

MINUTES
WEBER COUNTY COMMISSION

Tuesday, October 10th, 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: Gage Froerer, James "Jim" H. Harvey, and Sharon Bolos
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: Bryce Taylor

C. INVOCATION: Kassi Bybee

D. THOUGHT OF THE DAY: Commissioner Bolos: I found this quote from Winston Churchill, "Success is not forever, failure is not deadly. What matters is having the courage to keep going." If I personally was going to restate that in simpler terms, I would say, "Success is not forever and failure is not forever." We need to keep going regardless of which side of success we are falling at the time.

E. PUBLIC COMMENT: NONE.

F. PRESENTATIONS:

1. Goal Foundation Presentation:

Chair Froerer: We are very honored to have a presentation from Eric Bauman, Executive Director of the GOAL Foundation. They do a lot of great things for this community, for the county, and the Wasatch front, primarily in the marathon business. The Ogden Marathon is one of the premier marathons not only in Utah but in the western United States.

Eric Bauman (Executive Director Goal Foundation): It is an honor to be part of an organization that works so closely with the County and together we provide so much value. The mission of GOAL is to inspire the greater Ogden community and its visitors to "Get Out And Live" by participating, volunteering, and spectating at recreational and cultural events, programs, and activities. We do this in three ways. The first is the production of events. The other two pieces we do are supporting events as they come through Weber County with volunteer recruitment and volunteer management. Final piece is providing community programming through a combination of youth programming and family programming free to the community. These are all geared to get people living healthy lifestyles. GOAL stands for Get Out And Live.

The produced events are great partnerships with the county. The first one to kick off our event year is the Winter Running Series starts in February with four different races. The 5k, 10k, and 10 mile are in the lower valley while the half marathon starts in Eden Park. Last year we had just shy of 600 participants in the half marathon, which lines up well for training for the Ogden Marathon. The second event was this year's 22nd Ogden Marathon which had over 6300 participants from 47 states and 7 countries. The Ogden Marathon course is certified as a Boston Marathon qualifier with 98 participants qualifying this year. It was voted the Best Marathon in Utah for 2023. The free Finish Line Festival had 15k attendees this year with an overall \$1.6M in economic impact. The third event is the El Doce endurance mountain bike event at Powder Mountain. There are 6 hour and 12 hour endurance races that totaled 443 participants this year. There is a festival at the base of Powder Mountain during the events. The Northern Utah Trail Fest had its second run this year with substantial growth over its first year. It's a collaborative event with Weber County Parks and Recreation as well as Trails Foundation Northern Utah. It's a festival for all trail users with mountain bike race, trail running race along with a large festival with four bands, food trucks, a kid's zone, guided hikes, and the Nature Center with their telescopes.

The community programming events included 3 weeks of youth mountain bike camps with 59 participants, 4 weeks of indoor rock climbing camps at The Front Climbing with 74 participants, 4 free guided community hikes, 6 guided hikes with the Golden Hours Senior Center, free yoga in the park during Wednesdays in September, and Shoe Give Back programs for kids with Youth Impact and actively aging seniors at the Golden Hours Senior Center.

I'm completing four years and in November I will be retiring. There are so many pieces to all of this and none of it would be possible without your support. I have had nothing but overwhelming support from the Commission during that four years. There is a huge law enforcement component, Scott Mendoza and his help with the permitting process is fantastic to work with, Todd Ferrario and Parks and Recreation are so accommodating, Emergency Management helped us through our road cave in in the canyon a week before the marathon and all of the flooding. There are so many more and I don't want to miss anybody. It's been an honor and a gift working in an organization to see the impact that is being made.

Chair Froerer: GOAL Foundation is one of our prime non-profits that we see huge payback with the community. You help us showcase what is great about Weber County. Thank you for all you have done. Weber County and the Wasatch front from what you have done.

Commissioner Harvey: Eric, you've been a good spark plug for that organization, you have lifted people up, and you have honored your family name. Having participated in a half marathon, I can say I love being on those busses at 3:45 in the morning and watching all those runners. It's worthwhile to volunteer.

Commissioner Bolos: My family have collectively been big fans of the Ogden Marathon. My favorite part about the GOAL Foundation is the positivity you bring to the community. It's a time for the community to come together and enjoy the beautiful place we live, thank you.

G. CONSENT ITEMS:

1. Warrants #9117-9185 and #479566-479752 in the amount of \$3,222,743.27.
2. Purchase orders in the amount of \$340,072.96.
3. Summary of Warrants and Purchase Orders.
4. ACH payment to USBank in the amount of \$147,078.28.
5. Minutes for the meetings held on October 3rd, 2023.
6. New business licenses.
7. Surplus property identified as Parcel #05-135-0030
8. Inter-local Agreement with Brigham City to facilitate citizens of each of their service areas to access the libraries of the other City/County to expand and enrich citizens' ability to access informational, educational, cultural, and recreational materials.

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

H. ACTION ITEMS:

1. **APPROVAL OF A FINANCIAL GUARANTEE AGREEMENT WITH OGDEN CITY FOR THE INSTALLATION OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THE WEBER/MORGAN CHILDREN'S JUSTICE SUBDIVISION.**

Rod Layton (Children Justice Center): As you know we have been working on this project for the last three years to build a new CJC at 1845 Jackson on 1.89 acre property owned by the Ogden School District. The county had to submit application for a subdivision, which is complete. The subdivision will require certain improvements must be made. To do that, financial guarantees is needed from Weber County to Ogden City for \$100,400.65 for those improvements. As those improvements are completed that money will be returned to Weber County.

Commissioner Bolos moved to approval of a financial guarantee agreement with Ogden City for the installation of public improvements associated with the Weber/Morgan Children's Justice Subdivision; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

2. **APPROVAL OF A CONTRACT WITH COLLEEN COEBERGH TO PROVIDE SPECIAL CONFLICT COUNSEL.**

James Retallick (Public Defender): The County Attorney filed 11 co-defendant RICO actions (Racketeer, Influence, and Corrupt Organizations) . The allegation was there was an organized ring bringing drugs into the correctional facility and distributing those. With that number of co-defendants, we had to find attorneys that were not conflicted out. Between some private attorneys, contract attorneys, and our full time attorneys, we were able to assign all but one. We were requested and were granted \$10k from the IDC to cover the last defendant. This contract will be reimbursed by the IDC and they said to resubmit if the total exceeds \$10k.

Commissioner Bolos moved to approval of a contract with Colleen Coebergh to provide special conflict counsel; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

3. **APPROVAL OF A CONTRACT WITH STANLEY CONSULTANTS, INC. FOR CONSTRUCTION MANAGEMENT FOR SECTION 4 OF THE 12TH STREET WIDENING PROJECT.**

Tucker Weight (Engineering): This is our contract with construction management for segment 4 of the 12th St

widening project. We have worked with them in the past and they do really good work. The project is funded with \$10M and will take us as far west as possible.

Commissioner Harvey moved to approval of a contract with Stanley Consultants, INC. for construction management for section 4 of the 12th Street widening project; Commissioner Bolos seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

4. **APPROVAL OF A CONTRACT WITH VERDE FACILITIES SERVICES FOR DAILY JANITORIAL SERVICES FOR THE WEBER CENTER OFFICE AREAS AND COMMON AREAS.**

Bryce Taylor (Property Management): This is a contract we had in place but moved to a different company. This is a new contract.

Commissioner Bolos moved to approval of a contract with Verde Facilities Services for daily janitorial services for the Weber Center office areas and common areas; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

5. **APPROVAL OF A CONTRACT WITH HOGAN & ASSOCIATES CONSTRUCTION TO SECURE SERVICES FOR PHASE 1 OF THE OGDEN ECCLES CONFERENCE CENTER REMODEL.**

Jennifer Graham (Culture, Parks, and Recreation): This is phase one of three for the OECC remodel project. This phase will take on the most urgent needs which are water issues at the eastside canopy and the stairwell in the parking lot. This contract comes in the \$260k range and work should begin this month. We will be returning for phase two which is a larger chunk of the project.

Commissioner Harvey moved to approval of a contract with Hogan & Associates Construction to secure services for phase 1 of the Ogden Eccles Conference Center Remodel; Commissioner Bolos seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

I. PUBLIC HEARING:

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

Commissioner Harvey moved to adjourn the public meeting and convene public hearings, 10:32 a.m.; Commissioner Bolos seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

2. Public hearing to and take action on a request to vacate the west side public utility easement within lot 89 of the Elkhorn Subdivision Phase 4, includes approval of related Ordinance.

Felix Lleverino (Planning): This subdivision was originally designed for some roads out from the main road, Elkhorn Drive. The developer vacated these little stubs out so road portion but left behind 10 foot public utility easements in the middle of a lot where they do not belong. The owner, Dan Green, requests the easements be moved to their appropriate location along the edge of the lot boundary. The developer, county attorney, and the county engineer have reviewed and found appropriate. The owner has collected letters of consent from utility providers consented along with the Wolf Creek Water District agreeing to work with the owner to relocate a secondary water line. Staff recommends approval to vacate. The relocation will be covered by the deed and will be separate from the Ordinance to vacate.

3. Public Comments: None.

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

Commissioner Bolos moved to adjourn the public hearings and reconvene public meeting, 10:36 am; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

5. Action on public hearing:

H2: Approval to vacate the west side public utility easement within lot 89 of the Elkhorn Subdivision Phase 4 and related Ordinance 2023-30.

Commissioner Bolos moved to approve vacating the west side public utility easement within lot 89 of the Elkhorn Subdivision Phase 4 and related Ordinance 2023-30; Commissioner Harvey seconded.
Roll Call Vote: Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

J. COMMISSIONER COMMENTS: NONE.

K. ADJOURN:

Commissioner Bolos moved to adjourn at 10:38 a.m.; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

Attest:

Gage Froerer, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor