

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

Tuesday, November 3, 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, Chair, Matthew G Bell and James Ebert.

OTHERS PRESENT: Ricky D. Hatch, County Clerk/Auditor; Courtlan Erickson, Deputy County Attorney; and Fátima Ferneliuss, of the Clerk/Auditor's Office, who took minutes.

A. WELCOME – Chair Gibson

B. INVOCATION – Commissioner Bell

C. PLEDGE OF ALLEGIANCE – Courtlan Erickson

D. THOUGHT OF THE DAY – Chair Gibson

E. CONSENT ITEMS:

1. Purchase orders for \$80,868.38
2. Warrants #326377-#326737 for \$1,011,046.44, less \$140.25 (voided check)
3. Minutes for the meeting held on October 27, 2015
4. New business licenses
5. Request from Weber County Tax Review Committee to approve \$139.69 refund to Rick Mael for a square footage error on Parcel #07-426-0008
6. Severance Agreement with Gary Laird – Contract C2015-383
7. Set public hearing for November 17, 2015, 6:00 p.m., to take input on the Weber County 2016 Budget
8. Set public hearing for November 17, 2015, 6:00 p.m., to take input on a proposed interfund loan between the transportation development fund and the public works fund for the purpose of completing capital projects
9. Set public hearing for December 1, 2015, 10:00 a.m., to amend the Weber County Land Use Code Title 104 (Zones) Chapter 11 (Commercial Valley Resort Recreation Zone-CVR-1) Section 4 (Conditional Uses) by adding brewpub and reception/banquet facilities as conditional uses. Weber County Land Use Code Title 101 (General Provisions) Section 101-7-7 (Definitions) is also being amended by adding a definition for brewpub
10. Amendment to a contract with Bowen Collins & Associates for design related construction support services – Contract C2015-384
11. Amendment to a contract with Utah Central Railway to allow Union Station to park cars on the track at the Transfer Station – Contract C2015-385

Commissioner Bell moved to approve the consent items; Commissioner Ebert seconded.

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

F. ACTION ITEMS:

- 1. INTERLOCAL AGREEMENT WITH THE REDEVELOPMENT AGENCY OF NORTH OGDEN CITY (RDA) TO DEFINE TERMS OF A COMMUNITY DEVELOPMENT PROJECT AREA (CDA) – CONTRACT C2015-386**

Douglas Larsen, Weber County Economic Development Partnership Director, noted that this is to create the Washington Boulevard Community Development Project Area that essentially will run along Washington Blvd. from 2600 N. to about 1700 N. This is a 15-year agreement and the RDA is asking the county to participate at 50% of the new property tax created as a result of this anticipated development over that period. The tax increment will be utilized primarily as an investment in infrastructure. Currently, the county's tax portion generated within the proposed area is about \$69,000/year; it is anticipated to increase to \$200,000/year at the end of the term. The 2014 base year value is \$16,913,911 and the tax increment is based on the taxable value generated above that base year value. Kent Bailey, of North Ogden City, stated that this project is solely within the city. The county will receive no less than it is receiving and stands to gain because of the CDA. He addressed Commissioner Ebert's question by outlining various proposed economic development projects underway by the City.

Commissioner Ebert moved to approve Contract C2015-386, Interlocal Agreement with the Redevelopment Agency of North Ogden City to define terms of a Community Development Project; Commissioner Bell seconded.

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

2. **RIGHT-OF-WAY CONTRACT WITH MICHAEL/NEDRA ATKINSON, PARCEL 55, FOR THE 3500 WEST PROJECT – CONTRACT C2015-387**

Jared Andersen, County Engineer, presented this standard contract.

Commissioner Ebert moved to approve Contract C2015-387 as listed; Commissioner Bell seconded.
Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

3. **RIGHT-OF-WAY CONTRACTS WITH THE FOLLOWING FOR THE 12TH STREET PROJECT:**

Dale/Inez Penrod, Parcels 128, 129, 130 & 176 – Contract C2015-388

Alan/Marie Barrow, Parcel 122 – Contract C2015-389

Warren Irrigation Company, Parcel 19 – Contract C2015-390

Jared Andersen, County Engineer, presented these standard contracts.

Commissioner Bell moved to approve Contracts C2015-388–390 as listed; Commissioner Ebert seconded.
Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

4. **RESOLUTION APPROVING PROCEEDINGS IN EMINENT DOMAIN AS NECESSARY FOR SKYLINE DRIVE RECONSTRUCTION – RESOLUTION 42-2015**

Robert Keller, Attorney with Williams & Hunt, explained that the resolutions in items F.4-6 authorize the filing of a condemnation action at such time that is determined to be necessary. State law requires the governing county body to hold a public hearing allowing property owners affected by a potential action to speak. Some property owners are still negotiating and/or working with the Ombudsman’s Office. The law requires that before the filing of an action occurs that construction be reasonably imminent. The county can authorize negotiations for the acquisition of the right-of-way up to 30 years in the future.

Chair Gibson invited public comments and none were offered. Jared Andersen, County Engineer, stated that of the three property owners remaining on this project—one is out of town and plans to sign the contract and the other two are negotiating some items with the Ombudsman’s Office.

Commissioner Bell moved to adopt Resolution 42-2015 approving proceedings in eminent domain as necessary for Skyline Drive reconstruction; Commissioner Ebert seconded.
Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

5. **RESOLUTION APPROVING PROCEEDINGS IN EMINENT DOMAIN AS NECESSARY FOR 3500 WEST RECONSTRUCTION – RESOLUTION 43-2015**

See above item (first paragraph.) Chair Gibson invited public comments and following is a summary: Dave Carlson, 3500 W. resident, stated that he works out of State and that it is costing him a significant amount of money to be present. He said that dealing with the county thus far has been a comedy of errors and an insult. He was first notified of this project in the fall of 2014 by a flyer on his door. He and his wife went to the meeting where preliminary plans were given and he was told someone would come to their home to speak with them. The Carlsons were in the process of finishing their lot, leveling it, planning pasture, etc., for their horses—investing about \$100,000—and were getting ready to reinstall the north side of the fence, but decided to wait to work with the county. They asked the county for information in October but were told they had to wait for an offer. They were referred to Gale Padgett, a real estate acquisition agent (not an appraiser), and called her, but every time he called he was told an answer might come the following month. Ms. Padgett finally met with them in February, but the contract she brought was a UDOT contract, was cut and pasted, and mostly was incorrect, even the property lines. Ms. Padgett left with a list of 15 questions the Carlsons needed answered and promised an updated contract, which they never received. One thing they had asked was for the county to come out and show them that they could install the fence. This did not occur either. In April a Horrocks Engineer and Blane Frandsen, of County Engineering, came out but could not state for certain where the property lines were without a survey. The Carlsons asked for a survey but were told it was out of the question because it would introduce too many variables into the process. Mr. Carlson needed to know how his property would be impacted and where the property lines would be. It took until June to get a meeting with the Ombudsman and the county. From that meeting, the Carlsons were to research and find an appraiser and the county was to come out and actually show them the property lines and get them an updated offer to correct inconsistencies from the first one. The county did not follow through.

Mr. Carlson said that he then gave up and 90 days later reinstalled the fence on the same line as the previous one. Within an hour of starting setting posts, Mr. Frandsen showed up telling them they were putting the fence on the wrong spot but could not tell him where it should be. Mr. Frandsen had red-tagged their property. During that time, they had to board their horses for 10 months, which cost about \$4000 out of their pocket. Jim Wright, of the Ombudsman's Office, suggested another meeting in September and immediately Mr. Andersen had said he did not believe Mr. Carlson intended to work with the county, which Mr. Carlson did not understand. They had spent money to board the horses, waited 10 months to try to cooperate on the fence's location, they still have 2,000 pounds of rock at their house—unable to finish their landscaping project waiting on the county, and have spent another \$2,000 in irrigation-pumping equipment. They have been trying to cooperate and do not know what more they can do. He knows that the county received the appraisal about a month ago. It is very disturbing to them that the county has not fulfilled its part. They are willing to negotiate but the county has not responded or provided an offer. It appears that County Engineering staff is overworked. He does not know what his rights are now as a property owner. He had asked Ms. Padgett if she was compensated to obtain the lowest price possible and she'd said yes. Mr. Andersen stated that he did not believe this was correct, that she is certified by the UDOT process to perform the ACE (a compensation estimate for property and impacts to the property by a hired right-of-way acquisition agent).

Mr. Andersen said that his office has to document every communication on the projects but did not have that with him and could go print the extensive information and return in 15-20 minutes. Commissioner Ebert said that it was prudent to know which documents to print before printing reams of paper on this project. He noted that some residents have said that there has been no communication and then the commissioners speak with staff and they show them many phone calls, meetings, etc., therefore, that it was important to have both sides coming together in the Commission to clear up miscommunications.

Jessica Peterson, 3500 W. resident, stated that she and her husband have been working with county staff since the notice on the door that the county would be expanding the road. She agrees with many things that Mr. Carlson said. Her property does not fit into the one-size fits all as Mr. Andersen is trying to do. There is an artesian well that will fall within about 2 feet outside of the new proposed lines. They received the first draft appraisal 10 days ago, which was double Ms. Padgett's estimate. Ms. Peterson was here today because she would not sign Ms. Padgett's estimate. She said that county staff decided around October to run some tests on the well to get a baseline. Because it is so close to construction if that artesian well collapses there is no recourse for the Petersons. She still has no resolution for the well. It has been a year and it has taken that long for staff to get professionals out and start the tests. If they had received a fair just compensation offer along with a resolution 10 months ago she would not need to take time off work to be here today nor the four times staff came to their home unprepared. The commissioners can look at the communication record; she has been waiting on the county's timeline. She said that Mr. Andersen made a comment two weeks ago that this is taking too long, that he has a construction schedule. She has been waiting on his schedule, and has been waiting for months on county staff to provide a resolution to the well and just compensation, yet the county is adopting a resolution for an option for eminent domain—the county is skipping a step.

Ms. Peterson asked why the ACE estimates are two to four times less than the appraisal. She said that everyone she knows that had an appraisal done, it has totally surpassed the ACE. She said that Ms. Padgett refused to come and present the estimate to her for obvious reasons, because it was ridiculous.

Mr. Andersen said that he has seen discrepancies by professionals on appraisals, including those without an ACE, but not three or four times as much. If there is big a discrepancy, they check to see if something was omitted from the ACE or first appraisal and send it to UDOT's appraisal reviewer. Commissioner Ebert noted that these are not the county's appraisers and the county does not ask for low appraisals, but is following the required process. Mr. Andersen stated that everyone is entitled to a second appraisal paid for by the county and the residents choose that appraiser from the Ombudsman's Office. If there is a big enough discrepancy, the Ombudsman's Office gets involved. They have an attorney to represent the property owner.

Chad Tolman, 3500 W. resident, said that he met with county staff for the first time last week. Mr. Andersen noted that the county is not requiring any of his property at this time. Mr. Tolman stated that his biggest concern is the stormwater drains that will be piped with concrete and dumped into an overflow ditch just north of his house. That overflow ditch used to run at an angle through his neighbor's property and he has changed the layout of the ditch, which puts a 90 degree bend in it at the back of Mr. Tolman's property. With heavy rains the back of his property floods. With piping this through concrete culverts, it will put that much more water in; it does not allow soaking any water into the ground before it gets to his property, which sits lower than all the surrounding properties. Mr. Frandsen had told him last week that if he had noted this before the project started, he would have possibly looked into installing a flood retention pond. Mr. Tolman wanted to know what he can do so that he can use his property. Mr. Andersen said that Mr. Frandsen will contact Mr. Tolman to work on his issues.

Commissioner Bell moved to adopt Resolution 43-2015 approving proceedings in eminent domain as necessary for 3500 West reconstruction; Commissioner Ebert seconded.

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

6. RESOLUTION APPROVING PROCEEDINGS IN EMINENT DOMAIN AS NECESSARY FOR 12TH STREET UPGRADES – RESOLUTION 44-2015

See above item (first paragraph). Chair Gibson invited public comments and following is a summary: Curtis Nye, 12th Street resident, expressed concerns. When a county staff came to his property the first time and outlined the project, there was discussion about the drain ditch in front of his property. Mr. Nye told that staff that he had culverted that drain ditch 20+ years ago and that he had installed plastic, metal and some concrete pipe into that ditch. Staff had then responded that it would not make any difference because the county was not going to do anything with the ditch. Mr. Nye then received a registered letter from the county stating that it was going to culvert the ditch. Mr. Nye is a waste-water user of that ditch, this is how he irrigates his property. He asked if they culvert the entire ditch how it would change his ability to access the waste-water. He said that he and other residents keep getting different answers as to what the county is going to do or is not going to do. He feels the condemnation process is preliminary, and the county needs to come up with a concrete plan. He would like the county not to proceed with condemnation procedures until that is done. About 1½ months ago a State representative contacted him to conduct a formal appraisal of his property. He had received a bid from the county and thought that it had been based upon an appraisal. He said that apparently it was not because the State came out and conducted an appraisal. He has not heard back from the State and wants to know what that appraised amount is and why the State was involved.

Holin Wilbanks noted that the initial concept plans have progressed overtime. Mr. Nye lives quite far west and is in phase 4 of the project. Drainage has been looked at overall for the project as well as for each property, and a drainage expert, Paul Hirst, of CRS Engineers, is on the project. The team had followed up with Mr. Nye just a few days ago and Ms. Wilbanks will ensure that Mr. Hirst gets back in touch with him. Mr. Andersen explained that the hired right-of-way (ROW) acquisition agents are certified to perform an ACE (which is up to \$10,000). If the estimate comes in over \$10,000 then a first appraisal is required by an agent on UDOT's appraisal list. Once the resolution is adopted, an appraisal is needed for every property—including the properties that once had an ACE. All property owners have the ability to go to the Ombudsman's Office and can choose an appraiser from the list. A second appraisal is done, independent of the first. Mr. Keller stated that if there is an ACE, the county is not required to get an appraisal, but in an effort to be as fair as possible to property owners, has allowed an appraisal, but it is not done by a State appraiser.

Bill Davis, 12th Street resident, asked why they were even here today when the county may not get the funding for three years, and he said that now there are four rather than three phases. He does not want to sell his land now when nothing may be done for three years, at which time his land will be more valuable. According to the county's team, this road is being widened for safety, yet the bridge is not being addressed, and because the road is being widened many of the houses will be too close to the road and the speed limit will have to be lowered to 45 mph. He wanted to know how the county was going to maintain that speed limit of 45 because there is no enforcement now and nor has there been enforcement in the 60 years that he has lived on that road.

Mr. Davis said that if this improvement is for safety that the commissioners needed to go on record as to how they would maintain that speed. He had been on the Planning Commission and the plan does not address widening that road. There have been a lot of planning mistakes made by the county, including with the Larkin property. There are many survey problems in the area and none are being addressed. He asked that with all the mistakes by the county if anyone is ever held accountable or if the county just says it made a mistake and apologizes. If he subdivides his ground, he has to follow regulations, yet a 4-lane highway is being built with houses that are too close to it, and he asked why the county was not putting curb and gutter on this road and follow the rules it dictates to the private sector.

Sean Wilkinson, of County Planning, said that there may be some curb and gutter in individual subdivisions in that area. As a general rule, the county ordinance requires these improvements, however, that ordinance also allows deferral agreements, which are typically what developers ask for, and are granted, depending on where they are located, distance from schools, etc.

Randy Giordano, 12th Street resident, expressed concern that the road basically goes nowhere, that it goes to GSL and Western Zirconium. The road needs to be improved but the AADT (annual average daily traffic) on that road is less than 1,500 cars per day. He wanted to know where the funding was coming from and why it is legal to spend \$30 million on that west corridor when the AADT doesn't warrant it. He asked if the county has standards on AADT. He thanked county staff and the commissioners.

Commissioner Ebert said that Mr. Davis had made the argument for both sides, that there isn't the traffic and the project should not be built, but to wait for the traffic figures is not being responsible to taxpayers. The Commission is planning into the future and receives comments for both sides of the issue. There are multiple reasons for this project, including safety and long-term growth. There may not be the amount of traffic today, but to wait 10 years will increase the costs significantly and the impact to the area residents will be great.

Anna Giordano, 12th Street resident, said that she and her husband are in negotiations with the Ombudsman's Office. The county has been out several times because they have not provided all the information at one time. She recommended for future projects that the county have all the facts before sending staff out. The Giordanos are finally getting a more definitive design in front of their home, but this project not only affects their home, it affects their way of life and their business. They are concerned with drainage, how close this 4-lane road will be to their properties and the diminished property values because they will be so close to a wider thoroughfare. They have received contradicting answers as to the impacts to their property and compensation. The major concerns for the residents are safety, the speed limit and lack of patrolling. She does not accept that there is no place to pull over motorists—it is like saying that they know people are breaking the law but are going to let them until there is a place to pull motorists over. She asked Mr. Andersen to address the speed limit. She feels that if the residents had been approached in a more organized manner that there would not have been all this consternation.

Ms. Giordano said that she is in the 3rd phase but that nothing will happen until 2017 and noted that nothing is being done with the bridge (where most of the problems are) unless the State provides funding. She asked why is the county in such a hurry to go through eminent domain proceedings. Mr. Andersen said that the county is working with many utility companies and has committed to Rocky Mountain Power and Questar Gas to start construction at the start of 2016 to put in utilities from 4700 W. to the main approach for West Zirconium, and paving from the river out to 8300 W. in 2017.

Chair Gibson lives on that road and said that the speed limit has been a challenge. He has heard for many years that the speed limit is too high, and he has also voiced his concerns. This project gives an opportunity to address the concern.

Mr. Andersen said that many residents have voiced that the speed limit is a concern. At the last open house it was noted that the average speed is 62 mph and the posted speed is 50, and there are a lot of speeders. He said that by law the speed can be lowered by 5 mph without doing a traffic study. He would like to commit to lowering it to 45 mph and stepping up enforcement in that area. The improved roadway will provide road shoulders but there are a number of places to pull over motorists currently.

Mr. Giordano said that at the open house he had spoken with the hired designer who told him that with the design of that road the speed limit would have to be lowered to 45 mph. A lot of the houses are too close to the ROW and he was told that for every foot that the road is widened, it brings the ROW into the houses. The commissioners will recommend lowering the speed limit to 45 mph and will work with the Sheriff and make adjustments to the concerns. Commissioner Bell noted that a traffic study could recommend a higher speed limit as well.

Eldon Davis, 12th Street resident, said that the appraisal process has been less than satisfactory for his property. The appraiser did not bring the information he needed for the appraisal—did not bring the plat or survey—and acted in a great hurry to do it. The appraisal stated that the appraiser was not qualified to address the ditches, etc. Mr. Davis expected more professionalism from those hired by the county. Several people present have tractors that drive down that road and it is more dangerous at higher speeds. There are survey problems in that area and it would be helpful to settle some of these issues before proceeding with eminent domain. His appraisal contains two different sets of surveys. Mr. Andersen said that the county hired a professional surveying group that has the supporting backup documents. Mr. Davis asked which survey marker the surveyors are going by because there seems to be a discrepancy in his area; it depends on whether they go from the north or south. Commissioner Ebert said that this is not an uncommon problem that survey lines can differ depending on which end they are drawn from. He asked how far off they are and Mr. Andersen said that there are many variables.

Brent Davis, 12th Street resident, asked if the hired surveyors had been made aware that there are surveying problems in that area and Mr. Anderson responded that they had been told that there are many problems and were asked to do all the necessary research to justify the surveys. Mr. Davis said that on his father's property a stake has been placed a few feet inside of where the property line is and the county is trying to take property that has been theirs all along without compensation. Regarding the speed limit, Mr. Davis' said that the property line will be 9 feet in front of a friend's house, which is not right. He was told initially that his ditch would definitely not be moved. Now he is being told it will be moved, but it will change the flow and put two more elbows in it, which will diminish the flow of his irrigation ditch. To be compensated fairly would be to have his full water flow. He has been told that part of the earth ditch will be addressed. He asked five county employees to talk with his neighbor about moving the ditch and no one has responded to him. Commissioner Ebert asked who were those employees and Mr. Davis responded Paul over engineering, Diane Maguire and the engineer that came with her, Jared Andersen and he believes also Rochelle Pfeaster (however, only the last two are actual county employees). He said that the county continually pushes the residents but will not answer their questions or do what they said they would do. Mr. Davis was very upset the last time they were at a meeting with the three commissioners for the West Weber portion—people were supposed to be given 3 minutes to speak at the end of the meeting but the commissioners would not hear them because they had another meeting. He had taken 4 hours out of his time so he could speak.

Carissa Heaps, 12th Street resident, said that they are quite set back from 12th Street, but this affects their community and their neighbors, and how it feels to drive down their community; it is a big deal. They try to follow the project closely and to be fair but oppose what the county is doing. There are several versions of this project that they could have supported but feel this is way over the top and unfair. Residents were told they were getting road shoulders for safety but it turned into such a huge ordeal. The project could have been done in phases and the residents should have been involved from the beginning and had their concerns heard. The process has been very upsetting on what the county decided to do and how they decided to do it, along with the disorganization and the lack of transparency. The residents got hurt in the process and were broadsided. It was heartbreaking for a couple of months to see the stakes in everyone's front lawns and to envision how close that road would be to their door and where their children would play. They object to the scary close proximity to their friends and neighbors homes' and cannot voluntarily support the acquisition of the 100 foot right-of-way.

Chair Gibson said that they are faced with tough decisions. These are his neighbors and it hurts to see them negatively affected. When he was elected, many present asked him to fix this road. It is a hazard in many ways and needs to be fixed and that decision was made in an open meeting many months ago. The county is trying hard to hear and understand the concerns. He expressed thanks for the comments.

Commissioner Ebert said that if the county can do a better job on these types of projects, they want the input. He said that this is a needed project and he understands that it will have impact on citizens. The county continues to look to the future, to plan and to make difficult decisions. Commissioner Bell spoke of the need for the county to look ahead into the future and be an economic driver, and said that infrastructure needs to be in place. Eminent domain is the very last thing he wanted to have happen.

Mr. Keller stated that Compass Minerals had signed a contract and would be removed from the resolution. Commissioner Ebert moved to adopt Resolution 44-2015 approving proceedings in eminent domain as necessary for 12th Street upgrades, excluding Compass Minerals; Commissioner Bell seconded. Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

7. CONTRACT WITH GRANT MCKAY TO FURTHER ECONOMIC DEVELOPMENT IN WEBER COUNTY – CONTRACT C2015-391

Sean Wilkinson, of the County Planning Division, stated that this is for the demolition of a structure at the County Sheriff’s Complex where the future Juvenile Detention Center will be constructed.

Commissioner Bell moved to approve Contracts C2015-391 with the Grant McKay Company to further economic development in Weber County; Commissioner Ebert seconded. Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

8. FINAL APPROVAL OF THE CHALETS AT SKI LAKE PHASE 8, A CLUSTER SUBDIVISION (16 LOTS) AT 6300 E QUAIL HOLLOW INCLUDING A \$62,754.00 FINANCIAL GUARANTEE FOR SUBDIVISION IMPROVEMENTS. THIS APPROVAL ALSO INCLUDES THE COUNTY SURVEY MONUMENTATION IMPROVEMENT AGREEMENT

Sean Wilkinson, of the County Planning Division, stated that this is the final phase of this subdivision. All requirements have been met.

Commissioner Ebert moved to grant final approval of The Chalets at Ski Lake Phase 8, a Cluster Subdivision (16 lots) at 6300 East Quail Hollow including a \$62,754.00 financial guarantee for subdivision improvements. This approval also includes the County Survey Monumentation Improvement Agreement; Commissioner Bell seconded. Commissioner Bell – aye; Commissioner Ebert – aye (Chair Gibson stepped out for a moment).

9. APPROVAL OF THE WEBER COUNTY 2016 TENTATIVE BUDGET

Scott Parke, County Comptroller, noted that this budget is available online. About \$385,000 of new property tax revenue and \$460,000 of new sales tax revenue are expected; about \$12 million for the Library and \$29 million for various transportation projects were approved through WACOG; \$1.2 million increase in the cost of health care is expected in 2016. The county is one of the few that pays 100% of the cost of employee premiums and cannot continue to do so without making certain changes. Departments have been asked to make a 1% cut on their budgets, there is no money for merit or cola increases in 2016, and capital equipment purchases, maintenance etc., are being delayed. Chair Gibson said that the Affordable Care Act is extremely unaffordable to governments and individuals and has become unsustainable. Commissioner Bell noted that hundreds of hours have been spent on this budget.

Commissioner Ebert moved to approve the County 2016 tentative budget; Commissioner Bell seconded. Commissioner Bell – aye; Commissioner Ebert – aye; Chair Gibson – aye

10. PRESENTATION OF THE 3RD QUARTER INTERIM FINANCIAL REPORT

Scott Parke, County Comptroller, stated that the revenues are about where expected, as well as the expenditures, with two exceptions: District Court mental health evaluations will go over budget. There are savings in other areas to offset this. This is court-mandated and the county does not have control. The Animal Shelter will go over budget due to a change in how their billing is done. Savings in other areas will offset this. No action was needed on this item.

G. PUBLIC COMMENTS: None

H. ASSIGN PLEDGE OF ALLEGIANCE & THOUGHT OF THE DAY FOR TUESDAY, NOVEMBER 10, 2015, 10 A.M.

CLOSED EXECUTIVE SESSION TO DISCUSS STRATEGY RELATING TO PENDING OR IMMINENT LITIGATION

Commissioner Bell moved to convene a closed executive session in the adjoining conference room to discuss pending or imminent litigation; Commissioner Ebert seconded.

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

There was no action taken on the closed executive session.

J. ADJOURN

Commissioner Bell moved to adjourn at 12:38 p.m.; Commissioner Ebert seconded.

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

Attest:

Kerry W. Gibson, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor