



MORGAN COUNTY COMMISSION MEETING AGENDA

October 7th, 2025

3:00 WORK SESSION & 5:00 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.

3:00 WORK SESSION

(A) Kick Off of General Plan with Planning Outpost

(B) Second review of draft feasibility study from LRB Finance for compilation and submission of comments.

5:00 COMMENCEMENT OF MEETING

(A) Opening Ceremonies

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

(B) Consent Agenda Items

1. Approval of the Morgan County Commission Minutes from September 16th, 2025.
2. Approval of the Morgan County Commission Minutes from September 18th, 2025 work session.
3. Approval of the Morgan County Commission Minutes from September 24th, 2025 work session.
4. Notice of Fire Station open house October 11th 1-3pm for Fire Safety Week.
5. Notice of intent to construct a communications facility near 10745 S Hwy 66 from Union Pacific Railroad and notice of potential effects being near historic properties or monuments.
6. County Landfill Diversion update since implementation of recycling.
7. Information on Agricultural Protection Areas.
8. Notice of Stage 1 Fire restrictions lifted as of September 20th, 2025.
9. Notice of Department Head out-of-state travel; Emergency Manager
 - a. Response to bombing incidents class, New Mexico Tech October 12-17
 - b. National Health Care Coalition Conference, Dallas Texas Nov 30 – Dec 4
10. Notice: Open non-user seat on the Morgan County Airport Board; Accepting applications.

(C) Commissioner Declarations of Conflict of Interest

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

(E) Presentations

Logan Taggart, Rocky Mountain Power

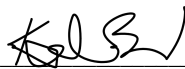
(F) Action Items

1. **Jeremy Sorensen** – Discussion/Decision – Mountain Green Sewer Improvement District
Discussion and decision on a rental agreement of land adjacent to Kent Smith Park.
2. **Bret Heiner** – Discussion/Decision – Morgan County Public Works Director
Discussion and approval to order an International Bobtail Snowplow for budget year 2026.
3. **Hon. Shaun Rose** – Discussion/Decision – Morgan County Recorder
Discussion and decision on posting an RFP to survey the Morgan / Summit County line.

MORGAN COUNTY COMMISSION MEETING AGENDA

4. **Lydia Hebdon, Morgan Recreation Director** – Discussion/Decision – Multi-Use Fields
Discussion and decision on submissions for the multi-use field well contract.
 5. **Chief Boyd Carrigan**– Discussion/Decision – Morgan County Fire Department
Discussion and decision on submissions for the concrete replacement of Fire Station 121.
 6. **Chief Boyd Carrigan**– Discussion/Decision – Morgan County Fire Department
Discussion and decision on submissions for delinquent ambulatory billing.
 7. **Josh Cook** – Discussion/**Public Hearing**/Decision – Morgan County Planning & Zoning
Whittier Subdivision, No. 1 Plat Amendment: A request for approval a lot line adjustment within the Whittier Subdivision, which is identified by parcel numbers 00-0064-2773 & 00-0064-2854 and serial numbers 01-WHIT-0003 & 01-WHIT-0004 and is approximately located at 3929 N 4000 W in unincorporated Morgan County.
 8. **Josh Cook** – Discussion/**Public Hearing**/Decision – Morgan County Planning & Zoning
Highway Signage Code Text Amendment: A request for approval of a code text amendment Ordinance **CO 25-19** to the Morgan County Code (MCC) to allow highway signage.
 9. **Kate Becker, Morgan Administrative Manager** – Discussion/Decision – Fairgrounds Electric
Discussion and decision on Resolution **CR 25-52** approving Homesteader Credits.
 10. **Kate Becker, Morgan Administrative Manager** – Discussion/Decision – Fairgrounds Electric
Discussion and decision on a change order to the Fairgrounds Electric update contract.
- (G) Commissioner Comments**
- | | |
|-------------------------|-----------------------------------|
| • Commissioner Blocker | • Commission Vice-Chair Nickerson |
| • Commissioner Newton | |
| • Commissioner Fackrell | • Commission Chair Wilson |

The undersigned does hereby certify that the above notice and agenda were posted as required by law the 3rd day of October 2025.



Kate Becker – Morgan County Administrative Manager

***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.



**Local Government
& Land Use Consulting**
930 Chambers St, Suite 2
South Ogden, UT 84403
(801) 732-3200

September 30, 2025

RE: October 7, 2025 Kick-off for the County's General Plan Update

Dear County Commission and Planning Commission,

Planning Outpost looks forward to working with Morgan County on updating your General Plan! We'll be kicking off the project during the October 7th County Commission work session, where we'll be giving a presentation about the project and then we'll be completing a brief SWOT Analysis exercise.

In conjunction with the SWOT, we are providing a short stakeholder questionnaire. Your early input will be especially valuable in shaping the direction of the General Plan, so we encourage you to complete and return it within the next couple of weeks. Also attached is a SWOT form that you are welcome to fill out ahead of time if you already have ideas to share, or, if you cannot attend the session, you can still provide your feedback by returning this form in the coming weeks as well.

Sincerely,
Valerie Claussen, AICP

STRENGTHS

What do we already have in our community that's working well or makes us proud?

S

WEAKNESSES

What are the things inside our community that aren't working as well as they should, or that hold us back?

W

OPPORTUNITIES

What good things outside our community could we take advantage of or bring here?

O

THREATS

What challenges or outside pressures could hurt our community in the future?

T





Morgan County

Stakeholder Questionnaire

Please return this form to morgancounty@planningoutpost.com

- 1) What are the most unique assets in Morgan County?

- 2) What do you see as Morgan County's top priorities?

- 3) What do residents value most?

- 4) What are the three biggest challenges Morgan County is facing?

- 5) Is there a desire to attract other types of development or sectors (e.g. industrial, tourism, etc.)?

- 6) What does your community most need, or what is your community missing?

- 7) What kind of development patterns do you think should be encouraged in Morgan County?

8) What transportation infrastructure would you like to see more of / less of?

9) What public community amenities (e.g., trails, rec center) would improve your quality of life?

10) What direction would you like Morgan County to move in, and what changes would accompany that?

11) Please mark (or list) the community area(s) you either call home, work in, or have some other association with?

☐ Croydon

☐ Enterprise

☐ Peterson

☐ Porterville

☐ Milton

☐ Mountain Green

☐ Richville

☐ Round Valley

☐ Stoddard

☐ Taggart

Other_____



PUBLIC
FINANCE
ADVISORS

LEWIS | ROBERTSON | BURNINGHAM



MORGAN COUNTY, UTAH

SEPTEMBER
2025

PRELIMINARY FEASIBILITY STUDY FOR THE PROPOSED INCORPORATION OF NINE SPRINGS

PREPARED BY:

LRB PUBLIC FINANCE ADVISORS

FORMERLY LEWIS YOUNG ROBERTSON & BURNINGHAM INC.

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DEFINITIONS

AAGR:	Annual Average Growth Rate
ACS:	American Community Survey
CIP:	Capital Improvement Plan
CY:	Calendar Year
FY:	Fiscal Year
GF:	General Fund
GPM:	Gallons per Minute
HU:	Housing Unit
HWC:	Highlands Water Company
LOS:	Level of Service
MGFPD:	Mountain Green Fire Protection District
MGSID:	Mountain Green Sewer Improvement District
MSF:	Municipal Service Fund
OLG:	Office of the Lieutenant Governor
PPH:	Persons per Household
SF:	Square Foot
UPC:	Utah Population Committee
WBWCD:	Weber Basin Water Conservancy District
WPR:	Wasatch Peaks Ranch
WUI:	Wildlife Urban Interface



SECTION 1: EXECUTIVE SUMMARY

LRB Public Finance Advisors (LRB) was retained by the Office of the Lieutenant Governor (OLG) to complete a preliminary feasibility study related to incorporation of an unincorporated area within Morgan County (the County) as outlined in Utah Code §10-2a-504. The purpose of the Executive Summary is to fulfill the requirements established in §10-2a-504(2)(c)(iii) which requires the feasibility consultant to submit a completed feasibility study, including a one-page summary of the results.

The purpose of this study is to compare the fiscal impact to the residents of Nine Springs (Town or Study Area) if the County continues to provide services through the General Fund (GF) or if a newly incorporated Town provides services at a similar quality and level of service (LOS). Assuming the Town incorporates, the results show the **five-year average revenue margin is at 27.1 percent, allowing the incorporation process to proceed.**

TABLE 1.1: FISCAL IMPACT TO STUDY AREA SUMMARY

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	AVERAGE
Total Revenue	\$59,908	\$595,708	\$961,133	\$1,160,473	\$1,690,180	\$893,480
Total Expense	\$157,930	\$421,687	\$757,988	\$861,021	\$1,057,523	\$651,230
NET REVENUE (EXPENSE)	(\$98,022)	\$174,021	\$203,144	\$299,452	\$632,657	\$242,251
Revenue Margin						27.1%

In year one, an additional Nine Springs rate is necessary to provide sufficient funding for the Study Area. The tax impact within the Study Area is estimated at \$1,775 for a primary residence valued at \$750,000 in year one.

TABLE 1.2: TAX IMPACT TO STUDY AREA SUMMARY

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
EQUIVALENT MSF COUNTY RATE	0.000000	0.000000	0.000000	0.000000	0.000000
Additional Levy to Balance Budget	0.004302	0.000000	0.000000	0.000000	0.000000
TOTAL TOWN RATE (COUNTY & TOWN LEVY)	0.004302	0.000000	0.000000	0.000000	0.000000
NET IMPACT ON MEDIAN HOME (\$750K)	\$1,775	\$0	\$0	\$0	\$0

Property taxes are not included as Morgan County does not charge a separate municipal services tax rate. As a result, the County will not experience any impact in revenues from property taxes. In the event of incorporation, the County would likely experience:

- A **revenue loss** for municipal services (modeled as the projected revenue for the Town) and
- A **revenue gain** through both the Sheriff's Department and elections

It is probable that the County's GF will experience other decreases in expenses following the incorporation of the Town. Furthermore, the County would receive additional property tax revenues to the GF from the proposed residential and commercial development in the Study Area.

TABLE 1.3: COUNTY-PROVIDED SERVICES TAX IMPACT SUMMARY

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
NET REVENUE (LOSS)	(\$54,440)	(\$568,025)	(\$906,463)	(\$1,100,948)	(\$1,615,843)
Tax Impact from Lost Revenue	0.000020	0.000198	0.000306	0.000361	0.000515
Estimated Impact on Median Home (\$750K)	\$8	\$82	\$126	\$149	\$212



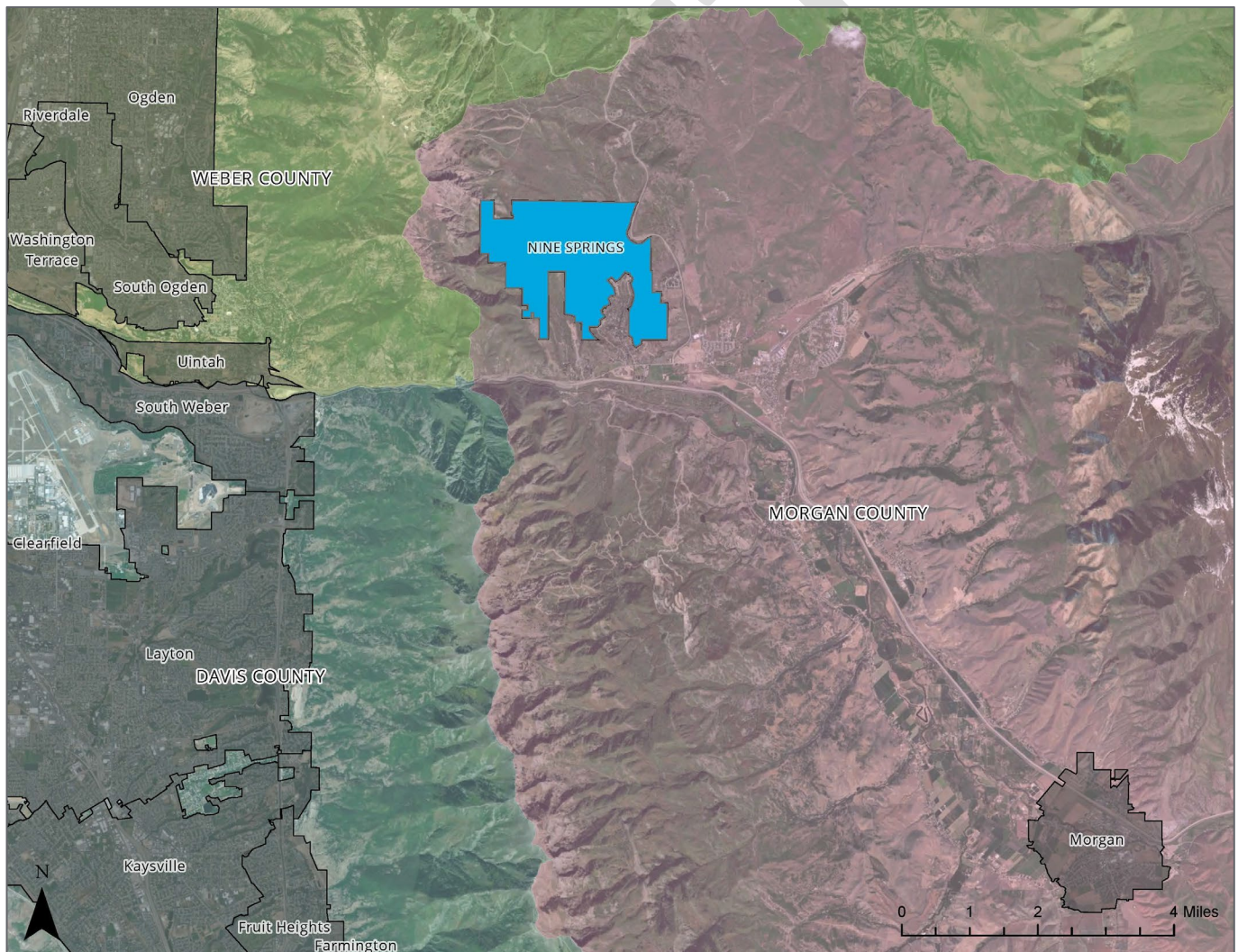
SECTION 2: POPULATION & POPULATION DENSITY

Utah Code §10-2a-504(3) requires the preliminary feasibility study to include

an analysis of the likely population and population density within the proposed preliminary municipality area when all phases of the map or plat for the proposed preliminary municipality area are completed; and the population and population density of the area surrounding the proposed preliminary municipality area on the day on which the feasibility request was submitted.

The preliminary incorporation boundary for the Study Area is illustrated in **Figure 2.1** and includes unincorporated areas of Morgan County known as the Nine Springs.

FIGURE 2.1: STUDY AREA BOUNDARY



POPULATION

There was no population in the proposed Study Area at the time the feasibility request was submitted. The total estimated population of Nine Springs upon phase completion is calculated at 7,570 persons as shown in **Table 2.1**. This was determined by the Utah Population Committee (UPC). The UPC's determination is provided in **Appendix B** of this report. The UPC assumes that single family home units are owner-occupied and other residential structures are renter-occupied. The UPC's methodology then assumes 99% occupancy for owner-occupied units and 97% occupancy for renter-occupied units. The projected occupied units are then multiplied by Morgan County's persons per occupied housing unit (HU) of 3.43¹. **Section 2** of this report provides further details on population projections for the proposed Study Area, including an adjustment for primary and secondary homes.

TABLE 2.1: NINE SPRINGS POPULATION ESTIMATE UPON PHASE COMPLETION

PHASE	POPULATION ESTIMATED
Phase 1	846
Phase 2	795
Phase 3	2,264
Phase 4	1,009
Phase 5	1,951
Phase 6	233
Phase 7	306
Phase 8	166
Phase 9	-
Phase 10	-
TOTAL	7,570¹

Note 1 – Differs from UPC determination of 7,571 due to rounding.

Source: UPC

The feasibility request was received by the OLG on September 18, 2024. The proposed preliminary municipality area is entirely within Census Tract 9701.01. To determine this tract's 2024 population, the average annual growth rate (AAGR) from 2020–2023 was calculated at 2.4 percent. The AAGR was then applied to the most recently available American Community Survey (ACS) Census data (2023),² resulting in a 2024 population estimate for Census Tract 9701.01 of 6,617.

POPULATION DENSITY

UPC determined that the likely population density within the proposed preliminary municipality area when all phases of the plan are completed is 2,112 persons per square mile (see **Appendix B**).

The land area of Census Tract 9701.01 is 360.27 square miles, resulting in a population density of 18.37 persons per square mile.

¹ See Appendix B.

² See U.S. Census Bureau, American Community Survey 5-Year Estimates, Table DP05



SECTION 3: INITIAL & FIVE-YEAR PROJECTIONS OF DEMOGRAPHICS & TAX BASE

Utah Code §10-2a-504(3) requires the preliminary feasibility study to include

an analysis of the following, determined as if, at the time of the analysis, the proposed preliminary municipality area is incorporated as a town with a population of 100 people; and, the initial and projected five-year demographics and tax base within the boundaries of the proposed preliminary municipality area and the surrounding area, including household size and income, commercial and industrial development, and public facilities.

DEMOGRAPHICS

POPULATION PROJECTIONS

Table 3.1 displays the projected population in the Study Area within the five-year horizon using the UPC's methodology and development proforma provided by the Sponsor (see **Appendix C**). The UPC assumes that single family home units are owner-occupied and other residential structures, including affordable housing units, are renter-occupied. The UPC's methodology then assumes 99% occupancy for owner-occupied units and 97% occupancy for renter-occupied units. The projected occupied units are then multiplied by Morgan County's persons per occupied HU of 3.43.

TABLE 3.1: PROJECTED FIVE-YEAR NINE SPRINGS POPULATION – UPC METHODOLOGY

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Owner-Occupied Units	35	45	55	65	85
Renter-Occupied Units	100	100	100	30	13
Affordable Housing Units	-	150	140	-	-
TOTAL RESIDENTIAL UNITS	135	295	295	95	98
Calculated Population	452	985	985	321	332
CUMULATIVE POPULATION	452	1,437	2,422	2,743	3,075

According to the Sponsor, the proposed population will consist of both primary and secondary homes. **Table 3.2** provides the assumptions utilized to account for residency adjustments.

TABLE 3.2: PRIMARY AND SECONDARY RESIDENCY ADJUSTMENTS

	% SECONDARY	% PRIMARY
Single Family (Owner-Occupied)	20%	80%
Multifamily/Condo (Renter-Occupied)	80%	20%
Affordable Housing Units	0%	100%

The table below illustrates the proposed residential development through the five-year horizon, accounting only for primary homes. In year five, the calculated population is estimated at 1,970.

TABLE 3.3: PROJECTED FIVE-YEAR NINE SPRINGS POPULATION - ADJUSTED FOR PRIMARY RESIDENCY ONLY

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Owner-Occupied Units	28	36	44	52	68
Renter-Occupied Units	20	20	20	6	3
Affordable Housing Units	-	150	140	-	-
TOTAL PRIMARY RESIDENTIAL UNITS	48	206	204	58	71



	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Calculated Population	162	688	682	197	241
CUMULATIVE POPULATION	162	850	1,532	1,729	1,970

For purposes of calculating the surrounding area's initial and five-year projected population, the AAGR based on historic redistricting Census data from 2010 and 2020 was used. For Morgan City, the AAGR was one percent, while for unincorporated Morgan County, it was 3.6 percent. A reduced AAGR of one percent for unincorporated Morgan County was utilized to account for the proposed growth that will occur in Nine Springs. The AAGR was then applied to the most recent Census data (2024) and forward. The projected county population includes the combined populations of Morgan City, unincorporated Morgan County, and Nine Springs. The initial and five-year demographic projections are illustrated in **Table 3.4**.

TABLE 3.4: MORGAN COUNTY INITIAL AND PROJECTED FIVE-YEAR POPULATION

	2025	2026	2027	2028	2029	2030
Morgan County	13,223	13,518	14,339	15,156	15,489	15,868
Morgan City	4,598	4,644	4,690	4,737	4,784	4,832
Unincorporated Morgan County	8,625	8,712	8,799	8,887	8,976	9,066
Nine Springs	NA	162	850	1,532	1,729	1,970

HOUSEHOLD SIZE

Utilizing the information above, the five-year projection of households can be found. The proposed Study Area anticipates 587 primary households by year five.

TABLE 3.5: PROJECTED FIVE-YEAR NINE SPRINGS HOUSEHOLDS - ADJUSTED FOR RESIDENCY

	2026	2027	2028	2029	2030
Projected New Homes (See Table 3.3)	48	206	204	58	71
Projected Population (See Table 3.3)	162	850	1,532	1,729	1,970
Households	48	254	458	516	587
Persons per Household	3.38	3.35	3.34	3.35	3.36

The number of households for the surrounding area was estimated starting with 2024 occupied HUs as the base units. The AAGR—calculated using historic redistricting Census data—was then applied to the base units to estimate current units and the persons per household (PPH) for this analysis. For Morgan City, the AAGR was 0.6 percent, while for unincorporated Morgan County, it was three percent. A reduced AAGR of one percent for unincorporated Morgan County was utilized to account for the proposed growth that will occur in Nine Springs. The projected county population includes the combined populations of Morgan City, unincorporated Morgan County, and Nine Springs.

TABLE 3.6: INITIAL AND PROJECTED FIVE-YEAR CALCULATED PERSONS PER HOUSEHOLD

	2025		2026		2027		2028		2029		2030	
	HU	PPH	HU	PPH	HU	PPH	HU	PPH	HU	PPH	HU	PPH
Morgan County	3,959	3.34	4,039	3.35	4,267	3.36	4,494	3.37	4,584	3.38	4,686	3.39
Morgan	1,176	3.91	1,183	3.93	1,189	3.94	1,196	3.96	1,203	3.98	1,209	4.00
Unincorporated Morgan County	2,783	3.10	2,811	3.10	2,839	3.10	2,867	3.10	2,895	3.10	2,925	3.10
Nine Springs	NA	NA	48	3.38	254	3.35	458	3.34	516	3.35	587	3.36

Note: PPH figures are calculated based on total population and **occupied** housing units and thus differ from Census-reported average household sizes, which are based on total household population.



INCOME

Projected income was estimated starting with the most recent ACS data (2023) as the base units. The AAGR was calculated using ACS data from 2010 and 2020. For Morgan County, the ten-year AAGR was 3.7 percent, while for Morgan City, it was 2.7 percent. To determine the Study Area's median household income, LRB utilized Census tract-level data. Census Tract 9701.01's median household income is estimated at \$145,067 as of 2023. Income data for Census Tract 9701.01 earlier than 2020 is not available. As a result, **Table 3.7** applies a three percent growth rate to project future income in the tract.

TABLE 3.7: INITIAL AND PROJECTED FIVE-YEAR MEDIAN INCOME

	2025	2026	2027	2028	2029	2030
Morgan County	\$135,467	\$140,413	\$145,539	\$150,852	\$156,360	\$162,068
Morgan	\$120,291	\$123,510	\$126,816	\$130,210	\$133,694	\$137,272
Nine Springs	\$153,902	\$158,519	\$163,274	\$168,172	\$173,218	\$178,414

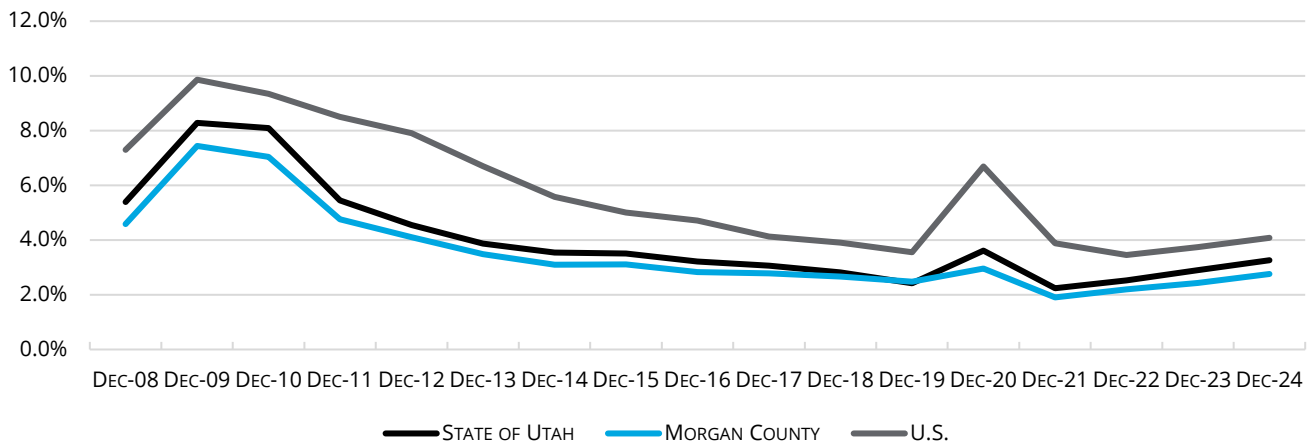
TAX BASE

The tax base of the region is important to consider in this incorporation study as growth in property values, taxable sales, and employment are valuable components when determining feasibility. The following paragraphs discuss the County's regional economy.

REGIONAL ECONOMY

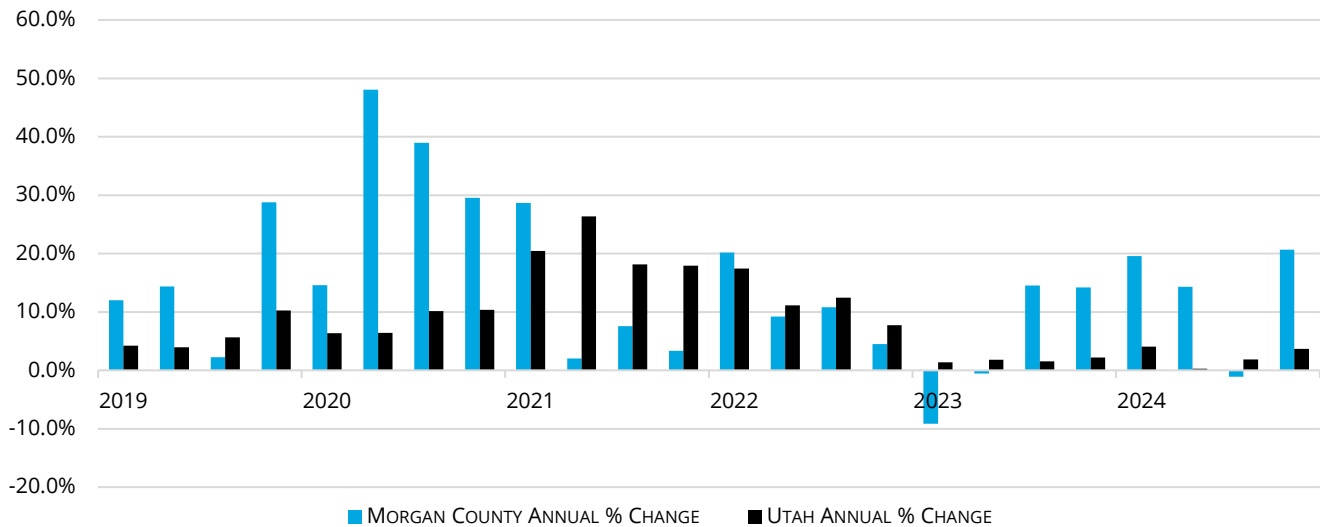
Morgan County is located in northeast Utah. The unemployment rate for the County averaged 2.5 percent in February 2025. Unemployment peaked in 2009 at an average of 7.4 percent (see **Figure 3.1**) according to seasonally adjusted data provided by the Utah Department of Workforce Services. Notable shifts in employment occurred between May 2017 and May 2018 as Morgan County experienced a 14.3 percent increase in non-farm jobs. More generally, from 2022 to 2023, the County experienced large increases in leisure and hospitality, trade, transportation and utilities, and government, with a total employment change of 3.9 percent. Over the same period, mining jobs declined by 34.2 percent, and education and health service jobs decreased by 5.8 percent.

FIGURE 3.1: HISTORIC MORGAN COUNTY SEASONALLY ADJUSTED UNEMPLOYMENT RATES



A comparison of quarterly taxable sales trends for the County and State illustrates the percent change from 2019 to 2024, as shown in **Figure 3.2**. Notable shifts occurred between 2019 and 2020 with Q2 experiencing an increase of 48.1 percent in taxable sales in the County.

FIGURE 3.2: COMPARISON OF QUARTERLY TAXABLE SALES TRENDS



Historic taxable value figures for Morgan County show an AAGR of 19.5 percent from 2020 through 2024. It is important to note that the values below include redevelopment agency values, which will be excluded in the projection of future taxable values.

TABLE 3.8: MORGAN COUNTY HISTORIC TAXABLE VALUE

	2020	2021	2022	2023	2024	5 Yr. AAGR
Real: Land	\$348,195,540	\$418,964,550	\$604,278,124	\$877,066,295	\$1,013,557,435	30.6%
Real: Buildings	\$733,582,791	\$824,198,692	\$1,042,002,824	\$1,301,744,549	\$1,455,441,779	18.7%
Personal	\$53,729,827	\$54,635,543	\$74,361,964	\$97,404,534	\$117,396,427	21.6%
Centrally Assessed	\$242,529,845	\$257,131,935	\$272,215,533	\$224,997,968	\$227,015,628	-1.6%
TOTAL	\$1,378,038,003	\$1,554,930,720	\$1,992,858,445	\$2,501,213,346	\$2,813,411,269	19.5%
Motor Vehicle	\$13,114,349	\$15,532,414	\$15,537,773	\$16,855,059	\$15,644,179	4.5%

Source: Utah State Tax Commission

COMMERCIAL AND INDUSTRIAL DEVELOPMENT

The Study Area is comprised of two parcels with a market value of \$36,292,507 and a taxable value of \$173,946. The Study Area represents 0.01 percent of the total County taxable value. While there is no commercial or industrial development within the Study Area, **Appendix A** includes map illustrations detailing the future development within the Study Area. Proposed development within the five-year horizon includes 95,000 square feet (SF) of retail and office space, 600 lodging rooms, and 30 yurts.

PROJECTIONS OF COUNTY TAX BASE

Morgan County does not have a separate Municipal Service Fund (MSF) accounting for the cost of services provided to the unincorporated areas of the County. As a result, this study analyzes the County's General Fund. Using Utah State Tax Commission data for Morgan County, projected taxable value estimates are shown below. **Table 3.10** details the current and projected values based on a three percent growth rate.

TABLE 3.9: HISTORIC MORGAN COUNTY TAXABLE VALUE

	2020	2021	2022	2023	2024
Certified Tax Rate Value	\$1,189,686,793	\$1,338,206,671	\$1,644,275,443	\$2,030,761,133	\$2,348,696,686

Source: Utah State Tax Commission

TABLE 3.10: INITIAL AND PROJECTED FIVE-YEAR MORGAN COUNTY TAXABLE VALUE

	2025	2026	2027	2028	2029	2030
Certified Tax Rate Value	\$2,707,784,327	\$2,789,017,857	\$2,872,688,393	\$2,958,869,044	\$3,047,635,116	\$3,139,064,169

Future sales tax growth projections are based on a general growth estimate of nine percent. Historic data from financial reports showed an AAGR of 9.9 percent from 2020–2024.

TABLE 3.11: HISTORIC MORGAN COUNTY SALES TAX REVENUE

	2020	2021	2022	2023	2024
GF Sales Tax Revenue	\$1,252,799	\$1,480,050	\$1,675,534	\$1,828,968	\$1,825,344

TABLE 3.12: INITIAL AND PROJECTED FIVE-YEAR MORGAN COUNTY SALES TAX REVENUE

	2025	2026	2027	2028	2029	2030
GF Sales Tax Revenue	\$2,066,313	\$2,252,281	\$2,454,986	\$2,675,935	\$2,916,769	\$3,179,278

PROJECTIONS OF STUDY AREA TAX BASE

Significant factors that will influence revenues within the Study Area include taxable assessed value and taxable sales. New growth calculations are based on the future construction provided in **Appendix C**. Assumptions regarding home values and price per SF are provided in **Table 3.13**. Based on the residency assumptions provided in **Table 3.2**, residential new growth is estimated based on the current ratio of primary residences, which receive a property tax reduction, and secondary residences, which do not receive a reduction.

TABLE 3.13: PROJECTED FIVE-YEAR STUDY AREA TAXABLE VALUE NEW GROWTH

	PROJECTED				
	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
RESIDENTIAL					
Multi-Family/Condos ¹	\$13,650,000	\$13,650,000	\$13,650,000	\$4,095,000	\$1,774,500
Single-Family (Medium Lots) ²	\$8,960,000	\$11,520,000	\$14,080,000	\$16,640,000	\$21,760,000
Affordable ³	\$0	\$20,625,000	\$19,250,000	\$0	\$0
Residential New Growth	\$22,610,000	\$45,795,000	\$46,980,000	\$20,735,000	\$23,534,500
COMMERCIAL					
Retail SF	-	37,500	17,500	17,500	22,500
Commercial New Growth⁴	\$0	\$9,375,000	\$4,375,000	\$4,375,000	\$5,625,000
LODGING					
Rooms/Yurts	-	300	30	-	300
Lodging New Growth⁵	\$0	\$150,000,000	\$15,000,000	\$0	\$150,000,000
TOTAL NEW GROWTH	\$22,610,000	\$205,170,000	\$66,355,000	\$25,110,000	\$179,159,500

Note 1: Assumes \$150,000 per unit.

Note 2: Assumes \$400,000 per unit.

Note 3: Assumes \$250,000 per unit.

Note 4: Assumes \$250 per commercial SF.

Note 5: Assumes \$500,000 per room.

Table 3.14 details the taxable value growth projections utilizing the new growth estimates above.



TABLE 3.14: PROJECTED FIVE-YEAR STUDY AREA TAXABLE VALUE

	PROJECTED				
	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Assessed Value	\$173,946	\$22,783,946	\$227,953,946	\$294,308,946	\$319,418,946
New Growth	\$22,610,000	\$205,170,000	\$66,355,000	\$25,110,000	\$179,159,500
TOTAL TAXABLE VALUE	\$22,783,946	\$227,953,946	\$294,308,946	\$319,418,946	\$498,578,446

Typically, growth in taxable value will result in increased property tax revenues and fund general government services. However, a property tax for the MSF is not levied, and new residents will continue to pay taxes to the County's GF if incorporation occurs.³ Thus, the economic base of the study area is principally a function of sales tax revenue.

Sales tax revenues are distributed based on two methodologies: 1) the ratio of population; and 2) point of sale, or the location of the sale. Total sales tax collections are distributed equally between these allocation strategies, with 50 percent assigned to point of sale and 50 percent to population. LRB assumed an AAGR of nine percent for both the population and point of sale projections. Population revenues are distributed to local entities based on the ratio of their population to the State's population. No population distribution is made for secondary homes. Retail point of sale revenue was calculated using estimated commercial square footage, while online point of sale revenue was calculated using sales tax data from Morgan County and E-Commerce figures from the US Census Bureau. The table below summarizes the total estimated sales tax revenue attributed to the Study Area. **Section 5** of this study discusses the population and point of sale methodologies further, and **Section 6** outlines the challenges presented by the data utilized to calculate sales tax revenues.

TABLE 3.15: PROJECTED FIVE-YEAR STUDY AREA ESTIMATED SALES TAX REVENUE

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Population Distribution	\$26,606	\$149,618	\$289,019	\$349,595	\$426,912
Point of Sale Distribution	\$3,128	\$313,280	\$429,383	\$528,534	\$913,283
TOTAL ESTIMATED SALES TAX	\$29,734	\$462,898	\$718,402	\$878,129	\$1,340,194

PUBLIC FACILITIES

There are presently no public facilities within the Study Area boundaries.

³ Section 7 includes an analysis of potential property tax revenues based on the proportion of unincorporated residents in the County, assuming some functions of the General Fund are dedicated to municipal-type services.

SECTION 4: INITIAL & FIVE-YEAR COST PROJECTIONS

Utah Code §10-2a-504(3) requires the preliminary feasibility study to include

an analysis of the following, determined as if, at the time of the analysis, the proposed preliminary municipality area is incorporated as a town with a population of 100 people; and, subject to Subsection (3)(b), the initial and five-year projected cost of providing municipal services to the proposed preliminary municipality area, including administrative costs.

GENERAL METHODOLOGY

This section compares the costs to the residents of the Study Area if the County continues to provide services or if a newly incorporated Town provides services. Utah Code requires that the level and quality of governmental services be fairly and reasonably approximate between the two options.⁴ This analysis assumes that several municipal services provided by the County, Special Districts, and private companies will continue to be provided regardless of incorporation status. However, actual service provision will be governed by the newly incorporated municipal governing body.

LRB assumes the following services will be provided by the various entities without any impact from incorporation or non-incorporation:

- Culinary and Secondary Water: Highlands Water Company (HWC), Weber Basin Water Conservancy District (WBWCD)
- Sewer: Mountain Green Sewer Improvement District (MGSID)
- Fire: Mountain Green Fire Protection District (MGFPD)

The following services were assumed to be provided by the County through the General Fund or through the Town if incorporated:

- General Government Services (including administrative overhead and planning and zoning)
- Law Enforcement and Animal Control
- Roads

COUNTY COST ESTIMATES

Expenditures related to County services were calculated using calendar year (CY) budget reports detailing General Fund actuals from CY 2019–2023, estimated CY 2024 actuals, and CY 2025 budget estimates as well as recommendations from County staff. For the purposes of this analysis, the tables below combine the County's projected expenditures into the general categories specified in the financial report.

TABLE 4.1: COUNTY SCENARIO – HISTORIC AND INITIAL GF EXPENDITURES

	2020	2021	2022	2023	2024	2025
General Government	\$4,802,937	\$4,574,344	\$4,346,096	\$3,854,668	\$5,146,419	\$6,580,319
Public Safety	\$2,346,815	\$2,318,219	\$2,659,278	\$2,955,312	\$3,418,782	\$3,995,074
Public Health and Welfare	\$591,714	\$530,822	\$625,933	\$739,840	\$684,192	\$1,044,727

⁴ Utah Code 10-2a-205(4)(b)(i)



	2020	2021	2022	2023	2024	2025
Public Works	\$1,236,399	\$373,425	\$634,834	\$721,564	\$576,365	\$702,409
Parks, Recreation, and Culture	\$262,645	\$261,597	\$163,176	\$171,213	\$209,351	\$164,385
Fleet Management	\$315,403	\$467,787	\$346,134	\$707,583	\$616,421	\$771,669
Economic Development	\$73,093	\$183,213	\$266,528	\$0	\$0	\$0
Other Expenditures	\$360,669	\$259,982	\$643,281	\$265,271	\$275,669	\$232,422
Transfers Out	\$0	\$0	\$250,000	\$48,000	\$0	\$204,031
TOTAL	\$9,989,674	\$8,969,390	\$9,935,259	\$9,463,452	\$10,927,200	\$13,695,036

Between 2020 and 2024, the County's GF expenditures grew at an AAGR of 2.3 percent. The five-year projections are based on an analysis of the historic AAGR for each budget line item, which are then applied to account for inflation and anticipated growth.⁵ **Table 4.2** illustrates the County's estimated expenditures if they are fixed, meaning the General Fund expenditures will not be reduced and the County tax rate will remain the same if there is an incorporation.

TABLE 4.2: COUNTY SCENARIO – PROJECTED FIVE-YEAR GF EXPENDITURES

	2026	2027	2028	2029	2030
General Government	\$6,641,928	\$6,916,519	\$7,204,805	\$7,507,539	\$7,825,524
Public Safety	\$4,083,423	\$4,256,464	\$4,438,149	\$4,628,954	\$4,829,386
Public Health and Welfare	\$1,059,880	\$1,075,687	\$1,092,178	\$1,109,384	\$1,127,338
Public Works	\$736,189	\$771,652	\$808,880	\$847,963	\$888,995
Parks, Recreation, and Culture	\$165,675	\$167,024	\$168,433	\$169,907	\$171,448
Fleet Management	\$744,040	\$767,594	\$792,405	\$818,555	\$846,131
Economic Development	\$0	\$0	\$0	\$0	\$0
Other Expenditures	\$233,784	\$235,215	\$236,716	\$238,293	\$239,949
Transfers Out	\$0	\$0	\$0	\$0	\$0
TOTAL	\$13,664,920	\$14,190,154	\$14,741,566	\$15,320,596	\$15,928,771

STUDY AREA COST ESTIMATES (ASSUMING TOWN INCORPORATION)

Expenditures for the Study Area were calculated using the following methodologies in order to determine an acceptable level of service:

- Per capita expenditures within the General Fund applicable to unincorporated areas
- Per capita expenditures of comparable cities
- Expenditures per weighted mile of comparable cities
- Average total expenditures per mile based on County estimates

INCORPORATION COST

A one-time cost due to incorporation is included in the analysis for when the population of the Study Area is expected to reach over 99 people.⁶ **Table 3.3** shows the Town's population exceeding 99 people in year one. These expenses include the estimated election cost, startup and building costs, and the LRB contract cost.

To determine the estimated election cost for the Study Area, Morgan County estimated 2023 elections costs at \$1.85 per registered voter. LRB forecasted the cost per registered voter to increase by three percent each year. Utilizing 2024 County precinct data, the ratio of registered voters to the County's population as a whole was applied to the current and projected population of Nine Springs. It is assumed the election cost occurs every

⁵ §10-2a-504(3)(b)(iii)

⁶ §10-2a-510(1)



other year. LRB also analyzed potential start-up costs including the rent payment to utilize Highland Water Company's previous office. According to the company, the newly incorporated Town would pay between \$250 and \$750 per month. This study assumes monthly rent payments of \$500 per month. A one-time startup cost of \$25,000 is also included to account for additional legal fees, equipment, and other typical startup expenses.

GENERAL GOVERNMENT SERVICES

Morgan County does not have a separate MSF accounting for the cost of services provided to the unincorporated areas of the County. Without a separate MSF, the true cost of service provided to unincorporated areas in Morgan County is difficult to quantify. To meet the LOS requirement in Utah Code §10-2a-205(4)(b)(i), this study analyzes the general government services provided through the County's General Fund. Based on discussions with the County, general government services such as costs related to assessor, courthouse functions, and non-departmental activities were deemed County-level services and were removed to better isolate the services currently provided to unincorporated areas of the County. However, it is important to note that the remaining cost categories under general government may still be overstated, as they represent services that will still be provided to the Study Area if it incorporates.

A per capita rate removing assessor, courthouse functions, and non-departmental services was calculated to determine Morgan County's average general government cost. The average per capita general government expense for the County for CY 2025 is \$348. The per capita cost was increased by three percent each year then multiplied by the Study Area population to determine total general government cost for each year.

TABLE 4.3: GENERAL GOVERNMENT SERVICES INITIAL AND PROJECTED FIVE-YEAR COSTS

	INITIAL	PROJECTED				
	INITIAL	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
GF Government Services Cost per Capita ¹	\$348.44	\$358.89	\$369.66	\$380.75	\$392.17	\$403.94
Nine Springs Population	-	162	850	1,532	1,729	1,970
TOTAL GENERAL GOVERNMENT COSTS	\$0	\$58,141	\$314,211	\$583,309	\$678,067	\$795,758

* Budgetary line items determined to be one-time expenses or irrelevant to maintaining the present level of service were removed from the estimation of this expense.

LRB also gathered fiscal year (FY) 2025 budget information for communities with under 1,000 people to determine the average expense for general government services for smaller municipalities. As the Nine Springs population increases to 1,970 people at the end of the five-year period, budget data for municipalities with nearly or over 1,000 people was also gathered. The average per capita general government expense for municipalities under 1,000 people is \$571. By comparison, the average per capita general government expense for larger communities is \$318. As shown in **Table 4.4**, the cost per capita decreases as population increases to account for economies of scale. The average five-year general government cost calculated in **Table 4.4** is \$466,097, which is lower than the average five-year general government cost of \$485,897 calculated in **Table 4.3**. For purposes of this analysis, the higher general government cost is utilized.

TABLE 4.4: GENERAL GOVERNMENT SERVICES INITIAL AND PROJECTED FIVE-YEAR COSTS USING COMPARABLE COMMUNITIES

	INITIAL	PROJECTED				
	INITIAL	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Comps Government Services Cost per Capita ¹	\$570.87	\$508.07	\$452.18	\$402.44	\$358.18	\$318.78
Nine Springs Population	-	162	850	1,532	1,729	1,970
TOTAL GENERAL GOVERNMENT COSTS	\$0	\$82,308	\$384,357	\$616,545	\$619,285	\$627,989

Comparative communities with smaller populations include Bluff, Hanksville, Hatch, Huntsville, Manila, Rockville, Torrey, and Woodruff. Comparative communities with larger populations include Coalville, Elk Ridge, Henefer, Kamas, Morgan City, and Oakley.



PUBLIC SAFETY

According to input from County staff, a municipality of the size projected for the Study Area would likely need to contract for services with the Morgan County Sheriff's Office. Morgan, a nearby municipality, contracts the Sheriff's Office for service at a rate of \$132,330 per year, which covers one officer, one vehicle, and HR costs for 40 hours a week, or an annual maximum of 2,080 hours. To determine the potential law enforcement costs for the Study Area, the annual contracted hours were divided by the estimated 2025 Morgan population to determine an annual per capita count of hours.

For animal control, Morgan City's contract is \$9,370 per year. To determine animal control costs, the total contract was divided by the estimated 2025 Morgan population to determine an annual per capita multiplier. The law enforcement per capita count of hours and the animal control per capita multiplier were increased by three percent for each year then multiplied by the Study Area population in **Table 3.3**. The calculated public safety costs are displayed in **Table 4.5**.

TABLE 4.5: INITIAL AND PROJECTED FIVE-YEAR LAW ENFORCEMENT PER CAPITA COST ALLOCATION

	INITIAL	PROJECTED				
		YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Public Safety Cost per Capita	\$64	\$66	\$67	\$70	\$72	\$74
Hours per Capita	0.45	0.45	0.45	0.45	0.45	0.45
Subtotal Law Enforcement	\$0	\$4,802	\$25,951	\$48,176	\$56,002	\$65,722
Animal Patrol Multiplier	2.04	2.04	2.04	2.04	2.04	2.04
Subtotal Animal Control	\$0	\$330	\$1,732	\$3,122	\$3,523	\$4,014
COMBINED PUBLIC SAFETY	\$0	\$5,132	\$27,683	\$51,297	\$59,525	\$69,736

ROADS

Table 4.6 illustrates the estimated road mileage that will be constructed according to the Sponsor. To quantify the financial impacts to the taxpayers of the proposed town, this analysis includes potential roads costs, assuming the Town constructs a total of nine road miles at the end of the five-year horizon.

TABLE 4.6: NINE SPRINGS PROJECTED FIVE-YEAR WEIGHTED MILEAGE

	PROJECTED				
	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Nine Springs Cumulative Mileage	2.00	4.00	6.00	6.00	9.00
UDOT Multiplier*	5	5	5	5	5
TOTAL WEIGHTED MILEAGE	10.00	20.00	30.00	30.00	45.00

*Based on Class B and C Roads Apportionment Formula (Utah Code 72-2-108)

LRB gathered 2025 budget information from Morgan County's Public Works/Engineering Department, as well as the Class B Roads Fund to determine the average cost per weighted mile for the County. Morgan County maintains 93.47 road miles, which is equivalent to 435.52 weighted miles based on the Class B and C Roads Apportionment Formula. The County's cost per weighted mile is estimated at \$3,478.

TABLE 4.7: MORGAN COUNTY ROAD COSTS OVERVIEW

	MAINTAINED MILEAGE (FY25)	WEIGHTED MILEAGE (FY25)*	ROADS – CLASS B EXPENSE (FY25)	PUBLIC WORKS & ENGINEERING EXPENSE (FY25)	TOTAL EXPENSE (FY25)	EXPENSE PER WEIGHTED MILE
Morgan County	93.47	435.52	\$812,250	\$702,409	\$1,514,659	\$3,478

*Based on Class B and C Roads Apportionment Formula (Utah Code 72-2-108). See UDOT B&C Road Fund Information, Mileage and Annual Summary Reports.

The figure calculated in **Table 4.7** is utilized to project potential road costs in **Table 4.8** and is extended to 2030 at a three percent annual growth rate and applied to the projected Study Area weighted mileage.

TABLE 4.8: NINE SPRINGS ROADS INITIAL AND PROJECTED FIVE-YEAR COSTS

		PROJECTED				
	INITIAL	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Cost per Weighted Mile	\$3,478	\$3,582	\$3,690	\$3,800	\$3,914	\$4,032
Nine Springs Weighted Miles	-	10.00	20.00	30.00	30.00	45.00
TOTAL ESTIMATED ROADS COST	-	\$35,822	\$73,792	\$114,009	\$117,429	\$181,428

Utah Code states when calculating the projected municipal costs, this analysis must “assume the proposed preliminary municipality area will provide a level and quality of municipal services that fairly and reasonably approximate the level and quality of municipal services that are provided to the area surrounding the proposed preliminary municipality area at the time the feasibility consultant conducts the feasibility study.” To meet this requirement, the analysis assumes the Morgan County road expense per weighted mile as shown in **Table 4.7**.

Section 6 includes a discussion of risks related to roads costs. The County noted that the proposed Study Area could experience higher costs based on information from Wasatch Peaks Ranch (WPR) Road and Fire District, an independent local district that serves within the boundaries of a private mountain community located in Morgan County. However, property tax revenues and reduced general government expense could mitigate increased road expense. Actual road expenses will vary and be determined based on the contracts established by the newly incorporated town.

Table 4.9 summarizes the expenditures forecasted for the proposed Study Area. This scenario includes the applicable incorporation costs as outlined in Section §10-2a-510.

TABLE 4.9: NINE SPRINGS PROJECTED FIVE-YEAR EXPENDITURES

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Incorporation Costs	\$58,836	\$6,000	\$9,372	\$6,000	\$10,600
General Government	\$58,141	\$314,211	\$583,309	\$678,067	\$795,758
Public Safety	\$5,132	\$27,683	\$51,297	\$59,525	\$69,736
Roads	\$35,822	\$73,792	\$114,009	\$117,429	\$181,428
TOTAL OPERATING EXPENSE	\$157,930	\$421,687	\$757,988	\$861,021	\$1,057,523

SECTION 5: INITIAL & FIVE-YEAR REVENUE PROJECTIONS

Utah Code §10-2a-504(3) requires the preliminary feasibility study to include

an analysis of the following, determined as if, at the time of the analysis, the proposed preliminary municipality area is incorporated as a town with a population of 100 people; and, assuming the same tax categories and tax rates as imposed by the county and all other current service providers at the time during which the feasibility consultant prepares the feasibility study, the initial and five-year projected revenue for the proposed preliminary municipality area.

GENERAL METHODOLOGY

This section compares the revenues the County and Study Area are likely to generate. Similar to the expenditure projections, the revenues were calculated using CY financial reports detailing General Fund actuals from CY 2019 – 2023, estimated CY 2024 actuals, budget estimates for CY 2025, and recommendations from the County Clerk/Auditor. Additional allocation methodologies were utilized based on population, assessed value, and standard State allocation practices.

COUNTY REVENUES

The General Fund revenues were grouped into major categories from a budgeting perspective. Between 2020 and 2024, the County's GF revenue grew at an AAGR of 3.2 percent.

TABLE 5.1: COUNTY SCENARIO – HISTORIC AND INITIAL GF REVENUES

	2020	2021	2022	2023	2024	2025
Taxes	\$5,627,087	\$5,719,048	\$7,261,292	\$7,187,078	\$7,188,054	\$8,077,170
Licenses and Permits	\$460,998	\$603,940	\$649,960	\$1,291,033	\$2,092,330	\$3,192,657
Intergovernmental	\$2,461,752	\$1,087,062	\$3,107,443	\$889,723	\$880,820	\$845,909
Charges for Services	\$560,964	\$642,751	\$651,735	\$710,974	\$997,741	\$643,216
Fines and Forfeitures	\$154,431	\$168,317	\$134,056	\$190,895	\$250,696	\$202,500
Lease and Rental Revenue	\$87,312	\$47,602	\$35,861	\$73,609	\$78,292	\$2,500
Fair Revenue	\$1,000	\$121,520	\$165,130	\$0	\$0	\$0
Other Revenue	\$807,664	\$746,351	\$554,318	\$23,704	\$166,243	\$117,000
Interest Income	\$10,811	\$13,654	\$44,984	\$391,004	\$404,711	\$410,053
Contributions and Transfers	\$0	\$0	\$0	\$0	\$0	\$0
Other Financing Sources	\$0	\$172,862	\$416,783	\$442,896	\$175,000	\$0
TOTAL	\$10,172,018	\$9,323,107	\$13,021,563	\$11,200,916	\$12,233,886	\$13,491,005

The projections illustrated in **Table 5.2** are based on an analysis of the historic AAGR for each budget item, as well as insight from County staff. Property tax revenues are tied to new growth at three percent. It is assumed an additional levy is not needed as revenue exceeds expense within the five-year horizon.

TABLE 5.2: COUNTY SCENARIO – PROJECTED FIVE-YEAR GF REVENUES

	2026	2027	2028	2029	2030
Taxes	\$8,416,234	\$8,776,603	\$9,159,921	\$9,567,975	\$10,002,700
Licenses and Permits	\$3,339,890	\$3,494,484	\$3,656,808	\$3,827,249	\$4,006,211
Intergovernmental	\$876,878	\$909,366	\$943,450	\$979,209	\$1,016,726
Charges for Services	\$658,413	\$674,190	\$690,570	\$707,578	\$725,240
Fines and Forfeitures	\$212,625	\$223,256	\$234,419	\$246,140	\$258,447
Lease and Rental Revenue	\$2,625	\$2,756	\$2,894	\$3,039	\$3,191



	2026	2027	2028	2029	2030
Fair Revenue	\$0	\$0	\$0	\$0	\$0
Other Revenue	\$122,850	\$128,993	\$135,442	\$142,214	\$149,325
Interest Income	\$430,556	\$452,083	\$474,688	\$498,422	\$523,343
Contributions and Transfers	\$0	\$0	\$0	\$0	\$0
Other Financing Sources	\$0	\$0	\$0	\$0	\$0
TOTAL	\$14,060,070	\$14,661,732	\$15,298,193	\$15,971,826	\$16,685,183

STUDY AREA REVENUES (ASSUMING TOWN INCORPORATION)

Revenues for the Study Area were calculated using the following methodologies:

- State Sales Tax allocation based on population and point of sale
- State Class C Road Fund allocation based on lane miles and population
- License and permit revenues based on estimated expenses
- Interest earnings based on cumulative fund balance

PROPERTY TAX

Property tax revenue is based on the assessed value of the Study Area and applying the projected County levy for municipal services. However, Morgan County does not have a separate MSF accounting for the cost of services provided to unincorporated county and new residents will continue to pay taxes to the County's GF if incorporation occurs. Therefore, property tax revenues are excluded. An analysis of potential property tax revenues is included in **Section 7** of this report.

SALES TAX

Sales tax revenues are distributed based on two methodologies: 1) the ratio of population; and 2) point of sale, or the location of the sale. Total sales tax collections are distributed equally between these allocation strategies, with 50 percent assigned to point of sale and 50 percent to population. Taxable sales have increased by an average of ten percent in the State from 2020 to 2024. Future sales tax growth projections are based on a general growth estimate of nine percent.

Population revenues are distributed to local entities based on the ratio of their population to the State's population. No population distribution is made for secondary homes. The State population distribution pool in **Table 5.3** represents an average between the applicable current and prior FY to estimate State's sale tax for the CY. The calculated average was then multiplied by 50 percent to distribute the total sales tax collections based on population.

TABLE 5.3: RATIO OF POPULATION DISTRIBUTION PROJECTED FIVE-YEAR REVENUES

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
State Population Distribution Pool	595,151,584	648,715,227	707,099,597	770,738,561	840,105,031
Growth Rate	9.00%	9.00%	9.00%	9.00%	9.00%
State Population	3,623,803	3,685,436	3,748,117	3,811,864	3,876,695
Distributed per Capita	\$164.23	\$176.02	\$188.65	\$202.19	\$216.71
Study Area Estimated Population	162	850	1,532	1,729	1,970
POPULATION DISTRIBUTION	\$26,606	\$149,618	\$289,019	\$349,595	\$426,912

Source: Utah State Tax Commission



Point of sale revenues were calculated using estimated retail and hotel square footage based on the construction proforma provided in **Appendix C**. Retail point of sale revenues assumes a starting commercial sales per square footage figure of \$450. Hotel point of sale revenues assumes a nightly rate of \$500 per room with an occupancy adjustment of 60 percent. Online point of sale revenues is calculated using taxable sales revenue from Morgan County and are adjusted based on E-Commerce figures from the US Census Bureau. During the first quarter of 2025, E-Commerce sales accounted for 16.2 percent of total store and non-store sales.⁷ Average online sales are calculated at \$3,543 per capita for the County in 2025.

TABLE 5.4: POINT OF SALE DISTRIBUTION PROJECTED FIVE-YEAR REVENUES

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
RETAIL					
Sales Tax per SF*	\$490.50	\$534.65	\$582.76	\$635.21	\$692.38
Total Cumulative Commercial SF	-	37,500	55,000	72,500	95,000
Subtotal Retail Sales	\$0	\$20,049,188	\$32,051,968	\$46,052,850	\$65,776,174
LODGING					
Room Rate per Night*	\$545.00	\$594.05	\$647.51	\$705.79	\$769.31
Daily Occupied Rooms (Annual)	-	65,700	72,270	72,270	137,970
Subtotal Lodging Sales	\$0	\$39,029,085	\$46,795,873	\$51,007,501	\$106,141,974
ONLINE					
Per Capita E-Commerce*	\$3,862	\$4,209	\$4,588	\$5,001	\$5,451
Nine Springs Population	162	850	1,532	1,729	1,970
Subtotal Online Sales	\$625,577	\$3,577,758	\$7,028,736	\$8,646,493	\$10,738,354
Point of Sale Allocation	0.50%	0.50%	0.50%	0.50%	0.50%
TOTAL POINT OF SALE REVENUE	\$3,128	\$313,280	\$429,383	\$528,534	\$913,283

* Figure is extended to future years at a nine percent growth rate.

Table 5.5 combines the revenue generated between the two allocation strategies, with 50 percent assigned to point of sale and 50 percent to population.

TABLE 5.5: TOTAL SALES TAX PROJECTED FIVE-YEAR REVENUES

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Population Distribution (see Table 5.3)	\$26,606	\$149,618	\$289,019	\$349,595	\$426,912
Retail Point of Sale (see Table 5.4)	\$3,128	\$313,280	\$429,383	\$528,534	\$913,283
TOTAL ESTIMATED SALES TAX	\$29,734	\$462,898	\$718,402	\$878,129	\$1,340,194

CLASS C ROAD FUND

The Study Area revenue forecast includes Class C Road Funds that is allocated based upon a 50/50 split between weighted lane miles and population. The State's allocation methodology includes separate weightings for gravel roads and paved roads. This study assumes the Town constructs a total of nine road miles by the end of the five-year horizon.

TABLE 5.6: NINE SPRINGS PROJECTED FIVE-YEAR WEIGHTED MILEAGE

	PROJECTED				
	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Nine Springs Cumulative Mileage	2.00	4.00	6.00	6.00	9.00
UDOT Multiplier*	5	5	5	5	5
TOTAL WEIGHTED MILEAGE	10.00	20.00	30.00	30.00	45.00

*Based on Class B and C Roads Apportionment Formula (Utah Code 72-2-108)

⁷ US Census Bureau. (2025, August). Quarterly Retail E-Commerce Sales. Retrieved from <https://www.census.gov/retail/ecommerce.html>

Table 5.7 depicts the growth rate calculated and subsequently applied to forecast key variables (statewide total distribution pool, lane miles, weighted miles).

TABLE 5.7: CLASS B&C ROADS HISTORIC AAGR

	2020	2021	2022	2023	2024	2025 ¹	2020 – 2024 AAGR
Total Distribution Pool	177,562,815	194,764,526	203,134,579	216,853,217	225,525,092	239,417,328	6.16%
Lane Miles Pool	88,781,407	97,382,263	101,567,289	108,426,609	112,762,546	119,708,664	6.16%
Statewide Weighted Miles	122,842	124,521	125,318	126,997	127,549	128,753	0.94%

Note 1: Estimated using 2020 – 2024 AAGR.

Source: UDOT B&C Road Fund Information, Mileage and Annual Summary Reports

Utilizing **Table 5.6's** calculated weighted mileage for the Study Area and methodology delineated in Utah State Code, the Study Area's distribution can be calculated.

TABLE 5.8: CLASS B&C ROADS INITIAL AND PROJECTED FIVE-YEAR REVENUES

	PROJECTED				
	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Total Distribution Pool	254,165,320	269,821,781	286,442,672	304,087,401	322,819,038
Lane Miles Pool	127,082,660	134,910,890	143,221,336	152,043,701	161,409,519
Statewide Weighted Miles	129,969	131,196	132,435	133,686	134,949
Distribution Per Weighted Mile	948	1,028	1,081	1,137	1,196
Estimated Weighted Miles	10.00	20.00	30.00	30.00	45.00
Lane Mile Distribution	\$9,482	\$20,566	\$32,443	\$34,120	\$53,824
State Population	3,623,803	3,685,436	3,748,117	3,811,864	3,876,695
State Distribution per Capita	\$35.07	\$36.61	\$38.21	\$39.89	\$41.64
Study Area Population	162	850	1,532	1,729	1,970
Population Distribution	\$5,681	\$31,116	\$58,540	\$68,965	\$82,023
TOTAL STUDY AREA DISTRIBUTION	\$15,163	\$51,682	\$90,983	\$103,084	\$135,846

LICENSES & PERMITS

It is likely the Study Area will collect business licenses and building permit fees based on the planned development. Generally, business licenses and building permit fees are charged at a rate that is proportional to the costs to the incorporated Town to issue them. Licenses and permits revenue in this study are therefore tied directly to estimated costs for planning and zoning. Using the County's budget data from CY 2020 - 2024, the County's permit revenue is on average 85 percent of total planning and zoning expenses. **Table 5.9** isolates the planning and zoning costs from the total general government expense calculated in **Table 4.2** to determine the license and permit revenues and assumes the Study Area will recover 85 percent of the estimated costs in revenue.

TABLE 5.9: LICENSES & PERMITS PROJECTED FIVE-YEAR REVENUES

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Planning & Zoning Cost	\$17,661	\$95,444	\$177,185	\$205,969	\$241,718
% of Revenue to Expense	85%	85%	85%	85%	85%
LICENSES & PERMITS REVENUE RECOVERED	\$15,012	\$81,128	\$150,607	\$175,073	\$205,461

INTEREST EARNINGS

Interest earnings are calculated based on a 1.50 percent interest rate on any fund balance carryover.

OTHER REVENUE CONSIDERATIONS

Additional types of revenue streams may be collected including property taxes, transient room taxes, grants, and weed control fees. These alternate revenue mechanisms will be explored in greater detail in **Section 7**.

Table 5.10 summarizes the revenues forecast for the proposed Study Area. This allows the proposed Town's fund balance to increase overtime and produce interest revenues.

TABLE 5.10: NINE SPRINGS PROJECTED FIVE-YEAR REVENUES

	PROJECTED				
	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Sales & Use Tax	\$29,734	\$462,898	\$718,402	\$878,129	\$1,340,194
Class C Roads	\$15,163	\$51,682	\$90,983	\$103,084	\$135,846
Licenses & Permits	\$15,012	\$81,128	\$150,607	\$175,073	\$205,461
Interest Earnings	\$0	\$0	\$1,140	\$4,187	\$8,679
TOTAL OPERATING REVENUES	\$59,908	\$595,708	\$961,133	\$1,160,473	\$1,690,180



SECTION 6: RISKS & OPPORTUNITIES

Utah Code §10-2a-504(3) requires the preliminary feasibility study to include:

an analysis of the following, determined as if, at the time of the analysis, the proposed preliminary municipality area is incorporated as a town with a population of 100 people; and, the risks and opportunities that might affect the actual costs described in Subsection (3)(a)(ii)(B) or the revenues described in Subsection (3)(a)(ii)(C) of the proposed preliminary municipality area.

RISKS

Municipalities depend on a combination of revenues such as property taxes, sales taxes, franchise fees, and fees for service to provide necessary municipal services. The primary risk to incorporation is the lack of a property tax for municipal services, resulting in the reliance on sales tax revenue alone. Several variables influence sales tax revenues including new growth calculations based on future residential and commercial construction and general assumptions regarding home values and price per SF. This analysis does not include a market feasibility study to determine whether the proposed commercial square footage is supportable. The lack of a market feasibility analysis presents a certain risk in that the study assumes the planned development will occur upon incorporation. The financial feasibility of this study may be jeopardized if cost assumptions for home values and price per square foot are reduced. **Section 7** includes an analysis of property tax revenue based on a proportional tax rate assuming some functions of the General Fund are dedicated to municipal type services.

Additionally, without a separate MSF, the true cost of service provided to unincorporated areas in Morgan County is difficult to quantify. In **Section 4** of this report, a per capita rate removing assessor, courthouse functions, and non-departmental activities was calculated to determine the County's average general government cost. To better isolate the services currently provided to unincorporated areas of the County, "county-wide" services were removed from the general government cost. However, it is important to note that the remaining cost categories under general government may still be overstated, as they represent services that will still be provided to the Study Area if it incorporates.

County staff pointed to concern about the fiscal impacts of maintaining road infrastructure. The WPR Road and Fire District was created as an independent local district that serves within the WPR boundaries, a private mountain community located in Morgan County. WPR Road and Fire District's road operating expenditures for FY 2026 are approximately \$19,316 per weighted mile, which includes snow removal, repair and maintenance, and other operating costs. By comparison, the County's cost per weighted mile is estimated at \$3,478. Data on comparable communities (Elk Ridge, Huntsville, Kamas, Morgan City, and Oakley) were also gathered to determine a typical cost per weighted mile based upon location and geography. The average cost per weighted mile for FY 2025 was estimated at \$6,685, falling between the County and WPR Road and Fire District's average cost. To approximate the current level of service provided by the County to unincorporated areas, the Study calculates road costs using the County's estimate. Given the similar topography as WPR, the County noted that the proposed Study Area could experience similar costs, thus compromising the financial feasibility of this study. However, property tax revenues and reduced general government expense could mitigate increased road expense. Actual road expenses will vary and be determined based on the contracts established by the newly incorporated town.

Discussions with the proposed Study Area's water, wastewater, and fire service providers highlight the need for infrastructure if the proposed preliminary area develops. There are currently no wastewater collection lines



connecting to the proposed Study Area, and the construction of additional storage water tanks will likely be required to support the proposed development (see **Section 9**). MGSID has entered into agreements indicating expenses associated with connecting to the district's system, which may include a feasibility study, capital improvement projects (CIP) plan, and other developer improvements are the responsibility of the developer. The developers would likely enter into a similar agreement with MGSID and HWC. The impact on the water and wastewater systems resulting from development activity will occur regardless of incorporation.

MGFPD and the Sponsor have agreed that a fire station will need to be built when the proposed Study Area reaches 50 percent of buildout to meet the national standard for response times. MGFPD confirmed the fire apparatus required will be a ladder truck due to the proposed residential development. Depending on building type and water supply, several buildings in the proposed Study Area will likely be dependent on sprinkler systems, resulting in increased costs. The future station, apparatus, and other costs will be developer funded and subsequently operated by MGFPD. Staff also noted that the proposed preliminary municipality is located on the wildlife urban interface (WUI) zone. While developing on the WUI area does not affect the financial feasibility of the proposed Study Area, building code will default to national standards and regulations as a result.

This study does not contemplate costs related to future CIP, as capital improvements that are not currently being provided by the County through the GF are not included in the current LOS. Developing a detailed master plan is critical to understanding the nature and extent of future capital improvement needs. Should the Study Area incorporate, the Town could complete a master plan that identifies future CIP. These additional costs can be mitigated by grants, tax or rate increases, or impact fees.

As Nine Springs does not presently generate retail point of sale revenue, the fiscal sustainability of the Study Area is contingent upon proposed commercial and industrial development. In the event that this development does not transpire or proceeds at slower rates than modeled in this study, it is likely that total revenues would not offset total expenditures. Additionally, inflationary pressure will affect the Study Area, as well as the GF. The impact of inflation may be more pronounced within the Study Area.

OPPORTUNITIES

Opportunities in the Study Area post-incorporation may include self-governance, ability to develop public facilities, zoning and land-use authority, more local representation, and more direct control over the future of the area. Incorporation may increase local authority to meet the requests and needs of residents.

Specific goals related to population growth, economic growth and development, business licensing, and zoning policies could be addressed by the newly incorporated area. However, it is important to note that these elements may result in an increase in costs beyond what has been presented in this study.

SECTION 7: ANALYSIS OF NEW REVENUE SOURCES

Utah Code §10-2a-504(3) requires the preliminary feasibility study to include:

an analysis of the following, determined as if, at the time of the analysis, the proposed preliminary municipality area is incorporated as a town with a population of 100 people; and, new revenue sources that may be available to the proposed preliminary municipality area that are not available before the area incorporates, including an analysis of the amount of revenues the proposed preliminary municipality area might obtain from those revenue sources.

PROPERTY TAX

Morgan County does not have a separate MSF accounting for the cost of services provided to unincorporated county. As a result, this study does not include property tax generation as a revenue source. To quantify potential revenues from property tax, LRB calculated revenue based on the proportion of unincorporated residents in the County assuming some functions of the General Fund are dedicated to municipal type services. The County's unincorporated population accounts for 65 percent of the total County population. Using this allocation methodology, the calculated proportionate tax rate is shown in **Table 7.1**.

TABLE 7.1: PROPORTIONATE COUNTY LEVY

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
County GF Levy	0.001467	0.001467	0.001467	0.001467	0.001467
Municipal Type Services Adjustment	65%	65%	65%	65%	65%
Proportionate County Levy	0.000954	0.000954	0.000954	0.000954	0.000954

Table 7.2 calculates the property tax revenue using the adjusted property tax levy and new growth calculations provided in **Table 3.13**, resulting in a larger revenue margin for the proposed Study Area.

TABLE 7.2: STUDY AREA TAXABLE VALUE PROJECTED FIVE-YEAR REVENUES

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Assessed Value	\$173,946	\$22,783,946	\$227,953,946	\$294,308,946	\$319,418,946
New Growth	\$22,610,000	\$205,170,000	\$66,355,000	\$25,110,000	\$179,159,500
Total Taxable Value	\$22,783,946	\$227,953,946	\$294,308,946	\$319,418,946	\$498,578,446
Proportionate County Levy	0.000954	0.000954	0.000954	0.000954	0.000954
TOTAL TAX REVENUE	\$21,732	\$217,428	\$280,719	\$304,669	\$475,556

TRANSIENT ROOM TAX

Temporary lodging (i.e., hotel, motel, inn, tourist home, trailer court, or campground) used for less than thirty days are subject to both sales and transient room tax.⁸ To receive revenue from a transient room tax levy, Nine Springs may impose up to one percent tax on temporary lodging upon incorporation. Depending on whether some of the proposed commercial development in the Study Area will be comprised by temporary lodging, a transient room tax may be a new revenue source the Town could contemplate.

FRANCHISE TAX - MUNICIPAL ENERGY SALES AND USE TAX

Municipalities may adopt a tax on gas and electricity delivered within their jurisdiction. These taxes are collected by a seller and held in trust for the benefit of the locality imposing the tax.

⁸ Utah State Tax Commission. Transient Room Taxes. Retrieved from <https://tax.utah.gov/sales/transientroom>



DEBT FINANCING

Debt financing may be utilized to amortize larger capital costs over time, rather than addressing those costs in a shorter period. This does not introduce new revenues (interest and cost of issuance expenses add to the overall cost assumptions), but it does serve as a funding tool to allow for the construction of public facilities.

GRANTS

Most of the comparable cities included in the analysis receive grant monies, although it is uncertain which grants the Town would be eligible for.

IMPACT FEES

As mentioned in **Section 6**, the Town, if incorporation occurs, could begin to provide services (e.g., streets) and would be able to charge impact fees to new development. It is important to note that the Town cannot assess impact fees if the eligible categories are not serviced by the Town.

FEES FOR SERVICES

The newly incorporated area will have the ability to adopt necessary fees related to services provided. This study has followed the statutory requirement to maintain the same level of service currently provided to residents based on the expenditures and revenue sources utilized within the GF. However, the Town may be able to increase revenues by assessing specific fees for services. These may include transportation fees, recreation fees, disproportionate fees, and/or utility fees. It is important to note that these fees would be an additional cost to residents, beyond what is shown in the following sections. In the event of a revenue shortfall, the newly incorporated city can modify the building fee schedule and business license fee schedule to recoup the full cost needed for planning, engineering, zoning, and licensing expense related to these services.

SECTION 8: FISCAL IMPACTS & PROJECTED TAX BURDEN

Utah Code §10-2a-504(3) requires the preliminary feasibility study to include:

an analysis of the following, determined as if, at the time of the analysis, the proposed preliminary municipality area is incorporated as a town with a population of 100 people: the projected tax burden per household of any new taxes that may be levied within the proposed preliminary municipality area within five years after incorporation as a town; and the fiscal impact of the proposed preliminary municipality area's incorporation as a town on unincorporated areas, other municipalities, special districts, special service districts, and other governmental entities in the county.

The purpose of this study is to project and compare the financial impact to new residents in Nine Springs if the County continues to provide services or if the newly incorporated Town provides services. This analysis assumes the proposed incorporation will only impact the County, as discussions with existing service providers confirmed services will continue to be provided regardless of the incorporation. The following section details the impact to the new residents in the Study Area, as well as to the County.

FISCAL IMPACTS & TAX BURDEN ON THE COUNTY

Property taxes are not included as Morgan County does not charge a separate municipal services tax rate. As a result, the County will not experience any impact in revenues from property taxes.

In the event of incorporation, the County would likely experience a loss of revenue, modeled here as the projected revenue for the Study Area. The net impact of the Town incorporation is a loss of \$568,025 in revenues in year two, as illustrated in **Table 8.1**. This represents lost revenue for municipal services, as well as revenues gained through the Sheriff's Department and elections.

TABLE 8.1: PROJECTED COUNTY-PROVIDED SERVICES TAX IMPACT SUMMARY

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Potential Lost Revenue	(\$59,908)	(\$595,708)	(\$961,133)	(\$1,160,473)	(\$1,690,180)
Contract Revenue	\$5,468	\$27,683	\$54,670	\$59,525	\$74,337
NET IMPACT TO COUNTY GF	(\$54,440)	(\$568,025)	(\$906,463)	(\$1,100,948)	(\$1,615,843)
Tax Impact from Lost Revenue	0.000020	0.000198	0.000306	0.000361	0.000515
Estimated Impact on Median Home (\$750K)	\$8	\$82	\$126	\$149	\$212

This potential lost revenue is based upon the development scenario considered within this study for an incorporated town. However, this development scenario would likely not transpire if the Study Area were to remain unincorporated. As a result, it is unlikely that any levy would need to be raised to the extent modeled here to account for lost revenue from the Study Area in the event of incorporation. It is possible that the newly incorporated town may contract for additional services with the County (e.g., engineering, planning, and building permitting), resulting in additional contract revenues flowing to the County. Furthermore, the County would receive additional property tax revenues to the GF from the proposed residential and commercial development in the Study Area.

FISCAL IMPACTS & TAX BURDEN ON THE STUDY AREA

The following section analyzes the fiscal impacts of a Town incorporation, with no tax rate modeled in years one through five. The findings result in an annual revenue margin at an average of 27.1 percent over the five-year window of this study, meeting the requirement outlined in Section §10-2a-504(4) to allow the process of



incorporation to proceed. A review of projected revenues to expenses illustrates a surplus beginning in year two, as incorporation costs and delayed development contribute to the escalated costs in the first year of incorporation.

TABLE 8.2: PROJECTED NINE SPRINGS FISCAL IMPACT

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	AVERAGE
REVENUES						
EQUIVALENT COUNTY MSF RATE	0.000000	0.000000	0.000000	0.000000	0.000000	
Property Tax	\$0	\$0	\$0	\$0	\$0	\$0
Sales & Use Tax	\$29,734	\$462,898	\$718,402	\$878,129	\$1,340,194	\$685,871
Class C Roads	\$15,163	\$51,682	\$90,983	\$103,084	\$135,846	\$79,352
Licenses & Permits	\$15,012	\$81,128	\$150,607	\$175,073	\$205,461	\$125,456
Interest Earnings	\$0	\$0	\$1,140	\$4,187	\$8,679	\$2,801
Total Revenues	\$59,908	\$595,708	\$961,133	\$1,160,473	\$1,690,180	\$893,480
EXPENDITURES						
Incorporation Costs	\$58,836	\$6,000	\$9,372	\$6,000	\$10,600	\$18,162
General Government	\$58,141	\$314,211	\$583,309	\$678,067	\$795,758	\$485,897
Law Enforcement	\$5,132	\$27,683	\$51,297	\$59,525	\$69,736	\$42,675
Roads	\$35,822	\$73,792	\$114,009	\$117,429	\$181,428	\$104,496
Total Expenditures	\$157,930	\$421,687	\$757,988	\$861,021	\$1,057,523	\$651,230
NET (REVENUE MINUS EXPENSE)	(\$98,022)	\$174,021	\$203,144	\$299,452	\$632,657	\$242,251
REVENUE (EXPENSE) MARGIN*						27.1%
*Margin calculated by dividing net revenue by total revenues.						

In year one, an additional Nine Springs rate is necessary to provide sufficient funding for the Study Area. The tax impact within the Study Area is estimated at \$1,775 for a primary residence valued at \$750,000 in year one. This represents an increase of \$1,775 above the projected County levy of \$0 given the County does not assess a separate MSF property tax. The difference between the County tax and the Town tax is the additional cost residents of the Study Area will pay to provide their own municipal services as an incorporated town.

TABLE 8.3: PROJECTED NINE SPRINGS TAX BURDEN

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
EQUIVALENT COUNTY MSF RATE	0.000000	0.000000	0.000000	0.000000	0.000000
Additional Levy to Balance Budget	0.004302	0.000000	0.000000	0.000000	0.000000
TOTAL TOWN RATE	0.004302	0.000000	0.000000	0.000000	0.000000
Estimated Certified Tax Value	\$22,783,946	\$227,953,946	\$294,308,946	\$319,418,946	\$498,578,446
Estimated Town Impact (Median Home \$750K)	\$1,777	\$0	\$0	\$0	\$0
MSF Baseline Impact (Median Home \$750K)	\$0	\$0	\$0	\$0	\$0
NET IMPACT	\$1,777	\$0	\$0	\$0	\$0

SECTION 9: WATER AVAILABILITY

Utah Code §10-2a-504(3) requires the preliminary feasibility study to include:

an analysis regarding whether sufficient water will be available to support the proposed preliminary municipality area when the development of the area is complete.

Highlands Water Company will serve as the water provider for the Study Area upon incorporation, with WBWCD serving the area from a water authority perspective. The company's water sources include two wells (Highlands Well #1 and Johnson Well #2) and Gordan Creek Springs. According to HWC's manager, drilling began on a new well on September 3, 2025, which is expected to produce between 1,000 and 2,000 gallons per minute (gpm). The company's existing storage capacity can support an additional 352 connections. Based on current water sources, storage, and water rights, the company believes it can meet the needs of the proposed preliminary municipality during the early stages of development, although the construction of additional storage tanks will likely be required, and it may be necessary to acquire supplemental water rights from the WBWCD. With the new well under construction, the company expects its source capacity will be sufficient to serve the entire development.

DRAFT



Page 30 LRB PUBLIC FINANCE ADVISORS | 41 NORTH RIO GRANDE, SUITE 101 | SALT LAKE CITY, UT 84101



APPENDIX B: UPC DETERMINATION

Memorandum



March 18, 2025

To: Jordan Schwanke, Office of the Lieutenant Governor
From: Eric Albers, Public Policy Analyst, Kem C. Gardner Policy Institute
CC: Mallory Bateman, Director of Demographic Research, Kem C. Gardner Policy Institute
Subject: Nine Springs Preliminary Municipal Feasibility Review

Introduction

This review follows the feasibility request for the preliminary municipality of Nine Springs, in Morgan County, Utah. This memo determines whether Nine Springs meets the population, density, and contiguity requirements for preliminary incorporation (defined in Utah Code 10-2a-503).

The Utah Population Committee (UPC) analysis indicates that Nine Springs meets the preliminary incorporation requirements.

Table 1: Initial Feasibility Requirements for Nine Springs Preliminary Incorporation

Criteria	Meets Criteria?	Requirement by Statute	Details
Population	Yes	Population must be equal to or greater than 100 when all phases of the plan are completed.	Population estimate upon plan completion: 7,571
Population Density	Yes	Density must be seven people per square mile or higher	Population density estimate upon plan completion: 2,112 persons per square mile.
Contiguity	Yes	Area is contiguous, does not have a strip of land connecting geographically separate areas	The proposed boundary covers a contiguous area

Population data source: U.S. Census Bureau, 2020 Census

Note: Requirements are summarized; Full statutory requirements are delineated in Utah Code 10-2a-502.



Table 2: Nine Springs Population Estimate

Phase	Population Estimate
1	846
2	795
3	2,264
4	1,009
5	1,951
6	233
7	306
8	166
9	-
10	-
Total	7,571

Methodology

Housing Unit Method

The UPC uses the housing unit method of estimation to determine the population of places seeking to incorporate. For preliminary municipal incorporations where the population of the defined area is zero, estimates of housing units are taken as given from the description of the preliminary municipality.

The method assumes that condo and multi-family units are are renter occupied, and single family units are owner occupied. The method assumes 99% occupancy for owner occupied units and 97% occupancy for renter occupied units. Occupied units are then multiplied by county-level persons per household (3.43 for Morgan County) from the 2020 census to determine household population.



APPENDIX C: DEVELOPMENT PROFORMA

Absorption - units	Total	1	2	3	4	5
Residential						
Multi-Family/Condo	343	100	100	100	30	13
Single Family Detached	285	35	45	55	65	85
Affordable Housing Units	290		150	140		
TOTAL Residential Units (not including hotel)	918	135	295	295	95	98
Cumulative Residential Units		135	430	725	820	918
Commercial						
Retail	95,000		37,500	17,500	17,500	22,500
Office sf	-			-		
Total Retail/Office SF	95,000	-	37,500	17,500	17,500	22,500
Cumulative Retail/Office SF						
Retail		-	37,500	55,000	72,500	95,000
Office		0	0	-	-	-
TOTAL Commercial SF (not incl. hotels)		-	37,500	55,000	72,500	95,000
Lodging						
Rooms per Year	600		300			300
Yurts	30			30		
Cumulative Rooms		-	300	330	330	630



APPENDIX D: STAKEHOLDER FEEDBACK

Section §10-2a-504(3)(c) outlines the stakeholders that were consulted and received the draft of the preliminary feasibility study on September 15, 2025, to review and provide comment to the draft. The following appendix includes feedback from **x** during the draft phase of the study. LRB's response to each item is in red.

(Pending)

DRAFT



MORGAN COUNTY COMMISSION MEETING AGENDA



September 16th, 2025

3:00 WORK SESSION & 5:00 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.

COUNTY COMMISSION

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

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
Public Works Director Bret Heiner
Recreation Director Lydia Hebdon
Deputy Attorney Janet Christoffersen (DA)

OTHERS IN ATTENDANCE

Debbie Sessions
Tina Kelly
Ed Schultz
Jeff Glum
Kent Singleton
Dana Bauer
Randy Sessions
Randy Parker
Nancy Moss
Ty Reese
Gary Derck
Trevor Price
John Triplett
Robert My
Bret Smith
Maddie Maloney
Paul Clayton
Kyle Abbott
Cathrin Astle
Ben Hetland
Trent Wynn
Joann Weaver
Jeff Madsen
Brett Smith
Brad Madsen
Lonnie Desmarais

3:00 WORK SESSION

(A) Review draft feasibility study from LRB Finance for compilation and submission of comments.

[Note: draft document will not be available until the day of this work session.]

- i. The County Commissioners reviewed the draft feasibility study from LRB Finance and raised concerns related to county maintenance costs, geotechnical challenges, infrastructure phasing, public safety, and long-term taxpayer impacts. Commissioners noted that while the study incorporated county per-mile maintenance costs, the projections—such as WPR’s estimated \$181,000 annually at year five—appeared inadequate given the higher costs of maintaining steep, highland roads requiring specialized equipment. They emphasized the need for more accurate modeling, particularly in light of unique storm water management challenges in the highlands. Commissioners also questioned the alignment of infrastructure and occupancy timelines, expressing concern that the phasing plan begins at the mountain top without sufficient infrastructure to support rapid construction. It was further noted that UDOT would not fund the proposed intersection, requiring

MORGAN COUNTY COMMISSION MEETING AGENDA

developers to hire from an approved contractor list, yet long-term maintenance costs for such infrastructure were not reflected in the study. Commissioners stressed the importance of accounting for worst-case scenarios and potential county liability if the development fails. They also highlighted the lack of analysis on the impact to county taxpayers, unaddressed public safety costs, and insufficient storm water drainage planning. The Commissioners concluded that sustainable infrastructure and realistic cost assumptions must be incorporated before moving forward.

(B) Review and discussion on a development agreement for Eagle Vista Subdivision.

[Note: this is a work session with the County Commission as it is the first development agreement inside a town center zoning designation.]

- i. The County Commissioners reviewed and discussed the proposed development agreement for the Eagle Vista Subdivision, focusing on referendum compliance, zoning, density, and coordination among developers. The Planning Director introduced Brandon Green from Flagship Homes, who outlined the project's mix of single-family homes, townhomes, and commercial areas. Commissioners raised concerns about adhering to the prior referendum agreement and fire chief memorandum of understanding to avoid legal challenges. Discussion centered on balancing commercial and residential zoning, with Commissioner Blocker suggesting relocating commercial areas closer to the highway for improved traffic flow and land use, while Commissioner Fackrell advocated for rezoning to allow higher density and a more cohesive transition from larger lots to smaller units. Chair Wilson and the Commissioners emphasized the need to centralize commercial development near the city center and limit excessive density. Additional concerns were raised about coordination, with Commissioners noting communication gaps among developers and with the County, as well as the absence of finalized development agreements under the TC zone. Commissioners stressed the need for collaboration, potential text amendments to zoning requirements, and a unified development plan. To move the process forward, the Commission discussed scheduling a special work session meeting for all relevant developers.

5:00 COMMENCEMENT OF MEETING

(A) Opening Ceremonies

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

(B) Consent Agenda Items

1. Approval of the Morgan County Commission Minutes from September 2nd, 2025.
2. Approval of **CR 25-49** County Asset Acquisition Approval Policy
3. Approval of **CR 25-50** County Employee Appreciation Expenditures Policy
4. Approval of **CR 25-51** County Overnight Livestock Layover Rules
5. Notice: Open non-user seat on the Morgan County Airport Board; Accepting applications.

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6. Notice: Open seat on the Weber Basin Water Conservancy District; Accepting applications.

Commissioner Newton moved to remove items 2 and 3 to be moved to action items to discuss and approve 1, 4, 5 and 6 of the consent agenda items.

Seconded by Commissioner Blocker

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.

(C) Commissioner Declarations of Conflict of Interest

- **None.**

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

- Jeff Glum addressed the Commission stating under Utah's Public Waters Access Act (2010), public use of private streambeds is limited to incidental contact, with no legal or prescriptive easement on Kent Singletons property or the Lower Weber River. He cited U.S. and Utah Supreme Court rulings confirming the river is not navigable for title and that historical use does not create present-day easements. Glum emphasized that certainty of title and the right to exclude are fundamental constitutional property rights, and that further policy considerations rest with the legislature.
- Kent Singleton addressed the Commission regarding delays in processing his FEMA-required floodplain fence permit and lack of transparency in responses to his requests and appeals. Speaking as a member of the Utah Farm Bureau, he emphasized the organization's 2025 policy supporting landowners' rights to maintain lawful fences without undue government interference. He requested that the Commission provide proof of his business license payment, complete his permit processing promptly, and uphold property rights policies, stressing the importance of integrity, transparency, and certainty of title.
- Dana Bauer of Mountain Green addressed the Commission regarding the Ponderosa Rollins Ranch development agreement. She expressed concern over proposed changes to the plot map and road layout, emphasizing the negative impact on neighboring homeowners who purchased their properties based on existing plans. Bauer highlighted potential loss of property value, reduced peace and views, and unsightly double or triple frontage lots. She also raised concerns about existing drainage and sewer issues, noting that changes to easements and road placement could exacerbate these problems. Bauer urged the Commission to consider the emotional and financial impacts on affected residents and recommended declining approval of the proposed road modifications.
- Nancy Moss of Mountain Green expressed support for prior comments opposing the proposed road change in Rollins Ranch. She emphasized safety concerns, particularly for children, and noted that altering the road would inconvenience existing residents and disrupt the character of the neighborhood. Moss referenced the Planning Commission's careful consideration of public input and urged the Commission to follow their recommendation. She also raised concerns about adequate ingress and egress for emergency access, citing a past neighborhood fire as a reminder of the importance of proper access roads in future developments.
- Randy Parker addressed the Commission he is the CEO of the Utah Farm Bureau, he emphasized that state and federal law firmly protect private streambeds, with public use limited to incidental contact under the 2012 Public Waters Access Act. He cited multiple U.S. Supreme Court rulings affirming the need for certainty of title and stated that claims of the Lower Weber River being unsettled or navigable contradict established law.

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- Randy Sessions addressed the Commission stating regarding the final plat approval for Wasatch Peaks Ranch, noting concerns about an irrigation ditch running through the proposed subdivision. He recommended the ditch be piped, citing three reasons: consistency with other piped sections for roads and ski runs, safety risks if the ditch leaks or dams, and prevention of stormwater intrusion. Sessions emphasized the distinction between an irrigation ditch and a drainage system, highlighting their different purposes and values. He acknowledged discussions about relocating the ditch but noted challenges with wetlands and Army Corps of Engineers regulations, adding his belief that fixing the leaking ditch could reduce wetland issues. With construction already underway, he requested a written agreement, similar to a prior ditch relocation with Wasatch Peaks, to ensure clarity before the plat is finalized and lots are sold. Sessions urged resolution within two weeks to provide closure for all parties.

(E) Presentations

(F) Action Items

- **Cr-25-49 County Asset Acquisition Approval Policy**
 - a. The County Attorney clarified that the current language applies only to departments and does not include county offices. Since the Sheriff's Office is classified as an office rather than a department, additional language needs to be added to ensure coverage of both departments and offices.

Commissioner Newton moved to approve CR-25-49 as amended and discussed.

Seconded by Commissioner Blocker

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.

- **CR-25-50 County Employee Appreciation Expenditures Policy**

- b. Commissioner Fackrell asked for clarification on budgetary guidelines related to staff events and celebrations. Also regarding parades and unplanned expenses.
- c. The CAM clarified that staff events is all covered under "celebrations" and that unplanned expenses for the Commission would come from the Commission budget rather than the general celebrations policy.

Commissioner Newton moved to approve CR-25-50 with the adjustments discussed.

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.

1. Lonnie Desmarais – Discussion – Citizen Request

Discussion on drainage and speeding issues.

- d. Lonnie addressed the Commission with concerns about speeding traffic on Morgan Valley Drive and Hardscrabble, including near misses and property damage.

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- e. The Commission suggested potential solutions like speed signs, yield signs, and speed bumps to address traffic issues. And also moving a stop sign to be more visible to oncoming traffic that isn't currently very visible.
- f. Lonnie also discussed the need for a drainage pipe to address flooding issues, noting previous promises and the impact of irrigation changes on water flow for a ditch near her home.
- g. The Public Works Director commented on the flooding stating that that an engineer's estimate exists for installing a pipe, which would help manage normal runoff but would not fully control extreme flood events. He clarified that no funding had previously been designated for the project, though flood mitigation funds could be considered.
- h. The Commissioners directed staff to move the project forward by putting it out to bid, with the intent of completing the work before winter if possible.

Discussion only, no motion taken.

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

Discussion and approval of a backup generator for the Public Works building and another for the County Library.

- a. The CAM stated that the item was placed back on the agenda at the Commissioner's request to ensure unused capital improvement funds were reconsidered, as current projects will not be completed this year and are budgeted for 2026. Therefore the money is available this year to purchase a generator.
- b. The Commission would like bids on a mobile generator to better facilitate more buildings to include Public Works Building and the Library and Fairgrounds.

Commissioner Fackrell moved to postpone this item.

Seconded by Commissioner Blocker

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.

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

Discussion and decision on Phase II of the Fairgrounds Trail project.

- a. The CAM introduced this stating that the Public Works Director obtained an engineer's estimate for Phase Two of the trail and inquired about moving the project forward. It was noted that funding for the trail was not included in the FY26 budget and that the priority remains completing the multi-use fields planned for the same area. The final decision on project order rests with the Commission. Additionally, The Recreation Director raised concerns regarding the proposed trail route.
- b. The Recreation Director stated her concern relates to if the fields are the priority are routing the trail differently.
- c. The Commission agreed that the multi use fields will come first before the trail due to budgeting.

Commissioner Newton moved to postpone this item to our next meeting.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson AYE

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Commission Vice Chair Nickerson AYE
Commissioner Newton AYE
Commissioner Blocker AYE
Commissioner Fackrell AYE
The Vote was unanimous. The Motion passed.

4. Lydia Hebdon, Morgan Recreation Director – Discussion/Decision – Multi-Use Fields

Discussion and decision on applying for a permanent transfer of water shares for the well at the multi-use fields.

- a. The Recreation Director provided an update on the multi-use fields, noting coordination with the Utah State Engineer's Office to identify a water right with availability that could support a permanent change to the shallow well at the fairgrounds. An application has been prepared, requiring only a signature to proceed. It was clarified that this application is the first step in the process and does not itself transfer the rights. The State will conduct a review, including public notice and impact evaluation, to determine if the change can be approved.

**Commissioner Blocker moved to approve the application for permanent water with State of Utah.
Seconded by Commissioner Newton**

VOTE:

Commission Chair Wilson AYE
Commission Vice Chair Nickerson AYE
Commissioner Newton AYE
Commissioner Blocker AYE
Commissioner Fackrell ABSTAIN
The Vote was 4 AYE, 1 ABSTAIN. The Motion passed.

5. Kate Becker, Morgan Administrative Manager – Discussion/Decision – UOT COOP

Discussion and decision on a grant agreement within the Utah Cooperative Marketing Program through the State of Utah: Utah Office of Tourism. This is a matching grant and Morgan County would be committing 1:1 match funds from its tourism tax revenue.

Contract Number: 260632789.

- a. The CAM introduced this stating requests approval to receive a \$73,906 grant from the UOT Co-Op, with matching funds budgeted from tourism tax advisory board funds.

Commissioner Fackrell moved to approve the agreement of the Utah Cooperative Marketing Program grant.

Seconded by Commissioner Blocker

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.

6. Josh Cook, Planning & Development Director – Discussion/Decision – Rollins Ranch

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Rollins Ranch Development Agreement, Fifth Amendment: A request for a minor amendment to a street layout depicted within the conceptual development plan for the Rollins Ranch Development Agreement, which is identified by parcel number 00-0063-3521 and serial number 03-005-029 and is approximately located at 6113 N Hidden Valley Rd in unincorporated Morgan County.

- a. Planner 1 introduced this stating an application was submitted by Fernwood LC for a minor amendment to the Rollins Ranch development agreement, requesting a road realignment near 6113 North Hidden Valley Road on a 250-acre parcel zoned R-1-20 and R-1-A. The change would shift the planned road from the four-way stop at Ranch Boulevard and Hidden Valley Road to a new alignment to the west. The Planning Commission recommended denial (6-0, one abstention), citing property impacts, traffic concerns, and that the issue arose from the developer's pump house placement. Staff recommends approval, noting the new alignment offers safer access and reduced traffic speeds, supported by engineering analysis.
- b. The DA clarified that while the request was initially considered legislative, it is properly classified as an administrative item under county code (MC 150-5.464(b)(3)), which allows for minor amendments to lot and street layouts. Typically, such amendments are administrative; however, because this involves a development agreement, the Commission retains discretion to approve or deny the request, making it both administrative under code and discretionary due to the contractual nature of the agreement.
- c. The Planning Director detailed the specifics of the development agreement, including the need for fire department approval and the phased construction of the Ponderosa subdivision. He added that there are no code violations based on the current submittal and that the applicant has provided a PowerPoint to address concerns.
- d. The Planning Director and the Commissioners discussed the existing road layout and the proposed changes, including the impact on lot 22.
- e. Ty Reese the applicant, presented a PowerPoint detailing the Fifth Amendment to the development agreement, including changes to the road alignment for safety and compliance with fire department conditions.
- f. Trevor Price of Horrocks Engineers explained that the original development agreement relied on less precise USGS topography, which created challenges for road alignment. A direct route would require navigating steep slopes, resulting in safety and design issues. The revised alignment uses more accurate survey data and provides a straighter road with larger curve radii, improving line of sight, pedestrian safety, and overall vehicle travel conditions.
- g. Paul Clayton, a resident at Ranch Boulevard, expressed concerns regarding the proposed road relocation near his property. He noted that the change could increase setbacks along his east property line from 10 feet to 30 feet, limiting his ability to build structures such as a shed or garage. He also raised safety concerns, as the relocation would surround his home with three roads, creating visibility issues for his young children crossing the street, particularly given the mature landscaping. Additionally, he cited flooding from recent water runoff that affected his basement and requested assurances that infrastructure improvements would mitigate future issues. While he acknowledged that the developer has made some concessions, including shifting the road an additional 10 feet, he remains uncertain about lot boundaries, HOA rules, and the preservation of his property rights, and stated that he would ultimately prefer the road not be relocated.

Commissioner Fackrell moved to deny the other road and leave it as the existing.

Seconded by Commissioner Newton

VOTE:

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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.

7. Josh Cook, Planning & Development Director – Discussion/Decision – WPR Phase 6A

WPR Phase 6A Final Plat – A request for final plat approval of a subdivision of 36 lots, which is identified by parcel numbers 00-0093-1280, 00-0091-4038, 00-0002-6722, and 00-0001-1583 and serial numbers 12-004-008-01-1, 12-005-072-03-2, 12-005-071, and 12-004-009, and is approximately located at 5086 West Wasatch Peaks Road in unincorporated Morgan County.

- a. Planner 1 introduced this stating the Wasatch Peaks Ranch Subdivision, Phase 6A (Application 25.026), is a request for final plat approval of 36 single-family lots on 111.3 acres located at approximately 5086 West Wasatch Peaks Road. The property is zoned Resort Special District and governed by a development agreement approved in October 2019, which authorized up to 475 lots under Concept Plan 2. The 36 lots proposed tonight fall within that original plan. The County Commission previously approved the preliminary design on May 6, 2025. Staff review, including input from the county engineer, surveyor, recorder, fire department, and planning staff, confirms the application meets all code requirements, with all comments addressed. Staff recommends approval.
- b. The Planning Director addressed the public comment earlier regarding storm drainage, explaining that drainage issues were reviewed and approved during the preliminary plat process.
- c. Ed Schultz representing Wasatch Peaks Ranch, explained the irrigation ditch system and the company's efforts to maintain and work with adjacent property owners.

Commissioner Blocker moved to approve the WPR phase six, a final plat application, 25.026 allowing for 36 lot subdivision of land located at approximately 5086 West Wasatch Peaks Road in unincorporated Morgan County.

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.

8. Kate Becker, Morgan Administrative Manager – Discussion/Decision – Budget Adjustment

Discussion and decision on budget adjustment out of Non-Departmental: Services not Otherwise Classified, for one-time costs identified during the 2026 Budget hearings.

- a. Indexing the scanned historical documents of the Morgan County Recorder's Office.
Request \$10,000
- b. Mapping services from the State Tax Commission's PUMA software to Morgan County's Tax software for the use of the Assessor's Office.
Request \$5,000

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- c. The purchase of two replacement LUCAS batteries and four replacement LifePak batteries for the Morgan County Ambulance Department.
Request \$4,500
- d. The outright purchase of two Sheriff's department fleet vehicles in lieu of leasing.
Request \$90,572
 - i. The CAM introduced this and explained that several budget adjustments are being proposed based on prior budget hearings. These include funding for scanning and indexing historic records, PUMA, batteries, and two sheriff's fleet vehicles. She clarified that all funding would come from the **non-departmental account**, not the fund balance, noting that sufficient funds remain available even after these allocations. She emphasized that, even accounting for potential costs related to a pending credit card service contract, the account would still retain approximately \$88,000.

Commissioner Newton moved to approve all a-d as noted, for the budget adjustments to be paid from non-departmental.

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.

9. Hon. Morgan County Commission – Discussion/Decision – Support Contributions

Discussion and decision on disbursing support contributions as follows:

- a. Children's Justice Center (care of Weber County Treasurer)
- b. Morgan County Food Pantry
- c. YCC: Family Crisis Center
 - i. The CAM introduced this stating the commission reviewed additional proposed contributions, which will also be funded from the non-departmental services account. These include: \$1,000 to the Children's Justice Center (via Weber County Corporation as a restricted contribution for support services), \$6,000 to the Morgan Food Pantry, and \$5,000 to YCC, separate from the spring sponsorship. She confirmed these amounts align with prior budget discussions and noted the funds could be processed immediately for the next check run.

Commissioner Newton moved to approve the contributions as listed to the children's Justice Center Morgan County Food Pantry and the YCC crisis center.

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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10. Kate Becker, Morgan Administrative Manager – Discussion/Decision – Budget Adjustment

Discussion and decision on potentially paying off some vehicle leases.

- a. The CAM introduced these were the payoff estimates for current leases, including the fire truck. The amounts were calculated through the end of August and, while no longer current, are provided separately from the budget discussion for consideration of potential early payoff options.

Commissioner Newton moved to pay off the 2022, tradesmen in the amount of \$40,187.36, to come from non-departmental.

Seconded by Commissioner Blocker

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.

11. Hon. Morgan County Commission – Discussion/Decision – UTIA Membership

Discussion and decision on membership with the Utah Tourism Industry Association.

- a. The CAM introduced this stating this is a request for a \$1,000 membership to the Utah Tourism Industry Association is included in this year's non-departmental budget, with sufficient funds available, and the budget allows for renewal next year.

Commissioner Fackrell moved to pay the membership of the Utah Tourism Industry Association of \$1,000.

Seconded by Commissioner Blocker

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.

12. Kate Becker, Morgan Administrative Manager – Discussion/Decision – Fee Study

Discussion and decision on going out for RFP for Fee Study.

- a. The CAM introduced this stating this is the updated fee study and impact fee analysis. She noted that the corrected 2025 fee study from Zions includes multi-tiered fees totaling approximately \$50,000, with impact fees estimated at \$34,000 over a three-month timeline. The study will also evaluate public safety (fire and EMS) and incorporate Taggarts and Kent Smith into the community and regional park analysis.
- b. The Commissioners reviewed which fees to include in the RFP. It was agreed to move forward with the comprehensive fee study and impact fee analysis but exclude animal control and garbage fees, as these were deemed de minimis or already established.
- c. Commissioner Newton highlighted the importance of having data to substantiate potential fee changes for out-of-county users.

Commissioner Newton moved to approve to go out for RFP, for the fee study costs, with the changes that were noted this evening, removing animal control and garbage.

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.

13. Kate Becker, Morgan Administrative Manager – Discussion/Decision – Interchange

UDOT's response to request to leave exit 92 eastbound open after the I-84 Mountain Green Interchange.

- a. The CAM provided a background on the I-84 interchange issue, including the environmental assessment and the Commission's efforts to keep exit 92 open.
- b. The Commission discussed the need for public input and the potential impact of closing exit 92 on safety and economic development.
- c. Kyle Abbott a resident near Kent Smith Park, urged the Commission to close the existing interchange, citing unsafe traffic speeds, dangerous passing, and a recent fatality near his home. He emphasized that through-traffic offers no local economic benefit and creates serious safety hazards for residents, cyclists, and children. Abbott also raised concerns about emergency evacuations from Highlands, recommending an alternate route toward Trappers Loop. He concluded that keeping the interchange open is irresponsible and detrimental to residents' quality of life.
- d. The Commission asked for the citizens who were present in the meeting who was for closing the exit, there were 3 votes for closing, the rest of the citizens would like it left open.
- e. Cathrin Astle a Mountain Green resident, emphasized the need for more than one freeway exit due to the community's significant growth and high fire danger in the Highlands area. She noted that relying on a single exit could create bottlenecks during emergencies such as fires, earthquakes, or accidents. Astle highlighted the importance of maintaining access for subdivisions, businesses near Exit 92, and future development, warning that closure would harm local investment and discourage growth. She also stressed the impact on residents like herself in Monte Verde, who would face daily backtracking if the exit were closed. Finally, she requested information on UDOT's evaluation criteria and how to provide input directly.
- f. Another citizen who live in the Highlands, in favor of keeping the exit open due to ambulance response times.
- g. Ben Hetland addressed the Commission and emphasized what he feels is a lack of public awareness and input regarding the potential closure of Exit 92, noting that many residents were unaware of the issue until informed. They stressed the need for greater public involvement and expressed determination to facilitate it, including the possibility of organizing a petition with broad community support from the western part of Mountain Green, which relies heavily on Exit 92. He suggested that such a petition could be a strong tool in discussions with UDOT. They also raised the idea of appealing to the governor and welcomed the possibility of involving the Federal Department of Transportation, expressing appreciation for the Commission's shared commitment to keeping the exit open.
- h. Trent Wynn a Highlands resident, expressed appreciation for the Commission's candid discussions and noted his concern about traffic safety near the exit. He explained that while leaving the interchange open is convenient for his personal use, the reality is that it poses significant safety risks, particularly with heavy ski-season traffic and speeding vehicles on Old Highway. He described frequent concerns when turning into the Highlands, citing recent

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accidents and the danger of vehicles approaching from behind. Trent also acknowledged the importance of nearby businesses and amenities, such as the Phoenix House and the park, and stated he does not want them harmed. However, he ultimately suggested the Commission give serious consideration to closing the interchange, emphasizing safety over convenience.

- i. Joann Weaver a resident living near Monte Verde expressed support for keeping both the east and west interchanges at Exit 92 open. She noted having already shared their opinion with UDOT and echoed earlier comments that Mountain Green is growing and will need multiple interchanges to handle increasing traffic. She also acknowledged concerns raised by another community member about safety but suggested those issues may be alleviated once the new interchange at Trappers Loop is completed, as traffic would likely shift to that route.
- j. Jeff Madsen stated that he supports keeping the exit open but emphasized the need to address safety concerns. He noted the speed limit is too high for the narrow road, and there are no pedestrian signs, making the pathway unsafe and largely unusable. Madsen, who frequently uses the pathway and rides his bike in the area, said he often has to watch for traffic from behind due to safety risks. He also pointed out that many “no parking” signs along the road have been removed, leading to congestion during park events and contributing to accidents, including a recent fatality. He urged consideration of lowering the speed limit and improving pedestrian safety, though he acknowledged the road is state-managed rather than county-controlled.
- k. Clarissa, a longtime Monte Verde resident, expressed concerns about traffic, safety, and limited access. She noted past efforts to widen the road were voted down, which could have addressed safety by adding turn lanes, a median, and a proper trail. Currently, children must wait for buses along Old Highway Road despite safety risks, and she does not allow her own children to walk there due to traffic dangers. She added that when freeway accidents occur, Old Highway Road becomes the only access point, creating serious delays and concerns for emergencies such as wildfires or medical needs. She would like it open.
- l. Brent Binder, a Highlands resident, voiced strong support for keeping the 92 exit open. He emphasized that with collective effort and persistence, the community can work together to ensure UDOT maintains this critical access point.
- m. Brett Smith a Highlands resident, suggested that if the 92 exit remains open, it could potentially be converted from a state road to a county road. This change would allow the county to lower the speed limit, which could reduce traffic and improve safety while still accommodating snowplow access.
- n. Brad Madsen emphasized the importance of keeping the 92 exit open, noting that UDOT's own rules prohibit freeway exits within five miles, yet the Peterson exit is only 2.8 miles from the rest stop. He argued that enforcement and reduced speed limits could manage traffic effectively and urged officials to prioritize the needs and safety of local residents over tourism interests, while holding the state accountable for inconsistencies in its policies.
- o. Commissioner Blocker addressed the some public comments, the Commission has worked with UDOT to improve safety along Old Highway Road. Measures include installing four speed feedback signs (two purchased by the county and two by a resident), lowering the speed limit from 45 to 40 mph, and conducting a left-turn study. UDOT also requested increased police presence to enforce speed limits and parking restrictions. Additionally, the county is collaborating with the Mountain Green Sewer Improvement District to lease land near Kent Smith Park for expanded parking and the addition of two more fields to address congestion during community events.
- p. Commissioner Newton addressed the public comments and explained that once the new interchange is built, Old Highway between Trappers Loop and Exit 92 will revert to county control, giving the county authority over speed limits but adding maintenance costs. He clarified that widening Old Highway was considered by UDOT as an alternative to building an interchange, but the commission opposed it due to concerns about increased

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neighborhood traffic. He emphasized that UDOT's criteria for a new interchange, traffic counts, number of homes, and businesses, do not justify the project, meaning it can only move forward if the state legislature allocates funding directly. To that end, the county has hired a lobbyist and worked with state legislators for several years, securing \$5 million for the environmental study, which found no major impacts. The next challenge is securing construction funding, an estimated \$80 million project far beyond county resources. He stressed the need to balance advocacy with maintaining a cooperative relationship with UDOT, which manages critical federal grants, such as the \$3 million repaving of Old Highway. He cautioned against making Exit 92 the sole focus, as UDOT could respond by denying an interchange altogether. He encouraged residents to contact their legislative representatives to support funding, noting that the interchange is key to future development of Mountain Green.

- q. The CAM addressed some other public comments and provided updates regarding safety and pedestrian concerns along Old Highway. The Morgan County Trails Foundation, in coordination with Public Works, is installing over 20 "Share the Road" and pedestrian signs. Work is also underway with Sinclair to restore an ADA-compliant ramp at Kent Smith Park that was removed during a parking lot renovation, which will improve trail access. Additionally, the county is expanding Kent Smith Park and its parking lot. A Wasatch Front Regional Council study estimated the cost of widening Old Highway for a dedicated biking and hiking trail at \$30.6 million, excluding land acquisition, making the project financially unfeasible at this time. However, the county is exploring other options such as adding turn lanes at key points. Once Old Highway fully transfers to county control, officials will have greater authority to lower speed limits and implement additional safety measures.
 - r. The CA addressed some other public comments, he clarified how residents can access UDOT's letter and stay informed on county matters. He explained that the letter, including UDOT's contact information, is available on the Morgan County website under Public Notices and RFPs within meeting packets. He also recommended using the Utah Public Notice website, where residents can subscribe to receive automatic email notifications whenever Morgan County Commission agendas are posted. This allows the public to review upcoming items, determine relevance, and attend meetings when important issues are scheduled. Public hearings must be posted at least 10 days in advance (or 24 hours for standard agendas), ensuring residents have notice and opportunity to participate.
- The CAM stated that she met with our downtown businesses to see how the filming went and the filming company, all said it was very successful.

(G) Commissioner Comments

- **Commissioner Blocker**
 - She reported on the she attended the UAC Convention.
 - She addressed the importance of mental health support following the recent incident at UVU. She noted that people can receive help by calling or texting 988 Crisis Lifeline, SafeUT App which provides access to professional counseling and support services, as well as Safety.org for professional assistance.
- **Commissioner Newton**
 - None.
- **Commissioner Fackrell**
 - He reported on a new state legislative requirement (Senate Bill 202) mandating Commissioners attend training in order to vote on BOE matters starting next year.
 - He attended a meeting that discussed Transportation taxes, the discussion centered on ensuring fairness in transportation-related taxes. He emphasized that if taxes apply to one

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- group (e.g., electric or hybrid vehicles), fairness should extend to all users, including cyclists and pedestrians.
- He reported on a meeting with Wasatch Front Economic Development, he mentioned available funding and assistance programs, including TAP support and planning grants. He suggested exploring opportunities that could benefit county projects, such as the regional park at Taggart.
- He provided an update from the regional Outdoor Recreation Committee, noting \$19 million in available funding and encouraging consideration of the Water Trail and possible support for local park and trail projects.
- **Commission Vice-Chair Nickerson**
 - He met with COG where they discussed concerns about the increasing use of e-bikes and the need for consistent regulations and enforcement across the county and city.
 - He discussed the possibility of revitalizing the old trappers loop road for bicycle traffic, which could reduce the need for bike lanes on trappers loop.
- **Commission Chair Wilson**
 - **ABSENT.**

Commissioner Newton moved to close public meeting and convene a closed session to discuss imminent or pending litigation, ensuring confidentiality and proper legal procedures.

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 Newton moved to convene closed session and adjourn the public meeting.

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.

Adjourn – 9:19 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:

ATTEST: _____
Morgan County Deputy Clerk/Auditor

DATE

***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.

MORGAN COUNTY COMMISSION MEETING MINUTES



September 18th, 2025

3:00 WORK SESSION

PUBLIC NOTICE is hereby given that the MORGAN COUNTY COMMISSION will hold a work session in the Commission meeting room at 48 West Young Street, Morgan, Utah.

COUNTY COMMISSION

Commission Vice Chair Vaugh Nickerson
Commissioner Raelene Blocker
Commissioner Mike Newton
Commissioner Blaine Fackrell

OTHERS IN ATTENDANCE

Fred Philpot
Logan Loftis

OTHER EMPLOYEES

IT Director Jeremy Archibald
Administrative Manager Kate Becker (CAM)
County Attorney Garrett Smith (CA)

3:00 WORK SESSION

Review draft feasibility study from LRB Finance for compilation and submission of comments.

- The meeting discussed the feasibility study for the 9 Springs development, focusing on revenue and expense projections. Key points included the need to clarify the start of year one, which is based on achieving a population of 100, and the challenges of assuming specific revenue and expense figures. Concerns were raised about the feasibility of achieving 5% revenue over expenses, particularly given the high costs of road maintenance and snow removal in mountainous areas. The Commissioners also discussed the potential of the County's role in providing services and the potential impact on taxpayers if the development fails were also discussed, emphasizing the need for accurate and fair cost projections.

Adjourn – 4:15 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:

ATTEST: _____
Morgan County Deputy Clerk/Auditor

DATE

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.



September 24, 2025

3:00 WORK SESSION

PUBLIC NOTICE is hereby given that the MORGAN COUNTY COMMISSION will hold a work session in the Commission meeting room at 48 West Young Street, Morgan, Utah.

COUNTY COMMISSION

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

OTHER EMPLOYEES

IT Director Jeremy Archibald
Deputy Clerk/Auditor Katie Lasater
Deputy Attorney Janet Christoffersen (DA)

OTHERS IN ATTENDANCE

Debbie Sessions
Tina Kelly
Rulon Gardner
Joe Siggety
Skylar Gardner
Brandon Green

3:00 WORK SESSION

Mountain Green Town Center Expectation Discussion.

- The Commission Chair Wilson opened the meeting by explaining its purpose, noting that the Commission's vision for Mountain Green had not been as clearly conveyed in prior discussions. He emphasized the need for collaboration among commissioners and developers to ensure a cohesive community design. He outlined the Commission's vision: beginning with the Mountain Green City Center as the core, building higher-density development around it, and gradually transitioning to lower-density housing, including single-family homes, toward the south and southeast ends. He further noted that while the area is zoned Town Center, cooperation is necessary to achieve this vision, particularly given the 35% density requirement across multiple property owners.
- The Developers from Gardner Development and Flagship Homes along with the Commission reviewed how to meet the 35% density requirement and considered combining allocations to create a cohesive commercial center.
- Significant concerns were raised about Rocky Mountain Power transmission lines, including cost, placement, and restrictions on development beneath them. Possible solutions include shifting alignments or using affected areas for green space and trails.
- The group discussed amending the ordinance to clarify commercial acreage requirements and zoning flexibility.
- The Developers shared challenges related to market viability, tenant sustainability, and the importance of timing new projects with supporting infrastructure, particularly the interchange.
- Much of the discussion centered on coordinating access, sewer, and water connections across properties, and whether responsibilities for roads, bridges, and utilities should be shared or remain with individual property owners.

MORGAN COUNTY COMMISSION MEETING MINUTES

- The Developers will work with engineers to draft a concept plan incorporating all properties, identify commercial viability, and reconvene with the county to review options for a coordinated development agreement.

Adjourn – 4:20 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:

ATTEST: _____
Morgan County Deputy Clerk/Auditor

DATE

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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.

FIRE SAFETY OPEN HOUSE



Come see our fire station, equipment, and meet our firefighters and EMTs! We will have a special visit from a medical helicopter at 1:30 pm! We hope to see you there!

LOCATION

41 N State Street, Morgan, Utah 84050

DATE

OCTOBER 11TH

TIME

1-3 PM

CPR
DEMO

TRUCK
TOURS

SAFETY
PRESENTATION

Q & A
SESSION

PICTURE
BOOTH



FOR MORE INFORMATION, PLEASE VISIT OUR SOCIAL MEDIA: **FACEBOOK:** MORGAN COUNTY FIRE & EMS **INSTAGRAM:** MORGANFIREUT



3311 109th Street Urbandale, Iowa 50322
Tel: 515.331.2103 Fax: 515.331.1728
gss@gssmidwest.com www.gssmidwest.com

September 12, 2025

GSS #W25297

Ms. Cherrill Grose, CLG Contact
Morgan County Historical Society
P.O. Box 727
Morgan, Utah 84050
cherrilgrose@me.com

RE: NOTICE OF INITIATION OF THE SECTION 106 PROCESS-PUBLIC PARTICIPATION
UNION PACIFIC RAILROAD – EVANSTON SUBDIVISION MP 953 BGMT.UT.01 – SALT LAKE CITY, MORGAN COUNTY, UTAH

Notice of Initiation of the Section 106 Process-Public Participation in accordance with the FCC's Nationwide Programmatic Agreement. Union Pacific Railroad intends to construct a communications facility located near 10745 S Hwy 66, Salt Lake City, Morgan County, Utah (Latitude: 40.827942 and Longitude: -111.652952). The facility will include a replacement self-support, non-PTC, communications tower with an overall height of 160 ft. and associated equipment. Union Pacific Railroad is publishing this notice in accordance with Federal Communications Commission regulations (47 CFR § 1.1307) for Section 106 of the National Historic Preservation Act (NHPA) and for the National Environmental Policy Act (NEPA).

Union Pacific Railroad must comply with all Federal, State and local regulations governing the proposed facility. Section 106 of the National Historic Preservation Act of 1966, as amended, requires Union Pacific Railroad to evaluate this project for any effect it may have on Historic Properties. As part of this evaluation, Union Pacific Railroad is required to publish Public Notice in an effort to gather comments on the potential effects of the proposed facility on Historic Properties.

The purpose of this letter is to:

- Notify your office that Public Notice seeking comments on the potential effects of the proposed construction on Historic Properties is scheduled to be published in The Salt Lake Tribune on September 14, 2025.
- Invite comments on the potential effects of the proposed facility on Historic Properties, from your office and any other relevant individuals or groups that you may be aware of.

Attached to this letter are the following: a topographic map, aerial photograph, site photographs (when available), drawings (when available), and a copy of the wording placed in the Public Notice.

We respectfully request that parties interested in submitting comments regarding any potential effects of the proposed facility on Cultural or Historic Properties, or questions regarding the project, may do so by sending them to GSS, Inc., 3311 109th Street, Urbandale, IA 50322, email (kcampbell@gssmidwest.com), or by calling (515) 331-2103 x114 within 30 days of the date of this letter.

Yours truly,
GSS, Inc.

A handwritten signature in black ink, appearing to read "Kristina Campbell", is written over a horizontal line.

Kristina Campbell
Associate Project Manager

Enclosure

PUBLIC NOTICE

Notice of Initiation of the Section 106 Process-Public Participation in accordance with the FCC's Nationwide Programmatic Agreement. Union Pacific Railroad intends to construct a communications facility located near 10745 S Hwy 66, Salt Lake City, Morgan County, Utah (Latitude: 40.827942 and Longitude: -111.652952). The facility will include a replacement self-support, non-PTC, communications tower with an overall height of 160 ft. and associated equipment. Union Pacific Railroad is publishing this notice in accordance with Federal Communications Commission regulations (47 CFR § 1.1307) for Section 106 of the National Historic Preservation Act (NHPA) and for the National Environmental Policy Act (NEPA). We respectfully request that parties interested in commenting on this Federal undertaking relative to potential effects on cultural or historic properties should contact GSS, Inc., 3311 109th Street, Urbandale, IA 50322; Ph. (515) 331-2103 within 30 days of the posting of this notice. (GSS #W25297)

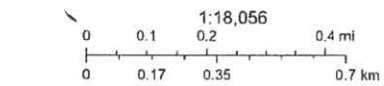
The above text will be published September 14, 2025 in The Salt Lake Tribune.
At this time, we have not received the Affidavit.

FIGURE 1 – TOPOGRAPHIC MAP
 UNION PACIFIC RAILROAD – EVANSTON SUBDIVISION MP 953 (BGMT.UT.01) / GSS PROJECT #W25297
 MOUNTAIN DELL, UTAH QUAD 1979
 SECTION: 07, TOWNSHIP: 1N, RANGE: 8E

W25297 UP Non-PTC Evanston Sub. MP 953 - BGMT.UT.01



9/11/2025, 1:58:31 PM



Esri, NASA, NGA, USGS, FEMA, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, OpenStreetMap contributors, and the GIS User Community.

GSS, Inc.

Esri, NASA, NGA, USGS, FEMA | Esri Community Map Contributors, County of Salt Lake, Utah Geospatial Resource Center, OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc. METI/NASA, USGS, Bureau of Land Management.

Map Legend

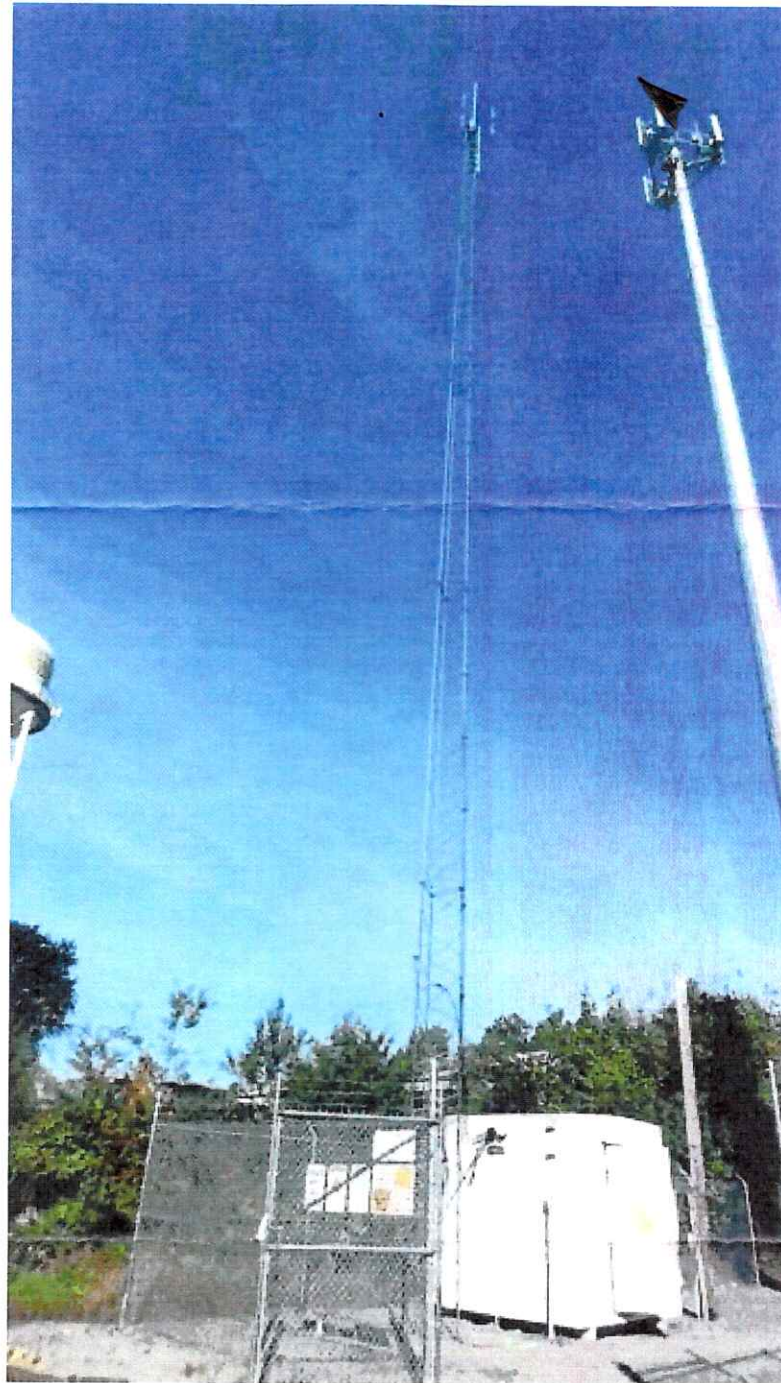


Proposed Site



Study Area / APE





GSS
INC.

EXAMPLE OF A TYPICAL
UNION PACIFIC SELF-SUPPORT TOWER



AERIAL MAP
UNION PACIFIC RAILROAD – EVANSTON SUBDIVISION MP 953 (BGMT.UT.01) / GSS PROJECT #W25297
SALT LAKE CITY, MORGAN COUNTY, UTAH
AERIAL DATE: 07/07/2024



GSS
INC.



PUBLIC NOTICE

Notice of Initiation of the Section 106 Process-Public Participation in accordance with the FCC's Nationwide Programmatic Agreement. Union Pacific Railroad intends to construct a communications facility located near 10745 S Hwy 66, Salt Lake City, Morgan County, Utah (Latitude: 40.827942 and Longitude: -111.652952). The facility will include a replacement self-support, non-PTC, communications tower with an overall height of 160 ft. and associated equipment. Union Pacific Railroad is publishing this notice in accordance with Federal Communications Commission regulations (47 CFR § 1.1307) for Section 106 of the National Historic Preservation Act (NHPA) and for the National Environmental Policy Act (NEPA). We respectfully request that parties interested in commenting on this Federal undertaking relative to potential effects on cultural or historic properties should contact GSS, Inc., 3311 109th Street, Urbandale, IA 50322; Ph. (515) 331-2103 within 30 days of the posting of this notice. (GSS #W25297)

The above text will be published September 14, 2025 in The Salt Lake Tribune.

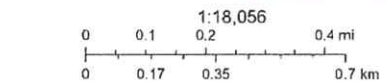
At this time, we have not received the Affidavit.

FIGURE 1 – TOPOGRAPHIC MAP
 UNION PACIFIC RAILROAD – EVANSTON SUBDIVISION MP 953 (BGMT.UT.01) / GSS PROJECT #W25297
 MOUNTAIN DELL, UTAH QUAD 1979
 SECTION: 07, TOWNSHIP: 1N, RANGE: 8E

W25297 UP Non-PTC Evanston Sub. MP 953 - BGMT.UT.01



9/11/2025, 1:58:31 PM



Esri, NASA, NGA, USGS, FEMA, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, OpenStreetMap contributors, and the GIS User Community.

GSS, Inc.

Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, County of Salt Lake, Utah Geospatial Resource Center, OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc. METINASA, USGS, Bureau of Land Management.

Map Legend



Proposed Site

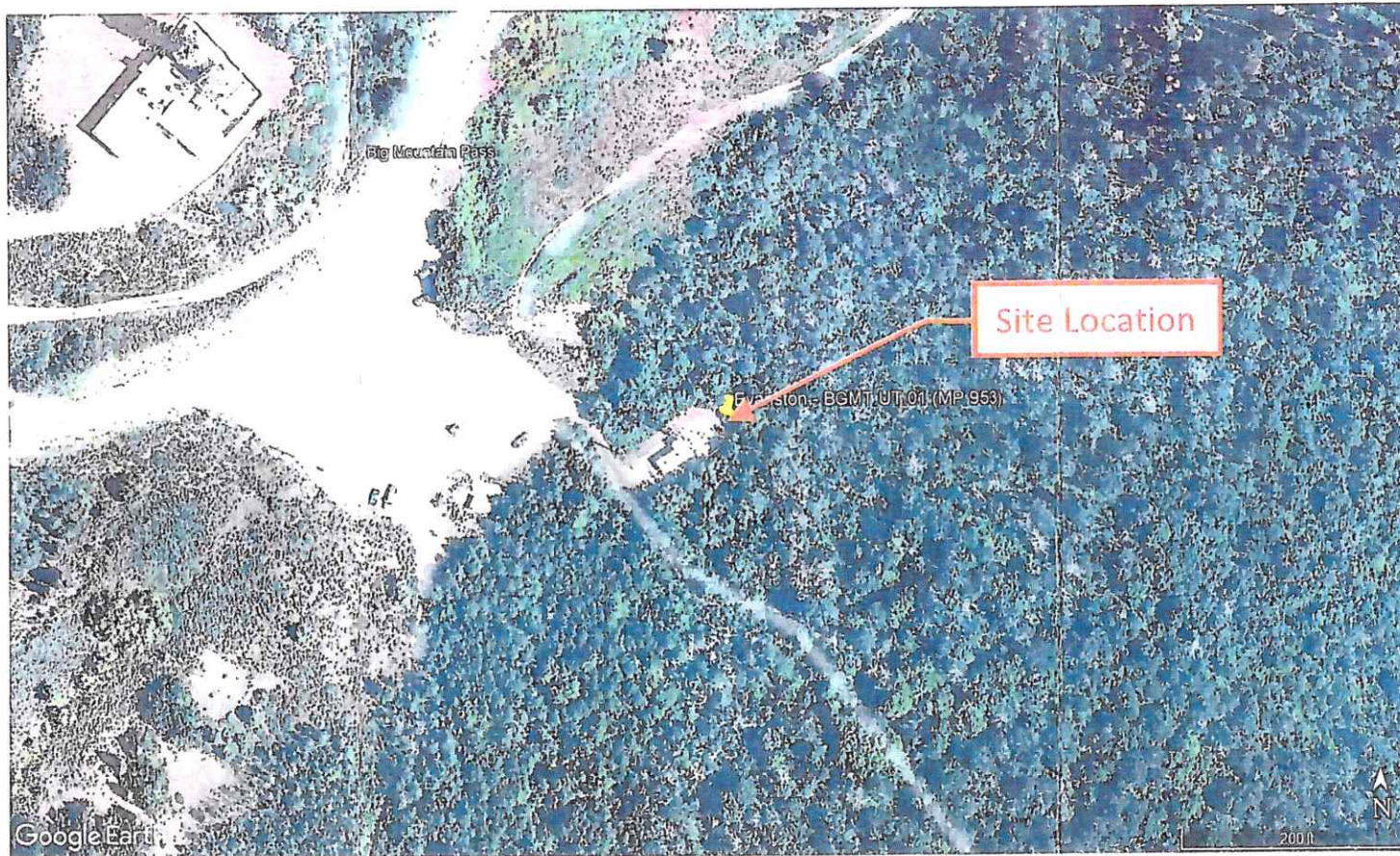


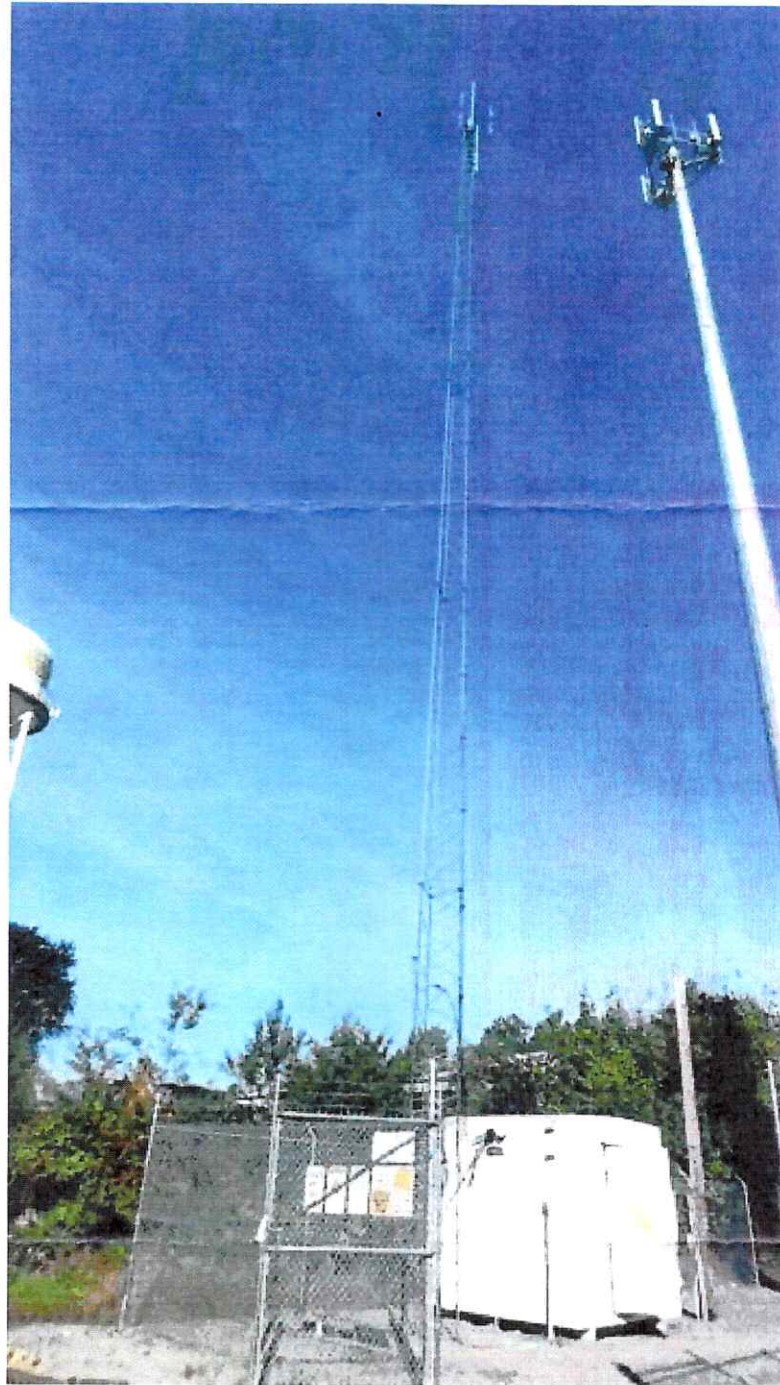
Study Area / APE



AERIAL MAP

UNION PACIFIC RAILROAD – EVANSTON SUBDIVISION MP 953 (BGMT.UT.01) / GSS PROJECT #W25297
SALT LAKE CITY, MORGAN COUNTY, UTAH
AERIAL DATE: 07/07/2024





EXAMPLE OF A TYPICAL
UNION PACIFIC SELF-SUPPORT TOWER





September 24, 2025

RE: Diversion Incentive Data and Recycling Program Updates

Dear Kate Becker:

Wasatch Integrated Waste Management District is pleased to share Morgan County's Diversion Incentive Report. The report includes monthly tonnages for recycling and mixed solid waste, along with the diversion percentage for each month and a 12-month rolling average.

Your county's diversion incentive is calculated using a 12-month rolling average of the tonnage diverted from the waste stream. Each month, our accounting department emails a credit memo for the previous month's diversion, which your county can apply to any invoice of choice. If your county has recently launched a new recycling program, please note it may take up to 12 months to see the full incentive reflected.

If you would like to review your county's data in more detail, please contact Preston Lee (preston.lee@wasatchintegrated.gov) or Collette West (collette.west@wasatchintegrated.gov)—we would be happy to assist.

Additionally, we are now accepting all broken garbage, recycling, and green waste cans at our Material Recovery Facility (MRF) for recycling at no extra charge. Please ensure all wheels, axles, and metal bars are removed prior to drop-off, as only the plastic portion of the cans is recyclable at the MRF. To schedule a delivery time, please have your public works team reach out to Collette West at (801) 614-5613.

Thank you for your continued leadership and commitment to supporting waste diversion and recycling in our communities.

Sincerely,

Wasatch Integrated Waste Management District

Preston R. Lee
Executive Director

Morgan County Tons	Qual Prog REC	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Jul-25	Aug-25
Greenwaste		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Recycling		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	32.95	29.87	21.76
Mixed Solid Waste		255.29	255.74	252.58	258.69	238.47	200.47	231.72	281.01	306.49	271.08	306.08	240.40
	Totals	255.29	255.74	252.58	258.69	238.47	200.47	231.72	281.01	306.49	304.03	335.95	262.16
12 Month Average													
Greenwaste		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Recycling		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.75	5.23	7.05
Mixed Solid Waste		362.31	346.81	331.45	325.72	315.17	305.84	298.90	288.30	273.83	261.20	261.59	258.17
	Totals	362.31	346.81	331.45	325.72	315.17	305.84	298.90	288.30	273.83	263.94	266.82	265.22
Diversion % (Averaged)													
Greenwaste		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Recycling		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.04%	1.96%	2.66%
	Totals	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.04%	1.96%	2.66%
Diversion Incentive \$													
Greenwaste													
Recycling	REC										\$ 0.07	\$ 0.14	\$ 0.19
Greenwaste/Recycling													
Can Count		2,548	2,564	2,573	2,596	2,609	2,615	2,624	2,633	2,637	2,644	2,655	2,664
Household Use Fee		\$ 7.20	\$ 7.20	\$ 7.20	\$ 7.20	\$ 7.20	\$ 7.20	\$ 7.20	\$ 7.20	\$ 7.20	\$ 7.20	\$ 7.20	\$ 7.20
Total Household Use Fee		\$ 18,345.60	\$ 18,460.80	\$ 18,525.60	\$ 18,691.20	\$ 18,784.80	\$ 18,828.00	\$ 18,892.80	\$ 18,957.60	\$ 18,986.40	\$ 19,036.80	\$ 19,116.00	\$ 19,180.80
Reduced Household Use Fee		\$ 7.20	\$ 7.20	\$ 7.20	\$ 7.20	\$ 7.20	\$ 7.20	\$ 7.20	\$ 7.20	\$ 7.20	\$ 7.13	\$ 7.06	\$ 7.01
Total Reduced Household Use Fee		\$ 18,345.60	\$ 18,460.80	\$ 18,525.60	\$ 18,691.20	\$ 18,784.80	\$ 18,828.00	\$ 18,892.80	\$ 18,957.60	\$ 18,986.40	\$ 18,838.75	\$ 18,740.96	\$ 18,671.05
Diversion Incentive		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.07	\$ 0.14	\$ 0.19
Total Diversion Incentive		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 185.08	\$ 371.70	\$ 506.16
Diversion % (Not Averaged)													
Recycling	REC	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	10.84%	8.89%	8.30%



Agricultural Protection Areas in Utah

Preserving Agricultural Lands & Protecting Farmers
Utah Code Title 17 Chapter 41

What is an Agriculture Protection Area (APA)?

An Agricultural Protection Area (APA) is a designated geographic area created under specific legal statutes to protect agricultural activities. These areas are granted particular legal protections as defined in Utah Code Title 17, Chapter 41, which aims to support the continuity, development, and viability of agriculture in Utah. The creation of an APA is voluntary and initiated by landowners engaged in agricultural production who seek to safeguard their operations from potentially restrictive regulations and other hindrances.

BENEFITS OF AN APA

- 1 Protection from nuisance lawsuits**
Farming operations are shielded from complaints related to noise, dust, odors, and other normal agricultural activities.
- 2 Zoning stability**
Land within an APA cannot be rezoned without written consent from all landowners in the APA.
- 3 Protection from unreasonable restrictions**
Political subdivisions and state agencies cannot impose unreasonable regulations on farm structures or practices.
- 4 Eminent domain limitations**
Government agencies face restrictions when attempting to condemn APA land for non-agricultural purposes.
- 5 State development project restrictions**
Transportation corridors and other state projects must minimize or eliminate detrimental impacts on agriculture.
- 6 Disclosure for new developments**
Prospective property buyers near an APA must be notified that they are moving next to an active agricultural operation.

Who Can Apply?

Landowners with agricultural operations can apply to have their land designated as an APA; multiple landowners in the same area may submit a joint proposal. To begin the process, landowners should contact their local government, as the county or city legislative body handles these applications.

Requirements for an APA

- Minimum acreage:** Typically, a minimum amount of land is required to qualify (varies by county).
- Agricultural Use:** The land must be actively used for farming, ranching, or other agricultural production, which includes the processing or retail marketing of crops, livestock, and livestock products when more than 50% of the products are operator-produced.
- Zoning Compatibility:** The land should be appropriately zoned for agricultural use. Compatible zoning designations generally allow agricultural activities as a primary use. These may include designations such as "Agricultural," "Agricultural Residential," or "Rural Residential," depending on local zoning codes, and often involve low-density restrictions to prevent overdevelopment.

How to Apply

To apply for APA status, contact your local county commission or planning department. Specific requirements and steps will vary by county.

Learn More

For more information about Agricultural Protection Areas, contact your local county commission or planning department or contact UDAF County Water & Land Conservation Manager Jay Olsen at 801.718.0517 or jayolsen@utah.gov.

----- Forwarded message -----

From: **Kayli Guild** <kayliguild@utah.gov>

Date: Sat, Sep 20, 2025 at 9:46 AM

Subject: Stage 1 Fire Restrictions Lifted Sept. 20 — Some Areas Still in Effect

To: NRFFSLALL <NRFFSLALL@utah.gov>

Good morning,

Due to moderated fire danger and improved weather conditions, Stage 1 Fire Restrictions was partially lifted at 12:01 a.m. on Saturday, September 20, 2025.

This change applies to all unincorporated state and private lands in the Bear River, Wasatch Front, Central, and Southwest Areas.

In addition, the Bureau of Land Management Paria and Color Country Districts—except the Fillmore Field Office and the U.S. Forest Service Dixie National Forest are also rescinding their Stage 1 restrictions at this time.

Exceptions: Stage 1 Fire Restrictions remain in effect for Tooele, Juab, and Millard Counties as well as Antelope Island State Park. Fire officials will continue to meet weekly to evaluate conditions and determine when these areas meet the criteria for lifting restrictions.

Agency-specific fire restrictions may vary. Please check the fire restrictions page for agency-specific orders and maps at UtahFireInfo.gov or visit the managing agency's website for detailed information.

Dave Vickers

Morgan County Fire Warden

M: (801) 554-8984

E: dvickers@utah.gov

Utah Department of Natural Resources
Division of Forestry, Fire & State Lands

ffsl.utah.gov



48 W Young St - 886
Morgan, UT 84050

Morgan County Airport Advisory Board

NOTICE

The Morgan County Commission is seeking applicants to fill a non-user seat on the Morgan County Airport Advisory Board. The terms, requirements, and authorities of this board may be found in Morgan County Code § 33.083.

If no suitable applications are received the positions may be filled by the County Commission at their discretion.

Interested individuals may obtain an application from the Morgan County Clerk's office (Rm #18 County Courthouse), calling (801) 845-4012, or at www.morgancountyutah.gov linked on the home page and delivered or mailed to the Clerk's Office.

§ 33.083

AIRPORT ADVISORY BOARD

(A) *Continuation of board.* The existing Airport advisory board is hereby modified to be known as the Morgan County Airport Advisory Board. The Board shall consist of six (6) members, one of whom shall always be a member of the County Commission and a non-voting member. All other members shall be appointed by the County Commission (along with terms of appointment) from among the qualified residents of Morgan County. Three (3) members of the Committee shall always be qualified and currently flying pilots who are regular users of the Morgan County Airport. Two (2) members will be non-pilots or non-regular users of the Morgan County Airport. Should no qualified person apply for a position (user/nonuser), the position may be filled by anyone. Members shall be selected without respect to political affiliation and shall serve without compensation, except for recovery of such reasonable expenses as may be specifically authorized by the County Commission.

(B) *Eligibility for appointment.* To be eligible for appointment to the Airport Advisory Board, a person shall:

(1) Be not less than 21 years of age.

(2) Be a resident of Morgan County, unless such person is being appointed to the Airport Advisory Board as a qualified and currently flying pilot member, in which case, such person may be a non-resident of Morgan County if such person is the current named lessee or tenant of a hangar pad space at the Morgan County Airport.

(3) Be representative of a cross-section of both aviation and community interests.

(C) *Powers and duties.* The Morgan County Airport Advisory Board shall have the authority and duty to advise and make recommendations to the County Commission on all matters having to do with the Morgan County Airport and its various features and facilities, including airport operation, management, regulation, master planning, improvement construction and expansion, and fiscal and economic impacts. To better equip itself for the performance of this primary duty, the Board shall familiarize itself with such County, State and Federal regulatory and fiscal materials as are relevant to these authorities and duties. The Board will assume other duties and discharge other responsibilities as may, from time to time, be specifically assigned by the County Commission. The Board shall also be responsive to requests by Airport Management to investigate, deliberate on, and make specific recommendations to the County Commission on deserving matters or issues that have come to Airport Management's attention during discharge of duties.

(D) *Terms of office - Vacancies – Removal.* The term of office for the County Commission member shall be as determined by the County Commission. The terms of the five (5) members appointed by the County Commission shall be four (4) year terms, which shall be staggered every two (2) years. Vacancies occurring otherwise than through the expiration of term shall be filled by appointment by the County Commission for the remaining portion of such term, or for other duration. Any member may be summarily removed by a vote of not less than three (3) members of the County Commission with or without cause.

(E) *Appointment of officers.* The Board shall select board officers by a method of its own choosing.

(F) *Proceedings – rules for and record of.*

(1) All proceedings shall be conducted in compliance with this ordinance and in accord with such By-Laws as the Board may itself adopt and amend from time to time with approval of the County Commission. Such By-Laws may never come in conflict with this ordinance, and the adoption or amendment of By-Laws shall always require the affirmative vote by a simple majority.

(2) A majority of the members of the Board constitutes a quorum for all business, except no Board action shall be valid unless it is approved by a simple majority vote.

(3) All meetings of the Board shall be recorded. Further, the Board shall keep a permanent, written record of all proceedings, with a copy provided to the County Clerk for filing as a public record.

(G) *Meetings - schedule and public notice.* The Morgan County Airport Advisory Board shall conduct meetings on as needed basis, but not less frequently than semi-annually at times and places to be determined by the Board. The Board may meet more frequently as circumstances warrant. In any event, all Board meetings, whether regularly scheduled or special, shall be public meetings, and shall be properly noticed by local posting and appearance in the local media.

(H) *Member's Ethics.* Members of the Morgan County Advisory Board shall be subject to and bound by the provisions of the Utah public Officers' and Employees' Ethics Act, Section 67-16-1, et seq., Utah Code Annotated 1989, as amended, Morgan County Policies and Procedures, as amended, including County Resolution CR-04-10 establishing a Code of Ethics.



Limit of 3 Minutes

- *Please do not repeat previously stated comments**
- *The Commission cannot respond –
This is not a Q & A**
- *Please Be Respectful**

Thank you for being here!

Overview of updated draft:

The Sewer District's requested revisions have been incorporated into the draft agreement. While the County has preserved important protections on access, liability, and improvements upon termination, several new provisions create potential risks for the County given the planned \$550,000 investment in improvements.

MGSID's Requested Changes (Incorporated into Current Draft)

1. **Rental Agreement Format.** Agreement expressly structured as a rental agreement, not a lease, consistent with State Auditor guidance.
2. **Annual Rent.** Rent increased to \$420 per year, of which \$300 is earmarked for MGSID's annual public education program.
3. **Rental Area.** Acreage reduced from 4.6 acres to 3.70 acres, following the existing fence line, the stream on the west, and the joint property line between the Parties, subject to verification by survey.
4. **Term.** Term shortened from thirty (30) years to twenty (20) years. Agreement now permits termination by either Party upon one (1) year's prior written notice, in addition to termination for breach or mutual agreement.
5. **Education Program.** Education program responsibility assigned to MGSID. County's role limited to funding through the earmarked rent payment.
6. **Phased Expansion.** Prior language regarding potential phased expansion removed. Agreement applies only to the identified 3.70 acres.
7. **Landscaping.** County expressly authorized to re-landscape the 3.70 acres as needed for recreational use, at its sole expense.
8. **Security Fence and Cameras.** MGSID's existing 8-foot security fence deemed sufficient. If the County develops any portion of the Property for public parking, County must install and maintain municipal-grade security cameras at its expense, with specifications determined in consultation with MGSID.

Issues (in addition to highlighted sections on draft)

1. **Shortened Term & 1-Year Cancellation**
 - o Agreement reduced to 20 years (from 30).
 - o Either party may terminate with 1 year's notice, without cause.
 - o *Risk:* The County could invest in facilities only to lose them partway through the term, with MGSID retaining improvements.

Suggestions:

- Remove the 1-year termination notice for no cause;
- Or, add provision for reimbursement of depreciated value of improvements left.

2. Education Program Subsidy (\$300/year)

- Rent increased to \$420/year, with \$300 earmarked for MGSID's education program.
- *Risk:* County pays, but MGSID not required to show how funds are used.

Suggestions:

“Owner shall provide the County with an annual written statement describing the program conducted with these funds. If no program is conducted in a given year, the earmark shall lapse and rent shall be reduced to \$120.”

Or just pay the \$420 and don't worry about it.

3. No Guarantee for future expansion.

Would suggest a right of first refusal for rental of additional property that may come available; however, I think that may create a property interest and trip up the state auditors.

This language here may work and pass the auditors if you would like to add it:

Future Expansion Coordination.

If, during the Term of this Agreement, Owner elects to make additional land adjacent to the Property available for recreational rental, the County shall have the first right of refusal to enter into such rental on terms substantially similar to this Agreement. This right of first refusal is contractual only, shall not be recorded, and shall automatically terminate upon expiration or earlier termination of this Agreement. Nothing herein shall create a leasehold, option, or property interest in favor of the County.

5. Clarification of Improvements that can and can't be removed by County:

Maybe add this language in...I didn't think of it when doing first draft:

Improvements Classification. For purposes of this Section:

- (i) Permanent improvements integrated into the land (including grading, irrigation mains, underground utility lines, and foundations) shall not be removed and shall remain with the Property.
- (ii) Semi-permanent improvements (including fencing, light poles, security cameras, sprinkler heads and lateral lines) may be removed at the County's option, provided removal does not materially damage the Property and the County restores the Property as set forth herein.
- (iii) Non-permanent or movable personal property (including equipment, furnishings, and portable structures) may be freely removed by the County.

Long-Term Rental Agreement Between Morgan County and Mountain Green Sewer Improvement District

This Rental Agreement ("Agreement") is entered into this ____ day of _____, 2025, by and between the Mountain Green Sewer Improvement District ("Owner"), a political subdivision of the State of Utah, and Morgan County ("County"), a political subdivision of the State of Utah (collectively, the "Parties").

WHEREAS, the County intends to expand public recreational facilities and parking adjacent to Kent Smith Park to better serve the residents of Morgan County;

WHEREAS, the Owner controls approximately 3.70 acres of unimproved land adjacent to Kent Smith Park (the "Property"), bounded generally by the Parties' joint property line, the existing fence line, and the stream on the west, with acreage subject to verification by survey;

WHEREAS, the County anticipates investing approximately \$550,000 in public improvements on the Property, including fencing, lighting, irrigation, grading, sod, and/or parking infrastructure, at its sole expense;

WHEREAS, the County has determined that the most effective and safe means of accommodating increased recreational use is to construct a dedicated parking area on the Property, and acknowledges that the Owner's existing parking lot and access gate are not available for County use and will remain unaffected by this Agreement;

WHEREAS, the Parties discussed during their March 12, 2025 meeting the Owner's potential interest in a future easement along the west boundary of Kent Smith Park, and the County is open to coordinating in good faith to reasonably accommodate such an easement in the future, provided it does not materially interfere with the County's improvements;

WHEREAS, Parties agree that this Agreement applies to a single area of approximately 3.70 acres and does not provide for phased expansion;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties agree as follows:

- 1. Purpose.** Owner grants the County the right to occupy and use approximately 3.70 acres of land adjacent to Kent Smith Park, as identified in **Exhibit A** (the "Property"), for the purpose of expanding public recreational fields and associated amenities. This Agreement is a rental agreement only, and does not create a leasehold interest, estate, or possessory right. It does not confer exclusive use or tenancy. The County's use is permissive and revocable in accordance with this Agreement.
- 2. Term.** The term of this Agreement shall be twenty (20) years, commencing on _____, 2025, and terminating on _____, 2045, unless sooner terminated as set forth herein.

3. **Rent.** County shall pay Owner annual rent in the amount of Four Hundred Twenty Dollars (\$420.00), due on or before January 15 each year during the Term. Of this amount, Three Hundred Dollars (\$300.00) shall be earmarked for Owner's public education program relating to Owner's facilities and operations. Owner shall be solely responsible for conducting such program. County shall have no obligation beyond payment of the annual rent.
4. **Improvements and Responsibilities.** County shall construct and maintain improvements at its sole expense. Anticipated improvements include, but are not limited to:
 - Fencing (including southern boundary fencing)
 - Lighting
 - Sod, topsoil, grading, berms, and vegetation
 - Parking and access facilities
 - Sprinkler and irrigation systems

The County shall be solely responsible for all grading, landscaping, sod, irrigation, and vegetation on the Property, and may re-landscape the 3.70 acres as needed to support recreational use, at its sole expense. All work shall be done in a manner that does not unreasonably interfere with Owner's operations. County is solely responsible for maintenance, safety, and liability relating to the improvements.

Security Fence and Cameras. The Owner's existing eight-foot (8') security fencing is deemed sufficient for the protection of Owner's facilities, and the County has no obligation to expand or replace such fencing. This does not limit the County's ability to install additional fencing or barriers for the safety and management of recreational fields and users, at the County's sole discretion and expense. If the County develops any portion of the Property for public parking, the County shall, at its sole expense, install and maintain security cameras for said parking area. The type, number, and placement of cameras shall be determined by the County, after reasonable consultation with the Owner, provided they are reasonably adequate to monitor parking areas for safety and security.

5. **Water and Irrigation.** If the County determines that it is needed, the County may connect the Property to its existing sprinkler and irrigation system used at Kent Smith Park. If additional water rights or secondary water connections are necessary to support irrigation of the Property, the County shall be solely responsible for securing and funding such rights or connections.
6. **Condition and Access.** The Owner represents and warrants that, as of the Effective Date of this Agreement, the Property is in a condition suitable for the County's intended use for public recreational fields and associated amenities.

The Owner shall ensure that any existing access points, service roads, drainage systems, gates, or other infrastructure under the Owner's control and reasonably necessary to enable the County's planned improvements and use of the Property are in functional condition as of the Effective Date.

The Owner shall, throughout the term of this Agreement, maintain such Owner-controlled infrastructure in good working order and condition so as not to unreasonably interfere with the County's use, operations, or improvements on the Property. The Owner shall provide the County with at least ninety (90) days advance written notice of any planned maintenance or repairs to Owner-controlled infrastructure or conditions that may materially interfere with the County's intended use or planned improvements, unless emergency conditions exist.

The Owner shall be responsible for repairing and/or reimbursing the County for any damages to County improvements caused by Owner-controlled infrastructure or activities on or adjacent to the Property. The County may, at its sole discretion, elect to perform any necessary repairs itself, in which case the Owner shall reimburse the County for its actual and reasonable costs incurred.

7. **Future Easement Coordination.** The Parties acknowledge Owner's interest in a possible future easement along the west boundary of Kent Smith Park. The County agrees to consider such a request in good faith through its normal approval processes, provided that any easement shall not materially interfere with the County's current or planned improvements. Nothing herein shall obligate the County to grant an easement.
8. **Use Restrictions.** The Property shall be used solely for recreational fields and associated facilities. No other use is permitted without Owner's prior written consent.
9. **Review Period.** The Parties shall review this Agreement every five (5) years to assess operational needs, improvements, and to consider any mutually agreed modifications.
10. **Insurance and Liability.** Both Parties to this Agreement are governmental entities as defined under the Governmental Immunity Act of Utah, Utah Code § 63G-7-101 et seq. (the "Act"). There are no indemnity obligations between the Parties to this Agreement for one another's acts.

Subject to and consistent with the terms of the Act, each Party shall be liable for its own negligent acts or omissions, and those of its officers, employees, and agents acting within the scope of their employment or duties under this Agreement. Each Party shall maintain insurance or self-insurance coverage sufficient to meet its obligations under this Agreement and consistent with applicable law.

To the extent permitted by law, each Party shall indemnify, defend, and hold harmless the other Party from and against any third-party claims, demands, causes of action, or liabilities arising out of that Party's own negligent acts or omissions in connection with this Agreement.

Nothing in this Agreement shall be construed as a waiver of any defenses, limits of liability, or other rights and protections afforded under the Act or any other applicable law.

11. Notices. All notices under this Agreement shall be in writing and delivered via hand delivery, certified mail, or email with confirmation from recipient, and shall be deemed given when received. Notices shall be sent to the following addresses:

To Owner (MGSID): Mountain Green Sewer Improvement District
5455 W Old Highway Road
Morgan, UT 84050

To County: Morgan County Commission
48 West Young Street
P.O. Box 886
Morgan, UT 84050

Either Party may update notice information by written notice to the other.

12. Dispute Resolution. In the event of any dispute or claim arising under this Agreement, the Parties shall first attempt to resolve the matter through informal discussions between designated representatives. If unresolved, the Parties agree to participate in non-binding mediation in good faith, prior to initiating legal action. Venue for any action shall be the Second Judicial District Court, Morgan County, Utah. This Agreement shall be governed by and construed in accordance with the laws of the State of Utah.

13. No Conveyance of Property Rights. This Agreement does not create a leasehold or property interest. It is a limited use arrangement revocable as provided herein. Nothing herein shall be construed to create a landlord-tenant relationship.

14. Termination. This Agreement may be terminated:

- By mutual written agreement;
- By either Party for material breach, upon 60 days written notice and opportunity to cure; and
- By either Party upon one (1) year's written notice to the other Party.

15. Improvements Upon Termination or Expiration. Upon termination or expiration of this Agreement:

(a) County Election. The County may, at its sole option, elect to either:

Remove any permanent improvements placed on the Property, or

Leave any or all improvements in place, in which case all such improvements shall become the property of the Owner without compensation or obligation to the County.

The County shall notify the Owner in writing of its election within ninety (90) days of termination or expiration. If the County fails to make such election, all improvements shall be deemed abandoned and shall automatically become the property of the Owner without compensation.

(b) Removal of Non-Permanent Improvements. The County shall have up to ninety (90) days following termination or expiration to remove any non-permanent or movable equipment, furnishings, or personal property it installed or placed on the Property, unless otherwise agreed in writing.

(c) Restoration. Whether improvements are removed or retained, the County shall restore the Property to a reasonably clean, safe, and orderly condition, at its sole cost, including removal of debris, fill, and construction materials, and addressing any damage caused by removal of improvements, to the extent reasonably necessary and in coordination with the Owner.

(d) No Compensation or Reimbursement. The County acknowledges that it shall not be entitled to any compensation, reimbursement, or credit for improvements or expenditures made on the Property, regardless of whether improvements are removed or retained.

16. Miscellaneous.

- **Entire Agreement:** This Agreement constitutes the full understanding between the Parties.
- **Amendments:** Must be in writing and signed by both Parties.
- **Severability:** If any provision is held invalid, the remainder shall remain in effect.
- **Non-Waiver:** Any failure to enforce provisions does not waive future enforcement.
- **Governing Law:** This Agreement shall be governed by and construed in accordance with the laws of the State of Utah.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

MORGAN COUNTY

By: _____

Name: Matt Wilson

Title: County Commission Chair

Date: _____

MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT

By: _____

Name: _____

Title: _____

Date: _____

Exhibit A – Map of Rental Area (3.70 acres adjacent to Kent Smith Park)

Prepared For:

Morgan County
Brett Heiner
48 West Young Street
Morgan, UT 84050-
(801)829 - 3762
Reference ID: N/A

Presented By:

RUSH TRUCK CENTERS OF UT
Daniel Sebastian
964 SOUTH 3800 WEST
SALT LAKE CITY UT 84104 -
(801)972-5320

Thank you for the opportunity to provide you with the following quotation on a new International truck. I am sure the following detailed specification will meet your operational requirements, and I look forward to serving your business needs.

Model Profile
2026 MV607 SBA (MV607)

AXLE CONFIG:	4X2
APPLICATION:	Front Plow with spreader
MISSION:	Requested GVWR: 35000. Calc. GVWR: 35000. Calc. GCWR: 55000 Calc. Start / Grade Ability: 39.43% / 4.09% @ 55 MPH Calc. Geared Speed: 67.4 MPH
DIMENSION:	Wheelbase: 152.00, CA: 84.90, Axle to Frame: 75.00
ENGINE, DIESEL:	{Cummins L9 350} EPA 2024, 350HP @ 2200 RPM, 1050 lb-ft Torque @ 1200 RPM, 2200 RPM Governed Speed, 350 Peak HP (Max)
TRANSMISSION, AUTOMATIC:	{Allison 3000 RDS} 6th Generation Controls, Close Ratio, 6-Speed with Double Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, with 80,000-lb GVW and GCW Max, On/Off Highway
CLUTCH:	Omit Item (Clutch & Control)
AXLE, FRONT NON-DRIVING:	{Meritor MFS-14-122A} I-Beam Type, 14,000-lb Capacity
AXLE, REAR, SINGLE:	{Meritor MS-21-14X-4DFR} Single Reduction, 21,000-lb Capacity, R Wheel Ends Gear Ratio: 6.14
CAB:	Conventional, Day Cab
TIRE, FRONT:	(2) 315/80R22.5 Load Range L HAU 3 WT (CONTINENTAL), 480 rev/mile, 68 MPH, All-Position
TIRE, REAR:	(4) 11R22.5 Load Range G HDR2+ (CONTINENTAL), 491 rev/mile, 75 MPH, Drive
SUSPENSION, REAR, SINGLE:	23,500-lb Capacity, Vari-Rate Springs, with 4500-lb Capacity Auxiliary Rubber Springs
PAINT:	Cab schematic 100WP Location 1: 9219, Winter White (Std) Chassis schematic N/A

<u>Code</u>	<u>Description</u>
MV60700	Base Chassis, Model MV607 SBA with 152.00 Wheelbase, 84.90 CA, and 75.00 Axle to Frame.
1ANA	AXLE CONFIGURATION 4x2
	<u>Notes</u> : Pricing may change if axle configuration is changed.
1CAH	FRAME RAILS Heat Treated Alloy Steel (120,000 PSI Yield); 10.375" x 3.705" x 0.438" (263.5mm x 94.1mm x 11.1mm); 456.0" (11582mm) Maximum OAL
1LSE	BUMPER, FRONT Swept Back, Steel, Painted Gray, Heavy Duty
1WDS	FRAME EXTENSION, FRONT Integral; 20" In Front of Grille
1WEH	WHEELBASE RANGE 134" (340cm) Through and Including 197" (500cm)
2AST	AXLE, FRONT NON-DRIVING {Meritor MFS-14-122A} I-Beam Type, 14,000-lb Capacity
3ADD	SUSPENSION, FRONT, SPRING Parabolic Taper Leaf, Shackle Type, 14,000-lb Capacity, with Shock Absorbers
	<u>Includes</u> : SPRING PINS Rubber Bushings, Maintenance-Free
	<u>Notes</u> : In combinations where chassis component weights may cause a chassis lean, a spring is used in front left spring pack to offset this imbalance & provide a level chassis, within 3/8", with body installed.
4091	BRAKE SYSTEM, AIR Dual System for Straight Truck Applications
	<u>Includes</u> : BRAKE LINES Color and Size Coded Nylon : DRAIN VALVE Twist-Type : GAUGE, AIR PRESSURE (2) Air 1 and Air 2 Gauges; Located in Instrument Cluster : PARKING BRAKE CONTROL Yellow Knob, Located on Instrument Panel : PARKING BRAKE VALVE For Truck : QUICK RELEASE VALVE On Rear Axle for Spring Brake Release: 1 for 4x2, 2 for 6x4 : SPRING BRAKE MODULATOR VALVE R-7 for 4x2, SR-7 with relay valve for 6x4/8x6
4732	DRAIN VALVE {Berg} with Pull Chain, for Air Tank
4AZA	AIR BRAKE ABS {Bendix AntiLock Brake System} 4-Channel (4 Sensor/4 Modulator) Full Vehicle Wheel Control System
4EDN	AIR DRYER {Bendix AD-9SI} with Heater, Includes Safety Valve
4EXU	BRAKE CHAMBERS, REAR AXLE {Bendix EverSure} 30/30 SqIn Spring Brake
4EXV	BRAKE CHAMBERS, FRONT AXLE {Bendix} 24 SqIn
4GBM	BRAKE, PARKING Manual Push-Pull Pneumatic Parking Brake
4LAA	SLACK ADJUSTERS, FRONT {Haldex} Automatic
4LGA	SLACK ADJUSTERS, REAR {Haldex} Automatic
4SPA	AIR COMPRESSOR {Cummins} 18.7 CFM
4VGM	AIR TANK Polished Aluminum, with Straight Thread O-Ring Ports
4VKJ	AIR TANK LOCATION (2) Mounted Under Battery Box, Outside Left Rail, Back of Cab, Perpendicular to Rail
4VLE	AIR DRYER LOCATION Mounted Inside Engine Compartment, Right Side
4WBX	DUST SHIELDS, FRONT BRAKE for Air Cam Brakes
4WDM	DUST SHIELDS, REAR BRAKE for Air Cam Brakes

Code	Description
4XDP	BRAKES, FRONT {Meritor 16.5X5 Q-PLUS CAST} Air S-Cam Type, Cast Spider, Fabricated Shoe, Double Anchor Pin, Size 16.5" X 5", 14,700-lb Capacity
4XDR	BRAKES, REAR {Meritor 16.5X7 Q-PLUS CAST} Air S-Cam Type, Cast Spider, Fabricated Shoe, Double Anchor Pin, Size 16.5" X 7", 23,000-lb Capacity per Axle
5710	STEERING COLUMN Tilting and Telescoping
5CAW	STEERING WHEEL 4-Spoke; 18" Dia., Black
5PSA	STEERING GEAR {Sheppard M100} Power
6DGB	DRIVELINE SYSTEM {Dana Spicer} SPL140, for 4x2/6x2
7BEU	AFTERTREATMENT COVER Aluminum
7BLW	EXHAUST SYSTEM Horizontal Aftertreatment System, Frame Mounted Right Side Under Cab, for Single Vertical Tail Pipe, Frame Mounted Right Side Back of Cab
7WAZ	TAIL PIPE (1) Turnback Type
7WDM	EXHAUST HEIGHT 10'
7WDN	MUFFLER/TAIL PIPE GUARD (1) Aluminum
8000	ELECTRICAL SYSTEM 12-Volt, Standard Equipment
	<u>Includes</u>
	: DATA LINK CONNECTOR For Vehicle Programming and Diagnostics In Cab
	: HAZARD SWITCH Push On/Push Off, Located on Instrument Panel to Right of Steering Wheel
	: HEADLIGHT DIMMER SWITCH Integral with Turn Signal Lever
	: PARKING LIGHT Integral with Front Turn Signal and Rear Tail Light
	: STARTER SWITCH Electric, Key Operated
	: STOP, TURN, TAIL & B/U LIGHTS Dual, Rear, Combination with Reflector
	: TURN SIGNAL SWITCH Self-Cancelling for Trucks, Manual Cancelling for Tractors, with Lane Change Feature
	: TURN SIGNALS, FRONT Includes Reflectors and Auxiliary Side Turn Signals, Solid State Flashers; Flush Mounted
	: WINDSHIELD WIPER SWITCH 2-Speed with Wash and Intermittent Feature (5 Pre-Set Delays), Integral with Turn Signal Lever
	: WINDSHIELD WIPERS Single Motor, Electric, Cowl Mounted
	: WIRING, CHASSIS Color Coded and Continuously Numbered
8GXD	ALTERNATOR {Leece-Neville AVI160P2013} Brush Type, 12 Volt, 160 Amp Capacity, Pad Mount, with Remote Sense
8HAG	ELECTRIC TRAILER BRAKE/LIGHTS Accommodation Package to Rear of Frame; for Separate Trailer Stop, Tail, Turn, Marker Light Circuits; Includes Electric Trailer Brake accommodation package with Cab Connections for Mounting Customer Installed Electric Brake Unit, Less Trailer Socket
8HAU	BODY BUILDER WIRING INSIDE CAB; Includes Sealed Connectors for Tail/Amber, Turn/Marker/Backup/Accessory, Power/Ground, and Stop/Turn
8NBR	BATTERY SYSTEM {JCI} Maintenance-Free, (3) 12-Volt 2100CCA Total, Top Threaded Stud
8RMZ	SPEAKERS (2) 6.5" Dual Cone Mounted in Both Doors, (2) 5.25" Dual Cone Mounted in Both B-Pillars
8RPB	RADIO, STEERING WHEEL CONTROLS Mounted in Steering Wheel, Radio Function Control Switch, Includes Volume Up/Down, Mute, Forward/Back and Bluetooth Answer/Disconnect
8RPR	ANTENNA for Increased Roof Clearance Applications
8RPS	RADIO AM/FM/WB/Clock/Bluetooth/USB Input/Auxiliary Input
8THB	BACK-UP ALARM Electric, 102 dBA

<u>Code</u>	<u>Description</u>
8THJ	AUXILIARY HARNESS 3.0' for Auxiliary Front Head Lights and Turn Signals for Front Plow Applications
8VBE	HORN, ELECTRIC (1) Trumpet Style
8VUM	BATTERY BOX Aluminum, with Plastic Cover, 18" Wide, 2-4 Battery Capacity, Mounted Left Side Back of Cab
8VZK	TURN SIGNALS, FRONT Dual Face, LED, Amber/Red, Mounted on Top of Fender, Used with Standard Flush Mounted Front Turn Signal, Side Marker Lamps, Parking Lights and Reflectors
8WGL	WINDSHIELD WIPER SPD CONTROL Force Wipers to Slowest Intermittent Speed When Park Brake Set and Wipers Left on for a Predetermined Time
8WPH	CLEARANCE/MARKER LIGHTS (5) {Truck Lite} Amber LED Lights, Flush Mounted on Cab or Sunshade
8WPZ	TEST EXTERIOR LIGHTS Pre-Trip Inspection will Cycle all Exterior Lamps Except Back-up Lights
8WRB	HEADLIGHTS ON W/WIPERS Headlights Will Automatically Turn On if Windshield Wipers are Turned On
8WTK	STARTING MOTOR {Delco Remy 38MT Type 300} 12 Volt, Less Thermal Over-Crank Protection
8WWJ	INDICATOR, LOW COOLANT LEVEL with Audible Alarm
8WXD	ALARM, PARKING BRAKE Electric Horn Sounds in Repetitive Manner When Vehicle Park Brake is "NOT" Set, with Ignition "OFF" and any Door Opened
8XAH	CIRCUIT BREAKERS Manual-Reset (Main Panel) SAE Type III with Trip Indicators, Replaces All Fuses
8XHN	HORN, AIR Single Trumpet, Black, with Lanyard Pull Cord
8XNY	HEADLIGHTS Halogen
8XPK	POWER SOURCE, ADDITIONAL Auxiliary Power Outlet (APO) with USB-A Port and USB-C Port, Located in the Instrument Panel
9AAB	LOGOS EXTERIOR Model Badges
9AAE	LOGOS EXTERIOR, ENGINE Badges
9HAN	INSULATION, UNDER HOOD for Sound Abatement
9HBN	INSULATION, SPLASH PANELS for Sound Abatement
9HCZ	GRILLE Stationary, Molded in Black, with Chrome Surround
9WAC	BUG SCREEN Mounted Behind Grille
9WBN	FENDER EXTENSIONS Painted
9WBW	FRONT END Tilting, Fiberglass, with Three Piece Construction, Dual Air Intakes
10021	CHASSIS COATING Corrosion Resistant E-Coat Primer Coating for Single Frame Rails
10060	PAINT SCHEMATIC, PT-1 Single Color, Design 100
	<u>Includes</u>
	: PAINT SCHEMATIC ID LETTERS "WP"
10761	PAINT TYPE Base Coat/Clear Coat, 1-2 Tone
10AGB	COMMUNICATIONS MODULE Telematics Device with Over the Air Programming; Includes Five Year Data Plan and International 360
10SLV	PROMOTIONAL PACKAGE Government Silver Package
10UAV	VEHICLE REGISTRATION IDENTITY ID for Non-CARB Omnibus and/or Non-ACT Adopting State or Exempt Vehicle. Not for use on vehicles registering in CA/MA /OR/NJ/NY/WA. Contains non-mitigated legacy engine & cannot be registered in CA unless exempt. You may be held liable under state law for failure to properly register vehicle.

<u>Code</u>	<u>Description</u>
	<u>Notes</u> : CANNOT BE REGISTERED IN CA. For vehicles that will be registered in States other than CA.
10WUE	MUD FLAPS, FRONT WHEELS (2) Rubber, Mounted on Fender Extension
11001	CLUTCH Omit Item (Clutch & Control)
12703	ANTI-FREEZE Red, Extended Life Coolant; To -40 Degrees F/ -40 Degrees C, Freeze Protection
12849	BLOCK HEATER, ENGINE 120V/1000W, for Cummins ISB/B6.7/ISL/L9 Engines
	<u>Includes</u> : BLOCK HEATER SOCKET Receptacle Type; Mounted below Drivers Door
12EYY	ENGINE, DIESEL {Cummins L9 350} EPA 2024, 350HP @ 2200 RPM, 1050 lb-ft Torque @ 1200 RPM, 2200 RPM Governed Speed, 350 Peak HP (Max)
12THT	FAN DRIVE {Horton Drivemaster} Two-Speed Type, Direct Drive, with Residual Torque Device for Disengaged Fan Speed
	<u>Includes</u> : FAN Nylon
12VCE	AIR CLEANER Single Element, Fire Retardant Media
12VKC	EMISSION, CALENDAR YEAR {Cummins L9} EPA, OBD and GHG Certified for Calendar Year 2025
12VXT	THROTTLE, HAND CONTROL Engine Speed Control; Electronic, Stationary, Variable Speed; Mounted on Steering Wheel
12VYP	ENGINE CONTROL, REMOTE MOUNTED No Provision for Remote Mounted Engine Control
12WTA	FAN DRIVE SPECIAL EFFECTS Fan Cooling Ring with Fan Shroud Effects, Engine Mounted
12WVG	EPA IDLE COMPLIANCE Low NOx Idle Engine, Complies with EPA Clean Air Regulations; Includes "Certified Clean Idle" Decal on Hood
12WZE	CARB IDLE COMPLIANCE Does Not Comply with California Clean Air Idle Regulations
12XCA	RADIATOR Aluminum, 3-Row, Down Flow, Front to Back System, 837 SqIn Louvered, with 477 SqIn Charge Air Cooler, Includes In-Tank Oil Cooler
12XCS	CARB EMISSION WARR COMPLIANCE Does Not Comply with CARB Emission Warranty
13BCS	TRANSMISSION, AUTOMATIC {Allison 3000 RDS} 6th Generation Controls, Close Ratio, 6-Speed with Double Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, with 80,000-lb GVW and GCW Max, On/Off Highway
13WET	TRANSMISSION SHIFT CONTROL Column Mounted Stalk Shifter, Not for Use with Allison 1000 & 2000 Series Transmission
13WLP	TRANSMISSION OIL Synthetic; 29 thru 42 Pints
13WUC	ALLISON SPARE INPUT/OUTPUT for Rugged Duty Series (RDS) and Regional Haul Series (RHS), General Purpose Trucks, Construction, Package Number 223
13WVV	NEUTRAL AT STOP Allison Transmission Shifts to Neutral When Service Brake is Depressed and Vehicle is at Stop; Remains in Neutral Until Service Brake is Released
13WYH	TRANSMISSION TCM LOCATION Located Inside Cab
13WYU	SHIFT CONTROL PARAMETERS {Allison} 3000 or 4000 Series Transmissions, Performance Programming
13XAM	PTO LOCATION Dual, Customer Intends to Install PTO at Left and/or Right Side of Transmission
14881	DIFFERENTIAL, LOCKING {Detroit Locker} No-Spin; for Meritor Rear Axles; Not with Meritor 185 & 186 Family of Axles

<u>Code</u>	<u>Description</u>
	<u>Notes</u> : Axle Lead Time is 90 Days
14ANV	AXLE, REAR, SINGLE {Meritor MS-21-14X-4DFR} Single Reduction, 21,000-lb Capacity, R Wheel Ends . Gear Ratio: 6.14
14VAH	SUSPENSION, REAR, SINGLE 23,500-lb Capacity, Vari-Rate Springs, with 4500-lb Capacity Auxiliary Rubber Springs
15924	FUEL TANK STRAPS Bright Finish Stainless Steel
15LMN	FUEL/WATER SEPARATOR {Racor 400 Series,} 12 VDC Electric Heater, Includes Pre-Heater, with Primer Pump, Includes Water-in-Fuel Sensor
15LRE	LOCATION FUEL/WATER SEPARATOR Mounted Under Hood, Left Side, Above Front Axle
15SGG	FUEL TANK Top Draw, Non-Polished Aluminum, D-Style, 19" Tank Depth, 70 US Gal (265L), Mounted Left Side, Under Cab
15WDG	DEF TANK 7 US Gal (26L) Capacity, Frame Mounted Outside Left Rail, Under Cab
16030	CAB Conventional, Day Cab
	<u>Includes</u> : CLEARANCE/MARKER LIGHTS (5) Flush Mounted
16BAM	AIR CONDITIONER with Integral Heater and Defroster
16GED	GAUGE CLUSTER Base Level; English with English Electronic Speedometer
	<u>Includes</u> : GAUGE CLUSTER DISPLAY: Base Level (3" Monochromatic Display), Premium Level (5" LCD Color Display); Odometer, Voltmeter, Diagnostic Messages, Gear Indicator, Trip Odometer, Total Engine Hours, Trip Hours, MPG, Distance to Empty/Refill for : GAUGE CLUSTER Speedometer, Tachometer, Engine Coolant Temp, Fuel Gauge, DEF Gauge, Oil Pressure Gauge, Primary and Secondary Air Pressure or Auxiliary Air Pressure (if Air Equipped) : WARNING SYSTEM Low Fuel, Low DEF, Low Oil Pressure, High Engine Coolant Temp, Low Battery Voltage (Visual and Audible), Low Air Pressure, Primary and Secondary (if Air Equipped)
16HHE	GAUGE, AIR CLEANER RESTRICTION {Filter-Minder} Mounted in Instrument Panel
16HKT	IP CLUSTER DISPLAY On Board Diagnostics Display of Fault Codes in Gauge Cluster
16KZV	SEAT, DRIVER {National 2000 195} Air Suspension, High Back with Integral Headrest, Cloth, Isolator, 8" Adjuster, 3 Chamber Lumbar, 2 Position Front Cushion Adjust, 6-23 Degree Back Angle Adjust, Cushion and Back Bolsters
16SEE	GRAB HANDLE, EXTERIOR Chrome, Towel Bar Type, with Anti-Slip Rubber Inserts, for Cab Entry Mounted Left Side at B-Pillar
16SMR	SEAT, PASSENGER {National} Non Suspension, High Back with Integral Headrest, Cloth, with Fixed Back, with Under Seat Storage
16SSU	MIRRORS (2) C-Loop, Power Adjust, Heated, Turn Signals, LED Clearance Lights, Bright Heads and Arms, 7" x 14.5" Flat Glass, Includes 8" x 6" Convex Mirrors, for 102" Load Width
	<u>Notes</u> : Mirror Dimensions are Rounded to the Nearest 0.5"
16VKB	CAB INTERIOR TRIM Classic, for Day Cab
	<u>Includes</u> : CONSOLE, OVERHEAD Molded Plastic with Dual Storage Pockets, Retainer Nets and CB Radio Pocket; Located Above Driver and Passenger

<u>Code</u>	<u>Description</u>
	: DOME LIGHT, CAB Door Activated and Push On-Off at Light Lens, Timed Theater Dimming, Integral to Overhead Console, Center Mounted : SUN VISOR (2) Padded Vinyl; 2 Moveable (Front-to-Side) Primary Visors, Driver Side with Toll Ticket Strap
16VLK	CAB REAR SUSPENSION Air Suspension, for Mid Cab Height
16WBY	ARM REST, RIGHT, DRIVER SEAT
16WJU	WINDOW, POWER (2) and Power Door Locks, Left and Right Doors, Includes Express Down Feature
16XCW	CAB, INTERIOR TRIM, CLOSEOUT Under IP, Driver Side
16XJP	INSTRUMENT PANEL Wing Panel
16ZJA	ACCESS, CAB Aluminum, Self-Cleaning, Open and Serrated Design, Driver & Passenger Sides, Two Steps per Door, for use with Day Cab, Extended Cab or Sleeper Cab
27DUR	WHEELS, FRONT {Accuride 41730} DISC; 22.5x9.00 Rims, Standard Polish Aluminum, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with Steel Hubs
28DWR	WHEELS, REAR {Accuride 43644} DUAL DISC; 22.5x8.25 Rims, Standard Polish Aluminum, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with Steel Hubs
60AAG	BDY INTG, REMOTE POWER MODULE Mounted Inside Cab Behind Driver Seat, Up to 6 Outputs & 6 Inputs, Max 20 amp per Channel, Max 80 amp Total; Includes 1 Switch Pack with Latched Switches
7372135444	(4) TIRE, REAR 11R22.5 Load Range G HDR2+ (CONTINENTAL), 491 rev/mile, 75 MPH, Drive
7792545437	(2) TIRE, FRONT 315/80R22.5 Load Range L HAU 3 WT (CONTINENTAL), 480 rev/mile, 68 MPH, All-Position

Services Section:

40129	WARRANTY Standard for MV Series, Effective with Vehicles Built July 1, 2017 or Later, CTS-2020A
1	10' Stainless dump body, 9' stainless sander, 11' Plow, 18x18x30 Stainless steel truck box, Roll-Rite TM400 tarp, LED light bar

<u>Description</u>	(US DOLLAR)	<u>Price</u>
Net Sales Price:		\$251,602.52

Please feel free to contact me regarding these specifications should your interests or needs change. I am confident you will be pleased with the quality and service of an International vehicle.

Approved by Seller:

Accepted by Purchaser:

Official Title and Date

Firm or Business Name

Authorized Signature

Authorized Signature and Date

This proposal is not binding upon the seller without
Seller's Authorized Signature

Official Title and Date

The TOPS FET calculation is an estimate for reference purposes only. The seller or retailer is responsible for calculating and reporting/paying appropriate FET to the IRS.

The limited warranties applicable to the vehicles described herein are Navistar, Inc.'s standard printed warranties which are incorporated herein by reference and to which you have been provided a copy and hereby agree to their terms and conditions.

REQUEST FOR PROPOSALS (RFP)

Boundary Survey of the Morgan County / Summit County Line

Section 20, Township 1 North, Range 4 East, Salt Lake Base & Meridian

1. Introduction and Background.

Morgan County is soliciting proposals from qualified Professional Land Surveyors (PLS) licensed in the State of Utah to perform a boundary survey of the Morgan County / Summit County line through a portion of Section 20, Township 1 North, Range 4 East, Salt Lake Base & Meridian (SLB&M).

Summit County has previously conducted its own survey of this boundary; however, neither county has agreed upon the final location of the county line. To ensure fairness to affected property owners living along this boundary, and to avoid errors that could impact existing land descriptions, Morgan County seeks to commission its own independent survey. The resulting survey will be presented to Summit County for joint review, with the objective of reaching consensus on whether the outcome requires recognition of the existing line, a boundary adjustment, or other action consistent with law.

This survey will be conducted in accordance with Utah Code §§ 17-50-104 and 17-50-105. Under these statutes, county boundaries may only be changed by legislative action, and disputes or uncertainties must be resolved through agreement between county surveyors or, failing that, by an independent surveyor appointed through the Utah Geospatial Resource Center. The completed survey, once accepted by both Morgan and Summit Counties, will be submitted to the Office of the Lieutenant Governor for official recordation.

2. Scope of Work

- A. Research all available records, including deeds, plats, prior surveys, GLO/PLSS records, County surveyor notes, and historical documents relevant to Section 20.
- B. Conduct a full boundary survey of the Morgan/Summit County line through Section 20, T1N, R4E, SLB&M, consistent with Utah law and professional surveying standards.
- C. Locate, monument, or re-monument boundary corners as required under Utah Code Title 17-23 and the BLM Manual of Surveying Instructions.
- D. Prepare and file a Record of Survey plat in both Morgan and Summit Counties.
- E. Provide legal descriptions of the surveyed boundary line.
- F. Deliver digital files (AutoCAD and GIS shapefiles) compatible with County systems.
- G. Provide a written report documenting research, methodology, findings, and rationale.
- H. Coordinate with both the Morgan County and Summit County Officials to explain survey results.

- I. Collaborate with Morgan County Recorder, Assessor, and County Attorney's Office prior to commencing survey fieldwork to ensure all known issues are addressed.
- J. Attend at least one Morgan County Commission meeting to present findings.
- K. Ensure that all survey work, mapping, and documentation is consistent with Utah Code §§ 17-50-104 and 17-50-105, including preparation of materials suitable for submission to the Lieutenant Governor's office under § 67-1a-6.5.

3. Deliverables

- A. Stamped and signed Record of Survey plat(s).
- B. Legal descriptions of the surveyed boundary.
- C. Monuments or witness markers set at key locations.
- D. Digital deliverables (AutoCAD .dwg and GIS shapefiles).
- E. Final written report of survey.
- F. File Record Tie Sheet for monuments used, found, etc.
- G. Documentation supporting compliance with Utah statutes for county boundary disputes and submissions.

4. Qualifications

- A. Be licensed as a Professional Land Surveyor in Utah.
- B. Demonstrate experience with boundary surveys involving PLSS section lines and jurisdictional boundaries.
- C. The selected Consultant shall maintain insurance coverage sufficient to protect the Consultant and Morgan County from claims arising out of the performance of services under this Agreement, including but not limited to claims for personal injury, death, property damage, and professional liability.
- D. Provide at least three references for similar projects in the past five years.
- E. Disclose any litigation or judgments involving the proposer within the past five years.

5. Proposal Requirements

- A. Cover letter and firm background.
- B. Detailed scope and methodology, including anticipated compliance with Utah statutes.
- C. Project timeline (include Gantt chart or similar project schedule).
- D. Fee proposal (lump sum or hourly not-to-exceed, with breakdown of rates and anticipated expenses).
- E. Resumes of key personnel, including Utah license numbers.
- F. References.
- G. Evidence of licensure, business license, and worker's compensation coverage.

6. Evaluation Criteria

- A. Relevant experience and qualifications, including Utah PLSS and statutory compliance (30%).
- B. Understanding of project scope and approach (25%).
- C. Cost competitiveness (20%).
- D. Capacity to perform services in a timely manner, including workload and availability (15%).
- E. References and past performance (10%).

7. Submission Instructions

- A. Deadline:
- B. Page Limit: Proposals should not exceed 20 single-sided pages, excluding covers and dividers.
- C. Submit one hard copy and one electronic PDF to:

Morgan County Recorder
Attn: Shaun Rose, Morgan County Recorder
48 W. Young St., Rm 21
P.O. Box 886
Morgan, UT 84050

Electronic submissions may also be accepted at: srose@morgancountyutah.gov

Late or incomplete proposals will not be considered.

8. Reservation of Rights

Morgan County reserves the right to reject any or all proposals, waive informalities, amend or withdraw this RFP, and select the proposal deemed most advantageous to the County. The County may issue a separate RFP or engage the independent surveyor under Utah Code § 17-50-105 if agreement with Summit County cannot be reached.

Morgan County may terminate any contract entered into as a result of this RFP at any time by giving thirty (30) days written notice to the selected firm. The selected firm shall be entitled to payment for deliverables in progress, to the extent work has been performed satisfactorily. Nothing in this RFP or in any resulting contract shall be construed as a commitment of any kind, for payment of costs incurred in the preparation of a proposal or for any costs incurred prior to execution of a formal contract.

The final contract award is subject to approval by the Morgan County Commission. The County acknowledges that the ultimate authority to fix county boundaries rests with the Utah Legislature, and that the Lieutenant Governor maintains the official boundary records. Nothing in this RFP or in any resulting contract shall be construed to supersede those statutory provisions.



County Commission Agenda Request Form

All Agenda items, including back-up materials, must be submitted to:

Morgan County
Attn: Kate Becker
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: (435) 800.8724

****ALL DOCUMENTATION IS DUE ON OR BEFORE 12:00 PM ON THE TUESDAY PRIOR TO A SCHEDULED COUNTY commission MEETING****

Email: kbecker@morgancountyutah.gov

This form must be submitted, along with any required documentation, or the Agenda Item will not be scheduled until the next County commission Meeting

Commission Meeting Date: 10/7/25 Time Requested: 15 min
Name: Joshua Cook Phone: (801) 845-4015
Address: 48 W. Young Street
Email: jcook@morgancountyutah.gov Fax: _____
Associated County Department: Planning and Development Department

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Public Meeting/Discussion/Decision – Whittier Subdivision, No. 1 Plat Amendment – A request for approval of a lot line adjustment within the Whittier Subdivision, which is identified by parcel numbers 00-0064-2773 & 00-0064-2854 and serial numbers 01-WHIT-0003 & 01-WHIT-0004, and is approximately located at 3929 N 4000 W in unincorporated Morgan County.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH
INFORMATION ONLY

☒
☒
☒
☐

PUBLIC HEARING
PUBLIC MEETING

☐
☒

COUNTY COMMISSION
STAFF REPORT
Subdivision Plat Amendment

Whittier Subdivision, No. 1 Plat Amendment
October 7, 2025
Public Meeting
File #25.015

Applicant/Owner:	Angelique Read
Project Location:	3929 N 4000 W
Parcel Numbers:	00-0064-2773 & 00-0064-2854
Serial Numbers:	01-WHIT-0003 & 01-WHIT-0004
Current Zoning:	Residential (R1-20)
Acreage:	1.07 Acres Combined

REQUEST:

A request for approval of a lot line adjustment within the Whittier Subdivision, which is identified by parcel numbers 00-0064-2773 & 00-0064-2854 and serial numbers 01-WHIT-0003 & 01-WHIT-0004, and is approximately located at 3929 N 4000 W in unincorporated Morgan County.

PLANNING COMMISSION SUMMARY: The Planning Commission heard this item at their regularly scheduled meeting on September 11th, 2025. There were no comments made during the public hearing portion of the meeting. Discussion from the Planning Commission was minimal. The Commission voted to recommend approval of the application with a 4-0 vote; Chair Maloney abstained from voting.

ATTORNEY GUIDANCE:

Administrative Review:

The sole issue in land use administration is whether the application complies with county ordinances. If it does, it must be approved.

Applicable law:

An applicant is entitled to approval of a land use application if the application conforms to the requirements of the applicable land use regulations, land use decisions, and development standards in effect when the applicant submits a complete application and pays all application fees, unless:

“(A) the land use authority, on the record, formally finds that a compelling, countervailing public interest would be jeopardized by approving the application and specifies the compelling, countervailing public interest in writing; or

(B) in the manner provided by local ordinance and before the applicant submits the application, the county formally initiates proceedings to amend the county’s land use regulations in a manner that would prohibit approval of the application as submitted.

Utah Code Ann. § 17-27a-508(1)(a)(ii).”

“The Utah Supreme Court has indicated that a significant threat to the public welfare should be considered compelling. “If a proposal met zoning requirements at the time of application but seriously threatens public health, safety, or welfare, the interests of the public should not be thwarted.” W. Land Equities v. Logan, 617 P.2d 388, 395-96 (Utah Sup.Ct. 1980).”

Staffs’ findings are legally sufficient to adopt if the Commission finds that the application is complete, conforms to the requirements of the applicable land use regulations, land use decisions, and development standards, and there are no apparent threats to public health, safety, or welfare that would support a compelling countervailing public interest to recommend denying the application. Staffs’ recommended conditions are required by county ordinances and appear to be legal conditions.

Recommendations for denial and/or additional findings must be placed on the record, contain a legal basis, and supported by substantial evidence. Legal can provide guidance on what is required for a sufficient record and what is considered substantial evidence.

STAFF RECOMMENDATION:

Based on the information in this staff report, staff recommends approval of the Whittier Subdivision, No. 1 Plat Amendment, subject to all applicable regulations and the following conditions:

1. That all of the County Surveyor and Engineer review comments be addressed.
2. That all outsourced consultant fees are paid current prior to recordation of the plat amendment.
3. That all other local, state, and federal laws are adhered to.

PROJECT DESCRIPTION:

Proposal Details

Angelique Read requests approval for an amendment to the Whittier Subdivision plat for the adjustment of the property boundary between two (2) lots. Peterson Pipeline Association (PPA) has provided will-serve letters for the water utilities for the properties. The approvals for the existing septic systems for each lot comes from the Weber-Morgan Health Department.

DISCUSSION:

This request is for an amendment to the Whittier Subdivision. This amendment proposes a revision to the recorded lot sizes within the subdivision. If approved, the acreage for Lot 3 will be reduced from 0.55 acres to 0.50 acres, while the acreage for Lot 4 will be increased from 0.52 acres to 0.57 acres. The shared property boundary is moving approximately 12 feet to the north. Both Lot 3 and Lot 4 will continue to meet—and exceed—the minimum lot size requirement of 20,000 square feet, as required by R1-20 residential zoning regulations. At no point will either lot fall below the minimum threshold for acreage as required by the applicable zoning.

Lots 3 and 4 have the required frontage along the County Rights-Of-Way (ROW) of 4000 W and 3900 N. The lots are currently developable; a lot line adjustment in this case does not remove any developability within the lots or subdivision. The impact of this application on the County, as well as the nearby property owners, is low and does not change the character of the underlying zoning. The applicant submitted the following narrative:

“Move lot line so septic and a [house] will fit on the lot.

The plat amendment requirements come from Morgan County’s Land Use Management Code, Title 15, Chapter 155, Section 440 and subsequent sections. Staff has reviewed the requirements and procedures for a plat amendment and have found that the application request meets these standards.

155.447: AMENDED PLAT REQUIREMENTS:

(A) Prior to the County Commission’s approval of a petition or proposal to amend a subdivision plat, the petitioner or sponsor shall deliver to the county an amended plat map and complete supporting preliminary plat and final plat information in compliance with the requirements of this subchapter. The applicant shall also pay all fees required by the county’s fee schedule.

(B) Upon approval of the plat amendment, all required documents, submissions, signatures and review procedures which are required for a final plat shall be submitted and followed, prior to recordation in the office of the County Recorder.

(C) The County Commission may vacate a subdivision or a portion of a subdivision by recording in the County Recorder’s office an ordinance describing the subdivision or the portion being vacated.

(Prior Code, § 8-12-64) (Ord. 10-16, passed 12-14-2010; Ord. 19-09, passed 10-15-2019)

155.446: GROUNDS FOR VACATING OR CHANGING A PLAT:

(A) The land use authority may approve the vacation, alteration or amendment of a plat by signing an amended plat showing the vacation, alteration or amendment if the land use authority finds that:

(1) There is good cause for the vacation, alteration or amendment; and

(2) No public street, right-of-way or easement has been vacated or altered.

(B) The land use authority shall ensure that the amended plat showing the vacation, alteration or amendment is recorded in the office of the County Recorder.

(C) If an entire subdivision is vacated, the County Commission shall ensure that a resolution containing a legal description of the entire vacated subdivision is recorded in the County Recorder's office.

(D) The County Commission may adopt an ordinance granting a petition to vacate some or all of a public street, right-of-way or easement if the legislative body finds that:

(1) Good cause exists for the vacation; and

(2) Neither the public interest nor any person will be materially injured by the vacation.

(E) If the County Commission adopts an ordinance vacating some or all of a public street, right-of-way or easement, the County Commission shall ensure that a plat reflecting the vacation and/or an ordinance describing the vacations is recorded in the office of the County Recorder.

(F) The action of the legislative body vacating some or all of a street, right-of-way or easement that has been dedicated to public use:

(1) Operates to the extent to which it is vacated, upon the effective date of the recorded plat, as a revocation of the acceptance of and the relinquishment of the county's fee in the vacated street, right-of-way or easement; and

(2) May not be construed to impair:

(a) Any right-of-way or easement of any lot owner; or

(b) The franchise rights of any public utility.

(Prior Code, § 8-12-63) (Ord. 10-16, passed 12-14-2010; Ord. 19-09, passed 10-15-2019)

155.444: PROCEDURE:

(A) For plat amendments that result in adjusting and/or altering lot lines through an exchange of title within a platted subdivision the Zoning Administrator shall be the land use authority:

(1) The Zoning Administrator shall approve an exchange of title under this division (A) if the exchange of title will not result in a violation of any land use ordinance;

(2) If an exchange of title is approved under this division (A), a notice of approval shall be recorded in the office of the County Recorder which:

(a) Is executed by each owner included in the exchange and by the land use authority;

(b) Contains an acknowledgment for each party executing the notice in accordance with the provisions of UCA § 57-2a, Recognition of Acknowledgments Act; and

(c) Recites the descriptions of both the original parcels and the parcels created by the exchange of title.

(3) A document of conveyance of title reflecting the approved change shall be recorded in the office of the County Recorder; and

(4) A notice of approval recorded under this division (A) does not act as a conveyance of title to real property and is not required to record a document conveying title to real property.

(B) For plat amendments that result in the combination of lots, building pad adjustments, subdivision title changes, plat note revisions, amendments to internal lot restrictions, the alteration, amendment or vacation of a public or private road shown on a subdivision plat and all other modifications to lots within a recorded subdivision plat shall be reviewed by the County Commission with a recommendation from the Planning Commission.

(C) Applications to vacate or amend a subdivision plat shall be required to submit those documents required for review in a complete preliminary plat application which pertain to and describe the proposed amendment, as well as a paper copy of the proposed final plat Mylar. Revised construction drawings shall also be submitted when changes to any required subdivision improvements are proposed.

(D) Upon receipt of a petition or a proposal to vacate or amend a subdivision plat which requires action by the County Commission, the matter shall be referred to the Planning Commission for a recommendation on the proposal.

(E) The land use authority shall hold a public hearing within 45 days after the day on which the petition is filed if:

(1) Any owner within the plat notifies the county of the owner's objection in writing within ten days of mailed notification; or

(2) *A public hearing is required because all the owners in the subdivision have not signed the revised plat.*

(F) *The land use authority may consider at a public meeting, without a public hearing, an owner's petition to vacate or amend a subdivision plat if:*

(1) *The petition seeks to join two or more of the petitioning fee owner's contiguous lots;*

(2) *Subdivide one or more of the petitioner's fee owner's lots if the subdivision will not result in a violation of a land use ordinance or a development condition;*

(3) *Adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lots or parcels join the petition, regardless of whether the lots and parcels are in the same subdivision;*

(4) *On a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the county;*

(5) *Alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not owned by the petitioner or designated as common area; and*

(6) *Notice has been given to adjacent property, in accordance with § 155.031 of this code.*

(Prior Code, § 8-12-61) (Ord. 10-16, passed 12-14-2010; Ord. 19-09, passed 10-15-2019)

ANALYSIS OF STANDARDS

Standards		Findings	Rationale
Ordinance Evaluation. Morgan County Code, Chapter 155, Section 440 states the following: <i>Prior to the County Commission's approval of a petition or proposal to amend a subdivision plat, the petitioner or sponsor shall deliver to the County an <u>amended plat map and complete supporting preliminary plat and final plat</u> information in compliance with the requirements of this chapter. The applicant shall also pay all fees required by the County's fee schedule.</i> <i>Therefore, this plat amendment has been reviewed for preliminary and final plat standards.</i>			
155.407: PRELIMINARY PLAT SUBMITTAL: <i>The preliminary plat shall be prepared, stamped and signed by a professional engineer or professional land surveyor licensed by the state of Utah. The preliminary plat submittal shall include at least the following information:</i>			
A	Vicinity Map 1. Drawn at a maximum scale of one thousand feet (1,000') to the inch. 2. Show all existing and proposed roadways in the vicinity of the proposed development. 3. A north arrow. 4. The nearest section corner tie. 5. Subdivision name.	Complies	
B	Certified boundary survey of the subject property, which meets state of Utah requirements, which also depicts all easements identified by the title report.	Complies	

C	Preliminary plat (all facilities within 200 feet of the plat shall be shown): 1. Drawn at a scale not smaller than one hundred feet (100') to the inch. 2. A north arrow. 3. Subdivision name. 4. The layout and names and widths of existing and future road rights of way. 5. A tie to a permanent survey monument at a section corner. 6. The boundary lines of the subdivision with bearings and distances. 7. The layout and dimensions of proposed lots with lot areas in square feet. 8. The location and dimensions and labeling of other spaces including open spaces, parks, trails, or public spaces. 9. The location of manmade features including bridges, railroad tracks, fences, ditches, and buildings. 10. Topography at two foot (2') intervals. One foot (1') contours may be required by the county engineer in particularly flat areas. 11. Location and ownership of all adjoining tracts of land. 12. Proposed subdivision phasing plan and relationship to existing phases of development. (Ord. 10-16, 12-14-2010)	Complies	
D	Grading and drainage plan (may be combined with plat sheet, if approved by the county engineer): 1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout. 2. Topography at two foot (2') contour intervals. 3. North arrow. 4. Subdivision name. 5. Areas of substantial earthmoving. 6. Location of existing watercourses, canals, ditches, springs, wells, culverts, and storm drains. 7. Location of any 100-year floodplain as designated by the federal emergency management agency (FEMA). 8. A storm drainage plan showing water flow directions, inlets, outlets, catch basins, waterways, culverts, detention basins, outlets to offsite facilities, and off site drainage facilities planned to accommodate the project drainage. 9. Show any existing wetlands. 10. Slope analysis which depicts all slopes greater than fifteen percent (15%) and greater than twenty five percent (25%) with distinct notation. (Ord. 12-09, 9-18-2012)	Does Not Apply	
E	Utility plan (may be combined with plat sheet, if approved by the county engineer): 1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout. 2. North arrow. 3. Subdivision name. 4. Show all existing and proposed utilities including: sewer, culinary water, well locations with secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, and streetlights, television and telecommunications. 5. Show location and dimensions of all utility easements.	Does Not Apply	
F	The subdivider shall provide the following documents with the application: 1. Three (3) copies of a geotechnical soils report. 2. A traffic report when required by the planning commission or county engineer. 3. Preliminary title report, which specifically references the boundary survey and exactly matches	Does Not Apply	

	the legal description of the outside boundary of the subdivision. 4. Service agreements from all utility companies or providers. 5. Any necessary agreements with adjacent property owners regarding storm drainage or other matters pertinent to subdivision approval. 6. Maintenance agreements for subsurface drains serving the subdivision, if they are proposed or exist. 7. An agricultural impact analysis, on subdivisions which are contiguous to an adopted agricultural preservation area, or which contain an agricultural open space conservation easement within the plat. 8. Written verification of all proposed water sources. For all proposed water sources, provide approval letters from the Weber-Morgan County health department and proof of all water rights, including quantities (water rights certificates, etc.), for each well and water source to be utilized for the development. 9. The developer shall submit all information concerning site geology, area hydrogeology, site topography, soil types and the proven wet water by the drilling of at least one test well from within the described subdivision boundary, as determined by a geotechnical engineer, licensed in the state of Utah. Well logs shall be submitted to the county identifying the depth and yield of the well. Information submitted must verify that the source is consistently available to supply eight hundred (800) gallons per day (gpd) per equivalent residential connection (ERC) at a minimum flow rate of 0.55 gallons per minute (gpm). Water for irrigation supplies shall be verified to provide three (3) gpm per irrigated acre. If the proposal is being served by an existing water utility company, these requirements do not apply. 10. Verification of approval from the Weber-Morgan County health department regarding the proposed location of all septic systems and water source protection areas.		
G	When the subdivision is located within the sensitive area district or geologic hazards special study area, required reports and documents are to be submitted in accordance with the provisions of this title.	Does Not Apply	
H	The subdivider shall comply with all applicable federal, state, and local laws and regulations, and shall provide evidence of such compliance if requested by the county.	Complies	
I	Copy of proposed protective covenants in all cases where subsurface drains or other common area maintenance proposals are to serve any portion of the subdivision.	Does Not Apply	
J	Electronic copies of all preliminary plat drawings in AutoCAD (DWG) format.	Complies	
K	Tabulations showing the total number of lots or buildings sites, and the percentage of land in roads, lots, and open space.	Does Not Apply	
L	Any additional submittal requirements required for or by master planned development reserves, specific development agreements, or requirements and conditions of other applicable ordinances or previous approvals. (Ord. 10-16, 12-14-2010)	Does Not Apply	

155.415: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:

A	The final plat shall consist of a mylar with the outside or trim line dimensions of twenty four inches by thirty six inches (24" x 36"). The mylar shall be submitted to the county at least twenty (20) days prior to consideration for placement on the county commission agenda for approval. Until that date, submittal of paper copies is sufficient for review. The borderline of the plat shall be drawn in heavy lines leaving a space of at least one and one-half inches (1 1/2") on the left side and at least one-half inch (1/2") margin on the other sides. The plat shall be so drawn that the top of the drawing faces either north or west, whichever accommodates the drawing best. All lines, dimensions, and markings shall be made on a mylar with approved waterproof black ink. The plat shall be made to a scale large enough to clearly show all details, and in any case not smaller than one hundred feet (100') to the inch, and workmanship on the finished drawing shall be neat, clean cut and readable.	Will Comply	Historically, staff has recommended the applicant wait to print the final mylar in the event that the Planning Commission recommend changes to the plat.
B	The final plat shall show the subdivision name that is distinct from any other recorded subdivision name and the general location of the subdivision in bold letters at the top of the sheet.	Complies	
C	The plat shall contain a north arrow and scale of the drawing and the date.	Complies	
D	Prior to consideration by the county commission, the plat shall be signed by all required and authorized parties, with the exception of the county commission chairperson, planning commission chairperson and county attorney, with appropriate notarial acknowledgements and the final plat shall contain all information set forth in this section.	Will comply	Historically, staff has recommended the applicant wait to print the final mylar and receive signatures, in the event that the Planning Commission and/or County Commission recommend changes to the plat.
E	An accurate and complete survey, which conforms to Utah state law.	Complies	
F	Plats will show accurately drawn boundaries, showing the proper bearings and dimensions of all boundary lines of the subdivision, properly tied to at least two (2) public survey monuments. These lines should be slightly heavier than street and lot lines.	Complies	
G	The final plat shall show all survey, mathematical information and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angle, radius and arc length of curves, and such information as may be necessary to determine the location of beginning and ending points of curves. All property corners and monuments within the subdivision shall be tied to an acceptable Morgan County monument, as determined by the Morgan County surveyor. Lot and boundary closure shall be calculated to the nearest 0.02 of a foot.	Complies	
H	All lots, blocks, and parcels offered for dedication for any purpose should be delineated and designated with dimensions, boundaries and courses clearly shown and defined in every case. The square footage of each lot shall be shown. All parcels offered for dedication other than for streets or easements shall be clearly designated on the plat. Sufficient linear, angular and curved data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot	Complies	

	and parcel which is a part thereof. No ditto marks shall be used for lot dimensions.		
I	The plat shall show the right of way lines of each street, and the width of any portion being dedicated and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty feet (50') of the subdivision shall be shown with dashed lines. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such existing streets shall be accurately shown.	Complies	
J	All lots are to be numbered consecutively under a definite system approved by the county. Numbering shall continue consecutively throughout the subdivision with no omissions or duplications.	Complies	
K	All streets within the subdivision shall be numbered (named streets shall also be numbered) in accordance with and in conformity with the adopted street numbering system adopted by the county. Each lot shall show the street addresses assigned thereto, and shall be according to the standard addressing methods approved by the county. In the case of corner lots, an address will be assigned for each part of the lot having street frontage.	Complies	
L	The side lines of all easements shall be shown by fine dashed lines. The width of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified.	Complies	
M	The plat shall fully and clearly show all stakes, monuments and other evidence indicating the boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed or destroyed before acceptance of all improvements shall be replaced by the subdivider under the direction of the county surveyor. The following required monuments shall be shown on the final plat: 1. The location of all monuments placed in making the survey, including a statement as to what, if any, points were reset by ties; 2. All right of way monuments at angle points and intersections as approved by the county surveyor.	Complies	
N	The final plat shall contain the name, stamp and signature of a professional land surveyor, together with the date of the survey, the scale of the map and number of sheets. The following certificates, acknowledgements and descriptions shall appear on the title sheet of the final plat, and such certificates may be combined where appropriate: 1. Professional land surveyor's "certificate of survey". 2. Owner's dedication certificate in the following form: <i>OWNERS DEDICATION</i> <i>Know all men by these presents that we, the undersigned owner(s) of the above described tract of land, having caused said tract to be subdivided into lots and streets to be hereafter known as Subdivision do hereby dedicate for perpetual use of the public all parcels of land, other utilities, or easements shown on this plat as intended for public use. In witness whereof, we have hereunto set out hands this day of, 21.</i> <i>(Add appropriate acknowledgments)</i>	Complies	Owner's Dedication is present, but not signed

	3. Notary public's acknowledgement for each signature on the plat. 4. A correct metes and bounds description of all property included within the subdivision. 5. Plats shall contain signatures of the water provider (if provided by a culinary water system), sewer provider (if provided by a sewer improvement district), Weber-Morgan County health department, planning commission, and county engineer, and blocks for signatures of the county attorney and county commission (a signature line for the commission chairperson and an attestation by the county clerk). A block for the county recorder shall be provided in the lower right corner of the final plat. 6. Such other affidavits, certificates, acknowledgements, endorsements and notarial seals as are required by law, by this title, the county attorney, or county surveyor. 7. Prior to recordation of the plat, the subdivider shall submit a current title report to be reviewed by the county. A "current title report" is considered to be one which correctly discloses all recorded matters of title regarding the property and which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat. 8. The owner's dedication certificate, registered land surveyor's certificate of survey, and any other certificates contained on the final plat shall be in the form prescribed by the county's standards. 9. When a subdivision contains lands which are reserved in private ownership for community use, including common areas, the subdivider shall submit, with the final plat, the name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain and pay taxes on such lands and common areas and any access easements which may be required by the county.		
O	On subdivisions which are contiguous to an adopted agricultural protection area, or which contain an agricultural open space preservation area within the plat, a note shall be placed on the plat, in conjunction with right to farm provisions, stating such, and that agricultural operations work hours begin early and run late and that these operations may contribute to noises and odors objectionable to some residents.	Does Not Apply	Does not border an Agricultural Protection Area
P	A note on the plat which states the following: <i>Morgan County restricts the occupancy of buildings within developments as outlined in the adopted building and fire codes. It is unlawful to occupy a building located within any development without first having obtained a certificate of occupancy issued by the county.</i> (Ord. 10-16, 12-14-2010)	Complies	

DEPARTMENT COMMENTS/RECOMMENDATIONS

Public Works: No comments received

Fire/EMS Services: Comments received

Engineering/Surveyor: Comments received and have given conditional approval

Recorders: Comments received and are being addressed

Zoning: The zoning is residential (R1-20)

RECOMMENDED MOTIONS

Sample Motion for *Approval* – “I move we approve the Whittier Subdivision, No. 1 Plat Amendment, application number 25.015, approximately located at 3929 N 4000 W within the unincorporated county area based on the findings listed in the staff report dated October 7, 2025.”

Sample Motion for *Approval with Conditions* – “I move we approve the Whittier Subdivision, No. 1 Plat Amendment, application number 25.015, approximately located at 3929 N 4000 W within the unincorporated county area based on the findings listed in the staff report dated October 7, 2025, with the following additional conditions:”

1. *List any additional findings and conditions...*

Sample Motion for *Denial* – “I move we deny the Whittier Subdivision, No. 1 Plat Amendment, application number 25.015, approximately located at 3929 N 4000 W within the unincorporated county area, with the following findings:”

1. *List any additional findings...*

Attachments:

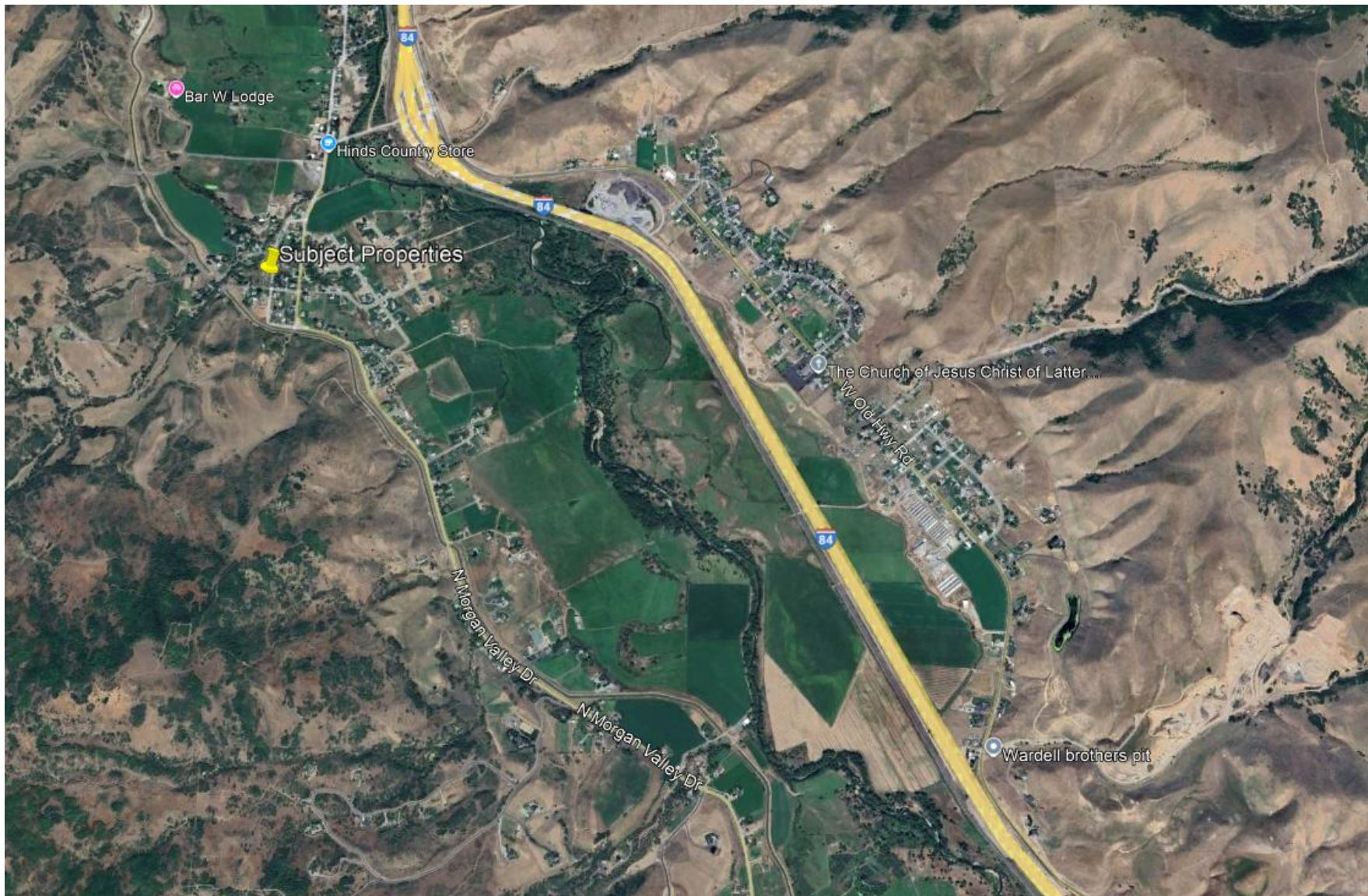
A. Vicinity Map

B. Current Recorded Plat

C. Proposed Plat Amendment

D. Application

Attachment A: Vicinity Map



Attachment B: Current Recorded Plat

[Click here to view a full-size .pdf version of the Recorded Plat](#)

WHITTIER SUBDIVISION
A PART OF THE SW 1/4 SECTION 6, T4N, R2E.
SALT LAKE BASE AND MERIDIAN
U. S. SURVEY, MORGAN COUNTY, UTAH
JANUARY, 2002

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE TRACT OF LAND HEREIN DESCRIBED TO BE SUBDIVIDED INTO FOUR LOTS, TO BE KNOWN HEREAFTER AS:

WHITTIER SUBDIVISION

AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS 16th DAY OF January, 2002.

R. E. WHITTIER FAMILY PARTNERSHIP

Robert R. Whittier, Managing Partner
Carol R. Toller, Managing Partner

STATE OF UTAH }
COUNTY OF MORGAN } ss

ON THIS 16th DAY OF January, 2002, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, THE SIGNERS OF THE ABOVE OWNER'S DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

John C. Rook
NOTARY PUBLIC
RESIDING IN MORGAN COUNTY, UTAH
MY COMMISSION EXPIRES 12/31/02

PERCOLATION DATA

NOTE: THESE WATERSHEDS ARE BASED ON A 100' X 100' GRID.

LOT	AREA (ACRES)	PERCENTAGE OF LOT COVERED BY WATERSHED
LOT 1	20,000 SQ FT	0.459 ACRES
LOT 2	20,000 SQ FT	0.459 ACRES
LOT 3	20,000 SQ FT	0.459 ACRES
LOT 4	20,000 SQ FT	0.459 ACRES

IMPROVEMENT DISTRICT:

IN THE EVENT THAT THE RESIDENCES IN THE AREA ESTABLISH AN "IMPROVEMENT DISTRICT" FOR CERTAIN IMPROVEMENTS, THE OWNERS OF THE LOTS IN THIS SUBDIVISION SHALL BE REQUIRED TO PARTICIPATE, AND SHALL NOT BE EXEMPT ON THE BASIS THAT THIS SUBDIVISION HAS BEEN APPROVED WITHOUT THOSE IMPROVEMENTS.

NOTE: 30 FT OF 12" PIPE E/W END SECTIONS SHALL BE PLACED AT ALL DRIVEWAYS. THE DRIVEWAYS SHALL REQUIRE PAVING FROM THE EXISTING ASPHALT TO THE PROPERTY LINE.

SURVEY NARRATIVE:

A. THIS SURVEY WAS MADE AT THE REQUEST OF SAID WHITTIER, 3783 WEST 3900 NORTH, MORGAN, UTAH 84050, TEL 876-3181.

B. THE PURPOSE OF THE SURVEY IS TO SUBDIVIDE A PARCEL OF LAND INTO FOUR BUILDING LOTS. ONE LOT CONTAINS AN EXISTING HOME.

C. THE CORNERS MARKED AS "B" ARE 5/8"x3/4" REBARS, WITH CAPS STAMPED "MOUNTAIN ENGINEERING". OTHER MARKERS FOUND OR SET AS INDICATED.

D. THE BASIS OF BEARING IS THE CENTERLINE OF MORGAN VALLEY DRIVE AS DEDICATED.

BOUNDARY DESCRIPTION:

A TRACT OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U. S. SURVEY, MORGAN COUNTY, UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 6; THENCE NORTH 90°00'00" EAST 180.00 FEET TO A POINT ON THE SOUTH LINE OF 4000 NORTH STREET; THE TRUE POINT OF BEGINNING, A NAIL/WASHER;

THENCE SOUTH 86°31'52" EAST 165.00 FEET ALONG SAID SOUTH LINE OF 4000 NORTH STREET TO A REBAR/CAP;

THENCE SOUTH 03°02'44" EAST 525.94 FEET ALONG THE WEST LINE OF 4000 WEST STREET TO A REBAR/CAP;

THENCE NORTH 86°31'52" WEST 165.01 FEET ALONG THE NORTH LINE OF 3900 NORTH STREET TO A REBAR/CAP;

THENCE NORTH 03°02'44" EAST 524.86 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 1.990 ACRES, AND FOUR LOTS.

THE BASIS OF BEARING IS THE CENTERLINE OF NORTH MORGAN VALLEY DRIVE AS DEDICATED.

ACKNOWLEDGMENT OF RESPONSIBILITY

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE TRACT(S) OF LAND CONTAINED WITHIN THE SUBDIVISION BOUNDARY DESCRIBED HEREON, AND ACKNOWLEDGE THAT FAILURE OF THE LOCAL JURISDICTION OR PLANNING COMMISSION TO OBSERVE OR RECORD HAZARDOUS, UNKNOWN OR UNUSUALLY COMPLICATED, OR TO RECOMMEND DENIAL OF THE SUBDIVISION BECAUSE OF SAID UNRECOGNIZED HAZARDOUS, UNKNOWN OR UNUSUALLY COMPLICATED CONDITIONS SHALL NOT RELIEVE THE DEVELOPER OR OWNER FROM RESPONSIBILITY FOR THE CONDITION OR DAMAGES RESULTING THEREFROM, AND SHALL NOT RESULT IN THE LITIGATION OR PLANNING COMMISSION, ITS OFFICERS OR AGENTS, BEING RESPONSIBLE FOR THE CONDITION OR DAMAGES RESULTING THEREFROM.

R. E. Whittier Family Partnership
Robert R. Whittier, Managing Partner
Carol R. Toller, Managing Partner

PETERSON CREEK MAINTENANCE EASEMENT

THE PURPOSE OF THE EASEMENT DESIGNATED ON LOT 1 IS TO ALLOW FOR CLEANING, MAINTENANCE AND IMPROVEMENT OF ENHANCEMENT FOR WATER CONTROL BY HEAVY EQUIPMENT AS MAY BE DESIGNATED BY MORGAN COUNTY FOR SUCH MAINTENANCE.

CONDITIONS FOR RESIDENCE ON LOT 1:

A DETAILED SITE AND GRADING PLAN FOR THIS LOT WILL BE REQUIRED, ALONG WITH RECORDS OF GROUND WATER MONITORING THROUGH SPRING 1998, AND MUST BE SUBMITTED TO THE BUILDING INSPECTOR BEFORE ISSUANCE OF A BUILDING PERMIT WILL BE CONSIDERED.

MARK LEGEND:

1. 12" REBAR SET
2. 12" REBAR SET OR FOUND
3. 12" REBAR SET OR FOUND

NOTE: CULINARY WATER WILL BE PROVIDED BY PETERSON PIPELINE COMPANY.

ON-SITE WASTE TREATMENT FACILITIES SHALL BE PLACED IN ACCORD WITH INSTRUCTION SET FORTH IN A LETTER DATED JANUARY 7, 2000, FROM THE WEBER-MORGAN HEALTH DISTRICT.

MORGAN COUNTY ATTORNEY

I HAVE EXAMINED THIS SUBDIVISION PLAT AND IN MY OPINION IT CONFORMS TO THE COUNTY ORDINANCES APPLICABLE HEREIN AND NOW IN FORCE AND EFFECT.

SIGNED THIS 17 DAY OF January, 2002.

Kellie M. Wright
MORGAN COUNTY ATTORNEY

MORGAN COUNTY PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE MORGAN COUNTY PLANNING COMMISSION.

SIGNED THIS 17 DAY OF Jan, 2002.

Chairman, Morgan County Planning Commission

MORGAN COUNTY ENGINEER

THIS IS TO CERTIFY THAT I HAVE INVESTIGATED THE LINES OF SURVEY OF THE FOREGOING PLAT LEGAL DESCRIPTION OF THE LAND BARRIERS THEREON AND FIND THEM TO BE CORRECT AND TO AGREE WITH THE LINES AND MONUMENTS ON RECORD IN THIS OFFICE AND THE MORGAN COUNTY RECORDER'S OFFICE.

SIGNED THIS 16 DAY OF Jan, 2002.

John C. Rook
MORGAN COUNTY ENGINEER

WEBER-MORGAN HEALTH DISTRICT

THE WASTE DISPOSAL SYSTEM AND THE CULINARY WATER SYSTEM ARE HEREBY APPROVED.

SIGNED THIS 16 DAY OF January, 2002.

Mary Hegans
DISTRICT HEALTH OFFICER

MORGAN COUNTY COUNCIL

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT AND THE DEDICATION ARE HEREBY ACCEPTED BY THE COUNCIL OF MORGAN COUNTY, UTAH.

SIGNED THIS 5 DAY OF Feb, 2002.

Don Hansen
CHAIRMAN, MORGAN COUNTY COUNCIL
ATTEST: Jackie L. Jones

CERTIFICATE OF SURVEYOR

I, WILLIAM L. HOLYOAK, A REGISTERED LAND SURVEYOR IN THE STATE OF UTAH, DO HEREBY CERTIFY THAT THIS PLAT OF WHITTIER SUBDIVISION WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE STANDARDS OF THE PROFESSION, AND THAT THE DATA COMPILED FROM MEASUREMENTS AND SURVEYING INSTRUMENTS USED IN THE PREPARATION OF THIS PLAT ARE TRUE AND CORRECT.

WITNESSED THIS 14 DAY OF Feb, 2002.

William L. Holyoak
REGISTERED LAND SURVEYOR
U.S. LAND SURVEYOR REGISTRATION NO. 15745

MORGAN COUNTY RECORDER

ENTRY NO. 87623 FEE PAID \$ 34.00
MAILED 19 2002 AT 8:21 AM
PAGE 2 OF 2 OF THE OFFICIAL RECORD.

RECORDED FOR ROBERT WHITTIER

Rebecca D. Nelson
MORGAN COUNTY RECORDER
BY: Deputy

WHITTIER SUBDIVISION
A PART OF THE SW 1/4 OF SECTION 6, T4N, R2E.
SALT LAKE BASE AND MERIDIAN
U. S. SURVEY, MORGAN COUNTY, UTAH

DRAWING NO. WE 45-46
SHEET 1 OF 1
FILE: "WHITTIER"

Whittier Subdivision, No. 1 Plat Amendment
Application #25.015
October 7, 2025

Attachment C: Proposed Plat Amendment

[illegible]

 MOUNTAIN ENGINEERING 2250 S. OLD HIGHWAY ROAD MORGAN, UTAH 84050 TEL. (801) 791-9279 www.mountain-engineering.com		
REVISIONS		
NO.	DATE	REVISION
1	10/24/01	DESIGNED FOR COUNTY ENGINEER
2	11/26/01	FOR REVIEW FOR COUNTY RECORDS
3	12/18/01	FOR REVIEW FOR COUNTY RECORDS
DESIGNED BY CRISTIAN, INC.		
DRAWN BY CRISTIAN, INC.		
SCALE AS SHOWN		
WHITTIER SUBDIVISION, AMENDED PLAT NO. 1 LEGAL PLAT SECTION 3 AND 4, TOWNSHIP 36N, RANGE 12E, S. 4E, 10E, 11E, 12E, 13E, 14E, 15E, 16E, 17E, 18E, 19E, 20E, 21E, 22E, 23E, 24E, 25E, 26E, 27E, 28E, 29E, 30E, 31E, 32E, 33E, 34E, 35E, 36E, 37E, 38E, 39E, 40E, 41E, 42E, 43E, 44E, 45E, 46E, 47E, 48E, 49E, 50E, 51E, 52E, 53E, 54E, 55E, 56E, 57E, 58E, 59E, 60E, 61E, 62E, 63E, 64E, 65E, 66E, 67E, 68E, 69E, 70E, 71E, 72E, 73E, 74E, 75E, 76E, 77E, 78E, 79E, 80E, 81E, 82E, 83E, 84E, 85E, 86E, 87E, 88E, 89E, 90E, 91E, 92E, 93E, 94E, 95E, 96E, 97E, 98E, 99E, 100E, 101E, 102E, 103E, 104E, 105E, 106E, 107E, 108E, 109E, 110E, 111E, 112E, 113E, 114E, 115E, 116E, 117E, 118E, 119E, 120E, 121E, 122E, 123E, 124E, 125E, 126E, 127E, 128E, 129E, 130E, 131E, 132E, 133E, 134E, 135E, 136E, 137E, 138E, 139E, 140E, 141E, 142E, 143E, 144E, 145E, 146E, 147E, 148E, 149E, 150E, 151E, 152E, 153E, 154E, 155E, 156E, 157E, 158E, 159E, 160E, 161E, 162E, 163E, 164E, 165E, 166E, 167E, 168E, 169E, 170E, 171E, 172E, 173E, 174E, 175E, 176E, 177E, 178E, 179E, 180E, 181E, 182E, 183E, 184E, 185E, 186E, 187E, 188E, 189E, 190E, 191E, 192E, 193E, 194E, 195E, 196E, 197E, 198E, 199E, 200E, 201E, 202E, 203E, 204E, 205E, 206E, 207E, 208E, 209E, 210E, 211E, 212E, 213E, 214E, 215E, 216E, 217E, 218E, 219E, 220E, 221E, 222E, 223E, 224E, 225E, 226E, 227E, 228E, 229E, 230E, 231E, 232E, 233E, 234E, 235E, 236E, 237E, 238E, 239E, 240E, 241E, 242E, 243E, 244E, 245E, 246E, 247E, 248E, 249E, 250E, 251E, 252E, 253E, 254E, 255E, 256E, 257E, 258E, 259E, 260E, 261E, 262E, 263E, 264E, 265E, 266E, 267E, 268E, 269E, 270E, 271E, 272E, 273E, 274E, 275E, 276E, 277E, 278E, 279E, 280E, 281E, 282E, 283E, 284E, 285E, 286E, 287E, 288E, 289E, 290E, 291E, 292E, 293E, 294E, 295E, 296E, 297E, 298E, 299E, 300E, 301E, 302E, 303E, 304E, 305E, 306E, 307E, 308E, 309E, 310E, 311E, 312E, 313E, 314E, 315E, 316E, 317E, 318E, 319E, 320E, 321E, 322E, 323E, 324E, 325E, 326E, 327E, 328E, 329E, 330E, 331E, 332E, 333E, 334E, 335E, 336E, 337E, 338E, 339E, 340E, 341E, 342E, 343E, 344E, 345E, 346E, 347E, 348E, 349E, 350E, 351E, 352E, 353E, 354E, 355E, 356E, 357E, 358E, 359E, 360E, 361E, 362E, 363E, 364E, 365E, 366E, 367E, 368E, 369E, 370E, 371E, 372E, 373E, 374E, 375E, 376E, 377E, 378E, 379E, 380E, 381E, 382E, 383E, 384E, 385E, 386E, 387E, 388E, 389E, 390E, 391E, 392E, 393E, 394E, 395E, 396E, 397E, 398E, 399E, 400E, 401E, 402E, 403E, 404E, 405E, 406E, 407E, 408E, 409E, 410E, 411E, 412E, 413E, 414E, 415E, 416E, 417E, 418E, 419E, 420E, 421E, 422E, 423E, 424E, 425E, 426E, 427E, 428E, 429E, 430E, 431E, 432E, 433E, 434E, 435E, 436E, 437E, 438E, 439E, 440E, 441E, 442E, 443E, 444E, 445E, 446E, 447E, 448E, 449E, 450E, 451E, 452E, 453E, 454E, 455E, 456E, 457E, 458E, 459E, 460E, 461E, 462E, 463E, 464E, 465E, 466E, 467E, 468E, 469E, 470E, 471E, 472E, 473E, 474E, 475E, 476E, 477E, 478E, 479E, 480E, 481E, 482E, 483E, 484E, 485E, 486E, 487E, 488E, 489E, 490E, 491E, 492E, 493E, 494E, 495E, 496E, 497E, 498E, 499E, 500E, 501E, 502E, 503E, 504E, 505E, 506E, 507E, 508E, 509E, 510E, 511E, 512E, 513E, 514E, 515E, 516E, 517E, 518E, 519E, 520E, 521E, 522E, 523E, 524E, 525E, 526E, 527E, 528E, 529E, 530E, 531E, 532E, 533E, 534E, 535E, 536E, 537E, 538E, 539E, 540E, 541E, 542E, 543E, 544E, 545E, 546E, 547E, 548E, 549E, 550E, 551E, 552E, 553E, 554E, 555E, 556E, 557E, 558E, 559E, 560E, 561E, 562E, 563E, 564E, 565E, 566E, 567E, 568E, 569E, 570E, 571E, 572E, 573E, 574E, 575E, 576E, 577E, 578E, 579E, 580E, 581E, 582E, 583E, 584E, 585E, 586E, 587E, 588E, 589E, 590E, 591E, 592E, 5		

Attachment D: Application

Morgan County - Planning & Development Services

Printed: 08/28/2025

25.015 Whittier Subdivision, No. 1 Plat Amendment

25.015

03/31/2025 - 03/30/2124

d4bf5920-0e83-11f0-a007-ff50f323c51e

Subdivision

General

Active

Under Review

Application Review Status

Pre-Review

Approved

03/31/2025

The Zoning Administrator may take a project out of Pre-Review Status to allow the County Engineer to review to determine that all submittal items contain the required information necessary to be considered a complete application. While the application may be out of pre-review this does not constitute a complete application until such time as the County Engineer provides a memo stating all items are present.

County Commission Not Reviewed

Zoning Administrator Not Reviewed

County Engineer Not Reviewed

Morgan County Fire Department
Approved

Good hydrant placement.

County Surveyor Not Reviewed

Planner I Approved

Peterson Pipeline Association
Approved

Weber-Morgan Health Department
Not Reviewed

GIS Personnel Not Reviewed

County Recorder Not Reviewed

Secondary County Engineer
Not Reviewed



County Commission Agenda Request Form

All Agenda items, including back-up materials, must be submitted to:

Morgan County
Attn: Kate Becker
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: (435) 800.8724

****ALL DOCUMENTATION IS DUE ON OR BEFORE 12:00 PM ON THE TUESDAY PRIOR TO A SCHEDULED COUNTY commission MEETING****

Email: kbecker@morgancountyutah.gov

This form must be submitted, along with any required documentation, or the Agenda Item will not be scheduled until the next County commission Meeting

Commission Meeting Date: 10/7/25 Time Requested: 20 min
Name: Joshua Cook Phone: (801) 845-4015
Address: 48 W. Young Street
Email: jcook@morgancountyutah.gov Fax: _____
Associated County Department: Planning and Development Department

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Public Hearing/Discussion/Decision – Highway Signage Code Text Amendment – Request for approval of a text amendment to the Morgan County Code (MCC) to allow highway signage.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH
INFORMATION ONLY

☒
☒
☒
☐

PUBLIC HEARING
PUBLIC MEETING

☒
☐
☐

MEMORANDUM

TO: Morgan County Commission

FROM: Morgan County Planning & Development Services Staff

SUBJECT: Highway Signage Code Text Amendment, Application # 25.031

SUMMARY: Request for approval of a text amendment to the Morgan County Code (MCC) to allow highway signage.

Mr. Val Poll filed an application, file number 25.031, to amend section § 155.368 Signs of the Land Use Code to address freestanding signage standards for shopping centers adjacent to Interstate 84 (“I-84”). The prior version of § 155.368 Signs permitted only a single freestanding sign per commercial shopping development, which limited visibility for interior tenants and created pressure for additional individual signs along the corridor. The proposed amendment authorizes one additional multi-tenant pylon sign with height measured from the grade of I-84, establishes tenant sign area allocation based on frontage, and permits electronic message centers consistent with the County’s dark sky and illumination standards for those commercial centers with frontage on I-84. The amendment is intended to enhance business visibility for along the freeway and allow placement of an additional freestanding sign along the interstate corridor.

PLANNING COMMISSION SUMMARY

This item was reviewed by the Planning Commission at their regularly scheduled meeting on September 11, 2025. A public hearing was conducted for this item, during which a member of the public commented that discussions held when the sign ordinance was originally drafted focused on limiting the proliferation of signs—particularly electronic ones—along I-84, in the interest of public safety. Discussion from the Planning Commission centered on the allowance of highway-oriented freestanding signage for shopping centers with frontage along Interstate 84 (“I-84”). Staff explained that the intent of the ordinance is to allow shared signage for multi-tenant developments not directly visible from the freeway. Staff also clarified that current code allows only one freestanding sign per shopping center, and a prior interpretation had halted individual tenant applications, prompting the need for this amendment.

Commissioners expressed concern that the change could increase the number of freestanding signs permitted in the county. Additional discussion focused on light pollution, sign illumination, and traffic safety. The Commission noted that blinking or flashing signs are already prohibited, but electronic message centers are allowed if they comply with existing standards. Members discussed requiring a minimum 8-second display time and agreed that signs should be turned off by 10:00 p.m. to reduce nighttime impacts—even for businesses with 24-hour access—in order to prevent constant illumination throughout the night. It was noted that only a handful of developments around the county would currently qualify under the proposed criteria, limiting the overall impact of the change.

The Planning Commission voted to recommend approval of the proposed text amendment with a unanimous vote of 4-0; Chair Maloney abstained from voting. The Planning Commission submitted the following findings along with their vote:

1. No off-premises signage allowed.
2. That the width is limited to 12 feet.
3. That the height is limited to 35 feet.
4. That the setback is 5 feet from property line.
5. To clarify that the shopping center shall have frontage on I-84 for the I-84 Corridor.
6. That the quotation marks are removed around shopping center.
7. That the lights be turned off at 10 p.m.
8. That the proliferation language be taken out.

ATTORNEY GUIDANCE

Legislative Review:

The Planning Commission is tasked with advising and recommending to the County Commission whether the proposed zoning change (land use ordinance text amendment) is consistent with Morgan County Code requirements for zoning applications. The Planning Commission is further tasked with advising and making its recommendations based on whether the text amendment conforms to Utah State law. In that regard, while previously the County Commission had broad discretion in either approving or denying a legislative decision (the standard being whether the zoning ordinance could promote the general welfare; or even if it is reasonably debatable that it is in the interest of the general welfare), it appears to have been narrowed by recent changes to § 17-27a-801(3). The subsequently amended statute provides that legislative acts will be upheld if it is shown to be “reasonably debatable that the land use regulation is consistent with LUDMA.” While I have not seen any caselaw testing this new standard, I highly recommend that any recommendations by the Planning Commission or decisions by the County Commission include references to the standards in Morgan County Code and Utah State Code to support them and provide a solid basis for review. In that regard, the State Code standards include:

17-27a-102. Purposes — General land use authority — Limitations.

(1)

(a) The purposes of this chapter are to:

- (i) provide for the health, safety, and welfare;
- (ii) promote the prosperity;
- (iii) improve the morals, peace, good order, comfort, convenience, and aesthetics of each county and each county’s present and future inhabitants and businesses;
- (iv) protect the tax base;
- (v) secure economy in governmental expenditures;
- (vi) foster the state’s agricultural and other industries;
- (vii) protect both urban and nonurban development;
- (viii) protect and ensure access to sunlight for solar energy devices;
- (ix) provide fundamental fairness in land use regulation;
- (x) facilitate orderly growth and allow growth in a variety of housing types; and
- (xi) protect property values.

(b) Subject to Subsection (4) and Section 11-41-103, to accomplish the purposes of this chapter, a county may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that the county considers necessary or appropriate for the use and development of land within the unincorporated area of the county or a designated mountainous planning district, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing:

- (i) uses;
- (ii) density;
- (ii) open spaces;
- (iv) structures;
- (v) buildings;
- (vi) energy-efficiency;
- (vii) light and air;
- (viii) air quality;
- (ix) transportation and public or alternative transportation;
- (x) infrastructure;
- (xi) street and building orientation and width requirements;
- (xii) public facilities;
- (xiii) fundamental fairness in land use regulation; and
- (xiv) considerations of surrounding land uses to balance the foregoing purposes with a landowner's private property interests and associated statutory and constitutional protections.

PROPOSED TEXT:

§ 155.368 SIGNS.

...

(G) Signs requiring a permit.

...

(10) Highway Signage.

(a) *Intent.* The purpose of this amendment is to provide appropriate signage visibility for developments along the I-84 corridor, to limit the proliferation of freestanding pylon signs, and to ensure orderly, effective, and safe wayfinding within multi-tenant developments.

(b) *Multi-tenant Freeway Sign.* One (1) Multi-tenant Freeway sign is permitted for a development classified as a "shopping center." The sign shall meet all applicable height, setback, and design standards established in this Chapter.

1. The sign shall not exceed forty (40) feet in height, measured from the grade of Interstate 84.

2. The sign shall provide visibility for businesses within the development that do not share an immediate property line with Interstate 84.

(c) *Tenant Sign Area Allocation.* Tenant sign face area shall be determined by the linear frontage of each tenant's Building Frontage. Each tenant shall be allowed a maximum of two (2) square feet of sign area per one (1) linear foot of building frontage along the longest side.

(d) *Electronic Message Centers (EMCs)*. One (1) EMC shall be permitted on each elevation of the multi-tenant sign, provided that all EMCs comply with the County’s adopted dark sky ordinances and applicable illumination standards.

RECOMMENDED MOTIONS

Sample Motion for a *Recommendation for Approval* – “I move we recommend approval to the County Commission for the Highway Signage Code Text Amendment based on the findings listed in the memorandum dated September 11, 2025.”

Sample Motion for a *Recommendation for Approval with Conditions* – “I move we recommend approval to the County Commission for the Highway Signage Code Text Amendment based on the findings listed in the memorandum dated September 11, 2025, with the following additional conditions:”

1. *List any additional findings and conditions...*

Sample Motion for a *Recommendation for Denial* – “I move we recommend denial to the County Commission for the Highway Signage Code Text Amendment with the following findings:”

1. *List any additional findings...*

ATTACHMENTS:

Attachment “A”: Highway Signage Code Text Amendment

**Attachment “A”: Highway Signage Code Text Amendment – With Planning
Commission Suggested Edits**

§ 155.368 SIGNS.

...

(G) SIGNS REQUIRING A PERMIT.

...

(10) HIGHWAY SIGNAGE.

(A) INTENT. THE PURPOSE OF THIS AMENDMENT IS TO PROVIDE APPROPRIATE SIGNAGE VISIBILITY FOR DEVELOPMENTS WITH FRONTAGE ALONG THE I-84 CORRIDOR, TO LIMIT THE PROLIFERATION OF FREESTANDING PYLON SIGNS, AND TO ENSURE ORDERLY, EFFECTIVE, AND SAFE WAYFINDING WITHIN MULTI-TENANT DEVELOPMENTS. ONLY ON-PREMISES HIGHWAY SIGNAGE IS PERMITTED.

(B) MULTI-TENANT FREEWAY SIGN. ONE (1) MULTI-TENANT FREEWAY SIGN IS PERMITTED FOR A DEVELOPMENT CLASSIFIED AS A SHOPPING CENTER. THE SIGN SHALL MEET ALL APPLICABLE HEIGHT, SETBACK, AND DESIGN STANDARDS ESTABLISHED IN THIS CHAPTER.

1. THE SIGN SHALL NOT EXCEED THIRTY-FIVE (35) FEET IN HEIGHT.

2. THE SIGN SHALL NOT EXCEED TWELVE (12) FEET IN WIDTH.

3. THE SIGN SHALL MAINTAIN A MINIMUM SETBACK OF FIVE (5) FEET FROM ALL PROPERTY LINES.

4. THE SIGN SHALL PROVIDE VISIBILITY FOR BUSINESSES WITHIN THE DEVELOPMENT THAT DO NOT SHARE AN IMMEDIATE PROPERTY LINE WITH INTERSTATE 84.

(C) TENANT SIGN AREA ALLOCATION. TENANT SIGN FACE AREA SHALL BE DETERMINED BY THE LINEAR FRONTAGE OF EACH TENANT’S BUILDING FRONTAGE. EACH TENANT SHALL BE ALLOWED A MAXIMUM OF TWO (2) SQUARE FEET OF SIGN AREA PER ONE (1) LINEAR FOOT OF BUILDING FRONTAGE ALONG THE LONGEST SIDE.

(D) ELECTRONIC MESSAGE CENTERS (EMCS). ONE (1) EMC SHALL BE PERMITTED ON EACH ELEVATION OF THE MULTI-TENANT SIGN, PROVIDED THAT ALL EMCS COMPLY WITH THE COUNTY’S ADOPTED DARK SKY ORDINANCES AND APPLICABLE ILLUMINATION STANDARDS. ALL ILLUMINATION SHALL BE DEACTIVATED AFTER 10:00 P.M.

----- Original message -----

From: Dave Rich <dave@jjelectricinc.com>

Date: 9/17/25 2:23 PM (GMT-07:00)

To: Bret Heiner <bheiner@morgancountyutah.gov>, Mike Newton <MNewton@morgancountyutah.gov>, Vaughn Nickerson <vNickerson@morgancountyutah.gov>

Subject: High School Arena

Hello,

I am writing to inform you about an upcoming change regarding the 200amp service that feeds the High School arena. While speaking with Clark Crook from Morgan City Power, he mentioned that this service will be demolished at some point when the overhead power lines are moved underground. He was unsure of the exact date but indicated they would like to see the service removed.

My suggestion would be to eliminate this service now. The Musco lights are currently ordered to run on 120/240 single phase voltage, as soon as the city removes it, the new voltage will be 120/208 3 phase. (Single phase and 3 phase are okay. It's the voltage.) This change will require the drivers and other components in the light poles to be replaced.

To address this now, we could run a 3" conduit and wire from the new 1200amp service back to the announcers booth. We would also change out the panel to a larger one that would provide room for future power requirements.

I understand this is a lot of information. Please call me with any questions you may have.

--

Thanks!

Dave Rich

JandJ Electric

cell 801-389-4418

office 801-622-0270

J and J Electric, Inc.

Ogden, UT 84401

Quotation

Phone #	8016220270
Fax #	801-622-0271

Date	Estimate #
9/17/2025	9444

Name / Address
MORGAN COUNTY FAIR GROUNDS MORGAN, UTAH 84050

PROJECT

C/O#1 Fair grounds

Description	Qty	Cost	Total
Relocate power from existing 200amp single phase service to new 1200amp service. Due to 200amp service being demolished.	1		
Materials	1	6,550.00	6,550.00
Labor	1	5,900.00	5,900.00

Terms: Past due accounts will be charged a 1.75% monthly service charge on the unpaid balance (21% annual rate). The undersigned specifically agrees to pay all reasonable attorney's fees and court costs in the event legal action is taken to collect on the account. The undersigned further agrees to pay an additional amount representing fifty percent (50%) of the principle balance if the account is referred to a collection agency or attorney for collection. This additional amount is in recognition of the costs associated with said collection action processing.

Total

\$12,450.00

Signed: _____

Date: _____