

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

Tuesday, February 16, 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:** Lynn Taylor, of the County Clerk/Auditor's Office; Christopher Crockett, Deputy County Attorney; and Fátima Ferneliuss, of the Clerk/Auditor's Office, who took minutes.

**A. WELCOME** - Chair Harvey

**B. PLEDGE OF ALLEGIANCE** - Shelly Halacy

**C. INVOCATION** - Leann Kilts

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

**E. PUBLIC COMMENTS:** None.

**F. CONSENT ITEMS:**

1. Warrants #3533 and #456674 in the amount of \$759,081.99
2. Purchase orders in the amount of \$71,729.07
3. Minutes for the meeting held on February 9, 2021
4. Contract with Lindsey Parkinson for a Weber State University Communications Department internship
5. Surplus a chair from the Attorney's Office
6. Surplus office furniture from the USU Extension Services Office
7. Surplus twenty office chairs from the Sheriff's Office/Kiesel Facility
8. Retirement Agreements with the following: Jeremy Rock; Scott Egelund; Cody King; Jarom Hyde; Dustin Anthon; Chad Christensen; Garn Sever; Matthew Jensen; Eric Fryer; David Parks

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

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

**G. ACTION ITEMS:**

**1. FINAL READING OF COUNTY FEES ORDINANCE AMENDMENT TO SHERIFF'S OFFICE FEES – ORDINANCE 2021-3**

Cameron McCarty, of the Sheriff's Office, stated that there had been no changes since the first reading.

Commissioner Froerer moved to adopt Ordinance 2021-3, final reading of the Weber County Fees Ordinance amendment to update the Sheriff's Office fees; Commissioner Jenkins seconded.

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

**2. CONTRACT WITH LAURIE SHINGLE FOR TRANSCRIPTION SERVICES**

Courtlan Erickson, Deputy County Attorney, noted that occasionally the county has need for transcription services. Ms. Shingle was the lowest bidder. This is a 3-year contract, locking in the price for these services.

Commissioner Jenkins moved to approve the contract with Laurie Shingle for transcription services; Commissioner Froerer seconded.

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

**3. CONTRACT WITH BRIGHAM IMPLEMENT COMPANY, INC., TO CONTRACT ~~TWO~~ THREE TRACTORS FOR THREE YEARS IN EXCHANGE FOR SIGNAGE PLACEMENT AND FACILITY SPONSORSHIP**

Duncan Olsen, GSEC General Manager, stated that this contract is for three tractors, not two.

Commissioner Froerer moved to approve the contract with Brigham Implement Company, Inc., to contract 3 tractors for 3 years in exchange for signage placement & facility sponsorship; Commissioner Jenkins seconded.

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

**4. RATIFY A CONTRACT WITH BRIAN COWAN WHO WAS APPOINTED BY THE BOARD OF HEALTH TO BE THE HEALTH DIRECTOR OF THE WEBER-MORGAN HEALTH DEPARTMENT**

Christopher Crockett, Deputy County Attorney, stated that with the upcoming retirement of the Health Director, the Board of Health had met and interviewed candidates for his replacement pursuant to State statute. They recommended appointing Mr. Cowan. This is a multi-county health department and under State statute the appointment is subject to ratification by both participating counties and will also be presented to Morgan County. The commissioners had interviewed Mr. Cowan and supported this action.

Commissioner Froerer moved to ratify a contract with Brian Cowan who was appointed by the Board of Health to be the Health Director of the Weber-Morgan Health Department; Commissioner Jenkins seconded.

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

**5. CONTRACT WITH KOFILE TO RESTORE THE RECORDER'S DEED BOOKS**

Leann Kilts, County Recorder, stated that this company had been restoring the Recorder's books in increments and this was the final one. Chair Harvey noted that one thing Weber County enjoys, which not all counties do, is the history of its property records and that the Recorder has books that are 100+ years old.

Commissioner Jenkins moved to approve the contract with Kofile to restore the Recorder's Deed Books; Commissioner Froerer seconded.

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

**H. PUBLIC HEARING:**

1. Commissioner Froerer moved to adjourn the public meeting & convene the public hearing; Commissioner Jenkins seconded. Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

2. **PUBLIC HEARING TO CONSIDER AND TAKE ACTION ON A REQUEST TO VACATE SEVERAL PUBLIC UTILITY EASEMENTS LOCATED ON LOTS OF THE UINTAH HIGHLANDS SUBDIVISIONS NO. 6 & NO. 7**

Scott Perkes, of the County Planning Division, referred to the joint application submitted by multiple residents of Ryan Circle to vacate several 10-foot wide public utility easements among the collective side and rear lot lines for lots 8-11 of Uintah Highlands Subdivision No. 6, lots 12-18 of Uintah Highlands Subdivision No. 7, and lot 20 of Uintah Highlands Subdivision No. 8. Questar Gas and Uintah Highlands Improvement District granted a release to all requested easements. However, Rocky Mountain Power granted a release to all requested, with the exception of those found on lot 11 of Subdivision No. 6, those on lots 15, 16, 17, & 18 of No. 7 and those on lot 20 on No. 8. After review by County Engineering and letters received from Questar Gas, Rocky Mountain Power, and the Improvement District, staff recommended vacating certain requested easements. Those not being recommended for vacation front Combe Road and a couple of side easements that currently have some stormwater infrastructure. Rocky Mountain and County Engineering had indicated that the easements along the rear lot lines that front Combe Road should remain for future utility expansion. In addition to the easements that front Combe Road, Rocky Mountain Power also identified easements on lot 11 (side and rear) and lot 15 (rear) that needed to remain in place. He addressed Commissioner Froerer’s question stating that the ordinance exhibit shows the easements recommended for vacation as the rear easements of lots 8, 9 & 10 of No. 6 and rear easements for lots 12, 13 & 14 of No. 7. The remaining lots 15, 16, 17, and 18 of No. 7, lot 20 of No. 8, and lot 11 of No. 6 have easements not recommended for vacation.

3. **PUBLIC COMMENTS:** Scott Waterfall, who filed the vacation petition for himself and others residing on Ryan Circle, stated that public utility easements were a requirement 28 years ago when the subdivision was filed but that several easements are no longer needed. He had contacted each of the utilities and said that Rocky Mountain Power would only release some easements, that he did not know why they objected to those on Combe Road, that Rocky Mountain was not utilizing the rear easements and he did not believe they ever would due to topography. He found it interesting that the County Engineering analysis indicated that the public utility and drainage easements along the rear of lots 8-15 and the east lot line of lot 11 could be vacated but that the ordinance supported Rocky Mountain.

4. Commissioner Jenkins moved to adjourn the public hearing and reconvene the public meeting; Commissioner Froerer seconded. Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – nay

5. **ACTION ON PUBLIC HEARING: H.2-VACATING PUBLIC UTILITY EASEMENTS - ORDINANCE 2021-4**

Mr. Perkes addressed Chair Harvey’s questions stating that County Engineering was comfortable vacating easements to the side and rear of lot 11 (Waterfall’s lot), however, Rocky Mountain differed with that opinion where those adjacent undeveloped parcels could potentially use those easements and was hesitant to release them at this time. Mr. Perkes stated that currently there are power lines running along Combe Road, that there is stormwater infrastructure adjacent to lots 12, 13, 17 & 18 and County Engineering does not recommend vacating those side lot easements, and the ordinance does not vacate them. Chair Harvey could understand this but not Rocky Mountain’s recommendation. Commissioner Froerer could understand Mr. Waterfall’s concern but was hesitant to supersede a public utility not willing to grant the vacation in case they have future plans, and the applicant should work that out with the utility.

Commissioner Froerer moved to adopt Ordinance 2021-4 vacating several public utility easements located on lots of the Uintah Highlands Subdivisions No. 6 & No. 7, as recommended by staff; Commissioner Jenkins seconded. Mr. Waterfall did not want to pay the filing fee again and wanted a chance to work with Rocky Mountain. Commissioner Froerer did not wish to amend his motion. Commissioner Jenkins agreed with Commissioner Froerer. He added that if Mr. Waterfall could work that out with Rocky Mountain that he did not believe that the county would charge him another filing fee and Commissioner Froerer concurred about waving that fee. Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – nay

**I. COMMISSIONER COMMENTS:** None.

**J. ADJOURN**

Commissioner Froerer moved to adjourn at 10:33 a.m.; Commissioner Jenkins seconded. Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

Attest:

James H. Harvey, Chair  
Weber County Commission

Ricky D. Hatch, CPA  
Weber County Clerk/Auditor