERSON FOR CIVIL COMMITMENT EVALUATIONS.**

Bryan Baron (Attorney): Same terms and conditions as previous four agreements approved recently.

Commissioner Froerer moved to approve an agreement with Lamont McPherson for Civil Commitment Evaluations; Commissioner Harvey seconded.
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

G. PUBLIC HEARINGS:

1. Request for a motion to adjourn public meeting and convene public hearings.

Commissioner Harvey moved to adjourn the public meeting and convene public hearings, 10:27 a.m.; Commissioner Froerer seconded.
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

2. Public Hearing to consider and take action on a request to adjust the zoning boundary between AV-3 and CV-2 on approximately 5 acres, located at approximately 4708 E 2650 N, Eden.
Charlie Ewert (Planning): Eden Boat and RV Storage agreement approved last year. Applicant volunteered stringent design theme/requirements. New owner requests changes to property boundaries. No new development, just making entire parcel be CV-2 in lieu of current split zoning. (Changes to proposed building design included in packet handed out during commission meeting.)

3. Public hearing to consider and take action on a proposed rezone and associated development agreement of approximately 87 acres located at approximately 2650 W 1200 S from the agricultural (A-2) zone to the commercial (C-2) zone with a master planned development (MPD) overlay zone, and to the residential estate (RE-15) and residential estate (RE-20) zones.

Charlie Ewert (Planning): Some multi-family in C-2 zone above 1st level, street-facing commercial uses. FEMA FIRM floodplain map came out well into development for this project; parcel in question was not considered in flood plain on prior FEMA FIRM map, it is now within flood plain.

Developer will have to either do flood plain development with going through FEMA FIRM map amendment process (requires time and engineering expense) or cluster residential development into non-flood plain area. The latter option would require lots along 2800 W to be fifteen thousand square feet minimum; behind that lots could be as small as six thousand square feet, equivalent to a medium density R1 zone; then behind that would be multi-family lots. Agreement includes trail easements plus requirement to build the trails. Final access agreement with developer and UDOT not complete yet.

Dave Willow (developer): UDOT ok with accesses during preliminary meeting.

4. Public Comments: None for Item G2. Item G3 comments below:

Dan Hammer: Ask for his property to be considered under proposed rezoning. Ask developers that adjacent properties stay single family in lieu of multi. Irrigation system main head gate will be on commercial property; prior farmer had drip systems that created small pond – requesting that be changed. What is plan for secondary water system?

Curt Langford: Hooper irrigation pipes are real old and may not hold up to heavy work, leading to water on his property. (2nd issue) Hooper Irrigation needs to make improvements.

Becky Hammer: Pipes are at least 50 years old with little maintenance; weight is an issue. Head gate has leaked ever since its change, leaving less water downstream. Need to address head gate access on commercial property.

Jim Flint, 1576 Far West Dr: Hooper Irrigation looked into expanding current pond to secondary water source with master pond further west later on.

Brent Hipwell, West Weber: Lot of rezoning but waiting on master plan for west Weber.

Les Syme, Marriot-Slaterville Planning Chair: Will Marriot-Slaterville be forced to annex?

Greg Bell, Taylor, UT: Disagree how land rights are issued. One public meeting to gather public input is not enough; premature to grant land rights before seeing what public wants.

5. Request for a motion to adjourn public hearings and reconvene public meeting.

Commissioner Froerer moved to adjourn the public hearings and reconvene public meeting, 11:19 am; Commissioner Harvey seconded.

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

6. Action on public hearing:

G2: Request for approval of Ordinance 2022-01 to rezone on approximately 5 acres, changing the zone from AV-3 to CV-2, located at approximately 4708 E 2650 N, Eden.

Steve Burton (Planning):

Commissioner Froerer moved approved Ordinance 2022-01 to take action to rezone on approximately 5 acres, changing the zone from AV-3 to CV-2, located at approximately 4708 E 2650 N, Eden; Commissioner Harvey seconded.

Roll Call Vote: Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

G3: Request for approval for rezone and associated development agreement of approximately 87 acres located at approximately 2650 W 1200 S from the agricultural (A-2) zone to the commercial (C-2) zone with a master planned development (MPD) overlay zone, and to the residential estate (RE-15) and residential estate (RE-20) zones.

Commissioner Froerer moved to hold rezone approval as presented until Western Weber Master Plan completed and irrigation, secondary water, resulting surrounding structures and UDOT approval of final access agreement are addressed; Commissioner Harvey seconded.

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

H. COMMISSIONER COMMENTS:

Commissioner Froerer: Growth is not going away, Weber County is changing. Encourage citizens to get out and participate and get input in.

I. ADJOURN

Commissioner Jenkins moved to adjourn at 11:32 a.m.; Chair Jenkins seconded.

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

Attest:

Scott K. Jenkins, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor