

MINUTES
WEBER COUNTY COMMISSION

Tuesday, March 26th, 2024 – 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, Sharon Bolos, and Gage Froerer
STAFF PRESENT: Lynn D. Taylor, of the County Clerk/Auditor's office; Chris Crockett, Deputy County Attorney; and Craig D. Brandt, of the County Clerk/Auditor's office, who took minutes.

A. WELCOME: Chair Harvey

B. PLEDGE OF ALLEGIANCE: Kristy Bingham

C. INVOCATION: Chris Crockett

D. THOUGHT OF THE DAY: Commissioner Froerer: I wanted to take this opportunity to talk about a person who contributed a great deal to the city and the county. We recently celebrated the hundred-year celebration of the Peery's Egyptian Theater and a person that was very integral in making sure that happened was a gentleman by the name of Van Summerill, who recently died on March 17th. Van epitomized the strength of what individuals can do to help out their Community. He didn't sit back and complain. In 1980s he was a theater advocate. He worked at Weber State for a number of years and when the theater started deteriorating he took it upon himself not to complain but to dig in. He did bake sales, he did 5K runs, he started the 'Friends of the Peery's Egyptian Theater' to raise funds on his own along with Community to save that theater. It's really something we need to learn that the public has the opportunity to either create change in a positive way or in a negative way. He took it upon himself to do that in a positive way and we now have a great theater. I wanted to take this opportunity to share a [clip from Fox News 13](#) that shows what Van did. There is some wonderful history that was preserved and he was a big part of that.

Commissioner Harvey: This is one of five theaters left with its own organ. We have some wonderful, wonderful history in that theater and Van is a big part of preserving that.

E. PUBLIC COMMENT: NONE.

F. CONSENT ITEMS:

1. Warrants #101366-101486, #483066-483247 and #347 in the amount of \$2,456,067.13.
2. Purchase orders in the amount of \$86,804.87.
3. Summary of Warrants and Purchase Orders.
4. Minutes for the two meetings held on December 5, 2023.
5. New business license.
6. New beer licenses.
7. Contract with Ogden Pioneer Days Foundation to hold the Miss Rodeo Ogden Competition at the Golden Spike Event Center Inter-local Cooperation Agreement with West Haven City relating to the delivery of municipal solid waste to the Weber County Transfer Station.
8. Real estate purchase and sale agreement between Marriott-Slaterville City and Weber County pertaining to Parcel Number 15-041-0028, Parcel Number 15-061-0048, and part of Parcel Number 15-041-0010.
9. Contract with Sofrona Zane dba The Reel Folk to secure entertainment services for the Ogden Eccles Art Center 2024 Celtic Celebration.
10. Interlocal Funding Agreement with Ogden City to establish terms related to Phase 1 of the Ogden City 2nd Street project.
11. Interlocal Funding Agreement with Morgan County updating housing of Morgan County inmates in the Weber County Correctional Facility.
12. Contract with GBS Benefits for GBS Benefits to fully take over the COBRA process.
13. Addendum to the Standard Purchase Contract with Thermo-Fiscer Scientific to satisfy requested liability limits from the vendor.

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

G. ACTION ITEMS:

1. APPROVE RESOLUTION 18-2024 APPOINTING A TRUSTEE TO THE BOARD OF THE WHEELER BASIN DISTRICT.

Stacy Skeen (Commission Office): We have two positions that expired with one application received. It is proposed you approve Ryan Wolsey to replace Steven Issowitz who retired.

Commissioner Froerer moved to approve Resolution 18-2024 appointing Ryan Wolsey (term expires in 2028) as a Trustee to the Board of the Wheeler Basin District; Commissioner Bolos seconded.
Roll Call Vote: Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer - aye

2. APPROVE RESOLUTION 19-2024 APPOINTING TRUSTEE TO THE BOARD OF THE TRAPPERS LOOP WATER IMPROVEMENT DISTRICT.

Stacy Skeen (Commission Office): A position expired December 31 2023 and I received an application from Eric Ahern. He would replace Steve Issowitz for a term expiring on December 31st, 2027.

Commissioner Bolos moved to approve Resolution 19-2024 appointing Jennifer Hilburn and Mitch Holmes (terms expire in 2026) and Tessa Bailey and Ronnie Chambers (terms expire in 2028) as Trustee to the Board of the Trappers Loop Water Improvement District; Commissioner Froerer seconded.
Roll Call Vote: Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer - aye

3. APPROVE RESOLUTION 20-2024 APPOINTING TRUSTEES TO THE GOVERNING BOARDS OF THE MOUNT OGDEN PUBLIC INFRASTRUCTURE DISTRICTS NOS. 1, 2, AND 3.

Stacy Skeen (Commission Office): Two midterm vacancies um created by David Hirasawa and Bill Fiveash and it is recommended that um will I received two applications one from Jim Hill and one from Adam Seuss. It's recommended that Jim Hill replace David Hirasawa and Adam replace Bill Fiveash. Jim Hill's term would expire December 31st, 2027 and Adam's term would expire December 31st, 2025.

Commissioner Froerer moved to approve Resolution 20-2024 appointing Jim Hill (term expires December 31st, 2027) and Adam Seuss (term expire December 31st, 2025) as Trustees to the Governing Boards of the Mount Ogden Public Infrastructure Districts Nos. 1, 2, and 3; Commissioner Bolos seconded.
Roll Call Vote: Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer - aye

4. APPROVE RESOLUTION 21-2024 APPOINTING TRUSTEES TO THE BOARD OF THE LIBERTY CEMETERY DISTRICT.

Stacy Skeen (Commission Office): All five positions on their Cemetery board have expired. I posted for five positions I received four applications; I will repost for the remaining one vacancy for another 30 days. The applications received were Tessa Bailey, Ronnie Chambers, and Jennifer Hilburn, all who would like to be reappointed and Mitch Holmes. With this being that all five terms have expired, you will draw by lot and the first two you choose could fill the two the terms that expire in 2026; the other two applicants' terms would expire in 2028.

Commissioner Froerer drew Jennifer Hillburn and Mitch Holmes whose terms will expire 2026; the other two would expire 2028.

Commissioner Bolos moved to approve Resolution 21-2024 appointing Jennifer Hilburn and Mitch Holmes (terms expire in 2026) and Tessa Bailey and Ronnie Chambers (terms expire in 2028); Commissioner Froerer seconded.
Roll Call Vote: Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer - aye

5. APPROVE RESOLUTION 22-2024 INTER-LOCAL COOPERATION AGREEMENT WITH WEST HAVEN CITY RELATING TO THE DELIVERY OF MUNICIPAL SOLID WASTE TO THE WEBER COUNTY TRANSFER STATION.

Sean Wilkinson (Director, Community Development): This was on your Consent agenda last week but needed to be approved as a Resolution. No changes from last week. One city remaining for these agreements.

Commissioner Bolos moved to approve Resolution 22-2024 Inter-local Cooperation Agreement by and between Weber County and West Haven City relating to the delivery of municipal solid waste to the Weber County Transfer Station; Commissioner Froerer seconded.

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

6. **APPROVE A CONTRACT WITH STIRRIN' DIRT RACING TO HOLD THE MAY MANIA DEMOLITION DERBY AT THE GOLDEN SPIKE EVENT CENTER.**

Duncan Olsen (GSEC General Manager): The next two items are with Stirrin' Dirt Racing. We have done some trade in sponsorship. His numbers are coming up as all are coming up. Johnny puts on great derbies throughout the region.

Commissioner Froerer moved to approve a contract with Stirrin' Dirt Racing to hold the May Mania Demolition Derby at the Golden Spike Event Center; Commissioner Bolos seconded.

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

7. **APPROVE A CONTRACT WITH STIRRIN' DIRT RACING TO HOLD THE HALLOWEEN HAVOC DEMOLITION DERBY AT THE GOLDEN SPIKE EVENT CENTER.**

Duncan Olsen (GSEC General Manager): See Item G7 above.

Commissioner Bolos moved to approve a contract with Stirrin' Dirt Racing to hold the Halloween Havoc Demolition Derby at the Golden Spike Event Center; Commissioner Froerer seconded.

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

8. **APPROVE A CONTRACT WITH WEBER SCHOOL DISTRICT FOR A FIELD TRIP BEING HELD AT THE OGDEN ECCLES CONFERENCE CENTER.**

Marty Smith (Director, Culture, Parks & Recreation): This contract is with the Weber School Foundation on behalf of the Weber School District. They sponsor 1000 6th graders who learn about other cultures. This contract offers some break on the rent with charging \$6k.

Chair Harvey: Mr. Smith I'm going to ask that you get something showing it's a discount from the Weber School Foundation showing our participation. That helps us to be recognized at their Foundation dinner.

Commissioner Bolos moved to approve a contract with Weber School District for a field trip being held at the Ogden Eccles Conference Center; Commissioner Froerer seconded.

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

9. **APPROVE A CONTRACT WITH UNIVERSITY OF UTAH SCHOOL OF MEDICINE TO RETAIN DR. ANTOINETTE LASKEY AS A MEDICAL EXPERT.**

Chris Crockett (Lead Civil Attorney): This is a contract for a medical expert in a first degree felony child abuse case. Dr Laskey's testimony will be crucial. She will testify about how the actions of the par this particular defendant in this constitute child abuse. Moreover, she will talk about the recklessness of the defendant and how his actions led to this this child's death. A soft cap of \$10k is part of the contract with written permission from the Commission required to exceed that amount.

Chair Harvey: You know, we talk about land use and boards and we talk about garbage in transfer stations and events in the County. Boy, this one's a tough one. This is part of what your government does.

Commissioner Froerer moved to approve a contract with University of Utah School of Medicine to retain Dr. Antoinette Laskey as a medical expert; 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, 10:27 a.m.; Commissioner Froerer seconded.

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

2. Public Hearing on an ordinance and development agreement to rezone 52.689 acres from A-2 to R1-15. The proposal is located at approximately 670 South 7100 West, ZMA 2023-04. (Longhorn Estates).
3. Felix Lleverino (Planning): This is a proposal to amend the zoning map and typically with whenever there's changes to the zoning map it's done to pave the way for development. In this case the development is residential development. Currently the zoning is A1 agricultural and agricultural has many different uses including residential. The main difference between the A1 and what the proposal is looking for is A1 is one acre single family dwelling lot sizes; R15 is optimized for residential primarily with no agricultural uses with lot sizes averaging 15,000 square feet. The area in question is out west near 7100 West and 900 South. The Planning Commission gave a unanimous positive recommendation. The developer is planning an emergency egress. There is a right-of-way with the adjacent property that would be used for running sewer line and also providing egress. The General Plan future land use map shows medium to large lot residential for this area which fits with the 15,000 square foot lot sizes the developer is planning. This proposal also includes a development agreement with standards the County staff and the Planning Commission have included to ensure that certain onsite and offsite improvements are completed. The Vaquero Village is already developed with homes and a road already built. However, there are some deficiencies that exist within this development, particularly the secondary water system that is not functioning like it should. When the Longhorn Estates comes in, they will be required to bring that up to standard and abide by all County, water district, and engineering requirements to make sure the secondary water pond functions as it should. There are additional deficiencies that exist within Vaquero. The sidewalk wasn't complete and there are some pathways that were planned through the Vaquero Village that were not complete either. Some of those things aren't of utmost importance and they probably won't be carried over. Once Vaquero Village amends their subdivision plot then that will give them a chance to vacate some of that open space that is no longer being used. It would also allow them to run utilities through the rear portion of the properties. Particularly the utility that would be run through the rear of the properties of Vaquero Village is the sewer line. That would give Vaquero Village residents the opportunity in case their septic system fails they could connect to that that sewer line. You'll notice there at the corner where 7100 meets 900 South, the Vaquero l Village residents requested there be a crosswalk there because the park is just right across the street to the South; so that is written into the development agreement, as well as some street lights at that corner that are fully shielded, downward directed. Development standards that would apply to Longhorn Estates include your typical right-of-way requirements as well as landscaping completion and the ability for the Vaquero Village residents to amend their plat on the developer's dime. The developer would cover the application cost for the amendment and the developer would also cover the surveyor fees for hiring a surveyor to do that. I'd like to also touch on the parks and open space. The general plan recommends that that the developer contribute to the parks and open space in some manner. It could be a park within the development, it could be a monetary contribution, or some kind of in kind contribution. In this case, the West Warren Parks District has written up a development agreement that states they're expecting \$7,500 per lot. Longhorn Estates would make that contribution to the parks District on a per lot basis. We have written that into the development agreement with some ability for negotiation on that \$7,500 so it could be that donation could be made in the form that's acceptable by the West Warren Parks District. Unanimous approval for Western Weber Planning Commission and Staff recommends approval.
3. Public Comments: None.
4. Request for a motion to adjourn public hearings and reconvene public meeting.
Commissioner Froerer moved to adjourn the public hearings and reconvene public meeting, 10:39 am;
Commissioner Bolos seconded.
Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer – aye
5. Action on public hearing:
H2: Approval of Ordinance 2024-10 and development agreement to rezone 52.689 acres from A-2 to R1-15. The proposal is located at approximately 670 South 7100 West, ZMA 2023-04. (Longhorn Estates).

Commissioner Froerer: Final approval will not be given on this until we have firm commitments on sewer and water, is that correct? 'Will serve' letters will be gathered and verified before final approval?

Mr. Lleverino: Yes.

Commissioner Froerer: Sewer is not there yet but they will eventually?

Mr. Llevrino: Yes.

Commissioner Froerer: I want to talk about the proposed crosswalk. That is a busy road with more trucks coming.

Mr. Lleverino: The development agreement calls out a flashing signal. Additional signage and other measures can be added.

Commissioner Froerer: You mentioned the emergency egress is limited to 30 additional units before other forms of egress is allowed or other building permits are given.

Mr. Lleverino: When they plat that development, we will make sure they are not exceeding that threshold. For example, when they come in Phase 1 we will make sure they meet the Fire standard which is 26 feet wide all weather surface, maintained year round. Once they come in with additional lots they actually have to do another emergency egress for those additional units.

Chair Harvey: My understanding is we have an agreement with the property owner for easement through that property.

Mr. Lleverino: Yes, we have an agreement.

Commissioner Froerer: What is the requirement for that road? And who will be responsible to maintain?

Mr. Lleverino: I am not sure. We can add that to the development agreement or have the developer agree to a maintenance agreement.

Commissioner Froerer moved to approve Ordinance 2024-10 and development agreement to rezone 52.689 acres from A-2 to R1-15. The proposal is located at approximately 670 South 7100 West, ZMA 2023-04. (Longhorn Estates) with amendments to the development agreement that we have legitimate easements and maintenance agreements to maintain the emergency egress roads under the developer's responsibility; Commissioner Bolos seconded.

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

I. COMMISSIONER COMMENTS: NONE.

J. CLOSED SESSION REGARDING PENDING LITIGATION OR REASONABLY IMMINENT LITIGATION: POSTPONED

K. ADJOURN

Commissioner Bolos moved to adjourn at 10:52 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