

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

Tuesday, June 14<sup>th</sup>, 2022 – 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:** Scott K. Jenkins, James "Jim" H. Harvey, and Gage Froerer.

**STAFF PRESENT:** Ricky Hatch, County Clerk/Auditor; Christopher Crockett, Deputy County Attorney; and Craig D. Brandt, of the Clerk/Auditor's Office, who took minutes.

**A. WELCOME:** Chair Jenkins

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

**C. INVOCATION:** Scott Parke

**D. THOUGHT OF THE DAY:** Commissioner Harvey: I want to talk about one of our great assets in Weber County. Our Peery's Egyptian Theater recently received a \$1M donation that went toward a digital lighting upgrade. The seats have been replaced and floors upgraded. It's a beautiful theater that we are very fortunate to have. It even has a theater organ still; one of four or five such organs in the nation. But our greatest asset in the theater is the staff.

**E. PUBLIC COMMENT:**

1. Maris Bischoff, Ogden, UT: A Concern that has bothered me for 12 years. In 2005-2006, the AAA bond rating for Weber County was received through the work of (Commission names). Since that time, I have seen campaign materials saying they achieved the AAA bonding. It's not honest, it's not ethical, it's not true.  
Response: Ricky Hatch (Clerk/Auditor): Bond ratings are achieved for each individual bond issuance. While the first AAA bond in 2005-2006 was great and we certainly have built off the processes and benefits of prior elected county officials, since then, the county has over the past 6 to 7 years on its own obtained AAA ratings for other bonds. The bond rating is for each specific bond.
2. Sylvia Salsbury, Ogden, UT: Item number F8 has caught my attention due to 2000 Mules. I was wondering why Ogden was not included on the list of cities?  
Response: Mr. Hatch: Cities listed do not have surveillance in place. Ogden City will most likely be on in the future as we could not get to all the cities on this round of interlocals.

**F. CONSENT ITEMS:**

1. Warrants #5674-5704, #468520-468656 and #174-178 in the amount of \$1,542,878.22.
2. Purchase orders in the amount of \$47,691.87.
3. Summary of Warrants and Purchase Orders.
4. Minutes for the meeting held on June 7, 2022.
5. New business licenses.
6. Contract with the following individuals for Kids Act Up! Summer Theater Camp:
  - Mark Daniels- Director
  - Leigh Marriott- Music Director
  - Lindsey Poll- Choreographer
7. Memorandum of Agreement for the Special Needs Registry granting access and use of information contained on the Statewide Special Needs Registry Database.
8. Inter-local Agreements with the following cities for twenty-four surveillance on ballot boxes:
  - Farr West City
  - Harrisville City
  - Marriott-Slaterville City
  - Plain City
  - Pleasant View City
  - Riverdale City
  - South Ogden City
  - Uintah City
  - Washington Terrace City
  - West Haven City
9. Agreement to Assign the Weber County Library Commercial Space Leases.  
Commissioner Harvey moved to approve the consent items; Commissioner Froerer seconded.  
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

**G. ACTION ITEMS:**

1. **APPROVAL OF FINAL READING ORDINANCE 2022-16 AMENDING FEES FOR THE WEBER COUNTY TRANSFER STATION AND OTHER SOLID WASTE FEES (SEC 16-2-9 SOLID WASTE FEES).**

Sean Wilkinson (Director, Community Development): No changes since First Reading of this ordinance. (See June 7<sup>th</sup>, 2022 Commission Meeting Minutes Item G3 for more details).

Commissioner Harvey moved to approve final reading of Ordinance 2022-16 amending fees for the Weber County Transfer Station and Other Solid Waste Fees (Sec 16-2-9 Solid Waste Fees); Commissioner Froerer seconded.

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

2. **APPROVE OF CONTRACT WITH ZIONS BANK PUBLIC FINANCE, INC., FOR FINANCIAL ADVISORY SERVICES, INCLUDING DEBT ISSUANCES, REFINANCING AND EVALUATING THE ECONOMIC IMPACTS OF DEVELOPMENTS.**

Scott Parke (Comptroller): We have used Zion’s Bank in the past and have done a really good job for us. They help us realize and achieve the details behind our financial plan.

Commissioner Harvey moved to approve contract with Zions Bank Public Finance, Inc., for financial advisory services, including debt issuances, refinancing and evaluating the economic impacts of developments; Commissioner Froerer seconded.

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

3. **APPROVE A DEVELOPMENT AGREEMENT WITH OGDEN CITY TO REZONE LAND AT 1845 JACKSON AVENUE TO ALLOW THE CONSTRUCTION OF A NEW CHILDREN’S JUSTICE CENTER.**

Chris Crockett (Deputy County Attorney): Demands for their services forces them to need a new facility. This particular development agreement is a rezone from single family residential and open space to community commercial conditional overlay to allow the new center to be built in accordance with requirements in Ogden City.

Commissioner Froerer moved to approve a Development Agreement with Ogden City to rezone land at 1845 Jackson Avenue to allow the construction of a new Children’s Justice Center; Commissioner Harvey seconded. Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

4. **APPROVE A MASTER SERVICE AGREEMENT WITH TONAQUINT FOR A VIRTUAL SERVER PROVIDER THAT HOSTS CASE MANAGEMENT SOFTWARE FOR THE WEBER COUNTY ATTORNEY’S OFFICE.**

Jamie Pitt (Attorney): Servers are moving to new virtual server provider to host the case management system. It’s easier to have them host all of our data, system updates, and service. Current case management system provider is doing away with the system. We have to pay to move away from their current contract. The new company, Pine Tech, will actually host the current program for three to five years while they write a new case management program.

Commissioner Harvey moved to approve a Master Service Agreement with Tonaquint for a virtual server provider that hosts case management software for the Weber County Attorney’s Office; Commissioner Froerer seconded.

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

5. **FINAL SUBDIVISION APPROVAL OF THE BASIN SUBDIVISION CONSISTING OF 10 LOTS LOCATED AT 947 E OLD SNOW BASIN ROAD, HUNTSVILLE- UVB050721.**

Steve Burton (Planning): Developer has put up an escrow for offsite improvements. Prior development agreement limits subdivision to 10 lots. This development meets minimum requirements for FR3 zone with 6000 square foot lots with 80 feet of frontage. Developer’s portion of intersection upgrade approximately \$85k; funds in escrow. Planning Commission recommended final approval on February 15<sup>th</sup>, 2022. Staff also recommends approval.

Commissioner Harvey moved for final subdivision approval of The Basin Subdivision consisting of 10 lots located at 947 E Old Snow Basin Road, Huntsville- UVB050721; Commissioner Froerer seconded. Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

**6. FINAL SUBDIVISION APPROVAL OF HARBOR VIEW ESTATES, THE RESERVE AT CRIMSON RIDGE PHASES 2A, AND 2B CLUSTER SUBDIVISION- UVR 071520.**

Felix Lleverino (Planning): Planning Commission unanimous approval. This is for three of the four phases; Phase 2c will come later this year. A subdivision improvement agreement prepared with a letter of credit approved through the Treasurer of \$1,548,166.55. The existing sewage system is capable of handling this subdivision. Current Staff recommends approval.

Commissioner Froerer moved for final subdivision approval of Harbor View Estates, the Reserve at Crimson Ridge Phases 2A, and 2B Cluster Subdivision- UVR 071520; Commissioner Harvey seconded.  
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

**7. APPROVE A CONTRACT WITH RANDY KENNARD FOR AN INDIGENT DEFENSE ATTORNEY.**

Jim Retallick (Defense Attorney): Randy Kennard will be a fanatastic addition. 16 years experience as a prosecutor in Utah County. Anticipate bringing Randy in full time sometime in July.

Commissioner Harvey moved to approve a contract with Randy Kennard and Michael Bouwhuis for Indigent Defense Attorneys; Commissioner Froerer seconded.  
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

**8. APPROVE A CONTRACT WITH MICHAEL BOUWHUIS FOR AN INDIGENT DEFENSE ATTORNEY.**

Jim Retallick (Defense Attorney): Michael’s contract will be ammended to reflect supporting one judge as he takes a position in Davis County.

See Item G7 for motion and vote.

**H. PUBLIC HEARINGS:**

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

Commissioner Froerer moved to adjourn the public meeting and convene public hearings, 10:39 a.m.; Commissioner Harvey seconded.  
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

2. Public Hearing to consider and take action on a request to vacate the side and rear 10’ public utility easements within lot 5 of Fenster Farm Subdivision Phase 2- EV2022-04.

Felix Lleverino (Planning): State noticing guidelines were followed. Rocky Mountain power and Questar Gas consent letters received. Vacation will be executed by Ordinance. Staff and county engineering department recommends approval of vacation request.

3. Public Comments: None.

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

Commissioner Harvey moved to adjourn the public hearings and reconvene public meeting, 10:42 am; Commissioner Froerer seconded.  
Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

5. Action on public hearing:

H2: Approval of Ordinance 2022-17 to vacate the side and rear 10’ public utility easements within lot 5 of Fenster Farm Subdivision Phase 2- EV2022-04.

Commissioner Froerer moved to approve Ordinance 2022-17 to vacate the side and rear 10’ public utility easements within lot 5 of Fenster Farm Subdivision Phase 2- EV2022-04; Commissioner Harvey seconded.  
Roll Call Vote: Commissioner Froerer – aye; Commissioner Harvey – aye; Chair Jenkins – aye

**I. COMMISSIONER COMMENTS:**

1. Commissioner Harvey: I’m grateful to know the difference between 100 and 200 yards.

2. Chair Harvey: Cave discovered above Douglas Street with human remains dating back hundreds years and artifacts dating 500 to 1500 years. We went up to view the cave while we decide what to do with it. The state is contacting local tribes to see if they have an opinion. More than likely we will contact Weber State University Department of Archeology to see if they want to excavate and study the site.
3. Commissioner Froerer: We need to remember that time goes by and that people were here before us. It's important to recognize that history in this county.

**J. ADJOURN**

Commissioner Harvey moved to adjourn at 10:46 a.m.; Commissioner Froerer seconded.  
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

Attest:

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Scott K. Jenkins, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor