

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

October 1st, 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

OTHER EMPLOYEES

IT Director Jeremy Archibald
County Administrative Manager Kate Becker (CAM)
Deputy Clerk/Auditor Katie Lasater
Clerk/Auditor Leslie Hyde
Deputy Clerk/Auditor Cindee Mikesell
Planning and Zoning Director Josh Cook
Planner I Jeremy Lance
Deputy Attorney Janet Christoffersen
County Attorney Garrett Smith (CA)

OTHERS IN ATTENDANCE

Debbie Sessions
Tina Kelley
Steve Robinson
Lance Allen
Arnold Mikesell
Erin Bott
Greg Mikesell
Cyd Mikesell
Stan Mikesell
Vicky Mikesell
Cindy Carter
Richard Mikesell
Michael Hansen
Alan Flatau
Cindy Mckee
Vaugh Nickerson

4:07 WORK SESSION

- Discussion with the City of Morgan on upcoming changes to Waste Management. The Commission and members from the city and Wasatch Integrated discussed the implementation of the recycling program as part of the Wasatch Integrated Waste Management District. The current trash fee is \$19 per month, with potential increases to \$20 or \$22 depending on the program chosen. The bundled service option would cost \$25.25, while the opt-out program would cost \$27.25. They considered a hardship case for qualifying residents, reducing fees by 25%. They also discussed the logistics of distributing new recycling cans and the potential savings for current recyclers. The meeting emphasized the importance of clear communication and education about the program to residents.

5:00 COMMENCEMENT OF MEETING

(A) Opening Ceremonies –

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

(B) Consent Agenda Items

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1. Approval of the County Commission Work Session Minutes from August 15th, 2024.
2. Approval of the Morgan County Commission Minutes from September 3rd, 2024.
3. Approval of the Morgan County Commission Minutes from September 17th, 2024.
4. Resolution **CR 24-80** Appointment of Jennifer Larson to the Morgan County Library Board of Trustees filling Marsha Ann Martin's vacated seat.
5. Request to use Jeremy Ranch Road in September of 2025 for the DC Peaks Ultra Marathon
6. Acknowledgement of the draft Legislative Priorities from Northern Utah Chamber Coalition.
7. Notice of Board Vacancy: Board of Trustees of the WPR Utility District and WPR Road and Fire District. Accepting names for appointment through November 11th, 2024.

Commissioner Wilson moved to approve the consent agenda items.

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.

(C) Commissioner Declarations of Conflict of Interest

- None

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

- None

(E) Presentations

(F) Action Items

1. **Hon. Morgan County Commission** – Discussion/Decision – County Commission
Resolution **CR 24-81** Appointment of Commission Vice-Chair.
 - a. Commissioner Fackrell nominated Commissioner Wilson.

Commissioner Fackrell moved to nominate and appoint Commissioner Wilson to Vice Chair.

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton AYE

Commissioner Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

2. **Bret Heiner** – Discussion/Decision – County Public Works Director
Community Park Improvements at Enterprise and Milton Parks.

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- a. Public Works Director addressed the Commission, Milton Park needs some overlay work and needs widened. It will cost \$52,000.
- b. Commissioner McConnell asked if this would qualify with impact fees, as they don't apply to maintenance, but could qualify under expansion purposes.
- c. It was discussed that for the Enterprise Park parking lot overlay and trail expansion that the funds can come from impact fees, pending review from the state auditor if the trail expansion can come from the same fund.
- d. The Milton Park parking lot expansion and overlay pending state auditor review will come from the community parks impact fee fund as well.

Commissioner Fackrell moved to approve that all the funding for the projects will come out of community parks impact fees, unless the state auditor does not agree that the Enterprise parking lot overlay is an admissible use of impact fees, then that expense would come out of the parks general fund.

Seconded by Commissioner Wilson

VOTE:

Commission Chair Newton AYE

Commissioner Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commission Vice Chair Wilson AYE

The Vote was unanimous. The Motion passed.

3. Bret Heiner – Discussion/Decision – County Public Works Director

Crosswalk and or reduced speed limit in front of Lees Market in Mountain Green.

- a. Public Works Director introduced this stating there has been discussion about implementing a crosswalk or reducing the speed limit in the area. Although efforts to address the issue were expedited, the situation on a recent Friday after school highlighted the need for a more thorough approach. As this is a busy road, it's important to prioritize safety and follow best practices. A traffic study will be conducted to determine the most appropriate solution, ensuring it is done safely and effectively. In the meantime, temporary signs will be installed advising pedestrians not to cross until the study is completed and proper measures are in place. These signs are expected to be in place in the coming days.
- b. Chair Newton stated for now it would be best to have the Sheriff's office to put two lighted signs on the road, one telling pedestrians not to cross here temporarily and the other warning drivers that there's pedestrians.

Commissioner Andersen moved to approve the contract with a transportation engineering renowned not to exceed 5000 for the addressing the crossing at 5000 West intersection, highway road coming from the funds as discussed from 28-4400-305-000.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commissioner Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commission Vice Chair Wilson AYE

The Vote was unanimous. The Motion passed.

4. Bret Heiner – Discussion/Decision – County Public Works Director

Joe Garfield, Morgan County Airport Manager, and Jon Cannon

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Paving at the Morgan County Airport: Total bill \$ 87,192.50 [Hangar Owners paying \$ 25,000 and County paying the balance \$ 62,192.50

- 1) The new Taxiway
- 2) From the new Taxiway to Willow Creek
- 3) From the new Taxiway to Cottonwood Road
 - a. Public Works Director introduced this to the Commission stating the discussion pertains to a new hangar owner who is interested in funding part of the paving project leading to Willow Creek, as indicated by the area marked in blue. The proposed plan includes connecting the taxiways represented in green, which poses challenges for snow removal, and facilitating access to the taxiway that connects to Cottonwood Canyon Road. He also mentioned that owner hangars have offered to pay \$25,000.
 - b. Chair Newton clarified this would come from the general fund.
 - c. Commissioner Andersen asked if this included raising utilities.
 - d. The Commission agreed on putting in conduit and raising utilities which would cost \$15k on top of the \$62k, this would come from the general fund balance.

Commissioner McConnell moved to approve the paving at the Morgan County Airport in the amount of \$77,500, taxiway to Willow Creek and from the taxiway economy road from this road. From fund 10-4550-730-000

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. Janet Christoffersen – Discussion Only – County Deputy Attorney

Josh Cook, County Planning & Zoning Director

Discussion on replacing the County's Emergency Excavation Ordinance § 150.07 with a Franchise Agreement Ordinance.

- a. Planning Director introduced this to Commission stating in recent discussions, concerns were raised regarding the process of issuing right-of-way excavation permits, particularly in light of Dominion Energy's work on Old Highway Road. It was noted that utility companies often start work, claiming emergencies, and later apply for permits without completing the necessary steps, such as submitting bonds. These bonds are critical for protecting county roads, one of the county's most valuable assets, through a one-year maintenance period. However, many companies fail to complete the process, leaving no formal record of permits or bond payments, which makes it difficult to enforce compliance and protect county infrastructure. To resolve this ongoing issue, a recommendation was made to require all entities working in county rights-of-way to enter into franchise agreements, with bonds submitted at the start of the agreement. The proposed agreements would have a fixed term of five or ten years, during which the bond would be held. This approach would simplify the tracking of payments and reduce administrative burdens associated with issuing and refunding bonds. The Deputy Attorney has been working on this solution, which is expected to provide better oversight and long-term protection for the county's roads.
- b. Commissioner Andersen suggested to include that future franchise agreements include a provision requiring private utility companies to bear the full cost of relocating their

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infrastructure if it obstructs road widening projects. While some road entities split this cost 50/50 with utility companies, several public counties mandate that the utility company covers 100% of the relocation expenses. Including such a requirement would ensure that road improvement projects are not financially burdened by utility relocations.

- c. Chair Newton proposed that future agreements include specific requirements for road repairs when utility companies cut into the side of the road. An issue in Croydon was highlighted, where a gas company cut a portion of the road, repaved it by hand, and left the surface uneven, leading to concerns that the narrow section would deteriorate. To prevent similar problems, he recommended that repairs extend at least to the middle of the road or use methods that ensure long-term stability. The concern is that small sections of repaving, especially with minimal asphalt, will quickly deteriorate under heavy traffic. He suggested that the Public Works Director be consulted to help draft the appropriate language for this provision.

ITEM NOT VOTED ON, DIRECTION GIVEN.

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

Approval Resolution **CR 24-77** the final version of Homestead Credit Application.

- a. Deputy Attorney introduced this to Commission. The resolution is in the packet for public view. The application has been revised to remove criteria six and seven from the approval and public notice documents, and the Morgan County logo has been added for improved presentation. A key point that was previously overlooked, highlighted by Penny in the Clerk's office, involves the homesteaders' tax credit criteria on the first page. It originally indicated the requested credit as "and/or," reflecting the intention to allow the commission to grant either one or both tax credits, amounting to a total of \$53,000. Penny had mentioned that the initial proposal's total cost to the county, which was \$53,394, included both tax credits combined.

Commissioner McConnell moved to approve Resolution CR-24-77 of the county commission of Morgan County, Utah, approving criteria for the Homesteaders Credit with the changes to the criteria with respect to income be a gross income.

Seconded by Commissioner Wilson

VOTE:

Commission Chair Newton AYE

Commissioner Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commission Vice Chair Wilson AYE

The Vote was unanimous. The Motion passed.

- Chair Newton clarified that the Commission just approved a property tax reduction program referred to as the "Homesteaders Credit" in the county. This applies to individuals aged 65 or older, with a gross income of up to \$50,000 or less per year, who have lived in their home for 25 years or more. The goal is to support long-term residents who have contributed to the community by helping them stay in their homes. If you know anyone who meets these criteria, please share this information with them.

7. * Hon. Leslie Hyde – Discussion/**Public Hearing**/Decision – County Clerk/Auditor Approval of Resolution **CR 24-79** Amending the 2024 Morgan County Budget.

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- a. Clerk/Auditor introduced this to the Commission. She is seeking approval of Resolution CR-24-79 this resolution will be making a department adjustment for recreation fund balance adjustments for courthouse building and grounds human resources, IT, wildfire, wildland fire and ambulance and budgeting for a grant received by the sheriff's office for car camera equipment.

Commissioner McConnell moved to close public meeting and convene public hearing

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton AYE

Commissioner Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commission Vice Chair Wilson AYE

The Vote was unanimous. The Motion passed.

- No public comments.

Commissioner Andersen moved to close public hearing and convene public meeting

Seconded by Commissioner McConnell

VOTE:

Commission Chair Newton AYE

Commissioner Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commission Vice Chair Wilson AYE

The Vote was unanimous. The Motion passed.

Commissioner McConnell moved to approve Resolution CR-24-79 of the Morgan County Commission adopting certain amendments to the Morgan County 2024 budget.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commissioner Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commission Vice Chair Wilson AYE

The Vote was unanimous. The Motion passed.

8. * Josh Cook – Discussion/Public Hearing/Decision – Planning & Zoning Director

A request to rezone property from a split-designation of agricultural-20 acres (A-20) and Rural Residential 1-Acre Minimum (RR-1) to Rural Residential 5-Acre Minimum (RR-5) completely and change the Future land use map from Agriculture and Rural Residential 1 to Ranch Residential 5 completely. The property is identified by parcel number 00-0062-3395 and serial number 01-HE3-0005 and is located at 667 West Hardscrabble Court in Porterville.

- a. Planner 1 introduced this to Commission stating that the application pertains to a property of 20.31 acres currently zoned as Agriculture and Rural Residential with a minimum lot size of one acre. The applicant seeks to rezone to Ranch Residential 5. Staff review indicates that the request meets the necessary code requirements, noting that Ranch Residential 5 is present in adjacent areas with similar lot sizes. During the Planning Commission meeting on September 12, public comments primarily raised

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concerns about water availability in the area, leading to a unanimous recommendation for denial by the Commission. However, staff disagrees with this assessment, citing a lack of studies to substantiate the water supply claims and asserting that water service considerations will be addressed in later stages of the development process, not at the rezone application stage. Consequently, staff recommends approval of the rezoning request, emphasizing that the review process focuses on surrounding properties and the future land use map.

- b. Commissioner Andersen raised the question of whether the required frontage for a 20.31-acre parcel, which is requesting an R-5 zoning designation, should be addressed at this time. The issue revolves around whether future lots on the property will need to meet frontage requirements now or if the matter should be deferred for future consideration.
- c. Planning Director mentioned that would be determined later.
- d. The applicant Roger Eggett addressed the Commission and clarified that their request is for rezoning, not subdivision. He aims to create opportunities for their children on the property, which has a long family history. He presented data showing that approximately 70% of neighboring properties are already zoned similarly, and confirmed that essential utilities, including natural gas and water, are in place. Addressing water concerns, they referenced a report from the Utah Geological Survey highlighting the presence of the Morgan Valley aquifer, which their well taps into. He proposed developing a community water system to assist neighbors lacking water access, drawing on their experience in creating similar systems. He provided data of how many feet surrounding neighbors wells have been drilled. He concluded by addressing road maintenance responsibilities shared with a neighbor and expressed willingness to contribute to any associated costs.
- e. Commissioner McConnell asked how many gallons a minute the well produces,
- f. Roger stated that it is between 6 to 10 gallons a minute.

**Commissioner Andersen moved to close public meeting and convene public hearing
Seconded by Commissioner Fackrell**

VOTE:

Commission Chair Newton AYE

Commissioner Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commission Vice Chair Wilson AYE

The Vote was unanimous. The Motion passed.

- Cindy Carter Cindy Carter of Hardscrabble Road addressed the Commission and sought to clarify misinformation regarding well depths, specifically correcting that Kent and Cindy Carter's well is 820 feet deep and that they are licensed well drillers. They emphasized the variability in aquifer depths and the lack of guaranteed access to water. She highlighted their ownership of the Red Hill Spring, one of the oldest recorded water rights in Utah, which has experienced intermittent flow issues, particularly since the drilling of a nearby well in 2007. They mentioned that they had to drill a well to compensate for these water shortages. She expressed concerns about potential blanket rezoning in the area, cautioning that such actions could lead to complications during future subdivision processes. They also pointed out that some adjacent properties are zoned differently and urged the county to consider the implications of zoning changes, especially in light of nearby airport operations affecting land use. Lastly, she raised concerns about road conditions and regulations surrounding the area, reiterating the importance of thorough consideration before proceeding with rezoning decisions.
- Michael Hansen addressed the Commission and raised three primary concerns regarding local development. He recounted how their daughter-in-law was discouraged from applying to build a house four years ago, ultimately leading to their decision to relocate. Second, he highlighted the poor condition of the local road, expressing uncertainty about ownership and maintenance responsibilities. Lastly, he shared concerns about water availability, noting that while their well typically provides

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sufficient water, he occasionally experiences shortages and is approached by neighbors in need as well. He acknowledged the property owner's rights to develop their lot but emphasized the need to address these issues before proceeding with any changes.

- Stan Mikesell addressed the Commission he lives across the road from the proposed development, expressed concerns about the area's suitability for additional housing due to its history as a floodplain. He recalled previous attempts to develop the property, which were discouraged by past owners due to flooding issues. He noted recent changes, such as the removal of a drainage ditch, which exacerbated flooding along Hard Scrabble Road. He questioned whether there is enough higher ground for the proposed homes and suggested that the property owner consider alternative locations for development.
- Sydney Mikesell addressed the Commission stating that expressed concerns about the water scarcity in their subdivision, which was developed before many surrounding homes. Despite properties being zoned for one to four acres, the area has long experienced water shortages. She emphasized the hardship this has caused, such as being unable to use household appliances like dishwashers or grow grass due to insufficient well and secondary water supply. She urged caution about approving further development in the area, fearing that adding more homes would exacerbate the existing water problems. She acknowledged the property owner's right to develop their land but emphasized the long-standing struggles of families in the area who have dealt with minimal water resources for years. She highlighted the fear that new construction could impact their well's already low output. She sympathized with others wanting to live in Morgan, she asked for thoughtful consideration of the water challenges when approving future development.
- Arnold Mikesell, a lifelong resident of Hard Scrabble Road addressed the Commission and expressed significant concerns about the area's water scarcity. He shared personal experiences of growing up with limited water and highlighted the challenges of drilling wells, noting that it is a costly gamble with no guarantee of success. Many residents, including himself, rely on wells and face uncertainty each time they turn them on, hoping for enough water. He mentioned that some neighbors have spent large sums of money drilling dry wells. He further cautioned that if new developments are approved in the area, it could lead to widespread subdivision of properties, citing numerous families along Hardscrabble Road who could subdivide their land. This would increase demand for water, intensifying the already significant water scarcity problem, with well depths ranging from 200 to 900 feet. He urged careful consideration of the water situation before approving any further development, especially without a reliable shared water solution in place.
- Randy Elliott a part time resident addressed the Commission and urged caution when approving developments based solely on existing zoning. He shared their experience from Davis County, where they faced a similar situation involving requests for lot subdivisions in unincorporated areas. Initially, smaller lots were allowed, but when a request for a 40-acre subdivision was presented, the commissioners decided against it, citing uncertainty about the long-term impact. This led to a change in zoning from 1-acre or 5-acre lots to 10-acre lots, allowing time for a comprehensive study on the area's capacity to handle septic systems. After conducting a four-year study, it was determined that the land could handle one septic system per 10 acres, despite initial claims that the land was suitable for more. He recommended that Morgan County conduct its own detailed study to assess the capacity for septic systems per acre, emphasizing the need for informed, data-driven decisions. He also shared personal experience with water scarcity, noting that their household well had dried up and required drilling to 400 feet, along with installing a cistern to collect water. He advised that as Morgan County grows, leaders should take a forward-looking approach, considering the need for sewer and water systems, rather than continuously approving developments based on neighboring lot sizes. Thoughtful, long-term planning is essential to ensure sustainable growth.
- Cindy McKee addressed the Commission stating that a resident of Hardscrabble, expressed deep concerns about the impact of new housing developments on water resources. Living in a 116-year-old home in disrepair, she highlighted their inability to relocate or afford home repairs due to being on a fixed income. She emphasized their reliance on their well, fearing that additional homes could deplete the water supply, leaving them without options. She stressed the importance of considering the well-being of existing residents when planning new developments, suggesting that ignoring these concerns

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is inconsiderate. She also expressed gratitude for the homesteading credit, mentioning its potential benefit to the elderly, based on her experience running a local food pantry where many seniors face financial struggles.

- Richard Mikesell and Vicky Mikesell addressed the Commission stating that a resident of Hardscrabble who recently returned to their grandparents' home, highlighted the ongoing water challenges in the area. He shared that his well is inadequate, requiring them to install a 160-gallon tank and ration water use, including taking short showers and sometimes using a laundromat. The cost of drilling a new well, estimated at \$50,000, is a significant financial burden. He raised concerns about potential future development in the area, particularly regarding homes being built on land that may be prone to flooding. He mentioned a video showing water coming up from the ground and noted that nearby properties, such as the Eggetts, had experienced basement flooding. He emphasized the importance of considering these risks before approving new construction, as homeowners could face costly issues related to water and flooding.
- Greg Mikesell addressed the Commission stating that Over the past 20 years, the output from their well has steadily declined, particularly with the addition of neighboring wells, including a cousin's. Initially, they did not need to haul water regularly, but in recent years, they have increased their water hauling from twice a year to four times a year, using a 1,000-gallon tank that often runs empty. He expressed concerns about the impact of further well drilling in the area, noting that his sister is currently attempting to build a house nearby and has already drilled a well to a depth of 370 feet without success. He emphasized skepticism about claims regarding the depth at which water can be found, stating that there are no guarantees and that such assertions are unrealistic.
- Alan Flatau addressed the Commission stating he moved to Morgan four years ago, he shared his experience of purchasing a home without adequate water supply. He lives in a house that previously belonged to a preacher, which was poorly disclosed in terms of water availability. Despite having acreage on a hill, his well produces only about 100 gallons of water per day, and he prides himself on being conservative with his water use. He referenced the name "Hardscrabble," indicating its association with barren or barely arable soil, suggesting that the area's challenges with water supply were known historically. His well is at a depth of 850 feet, and he expressed reluctance to drill another well due to the uncertainty of success. Additionally, he noted that their location prevents them from accessing irrigation water, further complicating their water situation. Overall, he conveyed frustration at having invested in a home that, in his view, should be demolished due to its inadequate living conditions.
- Aaron Venz addressed the Commission stating that addressed concerns regarding zoning regulations, emphasizing that these have been established for a long time to ensure that housing development aligns with the valley's capacity and infrastructure. He highlighted that the zoning reflects the area's limitations, including the lack of essential services such as sewer and culinary water, despite the availability of gas. He acknowledged their fortunate access to water for their garden but noted that others in the community are struggling with water shortages. He is against changing existing zoning laws, asserting that development should not occur in areas that cannot support it. He raised concerns about the feasibility of drilling deep wells, stating that many residents would find it unaffordable and unmanageable. He also pointed out that community wells, such as one operated by a neighbor, are not reliable solutions since they can also run dry. Overall, he urged consideration of the established zoning and the challenges of infrastructure before approving further developments in the area.
- Lance Mikesell addressed the Commission and discussed the importance of maintaining established zoning regulations set by the County Commission and Planning Commission, which were designed to manage development in the area. He stated that not all regions in the county should be developed with high-density housing or even five-acre lots, emphasizing that most existing lots already have adequate frontage. As a resident of a one-acre lot, he expressed concern about allowing subdivisions in areas that do not meet these zoning requirements. He highlighted the potential consequences of permitting developments on properties without proper frontage, warning that this could lead to an overabundance of housing and residents, which would strain the area's existing infrastructure. He urged caution in modifying zoning laws, stressing the need to consider the impact on the community and the ability to support future growth.

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Commissioner Wilson moved to close public hearing and reconvene public meeting

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commissioner Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commission Vice Chair Wilson AYE

The Vote was unanimous. The Motion passed.

- Commissioner Andersen highlighted concerns about the county's responsibility to ensure the availability of essential services like water and sewer for any new developments. While acknowledging that these services are often managed by various entities such as culinary water systems or health departments, he emphasized that the county must at least confirm the availability of these services before moving forward. He referenced a report showing substantial water resources in the valley but pointed out that the unique situation in Hard Scrabble makes comparisons to other parts of the county irrelevant. He expressed doubts about proceeding without understanding the long-term impact on the local water supply and suggested the need for extensive monitoring of wells over several years to assess any potential changes. He also mentioned accuracy in discussing water-related data and emphasized that the concerns raised are serious, expressing significant reservations about moving forward without fully addressing these issues.
- CA added the subdivision code requires oversight from both the county and other agencies. While the Division of Drinking Water regulates water systems, the county ensures "will serve" letters are provided, and the Weber Morgan Health Department handles septic analyses. Although applicants are not obligated to answer all questions, asking them can provide valuable information to guide legislative decisions. Unlike administrative processes, which require approval if all criteria are met, legislative decisions allow for consideration of public input. It's important to distinguish between these processes when making decisions.
- Chair Newton stated that Commissioner Andersen's comments align with his concerns, and the CA raised an important point. While the Commission could defer water issues to the subdivision process, it becomes an administrative matter at that stage. His concern is whether due diligence will be thoroughly conducted when that time comes.
- Commissioner Fackrell stated that he is in agreeance with the decision of denial that the Planning Commission made and noted their experience with land use on these matters.
- Chair Newton clarified to Commissioner Fackrell's comments he appreciates the mention of recommendations from both staff and the Planning Commission. He stated it's important to note that regardless of the Commission's decision, it doesn't imply a lack of trust in either group's judgment. Both entities are doing their best in their roles. He commends the staff for their efforts to help residents achieve their property goals, and recognizes the Planning Commission's work in navigating difficult situations. The Commission's vote, whichever way it goes, reflects full trust and respect for both staff and the Planning Commission.
- Commissioner Wilson added that he believes it's the Commission's responsibility to try their best to protect their citizens they serve.
- Commissioner McConnell reflected on his experience with wells serving public systems, which typically produce high water volumes. He acknowledged a lack of prior knowledge about water scarcity in the area but now recognize it as a legitimate concern. He suggested that while a high-producing well could check a box for subdivision approval, it's not necessarily a decisive factor for zoning applications. The unpredictability of well yields is highlighted, and he expressed concern about advancing rezones that could exacerbate existing water issues. However, he is open to solutions that could benefit the entire community, such as a well that produces enough water and includes a storage tank. He emphasized the importance of protecting public water systems while also considering developments that could improve quality of life for residents.

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Commissioner Wilson moved to deny the Eggett rezone application. Number 24.049 changing 21.31 acres from a 20 to RR-1 to RR-5 completely. And amend the future land use map from a split designation of Agriculture and RR-1 to RR-5 completely due to the following findings. And what was discussed here this evening.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commissioner Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commission Vice Chair Wilson AYE

The Vote was unanimous. The Motion passed.

**9. Hon. Morgan County Commission – Discussion/Decision – County Commission
Resolution CR 24-82 Appointment of Morgan County's Representative and
Alternate to the Utah Counties Indemnity Pool 'UCIP'**

- a. Commissioner Wilson will attend this, and County Attorney Garrett Smith will be the alternate.

Commissioner Andersen moved to approve Resolution CR-24-82.

Seconded by Commissioner Wilson

VOTE:

Commission Chair Newton AYE

Commissioner Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commission Vice Chair Wilson AYE

The Vote was unanimous. The Motion passed.

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

- a. Invitation to Celebrate Wasatch Integrated's 40th Anniversary - Integrated Waste is having their 40th anniversary this fall. They are doing an open house. In conjunction with that, on November 15, from noon to 4pm they will have a taco truck there, and tours available of the Material Recovery Facility. If you'd like to see how the recycled materials get sorted and handled, you can check that out.
- b. Approval of the County's 2025 UAC Dues - The UAC dues have been reassessed and are now set at \$30,780, with a slight increase. While the payment isn't due until the beginning of next year, she is confirming whether this amount is acceptable for budgeting purposes.
- c. UAC Voluntary Contribution Public Lands Amicus Brief
- d. Discussion on budget line for 2024 Young Street Bridge Payment – She asked direction on which fund this would need to come from, she will get back to the Commission once she has done more research on the item.
- e. Scheduling of Legislative Priorities for Public Meeting – It was decided that a work session will be held for this with Carrie Gibson our legislative contractor on October 29th.

UPCOMING EVENTS:

- October 10th Morgan County Planning Commission Meeting

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- October 15th Morgan County Commission Meeting
- October 21st Morgan County Council of Governments Meeting
- October 24th Morgan County Planning Commission Meeting
- October 29th Morgan County Commission Meeting
- November 14-15th USACCC Fall Conference

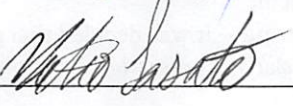
Commissioner Comments

- Commissioner Andersen
 - He appreciated the quick responses on the crossing for Lee's Marketplace.
 - He appreciated the work done on the franchise agreement ordinance that was discussed this evening.
- Commission Chair Newton
 - He received a call from a resident on Morgan Valley Drive that noticed a small, oddly shaped triangle of county-owned land in her front yard, not adjacent to any road or intersection. The reason for its existence is unclear. The Recorder has investigated it but couldn't find any explanation. The neighboring landowner had a similar issue resolved, but a smaller triangle remains on this resident's property. More information will be gathered and brought back for review.
- Commissioner Fackrell
 - He stated that the ribbon cutting commenced for the property at East Canyon.
 - He brought back the new state flag, which will require purchase of a second flag pole.
 - He asked about discussing an ordinance pertaining to development and transfer rights at a later time.
- Commissioner McConnell
 - He asked a question about if the Vista Works contract was received, CAM verified that yes it was.
- Commission Vice Chair Wilson
 - At the Weber-Morgan Human Services meeting, it was discussed that several senior centers may be closing due to a lack of funding. While final decisions haven't been made, the reduction in resources, particularly for services like Meals on Wheels, is concerning. Government and federal funding, which increased during COVID-19, has significantly decreased, impacting their ability to maintain services. The organization receives money from various sources, but they're still struggling. Some cities have been reluctant to participate, though their residents benefit from these services. There's a need to explore if there are any available funds to assist and reduce the extent of closures.

Adjourn – 8:00 p.m.

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

APPROVED:  DATE: 10/18/24
Morgan County Commission Vice Chair

ATTEST: 
Morgan County Deputy Clerk/Auditor

DATE 10/18/24