

**MINUTES**  
**WEBER COUNTY COMMISSION**

Tuesday, December 31<sup>st</sup>, 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:** John Ulibarri
- C. INVOCATION:** Craig Brandt
- D. THOUGHT OF THE DAY:** Commissioner Bolos: I yield my time to Mr. Ulibarri

John Ulibarri (County Assessor): Thank you for the opportunity to express my thanks to everybody that has helped along the way, allowing me to do all the things that I've been able to do. As you know, no one achieves success alone. I first took office in 2011 as a new assessor. I thought, or mostly hoped, that I knew what I was doing. Two years before my first election I was tasked with running the office as the chief deputy and in doing so I felt confident about officially taking over. I quickly discovered the stark difference between running the office and sitting in the big chair. I liken it to coming home with the power out and finding my wife had rearranged all the furniture. I stubbed my toes a lot and I felt like cussing a lot but other assessors and good people of the Tax Commission helped navigate these situations as they arose. The Weber County team was so important to our success; the relationships built between the attorneys, the Commission, the Clerk/Auditor; Human Resources, IT, Operations, the Recorder/Surveyor, and the Treasurer's offices cannot be overstated. In some counties, these people can't even sit in the same room together. In Weber County, we can have frank and even uncomfortable conversations and still walk away feeling good about each other and even be friends. The assessor's office team was the most significant day-to-day contribution to our success. Paraphrasing my good friend John Bond, "I stood on the shoulders of giants." Without our fantastic people, I would have never had the time to accomplish the things that I did. The goal of a good administrator is to make yourself obsolete. As things sit now we've achieved that goal. I could literally leave the office for a month and things would still continue to operate smoothly. I've worked with wonderful people over my career but have never had the pleasure of associating myself with such a magnificent group. Most importantly, my family. My girls were both in high school when we talked about running for elected office. Their first thought was, "how embarrassing dad!" Their next thought was, "Dad, are people going to be mean to you?" Fortunately the answer is no. Mostly no. (I literally have a little smiley face emoji on my paper there.) I can actually count on one hand throughout my almost 25 year career in the assessment industry the actual bad interactions I've had. I've had thousands of interactions with people across two different counties and for the most part they've been really, really good. Then there's my wife Randy. She has stood by my side through thick and thick and she patiently listened to my stories, frustrations, worries, and triumphs. She stood by my side at various events like County conventions. I said multiple times that she's the only reason people would vote for me. She charmed and encouraged people that we would meet at conventions and Meet the Candidate nights. I've literally heard multiple people say I'm not sure about your husband but I like you so I'll vote for him. In the end I want to thank everyone for their professionalism, patience, and kindness. Thank you very much commissioners for allowing me to take the time.

Chair Harvey: I am fortunate to know you. You are a man of great character and integrity. You've always had the right thing in mind and never once have you been self-serving. You've been kind enough to share with others. You have a spirit of collaboration. All of these are reasons we all get along together. This county is unique because all of the elected officials talk and get along; that doesn't happen with all the other counties. And that's how we're more efficient in this County. You've led a wonderful team with great deputies; they've got a great morale. You've also decided to take extra time away from your family to lead state organizations such as UAC and others. You're very respected in the community. We just we love and appreciate you who you are.

Commissioner Bolos: I first met John when I was the mayor in West Haven and we were proposing our first ever property tax. I didn't know who he was but I knew he was an important person to be there at both our open houses. He stood there and took the bullets for us. It was a year of substantial increases in property values and we were trying to help the public understand what we were proposing versus what their property values had done. I just watched him and his professionalism. You said you've only had a handful of bad interactions and I

think you can have a lot of bad interactions if you're not professional. So the fact you felt you have had few bad interactions just shows your character. I have all the respect in the world for you.

Commissioner Froerer: I had a lot of interaction with Mr. Ulibarri and also Mr. Bond in my previous job down at the capital where I was involved with a lot of tax bills and property rights bills. A lot of those impacted what Mr. Ulibarri dealt with in his department. Frequently when a bill came up that he struggled with that may impact the taxpayers, he didn't hesitate to give me a call. It was always in good faith and with the taxpayer in mind. At the end of the day his input was very valuable not only to me but over a hundred other legislators as they heard his voice on the impact it had on taxpayers, not only Weber County but the other 28 counties in this state. So thanks for all you did John. You're trusted and I appreciate you.

#### **E. PUBLIC COMMENT:**

1. Jan Fullmer, Eden, UT: I am going to ask you not approve the Ordinance adopting the Nordic Village Project Area Plan. The Standard Examiner article quoted 637 development units plus a 230 room hotel and 56k square feet of commercial space; the original development agreement was for 565 development units. The Weber County Planning office did not know where the Examiner got their information. The Examiner said it got data published from The County's Economic Development office. So the right hand does not know what the left hand is doing. Additionally, water has not been approved for this project. Why not try to use some of this money for affordable housing in the valley?
2. Beth Keswick, Nordic Valley area, UT: The interlocal agreement is a very complex document. The interlocal agreement is funded by TIF and/or sales tax proceeds. It is my understanding the resort will provide its sales tax proceeds to the CRA for 15 years. What date does that commence? The interlocal also refers to the offset of personal property costs related to the project area. Why would personal property costs be offset? Will the CRA provide to the public an itemized list detailing the infrastructure and related improvements, which it is required to provide to the County on an annual basis? And where will this be posted? And why is max payment capped at \$18M when the budget states \$45.7M will be paid for the community and regional infrastructure with partial funding from TIF and PID? I would like someone to trace the flow of money from the tax increment to the CRA to the developers then to their bonds, is that correct? Is it factual to state PID taxes from Weber Basin and the fire district will go to the CRA and be available to developers at a rate of 50%? In Section 6 Exhibit B, is it realistic to assume the Nordic Village will generate \$283M in new resident per capita spending over the next 25 years (\$11.3M per year)?
3. Peggy Dooling-Baker, Nordic Valley, UT: I am here to ask about the language in today's notice. The only plan submitted with this application shows an increase from 565 units to over 800. The plan does not show height restrictions. I am not sure how to comment on a plan that is so vague. Does this plan replace the plan approved in 2023? I am not aware of water being approved for this project. This plan does not follow the form based village street regulating. I am asking you not approve this until the street regulating map, site map, and ordinance are aligned.
4. Felice Quigley, Nordic Valley, UT: I would like to know how this plan can be approved when there is no building heights or other details. The proposed plan is adding 22 units without explanation. The rendering attached to the plan has no specificity to height and number of buildings. What is impact of passing this Ordinance? We need time to review accurate information as to what is going on.
5. Shawna Francis, Eden, UT: I am concerned about the underinflated tax value of the area to be developed as \$12M. I do not know why the golf course was taxed as a greenbelt in the past. That has affected values going forward. It's my understanding Commissioner Froerer still has an investment in this project; I would hope you would recuse yourself.

#### **F. CONSENT ITEMS:**

1. Warrants #103948-104072 and #488402-488557 in the amount of \$3,279,249.05 dated December 24, 2024.
2. Warrants #104073-104099 and #488558-488623 in the amount of \$4,978,633.77.
3. Purchase orders in the amount of \$252,293.40.
4. 2025 purchase orders in the amount of \$134,434.14.
5. Summary of Warrants and Purchase Orders.
6. Contract renewal with Mathew Shechter for an Administrative Law Judge for Employment Appeals.
7. The following Weber County Tax Review Committee recommendations:
  - a. Parcel #08-465-0010 –Approve abatement of taxes in the amount of \$2,289.38 due to secondary charged and primary residence.
  - b. Parcel #22-258-0004 –Approve abatement of taxes in the amount of \$4,649.95 due to secondary charged and primary residence.
  - c. Parcel #09-125-0057 –Deny abatement of taxes in the amount of \$1,473.55 no evidence provided for primary residence.
8. Memorandum of Understanding with Taylor-West Weber Water Improvement District.  
Commissioner Bolos moved to approve the consent items; Commissioner Froerer seconded.

**G. ACTION ITEMS:**

**1. APPROVE FINAL READING OF ORDINANCE 2024-24 ADOPTING THE PROJECT AREA PLAN FOR THE NORDIC VILLAGE COMMUNITY REINVESTMENT PROJECT AREA.**

Lauren Thomas (County Attorney): One change made from the First Reading. The Plan and Budget had clerical errors that were corrected. Statute for the Plan and Budget does not require plan details. Today's Ordinance is just for the Plan and Budget and contain projections only, and is not the governing document for the project.

Stephanie Russell (Economic Development Director): This is a finance tool governed by state statutes that are referenced throughout the project plan and budget. The Development Agreement is the governing document for the project area. The CRA contains projections based on long-term analysis and enables us to figure out what type of agreement we need as it relates to TIF. This CRA has nothing to do with County development codes or the development agreement in place between the County and developer. With the particular project, there is potential for increased density, so the CRA plans for that possibility.

Chair Harvey: John Ulibarri, can you speak to greenbelts and how does it function in the County?

John Ulibarri (Assessor): Greenbelt was enacted by the State of Utah Legislature through the Farmland Assessment Act in 1969. This allows for taxing on its production in lieu of its actual value for properties over 5 acres. Our greenbelt specialist, Angela Hill, will do random audits of the thousands of greenbelt properties.

Chair Harvey: Does Weber County approve water?

Sean Wilkinson: Weber County does not approve water. We rely on the water companies to verify to us that water is available. That happens with each submitted development application. If water is not available and we do not receive approval from the water company, the development does not move forward.

Chair Harvey: Is it lawful to approve projects without water approval?

Chris Crockett: We have to go to what statutory authority is given to the Commission and if it's not one of the requirements, then no. Water is verified at the time of the development process but it is not applicable at this point in the process.

Chair Harvey: And this Ordinance is for the CRA and not for the development process, where water is applicable. And we will not bind the County or put the County in a legal problem by making unlawful decisions.

Commissioner Froerer: Who owns and controls all the water in Utah?

Mr. Wilkinson: The State Department of Water Rights. The County has no ability to grant rights, distribute, change disbursements, etc.

Chair Harvey: There was a question on personal property taxes and where will sales taxes be used.

Ms. Russell: The County does not participate in sales tax increment at all. The tax increment is distributed from personal property taxes. Sales tax is not involved in CRAs at all.

Mr. Wilkinson: I believe the 800 number came from workforce housing and the hotel. The base density agreed to in the development agreement is 565 units. The hotel does not count against the 565 density; neither does the workforce density. There is no density beyond what is covered in the development agreement. The total number in the project plan and budget was 22 units over that 565 and that accounts for potential transfers of density into the resort area allowed by both the Form-based Zone and the development agreement.

Chair Harvey: Most of the questions we are hearing have to do with the development agreement and not the CRA we are discussing today.

Commissioner Froerer: It is clear there is confusion between what we are discussing today for the CRA and the development agreement. Water and density are not part of the equation in the CRA. This is exactly what we did in Snow Basin. This allows them the ability to deal with changes in the future without having to come back for more approvals.

Commissioner Bolos moved to approve Final Reading of Ordinance 2024-24 adopting the Project Area Plan for the Nordic Village Community Reinvestment Project Area; Commissioner Froerer seconded.  
Roll Call Vote: Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer – aye

2. **APPROVE A CONTRACT WITH GSBS ARCHITECTS FOR THE SCHEMATIC DESIGN, DEVELOPMENT, CONSTRUCTION DOCUMENT PREPARATION, BIDDING PHASE, AND CONSTRUCTION PHASE OF THE WEBER COUNTY CORRECTIONAL FACILITY.**

Chief Phillip Reese (Sheriff's Department): I want express gratitude to the teamwork within our County. Mr. Horne and Mr. Clements worked through the minutiae in order to get this here today; to the civil attorneys for their knowledge and guidance; and to the Commission for your ongoing support. This contract is for the schematic design and construction documents for the mental health expansion at the 12<sup>th</sup> Street location. This facility will provide services and protection for some of our most vulnerable individuals in our population.

Commissioner Bolos: I appreciate your compassion in caring for these individuals and making sure the County is caring for these individuals.

Commissioner Froerer: I understand you will be working with Scott Mendoza to coordinate with this architect. That will be great. He has a great operating knowledge of this process.

Commissioner Bolos moved to approve a contract with GSBS Architects for the schematic design, development, construction document preparation, bidding phase, and construction phase of the Weber County Correctional Facility; Commissioner Froerer seconded.  
Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer – aye

3. **APPROVE A CONTRACT WITH WORKSPACE ELEMENTS FOR FURNITURE IN THE NEW CHILDREN'S JUSTICE CENTER BUILDING.**

Rod Layton (CJC Executive Director): I am looking approval for approval of new furniture \$215,819.86. When the CJC started, the furniture was not purchased by the County. Nothing is coming with us from the old building.

Commissioner Bolos: I do not know if I have seen anyone do so much with so little.

Commissioner Froerer: I had the opportunity to preview the new building and I can tell you it is a major step forward from the old building. I am very impressed with the layout. This best reflects how we do take care of those children that come into that facility, how we take care of the parents, and how we try to do so with the least harm to those children. We thank Rod and his group as well as the State for their support. I'm excited as it will be a major step up. Weber County and all of the cities within the County made ARPA contributions up to \$4M so I want to thank all the mayors of those cities.

Commissioner Froerer moved to approve a contract with Workspace Elements for furniture in the new Children's Justice Center Building; Commissioner Bolos seconded.  
Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer – aye

4. **APPROVE A CONTRACT WITH TREPP, INC. FOR VALIDATED INCOME AND EXPENSE INFORMATION FOR COMMERCIAL REAL ESTATE PROPERTIES TO BE PROVIDED TO THE WEBER COUNTY ASSESSOR'S OFFICE.**

John Ulibarri (County Assessor): This contract will provide validating income and expense information for commercial real estate properties. This will allow us to more accurately and equitably value property than we can right now. Three year contract for \$69,355.55.

Commissioner Froerer moved to approve a contract with Trepp, Inc. for validated income and expense information for commercial real estate properties to be provided to the Weber County Assessor's Office; Commissioner Bolos seconded.  
Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer – aye

**H. COMMISSIONER COMMENTS: NONE.**

**I. ADJOURN**

Commissioner Bolos moved to adjourn at 10:59 am.; Commissioner Froerer seconded.  
Chair Harvey – aye; Commissioner Bolos – aye; Commissioner Froerer - aye

Attest:

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James H. Harvey, Chair  
Weber County Commission

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Ricky D. Hatch, CPA  
Weber County Clerk/Auditor