

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 15TH, 2024

**3:00 PM BUDGET WORK SESSION; 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
Commission Vice Chair Matt Wilson
Commissioner Robert McConnell
Commissioner Jared Andersen
Commissioner Blaine Fackrell

OTHERS IN ATTENDANCE

Debbie Sessions
Tina Kelley
Kerry Gibson
Vaughn Nickerson
Jason Morgan
Vicky Benson

OTHER EMPLOYEES

IT Director Jeremy Archibald
Deputy Clerk/Auditor Katie Lasater
Administrative Manager Kate Becker (CAM)
Treasurer Kimberly Harrison
Human Resources Casey Basaker
Clerk/Auditor Leslie Hyde
Library Director Erin Bott
Planning Director Josh Cook
Planner 1 Jeremy Lance
Assessor Janell Walker

3:00 BUDGET WORK SESSION: Hon. Leslie Hyde, County Clerk Auditor; Hon. Kimberly Harrison, County Treasurer; Kate Becker, County Administrative Manager; Casey Basaker, HR.

- The budget work session focused on budget adjustments and facility improvements. Key points included the need for more space in the Recorder's office, with proposals to replace counters with desks and update lighting. The parks budget faced scrutiny, with discrepancies in hours and wages for seasonal staff. The tourism fund was over budget by \$61,000, prompting a transfer from the general fund. The airport fund's expenditures were discussed, and a \$75,000 budget increase was proposed for building improvements. Additionally, discussions on fleet management and potential fleet budget adjustments were considered to pay off leases and improve long-term planning.

4:00 WORK SESSION

Discussion of Legislative Priorities with Kerry Gibson.

- Kerry was present to speak to the Commission about items being discussed in legislation.

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

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(B) Consent Agenda Items

1. Approval of the Morgan County Commission Minutes from October 1st, 2024.
2. Acknowledgement of the Morgan City/County Capital Improvement List [COG]
3. Fairgrounds Service Projects for FY 2025 for some organizations in lieu of rental fee(s).
4. 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 items 1 and 4 and move item 2 and 3 to action items for discussion.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell 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

- None

(F) Action Items

(B) 2. Acknowledgement of the Morgan City/County Capital Improvement List [COG]

- a. Commissioner Fackrell stated that the capital improvements list that was circulated has not yet been approved by the COG. According to Ty Bailey, the process is just beginning, with recommendations being submitted, but they still need to be discussed and reviewed by both the RPO and the COG before any formal approval can take place. At this stage, we can acknowledge the list, but it is important to note that this is only an acknowledgment. The list is still subject to change, as there may be additional items added later. Furthermore, the RPO follows a specific process to evaluate and prioritize the listed items, assigning them a high, moderate, or low priority. This prioritization is not solely determined by the submissions from the city and county public works departments.
- b. Commissioner Andersen added that when the list is submitted to the Council of Governments (COG), they will review both the city and county projects, including associated costs. The commission will then be presented with the prioritized projects, which may include one county project and one city project, for approval based on costs and other factors.

ITEM NOT VOTED ON, DISCUSSION ONLY.

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(B) 3. Fairgrounds Service Projects for FY 2025 for some organizations in lieu of rental fee(s).

- a. Commissioner Fackrell asked for clarification on the item in regards to the scope of the fairground service projects list, and wanted to confirm it includes budgeted materials for the year.
- b. Chair Newton clarified that for 2025, we have budgeted materials specifically for the prioritized projects. He acknowledges that there are additional needs, the intent was to focus on those projects the Commission believe will have the most significant impact this year. Additional projects will be added in future years, but this list reflects the priorities for this year only.

Commissioner McConnell moved to approve the fairground service projects for fiscal year 2025.

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

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

Request to award a service agreement for the repair of the Morgan County Fair bleachers.

- a. Chair Newton introduced this stating over a year ago during the fair, he pointed out safety concerns with the bleachers. Specifically, the footboards and seats are too narrow, creating a risk of falling, especially for children. These bleachers need to be upgraded to improve safety. Public Works Director Bret has been working on obtaining bids for the necessary upgrades. There are two sets of bleachers in question—one on the east side and two on the west, including the units closest to the exhibit building and the section next to the shoots.

Commissioner McConnell moved to approve a service agreement approved by the County Attorney for the repair of the Morgan County Fair bleachers with A-Jack's Welding and Fabrication, based upon the estimate presented the amount of \$68,000 to be funded from the Fair Capital Improvement Fund.

Seconded by Commissioner Wilson

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

2. Penny Butler – Discussion/Decision – County Deputy Clerk/Auditor

Discussion of Resolution CR 24-81 approving a property tax hardship application.

- a. Chair Newton asked for clarification if this will need approval yearly, Penny stated yes it will.

Commissioner Wilson moved to approve Resolution CR-24-81.

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Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

3. Morgan County Board of Equalization – Discussion/Decision

Discussion of Resolution **CR 24-02-BOE** and request to approve the adjustments recommended by the appointed Board of Equalization Hearing Officer.

- a. The Assessor introduced this and explained the process of Assessor adjustments, Hearing Officer decisions, and the importance of accurate property valuations.
- b. Commissioner Wilson had a concern about the uniformity of adjustments and the potential for public misperception.
- c. The Assessor emphasized the importance of the public asking questions about their values and providing accurate information to the Assessor's office.
- d. Chair Newton added clarification stating he frequently hears comments from residents suggesting that the Assessor is responsible for raising the value of their homes. To clarify, the Assessor is not the cause of property value increases. The rise in home values is driven by actual real estate sales in your neighborhood. For instance, when a neighbor sells their home for a high price, such as a million dollars, that sale impacts the value of surrounding properties. The Assessor's role is to reflect the market, using a structured method based on real sales data from the county. It's not a matter of personal judgment. There are many detailed calculations involved in determining property values, and this process is quite thorough.

Commissioner Andersen moved to convene as the Board of Equalization and close public meeting.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

Commissioner McConnell moved to approve Resolution CR-24-02-BOE.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

Commissioner Fackrell moved to adjourn as Board of Equalization and reconvene public meeting.

Seconded by Commissioner McConnell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

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Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

- 4. Morgan County Conservation District – Discussion/Decision – Catherine James, Jason Morgan, Maggie Matthews [USU], Aaron Edgar, and other members of the Conservation District: Discussion on the Utah Noxious Weed Act.**
- a. Jason introduced the Commission stating that they are seeking approval to re-establish the Weed Board.
 - b. Chair Newton stated that we will need to draft a Weed Board ordinance, our CAM will attend the next Conservation District meeting for further discussion on the ordinance.
 - c. Commissioner Fackrell raised the issue of imposing fines on the railroad for noxious weed violations, CAM suggested an interlocal agreement.

ITEM NOT VOTED ON.

- 5. Mountain Green Cemetery – Discussion/Decision – Vicky Benson**
Request of the County to identify cemetery space in or near Mountain Green.
- a. Vicky Benson and Sandra Jones presented the depletion of plot availability at the Mountain Green Cemetery and the need for new resources.
 - b. CAM provided data on the state's cemetery list and the challenges of expanding the cemetery due to surrounding properties.
 - c. The Commissioners discussed potential solutions, including setting aside property for new cemeteries and exploring taxing entities for cemetery funding. They will consider these options and continue conversations on this subject in future meetings.

ITEM NOT VOTED ON.

- 6. Austin Turner – Discussion/Decision – Morgan County Emergency Management**
Discussion and decision signature on a Match Letter/Funds Commitment letter for Pre-Disaster Mitigation Plan.
- a. Austin introduced this to the Commission, he needs a signed match letter to proceed with the Pre-Disaster Mitigation Plan. The plan is essentially an acknowledgment of potential disasters in the county and serves as a tool for identifying mitigation projects to address those risks. The letter confirms that we will fund our portion of the required match.

Commissioner McConnell moved to approve moving forward with the execution of the match letter for and funds commitment for the Pre-Disaster Mitigation Plan, with one change, adding a date to the letter. Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

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The Vote was unanimous. The Motion passed.

7. **Josh Cook** – Discussion/Decision – Planning & Zoning Director

Platt Plat Amendment: A request for approval of an amendment to lot 2 of the J & L Subdivision to adjust the lot line between an adjacent parcel and lot 2, which is identified by parcel number 00-0056-3989 and serial number 01-JL1-0002 and is approximately located at 4410 South Highway 66 near Porterville.

- a. Planner 1 introduced this stating the project is located at 4410 South Highway 66, within the J&L Subdivision. The total acreage affected is 1.06 acres, consisting of 1.01 acres from J&L Lot 2, along with 0.05 acres being transferred from an adjacent parcel to the West-Southwest. This request was reviewed by the Planning Commission during their October 1 meeting, where minimal discussion took place, and no major questions were raised. The Planning Commission unanimously recommended approval, with a vote of 5-0, and one member, McMillan, absent. The Planning Office, County Engineer and County Surveyor reviewed the amendment and confirmed that it meets all minimum code requirements for a plat amendment in the J&L Subdivision. Based on this, staff also recommend approval of this item.

Commissioner Andersen moved to approve the J&L Subdivision First Amendment, application number 24.030, approximately located at 4410 South Highway 66 near Porterville, based on the findings listed in the staff report dated October 15, 2024.

Seconded by Commissioner McConnell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

8. * **Josh Cook** – Discussion/**Public Comment(s)**/Decision – Planning & Zoning Director

Highway Commercial Text Amendment: A request to approve amendments to the Morgan County Code, specifically sections 155.132: Use Regulations and 155.133: Height Regulations, to add Public Facilities, Public Services Facilities, Quasi-Public Facilities and Services, and Government-Operated Essential Service Facilities as permitted uses in all commercial districts.

- a. **ITEM POSTPONED TO NEXT MEETING TO REPOST AS A PUBLIC HEARING.**

9. **Hon. Morgan County Commission** – Discussion/Decision – County Commission

Discussion and approval of Resolution **CR 24-82** setting the new waste management fee schedule and purchase approval of recycling cans.

- a. Chair Newton asked for this item to be postponed, he stated he spoke with Tony London from the City Council, and their last council meeting was canceled. As a result, the city council has not had a chance to discuss this matter. To ensure we are aligned with them, he believes it is best to delay this item. He added that timing-wise, this postponement will not impact the ordering of bins or the changes to the structure, so we can afford to wait.

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Commissioner McConnell moved to postpone CR-24-82 to our next meeting on October 29.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

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

- c. New Owner(s): Cobblestone Hotel & Suites – She informed the Commission of new owners.
- d. New Owner(s): Round Valley Golf Course – She informed the Commission of new owners.
- e. Chief Deputy Discussion - She stated for statutory compliance, it is crucial to designate Chief Deputies for our departments, in case of resignation, incapacitation, or passing of an officeholder. This ensures a clear line of succession and continuity in such situations.
- f. Request to participate in Operation Green Light November 4-11 - The packet has the presentation on this explaining what this entails. The county will participate.

UPCOMING EVENTS:

- October 29th Governor's Office of Economic Opportunity visiting 9 – 10:30 am
- October 31st Library Trick or Treat Story Hour 11 am
- October 31st Trick or Treat Street 4 – 6 pm
- November 9th New Fire Engine Push in Event 11 – 1 pm (push in at noon)
- November 13th Chamber Lunch & Learn
- November 14th & 15th USACCC Fall Conference
- November 18th Joint meeting of CEO, TTAB, & ATAB 6 pm
- December 7th Christmas on Commercial Street; Tree sale 2 – 5 pm

Commissioner Comments

- Commissioner Andersen
 - He will send an email about the firm that is doing the FEMA flood plane analysis is ready to present their preliminary findings. He will let the rest of the Commission know when that meeting will be.
- Commission Chair Newton
 - He received a request from the Devil Side Cement Plant for a letter of support. We issued a similar letter just over a year ago for the same project, which was previously approved. Based on that prior approval, he assumed it was appropriate to proceed, and he has sent them an updated letter in support of their project.
- Commissioner Fackrell
 - No comments.
- Commissioner McConnell
 - He mentioned the Nine Line proposal and asked for the CAM and CA to review.
 - YCC executive director is going to retire at the end of this year and they are looking for a replacement.
- Commission Vice Chair Wilson

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- He had an issue arise at the Milton Park, a neighboring hay field ended up getting watered which ruined some haying equipment and they are asking the county to cover the costs of the damage as they had asked previously to not get water on their field. He will gather more information and let the Commission know what it all entails.

Adjourn – 6:27 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: 
Morgan County Commission Chair

DATE: 11/8/2024

ATTEST: 
Morgan County ~~Deputy~~ Clerk/Auditor

DATE 11.8.2024

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.