

MORGAN COUNTY COMMISSION MEETING MINUTES



MORGAN COUNTY COMMISSION MEETING MINUTES
July 1st, 2025

4:00 WORK SESSION 5:00 PM REGULAR MEETING

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.

NOTE: Commission Chair Matt Wilson shall be attending virtually

COUNTY COMMISSION

Commission Chair Matt Wilson
Commission Vice Chair Vaughn Nickerson
Commissioner Raelene Blocker
Commissioner Mike Newton
Commissioner Blaine Fackrell

OTHERS IN ATTENDANCE

Debbie Sessions
Tina Kelley
Carson Porter
Toby Green

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

4:00 WORK SESSION

Brandy Grace, CEO Utah Association of Counties – Housing Foundation

- The work session was postponed.

Commissioner Blocker moved to go into closed session for the purpose of discussing land acquisition and the character and professional competency of an individual.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson AYE
Commission Vice Chair Nickerson AYE
Commissioner Newton AYE
Commissioner Blocker AYE
Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

Commissioner Blocker moved to go out of closed session and convene the public meeting.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson AYE
Commission Vice Chair Nickerson AYE
Commissioner Newton AYE
Commissioner Blocker AYE
Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

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5:25 COMMENCEMENT OF MEETING

(A) Opening Ceremonies –

1. Welcome: Vice Chair Nickerson
2. Invocation and/or Moment of Reflection: **Hon. Commissioner Newton**
3. Pledge of Allegiance: Commissioner Newton

(B) Consent Agenda Items

1. Approval of the Morgan County Commission Minutes from June 17th, 2025.
2. Acknowledgement of Submission SLFRF Report [ARPA]
3. Acknowledgement of Submission Opioid Report
4. Acknowledgement of 2024-2025 GOEO Grant Report
5. Acknowledgement of recommended GOEO 2025-2026 Budget
6. Acknowledgement of Fire Restrictions
7. Acknowledgement of UORG Grant Extension; NICA Course
8. Approval of updates to the Morgan County Location Filming Permit Application

Commissioner Fackrell moved to approve 1-8

Seconded by Commissioner Blocker

VOTE:

Commission Chair Wilson ABSENT

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was 1 ABSENT, 4 AYE. The Motion passed.

(C) Commissioner Declarations of Conflict of Interest

- None.

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

- None.

(E) Presentations

Morgan Valley Car Show Recap

- Toby Green presented a video from the car show and burnouts. They raised \$9,799 from the car show and with the sponsors donations. It was a great event and great turnout. Next year they are hoping to do a poker run the day before to bring in more business to the county.

(F) Action Items

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1. **Kate Becker** – Discussion/Decision – Morgan Administrative Manager

- a. Discussion and decision on a Tourism budget adjustment to cover Car Show Expenses
- b. Discussion and decision on creation of a restricted fund and a budget adjustment to move opioid settlement funds out of sundry
 - i. The CAM stated the tourism budget adjustment is to increase the estimated revenue from the car show to reflect actual earnings, which exceeded the original estimate. The purpose is to align the budget so that the additional revenue can be used to cover related expenses, without drawing from the General Fund.
 - ii. The CAM stated section b addresses the misallocation of opioid settlement funds, which have been incorrectly deposited into the County's sundry (miscellaneous) account. These are restricted funds and should not have been placed there. A recent change in state law, effective July 1 (attached in the packet), reinforces this requirement. A total of \$117,036.69 in opioid settlement funds has been deposited into the sundry account since December 2022. Since those funds rolled into the General Fund balance at year-end, this request is to create a new restricted fund specifically for opioid settlement dollars and to transfer the previously deposited amount from the General Fund balance into this new restricted fund. A recent deposit from this year (\$200,598.56) will be corrected separately via journal entry and does not require commission action.

Commissioner Newton moved to approve for the Tourism budget increase in the amount of \$3300 increasing the revenue line item.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson ABSET

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was 1 ABSENT, 4 AYE. The Motion passed.

Commissioner Newton moved to approve the establishment of the restricted Opioid Settlement fund and authorize the transfer of \$117,036.69 from the fund balance to the new restricted opioid settlement fund, 62.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson ABSET

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was 1 ABSENT, 4 AYE. The Motion passed.

2. **Kate Becker** – Discussion/Decision – Morgan Administrative Manager

Discussion and decision on creating a new County bank account for the purpose of setting up a County PayPal and Venmo account for the Fair.

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- a. The CAM introduced this stating last July, the Commission authorized the creation of a Venmo account for the County Fair. To complete this setup, a PayPal account is required first, and both platforms need linked banking information. To avoid connecting the County's General Fund account to third-party systems, the request is to establish a separate bank account specifically for PayPal and Venmo transactions related to the fair. The County Commission has the authority to approve the establishment of new accounts, provided they comply with state statutory requirements for financial protections. As a nonprofit, we receive a reduced transaction fee rate, approximately 1.6% instead of 3.5%, though some revenue is still lost to processing fees. This can also be used for other County events such as the Car Show etc.

Commissioner Blocker moved to approve that the county create a new county bank account for the purpose of setting up a county PayPal and Venmo account for the Fair and other events as foreseen.

Seconded by Commissioner Newton

VOTE:

Commission Chair Wilson ABSENT

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was 1 ABSENT, 4 AYE. The Motion passed.

3. Kate Becker – Discussion/Decision – Morgan Administrative Manager

Discussion and decision on an agreement for the Morgan County Fair Fun Run.

- a. The CA asked the Commission to consider establishing a consistent approach to fee-splitting agreements. While past arrangements, such as a 10% revenue share with the County, have been used, they raise concerns related to taxpayer impact and legal equity. Waiving rental or vendor fees may unintentionally subsidize events with taxpayer dollars, covering costs like EMS, facility use, and cleanup, especially when event revenue does not cover these expenses. Additionally, under the 14th Amendment's Equal Protection Clause, the County must treat all vendors fairly; inconsistent fee-splitting could expose the County to legal challenges. To mitigate these risks, it is recommended that the County charge standard vendor fees based on the event's impact on county resources. If fee-sharing is permitted, it should be applied uniformly. Some events, such as beer gardens or high-risk activities, may also increase liability, especially if the County is perceived as a joint participant. On the insurance side, UCIP has confirmed that profit-sharing does not affect coverage as long as proper indemnification provisions are included. The current agreement requires the organizer to provide proof of liability insurance by July 15 and includes indemnity language, although the County may still need to defend itself if sued.
- b. Commissioner Newton clarified how this came about stating the proposal originated when On Hill Events approached the County Fair Coordinator expressing interest in hosting an event in conjunction with the fair. The Fair Board saw potential value in the event as a fun addition but lacked the resources to support it directly. On Hill offered to handle all logistics in exchange for advertising support from the fair, with a profit-sharing arrangement in place. While similar agreements have occurred in the past, such as with the beer garden, these types of partnerships differ from traditional vendor agreements, where vendors simply lease space. In this case, the arrangement resembles more of a joint promotional effort rather than a facilities use agreement. It may be more appropriate to structure this as an advertising agreement, where the fair promotes the event but is not involved in operations or logistics. Additionally, there is a concern about the proposed date, which appears to conflict with fair scheduling, and clarification will be sought to ensure alignment.

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- c. The Commission and the CA agreed that the route, dates and time need to be clarified and discussed with On-Hill events so as to not interfere with other events that have been scheduled prior to this.

Commissioner Newton moved to approve the agreement for the Morgan County Fair Fun Run, subject to clarification of paragraph one in the agreement with dates and time.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson ABSENT

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was 1 ABSENT, 4 AYE. The Motion passed.

4. Kate Becker – Discussion – Morgan County Administrative Manager

Discussion on future uses and changes to Kent Smith Park.

- a. The CAM introduced this stating County staff has received numerous calls regarding misinformation about potential changes to Kent Smith Park. To clarify, the County has no plans to remove the pickleball courts or cut down trees. While there have been ongoing discussions about addressing parking challenges and improving the park as funding and space allow, key community assets like the pickleball courts will remain in place. The courts were a significant investment and will not be relocated or removed. There has been some preliminary discussion about possibly relocating trees from the center to the perimeter of the park to allow greater flexibility in field use, but no decisions have been made. The Commission remains committed to preserving and enhancing Kent Smith Park.

Item for clarification only, no motion given.

5. Josh Cook – Discussion/Public Hearing/Decision – County Planning & Zoning

Cemetery Code Text Amendment: A request to adopt § 155.373 and amend §§ 155.008, 155.107, and 155.132 of the Morgan County Code to define public and private cemeteries, update zoning use tables, and establish approval standards for cemetery development. The proposed changes set minimum lot sizes, restrict burial in unsuitable areas, require detailed site plans, and formalize long-term maintenance obligations for private cemeteries through deed covenants and endowment funds.

- a. The Planning Director introduced this to the Commission stating Planning staff was directed to draft a cemetery text amendment approximately three months ago. After reviewing cemetery ordinances from other communities—which were often unclear or lacking—staff developed a consolidated and streamlined version. The amendment removes the distinction between public and private cemeteries, aligning with state statute that permits both. Cemeteries would be allowed as conditional uses in larger acreage zones and commercial zones, but not in industrial zones. Approval criteria, landscaping standards, and specific requirements were included to ensure private cemeteries are properly maintained, including a

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requirement for a maintenance trust in case of organizational failure. Public cemeteries would be funded and maintained through existing municipal mechanisms. Minor clarifying edits were made following Planning Commission feedback, including language allowing existing landscaping to count toward required landscaping totals. The Planning Commission reviewed the draft on June 12 and recommended approval with a 4-0 vote. If additional review time is needed, the item can be deferred to a later meeting.

- b. The Commissioners discussed they would like more time to review this as well as discussed implementing a correct number of minimum acreage and possibly allowing citizens to smaller acreage rather than a minimum of 5 acres requirement.
- c. Commissioner Fackrell raised concerns on landscaping requirements.

Commissioner Blocker moved to go into public hearing

Seconded by Commissioner Newton

VOTE:

Commission Chair Wilson ABSENT

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was 1 ABSENT, 4 AYE. The Motion passed.

- None.

Commissioner Newton moved to

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson ABSENT

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was 1 ABSENT, 4 AYE. The Motion passed.

Commissioner Fackrell moved to postpone to the July 15 meeting.

Seconded by Commissioner Blocker

VOTE:

Commission Chair Wilson ABSENT

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was 1 ABSENT, 4 AYE. The Motion passed.

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

Discussion and decision on an agreement with Polimorphic; costs to come out of non-departmental. **“Polimorphic”** This tool would function as an interactive way for citizens to find information by asking questions, similar to how they would interact with a chatbot. Instead of just returning a list of links, it would aim to directly answer their queries using the content available on the website.

- a. The CAM introduced stating this is a proposed one-year contract for \$5,000 with Polimorphic, an AI-driven tool that enhances the County’s website functionality. When users submit questions, such as how to apply for a burn permit, the system dynamically scans and extracts current information from the website to provide accurate responses. The goal is to pilot the service for one year to evaluate its effectiveness in improving public access to information. The CA has reviewed it and it meets our code.

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Commissioner Newton moved to approve the agreement with Polimorphic in the amount of \$5,000 for the AI search and chat bot function for our website to come from the non-departmental fund.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson ABSENT

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was 1 ABSENT, 4 AYE. The Motion passed.

(G) Commissioner Comments

- **Commissioner Blocker**
 - She attended interim UAC policy steering committees (Communications Development, Criminal Justice, Government Operations) to discuss upcoming legislation and priorities.
 - She attended the UAC Justice Summit covering behavioral health, Medicaid, and homelessness updates. And toured the Huntsman Mental Health Crisis Care Center.
 - She met with the County Recorder to review the new Parcel Fabric Program, improving parcel mapping accuracy.
 - She engaged with local residents on various community concerns.
- **Commissioner Newton**
 - Him and Commissioner Blocker met with EDA representatives last week to discuss potential grant funding for the Croydon fire station. However, EDA funds must support economic development and cannot replace standard government functions, making the fire station ineligible. The EDA representative shared additional examples and information, which he will share to the Commission.
- **Commissioner Fackrell**
 - He attended a Government Operations meeting that discussed wanting to split the clerk auditor office across the counties which would affect us as our office is combined.
 - He also discussed HB139 from the State Auditors office, this requires a response from the Counties by July 9th.
 - He mentioned HB48 The Wildland Urban Interface stating we may need to look into it to see if it affect us.
 - He mentioned WFRC asked about applying for the Feasibility Grant, the CAM clarified that the grant was obtained for this and already completed.
- **Commission Vice-Chair Nickerson**
 - He had a Productive meeting with Division of Wildlife Resources (DWR); they emphasized that land use in East Canyon will not be limited to hunting. They are open to trail connectivity with Red Rock WMA and potentially to Morgan City.
 - He stated that there is positive progress on plans with the NICA site team; efforts are underway to secure an extension on state funding.
 - EMTs needed in Croydon area to support the upcoming fire station; classes expected to run Monday-Saturday.
 - Peterson Fire Station transition to County control expected by August 1; collaboration with the local fire district has been strong.
 - The new Sheriff's deputies are gaining experience quickly, with 2-3 arrests per day; summer is proving to be a busy season. Preparations are underway for increased activity as the school year approaches.
- **Commission Chair Wilson**
 - ABSENT.

MORGAN COUNTY COMMISSION MEETING AGENDA

- The CA added that while reviewing past Planning Commission meetings, he noted discussion regarding the Geo-Hazard Ordinance text amendment. His understanding is that the Commission previously directed staff to pursue this amendment, with input from Commissioners Newton and McConnell. A follow-up meeting occurred where Commissioner McConnell joined remotely, to discuss the proposed changes and gather guidance for staff. To ensure a clear record and proper process, he is requesting formal Commission direction to proceed with the amendment and establish a documented trail consistent with code requirements.

Commissioner Newton moved to direct Planning and Development staff to work on a text amendment on the geo hazard studies specific to the slopes.

Seconded by Commissioner Blocker

VOTE:

Commission Chair Wilson ABSENT

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

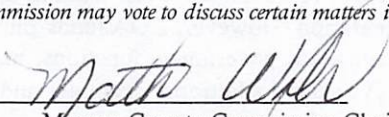
Commissioner Blocker AYE

Commissioner Fackrell AYE


The Vote was 1 ABSENT, 4 AYE. The Motion passed.

Adjourn – 7:00 p.m.

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

APPROVED: 
Morgan County Commission Chair

DATE: 7/15/25

ATTEST: 
Morgan County Deputy Clerk/Auditor

DATE 7/16/25

***Action Item(s) that includes Public Hearing(s) will be held at or after 6:00 PM**

The Commission may vote to discuss certain matters in closed Session (Executive Session) pursuant to Utah Code Annotated §52-4-205. 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 24 hours before the scheduled meeting.