

50MINUTES
WEBER COUNTY COMMISSION

Tuesday, August 20th, 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, Gage Froerer
STAFF PRESENT: Ricky D. 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:

C. INVOCATION: Jim Retallick

D. THOUGHT OF THE DAY: Chair Harvey: Some of us got to enjoy a beautiful lightning show last night. I hope each of us, including myself, takes time to care of ourselves and act on any impressions we may have. My father-in-law taught me about acting on impressions and read me a poem by Richard Willard Armour that reads as follows:

The bride, white of hair, is stooped over her cane,
Her faltering footsteps need guiding.
While down the opposite Church aisle, with wan toothless smile,
The bridegroom in wheelchair came riding.
Well who is this elderly couple thus wed?
Well you'll find when you closely explored it,
But here is that rare most conservative pair,
Who waited till they could afford it.

When you have an impression, it always works out.

E. PUBLIC COMMENT:

1. Kaya Forester, Roy, UT: Our home is being built in Winston Park subdivision. When we bought our land we were under the impression plans were in place for the land behind us. When we learned about the patio home development we were disappointed. We spoke with the developer and they are willing to help us with adding to our privacy with a fence. They also addressed our parking concerns with offering to install concrete barriers. Our only lasting concern is the detention basin. Our understanding is it will be left as-is and will fill with weeds.

F. CONSENT ITEMS:

1. Warrants #102777-102816, #485999-486123 and #377-379 in the amount of \$1,620,170.62.
2. Purchase orders in the amount of \$242,586.01.
3. Summary of Warrants and Purchase Orders.
4. New business licenses.
5. Minutes for the meeting held on August 13, 2024.
6. Grant a 30-foot access and utility easement to Plain City on Parcel #19-027-0020.
7. Right of Way Contracts with Karry & Cheryl Snyder for the purchase of Parcel #15-088-0049 and Parcel #15-088-0023.
8. Contract with Weber State University Men's Ice Hockey for game and practice ice agreement for the 2024-2025 Season.
9. Amendment to a contract with Zions Public Finance, Inc. to add some additional items updating the Impact Fee Facility Plan and Impact Fee Analysis pertaining to the Sewer, Roads, and Storm Drain.
10. Contract with Intermountain Health to house pets of IHC patients for up to 10 days at Weber Animal Services.
11. Basic Training Agreements with the following individuals:

Michael Clegg	Natalie Cort
Darren Cuevas	Tanner Jackson
Johnathan Heath	Joseph Puali
Camryn Richins	Austin Rainford
Dakota Coe	

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

G. ACTION ITEMS:

1. APPROVE ORDINANCE 2024-16 OF THE COUNTY COMMISSIONERS OF WEBER COUNTY GOVERNING BACKGROUND CHECKS FOR APPLICANTS FOR COUNTY EMPLOYMENT AND VOLUNTEERS.

Emily Wilde (HR Director): No changes from the First Reading.

Commissioner Bolos moved to approve Ordinance 2024-16 governing background checks for applicants for county employment and volunteers; Commissioner Froerer seconded.

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

2. APPROVE ORDINANCE 2024-17 OF THE COUNTY COMMISSIONERS OF WEBER COUNTY CERTAIN FEES TO WEBER COUNTY CULTURE PARKS AND RECREATION DEPARTMENT FACILITIES.

Todd Ferrario (Culture, Parks, & Recreation Director): No changes from the First Reading. The proposed changes are for the Ice Sheet.

Commissioner Froerer moved to approve Ordinance 2024-17 amending certain fees to Weber County Culture Parks and Recreation Department Facilities; Commissioner Bolos seconded.

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

3. APPROVE A DEVELOPMENT AGREEMENT FOR THE WINSTON PARK DEVELOPMENT.

Charlie Ewert (Planning): Commissioners, you have all of the information and I can answer any questions you may have.

Chair Harvey: Will there be grass on retention ponds? And fences and trees on property lines?

Mr. Ewert: Grass in the retention ponds is not specifically mentioned in the Development Agreement but it can be added. It sounds like there are private agreements between the developer and lot owners for the fence and trees. There will be masonry wall along 1800 South with street trees.

Chair Harvey: What about the street I asked for through Lot 108?

Mr. Ewert: It appears the lot owner is not interested in selling but the developers are still happy to do a pathway that is already covered in the Development Agreement.

Chair Harvey: This was a cluster subdivision some time ago. When it was sold to all the people, the disclosures said sometime the property behind them could be developed. For me, I feel misled on the original agreement. That is why I feel it is important to the street go through.

Commissioner Froerer: Would you say the existing residents favor or do not favor this?

Mr. Ewert: I can't say favor or disfavor are terms that could be used. But from information we have received, they are aware and not fighting it.

Commissioner Froerer: I have had concerns about granting land credit for a cluster then coming back and developing it. I know things have changed since the ordinance was in place. What is the benefit to the community and/or residents, or both, to letting this come out of open space?

Mr. Ewert: The Planning Commission struggled with this as well. This land is without water and is not seen as viable farm acreage anymore. Technically it wasn't a cluster but a PUD but they followed the same cluster subdivision rules. As far as getting density or bonus credits, they have happened under A1 zone but if they change to R1-15 there is no credit. The developer has agreed to a \$7500 per lot donation to the park district to make improvements to the nearby park. This is covered in the development agreement.

Commissioner Bolos: I received an email with acknowledge of the changes to the General Plan. I need to feel confident that home owners who bought into these properties are confident with the changes. There is one letter that is not signed.

Wade Rumsey, Idaho Falls, ID: The one you are referring to is to secure the pedestrian pathway with the lot owner. We spoke with that owner and they are good; we can get that signature.

Commissioner Bolos: My support is contingent on that signature. There are some items addressed in the Development Agreement and some things are not. How do we guarantee we get those in the Development Agreement?

Mr. Ewert: We can try and work to get that into the development agreement if your approval depends on that.

Mr. Rumsey: I am willing to go on record we will follow through on those commitments. I have no problem saying we will follow through. I feel we have gone above and beyond to address their concerns.

Commissioner Bolos: For these homeowners who bought into phase 1, it's important that there is grass in the retention area as in other open spaces, barriers as discussed, trees and fences, and the pathway.

Mr. Rumsey: I feel like there is excellent pedestrian pathway within the subdivision as well as ones that stub out to the east and west.

Commissioner Bolos: The signatures on the pathway have to be in place for my support.

Commissioner Bolos (after the vote): The reason we are addressing this now is, to me, a park district issue. The park district needs to have a conversation with the Planning Commission to understand the needs of the park district. If the park district had taken this piece of land as originally intended, we would not be having this conversation; there would be a park. It makes it difficult to go back and change. It's important to have better vision and to have the park district explain exactly what they need.

Commissioner Froerer moved to approve the Development Agreement for the Winston Park Development with the following stipulations: pathways, grass, fencing and street trees, and all other items as discussed to be added to the Development Agreement; Commissioner Bolos seconded
Chair Harvey – no; Commissioner Bolos – aye; Commissioner Froerer - aye

- 4. APPROVE REZONE ORDINANCE 2024-16 OF THE COUNTY COMMISSIONERS OF WEBER COUNTY REZONING APPROXIMATELY 40 ACRES OF LAND - OTHERWISE KNOWN AS THE WINSTON PARK SUBDIVISION - LOCATED AT APPROXIMATELY 3667 WEST 1800 SOUTH FROM THE A-1 (AGRICULTURE) ZONE TO THE R1-15 (RESIDENTIAL) ZONE.**

Charlie Ewert (Planning): No changes from prior presentation. We recognize challenging coordination in the past. We have an inter-Park District meeting tomorrow to get a handle on a parks master plan, such as the one Taylor-West Weber approved last year.

Commissioner Froerer: I would like to see that Master Plan from the parks district. I think we need to look at where those parks are, whether they have water or not and how they tie into our General Plan. I support Bolos' comment that coordination needs to happen.

Commissioner Bolos moved to approve Rezone Ordinance 2024-18 rezoning approximately 40 acres of land - otherwise known as the Winston Park Subdivision - located at approximately 3667 West 1800 South from the A-1 (Agriculture) zone to the R1-15 (Residential) zone; Commissioner Froerer seconded
Roll Call Vote: Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer - aye

- 5. APPROVE A CONTRACT WITH ASPHALT CONSTRUCTION & EXCAVATING FOR THE INSTALLATION OF A PATHWAY ALONG THE SOUTH SIDE OF 4000 NORTH.**

Chad Meyerhoffer (Engineering): This contract will extend the pathway from 4000N at the Farr West border and runs about 1600 feet to where the western drain crosses. This will eventually get down to the trailhead.

Commissioner Froerer moved to approve a contract with Asphalt Construction & Excavating for the installation of a pathway along the south side of 4000 North; Commissioner Bolos seconded.
Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer - aye

6. APPROVE A CONTRACT WITH ABBOT LAW FOR INDIGENT DEFENSE ATTORNEY CIVIL COMMITMENTS IN UTAH COUNTY.

Jim Retallick (Public Defender Director): This matter will save Weber County about two thirds on what has been spent on civil commitments.

Commissioner Bolos moved to approve a contract with Abbot Law for indigent defense attorney civil commitments in Utah County; Commissioner Froerer seconded.
Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer - aye

7. APPROVE AN INTERLOCAL AGREEMENT WITH BOX ELDER COUNTY FOR THE PROVISION OF FORENSIC SOCIAL WORK SERVICES FOR JUSTICE INVOLVED INDIVIDUALS IN BOX ELDER COUNTY, AS PART OF A TWO-YEAR PILOT PROGRAM FUNDED BY THE STATE LEGISLATURE.

Jim Retallick (Public Defender Director): Items 7 & 8 are very similar with Two year social work program funded by the state. Davis County is already rolling and Box Elder will start in September.

Commissioner Froerer moved to approve an Interlocal Agreement with Box Elder County for the provision of forensic social work services for justice involved individuals in Box Elder County, as part of a two-year pilot program funded by the state legislature; Commissioner Bolos seconded.
Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer - aye

8. APPROVE AN INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR THE PROVISION OF FORENSIC SOCIAL WORK SERVICES FOR JUSTICE INVOLVED INDIVIDUALS IN BOX ELDER COUNTY, AS PART OF A TWO-YEAR PILOT PROGRAM FUNDED BY THE STATE LEGISLATURE.

Jim Retallick (Public Defender Director): See Item G7 above.

Commissioner Bolos moved to approve an Interlocal Agreement with Box Elder County for the provision of forensic social work services for justice involved individuals in Davis County, as part of a two-year pilot program funded by the state legislature; Commissioner Froerer seconded.
Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer - aye

9. APPROVE A CONTRACT WITH RANDY MARRIOTT CONSTRUCTION TO CONSTRUCT APPROXIMATELY 2,800 LINEAR FEET OF 36-INCH STORM DRAIN PIPE ALONG 2200 NORTH IN THE EDEN AREA.

Ashley Thoman (Engineering): Six bids were received. The proposed contract value was \$2M which we reduced down to \$1.2M by reducing the scope of the project. The remaining work will be phased in later.

Commissioner Froerer: Does this phase 1 address the flooding issues (in that area)?

Mr. Thoman: No, this will not alleviate the flooding conditions.

Commissioner Froerer moved to approve a contract with Randy Marriott Construction to construct approximately 2,800 linear feet of 36-inch storm drain pipe along 2200 North in the Eden area; Commissioner Bolos seconded.
Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer - aye

H. COMMISSIONER COMMENTS:

1. Commissioner Bolos: Every month we have meetings with directors in the County. Mr. Retallick mentioned how impressed he was with what everyone was sharing and how much really goes on in the County. And Mr. Wilkinson followed up with a comment about the partnerships between departments in the County. I just want to reiterate those comments are true.

2. Commissioner Froerer: That is why Weber County has the best employees of all twenty-nine counties in the state.

I. ADJOURN

Commissioner Bolos moved to adjourn at 10:45 a.m.; Commissioner Froerer 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