

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

Tuesday, March 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:** Ricky D. Hatch, County Clerk/Auditor; Bryan Baron, Deputy County Attorney; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

**A. WELCOME** - Chair Harvey

**B. PLEDGE OF ALLEGIANCE** - Brooke Stewart

**C. INVOCATION** - Bryan Baron

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

**E. PUBLIC COMMENTS:** None.

**F. CONSENT ITEMS:**

1. Ratification of warrants #3603-3626, #457144-457312 & #73 in the amount of \$745,169.68 dated March 9, 2021
  2. Warrants #3627-3657, #457313-457438 in the amount of \$1,254,046.38
  3. Purchase orders in the amount of \$440,077.07
  4. ACH payment to US Bank in the amount of \$181,399.53
  5. Minutes for the meeting held on March 2, 2021
  6. New business licenses
  7. Surplus two chairs from the Attorney's Office
  8. Declare part of Parcel #17-091-0008 as surplus real property
  9. Weber County Tax Review Committee request to approve refunds: Parcel #05-082-0033, \$275.35; Scottsdale Farm, \$396.65
  10. Retirement Agreements: Brent Pectol; Camille Hurst; Robyn Skidmore; Lezlie Sokolik; Norma Toscano; Joann Wengreen
- Commissioner Jenkins moved to approve the consent items; Commissioner Froerer seconded.  
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

**G. ACTION ITEMS:**

**1. REQUEST FOR FIRST READING OF ORDINANCE AUTHORIZING SEASONAL CLOSURE OF AVON PASS ROAD & ANT FLAT ROAD**

Lt. Mark Horton, of the County Sheriff's Office, referred to winter road damage issues at Ant Flat Road and Avon Pass Road, dirt roads in the northeast part of the county. The county commission adopted an ordinance in 1995 that only closed the Avon Road during the winter, at which time both roads become wet, are typically covered in snow, and become impassible to motor vehicles. This ordinance would close both roads and would replace the 1995 ordinance. When motorists attempt to travel on these wet/muddy roads they cause substantial damage to the roads, and there is also the safety risk to those travelers becoming stranded and vehicles becoming stuck. When these roads are covered in snow, they become a popular recreational area for snowmobiling. The Monte Cristo area is a major winter recreation area for snowmobiling and other wintertime activities. State Parks grooms the area all the way to Rich County. Lt. Horton has contacted Cache County and they are in agreement to close the road from its side.

Commissioner Froerer moved to approve the first reading of an ordinance authorizing the seasonal closure of Avon Pass Road and Ant Flat Road; Commissioner Jenkins seconded.  
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

**2. LOCAL TRANSPORTATION FUNDING AGREEMENT WITH ROY CITY TO ESTABLISH TERMS RELATED TO THE CITY'S 4300 WEST PROJECT**

**3. LOCAL TRANSPORTATION FUNDING AGREEMENT WITH FARR WEST CITY TO ESTABLISH TERMS RELATED TO THE CITY'S 4000 NORTH PROJECT**

**4. LOCAL TRANSPORTATION FUNDING AGREEMENT WITH PLAIN CITY TO ESTABLISH TERMS RELATED TO THE CITY'S NORTH PLAIN CITY ROAD PROJECT**

**5. LOCAL TRANSPORTATION FUNDING AGREEMENT WITH WEST HAVEN CITY TO ESTABLISH TERMS RELATED TO THE WEST HAVEN CITY MIDLAND DRIVE CORRIDOR PRESERVATION PROJECT**

**6. LOCAL TRANSPORTATION FUNDING AGREEMENT WITH WEST HAVEN CITY TO ESTABLISH THE TERMS RELATED TO THE CITY'S 3300 SOUTH (PHASE 2) PROJECT**

Brooke Stewart, with County Community Development, addressed items G.1 through G.6 together; these were recommended by the Weber Area Council of Governments and approved by the County Commission as part of the 2019 transportation projects priority list.

Roy City – to widen and improve 1.1 miles of 4300 West from 5700 South to 4800 South. The City has committed \$73,000 in local funds toward the project.

Farr West City – to widen and improve 0.6 miles of 4000 North from HWY 126 west to the City boundary at approximately 2900 West. The City has committed \$436,000 in local funds toward the project and has also been awarded Surface Transportation Funds to complete the project.

Plain City – to widen and improve 0.4 miles of North Plain City from 2750 West to 2900 West. The City has committed \$100,000 in local funds toward the project.

West Haven City, Midland Drive – to initiate corridor preservation efforts along Midland Drive in the City from 1900 West to 3600 South to support the possible advancement of the future widening project by UDOT.

West Haven City, 3300 South – to widen and improve 1 mile of 3300 South from 2700 West to 3500 West. The City has committed \$500,000 in local funds toward the project.

Commissioner Jenkins moved to approve the Local Transportation Funding Agreement with Roy City to establish terms related to the City's 4300 West project; Commissioner Froerer seconded.

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

Commissioner Jenkins moved to approve the Local Transportation Funding Agreement with Farr West City to establish terms related to the City's 4000 North project; Commissioner Froerer seconded.

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

Commissioner Jenkins moved to approve the Local Transportation Funding Agreement with Plain City to establish terms related to the City's North Plain City road project; Commissioner Froerer seconded.

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

Commissioner Jenkins moved to approve the Local Transportation Funding Agreement with West Haven City to establish terms related to the City's Midland Drive corridor preservation project; Commissioner Froerer seconded.

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

Commissioner Jenkins moved to approve the Local Transportation Funding Agreement with West Haven City to establish the terms related to the City's 3300 South (Phase 2) project; Commissioner Froerer seconded.

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

#### 7. **CONTRACT WITH SUNRISE ENGINEERS FOR AN UPPER VALLEY SEWER STUDY**

Gary Myers, County Engineer, stated that the county's procurement process was followed for this item. He addressed Commissioner Froerer's question stating that the past Valley study will be considered, along with evaluating septic tanks, infiltration, the current area growth, the potential need and locations for sewer treatment.

Commissioner Froerer moved to approve the contract with Sunrise Engineers for the Upper Valley sewer study; Commissioner Jenkins seconded.

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

#### 8. **CONTRACT WITH UDOT REGION 1 TO ALLOW UDOT AND THE COUNTY TO PARTNER ON THE COST OF INSTALLING STORM DRAIN UNDER THE RAILROAD CROSSING AT 4700 WEST AND 12<sup>TH</sup> STREET**

Gary Myers, County Engineer, stated that currently there is a pipe under the railroad tracks along 4700 W. and upon inspection by the county and UDOT it is found to be clogged with debris; it has caused problems for the county in the past. The challenges include that as it goes under the tracks there is an angle-bearing change on that pipe, which is a natural bottleneck for debris, and also that the current pipe is significantly undersized. UDOT identified this project and approached the county for a little participation funding of \$125,000. Mr. Myers said that this is a great deal for the county considering the total cost of such a project and that it is a huge benefit to the area's drainage capacity. The pipe will be upsized from 15 to 30 inches.

Commissioner Jenkins moved to approve the contract with Sunrise Engineers for an Upper Valley sewer study; Commissioner Froerer seconded.

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

#### 9. **MEMORANDUM OF UNDERSTANDING WITH WEBER HUMAN SERVICES FOUNDATION TO ALLOW WEBER HUMAN SERVICES FOUNDATION TO PASS THROUGH A GRANT TO WEBER COUNTY**

Melissa Freigang, Center of Excellence Director, noted that the Center will be two years old in July. It serves families experiencing intergenerational poverty, for which there is no traditional funding, and the Center has to be quite innovative about funding streams. The Center is a non-traditional program that has a 35% average increase in family resilience. It currently is funded through the Temporary Assistance for Needy Families. It lost 40% of its families last July due to federal requirements. The foundation received \$100,000 donation from The Church of Jesus Christ of Latter Day Saints. Commissioner Jenkins said that the county is grateful for the funds and that this program is working well due to the manner in which the county organized it.

Commissioner Jenkins moved to approve the Memorandum of Understanding with Weber Human Services Foundation to allow Weber Human Services Foundation to pass through a grant to the county; Commissioner Froerer seconded.

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

**10. RESOLUTION APPOINTING A TRUSTEE TO THE BOARD OF THE WEST WEBER-TAYLOR CEMETERY DISTRICT – RESOLUTION 11-2021**

Stacy Skeen, of the Commission Office, noted that this district had one vacancy and one application was received. Commissioner Jenkins moved to adopt Resolution 11-2021 appointing Marlin Kirby to the West Weber-Taylor Cemetery District board through 12/31/2024; Commissioner Froerer seconded. Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

**11. CONTRACT WITH ADAM HENSLEY FOR INDIGENT DEFENSE**

Mike Bouwhuis, Indigent Defense Coordinator, stated that an attorney is retiring from the Juvenile Court and there was unanimous support from the procurement committee that interviewed candidates to contract with Mr. Hensley to take over the caseload.

Commissioner Froerer moved to approve the contract with Adam Hensley for indigent defense; Commissioner Jenkins seconded.

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

**12. AMENDMENTS TO THE CONTRACTS WITH THE FOLLOWING INDIVIDUALS FOR INDIGENT DEFENSE:**

Andrew J. Heyward	Martin V. Gravis	Richard T. Williams
Rebecca M. Voymas	Jennifer A. Clark	Ammon G. Nelson
Randall L. Marshall	Jason R. Widdison	Emily Adams
Michael D. Bouwhuis	James M. Retallick	Cherise Bacalski
Mary Anne Ellis	Gage Crowther	Freyja Johnson

Mike Bouwhuis, Indigent Defense Coordinator, stated that these amendments to contracts incorporate the compensation change for 2021 and include a clause providing some incentive for attorneys to cooperate more fully in providing data for the system that helps track case loads to provide that information to the State’s Indigent Defense Commission.

Commissioner Jenkins moved to approve the indigent defense amendments to the contracts with Andrew J. Heyward; Rebecca M. Voymas; Randall L. Marshall; Michael D. Bouwhuis; Mary Anne Ellis; Martin V. Gravis; Jennifer A. Clark; Jason R. Widdison; James M. Retallick; Gage Crowther; Richard T. Williams; Ammon G. Nelson; Emily Adams; Cherise Bacalski; and Freyja Johnson; Commissioner Froerer seconded.

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

**13. AGREEMENT WITH EDA ARCHITECTS REGARDING PRELIMINARY SITE EVALUATION AND FEASIBILITY STUDY SERVICES FOR A NEW WEBER COUNTY BUILDING AND LOCATION**

Scott Mendoza, of County Community Development, stated that the county is interested in identifying some outcomes regarding constructing a new Weber County building in Ogden City. The Basic Services study will include a high level needs assessment, preliminary programming, site evaluation process, high level project cost estimate, and development timeline. EDA Architects has offered to perform these services at no cost and deliverables in the contract include a synopsis of all the research information discovered, a needs assessment and space needs summary, diagrammatic site development plans, comparative site evaluation matrix and a preliminary budget and schedule. Additionally, EDA will schedule up to five key meetings to facilitate this process and estimate approximately 4-6 weeks to complete this process. Commissioner Froerer thanked Mr. Mendoza and EDA for this work. Chair Harvey also expressed appreciation to Thomas Brennan, of EDA, for the excellent work that he has done for the county in other capacities.

Commissioner Froerer moved to approve the agreement with EDA Architects regarding a Weber Center site evaluation and preliminary feasibility study services for a new Weber County building and location; Commissioner Jenkins seconded.

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

**H. COMMISSIONER COMMENTS:** Commissioner Jenkins shared that on 3/21/1973, his wedding day, it had snowed 40 inches, and also that he had been in the St. Patrick’s Day parade in New York City while in the Army in 1972. Referring to St. Patrick’s Day, Commissioner Froerer said that he is half Irish and that his mother was born on 3/17. Chair Harvey expressed love to his sweet wife to whom he has been married for 35 years this month.

**I. ADJOURN**

Commissioner Froerer moved to adjourn at 10:49 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