

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

Tuesday, January 19, 2021 – 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 Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

**A. WELCOME** - Commissioner Harvey

**B. PLEDGE OF ALLEGIANCE** - Jennifer Graham

**C. INVOCATION** - Christopher Crockett

**D. THOUGHT OF THE DAY** - Commissioner Froerer

**E. PUBLIC COMMENTS:** Brent Hipwell, owner of a large parcel along 3600 W., said that he had given 42 feet along that right-of-way so that he could develop and had signed a curb and gutter deferral agreement, and now he had to pay a portion of the improvements because someone was developing in that area. (See item G.3.)

**F. CONSENT ITEMS:**

1. Warrants #3436-3461 and #456007-456172 in the amount of \$1,670,311.07
2. Purchase orders in the amount of \$304,920.26
3. Minutes for the meeting held on January 12, 2021
4. New business licenses
5. Surplus office equipment and office furniture from Weber County Elections
6. Weber County Tax Review Committee request to refund \$567.82 to Oscar Izaguirre, Parcel #04-020-0021
7. Contract with Hunter and Company Communications, LLC, for government relations services
8. Amendment to a RAMP Grant contact with Ogden First (O1 Arts)

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

**G. ACTION ITEMS:**

**1. RESOLUTION APPOINTING MEMBERS TO THE WEBER-MORGAN BOARD OF HEALTH – RESOLUTION 4-2021**

Christopher Crockett, Deputy County Attorney, stated that there were three vacancies on this interlocal entity that is governed by a 13-member board. Commissioner Froerer disclosed that Ms. Wahlen was his sister-in-law.

Commissioner Froerer moved to adopt Resolution 4-2021 reappointing Commissioner Froerer and appointing Alex McDonald (representing at-large local business interests) and Bonnie Wahlen (representing at-large environmental interests) to the Weber-Morgan Board of Health through 12/31/2023; Commissioner Jenkins seconded.

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

**2. RESOLUTION APPOINTING MEMBER TO THE OGDEN MUSICAL THEATRE BOARD – RESOLUTION 5-2021**

Jennifer Graham, of the County Culture, Parks & Recreation, presented the four vacancies.

Commissioner Jenkins moved to adopt Resolution 5-2021 appointing Burke Burkhardt, Natasha Ovuoba, Kathy Smith, and Lori McMillan to the Ogden Musical Theatre Board through 12/31/2024; Commissioner Froerer seconded.

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

**3. AGREEMENT WITH TERAKEE PROPERTIES LP, FOR ROAD IMPROVEMENTS AND REIMBURSEMENT OF PROPERTY ACQUISITION COSTS RELATED TO 3600 WEST**

Gary Myers, County Engineer, said that there had been multiple discussions on this item, and that this road was on the county's master plan. Sean Wilkinson, County Community Development Director, addressed Commissioner Jenkins' question stating that when curb, gutter and sidewalk are not yet needed for an area, the county requires a deferral agreement until the appropriate time to call in those improvements, and that owner is responsible for those costs in the agreement. Mr. Hipwell subdivided, which triggered the deferral agreement. Because the road improvements are now needed, it is the appropriate time for him to pay his share.

Commissioner Jenkins moved to approve the agreement with Terakee Properties LP, for road improvements and reimbursement of property acquisition costs related to 3600 West; Commissioner Froerer seconded.

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

**4. CONTRACT WITH A-TRANS FOR A 3500 WEST STOP SIGN WARRANT STUDY (FROM 2-WAY TO 4-WAY STOP)**

Gary Myers, of County Engineering, noted that the intersection of 3500 W. and 2550 S. is extremely busy.

Commissioner Jenkins moved to approve the contract with A-Trans for the 3500 West stop sign warrant study; Commissioner Froerer seconded.

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

**5. CONTRACT WITH MATTHEW DAVIES FOR EXPERT WITNESS SERVICES**

**6. CONTRACT WITH STEPHEN GREENSPAN FOR EXPERT WITNESS SERVICES**

Bryan Baron, Deputy County Attorney, said that these contractual services were requested by the county's indigent defense attorneys.

Commissioner Froerer moved to approve the contract with Matthew Davies for expert witness services; Commissioner Jenkins seconded.

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

Commissioner Jenkins moved to approve the contract with Stephen Greenspan for expert witness services; Commissioner Froerer seconded.

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

7. **FINAL APPROVAL OF A CONDITIONAL USE REQUEST FOR WINSTON PARK, A PLANNED RESIDENTIAL UNIT DEVELOPMENT CONSISTING OF 54 RESIDENTIAL UNITS AND TWO OPEN SPACE PARCELS, TOTALING APPROXIMATELY 40.259 ACRES (FILE NO. CUP 2020-18)**

Tammy Aydelotte, of the County Planning Division, said that the developer met the bonus density requirement. The Planning Commission recommended approval, including that the fire access (secondary access for emergency only, with signage) be asphalt. The Fire District approved it. Curb, gutter, and sidewalk was also required along 1800 S.

Commissioner Jenkins moved to grant final approval of a conditional use request for Winston Park, a 54 residential unit PRUD with two open space parcels, totaling approximately 40.259 acres; Commissioner Froerer seconded.

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

8. **CONTRACT WITH MISS RODEO OGDEN QUEEN COMMITTEE FOR 2021 MISS RODEO UTAH QUEEN COMPETITION**

Duncan Olsen, GSEC General Manager, presented this contract.

Commissioner Froerer moved to approve the contract with Miss Rodeo Ogden Queen Committee for the 2021 Miss Rodeo Utah Queen competition; Commissioner Jenkins seconded.

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

9. **CONTRACT WITH USU EXTENSION SERVICES TO PROMOTE AND PROVIDE EXTENSION SERVICES**

Jennifer Graham, of County Culture, Parks & Recreation, presented this contract renewal (now a 3-year contract).

Commissioner Jenkins moved to approve the contract with USU Extension Services to promote and provide extension services; Commissioner Froerer seconded.

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

**H. PUBLIC HEARING:**

1.

Commissioner Froerer moved to adjourn the public meeting and convene the public hearing; Commissioner Jenkins seconded.

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

2. **PUBLIC HEARING TO CONSIDER & TAKE ACTION ON REQUEST (BY K. NELSON) TO VACATE A 10-FT. PUBLIC UTILITY EASEMENT ON NORTH & WEST SIDE OF LOT 2, DRYSDALE SUBDIVISION PHASE 2-FILE #EV2020-03**

Felix Lleverino, of the County Planning Division, stated that the process was appropriately followed, including proper noticing, and County Engineering comments were reviewed. Staff recommended vacating the easement.

3. **PUBLIC COMMENTS:** None.

4.

Commissioner Froerer moved to adjourn the public hearing and reconvene the public meeting; Commissioner Jenkins seconded.

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

5. **ACTION ON PUBLIC HEARING: H2-VACATE 10-FOOT PUBLIC UTILITY EASEMENT – ORDINANCE 2021-1**

Commissioner Jenkins moved to adopt Ordinance 2021-1 vacating a 10-foot public utility easement located on the north and west side of Lot 2 of Drysdale Subdivision Phase 2 (File #EV2020-03); Commissioner Froerer seconded.

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

**I. COMMISSIONER COMMENTS:** Commissioner Jenkins noted the need to fix the Chamber computers to be able to download items. Commissioner Froerer thanked the new Health Board appointees for being present and looks forward to serving with them. Chair Harvey thanked Commissioner Froerer for working over the long weekend to ensure that the people who were trying to schedule COVID-19 vaccinations could do so.

**J. ADJOURN**

Commissioner Jenkins moved to adjourn 10:53 a.m.; Commissioner Froerer seconded.

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

Attest:

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James H. Harvey, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor