

MINUTES
WEBER COUNTY COMMISSION
Tuesday, April 30, 2019 - 6:00 p.m.
Ogden Valley Library, Huntsville, Utah, 6:00 p.m.

In accordance with the requirements of Utah Code Annotated Section 52-4-203, the County Clerk records in the minutes the names of all persons who appear and 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 and Gage Froerer. James "Jim" H. Harvey, was excused.

OTHER STAFF PRESENT: Courtlan Erickson, Deputy County Attorney and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

- A. WELCOME** – Chair Jenkins
- B. INVOCATION** – Laura Warburton
- C. PLEDGE OF ALLEGIANCE** – John Prince
- D. THOUGHT OF THE DAY** – Commissioner Froerer

E. PUBLIC COMMENTS:

--Gary Haws, of Eden, expressed issue with Ogden Valley's required 3-acre building minimum. He asked the Commission to try to get the State Legislature to agree that if government requires a certain amount of acreage for a primary residence, that that should be the exemption.

--Jan Fullmer, of Eden, and Elwood Powell, Weber Wildlife Federation President and owner of the Gun Range at Avon, addressed the Commission. Ms. Fullmer stated that on 3/27/2019 there were 200+ in attendance at a community meeting where they discussed ideas/action items to try to prevent future wildfires initiating at the gun range. She said that the road to Avon is a trash dump with much range-related refuse, and that even if the gun range is closed, that will not stop people from going up there and shooting. She asked the county to help protect that area. Mr. Powell accepted Chair Jenkins' offer to have Eagle Scouts help clean it, stating that the area has been better kept over the last couple of years and outlined the work being done at the range.

--Jim Zelesnik, of Huntsville, expressed concern with people being taxed on property once they're on fixed incomes. The influx of affluent Valley property owners drives prices significantly and social security does not increase to keep up with tax increases, and many are vulnerable. Commissioner Froerer noted that there is no easy solution and it is a State tax regulations issue. Chair Jenkins addressed truth in taxation and the county's limited taxing control.

--Zane Froerer, of Eden, said that a house that is falling into the river in Ogden Canyon needs to be condemned and there is an outside storage facility just outside of Huntsville that is not approved for outside storage. Commissioner Froerer said that county staff is reviewing ordinances relating to existing storage, compliance, and adding fines.

--Nicholas Froerer, of Eden, noted that Valley park districts joined in 2017 and the Ogden Valley Park Service Area was created. They are actively looking to expand usable open space and are approaching the county about the community park area and 7± acres southeast off of Trappers Loop set as part of the Snow Basin zoning agreement, and other E. Huntsville areas. Commissioner Froerer spoke of ensuring there is community input.

--Jennifer Dunyon, of Huntsville, spoke of safety concerns regarding boulders/rocks falling onto the roads.

--Clay Christensen, of North Ogden, spoke of the serious safety issue at the 90 degree turn from Eden Park to Huntsville. His in-laws live at that corner and there are many accidents as most vehicles come off the road from both directions. There is now a pathway on both sides used by students. His family just recently watched semi-trucks go into the pathway. County Roads will work on this issue.

--David Crim, of Huntsville, spoke of poor road conditions/need for repairs, overcrowding in/around Pineview, and concern that many Valley residents are still installing bright lights that shine across the Valley and not following the dark sky regulations.

Chair Jenkins invited the many county staff present to introduce themselves to the public.

F. CONSENT ITEMS:

1. Warrants #1769-1782 and #438687-438989 for \$1,257,084.15.
2. Purchase orders for \$133,539.49.
3. Minutes for the meetings held on April 16 and 23, 2019.
4. Cancel the regular Weber County Commission meetings scheduled for May 14 and 21, 2019.
5. Weber County Tax Review Committee recommendation to deny request to change taxable status for Parcel #22-070-0010.
6. Surplus a Laerdal Infant Manikin from the Weber County Sheriff's Office.
7. Surplus office equipment and furniture from the Weber County Roads Department.
8. Declare Parcel #02-013-0042 as surplus property by Weber County Community Development.
9. Declare Parcel #02-013-0059 as surplus property by Weber County Community Development.
10. Retirement Agreements with the following: Michael Streker; and Jason Talbot.
11. Contracts with the following for RAMP grants:

Beverly's Terrace Playhouse-Season
Chamber Orchestra-Concert for Ogden Uncon
Chamber Orchestra-Orchestra season 2019-2020
Eccles Art Center-Educational programs
Eccles Art Center-Monthly exhibits & competitions
Egyptian Theater Foundation-Theater marquee upgrade
Farr West City-Section 260 at Smith Family Park
Hooper City-Tomato Days Jamboree
North Ogden City-Barker Park Amphitheater-Phase 2
Ogden Dinosaur Park and Museum-Dinosaur construction
Ogden Dinosaur Park and Museum-Education through Technology
Ogden Dinosaur Park and Museum-Trail accessibility
Ogden Downtown Alliance-Downtown Art Program

Ogden Downtown Alliance-150th Sesquicentennial
Ogden Downtown Alliance-Farmers Market programming
Ogden School Foundation-2019 Summer Arts
Ogden Symphony & Ballet/On Stage Ogden-2019 Season
Treehouse Museum-County Me In
Treehouse Museum-Mapping the World
Treehouse Museum-Master Makers
Utah Humanities Council-Weber County Center for Book Programming
Weber Cultural Legacy Foundation-Ogden Marathon Festival
Weber Pathways-East Fork Wheeler Creek Trail rehab
Weber Pathways-North Fork Park Trail install
Weber Pathways-Weber County Trail maintenance

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

Commissioner Froerer – aye; Chair Jenkins – aye

H. 1. DISCUSSION ON HIGH-POWERED RIFLE SHOOTINGS BETWEEN HIGHWAYS SURROUNDING HUNTSVILLE TOWN.

Commissioner Froerer stated that Mayor Truett had brought this item for discussion and no action would be taken. The Mayor expressed grave public safety concerns with these high-powered rifle shootings in and around Pineview Reservoir. People are frequently shooting from the roads in Huntsville with high powered rifles, they are not obeying the distance rules from buildings and not to shoot over a body of water, and it is just a matter of time before someone is injured or killed. The natural boundary around Pineview, Highway 39, wraps around it, and he asked for the county's help with regulations to eliminate high-powdered rifles/muzzle loaders from being shot within that zone. He noted that there is a lot of U.S. Forest Service land in the area. Commissioner Froerer said that State law allows municipalities to put in some gun control but not counties and Representative Waldrip, who was brought into the discussion, said that State law currently does not allow counties to take any action to restrict firearms. This issue involves Huntsville Town, the U.S. Forest Service and private property owners, and with the lake and bullets that can travel a mile and the heavy usage around Pineview, it becomes a significant public safety issue. Safety protocols do not exist around Pineview because of the natural topography. It will require State law change. Those wishing to give feedback may contact Mayor Truett or Representative Waldrip. Randy Lloyd, of Huntsville, referred to an incident mentioned by the Mayor stating that it took place just across the street from his home and that by law it may have been 600 ft. but the bullets travel much further, putting his home and neighbors in jeopardy. He encouraged changing the hunting borders.

G. PRESENTATIONS:

1. UPDATE ON DYERS WOAD REMOVAL EFFORTS.

Taylor Christensen, of County Roads, stated that this bi-annual weed is now a class 2 noxious weed in the State, seeding in its second year of life with up to 5 foot-deep roots. Completely eradicating it is probably out of the question. The county sprays all of its right-of-ways and county property and works to keep it from spreading. The county offers a spray service for residents. Mr. Christensen addressed Bruce Keswick, of Nordic Valley, stating that if the weed is on private property, the owners are responsible but if they are not taking care of it, and will give the county permission, he can spray it for a fee. Steven Clarke, a botanist from Norfolk, said that every seed crop of dyers woad has the capacity to produce new plants for 7 years and it is essential to get to it before it sets seed.

2. PRESENTATION TO SHANNA FRANCIS & JEANNIE WENDELL FOR APPRECIATION OF DYERS WOAD REMOVAL EFFORTS.

Commissioner Froerer noted that Ms. Francis and Ms. Wendell had approached him years ago about this problem. He and others took an active role starting about 11 years ago in trying to eradicate this weed in the Valley. They have been successful, however, the issue is that some neighbors have not bought into the concept to eradicate it. Years ago he approached the Commission about passing an ordinance to fine those who do not take that responsibility, but the first step requires forming a noxious weed board which can determine what a noxious weed is and make suggestions to the Commission for liens or fines. The commissioners presented Ms. Wendell and Ms. Francis with plaques recognizing their hard work, without which the problem would be much worse. Ms. Francis stated that this has been an ongoing battle and that many have worked on it, and she wanted to recognize their efforts (i.e., the Forest Service, Pathways, Ogden Canyon Club, 6th graders, the Weber Soil Conservation District's bag-a-woad program, WayPoint Academy, and Kyle Froerer, a then 14-year old, who in 2006 was able to eradicate 700 lbs. for his Eagle Scout project). Ms. Wendell could not be present.

3. UPDATE ON STORM WATER RUN-OFF AND EMERGENCY PREPAREDNESS.

Lance Peterson, County Emergency Management Director, stated that after applying to FEMA some time ago for the Integrated Emergency Management Course, a very successful 4-day training was held in our county recently. There were many attendees including FEMA, county staff, the Sheriff's Communications Team, various Weber County cities, Weber State University, both hospitals, Weber-Morgan Health, State Emergency Management, UDOT, and various volunteer organizations. Topics included earthquake threat, rapid situational assessment, fire/EMS/hazmat, federal and state response, disabled/special needs, and updating our EOC plans and protocols. Regarding the 2019 spring run-off, he noted that it has been a significant snow year and pointed out that there are automatic notifications when Pineview Reservoir starts getting close to flood-stage and that the Ogden River is one of the most controlled rivers in the State (currently it is permitted and is running at 1600 cfs). He reported on other area rivers/streams and reservoirs and said that so far the outlook is favorable.

4. UPDATE AND INFORMATION ON 2019 SPECIAL EVENTS.

Scott Mendoza, of County Community Development, reported on special events that are lining up for 2019 in the Valley (as the impact to the Valley can be significant with traffic congestion, etc.), noting that improvements have been made to the process. Because of two county staff, Special Events are now on the county's tracking system, Miradi, notifying agencies quickly and making the approval process much more efficient for everyone. Commissioner Froerer noted that the county is working hard to try to minimize those impacts. Sarah Toliver, CEO/Visit Ogden President, addressed Jennifer Dunyon's question about funds to maintain the infrastructure used for these events stating that they monitor events to ensure they have enough of a positive economic impact on the community, and that tourism saves every household in the State \$1,375 annually in taxes. Dan Davis, of Huntsville, noted being unable to get back home for two hours after a quick shopping trip due to an event in the Valley and asked about establishing a lane/traffic flow for the locals. Janet Wampler, of Eden, expressed frustration that even though events occur in the Valley, Ogden hotels/restaurants are the ones promoted, and Valley residents would like that money to come into the Valley and for local businesses to be better represented. The CVB promotes the Valley as much as possible but has no control over event promoters. Sally Lindsey said that there are many areas in the county where the infrastructure is more appropriate and no roads would have to be closed for events, yet they are always in the Valley and the burden needs to be shared, not just to be borne by Valley residents who have one road. She likes the idea for one-way traffic while they close the highway. Mayor Truett concurred with what had been said on this issue and asked the county to consider nonprofit events as very important. Jan Fullmer, of Eden, refers to the Valley as the recreation gem of Weber County and hopes that in the future there can be some type of additional fee to be collected from event organizers to go back into the Valley so they can get more parking areas, etc. Melisa Harrison, of Huntsville, agrees with Ms. Fullmer's comments and feels that we are at a critical time to get direct funding to help support the infrastructure, etc.

5. UPDATE ON LIBRARY CAPITAL FACILITIES PLAN AND REQUEST FOR AUTHORIZATION OF FUNDING FOR ADDITIONAL CAPITAL IMPROVEMENTS AND ENHANCEMENTS.

Lynnda Wangsgard, County Library Director, gave an update on the Library's 5-year capital facilities plan to bring four libraries up to standard, noting, however, that the total amount needed to fund the entire plan was reduced by 10%, which reduction eliminated the entire contingency fund for all four projects and several needed capital improvements at the Ogden Valley Branch (OVB) and a number of desired building design elements at the Southwest Branch (SWB) were eliminated. The plan was approved by the voters in 2013. As of January 1, 2018, Library managers anticipated that all four capital projects would be completed by mid year and with a budget surplus. The Library Board requested to use a portion of this savings to address some items that were omitted for the OVB and SWB, and the then commissioners in January authorized proceeding with some improvements. As of April 1, 2019, Library managers projected that all projects, including those authorized by the commissioners in January would be completed with a sizeable savings of more than \$1 million. Ms. Wangsgard reported that all of the Library capital projects approved by the voters had been completed and significantly under budget. She requested to proceed with a number of capital improvements at the OVB and the SWB and that they be paid for with the funding still available in the General Obligation Bond account, noting that the proposed projects had been reviewed and approved as appropriate by the county's bond and legal counsel, and that time is of the essence because all bond funding must be cleared from the books by September. She is also in the process of preparing a summary of moving costs that were billed to the Library operating budget for work done by employees in handling/moving the collections for the Main Library, North Branch, and the Headquarters Library (totaling more than 4 million pounds). She noted that when this is all completed, it is anticipated that there will still be a balance of more than a million dollars in the General Obligation Fund. Ms. Wangsgard estimated that these projects will cost about \$450,000.

Commissioner Froerer moved to authorize funding for the discussed projects, not to exceed \$450,000 for additional Library capital improvements and enhancements; Chair Jenkins seconded.

Commissioner Froerer – aye; Chair Jenkins – aye

H. ACTION ITEMS:

1. CONTRACT WITH SAUNDERS CONSTRUCTION FOR SITE & UTILITY IMPROVEMENTS AT OGDEN VALLEY LIBRARY BRANCH.

Lynnda Wangsgard, County Library Director, stated that last year the Commission approved funding for site and utility improvements, primarily replacing a septic system and drain field that have been failing over the past several years. Ms. Wangsgard outlined the project. This contract is for \$167,984 and has been reviewed by legal counsel and recommended by the Library Board. The County Purchasing Agent competitively bid the project and Saunders was the low bidder. She said that the proposed contractor, design and civil engineering team, and Library staff reviewed and verified every line item in Saunders' response to the scope of work.

Commissioner Froerer moved to approve the contract with Saunders Construction for site and utility improvements at the Ogden Valley Library Branch; Chair Jenkins seconded.

Commissioner Froerer – aye; Chair Jenkins – aye

2. REQUEST FOR FINAL READING FOR AN ORDINANCE GOVERNING THE USE OF BILATERAL CONTRACTS.

This item was held.

3. INTERLOCAL AGREEMENTS WITH THE FOLLOWING FOR ELECTIONS SERVICES FOR 2019-2021:

Bona Vista Water Improvement District	Pleasant View City
Farr West City	Riverdale City
Harrisville City	Roy City
Huntsville Town	South Ogden City
Hooper City	Taylor West Weber Water Improvement District
Hooper Water Improvement District	Uintah Highlands
Marriott-Slaterville City	Uintah City
North Ogden City	Washington Terrace City
North View Fire District	Weber Fire District
Ogden City	West Haven City
Plain City	Wolf Creek Water & Sewer Improvement District

Ryan Cowley, County Elections Director, stated that these are standard contracts for the county to provide election services and allow a standardized way of voting from year to year and to utilize resources.

Commissioner Froerer moved to approve the above listed Interlocal Agreements for elections services for 2019-2021; Chair Jenkins seconded.

Commissioner Froerer – aye; Chair Jenkins – aye

4. RIGHT-OF-WAY CONTRACT WITH JC SANDERS/DUSTIE SANDERS FOR PURCHASE OF PROPERTY ON 3300 S.

Gary Myers, of County Engineering, noted that the county is in the process of purchasing property to preserve the right-of-way corridor for 3300 S. The contract amount is \$86,000.

Commissioner Froerer moved to approve the right-of-way contract with JC Sanders and Dustie Sanders for the purchase of property on 3300 South; Chair Jenkins seconded.

Commissioner Froerer – aye; Chair Jenkins – aye

5. DISCUSSION AND/OR ACTION ON FIRE MITIGATION IN WEBER COUNTY.

Captain Rick Cooper, of the Weber Fire District, stated that due to the very wet spring, wildland fire will not be as much an issue initially but will turn into a fire season later with dry lightning as a possible problem. Mitigation efforts in unincorporated areas currently are primarily focused in the Ogden Valley, which holds the largest concentration of wildland fire risk assessment. Currently, they are working on seven projects in the Upper Valley and he noted that they can only give recommendations for private property. Other communities where they have been actively pursuing mitigation work include Pineview Estates, Nordic Valley, and Sunridge. He addressed the commissioners' questions regarding defensible space requirements and the benefits of fire hydrants in Ogden Canyon. Captain Cooper also addressed Dan Davis' question regarding funds to obtain fencing to allow cattle grazing around the mouth of South Fork, where he owns property, to control some of the fuel.

6. CONTRACT WITH BASE CAMP DBA UTAH RECREATION COMPANY (URC) REGARDING PINEVIEW RESERVOIR.

Holin Wilbanks, of County Economic Development, stated that this contract is the result of a lot of work by many organizations for a number of years and the partnerships include Weber County, the County Sheriff's Office, the U.S. Forest Service, the Division of Wildlife Resources and an informal citizens group. In 2016 the county instated the nightly anchor permit (\$15/night fee), which allowed the county to put law enforcement on Pineview Reservoir for three nights/week to address the safety issues and numerous complaints from area citizens. This has resulted in a lot of success. Ms. Wilbanks reported that in 2017 "no parking" signs were added near Pelican Beach because of the hazard, in 2018 the no-alcohol ban was instated on beaches around Pineview and Causey which has improved safety, and in 2019 the County Commission approved a restricted account for funds generated from Pineview Dam and Causey Dam users to be used for improvements to Pineview and Causey only. The county has worked with the Forest Service, which has added weightless buoys for the swimming area, will be expanding the Pelican Beach parking, and on-street parking off of Port Ramp will be eliminated this year—all to preserve these assets and make it a very enjoyable experience for the many varied users. The Forest Service hired Base Camp, the new concessionaire, for five years. This contract is between the county and Base Camp that will provide an additional \$3 fee for access to Cemetery Point, Anderson Cove or Port Ramp. The fees collected at Cemetery Point will go directly to Huntsville Town for improvements to the access road and the fees for the other two areas will go into the restricted account. She addressed questions from the public including that per Forest Service requirements, there has to be an improvement in an area in order for a fee to be charged. There is no user fee to county residents this year. A suggestion was made for vehicle stickers to allow Ogden Valley residents access at a reduced rate.

Commissioner Froerer moved to approve the contract with Base Camp dba Utah Recreation Company (URC) regarding Pineview Reservoir as discussed; Chair Jenkins seconded.

Commissioner Froerer – aye; Chair Jenkins – aye

8. MODIFICATION TO CONTRACT WITH CRS ENGINEERS FOR ADDITIONAL WORK ON THE 12TH STREET RECONSTRUCTION PROJECT.

Gary Myers, of County Engineering, briefly presented this modification. Commissioner Froerer said that holding this up could result in costing the county substantially more money.

Commissioner Froerer moved to approve the contract modification with CRS Engineers for additional work on the 12th Street reconstruction project for \$176,120; Chair Jenkins seconded.

Commissioner Froerer – aye; Chair Jenkins – aye

I. COMMISSIONER COMMENTS: Commissioner Froerer thanked all the friends and neighbors from Ogden Valley and all the county staff who came up for this meeting. He said that the Commission cannot make good decisions without public input.

J. ADJOURN

Commissioner Froerer moved to adjourn at 9:00 p.m.; Chair Jenkins seconded.

Commissioner Froerer – aye; Chair Jenkins – aye

Attest:

Scott K. Jenkins, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor