

MINUTES
WEBER COUNTY COMMISSION

Tuesday, April 5th, 2022 – 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: Scott K. Jenkins, James "Jim" H. Harvey, and Gage Froerer.

STAFF PRESENT: Ricky Hatch, County Clerk/Auditor; Christopher Crockett, Deputy County Attorney; and Craig D. Brandt, of the Clerk/Auditor's Office, who took minutes.

A. WELCOME: Chair Jenkins

B. PLEDGE OF ALLEGIANCE: Tina Mathieu

C. INVOCATION: Kassi Bybee

D. THOUGHT OF THE DAY: Commissioner Froerer: Watched the college basketball championship game last night. I enjoy college sports. 1979 Championship game between Indiana State and Michigan State and featured Larry Bird and Magic Johnson. Larry Bird lost and he vowed not to lose to Magic ever again. 1985 NBA title game with Boston Celtics versus Los Angeles Lakers where Larry Bird faced Magic Johnson again and prevailed. Perseverance and practice pay off.

E. PUBLIS COMMENT

1. Bill Hass: Does the Commission have authority to approve Item G6?

a. Commissioner Froerer: Weber Housing Authority (independent board) applied and awarded \$1.9M in ARPA funds, a portion of anticipated costs. Commission has to approve contract because State of Utah Governor's Office of Planning & Budget comes to Commission for approval.

F. CONSENT ITEMS:

1. Warrants #5323-5347 and #466963-467082 in the amount of \$492,137.89.

2. Purchase orders in the amount of \$432,461.02.

3. Minutes for the meeting held on March 29, 2022.

4. Amendment with the Graphic House manufacturing and installation agreement.

5. Contract with Weber County Farm Bureau for livestock panel usage.

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

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

G. ACTION ITEMS:

1. **APPROVAL OF RESOLUTION 17-2022 APPOINTING A TRUSTEE TO THE ROY WATER CONSERVANCY DISTRICT.**

Stacy Skeen (Commission Office): Submitting name of Gary Adams to fill midterm vacancy created after passing of a board member.

Commissioner Harvey moved for approval Resolution 17-2022 appointing Gary Adams to the Roy Water Conservancy District; Commissioner Froerer seconded.

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

2. **APPROVAL OF RESOLUTION 18-2022 AMENDING RESOLUTION 4-2006 WHICH ESTABLISHED AN ADMINISTRATIVE CONTROL BOARD AND DELEGATED CERTAIN POWERS TO THAT BOARD TO GOVERN THE OPERATIONS OF THE WEBER AREA DISPATCH 911 AND EMERGENCY SERVICES DISTRICT.**

Tina Mathieu (Weber County 911): Changes related to House Bill 22. Changes reference the statute itself to avoid having to update the Resolution every time the statute changes.

Commissioner Froerer moved to approve Resolution 18-2022 amending Resolution 4-2006 which established an Administrative Control Board and delegated certain powers to that board to govern the operations of the Weber Area Dispatch 911 and Emergency Services District; Commissioner Harvey seconded.

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

3. **APPROVAL OF FINAL READING OF ORDINANCE 2022-10 AMENDING THE FEE SCHEDULE FOR THE WEBER COUNTY SHERIFF'S OFFICE.**

Chief Aaron Perry (Sheriff Dept): No changes from First Reading. (From First Reading: Fees apply to work Sheriffs are asked to do outside of normal Sheriff duties worked on overtime. Supervisor fee added to allow support of larger events. Fees paid by event organizer.)

Roll Call Vote: Commissioner Froerer moved to approve final reading of Ordinance 2022-10 amending the fee schedule for the Weber County Sheriff's Office; Commissioner Harvey seconded.
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

4. **APPROVE A CONTRACT WITH WEBER SCHOOL DISTRICT TO HOLD THE LEAP FESTIVAL AT THE OGDEN ECCLES CONFERENCE CENTER AND THE PEERY'S EGYPTIAN THEATER.**

Kassi Bybee (OECC): Slightly different contract bringing 800 6th grade children. Use of the theater, part of conference center, lower ball room, and '100' series rooms for breakouts.

Commissioner Harvey moved to approve the contract with Weber School District to hold the LEAP Festival at the Ogden Eccles Conference Center and the Peery's Egyptian Theater; Commissioner Froerer seconded.
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

5. **APPROVE A CONTRACT FORT BUENAVENTURA MOUNTAIN MEN FOR THE MOUNTAIN MAN EASTER RENDEZVOUS TO BE HELD AT FORT BUENAVENTURA.**

Todd Ferrario (Culture, Parks, & Rec): Updated three year version of current contract. They do a phenomenal job and we want to continue that partnership.

Commissioner Harvey moved to approve the contract with Fort Buenaventura Mountain Men for the Mountain Man Easter Rendezvous to be held at Fort Buenaventura; Commissioner Froerer seconded.
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

6. **APPROVE A CONTRACT WITH THE STATE OF UTAH – GOPB TO PROVIDE FUNDS FROM AMERICAN RESCUE PLAN ACT OF 2021, CORONAVIRUS STATE FISCAL RECOVERY FUND, TO FUND THE CONSTRUCTION OF A LOW INCOME RESIDENCE AT 9TH AND WALL.**

Andi Beadles (Weber Housing Authority): \$1.9M of ARPA funds for 48 units of affordable housing with all one bedroom units. Open house will be held for local residents to learn more and share concerns.

Commissioner Froerer moved to approve the contract with the State of Utah – GOPB to provide funds from American Rescue Plan Act of 2021, Coronavirus State Fiscal Recovery Fund, to fund the construction of a low income residence at 9th and Wall; Commissioner Harvey seconded.
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

7. **APPROVE A CONTRACT WITH THE FOLLOWING COMPANIES FOR RIGHT OF WAY ACQUISITION SERVICES:**

B2 Land Services, LLC
Paragon Partners
Meridian Engineering

Gary Myers (Manager, Engineering): Three separate contracts to add to a prior approval with one more in process for an eventual total of five companies on contract for right of way acquisition services.

Commissioner Harvey moved to approve the contract with the above listed companies for Right of Way acquisition services; Commissioner Froerer seconded.
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

8. **APPROVE A COOPERATIVE AGREEMENT WITH UDOT FOR THE PLACEMENT AND MAINTENANCE OF WAYFINDING SIGNAGE WITHIN UDOT RIGHTS-OF-WAY OF THE OGDEN VALLEY.**

Scott Perkes (Planning): Long term plan to bring wayfinding and signage in the Ogden Valley to one design theme. This long term contract lays out who, how, and when maintenance will occur for the installed signage.

Commissioner Froerer moved to approve a Cooperative Agreement with UDOT for the placement and maintenance of wayfinding signage within UDOT rights-of-way of the Ogden Valley; Commissioner Harvey seconded.
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

9. **CONSIDERATION AND ACTION ON FINAL APPROVAL OF THE RIVERBEND CLUSTER SUBDIVISION PHASE ONE (48 LOTS) LOCATED AT 800 S 3600 W.**

Felix Lleverino (Planning): Final approval of cluster subdivision. Planning staff recommends approval with

a list of conditions required before plat recording.

Bryan Bayles, representative of Nielsen Homes: no comment.

Commissioner Harvey moved for final approval of the Riverbend Cluster Subdivision Phase One (48 lots) located at 800 S 3600 W; Commissioner Froerer seconded.
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

H. PUBLIC HEARINGS:

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

Commissioner Harvey moved to adjourn the public meeting and convene public hearings, 10:35 a.m.; Commissioner Froerer seconded.
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

2. Public Hearing for consideration on a requested development agreement and a rezone from A-1 to R-1-10 on approximately 19.47 acres (ZMA 2021-10).

Steve Burton (Planning): 58 lots. Brad Brown represents property owners. Develop Agreement and associated rezone Ordinance under consideration today. On February 8th Planning Commission unanimously recommended approval with conditions:

1. Development to tie in with adjacent development (JDC Ranch), and
2. Developer waived right to protest annexation into Plain City.

Commissioner Froerer: Public should be fully informed, not fair to make decisions on case-by-case basis, especially when so close to completion of West Weber General Plan.

Steve Burton: Proceeding with approval is recommended since this land will be eventually annexed into Plain City.

Commissioner Froerer: It is not currently part of Plain City or Farr West. And in the event that annexation does not happen, we have to live with current zoning.

Steve: Both current and updated general plan show this property as annexed.

3. Public Comments:

Brad Brown, 719 W 4953 S, Riverdale: Feel this is a good addition to the county. Went through County due to sewer requirements. Worked with local county sewer district and got annexed. Worked closely with JDC to align streets, trails, etc.

Brian Baliss, Nielsen Homes: Working with Brad Brown, fully supportive of what they are doing.

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, 10:53 am; Commissioner Harvey seconded.
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

5. Action on public hearing:

H2: Approval of Ordinance 2022-11 to approve development agreement and a rezone from A-1 to R-1-10 on approximately 19.47 acres (ZMA 2021-10).

Commissioner Harvey: Does this set a precedence if approved today?

Chris Crockett (Attorney): Legislative item, not a legal precedence, though policy precedence may be implied.

Commissioner Froerer moved to hold Ordinance 2022-11 to development agreement and a rezone from A-1 to R-1-10 on approximately 19.47 acres (ZMA 2021-10); Commissioner Harvey seconded with comment: Not opposed to the plan but opposed to the timing, need the West Weber Master Plan completed.
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

I. STALL OF FAME PRESENTATION

Tommy Pedersen: Leaving us but wanted to honor him with Stall of Fame, or as it will be known during his time left, the Stall of Fame.

J. COMMISSIONER COMMENTS: None.

K. ADJOURN

Commissioner Harvey moved to adjourn at 11:06 a.m.; Commissioner Froerer seconded.
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

Attest:

Scott K. Jenkins, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor