

**MINUTES**  
**WEBER COUNTY COMMISSION**

Tuesday, January 10<sup>th</sup>, 2023 – 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 Sharon Bolos

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

**A. WELCOME:** Commissioner Froerer

**B. PLEDGE OF ALLEGIANCE:** Stacy Skeen

**C. INVOCATION:** Stephanie Russell

**D. THOUGHT OF THE DAY:** Commissioner Froerer: The legislature of the state of Utah starts a week from today.

As someone who had the privilege of serving in the House of Representatives, those people serving down there are people just like us, trying to do their best. Those who took the time to come in and be educated or educate me and really had an answer were a lot more effective and had some answers and did not send personal attacks. What I found was those who took the negative approach were less successful. The minute we take to the negative and do not provide an answers and we continue to attack, it's just not effective and often backfires. The largest budget in state's history of \$28B is being discussed this year. Talk about issues in a positive way. Attacks never work.

**E. PUBLIC COMMENT:**

1. Jan Fulmer, Ogden Valley: My comments are in regard to STR Ordinance. Please keep in mind words from Stephanie Russell's invocation regarding the quality of life. Frankly, it SUCKS in Ogden Valley because of STRs issues. Please consider the ordinance being presented to you. And thanks to Bill Cobabe for the time invested in this ordinance.
2. Dr. Lee Schussman: Commissioners thank you for tackling this difficult issue of STRs. We want to publicly thank Commissioner Harvey for your efforts in supporting the code enforcement officers in their attempts to shut down the illegal STR at 3341 Eden Hills Dr. There have been 35-50 participants weekend-after-weekend. Iris Hinnon served them a cease-and-desist order on July 22<sup>nd</sup>; the operation still goes on today. When we emailed you on October 15<sup>th</sup>, Commissioner Harvey, we were relieved you responded to us immediately with expressions of support and with plans to turn up the heat on this illegal STR shut down. We would also like to acknowledge Commissioner Froerer his consistently stated opinion and position that he has been in favor of developing effective enforcement and has been opposed to expansion of STRs.
3. Sylvia Salsbury, Ogden: Comment on Thought for the Day. Tonight at Pleasant Valley library, most of legislators will be there to discuss the upcoming legislative session.
4. Valerie Fowler, Ogden Valley: Let's cease referring to illegal STRs as owners exercising their rights; they are willfully flaunting the ordinance and getting away with it. For example, we have a house on our street that continues with STRs even after four prior notices of enforcement action against them; the County attorney opted to not proceed in court because the house was sold. But it was sold to an LLC with the same prior owners who continue to advertise on VRBO. The illegal renters have paid no penalty for breaking the law.
5. Jim Brown, Elkhorn Drive, Eden, UT: Our neighborhood has been victim of an illegal STR at 5453 Wapiti Road. This home accommodates 20 people each night. We have had nearly disruption of our lives you can imagine. This property is now owned by a LLC, whose registered agent happens to be the prior owner. Despite the good efforts from the County, we haven't had any relief.
6. Gary Fulmer, Eden, UT: I agree with everything everyone has said regarding STRs. I was very active in the CERT organization years ago. I want to give high praise to Lisa Schwartz; she is getting CERT restarted. I really do think we are headed down the right path with this.
7. Allen Wheelwright, Eden, UT: This has the opportunity to affect the future of the Valley. This is about taking away my property rights to not have STRs. One of my biggest fears is that homes get bought by investors and turn it into an STR. This may also cause property taxes go up eventually driving me out and losing a sense of community.
  - a. Commissioner Harvey: I want the Commission and those listening to know how much Allan has done for the trail community in the area. I'm amazed and you have done a great job as a community member, Allen, and you have done that because you care. Thank you for all that time and effort.
  - b. Chair Froerer: He is an example of someone who walks the walk and comes to the table with ideas for a solution.
8. Douglas Dixon: I want to thank the Commission for postponing the STR discussion from last December. 1. The Golden Rule: He who have the gold make the rules. 2. In this Republic, participation is truly rewarded. 3. Rules trump public clamor. I've lived long enough in the Valley that the new people want to put a gate in Ogden Canyon and a gate at North Ogden. There was no such thing as STRs when I bought my property and built my house with my own hands. I pushed back as much as I can. I promise you I will do whatever I can to preserve which is my right to preserve the usage of my house. I can do what I want in my house as long as it is legal and moral and proper. I urge you to do the very best you can this day in the interest of everybody.

**F. CONSENT ITEMS:**

1. Warrants #7002-7038 in the amount of \$66,138; #7039-7082 and #473686-473813 and #233-234 in the amount of \$5,074,251.21.
2. Purchase orders in the amount of \$120,530.96.
3. Summary of Warrants and Purchase Orders.
4. ACH payment to US Bank in the amount of \$216,121.39.
5. Minutes for the meetings held on November 22, 2022 and January 3, 2023.
6. New business licenses.
7. Refund taxes in the amount of \$140.63 for incorrectly identified acreage on Parcel #08-482-0013.
8. Declare Parcel Number #15-132-0012 as surplus property.
9. Surplus equipment for the Weber County Sheriff's Office.
10. Contract with Experian Information Solutions to conduct a no-cost pilot project to verify the accuracy of Weber County's voter rolls.
11. Right of Way contract(s) with Huckleberry Family Trust to purchase right-of-way along 2550 South for corridor preservation:

3977 W. 2550 S.  
3915 W. 2550 S

12. Right of Way contract(s) with Joseph Yzaguirre Sr. and Kara Lee Downer to purchase right-of-way along 2550 S. for corridor preservation.
13. Retirement Agreement with Nealy Adams.
14. amendments to the following agreements for District Court Indigent Defense Attorney's:

Kevin Richards  
Roger J. Adams  
Justin Morrison  
Martin V. Gravis  
Carl N. Anderson III  
Andrew J. Heyward  
Jennifer Clark  
Rebecca Voymas  
Rich Williams  
Michael D. Bouwhuis  
Gage Crowther  
Michael P. Studebaker

Commissioner Harvey moved to approve the consent items; Commissioner Bolos seconded.  
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Freorer – aye

**G. ACTION ITEMS:**

1. **APPROVE RESOLUTION 01-2023 APPOINTING A WEBER COUNTY REPRESENTATIVE TO THE UTAH ASSOCIATION OF COUNTIES BOARD OF DIRECTORS.**

Commissioners: Commissioner Jenkins had this previous assignment.

Commissioner Harvey moved to approve Resolution 01-2023 appointing Gage Froerer as the Weber County Representative to the Utah Association of Counties Board of Directors; Commissioner Froerer seconded.  
Roll Call Vote: Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Freorer – aye

2. **APPROVE RESOLUTION 02-2023 MAKING APPOINTMENTS TO THE WEBER AREA DISPATCH 911 AND EMERGENCY SERVICES DISTRICT ADMINISTRATIVE CONTROL BOARD.**

Commissioners: Three appointments to be made. WACOG recommending reappointing Mayor Sorensen and Commissioner Froerer and appointing Commissioner Harvey.

Commissioner Harvey moved to approve Resolution 02-2023 reappointing Mayor Richard Sorensen and Commissioner Gage Froerer and appointing Commissioner Jim Harvey to the Weber Area Dispatch 911 and Emergency Services District Administrative Control Board; Commissioner Froerer seconded.  
Roll Call Vote: Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Freorer – aye

3. **APPROVE RESOLUTION 03-2023 APPOINTING A MEMBER TO THE CENTRAL WEBER SEWER IMPROVEMENT DISTRICT BOARD OF TRUSTEES.**

Commissioners: Commissioner Jenkins had this previous assignment for the past four years.

Commissioner Bolos moved to approve Resolution 03-2023 appointing Gage Froerer as a member to the Central Weber Sewer Improvement District Board of Trustees; Commissioner Froerer seconded.  
Roll Call Vote: Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

4. **APPROVAL OF A CONTRACT WITH ACORN PRODUCTIONS TO HOLD THE ACORN ANTIQUE & VINTAGE SHOW AT THE GOLDEN SPIKE EVENT CENTER.**

Duncan Olsen (GSEC): Still working on finalizing our fee ordinance; fees for this contract will reflect those new fees. This contract has to do with the lattice they are renting from us.

Commissioner Harvey moved for approval of a contract with Acorn Productions to hold the Acorn Antique & Vintage Show at the Golden Spike Event Center; Commissioner Bolos seconded.  
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

5. **APPROVAL OF A CONTRACT WITH VICTORY ATHLETICS SPIRIT TO HOLD THE OGDEN SNOW BOWL AT THE GOLDEN SPIKE EVENT CENTER.**

Duncan Olsen (GSEC): Second round of cheerleaders for this year. The goody baskets fall outside of our fee ordinance; this contract covers these baskets.

Commissioner Harvey moved for approval of a contract with Victory Athletics Spirit to hold the Ogden Snow Bowl at the Golden Spike Event Center; Commissioner Bolos seconded.  
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

6. **APPROVAL OF A CONTRACT WITH BISH'S RV OF SALT LAKE TO HOLD THE NORTHERN UTAH RV SHOW AT THE GOLDEN SPIKE EVENT CENTER.**

Duncan Olsen (GSEC): This is a new RV dealer that wants to host a show here. Parking lot cost is waived since the moving of RVs will fall on Martin Luther King Day.

Commissioner Harvey: Is this the only RV dealer participating? Please make sure he gets an offsite business license.

Mr. Olsen: He is the only one. We did not want to go the sponsorship route but I thought it was fair to let him use our parking lot on the holiday so our employees did not have to work on a holiday. We will double check they have an offsite business license.

Commissioner Harvey moved for approval of a contract with Bish's RV of Salt Lake to hold the Northern Utah RV Show at the Golden Spike Event Center; Commissioner Bolos seconded.  
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

7. **APPROVAL OF A CONTRACT WITH B&B ALL-STARS BAND FOR ENTERTAINMENT AT THE 2023 HOF GERMANFEST.**

Kassi Bybee (OECC): Third and final contract for entertainment at the HOF Festival on the 20<sup>th</sup> & 21<sup>st</sup> of January. Ogden City is one of our largest sponsors this year. The event has been at Golden Spike the past 23 years.

Commissioner Harvey moved for approval of a contract with B&B All-Stars Band for entertainment at the 2023 HOF Germanfest; Commissioner Bolos seconded.  
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

8. **APPROVAL OF A CONTRACT WITH VCBO ARCHITECTURE FOR THE OGDEN ECCLES CONFERENCE CENTER REMODEL.**

Kassi Bybee (OECC): After RFQ and RFP responses, we decided to go with VCBO. This has been reviewed by attorneys on both sides. This contract is for \$5.8M with efforts in work to raise another \$6M; when raised, this contract will be amended.

Commissioner Bolos moved for approval of a contract with VCBO Architecture for the Ogden Eccles Conference Center remodel; Commissioner Harvey seconded.  
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

9. **APPROVAL OF ORDINANCE 2023-01 APPROVING SHORT-TERM RENTAL CODE TEXT AMENDMENTS.**

Bill Cobabe (Planning): I work with an incredible team and stakeholders. We just got a list of items of minor changes that we received this morning. The main item to bring to your attention is 108.11.C4 that talks about three consecutive days now says two consecutive nights. Remaining changes we feel are minimal. Amnesty was a topic no one has seen used previous. Exceptions to zoning ordinance brings significant amount of pause to the Planning staff. If the Commission is interested in pursuing these exceptions, staff recommends sending it to the Planning Commission to begin that process.

Commissioner Bolos: Last week I met with Bill and Rick (Grover). I appreciate the detail they shared with me. They expressed confidence in this ordinance.

Chair Froerer: In legislature we used to say “No matter how thin you slice it, there are still two sides”. Controlling STRs starts with enforcement and enforcement starts with knowing the inventory. Which is one reason why we hired a third party enforcement agency to start it as we head toward 24/7 enforcement.

Commissioner Bolos moved for approval Ordinance 2023-01 approving Short-Term Rental Code Text Amendments; Commissioner Harvey seconded.

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

**H. COMMISSIONER COMMENTS:**

1. Commissioner Bolos: I’ve learned in my first week that we have a lot of stellar people working for this county.
2. Commissioner Froerer: I need to say Commissioner Bolos is on top of it. We are excited to have her.

**I. ADJOURN**

Commissioner Bolos moved to adjourn at 11:17 a.m.; Commissioner Harvey seconded.

Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

Attest:

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Gage Froerer, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor