

MINUTES
WEBER COUNTY COMMISSION

Tuesday, February 6th, 2024 – 10:01 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, Sharon Bolos, and Gage Froerer
STAFF PRESENT: Lynn D. Taylor, of the County Clerk/Auditor's office; Liam Keogh, of the County Attorney's office; and Craig D. Brandt, of the County Clerk/Auditor's office, who took minutes.

A. WELCOME: Chair Harvey

B. PLEDGE OF ALLEGIANCE: Brooke Stewart

C. INVOCATION: Bill Cobabe

D. THOUGHT OF THE DAY: Commissioner Froerer: We have a couple of important holidays in February. I'm talking about Valentine's Day today as we do not have a meeting next week. I thought it would be appropriate to remind the gentlemen in the room that it's next week. Who created this holiday? It's a feast celebrated annually and it started in the third century honoring the martyr Saint Valentine; later through folk traditions it became a cultural, religious, and now commercial celebration of romance and love. When I think of St. Valentine, I think of our Commissioner Harvey. St. Valentine was a lover of people; he went out and did things for people, some of which got him in trouble. But he liked to wave at people and associate with people. He was imprisoned for marrying two Christians who were not allowed to be married under Roman law at that time and was later executed. Later on in the 14th and 15th century, it became noted for courtly love and it flourished associated with love birds that came out in the spring. When you think of St. Valentine, think of our Chair who is kindly, waving at people; we appreciate him very much.

E. PUBLIC COMMENT: NONE.

F. CONSENT ITEMS:

1. Warrants #10076-10107 and #482094-482179 in the amount of \$879,686.05.
2. Purchase orders in the amount of \$566,281.21.
3. Summary of Warrants and Purchase Orders.
4. ACH payment to Zions Bank in the amount of \$146.91.
5. Minutes for the meetings held on January 30, 2024.
6. New business licenses.
7. New beer licenses.
8. Temporary event beer license.
9. Contract with David Wickerham to secure entertainment services for the Variety Theatre Pipe Organ Program.
10. Surplus hockey pads to be donated to the Huntsville City Outdoor Ice Arena.
11. Amendment to the Tourism and Convention/Events Sales and Marketing Agreement by and between Weber County and Visit Ogden.
12. Local Transportation Funding Agreement with Marriott-Slaterville City to establish terms related to Phase 2 of the Marriott-Slaterville City Pioneer Road project.
13. Amendment to a Local Transportation Funding Agreement by and between Weber County and Marriott-Slaterville City to amend terms related to the Marriott-Slaterville City 1700 South 1200 West project.

Commissioner Bolos moved to approve the consent items; Commissioner Froerer seconded.

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

G. ACTION ITEMS:

1. **APPROVAL OF RESOLUTION 03-2024 OF THE COUNTY COMMISSIONERS OF WEBER COUNTY AUTHORIZING THE USE OF FUNDS FOR PROJECTS ON THE PRIORITY LIST APPROVED BY WACOG.**

Brooke Stewart (Community Development): Resolution is to authorize the use of funds for Phase 2 of the Weber County 2550 South project. This project was approved by the Commission as part of the 2023 transportation priority list back in November. Typically, funding agreement are brought before the commission for approval of the local transportation projects. However, since this is a county project, and they county cannot contract with itself, authorization for the use of these funds is done with the approval of a resolution. The county is in the process of purchasing right or way for the first phase of the 2550 south

project. With the approval of this resolution those efforts will be continued in the 2nd phase from 4300 west to 4700 west.

Commissioner Bolos moved for approval of Resolution 03-2024 of the County Commissioners of Weber County authorizing the use of funds for projects on the priority list approved by WACOG; Commissioner Froerer seconded.

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

2. **APPROVAL OF FINAL READING OF 2024-05 ORDINANCE OF WEBER COUNTY ADOPTING THE PROJECT AREA PLAN FOR THE CHROMALOX COMMUNITY REINVESTMENT PROJECT AREA.**

Stephanie Russell (Economic Development Director): This is the Final Reading with no changes from the First Reading.

Commissioner Froerer moved for approval of Final Reading of 2024-05 Ordinance of Weber County adopting the Project Area Plan for the Chromalox Community Reinvestment Project Area; Commissioner Bolos seconded.

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

3. **PRELIMINARY SUBDIVISION APPROVAL OF ORCHARDS AT JDC RANCH PHASES 2 AND 3 CONSISTING OF 115 UNITS, FILE NO. LVO112223.**

Tammy Aydelotte (Planning): This part of an area rezoned to R3. These do not usually come before you for preliminary approval but the recorded development agreement includes this as part of the process. This is part of a 13 acre project area located near 2850 West and 2600 North between Plain City and Farr West. There are 115 units proposed, 100 of which are townhomes; these are the only townhomes to be proposed as this is the maximum allowed on the JDC Ranch project area. There are also 15 clustered single family units. There is a 3 acre park already located in Phase 1 with common area maintained by the HOA. Previous approval have been received for 148 of the 725 total units leaving 462 residential units left to be approved. The applicant is proposing 61 parking spaces. The Planning Commission’s recommendation for preliminary approval mirrors that of Planning Staff. In the Planning Commission’s preliminary approval, they removed the need for an egress to 2700 North as they felt the platting of Phase 1 would address that need. The Planning Commission recommends preliminary approval of JDC Ranch Phases 2 & 3 subject to all agency review requirements and based on the following conditions:

- Final letters of approval should be submitted from The Culinary and secondary water providers prior to recording the final plat.
- Open spaces will need to be properly labeled as common area on each final plat, and
- Street cross sections will be verified for compliance with the development agreement once final Improvement drawings are submitted for each phase

Commissioner Froerer moved for preliminary subdivision approval of Orchards at JDC Ranch Phases 2 and 3 consisting of 115 units, File No. LVO112223; Commissioner Bolos seconded.

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

4. **APPROVAL OF A CONTRACT WITH OLDCASTLE INFRASTRUCTURE TO FABRICATE THE PRECAST BOX CULVERT UNDER 4000 NORTH NEAR 3600 WEST.**

Ashley Thoman (Engineering): This contract is for the fabrication of the precast box culvert. This will be funded through the Flood Control funds.

Commissioner Bolos moved for approval of contract with Oldcastle Infrastructure to fabricate the precast box culvert under 4000 North near 3600 West; Commissioner Froerer seconded.

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

5. **APPROVAL OF FINAL READING OF RIGHT OF WAY AGREEMENT WITH OGDEN CLINIC PROFESSIONAL CORPORATION TO PURCHASE RIGHT-OF-WAY ALONG 2550 SOUTH FOR CORRIDOR PRESERVATION.**

Ashley Thoman (Engineering): This contract is to purchase Right of Way along 2550 South, similar to previous Right of Way contracts. We used a Right of Way agent and followed the State’s process and are using WACoG Corridor Preservation Funds.

Commissioner Froerer moved for approval of Right of Way Agreement with Ogden Clinic Professional Corporation to purchase right-of-way along 2550 South for corridor preservation; Commissioner Bolos seconded.

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

6. APPROVAL OF CONTRACT WITH LEXIS NEXIX COPLOGIC SOLUTIONS FOR ONLINE REPORTING.

Chief Josh Gard (Sheriff's Department): This to help reduce time spent on lower priority calls. There is an expenditure for this but this will be offset by Lexis Nexix taking uploading our accident reports for third party access. The money collected will be used toward the subscription cost. This takes the workload off of our records clerks.

Commissioner Bolos moved for approval of contract with Lexis Nexix Coplogic Solutions for online reporting; Commissioner Froerer seconded.

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

7. APPROVAL OF LAND DRAIN CROSSING WARRANTY AGREEMENT BY AND BETWEEN WEBER COUNTY AND NILSON HOMES.

Gary Myers (Engineering Director): In the ground is some old Bureau of Reclamation pipes installed many years ago. These will be crossed by new pipes to be installed. There will be an Escrow account created to cover any potential issues sourced from the crossing of these pipes. Part of the agreement requires the County enter an agreement with the Bureau of Reclamation that if any damage happens to those pipes, they will be restored back to working order.

Commissioner Froerer moved for approval of Land Drain Crossing Warranty Agreement by and between Weber County and Nilson Homes; Commissioner Bolos seconded.

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

H. PUBLIC HEARINGS:

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

Commissioner Bolos moved to adjourn the public meeting and convene public hearings, 10:30 a.m.; Commissioner Froerer seconded.

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

2. Public hearing to consider a County-initiated ordinance amendment to Section 106-4-2.080, Street Trees, providing for the requirement for street trees including financial guarantees required for public improvements, installation and maintenance of street trees, and the adoption of a species list of approved street trees/vegetation, and Section 108-7-7.040, Public Tree Care, providing for the long-term maintenance and care of street trees.

Bill Cobabe (Planning): There is a concerned citizen up in the Valley concerned about street trees. The street trees that may be of concern are not going to go in every location. They will go on streets required to be normal subdivision streets and not country area. In the effort to provide street trees in those areas, we are proposing this update. This was approved by both Planning Commissions with the proviso that the permit required is a 'no fee' permit. We are not going to require this for every subdivision.

3. Public Comments: None.

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

Commissioner Bolos moved to adjourn the public hearings and reconvene public meeting, 10:33 am; Commissioner Froerer seconded.

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

5. Action on public hearing:

H2: Request for approval of a County-initiated ordinance 2024-06 amendment to Section 106-4-2.080, Street Trees, providing for the requirement for street trees including financial guarantees required for public improvements, installation and maintenance of street trees, and the adoption of a species list of

approved street trees/vegetation, and Section 108-7-7.040, Public Tree Care, providing for the long-term maintenance and care of street trees.

Commissioner Bolos moved to approve Ordinance 2024-06 amending Section 106-4-2.080, Street Trees, providing for the requirement for street trees including financial guarantees required for public improvements, installation and maintenance of street trees, and the adoption of a species list of approved street trees/vegetation, and Section 108-7-7.040, Public Tree Care, providing for the long-term maintenance and care of street trees; Commissioner Froerer seconded.

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

G. ACTION ITEMS (CONTINUED)

8. APPROVAL OF RESOLUTION 04-2024 ADOPTING THE WEBER COUNTY STREET TREE LIST.

Commissioner Froerer moved for approval of Resolution 04-2024 adopting the Weber County Street Tree List; Commissioner Bolos seconded.

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

I. COMMISSIONER COMMENTS:

1. Stall of Fame for February:

Rick Grover (Director of Planning): We have an individual in our division who has gone above and beyond the past year, especially helping with STRs. Iris Hennon has picked up a lot of slack while our third party company was getting set up. I just want to thank her for all she has done with this, Dark Sky inspections, and business license system, among other things.

Iris Hennon: It's a whole division that works together. It's everybody in our division. We have a great boss and a great boss' boss.

Chair Harvey: You are a wonderful person! We are so lucky you chose to be here and serve in the position you do. The last time you were here we gave you a key chain so this time we present something to you that no one else has yet received. We have a coin in the shape of a belt buckle. Thank you for all you do!

2. Commissioner Bolos: I love that Iris called out her own department. That's what we are about at Weber County. We can give an award to someone but it seems like everyone takes the opportunity to thank those around them. That's how we work!

3. Commissioner Froerer: I just want to thank Iris for what she's done. Sometimes she does not work with the friendliest people in her job. I have had a couple of occasions to talk with those people and Iris does it in such a professional manner that at the end of the day those people felt they have been dealt with fairly even though sometimes they have been found in violation. She takes care of Weber County in a kind and thoughtful manner.

J. ADJOURN

Commissioner Bolos moved to adjourn at 10:43 am.; Commissioner Froerer seconded.

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

Attest:

James H. Harvey, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor