



*PUBLIC NOTICE is hereby given that the MORGAN COUNTY COMMISSION will hold a regular commission meeting in the Commission Meeting Room at 48 West Young Street, Morgan, Utah on*

**MORGAN COUNTY COMMISSION MEETING MINUTES**

**FEBRUARY 6, 2024**

**5:00 PM REGULAR MEETING**

**COUNTY COMMISSION**

Commission Chair Mike Newton  
Commissioner Jared Andersen  
Commissioner Matt Wilson  
Commissioner Robert McConnell  
Commission Vice Chair Blaine Fackrell

**OTHER EMPLOYEES**

Commission Executive Assistant Julie Rees  
Deputy Clerk/Auditor Katie Lasater  
IT Director Jeremy Archibald  
Clerk/Auditor Leslie Hyde  
Planning Director Josh Cook  
Planner 1 Jeremy Lance  
County Attorney Garrett Smith  
Interim County Administrative Manager Kate Becker  
Recreation Director Lydia Hebdon  
Recorder Brenda Nelson  
Chief Deputy Sheriff James Wagner  
Fire Marshall Dave Rich  
Fire Warden Dave Vickers  
Fire Chief Boyd Carrigan

**OTHERS IN ATTENDANCE**

Debbie Sessions  
Tina Kelley  
Carey (Lobbyest)  
Chase Freebairn  
Ryan Halverson  
Dionne Halverson  
Mary Everly  
Andy Jensen  
Shad Guffey  
Ernie Durrant  
Paula Miller  
Tom Guffey

**5:00 COMMENCEMENT OF MEETING**

**(A) Opening Ceremonies –**

1. Welcome: Chair Newton
2. Invocation: Commissioner Andersen
3. Pledge of Allegiance: Commissioner Andersen

**(B) Consent Items**

1. Approval of the County Commission Meeting Minutes for December 19, 2023.  
Commissioner McConnell moved to approve the County Commission Meeting Minutes for December 19, 2023 and January 16<sup>th</sup>, 2024.  
Seconded by Commission Vice Chair Fackrell.  
VOTE:  
Commission Chair Newton AYE  
Commission Vice Chair Fackrell AYE

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Commissioner McConnell AYE  
Commissioner Andersen AYE  
Commissioner Wilson AYE  
The Vote was unanimous. The Motion passed

**(C) Commissioner Declarations of Conflict of Interest - None**

**(D) Public Comments –**

**1. Mary Everly**

Development can be great if done correctly. Too much development is happening without the infrastructure being done first. Please consider safety of life when considering more developments.

**(E) Presentations –**

**1. Kate Becker: Interim County Administrative Manager Report**

- a. We have great leadership here in the county.
- b. Asked Commissioners to sign two Thank You Cards: Morgan City who donated chairs for the county and The County Assessor's office donated space for nursing mothers.
- c. Dome project is due in three days. We need a formal extension of the deadline signed.
- d. UDOT will be putting out for bid the environmental study for the Interchange.
- e. I need Calendar updates for the county.

**6:00 BUDGET HEARING: 6:01 pm**

**Leslie Hyde – Discussion/Decision – County/Clerk Auditor**  
Amendment to Morgan County's 2023 Budget.  
Approval of Resolution CR-24-02 amending Morgan County's 2023 Budget.  
There were many departments that stayed on budget.

Commissioner Andersen moved to adjourn public meeting and convene public hearing.  
Seconded by Commissioner McConnell.

VOTE:

Commission Chair Newton AYE  
Commission Vice Chair Fackrell AYE  
Commissioner McConnell AYE  
Commissioner Andersen AYE  
Commissioner Wilson AYE  
The Vote was unanimous. The Motion passed.

**Public Comments: None**

Commissioner Fackrell moved to adjourn public hearing and convene public meeting.  
Seconded by Commissioner McConnell.

VOTE:

Commission Chair Newton AYE  
Commission Vice Chair Fackrell AYE  
Commissioner McConnell AYE  
Commissioner Andersen AYE  
Commissioner Wilson AYE  
The Vote was unanimous The Motion passed.

**ACTION:**

Commissioner McConnell moved to approve Resolution CR-24-02 a Resolution of Morgan County adopting certain amendments to the Morgan County 2023 budget.  
Seconded by Commission Vice Chair Fackrell.

**VOTE:**

Commission Chair Newton AYE  
Commission Vice Chair Fackrell AYE  
Commissioner McConnell AYE  
Commissioner Andersen AYE  
Commissioner Wilson AYE  
The Vote was unanimous The Motion passed.

**(F) Action Items**

**1. Director Lydia Hebdon – Discussion/Decision – Recreation**

- a. A request to allow private donation to fund NEPA study for Fairgrounds Project Phase 1.

The Commission asked Lydia Hebdon to work on the previous grant that was done to prepare it for a new request for grants.

More discussion will be needed for this item.

- The Historical Society has moved to the Train Station. An Open House will be held in June.

**2. Chair Mike Newton - Discussion/Decision – Commission**

- a. A request for Morgan Front Street Festival Funding \$5,000.00 June 1, 2024.

Commissioner McConnell moved to approve the request for the Morgan Front Street Festival Funding in an amount up to \$5,000.00, half to come from the Tourism Fund and half to come from the Library Fund.

Seconded by Commission Vice Chair Fackrell.

**VOTE:**

Commission Chair Newton AYE  
Commission Vice Chair Fackrell AYE  
Commissioner McConnell AYE  
Commissioner Andersen AYE  
Commissioner Wilson AYE  
The Vote was unanimous. The Motion passed.

**3. Kate Becker - Discussion/Decision – Interim County Administrative Manager**

- a. CR-24-03, A request to approve a resolution to amend the County Employee Handbook to define Stipends and County-owned phone use.  
b. This resolution will bring clarity to the procedure of who should receive a stipend and how it should be paid out.

The Commission would like to postpone this item until after the Management Meeting so that the Elected Officials and Heads of Departments can share with the Commission how this policy will affect their department and their budgets.

Commissioner Fackrell moved to postpone this item until the next meeting February 20<sup>th</sup>, 2024.

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Seconded by Commissioner Wilson.

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

4. **Kate Becker** - Discussion/Decision – Interim County Administrative Manager
  - a. CR-24-04 A request to add a policy to the County Employee Handbook in reference to County Assets being used in Funeral Processions of County Employees.

Commission Vice Chair Fackrell moved to approve Resolution CR-24-04.

Seconded by Commissioner Wilson.

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

5. **Kate Becker** - Discussion/Decision – Interim County Administrative Manager
  - a. CR-24-05 A request to pay out in a one-time action the compensatory hours of employees whose limit exceeds that allowable in the County Employee Handbook.

There are 5 employees that need to be paid out for compensatory time. The Sheriff should have been paid out before he moved from an employee to an Elected Official. He was not.

Commissioner McConnell moved to approve Resolution CR-24-05 a resolution of Morgan County to pay off the compensatory hours of certain employees identified in the resolution.

Seconded by Commission Vice Chair Fackrell.

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

6. **Kate Becker** - Discussion/Decision – Interim County Administrative Manager
  - a. CR-24-06 A request to approve the language of the County's Privacy Policy Statement for County Websites.

Commissioner McConnell moved to approve Resolution CR-24-06 a resolution of Morgan County approving the language of the County's privacy policy statement for the County Website.

Seconded by Commission Vice Chair Fackrell.

VOTE:

Commission Chair Newton AYE

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Commission Vice Chair Fackrell AYE  
Commissioner McConnell AYE  
Commissioner Andersen AYE  
Commissioner Wilson AYE  
The Vote was unanimous. The Motion passed.

**BUDGET HEARING HAPPENED HERE BETWEEN ITEM 6 & 7 AT 6:01 PM.**

- 7. Kate Becker - Discussion/Decision – Interim County Administrative Manager**  
a. CR-24-07 A request to amend the County Employee Manual modifying the number of hours allowed to accrue in compensatory hours specific to emergency service personnel.

The Sheriff's office would like to raise the Compensatory Time to meet their two-week hours of 86 hours. The Commission would like to have more discussion on this topic before it is passed.

Commissioner Vice Chair Fackrell moved to postpone this item until the next meeting February 20, 2024.

Seconded by Commissioner McConnell.

VOTE:

Commission Chair Newton AYE  
Commission Vice Chair Fackrell AYE  
Commissioner McConnell AYE  
Commissioner Andersen AYE  
Commissioner Wilson NAY

The Vote was 4 AYE, 1 NAY. The Motion passed.

- 8. Jeremy Lance/Josh Cook - Discussion/Decision – Planning Department**  
a. CW Land Co requests approval of the Range FINAL PLAT (renamed from the Concept Plan-Warner West) a proposed subdivision of 43 acres and larger lots. Owner Paul & Beverly Warner Family Trust. Location: Approx. 6651 Trappers Loop Rd.  
b. Staff has reviewed and finds that this project meets all minimum requirements and recommends approval.  
c. CW Land is excited to get this going for the community.

Commissioner Andersen moved to approve the Range Phase 1 and 2 Final Plat, application number 23.035, for a 43-lot subdivision of land located at approximately 6651 Trappers Loop Road in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated February 6, 2024.

Seconded by Commissioner McConnell.

VOTE:

Commission Chair Newton AYE  
Commission Vice Chair Fackrell AYE  
Commissioner McConnell AYE  
Commissioner Andersen AYE  
Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

- 9. Garrett Smith – Discussion/Decision – Attorney**  
a. Approval of an Interlocal Agreement between Morgan County and The Board of Education of the Morgan School District regrading law enforcement services provided in the schools by the school resource officers.

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Commissioner McConnell moved to approve the agreement between The Board of Education of Morgan School District and Morgan County for law enforcement services with the changes noted by the County Attorney.

Seconded by Commission Vice Chair Fackrell.

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

10. **Kate Becker** - Discussion/Decision – Interim County Administrative Manager
- a. CR-24-08 A policy amendment of the County Employee Manual modifying the maximum number of vacation hours an employee is allowed to accumulate.

Commissioner Wilson moved to postpone this item until the next meeting February 20<sup>th</sup>, 2024.

Seconded by Commission Vice Chair Fackrell.

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

11. **Commissioner Matt Wilson** – Discussion/Decision – Commission
- a. GEO Tech Ordinance discussion
  - b. GEO hazards, habitable space requires this to be done. GIS maps shows known hazards already, this would eliminate need for geologist to do testing.

Commissioner Wilson moved to direct the Planning Commission staff to look at this Ordinance and discuss changes needed.

Seconded by Commissioner Andersen.

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

**(G) PUBLIC HEARINGS**

1. **Josh Cook** - Discussion/Decision – Planning Department
  - i. Guffey Rezone  
Request to rezone property zoned Agriculture (A-20) to Rural Residential 5-acre minimum (RR-5) and reflect that change on the Future Land Use Map from Agriculture to Ranch Residential 5. The property is identified by parcel # 00-0001-1195 and serial # 01-003-410-11 and is located at 4950 and 4964 S Hwy 66 near Porterville. Owner Tom Guffey.  
Staff conducted a review and is recommending approval.

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Commission Vice Chair Fackrell moved to adjourn public meeting and convene public hearing.

Seconded by Commissioner Andersen.

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

**Public Comments:**

1. Ryan Halverson

a. We have concerns about this project going forward.

b. Why were two homes allowed to be built on one lot at this property.

c. We are concerned that they are working to turn this into a recreational property.

d. We want to protect the peaceful use of our property.

Commissioner Andersen moved to adjourn public hearing and convene public meeting.

Seconded by Commissioner Wilson.

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson AYE

The Vote was unanimous The Motion passed.

**ACTION:**

**First motion was withdrawn by Commission Vice Chair Fackrell.**

Commissioner Wilson moved to approve the Guffey Rezone, application number 23.089, changing 10 acres with a rezone changing from A-20 to RR5, and an amendment to the Future Land Use Map from Agriculture to Ranch Residential 5, based on the findings listed in the staff report dated February 6, 2024.

Seconded by Commissioner Andersen.

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen Absent

Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

Recess:10 minutes.

**Commissioner Andersen left the meeting, not returning for the rest of this meeting.**

2. **Josh Cook - Discussion/Decision – Planning Department**

a. The Morgan County Fire Dept (MCFD) proposes an ordinance adding residential fire sprinkler system requirements to Title XV Chapter 152: Fire Prevention and Protection.

b. This ordinance has been worked on for a month.

c. Planning Commission worked on this item at the January 11<sup>th</sup> 2024, Planning Commission meeting.

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d. Fire Chief Boyd Carrigan answered questions.

Commissioner Wilson moved to adjourn public meeting and convene public hearing.  
Seconded by Commissioner McConnell.

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen Absent

Commissioner Wilson AYE

The Vote was 4 AYE, 1 Absent. The Motion passed.

**Public Comments:**

1. Jon Cannon

- a. This is a good thing but I do have one concern. The sprinkler's do have inherit issues. The damage caused when the sprinklers fail can be great. Does the benefit out way the cost and risk?

2. Tina Kelley

- a. This is an expansion of the ability to use your property. This will help you meet state code.

Commissioner McConnell moved to adjourn public hearing and convene public meeting.  
Seconded by Commission Vice Chair Fackrell.

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen Absent

Commissioner Wilson AYE

The Vote was 4 AYE, 1 Absent The Motion passed.

**ACTION:**

Commissioner Wilson moved to postpone this item until the next meeting February 20<sup>th</sup>, 2024.

Seconded by Commission Vice Chair Fackrell.

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen Absent

Commissioner Wilson AYE

The Vote was 4 AYE, 1 Absent The Motion passed.

**3. Josh Cook - Discussion/Decision – Planning Department**

- i. **Request approval of text amendments to modify 155.312** Every Dwelling To be On A Lot; Exceptions. This amendment will add language into Morgan County Code to allow property owners to build a new home then demolish an existing home upon completion of the second home.

Commissioner McConnell moved to adjourn public meeting and convene public hearing.  
Seconded by Commission Vice Chair Fackrell.

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

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Commissioner McConnell AYE  
Commissioner Andersen Absent  
Commissioner Wilson AYE  
The Vote was 4 AYE, 1 Absent. The Motion passed.

**Public Comments:** None

Commissioner McConnell moved to adjourn public hearing and convene public meeting.  
Seconded by Commissioner Wilson.

VOTE:

Commission Chair Newton AYE  
Commission Vice Chair Fackrell AYE  
Commissioner McConnell AYE  
Commissioner Andersen Absent  
Commissioner Wilson AYE  
The Vote was 4 AYE, 1 Absent. The Motion passed.

**ACTION:**

Commissioner McConnell moved to approve the revision to Morgan County Code Section 155.312 to add language into Morgan County Code to allow property owners to build a new home then demolish an existing home upon completion of the second home based on the text listed in Exhibit "A" of the staff report dated February 6, 2024 with the changes noted in our meeting tonight.

Seconded by Commission Vice Chair Fackrell

VOTE:

Commission Chair Newton AYE  
Commission Vice Chair Fackrell AYE  
Commissioner McConnell AYE  
Commissioner Andersen Absent  
Commissioner Wilson AYE  
The Vote was 4 AYE, 1 Absent. The Motion passed.

**Commissioner Comments**

- Commission Chair Newton
  - Update on a Wasatch Integrated Waste is moving towards a recycling program that will be starting in Morgan County. I would like to invite them to come to an upcoming meeting to report. Next Work Session.
  - Met with UDOT about the Croydon bid project. Originally cost estimate 2.3 million bid when this project started. When it is done it will be over 10 million. We will have to contribute 6% of all costs. Which we have already paid most of the match.
- Commission Vice Chair Fackrell
  - Broadband Challenge state wide. We need more speed tests done. Go to our website and go to Broadband Challenge.
  - Why don't we have electronic billboards? Billboards are not allowed anywhere in the county.
- Commissioner McConnell
  - YCC Gala will be February 29<sup>th</sup>, 2024 at the Monarch at 5pm. The Commissioners approved this request for the county to buy a table at this event.
- Commissioner Wilson
  - Whitaker Construction took a sample of the dirt and they will take it all.

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- Commissioner Andersen
  - Absent

Commissioner Wilson moved to go into a closed session to discuss Collective Bargaining.  
Seconded by Vice Chair Fackrell.

**Those in attendance at the Closed Session:**

Garrett Smith  
Kate Becker  
Matt Wilson  
Mike Newton  
Robert McConnell  
Blaine Fackrell  
Katie Lasater  
Julie Rees

Commissioner Wilson moved to go out of a closed session where they discussed Collective Bargaining and the Character and Professional Competence of an individual.  
Seconded by Commissioner McConnell.

**Adjourn – Mike Newton 9:50 pm**

*Note: The Commission may vote to discuss certain matters in Closed Session (Executive Session) pursuant to Utah Code Annotated §52-4-205.*

APPROVED Mike Newton

Date 2/26/2024

County Commission Chair Mike Newton

ATTEST Leslie Hyde, Deputy

Date 2/20/2024

County Clerk/Auditor Leslie Hyde