

MINUTES
WEBER COUNTY COMMISSION

Tuesday, May 30th, 2023 – 10:01 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: Gage Froerer, James "Jim" H. Harvey, and Sharon Bolos
STAFF PRESENT: Ricky Hatch, County Clerk/Auditor; Christopher Crockett, Deputy County Attorney; and Craig D. Brandt (via Zoom), of the County Clerk/Auditor's office, who took minutes.

A. WELCOME: Chair Froerer

B. PLEDGE OF ALLEGIANCE: John Bond

C. INVOCATION: Ricky Hatch

D. THOUGHT OF THE DAY: Commissioner Froerer: My thought is related to our recent holiday yesterday which is now recognized as Memorial Day. It's always nice to reflect back on where did these federal holidays start. Memorial Day started after the Civil War and was known until 1971 as Decoration Day. When I was growing up, we would visit the gravesites and drop flowers and have a picnic. It started as a way to recognize the Civil War but grew into honoring those veterans who made the ultimate sacrifice. It's a good opportunity for us to sit back and give thanks for the sacrifices they made.

E. PUBLIC COMMENT: NONE.

F. PRESENTATIONS:

1. Proclamation naming June 10, 2023 David L. Duncan Day in Weber County.

John Bond (County Treasurer): What a gem of an individual! David Duncan will be 90 years old a week from Saturday. He served his community and the state of Utah in a tremendous way. We want to quietly surprise him on his birthday on June 10th with the following Proclamation:

Whereas, David L. Duncan is celebrating his 90th birthday with his family and many friends in the community on June 10th, 2023, and,

Whereas, David centered his professional career within public service, a noble calling involving a wide variety of challenging and rewarding positions which were essential to efficient and effective operation of County and State government and Education; and

Whereas, David served with a commitment to high ethical standards and encouraged excellence among his fellow public employees, and

Whereas, David served as Weber County Treasurer from 1965 to 1972, as Utah State Treasurer from 1973 to 1977, was then appointed Chairman of the Utah State Tax Commission in 1978, and later served as the Weber State University Treasurer; and

Whereas, this proclamation provides an opportunity for all citizens of our community to pay tribute to David and his spirit of public service and to specifically express our deep appreciation for the many contributions he has made to our daily lives,

Now therefore, be it resolved that the Board of County Commissioners of Weber County, on behalf of the people of Weber County, does hereby proclaim, June 10th, 2023 as David L. Duncan Day in Weber County, Utah and we encourage all citizens to recognize the dedication of this public servant to the citizens of Weber County and the State of Utah.

Passed this 30th day of May, 2023.

2. Recognition of Weber County Elections for receiving a National Association of Counties 2023 Achievement Award titled "Weber County Elections Digital communications to Increase Voter Confidence."

Commissioner Harvey: I'll defer to Ricky Hatch on this.

Rocky Hatch: The National Association of Counties is made of over 85% of counties in the nation and has over 40k members. Every year they accept applications for innovation and excellence in service. Weber County is looked to as a leader across the nation in the elections sphere for promotion, social media outreach, and digital communications due almost exclusively to one employee Megan Fitzpatrick. She has dramatically transformed our social media outreach. People always come up to me and say, "Wow, I really love your social media posts." Most importantly it's a great way to communicate with our citizens. For

example, on Election Day in November 2022, google listed an incorrect polling place and people were showing up to the wrong polling place. Megan and our team were able to utilize social media to inform people where they should go.

3. Recognition of Melissa Freigang for being featured in the Utah Business Magazine as one of the 2023 “30 Women to Watch.”

Commissioner Bolos: I attended a luncheon where Melissa was honored. Utah Business magazine has this award every year given to thirty women with hundreds of women nominated this year. Thirty Women to Watch awards the exceptional women of Utah business. She was nominated and won an award. Melissa is the Director of our Center of Excellence and does the intergenerational poverty and homeless work in the county. She may be more passionate than anyone I met in the county. She loves her work and it’s important to her. We just want to congratulate you for your recognition.

Chair Froerer: This is well deserved. You drive and lead with passion and your involvement is very much recognized.

G. CONSENT ITEMS:

1. Warrants #8083-8169, #476676-476880 and #267 in the amount of \$2,233,270.86.
2. Purchase orders in the amount of \$124,899.32.
3. Summary of Warrants and Purchase Orders.
4. Minutes for the meeting held on May 23, 2023.
5. Surplus a Toro Powerclear 621 E Snowblower and a Toro Timecutter SS 3200 Mower for the Weber-Morgan Health Department.
6. New business license.
7. New beer license.
8. Inter-local Agreements with the following for election services in 2023 and 2025:

Uintah Highlands Improvement District
Roy City

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

H. ACTION ITEMS:

1. **APPROVE THE FIRST READING OF A PROPOSED ORDINANCE AMENDING TITLE 2, CHAPTER 11 OF THE WEBER COUNTY CODE, TO ADD A DEFINITION OF OVERPAYMENT AND TO CLARIFY AND SIMPLIFY THE REFUND PROCESS.**

John Bond (County Treasurer): This Ordinance amendment addresses refunds for property taxes. State law has changed significantly over the last 15-20 years and this ordinance update is necessary to align with those changes.

Commissioner Harvey moved to approve the First reading of a proposed ordinance amending Title 2, Chapter 11 of the Weber County Code, to add a definition of overpayment and to clarify and simplify the refund process; Commissioner Bolos seconded.

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

2. **APPROVE RESOLUTION 26-2023 APPOINTING A TRUSTEE TO THE BOARD OF THE PINEVIEW WEST SEWER IMPROVEMENT DISTRICT.**

Chair Froerer: I recommend Commissioner Sharon Bolos to fill the vacant position left by Commissioner Jenkins’ retirement.

Commissioner Froerer moved to approve Resolution 26-2023 appointing a trustee to the Board of the Pineview West Sewer Improvement District; Commissioner Harvey seconded.

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

3. **APPROVE THE FIRST READING OF A PROPOSED ORDINANCE ESTABLISHING FEES FOR WEBER COUNTY’S WEED SPRAYING SERVICES.**

Bart Cragun (Roads Department): Currently when we contract to spray for people, we charge \$15 per acre and \$60 per hour for our time and equipment. Chemical prices have increased and we are losing money. We

propose raising acreage to \$40 per acre with half acre increments and half hour increments for time and equipment. The \$60 per hour remains the same.

Commissioner Bolos moved to approve the First reading of an ordinance establishing fees for Weber County's weed spraying services; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

4. APPROVE AN AGREEMENT WITH OGDEN CITY AND THE WEBER FIRE DISTRICT FOR INSTALLATION AND MAINTENANCE OF FIRE HYDRANTS IN OGDEN CANYON.

Sean Wilkinson (Community Development Director): This agreement is to install three fire hydrants near the Fairmont Bridge, the Cobbles Condominium bridge, and the Wildwood Estates bridge. Ogden City will furnish and install the hydrants. Weber County and Weber Fire District will evenly split the cost of the hydrant assemblies. The fire district will pay for maintaining the hydrants while Weber County will pay for any replacements should any be damaged or destroyed in the future. This has been approved by the fire district and Ogden City. We recommend approval of this agreement. A fourth hydrant has previously been installed.

Commissioner Bolos moved to approve an agreement with Ogden City and the Weber Fire District for installation and maintenance of fire hydrants in Ogden Canyon; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

5. APPROVE RESOLUTION 27-2023 APPOINTING SEVEN MEMBERS TO THE OGDEN VALLEY DARK SKIES COMMITTEE.

Rick Grover (Planning Director): There are seven members of the Dark Sky committee; three members are from within the county, two are business owners, and two are from the general public. Planning recommends Bill Cobabe, Sara Toliver, and Todd Ferarrio to fill the county appointments. The Commission has the names of applicants for the business and general public committee positions.

Commissioner Harvey moved to approve Resolution 27-2023 appointing Bill Cobabe, Sara Toliver, Todd Ferarrio from the county, Mark Bates and Brigham Burton from local businesses, and Ron Gleason and Susan Clark-Karr from the general public, to the Ogden Valley Dark Skies Committee; Commissioner Bolos seconded.
Roll Call Vote: Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

6. APPROVE THE REQUESTED REZONE, AND ASSOCIATED ORDINANCE 2023-12, FROM A-1 TO RE-15, OR, ALTERNATIVELY, R1-15, ON APPROXIMATELY 40.00 ACRES. APPLICANT IS SODERBY, LLC (PAT BURNS, REP), LOCATED AT APPROXIMATELY 3800 W 1800 S, OGDEN, UT, 84401- ZMA 2023-01.

Tammy Aydelotte (Planning): This was discussed in a public hearing last week (reference May 23rd, 2023 Commission Meeting Item H2). This is a rezone of 40 acres off of 1800 South. This would entitle the developer to 116 lots. Once the develop agreement is recorded and the rezone request approved, the next step would be the subdivision application. Staff proposes going with R1-15 with the only difference between that and RE-15 is the lack of agriculture uses in R1-15.

Commissioner Bolos moved to approve requested rezone, and associated Ordinance 2023-12, from A-1 to R1-15, on approximately 40.00 acres. Applicant is Soderby, LLC (Pat Burns, Rep), located at approximately 3800 W 1800 S, Ogden, UT, 84401- ZMA 2023-01; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

I. PUBLIC HEARING:

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, 10:36 a.m.; Commissioner Bolos seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

2. Public hearing and first reading for consideration of a county initiated text amendment to the Subdivision Ordinance to exempt lot adjustments from preliminary and final subdivision review, and to amend the fee schedule for the land use code application fees- ZTA 2022-02.

Steve Burton (Planning): This helps address concerns to lot line adjustments and also addresses adding a new fee for such lot line adjustments. Planning and Engineering are comfortable cutting

their portions of the fee in half while Surveyor's Office needs to hold their fee where it is today due to the same amount of work required. The proposed changes also eliminate the requirement for a public meeting as long as it meets zoning code. We feel the state code does not require a public meeting in those instances.

3. Public hearing for consideration of a requested rezone, and associated ordinance, from A-1 to RE-15, or, alternatively, R1-15 on approximately 10.00 acres. Applicant is Singletree Acres LLC (Chad Buck, Developer). This project is located at approximately 4520 W 2200 S, Ogden, UT, 84401- ZMA 2022-01
Tammy Aydelotte (Planning): This has been before the Commission in work session where we discussed connectivity and calculating density. This is a 10 acre property immediately adjacent to the new high school out west. The developer has proposed extensive vehicular and pedestrian connectivity to hit some of those smart growth principles from the General Plan. Capacity assessment letters have been received for culinary, secondary, and sewer services. One item required by the Planning Commission was the developer contribute to an open space or park amenity. The developer met with the Parks District and agreed upon \$2k per lot to contribute to the nearest park committed via a tentative letter with the Parks District.

4. Public Comment: None.

5. Request for a motion to adjourn public hearings and reconvene public meeting.

Commissioner Harvey moved to adjourn the public hearings and reconvene public meeting, 10:49 am; Commissioner Bolos seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

6. Action on public hearing:

I2: Approval of first reading for consideration of a county initiated text amendment to the subdivision Ordinance to exempt lot adjustments from preliminary and final subdivision review, and to amend the fee schedule for the land use code application fees- ZTA 2022-02.

Commissioner Harvey moved to approve first reading for consideration of a county initiated text amendment to the subdivision Ordinance to exempt lot adjustments from preliminary and final subdivision review, and to amend the fee schedule for the land use code application fees- ZTA 2022-02.; Commissioner Bolos seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

I3: Approval of a requested rezone, and associated Ordinance 2023-13, from A-1 to RE-15, or, alternatively, R1-15 on approximately 10.00 acres. Applicant is Singletree Acres LLC (Chad Buck, Developer). This project is located at approximately 4520 W 2200 S, Ogden, UT, 84401- ZMA 2022-01.

Commissioner Harvey moved to approve Ordinance 2023-13 approval of a requested rezone, and associated Ordinance 2023-13, from A-1 to R1-15 on approximately 10.00 acres. Applicant is Singletree Acres LLC (Chad Buck, Developer); ensuring Lots 20 and 21 have fences no higher than 3ft and no structures within 15 feet of fence. This project is located at approximately 4520 W 2200 S, Ogden, UT, 84401- ZMA 2022-01; Commissioner Bolos seconded.

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

J. COMMISSIONER COMMENTS: NONE.

K. ADJOURN:

Commissioner Bolos moved to adjourn at 10:53 am.; Commissioner Harvey seconded.
Commissioner Froerer – aye; Commissioner Bolos – aye; Chair Harvey – aye

Attest:

Gage Froerer, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor