

**MINUTES**  
**WEBER COUNTY COMMISSION**  
Tuesday, October 16, 2018 - 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.*

**WEBER COUNTY COMMISSIONERS:** James "Jim" H. Harvey, James Ebert, and Scott K. Jenkins.

**OTHER 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 Harvey
- B. INVOCATION** – Commissioner Ebert
- C. PLEDGE OF ALLEGIANCE** – Kristy Bingham
- D. THOUGHT OF THE DAY** – Chair Harvey

**E. PUBLIC COMMENTS:**

--Brent Hipwell, of West Weber, said that West Weber residents have been having discussions and they urge the Commission to amend the West Central Weber County General Plan but for now to follow the 2003 Plan as it was written, that many people took a lot of time and effort to provide it, that residents believed that the Commission would follow it, and where amendments are being made, it is like a slap in the face to the people of unincorporated areas who felt it was a document to protect and help them steer their area's growth. He recommended a moratorium on large development until the General Plan is amended and residents have opportunity for input. He would like a policy for area signs noticing meetings/issues as many residents do not have opportunity to attend/watch online meetings. Rick Grover, County Planning Division Director, stated that County Planning sends out public notices, most are courtesy notices, and is working to get A-frame signs for subdivision and conditional uses and this should be in place soon. Commissioner Ebert recommended using the signs for General Plan amendments and rezones and Mr. Grover concurred.

--Lori Brinkerhoff, Weber County Republican Women president, extended an invitation to the November 5<sup>th</sup> meeting to hear an engaging speaker, Brian Besser, on opioids in Utah.

**F. CONSENT ITEMS:**

1. Warrants #1569 to #1571 and #432910 to #433132 in the amount of \$1,285,084.52.
2. Purchase orders in the amount of \$69,812.46.
3. Minutes for the meeting held on October 9, 2018.
4. Surplus from the Weber County Library: 1979 Chevrolet SportVan/G10/G20, filing cabinets & tables.
5. Change Order #7 for a credit for using a different material--moved under Action Items.
6. Change Order #8 to zero out all remaining quantities on project signifying that it is complete--moved under Action Items.
7. Change Order #12 to zero out all of quantities on project signifying that it is complete--moved under Action Items.
8. Retirement Agreements with the following: Daniel Halacy; Lynn Brown.

Commissioner Ebert moved to approve the consent items 1, 2, 3, 4 and 8—the remaining were moved under Action Items; Commissioner Jenkins seconded.

Commissioner Ebert – aye; Commissioner Jenkins – aye; Chair Harvey – aye

**G. ACTION ITEMS:**

1. **CONTRACT WITH FFKR ARCHITECTS TO PREPARE DESIGN AND CONSTRUCTION DOCUMENTS FOR THE DEMOLITION OF THE WEBER COUNTY PARKING STRUCTURE, ARCHITECTURAL DESIGN OF THE WEBER CENTER'S EAST BUILDING ELEVATION, AND DESIGN OF A NEW SURFACE PARKING LOT.**

Scott Mendoza, with County Community Development, presented the contract for \$121,125 and outlined the work to be performed. The county had structural evaluations in 2013 and 2015 of the Weber Center parking structure, which was built in 1964. Both studies found damage and deterioration including delaminated traffic coatings, cracking concrete, corroded reinforcement, and deterioration of structure members. The reports also found that currently the structure is still safe for general load carrying capacity and stability. Woodbury Corporation, the owner of 25% of the space in the Weber Center will be participating in the contract by paying about \$30,000. He noted that Attachment E, cost proposal, that was accidentally inserted by the architect and needed to be removed from the contract.

Commissioner Jenkins moved to approve contract with FFKR Architects to prepare design and construction documents for the demolition of the Weber County parking structure, architectural design of the Weber Center's east building elevation, and design of a new surface parking lot, delaying the design of the surface project 30 days, and removing Attachment E; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Jenkins – aye; Chair Harvey – aye

2. **CONTRACT WITH UTAH RAILWAY COMPANY TO ESTABLISH A MONTHLY FIXED FEE INSTEAD OF A DAILY PER CAR FEE AS NOW USED.**

John Watson, County Solid Waste Director, presented the Second Amendment to the contract to store railcars on the tracks to simplify accounting issues. The monthly fee is now \$1,700 or about \$20,400 annually, which is a little higher payment than the previous contract.

Commissioner Jenkins moved to approve the contract with Utah Railway Company to establish a monthly fixed fee instead of a daily per car fee as now used; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Jenkins – aye; Chair Harvey – aye

3. **AMEND THE ORDINANCE GOVERNING LIBRARY POLICIES AND PROCEDURES – ORDINANCE 2018-18.**

Bryan Baron, Deputy County Attorney, noted that this ordinance was originally adopted in 2003 establishing the Library Board and giving them authority to pass policies for the Library. Since that time, the Board has passed a policy regulating free speech/expressive activity by placing time, place and manner restrictions on free speech. This Spring the State legislature passed a new law, H.B. 36, which states that if a political subdivision has a policy regulating free speech it needs to have an ordinance that guides the adoption of a policy regulating it on public grounds. This amendment is for compliance with the new law.

Commissioner Ebert moved to adopt Ordinance 2018-18 amending the ordinance governing library policies and procedures; Commissioner Jenkins seconded.

Commissioner Ebert – aye; Commissioner Jenkins – aye; Chair Harvey – aye

5. **CHANGE ORDER #7 FOR A CREDIT FOR USING A DIFFERENT MATERIAL (WITH STAKER & PARSON COMPANIES FOR 12<sup>TH</sup> STREET PROJECT ASPHALT CREDIT).**

6. **CHANGE ORDER #8 TO ZERO OUT ALL OF REMAINING QUANTITIES ON PROJECT SIGNIFYING THAT IT IS COMPLETE (WITH STAKER & PARSON COMPANIES FOR 12<sup>TH</sup> STREET RECONCILIATION).**

7. **CHANGE ORDER #12 TO ZERO OUT ALL OF QUANTITIES ON THE PROJECT SIGNIFYING THAT IT IS COMPLETE (WITH STAKER & PARSON COMPANIES FOR 3500 W. PROJECT RECONCILIATION).**

Jared Andersen, County Engineer, noted the deductions that the county is receiving for change orders #7 (due to a change from virgin asphalt mix to include some recycled asphalt) and for change order #12. He noted that all of UDOT's asphalt mixes include recycled asphalt. He addressed Chair Harvey's question stating that asphalt is supposed to last 20 years and strongly believes that Parsons, a well-respected company, would guarantee at least 2-3 years. Change order #8 is the reconciliation for the 12<sup>th</sup> Street project for \$48,304.26 and #12 is the reconciliation for the 3500 W. project for -\$13,213.46.

Commissioner Ebert moved to approve Change Order #7, Change Order #8, and Change Order #12 with Staker & Parson Companies as outlined above; Commissioner Jenkins seconded.

Commissioner Ebert – aye; Commissioner Jenkins – aye; Chair Harvey – aye

**H. COMMISSIONER COMMENTS:** Commissioner Jenkins reported on his visit to the Transfer Station and spoke of the staggering tonnage of waste and the amazing work and efficiency that occur there. Commissioner Ebert expressed appreciation to Mr. Watson, who is a tremendous asset. He said that there is tremendous staff at that facility and also in the county as a whole. He expressed condolences from the entire Weber County family to Christine Jordan's family for her passing.

**I. ADJOURN**

Commissioner Jenkins moved to adjourn at 10:50 a.m.; Commissioner Ebert seconded.

Commissioner Ebert – aye; Commissioner Jenkins – aye; Chair Harvey – aye

Attest:

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James "Jim" H. Harvey, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor