

**MINUTES
WEBER COUNTY COMMISSION**

Tuesday, November 3, 2020 – 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 Scott K. Jenkins.

STAFF PRESENT: Christopher Crockett, Deputy County Attorney; Jason Horne, of the County Clerk/Auditor's Office; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

- A. **WELCOME** - Chair Froerer
- B. **PLEDGE OF ALLEGIANCE** - Lt. Phillip Reese
- C. **INVOCATION** - Scott Parke
- D. **THOUGHT OF THE DAY** - Chair Froerer

E. **PUBLIC COMMENTS:** None.

F. PRESENTATION OF ANNUAL TURKEY DRIVE

Stacy Skeen, of the County Commission Office, said that contributions this year are especially important with the pandemic's impact on families. Food donations can be dropped off at the Commission Office by November 19.

G. CONSENT ITEMS:

- 1. Warrants #3218-3231 and #454283-454414 in the amount of \$552,737.54
 - 2. Purchase orders in the amount \$899,053.85
 - 3. Minutes for the meeting held on October 27, 2020
 - 4. New business licenses
 - 5. Amendments to Policy Governing Distribution of CARES Act Funds to small businesses under Weber CARES Grant program
 - 6. Deputy Sheriff Basic Training Reimbursement Agreements with the following:
Irene Thornton; Jeremy Sheets; Amanda Garcia; Semisi Moeakiola; Breckston Havranek; Austin Nielson
- Commissioner Jenkins moved to approve the consent items, except G.2, purchase orders; Commissioner Harvey seconded.
Commissioner Jenkins – aye; Commissioner Harvey – aye; Chair Froerer – aye

Commissioner Harvey moved to approve item G.2, purchase orders; Chair Froerer seconded.
Commissioner Jenkins – nay; Commissioner Harvey – aye; Chair Froerer – aye

H. ACTION ITEMS:

- 1. **RESOLUTION AUTHORIZING DEFEASANCE OF OUTSTANDING WEBER COUNTY, UTAH, SALES TAX REVENUE & REFUNDING BONDS, SERIES 2012 FROM LEGALLY AVAILABLE MONIES OF THE ISSUER; & RELATED MATTERS – RESOLUTION 39-2020**

John Bond, County Treasurer, noted that the Weber County finance team began implementing strategies to help the county become more financially resilient, which have been very effective in paying off debt. This item is to pay off a bond that was a combination of the Health Department building and the Ice Sheet expansion building. Fitch Ratings had reaffirmed the county's AAA bond rating for the General Obligation Bond and Moodys Investors Service upgraded the county's rating to the step right below the AAA. Last Thursday in the market the county received a 1.66% interest rate for the Library bond, saving the county \$2.079 million in interest due to the county's credit rating and the market's climate. Today's item will save county taxpayers \$281,000 in interest. The county also recently saved \$170,000 on the Animal Shelter. Johnathan Ward, county financial advisor, of Zions Bank, congratulated the county on the great way to reduce its interest expense stating that the 2012 bonds are callable in 2022 and they anticipate buying some U.S. government securities, holding them in an irrevocable escrow, which will make the ongoing payments to those bond holders through 7/1/2022. By setting the defeasance escrow, these bonds are wiped off of the county's books. Aaron Wade, county bond counsel, of Gilmore Bell, noted that the resolution authorizes the county to defease the 2012 Sales Tax bonds and included the escrow deposit agreement (the arrangement with Wells Fargo whereby the county will purchase the securities mentioned by Mr. Ward to defease the bonds at maturity or call dates in 2022, as applicable). Commissioner Harvey stated that this was a phenomenal report, Commissioner Jenkins noted that the three items constitute about \$2.5 million savings and was really pleased that the county can and has seized this opportunity. Chair Froerer listened in on the bond sale last week, and said that the 1.66% interest rate from the bond agency that had given the county the high AAA rating was great to see. The financial health of the county is in excellent condition. Over the last 5-6 years the county has increased its balance sheet, decreased its debt. The commissioners thanked Mr. Bond and the financial team.

Commissioner Jenkins moved to adopt Resolution 39-2020 authorizing the defeasance of the outstanding Weber County, Utah, Sales Tax Revenue and Refunding Bonds, Series 2012 from legally available monies of the issuer; and related matters; Commissioner Harvey seconded.
Commissioner Jenkins – aye; Commissioner Harvey – aye; Chair Froerer – aye

2. **AGREEMENTS TO PROVIDE CORONA VIRUS RELIEF TO THE FOLLOWING ENTITIES:**

Good Foundations Academy	Quest Academy
Greenwood Charter School	Visit Ogden
Northern Utah Academy for Math, Engineering & Science e	Weber School District
Ogden School District	Weber State University
Ogden Weber ATC	Weber State University Charter School

John Bond, County Treasurer, noted that Weber County received over \$24 million and Weber County cities received a total of \$21+ million from the U.S. Treasury. The mayors in Weber County and the County Commission decided to work together with these funds as a group, which has made such a huge difference to our communities. He outlined the five-prong approach to sequentially provide funds to our small businesses, Ogden City non-profits throughout the city and small businesses in Ogden City proper, funds to our larger entities in the county, and fund city and county needs. Today's agreements total almost \$5 M. Mr. Bond concurred with the commissioners that this has brought so much good to our community, and those persons are so appreciative. Chair Froerer said that the amounts do not sustain businesses long term but hopefully help them get over this crisis.

Commissioner Harvey moved to approve agreements to provide Corona Virus relief to the following entities: Good Foundations Academy; Greenwood Charter School; Northern Utah Academy for Math, Engineering & Science; Ogden School District; Ogden Weber ATC; Quest Academy; Visit Ogden; Weber School District; Weber State University; and Weber State University Charter School; Commissioner Jenkins seconded. Commissioner Jenkins – aye; Commissioner Harvey – aye; Chair Froerer – aye

3. **TENTATIVE OPERATING AND CAPITAL BUDGET OF WEBER COUNTY FOR THE 2021 CALENDAR YEAR**

Scott Parke, County Comptroller, noted that the commissioners received a copy of this budget last Friday, and it was also placed online for the public. It is a culmination of a laborious process that started in August. A public hearing will be held on 11/24 on the budget and it is to be approved in December. Some highlights included a change to the county's contribution to employees' health insurance—the county has shifted from a fixed dollar amount, depending on family size, to paying a \$90% cost share and employees 10%, if employees choose a high deductible plan, or 80%/20% formula if employees choose a nontraditional plan. It includes funding for pay for performance, there is \$2.5 M for North Ogden Divide improvements, \$1.5 M allocation to Culture Parks and Recreation Department for repairs/maintenance/capital improvements, over \$1 M to the county Jail and Sheriff's Office for one time funding for improvements to county facilities, and \$750,000 of additional funds being added on top of the \$900,000 set aside last year for the new storage building at the Sheriff's Complex, and funding for six additional officers plus three new supportive services staff for the Sheriff. Chair Froerer reiterated that the county's financial health had never been stronger and asked Mr. Parke's opinion, who responded that State law limits the county's fund balance to 100% of the current property tax balance (about \$34 M), and 2020 is the first time that the county had to be concerned about hitting that cap, which means that the fund balance is as strong as it can be by statute. The county has a substantial amount saved for capital projects and Mr. Parke has not seen the county in a stronger financial position; it has been able to pay off a lot of debt early and to get lower interest rates moving forward. He addressed Commissioner Harvey's question stating that the Commission has been able to put in a lot of funding to public safety to help keep our officers' wages competitive and improve infrastructure to the Jail. Commissioner Jenkins is really pleased with the direction taken by the county, which has really tried not to go into debt. There had been robust debate this year on whether to fund some of the Sheriff's requests because of the amount of funding the department has received for the previous couple of years but demand is high. The county has been saving for capital improvements and in the next couple of years should be able to pay cash; the county is really fiscally strong.

Commissioner Harvey moved to approve the tentative operating and capital budget of Weber County for the 2021 calendar year; Commissioner Jenkins seconded.

Commissioner Jenkins – aye; Commissioner Harvey – aye; Chair Froerer – aye

4. **CONTRACT WITH WEBER SCHOOL DISTRICT FOR 2021 IRON KID EVENT HELD AT GOLDEN SPIKE EVENT CENTER**

Duncan Olsen, GSEC General Manager, presented this standard contract.

Commissioner Harvey moved to approve the contract with Weber School District for the 2021 Iron Kid Event to be held at the Golden Spike Event Center; Commissioner Jenkins seconded.

Commissioner Jenkins – aye; Commissioner Harvey – aye; Chair Froerer – aye

5. **CONTRACT WITH WEBER STATE UNIVERSITY FOR APPROVAL OF RATES FOR THE GOLDEN SPIKE ARENA AND RIDING ARENA FOR THE WEBER STATE UNIVERSITY RODEO IN 2021 AND 2022**

Duncan Olsen, GSEC General Manager, presented this contract.

Commissioner Harvey moved to approve the contract with Weber State University for approval of rates for the Golden Spike Arena and Riding Arena for the Weber State University Rodeo in 2021 and 2022; Commissioner Jenkins seconded.

Commissioner Jenkins – aye; Commissioner Harvey – aye; Chair Froerer – aye

6. CONTRACT WITH THE UNIVERSITY OF CINCINNATI FOR TRAINING, STUDY, IMPLEMENTATION AND POST-CARE FOLLOW UP OF A SUBSTANCE TREATMENT PROGRAM

Lt. Phillip Reese, of the County Sheriff's Office, stated that this is from part of the DOJ-BJA grant that the county received last year for substance use prevention treatment. It consists of data measurement and education. This year the University of Cincinnati's Correction Institute will send instructors for staff and community partners and present cognizant behavior interventions to assist those in need to better their lives and to move forward. There will be multiple levels of training, and the University will develop a base program specific to corrections staff and continue to develop the curriculum plan for our case managers.

Commissioner Harvey moved to approve the contract with the University of Cincinnati for training, study, implementation and post-care follow up of a substance treatment program; Commissioner Jenkins seconded. Commissioner Jenkins – aye; Commissioner Harvey – aye; Chair Froerer – aye

7. FINAL SUBDIVISION APPROVAL OF TRAPPER'S RIDGE AT WOLF CREEK PRUD PHASE 7B, CONSISTING OF 5 LOTS

Steve Burton, of the County Planning Division, stated that this development is located in Eden and all improvements had been installed. The county received final approval from the area water and sewer district. Staff and the Ogden Valley Planning Commission recommended final approval of this subdivision.

Commissioner Jenkins moved to grant final subdivision approval of the Trapper's Ridge at Wolf Creek PRUD Phase 7b, consisting of 5 lots; Commissioner Harvey seconded. Commissioner Jenkins – aye; Commissioner Harvey – aye; Chair Froerer – aye

8. APPROVING AN INTERLOCAL AGREEMENT WITH HARRISVILLE CITY FOR SURVEY RELATED SERVICES

Bahy Rahimzadegan, of the County Surveyor's Office, stated that this agreement is for the county to do all of Harrisville City's subdivisions review processes. The contract term expires on 12/31/2021.

Commissioner Harvey moved to approve the Interlocal Agreement with Harrisville City for survey related services; Commissioner Jenkins seconded. Commissioner Jenkins – aye; Commissioner Harvey – aye; Chair Froerer – aye

9. REQUEST FOR ORDINANCE ESTABLISHING STANDARD PUBLISHED RATES FOR USE OF THE OGDEN ECCLES CONFERENCE CENTER FACILITIES, SERVICES AND EQUIPMENT

10. REQUEST FOR ORDINANCE UPDATING PUBLISHED RATES FORT THE USE OF PEERY'S EGYPTIAN THEATER FACILITIES, SERVICES AND EQUIPMENT

Ross Reeder, OECC Director of Sales/Marketing, presented these items together stating that it had come to their attention that the rates had never been submitted for approval. He responded to Commissioner Harvey's question that they served about 19,000 meals in 2019. Christopher Crockett, Deputy County Attorney, recommended tabling this item and to hold both a first and a second reading in the future for these items because they are to modify fees pursuant to ordinance for which there is a specific review process that had not been followed. Commissioner Jenkins questioned Mr. Crockett's recommendation and Mr. Crockett said that the Commission could pass them as a first reading, but they do not follow the established process for ordinances to ensure that the appropriate parties receive review, that there was initial approval from the commissioners, etc., and that it would be granting an exception to the standard process.

Commissioner Harvey moved to table the first reading of items H.9 and H.10, not to a time certain, but until the proper format and process takes place; Commissioner Jenkins seconded. Commissioner Jenkins – aye; Commissioner Harvey – aye; Chair Froerer – aye

I. COMMISSIONER COMMENTS: Commissioner Harvey noted that his seat was on the ballot today and wished to publicly thank the two other commissioners and everyone in the county as he had never enjoyed a working experience as much as this one, that we had heard a phenomenal financial report today and it was because of the whole county team, which is very proficient, and he only wished other government bodies worked as cohesively. The other two commissioners enjoy working with Commissioner Harvey, they were not concerned and wished him well on the election. Commissioner Jenkins congratulated County Elections for making the front page of the Washington Post and the great national coverage, and that the office of Ricky Hatch, County Clerk/Auditor, should be congratulated for the quality of work that they put out to be recognized nationally. Commissioner Harvey said that it was a big deal to be recognized out of 3,863 counties in the U.S. Chair Froerer congratulated Leann Kilts, County Recorder, who was named Recorder of the Year.

J. ADJOURN

Commissioner Jenkins moved to adjourn at 11:07 a.m.; Commissioner Harvey seconded. Commissioner Jenkins – aye; Commissioner Harvey – aye; Chair Froerer – aye

Attest:

Gage Froerer, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor