

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

November 19TH, 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 Mike Newton may 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
Shasta Breshears
Brinley Turner
Navy Woolsey
Abram Anderton
Crew Johnson
Patrick Williams
Kelvin Judd
Larry Wiley

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
Clerk/Auditor Leslie Hyde
Building Official Dave Webster
Deputy Clerk/Auditor Cindee Mikesell
Sheriff Corey Stark
Undersheriff Jim Wagner
Public Works Director Bret Heiner
Assessor Janell Walker
Recorder Brenda Nelson

4:00 WORK SESSION

1. Planning & Development Office: Opportunities to Streamline Processes
 - a. Offices processes were discussed with Planning & Development to clarify certain processes and discuss if areas could be improved.
2. Fiscal Year 2025 Budget Work Session.
 - a. Salaries and COLA's were mainly discussed. It was decided that the final decision will be made at a public hearing on December 3rd.

5:20 COMMENCEMENT OF MEETING

(A) Opening Ceremonies –

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

(B) Consent Agenda Items

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1. Approval of the Morgan County Commission Minutes from October 29th, 2024.
2. Approval of an interlocal with the State of Utah: Department of Agriculture and Food for Predator control as outlined in the attached Morgan County Predation Management Plan.
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.

Commissioner McConnell moved to approve consent agenda items.

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton ABSENT

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)

1. Tina Kelley from Mountain Green addressed the Commission about the recycling program. She stated that during discussions about recycling bins, she recalled there being mention of an opt-out option at one point, but it seems that idea has since been set aside, possibly due to cost considerations. She believes it's important to revisit the option for residents to opt out. She added that in her household, they generate very little waste. Adding a second recycling bin, which they likely wouldn't use much as they primarily recycle glass which wouldn't be apart of recycled items allowed. Many others in the community are in similar situations, especially retirees or smaller households, who simply don't produce much waste or recyclables. She encourages Commission to reconsider the opt-out option for these residents.

(E) Presentations

1. Community and Economic Opportunity Board – John Barber (Chair), Traca Wardell (Vice-Chair), Andrew Willis (Davis Tech: Business Opportunity Center): Update on CEO Growth Grants from June.
 - a. Their presentation is included in the packet of the businesses that received grants in June. The latest grant recipients include Mountain Green Gym, Young Automotive Bed Liner Facility, and the Scotsman Center for their farmers market.
2. Morgan High School Student Body Officers – Their goals for the 2024-2025 school year Halle Titus, Crew Johnson, Zach Dredge, Navy Woolsey, Maggie Lowder, Brinley Turner, Patrick Williams, Rhett Barker, Abe Anderton.
 - a. Patrick Williams, SPO tech, introduces the Morgan High School student body officers and discusses the theme "Good Old Days."
 - b. The goal is to unify the school by integrating students from different middle schools and creating new traditions.
 - c. Upcoming projects include a Christmas video, a senior citizen prom, and a fundraiser for Principal Mike Soffe's medical expenses

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3. Blair Stringham, Northern Region Supervisor for the Utah Division of Wildlife Resources – Presentation of the State's Payment in Lieu of Taxes for properties within the County.
 - a. Blair Stringham came to present a check to Commission.

(F) Action Items

1. Amy Limon & Russell Fox – Discussion/Decision – Utah Transit Authority

Review and approval of the Ski/Service Stop Agreement.

- a. Beth Holbrook and Russell Fox introduced this to the Commission, they stated we provide ski service across several counties, including Morgan and Davis. Key routes include: Route 674 (Ogden Front Runner to Powder Mountain), Route 675 (Ogden Front Runner to Snow Basin), and Route 677 (Farmington Station through Morgan County to Snow Basin). The 677 route, serving Davis and Morgan counties, offers park-and-ride, hotel access, and hourly service from 6:45 AM to 4:45 PM. Our service runs from early December to April, with this year starting December 8. The shift to all-day hourly service, instead of peak-only, has significantly boosted ridership. For example, Route 677 saw a 73% increase in boardings between the 2022-23 and 2023-24 seasons, rising from 10,397 to nearly 18,000. They are here to discuss the contract for the Mountain Green stop, enabling UTA to operate in Morgan County, which is outside their regular transit district, and ensure funding to support this service.
- b. Commissioner Andersen and Commissioner McConnell would like to know the data and actual percentages of use of this service in Morgan.
- c. Parking was also discussed as a future potential issue, people need to be able to access parking to use this service rather than using other businesses parking that is not intended for ski service use and for customers of the businesses.

Commissioner Fackrell moved to approve the ski service stop agreement at the price that is listed in our report or in the contract with the changes that you can possibly make and the funding to come from TTAB.
Seconded by Commissioner McConnell

VOTE:

Commission Chair Newton ABSENT

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

2. Doug Eilertson, Wildcat Storage – Discussion/Decision – Transportation Impact Fee

Request to reduce the Transportation Impact Fee based on traffic study.

- a. Kelvin Judd introduced this to the Commission stating that their understanding that transportation impact fees are calculated based on the square footage of a commercial building, whereas in most municipalities, they're typically based on actual traffic impact, which seems more logical. They stated they're not the first to request a fee reduction—for example, the Scotsman Center, have as well. For Wildcat Storage in the Canyon View Commercial Subdivision, a generic traffic study was done when the subdivision was approved. Specific projections for Wildcat Storage estimate about 100 trips on a busy day, which is approximately 3% of the 3,284 daily trips generated by Lee's Marketplace. Lee's paid a \$77,000 impact fee, but Wildcat Storage was assessed over \$100,000 despite having a fraction of the traffic impact. Based on a true traffic study, Wildcat's fee would be around \$2,495.
- b. The Commissioners discuss the methodology of calculating traffic impact fees and the need for consistency in fee calculations.

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- c. Planning Director added that based on code, square footage is the calculation used. He stated there is a provision in the code that the Commission can reduce the fees. As has been done with past for other businesses.
- d. Building Official added that other cities or counties he has previously worked for didn't collect impact fees and went off of the square footage of the building, including use of and occupancy of the building.
- e. Planning Director produced fee information that was paid for Scotsman Center stating the Scotsman Center's modified traffic impact fee was calculated by taking the total number of storage units, multiplying it by point two five, which gave them the average daily number of trips. And then that total was multiplied by \$73.23 so for the between the two phases, first phase, they paid \$3,515 and change. In the second phase, they paid \$3,588 and change.

Commissioner Andersen moved to approve the transportation impact fee request to reduce the fee to the amount of \$3,750 with the data that we've received from the applicant and the traffic impact study we received from the engineering firm.

Seconded by Commissioner McConnell

VOTE:

Commission Chair Newton ABSENT

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 Canvassers – Discussion/Decision – Cindee Mikesell

Pursuant to Utah Code Annotated 20A-4-301(1)(b) The board of county canvassers shall meet to canvass the returns at the usual place of meeting of the county legislative body, at a date and time determined by the county clerk that is no sooner than seven days after the election and no later than 14 days after the election.

- a. Cindee Mikesell introduced this, she stated in this election, we had an impressive 83% voter turnout. She wanted to recognize her team and especially Leslie for their hard work. Despite challenges from auditors, the Lieutenant Governor, and various demands, they stayed resilient and accomplished everything with pride. This year, they processed 197 provisional ballots, with 167 counted and 30 rejected due to issues like missing postmarks or incomplete information. For cure letters—sent to voters with signature issues—they issued 202, with 74 ballots successfully cured and counted. Overall, they counted 7,500 ballots. There were three standout moments for her: first, seeing the cheerleaders line the cement with flags at sunrise, which was incredibly touching; second, assisting our first blind voter who used the Express Vote machine; and third, participating in a hand-count audit with a committee. She'd like to thank Garret Smith, Erin Bott, Brandon Stokes, Janelle Walker, and Penny from her office for their efforts in that process. It's was a challenging yet rewarding election, and she's proud of what they achieved.
- b. Commissioner Fackrell asked about what the hand count entails.
- c. Cindee explained that the Lieutenant Governor provided them with a batch of 132 ballots for the hand count, which was fortunate given the potential for a much larger batch of up to 1,000 ballots. They were relieved to work with the smaller number.

Commissioner McConnell moved to close public meeting and convene as the Morgan County Board of Canvassers.

Seconded by Commissioner Andersen

VOTE:

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Commission Chair Newton ABSENT

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 moved to certify the election as presented pursuant to the Board of County Canvassers.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton ABSENT

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 close as the Board of County Canvassers and reconvene public meeting.

Seconded by Commissioner McConnell

VOTE:

Commission Chair Newton ABSENT

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

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

Review and subsequent awarding of the Fairground's Trail bids to be funded with Regional Parks Impact Fees [28-4400-309-000]

- a. The Public Works Director introduced this discussing the trail project, mentioning that it is out to bid and should be completed by June 1, 2024. He also adds the trail's location, it will run from the entrance of the fairgrounds to the steel bridge by the pickleball courts.
- b. CA questioned the contract details, specifically the width of the trail, and Public Works Director confirms it will be 10 feet wide to match the city's trail.

Commissioner McConnell moved to approve the contract agreement between Morgan County and Advanced Paving and Construction for the construction of a 1400-foot asphalt trail, 10 feet in width, in the total amount of \$79,800.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton ABSENT

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

5. Bret Heiner – Discussion/Decision – Morgan County Public Works Director

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Concrete bid for a pad extension at the Croydon Park north of the pavilion 25 x 35 pad; Funding to come from Community Parks Impact Fees [28-4400-310-000]

- a. The Public Works Director introduced this stating it is a concrete project for Croydon Park, explaining the community's desire for a larger basketball court.
- b. Commissioner Andersen asked about if they will install a pipe for the basketball court.
- c. Public Works Director said they will install a standard pipe for a basketball court.

Commissioner Fackrell moved to approve the bid for the concrete pad at Croydon Park to Ernie Durrant. Funding to come from Community Parks Impact Fees.

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton ABSENT

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

6. Bret Heiner – Discussion/Decision – Morgan County Public Works Director

Presentation on Federal grant money that the county received from 2018 to 2024 for bridge replacements and road overlays and reconstruction. County's match was 6.7% of the total monies received.

- a. The Public Works Director introduced this stating he put together this information to give the public and Commissioners a clear picture of what they've accomplished in the county, particularly with road and bridge projects. Everyone wants perfect roads, and he does too, but it comes down to funding. Looking at the federal grants they've secured for bridge projects, it's clear how critical these funds have been. Without them, they could have faced significant issues or failures. Starting in 2018 with the Stoddard Bridge, the county has brought in over \$16.5 million in federal grants while contributing only \$1.1 million in matching funds—a remarkable deal compared to typical grant matches, which are often 50/50 or higher. These figures exclude UDOT's 10% project management fee, but they demonstrate the significant value of these projects to our community. For example, many of us recall the Croydon Bridge project and the impact it had. This information highlights the importance of securing grants and maintaining focus on infrastructure improvements.

ITEM NOT VOTED ON. DISCUSSION ONLY.

7. Morgan County Board of Equalization – Discussion/Decision

Request to approve Resolution CR 24-02-BOE to abate erroneously assessed taxes on parcel 00-0084-0440 for the 2024 tax year.

- a. The Assessor introduced this to the Commission stating that the recorder and her have identified a parcel, dating back to at least 2015, described as lacking road access. It's a triangular piece of land located on Highway 66. They are requesting the Board of Equalization's approval to delete the parcel. This action would involve forgiving \$2,151 in taxes on a property valued at \$2,400 in market value.
- b. The Recorder offered clarification and the back story stating In 1980, a quiet title action awarded the property to Charles Kippen and Sons. However, the legal description excluded the "State Road," which was noted on the Mylar but not clearly described in that area. When the property was subdivided, a leftover piece remained. In 2015, someone questioned ownership of that piece. Upon review using the GIS website, it

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appears the parcel lies within the State Road. For this reason, we are requesting forgiveness of the associated taxes.

Commissioner Fackrell moved to close public meeting and convene as the Board of Equalization.
Seconded by Commissioner McConnell

VOTE:

Commission Chair Newton ABSENT
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 to abate erroneously assessed taxes on parcel 00-0084-0440 for the 2024 tax year.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton ABSENT
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 close as the Board of Equalization and reconvene public meeting.

Seconded by Commissioner McConnell

VOTE:

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

The Vote was unanimous. The Motion passed.

8. CoyAnn Kilmer & Kylie Earl – Discussion/Decision – Sheriff's Administration Office
Request to modify certain fees that pertain to the Morgan County Sheriff's Administration Office.
a. Item postponed.

Commissioner Fackrell moved to postpone the item to a later date.

Seconded by Commissioner McConnell

VOTE:

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

The Vote was unanimous. The Motion passed.

9. Hon. Corey Stark – Discussion/Decision – Morgan County Sheriff
Discussion and approval of an Interlocal Service Agreement with WPR.
a. The Sheriff introduced this to the Commission stating the contract with Wasatch Peaks Resort is set to expire at the end of this month, and they are requesting renewal. The terms remain the same, except they propose reducing service from five days a week to

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- three days a week while maintaining the same price. Additionally, they would like to extend the contract duration from six months to eight months.
- b. CA added that clarification for the record that while this has been noted as an interlocal agreement, it is technically a contract since it involves an LLC rather than a district or public entity. This distinction doesn't change what we're doing, it's simply a renewal of the same type of contract we've had before.

Commissioner McConnell moved to approve the special services agreement between Morgan County and Wasatch Peaks Ranch Club LLC.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton ABSENT

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

10. * Josh Cook – Discussion/[Public Hearing](#)/Decision – Planning & Zoning Director

Mountain Green & Peterson Area Plans: Request for a Public Hearing to adopt the Mountain Green and Peterson Area Plans.

- a. Planner 1 introduced this to Commission he did a recap the timeline of discussions regarding the Mountain Green and Peterson area plans. These plans originated from a presentation to the Planning Commission about a year ago, which also included a presentation to this body. Public interest led to a hearing on March 14, 2024, to gather public input. Several public comments were received and discussed by the Planning Commission, which then decided to review the entirety of both area plans in detail. This review involved no fewer than four work sessions on April 25, June 13, September 12, and October 17, during which the text of both plans—similar in format—was thoroughly examined and revised. On November 14, the Planning Commission unanimously voted 4-0 to recommend adoption of the Mountain Green and Peterson area plans to this body. However, there is no finalized general plan to which these area plans can currently be attached.
- b. Planning Commission Chair Debbie Sessions addressed the Commission, she stated the changes to the area plans primarily involve a few minor adjustments, with two major revisions. First, we increased the recommended lot sizes in different residential zones. For Mountain Residential, we raised the minimum lot size to half an acre, and for River Residential, we increased the minimum to five acres, as opposed to the previously proposed quarter-acre lots. Additionally, in Peterson, a key change came from a presentation by Kent Wilkerson on behalf of the Whittier family. They proposed extending the Village area to include the Bar W Lodge, as it had previously stopped just short of the Lodge. The revised plan now extends to include the Lodge, reaching up to the Weber Basin Canal.
- c. The Commissioners discussed the need for editable maps and the process of making the necessary changes.

Commissioner McConnell moved to close public meeting and convene public hearing.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton ABSENT

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

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- Tina Kelley addressed the Commission to address some points in the Mountain Green Area Plan, specifically on pages 60A and 68, where it discusses transfer of development rights (TDRs). This is a tool that is not currently in use, and she is personally not in favor of it. The concept allows for development rights from one property—where the owner doesn't wish to develop—to be transferred to another property, increasing its development capacity while preserving the original property. The concern is that discussions often suggest transferring development rights from areas like Croydon and Milton, which prefer minimal growth, to Mountain Green, where substantial growth is already occurring. She doesn't believe that approach is appropriate. While there might be cases where TDRs are suitable, without a clearly defined framework for their use in the development tools, she doesn't think they should be included in the area plan. Including them without proper guidelines could create misunderstandings and false expectations.

Commissioner McConnell moved to close public hearing and reconvene public meeting.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton ABSENT

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

- Planning Director addressed the public comment stating the Transfer of Development Rights (TDRs) is a planning tool used to concentrate development in specific areas while preserving others. In one example from Winchester, Clark County, Kentucky, the city and county collaborated through a joint planning department and commission to implement a TDR program. They identified and ranked prime agricultural areas based on their agricultural value. Properties classified as prime agriculture were given a higher multiplier—up to four times—allowing property owners to sell the development potential of their land. This preserved farmland while transferring density bonuses to urban areas for development, often through annexation. While this approach worked in that context, he doesn't see it as a viable solution for our area.

Commissioner McConnell moved to approve the adoption of the mountain green and Peterson area plans, with the additional recommendations that these plans be incorporated as dedicated chapters in a future county general plan, with the recommendations of the Planning Commission and the further recommendation that references to TDR's be eliminated.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton ABSENT

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

11. * Josh Cook – Discussion/[Public Hearing](#)/Decision – Planning & Zoning Director

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Household Pets Code Text Amendment: A request to approve an amendment to Morgan County Code 155.008.

- a. Planner 1 introduced this to the Commission stating On October 17, the Planning Commission directed staff to amend the Morgan County Code to better distinguish between "household pets" and "kennel" definitions, addressing concerns about the cumbersome conditional use permit process triggered for residents with more than two pets. Proposed changes include revising "pets" to "animals," clarifying that household pets must not cause excessive noise, odor, or property damage, and referencing an enforcement section for animal-related violations. Minor updates to the "kennel" definition also clarify "keeping for a fee" alongside "boarding." The Planning Commission unanimously recommended these amendments for approval on November 14, following public input and staff clarifications on enforcement methods.
- b. The Commissioners had a lengthy discussion around defining excessive noise and odor and how it would be best to word it for purposes of clarity in the code.

Commissioner McConnell moved to close public meeting and convene public hearing.

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton ABSENT

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

- Tina Kelley commented stating she has concerns about allowing an unlimited number of pets, as this could apply to any property size, from townhomes and apartments to large acreages. Without a limit, issues may arise, particularly in smaller properties. The current process requires complaints to be filed by adjacent property owners, often leading to enforcement challenges, with fines up to \$750 for violations under section 155.999. Comparatively, obtaining a kennel permit costs \$250 and allows for more than two pets. However, this proposed change may unintentionally create a harsher penalty system, discouraging compliance. Neighbor disputes could escalate, especially in areas without fences or in high-density housing, emphasizing the need for clear, balanced regulations.

Commissioner McConnell moved to close public hearing and reconvene public meeting.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton ABSENT

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

- CA added that as a prosecutor, he believes some restrictions on the number of dogs are beneficial, especially with a conditional use permit to mitigate potential detrimental effects. For example, in a recent case, an owner with three dogs couldn't manage them all, leading to one escaping and fatally attacking a smaller dog. Dog bite cases, particularly involving children, are particularly distressing. Allowing more animals increases the risk and complicates control. Enforcement could involve animal control, zoning enforcement, or even criminal or civil penalties under section 155.999. While zoning enforcement could streamline issues, it introduces complexity,

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requiring coordination between agencies. Addressing concerns through nuisance laws, leash laws, or similar provisions might be more straightforward. These factors highlight the need for careful consideration when amending pet-related regulations.

Planning Director added that Enforcing pet limits is challenging because people typically don't inquire about the number of pets allowed. For instance, a resident who applied for a kennel license qualified only because her property was split-zoned. He stated that effective enforcement by his office would be difficult, making nuisance laws a more practical approach. Regarding civil penalties, the \$790 figure is incorrect; it's actually \$100 per day for each offense. If a violation persists, penalties can escalate significantly—for example, a year-long offense could amount to \$36,500—encouraging timely resolution.

Commissioner Andersen moved to approve amendments definitions for household pets and kennel Morgan County code section 155.008, based on the text listed in Exhibit A of the staff report dated November 19, 2024 and based on the noted changes in discussions, with the modified exhibit.

Seconded by Commissioner McConnell

VOTE:

Commission Chair Newton ABSENT

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

- Budget discussion was postponed and held till this point in the meeting. It was ultimately decided that the final decision and discussion will be made at the Commission meeting on December 3rd.

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

- a) Allocating the remaining American Rescue Plan Act as determined during the September 19th, 2024, work session.

Line Item	ARPA Project	Mtg Budget		Vote	Actual
		Approved	Budget		
10-4150-675	Fairground Water Line Project	11/9/2021	\$ 150,000	Unanimous	\$ 156,639.13
10-4150-675	Sheriff Deputy Addition X2	11/9/2021	\$ 600,000	Unanimous	\$ 358,731.05
10-4150-675	Attorney Assistance with Case Back Log	11/9/2021	\$ 75,000	Unanimous	\$ 18,200.00
10-4150-675	Mountain Green Sewer District	6/21/2022	\$ 400,000	Unanimous	\$ 400,000.00
10-4150-675	Taggarts River Access Improvements	9/7/2021 min	\$ 100,000	Unanimous	\$ 100,000.00
10-4150-675	Radios	11/9/2021	\$ 70,000	Unanimous	\$ 70,000.00
10-4150-675	Commission Room Audio Visual	3/1/2023	\$ 65,000	Unanimous	\$ 67,422.00
10-4150-675	CCJC	3/1/2023	\$ 41,000	Unanimous	\$ 40,713.00
10-4150-675	GIS Parcel Fabric	3/1/2024	\$ 248,503	Unanimous	\$ 248,503.00
10-4150-675	Mountain Green Sewer District	11/19/2024	\$ 300,000		\$ 300,000.00
10-4150-675	Attorney Assistance with Case Back Log	11/19/2024	\$ (45,000)		\$ (45,000.00)
10-4150-675	Atty Contractor for Code Rewrite	11/19/2024	\$ 45,000		\$ 45,000.00
10-4150-675	District Water Study	11/19/2024	\$ 150,000		\$ 150,000.00
10-4150-675	Fairgrounds Electric Update	11/19/2024	\$ 146,668		\$ 146,667.87
				COMMITTED	\$ 2,354,945.00
				FUNDS	\$ 2,354,945.00
				AVAILABLE	\$ -

- Commissioner Andersen brought up the work session from September 19th where it was discussed to allocate additional \$300,000 to MGSID;

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Commissioner McConnell suggested \$150,000 be designated for a District Water Study; Attorney Smith requested to re-allocate \$45,000 of funds already approved for his office towards updating the County Code, leaving \$11,800 in additional case back log services; Commissioner Fackrell reiterated the intent of the funds designated for the Taggart's improvements; The remainder of the undesigned funds are to go towards Fairgrounds electrical improvements.

Commissioner McConnell motioned to commit the remaining ARPA funding as set forth in the spreadsheet.

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton ABSENT

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed

- b) Request to approve funding for the County/City Tree for Christmas on Commercial in the amount of \$500 out of non-departmental.**

Commissioner McConnell motioned to approve funding for the county, city tree for Christmas on commercial and the amount of \$500 paid out of the non-departmental fund.

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton ABSENT

Commission Vice Chair Wilson AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

- c) Review of meeting with the Morgan County Conservation District in reference to the creation of a draft Weed Abatement Ordinance.**

- The Commission and CAM discussed the ordinance, and CA presented his recommendations to the ordinance, further research will be done by the CAM in reference to the Board's legal authority to enforce the ordinance.

- d) Request to approve an estimate to run a gas line to the Search and Rescue building and designate funding.**

- The Commission requested the CAM reach out to the gas company to be sure we had permission to add onto our existing natural gas line before proceeding.

- e) Discussion and approval of redlines to the Interlocal between the Morgan County School District and the Morgan County Recreation Department that shall go into effect 1 January 2025.**

- The school reviewed the agreement and came back with some redlines and pricing increases. A decision was not made by Commission, the CAM only wanted to present it so that the Commission could review it and be able to think about what they would like to do with the agreement.

- f) Discussion on possible additions to the Interlocal between the Morgan County School District and the Morgan County Sheriff's Office for the 2025-2026 School Year.**

- The CAM introduced this for the Commissions awareness, the school district intends to add two new School Resource Officers (SROs) for the 2025-2026 school year. However, since they won't vote on it until next June and would

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require truth-in-taxation measures to fund it, she didn't include it in the budget. Commissioner Newton suggested she inform the Commission so it's on your radar. HR updated the cost analysis for adding SROs, and the outfitting expenses would likely be spread over three years, aligning with our half-share estimate of \$180,000. The enthusiasm stems from Jamie Boots' exceptional work; the school district values him highly and hopes he can help train the new officers.

(G) Commissioner Comments

- Commissioner Andersen
 - None
- Commission Chair Newton
 - ABSENT
- Commissioner Fackrell
 - He Congratulated the Morgan football team that won state championship last week.
- Commissioner McConnell
 - The executive for the YCC is retiring as of the year end, Margaret rose, she's done an exceptional job. They have interviews with the new candidates the next three days, and they're very interested in who's going to be taking his place.
- Commission Vice Chair Wilson
 - He asked for an update on the tractor situation from previous meetings. Chair Newton and Commissioner Andersen are going to talk to the Public Works Director about it.

Adjourn – 9:44

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: 12/3/2024

ATTEST: 
Morgan County Deputy Clerk/Auditor

DATE 12/3/2024

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.