

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

Tuesday, May 11, 2021 – 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, Gage Froerer, and Scott K. Jenkins.

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

**A. WELCOME** - Chair Harvey

**B. PLEDGE OF ALLEGIANCE** - Fátima Fernelius

**C. INVOCATION** - Shelly Halacy

**D. THOUGHT OF THE DAY** - Commissioner Jenkins

**F. CONSENT ITEMS:**

1. Warrants #3842-3864 and #458572-458718 and #83 in the amount of \$609,568.39
2. Purchase orders in the amount of \$73,734.42
3. Minutes for the meeting held on April 20, 2021
4. April ACH payment to US Bank in the amount of \$164,452.37
5. Retirement Agreement with Jami Jaques
6. Amendment to contract with Dicio for a public relations, marketing, and communications consultant
7. Commercial Lease between Weber County Library & Coffee Connoisseur for a Café in the Main Library
8. Commercial Lease between Weber County Library & Coffee Connoisseur for a Café in Pleasant Valley Branch Library
9. Request by Community Development/Property Management to surplus a Fellow paper shredder
10. Contract with the US Forest Service for Weber County Sheriff's Office to assist in law enforcement around Pineview Reservoir and all Forest Service campgrounds in the area
11. New business licenses
12. Utility easement granted to Rocky Mountain Power for the construction and operation of electrical lines on equipment on the Keisel Jail property

Commissioner Jenkins moved to approve the consent items; Commissioner Froerer seconded.

Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

**G. ACTION ITEMS:**

1. **CONTRACT WITH BROKEN HEART RODEO COMPANY FOR THE KICKIN' CORONA HIGH SCHOOL INVITATIONAL AT THE GOLDEN SPIKE EVENT CENTER**

Duncan Olsen, GSEC General Manager, presented this contract.

Commissioner Froerer moved to approve the contract with Broken Heart Rodeo Company for the Kickin' Corona High School Invitational at the Golden Spike Event Center; Commissioner Jenkins seconded.

Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

2. **CONTRACT WITH UTAH STATE UNIVERSITY TO HOLD 4H ENGLISH CLINICS AT GOLDEN SPIKE EVENT CENTER**

Duncan Olsen, GSEC General Manager, presented this contract.

Commissioner Froerer moved to approve the contract with Utah State University to hold the 4H English Clinics at the Golden Spike Event Center; Commissioner Jenkins seconded.

Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

3. **FINAL APPROVAL OF TAYLOR LANDING PHASE 1A, A 28 LOT-CLUSTER SUBDIVISION, INCLUDING ACCEPTANCE OF PUBLICLY DEDICATED RIGHTS-OF-WAY, ACCEPTANCE OF OPEN SPACE CONSERVATION EASEMENT, APPROVAL OF DEVELOPMENT IMPROVEMENT AGREEMENT, & APPROVAL OF A PIONEERING AGREEMENT**

Scott Perkes, of the County Planning Division, showed an area map of this subdivision stating that each lot was clustered together to allow for a total of 12.81 acres of open space for both phases 1A and 1B but that lots for 1B were not currently being platted as the developers work out rights-of-way acquisition. Five phases were proposed. The developers have been working with County Engineering on the improvement plans and on sewer lift station fees to serve all five phases as well as other units in the region. Staff is waiting for the escrow funds and the caveat is that they must be received prior to signing and recording. He addressed Commissioner Froerer's question stating that the Western Weber Planning Commission initially recommended denial of the project based on findings that the proposed design did not prioritize the most prime agricultural land within the subdivision for preservation, but the appeal was overturned by the County Commission. Litigation had also been resolved. Final approval was recommended for phases 1A and 2 by the Planning Commission. He believed that park space would be dedicated as part of a future open space phase. Commissioner Jenkins stated that there was a fair amount of development going on out west, that the county had no provisions for a master plan to provide park space, and that this must be addressed, possibly at the next planning session.

Commissioner Jenkins moved to grant final approval of the Taylor Landing Phase 1A, a cluster subdivision consisting of 28 lots, including acceptance of publicly dedicated rights-of-way, acceptance of an open space conservation easement, approval of a Development Improvement Agreement subject to the developers posting the escrow funds, and to hold the pioneering agreement from today's action; Commissioner Froerer seconded.

Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

4. **FINAL APPROVAL OF THE BARN AT TERAKEE VILLAGE FARMS PHASE 1, A PRUD SUBDIVISION, 36 RESIDENTIAL LOTS (LVT101917)**

Steve Burton, of the County Planning Division, showed the overall development plan and a map of this phase, noting that the name had been changed from Terakee Village to The Barn at Terakee Farms, but it had the same layout, amount of open space, and lots. The conditional use permit for a PRUD was approved by the County Commission on 4/11/2017 and received recommendation for final approval from the Western Weber Planning Commission on 5/14/2019. The developer has been working with the county on requirements. He had given the county \$1,331,610.28 for the improvements. County reviewers had approved this project. Mr. Burton said that a question had arisen about culinary water and that the developer had provided the county with a will serve/capacity letter with Taylor-West Weber Water District (TWW) and had entered into agreements with TWW to ensure that secondary water is provided through Weber Basin, so that culinary water from TWW is not used for secondary purposes. Staff recommended approval with one condition: that if a UDOT right-of-way is used for secondary water purposes, the required approvals must be granted prior to any building permits being issued. This condition is for clarity and to have it on record.

Commissioner Jenkins moved to grant final approval of The Barn at Terakee Farms Phase 1, a PRUD Subdivision, consisting of 36 residential lots; Commissioner Froerer seconded.

Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

5. **FINAL READING TO UPDATE AND CLARIFY CAMPAIGN FINANCE REPORTING FOR COUNTY AND SCHOOL BOARD CANDIDATES – ORDINANCE 2021-13**

Ryan Cowley, County Elections Director, stated that there had been no change from the first reading.

Commissioner Froerer moved to adopt Ordinance 2021-13, final reading to update and clarify campaign finance reporting for county and school board candidates; Commissioner Jenkins seconded.

Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

**H. PUBLIC HEARINGS:**

1.

Commissioner Froerer moved to adjourn the public meeting and convene the public hearings; Commissioner Jenkins seconded.

Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

2. **PUBLIC HEARING TO CONSIDER AND TAKE ACTION ON A REQUEST TO VACATE 5 FEET OF A 10 FOOT PUBLIC UTILITY EASEMENT, LOCATED ALONG PARCEL D6, SUMMIT EDEN PHASE 1D, AMENDMENT (EV2021-05)**

Steve Burton, of the County Planning Division, showed area maps stating that there was no need to vacate the full 10 feet. Notices were mailed and posted. County reviewers had no concerns. State law allows such a vacation if good cause exists and the public interest or persons will not be materially injured.

3. **ORDINANCE TO VACATE A PORTION OF OLD SNOWBASIN ROAD, LOCATED AT APPROXIMATELY 6213 OLD SNOWBASIN ROAD, IN HUNTSVILLE**

Tammy Aydelotte, of the County Planning Division, showed area maps noting that late last year sections of the Road's curve were vacated. The applicant wishes to add the 40,000± vacated portion to his proposed development, and this will still leave a continued 96 total feet for snow storage. Commissioner Jenkins stated that in snowstorms there literally was no room up there on some roads to store snow and that some homes were within 10 feet of the front. He asked if the remaining area was sufficient. Ms. Aydelotte stated that County Engineering had approved previous vacations as well as this one. Gary Myers, County Engineer, stated that he reached out to County Roads and as they looked at how this area was used, plowed, and the snow stored, they felt that it was adequate storage for potential snowstorms. Commissioner Froerer said that when the county vacated the section to the east of this parcel, they looked at the area history and the extra space being discussed for vacation today was slated for an overlook area at some point. However, it was felt that this would never be created into an overlook area, and that it was better to be in private hands. Mr. Myers concurred that it was the initial intent, and that the overlook would probably never happen. He said that this is a natural area for emptying the plow as it rounds the curve and Commissioner Froerer agreed, stating that from studying the topography it did not make sense for someone to build close to that road.

4. Public Comments: None.

5.

Commissioner Jenkins moved to adjourn the public hearings and reconvene the public meeting; Commissioner Froerer seconded.  
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

**6. ACTION ON PUBLIC HEARINGS:**

**H.2-VACATE 5 FEET OF A 10-FOOT PUBLIC UTILITY EASEMENT – ORDINANCE 2021-14**

Commissioner Jenkins moved to adopt Ordinance 2021-14 vacating 5 feet of a 10-foot public utility easement, located along parcel D6, Summit Eden Phase 1D, Amendment. (EV2021-05); Commissioner Froerer seconded.  
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

**H.3-VACATE A PORTION OF OLD SNOWBASIN ROAD – ORDINANCE 2021-15**

Commissioner Froerer moved to adopt Ordinance 2021-15 vacating a portion of the Old Snowbasin Road, located at approximately 6213 Old Snowbasin Road in Huntsville; Commissioner Jenkins seconded.  
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

**E. PUBLIC COMMENTS:** Jennifer Pennington thanked the commissioners for the work they were doing in our county but was deeply disturbed by their support, particularly by Commissioner Froerer, in getting COVID vaccines, stating that there was no informed consent with promoting these vaccines. Their authorization took place under an emergency executive order, which meant they were still in experimental phase and there was no recourse for adverse reactions. Within the last two weeks a North Ogden high school basketball player developed a blood clot after receiving the first jab, someone in her family last week had a stroke after the vaccine who had been in perfectly good health. She asked the Commission to push back hard on the Health Department Board’s agenda. Commissioner Froerer encouraged Ms. Pennington to attend the Health Department Board meetings and give input.

**I. COMMISSIONER COMMENTS:** Chair Harvey referenced today’s State of the County/All Employee Staff Meeting, which was a first of its kind, that it would be broadcast live and recorded and then be available online to the public. Every county department had prepared a video comprising its functions/services to the public.

**J. CLOSED SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF PROPERTY RIGHT OF WATER SHARES**

Commissioner Froerer moved to convene a closed session to discuss the purchase, exchange, or lease of real property, including any form of property right of water shares; Commissioner Jenkins seconded.  
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

Commissioner Froerer moved to reconvene the regular meeting; Commissioner Jenkins seconded.  
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

No action was taken on the closed session.

**K. ADJOURN**

Commissioner Froerer moved to adjourn at 11:29 a.m.; Commissioner Jenkins seconded.  
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – 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