

**MINUTES
OF THE BOARD OF COMMISSIONERS OF WEBER COUNTY**

Tuesday, August 23, 2016 - 10:00 a.m.

Commission Chambers, 2380 Washington Blvd., Ogden, Utah

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.

COMMISSIONERS: Matthew G Bell and James Ebert. Kerry W. Gibson was excused.

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

- A. WELCOME – Chair Bell**
- B. INVOCATION – David Wilson**
- C. PLEDGE OF ALLEGIANCE – Ricky Hatch**
- D. THOUGHT OF THE DAY – Commissioner Ebert**
- E. PRESENTATION - RECOGNITION OF WEBER COUNTY ELECTIONS TEAM'S "2016 ELECTION CENTER DEMOCRACY AWARD," FOR THEIR PARTNERSHIP WITH WEBER STATE UNIVERSITY**

Ricky Hatch, County Clerk/Auditor, stated that the Clerk/Auditor's Office and Elections is constantly asking what they can do to improve—to offer better services more efficiently. The Elections team came up with a great program that allows additional staff resources at no cost and also provides Weber State University (WSU) students with real world experience as they obtain their education. Elections enlisted the help of a computer science class at WSU to develop an inventory tracking program for the 600+ voting machines and the accessory items that need to be tracked. It helps better comply with the state required audit. The students are helping to develop an app that will help provide balloting and polling place information, etc. to voters on smart phones. WSU's technical lighting class has helped in preparing voting equipment instruction manuals and the Language Department is helping with translation. Overall in 1-year period WSU provided over 1,000 hours of service, resulting in a substantial savings. Elections staff in turn sits on executive committees, participates in focus groups, voter registration drives on campus, provides guest lectures, etc. This Democracy Award was presented in Philadelphia last week and Shelly Jackson, with County Elections, who was the main driver behind this program, accepted it. Ms. Jackson said that it was an honor to represent our county in Philadelphia last week. She stated that the success of this program is due to the partnership with WSU. This is the second national best practice award that the Elections Department has won this year. Jenny Frame, WSU Community Partnership Coordinator, loves working with Weber County Elections and the great staff that makes this partnership work really well.

F. CONSENT ITEMS:

1. Purchase orders in the amount of \$129,928.04
2. Warrants #408172 - #408401 in the amount of \$1,136,796.09
3. Minutes of the work session held on August 16, 2016
4. Change Order No. 6 for Wardell Brothers on the Skyline Drive Project
5. Set public hearing for September 6, 2016, 10 a.m., to consider and take action on a proposal to amend the following sections of Weber County Land Use Code: Definitions (101-1-7), General Provisions (102-1), Natural Hazards Overlay Districts (104-27), Supplementary and Qualifying Regulations (108-7) and Hillside Development Review Procedures and Standards (108-14) to clarify that the Planning Commission is not the only land use authority over projects with natural hazards, and to provide clarity, remove redundancies, and include process steps and appeal provisions for natural hazards reviews

Commissioner Ebert moved to approve the consent items; Chair Bell seconded.

Commissioner Ebert – aye; Chair Bell – aye

G. PUBLIC HEARING:

1. Commissioner Ebert moved to adjourn the public meeting and convene the public hearings; Chair Bell seconded.
Commissioner Ebert – aye; Chair Bell – aye

2. **PUBLIC HEARING TO CONSIDER AND TAKE ACTION ON A REQUEST TO VACATE A PUBLIC UTILITY EASEMENT IN ALLEN ESTATES SUBDIVISION PHASE 2 LOT 27. THE 10' PUBLIC UTILITY EASEMENT IS LOCATED ALONG THE SIDES AND REAR OF LOT 27.**

Felix Lleverino, of the County Planning Division, stated that Engineering, Planning, and the Attorney's Office recommend approval.

3. **PUBLIC HEARING TO CONSIDER AND TAKE ACTION ON A PROPOSAL TO AMEND TITLE 104 (ZONES), CHAPTER 21 (COMMERCIAL VALLEY ZONES CV-1 AND CV-2) TO ALLOW DWELLING UNITS IN THE ZONE IF THEY WERE PREVIOUSLY APPROVED AS PART OF A DEVELOPMENT AGREEMENT, AND TO PROVIDE SPECIFIC STANDARDS GOVERNING THEM.**

Charles Ewert, of the County Planning Division, noted that the Wolf Creek Development began in the 1980s and there was a development agreement. The 2001 amendment assigned 250 dwelling units to the CV-2 Zone. Those units have always been part of the calculations for Ogden Valley's density; however, currently the CV-2 Zone does not allow dwelling units and Planning had to determine that execution. A lot of development has occurred and there are 70+ units to be divided between 2-3 parcels in the CV-2 Zone, and he reaffirmed that they belong to those certain parcels. This item amends the CV-2 Zone to reflect what was previously adopted through the Development Agreement. He showed the changes, including the table of uses allowed in the CV-2 Zone. Fairly strict parameters were added for dwelling units in that zone to ensure that it remains predominantly commercial. Mr. Ewert addressed Commissioner Ebert's questions including that allowing residential units in the CV-2 Zone encourages clustering and that prior to about 2004 dwelling units were only allowed through Planning Residential Unit Developments (PRUDs) in that zone. In 2004-2005 condos were being built in some commercial areas without any commercial uses. There was a readjustment to create a mixed use. Commissioner Ebert wanted to ensure that there is not another area where this may apply that may cause issues. Mr. Ewert researched this and there is one other development in the CVR-1 down the road from the same site within the Wolf Creek development.

4. Public comment: None

5.

Commissioner Ebert moved to adjourn the public hearings and reconvene the public meeting; Chair Bell seconded.

Commissioner Ebert – aye; Chair Bell – aye

6. **ACTION ON PUBLIC HEARING:**

G.2-VACATE A PUBLIC UTILITY EASEMENT IN ALLEN ESTATES – ORDINANCE 2016-9

Commissioner Ebert moved to adopt Ordinance 2016-9 vacating a public utility easement in Allen Estates Subdivision Phase 2 Lot 27; Chair Bell seconded.

Commissioner Ebert – aye; Chair Bell – aye

G.3.-AMEND TITLE 104, CHAPTER 21 – ORDINANCE 2016-10

Commissioner Ebert moved to adopt Ordinance 2016-10 amending Title 104 (Zones), Chapter 21 (Commercial Valley Zones CV-1 and CV-2) to allow dwelling units in the zone if they were previously approved as part of a development agreement, and to provide specific standards governing them; Chair Bell seconded.

Commissioner Ebert – aye; Chair Bell – aye

H. PUBLIC COMMENTS: None

I. ADJOURN

Commissioner Ebert moved to adjourn at 10:33 a.m.; Chair Bell seconded.

Commissioner Ebert – aye; Chair Bell – aye

Attest:

Matthew G Bell, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor