

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.

Notice: Commissioners Newton and Wilson shall be participating virtually

MORGAN COUNTY COMMISSION MEETING MINUTES

June 18th, 2024

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 Robert McConnell
Commissioner Jared Andersen
Commission Vice Chair Blaine Fackrell

OTHER EMPLOYEES

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

OTHERS IN ATTENDANCE

Debbie Sessions
Tina Kelley
John Barber
Andrew Willis
Shane Pentz
Scott Peterson
Traca Wardell
Steve Gale
Lillia Allen
Morgan Valley Auto Committee

5:00 COMMENCEMENT OF MEETING

(A) Opening Ceremonies –

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

(B) Consent Agenda Items

1. Approval of the County Commission meeting minutes for June 4th, 2024.
2. Resolution **CR 24-60** approving the agreement between Morgan County and the State of Utah, Division of Technology Services, Utah Geospatial Resource Center (UGRC) for the purpose of receiving Monument Replacement and Restoration Committee (MRCC) funding.
3. Approval of the County's 2024 Fraud Risk Assessment
4. Resolution **CR 24-61** approving the agreement between Morgan County WC-3 for continued Inspection and Plan Review Services.
5. Approval of the GOEO Part A 2023-2024 Final Report Submission
6. Resolution **CR 24-62** approving the County's Privacy Compliance Plan as required by Utah Code 63G-31-304(2)(a)
7. Resolution **CR 24-64** approving the County's Privacy Contract and subsequent Certificate of Data Destruction

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8. Approval of additions to the County Commissioner's Portfolios to assign areas for appointing Planning Commission seats.
 - a. Commissioner McConnell and Commissioner Fackrell made adjustments to meeting minutes from June 4th to state Commissioner Fackrell nominated Steve Wilson. Correction made.

Commissioner McConnell motioned to remove item 5 from consent and into action items. And approved the other consent agenda items.

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson ABSENT

The Vote was unanimous. The Motion passed.

(C) Commissioner Declarations of Conflict of Interest

- **None**

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

- **No public comments were made.**

(E) Presentations

Community Economic Opportunity Board – Presenting their slate of recommended awardees for the 2024 Morgan County Program Grant Funds

- John Barber and Andrew Willis came and presented on businesses that have applied for this rural grant. Presentation is included in the packet.

(F) Action Items

1. **Janelle Walker** – Discussion/Decision – Morgan County Assessor
Resolution CR 24-45 approval of the agreement and fee schedule with Small Town GIS for services provided to the Morgan County Assessor's Office.
 - a. Assessor presented this stating in previous meetings and discussions, she emphasized the importance of maintaining the Smalltown GIS, managed by Jeff Ward, in the Assessor's office. This system is crucial for their daily operations, including visual assessments, subdivision updates, detailed reviews, and mapping. It enhances their efficiency in tasks such as finding escaped property, planning driving routes, and understanding neighborhood characteristics. Her and other department heads discussed the necessity of keeping Smalltown GIS operational until the new GIS systems (Wasatch Civil and Pro-West) are fully functional. The GIS is vital for various layers they use daily, including development phases and the green belt layer, which are essential for tasks like managing FAA designations. Jeff Ward has supported the Assessor's office for nine years, ensuring their GIS needs are met promptly. As they transition, he will continue to update and clean up maps, work on the precinct layer for voting, and assist with new growth and building permits. To formalize this, she has worked with CA on a contract for Jeff, which has been revised and is ready for final review. This ensures Jeff's continued support during this critical period.
 - b. CA reiterated his changes made to the contract.

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Commissioner McConnell motioned to approve resolution CR-24-45 approval of the agreement and fees scheduled with Smalltown GIS for services provided to the Morgan County assessor's office with the changes discussed this evening.

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson ABSENT

The Vote was unanimous. The Motion passed.

2. Leslie Hyde – Discussion/Decision – Morgan County Clerk/Auditor

Request to enter into an agreement with Civic Review for Merchant License software services and request funding from the General Fund.

- a. Clerk introduced this to Commission, the information is included in the packet including the cost. This will bring her office up to par with business licenses and to help in using one system going forward rather than Caselle and Civic Review, the office would only use Civic Review.

Commissioner McConnell motioned to approve the agreement with Civic review for the merchant licensed software services with the funding to come from the fund balance

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson ABSENT

The Vote was unanimous. The Motion passed.

3. Leslie Hyde – Discussion/Decision – Morgan Clerk/Auditor

2024 Tax Rates: Setting the Morgan County 2024 Tax Rate(s)

- a. Clerk/Auditor presented what is included in the packet, she is here seeking approval of 2024 tax rates.

Commissioner McConnell motioned to approve the 2024 tax rate setting the Morgan County 24 tax rate as presented.

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson ABSENT

The Vote was unanimous. The Motion passed.

4. Morgan County Commission – Nomination/Appointment of citizen(s) to the Planning Commission

Resolution CR 24-58 Nomination & Appointment of citizen(s) to the Morgan County Planning Commission

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- a. CAM introduced this stating the commission requested that this item be added to the agenda because we still have two at-large seats open, and Commissioner Wilson has not yet made a nomination for his area. This is the only reason for its inclusion today. If there are no nominations or if they wish to table the discussion, we can. We previously discussed the possibility of appointing individuals to the two at-large seats today. She asked if the Commission has considered any candidates for these positions, and if they should review the existing applications or wait another week.
- b. Commissioner Andersen stated he would like to wait for Commissioner Wilson to add input.

Commissioner Andersen made a recommendation we postpone resolution CR-24-55 nomination appointment of citizens to the Morgan County Planning Commission.

Seconded by Commissioner McConnell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson ABSENT

The Vote was unanimous. The Motion passed.

5. Kate Becker – Discussion/Decision – Morgan County Administrative Manager Approval of distribution of the 2024 Morgan Community Economic Opportunity Program Grant funds; Additionally approving the annual report for GOEO Part A 2023-2024 submission.

- a. This is for the approval of the distribution of the grant funds.
- b. CAM added, The Governor's Office of Economic Opportunity provides the county with \$200,000 annually for community and economic development. The County Commission has consistently allocated \$50,000 of this grant for small business Economic Opportunity growth grants. Currently, after accounting for the \$50,000 allocated for this project, we have \$98,000 remaining in the fund. Additionally, we have an agreement with the state's Governor's Office of Economic Opportunity to reallocate any unspent funds by the end of the month towards the East Dome project.
- c. CAM introduced the second part of this item which involves midyear reporting for these grants, due on June 30. She will report that we spent \$58,952 on the Small Business Community Economic Opportunity grants. Additionally, \$89,400 will be rolled over for the East Canyon project. The remaining funds were utilized as budgeted for dues to the Chamber, their work with Davis Tech, and their collaboration with the Tourism Board.

Commissioner McConnell motioned to approve the distribution of the 2024 Morgan Community Economic Opportunity program grant funds in the amount of \$58,952 for the recipients as presented this evening.

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson ABSENT

The Vote was unanimous. The Motion passed.

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Commissioner McConnell motioned to approve the annual report for the GOEO part A 2023 2024 submission reporting the amounts as presented

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson ABSENT

The Vote was unanimous. The Motion passed

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

Approval of an RFP for Impact Fee Analysis and Plan for Transportation, Community Parks, and Regional Parks; Also, for Fee Analysis on certain Planning and Development fees and Clerk/Auditor fees.

- a. CAM is looking for direction on this from the Commissioners. The direction was to build out two RFPs. One for all County Fees to include planning department fees. And a second for a Fee Analysis and Study for Community Park, Regional Parks, Transportation, and Public Safety to include Fire & EMS. Then bring to the next Commission meeting for final comment and approval before posting.

The CAM was directed with the discussion on how to present the RFP. No motion was made.

7. Josh Cook – Discussion/Decision – Planning Department

Shadow Creek Development: Request for approval of the Shadow Creek Development Concept Plan identified by parcel numbers 00-0090-2565 & 00-0090-2644 and serial numbers 01-004-523-06 & 01-004-529-01 and is located approximately 700 feet north and west of the W Surrey Ln and N Morgan Valley Dr intersection in Milton.

- a. Planner 1 introduced this to Commission stating application number 23.070 pertains to the Shadow Creek development concept plan submitted by applicant Casey Low and property owner Steve Peterson. The property, currently zoned RR5 following a rezone from A20 in May of last year, spans 80.1 acres and is located approximately 700 feet northwest of the intersection of West Surrey Lane and North Morgan Valley Drive. The General Plan designates this area as Ranch Residential 5. In March, County Ordinance 24-09 was passed, allowing a maximum of 15 lots for wells in small subdivisions within the applicable zoning. The current proposal includes 14 lots, which meets this requirement. A review by the County Engineer and Planning Department confirmed that the concept plan complies with all minimum code requirements, including street infrastructure. The Planning Commission discussed the plan in their June 13 meeting, where only one public comment was received regarding horse riding on the property near the Weber River. The staff responded that this matter is up to the property owner. The Planning Commission also addressed questions about developing within the floodplain, providing necessary explanations. The Planning Commission unanimously recommended approval of the concept plan, with Chair Sessions voting due to the size of the quorum.

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- b. Commissioner Andersen asked what the hatched areas between the property and the existing home signified.
- c. Planning Director addressed this stating the owner of the property has promised to dedicate portions of land to those property owners as part of the subdivision process, he believes they are going to divide them off before the subdivision plot is recorded.

Commissioner Andersen motioned to approve Shadow Creek development concept plan application number 23.070 for a proposed concept plan of 14 single family Lots located approximately 700 ft Northwest of the intersection of West Surrey Lane and North Morgan Valley Drive in Milton based on the findings and with the conditions listed in the staff report dated June 18, 2024

Seconded by Commissioner McConnell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson ABSENT

The Vote was unanimous. The Motion passed.

Commissioner Comments

- **Commissioner Andersen**

- He mentioned the Car Show was a great success. They are looking for more grass and shade next year, he would like to look into power to the fairgrounds to help the vendors for events going forward.
- He had a productive discussion with Rob White, the Region One Director for UDOT, about state road and stormwater infrastructure maintenance. He was very reasonable, Commissioner Andersen anticipates further meetings between the county and UDOT to determine the maintenance responsibilities. Our goal is to ensure that this does not impact residents, particularly if it can be demonstrated that only predevelopment flow rates are being released from stormwater.
- He got an RFP to the CAM for review for the environmental phase one for the Fairgrounds Park.

- **Commission Chair Newton**

- He wanted to emphasize the need for electrical work needing done at the fairgrounds.

- **Commission Vice Chair Fackrell**

- He recognized the committee for the car show and commending their work for the car show.
- He had a Utah Chamber Coalition meeting We attended a Northern Utah Chamber Coalition meeting last Friday. This coalition, consisting of multiple counties (Morgan, Weber, Davis, Box Elder, Cache, and Rich), unites to have a stronger voice in legislative sessions rather than competing individually for funds. Every Wednesday at 7 a.m., the Chamber hosts meetings attended by regional representatives and senators, where they discuss priorities and updates from the coalition. The coalition finalizes its priority list by October each year. Key priorities include the I-84 interchange and transportation, along with issues like mental health, health systems, education, economic development, tourism, outdoor recreation, and capital facilities. Our county's current priorities are the I-84 interchange and potential future trails.
- July 18th the state of Utah is closing on the East Canyon property and they would like us to be in attendance if we can.

- **Commissioner McConnell**

- He wanted to know about any progresses made about moving forward with the zone changes for the airport overlay and housing for persons with disabilities ordinances.

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- County Attorney stated that he can have his Deputy Attorney look into this as she has been working on a lot of the text amendments.
- Planning Director stated he will look into this as well.
- He asked about an update on Dyers Woad, there's nothing yet according to CAM.
- **Commissioner Wilson**
 - **ABSENT.**
- **CAM addressed additional questions and the following was decided.**
 - The Commission has agreed to extend a 5-year lease to the Forestry Service. A rate is to be discussed in closed session.
 - HR Director and Fair coordinator shall be considered Department Heads and will have the Commission on their hiring panel.
 - Budget adjustments are due to the Clerk/Auditor's office by July 3rd by 2 pm.
 - The ROI has been identified for the East Canyon Dome Project. Funding has been identified as coming from the GOEO Grant Part A as well as from Transient Room Tax Revenues. Commission approved the posting of the RFP for construction.

Commissioner McConnell moved to go into a closed session to discuss the disposition or acquisition of property.

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson ABSENT

The Vote was unanimous. The Motion passed.

Commissioner Andersen moved to go out of a closed session where they discussed the disposition or acquisition of property and move to adjourn.

Seconded by Commissioner McConnell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell AYE

Commissioner Andersen AYE

Commissioner Wilson ABSENT

The Vote was unanimous. The Motion passed.

Adjourn – 7:29 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: 6/3/2024

ATTEST: 
Morgan County Deputy Clerk/Auditor

DATE 6/3/2024

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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.