

MINUTES
WEBER COUNTY COMMISSION

Tuesday, June 11th, 2024 – 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, Sharon Bolos, and Gage Froerer
STAFF PRESENT: Ricky Hatch, County Clerk/Auditor; Chris Crockett, Deputy County Attorney; and Craig D. Brandt, of the County Clerk/Auditor's office, who took minutes.

A. WELCOME: Chair Harvey

B. PLEDGE OF ALLEGIANCE: Shelly Halacy

C. INVOCATION: Commissioner Harvey

D. THOUGHT OF THE DAY: Commissioner Bolos: Last weekend my younger brother ran a 105 mile Scout Mountain Ultra race. He ran the first 35 miles by himself and had spotters scheduled to run with him from 35 through 60 miles, 62 through 80 miles, and 98 through 105 miles. His third spotter arrived on time but he was ahead of time so his second spotter decided to finish with him, running a total of 43 miles with him. His wife and parents were at the finish line. He and my father stayed after until midnight waiting for all of his friends to finish. I think we all need people who will run 43 miles with us. Those are the kind of people you want around you.

E. PUBLIC COMMENT: NONE.

F. CONSENT ITEMS:

1. Warrants #102123-102186, #484626-484730, and #362-364 in the amount of \$2,069,399.09.
2. Purchase orders in the amount of \$54,790.52.
3. Summary of Warrants and Purchase Orders.
4. Minutes for the meetings held on June 4th, 2024.
5. New business licenses.
6. Change Order #01R1 associated with the Wadman Corporation contract for the construction of the Weber-Morgan Children's Justice Center.
7. Agreement with Wasatch Wigeons to promote conservation efforts at Kingfisher Wetlands.
8. Agreement with the Eden Valley Trail Trust for trail maintenance and improvements within North Fork.
9. Interlocal agreement with Huntsville Town for Utah Recreation Company to collect fees at Cemetery Point on behalf of Weber County who will pay Huntsville Town its portion of fees.
10. Collection agreement with Urban Park Concessionaires dba Vista to collect fees for each vehicle that enters station at Anderson Cove Boat Ramp, Cemetery Point, Middle Inlet, and Port Ramp Marina during the entire season that Pineview Reservoir is open.

Commissioner Froerer: Fees collected go into a fund for parking, garbage, etc, as an investment back into the Park.

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

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

G. ACTION ITEMS:

1. RATIFICATION OF THE 2024 WEBER COUNT TAX SALE.

Andy McRae (Clerk/Auditor's Office): The County recently completed the 2024 Property Tax Sale on May 23th. Tax Sales are required only to cover the taxes, penalties, and interest owed on that property. Any bid over the cost of money owed goes to the original owner or to the State of Utah Department of Unclaimed Property. The year with a new record low of only 67 delinquent properties eligible for sale, compared to last year's beginning number of 88 and 78 in 2022. The tax sale auction is the result of five months of intensive efforts by the Clerk/Auditor's office, the Recorder/Surveyor's Office, the Treasurer's Office, and the Attorney's Office who have spent hours reviewing property ownership and descriptions, delinquent payments and balances, current laws and ordinances, and many other details that must be precise in order to facilitate the tax sale. I am also extremely grateful to Roger Bruncker and Lynn Taylor in mentoring me through this entire process and the help they have given to me for my first tax sale. Only 5 properties up for auction; three were abutting properties, which were all bought by adjacent land owners. The remaining two non-abutting properties were successfully auctioned to the public with no properties being struck off to the county this year. State code allows a 10 day period after the sale for anyone with concerns about the sale to submit those concerns to the commission before the tax sale is ratified. The commission would then have the

opportunity to address those concerns before making a final decision. The Clerk/Auditor's Office is not aware of any objections being filed before the deadline of June 2nd.

Commissioner Bolos moved to Ratify the 2024 Weber Count Tax Sale; Commissioner Freorer seconded. Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Freorer – aye

H. PUBLIC HEARINGS:

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

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

2. Public Hearing Navy Meadows Rezone and Development Agreement Application-A request to rezone approximately 72.75 acres located at approximately 3300 South 3900 West from the A-2 (Agriculture) zone to the R1-15 (Residential) zone. ZMA 2023-15.

Felix Lleverino (Planning): The property in question fronts along 3300 South; the road intersecting the property will be 3900 West. There is a parkway on the western edge and 10 foot wide pathways on the east side of the property. Special conditions were added to the development agreement for street trees, water conserving park strips, and parks and open space unique to this development. There is a cap of 23 patio home units total. Five of forty-seven townhome units have been reserved as affordable housing through Weber Housing Authority. Four townhomes can be kept under the developer's ownership for rental, to be sold under contract. Planning Commission unanimously recommended approval on May 14th, 2024. We have received the Will Serve letter from Central Weber Sewer with requirements that will need to be followed. Will add a section to the development agreement to cover those requirements.

3. Public hearing for Winston Park Rezone and Development Agreement Application-A request to rezone approximately 40 acres located at approximately 3667 West 1800 South from the A-1 (Agriculture) zone to the R1-15 (Residential) zone, and to amend the Western Weber General Plan's Future Land Use Map to redesignate Parks/Recreation area to Medium-to-Large Residential.

Charlie Ewert (Planning): The property has been platted over the last few years. The parcel in question is privately owned. This property was originally part of a PRUD and was intended as open space. The property was offered to the park district years ago and they turned it down due to lack of water resources. The developer suggested building on the land as it currently is not serving any purpose. Planning Commission agreed there was little opportunity for good, quality public space there but had concerns about property originally platted as open space now becoming homes. The Planning Commission said if the developer is going to build on the open space area then they would have to do something great to compensate for loss of the open space. In response, the developer agreed to use our Street Connectivity tool to connect to existing streets. Donations for parks was \$2k per lot when originally platted. The developer was hoping to purchase their way out of the open space conservation easement by offering the \$2k per lot on each of the open space parcels and retroactively on the existing lots previously platted. In the meantime, calculations were revisited for the actual cost to create parks in the area and that came out to \$7.5k per lot.

Chair Harvey: Point of clarification – that was not a decision by this legislative body but a decision by the park district legislative body.

Mr. Ewert: That is correct, the parks district derived the number. Per the proposed development agreement, the developer would pay \$5k per new lot in lieu of the \$7.5k.

Commissioner Freorer: Explain to me what the benefit to the public is and what the park districts expects and gets out of this. Give me the bottom line numbers and where those funds will go.

Mr. Ewert: The developer's donation is a donation that the park district can use where it chooses. The park district said \$2k per lot for existing Phase 1 and new Phase 2 or \$5k per lot in the new Phase 2. The monkey

wrench is now the cost is \$7.5k per lot. The developer is asking for \$5k total, as reflected in the development agreement.

Commissioner Bolos: When was this property first approved as an open space? And did that max out the available density?

Mr Ewert: 2021 or 2022. Yes, the density was then maxed out.

Commissioner Bolos: I think the street connections and park access aren't tradeoffs that are of benefit to the community; those should be expected in any development.

4. Public Comments: None.

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

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

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

6. Action on public hearing:

H2 (a): Approval of a Development Agreement for Navy Meadows Development.

Commissioner Froerer moved to approve a Development Agreement for Navy Meadows Development with the addition of sewer requirements to the development agreement as outlined in the sewer "Will Serve" letter; Commissioner Bolos seconded.

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

H2 (b): Approval of Ordinance 2024-15 for Navy Meadows Development.

Commissioner Harvey moved to approve Ordinance 2024-15 for Navy Meadows Development; Commissioner Froerer seconded.

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

H3 (a): Approval of a General Plan Amendment Resolution 32-2024 related to the Winston Park Development.

Chair Harvey: As mentioned by Commissioner Bolos, it should be an expectation and not a gift for street connectivity and park access. As for the Phase 2 portion, I think taking the pathway through lots in Phase 1 is a good idea given to how close it is to 3500 West. I would like to see patio homes there and reduce that density further. If we do some patio homes there and reduce density, there should be entitlements that the patio homes be owner occupied for a period of a number of years. I'd like to see street connectivity in addition to the developer's proposed buy back of that pathway between those lots, even if that street connectivity is in some future development. As for the \$2k per lot discussion, I think it's important the County keeps its obligation to the \$2k per lot donation on the existing parcels but, even though the mark has moved, the \$7.5k per new lot should remain.

Commissioner Froerer moved to table a General Plan Amendment Resolution 32-2024 related to the Winston Park Development; Commissioner Bolos seconded with comment: If the density is doubled, there needs to be a major public benefit along the lines of \$7.5k per lot and that may not be enough.

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

H3 (b): Approval of a Development Agreement for Winston Park Development.

Item was tabled automatically due to tabling of Item H3 (a) above.

H3 (c): Approval of a Rezone Ordinance related 2024-16 to Winston Park Development.

Item was tabled automatically due to tabling of Item H3 (a) above.

I. COMMISSIONER COMMENTS: NONE

J. ADJOURN

Commissioner Froerer moved to adjourn at 10:28 am.; Commissioner Bolos seconded.

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

Attest:

James H. Harvey, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor