

MINUTES
WEBER COUNTY COMMISSION

Tuesday, November 12th, 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, and Gage Froerer
STAFF PRESENT: Ricky Hatch, County Clerk/Auditor; Liam Keogh, of the County Attorney's office; and Craig D. Brandt, of the County Clerk/Auditor's office, who took minutes.

A. WELCOME: Chair Harvey

B. PLEDGE OF ALLEGIANCE: American Legion Post 9 Honor Guard

C. INVOCATION: Shelly Halacy

D. THOUGHT OF THE DAY: Commissioner Bolos: One of my favorite things to think about is the sacrifices that these men and women make for their families and that their families make while their loved ones serve. I have my father-in-law who was serving in Vietnam and didn't meet his oldest daughter until she was about six months old. He actually thought it was a son because the mail was so slow and he just expected it would be a son; he started calling her Gus but she turned out to be a Patty. My two grandpas were both serving in the war when their oldest were born. My mom didn't meet her dad till she was about 9 months old and my dad didn't meet his dad till he was two and a half. One of my favorite pictures of my grandpa Arrington is when he was at the war and he had fallen asleep on a couch and he was holding a picture of his wife and my dad as a little boy; and I think, "You know, these men and women sacrifice so much and their families give so much." I just want to express my gratitude for that. Thank you so much. Thank you Legionnaire for doing the Honor Guard today. I really appreciate your service today and what you've done in the past. Thank you so much.

E. PUBLIC COMMENT: NONE.

F. CONSENT ITEMS:

1. Warrants #103574-103630 and #487614-487736 in the amount of \$1,926,464.15.
2. Purchase orders in the amount of \$190,687.87.
3. Summary of Warrants and Purchase Orders.
4. New business licenses.
5. Surplus parcel number 13-119-0019 for the Weber County Community Development Department.
6. Surplus parcel number 19-024-0041 for the Weber County Community Development Department.
7. Surplus computer equipment for the Weber-Morgan Health Department.
8. Amendment to a contract with Ogden Nordic allowing Ogden Nordic to build a maintenance/storage structure at North Fork Park.
9. 2024 Transportation Priority Recommendations.
10. Right-of-Way Acquisition Service contracts with WCEC dba Wall consulting Group, Avenue Consultants, and Meridian Engineering Inc.
11. Change order #1 on a contract with Randy Marriott Construction for the Eden Acres Storm Drain.
12. Electronic File Release & Waiver from Sunrise Engineering.
13. Abate taxes on the following Parcel Numbers for the difference between secondary home vs primary residential home:

22-244-0005 Lon D Castleton & Constance Trust Etal – abate \$5,508.80

22-414-0017 Nancy M Shaffer & Eric L Shaffer Etal – abate \$2,255.05

21-121-0003 Lyle Moglebust Living Trust – abate \$7,279.53

15-543-0019 Joel T Hanson – abate \$1,448.90

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

G. ACTION ITEMS:

1. **APPROVE A CONTRACT WITH COLTON MCKAY FOR INDIGENT DEFENSE IS THE SECOND DISTRICT.**

Commissioner Froerer: This is a contract to provide indigent defense under the IDC of the State of Utah.

Commissioner Froerer moved to approve a contract with Colton McKay for indigent defense is the Second District; Commissioner Bolos seconded.
Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer – aye

2. **APPROVAL TO ABATE TAXES FOR DIFFERENCE IN WHAT WAS PAID TO OWING, PUT BACK ON GREENBELT AND ABATE ROLLBACK TAXES, FOR YEARS 2020-2024, OWNER DIXIE BUNOT, PARCEL NUMBERS:**

10-020-0001 10-020-0019
10-020-002 10-020-0027
10-020-003 10-020-0030
10-020-004 10-020-0031
10-020-0010 10-020-0032
10-020-0011

DeeDee Kimber(Assessor’s Office): We received an email from Dixie Bunot requesting help due to family difficulties she had in 2019, 2020, and, 2021. We presented her request to the Tax Review Committee; all parcels had a roll back tax charged in either 2020 or 2021 to roll them out of Green Belt status. She is requesting for that change to be waived due to the land still being in production. She did pay the taxes in an amount in her best interest of what she thought it would have been if they stayed in Green Belt. The County did a random audit in 2019 that captured the first set of parcels; the second set were discovered due to ownership changes on some of the parcels. The County sent notices via certified letters with no response. She did speak with Angela (Assessor’s Office) twice and to our attorney once. She applied last week to put the parcels back in Green Belt which is active for 2025. The Tax Review Committee recommendation, due to Utah Code 59-2-1347.1(a), where in the best human interest is served, is to abate the taxes and the roll back from 2020 and 2021. The balance owed will be \$64,830.93. This will abate \$79,908.46, which includes the roll back and tax difference from 2020 and 2021.

Commissioner Froerer: Why did these parcels fall out of greenbelt originally?

Angela Hill (Assessor’s Office): The parcel was audited in 2019 at which point we like a two year history either in the form of farm receipts or a schedule F for farming. At that point we send out two roll back notices, one of which is sent certified. No response was received and parcels were removed from Green Belt. For 2020, there was an ownership change. Two notices for application were sent followed by two notices for roll back since no response was received to the application notices. The owner had 120 days to respond and no response was received.

Dixie Bunot: I just wanted to address in 2019 and 2020 I did receive notices. I was the caretaker of my mother-in-law, my time wasn’t mine. By the time I had my head on straight, we owed over \$100k. The land was never out of greenbelt. Davis County did not roll back greenbelt. I did the worst thing I could have done which was nothing. I got in touch with John Ulibarri who said I could go before the Tax Review Committee and then here with the Commission. I am trying to make it straight. I just hope the green belt purpose can override the non-primary accounting.

Commissioner Bolos: The abatement amount was for which years?

Ms. Kimber: That is for 2020, 2021, 2022, 2023, and 2024. 2022, 2023, and 2024 are not assessed at Green Belt but at market rate.

Chair Harvey: I wouldn’t mind sitting on this for one week.

Commissioner Bolos: I would prefer to have a conversation with you, Commissioners, about the balance.

Commissioner Froerer: I just want to verify the ground was ever taken out of production or not?

Ms. Kimber: No.

Commissioner Froerer: So the ground was always in production which qualifies for Green Belt. I think we have the ability to look into this a little deeper. In my opinion this was not a case when someone tried to go outside the statue. I am happy to wait a week.

Commissioner Bolos moved to table this item time certain for one week; Commissioner Froerer seconded. Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer – aye

H. COMMISSIONER COMMENTS:

1. Chair Harvey: I was in a situation here not long ago where a friend of mine who I've known since high school came to me and said his mind is starting to fail. I've known some things about him in his life. Because he's starting to fail, he come up he said, "I want you to know when I was out of high school a girl and I did some things we shouldn't have done." This is back In 1980 this is 44 years ago. He said, "Instead of having her go to her parents, I thought the man thing for me to do would be for me to go talk to her dad." That's how he chose to handle it. He went and talked to her dad who was an old military disciplinarian, really a sports guy. Instead of getting angry, the dad said, "We'll work this out. Things will be okay." This now son-in-law turned from bitterness and fear to love admiration and appreciation. It helped shape his life for the rest of his life. He was kind of a wild hellion and now he's a giver; he gives back in every area of his life. He spends his life giving and being kind. Just today, I love the sacrifice that we saw firsthand from the American Legion Post 9 posting the colors. And I was moved by someone who comes up and takes responsibility for their actions even when they didn't do the right thing. There's a lot of power in taking responsibility for one's action I sure think it's good. That's a wonderful example for the next generation.

I. ADJOURN

Commissioner Bolos moved to adjourn at 10:34 am.; 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