

**MINUTES
WEBER COUNTY COMMISSION**

Tuesday, August 11, 2020 - 10:00 a.m.

Via Zoom meeting + at Weber Center, 2380 Washington Blvd., Ogden, UT

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.

WEBER COUNTY COMMISSIONERS: Gage Froerer, James "Jim" H. Harvey, and Scott K. Jenkins

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

A. WELCOME - Chair Froerer

B. PLEDGE OF ALLEGIANCE - Melissa Freigang

C. INVOCATION - Sean Wilkinson

D. THOUGHT OF THE DAY - Chair Froerer

E. PUBLIC COMMENTS: None.

F. CONSENT ITEMS:

1. Warrants #2955-2977 and #451349-451501 in the amount of \$856,209.07
2. Purchase orders in the amount \$80,719.58
3. Minutes for the meetings held on July 28 and August 4, 2020
4. New business licenses
5. ACH payment to US Bank in the amount of \$238,387.08
6. Surplus a 2007 E-Z-Go golf cart from the Golden Spike Event Center
7. Sell surplus real property (Parcel Numbers 19-025-0012 and 19-025-0057)
8. Sell surplus real property (Parcel Number 03-007-0049)
9. Contract with Wasatch Front Regional Council for Community Development Block Grant Business Assistance
10. Contract with Wholesome Movies, LLC, to use library property as a location for filming
Commissioner Jenkins moved to approve the consent items; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Jenkins – aye; Chair Froerer – aye

G. ACTION ITEMS:

1. **FINAL READING OF AN ORDINANCE AMENDING CERTAIN FEES TO THE WEBER COUNTY FEE ORDINANCE FOR THE ICE SHEET – ORDINANCE 2020-13**

This item was presented last week and Mariko Rollins, of the County Ice Sheet, requested approval. Commissioner Harvey moved to adopt Ordinance 2020-13, final reading of the ordinance amending certain fees to the Weber County Fee Ordinance for the Ice Sheet; Commissioner Jenkins seconded.
Commissioner Harvey – aye; Commissioner Jenkins – aye; Chair Froerer – aye

2. **CONTRACT WITH STAKER PARSON MATERIALS AND CONSTRUCTION FOR ASPHALT PAVING AT THE WEBER COUNTY TRANSFER STATION**

Sean Wilkinson, County Community Development Director, stated that this item was put out to bid, that it is to address three areas at the Transfer Station, and the contract amount is \$38,438.45. Commissioner Harvey moved to approve contract with Parson Materials and Construction for asphalt paving at the Weber County Transfer Station; Commissioner Jenkins seconded.
Commissioner Harvey – aye; Commissioner Jenkins – aye; Chair Froerer – aye

3. **FINAL APPROVAL OF ARROWHEAD MEADOW SUBDIVISION PHASE 1, INCLUDING A REQUEST FOR A SUBDIVISION IMPROVEMENT AGREEMENT FOR THE AMOUNT OF \$29,612.50**

Felix Lleverino, of the County Planning Division, stated that this item went through all of the appropriate review processes and approvals and that the development meets subdivision and zoning standards. The two lots will each have a well and a septic system. Planning staff recommends final approval with the conditions stated in the staff report. The applicant was present and said he had no comment. Commissioner Harvey moved to grant final approval of Arrowhead Meadow Subdivision Phase 1, including a subdivision improvement agreement for \$29,612.50; Commissioner Jenkins seconded.
Commissioner Harvey – aye; Commissioner Jenkins – aye; Chair Froerer – aye

4. MEMORANDUM OF UNDERSTANDING (MOU) WITH WESTERN GOVERNORS UNIVERSITY TO RECEIVE A GRANT FOR THE PROSPERITY CENTER OF EXCELLENCE

Melissa Freigang, Prosperity Center of Excellence Director, noted that this entity provides scholarships for our IGP participants and Integrated Community Action Now intervention. They are very interested in partnering with the county. This MOU is for \$100,000/year for the next five years.

Commissioner Jenkins moved to approve the Memorandum of Understanding with Western Governors University to receive a grant for the Prosperity Center of Excellence; Commissioner Harvey seconded. Commissioner Harvey – aye; Commissioner Jenkins – aye; Chair Froerer – aye

5. RECONSIDERATION OF THE DECISION TO AMEND COUNTY CODES §104-7 & 108-7 TO ALLOW CULTIVATION & PROCESSING OF CANNABIS CULTIVATION IN THE A-2 ZONES DATED AUGUST 4, 2020 – ORDINANCE 2020-12

Chair Froerer noted that last week there was great discussion on this item and there had been a little confusion on the motion and this is to correct that, and that this allows cultivation in an A-2 Zone but only one production establishment, unless there was application for more. The State has only approved eight licenses. Charles Ewert, of the County Planning Division, stated that the amendment clarifies that processing is not allowed in the A-2 Zone; this ordinance is for cultivation only. Christopher Crockett, Deputy County Attorney, explained the county’s rules of order in detail regarding a motion to reconsider, including the issue of timing and motions.

Commissioner Jenkins moved to approve the reconsideration Ordinance 2020-12 of the decision to amend Weber County Codes §104-7 and 108-7 to allow cultivation and processing of cannabis cultivation in the A-2 zones dated August 4, 2020; Commissioner Harvey seconded. Commissioner Harvey – aye; Commissioner Jenkins – aye; Chair Froerer – aye

Commissioner Jenkins read the following amendment to this ordinance as requested by the Commission that. “No more than one cannabis production establishment is allowed to be in operation in an agricultural zone at any one time.”) and asked about the A-3 Zone. Mr. Ewert said that currently the code does not put a limit on how many can operate in the A-3 or the M-1 through M-3 Zones. In discussing this today, there was a question whether the county could make the restriction on the A-3 Zone according to the State’s regulations and Seth Gomm, Attorney and the applicant’s representative, who said that he has knowledge of the related State Code stated that each jurisdiction needs to provide one location in both an industrial and an agriculture zone for each of the uses and believed that the commissioners would be in compliance with what they were suggesting. Commissioner Jenkins asked to include that no more than one cannabis production establishment is to be allowed in operation in the A-2 and the A-3 Zones at any one time. Mr. Ewert and Mr. Gomm said that they were in agreement with this language.

Commissioner Jenkins moved to adopt Ordinance 2020-12 to amend Weber County Codes §104-7 and 108-7 to allow cultivation and processing of cannabis in the A-2 zones dated August 4, 2020 with the language, “No more than one cannabis production establishment is allowed to be in operation in the A-2 and the A-3 Zones at any one time.” Commissioner Harvey seconded. Commissioner Harvey – aye; Commissioner Jenkins – aye; Chair Froerer – aye

H. COMMISSIONER COMMENTS: The commissioners spoke of the 2020 Unfair held this month at the County Fairgrounds stating that it was different due to the pandemic, and that it was very successful, that the number of animals was at an all time high, that many members of the community participate to help the youth, and they encouraged parents to get their children involved.

I. ADJOURN

Commissioner Jenkins moved to adjourn at 10:50 a.m.; Commissioner Harvey seconded. Commissioner Harvey – aye; Commissioner Jenkins – aye; Chair Froerer – aye

Attest:

Gage Froerer, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor