

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

Tuesday, June 13<sup>th</sup>, 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:** Lynn D. Taylor, of the County Clerk/Auditor's office; Bryan Baron, of the County Attorney's office; and Craig D. Brandt, of the County Clerk/Auditor's office, who took minutes.

**A. WELCOME:** Chair Froerer

**B. PLEDGE OF ALLEGIANCE:** Jennifer Graham

**C. INVOCATION:** Bill Cobabe

**D. THOUGHT OF THE DAY:** Commissioner Bolos: Last night my kids and their cousins finished their adult soccer league in Clearfield. In light of that, I found this quote: "Win without boasting, lose without excuses".

**E. PUBLIC COMMENT: NONE.**

**F. PRESENTATIONS:**

1. Recognition of Duncan Olsen for receiving his Certified Venue Professional designation.

Commissioner Harvey: I can tell in and amongst Culture, Parks, and Recreation, and while we honor Duncan Olsen, I want to give a special shout out to Jennifer Graham who for more than a decade has seen the value in aligning our talent with best practices and best principles of venue leadership and management. Many accountants, bankers, realtors all have different organizations they belong to with best practices they adhere to. The same is true for venue management. Weber County is very healthy in how we run our many venues.

Marty Smith (Culture, Parks & Recreation Director): Within our industry there is the International Association of Venue Managers. They have several certification/educational levels you can achieve. Jennifer and I are certified venue executives. You reach that level by achieving enough points to apply; you gain points through college degrees, serving on boards, attending venue management school. That certification says you have the knowledge and ability to manage all different kinds of venues. You achieve certification after passing a test.

Jennifer Graham (Culture, Parks & Recreation Assistant Director):

Commissioner Harvey: Duncan, nowhere is it required to achieve this certification. This represents the top 1% of all people working in the venues. Very, very few people get to this level.

Duncan Olsen: I have gratitude to these two individuals, they are awesome bosses. They have taught me a bunch. The support they give to try and develop ourselves personally both from an educational side and a networking and skill set side is far superior to what I have ever had. Most of the credit goes to them. Jodi Lake as well, the former Dee Events Center director, has been prodding me along with a stick.

Chair Froerer: I can say why Weber County stand out among the other counties in the state and it's the people.

**G. CONSENT ITEMS:**

1. Warrants #8194-8254, #476976-477117 and #268-271 in the amount of \$2,377,884.59.
2. Purchase orders in the amount of \$294,656.19.
3. Summary of Warrants and Purchase Orders.
4. ACH payments to US Bank in the amount of \$102,858.62.
5. Minutes for the meetings held on June 6<sup>th</sup>, 2023.

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

**H. ACTION ITEMS:**

1. **APPROVAL OF THE 2023 GRANT APPLICATIONS FROM THE WEBER COUNTY TOURISM TAX ADVISORY BOARD.**

Jennifer Graham (Asst Director, Culture, Parks, and Recreation): We are recommending approval of seven of the grants. Some were reduced in scope for various reasons. There are several keys we go through to check the validity of these grants including new or growing events that offer a unique niche or unique marketing opportunities in the community. The approved grants are Ogden Valley Land Trust, Mountain Arts and Music Festival, Trails Foundation Northern Utah Trailfest at North Fork Park, Outspring, Triple Crown Baseball and Softball, and Ice Breaker at Golden Spike Event Center for a total of \$32k.

Commissioner Harvey moved to approve of the 2023 Grant Applications from the Weber County Tourism Tax Advisory Board; Commissioner Bolos seconded.  
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

2. **APPROVE AGREEMENT WITH JACOB LUND FOR SERVICES AS STUDENT ASSISTANT FOR THE PRODUCTION OF KIDS ACT UP!.**

Kassi Bybee (OECC Director): These are the two other contracts I mentioned last week that would be coming in for Kids Act Up!.

Commissioner Harvey moved to approve agreement with Jacob Lund for services as Student Assistant for the production of Kids Act Up!; Commissioner Bolos seconded.  
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

3. **APPROVE AGREEMENTS WITH JAKE HEYWOOD FOR SERVICES AS MUSIC DIRECTOR FOR THE PRODUCTION OF KIDS ACT UP!.**

Kassi Bybee (OECC Director): See above Item H2.

Commissioner Harvey moved to approve agreements with Jake Heywood for services as Music Director for the production of Kids Act Up!; Commissioner Bolos 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 Bolos moved to adjourn the public meeting and convene public hearings, 10:21 a.m.; Commissioner Harvey seconded.  
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

2. Public hearing to consider an ordinance and proposal to rezone 2.7 acres from AV-3 and CV-2 to the Form Based (FB) zone, property located at 5461 E 2300 N, Eden. (ZMA 2023-05).

Steve Burton (Planning): This proposed rezone is in the Old Town Eden area. On April 25<sup>th</sup> of this year, the Ogden Valley Planning Commission recommended approval with three findings:

1. The proposed rezone is consistent with the General Plan.
2. The proposed rezone is compatible with overall character of existing development in vicinity of the subject property.
3. The impacts to surrounding properties and matters related to transportation are addressed at subdivision and site plan review.

Chair Froerer: Form Based Village was added to the General Plan in 2016. The intent being to move density off valley floor to areas that may have infrastructure or areas similar to this. This is your opinion that the proposed rezone follows the General Plan?

Mr. Burton: Yes, it follows the General Plan. The Form Based zone is so specific that a development agreement is not required.

3. Public Comment on item I2: None.

4. Public Hearing to consider an ordinance and proposal to rezone 22.94 acres from AV-3 to the Form Based (FB) zone, property located at 2700 N 5600 E, Eden

Steve Burton (Planning): Similar location in Old Town Eden Form-based area. Dog & Bone LLC is the applicant. April 25<sup>th</sup> of this year, the Ogden Valley Planning Commission gave a positive recommendation with four findings:

1. The proposed rezone is consistent with the goals, policies, and objectives of the General Plan.
2. The proposed rezone is compatible with overall character of existing development in vicinity of the subject property.

3. Any concerns with drainage, septic, transportation, engineering, and flooding will be handled at the subdivision level. No building or development can take place until these concerns are handled at the subdivision level.
4. No work force housing will be provided on the subject property.

The owner proposes to take 8 development rights from Sunnyfield Farm and send them to this proposed location. This helps implement the single family housing in the area. Short Term Rentals are not allowed in this area. Owners would be required to hire a professional engineer to look at grades on the property for any changes or subdividing. No wetlands, flood plains or streams are on the property. Transfer of development rights will not happen until developer is ready to subdivide.

5. Public Comment on item I4:

1. Shawn Clegg (representative for Dog Bone, LLC and Sunnyfield LLC): I live in the Eden Acres subdivision. We want to preserve that legacy in the area of Sunnyfield Farm and are willing to transfer the rights from the farm to the proposed Form-based property.

6. Public Hearing to consider and/or take action on an ordinance of the proposed amendment to the Weber County zoning map, changing certain property from A-2 (Agricultural) to M-T (Manufacturing and Technology), and allowing for the uses permitted within that zone and subject to the regulations associated with that zone, together with a development agreement between Weber County and Black Pine LLC. File ZMA 2022-03.

Bill Cobabe (Planning): This has been in front of you previously. We received a revised development agreement. There are some lingering concerns regarding the additional buffer which Staff would like to have additional time to resolve.

7. Public Comment on item I6: None.

8. Public Hearing for, and consideration and decision, on a resolution to amend the Western Weber General Plan as it relates to the Black Pine Development and to provide other general clerical edits and corrections to the document.

Charlie Ewert (Planning): To implement the Black Pines development, we will need to make some adjustments to the General Plan's future land use map. We also thought this would be a good time to address some minor tweaks and address minor errors and omissions. Additionally, we are proposing changing reference of medium residential sized lots at 15k square foot lots to large lots. Want to make sure residents have a like-for-like opportunity to contribute to buffering between medium/large residential, mixed use, and M&T zones. Also, we added the term Rural Residential Lots that are predominantly 20k square foot lots.

9. Public Comment on item I8: None.

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

Commissioner Harvey moved to adjourn the public hearings and reconvene public meeting, 10:57 am; Commissioner Bolos seconded.  
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

11. Action on public hearing:

I2: Approval of Ordinance 2023-19 and proposal to rezone 2.7 acres from AV-3 and CV-2 to the Form Based (FB) zone, property located at 5461 E 2300 N, Eden. (ZMA 2023-05)

Commissioner Harvey moved to approve Ordinance 2023-19 and proposal to rezone 2.7 acres from AV-3 and CV-2 to the Form Based (FB) zone, property located at 5461 E 2300 N, Eden, (ZMA 2023-05); Commissioner Harvey seconded.

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

I4: Approval of Ordinance 2023-20 and proposal to rezone 22.94 acres from AV-3 to the Form Based (FB) zone, property located at 2700 N 5600 E, Eden. (ZMA 2023-06).

Commissioner Bolos moved to approve Ordinance 2023-20 and proposal to rezone 22.94 acres from AV-3 to the Form Based (FB) zone, property located at 2700 N 5600 E, Eden, (ZMA 2023-06); Commissioner Harvey seconded.

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

I6: Approval of Ordinance 2023-21 of the proposed amendment to the Weber County zoning map, changing certain property from A-2 (Agricultural) to M-T (Manufacturing and Technology), and allowing for the uses permitted within that zone and subject to the regulations associated with that zone, together with a development agreement between Weber County and Black Pine LLC. File.

Commissioner Harvey: There are two points to this development agreement that I cannot approve, 5.1.1 and 5.7; everything else looks to be good. Do we just wait to approve the development agreement until those two sections are ironed out?

Mr. Ewert: That would be my recommendation.

Developer: We are comfortable with 100 foot setback. The code states a 300 foot setback but the amendments made last night to the development agreement in 5.1.1 exempts us from that 300 setback.

Commissioner Bolos: Charlie, do you anticipate the development agreement changes being put into the Ordinance?

Mr. Ewert: Yes.

Commissioner Harvey: Weren't we going to do some other research?

Mr. Ewert: Yes. We were going to do some other research on this. We were going to look at Exchange Road and look at consider some irrigation measures to make sure when converting farm land to native land that you have the ability to make those seed mixes to take hold.

Commissioner Harvey: I want to be super friendly here but I don't want to make any mistakes. This is the first of what could be many so I would like to get this right this time. I'd be ok with tabling for a week as long as we get the answers.

Chair Froerer: The idea is not to slow cook the developer. I just want to be consistent.

Commissioner Bolos: I'm happy to do this next week. I don't want to put this off anymore. I agree the code needs to change. I don't want to take forever, that's my bottom line. Next week would be great.

Commissioner Harvey withdrew motion to approve Ordinance and table the development agreement.. Commissioner Harvey moved to table until time certain next week *both* the Ordinance of the proposed amendment to the Weber County zoning map and the development agreement between Weber County and Black Pine LLC; Commissioner Bolos seconded.

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

I8: Approval of Resolution 28-2023 to amend the Western Weber General Plan as it relates to the Black Pine Development and to provide other general clerical edits and corrections to the document.

Commissioner Harvey withdrew motion to table Resolution 28-2023. Commissioner Bolos moved to approve Resolution 28-2023 to amend the Western Weber General Plan as it relates to the Black Pine Development and to provide other general clerical edits and corrections to the document; Commissioner Bolos seconded.

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

## J. COMMISSIONER COMMENTS:

1. Commissioner Harvey: For a lot of my life I've watched with interest as Zane Froerer has spent a lot of energy and time and money doing good for this community. He has been a giver. I just want you to know from my perspective, while you're here, to tell you thank you for how you have unselfishly given back to the community when you didn't have to. You have given much to your church and to your community in every way. Thank you so much.

**K. ADJOURN:**

Commissioner Bolos moved to adjourn at 11:15 am.; Commissioner Harvey seconded.  
Commissioner Froerer – aye; Commissioner Bolos – aye; Chair Harvey – aye

Attest:

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Gage Froerer, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor