



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 on

**January 19, 2021
Commencing at 4:00 p.m.**

Training for newly elected County Commissioners conducted by Utah State Auditor's Office

A) Opening Ceremonies-

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

B) Consent Items-

1. Request for approval of minutes for the meeting held on January 5, 2021

C) Commission Declaration of Conflict

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

E) Action Items –

1. Amanda Christensen – Approval of the 2021 Annual Cooperative Agreement between USU and Morgan County (Postponed from January 5, 2021)
2. Haylie Hale – The Basin Subdivision Concept Plan – A proposed 183 lot subdivision concept-plan located on 52 acres at approximately 5000 North Old Highway Road (Continued from October 20, and November 10, 2020)
3. Mike Newton – Agreement for engagement with the BYU School of Law for a conflict resolution study on the Weber River
4. Mike Newton/Blaine Fackrell – Updates to the CED Board Membership
5. Jared Andersen – Approval of agreement between Morgan County and Wasatch Civil to perform survey work for the Public Works Parcel to begin process for demolition and reconstruction.

F) Commission Discussion Items -

1. Robert McConnell – Airport revenues and capital facilities expenditures
2. Blaine Fackrell – Information regarding the use of CAREs Funding for Liberty Broadband

G) Commissioner Comments –

H) Adjourn –

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

CERTIFICATE OF POSTING

The undersigned does hereby certify that the above notice and agenda were posted as required by law this 12th day of January, 2020

tacy Netz Clark

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January 19, 2021

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Morgan County Clerk/Auditor's Office at 801-845-4011 at least 24 prior to this meeting. This meeting is streamed live.

**MEETING MINUTES
OF THE MORGAN COUNTY COUNCIL
TUESDAY, JANUARY 19, 2020
5:30 P.M.
MORGAN COUNTY COURTHOUSE
48 WEST YOUNG STREET
MORGAN, UTAH**

Except as noted above, times for agenda items are approximate and may be changed as circumstances require. Agenda items may or may not be discussed in the order they are listed. Interested members of the general public are encouraged to remain in attendance for the duration of the meeting in the event discussion of an agenda time begins earlier than listed.

Members Present

Robert McConnell
Mike Newton
Matt Wilson
Blaine Fackrell
Jared Andersen

Others Present

Debbie Sessions
Tina Kelley
Lillia Allen
David Pitcher
Greg Day
Chief Brian Brendell
James Ebert
Anisa Brown

Other Staff Present

Stacy Netz Clark, County Clerk/Auditor
Jan Farris, County Attorney
Haylie Hale, Community Development

Training for newly elected County Commissioners conducted by Utah State Auditor's Office

A) Opening Ceremonies-

1. Welcome
2. Invocation and/or Moment of Reflection was given by Commissioner Fackrell
3. Pledge of Allegiance was led by Commissioner Fackrell

B) Consent Items-

There were no consent items

C) Commission Declaration of Conflict

There was no declaration of conflict

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

There were no public comments

E) Action Items –

1. Amanda Christensen – Approval of the 2021 Annual Cooperative Agreement between USU and Morgan County (Postponed from January 5, 2021)

Amanda Christensen, Morgan County Extension Agent, presented the Council with the 2021 Annual Cooperative Agreement between USU and Morgan County.

Commissioner Newton moved Approval of the 2021 Annual Cooperative Agreement between USU and Morgan County. Seconded by Commissioner Wilson. The vote was unanimous. The motion passed.

2. Haylie Hale – The Basin Subdivision Concept Plan – A proposed 183 lot subdivision concept-plan located on 52 acres at approximately 5000 North Old Highway Road (Continued from October 20, and November 10, 2020)

Haylie Hale, representing the Community Development Department, presented the resubmittal of the Basin Subdivision Concept Plan. She explained that on October 20, 2020 the County Council reviewed the application and after a discussion, postponed the application to November 10, 2020 and asked the applicant to address: recreational opportunities, snow removal and storage areas, public and private roads, open space accessible to residents, open space areas that are steep slopes and not usable for active recreation.

The applicant revised their concept plan to address the Council's concerns. The Council continued their discussion of the issues they had previously with the plat and postponed the application to allow the applicant to address their concerns.

Commissioner Newton moved to approve The Basin Subdivision Concept Plan, a proposed 183 lot subdivision concept-plan located on 52 acres at approximately 5000 North Old Highway Road based on the findings and conditions listed in the staff report to include the recommendations from the Mtn. Green Fire District. Seconded by Commissioner Andersen. The vote was unanimous. The motion passed.

3. Mike Newton – Agreement for engagement with the BYU School of Law for a conflict resolution study on the Weber River

Commissioner Newton presented an engagement letter from the BYU School of Law. Two students enrolled in the clinic will be assigned to work with Morgan County during the winter semester of 2021 (January-April). The students will assist Morgan County in designing a system for dealing with challenges arising from recreational use of the Weber River. Students will work with Morgan County in conducting an assessment, designing a process, providing education and awareness material, training, meeting facilitation and or other efforts as agreed upon by Morgan county and the clinic

Commissioner Newton moved to approve the agreement for engagement with the BYU School of Law for a conflict resolution study on the Weber River. Seconded by Commissioner Fackrell. The vote was unanimous. The motion passed.

4. Mike Newton/Blaine Fackrell – Updates to the CED Board Membership

Commissioner Newton explained that the CED Board met on January 6th and notes the following changes to the CED Board membership:

- Add Blaine Fackrell as alternate board member representing Morgan County Commission
- Replace Oliver Young with Kory Martin representing Young Automotive
- Updating Andrew Willis as an alternate member representing the BRC
- Updating representatives from the Morgan Chamber of Commerce to be Traca Wardell Chamber president with Jason Johnson as Alternate.

Commissioner Fackrell moved to approve the updates to the CED Board Membership. Seconded by Commissioner Newton. The vote was unanimous. The motion passed.

5. Jared Andersen – Approval of agreement between Morgan County and Wasatch Civil to perform survey work for the Public Works Parcel to begin process for demolition and reconstruction.

Commissioner Anderson presented a scope of work proposal from Wasatch Civil Consulting Engineering for Morgan County Public Works Lot Survey and Mapping. Wasatch Civils' proposal includes a topographical survey and mapping of the existing lot and facility to help better determine any necessary replacement or improvements needed due to the damage caused by the recent fire.

Commissioner Newton moved to approve the proposal from Wasatch Civil to perform field study work for the public works facilities in the amount of \$4,977.25, to be paid from the insurance refund account. Seconded by Commissioner Fackrell. The vote was unanimous. The motion passed.

6. Blaine Fackrell – Information regarding the use of CAREs Funding for Liberty Broadband

The Commission heard a proposal from Mike Zindel with Liberty Broadband regarding a proposed buildout of the Morgan County internet infrastructure using millimeter wave and microwave radio frequencies. The equipment will allow each customer to receive up to 250Mbps at a range of up to 6 miles from each tower and requires clear line-of-sight. The initial capital requirement for this project is \$100,000. The project will be outlaid in 4 phases, with 6 month per phase.

Phase 1 will consist of the largest customer capacity and coverage. The main Morgan Valley area will be covered, along with Mountain Green. The Morgan county TV tower will provide backup links to three key tower locations. Liberty would install their primary networking equipment and open an office space in Morgan during this phase. Households that received tablets from the county will be prioritized during this phase.

Phase 2 is a move toward East Canyon Reservoir to capture the remaining homes in Whites Crossing and Mountain Green. The capacity for Morgan Valley will also be expanded at necessary tower locations.

Phase 3 represents an expansion into Croydon. Liberty will use the Morgan County TV Tower to connect to a hilltop in Croydon. Also, during this phase, Liberty will expand capacity at towers in Morgan Valley.

Phases 4 will be the final expansion at any tower locations that continue to require additional capacity. Liberty may add additional tower locations during this phase, depending on demand.

Liberty also commits to an agreement prohibiting the distribution of profits for the Morgan County area until the completion of Phase 4 or up to \$350,000 in revenue generated in Morgan County. Instead, the revenue that would ordinarily represent profits will be reinvested into the cost of infrastructure expansion for each phase.

The Commission and County Attorney will take the proposal under consideration and review until the next meeting.

F) Commission Discussion Items -

1. Robert McConnell – Airport revenues and capital facilities expenditures

Commissioner McConnell presented, for discussion, a matter from the airport advisory committee concerning federal grants received on behalf of the Morgan County Airport. Commissioner McConnell will continue to study past federal grants and the requirements the County may have regarding budgeting of airports funds.

G) Commissioner Comments –

H) Executive/Closed Session – Pending Litigation

Commissioner Newton moved to go into closed session for the purpose of discussing pending litigation. Seconded by Commissioner Wilson. The vote was unanimous. The motion passed.

Commissioner Newton moved go out of closed session and back into regular session. Seconded by Commissioner Fackrell. The vote was unanimous. The motion passed.

I) Adjourn –

Commissioner Newton moved to adjourn the meeting. Seconded by Commissioner Fackrell. The vote was unanimous. The motion passed.

APPROVED


Chairman

Date

2/2/2021

ATTEST


Clerk

Date

2-2-21

Commissioner Fackrell moved to approve the updates to the CED Board Membership. Seconded by Commissioner Newton. The vote was unanimous. The motion passed.

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