

**MINUTES
OF THE BOARD OF COMMISSIONERS OF WEBER COUNTY**

Tuesday, May 10, 2016 - 5:00 p.m.

Commission Chambers, 2380 Washington Blvd., Ogden, Utah

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.

COMMISSIONERS: Kerry W. Gibson, Matthew G Bell and James Ebert.

OTHERS PRESENT: Ricky D. Hatch, County Clerk/Auditor; Courtlan Erickson, Deputy County Attorney; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

- A. WELCOME** – Chair Gibson
- B. INVOCATION** – Fátima Fernelius
- C. PLEDGE OF ALLEGIANCE** – Jennifer Graham
- D. THOUGHT OF THE DAY** – Commissioner Bell

E. CONSENT ITEMS:

- 1. Purchase orders in the amount of \$99,549.03
- 2. Warrants #404594-#404769 in the amount of \$2,461,231.78
- 3. Minutes for the meeting held on May 2, 2016
- 4. Request by the Community & Economic Development Department to sell surplus property, Parcel #09-095-0011 to Val and Linda Schultz
- 5. Set public hearing for May 17, 2016, 10 a.m., on amendments to county operating & capital budgets
- 6. Set public hearing for June 7, 2016, 10 a.m., regarding request for vacation of a private land drain easement on Lots 10,11,12,13 & 17 of Mallard Springs Subdivision at approx. 2475 South 4000 West

Commissioner Bell moved to approve the consent items; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

F. ACTION ITEMS:

- 1. **CONTRACT WITH OGDEN FRIENDS OF ACOUSTIC MUSIC (OFOAM) FOR THE 9TH ANNUAL OGDEN MUSIC FESTIVAL AT FORT BUENAVENTURA PARK ON JUNE 3-5, 2016**

Jennifer Graham, with County Culture, Parks & Recreation, presented this contract.

Commissioner Bell moved to approve the contract with Ogden Friends of Acoustic Music for the 9th annual Ogden Music Festival at Fort Buenaventura Park on 6/3-5/2016; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

- 2. **CONTRACT WITH JOHN GULLO TO HOLD THE MAY MANIA DEMOLITION DERBY AT THE GOLDEN SPIKE EVENT CENTER ON MAY 14, 2016**

Jennifer Graham, with County Culture, Parks & Recreation, presented this contract.

Commissioner Bell moved to approve the contract with John Gullo to hold the May Mania Demolition Derby at the Golden Spike Event Center on 5/14/2016; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

- 3. **REIMBURSEMENT AGREEMENTS WITH ANDREW ACOSTA & JEANIE HAMILTON FOR BASIC TRAINING**

Steffani Ebert, with the County Sheriff's Office, stated that the contracts would require the two trainees to reimburse the County for the costs of basic training at the Fred House Training Academy if they terminate their employment with the County within two years. The reimbursement agreements primarily cover the cost of their wages and expenses while at the academy.

Commissioner Bell moved to approve the reimbursement agreements with Andrew Acosta and Jeanie Hamilton for basic training; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

4. **AGREEMENT WITH THE U.S. FOREST SERVICE FOR THE FY2016 COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING PLAN AND FINANCIAL PLAN**

Steffani Ebert, with the County Sheriff's Office, stated that this contract expires on 9/30/2016 and delineates the responsibilities of each party. The U.S Forest Service reimburses the county for law enforcement on U.S. Forest Service lands, specifically roads and campgrounds, up to \$48,000 for the year. Commissioner Bell noted that a few years ago the county was reimbursed over \$60,000/year and Ms. Ebert stated that was correct but there have been decreases over the last couple of years. Commissioner Bell and Chair Gibson expressed frustration because the county is obligated to respond, and yet the federal government continues to make financial cuts. Commissioner Ebert also noted that the Sheriff's Office often takes the brunt of issues dealing with the reservoir but it is not their responsibility.

Commissioner Bell moved to approve the agreement with the U.S. Forest Service for the FY2016 Cooperative Law Enforcement Annual Operating Plan and Financial Plan; Commissioner Ebert seconded. Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

G. PUBLIC COMMENTS:

Debbie Perry, of unincorporated Weber County, addressed the construction of Skyline Drive (Skyline), an important road to the citizens who live in its corridor and use it for traveling, recreation and active transportation. She said that the inclusion of a bike route on Skyline shows it is an important part of the community. At the 5/2/2016 evening community meeting at the Combe residence there were 75 citizens from Weber County, South Ogden and Ogden City neighborhoods that are affected by Skyline. Also in attendance were Chair Gibson and Holin Wilbanks from Weber County (who toured the area before the meeting) and Sallee Orr of the South Ogden City council. Three items have emerged that the citizens of the Skyline corridor would like to see resolved and she addressed two of them:

1) Safety of those who live on and cross Skyline, particularly the elementary school students—a steady stream of those students walk and ride bikes/scooters down Eastwood Blvd. and cross Skyline Dr. during the peak morning traffic and the common afternoon commute hours. She said that the community would like the current 2-way stop at that intersection to become a 4-way stop, that a crossing guard be hired as the vehicle count increases, and that the speed limit on Skyline and in that area remain at 25 mph. A March 2015 Standard Examiner article stated that the county's original plan was to put wide sidewalks and bike lanes on both sides of the new construction, and it is the community's feeling that having continuous sidewalks on both sides of the road is the safest approach to the heavily used area, and they would like those things remain in the project—the residents have been told that on one side of the road there may not be a sidewalk.

2) Completion of landscape medians that currently exist on the Ogden City section of Skyline. Ms. Perry said that originally a conceptual plan drawn by the City to help the county receive the funds showed the landscape medians as part of the plan. She said that as property was being purchased from Jonathan Ford, he was informed that medians would be included, but since then they have been removed from the project and citizens are upset with this plan change. She understands that the county generally does not add or maintain medians and this may not be a typical situation for the county, and she asked the commissioners to consider the completion of the county's section of Skyline as part of a bigger project ultimately shared with Ogden City, which has set the precedent on this particular road. It would be fair for the county to cite a partnership approach with the City as the reason for this exception. The county's portion of Skyline is less than ¼ mile long. The City is in the planning phase of adding medians on their new and existing sections. The small county section would probably only require two medians to keep it continuous and tie-in to the planned landscaped roundabout. She said it has been expressed that the medians would not only provide continuity but beautification, increased land values, traffic calming, and safety in winter conditions. She said that two City engineers expressed that adding the medians would not be difficult or change the engineering of the road. She suggested subcontracting with the City, which will already be maintaining 1½-2 miles of its medians. She stated that Mr. Ford, land owner of that portion of Skyline, has expressed a desire to work together, discuss how to bring the medians to fruition and provide for their maintenance, and to possibly assist in the cost of the landscape installation. The citizens surrounding Skyline's corridor would like the county to find timely workable solutions for these two issues of safety and medians.

Commissioner Bell said that a couple of years ago he held conversations with Mr. Ford on a regular basis in front of many people and Mr. Ford knew there was no island planned there. Commissioner Bell had told him that if he wanted one he would have to pay for it and Mr. Ford had then said he did not think he wanted the island. The island would be through Mr. Ford's property. He stated that many people attended the public hearings but no one mentioned the medians. He noted that he is not against making some changes. He had discussions today about the 4-way stop sign with County Engineering and a 2-hour meeting with Rocky Mountain Power. He noted that a resident contacted him about a 4-way stop on Jared and Eastwood. He said that the 25 mph makes sense. The commissioners stated that these items will be considered. Chair Gibson also noted that they had a related positive discussion with the City.

Nancy Waterfall, of unincorporated Weber County, stated the county is constructing the continuation of Skyline in southeast Weber County. She joins in the concerns raised by Ms. Perry and asked the county to take advantage of this opportunity to build a roadway that considers the surrounding natural landscape to include calming traffic features such as landscape medians and bike lanes, which would be a continuation of the Bonneville Trail in their neighborhood. Her main concern is the plan by Rocky Mountain to install high voltage power lines and poles in this residential neighborhood as part of the Skyline project. In a meeting with them they indicated that it is not necessary to upgrade their system but they simply just want to. She outlined the following: underground utilities are the standard in this residential neighborhood and future utilities should also be underground for several reasons: 1) Safety. Combe Road is a winding, narrow country road and there have been traffic accidents involving cars and power poles. Those poles constitute a danger to vehicle traffic and downed power lines create a significant hazard to people. 2) Health. Studies indicate that overhead power lines contribute to adverse health conditions, including cancer. 3) Appearance. Overhead power lines are distracting, an eyesore, collect windblown objects and are a hazard to birds, eagles and other fowl, and are inconsistent with the surrounding neighborhood. 4) Power Continuation. As recent as Friday, the power was out for 6 hours in her neighborhood due to a power pole that caught fire. With the recent windstorms many county neighborhoods experienced extensive power outages—some lasted for days from downed power lines. 5) Cost Effective. Long term cost savings are inherent with underground utilities. Any additional cost to install underground utilities is offset by the long term benefits. 6) Consistency and Fairness. Rocky Mountain Power requires private property landowners to bury their power lines in new subdivisions, new homes or even to get power to an outbuilding, chicken coop, etc. Rocky Mountain Power should be held to this same standard and be required to bury their planned expansion along Skyline. She respectfully requested that the county require Rocky Mountain Power through its agreement to bury the power lines.

On 5/2/2016 her community met with Chair Gibson and Ms. Wilbanks to discuss Skyline development issues and she would like to hear a follow-up from each commissioner and the status moving forward. She stated that private property owners have no leverage with Rocky Mountain Power, and this was evident in the meeting with them, but the commissioners have power. In March 2016 Rocky Mountain presented a plan that was not a part of the agreement the people had agreed to and signed a letter of memorandum to those points. She stated that this completely changes it. She is disappointed after having worked on this for many months to have this happen now. She hopes this can be resolved in a compromise.

Chair Gibson apologized that the other commissioners had not been present at the 5/2/2016 meeting. He hoped that the two speakers would take it back to the group that they were not present because they had not known about it and he had not really understood what it was. He stated that the other commissioners are very interested in the issue. The commissioners have been told that, according to statute, Rocky Mountain Power is not required to follow the same standards that they hold the citizens to. The commissioners will work with them. Commissioner Bell reiterated that they held a 2-hour meeting with Rocky Mountain Power this morning and presented some concerns.

H. CLOSED EXECUTIVE SESSION TO DISCUSS STRATEGY RELATING TO THE PURCHASE OR SALE OF REAL ESTATE AS WELL AS STRATEGY RELATING TO IMMINENT OR ONGOING LITIGATION

Commissioner Bell moved to convene the closed executive session to discuss strategy relating to the purchase or sale of real estate as well as strategy relating to imminent or ongoing litigation; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

There was no action on the closed executive session.

I. Public hearing - begins at 6:00 p.m.

1.

Commissioner Ebert moved to adjourn the public meeting and convene the public hearing; Commissioner Bell seconded.

Commissioner Ebert – aye; Chair Gibson – aye

2. PUBLIC HEARING ON PROPOSED DISSOLUTION OF THE OGDEN VALLEY NATURAL GAS DISTRICT

Roger Brunner, of the Clerk/Auditor' Office, stated that in 1996 there was a determination to try to get a natural gas line to Ogden Valley. However, after creation of the district, it was decided that it was not feasible. Therefore, it is proposed to dissolve the district that was never put into place or use.

3. Public comments: Chair invited public comments and none were offered.

4.

Commissioner Bell moved to adjourn the public hearing and reconvene the public meeting; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

5. ACTION ON PUBLIC HEARING: DISSOLUTION OF OGDEN VALLEY NATURAL GAS DISTRICT

Commissioner Bell moved to adopt Resolution 12-2016 dissolving the Ogden Valley Natural Gas District; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

J. ADJOURN

Commissioner Bell moved to adjourn at 6:13 p.m.; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

Attest:

Kerry W. Gibson, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor