

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

Tuesday, December 13, 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.*

**WEBER COUNTY COMMISSIONERS:** Matthew G. Bell, Kerry W. Gibson, James Ebert

**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 Bell

**B. INVOCATION** – Commissioner Gibson

**C. PLEDGE OF ALLEGIANCE** – Mathieu Larsen

**D. THOUGHT OF THE DAY** – Commissioner Ebert

**E. CONSENT ITEMS:**

1. Warrants 411959-412143 in the amount of \$2,725,287.42
2. Purchase orders in the amount of \$157,170.87
3. Contract with GOAL Foundation to attract/promote/develop local/national/international sporting events & direct specific efforts to reinforce Weber County's image as a high adventure outdoor recreation destination
4. Request from Weber County Tax Review Committee to approve property tax refunds for the following properties:
  - Gloria Fugere, parcel 13-093-0023, refund in the amount of \$824.18
  - Walter Ben, parcel 08-385-0008, refund in the amount of \$818.40
  - Duane Gomez, parcel 02-014-0051, refund in the amount of \$562.29
  - Janae Penrod, parcel 08-075-0028, refund in the amount of \$74.42
  - Lloyd Wood, parcel 08-006-0033, refund in the amount of \$2,012.50
5. Change Order #4 for Staker Parsons on the 12<sup>th</sup> Street Project
6. Set public hearing for January 3, 2017, 10 a.m., to consider & take action on request to vacate a portion of the Old Snowbasin Road, a dedicated public thoroughfare located at approximately 5923 Snowbasin Road
7. Flood Control Permanent Easement and Property Restoration Agreement with O & O Hansen Farm LLC
8. Real Estate Purchase and Sale Agreement with Lori Rasmussen for Parcel #05-060-0058

Commissioner Gibson moved to approve the consent items, with the understanding that the Goal contract (E.3) may include an event that they no longer produce; Commissioner Ebert seconded.

Commissioner Gibson – aye; Commissioner Ebert – aye; Chair Bell – aye

**F. ACTION ITEMS:**

**1. ACTION ON THE 2016 WEBER COUNTY LOCAL TRANSPORTATION FUND PROJECT PRIORITIES**

Douglas Larsen, Weber County Economic Development Partnership Director, noted that since 2008 the county with the Weber Area Council of Governments (WACOG) have managed a local transportation fund that is funded by the third quarter cent sales tax and the \$10 corridor preservation fee. He stated that WACOG unanimously approved this item. The total amount from the sales tax is \$8,103,758 and \$2,019,110 from corridor preservation. The requests for the latter were funded at 100%) and the sales tax funds were more limited this year and project approval will be based on the evaluation system. Chair Bell has run into roadblocks with UTA, they want some of the local transportation funds from the sales tax that passed in Weber County, however, UTA receives a lot of funding/has a great funding stream. Some of that transportation funding could be used for the BRT line but the UTA has not been amenable to it. Mr. Larsen addressed Commissioner Gibson's questions regarding the BRT line stating that the project has been through 3-4 studies since 2005 and is currently going through a federal phase of the process; it will be supported federally at some level. For the 2016 cycle the project requested \$5M for final design/engineering. The decision from WACOG's transportation subcommittee and WACOG is that the county's funds will support up to 50% of that request. Commissioner Gibson also expressed frustration with UTA. He heard at a recent meeting that UTA is absorbing most/all of the cost for Utah County's BRT line. Weber County continues to be treated differently.

Commissioner Gibson noted that these funds are so limited and valuable to our county. He wants the UTA to hear the message loud and clear that he is tired of it. WACOG and the county need to say no to some of these things until UTA comes to the table and treats our county appropriately in these negotiations. As long as the county continues to approve lists like this that take valuable money out of our very limited funds for road projects the county will continue to be left in the dust. The city and county, however, understand the need to move this project forward. UTA got 40% of the sales tax on the quarter cent passed with Prop 1 and they are making decisions unilaterally. They are hearing from Salt (which may have different mass transit priorities) and there needs to be a local mechanism for local communities to be able to direct where that spending will occur. Chair Bell stated that UTA dictates everything for Weber County and he does not want them to lease more buses, that our buses are all empty.

Commissioner Ebert moved to approve the 2016 Weber County Local Transportation Fund project priorities; Commissioner Gibson seconded.

Commissioner Gibson – aye; Commissioner Ebert – aye; Chair Bell – aye

**2. INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE COUNTY FOR USE OF THE PROBABLE CAUSE AFFIDAVIT COMPUTER SYSTEM DEVELOPED BY THE WEBER COUNTY INFORMATION TECHNOLOGY DEPARTMENT**

Bruce Thorpe, County Information Technology Department, stated that Weber County's Information Technology, with the Sheriff's Office and the District Court developed an electronic system that allows the officer to create probable cause statements to be electronically approved by a judge. Other jurisdictions now want this system.

Commissioner Ebert moved to approve the Interlocal Cooperation Agreement with Salt Lake County for use of the Probable Cause Affidavit Computer System developed by the Weber County Information Technology Department; Commissioner Gibson seconded.

Commissioner Gibson – aye; Commissioner Ebert – aye; Chair Bell – aye

**3. RIGHT-OF-WAY CONTRACTS WITH THE FOLLOWING FOR THE 12<sup>TH</sup> STREET ROAD WIDENING PROJECT: PARCEL 25, DOUG & CLAUDIA HALL; PARCEL 26, DOUG & CLAUDIA HALL**

Jared Andersen, County Engineer, briefly presented this item.

Commissioner Ebert moved to approve the right-of-way contracts with the following, for the 12<sup>th</sup> Street road widening project: Parcel 25, Doug & Claudia Hall; Parcel 26, Doug & Claudia Hall; Commissioner Gibson seconded.

Commissioner Gibson – aye; Commissioner Ebert – aye; Chair Bell – aye

**4. REQUEST FROM THE RECORDER/SURVEYORS OFFICE TO REMOVE THE FOLLOWING THREE PARCELS FROM THE TAX ROLL: #08-104-0015; #14-013-0004; #15-058-0026**

Devron Andersen, of the Recorder/Surveyor's Office, stated that these parcels went to tax sale and after further review, the Recorder/Surveyor's Office believes they should not be on the tax roll. He explained that sometimes parcels are get mapped incorrectly.

Commissioner Gibson moved to remove the following three parcels from the tax roll: #08-104-0015; #14-013-0004; #15-058-0026; Commissioner Ebert seconded.

Commissioner Gibson – aye; Commissioner Ebert – aye; Chair Bell – aye

**5. CONTRACT WITH ADVANCE ACCEPTANCE FOR THE PURCHASE OF SURVEY EQUIPMENT FROM MONSEN ENGINEERING**

Devron Andersen, of the Recorder/Surveyor's Office, stated that this is to lease survey equipment, which allow that office to work more efficiently. The cost will be spread out over two years.

Commissioner Gibson moved to approve the contract with Advance Acceptance for the purchase of survey equipment from Monsen Engineering; Commissioner Ebert seconded.

Commissioner Gibson – aye; Commissioner Ebert – aye; Chair Bell – aye

**6. REQUEST FOR INTERLOCAL AGREEMENT WITH OGDEN CITY-COMPLETION OF LANDFILL CLOSURE PLAN**

This item was held.

7. **CONTRACT WITH LINDEN AND LINDEN RELATING TO THE DEVELOPMENT AND PARTNERSHIP OF CONSULTING SERVICES**
8. **CONTRACT WITH DOMENICA WATKINS RELATING TO THE DEVELOPMENT AND PARTNERSHIP OF CONSULTING SERVICES**

Commissioner Ebert addressed items F.7 & F.8. Last week the county approved two contracts for companies to assist the county to create the structure and the logistics of rolling out that structure for an initiative that is brand new—the intergenerational poverty initiative. Currently, there is no initiative within the county moving forward on addressing poverty. There is no staff within the county to move the projects forward or to help with sustainability and these contracts are basically staff contracts. Instead of hiring staff, which can be a 20-year commitment, the county is hiring contract employees to serve as the staff. The first contract is for Michael Lindenmayer whose tasks include finding funding sources. Presently, the county has no money to move this project forward, which he said could be a multi-million dollar project, and is relying on State funds as well as looking for other funding sources. The second contract is with Ms. Watkins, who has worked with the intergenerational poverty program from day one and will be the manager, working on development and continuing to strengthen partnerships.

Commissioner Gibson is supportive of the intergenerational poverty initiative; however, he is deeply concerned with having our taxpayers foot the bill for pushing a change in the welfare system, uphill on our own. Commissioner Ebert had mentioned that there is State funding coming in but there has only been the contract from last week that paid partially by a \$15,000 grant, and he is not aware of any other grants. He is concerned with large sums of money of new spending being the responsibility of our county as we try to move this forward. He was comfortable with an administrative assistant putting time/effort into this program. There were two contracts last week and two this week making it five individuals on contract and he does not know who they answer to, what measurable benchmarks there are, etc. Mr. Lindenmayer was hired nine months ago at \$60,000 and Commissioner Gibson has been asking him for months to show what funding sources or measurables he has brought to the table but he has seen none. He suggested tying Mr. Lindenmayer's compensation to some funding that is brought in. It is not right to pay an individual that kind of money on a promise and in nine months there have been no results. Additionally, with today's contract, the price had gone up to \$90,000. The county needs to be more careful and be able to show that there is a benefit to our taxpayers. He expressed strong objections to both contracts stating that this is not a wise use of taxpayer money, especially where the Commission just asked people to sacrifice dramatically to pay for a property tax increase.

Commissioner Ebert disagrees that the county should not be a leader in welfare reform and said that it is our responsibility to show vision. He said that taxpayers of this county have spent over \$496 million on areas that are directly affected by poverty in the last 10 years. The best place to spend the money right now is in poverty because it costs the most money and the county cannot afford not to do it anymore or we will continue to have the lowest economic development, property values will continue to be depressed and continue to struggle. By addressing poverty the county can grow its economy, create a workforce, and the culture of community. Poverty drives the quality of life down. He is committed to a systems approach to drive this county forward by addressing community development, poverty, diversity, housing, economic development, etc. He said that the county is well positioned to be successful at this time and that Mr. Lindenmayer will help with sustainability. It takes time to see the gains, and that State funds have not been received because the State is still grappling on how to dispense these funds. He feels that it is a mistake to pull back and be shortsighted now and that this is the team to make it a success. He referred to all the funds related to poverty that will come from the federal level and which will continue to save the taxpayers money.

Commissioner Gibson wants the same thing as Commissioner Ebert but reiterated the importance of not throwing money at the big issue without measurables, expectation for success, etc. He does not know how to justify the \$30,000 increase for Lindenmayer. Chair Bell feels this is the right thing and the right people for it and that it will help the county. It is a 1-year project for a total of \$150,000 for both contracts, coming from the Health Department. Commissioner Ebert said that he has received tremendous positive feedback from many legislators, the county's lobbyist, United Way, Stuart Reid who wrote the initial bill, the Aspen Institute, etc. There is a grant cycle but this is brand new and there are no

grants at this time but they are working with the State legislature. Commissioner Gibson said that the goal is critical, that positive steps are being taken and all that he is asking for is for measurable benchmarks. He expressed thanks to Ms. Watkins and Commissioner Ebert stating that they have done a good job pushing this initiative forward.

Commissioner Ebert moved to approve the contract with Linden and Linden relating to the development and partnership of consulting services; Chair Bell seconded.

Commissioner Gibson – nay; Commissioner Ebert – aye; Chair Bell – aye

Commissioner Ebert moved to approve the contract with Domenica Watkins relating to the development and partnership of consulting services; Chair Bell seconded.

Commissioner Gibson – nay; Commissioner Ebert – aye; Chair Bell – aye

## G. PUBLIC HEARINGS:

1.

Commissioner Ebert moved to adjourn the public meeting and convene the public hearings; Commissioner Gibson seconded.

Commissioner Gibson – aye; Commissioner Ebert – aye; Chair Bell – aye

### 2. PUBLIC HEARING TO PROVIDE OPPORTUNITY FOR REPRESENTATIVES FROM NON-PROFIT ORGANIZATIONS AS WELL AS OTHERS TO DISCUSS POTENTIAL PROJECTS, (INCLUDING COUNTY PROJECTS) – CDBG

Chad Meyerhoffer, with County Engineering, said that this hearing is to consider potential projects for which funding may be applied under the 2017 Community Development Block Grant Program. The national objective is for grant money to be spent primarily to benefit low to moderate income persons but other national objectives include using funds to aid in the prevention/elimination of slums/blight and may be used to meet urgent needs because existing conditions pose a serious/immediate threat to health and welfare. The Wasatch Front Regional Council, of which Weber County is a member, is expecting to receive approximately \$1,000,000 for 2017. All eligible activities that can be accomplished under this program are identified in the CDBG Application Policies and Procedures Manual and is available for review. Eligible activities include construction of public works and facilities, acquisition of real property, and provision of public services. Also eligible are loan programs for private businesses, which would then hire low income persons and homeowners. Unincorporated Weber County does not currently have any active grant projects. In the past, the county has sponsored various projects, including the Weber Housing Authority for a first time home buyers program, received grants for restrooms modification for the County Library to bring them more in compliance with ADA standards, an emergency housing rehabilitation project administered through the Weber Housing Authority, developed ADA compliant campsites, installed storm drains in low to moderate income communities to reduce flooding, sponsored non-profit agencies such as Your Community Connection, Ogden Weber Community Action Agency, Catholic Community Services and others. Mr. Meyerhoffer was not contacted by any non-profit agencies at the CDBG How to Apply Workshop that would like the county to sponsor them and wanted to submit a pre-application for a grant. The County has handed out its capital investment plan as part of the regional "Consolidated Plan" that shows which projects the county has identified as being needed in the community.

Andi Beadles, with the Weber Housing Authority, stated that they are interested in applying for two programs: \$30,000 for an Emergency Rental and Deposit Assistance Program to assist 60 households in the county to avoid homelessness and also to help homeless households get into a unit; \$50,000 for a Down Payment Assistance Program to assist 10 first time homebuyers purchase their first home in Weber County. The funding will allow the Weber Housing Authority to assist 60 households with assistance. Ms. Beadles addressed Commissioner Ebert's question explaining the Down Payment Assistance Program and stating that it is a payback program; there is no new funding. He said that getting people housed first helps them to get more stabilized and they are then better able to participate in other programs and get on their feet. Chair Bell invited public comments and none were offered.

3. **PUBLIC HEARING REGARDING AMENDMENTS TO THE OPERATING BUDGET OF WEBER COUNTY FOR THE 2016 CALENDAR YEAR**

Scott Parke, County Comptroller, stated that this is to adjust the budget for received grant revenues and increases in service revenues that resulted in a higher cost of that service. He noted that \$2.1 million of increased revenue offset by \$2.1 million of increased expenditures. He highlighted other changes, including grants that did not fully fund the cost of a project or had miscellaneous changes. Some projects were rolled over from 2015 to 2016 and a \$9.8 million bond was issued to fund sales tax projects and the repayment money will come from the transportation sales tax. Commissioner Gibson expressed his appreciation for Mr. Parke's attention to detail. Chair Bell invited public comments and none were offered.

4. **ACTION ON PUBLIC HEARINGS:**

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

Commissioner Gibson – aye; Commissioner Ebert – aye; Chair Bell – aye

G.2. – **CDBG** – required no action.

G.3. – **AMENDMENTS TO THE 2016 OPERATING BUDGET – RESOLUTION 38-2016**

Commissioner Gibson moved to adopt Resolution 38-2016 approving the amendments to the 2016 operating budget; Commissioner Ebert seconded.

Commissioner Gibson – aye; Commissioner Ebert – aye; Chair Bell – aye

**H. PUBLIC COMMENTS:**

Commissioner Gibson thanked Bell for his service to the public over the years. He said that it has been a pleasure to serve with him and wished him all the best.

**I. ADJOURN**

Chair Bell moved to adjourn at 11:25 a.m.; Commissioner Ebert seconded.

Commissioner Gibson – aye; Commissioner Ebert – aye; Chair Bell – aye

Attest:

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Matthew G Bell, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor