

MINUTES
WEBER COUNTY COMMISSION
Tuesday, December 18, 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 and Scott K. Jenkins. James Ebert was excused.

OTHER STAFF PRESENT: Lynn Taylor of the County Clerk/Auditor's Office; Christopher Crockett, Deputy County Attorney; and Fátima Ferneliuss, of the Clerk/Auditor's Office, who took minutes.

- A. **WELCOME** – Chair Harvey
- B. **INVOCATION** – Shelly Halacy
- C. **PLEDGE OF ALLEGIANCE** – Stacy Skeen
- D. **THOUGHT OF THE DAY** – Commissioner Jenkins

E. **PUBLIC COMMENTS:** Bill Davis, of Ogden, thanked the commissioners for getting involved in the dispute with the county on the road project. He also thanked staff for working to resolve the issues. Lori Brinkerhoff, of Hooper, thanked the commissioners and, especially Commissioner Ebert, for his four years of service, recognizing him for his contribution regarding the intergenerational poverty initiative as well as transparency in the county.

F. **PRESENTATION OF INTERGENERATION POVERTY UPDATE (IGP).**

Melissa Freigang, Vice President, LSI Social Innovation and Workforce Initiatives, reported that 10% of children and 5% of adults in the county are living in IGP and that another 23% of children are at risk of remaining in poverty. IGP has been a huge focus in the county for at least the past two years. She outlined statistics that contribute to IGP, the cycle/patterns and how to change the culture, including meeting the various related needs. She highlighted the funding efforts and noted that an IGP cohort is working with students as well as parents.

G. **CONSENT ITEMS:**

1. Warrants #1630-1645 and #434826-434975 in the amount of \$1,568,482.95.
2. 2018 purchase orders in the amount of \$94,342.89.
3. 2019 purchase orders in the amount of \$177,132.25.
4. Minutes for the meeting held on December 4 and 11, 2018.
5. A new business license.
6. County H.R. Policies: 1-100, HR Disclaimer; 3-900, Political Activities; 4-600, Employee Assistance Program.
7. Declare Parcel Numbers 02-003-0031 and 02-003-0014 as surplus property.
8. Final approval of D.M. Hadley Subdivision consisting of 5 lots located at approx. 4300 W. 3300 S., Ogden.
9. Dedicate area fronting Charlesworth Estates Subdivision to Weber County-on 4000 North St., a public right-of-way.
10. Request from the Weber County Tax Review Committee to refund \$295.32 on Parcel #09-317-0002 due to incorrect calculation of basement finish.
11. Request from the Weber County Tax Review Committee to refund \$600.55 on Parcel Number 23-013-0062 due to discrepancy in the property's acreage size.

Commissioner Jenkins moved to approve the consent items; Chair Harvey seconded.

Commissioner Jenkins – aye; Chair Harvey – aye

H. **ACTION ITEMS:**

1. **FINAL READING OF AN ORDINANCE AMENDING STORMWATER POLLUTION PREVENTION PLAN FEES IN SECTION 16-2-6 OF THE WEBER COUNTY CODE OF ORDINANCES – ORDINANCE 2018-22.**

Blane Frandsen, of County Engineering, presented this second reading stating that it adds an additional \$50 fee for each additional inspection to cover the costs of additional inspections beyond the base number.

Commissioner Jenkins moved to adopt Ordinance 2018-22 amending the Weber County Code, Section 16-2-6 relating to stormwater pollution prevention plan fees; Chair Harvey seconded.

Commissioner Jenkins – aye; Chair Harvey – aye

2. **RESOLUTION APPOINTING MEMBERS TO THE OGDEN VALLEY TRANSMITTER AND RECREATION SPECIAL SERVICE DISTRICT – RESOLUTION 64-2018.**

Stacy Skeen, of the Commission Office, received seven applications. There are seven open positions with three terms expiring in 2020 and four in 2022. Chair Harvey noted that work has been going on for some time to make this district board State compliant. Commissioner Jenkins drew names for the terms.

Commissioner Jenkins moved to adopt Resolution 64-2018 for the following Ogden Valley Transmitter and Recreation Special Service District appointments: Kay Richins, Edward K. McKenney, and Jennifer Hilburn (with terms expiring on 12/31/2020) and Brett Allen, Richard G. Menzies, Andrew P. Newton and Greg W. Anderson (with terms expiring on 12/31/2022); Chair Harvey seconded.

Commissioner Jenkins – aye; Chair Harvey – aye

3. **RESOLUTION APPOINTING TWO MEMBERS TO THE GOLDEN SPIKE EVENT CENTER ADVISORY BOARD – RESOLUTION 65-2018.**

Jennifer Graham, of County Culture, Parks & Recreation, presented this Board's recommendation to reappoint Lori Berrett and Jeremy Dearden.

Commissioner Jenkins moved to adopt Resolution 65-2018 reappointing Lori Berrett and Jeremy Dearden to the Golden Spike Event Center Advisory Board through 12/31/2022; Chair Harvey seconded.
Commissioner Jenkins – aye; Chair Harvey – aye

4. **RESOLUTION APPOINTING A MEMBER TO WEBER COUNTY CREATIVE ALLIANCE BOARD – RESOLUTION 66-2018.**

Jennifer Graham, of County Culture, Parks & Recreation, presented this Board's recommendation to appoint Melissa Klein.

Commissioner Jenkins moved to adopt Resolution 66-2018 appointing Melissa Klein to the Weber County Creative Alliance Board through 12/31/2022; Chair Harvey seconded.
Commissioner Jenkins – aye; Chair Harvey – aye

5. **CONTRACT WITH B^2 LAND SERVICES LLC FOR RIGHT OF WAY ACQUISITION SERVICES.**

6. **CONTRACT WITH BONNEVILLE ACQUISITION FOR RIGHT OF WAY ACQUISITION SERVICES.**

Jared Andersen, County Engineer, stated that items H.5 & 6 are for acquisition agents for 2550 S. and 3300 S.

Commissioner Jenkins moved to approve the contract with B^2 Land Services, LLC, for right of way acquisition services; Chair Harvey seconded.
Commissioner Jenkins – aye; Chair Harvey – aye

Commissioner Jenkins moved to approve the contract with Bonneville Acquisition for right of way acquisition services; Chair Harvey seconded.

Commissioner Jenkins – aye; Chair Harvey – aye

7. **CONTRACTS WITH THE FOLLOWING INDIVIDUALS FOR INDIGENT DEFENSE ATTORNEYS:**

Francisco Roman; Nathan Carroll; Jason Widdison; Shawn Condie

Christopher Crockett, Deputy County Attorney, stated that a defense attorney recently gave up his contract and the decision was made to split it into two half contracts for Mr. Roman and Mr. Carroll, who also have additional assignments. Mr. Widdison and Mr. Condie are taking some of the assignments as well.

Commissioner Jenkins moved to approve the contracts with attorneys Francisco Roman, Nathan Carroll, Jason Widdison, and Shawn Condie for indigent defense services; Chair Harvey seconded.

Commissioner Jenkins – aye; Chair Harvey – aye

8. **VOTING PRECINCT CHANGES:**

--Proposed change #1, WCS001, merge into SOG003;

--Proposed change #2, WCR002 merge into ROY008;

--Proposed change #3, WCR002 west of 3500 South merge into ROY006;

--Proposed change #4, WCR002 east of 3500 South merge into ROY005;

--Proposed change #5, Annexed part HPR005 merge into ROY001;

--Proposed change #6, WHV004, DHR (serviced by Hooper Water/North Davis Sewer District), merge into WHV003;

--Proposed change #7, merge CYN001 with HTV002 into a new precinct named VLY004;

--Proposed change #8, eliminate LAKE (Pineview Reservoir), merge into VLY004;

--Proposed change #9, eliminate UNKN, merge into SOG005.

Daniel Wade, of County Elections, stated that all of the voters affected by the adjustments will remain in the same legislative, school board and city districts and are not politically motivated. Changes #1 through #5 are related to the recent annexation of unincorporated parts of Roy into Roy City and the Ogden Golf & Country Club being annexed into South Ogden City. All affected voters will be merged into their nearest city precincts. Change #6 involves two sub-precincts and one only has five voters; these will be merged together. Changed #7-CNY001 has few voters, will be renamed VLY0004 and will merge with HTV002. Changes #8 & 9 are being eliminated.

Commissioner Jenkins moved to approve the voting precinct changes as presented above; Chair Harvey seconded.
Commissioner Jenkins – aye; Chair Harvey – aye

9. **CONTRACT WITH THE GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT (GOED) FOR FUNDING FOR DEVELOPMENT OF ARCHERY RANGE AT OBSERVATORY PARK.**

Jennifer Graham, of County Culture, Parks & Recreation, stated that the goal is to continue developing an archery range at this Park. Earlier this year the State legislature appropriated \$250,000 and staff has leveraged this money with DNR, which has awarded the county a \$750,000 grant. The committee for this item is tasked with raising

the remaining funds. A building is planned with 16 indoor archery lanes, classrooms, offices, and restrooms, and this should all be done with private money or grants.

Commissioner Jenkins moved to approve the contract with the Governor's Office of Economic Development for funding for development of the Archery Range at Observatory Park; Chair Harvey seconded.

Commissioner Jenkins – aye; Chair Harvey – aye

I. PUBLIC HEARING:

1.

Commissioner Jenkins moved to adjourn the public meeting and convene the public hearing; Chair Harvey seconded.

Commissioner Jenkins – aye; Chair Harvey – aye

2. **PUBLIC HEARING FOR DISCUSSION AND/OR ACTION ON A REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING TITLE 16, CHAPTER 8 OF THE WEBER COUNTY CODE OF ORDINANCES, GOVERNING IMPACT FEES.**

Jared Andersen, County Engineer, said that this item went through the bid process and Zions Bank was selected. Susie Becker, Municipal Consulting Group Vice President, was present to address any questions. Zions conducted an analysis for impacts to ensure the fees were justified and had stated that some infrastructure requires a lot of upgrades to get it to where it needs to be. Mr. Andersen concurred that a lot of significant work needs to be done in the upper and lower valleys. He noted that Zions indicated what the county could charge, but the county is not charging residents what it would take to fix all the infrastructure in the next five years, and that in comparing Zions' proposed fees with other entity's charges, the county is not at the high end. He addressed Commissioner Jenkins' question stating that the upper valley storm drain impact fee analysis shows approximately \$1,234 and \$4,788 for the lower valley (the latter is due to the larger size of infrastructure and all the watersheds coming down to the lower valley). Chair Harvey was somewhat conflicted about the trail impact fee amount of \$1,500 and preferred reducing it. He also referred to the unincorporated growth—currently there are about 521 building applications and permits on the books. Christopher Crockett, Deputy County Attorney, noted that an ordinance could be enacted today after holding the public hearing.

3. Public Comments: None.

4.

Commissioner Jenkins moved to adjourn the public hearing and reconvene the public meeting; Chair Harvey seconded.

Commissioner Jenkins – aye; Chair Harvey – aye

5. **ACTION ON PUBLIC HEARING:
I.2.-AMENDING COUNTY CODE, TITLE 16, CHAPTER 8, GOVERNING IMPACT FEES – ORDINANCE 2018-23.**

Commissioner Jenkins moved to adopt Ordinance 2018-23 to amend the Weber County Code of Ordinances, Title 16, Chapter 8, governing impact fees as presented. Motion died for lack of a second. Chair Harvey moved to adopt 2018-23 amending the Weber County Code of Ordinances, Title 16, Chapter 8, governing impact fees but amending the trails impact fees from \$1,500 to \$1,250. Motion died for lack of a second. Commissioner Jenkins moved to adopt Ordinance 2018-23 to amend the Weber County Code of Ordinances, Title 16, Chapter 8, governing impact fees, setting the trails impact fees at \$1,350; Chair Harvey seconded.

Commissioner Jenkins – aye; Chair Harvey – aye

J. COMMISSIONER COMMENTS: None.

K. ADJOURN

Commissioner Jenkins moved to adjourn at 11:18 a.m.; Chair Harvey seconded.

Commissioner Jenkins – aye; Chair Harvey – aye

Attest:

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

Ricky D. Hatch, CPA
Weber County Clerk/Auditor