

MINUTES
WEBER COUNTY COMMISSION

Tuesday, August 15th, 2023 – 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, and Sharon Bolos (Gage Froerer is excused)
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 Froerer

B. PLEDGE OF ALLEGIANCE: Chief Josh Gard

C. INVOCATION: Sean Wilkinson

D. THOUGHT OF THE DAY: Commissioner Harvey: My thought today is about our Weber County Fair that ends on the second Saturday of August each year. I have had comments made to me that the "the Fair really has changed. It should be...". I started at the Fairgrounds 30 years ago in 1994. We didn't have riding arena; it was a paved parking lot. There were 363 stalls compared to today's 549. We had miniature, quarter, draft, and Arabian horse shows plus Stallion Alley. If you contrast 30 years ago to today, a lot of those horse farms are gone. In 1995 Weber County had the highest number of horses per capita in the nation; that is no longer true. There are houses in many areas now where there used to be horses. We have a fantastic Fair team and Board that keeps current which is unique. Fair attendance across the country is down over 30% in attendance since 2017. Last year our Fair attendance was up 6% and this year it was up over 7%. People came from all over to see our demolition derby which sold out five to six weeks in advance. I'm really grateful for our staff that made the changes necessary. Things have changed over 30 years.

E. PUBLIC COMMENT: NONE.

F. CONSENT ITEMS:

1. Warrants 8680-8723, #478351-478545 and #283 in the amount of \$932,940.25.
2. Purchase orders in the amount of \$42,274.88.
3. Summary of Warrants and Purchase Orders.
4. ACH payment to Zions Bank in the amount of \$96,950.82.
5. Contract with Brian Cochran to hire the Ogden High School Basketball team to provide janitorial services during the 2023 Weber County Fair.
6. Contract with and Dryvebox Utah to hire Dryvebox Utah to have an exhibit at the 2023 Weber County Fair.
7. Contract with Big Air Insanity Freestyle Motocross Show for a motocross stunt show to be held at the 2023 Weber County Fair.
8. Retirement Agreement by and between Weber County and Michelle Cooke.
9. Amendment to the Subrecipient Agreement with Ogden Nature Center, for American Rescue Plan Act SLFRF Funds.

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

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

G. ACTION ITEMS:

1. **APPROVE CONTRACT WITH BML CONSTRUCTION SERVICES TO RELOCATE SCULPTURE BASE AND ELECTRICAL SUPPLY, ADD SECURITY LIGHTING AND CAMERA TO PROTECT SOUTHWEST LIBRARY SITE FROM ONGOING VANDALISM, REMOVE ORIGINAL BASE AND REMEDIATE LANDSCAPING.**

Lynnda Wangsgard (Library Director): UTA added a major transit stop of the library that fell within a couple feet of a work of art commissioned with private funding to celebrate rededication of the main library. With the transit stop being so close, it has created an opportunity for idle hands to view it as monkey bars and a climbing challenge risk which invites risk and vandalism. To eliminate the risk, the sculpture will be moved to the southwest corner of the building on the raised platform and the original concrete base will be removed. Contract also includes lighting and video surveillance provisions and remedial landscape changes. There is currently no lighting or video surveillance which also invites mischief. This contract bid is \$117,077.

Commissioner Bolos moved to approve contract with BML Construction Services to relocate sculpture base and electrical supply, add security lighting and camera to protect southwest library site from ongoing vandalism, remove original base and remediate landscaping; Commissioner Harvey seconded.

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

2. **APPROVE A CONTRACT WITH THE STATE OF UTAH DIVISION OF OUTDOOR RECREATION TO AWARD FUNDING FOR THE WEBER COUNTY SHERIFF’S OFFICE SEARCH AND RESCUE RESPONSE VEHICLE.**

Todd Ferrario (Recreation & Parks Director): By the time we got to the end of fee changes last year, we missed the fee adjustment for the yurts. This affects the summer rate by going from \$80 to \$85 and the winter rate goes from \$125 to \$150.

Commissioner Bolos moved to approve a first reading of an ordinance amending certain fees to Weber County Parks and Recreation Department Facilities; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – excused

3. **APPROVE CONTRACT WITH CAL WADSWORTH CONSTRUCTION FOR A NEW CONSTRUCTION AND DEMOLITION MATERIALS LOADING AREA AT THE WEBER COUNTY TRANSFER STATION.**

Sean Wilkinson (Community Development Director): This is a contract to relocate construction and demolition area at the transfer station to the south side of the station where the trucks load the waste, providing for much better flow and improving safety. This is phase 1 in a plan to eventually add a new scale house, new roads, and improve circulation at the station.

Commissioner Bolos moved to approve contract with Cal Wadsworth Construction for a new construction and demolition materials loading area at the Weber County Transfer Station; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – excused

4. **APPROVE CONTRACT WITH LENSLOCK TO REPLACE OUTDATED BODY AND DASH CAMERAS WITH NEW EQUIPMENT, AND MOVE FROM ON SITE SERVER STORAGE OF EVIDENCE TO CLOUD BASED STORAGE.**

Chief Josh Gard (Sheriff’s Department): This has become an urgent need. The company providing onsite server storage has not been very helpful and 90% of our body and dash cameras are out of warranty. This will allow us to replace 59 dash cameras and 60-some body cameras on a 5 year plan with all equipment under warranty. This will help address access to footage and transfer old data to the cloud as well.

Commissioner Bolos moved to approve contract with LensLock to replace outdated body and dash cameras with new equipment, and move from on site server storage of evidence to cloud based storage; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – excused

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, 10:29 a.m.; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – excused

2. Public hearing to discuss amendments to the operating and capital budget of Weber County for the 2023 calendar year.

Scott Parke (County Comptroller): It becomes necessary to make adjustments. This is formal approval of requested changes to the budget, as outlined below:

<u>Description</u>	<u>Revenues</u>	<u>Expenditures</u>
<u>Grants and Other Revenues</u>		
Flood Mitigation Grant	\$203,547.88	\$203,547.88
Ice Sheet Donation/RAMP Grant	\$31,900.00	\$31,900.00
IDC Grant	\$113,852.00	\$113,852.00
NRA Grant	\$22,000.00	\$22,000.00
RAMP Grant	\$15,963.00	\$15,963.00
TTAB Grant	\$5,000.00	\$5,000.00
USFS Pineview Grant	\$138,000.00	\$138,000.00
<i>Grants and Other Revenues Total</i>	<i>\$530,262.88</i>	<i>\$530,262.88</i>

<u>Other</u>		
Animal Shelter Expenses		\$60,000.00
County Shops Fuel Tanks		\$556,848.00
Health Department Adjustments	\$90,000.00	\$8,280.00
Transfer Station Equipment Rollover		\$408,025.00
Upper Valley Sewer Expenses		\$25,000.00
<i>Other Total</i>	<i>\$90,000.00</i>	<i>\$1,058,153.00</i>
Grand Total	\$620,262.88	\$1,588,415.88

- Public hearing to consider approval of an ordinance and development agreement to apply a Master Planned Development Overlay zone on 257 acres of property zoned RE-15, RE-20, FR-3, F-5, CVR-1 and AV-3. Project located near 3718 N Wolf Creek Drive, Eden. - ZMA 2022-01.2.

Steve Burton (Planning): This was submitted in January 2022. The proposal has gone under much review and we feel it is ready for decision today. Planning Commission offered unanimous decision last October with the following findings, with Staff in agreement:

- The proposal implements a meaningful element from the General Plan specifically the transfer of density rights and providing important public street connections allowing for pedestrian and vehicle connectivity
- The proposal was considered by the legislative body in conformance with land use code
- The applicant prefers to move the townhomes in the Cobabe Ranch area to the south so the single family lots are closer to the Cobabe Ranch northern boundary.

MPD overlay zoning does not change zoning but overlays existing zoning. The zone is intended to promote the diversification in the relationship of various uses and structures to their sites, to permit more flexible applicability of traditional zoning standards to those sites, to encourage new and innovative concepts to the design of neighborhood and housing projects.

There is no new density being proposed with this MPD overlay. The developer is proposing to take existing number of rights from the Wolf Creek Resort and through some zoning they have and disperse them throughout the three development areas.

Eagle Crest consists of approximately 60 acres with AV-3, RE-20 and FR-3 zoning currently. The developer is proposing 120 condos and 72 townhomes with 40 acres open space and trails. No STRs allowed for this development per the development agreement.

The Exchange consists of 6-8 acres existing zoning of RE-15 and CVR-1 with proposed 144 condos. This is the only one of the three developments that will have commercial use with a hotel and retail buildings.

The last area is Cobabe Ranch with 180 acres with current zoning of AV-3, F-5, and RE-15. The developer moved the single family lots away from Trapper's Ridge, per their request, and moving them closer to the north. There are 33 single family lots ranging from two to three acres and 68 condos. A crash gate was agreed to with Trapper's Ridge for a secondary egress route. There will be a 10 foot paved pathway along with the public street.

MPD overlay zones allow short term rental allowance by the legislative body in a master plan community, such as this. The Planning Commission agrees. No STRs in Eagle Crest. STRs will be allowed in both The Exchange and Cobabe Ranch, including single family units.

- Public hearing on an ordinance and development agreement to rezone 29.61 acres from the Agricultural A-1 Zone to the Residential R1-15 Zone. The approximate location is 4300 West 1800 South- ZMA 2023-03

Felix Lleverino (Planning): This request would require amending the zoning map covered by the corresponding Ordinance on the agenda. This rezone would bring potential lot sizes to no smaller than 15k square feet. This was unanimously approved by the Planning Commission on July 11th.

5. Public Comments: None.

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

Commissioner Harvey moved to adjourn the public hearings and reconvene public meeting, 11:02 am; Commissioner Bolos seconded.

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

7. Action on public hearing:

H2: Approval of Resolution 37-2023 amending the operating and capital budget of Weber County for the 2023 calendar year.

Commissioner Bolos moved to approve Resolution 37-2023 amending the operating and capital budget of Weber County for the 2023 calendar year; Commissioner Harvey seconded.

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

H3- Approval of both Ordinance 2023-25 and development agreement to apply a Master Planned Development Overlay zone on 257 acres of property zoned RE-15, RE-20, FR-3, F-5, CVR1 and AV-3. Project located near 3718 N Wolf Creek Drive, Eden. - ZMA 2022-01.2.

Commissioner Bolos moved to approve Ordinance 2023-25 and development agreement to apply a Master Planned Development Overlay zone on 257 acres of property zoned RE-15, RE-20, FR-3, F-5, CVR1 and AV-3. Project located near 3718 N Wolf Creek Drive, Eden. - ZMA 2022-01.2; Commissioner Harvey seconded.

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

H4- Approval of Ordinance 2023-26 and development agreement to rezone 29.61 acres from the Agricultural A-1 Zone to the Residential R1-15 Zone. The approximate location is 4300 West 1800 South- ZMA 2023-03.

Commissioner Bolos moved to approve Ordinance 2023-26 and development agreement to rezone 29.61 acres from the Agricultural A-1 Zone to the Residential R1-15 Zone. The approximate location is 4300 West 1800 South- ZMA 2023-03; Commissioner Harvey seconded.

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

I. CLOSED SESSION:

Commissioner Bolos moved to convene a closed session to discuss the character, professional competence, or physical or mental health of individuals, 11:05 a.m.; Commissioner Harvey seconded.

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

No action was taken during the closed session.

Commissioner Bolos moved to reconvene the regular meeting, 12:25 p.m.; Commissioner Harvey seconded.

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

J. COMMISSIONER COMMENTS: NONE.

K. ADJOURN

Commissioner Bolos moved to adjourn at 12:25 pm.; Commissioner Harvey seconded.

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

Attest:

Gage Froerer, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor