

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

Tuesday, December 22, 2015 - 10:00 a.m.

Commission Chambers, 2380 Washington Blvd., Ogden, Utah

In accordance with the requirements of Utah Code Annotated Section 52-4-7(1)(d), the County Clerk records in the minutes the names of all citizens 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.

COMMISSIONERS: Kerry W. Gibson, Matthew G Bell and James Ebert.

OTHERS PRESENT: Ricky D. Hatch, County Clerk/Auditor; David C. Wilson, Deputy County Attorney; and Fátima Fernelius, of the Clerk/Auditor's Office, who took minutes.

A. WELCOME – Chair Gibson

B. INVOCATION – Andy Almanza

C. PLEDGE OF ALLEGIANCE – Paige Greenhalgh

D. THOUGHT OF THE DAY – Chair Gibson

E. PRESENTATION OF THE FOOD DRIVE DONATIONS TO CATHOLIC COMMUNITY SERVICES (CCS)

Chair Gibson noted that county employees were invited to donate to the food drive to help the efforts of CCS, that there was a contest between departments, and the Community and Economic Development Department won. County employees were extremely generous in their donations and the commissioners expressed thanks. Maresha Bosgieter, of CCS, said that 1,600 families had signed up for Christmas baskets and that these donations made a huge difference. The commissioners expressed thanks to Ms. Bosgieter for her contributions to the community.

F. CONSENT ITEMS:

1. Ratify purchase orders for \$58,722.30 dated December 15, 2015
 2. Purchase orders for \$336,375.16
 3. Ratify warrants #327727 -#327947 for \$2,935,435.19 dated December 15, 2015
 4. Warrants #327948-#328144 for \$1,227,233.52
 5. Minutes for the meeting held on December 8, 2015
 6. New beer licenses
 7. Surplus several items from the Weber County Solid Waste Facility
 8. ACH payment to US Bank for \$129,856.05 for purchasing card transactions through 10/15, 2015
 9. ACH payment to US Bank for \$141,753.42 for purchasing card transactions through 11/15/2015
 10. ACH payment to US Bank for \$117,650.02 for purchasing card transactions through 12/15/2015
 11. Retirement Agreements with the following:
 - Leonard Call – Contract C2015-408 Brad Dee – Contract C2015-410
 - Leroy Nate Pierce – Contract C2015-409 Shirley Jensen – Contract C2015-411
 12. Request by Weber County Tax Review Committee to approve refunding \$565.41 to the Rose G. Atencio Trust, Parcel #09-378-0001, for an error in the square footage calculation
- Commissioner Ebert moved to approve the consent items; Commissioner Bell seconded.
Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

G. ACTION ITEMS:

1. RESOLUTION APPOINTING MEMBERS TO THE BOARD OF TRUSTEES OF THE ROY WATER CONSERVANCY DISTRICT – RESOLUTION 47-2015

Brooke Stewart, of the Commission Office, stated that notice of two vacancies had been received from the District, and the posting and publication requirements were followed. Two applications were received from the current members. Gary Newman, District chair, thanked the commissioners on behalf of the District for their continued support.

Commissioner Ebert moved to adopt Resolution 47-2015 appointing Daryl Field and Chad Zito to the Board of Trustees of the Roy Water Conservancy District with terms from 1/2/2016 through 1/1/2020; Commissioner Bell seconded.
Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

2. **SECOND READING/ADOPTION OF ORDINANCE ENACTING THE COUNTY OPTION SALES & USE TAX FOR HIGHWAYS & PUBLIC TRANSIT AUTHORIZED BY 2015 HB 362 – ORDINANCE 2015-20**
 Douglas Larsen, Weber County Economic Development Partnership Director, stated that no comments had been received from the public from the time of the first ordinance reading.
 Commissioner Bell moved to adopt Ordinance 2015-20 enacting the county option sales and use tax for highways and public transit authorized by 2015 HB 362; Commissioner Ebert seconded.
 Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

3. **INTERLOCAL AGREEMENT WITH MARRIOTT-SLATERVILLE FOR PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROJECT AREA PLAN (CDA) CONTRACT C2015-412**
 Douglas Larsen, Weber County Economic Development Partnership Director, stated that this is a contract amendment to clarify that it is a 16-year agreement rather than for 15 years.
 Commissioner Ebert moved to approve Contract C2015-412, Interlocal Agreement with Marriott-Slaterville for participation in the Community Development Project Area Plan; Commissioner Bell seconded.
 Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

4. **RIGHT-OF-WAY CONTRACTS FOR THE 3500 W. PROJECT:
 MICHAEL & NEDRA ATKINSON, PARCEL 55 – CONTRACT C2015-413
 VAL & GLENNA SURRAGE, PARCEL 97 – CONTRACT C2015-414**
 Jared Andersen, County Engineer, briefly presented this contract.
 Commissioner Bell moved to approve Contracts C2015-413 and 414, right-of-way contracts for the 3500 W. project as listed above; Commissioner Ebert seconded.
 Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

5. **RIGHT-OF-WAY CONTRACT FOR THE 12TH STREET PROJECT:
 THOMAS & LYNDA COX, PARCEL 73 – CONTRACT C2015-415**
 Jared Anderson, County Engineer, briefly presented this contract.
 Commissioner Bell moved to approve Contracts C2015-415, right-of-way contract for the 12th Street project as listed above; Commissioner Ebert seconded.
 Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

6. **RIGHT-OF-WAY CONTRACT FOR THE SKYLINE DRIVE PROJECT:
 SCOTT/NANCY WATERFALL, PARCELS 3 & 4 – CONTRACT C2015-416**
 Jared Anderson, County Engineer, briefly presented this contract.
 Commissioner Bell moved to approve Contract C2015-416, right-of-way contract for the Skyline Drive project as listed above; Commissioner Ebert seconded.
 Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

7. **SECOND READING/ADOPTION OF AN AMENDED ROADS ORDINANCE – ORDINANCE 2015-21**
 Jared Anderson, County Engineer, noted that this amendment allows negotiating up to a second appraisal amount of approximately \$2,500.
 Commissioner Bell moved to adopt Ordinance 2015-21 amending the Roads Ordinance; Commissioner Ebert seconded.
 Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

8. ADDITIONAL PROJECTS SEEKING SPONSORSHIP THROUGH WEBER COUNTY FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN 2016

Chad Meyerhoffer, of County Engineering, stated that two non-profit organizations (Weber Housing Authority, People Helping People) have requested sponsorship by the county to make application for CDBG funds.

Commissioner Ebert moved to approve the above additional projects seeking sponsorship through Weber County for Community Development Block Grant funds in 2016; Commissioner Bell seconded.

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

9. RATIFICATION OF A 3-YEAR COMMERCIAL LEASE AGREEMENT WITH STKK, LLC, DBA BEAN-A-COLADA COFFEE CAFÉ FOR SPACE IN THE WEBER COUNTY SOUTHWEST BRANCH/HEADQUARTERS LIBRARY – CONTRACT C2015-417

Lynnda Wangsgard, County Library Director, presented this agreement noting that Bean-A Colada also has a commercial lease for space at the Pleasant Valley library branch.

Commissioner Bell moved to approve Contract C2015-417, ratification of a three-year commercial lease agreement with STKK, LLC, dba Bean-a-Colada Coffee Café for space in the Weber County Southwest Branch/Headquarters Library; Commissioner Ebert seconded.

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

10. CONTRACT WITH TRINITY SERVICES GROUP, INC. TO PROVIDE INMATE COMMISSARY SERVICES – CONTRACT C2015-418

Steffani Ebert, of the County Sheriff's Office, stated that a Request for Proposals was issued and Trinity was the successful bidder. A change from the current contract with Trinity increases the commission percentage rate on the commissary sales that the county receives and also increases the guaranteed monthly amount to \$25,000.

Commissioner Bell moved to approve Contract C2015-418 with Trinity Services Group, Inc. to provide inmate commissary services; Commissioner Ebert seconded.

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

11. CONTRACT WITH TRINITY SERVICES GROUP, INC. TO PROVIDE INMATE FOOD SERVICES – CONTRACT C2015-419

Steffani Ebert, of the County Sheriff's Office, stated that a Request for Proposals was issued and Trinity was the successful bidder. A change from the current contract with Trinity decreases the per meal cost.

Commissioner Ebert moved to approve Contract C2015-419 with Trinity Services Group, Inc. to provide inmate food services; Commissioner Bell seconded.

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

12. CONTRACT WITH WEBER HUMAN SERVICES (WHS) TO PROVIDE MENTAL HEALTH SERVICES FOR THE WEBER COUNTY SHERIFF'S OFFICE – CONTRACT C2015-420

Steffani Ebert, of the County Sheriff's Office, stated that this is a contract renewal; WHS has been providing mental health services at the Sheriff's Office for several years. This is primarily for inmate mental health counseling but includes staff training and assisting with substance abuse treatment program at the Kiesel facility.

Commissioner Bell moved to approve Contract C2015-420 with Weber Human Services for mental health services for the Weber County Sheriff's Office; Commissioner Ebert seconded.

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

13. MEMORANDUM OF UNDERSTANDING BY/BETWEEN COUNTY (SHERIFF'S OFFICE) & 75 SFS/HILL AIR FORCE BASE (HAFB) FOR MUTUAL SUPPORT IN FORCE PROTECTION & POLICE INCIDENT RESPONSE – CONTRACT C2015-421

Steffani Ebert, of the County Sheriff's Office, stated that this is a contract renewal for mutual support around the fence between the county and HAFB and other emergency situations for which HAFB may call on the Sheriff's Office.

Commissioner Ebert moved to approve Contract C2015-421, Memorandum of Understanding with 75 SFS/Hill Air Force Base for mutual support in force protection and police incident response; Commissioner Bell seconded.

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

14. CONTRACT WITH JARED FLANDRO FOR BASIC TRAINING REIMBURSEMENT – CONTRACT C2015-422

Steffani Ebert, of the County Sheriff's Office, noted that it has been difficult to find qualified applicants for the Sheriff's Office. The county is willing to pay for Mr. Flandro's training. He will remain in the county's continuous employment at least two years following the training.

Commissioner Bell moved to approve Contract C2015-422 with Jared Flandro for basic training reimbursement; Commissioner Ebert seconded.

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

**15. INTERLOCAL AGREEMENTS WITH THE FOLLOWING FOR PARAMEDIC SERVICES:
WEBER FIRE DISTRICT – CONTRACT C2015-423; ROY CITY FIRE – CONTRACT C2015-424
OGDEN CITY FIRE – CONTRACT C2015-425**

Brad Dee, County Human Resources Director, noted that these contracts have been in place for many years and these are renewals for five years. The agreement with Weber Fire is for paramedic ambulance services to the Ogden/Upper Valley and paramedic rescue service to the northwest portion of the county. The Roy City Fire agreement is for paramedic services to the southwest county. The Ogden City agreement is for paramedic services within the Ogden City boundaries. This allows response times to be reduced below the national criteria and costs have been negotiated down, even with the additional unit.

Commissioner Bell moved to approve Contracts C2015-423 through 425, Interlocal Agreements with the above listed entities for paramedic services; Commissioner Ebert seconded.

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

16. CONTRACT WITH DR. ROBERT W. GROW FOR AN EMS PHYSICIAN ADVISOR AGREEMENT – CONTRACT C2015-426

Brad Dee, County Human Resources Director, noted that the physician advisor agreement has been in place for many years and has not increased until this year, which is due to the increase in the unit and that it is being offered to other entities in the county. This is a 5-year contract.

Commissioner Ebert moved to approve Contract C2015-426 with Dr. Robert W. Grow for an EMS Physician Advisor Agreement; Commissioner Bell seconded.

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

20. CONTRACT WITH POWDER MOUNTAIN WATER AND SEWER IMPROVEMENT DISTRICT FOR THE CONSTRUCTION OF SUNDOWN WATERLINE – CONTRACT C2015-427

Commissioner Bell noted that the District desires to construct an emergency line extension prior to the 2015/2016 winter season via the county's current construction contract. The District is to reimburse the county for all costs associated with the work.

Commissioner Bell moved to approve Contract C2015-427 with Powder Mountain Water and Sewer Improvement District for the construction of the Sundown Waterline; Commissioner Ebert seconded.

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

17. CONTRACT WITH ARTHUR BROGLI/INDEPENDENT CONTRACTOR TO PROVIDE GERMAN/SWISS STYLE LIVE ENTERTAINMENT FOR THE 2016 SNEDDON HOF GERMAN WINTERFEST – CONTRACT C2015-428

Jim Harvey, of Golden Spike Event Center, presented this contract.

Commissioner Ebert moved to approve Contract C2015-428 with Arthur Brogli to provide German/Swiss style live entertainment for the 2016 Sneddon Hof German Winterfest; Commissioner Bell seconded.

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

18. CONTRACT WITH TRAX AV/INDEPENDENT CONTRACTOR TO PROVIDE THE AUDIO SYSTEM AND BASIC LIGHTING SYSTEM FOR THE 2016 SNEDDON HOF WINTERFEST – CONTRACT C2015-429

Jim Harvey, of Golden Spike Event Center, presented this contract.

Commissioner Bell moved to approve Contract C2015-429 with TRAX AV/independent contractor to provide the audio system and basic lighting system for the 2016 Sneddon Hof Winterfest; Commissioner Ebert seconded.

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

19. CONTRACT BY/AMONG WEBER COUNTY, WASATCH SLOPES, BEEHIVE, SKYLINE, BEAR RIVER, GOLDEN SPIKE AND NEBO CHARIOT RACING ASSOCIATIONS FOR THE UTAH STATE CHARIOT CHAMPIONSHIPS– CONTRACT C2015-430

Jim Harvey, of Golden Spike Event Center, presented this contract.

Commissioner Ebert moved to approve Contract C2015-430 by/among Weber County, Wasatch Slopes, Beehive, Skyline, Bear River, Golden Spike and Nebo Chariot Racing Associations for the Utah State Chariot Championships; Commissioner Bell seconded.

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

20. RESOLUTION APPROVING THE 2016 WEBER COUNTY BUDGET – RESOLUTION 48-2015

Scott Parke, County Comptroller, noted that the public hearing on the tentative budget occurred a couple of weeks ago and since then no public comments had been received.

Commissioner Bell moved to adopt Resolution 48-2015 approving the 2016 Weber County Budget; Commissioner Ebert seconded.

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

H. PUBLIC HEARINGS:

1.

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

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

2. **PUBLIC HEARING TO AMEND COUNTY OPERATING & CAPITAL BUDGETS FOR 2015 CALENDAR YEAR**

Scott Parke, County Comptroller, stated that these were housekeeping items that are handled at the end of each year. The commissioners had previously seen and approved all of the items.

3. **PUBLIC HEARING TO CONSIDER/TAKE ACTION ON A REQUEST (ZTA 2015-03) TO AMEND WEBER COUNTY LAND USE CODE: SECTION 101-1-7 (DEFINITIONS); TITLE 104, CHAPTER 29 (OGDEN VALLEY DESTINATION AND RECREATION RESORT ZONE); TITLE 108, CHAPTER 1 (DESIGN REVIEW); TITLE 108, CHAPTER 2 (OGDEN VALLEY ARCHITECTURAL, LANDSCAPE, AND SCREENING DESIGN STANDARDS); TITLE 108, CHAPTER 8 (PARKING AND LOADING SPACE, VEHICLE TRAFFIC, AND ACCESS REGULATIONS); TITLE 108, CHAPTER 19 (ACCESSORY APARTMENTS); AND TITLE 110, CHAPTER 2 (OGDEN VALLEY SIGNS)**

Scott Mendoza, of County Planning, summarized the proposal that included amending definitions, creating a new defined term, creating more flexibility in the development standards and work force housing requirements, adding approximately 12 new uses to the Land Use table in the Resort Zone, allowing more administrative or staff level approval for commercial types of development that are in the Resort Zone for developments above 6,200 feet elevation, and allowing more flexibility regarding resort signage and landscaping requirements.

Mr. Mendoza noted that this proposal was submitted last summer and has gone through two work sessions and one public hearing with the Ogden Valley Planning Commission, one public hearing with the Western Weber Planning Commission, and the county commissioners have had the information for some time. He recommended taking public comments only today and adopting an ordinance at a later date with direction from the commissioners.

Paul Strange, with Summit/petitioner, summarized the requested amendments including the following: defining detached lockout and lockout sleeping room; addressing buffer areas, reducing setbacks and lot size requirements, addressing height of buildings above 6,200 feet, adding flexibility to workforce housing standards, allowing additional kitchens in detached lockouts, allowing placing certain miscellaneous improvements (i.e., BBQ pits) outside a building envelope; giving more flexibility to the Planning Director regarding building design review, allowing the Planning Commission to approve the applicant's design plan for their community, addressing the parking plan, accessory apartment, and the sign plan relating to egress/ingress.

Mr. Mendoza addressed Commissioner Bell's questions including that Snow Basin had not offered formal comments, but noting that these amendments offer more flexibility to resorts.

4. **PUBLIC HEARING REGARDING AMENDING COUNTY LAND USE CODE AS FOLLOWS: GENERAL PROVISIONS (TITLE 101), DEFINITIONS (SECTION 1-7); SUBDIVISION (TITLE 106), GENERAL PROVISIONS (CHAPTER 1); STANDARDS (TITLE 108), HILLSIDE DEVELOPMENT REVIEW PROCEDURES & STANDARDS (CHAPTER 14); & OTHER SECTIONS OF THE COUNTY CODE TO PROVIDE FOR ADMINISTRATIVE EDITS RELATED TO CHANGES IN THE SUBDIVISION CODE & RELATED TO CHANGES TO THE NAMES OF THE PLANNING COMMISSIONS & PLANNING AREAS**

Charles Ewert, of County Planning, stated that the majority of the changes are administrative in nature. He noted that in 2012 the Subdivision Code was amended and at the same time the county was going through a codification process. That code inadvertently did not get into the final codified version and the language to enact the codified version also repealed all other code versions, thereby repealing the 2012 code accidentally. The Planning Division discovered this, worked with the County Attorney's Office to verify that their actions based on that code are still valid, and today's action is to go through the formal process.

Chair Gibson invited public comments on the three public hearings and none were offered.

5. Commissioner Bell moved to adjourn the public hearings and reconvene the public meeting; Commissioner Ebert seconded.
Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

6. **ACTION ON THE PUBLIC HEARINGS:**

H2- RESOLUTION APPROVING THE AMENDMENTS TO THE 2015 OPERATING AND CAPITAL BUDGETS OF WEBER COUNTY FOR THE 2015 CALENDAR YEAR – RESOLUTION 49-2015

Commissioner Bell moved to adopt Resolution 49-2015 approving the amendments to the county 2015 operating and capital budgets; Commissioner Ebert seconded.
Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

H3- CONSIDER AMENDING LAND USE CODE TITLE 101; TITLE 108; AND TITLE 110

No action was taken today.

H4-AMENDING COUNTY LAND USE CODE: TITLE 101; TITLE 106; TITLE 108; AND OTHER SECTIONS OF THE COUNTY CODE TO PROVIDE FOR ADMINISTRATIVE EDITS RELATED TO CHANGES IN THE SUBDIVISION CODE AND RELATED TO CHANGES TO THE NAMES OF THE PLANNING COMMISSIONS AND PLANNING AREAS – ORDINANCE 2015-22

Commissioner Bell moved to adopt Ordinance 2015-22 amending the following sections of the County Land Use Code: General Provisions (Title 101), Definitions (Section 1-7); Subdivision (Title 106), General Provisions (Chapter 1); Standards (Title 108), Hillside Development Review Procedures and Standards (Chapter 14); and other sections of the County Code to provide for administrative edits related to changes in the Subdivision code and related to changes to the names of the Planning Commissions and planning areas; Commissioner Ebert seconded. Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

H. PUBLIC COMMENTS:

Cory Combe, of Uintah, asked why he should pay to develop someone else’s property stating that he spent hundreds of thousands of dollars to put in the improvements. One of the last sections of Skyline Drive that he put in connected the existing Skyline in Uintah to Wasatch Drive. His street did not quite get to Wasatch and the county made an agreement with him, and he put it all in, going through Mr. Lucero’s property. This was done without purchasing Mr. Lucero’s property and the county put a holding strip on Mr. Lucero’s property on both sides of Skyline. When Mr. Lucero developed, he paid a prorated share of Skyline Drive. Mr. Combe said that now the county is buying that property and asked if the county is encumbering a holding strip to recuperate the money for the improvements. Mr. Combe also stated that on Friday he saw a plan for four flag lots on a 20-foot street and he thought that this was a conflict to the county’s regulations.

Sean Wilkinson, Community and Economic Development Department Director, said that Mr. Combe was referring to the Mountain’s Edge Subdivision (4 lots) recently submitted to County Planning. It has frontage off a new section of Skyline that will be developed, and one lot will also potentially have access off of Combe Road. The developer is proposing using 20-ft. wide access easement for all of the lots and it will be a driveway for two of the lots across their own front property lines, the two easternmost lots will use that 20-ft wide access as the main access to their properties. Mr. Wilkinson explained that one of those lots cannot access off of Combe Road and the other lot does not have any road frontage. He also explained the difference between what is considered a flag lot and a lot using a private right-of-way, as in this case. He will meet with Mr. Combe after this meeting on his two issues.

I. ASSIGN PLEDGE OF ALLEGIANCE FOR MEETING ON TUESDAY, JANUARY 5, 2016 AT 10:00 A.M.

K. ADJOURN

Commissioner Bell moved to adjourn at 11:56 p.m.; Commissioner Ebert seconded. Commissioner Ebert – aye; Commissioner Bell – aye; Chair Gibson – aye

Attest:

Kerry W. Gibson, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor