

MORGAN COUNTY COMMISSION MEETING MINUTES



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.

Notice: Commissioner McConnell may be participating virtually

MORGAN COUNTY COMMISSION MEETING MINUTES

July 16th, 2024

4:00 PM WORK SESSION & 5:00 PM REGULAR MEETING

Action Item(s) that includes Public Hearing(s) will be held at or after 6:00 PM

COUNTY COMMISSION

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

OTHERS IN ATTENDANCE

Debbie Sessions
Tina Kelley
Vaugh Nickerson
Erin Bott
Kate Dickman
Haley Johnson
Ray Nettleton
Kelly Rees

OTHER EMPLOYEES

IT Director Jeremy Archibald
Administrative Manager Kate Becker (CAM)
Clerk/Auditor Leslie Hyde
Deputy Clerk/Auditor Katie Lasater
County Attorney Garrett Smith (CA)
Planning Director Josh Cook
Planner 1 Jeremy Lance

4:06 WORK SESSION

1. Open Meeting Act Training
 - a. Item wasn't discussed, it has been implemented and briefly discussed in prior meetings.
2. Commission Meeting Rules and Procedures
 - a. The CA introduced this item. The Commissioners discussed what they would like implemented and what is allowed or needed to be implemented.

5:04 COMMENCEMENT OF MEETING

(A) Opening Ceremonies –

1. Welcome: Chair Newton
2. Invocation and/or Moment of Reflection: Commissioner Andersen
3. Pledge of Allegiance: Commissioner Andersen

(B) Consent Agenda Items

1. Approval of the County Commission meeting minutes for July 2nd, 2024.
2. Approval of the County's 2023-2024 Opioid Report
3. Approval of the County's FY 2024 Governor's Office of Economic Opportunity Rural Grant APP-082327

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4. Approval of the County's FY 2024 Governor's Office of Economic Opportunity Rural Grant APP-089577
5. Approval of the County's FY 2022 Year 3 Governor's Office of Economic Opportunity Rural Grant Program Part B APP-089535
6. Approval of the County's 2023-2024 Transient Room Tax Report
7. Approval of the Morgan County Library's Strategic Plan
8. Approval of the Morgan County Library's Hotspot Lending Agreement
9. Approval of the Morgan County Library's Circulation Policy
10. Approval of the Morgan County Library's Collection Development Policy
11. Approval of the Morgan County Library's Building Use Policy
12. Election of the Morgan County Commission to follow the required contribution rates for both members (employees) for all systems as prescribed by the Utah Retirement Systems Pension Plan (URS)
13. Approval of **Resolution CR 24-69** outlining the amended terms with the United States Department of Agriculture: Forest Service for lease of the Morgan County owned Airport Hangar.
14. Approval of the County Auditor's response to 2023 Audit findings
15. Approval of the Morgan County Generative Artificial Intelligence (GenAI) Usage Policy as required by HB 491

Commissioner Fackrell motioned to approve the consent agenda items removing 7, 14 to action items, and item 15 removed completely.

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.

(C) Commissioner Declarations of Conflict of Interest

- Commissioner McConnell has a conflict of interest with item 8.

(D) Public Comments (please limit comments to 3 minutes)

- None.

(E) Presentations

1. Introduction of Haley Johnson as the new Morgan County Fair Coordinator
 - a. Haley has been hired and will be in charge of running the fair starting next year. Tickets are open for the rodeo on our website.
2. Morgan Cares: A local group working with school aged kids to help prevent bad behavior by focusing on their good behavior and positive interactions. (Moved prior at the beginning of meeting.)
 - a. Kate Dickman was hired with Weber-Morgan Health and she is here with youth from Morgan Cares. They are a community based youth committee focused on supporting healthy lifestyles and connection for our community, families and

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individuals, they focus on prevention efforts directed towards substance misuse as well as offering mental health resources.

(F) Action Items

- **(Consent item 7)** Approval of the Morgan County Library's Strategic Plan
 - a. Library Director presented this stating that it is a strategic plan of goals they would like to accomplish that is required by the State to remain as a certified library. The plan is set for a 5 year period every 5 years and are able to accomplish most goals in these plans.
 - b. Commissioner Fackrell mentioned he would like to implement goals that include Mountain Green.

Commissioner Fackrell motioned to approve the Morgan County Library's Strategic Plan.

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.

- **(Consent item 14)** Approval of the County Auditor's response to 2023 Audit findings
 - Commissioner Fackrell requested this be postponed as the audit report hasn't come before the Commission.

Commissioner Fackrell motioned to postpone this item to our next meeting in August.

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.

1. Hon. Leslie Hyde – PUBLIC HEARING/Discussion/Decision – Morgan County Clerk/Auditor

Resolution CR 24-68 Approving Amendments to the 2024 Morgan County Budget.

- a. Clerk/Auditor presented the budget amendments, some department budgets budgeting for grants and amending funds, we also have our tax rates that will be adjusting some of our funds to Commission for 2nd quarter.
- b. The Commissioners addressed and had a discussion with Public Works Director on some of his projects and budgets for those projects.

Commissioner Fackrell motioned to close the public hearing 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.

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- Tina Kelley from MTN Green had a question regarding the budget, specifically about the SRO officer. She stated many budget items pertain to this, she was of the understanding that the school district was supposed to cover all or part of the costs. She asked for clarification on this.

Commissioner Andersen motioned to close public hearing and reconvene public meeting.

Seconded by Commissioner 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.

- CAM addressed Tina Kelley's question stating we increased the budget to include the addition of another SRO officer. Although the school district is funding this expense, we had not previously budgeted for it. This adjustment reflects both the income from the school district for the increased contract and the related expenses, totaling \$180,000 as agreed at the beginning of the year.

Commissioner Fackrell motioned to approve Resolution CR-4-68 approving the budget amendment for the 2024 Morgan County budget.

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.

2. **Bret Heiner & Jon Cannon – Discussion/Decision – Morgan County Fair Rodeo**

Resolution CR 24-70 Approving a donation to the Morgan Fair Rodeo

- a. Bret Heiner presented to Commission to help provide a donation to the Morgan Fair Rodeo.
- b. Chair Newton added they have budgeted for this.

Commissioner Wilson motioned to approve Resolution CR-24-70, a donation of \$6,000 to the Morgan County Fair Rodeo, this has already been approved in the budget.

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.

3. **Hon. Jared Andersen – Discussion/Decision – Morgan County Commissioner**

Awarding of the RFP for Environmental Phase I study of the Morgan County Fairgrounds.

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- a. Commissioner Andersen introduced this item stating We received two proposals in response to our RFP for the Wetland and Environmental Study for the Fairgrounds Park area. The next step in the RFP process is to evaluate these proposals based on cost, experience, and other criteria. Once the evaluations are complete, we will select one proposal for approval.
- b. Commissioner Fackrell asked for clarification on what funds this would come from.
- c. Commissioner Andersen and CAM clarified it would be from our own funds, we don't currently have grant monies for this. CAM clarified that we do have private donor money of about \$20,000.
- d. CAM and the Commissioners will get a group together to discuss and review this.

ITEM NOT VOTED ON.

4. Hon. Morgan County Commission – Nomination/Appointment of citizen(s) to the Planning Commission

Resolution CR 24-35 Nomination & Appointment of citizen(s) to the Morgan County Planning Commission At-Large.

- a. Commissioner Fackrell would like the Commission to consider Chris Jensen. He was in attendance and the Commission asked questions about what interests Mr. Jensen for this seat.
- b. Chair Newton stated we have 2 at large seats.
- c. Chair Newton and Commissioner Andersen would like to nominate Blaine Murray from Mountain Green.
- d. Commissioner McConnell is in agreeance to nominate Blaine Murray.

Commissioner Andersen motioned to nominate Blaine Murray for one of the at-large seats for the Morgan County Planning Commission.

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.

Commissioner Wilson motioned to postpone the nomination of the one other at large seat until next meeting.

Seconded by Commissioner 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.

5. Josh Cook – Discussion/Decision – Planning & Development Department

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Request for approval of a text amendment to modify the Morgan County Code Subdivision Section incorporating changes from SB 174.

- a. Planning Director introduced this stating the state legislature modified how subdivisions are to be handled through changes in the state statute, reflected in SB 174. This bill mandates that the county adopt subdivision regulations into our zoning ordinance. SB 174 is specifically limited to single-family residential, two-family, and townhome subdivisions, and it only applies to areas not identified as Geohazard zones according to our geohazards map. As a result, its applicability is quite restricted. The issue at hand is that tonight's meeting was supposed to include a public hearing on this matter, but it was not reflected on the agenda. He recommended postponing this discussion to the next meeting to ensure the agenda is correctly reflected. All other notification requirements for a public hearing have been met.
- b. Commissioner Fackrell asked for clarification on this code and what applicable zones does this code apply to.
- c. Planning Director stated this regulation applies to any subdivision that creates single-family subdivisions, two-family subdivisions, or townhomes. It encompasses all residential zones, from MU160 to R18, including multifamily zones like RM7 and RM15. However, the state's changes are extremely limited in scope. This subdivision review method is only applicable if the subdivision involves single-family, two-family, or townhomes and is not located in a Geohazard area.

Commissioner Fackrell motioned to postpone this item until our next meeting.

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell ABSENT

Commissioner Andersen AYE

Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

6. Josh Cook – Discussion/Decision – Planning & Development Department

Amendment of Ordinance CO 10-09 An ordinance of Morgan County Amending Rules and Regulations governing operation and use of the County Airport.

- a. Commissioner McConnell would like this item postponed. The rest of Commission agreed.

Commissioner Wilson motioned to postpone item 6 until our next meeting.

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.

7. Josh Cook – Discussion/Decision – Planning & Development Department

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Resolution CR 24-71 approval of a contract between Shumscoda and Morgan County (specifically the Planning and Development Department) for building inspections and plans review.

- a. Planning Director introduced this, they propose hiring a second building plan reviewer due to the high volume of building plans and some issues with the current review process of OWC3E. Instead of going through an RFP, Shumscoda responded with a contract proposal. After reviewing it, we believe it is fair. While primarily intended for plan reviews, Shumscoda may also assist with emergency inspections as needed.
- b. Building Official added when they assess permit fees, a portion is allocated for plan review. They collect this money, and then the plan reviewer bills them for their portion, which we pay. This is the same process we use with WC3. They have not committed to providing building inspections. He asked for a bid on that service, but they were not confident they could supply an inspector regularly. They would only be available on an as-needed basis without specific time commitments. Given Planning's workload, especially with single-family dwelling units, he stated they will need assistance. Last year, they issued 130 permits for single-family homes, nearly three times our previous average. As of last week, they have already issued 107 permits this year, indicating a very busy year ahead.
- c. Commissioner Andersen questioned if this would at some point require a full time position.
- d. Building Official responded to this stating they promoted Mickelle to be a plans examiner with the goal of her becoming certified as a building inspector, which she is eager to do. She is committed to completing her training by the end of September. There are four areas of certification required to become a fully licensed inspector. Currently, she is working on the building certification, which would allow her to inspect the majority of our projects, including footings, foundations, and framing.
- e. CAM added that she has reviewed the WC3 contract for a plan reviewer and building official. The current contract in front of you offers a rate that is \$10 less per hour and \$5 less per hour for fire and clerical services.
- f. CA added he had one minor edit on Exhibit B: an unnecessary "EY's" that should be removed. Regarding termination, the terms are 15 days' notice or immediate termination with cause. The contract includes indemnification and confidentiality clauses, and all materials produced will be owned by the county. Overall, the standard provisions appear satisfactory.

Commissioner Fackrell motioned to approve the resolution CR-24-71, approving the contract between Shumscoda and Morgan County.

Seconded by Commissioner Wilson

VOTE:

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

The Vote was unanimous. The Motion passed.

8. Josh Cook – Discussion/Decision – Planning & Development Department

Nettleton CUP: A request for approval of a Conditional Use Permit (CUP) for a reservoir to provide needed water pressure for the Cottonwoods Development that is identified as parcel number 00-0092-3775 and serial number 07-005-106-02 and is approximately located 3,000 feet southeast of the Mountain Green Elementary School in unincorporated Morgan County.

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- a. Applicant Ray Nettleton was present for the Commissioners. And addressed their questions. They discussed Cobblecreek, the reservoir below the one we're proposing, which is classified as high hazard due to surrounding homes, despite being built to high standards. Silver Lake Reservoir and Northwest Reservation Irrigation Company's dam are also high hazard dams, but there's no imminent issue. Further, on page one, item C of our packet, we held a meeting with Utah dam safety personnel. Our engineer collaborated with them to review our proposal. On October 2023, state engineer Everett Taylor indicated that our dam would be classified as low hazard because any breach would flow downstream into Cobblecreek Reservoir, which can contain the entire 14 acre-feet of our proposed reservoir. This demonstrates that our reservoir will not impact the larger downstream reservoir. A low hazard classification means we do not need formal plan submission or oversight from Utah dam safety; however, design and drawings must be submitted for informational purposes only. This application is attached to the memorandum. Regarding concerns about diverting the non-perennial stream, which flows only in the spring, our engineer's drawings show a diversion structure on the northwest portion of the site. This structure channels all drainage around the reservoir through an engineered channel, ensuring we do not collect water unless authorized by our water rights. This addresses concerns about water diversion around our reservoir. He also added that they have sufficient water rights for the reservoir and are prepared to defer to the Department of Natural Resources for authorization. We own a percentage of the pipeline flow, which we will use to fill the reservoir. Regarding the conditional use permit, if issued with an expiration period, we request consideration for a longer timeframe, ideally three to five years, due to uncertainties in our project timeline. We are committed to meeting all engineering and geotechnical requirements from the outset. Regarding the site plan review, a previously approved tank has been inspected and approved by the Department of Drinking Water. It awaits installation pending demand. Once operational planning commences, we will integrate the tank's site plan with the reservoir and roadworks. Our geotechnical study, similar in topography and soil composition to the tank's, indicates low risk, although a more detailed review is planned to finalize the design up to 30%.
- b. Commissioner Andersen asked for clarification on the culinary water tank and if it is different than the secondary water they're collecting off the mountain.
- c. Applicant addressed this stating they're not extracting water from the mountain; instead, this reservoir will function as a regulating reservoir for transferring and holding water. His understanding is that up to 72 hours of storage is permissible without specific rights. They will coordinate with the Department of Natural Resources to confirm compliance. Their current water flow allows for storage of up to five acre-feet for 72 hours. Until authorized to store the full 14 acre-feet, we intend to utilize this five acre-foot regulating capacity.
- d. Commissioner Andersen asked if the project is situated in a drainage area, but designed so that water will bypass the reservoir. And would its primary function be to store water brought in for temporary holding purposes.
- e. Applicant stated the reservoir is positioned at the same elevation as the culinary tank to ensure it provides equivalent pressure to the upper phases of the cottonwoods, matching the head pressure of the culinary tank for secondary water distribution.
- f. Planning Director stated he recommends a review of the conditional use permit every one or two years, where Mr. Nettleton provides updates on the project's progress. Even if he anticipates a longer timeline of three, four, or five years, a biennial review would ensure regular updates to the commission.

Commissioner Andersen motioned to approve the Nettleton cobble Creek Reservoir, CUP application 23.088. Identified by serial number 07-005-106-02 and parcel ID number 00-0092-3775 located approximately 3000 feet southeast in the Mountain Green Elementary School in unincorporated Morgan County, based on findings and with the conditions listed in the staff report dated July 16 2024. With the condition that the one year review time be changed to two year.

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Seconded by Commissioner Fackrell

VOTE:

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

The Vote was unanimous. The Motion passed.

9. Hon. Garrett Smith – Discussion/Decision – Morgan County Attorney

Request for consent of assignment and assumption of Lease regarding Aircraft Hangar Plot GG2 of the Morgan County Airport Master Plan.

- a. CA introduced this stating paragraph four of the lease discusses subleasing and requires prior written approval from the county commission for any assignment or sublease of the premises. This requirement addresses past challenges where lessees sought permission after finalizing agreements, which technically violates lease terms. The assignment and assumption document, effective since July 22 of last year, formalizes the transfer of lease obligations from DD Cooper Properties to Winnies Hangars, LLC. This document ensures that all lease terms are upheld by the new lessee. Morgan County has reviewed and consented to this assignment, confirming that Winnies Hangars, LLC understands and complies with lease terms, including rent payments. Moving forward, efforts will be made to obtain county consent prior to lease execution to align with the lease's subletting terms outlined in paragraph four.
- b. Commissioner Fackrell asked if there are any penalties for the original person for subleasing it before they got it approved.
- c. CA stated there is not any penalties written into the lease itself due to the minimal cost per leasable square feet.
- d. Commissioner Wilson added that he suggests holding off on immediately making hangars available for sale, as many local residents may express interest. It doesn't sit well with to offer them cheaply to residents and then seek profit later. This is his personal perspective on the matter.

Commissioner Andersen motioned to approve the consent assignment and assumption of release regarding aircraft hangar plot GG2 of the Morgan County Airport Master Plan.

Seconded by Commissioner Wilson

VOTE:

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

The Vote was unanimous. The Motion passed.

10. Kate Becker – Discussion/Decision – Morgan County Administrative Manager

Resolution CR 24-72 approving to extend the agreement with HR Services INC for additional hours of Human Resources Support.

- a. CAM introduced this stating that the company has been great in helping us, however we have capped out on hours, we need more hours to continue receiving their services. Which would be \$5,000.

Commissioner Fackrell motioned to approve CR-24-72 extending the agreement with HR Services INC for

Seconded by Commissioner Wilson

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VOTE:

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

The Vote was unanimous. The Motion passed.

11. Kate Becker – Discussion/Decision – Morgan County Administrative Manager Request to purchase florescent light filters for office spaces within the County Administration Building.

- a. CAM introduced this stating offices in the building are experiencing migraines due to the lighting, the covers for the lights is cheaper than replacing them, it would cost \$3,806.16. This option is the cheapest solution to the problem at the moment.
- b. Chair Newton stated we should take the funds from capital improvement if we have it and if not to take it from the general fund.
- c. CAM added we may not have enough in capital improvement due to the Sheriff's clerical office is in the process of being redone for security improvement reasons.
- d. Chair Newton added we should take the funds from the capital improvement and we can do a budget adjustment to move some from the general fund to there if we need.

Commissioner Wilson motioned to approve the \$3,086.16 for light filters and or replacement for fluorescent lighting for Morgan County Administrative offices.

Seconded by Commissioner Andersen

VOTE:

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

The Vote was unanimous. The Motion passed.

12. Kate Becker – Discussion/Decision – Morgan County Administrative Manager Request for authorization to create a Venmo account for the Morgan County Fair.

- a. CAM introduced this the Morgan County Fair has requested approval to establish a Venmo account. Previously denied due to lack of a charity version, Venmo now offers this option, requiring a PayPal account linked to a designated bank account. This setup would allow for direct transactions, including stall and parking rentals, with separate banking for transparency. Commission approval is sought before proceeding with this request.

Commissioner Wilson motioned to approve creating a Venmo account for the Morgan County Fair.

Seconded by Commissioner Andersen

VOTE:

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

The Vote was unanimous. The Motion passed.

13. Kate Becker – Discussion/Decision – Morgan County Administrative Manager

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Request for authorization to absorb benefit errors except for FSA/HSA accounts.

- a. CAM introduced this, she has identified significant benefit errors, mainly involving overcharging, undercharging, or failing to charge employees correctly for benefits. Some errors include deductions for benefits employees never signed up for, discrepancies between payroll deductions and actual insurance bills, and incorrect benefit amounts. Currently, the county is set to refund \$1,011.01 that was overpaid and not remitted to a vendor but kept in our liability line. These funds will be reimbursed on the next payroll cycle. On the other hand, some employees owe amounts because they elected benefits that were never deducted from their paycheck. She has been addressing these cases individually, informing employees that their next paycheck will be adjusted accordingly, such as a \$72 deduction for missed insurance deductions.
- b. Chair Newton asked if we are going to have some employees that are affected by in a very negative way.
- c. CAM will bring this back before Commission when she has the correct totals and recalculations.

ITEM NOT VOTED ON, WILL BE POSTPONED.

14. Kate Becker – Discussion/Decision – Morgan County Administrative Manager

Request for authorization to contact UDOT requesting a high visibility cross walk be installed across Trappers Loop at the Mountain Green Sinclair station, preferably before the start of the school year.

- a. CAM introduced this as the traffic in this area is increasing and the safety of the community is needing to be looked at. She's had ongoing discussions about this with the school board, the school superintendent, and the Council of Governments (COG). We are requesting a high-visibility crosswalk across Trappers Loop in Mountain Green, a high-risk area with significant vehicle speed and construction activity. As Trappers Loop is a state road, approval from UDOT is required. Vehicles on Route 167 often exceed speed limits, posing a danger, particularly near the new grocery store, Smith Park, and our trail. To prevent accidents, especially involving students, she is seeking permission to request a high-visibility crosswalk from UDOT. This need was identified in the WFRC's Safe Streets for All comprehensive study, and we applied for a grant. In 2022, UDOT rejected a traffic signal in this area, but their memorandum did not address a high-visibility crosswalk. Therefore, she requests Commission approval to pursue this with UDOT.
- b. Commissioner Andersen asked if we have received a grant for this.
- c. CAM added we have not, Commissioner Fackrell added to this stating we would have to wait until 2025 for a federal grant to start this and he would like this started now.

Commissioner Andersen motioned to authorize CAM to contact you requesting high visible, high visibility crosswalk across Trappers Loop at Mountain Green Sinclair station firmly before the start of the school year.

Seconded by Commissioner Wilson

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell ABSENT

Commissioner Andersen AYE

Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

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15. Kate Becker – Discussion/Decision – Morgan County Administrative Manager

- a. Request for clarification on Sheriff's Deputy unscheduled call-out pay.
- b. Request to fund additional deputies for back-to-school week.
- c. CAM introduced the first part of this item stating the Sheriff's Deputies operate on an 86-hour swing schedule, which has led to confusion regarding when additional hours should be compensated at time-and-a-half versus straight pay. For example, if a deputy has already worked their 86 hours and is called back from vacation to cover additional shifts, it's unclear whether these shifts should be paid at time-and-a-half or straight pay since vacation hours contributed to the 86-hour total. After consulting with our HR team and other sheriff's departments, it is common practice that any hours worked beyond the scheduled 86 are considered time-and-a-half. This includes emergency overtime, pick-up shifts, and special event shifts like those for the Fourth of July, where additional deputies were requested due to high expected attendance. Currently, we lack a policy that clearly defines overtime for deputies. For clarity, any work outside of the scheduled 86 hours, whether due to a deputy being called in because of sickness, injury, or resignation, should be compensated at time-and-a-half. Special events, where additional personnel are required and costs are recouped from the event organizers (unless fees are waived by the commission), should also automatically qualify as time-and-a-half.
- d. CAM added that the Deputy Attorney is rewriting the policy and is asking for clarification to this.
- e. CA added that the ambiguity around this issue arises because the Fair Labor Standards Act (FLSA) does not mandate a specific approach, allowing for discretionary practices. This inconsistency has led to questions and varying implementations. Clarification and consensus are needed to provide direction for drafting a uniform policy. Once we have everyone on the same page, my office can proceed with drafting the policy accordingly.
- f. CAM introduced the second part of this, the week when school resumes is the most dangerous time on our roads, as drivers seem to forget how to navigate school zones. I've spoken with the school district, parents, and the Utah Department of Transportation (UDOT) about this issue. Deputy Bartlett, who has received the highest number of community accolades for her work in protecting children in crosswalks, will be attending the sheriff's conference due to her outstanding contributions. We've developed a best-case scenario plan to improve road safety during back-to-school season. This plan includes deploying additional staff, having two School Resource Officers (SROs), and utilizing on-duty personnel. Even office staff could assist by managing the light flashes in school zones to ensure drivers are reminded to slow down.
- g. Chair Newton stated that we can approve this with the cost wise portion of this and that CAM can work out the details in the waiting so as to get schedules figured out for this to work.

Commissioner Andersen motioned to approve up to 2,000 additional funding for deputies for back to school.

Seconded by Commissioner Wilson

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell ABSENT

Commissioner Andersen AYE

Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

16. Kate Becker – Discussion/Decision – Morgan County Administrative Manager

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Request for authorization to discuss the creation of an interlocal agreement with the City of Morgan for the lease of Riverside Park for the use of the County's Recreation Department. The County would maintain the building, dirt, and line painting and the City would maintain the watering and cutting of the grass.

- a. CAM introduced this our Recreation Department has been discussing with the city the possibility of leasing Riverside Park for our activities. The City Manager is supportive of the idea. The county would be responsible for maintaining the building, including the bathrooms, painting lines, and maintaining the dirt for the ballpark. The city would continue to handle watering and grass maintenance. Before involving legal counsel to draft an interlocal agreement, she needs to know if Commission is in support this arrangement. According to the City Manager, he does not anticipate this being a financial transaction but rather a straightforward interlocal agreement for park use.

ITEM NOT VOTED ON. CAM WAS DIRECTED TO DISCUSS AN INTERLOCAL AGREEMENT.

Commissioner Comments

- **Commissioner Andersen**
 - He heard back today that UDOT granted a permit for a road just down from Sinclair. Previously, there was an email about a proposed storm drain special service district, which Commissioner McConnell and him did not support, nor did others. After making several calls to UDOT and their staff, they issued the permit to the residence without needing a special service district. UDOT is interested in eventually discussing an agreement on handling stormwater issues if subdivisions and retention systems fail, impacting our infrastructure. He agreed that we would review such an agreement. He is relieved to avoid forming a special service district.
 - Himself and John of Public Works completed a service project at the rifle range. They installed a new door on the clay pigeon thrower. However, several concerns were raised. One major issue is the low usage fee, which remains unchanged despite the heavy use and damage caused by some users, including excessive garbage and vandalism. The primary concern is the condition of the clay pigeon thrower. It is an older model requiring frequent repairs, with John visiting almost weekly for maintenance. He provided an estimate of approximately \$9,000 for its replacement. They have yet to seek additional estimates for a new thrower.
 - FEMA study meeting is next week.
- **Commission Chair Newton**
 - The county fair is less than two weeks away, he encourages everyone to come out and participate in the activities and food vendors that will be there.
 - Reminder Wasatch Integrate Waste is looking at a increase to cost for garbage. We won't know that cost for a few months.
- **Commission Vice Chair Fackrell**
 - 4th of July was great.
 - Economic Development meeting is happening in a few weeks.
 - Dome project RFP is out for contractors to apply.
 - Ribbon cutting for the state purchase of property at East Canyon will be happening soon.
- **Commissioner McConnell**
 - ABSENT
- **Commissioner Wilson**
 - Sprinklers at Milton Park need to be out for RFP. Chair Newton stated Croydon Park needs an RFP for sprinklers as well.

MORGAN COUNTY COMMISSION MEETING MINUTES

Commissioner Andersen motioned to go into closed session for pending litigation.

Seconded by Commissioner Fackrell

VOTE:

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

The Vote was unanimous. The Motion passed.

Commissioner Fackrell motioned to go out closed session and adjourn.

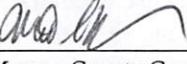
Seconded by Commissioner Wilson

VOTE:

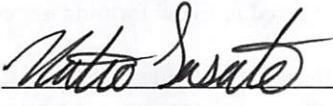
Commission Chair Newton AYE
Commission Vice Chair Fackrell AYE
Commissioner McConnell ABSENT
Commissioner Andersen AYE
Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

Adjourn – 8:37 p.m.

APPROVED: 
Morgan County Commission Chair

DATE: 8/6/2024

ATTEST: 
Morgan County Deputy Clerk/Auditor

DATE 8/7/2024

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

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call
Kate Becker at 435-800-8724 at least 24 hours prior to this meeting. This meeting is streamed live.

If you want to participate virtually in any public comment listed on this agenda, you need to contact
Jeremy@morgancountyutah.gov at least 48 hours before the scheduled meeting.