

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 29TH, 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**

Commissioner Robert McConnell shall be attending remotely

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
Kate Richardson
Hailey Blair
Brian Nestorff
Traca Wardell
Collette West
Preston Lee

OTHER EMPLOYEES

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

4:00 WORK SESSION

Jon Ritchie, Utah State Fire Marshal; Dave Rich, Morgan County Fire Marshal; Boyd Carrigan, Morgan County Fire Chief; Dave Vickers, Morgan County Fire Warden.

- The work session focused on the fire protection and sprinkler ordinance. Key points included the need for sprinkler systems in homes over 3,600 square feet to meet International Fire Code standards, despite challenges in rural areas without county-wide water systems. Concerns were raised about the high cost of sprinkler systems, which can reach \$30,000, and the burden on taxpayers. Suggestions included implementing impact fees to fund water tenders and stations, and exploring exceptions based on local firefighting capabilities. The discussion emphasized balancing life safety with affordable housing and the need for better water systems.

5:00 COMMENCEMENT OF MEETING

(A) Opening Ceremonies –

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

(B) Consent Agenda Items

MORGAN COUNTY COMMISSION MEETING MINUTES

1. Approval of the Morgan County Commission Minutes from October 15th, 2024.
2. Resolution **CR 24-83** Morgan County to participate in Operation Green Light.
3. Notice of Board Vacancy: Board of Trustees of the WPR Utility District, WPR Road and Fire District, and WPR PID. Accepting names for appointment through November 25th, 2024.
4. Morgan School District Census for school year 2024-2025.
5. 2025 Tourism Marketing Plan.

Commissioner Andersen moved to approve consent agenda items.

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.

(C) Commissioner Declarations of Conflict of Interest

- **None**

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

- **None**

(E) Presentations

1. Edward B. Welsh – Wasatch Shooter Association – Gun Range Management.
 - a. Edward Welch from the Wasatch Shooters Association presents on managing the Morgan County gun range. His presentation is included in the packet, he discussed the potential benefits of managing the range, including increased revenue and community engagement.
2. Kate Richardson – Utah Department of Natural Resources Division of Wildlife Resources – They are required by Utah Code to come present about proposed purchases, and are now under contract to purchase an inholding in the East Canyon Wildlife Management Area.
 - a. Kate Richardson from the Utah Department of Natural Resources presented on the proposed land purchase at East Canyon Wildlife Management Area. The land is described as important habitat for big game and migratory species, and its acquisition would benefit wildlife management. Richardson provides details on the current ownership status and the benefits of removing the land from holding status.

(F) Action Items

1. **Bret Heiner** – Discussion/Decision – County Public Works Director
Review draft submission of Mountain Green Pedestrian Crossing Evaluation.
 - a. Public Works Director Bret presents the review of the draft submission for the Mountain Green pedestrian crossing evaluation. The study recommends reducing the speed limit to 35 mph and implementing a lighted crosswalk system.
 - b. Chair Newton added that the primary action item from this discussion is to address the speed limit change. Initially, to ask the engineer to incorporate this change into their

MORGAN COUNTY COMMISSION MEETING MINUTES

proposal. Once that’s underway, we can focus on implementing the speed limit adjustment. Following that, a secondary action would be to start collecting proposals for a crosswalk light system.

Commissioner Wilson moved to approve the adjustment of the traffic study and approval to proceed with the RFP for traffic improvements.

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.

2. 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. Colette West the sustainability specialist with Wasatch Integrated introduced this stating she is involved in the sustainability specialist supporting their education initiatives. For any city or county launching a new recycling program, Wasatch Integrated will cover all associated education materials, so the only cost to the county will be for purchasing the carts. If the county plans to roll out a program in the spring, they will send a flyer to residents about a month in advance to inform them about the upcoming recycling cart distribution. Along with each cart, they will include a packet detailing what items go into the recycling cart versus the regular can, along with a QR code links to additional educational resources on our website. Additionally, they are offering landfill and Material Recovery Facility tours to local elementary schools to further community understanding of the recycling process.
- b. It was noted that the company who will be delivering the recycle bins will only be able to deliver so many cans every two weeks and these will be divided out between county and city residents, everyone will receive their recycling bins in waves.
- c. Chair Newton added that getting enough information out before hand about the changes to cost and when citizens can roughly expect their recycle bins will be key to helping the roll out. He also added that as soon as the city votes yes on this, we should get the bins ordered. As well as the importance of letting citizens know what the new fee will be.

Commissioner Fackrell moved to approve Resolution CR-24-82 with the modifications discussed, and the cans will be paid for from the garbage fund balance.

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.

3. Josh Cook – Discussion/Decision – Planning & Zoning Director

Paul Warner Subdivision, No. 2 Plat Amendment: This application is a request for approval of an amendment to the Paul Warner Subdivision for the creation of a new lot, which is identified by parcel number 00-0092-3371 and serial number 03-PWS1-

MORGAN COUNTY COMMISSION MEETING MINUTES

0013-A1 and are approximately located at 5846 N Warner Acres Dr in unincorporated Morgan County.

- a. Planner 1 introduced this stating this is subdivision application number 24.045, concerning an amendment to the Paul Warner Subdivision No. 2 plat. The property is located at approximately 5846 North Warner Acres Drive in the Mountain Green area, spanning 1.38 acres. The request is to amend the subdivision to create a new flag lot. Recently adopted flag lot standards were reviewed by staff for compliance in this application. The application also underwent reviews by the county surveyor, county engineer, planning staff, the Mountain Green Fire Protection District, and the addressing official—all of whom recommend approval, confirming it meets all minimum code requirements, including the new flag lot ordinance standards. This item was presented to the Planning Commission at their October 17 meeting. A public comment questioned flag lot allowances, and staff clarified the recent ordinance adoption. Following review, the Planning Commission approved the application unanimously.

Commissioner Andersen moved to approve the Paul Warner, subdivision number two, plot amendment application number 24.045 approximately located at 5846 North Warner and acres Drive near Mountain Green, based on the findings listed in the staff report dated October 29, 2024.

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.

4. Hon. Leslie Hyde – Discussion/Decision – 2025 Tentative Budget.

- a. Clerk/Auditor presented this for approval, noting changes in the Public Works fleet account and other adjustments.
- b. The Commissioners express a desire to review the budget in more detail and schedule a work session to discuss any necessary adjustments. Commissioner Andersen stated that he would like to see a breakdown of the increases to certain items. The rest of the Commission agreed on this.
- c. The Commission will discuss more on the budget on the November 19th Commission Meeting with a work session.

Commissioner McConnell moved to approve the tentative budget for 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.

5. * Josh Cook – Discussion/Public Hearing/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:

MORGAN COUNTY COMMISSION MEETING MINUTES

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. Planner 1 introduced this stating this is a request to approve an amendment to the Morgan County Code, specifically Sections 150-5.132, Use Regulations, and 150-5.133, Height Regulations. The proposed amendment would add language to permit public facilities, public service facilities, quasi-public facilities, and essential government-operated services in all commercial districts, including highway commercial districts. Upon reviewing the code, particularly Title 15 (Land Usage) and Chapter 155 (Land Use), staff found inconsistencies. These sections have some references to such uses but not in a way that would permit them in highway commercial zones. This issue arose when reviewing an application (No. 24.042) from Wasatch Peaks Ranch, which recently acquired property in the Peterson area with a highway commercial designation and seeks to establish a fire station there. Currently, the use table would not allow this type of public or quasi-public service facility in that zone. Staff's review indicates that this amendment would correct the code inconsistency, facilitating emergency services in the county, especially for Wasatch Peaks Ranch residents, through an existing inter-local fire agreement. The applicant is present tonight to provide additional details. Staff recommends approval.
- b. Planning Director clarified that public' refers to U.S. government-operated facilities. 'Quasi-public' includes privately owned entities that provide public services, like Wasatch Peaks Ranch with their private fire district. Although privately owned, they deliver essential services to the public, which qualifies them as quasi-public. And that this would essentially create an exemption for government and quasi-public facilities and would allow them to go above the 35 feet.

Commissioner Fackrell moved to close public meeting and convene public hearing

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.

- No public comment.

Commissioner Andersen moved to close public hearing and reconvene 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 Andersen moved 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, thereby adopting the applicant suggestion, with the addition of language requiring commission approval for structures exceeding 35 feet.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

MORGAN COUNTY COMMISSION MEETING MINUTES

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

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

L/D Max LLC Code Text Amendment: A request to approve an amendment to the Morgan County Code, specifically section 155.132: Use Regulations, to add aircraft manufacturing and repair as a permitted use in the Commercial Buffer (CB) District subject to Conditional Use Permit ("C1") approval by the Zoning Administrator.

- a. Planning Director introduced this stating this is for application number 24.056, which is a request to amend the code text to allow airplane manufacturing and repair in the commercial buffer zone. However, before discussing the amendment, I'd like the county commission's input on interpreting existing code regarding this property. Depending on your response, we might proceed with a conditional use permit for the applicant instead of amending the entire commercial buffer. For clarity, this property has been somewhat ambiguous over the past two and a half years in terms of classification. It's privately owned, located within the airport overlay zone, and has a hangar with easements allowing direct runway access. Although privately owned, the property's direct runway access suggests it could be considered on-airport. Under the current code for the airport overlay zone, 'on-airport' uses are defined as those related to aeronautical activities, including maintenance and repair, which aligns with the applicant's intended activities. The code specifies that no commercial activity based on or operated from the county airport should occur without county commission approval. Given that the applicant's requests are related to airplane manufacturing and repair, which fall under commercial aeronautical activities, he is seeking the Commission's view on whether this property should be considered 'on-airport' due to its direct access, or if it should remain classified as 'off-airport.' Commission decision will guide whether we proceed with a text amendment or conditional use permit.
- b. CA added that the Planning Commission's concern with creating this ordinance is that it would affect all commercial buffer areas in the county, not just this one property, potentially impacting neighborhoods nearby. Although the applicant does not plan to increase noise, this can be managed through a conditional use permit (CUP) with noise mitigation measures like soundproofing. The property is situated between the Forest Service building and county-leased hangars, giving it an 'on-airport' appearance, despite being privately owned rather than county-leased. The main difference here is that the applicant owns this parcel outright, rather than leasing it from the county.
- c. Commissioner McConnell added that, an important clarification is that, if the property has an easement for direct airport access, this sets it apart from other properties that are simply adjacent to the airport.
- d. Planning Director stated based on the clarifications, he would recommend that based on the discussion, it appears that the property qualifies as 'on-airport.' My recommendation is to withdraw the application, refund the application fee to the applicant, and allow them to submit a conditional use permit. This would be classified as C-3, as the airport overlay zone requires county commission approval for the conditional use.

Commissioner Andersen moved to withdraw and refund application number 24.056, allowing the applicant to apply for a conditional use permit in the future.

Seconded by Commissioner Wilson

VOTE:

Commission Chair Newton AYE
Commission Vice Chair Wilson AYE

MORGAN COUNTY COMMISSION MEETING MINUTES

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

UPCOMING EVENTS:

- 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

(G) County Administrative Manager Report

- She asked for clarification on winter events that would cause the building to close what would be the protocol, Chair Newton said we haven't had a time that is has ever happened and didn't need a protocol.
- She would like to know about closures for Christmas Eve, Black Friday and New Years Eve. Half days on both was decided amongst Commission however no pay will be given and only vacation pay or unpaid hours can be taken.
- She added information from meeting with Governor's Office of Economic Opportunity.
- Congressman Moore was in the county last week and was updated on and liking the progress from our state partners.

(H) Commissioner Comments

- Commissioner Andersen
 - No comments
- Commission Chair Newton
 - No comments.
- Commissioner Fackrell
 - He asked about an email from UAC to the Commissioners, for the legislative process for this next year. They need the information by Friday, and that was to do with public works. How much money is being spent our regular budget for tourism related items it was actioned that the CAM will get that information to them.
- Commissioner McConnell
 - No comments.
- Commission Vice Chair Wilson
 - He had a call concern on an individual on the Planning Commission as they hadn't been to three meetings and didn't give notice, he looked into it and spoke to the individual and stated it shouldn't be an issue going forward.
 - The situation with the swather being ruined from watering the neighboring field, it was the swather that broke, Commissioners discussed how to rectify the situation.
 - Youth futures is having there sleep out Utah event this weekend.

**Commissioner Andersen requested closed session for the discussion of character, professional, competent, competence of an individual, or discuss pending or reasonably imminent litigation
Seconded by Commissioner Wilson**

MORGAN COUNTY COMMISSION MEETING MINUTES

VOTE:

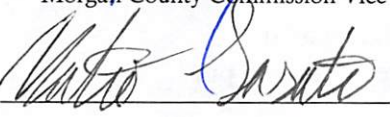
Commission Chair Newton AYE
Commission Vice Chair Wilson AYE
Commissioner McConnell AYE
Commissioner Andersen AYE
Commissioner Fackrell AYE
The Vote was unanimous. The Motion passed.

Adjourn –

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 Vice-Chair

DATE:

ATTEST: 
Morgan County Deputy Clerk/Auditor

DATE 11/20/2024

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.