

MINUTES
WEBER COUNTY COMMISSION

Tuesday, March 19, 2019 - 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: Scott K. Jenkins and Gage Froerer. James "Jim" H. Harvey was excused.

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

A. WELCOME – Chair Jenkins

B. INVOCATION – Pastor Dave Mallinak

C. PLEDGE OF ALLEGIANCE – Kristy Bingham

D. THOUGHT OF THE DAY – Commissioner Froerer

E. PUBLIC COMMENTS: Jan Fullmer, of Eden, invited the Commission to an Ogden Valley community meeting on 3/27/2019 to supply Valley residents with factual information, which will have various presentations including one by the Weber Fire District on what homeowners can do for wildfire protection and addressing questions on the large Avon wildfire that started at the gun range this past Labor Day weekend, one by from the Forest Service on their process on requests to expand activity into Forest Service land and an update on their review of the Nordic Valley Ski area to expand into Forest Service land, and a follow-up to the 9/17/2014 community meeting to solicit input from the 220 Valley attendees on what they would like to see in the future development at Wolf Creek Resort. She deeply thanked County Information Technology and County Planning in supplying needed data for that meeting. She addressed Commissioner Froerer's question on the tax notices for Weber Wildlife Federation that she'd given the Commission stating that it was related to the Avon wildfire. She researched who owned the private Avon gun range, and it is owned by a non-profit, and on one of those parcels Weber County taxes had not been paid for 20 years. She wondered if the county in some way is responsible for paying to extinguish that fire.

F. PRESENTATION: RECOGNITION OF THE WEBER COUNTY ELECTIONS DEPARTMENT.

Ricky Hatch, County Clerk/Auditor, said that Weber County Elections received the national annual Cleary Award, presented by the United States Elections Assistance Commission. This was a pleasant surprise to the Elections; they recently found out they were nominated by a former employee and Sheri Newton, from the Disability Law Center, who is also a coordinator of a federal program in Utah that works to get individuals with disabilities engaged in the electoral process. For several years Ms. Newton has observed the Weber Elections team and has noted that they are promoters of good voting policy and students of best practices, and that they are generous to reach out to others with their technical expertise. She thanked them for inviting her to join them in expanding their poll worker pool to include more individuals with disabilities. She has worked with this Elections team on other important issues and they have been very gracious and she has great respect for the Elections team. When the U.S. Elections Assistance Commission, which recognizes vital contributions on the national stage and highlights best practices in elections administration, invited nominations, she had naturally thought of Weber County. She added that Weber's excellence extends beyond serving voters with disabilities and that they establish important collaborations with leaders and ethnic minor groups, Weber State University (WSU), public/private schools, etc. With Shelly Jackson, a former County Elections staff, who was important in providing all the needed resources for the nomination, they nominated Weber Elections to receive the Outstanding Innovations in Elections Administration Award. Ms. Newton is thrilled that they were chosen. Mr. Hatch is very proud of the team, which he introduced. He outlined the extensive list of items that were part of the nomination form that included the long-term ongoing engagement with WSU, participation in youth elections at many schools, after school programs in partnership with the County Library, and the Vote in Honor of a Veteran program. Ryan Cowley, Elections Director, said that it was an honor to be recognized by one's peers and that what they do would not be possible without the great staff, poll workers, and community's involvement. The commissioners congratulated the team stating that it is well deserved.

G. CONSENT ITEMS:

1. Warrants #1724-1735 and #437572-437725 in the amount of \$884,708.64.
2. Purchase orders in the amount of \$408,029.42.
3. Set public hearing for April 2, 2019, 10:00 a.m., to consider and take action on a request to vacate a Weber County right-of-way located at approximately 4700 W. and 5500 S. in Hooper.
4. Set public hearing for March 26, 2019, 10:00 a.m., regarding amendments to the operating and capital budget of Weber County for the 2019 calendar year.
5. Surplus a 1993 Volvo GMC Transport from the Weber County Garage.
6. Request from the Weber County Tax Review Committee to refund \$3,230.79 to Sean Hart Properties, LLC, Parcel #11-409-0006 due to incorrect acreage.

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

Commissioner Froerer – aye; Chair Jenkins – aye

H. ACTION ITEMS:

1. **FINAL READING OF AN ORDINANCE GOVERNING THE USE OF FEES OBTAINED FROM THE RECREATIONAL AREAS OF PINEVIEW RESERVOIR AND CAUSEY RESERVOIR – ORDINANCE 2019-6.**

Holin Wilbanks, of County Economic Development, noted that this is the second reading. It is to setup a restricted account for any fees collected around Pineview and Causey Reservoirs for their improvements only. Commissioner Froerer moved to adopt Ordinance 2019-6, final reading of the ordinance governing the use of fees obtained from the recreational areas of Pineview Reservoir and Causey Reservoir; Chair Jenkins seconded. Commissioner Froerer – aye; Chair Jenkins – aye

2. **INTERLOCAL AGREEMENT WITH SOUTH OGDEN CITY TO FUND THE GOLDEN SPIKE STORM WATER COALITION AND PROVIDING FUNDS FOR HIRING A PROFESSIONAL MANAGER FOR THE COALITION – RESOLUTION 20-2019.**

Blane Frandsen, of County Engineering, said that this is the 10th in the series of cooperative agreements between the county and MS4 cities to complete the State MS4 requirements for stormwater permits.

Commissioner Froerer moved to adopt Resolution 20-2019 approving the Interlocal Agreement with South Ogden City to fund the Golden Spike Storm Water Coalition and providing funds for hiring a professional manager for the Coalition; Chair Jenkins seconded.

Commissioner Froerer – aye; Chair Jenkins – aye

3. **CONTRACT WITH AMERICAN CHARIOT RACING INC. TO HOST THE 2019 AMERICAN CHARIOT RACING WORLD CHAMPIONSHIPS AT THE GOLDEN SPIKE EVENT CENTER.**

Duncan Olsen presented this contract.

Commissioner Froerer moved to approve the contract with American Chariot Racing Inc. to host the 2019 American Chariot Racing World Championships at the Golden Spike Event Center; Chair Jenkins seconded.

Commissioner Froerer – aye; Chair Jenkins – aye

I. PUBLIC HEARING:

1. Commissioner Froerer moved to adjourn the public meeting and convene the public hearing; Chair Jenkins seconded.
Commissioner Froerer – aye; Chair Jenkins – aye
2. **PUBLIC HEARING TO CONSIDER AND/OR TAKE ACTION ON A REQUEST TO VACATE A 10-FOOT PUBLIC UTILITY EASEMENT LOCATED ON THE NORTH SIDE OF LOT 5 OF GALLOP BEND SUBDIVISION.**

Felix Lleverino, of the County Planning Division, stated that the owner of lot 5, Cody Wilder, has a home on the property and wishes to build an accessory structure in the backyard. The site plan that Mr. Wilder submitted showed the proposed structure encroaching into a public utility easement and staff recommended the easement vacating process. Per State statute, the Commission may adopt the ordinance if they find that good cause exists for the vacation and neither the public interest nor any person will be materially injured by the vacation. Planning staff recommends approval and County Engineering made a site visit and also recommends vacating only the north public utility easement. The front and rear easements will remain. There were no existing utilities in this easement.

3. Public comments: None.

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

5. **ACTION ON PUBLIC HEARING:
H2-VACATING 10-FT. PUBLIC UTILITY EASEMENT IN GALLOP BEND SUBDIVISION – ORDINANCE 2019-7**
Commissioner Froerer moved to adopt Ordinance 2019-7 vacating a 10-foot public utility easement located on the north side of Lot 5 of Gallop Bend Subdivision; Chair Jenkins seconded.
Commissioner Froerer – aye; Chair Jenkins – aye

J. COMMISSIONER COMMENTS:

K. ADJOURN

Commissioner Froerer moved to adjourn at 10:50 a.m.; Chair Jenkins seconded.
Commissioner Froerer – aye; Chair Jenkins – aye

Attest:

Scott K. Jenkins, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor



Application for Adjustment, Settlement, or Deferral of Property Tax

For use under
UCA §59-2-1347

Property Owner Information				County Office Information	
Property owner name(s) SEAN HART PROPERTIES LLC				Application received by (Office) on (Date) County Auditor, January 7, 2019	
Property owner address 1045 W 17TH ST		City Ogden	State Utah	Zip 84405	County point of contact (Name) Joe Olsen
Property Information					
Parcel, serial, or account number 11-409-0006			Type of property (e.g., commercial, primary residential, etc.)		
Location or address (Approx) 1581 N 750 W Harrisville, Utah					
Legal description (including acreage)					
Appeal Information					
Briefly explain the situation (attach additional information as required) The parcel was incorrectly identified as having 2.033 acres when, in fact, the parcel has 32,003 square feet, or .73 of an acre.					
Briefly explain the requested action Calculate taxable value and tax based on the correct land size.					
Property Value and Tax Information					
Current year assessed value of property (as shown on valuation and/or tax notice)				\$	
Years Considered	Taxes	Penalty	Interest	Total	
2017	\$ 2587.74	\$ 64.69	\$ 109.12	\$ 2761.55	
2016	\$ 1849.68	\$ 46.24	\$ 218.16	\$ 2114.08	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
Total	\$	\$	\$	\$ 4875.63	
Amount requested as an adjustment to taxes due (May be a retroactive adjustment / refund)				\$	
Amount owner offers in settlement (Attach proposed payment schedule)				\$	
Amount to be deferred (Include written consent of mortgage and/or trust deed holder)				\$	

Attach the following, as directed by the coordinating county office:

- Owner's statement of circumstances & relief request.
- Most recent valuation/tax notice.
- Proposed payment schedule.
- Financial Summary.
- Copies of last 5 years' filings with L.R.S.
- State Form PT-33A, "Agreement of Lien Holder for Deferral or Settlement of Delinquent Taxes".
- Other documentation as required by the County.

Adjustment, Settlement, or Deferral Recommendation		County Decision	
Total interest, penalties, and taxes due	\$ 1644.84	This property tax adjustment / settlement / deferral was (select one): ☒ approved ☐ disapproved by the Weber County legislative body.	
Amount paid	\$ 4875.63	Date: <u>March 19</u> , 2019	
Amount abated (Refund)	\$ 3230.79	Signature: <u>Scott K. Hansen</u> Commissioner	
Amount deferred	\$	Signature: <u>Ricky Hatch</u> Clerk	
Comments Refund calculated for tax years 2016 and 2017. (78B-2-307)			