

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.

MORGAN COUNTY COMMISSION MEETING MINUTES

September 17th, 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
Commissioner Jared Andersen
Commission Vice Chair Blaine Fackrell

OTHERS IN ATTENDANCE

Debbie Sessions
Tina Kelley
Vaughn Nickerson
Lisa Wright
Russ Willardson
Alisa Rose

OTHER EMPLOYEES

IT Director Jeremy Archibald
Library Director Erin Bott
Deputy Clerk/Auditor Katie Lasater
County Attorney Garrett Smith (CA)
Deputy Attorney Janet Christoffersen

4:30 WORK SESSION

Prioritization of Park Impact Fees and remaining Grant Funds.

- The Commission discussed where the funds could potentially go towards, the following was mentioned, fairground electrical update, allocation of funds to Mountain Green Sewer District, allocation of funds to community parks. The item will be brought back as a finalization on how the funds will be allocated.

5:00 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

- None

(C) Commissioner Declarations of Conflict of Interest

- None

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

- Garrett Smith addressed the Commission, he lives in Morgan and today, on September 17, we celebrate Constitution Day, marking 237 years since the signing of the U.S. Constitution by the Founding Fathers at the conclusion of the Constitutional Convention. While it would take a few more years for the Bill of Rights to be ratified, today offers a moment to reflect on the freedoms and privileges we enjoy thanks to their efforts. Commissioner Andersen's prayer of gratitude was a fitting tribute to this

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milestone. Reflecting on James Madison, a key figure in the drafting of the Constitution, it is remarkable that at such a young age, he dedicated himself to studying over 200 books in multiple languages and crafted the Virginia Plan, which served as the foundational working document for the Convention. His brilliance, commitment, and understanding of political philosophy are inspiring and serve as a reminder of the dedication that shaped our nation's framework. The Constitutional Convention was marked by intense debate, emotions, disagreements, and ultimately, compromise. This spirit of collaboration is something we strive to emulate in our work as a commission and as a county. By reflecting on these principles of compromise, dedication, and unity, we can continue to support our community in a meaningful way.

- Bill Coutts representing Mountain Green Sewer District addressed the Commission stating they sincerely appreciate the Commission's support in allocating ARPA funds toward the Mountain Green Sewer Expansion Project. As a \$28 million endeavor, every financial contribution is invaluable. They are making excellent progress and are on track to complete the project ahead of schedule, with the external construction expected to be finished by October of this year. This will enable them to proceed with the interior work, positioning them for overall completion by fall of next year.

(E) Presentations

1. Morgan Valley Arts Council, Lisa Largent Wright – President

Thank you to the County for the purchase of risers and presentation of use to date.

- a. Lisa Wright addressed the Commission stating she was with other members of the Morgan Valley Chamber Singers, they wanted to thank the Commission for their purchase and use of the choral risers. Their next concert will be December 1st at Morgan High School.

2. Morgan Library Director, Erin Bott

Community Library Update and Recap of Summer Reading Program.

- a. Library Director Erin Bott addressed the Commission highlighting the success of the summer reading program, with over 28,500 prizes given and 342,720 minutes of reading by participants. The program had over 10,000 patrons in June and July, averaging 27 patrons per hour. The library was designated a quality library by the Utah State Library for its innovative programming and website updates.

(F) Action Items

1. Janet Christoffersen – Discussion/Decision – County Deputy Attorney

Resolution CR-24-77 Morgan County Homesteader Credit.

- a. Deputy Attorney introduced this to the Commission, she had a chance to create the resolution, this was discussed at previous meetings. The criteria for the credit includes household income of \$50,000 or less, as well as only will apply to citizens that have been in their home for at least 25 years and are at least 65 years of age.
- b. The Commissioners discussed some changes, the Deputy Attorney will make the corrections and provide the correct updated version.

Commissioner McConnell moved to approve Resolution CR-24-77 of the County Commission, Morgan County Utah, approving criteria for the homesteaders. Credit with the technical corrections we've discussed to the form and the deletion of the qualification requirements, six and seven, being the qualification that they provide for their own financial support and are in good standing with the county

Seconded by Commissioner 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.

2. Hon. Garrett Smith – Discussion/Decision – County Attorney

Agreement between the County and the new owner of Barefoot Tubing for the use of the Fairgrounds parking area.

- a. CA introduced this to the Commission and introduced the new owner Rob Hamblin, who plans to continue the business as usual.
- b. Commissioner McConnell suggested a year-to-year lease with a termination right.
- c. Chair Newton added that when reviewing contracts for other properties, we ensured that our lease rates included an inflation escalation. He recommends applying a similar approach here, suggesting an increase of either 3% or the CPI, whichever is greater, to maintain fairness and account for inflation.
- d. CA and applicant agreed to the revised text in the final sentences of paragraph one now states that the parties agree the operation may be relocated to a site reasonably designated by Morgan County at the Morgan County Fairgrounds. The lessor must provide no less than 30 days' notice of the location change, and the lessee cannot be required to relocate between May 15 and September 15.

Commissioner McConnell moved to approve the Morgan County Fairgrounds property lease agreement. As of September 17, 2024, by and between Morgan County as lessor and Barefoot tubing, LLC as lessee, with the modifications discussed as part of our meeting tonight.

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.

3. Hon. Garrett Smith – Discussion/Decision – County Attorney

Resolution CR-24-78 County Commission Rules and Procedures.

- a. CA introduced this to the Commission stating that he received a helpful email from Commissioner Fackrell highlighting inconsistencies from the previous Council, before our Administrative Manager. He made redline edits to address these issues. On page two, under paragraph B, there is a reference to "at least four votes" which was a remnant from the prior council of seven members, he's corrected that to "three votes" to reflect the current structure. On page three, under Rule 3, he updated "Morgan County Courthouse" to "Morgan County Commission Chambers" for accuracy, and adjusted the meeting times to reflect that regular commission meetings start at 5 PM, with work meetings beginning at 4 PM. On page seven, under Rule Four, paragraph five, there was a question regarding roll call voting. We had previously removed some language, so he revised the sentence to clarify that voting will occur by roll call only when requested by any member of the Commission on any matter. This adjustment ensures clarity, indicating that roll call votes are not standard procedure but can be requested as needed for any issue. Moving to page 20, he replaced "Clerk" with "Administrative Manager" in the first line, so agenda items will now be submitted through the Administrative

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Manager, not the Clerk. On page 14, it states that County Commission meetings are scheduled to conclude by 9:30 PM, though in the past, meetings have sometimes extended until 11 or 11:30 PM. The rule allows for meetings to be extended by a majority vote, so we can vote to extend if necessary.

Commissioner Wilson moved to approve CR-24-78 with all the red lined changed items that the County Attorney recommended.

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.

4. Hon. Morgan County Commission – Discussion/Decision – County Attorney Commission Portfolio Assignments.

- a. Commissioner Fackrell announced his decision to step back from his current portfolios at this time as well as from being Vice Chair.
- b. Position of a new Vice Chair will be decided at a later date.

Commissioner McConnell moved to amend the 2024 portfolio assignments for County Commissioners, reassigning Commissioner Fackrell's portfolio assignments as follows, the IT Department to be managed by Kate Becker, Water Advisory, by Jared Andersen, Extension Services, Matt Wilson, and himself, Robert McConnell with American Land Council, and the Wasatch Front Regional Council Committees, the alternates will step into the primary position.

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 Comments

- Commissioner Andersen
 - He attended a UAC board meeting where they discussed Amendment D.
- Commission Chair Newton
 - He stated that Commissioner Fackrell obtained documents from UAC regarding options for county employee phone plans.
- Commission Vice Chair Fackrell
 - Commissioner Fackrell attended the UAC conference, there was a discussion on the first day about the UAC Housing Foundation. They are requesting counties to contribute a percentage of funds to the foundation, which will be pooled and later allocated to support employee housing and potentially assist with affordable housing initiatives. Further details are forthcoming.
 - He received a urgent call to action from the American Lands Council in support of *Utah v. U.S.* They are urging state and local governments, along with other organizations, to file or co-sign amicus briefs in support of the lawsuit, aimed at getting the U.S. Supreme Court to accept the case. The deadline is August 20, 2024, and swift support is crucial. The goal is

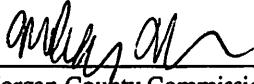
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solely to persuade the Court to accept the case, not to address the broader legal issues. Any financial contribution will help with the amicus brief.

- At UAC they discussed the allocation of TRT funds and other taxes, including a proposal I've been advocating for: transitioning from a restaurant-specific tax to a broader consumption tax. This would apply to all businesses serving prepared foods, ensuring the tax burden is distributed across all providers rather than solely on restaurants, with the consumer ultimately responsible for the tax.
- He mentioned that other counties were interested on pros and cons of having five member vs three member commissions.
- Commissioner McConnell
 - He and the CA discussed joining an amicus brief.
 - The YCC summer stories event is Thursday the 19th.
 - He mentioned the Commission has discussed the Airport Overlay Ordinance and the Airport Advisory Board. While the Airport Manager, suggested the board is no longer necessary, he disagrees. Although it may not need to be as large, he believes resident involvement is important alongside operational oversight. His recommendation will be a three-person board: two pilots and one non-pilot. He asked for consideration on this structure for the upcoming discussion and share any recommendations the Commission might have.
- Commissioner Wilson
 - He had Jeff from Shadow Creek reach out to him regarding a concern about delays due to needing approval from Weber Health before developing their lots. They hope to start some infrastructure work in advance, accepting liability if the Health Department doesn't approve it. Commissioner Newton believed there might be provisions in our ordinances allowing for some infrastructure work to proceed under such circumstances.
 - Morgan Cares hosted an event and it was very well attended.
 - He wanted to talk about community safety and urge citizens to review this with their loved ones to avoid any predator situations and human trafficking is a major concern lately as well everywhere.

CA added that at the Planning Commission meeting, three members were assigned to the working group for the Nine Springs project. He suggests we follow a similar approach, either by seeking volunteers or designating members, to ensure the project progresses as efficiently as possible.

Adjourn – 7:00 P.M.

APPROVED: 
Morgan County Commission Chair

DATE: 10/2/2024

ATTEST: 
Morgan County Deputy Clerk/Auditor

DATE 10/3/2024

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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.