

**MINUTES  
OF THE BOARD OF COMMISSIONERS OF WEBER COUNTY**

Tuesday, February 3, 2015 - 10:00 a.m.

Commission Chambers, 2380 Washington Blvd., Ogden, Utah

*In accordance with the requirements of Utah Code Annotated Section 52-4-7(1)(d), the County Clerk records in the minutes the names of all citizens 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.*

**COMMISSIONERS:** Kerry W. Gibson, Chair, Matthew G Bell and James Ebert.

**OTHERS PRESENT:** Ricky D. Hatch, County Clerk/Auditor; Chris Allred, County Attorney; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

**A. WELCOME** – Chair Gibson

**B. INVOCATION** – Reverend Charles Petty

**C. PLEDGE OF ALLEGIANCE** – Devron Andersen

**D. THOUGHT OF THE DAY** – Commissioner Ebert

**E. CONSENT ITEMS:**

1. Purchase orders for \$120,652.75
2. Warrants #317759 - #318048 for \$1,714,748.54
3. Minutes for the meeting held on January 27, 2015
4. Surplus a 1992 Isuzu NPR tilt cab diesel box truck from the County Department of Homeland Security/Emergency Management
5. New beer licenses
6. Cancel the regular Commission meeting scheduled for 2/10/2015. Next meeting: 2/17/2015
7. Amended Cooperative Agreement, Project No. F-0037(12)10 & S-0108(30)11, SR-108: SR-37 - SR-79 (road reconstruction and widening project) – Contract C2015-27

Commissioner Bell moved to approve the consent items; Commissioner Ebert seconded. Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

**F. ACTION ITEMS:**

**1. PRESENTATION OF THE VICTIMS OF CRIME ACT GRANT STATISTICS FOR 2014-2015 GRANT YEAR**

Jamie Pitt, of the County Attorney's Office, outlined the victims of crime coordinators' duties and reported on the services provided in 2014-2015, which included that over the last six months they helped 1,302 victims. The commissioners expressed thanks for the important work that they do.

**2. REQUEST FOR A RESOLUTION APPOINTING A MEMBER TO REDEVELOPMENT AGENCY OF WEBER COUNTY**

**3. RESOLUTION APPOINTING REPRESENTATIVES TO SERVE ON ALL TAXING ENTITY COMMITTEES FOR ALL COMMUNITY DEVELOPMENT, URBAN RENEWAL AND ECONOMIC DEVELOPMENT PROJECT AREAS WITHIN AN INCORPORATED OR UNINCORPORATED AREA OF WEBER COUNTY – RESOLUTION 17-2015**

Item F.2 was handled here. Douglas Larsen, Weber County Economic Development Partnership Director, noted the need to make these appointments.

Commissioner Ebert moved to adopt Resolution 17-2015 appointing Joe Olsen and Douglas Larsen as the two voting members and Scott Parke to act in case of absence of either of them to serve on all taxing entity committees for all community development, urban renewal and economic development project areas within an incorporated or unincorporated area of Weber County until their respective successors are appointed; Commissioner Bell seconded.

Roll Call Vote: Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

4. **CONTRACT WITH OGDEN NORDIC FOR GROOMING THE NORDIC TRAILS AT NORTH FORK PARK – CONTRACT C2015-28**

Jennifer Graham, County Recreation Facilities Director, presented this standard contract renewal.

Commissioner Bell moved to approve Contract C2015-28 with Ogden Nordic for grooming the Nordic trails at North Fork; Commissioner Ebert seconded.

Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

5. **MAINTENANCE AGREEMENT WITH WHEELER MACHINERY FOR SERVICES ON SIX FRONT-END LOADERS AND TWO TRACK HOES – CONTRACT C2015-29**

Gary Laird, with County Solid Waste, stated that Wheeler provides excellent service and that the county saves money by not having to hire a full-time mechanic.

Commissioner Ebert moved to approve Contract C2015-29, Maintenance Agreement with Wheeler Machinery for services on six front-end loaders and two track hoes; Commissioner Bell seconded.

Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

6. **CONTRACT WITH THE US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION, TO ALLOW WEBER COUNTY TO CONSTRUCT & MAINTAIN A 20 FT. X 25 FT. PAVED ASPHALT ACCESS ROAD, ALONG WITH 25 FT. OF MINIMAL LANDSCAPING & IRRIGATION SYSTEM ON US LANDS ACQUIRED FOR A ROY WELL ON BEHALF OF WEBER BASIN WATER CONSERVANCY DISTRICT – CONTRACT C2015-30**

Lynnda Wangsgard, County Library Director, stated that this item is to develop a portion of land as part of the construction of the southwest library branch in Roy City. There is an abandoned well on the southern portion of that property and the wellhead will be left intact but there will be landscaping around it and an access road provided on the south side of the property. This access road will provide a number of benefits to the general public, including providing convenient access on the non-public side of the building for the several daily deliveries, parking access for employees, and safe entry into the building by library patrons (because delivery vehicles will not need to backup onto oncoming traffic or across areas where pedestrians may approach the building). Chair Gibson noted that the land, which is owned by this Bureau of Reclamation, is managed by Weber Basin. The license is for 25 years.

Commissioner Ebert moved to approve Contract C2015-30 with the U.S. Department of the Interior, Bureau of Reclamation, to allow Weber County to construct and maintain a 20 ft. by 25 ft. paved asphalt access road, along with 25 ft. of minimal landscaping and irrigation system on U.S. lands acquired for a Roy City well on behalf of Weber Basin Water Conservancy District; Commissioner Bell seconded.

Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

7. **ADDENDUM TO THE 2002 ZONING DEVELOPMENT AGREEMENT (ZDA) FOR WOLF CREEK RESORT ALLOWING A TRANSFER OF 58 UNITS BETWEEN THE FOREST RESIDENTIAL FR-3 AND RESIDENTIAL RE-15 ZONES AND OTHER MINOR CHANGES – CONTRACT C2015-31**

Jim Gentry, with the County Planning Division, stated that this addendum does not increase density for Wolf Creek. The addendum transfers 58 units from the FR-3 Zone to the RE-15 Zone and clarifies that a parcel that was in the 2002 agreement labeled FRC-1, which no longer exists in the Land Use Code, was replaced by the FR-1 Zone. After the ZDA was approved in 2002, there was a rezone of property to the CVR-1 Zone that allows residential units; the commercial CV-2 will be reduced by 61 units to account for this. The Ogden Valley Planning Commission unanimously recommended approval of the addendum. Chair Gibson noted that when this item was last heard (8/26/2014) the Planning Commission's recommendation had been to deny the two-step process, preferring that the concept map be amended and approved at the same time as the ZDA.

Eric Householder, with the Householder Group, said that a lot of work has gone into this for about two years. There has been some consolidation of ownership, the landscape has changed, and they look forward to clarifying the entitlements and bringing an updated plan to the county within the next year.

John Lewis, with Wolf Creek Resort, stated that ultimately it has been a good process, that stake holders changed, and that they went back to their community for input, making them part of the process.

Jan Fullmer, of Eden, said that she and her husband were representing what has come from 14 communities on Wolf Creek's future development. She said that the 2002 ZDA had been presented by five entities and asked if they needed to sign this addendum. Sean Wilkinson, County Planning Division Director, responded that Elkhorn, LLC, and Summit Mountain Holding Group are not party to this addendum; their property is not affected and this item does not supersede the other provisions of the 2002 agreement. Moving forward, all of those entities will have to work together on the updated Master Plan, regardless of whether they are part of this addendum. Chris Allred, County Attorney, concurred stating that it is what has been discussed. Gary Fullmer stated his support for this item, that this transfer does not increase density and that it opens up additional development and may increase the tax base. Commissioner Bell explained that Wolf Creek went into bankruptcy and the federal judge divided this large chunk of property, gave it to various owners but did not designate where the houses were to be built. Commissioner Bell moved to approve Contract C2015-31, addendum to the 2002 Zoning Development Agreement for Wolf Creek Resort allowing a transfer of 58 units between the Forest Residential Fr-3 and the Residential RE-15 Zones, and other minor changes; Commissioner Ebert seconded. Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

#### **G. PUBLIC COMMENTS:**

Joe Buchanan said that he was a victim of a property crime three years ago. He commended the county's Victims of Crime coordinators who did a superb job on a difficult case.

Douglas Hansen, of West Weber, gave the Commission a map with his two proposed options for the Little Weber cut-off project: a) to terminate the current concrete canal along 5500 W. (which he said would save millions of dollars + destruction to their property) or b) to continue the county's proposed concrete channel to the point where the topography drops down about 5-6 ft. to eliminate exposing the concrete channel walls 6-7 ft. high above that landscape and becoming a terrible eyesore. In exchange for not going through his family's property, the Hansens would offer up the western portion to be utilized as a catch basin (to hold 35-40 acre ft. of water), which he believes would handle the flood water as it did in 2011, and maintain that natural environment. He said that statistically the proposed canal may be used once in 30 years. Chair Gibson noted that these comments have been heard many times, both in private and public meetings for four years but is presented as though they have not. The county has conducted extensive studies on the options and there is a comprehensive plan, which has been thoroughly vetted for financial and engineering data, and has been documented throughout the process. Chair Gibson said that the proposed concrete canal is a critical piece of infrastructure for our community and with the available data, it is important to move forward. He committed to doing everything possible to have the least impact.

#### **H. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, FEBRUARY 17, 2015, 10 A.M.**

##### **CLOSED EXECUTIVE SESSION TO DISCUSS STRATEGY RELATING TO PENDING OR IMMINENT LITIGATION**

Commissioner Ebert moved to convene a closed executive session to discuss strategy relating to pending or imminent litigation; Commissioner Bell seconded.

Roll Call Vote: Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

No action was taken on the closed executive session.

#### **I. ADJOURN**

Commissioner Bell moved to adjourn at 11:38 am; Commissioner Ebert seconded.

Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

Attest:

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Kerry W. Gibson, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor