

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

Tuesday, May 4, 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; Christopher Crockett, Deputy County Attorney; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

**A. WELCOME** - Chair Harvey

**B. PLEDGE OF ALLEGIANCE** - Steve Burton

**C. INVOCATION** - Ryan Cowley

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

**E. PUBLIC COMMENTS:** Carolyn Lietuvininkas, of North Ogden, gave the Commission a packet of what she said was a sampling of articles related to censoring by social media companies, that she/friends were prevented from handing out flyers at Weber High School about other available information on dangers of COVID-19 vaccines/adverse medical events, and the 2021 US code that protects people from unapproved medical devices, that the Commission should insist that the School District provide balanced information on the true risks, that there were no long term studies on these gene-altering vaccines and students were the study, and it was abhorrent that faculty had full-time unrestricted access to them but peaceful people like herself, dedicated to preserving life, had no voice at the schools, and she called on the.

**F. CONSENT ITEMS:**

1. Ratify warrants #3783-3827, #458199-458458 & #81-82 in the amount of \$4,979,429.34, dated April 27, 2021
  2. Warrants #3828-3841 and #458459 -458571 in the amount of \$1,306,379.46
  3. Purchase orders in the amount of \$421,463.54
  4. Minutes for the meeting held on April 20, 2021
  5. New business licenses
  6. RAMP contracts - Projects approved on March 2<sup>nd</sup>:

Eccles Art Center, Exhibits	Zigfield Theater, 2021 Season
Eccles Art Center, Education	Beverly's Terrace Plaza Playhouse, 2021 Season
Imagine Ballet, 2021 Season	Chamber Orchestra Ogden, 2021 Season
Zigfield Theater, Arts Education	
  7. Retirement Agreements with: Wayne Moss; Scott Hegstrom; Joe Olsen; Deborah Nielsen; and Shari Creer
  8. Contract renewal with Onsolve for the CodeRed Emergency Alert System
  9. Change Order #3 for Contract 2020-8 with E.K. Bailey Construction for the Sheriff's Office warehouse
  10. Terminate a Power Purchase Agreement with Rocky Mountain Power dated December 16, 2004
  11. First Addendum to the Wireless Communications Tower Lease with Liberty Broadband
  12. First Amendment to the Solid Waste Collection and Disposal Contract with Waste Management
  13. Contract with the University of Utah, Department of Pediatrics, for a donation of 500 Naloxone or Narcan kits with a potential of additional kits as needed
  14. Amended contract with Tangram Design, LLC, for professional services for the Ogden Valley Wayfinding Signage Plan to compensate for redesigns, bid assistance, and construction administration oversight
- Commissioner Froerer moved to approve the consent items; Commissioner Jenkins seconded.  
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

**G. ACTION ITEMS:**

**1. RECOMMENDATIONS FROM THE WEBER COUNTY RECREATION, ARTS, MUSEUMS AND PARKS BOARD FOR THE 2021 EZ RAMP GRANT AWARDS**

Karla Woodward, Recreation & Parks Committee Chair, said that there were 65 qualified applicants requesting about \$125,000 and there was \$60,000 available with a rollover of \$38,000 from a left over amount and were able to fund 52 different projects totaling about \$98,000. The commissioners expressed gratitude to RAMP board members.

Commissioner Jenkins moved to approve the Weber County Recreation, Arts, Museums and Parks Board recommendations for the 2021 EZ RAMP grant awards; Commissioner Froerer seconded.

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

**2. FINAL READING OF AN ORDINANCE AMENDING FEES FOR THE WEBER COUNTY TRANSFER STATION (SEC 16-2-9 SOLID WASTE FEES) – ORDINANCE 2021-10**

Sean Wilkinson, County Community Development Director, presented this second reading with no changes.

Commissioner Jenkins moved to adopt Ordinance 2021-10, final reading of an ordinance amending fees for the Weber County Transfer Station (Sec 16-2-9 Solid Waste Fees); Commissioner Froerer seconded.

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

3. **FIRST READING OF ORDINANCE TO UPDATE AND CLARIFY CAMPAIGN FINANCE REPORTING FOR COUNTY & SCHOOL BOARD CANDIDATES**

Ryan Cowley, County Elections Director, noted that it had been some time since this item had been updated. State law delineates stiff penalties for candidates who fail to file financial disclosures. A major issue, which has put a huge burden on Weber Elections, was the lack of regulations to get a candidate to file who loses. This ordinance changes the process by imposing fines for missing deadlines up to \$500.

Commissioner Froerer moved to approve the first reading of the ordinance to update and clarify Campaign Finance Reporting for County and School Board candidates; Commissioner Jenkins seconded.

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

3. **CONTRACT WITH K&H ELECTION SERVICES FOR ELECTION SERVICES AND BALLOT PRINTING**

Ryan Cowley, County Elections Director, noted that the integrity of last year's election took front stage nationally and in our State and Weber Elections works hard to develop robust layers of protection and that it was in the best interest of the county to renew this contract for the next four years. The commissioners expressed great confidence in our Elections team and in their numerous precautions.

Commissioner Froerer moved to approve the contract with K&H Election Services for election services and ballot printing; Commissioner Jenkins seconded.

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

5. **RESOLUTION APPOINTING TRUSTEES TO THE WEST WARREN PARK BOARD – RESOLUTION 17-2021**

Stacy Skeen, of the Commission Office, presented three vacancies as requested by the Park Board, explaining that they extended from three to five members. Six applications were received.

Commissioner Jenkins moved to adopt Resolution 17-2021 appointing Calene Ingram, Jeremy Jacob, and Tim Christensen to the West Warren Park Board through 12/31/2024, and declaring a conflict of interest for Mr. Christensen, who is his son in law; Commissioner Froerer seconded.

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

6. **CONTRACT WITH STIRRIN' DIRT RACING FOR MAY MANIA DEMOLITION DERBY AT GOLDEN SPIKE EVENT CENTER**

Duncan Olsen, GSEC General Manager, presented this contract.

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

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

7. **FINAL APPROVAL OF ASPEN RIDGE AT POWDER MOUNTAIN SUBDIVISION, CONSISTING OF 11 LOTS, LOCATED AT APPROXIMATELY 6152 N POWDER RIDGE ROAD, EDEN**

Steve Burton, of the County Planning Division, showed a plat stating that this subdivision was in the FR-3 Zone, that the lots were for single dwellings, and were 6,000 square feet or more. The Ogden Valley Planning Commission had recommended final approval. Staff, all county review agencies, and the Water and Sewer District had approved this item, which included an improvement agreement guarantee for \$456,357 for the installation of remaining improvements. The developer, who was present, did not wish to make comments.

Commissioner Jenkins moved to grant final approval of Aspen Ridge at Powder Mountain Subdivision, consisting of 11 lots at approximately 6152 N. Powder Ridge Road, Eden; Commissioner Froerer seconded.

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

8. **RESOLUTION APPROVING THE 2020 MUNICIPAL WASTEWATER PLANNING PROGRAM ANNUAL REPORT – RESOLUTION 18-2021**

Chad Meyerhoffer, of County Engineering, stated that the county collection system is fairly new and in good shape and a study will be conducted on user rates to see if the fees need to be increased.

Commissioner Froerer moved to adopt Resolution 18-2021 approving the 2020 Municipal Wastewater Planning Program annual report; Commissioner Jenkins seconded.

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

9. **CONTRACT WITH GRAPHIC HOUSE LLC FOR THE ENGINEERING, FABRICATION, DELIVERY, AND INSTALLATION OF THE OGDEN VALLEY WAYFINDING SIGNAGE (PHASE 1)**

Scott Perkes, of County Planning, stated that this was the third bid effort on this project in the past two years. Graphic House was quite a bit lower than the other bidder and had a positive recommendation from the design consultant. The first phase is for vehicular signs for a total of 33 signs and 12 signs for the bike/pedestrian signage. The total contract amount for these two systems is \$447,597. The county has grant funds for \$50,000, contingent upon installing the first phase of trail signs before mid June 2021.

Commissioner Froerer moved to approve the contract with Graphic House LLC for the engineering, fabrication, delivery, and installation of the Ogden Valley Wayfinding signage (Phase 1); Commissioner Jenkins seconded.

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

**H. PUBLIC HEARINGS:**

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

2. **PUBLIC HEARING TO CONSIDER AND TAKE ACTION ON A REQUEST TO VACATE A PUBLIC UTILITY EASEMENT LOCATED ALONG THE SIDE PROPERTY LINE OF LOT 14, SNOWFLAKE SUBDIVISION PHASE 3**

Steve Burton, of the County Planning Division, stated that the applicant wished to vacate this 10-foot public utility easement, which only contains a sewer line, and that the applicant was working with the Powder Mountain Water and Sewer Improvement District, which is amenable to re-align it. The vacation allows the owner to amend the lot boundary and build a little closer to the north property line. Proper notices were mailed to affected entities and no comments were received against the vacation. County staff recommended approval.

3. **PUBLIC HEARING TO CONSIDER AND TAKE ACTION ON A REQUEST TO VACATE THE 10-FOOT PUBLIC UTILITY EASEMENTS LOCATED ON BOTH SIDES OF THE SHARED LOT LINE BETWEEN LOTS 2 AND 3 OF SUN DANCE RIDGE SUBDIVISION (EV2021-04)**

Felix Lleverino, of the County Planning Division, stated that the applicant owned lots 2 and 3 and the partial vacation would allow for his preferred placement of the home. Staff recommended approval.

4. **PUBLIC HEARING ON AMENDMENTS TO COUNTY 2021 CALENDAR YEAR OPERATING & CAPITAL BUDGETS**

Scott Parke, County Comptroller, gave highlights including that the county received a \$1M grant from the State Department of Health to help with the COVID vaccination program at the Weber-Morgan Health Department, that there had been additional increases after the 2020-2021 budget approval and market adjustments were made to the Transfer Station personnel and two new criminal attorney positions were added. There were prior year expenditure rollovers, repairs for the Library system for earthquake damage (funded by insurance), and CSI equipment funded from contributions by cities.

5. **PUBLIC COMMENTS:** None.

6. Commissioner Jenkins moved to adjourn the public hearings and reconvene the public meeting; Commissioner Froerer seconded.  
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

7. **ACTION ON PUBLIC HEARINGS:**  
**H2-VACATE PUBLIC UTILITY EASEMENT (SNOWFLAKE SUBDIVISION, PHASE 3) – ORDINANCE 2021-11**

Commissioner Froerer moved to adopt Ordinance 2021-11 vacating a 10-foot public utility easement along the north side of the property line of Lot 14 of Snowflake Subdivision Phase 3; Chair Harvey seconded.  
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

**H3-VACATE 10-FOOT PUBLIC UTILITY EASEMENTS, SUN DANCE RIDGE SUBDIVISION – ORDINANCE 2021-12**

Commissioner Froerer moved to adopt Ordinance 2021-12 vacating the 10-foot public utility easement located on the shared lot between lots 2 and 3 of Sun Dance Ridge Subdivision; Commissioner Jenkins seconded.  
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

**H4-RESOLUTION AMENDING THE COUNTY OPERATING AND CAPITAL BUDGETS – RESOLUTION 19-2021**

Commissioner Jenkins moved to adopt Resolution 19-2021 approving amendments to the Operating and Capital Budgets for the Weber County 2021 calendar year; Commissioner Froerer seconded.  
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

**I. COMMISSIONER COMMENTS:** Commissioner Jenkins was pleased that the Wildwood Bridge was no longer a commitment to the county and that the Weber Center parking lot was finally done. The commissioners spoke about the bleak water conditions and the need to start water conservation now.

**J. ADJOURN**

Commissioner Froerer moved to adjourn at 11:24 a.m.; Commissioner Jenkins seconded.  
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

Attest:

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James H. Harvey, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor