MORGAN COUNTY COMMISSION MEETING AGENDA

October 27th, 2026

4:00 WORK SESSION 5:00 REGULAR MEETING 6:00 PUBLIC HEARINGS

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

Note: Commissioner Newton shall be attending remotely

4:00 JOINT WORK SESSION WITH PLANNING COMMISSION

Planning Outpost, Valerie Claussen – MORGAN COUNTY GENERAL PLAN UPDATE

5:00 COMMENCEMENT OF MEETING

(A) Opening Ceremonies

1. Welcome

2. Invocation and/or Moment of Reflection: **Hon. Commissioner Fackrell**

3. Pledge of Allegiance

(B) Consent Agenda Items

1. Approval of the Morgan County Commission Meeting Minutes from October 20, 2026.

2. Approval of a Building Inspection and Plan Review Agreement with Building Code Solutions, Inc. (BCS), the second of three previously awarded service agreements for plan review and inspection services.

3. Approval of a letter authorizing Kate Becker, County Administrative Manager, and Hon. Commissioner Vaughn Nickerson to acquire federal surplus property on behalf of Morgan County.

4. Receipt and acknowledgment for the Commission record of the Morgan City Redevelopment Agency's 2026 Annual Report.

5. Approval of the Morgan County GIS zoning base map for use on the County website, one of the final two GIS projects approved in 2024 and funded through ARPA.

(C) Commissioner Declarations of Conflict of Interest

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

(E) Action Items

1. Bret Smith – Discussion/Decision – Kent Smith Memorial Park

Discussion and decision on a citizen request to rename Kent Smith Memorial Park to Kent and JoAnn Smith Memorial Park in recognition of JoAnn Smith's contributions to the park and Mountain Green community.

(F) Morgan County Board of Equalization Session

1. Convene as the Morgan County Board of Equalization.

2. Discussion/Decision – **Resolution CR 26-06-BOE**: Approval of adjustments, corrections, and changes to the 2026 Property Tax Assessment Roll to include stipulations.

3. **PUBLIC HEARING** change of assessed value

4. Adjourn the Board of Equalization and reconvene as the Morgan County Commission.

(E) Action Items Continued

2. Kate Becker – Discussion/Decision – Wasatch Peaks Ranch Pool Complex Site Plan

Discussion and decision on a pool complex site plan located at approximately 5250 W Peaks View Drive in the Peterson area of unincorporated Morgan County.

3. Kate Becker – Discussion/Decision – Quilters Group Auditorium Rental

Discussion and decision on **Resolution CR 26-53** establishing a $700 annual auditorium rental rate, including one Friday per month and up to two three-day retreats annually.

4. Kate Becker – Discussion/Decision – Ham Radio Group Fee Waiver

Discussion and decision on **Resolution CR 26-54** waiving rental fees for the Ham Radio Group's monthly use of the Search and Rescue Building.

5. Kate Becker – Discussion/Decision – Auditorium Fee Waivers

Discussion and decision on R**esolution CR 26-56** authorizing rental fee waivers for Sons of Utah Pioneers, Daughters of Utah Pioneers, USU Extension and Morgan County 4-H, and Farm Bureau of Morgan.

6. Kate Becker – Discussion/Decision – Recreation Board Dissolution

Discussion and decision on **Resolution CR 26-58** formally recognizing dissolution of the Morgan County Recreation Board and clarifying prior County records and agreements.

7. Kate Becker – Discussion/Decision – 1997 Recreation Complex Agreement

Discussion and decision on **Resolution CR 26-59** approving mutual termination of the 1997 Recreation Complex Agreement, terminating continuing County obligations, and preserving County-owned Echo irrigation water rights.

8. Kate Becker – Discussion/Decision – Active Transportation Advisory Board

Discussion and decision on **Resolution CR 26-61** dissolving ATAB, rescinding CR-21-11, terminating memberships and liaison assignments, and preserving the Active Transportation Plan.

9. Kate Becker – Discussion ONLY – Senate Bill 258

Discussion and consideration of whether Morgan County should adopt a resolution requesting repeal of 2024 Utah Senate Bill 258 concerning developer-led preliminary municipalities.

10. Kate Becker – Discussion/Decision – Exclusive Easement Revenue

Discussion and decision on the appropriate fund for depositing exclusive easement revenue: Fairgrounds Fund, General Fund, restricted Capital Projects Fund, or a new fund.

11. Kate Becker – Discussion/Decision – Morgan Valley Drive Speed Signs

Discussion and decision on purchasing four solar-powered Carmanah SpeedCheck 18 signs and poles from Gades Sales Co., Inc., for $26,800 from Transportation Impact Fees, account 28-4400-305-000.

12. Kate Becker – Discussion/Decision – 100 South Road Widening

Discussion and decision on allocating $400,000 from Fund 17, Additional Local Transit Tax, to widen 100 South near 150 East for two traffic lanes and a walking path, as recommended by COG September 28, 2026.

13. Kate Becker – Discussion/Decision – Fairgrounds Accessible Parking

Discussion and decision on allocating $43,200 from Third Quarter Local Option Transportation Sales Tax funds for accessible parking improvements at the Fairgrounds, as recommended by COG.

14. Kate Becker – Discussion/Decision – Enterprise Park ADA Playground

Discussion and decision on seeking foundation grant funding for accessible playground equipment and considering County funding for an engineering estimate for site preparation, surfacing, and parking.

15. Kate Becker – Discussion/Decision – Fairgrounds Pavilion Foundation

Discussion and decision on a Fairgrounds Fund budget adjustment for a pavilion base: gravel estimated at $1,800 excluding labor or concrete at $32,000–$37,000 including labor, plus power-line relocation costs.

16. Kate Becker – Discussion/Decision – Public Works Take-Home Vehicles

Discussion and decision regarding reinstatement of take-home vehicle authorizations for John Harrison, and Joel MacArthur, considering operational needs, emergency response, County policy, and fuel expenses.

6:00 PUBLIC HEARINGS – [The Commission will stop the action items at 6 to move to public hearing]

(G) Action Items – Public Hearings

17. Kent Page – Discussion/PUBLIC HEARING/Decision – Eggett FLUMA & Rezone

Discussion and decision on **Ordinance CO 26-27** Application 26.031: Amendment from A-20 and RR-1 to Ranch Residential 5 and rezone to RR-5 on approximately 20.31 acres at 667 W. Hardscrabble Court, Porterville, Parcel 00-0062-3395.

18. Janet Christoffersen – Discussion/ PUBLIC HEARING/Decision – Repeal of § 155.464

Discussion and decision on **Ordinance CO 26-24** repealing Morgan County Code § 155.464, "Amending the Conceptual Development Plan," in its entirety.

(H) Commissioner Comments

Commissioner Blocker • Commissioner Newton • Commissioner Fackrell •

Commission Vice Chair Nickerson • Commission Chair Wilson

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

The undersigned does hereby certify that the above notice and agenda were posted as required by law this 22nd day of October 2026, reposted 23rd of October, 2026.

Kate Becker – Morgan County Administrative Manager

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 on the Morgan County, Utah YouTube channel.

October 20, 2026

3:30 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
Commissioner Mike Newton
Commissioner Raelene Blocker
Commissioner Blaine Fackrell
Commission Vice Chair Vaughn Nickerson

OTHER EMPLOYEES
IT Director Jeremy Archibald
County Attorney Garrett Smith
Administrative Manager Kate Becker
County Clerk/Auditor Leslie Hyde
Deputy Clerk/Auditor Chloe Adams
County Recorder Shaun Rose
Public Works Director Bret Heiner
Planning & Zoning Kent Page

OTHERS IN ATTENDANCE
Tina Kelley
Debbie Sessions
Roland Haslam
Tacy Durrant
Tyson Green
Jeff Morgan
Valerie Claussen, Planning Outpost
Shawn Green
Pam Green
Cindy Carter
Jeff Mathews
Steve Ralston
Sheryn Burta
Steve Pirl
Brian Nesteroff
Melanie Dotson
Travis Dotson

3:30 JOINT WORK SESSION WITH PLANNING COMMISSION

Planning Outpost, Valerie Claussen – Morgan County General Plan Update

Valerie Claussen reviewed the full draft of the General Plan with the Commission and Planning Commission. The public comment period closes October 22, 2026, and direction from the work session will be incorporated into the final draft. Kate Becker (CAM) clarified that the emails received regarding the Peterson area plan request the same rural living designations shown on the current map, which are 2.5-, 5-, and 10-acre lots.

General Plan Amendment Cycle. A proposed policy would review general plan amendments on an annual or twice-yearly cycle so their cumulative effect can be considered at once. General plan amendments and rezonings would become separate applications. Garrett Smith (CA) will research whether state code allows legislative applications to be held for a set review cycle.

Land Use Implementation Tables. Each place type now has a baseline and a limited implementation. Rural Living has a baseline of A-20, with 10-, 5-, and 2.5-acre zoning possible on specific sites; RR-1 applies only where it already exists. Recreation designations were reduced to existing resorts only.

Planned Community and Town Center Zones. Concerns that the Planned Community zone could circumvent underlying density and that the Town Center zone has been used mainly for residential development will be addressed through future code amendments and additional joint work sessions.

Countywide Policies. The Commission supported keeping areas within Morgan City's annexation declaration at very low density, including a ridge line policy in the plan with standards defined in code, and encouraging downward-directed lighting without a formal dark skies designation.

Community Area Maps. In response to resident concerns, Richville and Porterville will be updated toward agriculture, and Milton will be reviewed further. It was noted that the general plan creates no entitlement.

Commissioners will mark up the community area maps and send them to Valerie Claussen by the end of next week. The Peterson area plan will be discussed at next week's joint work session.

5:00 COMMENCEMENT OF MEETING

(A) Opening Ceremonies

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

(B) Consent Agenda Items

1. Approval of the Morgan County Commission Minutes from October 6th, 2026.
2. Approval of a letter of support for the RCOG grant application of Morgan City for their proposed fishpond and surrounding amenities.
3. Acknowledgement of the October 1 notice rescinding stage 1 fire restriction order #WFCLO2619.
4. Approval of RFP language for Rodeo Stock Contractor Services.
5. Acknowledgement of the Utah Retirement Systems compliance audit.

Consent agenda items 2 and 4 were pulled and moved to action items.

Commissioner Newton moved to approve consent agenda items 1, 3, and 5.
Seconded by Commissioner Fackrell

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

(C) Commissioner Declarations of Conflict of Interest

None.

(D) Public Comments

Shawn and Pam Green (Morgan County): Expressed concern that a pole barn across from their property was not built where the permit indicated and sits within the dedicated open space of the Richville Mountain Vistas subdivision, which has resulted in a lawsuit of almost two years. They asked the Commission to enforce the County code and implement penalties.

Cindy Carter (Hardscrabble): Asked that the new planner understand the code, that vague language be replaced, and that the Commission do what it can to mitigate the situation.

Steve Ralston (Morgan County): Stated that the subdivision's open space covenants were adopted to protect water and rural character, questioned the purpose of permits that are not enforced, and stated that the neighbors have been wronged.

(E) Presentations

None.

(F) Action Items

Consent Item 2. Letter of support for the RCOG grant application of Morgan City for their proposed fishpond and surrounding amenities.
Commissioner Fackrell asked about costs and funding. Kate Becker (CAM) explained that DAF funding helped with the project and that any item committing County funds is placed on the agenda as an action item.

Commissioner Newton moved to approve consent agenda item B.2.
Seconded by Commissioner Nickerson

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

Consent Item 4. Approval of RFP language for Rodeo Stock Contractor Services.
Legal review identified blank sections that need to be updated. The RFP will be revised and brought back at the next meeting.

Commissioner Newton moved to postpone consent agenda item B.4 to the next meeting.
Seconded by Commissioner Fackrell

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

1. Bret Heiner – Discussion/Decision – Morgan County Public Works Director
Discussion and decision on Phase II of the Fairgrounds Trail project. This came before the Commission on September 16th, 2025 where the action item was postponed but was never placed on a subsequent agenda.

Bret Heiner (Public Works Director) explained that the trail should be installed before the multi-use fields are finished in the spring so the sprinkler heads can be set properly. An encroachment agreement with Phillips 66 will be needed. The project would be bid this winter, with funding options presented before award, and constructed in May or June.

Commissioner Newton moved to approve the proposal to go out to bid for Phase II of the Fairgrounds Trail project.
Seconded by Commissioner Fackrell

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

2. Kent Page – Discussion/Decision – Morgan County Planning and Zoning
Wasatch Peaks Ranch Plat 1, Third Amendment: consolidating two lots (C15 & C16).

Kent Page explained that the amendment consolidates Lots C15 and C16 into one lot. The Planning Commission unanimously recommended approval on October 8, 2026.

Commissioner Nickerson moved to approve the Wasatch Peaks Ranch Plat 1, Third Amendment, consolidating Lots C15 and C16.
Seconded by Commissioner Blocker

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

3. Morgan County Commission – Discussion/Decision – Appointment of Hearing Officer
Discussion and decision on Resolution CR-26-45 appointing Craig Call as the Administrative Hearing Officer to hear appeals under Morgan County Code Title 15 Chapter 154, Surveying and Survey Monuments.

Shaun Rose (County Recorder) explained that Craig Call has agreed to serve. Kate Becker (CAM) noted two typographical corrections from the packet version, in the words "resolution" and "effective date," which have been corrected in the version to be signed.

Commissioner Newton moved to approve Resolution CR-26-45 appointing Craig Call as the Administrative Hearing Officer.
Seconded by Commissioner Nickerson

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

4. ROAM Public Infrastructure District – Discussion/Decision – Trustee Appointments
Discussion and decision on Resolution CR-26-48 affirming and reappointing certain Trustees and terms of office for the Board of Trustees for ROAM Public Infrastructure District No. 1 and ROAM Public Infrastructure District No. 2.

Kate Becker (CAM) explained that some trustee terms had expired. Under the development agreement, seats transition to elected seats based on time rather than occupancy, beginning in 2028 for District No. 1 and 2030 for District No. 2. A legal opinion confirming this will be forwarded to the Commission.

Commissioner Newton moved to approve Resolution CR-26-48.
Seconded by Commissioner Blocker

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Nay
The motion passed 4–1.

5. Morgan County Fairgrounds Board – Discussion/Decision – Fee Waiver Request
Discussion and decision on Resolution CR-26-44 to waive certain planning and zoning fees for the Fairgrounds Pavilion; Permit # 0442401.

Commissioner Newton explained that the pavilion, funded by a grant to the Fairgrounds Board, is on County property and must go through the building permit process, but the County should not charge itself a permit fee.

Commissioner Newton moved to approve Resolution CR-26-44 to waive certain planning and zoning fees for the Fairgrounds Pavilion; Permit # 0442401.
Seconded by Commissioner Blocker

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

6. Morgan County Commission – Discussion/Decision – Auditorium Upgrade
Discussion and decision on funding a feasibility study in partnership with the Morgan Valley Arts Council for upgrades to the Morgan County Auditorium and designating the funding mechanism for said study.

Kate Becker (CAM) presented three estimates and stated that RAMP tax cannot fund the study. The Commission discussed whether to split the cost with the rural economic opportunity grant and determined it was not worth splitting at this time. Garrett Smith (CA) stated that the Tourism Tax Advisory Board advises on annual priorities but is not required to recommend every expenditure.

Commissioner Nickerson moved to approve funding of the feasibility study for the Morgan County Auditorium from the tourism tax in the amount of $16,000 from line 35-45-10-310, awarded to Mountain West Architecture.
Seconded by Commissioner Blocker

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

7. Morgan County Commission – Discussion/Decision – UCIP Representatives
Discussion and decision on Resolution CR-26-51 designating a UCIP Representative and Alternate for the upcoming annual meeting in Sandy, UT on November 18th, 2026.

The resolution designates Shaun Rose (County Recorder) as representative and Janell Walker (County Assessor) as alternate.

Commissioner Newton moved to approve Resolution CR-26-51 designating a UCIP Representative and Alternate.
Seconded by Commissioner Blocker

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

8. Hon. Commissioner Matthew Wilson – Discussion/Decision – Commissioner Request
Discussion and decision on a motion to reconsider pursuant to Morgan County Resolution CR-26-03 'Commission Rules of Order and Procedure,' Rule VIII (10); motion for reconsideration is a vote on action item 6 from the September 15th Commission Meeting regarding the "Cottonwoods at Mountain Green Development, Third Amendment."

Kate Becker (CAM) noted an agenda error: the rules require the item to return at a future meeting, not necessarily the next one. Garrett Smith (CA) explained that a motion to reconsider must be made by a member on the prevailing side and that the substance may be discussed only after the motion passes. Because the original vote failed 2–2, Commissioner Blocker was eligible to make the motion.

Commissioner Blocker moved to reconsider, pursuant to Morgan County Resolution CR-26-03 'Commission Rules of Order and Procedure,' Rule VIII (10), the vote on action item 6 from the September 15th Commission Meeting regarding the "Cottonwoods at Mountain Green Development, Third Amendment."
Seconded by Commissioner Nickerson

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

The item will be placed on the November 17, 2026, agenda.

9. Hon. Leslie A. Hyde – Discussion/Decision – Tentative 2027 Budget
Discussion and approval of Resolution CR-26-52 the tentative 2027 Morgan County Budget and public notice that said tentative budget is available to the public in the Morgan County Clerk/Auditor's office until it is voted on in its final form at the December 1st, 2026 Commission meeting following the required public hearing.

Leslie Hyde (County Clerk/Auditor) explained that state law requires adoption of a tentative budget before November 1. The balanced tentative budget will be available for public inspection beginning November 19, with the public hearing and final approval on December 1, 2026, at 6:00 PM.

Commissioner Nickerson moved to approve Resolution CR-26-52, the tentative 2027 Morgan County Budget.
Seconded by Commissioner Newton

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

10. Hon. Leslie A. Hyde – Discussion/PUBLIC HEARING/Decision – Budget Adjustments
Discussion and approval of Resolution CR-26-50 adopting certain adjustments to Morgan County's 2026 Budget.

Leslie Hyde (County Clerk/Auditor) explained that the adjustments include grants received for the library, fire, EMS, and economic development, and a fund transfer for the airport.

Commissioner Newton moved to enter into public hearing.
Seconded by Commissioner Fackrell

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

No public comment was received.

Commissioner Newton moved to close the public hearing and reconvene the public meeting.
Seconded by Commissioner Fackrell

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

Commissioner Fackrell moved to approve Resolution CR-26-50 adopting certain adjustments to Morgan County's 2026 Budget.
Seconded by Commissioner Newton

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

11. Kent Page – Discussion/PUBLIC HEARING/Decision – Citizen Request Code Text Amd.
Morgan County Code citizen initiated proposed text amendment to section 155.132: This code text amendment County Ordinance CO-26-21 would permit, with a Conditional Use Permit issued by the Zoning Administrator, Recreational Vehicle Parks in the Town Center (TC) zoning designation.

Kent Page explained that the Planning Commission unanimously recommended denial, finding that the amendment would allow RV parks on any Town Center parcel and that such requests are better considered through a development agreement on a parcel-by-parcel basis. Commissioners agreed that a blanket allowance is not appropriate.

Commissioner Newton moved to enter into public hearing.
Seconded by Commissioner Nickerson

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

Tina Kelley (Mountain Green): Noted that the Town Center use table excludes RV dealers and stated that RV parks are not appropriate in the zone.

Cindy Carter (Hardscrabble): Stated that RV parks require strict rules, including limits on length of stay, and may be appropriate in other areas.

Commissioner Newton moved to close the public hearing and reconvene the public meeting.
Seconded by Commissioner Blocker

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

Garrett Smith (CA) noted that existing code sections conflict on the approval authority for RV parks and could be conformed through a future code text amendment. Kate Becker (CAM) noted that current code limits living in a recreational vehicle to 90 days per year.

Commissioner Newton moved to deny Ordinance CO-26-21 with the findings of the Planning Commission.
Seconded by Commissioner Blocker

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

12. Kent Page – Discussion/PUBLIC HEARING/Decision – County Planning and Zoning
Morgan County Code proposed text amendment clarifying the intent of section 155.426 (C) (5): County Ordinance CO-26-22 "The flagpole or panhandle portion of a flag lot shall not be included in calculated gross square footage of a lot;"

Kent Page explained that the current language does not reflect the provision's intent. The Commission discussed that the flagpole is part of the lot, but the zoning along the road frontage should not extend to the rear portion; an owner wanting two lots where the rear is zoned differently would need to rezone.

Commissioner Nickerson moved to enter into public hearing.
Seconded by Commissioner Fackrell

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

Cindy Carter (Hardscrabble): Expressed concern about a recent flag lot on Hardscrabble where a three-story home was built in front of existing homes, affecting neighbors' views and property values, and stated that she supports eliminating flag lots.

Commissioner Newton moved to close the public hearing and reconvene the public meeting.
Seconded by Commissioner Nickerson

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

Garrett Smith (CA) explained that the language provided by legal includes the flagpole in calculating lot area while the zoning of the flag portion controls minimum acreage and setbacks. Commissioners noted that this amendment restricts flag lots for now and that whether to keep flag lots will be discussed separately, with a goal of the November 17, 2026, meeting.

Commissioner Newton moved to approve Ordinance CO-26-22 with the language provided by legal, including the flagpole or panhandle portion in calculating minimum lot size, with the zoning district of the flag portion determining the minimum lot size and density.
Seconded by Commissioner Fackrell

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

13. Morgan County Commission – Discussion Only – Kent Smith Park Trust Fund
Discussion on Morgan County Ordinance 135 dated May 19, 1992 providing for the creation of trust fund accounts for Mountain Green / Kent Smith Memorial Park.

Kate Becker (CAM) explained that the ordinance has no mechanism for appointing its park board or for dissolution, and that the County already keeps restricted accounts for each park. The Commission agreed that park donations should remain restricted to that park and directed staff to bring forward the dissolution of Ordinance 135. The Parks Board will be discussed at a future meeting.

14. Morgan County Commission – Discussion Only – Public Safety Sales and Use Tax
Discussion on enacting a Morgan County Ordinance imposing a local option sales and use tax of three-tenths of one percent (0.30%) pursuant to Utah Code Annotated 59-12-2216; establishing the tax rate and retail transaction base.

Kate Becker (CAM) presented the pros, cons, and allowable uses of the tax. Commissioners noted that it would capture revenue from visitors and should be earmarked for public safety. The Commission directed staff to place it on the November 17, 2026, agenda, which would allow it to begin January 1. Kate Becker (CAM) also provided information sheets on several items from her 90-day list for the Commission's review.

(G) Commissioner Comments

Commissioner Blocker: Reported on upcoming prescription drug take-back days, COG discussion of funding youth recreation, and the YCC Footsteps to Light program honoring survivors of domestic violence.

Commissioner Newton: Will attend next week's meeting remotely.

Commissioner Fackrell: Reported on the tourism conference and requested a tourism presentation on December 1, 2026. He discussed County involvement in the Salt Lake Temple open house, accessibility, and sports and film tourism. The Commission agreed to send a letter of support for a state parks boating facility grant.

Commission Vice Chair Nickerson: Reported that the Rifle Range Advisory Board held its first meeting and will meet again in November, that speed limit signage on Morgan Valley Drive is on the next agenda, and that the Conservation District weed spray reimbursement program is open.

Commission Chair Wilson: None.

CLOSED SESSION

Commissioner Fackrell moved to go into a short closed session for the discussion of pending litigation. Seconded by Commissioner Blocker

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

Commissioner Fackrell moved to leave closed session.
Seconded by Commissioner Nickerson

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.

ADJOURNMENT

The meeting adjourned at 7:22 PM.

APPROVED: _____ DATE: _____
Morgan County Commission Chair

ATTEST: _____ DATE: _____
Morgan County Deputy Clerk/Auditor

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call Kate Becker at 435-800-8724 at least 24 hours prior to this meeting. This meeting is streamed live.
If you want to participate virtually in any public comment listed on this agenda, you need to contact Jeremy@morgancountyutah.gov at least 48 hours before the scheduled meeting.

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

Email: kbecker@morgancountyutah.gov

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

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: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address:

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department: Planning & Zoning

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

CONSENT AGENDA:
Request to approve the second of three previously awarded service agreements for plan review and inspection services. Specifically for Building Code Solutions (BCS)

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	☐
DECISION	☐
BOTH	☑
INFORMATION ONLY	☐

MORGAN COUNTY
BUILDING INSPECTION AND PLAN REVIEW AGREEMENT

This Agreement is between Morgan County, a political subdivision of Utah (County), and Building Code Solutions, Inc. (BCS), a corporation (Consultant), for the services described in Exhibit A, Consultant Services and Compensation (Services). It takes effect on the date of the last signature below (Effective Date).

1 Services and authorization

1.1 Scope. Services are nonexclusive and provided as needed. The County guarantees no volume or minimum payment except charges expressly authorized in Exhibit A and may use its staff or other providers.

1.2 County assignments. The Building Official or designee may request work within Exhibit A by email or the County permitting system. Consultant shall promptly confirm availability and acceptance and meet the agreed scope and deadlines. The County shall identify known statutory deadlines; Consultant shall promptly report missing information, threatened delays, and corrective action.

1.3 Statutory inspections. While on the County's approved list, Consultant may accept qualifying applicant-selected inspections under Utah Code §§ 15A-1-105 and 17-79-810(2), as amended, after verifying the original request's scope and required applicant notice. Separate discretionary assignment approval is not required, and signing this Agreement alone does not confer listed status. Statutory requirements govern reports, payment, and completion documents; this Agreement does not extend statutory deadlines or restrict applicant rights.

2 Term and funding

The initial term is one year from the Effective Date. This Agreement automatically renews for successive one-year terms on the same terms and rates then in effect unless either party gives at least 30 days' written notice of nonrenewal. Either party may also terminate during the initial or any renewal term under Section 12.

Future-year obligations depend on lawful appropriation and availability of funds. If funding is unavailable, the County may terminate affected Services by written notice effective when funding ends, with as much advance notice as practicable. Authorized Services already performed remain payable to the extent lawfully payable; no anticipated profit on unperformed Services is due.

3 Qualifications and performance

Consultant shall maintain qualified personnel, required Utah licenses and certifications, and adequate staffing for accepted work; provide personnel and qualification records on request; and promptly report any loss or restriction affecting qualifications or performance. Personnel shall perform Services professionally and courteously. Consultant shall consider County requests to assign or reassign particular personnel.

Consultant shall exercise the professional skill and care ordinarily provided by similarly licensed professionals performing similar services in the same or similar locality, time, and circumstances; comply with applicable laws, codes, and permit documents; and correct its deficient Services without additional charge.

Consultant shall remain independent and impartial, promptly disclose actual or potential conflicts, and discontinue affected work unless the conflict is lawfully resolved and the County authorizes continuation in writing. Consultant shall not improperly influence County personnel through gifts or benefits.

4 Reports and County authority

Consultant shall maintain accurate, contemporaneous records and provide electronic reports and reviewed plans identifying the permit number, project location, service date, actual inspector or reviewer, scope and components reviewed, results, required corrections, and follow-up. Plan review findings shall identify applicable code provisions. Consultant shall not falsify, backdate, or submit materially inaccurate reports, certifications, or billing records.

Inspection reports shall reach the County on the inspection date; Consultant shall promptly report outages and use alternate delivery when practicable. Consultant shall provide permit holders same-day written notice of violations and code references upon request as required by law, and promptly notify the County of incidents likely to give rise to claims arising from the Services.

The County retains governmental authority, subject to the statutory effect of qualifying third-party reports. Without lawful written authorization, Consultant may not waive requirements, change County policy, issue permits or certificates, bind the County, incur obligations for it, or settle claims on its behalf. Billing disputes shall not delay required reports or governmental action.

5 County cooperation

The County shall timely provide available information and reasonable system access for accepted Services and coordinate governmental approvals. Consultant may reasonably rely on supplied information but shall promptly report apparent material errors and follow County security requirements. The County may restrict or revoke access and arrange alternate information exchange when lawful and necessary for continuing Services.

6 Compensation and payment

6.1 Authorized charges. Subject to Section 1.3, the County shall pay only for authorized Services actually performed and other charges expressly permitted in Exhibit A. Rates include ordinary overhead and expenses unless Exhibit A expressly provides otherwise. Additional charges or rate changes require a signed amendment under Section 14.2.

6.2 Invoices. Monthly invoices shall identify the permit or project, location, service date, personnel, Services, report or deliverable, rate, and amount. Show actual hourly time and minimum-charge adjustments separately, and identify the County fee and calculation for percentage charges. Allocate shared time and minimums reasonably, without duplicate billing to the County or other payors. Submission certifies accuracy and supporting records. The County may request documentation and reject unsupported charges.

6.3 Payment. Complete, correct, undisputed invoices are payable within 30 days after receipt, or earlier when legally required. The County shall promptly identify disputed items and reasons and pay undisputed amounts when due. Resolved balances are payable within 30 days after resolution or earlier when legally required. Section 1.3 governs statutory inspection payments. Late charges or interest apply only if required by law or authorized by signed amendment.

6.4 Records and audit. Consultant shall retain performance, billing, and qualification records for six years after final payment or completion, whichever is later, and longer when required by law or a timely records hold. The County and its authorized auditors may inspect and copy relevant records on reasonable notice. Consultant shall correct errors and promptly refund confirmed overpayments.

7 Records and confidentiality

County-provided records remain County property; project deliverables become County property upon payment. From delivery, the County has a perpetual right to use, reproduce, and disclose deliverables for governmental purposes. Consultant retains preexisting tools and intellectual property and grants rights needed to use them as embedded in deliverables.

Consultant shall provide usable electronic records on request and at termination, including necessary native files when reasonably available, and shall not withhold required reports or regulatory records over a payment dispute. Consultant shall assist with GRAMA requests and retention requirements; the County determines lawful classification and disclosure.

Consultant shall use County information only to perform Services unless the County consents in writing or law requires disclosure. Consultant shall reasonably safeguard nonpublic information, limit access to persons needing it and subject to confidentiality duties, promptly report unauthorized access or disclosure, and cooperate in recovery. Consultant is not responsible to the extent loss is caused by unauthorized alteration or unrelated-project use of deliverables; this does not excuse errors in the original Services.

8 Independent contractor, assignment, and subcontractors

Consultant is an independent contractor responsible for its personnel, supervision, means and methods, wages, benefits, taxes, and equipment. Consultant personnel are not County employees or eligible for County employee benefits. Consultant may serve other clients without impairing its obligations here. Consultant shall follow applicable site safety requirements; inspections do not transfer responsibility for construction methods or safety from the construction contractor.

Consultant may not assign this Agreement or any material right or duty, including through an asset sale or to an affiliate, or subcontract material Services without the County’s prior written consent. Unauthorized assignments are void. Consultant remains responsible for subcontractor performance and shall impose applicable contract requirements on subcontractors. Consent creates no County obligation to pay subcontractors directly. Consultant shall promptly disclose ownership changes affecting performance or approved-list eligibility.

9 Insurance

At its expense, Consultant shall maintain the following coverage throughout this Agreement and any continuing Services, with insurers and policy forms acceptable to the County. Consultant shall provide certificates and required endorsements before work and evidence of renewal.

Subcontractors shall maintain the coverage and limits applicable to their work or be covered under Consultant's policies.

Coverage	Minimum limits
Workers compensation and employers liability	Statutory workers compensation; employers liability of $1,000,000 each accident, disease policy limit, and disease per employee.
Commercial general liability	$1,000,000 each occurrence; $2,000,000 aggregate.
Automobile liability	$1,000,000 per accident for owned, hired, and nonowned vehicles used in Services.
Professional liability	$1,000,000 each claim; $2,000,000 annual aggregate.

Commercial general liability shall cover premises and operations, bodily injury, broad form property damage, personal injury, contractual liability, independent contractors, and products-completed operations, with severability of interests. The County and its elected and appointed officials, officers, employees, agents, volunteers, consultants, and authorized representatives shall be additional insureds for liability arising from Consultant's work; that coverage shall be primary and noncontributory. Automobile additional-insured coverage is required where commercially available. Workers compensation and professional liability do not require additional-insured status.

Professional liability shall cover the Services actually provided and Consultant's liability arising from work by its personnel and subcontractors. Claims-made coverage shall have a retroactive date no later than commencement of Services and continue, or provide an extended reporting period, for three years after the later of completion of Services or expiration or termination of this Agreement.

Consultant shall promptly report cancellation, nonrenewal, or material reduction and obtain 30 days' advance County notice where commercially available. Insurance requirements and limits do not cap Consultant's liability.

10 Indemnification and governmental immunity

10.1 Consultant's obligations. To the fullest extent permitted by applicable law, Consultant shall indemnify, hold harmless, and, subject to Section 10.2, defend the County and its elected and appointed officials, officers, employees, volunteers, and authorized representatives from and against third-party claims, demands, actions, proceedings, damages, losses, liabilities, judgments, and reasonable costs and expenses, including attorney fees, expert fees, and litigation costs, arising out of or relating to the Services, to the extent caused by the negligent acts or omissions, recklessness, or intentional misconduct of Consultant or persons for whom Consultant is legally responsible, including its officers, employees, agents, and subcontractors, or by Consultant's breach of this Agreement. These obligations include claims involving bodily injury, death, property damage, and economic loss.

Consultant's obligations do not extend to the portion of a claim or loss attributable to the County's own negligence or intentional misconduct. Concurrent County fault does not relieve

Consultant of responsibility for the portion attributable to Consultant or persons for whom it is legally responsible.

10.2 Defense and resolution of claims. To the fullest extent permitted by applicable law, upon the County's written tender, Consultant shall promptly provide a defense of claims within the scope of Section 10.1, using counsel reasonably acceptable to the County. The County shall provide reasonably prompt notice of claims and reasonably cooperate in their defense.

The County may retain or assume control of its defense with counsel of its choosing when a conflict of interest exists; governmental immunity, legislative authority, police powers, or injunctive relief affecting County operations is involved; or Consultant fails to provide a required defense. Consultant shall pay the reasonable costs of that defense to the extent of its obligations under this section and applicable law. Consultant may not settle a claim in a manner that admits County wrongdoing, waives a County immunity or defense, or imposes liability or obligations on the County without the County's prior written consent.

To the extent Utah Code § 13-8-7 applies, this section does not impose a prohibited contractual duty to defend. Consultant remains obligated to indemnify and reimburse reasonable defense costs to the extent permitted by that statute.

10.3 County responsibility and governmental immunity. The County remains responsible for its own negligent acts or omissions and those of persons for whom it is legally responsible, but only to the extent liability is imposed by applicable law. The County is a governmental entity subject to the Governmental Immunity Act of Utah, Utah Code Title 63G, Chapter 7, as amended. Nothing in this Agreement waives any immunity, defense, notice-of-claim requirement, limitation of liability, or other protection available to the County or its officials, employees, or volunteers under that Act or other applicable law, including Utah Code § 15A-1-105(4). This Agreement does not expand the County's tort liability or create a contractual obligation for the County to defend or indemnify Consultant.

10.4 Insurance and indemnity are separate obligations. The insurance requirements of Section 9 and the defense and indemnification obligations of this section are separate and cumulative. Maintaining insurance does not replace or limit Consultant's defense or indemnification obligations, and those obligations do not replace or excuse Consultant's duty to obtain and maintain the required insurance.

Consultant's obligations under this section are not limited by the types or amounts of insurance required or maintained, policy exclusions, deductibles, self-insured retentions, exhaustion of coverage, denial of coverage, or failure to obtain insurance. The County's review or acceptance of insurance documents does not release Consultant from either obligation. Amounts actually paid toward the same loss shall be credited to prevent duplicate recovery.

10.5 Survival and other remedies. This section survives completion of the Services and expiration or termination of this Agreement. It does not limit the County's direct claims or other remedies available under this Agreement or applicable law.

11 Legal compliance

Consultant shall comply with applicable nondiscrimination, accessibility, employment, and workplace laws, including the ADA and Utah Code § 63G-12-302, and provide compliance evidence on reasonable request. Consultant certifies that it is registered with and uses E-Verify

for new employees hired during this Agreement and shall obtain and retain required subcontractor affidavits throughout the Agreement.

12 Suspension and termination

12.1 Without cause. Either party may terminate this Agreement, in whole or in part, at any time, with or without cause, on 30 days' written notice.

12.2 For cause. Either party may terminate for a material breach that remains uncured after written notice identifying the breach and a reasonable cure period appropriate to the circumstances. The County may immediately suspend affected Services or terminate by written notice for fraud or material falsification of reports or invoices; loss of required qualifications or insurance; a disqualifying or knowingly undisclosed conflict; a serious safety or legal violation; or another incurable material breach.

12.3 Transition and payment. During the notice period, Consultant shall continue accepted work as the County lawfully directs, including completion, discontinuance, or transfer. Consultant shall cooperate in an orderly handoff, promptly deliver completed and in-progress records and work status, identify pending deadlines, and refund unearned prepayments.

The County shall pay authorized Services and expressly permitted charges through termination under Section 6, including authorized transition Services, subject to disputed amounts and confirmed overpayments. No anticipated profit on unperformed Services is due. Post-termination inspection or plan review Services require mutual written agreement; record-delivery and cooperation duties survive.

Suspension, termination, and approved-list changes shall be administered consistently with applicable law and applicant rights under Section 1.3. The County shall coordinate required list updates and applicant notices.

13 Notices and disputes

13.1 Notices. Formal notices must be written and delivered personally, by certified U.S. mail with return receipt requested, or by a recognized courier providing proof of delivery, to Exhibit A's designated recipients and addresses. Notice is effective on documented receipt or refusal of delivery at the designated address.

Email courtesy copies to the designated contacts and, for County notices, attorney@morgancountyutah.gov. Email alone does not constitute formal notice or begin a notice period. Contact or address changes require notice under this section. Routine assignments, scheduling, and reports may use email or the permitting system. Statutory notice-of-claim and service-of-process requirements remain applicable.

13.2 Governing law and venue. Utah law governs, without regard to conflict-of-laws principles. Exclusive venue for actions arising out of or relating to this Agreement shall be in a state court of competent jurisdiction in Morgan County, Utah, or, if federal subject-matter jurisdiction exists, the United States District Court for the District of Utah. The parties consent to personal jurisdiction and venue in those courts, subject to the County's retained governmental immunities and defenses.

13.3 Dispute resolution. Authorized representatives shall attempt in good faith to resolve disputes. Mediation may occur by mutual written agreement; arbitration is not required.

Negotiations or mediation do not extend deadlines or prevent timely litigation or emergency relief.

14 General terms

14.1 Force majeure. A party is excused from delay only to the extent caused by an event beyond its reasonable control that could not reasonably have been prevented or overcome. It shall promptly notify the other of the event, expected impact and duration, and recovery measures; diligently mitigate; and resume performance as soon as practicable. Extensions are limited to unavoidable delay.

Ordinary staffing shortages, increased costs, or lack of funds do not alone qualify. This provision does not excuse payment for performed Services, extend statutory deadlines, restrict applicant rights, or limit the County's rights to obtain substitute services, suspend, or terminate. Section 2 governs nonappropriation.

14.2 Entire agreement and amendments. This Agreement, its expressly incorporated exhibits, and signed amendments constitute the entire agreement concerning the Services and supersede prior negotiations, representations, and agreements. Vendor proposals, purchase acknowledgments, invoice terms, and website terms are excluded unless expressly incorporated by a signed amendment.

Amendments require both parties' authorized signatures and County approval as to form when required. Routine correspondence, assignments, scheduling, course of performance, and invoice approval do not amend this Agreement or authorize rate increases.

14.3 Order of precedence. This Agreement controls legal and administrative terms. Exhibit A specifies Services, rates, service levels, minimum charges, and travel, subject to this Agreement. Exceptions must identify the affected provision and change in a signed amendment under Section 14.2.

14.4 Waiver and remedies. A waiver must be in writing by an authorized representative and applies only to the identified matter. Failure or delay in enforcement is not a waiver. County review, approval, inspection, or payment does not relieve Consultant of its obligations. Contractual remedies supplement remedies available under applicable law.

14.5 Severability. An invalid or unenforceable provision shall be severed to the extent permitted by law; the remainder stays effective.

14.6 Successors and third parties. This Agreement binds permitted successors and assigns, subject to Section 8. Except for protections expressly provided under Sections 9 and 10, it creates no third-party beneficiary rights.

14.7 Survival. Accrued rights and obligations survive expiration or termination, as do applicable provisions concerning payment, records and audit access, ownership and use of deliverables, confidentiality, continued insurance, indemnification, governmental immunity, transition, and disputes.

14.8 Counterparts and authority. This Agreement and amendments may be signed in counterparts and by electronic signature or scanned signature page. Each signer represents authority to bind the represented party. Electronic signatures do not authorize formal notice by email under Section 13.1.

15 Signatures

The parties approve this Agreement and the attached Exhibit A identifying the same Consultant.

MORGAN COUNTY	**BUILDING CODE SOLUTIONS, INC.**
By: _____	By: _____
Name: Matthew Wilson	Name: Cody Richards, CBO
Title: Morgan County Commission Chair	Title: Director of Client Services/ Senior Plans Examiner/Inspector
Date: 10/27/2026	Date: _____

Attest:

County Clerk: _____
Leslie A. Hyde

Date: 10/27/2026

Approved as to form:

County Attorney: _____
Garrett Smith

Date: 10/27/2026

EXHIBIT A
BCS SERVICES AND COMPENSATION

This Exhibit A is part of the Morgan County Building Inspection and Plan Review Agreement with Building Code Solutions, Inc. (BCS or Consultant), effective and approved with that Agreement. Agreement Section 1 governs authorization; the Agreement controls legal and administrative terms.

1 Services and qualifications

1.1 Plan review. BCS shall provide assigned electronic plan reviews, written findings, review of responses and revised documents, and notice when the documents reviewed appear to comply. Full reviews include structural, architectural, accessibility, mechanical, plumbing, electrical, and energy disciplines. International Fire Code (IFC) fire and life-safety reviews are separately assigned and priced. BCS shall obtain prior County approval to discuss findings and proposed corrections with applicants or their representatives, coordinate those communications with the Building Official, and provide review documents and reports to the County at BCS's expense under Agreement Sections 4 and 7.

1.2 Qualifications. Persons overseeing or completing plan examination shall hold ICC Building Plans Examiner certification. Persons overseeing or completing structural review shall also hold an appropriate Utah professional engineering license and have at least five years of relevant experience. Fire and life-safety reviewers shall be licensed fire protection engineers or ICC Certified Fire Plans Examiners, with any other license required for the assigned work. BCS shall maintain any required County business license.

1.3 Inspections and other services. BCS shall provide Utah-licensed, ICC-certified inspectors qualified in the assigned disciplines; inspect authorized work for compliance with approved construction documents and applicable codes; and provide the reports required by Agreement Section 4. BCS shall obtain prior County written approval before subcontracting any inspection or plan review. Remote inspections, permit issuance, and zoning administration are not authorized by this Exhibit. Special meetings, building-official support, and other miscellaneous services require a specific written assignment and agreed pricing.

2 Scheduling and review periods

BCS may decline new County assignments before acceptance but shall promptly confirm availability. Upon written acceptance, BCS shall meet the agreed scope and schedule. Qualifying applicant-selected inspections remain governed by Agreement Section 1.3.

For accepted assignments, standard initial plan reviews are due within 10 County business days after receipt of complete materials; follow-up reviews are due within 5. Accepted expedited reviews are due within 5 County business days for both initial and follow-up reviews. BCS shall promptly identify missing information or threatened delays. A different lawful schedule requires written agreement; these periods do not restart, extend, or pause statutory deadlines.

Inspection requests are due by 4:00 p.m. Mountain Time on the preceding County business day. BCS shall promptly confirm availability and the inspection date. Standard hours are Monday–Friday, 8:00 a.m.–5:00 p.m. Mountain Time, excluding County holidays. Off-hour service requires advance written authorization under Section 4.

3 Rates and plan-review fees

The following rates apply to authorized County assignments and qualifying applicant-selected inspections, subject to the billing rules below.

Service	Rate
Full plan review	60% of the County plan-review fee collected; includes the first three reviews
Hourly plan review, including authorized reviews after the third and separate IFC reviews	$120 per hour
Half-day inspections	$595 for up to 4 billable hours
Full-day inspections	$1,025 for more than 4 and up to 7 billable hours
Special-case or hourly inspections	$120 per hour plus one $140 trip fee under Section 4
Expedited plan review	150% of the applicable plan-review fee or hourly rate
Authorized off-hour inspections	150% of the applicable inspection rate under Section 4

3.1 Included reviews. The fixed fee covers the initial review and two follow-up reviews. Before a fourth or later review, BCS shall notify the County and obtain written authorization for additional review time at $120 per hour. Correcting BCS's own deficient Services remains at BCS's expense under Agreement Section 3 and does not consume an included review or justify an extra charge.

3.2 Scope and fee changes. The County shall identify whether a full or discipline-specific review is requested and confirm the collected plan-review fee used for the percentage calculation. The percentage does not apply to the entire building-permit fee. For projects valued over $5 million, either party may request a negotiated fee. Partial reviews, unpriced miscellaneous services, or a change from fixed-fee to hourly billing require a signed scope-and-price amendment before the affected work. BCS may propose a change if it considers the fixed fee insufficient, but may not change the billing basis unilaterally or retroactively.

3.3 Expedited review. Expedited review requires County written authorization and BCS's written acceptance of the schedule and price before work. The multiplier produces a 90% fee for a percentage-priced full review or $180 per hour for an hourly review; it does not impose both charges on the same work. Included review cycles remain as stated in Section 3.1.

3.4 Rate duration. The listed rates remain fixed for the first two years if the Agreement continues. The parties shall review rates annually thereafter; a review or renewal does not change rates without a signed amendment under Agreement Section 14.2. Agreement Section 2 continues to govern the one-year term and renewals.

4 Inspection billing and reservations

4.1 Billing basis. The County and BCS shall confirm the day-block or special-case hourly basis before a County booking. For qualifying applicant-selected work, BCS shall identify the scheduled work and applicable listed billing basis to the County; separate discretionary assignment approval is not required. Additional inspectors for County-requested work require prior written County approval.

4.2 Included time. Actual reasonable billable time includes travel from the identified operating base to the first site, travel between sites, return travel, on-site inspections, and necessary documentation and reporting. BCS shall identify its operating base before work and notify the County of changes. Travel and reporting count within the four- and seven-hour thresholds and are not added as separate hourly charges to a day block. Ordinary mileage and trip charges are included in day-block rates.

4.3 Day blocks and extra hours. Aggregate day-block time for each inspector on the same day: one $595 half-day charge applies through four hours; one $1,025 full-day charge applies above four through seven hours. Do not charge separate blocks for individual permits or inspections, duplicate shared time, or combine block and hourly charges for the same time. Time beyond seven hours is billed only for the excess time at $120 per hour during standard hours, subject to Section 4.5 for approved off-hour work. County-requested excess time requires advance written County authorization; qualifying applicant-selected work remains subject to Agreement Section 1.3.

4.4 Special-case hourly inspections. The $120 hourly rate applies to actual billable time under Section 4.2. One $140 trip fee applies per inspector's authorized round trip, regardless of the number of sites or permits served during that trip. The trip fee does not apply to a day block. No additional hourly minimum is imposed.

4.5 Off-hour work. The 150% inspection multiplier applies only to off-hour work requested and approved in writing by the County before performance and accepted by BCS. For a block containing both standard and off-hour work, prorate the premium to the off-hour portion based on actual covered hours. The multiplier does not increase trip fees, expense reimbursements, or cancellation fees. BCS's choice to work outside standard hours does not itself authorize a premium.

4.6 Cancellation. If the County cancels a reserved half-day or full-day block less than 24 hours before its scheduled start, BCS may charge up to 50% of the reserved block rate ($297.50 or $512.50) only to the extent the reserved time cannot reasonably be reassigned to other paid work. BCS shall document the reservation, cancellation, and basis for the charge. No fee applies when BCS cancels or cannot perform, cancellation results from BCS's breach, or the County did not reserve a solely applicant-arranged inspection. Cancellation is communicated through the agreed scheduling method. A cancellation charge may not duplicate payment for the same time and creates no charge for future unreserved work.

5 Invoices and expenses

5.1 Monthly invoices. BCS shall invoice at the beginning of each month for the preceding month's work, unless the County requests another cycle. Invoice detail, disputed charges, and payment timing are governed by Agreement Section 6; inspection invoices shall identify the applicable block or hourly basis, actual time, premiums, trip fees, and approved expenses. Statutory inspection payments require the completed inspection report.

5.2 Percentage-fee billing. The percentage plan-review fee may be invoiced after BCS completes the initial review and delivers its written findings and supporting review documents to the County. Payment does not relieve BCS of the included second and third reviews. If the review is terminated or transferred before included work is completed, the final charge for the included reviews shall reflect work actually performed, shall not exceed the agreed fixed fee, and shall include a refund or credit for any unearned payment. Separately authorized additional reviews remain payable under Section 3.

5.3 Reimbursable expenses. Rates include ordinary personnel costs, equipment, supplies, administration, and overhead. Extraordinary travel or miscellaneous expenses require advance written County approval identifying the expense and a not-to-exceed amount. Approved mileage is reimbursed at the IRS standard business mileage rate in effect on the travel date; other approved expenses are reimbursed at documented actual cost without markup. No expense may duplicate an amount included in a block or trip fee or charged to another client.

5.4 Credit cards. The County may pay by check or ACH without a processing fee. If the County elects to pay by credit card after written disclosure of the charge, BCS may add 3% of the invoice amount paid by card. No processing fee applies to amounts paid by other methods.

6 Contacts and notices

County contact: Dustan Little, Building Official
Morgan County
48 W. Young Street, P.O. Box 886
Morgan, Utah 84050
Email: dlittle@morgancountyutah.gov

Consultant contact: Cody Richards, CBO
Director of Client Services/ Senior Plans Examiner/Inspector
Building Code Solutions, Inc.
11757 Sun Tea Way
South Jordan, UT 84009
Office: (801) 403-8152
Email: Cody@bcscodegroup.com
Mobile: (435) 760-5586
www.BCS.com

Formal notices and changes to notice contacts must comply with Agreement Section 13.1, including the County Attorney courtesy copy. BCS shall provide its day-to-day scheduling contacts and submission instructions before accepting work.

BCS
BUILDING CODE SOLUTIONS

Innovative Code Compliance for the Modern World

Morgan County RFP
Issued March 23, 2026

Plan Review and Inspection Services



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Cover Letter

Morgan County's continued growth and increasing permit activity require plan review and inspection services that are responsive, consistent, and technically sound. BCS is pleased to submit this proposal to provide professional plan review and building inspection services in support of the County's ongoing needs.

Our team is experienced in delivering contract services to jurisdictions with growing workloads, providing both residential and commercial plan review and inspection services in accordance with the currently adopted International Codes and State of Utah Amendments. We understand the importance of timely service and are prepared to meet the County's expectations for review turnaround times, inspection response, and clear communication with staff, contractors, and residents.

BCS is structured to function as a reliable extension of the Building Department. Our approach emphasizes consistency in code application, responsiveness to requests, and coordination with County staff to support efficient project progression while maintaining compliance and public safety. We are also experienced in working within established reporting systems and providing accurate, detailed documentation and billing.

We have enjoyed working with Morgan County over the past few years and appreciate the opportunity to submit this proposal and look forward to the possibility of continuing to support Morgan County.

Cody Richards, CBO



Project Manager / Lead Inspector
Building Code Solutions

PRIMARY CONTACT

Cody Richards, Lead Inspector
11757 S. Sun Tea Way
South Jordan, Utah 84009
Email: cody@bcscodegroup.com
Phone: (435) 760-5586

www.bcscodegroup.com

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2 Company Information

Building Code Solutions, Inc. (BCS) provides professional building code plan review, inspection, and building department support services to jurisdictions throughout the United States. BCS was founded in 2024; however, each member of our team brings decades of experience in the building safety industry, including service as building officials, plans examiners, inspectors, and department leaders.

BCS is structured to serve as an extension of local building departments, providing reliable and scalable support based on each jurisdiction's needs. Our services include comprehensive plan review across all disciplines (architectural, structural, mechanical, plumbing, electrical, energy, accessibility, and fire/life safety), field inspection services, and broader departmental support such as process improvement, permitting assistance, and staff development.

Our team has experience supporting nearly two hundred jurisdictions nationwide, ranging from small communities to large and complex metropolitan agencies. BCS is equipped to support routine permitting activity while also providing the depth of expertise needed for complex reviews, including access to licensed professional engineering services for structural and specialty review.

Experience **Credentials** **Innovative Solutions** **Happy clients**



2 Company Information *(cont.)*

In addition to technical services, BCS provides code training and education to building departments, design professionals, and contractor organizations. Through both in-person instruction and online training platforms, we support ongoing professional development and help jurisdictions maintain consistency in code application and enforcement.

BCS operates with a core team of 5 experienced professionals supported by additional qualified staff available on an as-needed basis. This structure allows us to provide responsive service, meet required timelines, and adapt to fluctuations in workload while maintaining a high level of quality and consistency.

BCS ELITE

We offer some of the best training in the industry, including an on-demand library of classes and in-person training!

BCS is headquartered in South Jordan, Utah, and provides services throughout Utah and surrounding states. Our team is experienced in working within local government processes, coordinating with staff and stakeholders, and delivering services that support efficient project progression while maintaining compliance with adopted codes and standards.



3 Firm & Staff Qualifactions

Building Code Solutions, Inc. (BCS) provides highly qualified personnel with extensive experience in building code plan review, inspection services, and building department operations. Our team consists of certified building officials, plans examiners, inspectors, and licensed engineering professionals with decades of combined experience serving jurisdictions throughout Utah and across the United States.

BCS meets and exceeds the qualifications outlined in this Request for Proposal. Our staff includes International Code Council (ICC) Certified Building Officials, Certified Plans Examiners, and Combination Inspectors with multiple discipline-specific certifications. BCS also provides access to a licensed Professional Engineer in the State of Utah for structural plan review, ensuring the capability to address both routine and complex projects.

Our team has broad experience in both residential and commercial plan review and inspection services, ranging from single-family construction to large-scale commercial and institutional developments. This experience allows BCS to efficiently manage typical permitting workloads while also providing the technical depth required for more complex projects.



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3 Firm & Staff Qualifacations *(cont.)*

In addition to technical expertise, BCS personnel bring significant experience in building department leadership and operations. Our team has served in roles responsible for policy development, permitting processes, staff management, and code enforcement, allowing us to integrate seamlessly with County staff and support overall departmental efficiency.

BCS is structured to provide both depth and flexibility. Our staff is cross-trained in multiple disciplines, giving us adaptability based on workload and County needs at any given time. In addition, our core team is supported by additional qualified professionals available as needed, allowing us to respond to workload demands while maintaining required timelines and service levels.

Collectively, BCS offers the experience, certifications, and staffing necessary to provide reliable, consistent, and technically sound services in support of Morgan County's building department operations.

KEY PERSONNEL SNAPSHOT

NAME	ROLE	KEY STRENGTH
Cody Richards	PM / Lead Inspector	• Operations leadership and client coordination
Chris Kimball	Lead Engineer	• Structural expertise and complex plan reviews
George Williams	Lead Plans Examiner	• Building department operations and code expertise
Brittany Allen	Training / Plans	• Permitting systems and training development
Layne Western	Sr. Plans Examiner	• 30 years BO experience and department leadership

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② Approach and Methogology

Building Code Solutions, Inc. (BCS) provides plan review and inspection services through a structured, responsive, and team-based approach designed to support Morgan County's workload demands while maintaining consistency, efficiency, and high-quality service.

BCS operates as an extension of the County's Building Department, aligning with established processes, communication protocols, and service expectations. Our approach emphasizes responsiveness, clear communication, and consistent application of adopted codes to support timely project progression and public safety.

Plan Review Approach

BCS provides comprehensive plan review services across all required disciplines, including building, structural, mechanical, plumbing, electrical, energy, and accessibility. Plan reviews are conducted using a consistent and thorough process to ensure accuracy, clarity, and constructability. Review comments are clearly documented and organized to assist applicants in efficiently addressing corrections. Our team structure allows multiple qualified plan examiners to support review efforts, ensuring that required turnaround times for residential and commercial projects are consistently met.

Initial commercial plan reviews are completed within 10 business days and all residential and follow-up reviews are completed within 5 business days. BCS can integrate with the intake systems currently in place, or we can coordinate with applicants directly for intake of plans and documents based on the preferences of the County. As a company, we can accommodate all types of electronic reviews and documents and forms. Our goal is to make the plan review process as seamless as possible, helping the County avoid mundane and repetitive tasks and saving your staff time for other responsibilities.



2 Approach and Methogology *(cont.)*

Inspection Service Approach

BCS provides prompt and reliable inspection services, coordinating closely with County staff and contractors to ensure inspections are completed within required timeframes. Inspection coverage can be permanently scheduled for long-term expectations or can be scheduled on an as-needed basis with 24-hour notice. BCS staff have the electronic equipment to complete scheduling and reporting in the field. Our staff has experience with Civic Review and have previously worked for Morgan County as a third-party inspector.

Inspection results are clearly communicated, with an emphasis on providing practical guidance that supports compliance while minimizing unnecessary delays. Our goal is to maintain consistency in enforcement while fostering positive working relationships with contractors and stakeholders.

Responsiveness & Communication

BCS prioritizes responsiveness in all aspects of service delivery. Our team is structured to provide timely plan reviews and inspections, supported by clear and consistent communication with County staff, applicants, and contractors. We are experienced in working within permitting systems and providing accurate documentation and reporting as required.

A designated point of contact will be maintained to ensure accountability and streamlined coordination. Our team works collaboratively to address questions, resolve issues, and support project progression in a timely manner.



- **Worked with Morgan County Previously**
- **Experience with Civic Review**
- **Understand Current Projects like WPR**

3 Fee Schedule

BCS has provided the following Table of Fees to outline proposed rates for plan review and inspection services. Our fee structure is designed to be transparent, competitive, and aligned with the scope of services identified in this proposal. Fees will generally be billed using the fixed fee rates. In some unique circumstances, hourly rates may apply.

Fixed rates for plan review include the initial plan review and 2 follow-up reviews. Inspection half-day and full-day rates include all costs, including travel to and from the jurisdiction and mileage within the jurisdiction. The half-day rate includes up to 4 hours of inspection time and the full-day rate includes up to 8 hours of inspection time. Invoices would be sent on a monthly basis for all work performed within a month.

TABLE OF BILLING RATES	
FIXED FEE RATES	
Plan Review	60% of Plan Review Fee
Half Day Inspections	$595
Full Day Inspections	$1,025
HOURLY RATES	
Plans Examiner	$120/HR
Expedited Reviews	$180/HR
Combination Inspector	$120/HR
Building Official Services	$150/HR
MISCELLANEOUS CHARGES	
Mileage	Current IRS Rates
Reimbursable Expenses	Actual Cost

Appendix A

Ⓐ Resumes

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Chris Kimball, PE, FPE, MCP, CBO	11
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Contact

- chris@bcscodegroup.com
- (801) 682-5031
- 11757 S. Sun Tea Way
  South Jordan, Utah 84009

Education

- **Utah State University**
  Master of Engineering - Structural Emphasis
  Completed in 2001
- **Utah State University**
  Bachelor of Science - Civil Engineering
  Completed in 2000

Licenses

- Utah 4775874-2203 (Structural/Civil/FPE)
- Utah 4775874-5601 (Comb. Inspector)
- Washington 53117 (Civil/FPE)
- California 67857(Civil)
- California 2343 (FPE)
- Nevada 019503 (Civil/FPE)
- Arizona 48503 (Civil)

Certifications

- ICC Certified (#5309944):
- Master Code Professional
- Certified Building Official
- Certified Fire Code Official
- Combination Plans Examiner
- 4-Way Commercial Inspector
- 4-Way Residential Inspector
- Accessibility Inspector/Plans Examiner
- Building Code Specialist
- Fire Code Specialist
- Mechanical Code Specialist
- Plumbing Code Specialist
- Electrical Code Specialist
- Fire Plans Examiner
- Fire Inspector I & II

+Numerous more ICC Certifications

Chris Kimball

Lead Plan Review Engineer

Profile

Mr. Kimball is a licensed civil, structural and fire protection engineer as well as an International Code Council (ICC) Master Code Professional. He is certified by ICC as a building official, fire code official, combination plans examiner, combination building inspector, and more. He received his master's degree with an emphasis in structural engineering and currently serves as the President of Building Code Solutions, Inc. Chris has performed plan reviews for thousands of projects and is an approved ICC instructor who regularly provides code training to building officials, design professionals, and contractor organizations throughout the United States. He is also the author of numerous code publications.

Work Experience

2024 - Present
Building Code Solutions, Inc. (BCS)
President / Lead Plan Review Engineer
Oversees and performs many of the building and fire plan reviews conducted by BCS. Develops and provides fire and building code training.

2009 - 2024
West Coast Code Consultants, Inc.
Vice President
Oversaw the plan review and inspection services provided by numerous WC³ offices, including management of the fire plan review team. Accountable for the complete fire and building plan reviews of projects seeking a building permit to ensure that designs are safe and in compliance with adopted codes.

2005 - 2009
Kimball Engineering, P.C.
President / Owner
Provided structural and complete plan review services to local jurisdictions throughout Utah, Arizona, Nevada, and Wyoming. Often provided building code training to numerous ICC, design professional, and contractor organizations.

2005 - 2007 Salt Lake City Corporation
Structural Plans Examiner
Performed structural review of plans, specifications, calculations, and engineering reports to ensure compliance with the adopted building codes. Met with permit applicants, design professionals, and contractors to discuss projects during the design-development stage and throughout the construction process.

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Chris Kimball

(801) 682-5031 chris@bcscodegroup.com www.bcscodegroup.com

Awards

- California Association of Building Officials - *Educator of the Year, 2021*
- Beehive Chapter of ICC
  Hugo Service Award, 2019
- Structural Engineers Association of Utah
  Engineer of the Year, 2014
- Utah Chapter of ICC
  Industry Award for Excellence 2022, 2014 & 2010
  Chapter Education Award 2026, 2021, 2019, 2015
- International Code Council
  Approved Instructor
- ICC Evaluation Services
  Board of Managers, 2025-2027

Publications

- Thornburg, D., Kimball, C. 2021 International Building Code Illustrated Handbook, International Code Council (2022).
- Thornburg, D., Kimball, C., Bracken, W. 2018 International Building Code Illustrated Handbook, International Code Council (2018).
- Kimball, C. 2018 International Existing Building Code Handbook, McGraw-Hill Education (2019).
- International Code Council. 2024 International Existing Building Code Commentary, International Code Council (2024).
- International Code Council. 2021 International Existing Building Code Commentary, International Code Council (2021).
- Kimball, C. Building Official's Expectations, Structure Magazine (April 2017).
- Kimball, C. How Familiar are You with the IEBC?, Structure Magazine (November 2016).

Sample Project Experience

BROADWAY BLOCK – *San Diego, CA*

This exciting project encompasses one entire block in downtown San Diego. It includes an eight-story level podium which supports a 41-story tower as well as a 20-story tower. It has a total floor space of 720,000 square feet with 617 residential units and ground-floor retail and commercial space. The project follows a performance-based seismic design approach following the Tall Buildings Initiative, "Guidelines for Performance-Based Seismic Design of Tall Buildings". Mr. Kimball served as a member of the seismic peer review team as well as the structural reviewer on behalf of the city.

CITY CREEK CENTER – *Salt Lake City, UT*

This development encompasses three city blocks in downtown Salt Lake City. It includes four levels of below-grade parking, a large podium area, five residential high-rises, over 90 retail stores, with a closed or open-air skylight. The construction valuation was over 2 billion dollars and work occurred over a five-year span. The project followed a performance-based structural design approach. Mr. Kimball oversaw the structural peer review committee and performed the structural plan reviews for each phase of the project on behalf of the city.

APPLE CAMPUS – *Cupertino, CA*

Mr. Kimball was involved from the very beginning and through the end of this exciting project. The company he worked for was selected to perform complete plan review services on behalf of the city for the main building and central plant for this $5+ billion project. The main campus building is four-stories and houses 2.8 million square feet of office, research, fitness, theater spaces and more. It incorporated numerous alternate means and methods as well as performance-based design approaches.

UCSD HILLCREST CAMPUS REDEVELOPMENT – *San Diego, CA*

Mr. Kimball performed the fire & life safety reviews for both Phase 1 and Phase 2 of the UCSD Hillcrest Campus Redevelopment project. This exciting project encompasses roughly 60 acres in central San Diego. Phase 1 had an estimated construction cost of $2.5 billion and included a 255,000 SF, 6-story outpatient pavilion; a 10-level parking structure that provides 1,850 parking spaces; a central utility plant; and significant site improvements. Phase 2 includes a multipurpose clinical research building that will provide 135,000 SF of clinical research, administrative space, retail, childcare, community wellness and parking.

DANNON ASRS – *West Jordan, UT*

This project consists of a rack-supported structured that has a 30,000 SF footprint and is 100-feet in height. The building is non-occupied, and the racking incorporates an automated storage and retrieval system (ASRS) that can store more than 7,000 pallets. The racking was fabricated in Germany and required fabricator approvals and construction industry conversions. Mr. Kimball performed all necessary structural plan reviews of this project on behalf of the city.

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Contact

- george@bcscodegroup.com
- (801) 403-8152
- 11757 S. Sun Tea Way
  South Jordan, Utah 84009

Education

- **Brigham Young University**
  PhD - Civil Engineering
  Expected Graduation of Winter 2027
- **Brigham Young University**
  Master of Science - Construction Mgmt.
  Completed in 2015
- **Weber State University**
  Bachelor of Science - Construction Mgmt.
  Completed in 2008

Licenses

- Utah 6048299-5601 (Comb. Inspector)

Certifications

- ICC Certified (#5264297):
- Master Code Professional
- Certified Building Official
- Commercial Combination Inspector
- Residential Combination Inspector
- Building Plans Examiner
- Plumbing Code Official
- Plumbing Plans Examiner
- Mechanical Code Official
- Mechanical Plans Examiner
- Commercial Energy Inspector
- Commercial Energy Plans Examiner
- Res. Energy Inspector/Plans Examiner
- Accessibility Insp./Plans Examiner
- Housing Code Official
- IAPMO Plumbing Code Plans Examiner
- IAPMO Mechanical Code Plans Examiner

+Numerous more...

George Williams

Co-Founder / Lead Plans Examiner

Profile

Mr. Williams has worked as a consultant for numerous jurisdictions in Utah, Nevada, Washington, California, Wyoming, and North Dakota. His consulting experience has included the initial start-up of multiple building departments. This included the adoption of codes, implementation of permitting processes, and the development of policies and procedures. Mr. Williams holds a masters degree in construction management and has numerous International Code Council (ICC) and IAPMO certifications including that of Master Code Professional and Certified Building Official. He has authored numerous publications on behalf of ICC, including: Plumbing Code Essentials, the 2021 IPC Study Companion, 2021 IFGC Study Companion, 2021 IPC Commentary and 2024 PMG Significant Changes.

Work Experience

2024 - Present
Building Code Solutions, Inc. (BCS)
CFO / Lead Plans Examiner

Provides comprehensive commercial and residential plan review services. Develops and provides building code training. Oversees BCS financials.

2014 - 2024
West Coast Code Consultants, Inc.
Senior Plans Examiner / WC3 Academy Director

Provided plan reviews and inspection services for a variety of commercial projects. Specialized in numerous code disciplines including, building, mechanical, plumbing, electrical, accessibility, energy, and green codes. Familiar with the International and Uniform codes, as plan review and inspection work encompassing numerous municipalities in multiple states. Regularly responsible for overseeing code compliance and inspection of large-scale state-owned buildings; including oversight of special inspection firms.

2005 - 2014
Forsgren Associates
Building Official / Inspector

Developed, maintained, organized, and oversaw building departments for various municipalities as a contract building official. Responsible for all aspects of building department administration, including creating policies and procedures, commercial/residential plan reviews, calculating permit fees, meeting with design teams, performing field inspections, reviewing special inspection reports, interpreting codes and local ordinances, and other tasks.
Responsible for managing daily field inspections.

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George Williams

(801) 403-8152 george@bcscodegroup.com www.bcscodegroup.com

Awards / Affiliations

- Beehive Chapter of ICC
  Past President, Vice President, Member
- Utah Chapter ICC
  Chapter Service Award, 2016
- Utah Chapter ICC
  Education Award, 2019
- Beehive Chapter "Hugo" Award, 2023
- IAEI Utah Chapter - Member
- Eagle Scout - 1998

Publications

- Plumbing Code Essentials: Based on the 2021 International Plumbing Code; *Author/Editor on behalf of the International Code Council (ICC).*
- 2021 IPC Study Companion, 2021 IFGC Study Companion, 2021 IPC Commentary, 2024 PMG Significant Changes; *Additional written and visual content, editing, updates and revisions, including text, figures, code tables, questions, and answers, etc.*
- **Graduate Thesis:** (2015) Assessing the Repercussions of a Mass Departure of Building Inspectors from the Code Professional Industry. *Brigham Young University, Provo, Utah.*
- **Article:** (2015) Construction Challenges Associated with the Sudden Population Growth in the Willison Basin Oil Boom; *Presented at ASC Annual International Conference, College Station, TX: Associated Schools of Construction.*
- **Article:** (2019) Understanding the Impacts of the Aging Population of Code Professionals in Utah; *Presented at ASC Annual International Conference, Denver, CO: Associated Schools of Construction.*

Sample Project Experience

- **SLCC Westpointe Campus** – *Salt Lake City, UT*
  The SLCC Westpointe Workforce Training & Innovation Center is a 121,000 square foot career and technical education center. The state of the art facility provides educational labs and programs for Composites Technology, Diesel Service Technician, Diesel Service Technician and Driver, Diesel Systems Technology, Electronics Engineering Technology, Electronics Engineering Technology, Manual Machinist, Plastics Injection Molding Technology, Professional Truck Driving (CDL), Solar Photovoltaic Sales & Installation, Web Development and Website Design, Welding Technology/Fabrication/Inspection.

- **Utah State Correctional Facility** – *Salt Lake City, UT*
  BCS staff were integrally involved in the new Utah State Correctional Facility (USCF) which officially began operations in July 2022. The facility resides on 200-acres, includes 33 buildings, includes a total building area of 1,300,000 square feet, and accommodates 3,600 inmates of all classifications. With dedicated units for both females and males, the facility also includes mental health housing, substance abuse treatment, medical facilities, classrooms, a kitchen, laundry, religious spaces, and room for future expansion.

- **META (FACEBOOK) DATA CENTERS** – *Eagle Mountain, UT*
  BCS staff assisted with providing both plan reviews and building inspections for the Meta Data Center campus located in Eagle Mountain, Utah. This facility covers roughly 500 acres, includes multiple substations, and is well over 3 million square feet. The total construction cost was over $ 3 billion. The site required significant ground improvement prior to commencing construction. Inspections were performed for the overall facility, including the switchyards, roadways, and other improvements.

- **UPPER WEST APARTMENTS** – *West Jordan, UT*
  Upper West is a modern, transit-oriented multifamily community at Jordan Valley Station. All apartment units have designer fixtures and integrated smart home technology. A luxury courtyard pool and spa are adjacent to relaxing indoor community areas. The cybercafe is perfect for getting work done in peace. A covered deck on the rooftop spans the corner of the top floor and is designed to offer year-round enjoyment. There's a 15,000-square-foot fitness center, parcel lockers, bike and ski storage, and a beautiful dog park and pet spa.

- **DAYBREAK FIELD** – *South Jordan, UT*
  Daybreak Field will be the new home of the Salt Lake Bees and is a multi-level ballpark having a seating capacity for approximately 6,500 fans, with modern premium spaces that include field-level VIP suites and stunning views of the Wasatch Mountain Range. The field is located within a new entertainment district set to be the center of a new community hub, offering proximity to
  shops, restaurants, concerts, and more!

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Layne Western

Senior Plans Examiner

Contact

- layne@bcscodegroup.com
- (801) 870-4302
- 11757 S. Sun Tea Way
  South Jordan, Utah 84009

Education

- **Salt Lake Community College**
  Classes in Electrical Plan Review
  1999

Licenses

- Utah 291964-5601 (Comb. Inspector)

Certifications

- ICC Certified (#0870413):
- Certified Building Official
- Building Plans Examiner
- Building Code Specialist
- Combination Inspector
- Commercial Combination Inspector
- Building Inspector
- Electrical Inspector
- Mechanical Inspector
- Plumbing Inspector
- Residential Energy Inspector/Plans Examiner
- Combination Inspector - Legacy
- Mechanical Inspector UMC
- Plumbing Inspector UPC

Profile

Mr. Western has worked in the building safety industry for more than 30 years. He has served as a building inspector, a plans examiner and as a building official for numerous jurisdictions and now as a third-party consultant. Mr. Western is well-respected in the industry and has served on numerous Chapter boards including at the national, regional, and local level for the International Alliance of the Electrical Industry (IAEI). Those that have worked with him are amazed at his positive attitude, code knowledge, and ability to find common ground with permit applicants without waiving necessary code requirements. Mr. Western is also an accomplished instructor, helping people to understand the basics of the code with never-ending enthusiasm.

Work Experience

2026 - Present
Building Code Solutions, Inc. (BCS)

Director of Business Dev. / Senior Plans Examiner

Provides comprehensive commercial and residential plan reviews. Responsible for BCS marketing and growth efforts. Develops and provides building code training.

2022 - 2025
West Coast Code Consultants, Inc.

Client Management / Senior Plans Examiner

Responsible for ensuring compliance with client policies and procedures. Review building plans, engineering and specifications for compliance with the currently adopted IBC, IFC, IMC/UMC, IPC/UPC, IECC, IEBC, NEC and local amendments. Manage and maintain plan review comments and reports in client software. Perform reviews on a wide variety of projects including multi-family, commercial, industrial, retail, office and hazardous occupancies. Worked to maintain good relationships with clients and create new business.

1996 - 2022
City of West Jordan

Building Official / Plans Examiner / Inspector

Responsible for all aspects of the Building Department. Managed a 10-member team of permit techs, plan reviewers and inspectors. Provide and organize training for the division. Prepare and maintain reports for revenue, daily permit and inspection activity. Interpret, explain and ensure compliance with city policies and procedures. Manage, design and maintain programs used for permitting and reports. Perform plan reviews and inspections. Performed post fire inspections. Worked in conjunction with the Fire Marshal.

BCS
BUILDING CODE SOLUTIONS

Layne Western

(801) 870-4302 layne@bcscodegroup.com www.bcscodegroup.com

Awards / Affiliations

- Utah Chapter of ICC
  Member, 1998-Present
- International Alliance of the Electrical Industry (IAEI)
  Board Member, 2012-2014
  Board Member, 2020-2022
- Northwestern Section of IAEI
  President, 2010-2011
  Treasurer, 2012-Present
- Utah Chapter of IAEI
  Member, 1998-Present
  Treasurer, 1999-Present
  President, 2008-2009
- Utah Association of Building Officials (UABO)
  President, 2023
  Member, 2017-Present
- Utah Association of Plumbing & Mechanical Officials (UAPMO)
  Member, 1998-Present
- Utah Chapter IAEI
  Gaylen Rogers Award, 2001-2002
- Northwestern Section of IAEI
  Spirit Award, 2024
- City of West Jordan
  Employee of the Quarter, 2012



Kozo House Apartments

Sample Project Experience

AMAZON FULFILLMENT CENTER – *West Jordan, UT*
The Amazon Fulfillment Center is a 1 Million square foot facility with a 300,000 square foot 3-story mezzanine used for storage, packaging, receiving and transfer of merchandise. This location links inland rail ramps and Rocky Mountain distribution hubs with consumer markets across Utah, Idaho, Nevada, and the broader Intermountain region, helping carriers maintain predictable appointments, efficient dock turns, and reliable east–west and north–south linehauls.

QTS DATA CENTERS – *Eagle Mountain, UT*
QTS Eagle Mountain II consists of 5 buildings that are approximately 500,000 square feet each. This site will be a state-of-the-art data center located in the burgeoning tech hub of Eagle Mountain, Utah. This facility is part of a fiber-rich region known for its low risk of natural disasters, making it an ideal location for secure and reliable data storage and management. The data center is designed to accommodate rapid, large-scale deployments, offering customizable space and power to meet the needs of diverse clients. With plans for over 650 MWs of critical power capacity, QTS Eagle Mountain II is set to become one of the most flexible and efficient data center builds in the Intermountain West.

KOZO HOUSE APARTMENTS – *Salt Lake City, UT*
Kozo House is a 5-story apartment building building above a 2 story parking garage. This building features a luxury courtyard, swimming pool and large outdoor gathering area on the first floor that is surrounded by the apartments and open to the sky. This building has a tree house that is accessed from the fourth floor and overlooks the courtyard. On the sixth floor you can find a large outdoor area and community rooms that offer a unique experience for the tenants.

DANNON YOGURT – *West Jordan, UT*
This facility is approximately 160,000 square feet. Dannon produces over 100 million pounds of yogurt annually in West Jordan, Utah. The facility processes 125,000 gallons of raw milk per day. The plant can increase yogurt production from 145 tons to 242 tons annually, with further expansion capabilities up to 500 tons. This facility was originally completed in 1996 with add-on additions consisting of about 35 permits including their own waste processing facilities.

JORDAN LANDING – *West Jordan, UT*
Jordan Landing is a master-planned development located in the center of West Jordan, Utah. Its 500-acre size, containing 1,400,000 square feet of retail space, 1,200 residential units, and 1,500,000 square feet. Some of the large reviews consisted of Sears Grand, Walmart Supercenter, Sam's Club, Target, Best Buy, Lowe's, three hotels, a 100,000 square foot 3-story Mountain America Credit Union Headquarters, many professional office buildings and multiple other retail centers and restaurants.

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Brittany Allen

Senior Plans Examiner

Contact

- brittany@bcscodegroup.com
- (801) 512-7398
- 11757 S. Sun Tea Way
  South Jordan, Utah 84009

Education

- **Southern Utah University**
  Master of Public Administration
  Completed in 2014
- **University of Utah**
  Bachelor of Science - Psychology & Business
  Completed in 2007

Licenses

- Utah 10992261-5602 (Limited Inspector)

Certifications

- ICC Certified (#5264297):
- Building Plans Examiner
- Residential Plans Examiner
- Commercial Energy Plans Examiner
- Residential Energy Inspector/Plans Examiner
- Residential Building Inspector
- Residential Plumbing Inspector
- Permit Technician
- Commercial Energy Inspector
- Accessibility Inspector/Plans Examiner

Profile

Mrs. Allen is a seasoned building safety and development professional with over 20 years of experience in code compliance, permitting, and plan review. She currently serves as both a senior plans examiner for BCS and as the Director of Training and Education. Mrs. Allen holds a masters degree in Public Administration, is a certified ICC plans examiner and inspector, and is an experienced building plans examiner. She oversees BCS Elite, a web-based building and fire code training platform that provides self-paced code training to building safety professionals throughout the United States. Mrs. Allen is often asked to provide in-person training to local ICC Chapters and constantly gives back to the industry by serving on the Board of Directors for numerous organizations.

Work Experience

2026 - Present
Building Code Solutions, Inc. (BCS)

Director of Training / Senior Plans Examiner

Provides comprehensive commercial and residential plan reviews. Develops and provides building code training. Oversees BCS Elite, an online building and fire code training platform.

2019 - 2025
West Coast Code Consultants, Inc.

WC³ Academy Manager / Residential Supervisor

Administrator for the company's learning management system that has over 8,000 users. Created and taught building code courses. Performed residential plan reviews for multiple clients through the United States. Trained new hires to become residential plans examiners. Oversaw the residential plan review workload for the Utah Region of the company. Point of contact for multiple clients throughout the western United States.

2003 - 2019
Salt Lake County Planning & Development Services

Associate Division Director

Supervised the day to day operations and employee needs of Planning & Development Services. Oversaw the permitting, inspections, business licensing, planning, zoning, and code enforcement sections of the division. Assisted in preparing and administering the division's budget. Acted as Business License Official for the division. Provided guidance to metro townships, contract cities, and the unincorporated County to ensure government leaders are maintaining compliance with state laws and local ordinances. Tracked legislation and was actively involved in the legislative process. Prior to becoming Associate Director served as the Permitting & Licensing Supervisor for 6 years after 7 years of working as a Permit Technician.

BCS
BUILDING CODE SOLUTIONS

Brittany Allen

(801) 512-7398 brittany@bcscodegroup.com www.bcscodegroup.com

Awards / Affiliations

- Utah Chapter of ICC
  President, 2020-2022
  Treasurer, 2023-Present
  Board Member, 2014-2023
  Secretary, 2011-2014
  Member, 2011-Present
  Permit Technician Award, 2014
  Past President Award, 2023
  Jess M. Miller Award, 2026
- Region XI of ICC
  Treasurer, 2020-Present
- Utah Chapter of ICC - Permit Technician Committee
  Chairperson, 2011-2012
  Committee Member 2010-2024
  Past Chair & Historian, 2012-2024
- Utah Business License Association
  President, 2016-2018
  Board Member, 2014-2019



The Springs at Coyote Ridge



Jordanelle Ridge

Sample Project Experience

The Springs at Coyote Ridge – *Heber , UT*
Completed plan reviews for The Springs at Coyote Ridge, a luxury townhome development. The project consists of 20 luxury townhome buildings, featuring a mix of 4-unit, 5-unit, and 6-unit configurations. The community offers various 3-, 4-, and 5-bedroom floorplans.

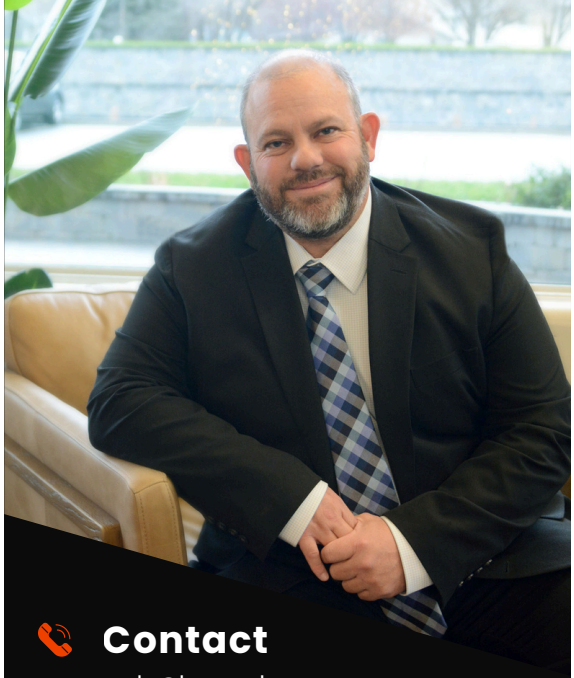
Jordanelle Ridge – *Heber , UT*
Conducted plan reviews for the Jordanelle Ridge townhome development, a prominent residential project in one of the fastest-growing markets in the greater Park City region. The development includes 67 three-unit townhome buildings executed over two phases and incorporates four distinct three-bedroom floorplans throughout the community.

Teton County, WY
Performed comprehensive plan reviews for hundreds of custom residential projects throughout Teton County, Wyoming. Reviews encompassed a wide range of structures, including accessory dwelling units, garages, workshops, barns, and large-scale luxury residences. Many of the larger projects incorporated highly specialized and uncommon residential features, such as private bowling alleys, indoor gun ranges, full-size indoor sports courts, and multi-story garages, requiring detailed coordination and advanced code analysis.

Las Vegas, NV
Completed plan reviews for a wide variety of residential projects in the City of Las Vegas, Nevada. The scope of work included single-family homes, casitas, guest-homes, caretaker units, and other accessory dwelling units. Reviews required close coordination with local jurisdictional requirements and careful evaluation of building systems, life-safety considerations, and code compliance to support efficient permitting and successful construction.

Weber County, UT
Conducted detailed plan reviews for a broad range of residential projects across Weber County, Utah. These reviews included custom single-family homes, accessory dwelling units, and supporting residential structures of varying size and complexity. Many projects featured distinctive design elements tailored to mountain and hillside settings, such as ski-out basements and enhanced storage and access areas, requiring careful evaluation of site conditions, building systems, and applicable codes to ensure compliance and constructability.

BCS
BUILDING CODE SOLUTIONS



Cody Richards

Senior Plans Examiner

Contact

- cody@bcscodegroup.com
- (435) 760-5586
- 11757 S. Sun Tea Way
  South Jordan, Utah 84009

Education

- **Southern Utah University**
  Masters - Public Administration
  Completed 2011
- **Utah State University**
  Bachelor of Science - Psychology
  Completed in 2009
- **Weber State University**
  Construction Management
  Took courses in 2008

Licenses

- Utah 9221862-5601 (Comb. Inspector)

Certifications

- ICC Certified (#5264297):
- Certified Building Official
- Residential Combination Inspector
- Residential Building Inspector
- Residential Plumbing Inspector
- Residential Mechanical Inspector
- Residential Electrical Inspector
- Commercial Combination Inspector
- Commercial Building Inspector
- Commercial Plumbing Inspector
- Commercial Mechanical Inspector
- Commercial Electrical Inspector
- Combination Inspector
- Fire Inspector I
- Building Inspector
- Plumbing Inspector
- Mechanical Inspector
- Electrical Inspector

Profile

Mr. Richards has worked in the building safety industry for well over a decade. He holds a masters degree in Public Administration in addition to being an ICC-certified building official and combination inspector. He has provided building inspection, comprehensive plan reviews, and building official services to numerous jurisdictions throughout his career. At BCS he wears several hats by providing detailed plan reviews, building inspections, and developing and providing code training. He prides himself in the relationships he has made throughout the industry and serves as the Director of Client Relations for BCS. His studies and experience have given him a broad working knowledge of government organization and administration, commercial and residential plan review, and building inspections.

Work Experience

Present
Building Code Solutions, Inc. (BCS)

Director of Client Services / Senior Plans Examiner

Provides comprehensive commercial and residential plan reviews as well as building inspection services. Develops and provides building code training. Works with clients to ensure their specific needs are being met by BCS.

2014 - 2025
West Coast Code Consultants, Inc.

Inspections Manager / Plans Examiner

Responsible for all inspection services provided throughout Utah, Wyoming, and Nevada. Schedules and manages all inspection staff. Responsible for client relations and contracts and proposals. Also, completes inspections and oversees large projects including Utah State Prison, large housing, data centers, hotels, clinical and dental offices, elementary schools, Farmington Station Park, retail shells and tenant improvements. Is responsible for all Wyoming operations including the oversight of plan review and scheduling and managing inspection staff. Provide in person and on-line training.

2012
Clearfield City Corporation

Executive Intern

Completed a statistical analysis related to disproportionate fees the city charges with business license. Worked closely with multiple departments including Executive, Police and Community Development. Through is research he developed a new fee schedule to help the city appropriately recuperate costs and recommended new zoning classes for rental properties. Different classifications for rental properties were adopted because of the research and proposals.

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BUILDING CODE SOLUTIONS

Cody Richards

(435) 760-5586 cody@bcscodegroup.com www.bcscodegroup.com

Awards / Affiliations

- Bonneville Chapter of ICC
  Member since
  President, 2020-2022
- Al Brown Building Inspector Award - 2024, Presented by Bonneville Chapter of ICC
- Pi Alpha Alpha (PAA) - Southern Utah University MPA Program
  Founding Member



META Data Centers



The Loop Apartments



South Campus Residence Hall

Sample Project Experience

Rice Eccles Stadium South End Zone Expansion – *University of Utah*
Served as Lead Inspector for the University of Utah's South End Zone Expansion, an $80 million renovation and expansion completed in 2021. The project enclosed the south end zone and added premium seating, including suites, loge boxes, club seating, and a rooftop area. Additional improvements included new locker rooms for all teams, sports medicine facilities, a recruiting lounge, and expanded game-day operations space. The project increased stadium capacity to over 51,000 and was partially funded by a major donation from the Garff family.

Utah State Correctional Facility – *Salt Lake City, UT*
BCS staff were integrally involved in the new Utah State Correctional Facility (USCF) which officially began operations in July 2022. The facility resides on 200-acres, includes 33 buildings, includes a total building area of 1,300,000 square feet, and accommodates 3,600 inmates of all classifications. With dedicated units for both females and males, the facility also includes mental health housing, substance abuse treatment, medical facilities, classrooms, a kitchen, laundry, religious spaces, and room for future expansion.

META (FACEBOOK) DATA CENTERS – *Eagle Mountain, UT*
Assisted with providing building inspections for the Meta Data Center campus located in Eagle Mountain, Utah. This facility covers roughly 500 acres, includes multiple substations, and is well over 3 million square feet. The total construction cost was over $ 3 billion. The site required significant ground improvement prior to commencing construction. Inspections were performed for the overall facility, including the switchyards, roadways, and other improvements.

THE LOOP APARTMENTS – *Jackson, WY*
The Loop Apartments is a multifamily residential development consisting of 195 units across two four-story buildings with two levels of below-grade parking. Eighty-seven units are designated as affordable workforce housing for the Jackson community. The project utilized modular construction, with housing units built off-site and assembled on-site, while podium parking and common areas were constructed traditionally.

SOUTH CAMPUS RESIDENCE HALL – *Utah State University*
This $50 million project involved the demolition of three existing residence halls and their replacement with a single six-story residence hall on a reduced footprint, increasing total housing capacity to nearly 300 students. The 20-month project included modern housing pods with individual kitchens and bathrooms, as well as shared amenities such as a music room, theater room, study wall, and on-site store.

BCS
BUILDING CODE SOLUTIONS

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

Email: kbecker@morgancountyutah.gov

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

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: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address:

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department:

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Request to approve Vaughn and Kate to be able to purchase Federal Surplus on behalf of the County

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	☐
DECISION	☐
BOTH	☑
INFORMATION ONLY	☐

MORGAN COUNTY COMMISSION
48 West Young Street
P.O. Box 886
Morgan, Utah 84050

October 27, 2026

RE: Authorization of Representatives – Federal Surplus Property Program Eligibility Application

To the State Agency for Surplus Property:

On behalf of Morgan County, Utah, I, **Matthew Wilson, Chair of the Morgan County Commission**, hereby designate and authorize the following individuals to act as official representatives of Morgan County for participation in the Federal Surplus Property Donation Program administered through the General Services Administration (GSA) and the State Agency for Surplus Property (SASP):

Kate Becker
County Administrative Manager
Chief Authorized Official

Vaughn Nickerson
Morgan County Commissioner
Authorized Representative

The above-named individuals are authorized to act on behalf of Morgan County in matters relating to the acquisition and acceptance of federal surplus property, including the following:

1. Submitting and maintaining Morgan County's Federal Surplus Property Program Eligibility Application and associated documentation.
2. Inspecting, selecting, requesting, acquiring, and accepting federal surplus property for official County governmental purposes.
3. Signing applicable distribution documents, transfer documents, certifications, assurances, and other documentation required for the acquisition and acceptance of surplus property.
4. Coordinating with the State Agency for Surplus Property and appropriate federal agencies regarding property availability, acquisition, transfer, and compliance requirements.
5. Arranging payment of applicable service charges and coordinating transportation and delivery of acquired property, subject to County purchasing policies and available budgetary authorization.

Morgan County acknowledges that property acquired through the Federal Surplus Property Donation Program is subject to applicable federal and state laws, program requirements, restrictions, and conditions of transfer, including the certifications, agreements, and assurances contained in the County's eligibility application.

This authorization applies solely to acquisitions made for authorized Morgan County governmental purposes and does not supersede applicable County purchasing policies, budgetary limitations, or federal and state program requirements.

This letter serves as formal confirmation of the authority granted to the above-named representatives and shall remain effective until amended or revoked in writing by Morgan County.

Please accept this authorization in support of Morgan County's Federal Surplus Property Program Eligibility Application.

Sincerely,

Matthew Wilson
Chair, Morgan County Commission
Morgan County, Utah

Signature: _____

Date: October 27, 2026

FEDERAL SURPLUS PROPERTY PROGRAM ELIGIBILITY APPLICATION

Donee #:

[State] State Agency for Surplus Property (SASP)

[Full address]

[Point of contact, phone, fax, and email]

Organization: Morgan County Utah

Physical Mail Address (Street Address, City, State and Zip-- No Post Office Box!): 48 W Young Street Morgan, UT 84050

Primary Contact: Kate Becker

Title: Administrative Manager

Phone w/Area Code: 435-800-8724

Fax w/Area Code:

Email: kbecker@morgancountyutah.gov

Website: morgancountyutah.gov

Please choose only ONE among the following (Public Agency, Nonprofit Organization, SEA, VSO, SBA, or VOSB) which BEST describes your entity:

Public Agency or Nonprofit Organization: These are tax supported entities or (primarily) educational/health nonprofit programs-- See below and Section 549(c)(3) of title 40, United States Code for a more expansive list. Such programs can acquire both civilian agency and DOD property. Property must be placed into use within 12 months and then used for a specific time period depending on the item type (reference page 4 for continuous use time frames).

☑ **Public Agency ***

Purpose of your public agency:

- ☐ Conservation
- ☐ Economic Development
- ☐ Public Education **G**
- ☐ Public Health **G**
- ☐ Parks & Recreation
- ☐ Public Safety
- ☐ Program for Older Americans
- ☑ Local, City County or State Government
- ☐ Public Airport
- ☐ Indian Tribe, Band, Group, Pueblo or Community Located on a State Reservation **I**
- ☐ Alaskan Village or Regional Corporation (as defined by the Alaskan Native Land Claims Settlement Act of 1971)
- ☐ Volunteer Fire Dept/Rescue Squad **C**
- ☐ Public Purposes- Multiple services such as above **H**

☐ **Nonprofit Organization ****

Purpose of your nonprofit:

- ☐ Medical Institution **B**
- ☐ Hospital **B**
- ☐ Clinic **B**
- ☐ Health Center **B**
- ☐ Outpatient Facility **B**
- ☐ Program for Older Americans **D**
- ☐ Provider of Assistance to Homeless **A**
- ☐ Provider of Assistance to Impoverished **A**
- ☐ School, College or University **B**
- ☐ School for Persons with Disabilities **B**
- ☐ Educational Institution **B**
- ☐ Child Care Center **B**
- ☐ Preschool **B**
- ☐ Educational Radio/TV Station **E**
- ☐ Museum **F**
- ☐ Library **B**
- ☐ Nursing Homes or Geriatric Centers **B**
- ☐ Alcohol/Drug Abuse Treatment Centers **B**

* All public agencies must provide ***proof of public agency status.***

** All nonprofits must provide an ***IRS 501(c) ruling.*** State tax exempt forms are ***not*** acceptable.
All public agencies and nonprofits (as requested) must provide financial information-- basic budget information, funding sources, etc.

A Must provide letter from a public official certifying that those receiving services are ***primarily*** homeless or impoverished.

B Must provide evidence of either ***licensing*** (recognition or approval by appropriate State or local authority; ***accreditation*** (approved by a recognized regional, state, or national board); or ***approval*** (recognition and approval by State Department of Health or Education; or other appropriate authority).

C Must provide evidence of public funding and/or legislative authority; and must provide evidence of approval by proper government authority.

D Must provide evidence of funding under the Older Americans, Social Security, Economic Opportunity, or Community Services Block Grant Act.

E Must provide proof of Federal Communications Commission (FCC) licensing.

F Must sign attached museum access agreement.

G Public health and educational "institutions" must provide evidence of either ***licensing*** (recognition or approval by appropriate State or local authority); ***accreditation*** (approved by a recognized regional, state or national board); or ***approval*** (recognition and approval by State Department of Health or Education, or other appropriate authority).

H Please contact the SASP for instructions on whether it is best to submit a separate application for each public program managed.

I SASPs may verify entities located on a state reservation at https://www.ncsl.org/research/state-tribal-institute/list-of-federal-and-state-recognized-tribes.aspx

Note: All applicants whose eligibility is dependent on any type of licensing, accreditation, approval, or annual funding, must provide evidence of such upon expiration/renewal to ensure continuing eligibility.

☐ **Service Educational Activity (SEA):** These are programs of special interest to the Armed Services and DOD. See Section 549(d) of Title 40, USC. **SEAs include American National Red Cross, Boy/Girl Scouts, Little League Baseball, United Service Organization, etc**. A complete listing appears in DOD's 4160.21-M manual (Sections 6-4 thru 6-22 and Attachment 6.1-1 & 2). SEAs can only acquire DOD property and **must provide proof of approval as an SEA.**

☐ **Veteran Service Organization (VSO):** These are organizations recognized by the VA that provide services to veterans. **VSOs include the American Legion, AMVETS, Marine Corps League, Veterans of Foreign Wars, etc**. For a complete listing, visit https://www.va.gov/ogc/recognizedvsos.asp. VSOs can acquire both civilian agency and DOD property. **VSOs are not required to be nonprofit to be eligible, but must provide proof of approval as a VSO and a written statement certifying that at least 33% of its members are veterans**.

☐ **Small Business Administration (SBA) Activity:** These are designated by SBA as 8a Business Development (BD) activities. SBAs can acquire both civilian agency and DOD property (except foreign surplus) and **must provide written verification (letter or email) of your status from SBA**. SASPs may verify 8a BD status at https://web.sba.gov/dsbs/search/dsp_dsbs.cfm.

☐ **Veteran Owned Small Business (VOSB):** These are businesses certified by the SBA. VOSBs can acquire both civilian agency and DOD property. VOSBs **must provide a copy of the SBA Veteran Small Business Certification (VetCert)**. SASPs may verify VOSB status at . **https://certifications.sba.gov/**

☐ **RISE Act Participants:** Reserved

Note: If your organization was not listed above and you wish to discuss, please contact the SASP at:
[Point of contact, phone, fax, and email]

Program Narrative: Applicants must provide a written description of program(s), at a minimum and as applicable, details such as population served, number of individuals served, hours of operation, number of full-time/part-time staff, staff qualifications, description of facilities, square footage, financial information-- basic budget information, funding sources, etc. Applicants may substitute a program brochure or website reference provided it lists similar details.

Morgan County is a rural County in Northern Utah with a population of less than 14,000. Our operating hours are Monday-Friday 8am to 5pm. We operate 3 fire stations, a public works building, an Administrative Building and the Courts facilities. We also have 5 parks and a Rodeo/Fairgrounds. Morgan County's Annual Budget is ~16 Million from property taxes and fees for service.

If more space is needed, proceed to Page 5.

Authorized Representative Listing: Applicants must provide a list of persons authorized to sign for the acceptance of property on its behalf. Individuals listed on prior applications will be deleted. A valid driver's license or state issued photo identification may be required prior to entering state or federal facilities. Those who sign below represent that they have read and understand all information contained in this application (including the fine print), and they will abide by the aforementioned agreements, certifications, assurances and statements. **Note: It is understood that the Chief Authorized Official signing this overall application is an authorized representative.**

Printed Name	Title	Phone Number (Include Area Code)
Kate Becker	Administrative Manager	435·800·8724
Email Address	**Date (MM/DD/YYYY)**	**Signature**
Kbecker@morgancountyutah.gov	09/22/2026	

Printed Name	Title	Phone Number (Include Area Code)
Vaughn Nickerson	Commissioner	385·350·1718
Email Address	**Date (MM/DD/YYYY)**	**Signature**
Vnickerson@Morgancountyutah.gov	09/22/2026	

Printed Name	Title	Phone Number (Include Area Code)
Email Address	**Date (MM/DD/YYYY)**	**Signature**

To include additional representatives, proceed to Page 5.

Property "Needs" List: Applicants must provide a listing of specific property items needed or the general categories of items needed. Please be reminded that all property requested must be reasonably justified and used for the appropriate restriction period.

Shelving, Vehicles - passenger, Vehicles - public works, Dozers, office equipment, desks, Mass Chairs - padded, road construction equipment, excavators

If more space is needed, proceed to Page 5.

Museum Access Agreement (Museum Applicants only!):

As part of the Federal Surplus Property Donation Program, "museums"-- pursuant to Section 23 of Public Law 114-287 and Federal Management Regulation (FMR) Part 102-37-- agree that from an operational standpoint toward fulfilling the museum's mission and function for the general public that the museum will: Accede to any request submitted for access during typical "business" hours, interpreted here to be approximately 9:00am to 4:00pm, Monday through Friday-- although a reasonable variation from these hours may be considered due to individual circumstances (e.g. location of museum requiring strict business hours that deviate from the aforementioned time parameter).

Print Name and Title of Head Authorized Museum Official	Date (DD/MM/YYYY)	Signature

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

Email: kbecker@morgancountyutah.gov

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

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: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address:

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department:

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

For Commission record: a copy of the annual RDA Report from Morgan City Corp

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION ☐
DECISION ☐
BOTH ☐
INFORMATION ONLY ☐

Redevelopment Agency of Morgan City

2026 Annual Report



MORGAN CITY
EST. 1868

ZIONS PUBLIC FINANCE, INC.

June 2026

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Chapter 1 – Background and Overview

This report is prepared for the Redevelopment Agency of Morgan City in accordance with the requirements of Utah Code Section 17C-1-603, which requires that an Agency submit project area data to a public database maintained by the Governor's Office of Economic Opportunity (GOEO) on or before June 30 of each year. Agencies are required to provide updated information on each of the project areas that are currently collecting funds.

The 2026 Utah Legislative session saw new legislation passed that will change reporting timelines in future years. However, the prior reporting requirements are being followed for this final report.

There is one project area in Morgan City that is actively collecting funds:

- Commercial Street Redevelopment Area

The requirements for the report are listed specifically in the Utah Code 17C-1-603 as follows and must be addressed separately for each of the four active project areas whose project area funds collection period has not expired.

*(a) An assessment of the **change in marginal value,** including:*
- *(i) The base year;*
- *(ii) The base taxable value;*
- *(iii) The prior year's assessed value;*
- *(iv) The estimated current assessed value;*
- *(v) The percentage change in marginal value; and*
- *(vi) A narrative description of the relative growth in assessed value;*

*(b) The amount of **project area funds the agency received for each year of the project area funds collection period**, broken down by the applicable budget or funds analysis category including:*
- *(i) A comparison of the actual project area funds received for each year to the amount of project area funds forecasted for each year when the project area was created, if available;*
- *(ii)*
  - *(A) The Agency's historical receipts and expenditures of project area funds, including the tax year for which the Agency first received project area funds from the project area; or*
  - *(B) If the Agency has not yet received project area funds from the project area, the year in which the Agency expects each project area funds collection period to begin;*
- *(iii) A list of each taxing entity that levies or imposes a tax within the project area and a description of the benefits that each taxing entity receives from the project area; and*
- *(iv) The amount paid to other taxing entities under Section 17C-1-410, if applicable;*

*(c) A **description of current and anticipated project area development,** including:*
- *(i) A narrative of any significant project area development, including infrastructure development, site development, participation agreements, or vertical construction; and*
- *(ii) Other details of development within the project area, including*
  - *(A) The total developed acreage;*
  - *(B) The total undeveloped acreage;*
  - *(C) The percentage of residential development; and*
  - *(D) The total number of housing units authorized, if applicable;*

*(d) The **project area budget,** if applicable, or other project area funds analyses, with receipts and expenditures categorized by the type of receipt and expenditure related to the development performed or to be performed under the project area plan, including:*

- *(i) Each project area funds collection period;*
  - *(A) The start and end date of the project area funds collection period; and*
  - *(B) The number of years remaining in each project area funds collection period;*
- *(ii) The total amount of project area funds the Agency is authorized to receive from the project area cumulatively and from each taxing entity, including;*
  - *(A) The total dollar amount; and*
  - *(B) The percentage of the total amount of project area funds generated within the project area;*
- *(iii) The remaining amount of project area funds the Agency is authorized to receive from the project area cumulatively and from each taxing entity; and*
- *(iv) The amount of project area funds the agency is authorized to use to pay for the agency's administrative costs, as described in Subsection 17B-1-409(1), including:*
  - *(A) The total dollar amount; and*
  - *(B) The percentage of the total amount of all project area funds;*

*(e) The estimated **amount of project area funds** that the Agency is authorized to receive from the project area for the **current calendar year;***

*(f) The estimated **amount of project area funds** to be paid to the Agency for the **next calendar year**;*

*(g) A **map** of the project area;*

(h) A description of how the goals, policies, and purposes of the project area plan have been furthered during the preceding year; and

(i) Any other relevant information the Agency elects to provide.

The information provided in this report is for informational purposes only and does not alter the amount of project area funds that an Agency is authorized to receive from a project area.

This report, with separate database filing, meets all legal requirements and is organized as follows:

Chapter 1: Background and Overview
Chapter 2: Commercial Street Redevelopment Area

Chapter 2 – Commercial Street Redevelopment Area (RDA)

Background Information

The Commercial Street Redevelopment Area (RDA) was created in 1993 and increment was triggered in 1994. The Project Area consists of approximately 81.54 acres located southwest of Commercial Street and northeast of 250 East; northwest of 100 North and southeast of approximately 525 North.

TABLE 2.1 PROJECT AREA DESCRIPTION

Project Area Data	
Year Established	1993
Initial Year of Tax Increment	1994
Time Frame for Tax Increment Collection (1994 – 2018) Project Area Extension (2019 – 2028)	25 years 10 years
Last Year of Tax Increment (prior to extension)	2018
Last Year of Tax Increment (post extension)	2028

The Project Area was created to eliminate the spread of blight in the Project Area and to increase the economic base of the City.

A. Changes in Marginal Value *(Utah Code 17C-1-603(3)(a))*

The base year value as reflected by the Morgan County Assessor's Office is $2,087,614.

TABLE 2.2: TAXABLE AND MARGINAL VALUES

Utah Code 17C-1-603(3)(a) Requirement		Value
(i)	Base Year	1993
(ii)	Base Taxable Value	$2,087,614
(iii)	Prior Year (2024) Assessed Value	$35,562,401
	Prior Year (2025) Assessed Value	$38,523,115
(iv)	Estimated Current Year (2026) Assessed Value	$39,678,808
(v)	Prior Year (2024) Marginal Value	$33,474,787
	Prior Year (2025) Marginal Value	$36,435,501
	% Change in Marginal Value (2023 to 2024)	8.84%
(vi)	The total taxable value in the project area has grown from $2,087,614 at the inception of the area, to $38,523,115 - an increase of 1,745.32 percent. The assessed value of the project area in 2024 was $35,562,401. The assessed value in 2025 was $38,523,115 - an increase of 8.33 percent over the one-year time period.	

B. Amount of Project Area Funds Received by Agency *(Utah Code 17C-1-603(3)(b))*

In 2025, the Agency received $247,954 in tax increment funds.[1] The Agency's historical receipts of project area funds for which data could be obtained are shown below. Original projections for the Project Area are not available. Funds were distributed to the Agency based on a predetermined percent of incremental tax revenues for a period of 25 years.

[1] Amount is shown after disbursement to taxing entities participating in project area.

The Project Area was extended by 10 years, with a collection period between 2019-2028. Funds are distributed to the Agency based on 100 percent adjusted incremental tax value. According to the agreements approved, the Agency receives 100 percent of the incremental revenues and then disburse a portion of the revenue back to the participating taxing entities. The interlocal agreement was also amended in 2023 to adjust the cost share to a simple 75 percent to the RDA, with 25 percent returning to the participating taxing entities. This formula is on the increment value and does not include the base value, which the taxing entities still receive 100 percent.

TABLE 2.3: PROJECT AREA FUNDS RECEIVED

Year	Amount Received
2025	$247,954
2024	$245,793
2023	$254,013
2022	$204,525
2021	$108,985
2020	$112,615
2019	$123,369
2018	$100,146
2017	$81,159
2016	$78,414
2015	$72,418
2014	$68,281
2013	$73,844
2012	$45,886
2011	$37,478
2010	$37,478
2009	$42,000
2008	$42,914
2007	$44,510
2006	$45,157
2005	$48,000
2004	$46,635
2003	$48,000
2002	$40,000
2001	$30,717
2000	$20,000
1999	$21,302
1998	$18,429
1997	$16,030
1996	$14,150
1995	$11,800

The first year for which the Agency received project area funds was 1995.

Benefits received by each taxing entity are summarized on Table 2.4.

TABLE 2.4: SUMMARY OF BENEFITS BY TAXING ENTITY

Taxing Entity	Benefits
Morgan County	Incremental tax revenues to taxing entities; increased property values;infrastructure improvements; new business development
Morgan County School District	Incremental tax revenues to taxing entities; increased property values; infrastructure improvements; new business development
Morgan City	Incremental tax revenues to taxing entities; increased property values;infrastructure improvements; new business development

C. Description of Current and Anticipated Project Area Development *(Utah Code 17C-1-603(3)(c))*

Since the RDA was renewed in 2018 grants have been used to provide Morgan's first Hotel. It has also provided four grants to rehabilitate vacant buildings, all worth approximately $40k each. This year a new alleyway and plaza were constructed behind the businesses on Commercial Street. The project increased traffic flow, increased parking, and created a common space for visitors to use. The new plaza will be a great space to host small events to attract people to the downtown area. The alleyway also provides the infrastructure needed to develop vacant lots in front of the Hotel and South of the alleyway.

The RDA project funds have been used to build the alleyway and plaza. These funds were supported by a grant from the Governor's Office of Economic Development for $455,000. The Council of Governments also helped with funding for the alley with a grant of $250,000. Morgan City also contributed by funding some of the infrastructure such as water and sewer lines. The entire project will spur future capital investments and make a great return on investment from the RDA funds used for the project. The RDA also renegotiated the incentive with the Hotel to facilitate the sale of Cobblestone to Comfort Inn and Suites. The new owners were able to assume the remaining balance of the Cobblestone Hotel.

The project area has 52.58 developed acres, 17.46 undeveloped acres, and 14.50 road acres. Approximately 31 percent of the area is in residential development, with four residential units currently approved.

D. Project Area Budget (Utah Code 17C-1-603(3)(d))

A project area budget for the Commercial Street RDA is included in Appendix A.

The collection period for the project area funds commenced in 1994 for all taxing entities. The RDA was renewed for an additional 10-year period beginning in 2019.

The Agency is authorized to receive the following percentages from each member of the taxing entity for the specified years. There is no cap on project area funds to be received; rather, the cap was a percentage through 2018 for all taxing entities, later extended through 2028.

TABLE 2.5: TAX ENTITY CONTRIBUTION

Time Period	% of Increment to Agency
1994-1998	100%
1999-2003	80%
2004-2008	75%
2009-2013	70%
2014-2018	60%
2019-2028	100%*

*While the Agency will receive 100 percent of the increment, it will then disburse back to the taxing entities 25 percent of incremental tax revenues.

The remaining amount of funds that the Agency is authorized to receive is based on the percentages of total increment shown in the preceding table. There is no future cap on project area funds to be received; rather the cap is the percentage amount through 2028 for all taxing entities.

The Agency is authorized to receive and allocate five percent of revenues as administrative expenses. There is no dollar cap amount on the administrative expenses; rather, the cap amount is five percent of all revenues received through 2028.

With the approved extension, there are three years remaining for tax increment collection.

E. Tax Increment Receipts for Current Year (Utah Code 17C-1-603(3)(e))

The following table shows the tax increment that was received by the Agency in 2026 for tax receipts in 2025.

TABLE 2.6: 2026 TAX INCREMENT COLLECTION

Taxing Entity	Amount Paid to Agency*	Amount Disbursed to Taxing Entities	Amount Remaining with Agency
Morgan County	$58,905	$14,726	$44,179
Morgan School District	$224,477	$56,119	$168,358
Morgan City	$47,224	$11,806	$35,418
Total	**$330,605**	**$82,651**	**$247,954**

Agency Expenses	
Administrative Cost	$(12,398)
Remaining Increment for Projects	**$235,556**

*While the Agency will receive 100 percent of the increment, it will then disburse back to the taxing entities 25 percent of incremental tax revenues.

F. Projected Tax Increment Receipts for Next Calendar Year (Utah Code 17C-1-603(3)(f))

The following tax increment projections are for informational purposes only and are not meant to limit in any way the actual amount of tax increment to be received by the Agency.

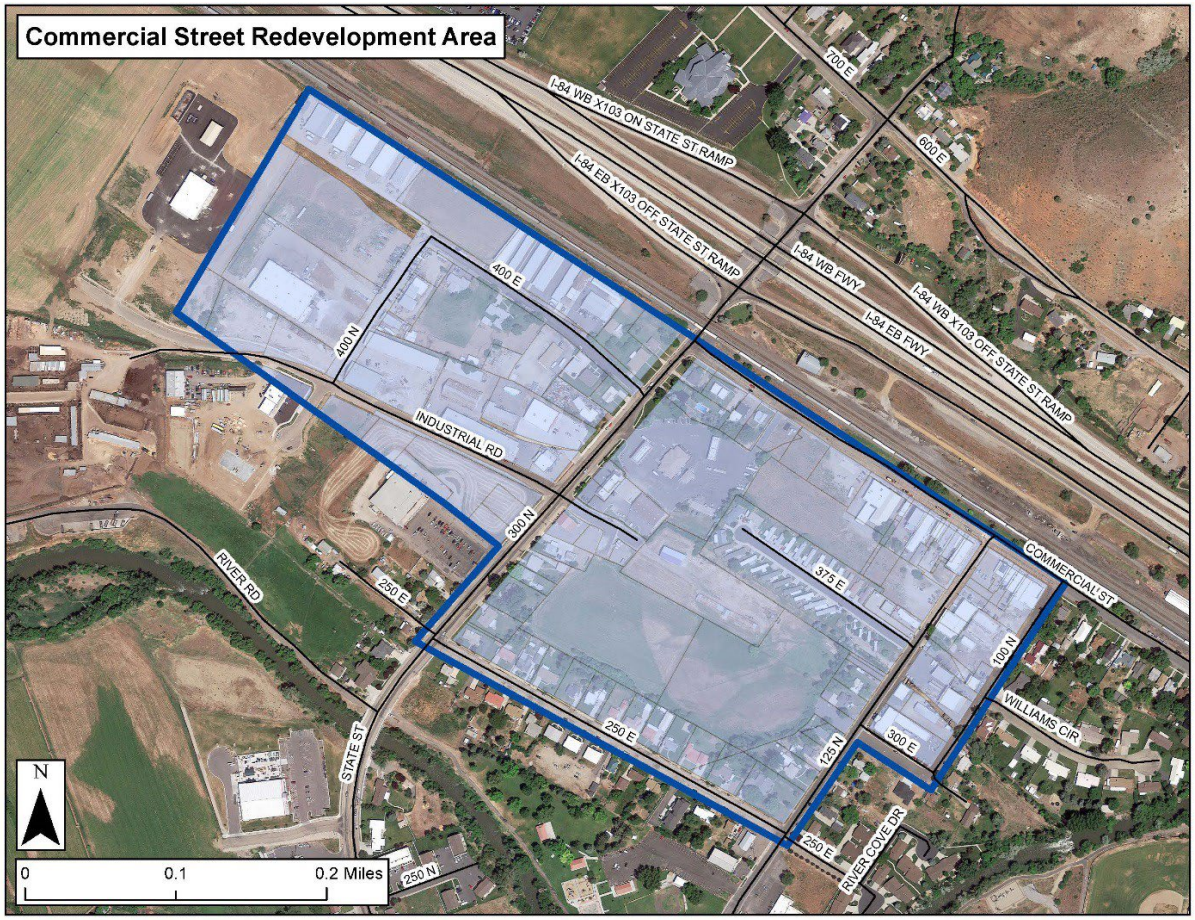
TABLE 2.7: PROJECTED 2027 TAX INCREMENT COLLECTION

Taxing Entity	Amount Paid to Agency*	Amount Disbursed to Taxing Entities	Amount Remaining with Agency
Morgan County	$60,774	$15,194	$45,581
Morgan School District	$231,602	$57,900	$173,701
Morgan City	$48,721	$12,180	$36,541
Total	**$341,097**	**$85,274**	**$255,823**

Agency Expenses	
Administrative Cost	($12,791)
Remaining Increment for Projects	**$243,032**

*While the Agency will receive 100 percent of the increment, it will then disburse back to the taxing entities 25 percent of incremental tax revenues.

G. Commercial Street Redevelopment Area Map (Utah Code 17C-1-603(3)(g))



H. Description of Goals, Policies, and Purposes of the Plan (Utah Code 17C-1-603(3)(h))

The Redevelopment Agency continues to look for ways to make improvements to the area and bring new development. The significant growth in the project area is indicative of successful application of the project area goals to stimulate economic activity in the City. The goals of the RDA are being accomplished. The main goal of the Redevelopment area has been to increase capital investments and revitalize the downtown. The alleyway and plaza project significantly increases the likelihood of new capital investments. The Valis Hotel is finally being renovated and there are two vacant parcels being developed in 2026. One will be an event space and the other will be a restaurant and flex space. Commercial Street is busier than it has been in 35 years.

Appendix A: Multi-Year Budget

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

Email: kbecker@morgancountyutah.gov

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

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: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address:

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department: GIS

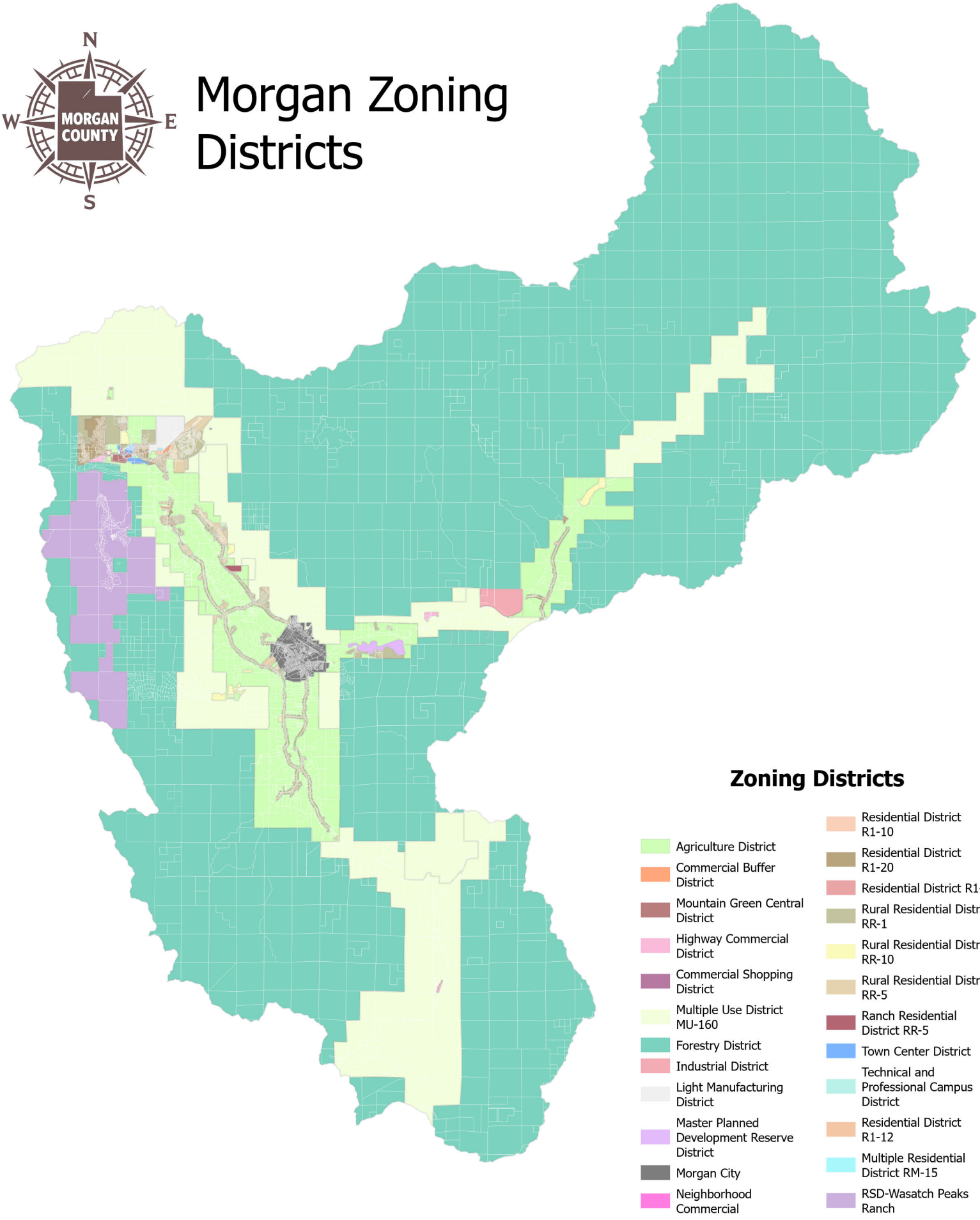
PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

CONSENT AGENDA
Request to approve the GIS zoning base map for use of the Morgan County website.
This is one of the final two GIS projects that were approved by the Commission in 2024 and paid for by ARPA funds.
The other project is the GIS layer for Primary and Secondary water companies.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	
DECISION	
BOTH	☑
INFORMATION ONLY	

Morgan Zoning Districts





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!

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

Email: kbecker@morgancountyutah.gov

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

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: 10/27/2026 **Time Requested:**

Name: Bret Smith **Phone:** (801) 389-6228

Address: Mountain Green

Email: bretsmi@gmail.com **Fax:**

Associated County Department:

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

I would like to request that the Kent Smith Memorial Park be renamed the Kent and JoAnn Smith Memorial Park. JoAnn passed away five years ago and was a pillar of the community. She was the most instrumental in the park even happening. We hope that her memory and contributions to the community can be recognized through this requested name change.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	☐
DECISION	☐
BOTH	☑
INFORMATION ONLY	☐

MORGAN COUNTY RESOLUTION CR 26-06-BOE

A RESOLUTION OF THE MORGAN COUNTY BOARD OF EQUALIZATION APPROVING ADJUSTMENTS, CORRECTIONS, AND CHANGES TO THE 2026 PROPERTY TAX ASSESSMENT ROLL.

WHEREAS, the Morgan County Board of Equalization (the "Board") has met in accordance with Utah Code Ann. § 59-2-1001 et seq. to hear and consider appeals regarding the valuation and assessment of real and personal property within Morgan County for the tax year 2026; and

WHEREAS, the Morgan County Auditor has presented the 2026 Property Tax Assessment Roll to the Board, along with recommended adjustments based on subsequent reviews, factual corrections, and stipulations with property owners; and

WHEREAS, the Board has reviewable evidence, conducted hearings where requested, and determined that specific adjustments, exemptions, and corrections are necessary to ensure equity, accuracy, and compliance with state law; and

WHEREAS, a detailed schedule of these approved changes, including parcel numbers, owner names, original values, and adjusted values, has been compiled and is attached hereto as "Exhibit A";

NOW, THEREFORE, BE IT RESOLVED by the Morgan County Board of Equalization as follows:

1. Approval of Changes. The Board hereby approves all adjustments, corrections, exemptions, and valuation changes to the 2026 Property Tax Assessment Roll as detailed in the attached Exhibit A and all attached stipulation forms for Fairbanks, Ralphs Family Trust, Porter, Morris Trust, and Norman. These stipulation forms are incorporated herein by reference and expressly approved.

2. Direction to County Officials. The Morgan County Assessor and the Morgan County Auditor are hereby authorized and directed to amend the official tax rolls and records to reflect the changes approved by this Resolution.

3. Notification. The Clerk of the Board is directed to provide notice of these final decisions to the affected property owners in accordance with statutory requirements.

4. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED this 27th day of October 2026.

MORGAN COUNTY BOARD OF EQUALIZATION

By: _____

Matthew Wilson, Chair

Morgan County Board of Equalization

APPROVED AS TO FORM:

_____

Garrett Smith, County Attorney

ATTEST:

By: _____

Leslie A. Hyde

Morgan County Clerk / Clerk of the Board

BOARD MEMBERS VOTING:

BOE	Aye	Nay	Absent
Matthew Wilson	☐	☐	☐
Vaughn Nickerson	☐	☐	☐
Mike Newton	☐	☐	☐
Raelene Blocker	☐	☐	☐
Blaine Fackrell	☐	☐	☐

Exhibit A

2026 BOE Adjustments

Name	Parcel	Serial	Code	Old Market Value	Old Taxable Value	New Market Value	New Taxable Value	Market Value Change	Taxable Value Change	Match Log file	Final PRIMARY Recommendation Generated	Final PRIMARY Recommendation Mailed/Emailed	Comments
STAHELI, KYLE STANFORD	00-003-9162	04-100	BS01	144,743	144,743	-	-	144,743.00	144,743				Changed to PRIM
STAHELI, KYLE STANFORD	00-003-9162	04-100	BR01	-	-	132,314	72,773	(132,314.00)	(72,773)				
STAHELI, KYLE STANFORD	00-003-9162	04-100	LS01	136,600	136,600			136,600.00	136,600				
STAHELI, KYLE STANFORD	00-003-9162	04-100	LR01			136,600	75,130	(136,600.00)	(75,130)				
			BR06			12,429	6,836	(12,429.00)	(6,836)				
								-	126,604				
HEARING OFFICER RECOMMENDATIONS													
00-0063-3521		Fernwood LC		**Assessor Valuation**			**2,742,835**						
				Appellant's Requested Value			**560,000**						
				Hearing Officer Recommendation			**Deny appeal with no adjustment**						
00-0083-4593		Fernwood LC		**Assessor Valuation**			**4,124,440**						
				Appellant's Requested Value			**3,200,000**						
				Hearing Officer Recommendation			**Adjust to $4,050,000 consistent with the county's appraisal.**						
00-0090-5210		Remkes		**Assessor Valuation**			**1,505,827**						
00-0090-5209				**Appellant's Requested Value**			**Requesting Greenbelt**						
00-0090-5208				**Hearing Officer Recommendation**			**Deny appeal with no adjustment**						
00-0075-0220		Justin Menlove		**Assessor Valuation**			**1,473,597**						
				Appellant's Requested Value			**908,325**						
				Hearing Officer Recommendation			**Deny appeal with no adjustment**						
00-0085-5208		Ridge at Cottonwoods		**Assessor Valuation**			**2,019,420**						
				Appellant's Requested Value			**543,690**						
				Hearing Officer Recommendation			**Deny appeal with no adjustment**						

Stipulation of Agreement for Real Property Valuation

Morgan County Board of Equalization

Form PT-014
PT-014.ai Rev. 1/00

General Information

Appellant: Whitney R Fairbanks & Tiffany M Fairbanks

Date: 10/5/2026

Property identification number: 00-0094-0156

Appeal number:

Valuation

	Pre-Board Market	Equalized Market
Land/FAA (real estate)	$ 220,000	$ 220,000
Improvements	$ 671,672	$ 580,000
Personal property	$	$
Total Value	$ 891,672	$ 800,000

Explanation of Agreement

Appellant submission of closing documents indicates home should be reduced to 2025 sale price.

Signatures

We hereby stipulate and agree that this appeal be resolved as proposed and waive our rights to a formal hearing. **The appellant also agrees to waive any appeal rights to the Tax Commission.**

Appraiser or Board of Equalization Hearing Officer: Kirsten Bentley — Digitally signed by Kirsten Bentley Date: 2026.10.06 10:18:43 -06'00'	Date
County Assessor or Deputy Assessor	Date
Board of Equalization (Member of Legislative Body)	Date
Appellant: Whitney Fairbanks	Date: 10.6.2026

Each signing party should receive a copy of this form

Stipulation of Agreement for Real Property Valuation

Morgan County Board of Equalization

Form PT-014
PT-014.ai Rev. 1/00

General Information

Appellant: Phillip W Ralphs Family Trust

Date: 09/09/2026

Property identification number: 00-0094-0298

Appeal number: Ralphs

Valuation

	Pre-Board Market	Equalized Market
Land/FAA (real estate)	$ 27,500	$ 4,000
Improvements	$	$
Personal property	$	$
Total Value	$ 27,500	$ 4,000

Explanation of Agreement

Review of appeal indicated the land needed to be reclassified. Reclassified land value indicates the value of $15,000 for the subject property. However, due to the bill of sale from 2025, the value of $4,000 is being applied for the 2026 tax year.

Signatures

We hereby stipulate and agree that this appeal be resolved as proposed and waive our rights to a formal hearing. **The appellant also agrees to waive any appeal rights to the Tax Commission.**

Appraiser or Board of Equalization Hearing Officer: Kirsten Bentley
Digitally signed by Kirsten Bentley
Date: 2026.09.09 08:15:37 -06'00'

Date: 09/09/2026

County Assessor or Deputy Assessor — Date

Board of Equalization (Member of Legislative Body) — Date

Appellant: Phillip W. Ralphs — Date: 9/9/2026

Each signing party should receive a copy of this form

Stipulation of Agreement for Real Property Valuation

Morgan County Board of Equalization

Form PT-014
PT-014.ai Rev. 1/00

General Information

Appellant: Porter Robert Tyler

Date: 10/13/2026

Property identification number: 00-0062-4675

Appeal number:

Valuation

	Pre-Board Market	Equalized Market
Land/FAA (real estate)	$ 187,880	$ 187,880
Improvements	$ 779,890	$ 759,104
Personal property	$	$
Total Value	$ 967,770	$ 946,984

Explanation of Agreement

Both the current assessed value and the requested value fall within the supported range of comparable sales. Based on this evidence, the Assessor's Office agrees to stipulate to the requested value as a fair and reasonable resolution.

Signatures

We hereby stipulate and agree that this appeal be resolved as proposed and waive our rights to a formal hearing. **The appellant also agrees to waive any appeal rights to the Tax Commission.**

Appraiser or Board of Equalization Hearing Officer: Kirsten Bentley — Digitally signed by Kirsten Bentley Date: 2026.10.13 15:23:57 -06'00'	Date
County Assessor or Deputy Assessor	Date
Board of Equalization (Member of Legislative Body)	Date
Appellant: Robert Tyler Porter	Date: 10-14-2026

Each signing party should receive a copy of this form

MORGAN COUNTY BOARD OF EQUALIZATION
HEARING RECORD AND RECOMMENDATION

PARCEL NUMBER	00-0063-3521	NAME	Fernwood LC
ASSESSOR'S VALUATION: $2,742,835		HEARING DATE: October 7, 2026	
APPELLANT'S REQUESTED VALUE: $560,000			

PARTIES

Douglas Durbano and Scott King appeared on behalf of Fernwood LC.

Janell Walker, Morgan County Assessor, and Kirsten Bentley appeared on behalf of Morgan County.

DESCRIPTION OF THE PROPERTY

The subject is vacant land totalling 81.99 acres. It is currently being assessed as Farmland Assessment Act (FAA) land. The FAA value is $2,130.

TAXPAYER'S EVIDENCE

The taxpayer submitted two comparable sales in support of its claim. The value claimed is $6,830/acre. The sales are set forth below:

MLS #	Sale Date	Price	Acres	Price/acre	Notes
1800165	6/1/22	$700,000	60.70	$11,532	Agricultural land
2076569	1/2/26	$424,000	172.90	$2,452	Recreational or agricultural land

Further, the taxpayer claims that under Utah Code §59-2-505 the property must be valued at its agricultural value. Further, the taxpayer asserts that the assessor's comparable sales are fundamentally different from the subject property and that its Morgan County sales more reasonably support the taxpayer's requested value.

ASSESSOR'S EVIDENCE

The assessor submitted 51 comparable sales from Morgan and nearby counties. No sales were included from the Park City area. All of the sales were of properties greater than 10 acres in size. The assessment valued the property at $26,000 per acre.

The assessor commented that the comps it selected generally were similar with the notable exception of the Uintah, Weber County appeal that had development issues and consequently sold for a very low price.

FINDINGS

Utah Constitution Article XIII, Section 2 provides that all property in the state that is not exempt shall be assessed at a uniform and equal rate in proportion to its fair market value and be taxed at a uniform and equal rate. See also Utah Code §59-2-103(2).

Utah Code §59-2-102(13) defines fair market value as "the amount at which property would change hands between a willing buyer and willing seller, neither being under any compulsion to buy or sell and both having reasonable knowledge of the relevant facts."

The Board of Equalization is tasked with considering and weighing evidence to determine the fair market value of the property owner's property as of January 1, 2026.

Under Utah Code §59-2-109, a taxpayer seeking a reduction in value must 1) demonstrate substantial error in the original assessed value and 2) provide a sound evidentiary basis for changing the assessed value to the value it proposes. The county assessor has the burden to support the value he requests. Both parties must satisfy their burden of proof by a preponderance of the evidence.

If a property is a qualified real property, the county board of equalization must presume that the fair market value is equal to the inflation adjusted value (IAV) as defined by statute. Utah Code §59-2-1004(4)(b) and the parties have a burden of proving that the value is something other than the IAV.

Qualified real property means real property for which:

> (A) the taxpayer or a county assessor appealed the valuation or equalization for the previous taxable year to the county board of equalization,
> (B) the appeal resulted in a final assessed value that was lower than the assessed value; and
> (C) the assessed value for the current taxable year is higher than the inflation adjusted value for the current year

There was not a reduction in value of this property in the prior year. Thus, the subject property is not considered a qualified real property. Because there has not been a value reduction at either the Board of Equalization or the Tax Commission for the three previous tax years, the provisions of Utah Code §59-2-301.4 are not applicable.

The taxpayer cited Utah Code §59-2-505 for the proposition that the property's fair market value can only be determined to be its agricultural value. The statute cited states:

> (1) (a) The county assessor **shall consider only those indicia of value that the land has for agricultural use** as determined by the commission when assessing land: (emphasis added).

However, the taxpayer ignores Utah Code §59-2-505(2) which states:

> (2) **In addition** to the value determined in accordance with Subsection (1), the fair market value assessment shall be included on the notices described in:
> (a) Section 59-2-919.1; and

(b) Section 59-2-1317. (emphasis added)

For FAA properties, both a fair market value and an FAA value is determined as set forth in Utah Code §59-2-505(2). Either value can be appealed. The taxpayer in this appeal has only appealed the fair market value.

The taxpayer citedTax Commission decision in 23-1038 and a Utah Supreme Court decision, Salt Lake County v. State Tax Com'n (Utah 1989), 779 P.2d.1131 in support of its claim. However, in this matter there is no question that the subject property is being taxed under the FAA. This appeal is not about whether the FAA applies. It does. The taxpayer is basically asserting that the fair market value of the property must equal the FAA or agricultural value. That position is not supported by statute or case law. The Salt Lake County case noted above was an appeal seeking application of the FAA and any holding dealt with the applicability of the FAA. The same is true of the Commission appeal 23-1038. Here, no one has questioned whether the property's taxes are at the FAA agricultural rates. As noted above, the assessor is to determine both a fair market value and FAA value.

Therefore, the only issue remaining in this appeal is to determine whether the assessed value represents the fair market value of the subject property. The taxpayer's evidence does not support a determination that the property's highest and best use is agricultural land. Its sales do not reflect the land that has investment and development potential. Therefore, the taxpayer has not met its burden of showing error in the IAV or providing sound evidence of an alternative value.

The assessor's evidence included sales of surrounding counties. The taxpayer asserted that the assessor's Morgan County sales support a lower value. However, that assertion undermines the fact that other nearby sales, particularly in Weber County, better reflect the land characteristics of the subject. In whole, the assessor's sales do support its assessment. Consequently, the assessor has met its burden of proof.

CONCLUSION

Accordingly, it is recommended that the Board of Equalization deny the appeal and sustain the assessed value.

Dated October 19 , 2026



Brad Neff, Hearing Officer

MORGAN COUNTY BOARD OF EQUALIZATION
HEARING RECORD AND RECOMMENDATION

PARCEL NUMBER	**00-0083-4593**	**NAME**	**Fernwood LC**
ASSESSOR'S VALUATION: $4,124,440		HEARING DATE: October 7, 2026	
APPELLANT'S REQUESTED VALUE: $3,200,000			

PARTIES

Douglas Durbano and Scott King appeared on behalf of Fernwood LC.

Janell Walker, Morgan County Assessor, and Kirsten Bentley appeared on behalf of Morgan County.

DESCRIPTION OF THE PROPERTY

The subject is a single family residence located at 4400 Ranch Blvd, Mountain Green. The home has upper floors with 2,250 square feet (sf), a ground floor with 6,645 sf, and a basement with 5,720 sf.

TAXPAYER'S EVIDENCE

The taxpayer submitted an appraisal report that most recently valued the property at $3,300,000 as of January 1, 2025. The appraisal also valued the property as of January 1, 2023 and January 1, 2024. The appraisers inspected the property in conjunction with preparing the appraisal. The appraisal noted above grade area of 8,895 sf compared to 8,967 sf included in the assessment record. Similarly, the appraisal noted a disparity from the county record in basement area. This difference was larger, a little more than 1,000 sf (county sf was higher). In addition to the appraisal, the taxpayer also submitted six unadjusted comparable sales Five of these sales were included in the appraisal. A summary of the remaining sales comparable, is set forth in the table below.

Property	Sale Date	Price	GLA	Bsmt/Fin	Acres	YB	Style
Subject	n/a	n/a	8,895 sf	5,720/95%	6.38	2016	2 story
T1	1/15/25	$1.330,000	4,036 sf	2512/2512	.40	2016	2 story

The taxpayer stated that his property is overbuilt for the area, and a downward super-adequacy adjustment is necessary. He determined an opinion of value of $3,200,000 that is lower than the appraisal's 2025 valuation. This opinion of value was based on the comparable sale submitted, and a claim that values for luxury homes were trending downwards. The taxpayer stated that an updated appraisal was being worked on with a valuation date of January 1, 2026. However, the hearing officer stated that once the hearing was complete, no other evidence would be considered.

ASSESSOR'S EVIDENCE

The assessor submitted an appraisal with an effective date of January 1, 2026 in support of the assessment. The appraisal was completed by Benjamin Preisler, SRA. The appraisal supported an opinion of value of $4,050,000. The assessor maintained that the appraisal supported the assessed value because it was within 5% of the assessed value. It should be noted that the appraiser did not conduct an interior inspection of the home or outbuildings, and made the extraordinary assumption that the condition of the interior, sketch, room count and other disclosed physical characteristics are accurate.

The Assessor also presented evidence of a 2015 trust deed that was purportedly utilized in financing the building of the home. The amount borrowed was $2,437,500.

The assessor argued that since the appraised value is within 5% of the assessed value, there is no basis to reduce the value.

FINDINGS

Utah Constitution Article XIII, Section 2 provides that all property in the state that is not exempt shall be assessed at a uniform and equal rate in proportion to its fair market value and be taxed at a uniform and equal rate. See also Utah Code §59-2-103(2).

Utah Code §59-2-102(13) defines fair market value as "the amount at which property would change hands between a willing buyer and willing seller, neither being under any compulsion to buy or sell and both having reasonable knowledge of the relevant facts."

The Board of Equalization is tasked with considering and weighing evidence to determine the fair market value of the property owner's property as of January 1, 2026.

Under Utah Code §59-2-109, a taxpayer seeking a reduction in value must 1) demonstrate substantial error in the original assessed value and 2) provide a sound evidentiary basis for changing the assessed value to the value it proposes. The county assessor has the burden to support the value he requests. Both parties must satisfy their burden of proof by a preponderance of the evidence.

Because there has not been a value reduction at either the Board of Equalization or the Tax Commission for the three previous tax years, the provisions of Utah Code §59-2-301.4 are inapplicable.

The taxpayer's appraisal most recently valued the property as of January 1, 2025. The comparable sales dates ranged between December 13, 2024 and January 10, 2025. Two of the taxpayer's comparable sales are shared with those of the county's appraisal. The taxpayer's comp 1 is the same sale as the county's comp 4. Some difference in adjustable value is expected due to the disparity in size of the subject property noted by each party. A significant difference in the valuation is the treatment of patios, pool, and amenities. The taxpayer's comp 2 is also the same comp as the county's comp 2. Like the previous share comps, there is a significant difference in the treatment of patios, pool and amenities. Given that the taxpayer's appraiser inspected the subject property, and the county's appraiser did not, greater deference is given to the appraisal's description and capture of the amenity characteristics.

Notwithstanding that difference, the taxpayer's appraisal has a valuation date of January 1, 2025 and does not account for market differences between January 1, 2025 and January 1, 2026. Neither

appraisal appears to have any obvious errors. It is reasonable to expect that two different appraisers value the property differently.

Regarding the 2015 trust deed, I give no weight to it. A loan that transpired over 10 years prior to the lien date has little or no evidentiary value relative to the value of the subject on the lien date. Regarding the claim of the property having super-adequacy, no evidence was presented other than the opinion of the taxpayer. It should be noted that the taxpayer's appraisal did not mention any super-adequacy.

The comparable sale submitted by the taxpayer, likewise, is given little weight. It is a poor comparable, lacking any similarity in size and acreage.

Weighing the two appraisals, I give greater weight to the county's appraisal, primarily because it values the property as of January 1, 2026. Both are good appraisals, but the county's appraisal is better due to the date of valuation.

For these reasons, the taxpayers' evidence has not demonstrated substantial error in the assessment and fails to provide a sound evidentiary basis to support the value they requested. Consequently, the taxpayers have not met their burden of proof by a preponderance of the evidence.

In contrast, the assessor's appraisal supports a value of $4,050,000, but not the assessed value. The argument that the appraisal is within 5% and therefore supports the assessment is without merit. The assessor proved a value of $4,050,000 by a preponderance of the evidence.

CONCLUSION

Accordingly, it is recommended that the Board of Equalization grant the appeal and make an adjustment to $4,050,000 consistent with the county's appraisal.

Dated October 16 , 2026



Brad Neff, Hearing Officer

MORGAN COUNTY BOARD OF EQUALIZATION
HEARING RECORD AND RECOMMENDATION

PARCEL NUMBER	00-0075-0220	NAME	Justin Menlove
ASSESSOR'S VALUATION: $1,473,597		HEARING DATE: October 7, 2026	
APPELLANT'S REQUESTED VALUE: $908,325			

PARTIES

Justin Menlove represented himself.

Janell Walker, Morgan County Assessor, and Mitch Ferry appeared on behalf of Morgan County.

DESCRIPTION OF THE PROPERTY

The subject is a single family residence located at 2015 Whistle Stop Lane, Morgan, UT.

TAXPAYER'S EVIDENCE

The taxpayer appealed, indicating that the home was completed less than a year ago for a total cost, including the purchase of the lot, of about $800,000. They indicate that sales of similar homes are lower than the values indicated by the county, and they have observed that homes are going down, not up in price. In support of its claims, the taxpayer submitted a Comparative Market Analysis that includes 7 comparable sales. He submitted two additional sales. A summary of the sales comparables, sales information and relevant property characteristics is set forth in the table below.

Property	Sale Date	Price	Adj Price	GLA	Bsmt/Fin	Acres	Bedrooms /Baths	YB
Subject	n/a	n/a		2,600 sf	2050/2050	.1.33	4/3	2025
T1	7/15/25	$697,500	$790,985	1,699 sf	1,748/1,661	.18	6/2	2019
T2	9/29/25	$725,000	$833,934	2,118 sf	1,437/0	.18	4/2	2025
T3	8/25/25	$750,000	$800,568	1,845 sf	1,833/1,833	1.95	3/3	1963
T4	12/3/25	$839,000	$921,767	2,540 sf	1,118/0	.46	4/2	2024
T5	5/08/25	$900,000	$985,159	2,728 sf	1,294/0	.35	4/2	2024
T6	7/23/25	$959,500	$996,688	1678 sf	1,723/1,37	1.61	5/3	2003

T7	6/10/25	$980,000	$1,029,175	2050 sf	2,050/1,640	1.0	5/3	2004
T8	7/7/25	$1,600,000	n/a	2,887 sf	120/120	1.47	3/4	2020
T9	11/28/25	$1,499,999	n/a	3,582 sf	3,132/3,132	1.25	7/4	2017

The CMA adjusted for differences in above grade area, basement area, year built, bathroom count, garage count, and acreage. No adjustment was made for market conditions or quality. The taxpayers' sales comparables are located near the subject property. The comparable sales, T8 and T9, are unadjusted comparable sales.

At hearing, the taxpayer acknowledged that his requested value of $908,325 was likely low, and that a value of $1,150,000 was probably more in line with the fair market value. In support of the lot value, he noted two listings of nearby properties that were for $325,000. He states that the raw costs to build were about $550,000 to $600, 000 and with the value of the land being $325,000, a lower value is supported.

The taxpayer was critical of the assessor's evidence for the following reasons: 1) not all of the sales transpired in 2025; 2) his house has the highest price per square foot of all comparables; 3) Assessor did not adjust comp A4 for the 14 car garage.

ASSESSOR'S EVIDENCE

The assessor submitted evidence in support of the assessment. The evidence includes five comparable sales (A1-A5) that the assessor adjusted for physical differences relative to the subject property. A summary of the assessor's comparable sales including adjusted sales prices appears below.

Property	Sale Date	Price	Adj Price	GLA	Bsmt/Fin	Acres	Quality	Bath.	Built
Subject	n/a	n/a	n/a	2,643 sf	2,010/1,809	1.33	VG	3.0.2	2024
A1	1/7/26	$1,499,999	$1,456,369	3,524 sf	2,176/2,176	1.25	VG	4.0.2	2017
A2	6/18/26	$1,155,000	$1,304,715	1,888 sf	1,825/1,789	.37	Good	3.0.1	2022
A3	4/29/26	$1,695,000	$1,639,883	2902 sf	3,043/3,013	1.01	Good	4.0.1	2024
A4	7/7/25	$1,600,000	$1,711,110	2887 sf	120? 12	.1.47	Good	3.0.0	2020
A5	6/5/26	$850,000	$1,011,620	1,756 sf	1,795/1,795	..24	Avg+	4.0.0	2021

The assessor was critical of the taxpayers' evidence for the following reasons: 1) the sales were not the most comparable sales; 2) the year built of the taxpayer's sales had a wide range with one being built in 1963;

FINDINGS

Utah Constitution Article XIII, Section 2 provides that all property in the state that is not exempt shall be assessed at a uniform and equal rate in proportion to its fair market value and be taxed at a uniform and equal rate. See also Utah Code §59-2-103(2).

Utah Code §59-2-102(13) defines fair market value as “the amount at which property would change hands between a willing buyer and willing seller, neither being under any compulsion to buy or sell and both having reasonable knowledge of the relevant facts.”

The Board of Equalization is tasked with considering and weighing evidence to determine the fair market value of the property owner’s property as of January 1, 2026.

Under Utah Code §59-2-109, a taxpayer seeking a reduction in value must 1) demonstrate substantial error in the original assessed value and 2) provide a sound evidentiary basis for changing the assessed value to the value it proposes. The county assessor has the burden to support the value he requests. Both parties must satisfy their burden of proof by a preponderance of the evidence.

Because there has not been a value reduction at either the Board of Equalization or the Tax Commission for the three previous tax years, the provisions of Utah Code §59-2-301.4 are inapplicable.

When sales comparables are highly similar to the subject, adjustments for differences may be unnecessary to prove the value of the subject property. However, in this appeal differences between the subject and the sold properties are considerable. The CMA can be good evidence of value if it contains necessary and accurate adjustments. The taxpayer’s CMA does fail to account for quality or grade differences in construction. Such differences can change the value of a property significantly. Also, the adjustments for acreage differences is likely too low to account for differences in lot size. For these reasons, the taxpayers’ evidence has not demonstrated substantial error in the assessment and fails to provide a sound evidentiary basis to support the value they requested. Consequently, the taxpayer has not met his burden of proof by a preponderance of the evidence.

In contrast, the assessor’s adjusted sales support the original assessed value. Even if comparable 4 is not considered, the remaining comparables support the assessed value. The adjustments appear to be reasonable and account for all the differences between the subject property and the assessor’s sales comparables. The assessor has met his burden of proof by a preponderance of the evidence.

CONCLUSION

Accordingly, it is recommended that the Board of Equalization deny the appeal and make no adjustment to the assessed value of the subject.

Dated October 18 , 2026



Brad Neff, Hearing Officer

Stipulation of Agreement for Real Property Valuation Morgan County Board of Equalization	Form PT-014 PT-014.ai Rev. 1/00

General Information

Appellant	Date
Morris Revocable Living Trust; Robert Morris	10/14/2026
Property identification number	**Appeal number**
00-0073-9896	

Valuation

	Pre-Board Market	Equalized Market
Land/FAA (real estate)	$ 260,000	$260,000
Improvements	$855,134	$770,000
Personal property	$	$
Total Value	$1,115,134	$1,030,000

Explanation of Agreement

Appraisal submitted by appellant is sufficient evidence to merit a reduction of the assessed value to $1,030,000.

Signatures

We hereby stipulate and agree that this appeal be resolved as proposed and waive our rights to a formal hearing. **The appellant also agrees to waive any appeal rights to the Tax Commission.**

Appraiser or Board of Equalization Hearing Officer	Date 10/14/2026
County Assessor or Deputy Assessor	Date
Board of Equalization (Member of Legislative Body)	Date
~~Appellant~~	Date 10/14/2026

Each signing party should receive a copy of this form

MORGAN COUNTY BOARD OF EQUALIZATION
HEARING RECORD AND RECOMMENDATION

PARCEL NUMBER	**00-0090-5210** **00-0090-5209** **00-0090-5208**	**NAME**	**Remkes**
ASSESSOR'S VALUATION: See Below		HEARING DATE: October 7, 2026	
APPELLANT'S REQUESTED VALUE: Valued at the agricultural rate under FAA			

PARTIES

Francis and Raini Remkes appeared for themselves, the property owners.

Janell Walke, Morgan County Assessor, Morgan County Assessor, and Kirsten Bentley appeared on behalf of Morgan County.

DESCRIPTION OF THE PROPERTY

Parcel 00-0090-5208 is the residential property with a portion designated for residential use and a portion designed for agricultural use. Parcels 00-0090-5209 and 5210 include vacant land that is used agriculturally. The acreage and assessed values are set forth below:

		2026 Assessed Value		
Parcel	Acreage	Lot	Market Sec.Land	Improvements
00-0090-5208	2.15 AC	$ 255,000	$ 57,500	$ 594,327
00-0090-5209	1.90 AC	$ 255,000	$ 45,000	$ -
00-0090-5210	1.88 AC	$ 255,000	$ 44,000	$ -

TAXPAYER'S EVIDENCE

The taxpayers submitted a statement in which it indicated that the three contiguous properties should receive preferential tax treatment under the Farmland Assessment Act ("FAA"), also called greenbelt. They assert that only .40 acres of the residential parcel is utilized for residential purposes and the remaining land has an agricultural use. They argue that the total acreage of 5.93 less the .40 acres of residential property leaves 5.53 acres in agricultural use, exceeding the statutory requirement of at least five acres.

The submitted evidence of agricultural use including raising chickens, grazing other animals, and growing hay.

They also submitted evidence of other similar properties that are being given FAA tax treatment.

ASSESSOR'S EVIDENCE

The assessor noted that the property was withdrawn from FAA in 2022, and that there has not a timely appeal of that withdrawal. The assessor further stated that this appeal is premature as the taxpayers have not applied for FAA treatment for the current tax year or any time in the previous few years. The assessor also noted that had application been made, its initial review would determine that the taxpayers do not meet the acreage requirements because the county's standard lot size is 1.0 acre and subtracting 1.0 acre from the total acreage leaves the properties .07 acres short of the required 5.0 acres.

FINDINGS

Utah Constitution Article XIII, Section 2 provides that all property in the state that is not exempt shall be assessed at a uniform and equal rate in proportion to its fair market value and be taxed at a uniform and equal rate. See also Utah Code §59-2-103(2).

Utah Code §59-2-102(13) defines fair market value as "the amount at which property would change hands between a willing buyer and willing seller, neither being under any compulsion to buy or sell and both having reasonable knowledge of the relevant facts."

The Board of Equalization is tasked with considering and weighing evidence to determine the fair market value of the property owner's property as of January 1, 2026.

Under Utah Code §59-2-109, a taxpayer seeking a reduction in value must 1) demonstrate substantial error in the original assessed value and 2) provide a sound evidentiary basis for changing the assessed value to the value it proposes. The county assessor has the burden to support the value he requests. Both parties must satisfy their burden of proof by a preponderance of the evidence.

Because there has not been a value reduction at either the Board of Equalization or the Tax Commission for the three previous tax years, the provisions of Utah Code §59-2-301.4 are inapplicable.

It does appear that this appeal is a valuation appeal, but rather an appeal about whether the taxpayers' properties qualify for FAA treatment. Utah Code §59-2-503 states that a property may qualify for an agricultural use assessment if:

> (a) is not less than five contiguous acres in area;
> (b) is actively devoted to agricultural use; and
> (c) has been actively devoted to agricultural use for at least two successive years immediately preceding the tax year for which the land is being assessed under this part.

Pursuant to Utah Code §59-2-508, if the owner wants its land to be treated under FAA, “the owner shall submit an application to the county assessor of the county in which the land is located.”

In this matter, the taxpayers have not submitted any proof that they have submitted an FAA application. Consequently, this matter is not ripe for decision and the Board of Equalization cannot make a finding that the taxpayers’ properties can be valued as agricultural property under the FAA.

CONCLUSION

Accordingly, it is recommended that the Board of Equalization deny both the appeal.

Dated October 16 , 2026



Brad Neff, Hearing Officer

MORGAN COUNTY BOARD OF EQUALIZATION
HEARING RECORD AND RECOMMENDATION

PARCEL NUMBER	**00-0085-5208**	**NAME**	**Ridge at Cottonwoods LC**
ASSESSOR'S VALUATION: $2,019,420		HEARING DATE: October 7, 2026	
APPELLANT'S REQUESTED VALUE: $543,690			

PARTIES

Douglas Durbano and Scott King appeared on behalf of Ridge at Cottonwoods LC.

Janell Walker, Morgan County Assessor, and Kirsten Bentley appeared on behalf of Morgan County.

DESCRIPTION OF THE PROPERTY

The subject is vacant land totalling 77.67 acres. It is currently being assessed as Farmland Assessment Act (FAA) land. The FAA value is $8,835.

TAXPAYER'S EVIDENCE

The taxpayer submitted two comparable sales in support of its claim. The value claimed is $7,000/acre. The sales are set forth below:

MLS #	Sale Date	Price	Acres	Price/acre	Notes
1800165	6/1/22	$700,000	60.70	$11,532	Agricultural land
2076569	1/2/26	$424,000	172.90	$2,452	Recreational or agricultural land

The taxpayer claims that under Utah Code §59-2-505 the property must be valued at its agricultural value. Further, the taxpayer asserts that the assessor's comparable sales are fundamentally different from the subject property and that its Morgan County sales more reasonably support the taxpayer's requested value.

ASSESSOR'S EVIDENCE

The assessor submitted 51 comparable sales from Morgan and nearby counties. No sales were included from the Park City area. All of the sales were of properties greater than 10 acres in size. The assessment valued the property at $26,000 per acre.

The assessor commented that the subject land has recently been through a density improvement process, and that the comps it selected generally were similar with the notable exception of the Uintah, Weber County appeal that had development issues and consequently sold for a very low price.

FINDINGS

Utah Constitution Article XIII, Section 2 provides that all property in the state that is not exempt shall be assessed at a uniform and equal rate in proportion to its fair market value and be taxed at a uniform and equal rate. See also Utah Code §59-2-103(2).

Utah Code §59-2-102(13) defines fair market value as "the amount at which property would change hands between a willing buyer and willing seller, neither being under any compulsion to buy or sell and both having reasonable knowledge of the relevant facts."

The Board of Equalization is tasked with considering and weighing evidence to determine the fair market value of the property owner's property as of January 1, 2026.

Under Utah Code §59-2-109, a taxpayer seeking a reduction in value must 1) demonstrate substantial error in the original assessed value and 2) provide a sound evidentiary basis for changing the assessed value to the value it proposes. The county assessor has the burden to support the value he requests. Both parties must satisfy their burden of proof by a preponderance of the evidence.

If a property is a qualified real property, the county board of equalization must presume that the fair market value is equal to the inflation adjusted value (IAV) as defined by statute. Utah Code §59-2-1004(4)(b) and the parties have a burden of proving that the value is something other than the IAV.

Qualified real property means real property for which:

> (A) the taxpayer or a county assessor appealed the valuation or equalization for the previous taxable year to the county board of equalization,
> (B) the appeal resulted in a final assessed value that was lower than the assessed value; and
> (C) the assessed value for the current taxable year is higher than the inflation adjusted value for the current year

There was a reduction in the prior year, and the property is considered a qualified real property. The assessor has determined that the IAV is $1,937,633. Because there has been a value reduction at either the Board of Equalization or the Tax Commission for the three previous tax years, the provisions of Utah Code §59-2-301.4 are applicable. However, there is evidence that the assessor considered the prior reduction in its current assessment.

The taxpayer cited Utah Code §59-2-505 for the proposition that the property's fair market value can only be determined to be its agricultural value. The statute cited states:

> (1) (a) The county assessor **shall consider only those indicia of value that the land has for agricultural use** as determined by the commission when assessing land. (emphasis added).

However, the taxpayer ignores Utah Code §59-2-505(2) which states:

> (2) **In addition** to the value determined in accordance with Subsection (1), the fair market value assessment shall be included on the notices described in:

(a) Section 59-2-919.1; and
(b) Section 59-2-1317. (emphasis added)

For FAA properties, both a fair market value and an FAA value is determined as set forth in Utah Code §59-2-505(2). Either value can be appealed. The taxpayer in this appeal has only appealed the fair market value.

The taxpayer cited the Tax Commission decision in appeal 23-1038 and a Utah Supreme Court decision, Salt Lake County v. State Tax Com'n (Utah 1989), 779 P.2d.1131 in support of its claim. However, in this matter there is no question that the subject property is being taxed under the FAA. This appeal is not about whether the FAA applies. It does. The taxpayer is basically asserting that the fair market value of the property must equal the FAA or agricultural value. That position is not supported by statute or case law. The Salt Lake County case noted above was an appeal seeking application of the FAA and any holding dealt with the applicability of the FAA. The same is true of the Commission appeal 23-1038. Here, no one has questioned whether the property's taxes are at the FAA agricultural rates. As noted above, the assessor is to determine both a fair market value and FAA value.

Therefore, the only issue remaining in this appeal is to determine whether the assessed value represents the fair market value of the subject property. The taxpayer's evidence does not support a determination that the property's highest and best use is agricultural land. Its sales do not reflect the land that has investment and development potential. Therefore, the taxpayer has not met its burden of showing error in the IAV or providing sound evidence of an alternative value.

The assessor's evidence included sales of surrounding counties. The taxpayer asserted that the assessor's Morgan County sales support a lower value. However, that assertion undermines the fact that other nearby sales, particularly in Weber County, better reflect the land characteristics of the subject. In whole, the assessor's sales do show error in the IAV and support its assessment. Consequently, the assessor has met its burden of proof.

CONCLUSION

Accordingly, it is recommended that the Board of Equalization deny the taxpayer's appeal and make no adjustment to the assessed value.

Dated October 16 , 2026

Brad Neff, Hearing Officer

Stipulation of Agreement for Real Property Valuation

Morgan County Board of Equalization

Form PT-014
PT-014.ai Rev. 1/00

General Information

Appellant: Shane and Sally Norman

Date: 09/09/2026

Property identification number: 00-0090-1166

Appeal number: Norman

Valuation

	Pre-Board Market	Equalized Market
Land/FAA (real estate)	$ 210,050	$ 210,050
Improvements	$ 441,955	$ 384,950
Personal property	$	$
Total Value	$ 652,205	$ 595,000

Explanation of Agreement

March 2025 sale of subject property indicated a value of $595,000

Signatures

We hereby stipulate and agree that this appeal be resolved as proposed and waive our rights to a formal hearing. **The appellant also agrees to waive any appeal rights to the Tax Commission.**

Appraiser or Board of Equalization Hearing Officer: Kirsten Bentley — Digitally signed by Kirsten Bentley Date: 2026.09.09 07:49:20 -06'00' — Date: 09/09/2026

County Assessor or Deputy Assessor — Date

Board of Equalization (Member of Legislative Body) — Date

Appellant: Sally Norman — Date: 10/2/26

Each signing party should receive a copy of this form

MORGAN COUNTY
PLANNING & DEVELOPMENT

COUNTY COMMISSION STAFF REPORT

Site Plan

October 27, 2026

Wasatch Peaks Ranch Pool Complex Site Plan
October 27, 2026
Public Meeting
File #26.028

Applicant:	Brian Nestoroff
Owner:	Wasatch Peaks Ranch, LLC
Project Location:	5250 W. Peaks View Drive
Parcel Number:	00-0095-0121
Serial Number:	12-004-014-01-4
Current Zoning:	Resort Special District
Acreage:	365 acres parcel size; pool complex area considerably smaller

REQUEST:

A request for site plan approval of the WPR (Wasatch Peaks Ranch) Pool Complex Site Plan in the Peterson area to allow for the construction of a new mechanical building, spas, pool, and cabana.

PLANNING COMMISSION RECOMMENDATION

On October 22, 2026, the Planning Commission unanimously recommended approval, based on the findings and conditions in the October 22 staff report. See attached recap.

ATTORNEY GUIDANCE

Administrative Review: Administrative land use decisions are governed by applicable County ordinances. If an application complies with those ordinances, it must be approved.

The role of the Planning Commission and County Commission is not to determine whether they like or dislike a proposal, but whether the application complies with the ordinances governing the application. Administrative review is the application of existing ordinances to a specific application, not a discretionary policy decision. Policy decisions belong to the legislative process through the adoption, amendment, or repeal of ordinances.

MORGAN COUNTY PLANNING COMMISSION

WPR Pool Complex Recap

October 22, 2026 | Administrative item 8 | Application 26.028

Recommendation: The Planning Commission unanimously recommended approval of the Wasatch Peaks Ranch Pool Complex Site Plan, based on the findings and with the conditions in the staff report dated October 22, 2026. The recommendation is forwarded to the County Commission for final consideration.

Request

Site plan approval for a new Wasatch Peaks Ranch pool complex at 5250 W. Peaks View Drive in the Peterson area of unincorporated Morgan County. The applicant is Brian Nestoroff and the property owner is Wasatch Peaks Ranch, LLC. The property is zoned Resort Special District. The County Commission staff report describes the proposed facilities as a mechanical building, spas, pool, and cabana.

Staff presentation and Commission discussion

Staff presented Application 26.028 and explained that the Planning Commission's recommendation was required before County Commission review. Staff stated that the application had been reviewed against the Wasatch Peaks Ranch development agreements and was in compliance with those agreements. The applicant's representative was present and available for questions.

The Chair invited questions for staff and the applicant. No substantive questions, concerns, proposed revisions, or additional conditions were recorded during consideration of this item. The Commission then proceeded to a motion.

Public comment procedure

At the beginning of the meeting, the Chair identified the pool complex as an administrative item without a separate public hearing and directed anyone wishing to comment on it to the general public comment period. No separate public hearing was held on this item.

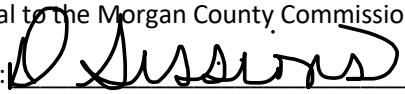
Motion and vote

Member Taylor, as identified by the Chair, moved to recommend approval to the County Commission of the WPR Pool Complex Site Plan, Application 26.028, for the proposed pool complex at 5250 W. Peaks View Drive, based on the findings and with the conditions listed in the staff report dated October 22, 2026. Member King, as identified by the Chair, seconded.

The Chair called for votes in favor and any opposition and announced that the motion carried unanimously. No numerical tally was stated. No additional findings or conditions were added to the motion.

Chair Attestation

I attest that I have reviewed this recap and that it accurately reflects the substance of the Planning Commission's consideration, motion, and recommendation on this item at its October 22, 2026 meeting. This recap is provided for transmittal to the Morgan County Commission and does not replace the official meeting minutes.

Signature:  Date: 10/24/2026_____

Printed name: Debbie Sessions_____ Planning Commission Chair

Sources: October 22, 2026 meeting transcript, 1:58 and 14:25–16:39 (motion at 16:02); F2 WPR Pool Complex, County Commission staff report dated October 27, 2026, page 1.

Applicable Law: Under Utah Code § 17-79-803, an applicant is entitled to approval of a land use application if the application conforms to the applicable land use regulations, land use decisions, and development standards in effect when a complete application is submitted and all required fees are paid.

In exceptional circumstances, Utah courts have recognized that an otherwise compliant application may be denied where substantial evidence demonstrates that approval would seriously threaten public health, safety, or welfare. See *Western Land Equities, Inc. v. City of Logan*, 617 P.2d 388 (Utah 1980).

Review Framework: When reviewing an administrative land use application:

1. Determine Ordinance Compliance
    - Confirm the application complies with all applicable County ordinances.
2. Evaluate Evidence
    - Decisions should be based on applicable County ordinances and substantial evidence in the record.
    - The role of the Planning Commission and County Commission is to apply adopted ordinances, not create new standards during the review process.
3. Evaluate Conditions
    - Any conditions imposed should be required by, authorized by, or reasonably related to applicable County ordinances.

Decision Standards:

Approval:

- An administrative land use application must be approved if it complies with applicable County ordinances.

Denial:

- An administrative land use application may be denied only if it does not comply with applicable County ordinances.
- In exceptional circumstances, an otherwise compliant application may be denied where substantial evidence demonstrates that approval would seriously threaten public health, safety, or welfare.

Findings: The record should clearly identify:

- The applicable ordinance provisions.
- The evidence relied upon, not merely the conclusions reached.
- Any conditions imposed and the legal basis for those conditions.
- The basis for approval or denial.

Important Considerations

- Administrative land use applications are not discretionary policy decisions.

- Public support, opposition, or public clamor is not a legal basis for approval or denial and does not, by itself, constitute substantial evidence.
- Do not rely on speculation, assumptions, or unsupported concerns.
- Apply ordinance provisions consistently to all applicants.
- The role of the Planning Commission is to apply adopted ordinances, not create new standards during the review process.
- Personal preferences, policy concerns, or a desire for different requirements must be addressed legislatively through the adoption, amendment, or repeal of ordinances, not through review of an individual administrative application.

STAFF RECOMMENDATION

County Staff has reviewed the application for the WPR Pool Complex Site Plan. Staff recommends approval of the requested site plan based on the following findings and with the conditions listed below:

Findings:

The Site Plan is compliant with the original (2019) (Original DA WPR) and amended (2021) (Amended DA WPR):

1. Development Agreements include but are not limited to:
    a. Swimming pools in all planning.
    b. Parking.
    c. Landscaping.
    d. Architectural/Elevations.
2. This proposal is not detrimental to the health, safety, and welfare of the public.

Conditions:

1. That all outsourced consultant fees are paid current prior to final plat recordation.
2. That all other local, state, and federal laws are adhered to.
3. The developer will install any required infrastructure, including roadways, utilities, parking, lighting, and landscape areas.

PROJECT DESCRIPTION:

Proposal Details

This request is for approval of a pool complex for WPR club members. The complex includes a pool, two sauna, mechanical building, and cabana with landscaping. Temporary parking will be provided until a parking garage is erected. A parking garage is a permitted use in the C & D Planning Areas according to the Development Agreement. The original Development Agreement

determined that parking lot standards are "not applicable by County stakeholders and applicant, given that this is a private community" (p.18).

Water and wastewater services will be provided by the WPR Utility District. Telecommunication services will be provided by All West/Utah Inc. Morgan County Fire will provide fire protection services. Rocky Mountain Power will provide power service. Enbridge Gas will provide gas service.

The applicant is seeking approval of a site plan for a pool complex. The proposal has been reviewed, and is in compliance with, the WPR Development Agreements.

Access will be provided through a Morgan County Fire Department approved Peaks View Drive.

SITE PLAN SUBMITTAL

Site and Building Layout

The WPR Pool Complex Site Plan shows the proposed 3,866 square foot pool, two 232 square foot saunas or spas, a 1,325 square foot mechanical room and a 2,206 square foot cabana. The cabana will include a lounge/dining area, food service area, restrooms, office, and kids' area.

Wasatch Peaks Ranch Design Standards

The original and the amended development agreement address design standards for Wasatch Peaks Ranch's. Staff believes the Pool Complex Site Plan (including landscaping) meets the design standards from the development agreements, including but not limited to:

- A swimming pool is a permitted use in all Planning Areas.
- All buildings shall be designed with consideration given to the mountain community home styles and shall be appropriate for the climate.
- Has considered as a commercial/mixed-use, the pool complex does not have setback restrictions.Cabana's roof pitch is compliant with 2:12 to 12:12..
- Roofs. Avoid large, unbroken expanse of single pitched roofs and to reduce reflection.
- Roof surfaces should be covered with composite shake or natural or synthetic slate tiles, or metal that is patinaed or patinaed with low sheen paints.
- A hip, gable, flat, low slope or shed roof configuration may be appropriate.
- Exterior color schemes shall reflect the natural earth tones of the surrounding landscape.
- Break up building facades with projections, recesses, piers, textured materials, trim and other architectural details to avoid a bulky or "box-like" appearance.

DISCUSSION:

Staff has reviewed the proposed Pool Complex Site Plan with the two WPR development agreements and finds the site plan compatible with the design standards in the original and amended development agreements.

DEPARTMENT COMMENTS/RECOMMENDED MOTIONS

Public Works: No comments

Engineering: No comments

Utility Companies: All required will-serve letters on file

PUBLIC NOTICE, MEETINGS, COMMENTS

- ✓ Public Notice was submitted to the State of Utah Public Notice website on October 12, 2026; a minimum of 10 days prior to the scheduled meeting. (Morgan County Code § 155.032 (C)).
- ✓ A Public Notice was posted at the County on October 12, 2026.
- ✓ Notices to property owners within 1000' feet of the proposed use were mailed a Public Notice on October 12, 2026.
- ✓ A sign was posted on the site on October 12, 2026.

Recommended Motions

Motion for *Approval* – "I move we approve the WPR Pool Complex Site Plan, application number 26.028, allowing for the proposed Pool Complex located at 5250 W. Peaks View Drive in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated October 27, 2026."

Motion for *Approval* with *Conditions* – "I move we approve the WPR Pool Complex Site Plan, application number 26.028, allowing for the proposed Pool Complex located at 5250 W. Peaks View Drive in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated October 27, 2026, and with the following conditions:"

1. *List any additional findings and conditions…*

Motion for a *Denial* – "I move we deny the WPR Pool Complex Site Plan, application number 26.028, not allowing for the proposed Pool Complex located at 5250 W. Peaks View Drive in unincorporated Morgan County, *due to the following findings:"*

1. *List any additional findings and conditions…*

SUPPORTING INFORMATION

Attachment A: Vicinity Map

Attachment B: Proposed Site Plan

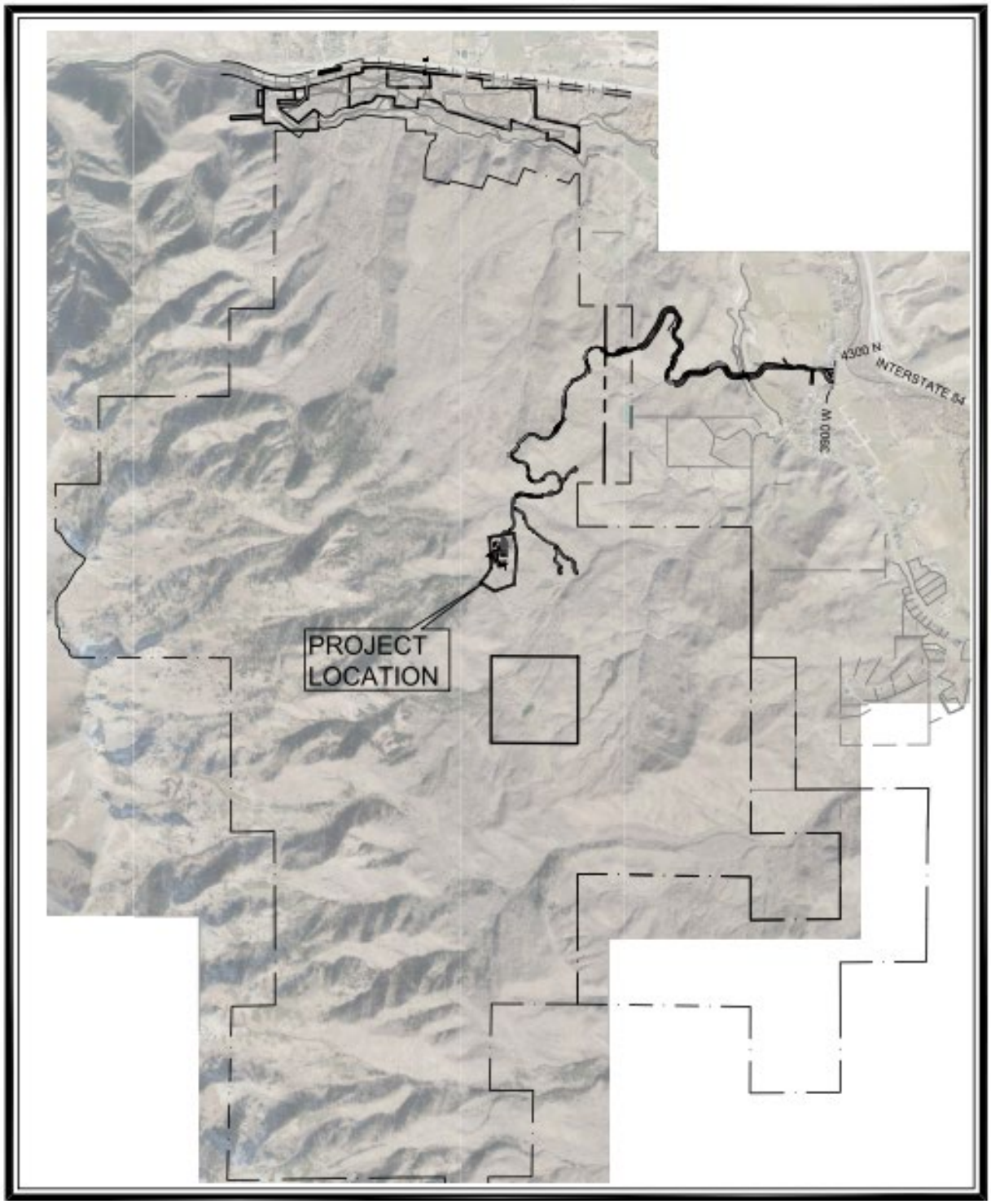
Attachment C: Landscape Green Roof Plan

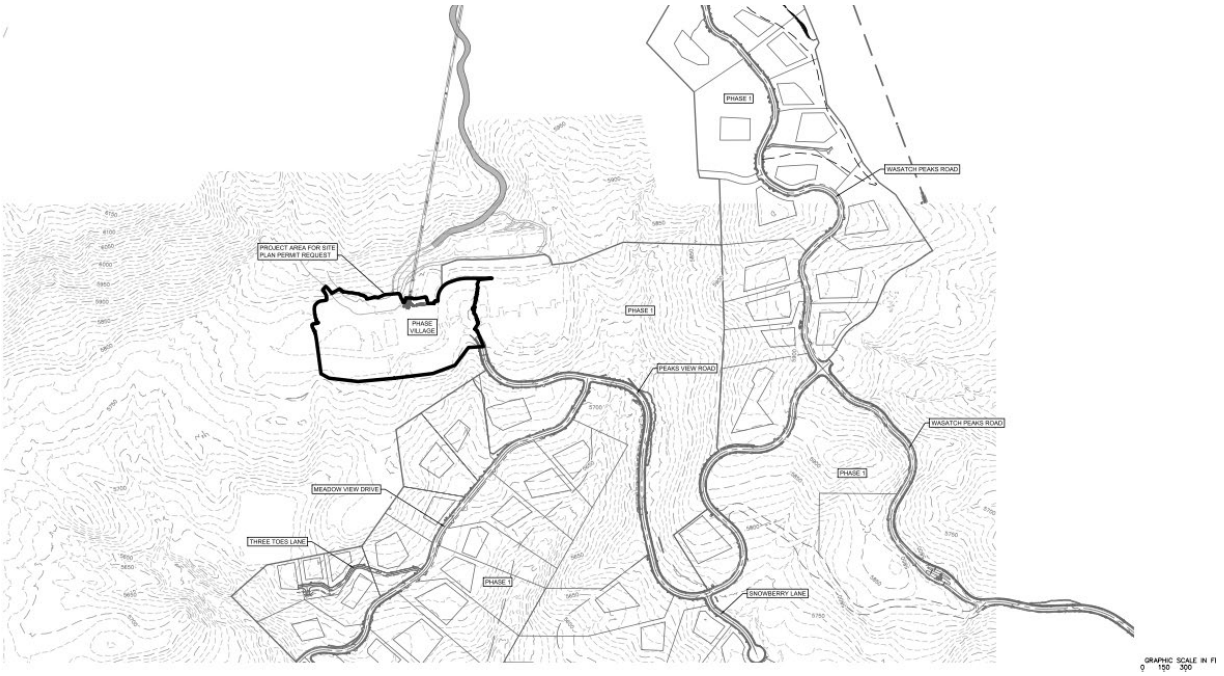
Attachment D: Building Elevations & Materials

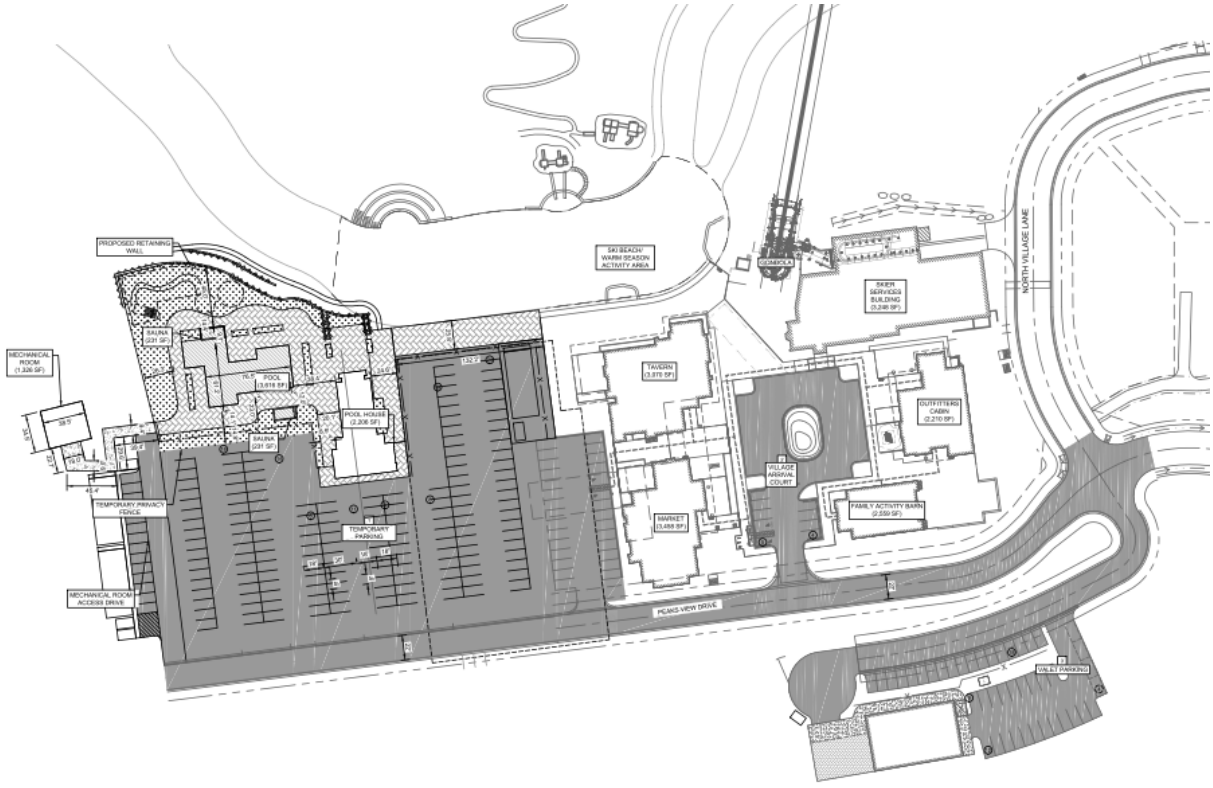
Attachment E: Photometrics Plan

Attachment F: Applicant Narrative

Attachment A: Vicinity Maps




PROJECT AREA FOR SITE PLAN PERMIT REQUEST
PHASE VILLAGE
PHASE 1
PHASE 1
PHASE 1
PHASE 1
WASATCH PEAKS ROAD
WASATCH PEAKS ROAD
PEAKS VIEW ROAD
MEADOW VIEW DRIVE
THREE TOES LANE
SNOWBERRY LANE
GRAPHIC SCALE IN FI
0 150 300


PROPOSED RETAINING WALL
SKI BEACH/ WARM SEASON ACTIVITY AREA
GONDOLA
SKIER SERVICES BUILDING (3,286 SF)
NORTH VILLAGE LANE
SAUNA (231 SF)
MECHANICAL ROOM (1,326 SF)
POOL (3,616 SF)
POOL HOUSE (2,206 SF)
SAUNA (231 SF)
TAVERN (3,975 SF)
OUTFITTING CABIN (2,210 SF)
VILLAGE ARRIVAL COURT
MARKET (3,488 SF)
FAMILY ACTIVITY BARN (2,559 SF)
TEMPORARY PARKING
TEMPORARY PRIVACY FENCE
MECHANICAL ROOM ACCESS DRIVE
PEAKS VIEW DRIVE
VALET PARKING

Attachment B: Proposed Site Plan

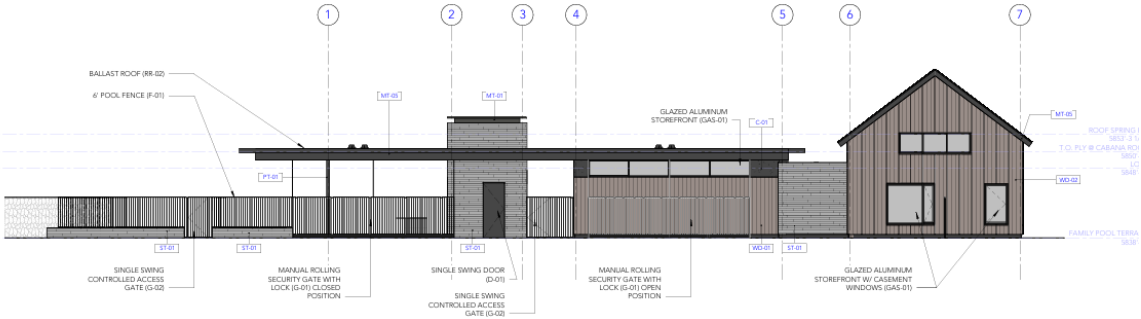


Attachment C: Proposed Architectural Drawings

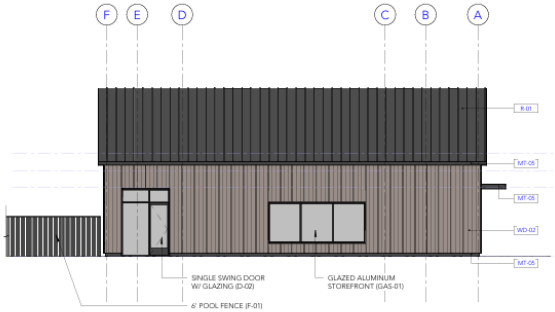
[Pool Complex - Architectural Package.pdf]



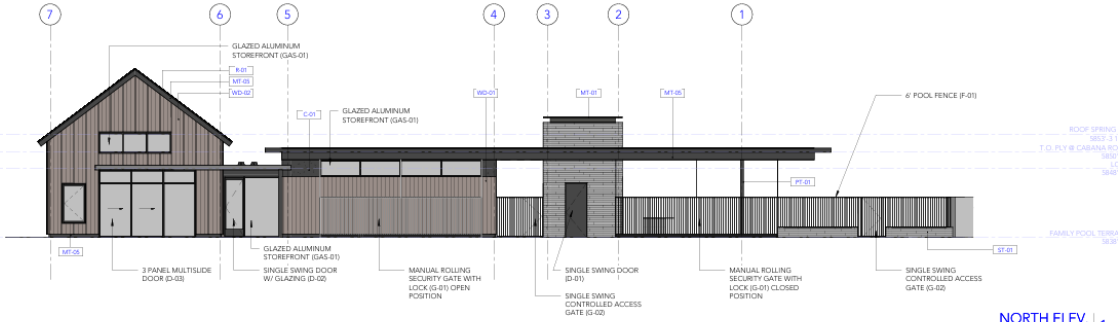
WEST ELEV. 1/8" = 1'-0" | 4



SOUTH ELEV. 1/8" = 1'-0" | 2



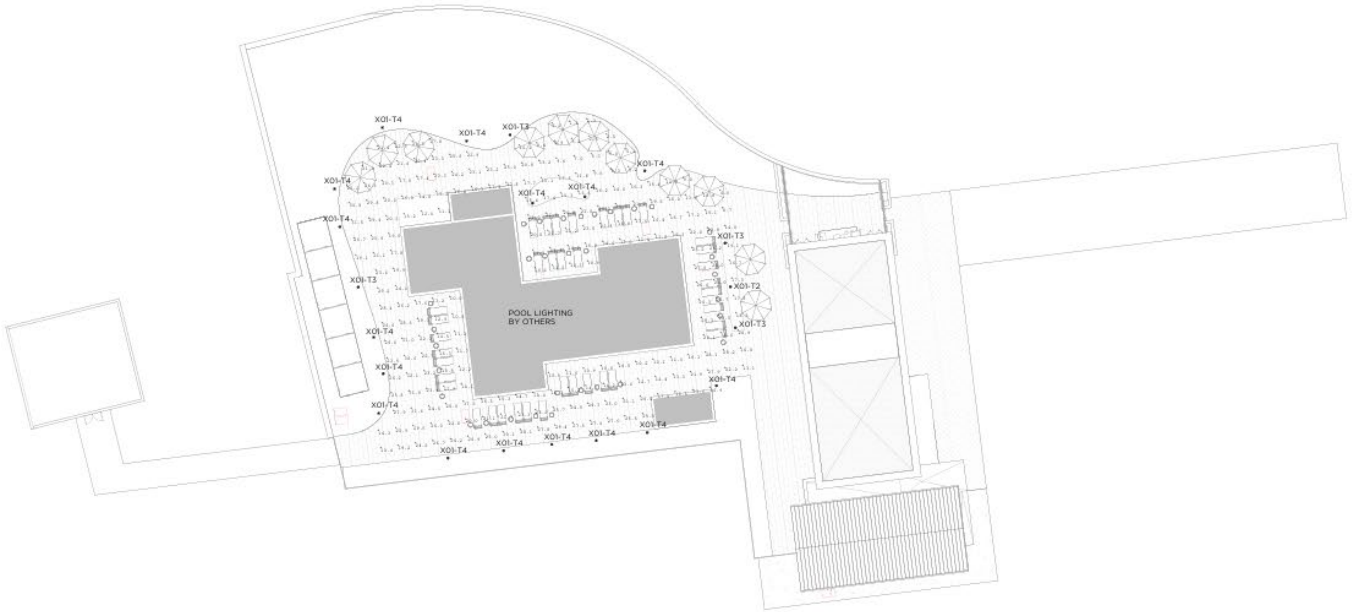
EAST ELEV. 1/8" = 1'-0" | 3



NORTH ELEV. 1/8" = 1'-0" | 1

Attachment D: Photometrics Plan

ARCHITECTURAL LIGHTING FIXTURE SCHEDULE								
	TYPE	MANUFACTURER	MODEL	DESCRIPTION	FIXTURE VOLTAGE	WATTAGE	DIM. TYPE	NOTES
◎	X01-T2	LUMENPULSE	ALG72*-120-*-L170-27K-CRI80-2-*-DIM-*-*	Allegra medium, type 2 distribution, 2700K CCT, 80+ CRI, lens TBD, finish TBD, options TBD.	120	146	0-10	Verify all TBD options.
◎	X01-T3	LUMENPULSE	ALG72*-120-*-L170-27K-CRI80-3-*-DIM-*-*	Allegra medium, type 3 distribution, 2700K CCT, 80+ CRI, lens TBD, finish TBD, options TBD.	120	146	0-10	Verify all TBD options.
◎	X01-T4	LUMENPULSE	ALG72*-120-*-L170-27K-CRI80-4-*-DIM-*-*	Allegra medium, type 3 distribution, 2700K CCT, 80+ CRI, lens TBD, finish TBD, options TBD.	120	146	0-10	Verify all TBD options.



Attachment E: Applicant Narrative

Date: August 13, 2026

To: Joshua Cook

Morgan County Planning & Development Director
48 West Young Street

Morgan, Ut 84050

From: Brian Nestoroff

Subject: Wasatch Peaks Ranch – Pool Complex Site Plan Application

---

The intent of this memorandum is to provide pertinent information for the submittal of a Site Plan application for the "Pool Complex" within the Village area of Wasatch Peaks Ranch (WPR). The plans include one building with restrooms and a kid playing area, a small structure to house pool mechanical equipment, pool & spa, and surrounding hardscape and landscaping. This facility is accessed from the previously approved and constructed north village amenity area (market / tavern).

WPR plans to commence grading and foundation work in fall 2026 and currently plans to continue construction throughout the winter season and through completion which is expected to be fall 2027.

WPR expects to fund the street and related facilities, water distribution systems, sewage collection system, storm drainage facilities, and such other elements to accommodate the project directly and without financing. Many of these utilities/improvements are extensions of utilities already complete and in-place. These costs are estimated to be $1,010,500.00.

This facility was included in the WPR Development Agreement (DA), which was approved by the County on October 30, 2019, with an Amendment approved on October 1, 2021.

WPR DA: https://wprdev.egnyte.com/dl/kVCGKCVPyBQb

WPR DA Amendment #1: https://wprdev.egnyte.com/dl/FVFtVgcHGCkY

Specifically, the "Permitted Uses" table (Exhibit C) calls out accessory buildings, pools, and family fun centers as allowable within planning Area D.

As part of this submittal, the following documents are included as required by the County of Morgan Site Plan Application:

Attached Reports & Documents

- Wildland Urban Interface – The DA has established fire management requirements including sprinklers in all community buildings.
- *Geologic Hazards Area* - Geologic Hazards & Geotechnical Report for North Village - Lagan & Associates, dated April 21, 2022.
- *Preliminary Title Report* – Cottonwood Title, dated July 7, 2026.
- *Utility Will Serve* – Wasatch Peaks Ranch Utility District, dated July 20, 2026.
- *Protective Covenants* – The Pool Complex is a community amenity and regulated by the recorded Master Declaration.
- *Site, Grading, Engineering, & Parking Plans* – Kimley Horn & Associates, dated August 12, 2026.
- *Fire Hazards Assessment* – WPR Fire Management Plan (current), dated April 27, 2022.
- *Landscape Plans* – LDG & Associates, dated July 2026.
- *Flood Zone* – WPR is exempt from flood hazards, and the applicable flood panel #'s are included within the platting plans.
- *Agricultural Impact Analysis* – An Agricultural Impact Analysis is not required for WPR because the property was never farmed, there are no agricultural open space easements within the plat, and the land isn't contiguous to an adopted agricultural preservation area.
- *Wetlands/Sensitive Habitat* – The Pool Complex has been designed to avoid impacts to existing wetland habitat and there are no sensitive species listed within the boundaries of the project.

Utility Services - Road, fire, water, and sewer services are provided through private improvement districts, service letters are provided. Electrical is provided through Rocky Mountain Power and telephone/internet services are provided by All West. Copies of both service agreements are included. Natural gas will be supplied through a propane service provider. Trash service will be centrally located/controlled by member services.

Neighboring Impacts – WPR has engaged with the surrounding community and considered potential impacts to neighboring properties. Existing irrigation ditches are being maintained to neighbors while property lines near neighbors have been setback in order to have the WPR association interact with neighbors versus individual homeowners.

Wasatch Peaks Ranch would like to thank Morgan County for their continued support over many years and for being a resource as this application package was prepared. The complexities of this project cannot be solved without this support. Wasatch Peaks Ranch is excited to work alongside the County to deliver an iconic and successful project.

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

Email: kbecker@morgancountyutah.gov

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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: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address:

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department: Building

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Request to approve the auditorium lease rate for the Morgan Quilters Group by resolution establishing rate and limitations of the rental.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	☐
DECISION	☐
BOTH	☑
INFORMATION ONLY	☐

MORGAN COUNTY RESOLUTION CR 26-53

A RESOLUTION OF THE MORGAN COUNTY COMMISSION ESTABLISHING AN ANNUAL RENTAL RATE FOR THE QUILTERS GROUP OF MORGAN FOR USE OF THE MORGAN COUNTY AUDITORIUM.

WHEREAS, the Morgan County Commission oversees the use and rental of County-owned facilities, including the Morgan County Auditorium; AND

WHEREAS, the Quilters Group of Morgan conducts quilting activities and retreats that provide community, educational, and cultural benefits to Morgan County residents; AND

WHEREAS, on April 5, 2022, citizen Nancy Potter requested that the Commission retain the quilting group's existing auditorium rental rate and historical use period, and the Commission unanimously approved a motion to grandfather the group's existing rate though the meeting minutes did not define that rate; AND

WHEREAS, the Morgan County Commission desires to establish an annual rental arrangement for the Quilters Group of Morgan, subject to facility availability and applicable County facility-use requirements.

1. Annual Rental Rate. NOW THEREFORE, BE IT RESOLVED, that the Morgan County Commission hereby establishes an annual rental rate of $700 (seven hundred dollars) per calendar year for the Quilters Group of Morgan for use of the Morgan County Auditorium.

2. Authorized Use. This annual rate includes one Friday per month (up to twelve Fridays per calendar year) and up to two quilting retreats per calendar year, each lasting no more than three consecutive days.

3. Payment and Scheduling. The full $700 annual fee shall be paid on or before the group's first use of the Auditorium in January of each year. All dates shall be scheduled in advance, subject to facility availability and applicable County facility-use policies. The annual rate applies only to the uses described herein; additional uses require separate County approval.

4. Temporary Suspension. The County reserves the right to temporarily suspend this rental arrangement due to scheduled construction and/or remodeling of the Morgan County Auditorium. If the County exercises this right, the Quilters Group of Morgan may elect to schedule make-up days, subject to facility availability, and/or request a refund for the affected use. Any request for a refund must be submitted to the County in writing no later than December 10 of the calendar year in which the suspension occurs.

5. Other Facilities and Parking. The annual rental rate applies specifically to the Auditorium and does not include reserved or exclusive use of other County facilities or amenities. As the Auditorium is part of a public County facility, parking areas are shared with County employees, operations, and visitors. The County cannot guarantee a specific number of parking spaces or their availability during scheduled activities or events.

6. Modification and Effective Date. The Commission may amend or revoke this arrangement by subsequent action. This Resolution is effective upon adoption.

PASSED AND ADOPTED this _____ day of _____ 2026.

MORGAN COUNTY COMMISSION:

_____

_____,

Morgan County Commission Chair

ATTEST:

_____

_____,

Morgan County Clerk/Auditor

APPROVED AS TO FORM:

_____

Garrett Smith,

Morgan County Attorney

COMMISSION MEMBER VOTES:

	AYE:	NAY:	ABSENT:
Commission Member 1 ____	____	____	
Commission Member 2	____	____	____
Commission Member 3	____	____	____
Commission Member 4	____	____	____
Commission Member 5	____	____	____

EXHIBIT A

EXCERPT FROM MORGAN COUNTY COMMISSION MEETING MINUTES — APRIL 5, 2022, PAGE 3

Citizen – Nancy Potter

Mrs. Potter has asked the Commission to grandfather in her rate for the auditorium for the sewing service projects; quilting. She asked that her rate for this project be frozen at the rate she has paid for over 5 years. She stated that they sew once a month on the second Friday of every month. They would like to have some leniency. They have been good customers and always leave it clean.

Commissioner Wilson moved to approve the grandfathering of the quilting group to keep their existing rate and time period they have had in the past.
Seconded by Commissioner Fackrell.
The Vote was unanimous. The Motion Passed.

Source: Morgan County Commission Meeting Minutes, April 5, 2022, p. 3. https://irp.cdn-website.com/016dd32e/files/uploaded/CC%204.5.22.pdf

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commission Meeting Date: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address:

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department: Search & Rescue Building

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

A request to waiver the Search and Rescue rental fee for the Ham Radio groups once a month meeting by Resolution.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	
DECISION	
BOTH	☑
INFORMATION ONLY	

MORGAN COUNTY RESOLUTION CR 26-54

A RESOLUTION WAIVING RENTAL FEES FOR THE MORGAN COUNTY HAM RADIO GROUP'S MONTHLY USE OF THE MORGAN COUNTY SEARCH AND RESCUE BUILDING

WHEREAS, the Morgan County Commission recognizes the valuable role amateur radio operators play in supporting emergency communications, disaster preparedness, public safety, and community service within Morgan County; AND

WHEREAS, the Morgan County Ham Radio Group has utilized the Morgan County Search and Rescue Building for its regular monthly meetings, held on a Wednesday, for many years; AND

WHEREAS, Morgan County Sheriff Corey Stark has granted permission for the Morgan County Ham Radio Group to continue utilizing the Search and Rescue Building for its monthly meetings; AND

WHEREAS, the Morgan County Commission recognizes the group's longstanding use of the facility and its contributions to emergency communications preparedness and community service; AND

WHEREAS, the Morgan County Commission desires to formally recognize this existing arrangement and authorize a waiver of the associated rental fees;

NOW, THEREFORE, BE IT RESOLVED BY THE MORGAN COUNTY COMMISSION OF MORGAN COUNTY, UTAH, AS FOLLOWS:

SECTION 1. WAIVER OF RENTAL FEES
The Morgan County Commission hereby waives the rental fees for the Morgan County Ham Radio Group's continued use of the Morgan County Search and Rescue Building for its regularly scheduled monthly meetings, not to exceed one (1) day per calendar month. This waiver recognizes the group's longstanding use of the facility and shall remain in effect unless modified or revoked by subsequent action of the Morgan County Commission.

SECTION 2. SCHEDULING AND AUTHORIZATION
The Morgan County Ham Radio Group is authorized to continue holding its regular monthly meetings on a Wednesday, as historically scheduled, subject to coordination with the Morgan County Sheriff's Office. Use of the building shall remain subject to availability and shall not interfere with Search and Rescue operations, emergency response activities, or other official County functions.

SECTION 3. CONDITIONS OF USE
The Morgan County Ham Radio Group shall maintain the facility in a clean and orderly condition, comply with applicable County facility rules, and be responsible for any damage resulting from its use beyond ordinary wear and tear. The group shall not make permanent modifications to the facility or store equipment or personal property without separate County authorization.

SECTION 4. FACILITY AVAILABILITY AND PARKING
As the Search and Rescue Building is a County facility utilized for public safety and emergency operations, Morgan County cannot guarantee uninterrupted availability of the building or a specific number of parking spaces. Official County operations and emergency response needs shall take precedence over the group's scheduled use.

SECTION 5. SUSPENSION OR REVOCATION
Morgan County reserves the right to temporarily suspend, modify, or revoke the authorization granted herein when necessary for emergency operations, facility maintenance, construction, remodeling, or other County purposes. The County shall make reasonable efforts to provide advance notice when practicable but shall not be obligated to provide an alternative meeting location.

SECTION 6. NO EXCLUSIVE USE OR PROPERTY INTEREST
This Resolution does not grant the Morgan County Ham Radio Group exclusive possession, a leasehold interest, or any other property interest in the Search and Rescue Building.

SECTION 7. OTHER FEE WAIVERS
This Resolution recognizes the Morgan County Ham Radio Group's longstanding use of the facility and its contributions to community emergency preparedness. Nothing herein shall limit the Morgan County Commission's authority to approve additional rental fee waivers for other organizations on a case-by-case basis, nor shall this Resolution establish a standard for eligibility for similar waivers.

SECTION 8. EFFECTIVE DATE
This Resolution shall take effect immediately upon adoption and remain in effect until amended or repealed by the Morgan County Commission.

APPROVED AND ADOPTED by the Morgan County Commission, Morgan County, State of Utah, this 27th day of October, 2026.

MORGAN COUNTY COMMISSION

_____
Matthew Wilson, Commission Chair

ATTEST:

_____
Leslie A. Hyde, Clerk/Auditor

APPROVED AS TO FORM:

_____
Garrett Smith
Morgan County Attorney

COMMISSION VOTE:

Commissioner	Aye	Nay	Absent
Matthew Wilson	☐	☐	☐
Vaughn Nickerson	☐	☐	☐
Mike Newton	☐	☐	☐
Raelene Blocker	☐	☐	☐
Blaine Fackrell	☐	☐	☐

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commission Meeting Date: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address:

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department: Building

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Request to approve the fee waiver of the Morgan County Auditorium rent for certain groups by Resolution setting limitations on number of days those groups are allowed a fee waiver. Also setting the limitations of the rental.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	☐
DECISION	☐
BOTH	☑
INFORMATION ONLY	☐

MORGAN COUNTY RESOLUTION CR 26-56

A RESOLUTION OF THE MORGAN COUNTY COMMISSION AUTHORIZING RENTAL FEE WAIVERS FOR REGULAR USE OF THE MORGAN COUNTY AUDITORIUM BY DESIGNATED COMMUNITY AND EDUCATIONAL ORGANIZATIONS

WHEREAS, Morgan County owns and operates the Morgan County Auditorium as a public facility serving County operations and authorized community uses; AND

WHEREAS, certain historical, agricultural, and educational organizations have regularly used the Auditorium and provide community benefits; AND

WHEREAS, the Morgan County Commission desires to formalize rental fee waivers for these organizations while preserving public access, County scheduling priorities, and its discretion regarding other requests;

NOW, THEREFORE, BE IT RESOLVED by the Morgan County Commission as follows:

SECTION 1. AUTHORIZED RENTAL FEE WAIVERS

A. Sons of Utah Pioneers
The Auditorium rental fee is waived for up to twelve (12) days per calendar year.

B. Daughters of Utah Pioneers
The Auditorium rental fee is waived for up to twelve (12) days per calendar year.

C. Utah State University Extension and Morgan County 4-H
The Auditorium rental fee is waived for the combined USU Extension and Morgan County 4-H program for an unlimited number of days per calendar year, subject to scheduling approval and availability.

D. Farm Bureau of Morgan
The Auditorium rental fee is waived for one (1) day per calendar month, preferably the first Thursday of the month or another day approved through County scheduling. Unused days do not carry forward.

SECTION 2. GENERAL TERMS AND CONDITIONS

A. Scheduling and Availability.
All use requires advance scheduling and County approval and is subject to facility availability and County operational needs. No organization is guaranteed a particular date, time, or exclusive or permanent right of use.

B. County Policies.
All organizations shall comply with applicable County facility-use policies and reasonable directions of authorized County personnel.

C. Parking.
The Auditorium is located in a public County facility. Parking is shared by County employees, visitors, and the general public. Morgan County cannot guarantee the availability or number of parking spaces for any event, and use of the Auditorium does not grant exclusive or priority access to County parking.

D. Construction and Remodeling.
Morgan County may temporarily suspend or restrict use of the Auditorium at any time for construction, remodeling, renovation, maintenance, or other facility improvements. The County will make reasonable efforts to give advance notice when practicable but is not required to do so when immediate action is necessary. The County is not obligated to locate, arrange, or provide a replacement or alternative location for an affected organization.

E. Scope of Waiver.
This Resolution waives only the Auditorium rental fee. Other applicable fees, deposits, and requirements remain in effect unless separately waived. This Resolution does not guarantee access to other County facilities or property.

SECTION 3. PURPOSE AND NON-EXCLUSIVITY

The organizations named in this Resolution are identified because of their established regular and recurring use of the Auditorium. Their inclusion does not limit the Morgan County Commission's authority to consider and grant additional rental fee waivers for the Auditorium on a case-by-case basis, consistent with applicable law and County policy.

This Resolution does not establish eligibility criteria, qualifications, precedent, or a standard for determining which other organizations, groups, or individuals may qualify for a similar waiver. Each additional request remains subject to the Commission's independent consideration and discretion.

SECTION 4. ADMINISTRATION AND FUTURE ACTION

The County Administrative Manager or other authorized County representative may administer these waivers and coordinate scheduling. The Morgan County Commission may amend, suspend, or revoke these authorizations by subsequent Commission action. No permanent entitlement is created.

SECTION 5. EFFECTIVE DATE

This Resolution shall take effect upon adoption and remain effective unless amended or repealed by the Morgan County Commission.

PASSED AND ADOPTED this 27th day of October, 2026.

MORGAN COUNTY COMMISSION:

_____
Matthew Wilson, Commission Chair

ATTEST:

_____
Leslie A. Hyde Clerk/Auditor

APPROVED AS TO FORM:

_____
Garrett Smith, Morgan County Attorney

COMMISSION VOTES:

Commission Member	AYE	NAY	ABSENT
Matthew Wilson	____	____	____
Vaughn Nickerson	____	____	____
Mike Newton	____	____	____
Raelene Blocker	____	____	____
Blaine Fackrell	____	____	____

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commission Meeting Date: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address:

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department:

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Discussion and approval of Resolution CR 26-58 dissolving the recreation board.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	☐
DECISION	☐
BOTH	☑
INFORMATION ONLY	☐

MORGAN COUNTY COMMISSION

RESOLUTION NO. CR 26-58

A RESOLUTION FORMALLY RECOGNIZING THE DISSOLUTION OF THE MORGAN COUNTY RECREATION BOARD AND CLARIFYING REFERENCES TO THE BOARD IN PRIOR COUNTY AGREEMENTS, BUDGETARY ACTIONS, AND OFFICIAL RECORDS

WHEREAS, the Morgan County Commission is the governing body of Morgan County, Utah, and possesses authority to administer County affairs and clarify the status of County-recognized boards and committees; and

WHEREAS, the Morgan County Recreation Board (the "Board") historically operated in connection with recreational programs and facilities serving Morgan County residents, including activities coordinated among Morgan County, Morgan City, and the Morgan County School District; and

WHEREAS, a review of available County records has not identified any formally adopted County resolution or ordinance establishing the Morgan County Recreation Board as an official County board or separate governmental entity; and

WHEREAS, notwithstanding the absence of an identified establishing resolution or ordinance, the Board has been referenced in historical County agreements, budgetary actions, appropriations, expenditures, meeting minutes, and other official County records; and

WHEREAS, the Commission recognizes that such historical references may create uncertainty regarding the Board's current existence, authority, responsibilities, or relationship to Morgan County; and

WHEREAS, the Commission desires to formally clarify that the Board is no longer recognized as an active County board and that no person or organization may rely solely upon historical references to the Board as evidence of continuing authority to act on behalf of Morgan County; and

WHEREAS, the Commission finds that adoption of this Resolution is primarily an administrative and procedural formality intended to clarify the County's official records and eliminate uncertainty concerning the Board's status; and

WHEREAS, the Commission does not intend through this Resolution to retroactively invalidate prior lawful County actions, alter existing contractual rights, change ownership or control of recreation facilities, or modify obligations of Morgan County or other governmental entities;

NOW, THEREFORE, BE IT RESOLVED BY THE MORGAN COUNTY COMMISSION OF MORGAN COUNTY, UTAH, AS FOLLOWS:

SECTION 1. FORMAL RECOGNITION OF DISSOLUTION

The Morgan County Commission hereby formally recognizes the dissolution and discontinuation of the Morgan County Recreation Board as a County-recognized board or committee.

Because no formally adopted County resolution or ordinance establishing the Board has been identified, this Resolution is intended as a formal administrative clarification rather than the repeal of a specific establishing resolution or ordinance.

Effective upon passage and adoption of this Resolution, the Board shall no longer be recognized as having authority to act, advise, administer programs, approve expenditures, or otherwise represent Morgan County.

SECTION 2. TERMINATION OF BOARD RECOGNITION AND APPOINTMENTS

A. Board Appointments. All existing or purported County appointments, memberships, reappointments, officer designations, and Commission liaison assignments associated with the Morgan County Recreation Board are hereby terminated, to the extent such appointments and assignments are subject to County authority.

B. Prior Authorizations. Any prior County motions, administrative designations, bylaws, policies, or other County authorizations recognizing or governing the Board are hereby rescinded to the extent they purport to provide continuing authority to operate or act on behalf of Morgan County.

C. Validity of Prior Service. This action does not constitute a determination concerning the validity of any individual's historical appointment, membership, or service on the Board.

D. No Continuing County Authority. No person shall claim authority to represent Morgan County, incur obligations on its behalf, or exercise County-delegated responsibilities solely by virtue of prior membership or association with the Board.

SECTION 3. CLARIFICATION OF REFERENCES IN PRIOR COUNTY AGREEMENTS AND BUDGETARY ACTIONS

A. Historical References. References to the Morgan County Recreation Board appearing in historical County agreements, resolutions, budgetary actions, appropriations, expenditures, meeting minutes, or other official County records shall be understood as references to the Board as it existed or operated at the time those documents were created or actions occurred.

B. No Continuing Authority. Such historical references, including the appropriation, allocation, or expenditure of County funds associated with the Board, shall not independently establish or imply the Board's continued existence, official recognition, or authority to act on behalf of Morgan County following adoption of this Resolution.

C. Preservation of Prior Actions. This Resolution is intended solely to clarify the Board's status and shall not retroactively invalidate, rescind, or otherwise affect prior lawful County agreements, budgetary approvals, appropriations, expenditures, or other official actions.

D. Existing Contractual Obligations. This Resolution does not independently amend, terminate, or invalidate any legally binding agreement. Any remaining contractual obligations, if applicable, shall be determined according to the terms of the respective agreement and applicable law.

E. No Automatic Transfer of Responsibilities. Nothing herein shall automatically transfer any duties, liabilities, financial obligations, or contractual responsibilities previously attributed to the Board to Morgan County, Morgan City, the Morgan County School District, or any other entity.

SECTION 4. ADMINISTRATIVE RECORDS

A. Removal from Official Lists. The Morgan County Commission directs appropriate County personnel to remove the Morgan County Recreation Board from current County board, committee, and Commission assignment lists.

B. Preservation of Historical Records. Historical agreements, resolutions, meeting minutes, financial records, and other documents referencing the Board shall be preserved in accordance with applicable records retention requirements.

C. No Retroactive Modification. No amendment, correction, or alteration of historical agreements, budgetary records, meeting minutes, or other official documents is required solely because such documents reference the Board.

D. Administrative Clarification. County personnel may identify the Board as dissolved or discontinued in current administrative records, directories, and publications to avoid confusion concerning its status.

SECTION 5. PRESERVATION OF COUNTY AUTHORITY

The Morgan County Commission retains all authority granted by applicable law concerning County recreation programs, facilities, funding, and intergovernmental cooperation.

Nothing in this Resolution shall prevent the Commission from considering future recreation-related agreements, programs, funding arrangements, or administrative actions through separate official proceedings.

Nothing herein shall alter the ownership, management, or control of any recreation facility or independently impose upon Morgan County any additional operational, maintenance, or financial responsibility.

SECTION 6. EFFECTIVE DATE

This Resolution shall take effect immediately upon its passage and adoption by the Morgan County Commission.

PASSED AND ADOPTED by the Morgan County Commission, State of Utah, this 27th day of October, 2026.

MORGAN COUNTY COMMISSION

_____
Matthew Wilson, Chair
Morgan County Commission

ATTEST:

_____
Leslie A. Hyde
Morgan County Clerk/Auditor

APPROVED AS TO FORM:

_____
Garrett Smith
Morgan County Attorney

COMMISSION VOTE:

Commissioner	Aye	Nay	Absent
Matthew Wilson	☐	☐	☐
Vaughn Nickerson	☐	☐	☐
Mike Newton	☐	☐	☐
Raelene Blocker	☐	☐	☐
Blaine Fackrell	☐	☐	☐

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commission Meeting Date: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address:

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department: Recreation

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Resolution CR 26-59 Dissolving the 1997 Rec Plex Agreement and retaining the County's Echo water shares.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	
DECISION	
BOTH	☑
INFORMATION ONLY	

MORGAN COUNTY RESOLUTION CR 26-59

A RESOLUTION APPROVING MUTUAL TERMINATION OF THE 1997 RECREATION COMPLEX AGREEMENT, RECOGNIZING SCHOOL DISTRICT CONTROL OF THE COMPLETED FACILITY, AND TERMINATING MORGAN COUNTY OBLIGATIONS UNDER THE AGREEMENT

WHEREAS, in 1997, Morgan County, Morgan City, Morgan County School District, and the Morgan County Recreation Board were identified as parties to a Recreation Complex Agreement concerning construction, administration, operation, and maintenance of a recreation complex;

WHEREAS, the agreement contemplated contributions of property, materials, labor, equipment, utilities, irrigation water, and administrative services;

WHEREAS, the recreation complex has been completed and is presently controlled and administered by the Morgan County School District;

WHEREAS, the Morgan County Commission has previously adopted Resolution No. CR 26-58 dissolving the Morgan County Recreation Board, a copy of which is identified as Exhibit A and is to be attached to this resolution;

WHEREAS, Section 9(b) of the 1997 agreement provides for termination by mutual agreement of the parties; and

WHEREAS, Morgan County, Morgan City, and Morgan County School District desire to terminate the agreement and clarify that Morgan County has no continuing obligations thereunder;

NOW, THEREFORE, BE IT RESOLVED BY THE MORGAN COUNTY COMMISSION, STATE OF UTAH:

Section 1. Mutual Termination

Morgan County approves the mutual termination of the 1997 Recreation Complex Agreement. Termination shall take effect upon execution of the accompanying consents by the duly authorized representatives of Morgan City and Morgan County School District, and confirmation by County legal counsel that no additional consent or action is required as a consequence of the prior dissolution of the Recreation Board.

Section 2. Completed Facility

The Commission acknowledges that the complex has been completed and is presently controlled and administered by the Morgan County School District. This resolution does not independently convey title to land, improvements, or other assets.

Section 3. Complete Termination of County Obligations

Upon the effective termination, all continuing obligations of Morgan County arising solely under the 1997 Recreation Complex Agreement are permanently terminated, including the obligation to furnish ten (10) acre-feet of Echo irrigation water annually; any other irrigation or water-delivery contribution; and any obligation to provide funding, utilities, materials, equipment, personnel, labor, maintenance, repairs, improvements, scheduling, operation, supervision, or administrative support. No replacement obligation of these kinds is created by this resolution.

Section 4. County Property and Water Rights

Termination does not transfer, dedicate, abandon, or relinquish County-owned water rights or other County property interests. The parties intend that the ownership and reversion provisions of Section 9 of the original agreement govern the disposition of property and improvements, to the extent applicable. Any necessary separate conveyance or water-right documentation must be completed in accordance with law.

Section 5. Previously Dissolved Recreation Board

The Commission recognizes the prior dissolution of the Morgan County Recreation Board pursuant to Resolution No. CR 26-58, referenced as Exhibit A. This resolution neither reestablishes that board nor reinstates its appointments, functions, or authority. The parties proceed on the understanding, subject to legal confirmation, that the board has no separate approval authority or successor whose consent is required.

Section 6. Mutual Release

By signing the accompanying consent pages, Morgan City and Morgan County School District consent to ending Morgan County's future performance obligations under the 1997 agreement. The parties mutually release one another from claims based solely on future nonperformance of duties terminated by this instrument, to the extent permitted by law. Accrued claims or independent legal obligations are not released absent an express, lawful agreement.

Section 7. Execution and Exhibit

The Commission Chair is authorized to execute this resolution and associated termination documentation. The separately executed consent pages of Morgan City and Morgan County School District shall be retained with this resolution. Exhibit A, the previously adopted Recreation Board dissolution resolution, shall be attached before final execution and filing.

Section 8. Effective Date

This resolution is effective upon adoption. The mutual termination of the 1997 agreement becomes effective only when the conditions in Section 1 have been satisfied.

PASSED AND ADOPTED by the Morgan County Commission, State of Utah, this 27th day of October, 2026.

MORGAN COUNTY COMMISSION

_____
Matthew Wilson, Chair
Morgan County Commission

ATTEST:

_____
Leslie A. Hyde
Morgan County Clerk/Auditor

APPROVED AS TO FORM:

_____
Garrett Smith
Morgan County Attorney

COMMISSION VOTE:

Commissioner	Aye	Nay	Absent
Matthew Wilson	☐	☐	☐
Vaughn Nickerson	☐	☐	☐
Mike Newton	☐	☐	☐
Raelene Blocker	☐	☐	☐
Blaine Fackrell	☐	☐	☐

MORGAN CITY

SEPARATE CONSENT AND SIGNATURE PAGE

Resolution CR 26-59 — Termination of 1997 Recreation Complex Agreement

Morgan City, acting through its duly authorized governing body, approves and consents to the mutual termination of the 1997 Recreation Complex Agreement on the terms set forth in Morgan County Resolution CR 26-59 . Morgan City acknowledges completion of the complex, present administration by Morgan County School District, and the prior dissolution of the Morgan County Recreation Board as referenced in Exhibit A.

Morgan City expressly agrees that, upon effective termination, Morgan County has no further performance obligations under the 1997 agreement, including the annual ten (10) acre-feet of Echo irrigation water contribution, maintenance, funding, equipment, labor, or administrative support. This consent does not convey any independently owned property or water right.

APPROVED this _____ day of _____, 2026.

MORGAN CITY

By: _____

Printed Name: _____

Title: _____

ATTEST: _____ Morgan City Recorder

APPROVED AS TO FORM: _____ Morgan City Attorney

MORGAN COUNTY SCHOOL DISTRICT

SEPARATE CONSENT AND SIGNATURE PAGE

Resolution CR 26-59 — Termination of 1997 Recreation Complex Agreement

Morgan County School District, acting through its duly authorized Board of Education, approves and consents to the mutual termination of the 1997 Recreation Complex Agreement on the terms set forth in Morgan County Resolution CR 26-59 . The District acknowledges that the recreation complex is completed and presently controlled and administered by the District, and that the Morgan County Recreation Board has previously been dissolved as referenced in Exhibit A.

The District agrees that Morgan County shall have no continuing obligation under the 1997 agreement to supply ten (10) acre-feet of Echo irrigation water annually or to provide funding, labor, equipment, utilities, maintenance, repairs, operational assistance, or administrative services. County-owned water rights and property interests are not conveyed by this consent.

APPROVED by the Board of Education this _____ day of _____, 2026.

MORGAN COUNTY SCHOOL DISTRICT

By: _____

Printed Name: _____

Title: President, Board of Education

ATTEST: _____ District Business Administrator / Board Clerk

APPROVED AS TO FORM: _____ School District Legal Counsel

EXHIBIT A

RESOLUTION DISSOLVING THE MORGAN COUNTY RECREATION BOARD

Morgan County Resolution No. CR 26-58

The Recreation Board dissolution resolution follows. The adopted resolution shall be retained with this exhibit before final execution and filing.

MORGAN COUNTY COMMISSION

RESOLUTION NO. CR 26-58

A RESOLUTION FORMALLY RECOGNIZING THE DISSOLUTION OF THE MORGAN COUNTY RECREATION BOARD AND CLARIFYING REFERENCES TO THE BOARD IN PRIOR COUNTY AGREEMENTS, BUDGETARY ACTIONS, AND OFFICIAL RECORDS

WHEREAS, the Morgan County Commission is the governing body of Morgan County, Utah, and possesses authority to administer County affairs and clarify the status of County-recognized boards and committees; and

WHEREAS, the Morgan County Recreation Board (the "Board") historically operated in connection with recreational programs and facilities serving Morgan County residents, including activities coordinated among Morgan County, Morgan City, and the Morgan County School District; and

WHEREAS, a review of available County records has not identified any formally adopted County resolution or ordinance establishing the Morgan County Recreation Board as an official County board or separate governmental entity; and

WHEREAS, notwithstanding the absence of an identified establishing resolution or ordinance, the Board has been referenced in historical County agreements, budgetary actions, appropriations, expenditures, meeting minutes, and other official County records; and

WHEREAS, the Commission recognizes that such historical references may create uncertainty regarding the Board's current existence, authority, responsibilities, or relationship to Morgan County; and

WHEREAS, the Commission desires to formally clarify that the Board is no longer recognized as an active County board and that no person or organization may rely solely upon historical references to the Board as evidence of continuing authority to act on behalf of Morgan County; and

WHEREAS, the Commission finds that adoption of this Resolution is primarily an administrative and procedural formality intended to clarify the County's official records and eliminate uncertainty concerning the Board's status; and

WHEREAS, the Commission does not intend through this Resolution to retroactively invalidate prior lawful County actions, alter existing contractual rights, change ownership or control of recreation facilities, or modify obligations of Morgan County or other governmental entities;

NOW, THEREFORE, BE IT RESOLVED BY THE MORGAN COUNTY COMMISSION OF MORGAN COUNTY, UTAH, AS FOLLOWS:

SECTION 1. FORMAL RECOGNITION OF DISSOLUTION

The Morgan County Commission hereby formally recognizes the dissolution and discontinuation of the Morgan County Recreation Board as a County-recognized board or committee.

Because no formally adopted County resolution or ordinance establishing the Board has been identified, this Resolution is intended as a formal administrative clarification rather than the repeal of a specific establishing resolution or ordinance.

Effective upon passage and adoption of this Resolution, the Board shall no longer be recognized as having authority to act, advise, administer programs, approve expenditures, or otherwise represent Morgan County.

SECTION 2. TERMINATION OF BOARD RECOGNITION AND APPOINTMENTS

A. Board Appointments. All existing or purported County appointments, memberships, reappointments, officer designations, and Commission liaison assignments associated with the Morgan County Recreation Board are hereby terminated, to the extent such appointments and assignments are subject to County authority.

B. Prior Authorizations. Any prior County motions, administrative designations, bylaws, policies, or other County authorizations recognizing or governing the Board are hereby rescinded to the extent they purport to provide continuing authority to operate or act on behalf of Morgan County.

C. Validity of Prior Service. This action does not constitute a determination concerning the validity of any individual's historical appointment, membership, or service on the Board.

D. No Continuing County Authority. No person shall claim authority to represent Morgan County, incur obligations on its behalf, or exercise County-delegated responsibilities solely by virtue of prior membership or association with the Board.

SECTION 3. CLARIFICATION OF REFERENCES IN PRIOR COUNTY AGREEMENTS AND BUDGETARY ACTIONS

A. Historical References. References to the Morgan County Recreation Board appearing in historical County agreements, resolutions, budgetary actions, appropriations, expenditures, meeting minutes, or other official County records shall be understood as references to the Board as it existed or operated at the time those documents were created or actions occurred.

B. No Continuing Authority. Such historical references, including the appropriation, allocation, or expenditure of County funds associated with the Board, shall not independently establish or imply the Board's continued existence, official recognition, or authority to act on behalf of Morgan County following adoption of this Resolution.

C. Preservation of Prior Actions. This Resolution is intended solely to clarify the Board's status and shall not retroactively invalidate, rescind, or otherwise affect prior lawful County agreements, budgetary approvals, appropriations, expenditures, or other official actions.

D. Existing Contractual Obligations. This Resolution does not independently amend, terminate, or invalidate any legally binding agreement. Any remaining contractual obligations, if applicable, shall be determined according to the terms of the respective agreement and applicable law.

E. No Automatic Transfer of Responsibilities. Nothing herein shall automatically transfer any duties, liabilities, financial obligations, or contractual responsibilities previously attributed to the Board to Morgan County, Morgan City, the Morgan County School District, or any other entity.

SECTION 4. ADMINISTRATIVE RECORDS

A. Removal from Official Lists. The Morgan County Commission directs appropriate County personnel to remove the Morgan County Recreation Board from current County board, committee, and Commission assignment lists.

B. Preservation of Historical Records. Historical agreements, resolutions, meeting minutes, financial records, and other documents referencing the Board shall be preserved in accordance with applicable records retention requirements.

C. No Retroactive Modification. No amendment, correction, or alteration of historical agreements, budgetary records, meeting minutes, or other official documents is required solely because such documents reference the Board.

D. Administrative Clarification. County personnel may identify the Board as dissolved or discontinued in current administrative records, directories, and publications to avoid confusion concerning its status.

SECTION 5. PRESERVATION OF COUNTY AUTHORITY

The Morgan County Commission retains all authority granted by applicable law concerning County recreation programs, facilities, funding, and intergovernmental cooperation.

Nothing in this Resolution shall prevent the Commission from considering future recreation-related agreements, programs, funding arrangements, or administrative actions through separate official proceedings.

Nothing herein shall alter the ownership, management, or control of any recreation facility or independently impose upon Morgan County any additional operational, maintenance, or financial responsibility.

SECTION 6. EFFECTIVE DATE

This Resolution shall take effect immediately upon its passage and adoption by the Morgan County Commission.

PASSED AND ADOPTED by the Morgan County Commission, State of Utah, this 27th day of October, 2026.

MORGAN COUNTY COMMISSION

_____
Matthew Wilson, Chair
Morgan County Commission

ATTEST:

_____
Leslie A. Hyde
Morgan County Clerk/Auditor

APPROVED AS TO FORM:

_____
Garrett Smith
Morgan County Attorney

COMMISSION VOTE:

Commissioner	Aye	Nay	Absent
Matthew Wilson	☐	☐	☐
Vaughn Nickerson	☐	☐	☐
Mike Newton	☐	☐	☐
Raelene Blocker	☐	☐	☐
Blaine Fackrell	☐	☐	☐

RECREATION COMPLEX AGREEMENT

THIS AGREEMENT, made and entered into by and between MORGAN COUNTY, a body corporate and politic of the State of Utah (hereinafter sometimes referred to as the "County"), MORGAN CITY, A Utah municipal corporation (hereinafter sometimes referred to as the "City"), MORGAN COUNTY SCHOOL DISTRICT, a political subdivision of the State of Utah (hereinafter sometimes referred to as the "District"), MORGAN COUNTY RECREATION BOARD, a separate administrative entity created by a joint agreement between the city, county and school district with representation from each political unit.

WITNESSETH:

WHEREAS, the parties are desirous of constructing a recreation complex, including baseball/softball fields, soccer field, playground, concession/restroom facilities, office facilities and parking facilities according to the plans and specifications attached hereto as Exhibit "A" and by this reference incorporated herein (hereinafter sometimes collectively referred to as the "Complex") for the benefit of the people served by the respective parties; and

WHEREAS, the Utah Interlocal Cooperation Act Title 11, Chapter 13, Utah Code (1953, as amended), permits local governmental units to make the most efficient use of their powers and to provide the benefits of economics of scale by authorizing public agencies of the State of Utah (including cities, counties and school districts) to enter into agreements with one another for the purpose of exercising on a joint and cooperative basis any powers, privileges and authority exercised or capable of being exercised by such public agencies; and

WHEREAS, the District owns certain real property, as more particularly described in Exhibit "B", attached hereto and by this reference incorporated herein, on which it is willing to allow a portion of the Complex to be constructed; and

WHEREAS, the City owns certain real property, as more particularly described in Exhibit "C", attached hereto and by this reference incorporated herein, on which it is willing to allow a portion of the Complex to be constructed, and the City is also willing to contribute the sewer, power, culinary water hookups necessary to construct and operate the Complex; and

WHEREAS, the County is willing to contribute the materials, equipment and labor necessary for the construction, operation and maintenance of the Complex, as well as certain irrigation water;

WHEREAS, the Recreation Board is responsible for the operation and administration of the Recreation Complex;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements contained herein, the parties do hereby agree as follows:

1. Construction and Operation of Complex. The parties agree to construct and operate the Complex in accordance with the plans and specifications attached hereto as Exhibit "A" (or as the same may be modified by mutual agreement of all of the parties) on the real properties described in Exhibits "B" and "C", such exhibits being attached hereto and incorporated herein.

2. Real Property. The District agrees to allow a portion of the Complex to be constructed on its property described on said Exhibit "B", at no cost or expense to any other party, and the City agrees to allow a portion of the Complex to be constructed on its property described on said Exhibit "C", at no cost or expense to any other party; provided, however, that it is expressly understood and agreed that fee ownership of said properties shall remain in the District and the City, as the case may be, and that no right-of-way or right of use, whether prescriptive, permissive, or otherwise, shall be created by this agreement or by the parties' use of said properties.

3. Construction, Operation, Maintenance. The Morgan County Recreation Department (utilizing such contributions from the public as it may receive) shall provide all materials, equipment and labor as shall be necessary for the construction of the Complex, and for the ongoing operation and maintenance of the Complex, at no cost or expense to any other party.

4. Irrigation Water. The County shall contribute to the Complex ten (10) acre-feet of irrigation water each season, at no cost or expense to any other party. Ownership of said water shall be retained by the County.

5. Sewer, Power, Culinary Water. The City shall contribute all sewer, power and culinary water hookups necessary for the construction and operation of the Complex, at no cost or expense to any other party.

6. Use of Complex Scheduling. The County Recreation Board shall coordinate and schedule the use of the Complex, at no cost or expense to any other party. It is understood and agreed that the District shall have first priority to the use of the Complex.

7. Administration. The parties will utilize the County Recreation Board to accomplish the purposes of this agreement. All decisions relating to the design, construction, operation and maintenance of the Complex shall be made by the County Recreation Board.

8. Effective Date. The effective date of this agreement shall be the date upon which the parties' respective authorized attorneys shall have approved the agreement as being in proper form and compatible with the laws of the State of Utah, the governing bodies of each party hereto shall have adopted resolutions approving the agreement, and the agreement shall have been filed with the keeper of records

of each of the parties hereto.

9. Termination. This agreement shall terminate on the earliest of the following:

   a. upon one year notice by the District to the other parties that the District has determined that the real property that it has made available for the Complex is needed for the construction of a school or related amenities thereon;

   b. upon the mutual agreement of all of the parties;

   c. fifty (50) years from the effective date of this agreement.

Upon termination of this agreement, all real property owned by the District, together with the improvements thereon, shall revert unencumbered by this agreement to the District; all real property owned by the City, together with the improvements thereon, shall revert unencumbered by this agreement to the City; the water rights owned by the County will revert unencumbered by this agreement to the County; and all other obligations of the parties hereunder shall terminate.

10. Indemnification. Each of the parties to this agreement to indemnify, protect, save, defend and hold harmless the other parties from, against and in respect of any and all liabilities, claims, losses, damages, actions, suits, proceedings, deficiencies, costs and expenses (including reasonable attorneys fees and expenses of investigation) which may arise by reason of any accidents, damages, injuries (including injuries resulting in death) either to persons or property or both; or from any wrongful or negligent acts of its employees, agents, governing board members, officers, volunteers and invitees and their successors; or from any misrepresentation, material omission, breach or non-fulfillment of any covenant or agreement on the part of the indemnifying party under or relating to this agreement. In no event shall this paragraph be construed with respect to third parties as a waiver of any governmental immunity to which the parties are otherwise entitled.

11. Notices. Any and all notices, designations, offers, acceptances, or any other communications to be given to any of the parties hereto shall be personally delivered to such party or mailed to such party by registered or certified mail, return receipt requested, at the address indicated below:

Notices to the District:

Morgan County School District
240 East Young - PO Box 530
Morgan, Utah 84050

Notices to the County:

Morgan County
48 West Young - PO Box 886
Morgan, Utah 84050

Notices to the City:

Morgan City
48 West Young - PO Box 1085
Morgan, Utah 84050

Any party may change the place of address aforesaid by written notice to the other parties. Notice shall be deemed to have been given upon the date of personal delivery thereof or upon depositing the same in the United States mails as aforesaid.

12. Interpretation. The provisions of this agreement shall be governed by and construed in accordance with the laws of the State of Utah. The paragraph headings contained herein are for purposes of reference only and shall not limit, expand, or otherwise affect the interpretation of any provision hereof. Whenever the context requires, the singular shall include the plural, the plural shall include the singular, the whole shall include any part thereof, any gender shall include the masculine, feminine and neuter gender, and the term "person" shall include any individual, firm, partnership (general or limited), joint venture, corporation, limited liability company, trust, association, or other entity or association or any combination thereof. If any provision of this agreement or the application thereof to any person or circumstance shall be invalid or unenforceable to any extent, the remainder of this agreement and the application of such provision to other persons or circumstances shall not be affected thereby and shall be enforced to the extent permitted by applicable law.

13. Waiver. A waiver of any breach of any of the terms or conditions of this agreement shall not operate or be construed as a waiver of any subsequent breach thereof.

14. Effect. The provisions of this agreement shall bind and insure to the benefit of the parties hereto and their respective permitted successors and assigns. The parties hereby agree for themselves, and for their successors and assigns, to execute any instruments and to perform any act which may be necessary or proper to carry out the purposes of this agreement.

15. Amendments. This agreement sets forth the entire understanding of the parties with respect to the subject matter hereof, and all prior negotiations,

understandings, representations, inducements and agreements, whether oral or written and whether made by a party hereto or by any one acting on behalf of a party, shall be deemed to be merged in this agreement and shall be of no further force or effect. No amendment, modification, or change in this agreement shall be valid or binding unless reduced to writing and signed by all of the parties hereto after approval thereof by the parties' respective authorized attorneys and adoption of a resolution approving the same by the parties' respective governing boards, and meeting all other applicable requirements of the Utah Interlocal Cooperation Act.

16. Expenses of Enforcement. The parties agree that should either party default in any of the covenants or agreements contained herein, the defaulting party shall pay all costs and expenses, including a reasonable attorney's fee, which may arise or accrue from enforcing or terminating this agreement or in pursuing any remedy provided hereunder or by applicable law, whether such remedy is pursued by filing suit or otherwise, and regardless of whether such costs, fees and/or expenses are incurred in connection with any bankruptcy proceeding.

17. No Presumption. The parties agree that no presumption shall be attached to this agreement because it may have been prepared by one of the parties or by one party's legal counsel.

18. Counterparts; Facsimile (Fax) Documents. This agreement may be executed in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, and all of which shall together constitute one and the same instrument. Facsimile transmission of any signed original document, and retransmission of any signed facsimile transmission, shall be the same as delivery of an original.

19. Authorization. By signing below, each of the parties certifies that such party's authorized attorney has approved this agreement as being in proper form and compatible with the laws of the State of Utah, that the governing board of such party has duly adopted a resolution authorizing execution of this agreement, and that the agreement shall be filed with the keeper of records of such party on the date of execution hereof.

IN WITNESS WHEREOF, each of the parties has executed this agreement on the date set forth opposite its signature.

DATED: January 26, 1998.

MORGAN COUNTY, a body corporate and politic of the State of Utah

By: Jan Kugler Turner
Title: Chairperson County Commission

MORGAN CITY, a Utah municipal corporation

By: J Mark Hess
Title: Mayor

MORGAN COUNTY SCHOOL DISTRICT, a political subdivision of the State of Utah

By: Linda G. Peterson
Title: President

MORGAN COUNTY RECREATION BOARD, A joint agreement between the city, county and school district.

By: Roy E Mikesell
Title: President

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

Email: kbecker@morgancountyutah.gov

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

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: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address:

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department:

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Request to dissolve ATAB but retain the active transportation plan

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	☐
DECISION	☐
BOTH	☑
INFORMATION ONLY	☐

MORGAN COUNTY RESOLUTION CR 26-61

A RESOLUTION DISSOLVING THE MORGAN COUNTY ACTIVE TRANSPORTATION ADVISORY BOARD, RESCINDING RESOLUTION CR-21-11, AND TERMINATING ASSOCIATED MEMBERSHIPS, APPOINTMENTS, AND COMMISSION LIAISON ASSIGNMENTS

WHEREAS, the Morgan County Commission is the governing body of Morgan County, Utah, and may establish and dissolve County advisory boards as authorized by law;

WHEREAS, on November 23, 2021, the Morgan County Commission adopted Resolution CR-21-11 establishing the Morgan County Active Transportation Advisory Board (the "Board");

WHEREAS, the Board was intended to provide advice and community input concerning pedestrian facilities, bicycle infrastructure, trails, connectivity, and related active transportation planning;

WHEREAS, on July 18, 2023, the Morgan County Commission unanimously approved the Morgan County Active Transportation Plan, subject to corrections reflected in the Commission meeting minutes;

WHEREAS, the Commission appreciates the contributions of individuals who participated in the Board's work;

WHEREAS, questions have arisen regarding whether all persons serving on the Board were selected or appointed in accordance with applicable procedures, and the Commission desires to eliminate uncertainty regarding any continuing membership or authority without determining the validity of individual appointments;

WHEREAS, the Commission finds that a separate Active Transportation Advisory Board is no longer necessary and desires to remove the Board from its official list of Commission assignments; and

WHEREAS, the Commission intends that dissolution of the Board shall not itself repeal the previously approved Active Transportation Plan or affect independently authorized County projects or obligations.

NOW, THEREFORE, BE IT RESOLVED BY THE MORGAN COUNTY COMMISSION OF MORGAN COUNTY, UTAH, AS FOLLOWS:

SECTION 1. DISSOLUTION OF THE BOARD
The Morgan County Active Transportation Advisory Board is hereby dissolved, effective upon adoption of this Resolution. The Board shall cease to operate or act in an official advisory capacity on behalf of Morgan County.

SECTION 2. RESCISSION OF AUTHORIZATIONS; TERMINATION OF MEMBERSHIPS AND ASSIGNMENTS
A. Establishing Resolution. Resolution CR-21-11, adopted November 23, 2021, is hereby rescinded and repealed in its entirety.

B. Memberships and Appointments. All actual or purported memberships, appointments, reappointments, officer designations, and positions associated with the Board, whether arising from formal Commission action, administrative designation, informal selection, or otherwise, are terminated upon adoption of this Resolution. This action does not constitute a determination concerning the validity of any individual's prior appointment or service.

C. Board-Specific Authorizations. All subsequent Commission resolutions, motions, bylaws, operating procedures, and other authorizations exclusively establishing, organizing, or governing the Board are rescinded to the extent they relate to its continued existence or operation.

D. Commission Assignments. All County Commission liaison assignments to the Board are terminated. The Board, including the designation "ATAB," shall be removed from official Commission board, committee, and liaison assignment lists.

E. Administrative Updates. Appropriate County personnel shall update the County's current board rosters, assignment lists, publications, and webpages to reflect the dissolution and termination of associated assignments.

SECTION 3. PRESERVATION OF THE ACTIVE TRANSPORTATION PLAN
The Morgan County Active Transportation Plan approved by the Commission on July 18, 2023, is not repealed, rescinded, or invalidated by this Resolution and shall remain in effect unless separately amended, superseded, or repealed by Commission action. Nothing herein requires funding, construction, or implementation of any particular project without the necessary approvals and appropriations. Nor shall this Resolution invalidate any independently authorized County project, grant agreement, funding authorization, contract, or other official action.

SECTION 4. EFFECTIVE DATE
This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Morgan County Commission, State of Utah, this 27th day of October, 2026.

MORGAN COUNTY COMMISSION

_____
Matthew Wilson, Chair
Morgan County Commission

ATTEST:

_____
Leslie A. Hyde
Morgan County Clerk/Auditor

APPROVED AS TO FORM:

_____
Garrett Smith
Morgan County Attorney

COMMISSION VOTE:

Commissioner	Aye	Nay	Absent
Matthew Wilson	☐	☐	☐
Vaughn Nickerson	☐	☐	☐
Mike Newton	☐	☐	☐
Raelene Blocker	☐	☐	☐
Blaine Fackrell	☐	☐	☐

RESOLUTION CR-21-11

RESOLUTION OF THE MORGAN COUNTY COMMISSION ESTABLISHING THE MORGAN COUNTY ACTIVE TRANSPORTATION ADVISORY BOARD

WHEREAS, the Morgan County Commission (Commission) oversees county-wide planning efforts, and

WHEREAS, residents of Morgan County (County) prize the active lifestyle afforded them and want to see such opportunities expanded, and

WHEREAS, the Commission recognizes the community and individual health benefits of enabling an active community, and

WHEREAS, people riding bicycles in the County is a very common occurrence, both on the road and on trails, and

WHEREAS, the safety of existing bicycle riders and pedestrians is a top concern among residents, and

WHEREAS, there is increasing interest and demand in the County for safe biking and walking routes, and

WHEREAS, the Utah Department of Transportation has offered matching planning funds to assist the County in creating a trails master plan, and

WHEREAS, the County would like to establish a residents' committee to participate in the creation of a trails master plan and to act as an advisory body for the purposes of Active Transportation to the Commission moving forward,

NOW, THEREFORE BE IT RESOLVED that the Commission establishes the Morgan County Active Transportation Advisory Board (ATAB).

BE IT FURTHER RESOLVED that the purposes of the ATAB shall include:

1. Representing County residents during the trails master plan process and/or updates.
2. Advising the Commission on trail needs, opportunities, and investments.

BE IT FURTHER RESOLVED that the Active Transportation Advisory Board shall consist of up to nine members, of which all shall be County residents and shall be appointed by the Commission for terms to be determined by the Commission.

PASSED AND ADOPTED by the Commission this 23rd day of November, 2021.

Robert McConnell, Chair
Morgan County Commission

Commission Members Voting:

	Aye	Nay
Robert McConnell	X	
Mike Newton	X	
Jared Andersen	X	
Blaine Fackrell	X	
Matthew Wilson	X	

ATTEST: Stacy Netz Clark

Stacy Netz Clark
Morgan County Clerk/Auditor

APPROVED AS TO FORM:

Garrett T. Smith

Garrett Smith
Morgan County Attorney

CR 21-11

RESOLUTION OF THE MORGAN COUNTY COMMISSION ESTABLISHING THE MORGAN COUNTY Active Transportation Advisory Board

WHEREAS, the Morgan County Commission (Commission) oversees county-wide planning efforts, and

WHEREAS, residents of Morgan County (County) prize the active lifestyle afforded them and want to see such opportunities expanded, and

WHEREAS, the Commission recognizes the community and individual health benefits of enabling an active community, and

WHEREAS, people riding bicycles in the County is a very common occurrence, both on the road and on trails, and

WHEREAS, the safety of existing bicycle riders and pedestrians is a top concern among residents, and

WHEREAS, there is increasing interest and demand in the County for safe biking and walking routes, and

WHEREAS, the Utah Department of Transportation has offered matching planning funds to assist the County in creating a trails master plan, and

WHEREAS, the County would like to establish a residents' committee to participate in the creation of a trails master plan and to act as an advisory body for the purposes of Active Transportation to the Commission moving forward,

NOW, THEREFORE BE IT RESOLVED that the Morgan County Commission establishes the Morgan County Active Transportation Advisory Board (ATAB).

BE IT FURTHER RESOLVED that the purposes of the ATAB shall include:

1. Representing County residents during the trails master plan process and/or updates.
2. Advising the County on trail needs, opportunities, and investments.

BE IT FURTHER RESOLVED that the Active Transportation Advisory Board shall consist of up to nine members, of which all shall be Morgan County residents and shall be appointed by the County Commission for terms to be determined by the County Commission.

Chair, Morgan County Commission Date

County Commission Agenda Request Form

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

Morgan County
Attn: Stacy Nets Clark
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: 801.845.4011

Email: sclark@morgancountyutah.gov

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

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

Commission Meeting Date: November 23, 2021 **Time Requested:** 5 min

Name: Blaine Fackrell **Phone:** 8016680101

Address:

Email: bfackrell@morgancountyutah.gov **Fax:**

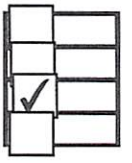
Associated County Department: commission

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Resolution to create the Morgan County ' Active Transportation Advisory Board'

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH
INFORMATION ONLY



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

Email: kbecker@morgancountyutah.gov

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

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: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address: 48 W Young St

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department: Commission

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Wasatch County, Wallsburg Town, and Summit County recently unanimously adopted the attached resolution asking the State of Utah to repeal SB258 from the 2024 legislative session, the bill that authorized two applications for developer led towns to bypass local land use authority.

Discussion on whether Morgan County would like to pass its own resolution calling for the repeal of SB258

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	☐
DECISION	☑
BOTH	☐
INFORMATION ONLY	☐

Resolution No. 2026-23

RESOLUTION OF SUMMIT COUNTY COUNCIL REQUESTING THE UTAH LEGISLATURE RESPECT THE RIGHT TO LOCAL SELF-GOVERNMENT IN UTAH

WHEREAS, counties in Utah exist for the convenience of the people, to facilitate their right to self-government. In recent years, at the Utah Legislature, a contrary narrative has been circulating; that is, counties exist for the convenience of the State. It has been said that the county is a mere agent of the State, its principal. This is not consistent with our history, our Constitution, or our jurisprudence.

WHEREAS, Utah history is undeniably unique. In 1847, white colonizers arrived upon this, the ancestral land of indigenous Numic peoples – land also claimed by the Republic of Mexico. Those colonizers, a group of expatriating American citizens then-known as Mormons, immediately set up a system of self-government. After war and the Treaty of Guadalupe-Hildago, Mexico ceded its claim to the United States. The Mormons' application for statehood was rejected and, instead, this land became an unincorporated U.S. territory.

WHEREAS, because "the Congress of the United States [] failed to provide a form of civil government for the territory, the Mormons created their own, to operate "until the Congress of the United States shall otherwise provide . . . by admitting us into the Union."[1]

WHEREAS, as it turned out, the path to statehood was long, slow, and tumultuous. The President of the United States, James Buchanan, deployed the United States Army against the Mormons and tried to install an unelected governor of his own choosing. The United States Supreme Court upheld a series of punitive and discriminatory laws targeting Mormons. The United States Congress criminalized the Mormons' marriage practices, dissolved the corporation of the church, and confiscated church property. Federally appointed territorial governors were driven out and federally appointed judges ran away. For nearly half a century, the Mormons fought for their own system of "free and independent government" and took the position that federal law and the English common law did not apply here.

WHEREAS, Utah counties were important building blocks of that free and independent government. A system of county courts, sheriffs, recorders, surveyors, prosecuting attorneys, assessors, and clerks was established.[2] County boundaries were officially defined in 1852.

WHEREAS, after almost fifty (50) years of self-rule, each county sent delegates to a Constitutional Convention.[3] The Utah Constitution, passed by eligible voters on November 5, 1895, "recognized" ... "the several counties of the Territory of Utah, existing at the time of the

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[1] Constitution of the State of Deseret, Preamble (1849).
[2] Acts, Resolutions and Memorials Passed at the Annual Sessions of the Legislative Assembly of the Territory of Utah.
[3] *Id.*

adoption of th[e] Constitution" ... "as "legal subdivisions of this State." UTAH CONST. art. II § 1 (1895).[4] Statehood was achieved on January 4, 1896.

WHEREAS, shortly thereafter, the Supreme Court of Utah, interpreting the new Utah Constitution, held that "the constitution implies a right of local self-government to each county." *State v. Standford,* 24 Utah 148, 66 P. 1061, 1062 (1901). This right is both "imposed and recognized" by the Utah Constitution and inures "to the people of each county." *Id.* In *Standford*, a county challenged a state statute that was "intended to apply . . . to certain particular counties to the exclusion of others," specifically *one county. Id.* at 1063. In invalidating the statute, the court held that "[t]he state legislature is forbidden to pass any private or special laws regulating county affairs." *Id.* at 1064.

WHEREAS, thereafter the Supreme Court of Utah stated that the "spirit of local self-government . . . permeated the framers of the [Utah] Constitution" and manifested "an intention to bring those through whom power is to be exercised as close as possible to the subjects upon which the power is to operate to preserve the right of local self-government to the people, and to restrict every encroachment upon such right." *State v. Eldredge,* 27 Utah 477, 76 P. 337, 340 (1904).

WHEREAS, in 1980, the justices said "*[T]he Constitution [of Utah] does not allow the Legislature unlimited discretion to deal with local government. The broad delegation of power by the Legislature to the Counties is consistent with constitutional provisions which establish counties as governmental entities and place certain aspects of county government beyond the power of the Legislature.*" *State v. Hutchinson,* 624 P.2d 1116, 1122 (Utah 1980) (emphasis added). Counties have "constitutional status". *Id.*

WHEREAS, *Hutchinson* went on to affirm its language in *Standford,* where the Court found that, "The right of the Legislature was to provide for and put in action, not to run and operate, the machinery of the local government to the disfranchisement of the people." *Id.* at 1123. *Hutchinson* also affirmed the similar language in *Eldredge*, acknowledging that, "all our institutions were founded with a view to local self-government, and assume its continuance as one of the undoubted rights of the people." *Id.*

WHEREAS, part of the heritage of Utah is the belief that urban densities should be placed within municipal boundaries because municipal corporations are better equipped to provide municipal type services. This is embedded in Utah Code §17-79-802.

WHEREAS, zoning laws were first established in the State of Utah in 1925.[5] Such laws were found to be constitutional by the United States Supreme Court in *Euclid v. Ambler Realty*, 272 US 365 (1926) as a valid exercise of the police power. In 1991, the Utah Legislature enacted the County Land Use Development and Management Act ("CLUDMA") to guide local zoning decision-making. The ability of a County to make zoning decisions is "highly deferential." This is because land use regulations, including

[4] Later re-numbered to UTAH CONST. art. XI, § 1.
[5] *Marshall v. Salt Lake City*, 141 P.2d 704, 707 (Utah 1943).

"the enactment or amendment of zoning ordinances," are "fundamentally a legislative act," and as such, a reviewing court is to "avoid substituting its judgment for that of the legislative body. ..." *Springdale Lodging, LLC v. Town of Springdale*, 2024 UT App 83, ¶26, 552 P.3d 222 (internal citations omitted).

WHEREAS, CLUDMA provides for broad public purposes, including the providing for the health, safety, and welfare; promoting the prosperity; improving the morals, peace, good order, comfort, convenience, and aesthetics of each county and each county's present and future inhabitants and businesses; protecting the tax base; securing economy in government expenditures; fostering the state's agricultural and other industries; protecting both urban and nonurban development; protecting and ensuring access to sunlight for solar energy devices; providing fundamental fairness in land use regulation; facilitating orderly growth, allowing growth in a variety of housing types, and contributing toward housing affordability; and protecting property values.[6]

WHEREAS, the enactment of zoning ordinances becomes a process of balancing the interests and rights of property owners. There is a recognition that uses and densities on one property may directly or indirectly impact another property. There must also be adequate municipal services to support any new development, including public utilities (water, sewer, electricity, natural gas, stormwater, and solid waste), fire protection, transportation infrastructure, and law enforcement. A comprehensive zoning scheme developed by a County, which includes a General Plan, land use regulations, and Zoning Map, inclusive of a state imposed affordable housing plan, allows for the consideration of community input (public hearings), community and cultural values, the orderly development of growth, legislative accountability (decisions by elected officials) and the adequate provision of municipal type services.

WHEREAS, in Summit County, there are multiple General Plans geared toward two distinct planning areas. These General Plans were the culmination of hundreds of public hearings and a two-year public process. The Eastern Summit County Planning District is a nonurban area designed to protect the small town character of that side of the County. The Snyderville Basin Planning District is a resort community with more urban type densities and sixteen (16) individual neighborhood plans. The General Plans were developed in conjunction with County property owners and citizens through an open, deliberative and transparent public process. In this way, the County ensures that laws are uniformly applied and that special purpose laws in violation of the Utah Constitution are not enacted to the disadvantage of this balancing of interests of all property owners.[7]

WHEREAS, Summit County has embarked upon an aggressive affordable housing plan using its grandfathered exclusory zoning powers the Utah Legislature generously granted in Utah Code §17-80-301(3). The County's public private partnership with Park City Junction, LLC and High Valley Transit District is an example of joint cooperation which is compliant with the Kimball Junction Neighborhood Plan,

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[6] Utah Code §17-79-101.

[7] Utah Constitution, art. I, §24.

places densities in appropriate locations, and furthers the County's affordable housing goals.

WHEREAS, the Utah Legislature has seen the need for ensuring that new municipalities do not become failed political subdivisions by requiring robust feasibility studies to ensure adequate tax base and provision of municipal services, and requiring voter approval.[8]

WHEREAS, Preliminary Municipalities, Utah Code Title 10, Chapter 2a, Part 5, is contrary to the right of local self-government embodied within local control. Preliminary Municipalities are not full municipalities with all municipal powers. Rather, a Preliminary Municipality:

(a) may not impose a tax
(b) may not receive an allocation of sales tax or gas tax
(c) may not exercise eminent domain[9]

WHEREAS, while a Preliminary Municipality must have a feasibility study,[10] such feasibility studies have notoriously been incomplete and incompetent, not taking into account the true costs of the provision of municipal type services. The bonds posted by the sponsors of the Preliminary Municipality have been based upon these incompetent feasibility studies and are inadequate.[11] At no time is there a public vote as is required for typical municipal incorporation. If the Preliminary Municipality has not transitioned into a town within six (6) years, all of the costs and impacts of the Preliminary Municipality falls on the County.[12] While the statute provides for a private right of action for damages,[13] if the Preliminary Municipality fails, the initial landowners will in all probability be insolvent. The costs and impacts fall on County taxpayers, making taxpayers the personal bank for unsuccessful Land Developers. The Utah Legislature repealed the authorization for private land bonds (dirt bonds), which led to failures of various private banks, and which the Utah Legislature rightly recognized as bad public policy.

WHEREAS, a Preliminary Municipality, whose board consists of unelected nonresident landowners and representatives ("Land Developers"), appears to make the same mistake that was made with dirt bonds; only with far more troubling consequences. There is a reason that the general public looks at Preliminary Municipalities as simply special purpose legislation for Land Developers to enable them to ignore the balance which is the hallmark of comprehensive zoning in favor of self-dealing outside a transparent process and without the consideration of adequate municipal services. Land Developers are delegated unbidden legislative power to wield the police powers of the state in approving land use and zoning laws, but without accountability to the public.

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[8] Utah Code Title 10, Chapter 2a, Section 2.
[9] Utah Code §10-2a-509(4).
[10] Utah Code §10-2a-504.
[11] Utah Code §10-2a-507(1)(h).
[12] Utah Code §10-2a-507(3)
[13] Utah Code §10-2a-507(3)(d).

Land Developers take jurisdiction of any public roads within the municipality and must maintain and repair those public roads, but without access to any public monies; thus setting up a failing maintenance regimen.[14] When these roads eventually are turned over to the County, they will be in substandard condition, leaving the expense of restoring the roads to County taxpayers.

WHEREAS, in Utah, we struggled for, and ultimately achieved, the right to local self-governance. The government that is closest to the people governs best. Our State leadership should re-commit to our heritage and values.

NOW, THEREFORE BE IT RESOLVED, by the County Council of Summit County, Utah, that we urge the Utah Legislature to repeal Utah Code Title 10, Chapter 2a, Part 5, Preliminary Municipalities.

PASSED, APPROVED AND ADOPTED this 7th day of October, 2026.

SUMMIT COUNTY COUNCIL

Canice Harte
Chair

ATTEST:

Malena Stevens
County Clerk

COUNTY CLERKS SEAL SUMMIT COUNTY 1854 STATE OF UTAH

APPROVED AS TO FORM:

David L. Thomas
Chief Deputy

[14] Utah Code §10-2a-509(6).

Resolution No. 26-11

RESOLUTION CALLING FOR THE REPEAL OF PRELIMINARY MUNICIPALITY CODE

WHEREAS, Wasatch County completed a comprehensive update to the General Plan that included robust public engagement; and

WHEREAS, Wasatch County's adopted general plan and the community values it represents are in conflict with the proposed preliminary municipalities; and

WHEREAS, local governments are best situated to balance competing property rights related to land use development; and

WHEREAS, Wasatch County has compiled a report documenting issues with existing state code;

Now, Therefore be it resolved that the Wasatch County Legislative Body finds that the Utah State Legislature should immediately repeal the changes adopted in SB258 from the 2024 General Session and terminate the Preliminary Municipality pilot program for the reasons listed in the attached report.

ADOPTED AND APPROVED this 2 day of Sept., 2026.

WASATCH COUNTY COUNCIL:

Erik Rowland, Chair
Wasatch County Council

Attest:

Joey D. Granger
Wasatch County Clerk / Auditor

	VOTE
Erik Rowland, Chairman	✓
Luke Searle, Vice-Chair	✓
Mike Murphy	✓
Mark Nelson	✓
Spencer Park	✓
Kendall Crittenden	✓
Colleen Bonner	✓

WASATCH COUNTY

Preliminary Municipalities Report: Flaws in Existing Statutory Processes

Executive Summary

Wasatch County understands the intent of Utah Code Title 10, Chapter 2a, Part 5: giving landowners a path to self-organize new communities. But as written, the statute contains structural flaws that let developers entitle large-scale projects while sidestepping the infrastructure, housing, oversight, and accountability standards every other community in Utah must meet. The County's direct experience administering an active preliminary municipality application has surfaced five structural problems the Legislature should address.

1. Regional infrastructure is not a statutory consideration

The statute requires an analysis of whether sufficient water will be available, but sets no standard of what satisfies that requirement, and does not require an applicant to quantify a project's impact on regional wastewater or transportation systems. It gives counties no added tools to respond when impacts are severe. In one Wasatch County case, a preliminary municipality is proposed on land zoned for 160-acre minimum lots, with no transportation corridor built for concentrated development, virtually no underlying water rights, and a feasibility study that proposes septic systems on parcels far smaller than the five-acre minimum established by a Wasatch County ground water study.

2. The process can worsen, not improve, affordable housing availability

The statute does not require an applicant to specify when, how, or where the 10% of affordable units would be built. Feasibility studies are not required to demonstrate compliance with that threshold. The draft study reviewed by the County shows units priced from $1.5 million to $10 million, alongside commercial and hospitality space that will demand a workforce the project does not adequately house, adding to the affordable housing deficit instead of relieving it.

3. Perverse incentives cloud regulatory oversight

Ordinary development proceeds under continuous county or municipal oversight, including engineering review, code compliance, and stormwater and wetlands enforcement. The preliminary municipality framework leaves these responsibilities under owner-appointed oversight during the pre-incorporation period, asking the property owner to police their own project.

4. The feasibility study cannot test the plan it approves

Feasibility studies are not required to show a project can actually be built, and outside parties have no defined way to challenge their assumptions. One study assumed 75% primary occupancy, against a roughly 5% rate for comparable Wasatch County developments, a gap large enough to keep the project from reaching the population threshold incorporation requires. The same study ignores wastewater infrastructure that cannot be permitted and built on a feasible timeline.

5. The law creates self-entitlement with no enforceable backstop

A property owner can obtain preliminary municipality status with little real obligation to complete the project. Utah Code § 10-2a-507(3)(d) is meant to enforce consequences for failure, but is effectively unenforceable against an LLC that can simply dissolve or declare bankruptcy — leaving the county as the inevitable backstop for the obligations left behind.

Wasatch County has concluded that these problems highlight structural flaws with the preliminary municipality pilot program. The County recommends that the Legislature repeal Title 10, Chapter 2a, Part 5 and convene a stakeholder process to design a framework that meets a higher standard for current and future property owners. Detailed findings and recommendations follow.

Full Report

Background

Utah's preliminary municipality statute, enacted as S.B. 258 from the 2024 General Session and codified at Utah Code Title 10, Chapter 2a, Part 5, allows a landowner to petition to organize an unincorporated area as a preliminary municipality, a step toward eventual full incorporation. The process requires a feasibility study but sets a comparatively low bar for what that study must show and grants the applicant substantial entitlement and development authority well before the community it describes has any residents, tax base, or independent capacity to deliver services.

The complaint challenging the Echo Canyon preliminary municipality argues that §§ 10-2a-501 through 10-2a-510 improperly permit private interests to control or exercise municipal functions, create a municipality without a conventional resident electorate, and raise special-legislation and democratic-accountability concerns. These allegations have not been adjudicated but provide a relevant constitutional framework for evaluating the statute.

Wasatch County is currently examining an active preliminary municipality application and has reviewed the draft feasibility study submitted in support of it. The study remains in draft form and may be revised before a final version is issued. The findings below reflect the draft as reviewed. The County's concerns are focused by a specific project, but the concerns below are structural and are likely to recur in any future application under the statute as written, in Wasatch County or elsewhere in the state.

1. Regional Infrastructure Is Not a Statutory Consideration

The preliminary municipality statute requires a feasibility study to analyze whether sufficient water will be available to serve the project but it sets no standard for what that analysis must show or how sufficiency is measured, leaving compliance effectively self-certified by the applicant. A county general plan is intended to coordinate growth, transportation, water, wastewater, emergency services, housing, open space, and other infrastructure across the entire jurisdiction. Because § 10-2a-509 gives a preliminary municipality zoning and land-use authority, creation of a preliminary municipality can fragment that countywide planning framework by removing the area from County land-use control. The statute requires no comparable analysis of wastewater treatment, or transportation impact, and gives counties no additional regulatory tools to address the impacts that result. Infrastructure adequacy is treated as the new municipality's problem to solve after the fact contrary to the County's General Plan, not a threshold question to answer before entitlement is granted. Four specific areas of concern are as follows:

- Transportation: the existing road network was built for large lot, low-traffic agricultural and preservation use, not for the trip generation of hundreds of new residential units, a 200-room hotel, and 160 glamping units which will require substantial upgrades outside of the project area on roads owned by the County.
- Water: the property carries little to no existing water rights, meaning the water supply for the entire development is not yet secured at the point the county is asked to review the feasibility study. The statute requires an analysis of water sufficiency, but sets no standard for what quantity, certainty, or documentation would satisfy that requirement.

- Wastewater: the draft feasibility study states that wastewater treatment "within the proposed preliminary municipality is assumed to be provided through individual onsite septic systems." None of the proposed residential units are sited on lots of five acres or larger, the minimum required by health department regulation based on a water quality study for septic system installation, and an onsite septic approach is not a viable or compliant option for a 200-unit hotel in any case. This area is in a critical watershed, a portion of which drains into culinary water sources for existing residents.
- Fire risk and evacuation: the site lies entirely within the Wildland Urban Interface, and the County's General Plan affirms that this area should remain low-density and in preservation given its elevated wildfire risk and constrained terrain. The same steep, difficult terrain that heightens fire risk also limits evacuation capacity which the feasibility study does not address.

2. The Process Undercuts the State's Own Affordable Housing Goals

Utah's housing affordability crisis is a stated legislative priority, and preliminary municipality legislation has at times been framed as part of the state's broader effort to expand housing supply. The statute does require at least 10% of a preliminary municipality's housing be affordable, but imposes no requirement that an applicant disclose when, how, or where any affordable units would be built. No part of the statue requires an evaluation or verification of compliance with the 10% threshold at all, or any consequences for non-compliance.

The draft feasibility study reviewed by the County makes no mention of affordable housing, and offers no way to confirm whether the statutory 10% threshold would be met. The least expensive unit listed in its appendix is a $1.5 million, quarter-acre home; the range extends to $10 million, 2.5-acre estate homes. Even under an optimistic assumption that the statutory minimum of 10% of the 754 total units are built as affordable housing, that yields only 75 affordable units against a project that also includes a 200-room hotel, 160 glamping units, and 142,115 square feet of commercial space — and those uses alone will require well more than 75 employees to operate, before counting the service demand from new residents and visitors.

Rather than relieving pressure on the regional affordable housing supply, a project of this price and scope adds workforce demand while building insufficient units for its own needs, which pushes that demand onto existing communities elsewhere in the county.

3. Perverse Incentives Exist for Regulatory Oversight

Ordinary development in Utah proceeds under continuous oversight from a municipality or county: engineers and building/fire inspectors are engaged, code compliance is verified at each stage, and stormwater and wetlands obligations under state and federal law are enforced by an entity independent of the developer. Almost no development of any scale is completed without regulatory back-and-forth as issues surface during entitlement and construction.

The preliminary municipality framework does not clearly assign these responsibilities during the pre-incorporation period. Who selects and pays the engineering and building inspectors who monitor the project, who verifies stormwater and wetland-mitigation compliance, and who confirms that roadway widths are adequate for fire apparatus and suppression efforts? As the statute stands, the property owner

is positioned to oversee its own compliance, which puts the party with the greatest financial interest in the project's approval in charge of certifying its soundness.

Developers regularly terminate engineers that work on their side of the development if they don't sufficiently challenge regulatory requirements. No mechanism exists to ensure that an oversight engineer would be qualified in all areas and able to maintain independence through the life of the project.

4. The Feasibility Study Cannot Test the Plan It Approves

The feasibility study is the statute's primary safeguard, but as structured it tests very little. It does not evaluate whether the project as described can actually be constructed, does not require a demonstration that site access meets essential health and safety standards, and gives outside parties, including the county, no defined mechanism to challenge the assumptions it relies on. Section 10-2a-510 delays transition to an elected mayor and council until the statutory population threshold is reached, meaning substantial municipal authority may exist before the community has a conventional resident electorate.

Three assumptions and omissions in the study reviewed by the County illustrate the problem.

First, it lacks any credible plan for the wastewater treatment infrastructure the project would require; permitting and constructing a new treatment facility within the project's stated construction timeline is not a realistic expectation for that kind of infrastructure, yet the study offers no contingency and no independent check on the assumption.

Second, the study assumes a 75% primary-occupancy rate for the completed community. Comparable existing developments of similar values elsewhere in Wasatch County run close to 5% primary occupancy. At that gap, the project may not reach the resident-population threshold Utah Code requires for incorporation even twenty-four years after breaking ground.

Third, the study gives no consideration to the ongoing municipal service burden the community would create: it never addresses how the new town would manage snow removal across the site's difficult terrain, or whether the proposed street and site design would even support efficient removal, and it assumes no meaningful impact to Fire/EMS or recreation services despite a development of this scale and location despite demonstrable impacts.

5. The Law Creates a Self-Entitlement Pathway with No Enforceable Backstop

These gaps, taken together, let a private property owner effectively self-entitle a large-scale development, obtain the benefits of preliminary municipality status, and face little practical obligation to see the project through to the completion and incorporation the statute contemplates.

Utah Code § 10-2a-507(3)(d) is written as a check against exactly this outcome, but it is only as strong as the entity it applies against. Where the property owner is an LLC or similar liability-limited structure, that entity can dissolve or declare bankruptcy and owners walk away from the statutory obligation with no meaningful consequence to the individuals who controlled it. Wasatch County views it as likely that a project of this kind will, at some point, fail to meet the statutory timelines for completion or incorporation, and that the county, not the developer, will be asked to absorb the resulting financial and service obligations.

Recommendation

The five issues identified in this report are intended to highlight the structural flaws in this pilot program and why the law should be repealed. They stem from the basis that large scale entitlement is granted before infrastructure, housing, oversight, and accountability standards can be tested or enforced.

The preliminary municipality statute was adopted as a pilot program, intended to be tried and evaluated rather than treated as a finished framework. Wasatch County's experience with an active application has now surfaced the flaws described in this report, which is the kind of result a pilot program is meant to produce. Repeal is consistent with that intent rather than a departure from it.

Wasatch County recommends that the Legislature repeal Utah Code Title 10, Chapter 2a, Part 5. The County further recommends that the Legislature convene a stakeholder process, including counties, municipalities, service districts, and the development community, to design a framework that meets a higher standard for current and future property owners.

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

Email: kbecker@morgancountyutah.gov

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

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: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address:

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department:

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Discussion on where Exclusive Easement Revenue will be deposited.

a. Fairgrounds Fund
b. Sundry (General Fund)
c. Capitol Projects (restricted)
d. Create a new account/fund

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	
DECISION	
BOTH	☑
INFORMATION ONLY	

30120019083012001908

PAGE: 1 of 1

QUESTAR GAS COMPANY
DBA ENBRIDGE GAS UT, WY & ID
915 N Eldridge Parkway
Second Floor, Energy Center 5
Houston, TX 77079

DATE: October 14, 2026
CHECK NUMBER: 3012001908
AMOUNT PAID: $253,400.00

28651000082090003000307000020

00003 41078 CKS ND 26286 - 3012001908 NNNNNNNNNNN 28651000082O9 XI4KA1 C
MORGAN COUNTY OF
PO BOX 420
420
MORGAN UT 84050

Date	Invoice Number	Description	Gross Amount	Discount	Net Amount
09/22/26	MR0005	MR0005 Exclusive Easement	$253,400.00	$0.00	$253,400.00
		TOTALS	**$253,400.00**	**$0.00**	**$253,400.00**

PLEASE DETACH BEFORE DEPOSITING CHECK

QUESTAR GAS COMPANY
DBA ENBRIDGE GAS UT, WY & ID
915 N Eldridge Parkway
Second Floor, Energy Center 5
Houston, TX 77079

CHECK NUMBER 3012001908

50-937
213

October 14, 2026

*** VOID AFTER 180 DAYS ***

PAY TO THE ORDER OF: MORGAN COUNTY OF
PO BOX 420
420
MORGAN, UT 84050

CHECK AMOUNT
$253,400.00

EXACTLY *********253,400 DOLLARS AND 00 CENTS

Security features included. Details on back.

JPMorgan Chase Bank, N.A.
Syracuse, NY

Authorized Signature

⑈3012001908⑈ ⑆021309379⑆ 955267393⑈

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
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commission Meeting Date: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address:

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department: Impact Fees

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Request to buy 4 Gade Speed Check 18 solar signs with poles for Morgan Valley Drive out of Transportation Impact Fees 28-4400-305-000 for $26,800 off the UDOT contract.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	☐
DECISION	☐
BOTH	☑
INFORMATION ONLY	☐

Gades Sales Co. Inc.
TRAFFIC CONTROL SPECIALISTS
www.gadestraffic.com

Quote

Date: 10/16/2026

Quote to: Kate Becker
Morgan County Utah

Job: SpeedCheck18 Signs

Qty	Description	Unit Price	Line Total
4	**Carmanah SpeedCheck Signs 18"**	**$6,700.00**	**$26,800.00**
	each sign includes:		
	1- 18" Display		
	1- 36"x48" Your Speed Sign Black on Yellow		
	1- U-Bolt Display Mount		
	1- 50W Solar Panel		
	1- Wiring Harness		
	1- MX Lite Subscription (First 3-Years Free)		
	1- 4" x 15 foot Ped poles		
	Delivery Included		
		Total	$26,800.00

This quote does not include additional fees that may be needed for certifications, including BABA.
If certifications are required, we reserve the right to adjust this quote.
Certifications requests are REQUIRED at the time of order.

Delivery is approximately 2-4 weeks after receipt of order.
Delivery is subject to change as material shortages arise.

Pricing is firm for 30 days.

By: Evan Finlayson
efinlayson@gadestraffic.com
801-875-1985

Payment terms are Net 30 days after invoice date. Accepted payment methods are cash, check or ACH.
Credit Card payments are accepted with a 4% convenience fee added to the invoice total.

Pedestal Poles

Pelco offers aluminum, iron, and plastic bases in various sizes as well as poles in aluminum and steel. Pelco's cast aluminum square base is FHWA certified and meets or exceeds AASHTO break-away requirements. Plastic replacement doors offer an economical way to deter vandalism.





No Threads

Pedestal Pole, 4" Sch 40, Spun Alum No Threads

PB-5101 - Length [ ] - Coating [ ]

PNC=Process No Color
P_ _=Paint



4"-8NPT TOE

Pedestal Pole, 4"-8 NPT Sch 40, Spun Alum

PB-5100 - Length [14] - Coating [PNC]

PNC=Process No Color
P_ _=Paint

Pedestal Pole, 4"-8 NPT Sch 80, Spun Alum

PB-5102 - Length [ ] - Coating [ ]

PNC=Process No Color
P_ _=Paint

Pedestal Pole, 4"-8 NPT Sch 40, Steel

PB-5201 - Length [ ] - Coating [ ]

P_ _=Paint

Pedestal Pole, 4"-8 NPT Sch 40, Galv Steel

PB-5200 - Length [ ] - GLV - Coating [ ]

Blank=Galvanized Only
P_ _=Paint over Galvanized



Welded 4"-8NPT TOE

Pedestal Pole, Welded, 4"-8 NPT w/ 5-1/2" Nipple, Steel

PB-5219 - Length [ ] - Coating [ ]

GLV=Galvanized
P_ _=Paint

Note: 1. Standard poles are typically sold in 1 foot increments from 4' and above. For other lengths contact sales.
2. See Reference Section page v for available paint colors.

Square Pedestal Bases
Aluminum

Pelco offers aluminum, iron, and plastic bases in various sizes for both low and high load applications, as well as poles in both aluminum and steel. Pelco's PB-5334 and PB-5335 cast aluminum square bases are FHWA certified and meets or exceeds AASHTO break-away requirements. Plastic replacement doors offer an economical way to deter vandalism.



Square Base Aluminum



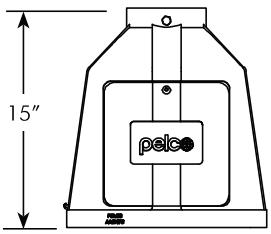
Square Base Assembly, Alum -10K Capacity w/ Alum Door

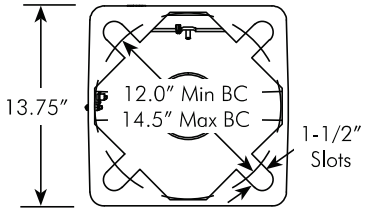
	Door		Set Screws in Collar		Grounding Lug		Coating
PB-5553 -	[ ]	-	[ ]	-	[ ]	-	[PNC]
	NL=No Logo Blank=Pelco Logo		1S=1 Hex Bolt 3S=3 Set Screws Blank=None		GL=Ground Lug Blank=None		PNC=Process No Color P_ _=Paint

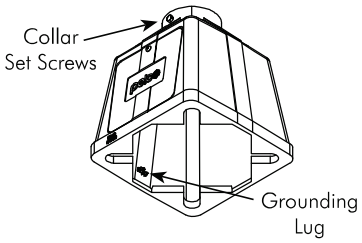
Square Base Assembly, Alum -10K Capacity w/ Plastic Door

	Door		Set Screws in Collar		Grounding Lug	
PB-5554 -	[ ]	-	[ ]	-	[ ]	- PNC
	NL=No Logo Blank=Pelco Logo		1S=1 Hex Bolt 3S=3 Set Screws Blank=None		GL=Ground Lug Blank=None	

Note: When properly installed the square aluminum pedestal base will withstand a moment of 10,000 ft-lb at the bottom of the base.







Note: 1. All assemblies are supplied standard with stainless fasteners.
2. See Reference Section page v for available paint colors.

Anchor Bolt Sets

Pelco's galvanized anchor bolt sets are available in a variety of sizes.



Anchor Bolt Set of 4 w/ Hardware 1/2"-13NC x 7-1/2", Galv

AP-1046-GLV

Note: Includes 4 Bolts, 8 Washers, and 8 Nuts.



Anchor Bolt Set of 3 w/Hardware 3/4"-10NC x 18", Galv

PB-5305-GLV

Note: Includes 3 Bolts, 6 Washers and 6 Nuts.



Anchor Bolt Set of 4 w/ Hardware 3/4"-10NC x 18", Galv

PB-5306-GLV
Note: Includes 4 each: Bolts, Washers and Nuts.

PB-5518-GLV
Note: Includes 4 Bolts, 8 Washers and 8 Nuts.



Anchor Bolt Set of 4 w/ Plate Washers 3/4"-10NC x 18", Galv

PB-5371-GLV

Includes 4 Bolts, 4 Plate Washers, 4 Washers, and 4 Nuts.



Anchor Bolt Set of 4 w/ Hardware 1"-8NC x 36", Galv

AP-1007- [ ] -GLV
Template

1=12" Bolt Circle
2=12.75" Bolt Circle
3=11" Bolt Circle

Includes 4 Bolts, 4 Lock Washers, 8 Washers, and 8 Nuts.

Note: 1. All assemblies are supplied standard with galvanized fasteners.

Collars & Adapters

Pole and base collar assemblies, for both square and octagonal bases, are available in highwind areas to add strength and help prevent loosening of connection.

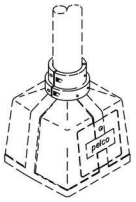




Pole & Base Collar Assembly, Alum Square Base

PB-5325 - Coating [PNC]

PNC=Process No Color
P_ _=Paint

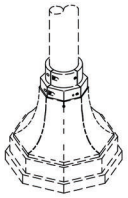




Pole & Base Collar Assembly, Alum Octagonal Base

PB-5326 - Coating [ ]

PNC=Process No Color
P_ _=Paint

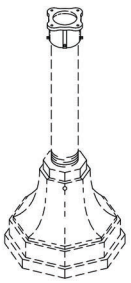




Pedestal Adapter, 4" (4-1/2" OD Pole), Alum 6-1/2" Bolt Circle

SE-3104 - Coating [ ]

PNC=Process No Color
P_ _=Paint



Note: 1. All assemblies are supplied standard with stainless steel fasteners.
2. See Reference Section v page for available paint colors.

Pole & Arm Caps

Pelco offers pole and arm caps in various sizes in both aluminum and steel. Caps for 4-1/2" OD posts are available in aluminum and ABS plastic.

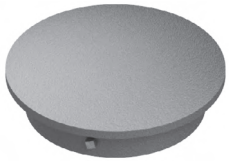




Pole Cap, Acorn Type, Alum

Diameter Range:	Part No:
3"	PB-5403 - Coating [ ]
3-1/2"	PB-5407 - [ ]
4-1/2"	PB-5401- [ ]

PNC=Process No Color
P_ _=Paint



Pole Cap, Dome Type, Alum, 4-1/2" OD Pole

PB-5402 - Coating [PNC]

PNC=Process No Color
P_ _=Paint

Note: 1. All assemblies are supplied standard with stainless fasteners.
2. See Reference Section v page for available paint colors.

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

Email: kbecker@morgancountyutah.gov

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

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: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address:

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department: Local Additional Transit Tax

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Request to approve $400,000 from Fund 17 "Additional Local Transit Tax" as recommended by the Morgan Council of Governments "COG" at their 09/28/2026 meeting. This project is to widen 100 S to include a walking path.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	☐
DECISION	☐
BOTH	☑
INFORMATION ONLY	☐

MINUTES OF MEETING HELD BY MORGAN COUNCIL OF GOVERNMENTS IN REGULAR SCHEDULED OPEN PUBLIC SESSION ON MONDAY, SEPTEMBER 28, 2026, AT 4:00 P.M., IN THE BOARD ROOM OF THE MORGAN SCHOOL DISTRICT OFFICE LOCATED AT 67 N. 200 E., MORGAN, UTAH

MEMBERS PRESENT: **Chair Kelly Preece, Angie Trease, Steve Gale, Tony London, Jeffrey Richins, Ty Bailey, Raelene Blocker, Vaughn Nickerson, Bret Heiner**

GUESTS PRESENT: **Jana Brown, COG Secretary**

ABSENT MEMBERS: **Andy Jensen**

This meeting was called to order at 4:00 p.m. by Chairman Kelly Preece.

APPROVAL OF MINUTES OF: June 15, 2026, and August 17, 2026

MOTION: Tony London moved to approve the minutes of the Morgan County Council of Governments meeting held on June 15, 2026, and August 17, 2026

SECOND: Bret Heiner

DISCUSSION: There was no discussion.

APPROVAL: The motion passed unanimously.

ITEMS FOR DISCUSSION/APPROVAL

Building Permit Running Totals for City & County

Ty Bailey reported that the city list was not available this month as a new employee was just hired to do this. It will be available at the next meeting. The list will be reviewed at the next meeting. The county list will also be reviewed at the next meeting.

County Mass Transit Funding Project Approval

Ty Bailey reported that this project is on the prioritization list and has been discussed. He noted that it will be beneficial to both the city and the county. Bret Heiner stated that the project will expand the road from 100 S. and 150 E. going to Round Valley to a 2-lane road with a walking trail. He noted that the county is asking for $400,000 from COG for this project.

MOTION: Tony London moved to recommend to the Morgan County Commission that the Transportation Project of 100 S. and 150 E. be approved in the amount of $400,000.

SECOND: Bret Heiner

DISCUSSION: There was no discussion.

APPROVAL: The motion passed unanimously.

Morgan County Fairgrounds Handicapped Parking Project

Bret Heiner reported that this project would create approximately 36 new handicapped parking spots at the Morgan County Fairgrounds. He noted that he would like to begin this project this fall/early winter and finish in the spring. Ty Bailey suggested applying for the CDBG grant for this project. Bret Heiner stated that he will investigate this, and it will likely delay the project. He reported that the county is asking for $43,200 from 3rd quarter COG funds for this project.

MOTION: Kelly Preece moved to recommend to the Morgan County Commission that the Morgan County Fairgrounds Handicapped Parking Project be approved in the amount of $43,200.

SECOND: Jeffrey Richins

DISCUSSION: Tony London asked if the county has considered paving and striping the large parking lot at the fairgrounds. Bret Heiner reported that he will investigate this. He feels it will be very expensive.

APPROVAL: The motion passed unanimously.

Ty Bailey then reminded the county commissioners to ensure that these items are placed on the County Commission meeting agenda. Raelene Blocker reported that she will make sure this happens.

RAMP Advisory Board

Vaughn Nickerson reported that the Recreation Director presented the county commission with the recreation budget and the funds it takes to run the program. He stated that it takes approximately $400,000 to run the Recreation program with $200,000 coming from the RAMP tax, and the remainer coming from the participant fees and the county commission. The COG members, also being the RAMP Advisory Board, asked to review those numbers. Vaughn noted that he will have that information for the next meeting. Kelly Preece noted that the county commission may also want to entertain raising the RAMP tax by $0.01 to help cover the costs of running the program.

Vaughn then reported that the county received a preliminary well permit for the fields next to the fairgrounds. He noted that the drilling of the well should begin soon. He also stated that the county is working to obtain 2 more fields in Mountain Green as a result of the Flagship Development.

Other Business

The COG members raised a question about whether the RAMP Advisory Board can hold their meeting as part of the COG meeting or if a separate meeting must be held. Kelly reported that he will contact Kate Becker and this will also be reviewed at the next meeting. The following items will be on the October agenda:

- Building Permit Lists
- RAMP Budget/Recreation Costs

Morgan County // Third Quarter Local Option Sales Tax

TRANSPORTATION PROJECT PRIORITIZATION PROCESS

Project Application

1	Project name:	100 so 150 E Morgan
2	Project location (attach map):	
3	Applicant:	Morgan County
4	Does the applicant own the facility:	Yes
5	Purpose/scope of project (attach plans if available):	
6	Project goals and objectives:	Road Widening
7	How does the project consider all modes:	Yes
8	Phase funds being requested (engineering, environmental, ROW, final design, construction, maintenance, operation):	Construction
9	Project cost (attach cost estimate):	800,000.00 to 2,600,000.00
10	Requested funding (include percent match):	400,000.00
11	Does the project have a federal, state, or other grant (please explain):	No
12	Does the project have a revenue stream to cover maintenance and operation expenses (attach maintenance and operation plan):	Yes

13	Describe project readiness/status of project:	Shovel Ready
14	Anticipated project schedule:	June of 2027
15	Project consistency with local, regional, or statewide plans:	Yes
16	If the project is on or part of a regionally significant transportation facility and constructs or adds a new through lane or interchange, or provides new fixed guideway public transit service, is the project on UDOT's statewide long-range plan:	Yes
17	Does the project meet all applicable federal laws and regulations:	Yes

Bret Heiner

WASATCH CIVIL
Consulting Engineering

Memorandum

To: Bret Heiner- Public Works Director
Morgan County

From: John Bjerregaard, P.E.
Wasatch Civil Consulting Engineering

Date: April 9, 2026

Subject: **Estimated Construction Costs for Widening 100 South Street**

We have looked at a couple of options for potentially widening 100 South Street just east of of the Morgan City limits. We assumed the following criteria and conditions:

- The required road width is 35' total. We assumed two 12.5-ft wide lanes with 5' shoulders on each side.

- The natural slope (with minimal rock outcrops) appears to be a maximum of 1H:1V. We have assumed that an un-retained slope will be stable at that resultant slope.

We considered the following two design alternatives:

1. Widen the roadway to 35 feet and cut the slope back to resultant 1H:1V (45 degrees). The cut could be terraced with flat areas between slopes steeper than 1H:1V or the slope could be cut at a consistent angle. The excavation amount will be approximately the same. This results in slope cuts that exceed 140 feet in length for the largest cut. The cut would be very visible scar until vegetation is re-established.

2. Widen the roadway to 35 feet by cutting an almost vertical slope that is reinforced with a nail wall. The slope could be cut at approximately 11H:1V (85 degrees). The vertical cut face would be about 30 feet or less.

<u>Estimated Construction Cost of Alternative 1:</u>

Total Cut Volume = 26,000 cu. yds.
Excavation Cost (mostly rock excavation) = $100/cu.yd.

Total Cost = $2.6 Million

Estimated Construction Cost of Alternative 2:

Total Cut Volume = 5,800 cu.yds.
Excavation Unit Cost = $100/cu.yd.

Excavation Cost = $580,000

Area of Nail Wall = 10,000 ft^2
Nail Wall Unit Cost = $190/$ ft^2

Nail Wall Cost = $1,900,000

Total Cost = $2.5 Million

These estimates are based on design concepts and rough estmates of quantities. They are intended represent the higher end of the potential cost range. A geotechnical investigation could determine that steeper cut slopes are feasible, and this could reduce the construction costs considerably. There could also be potentially cheaper design options that include adding a retaining wall and widening on the outside edge of the road.

Other cost items that should be considered in a more precise estimate include easements and design costs.

Please call if you have any questions.

Account Number	Title	Debit Amount	Credit Amount
Additional Transit Tax-Local			
17-2951-000-000	Fund Balance		255,235.42-
17-3150-000-000	Additional Transit Tax-Local		165,955.24-
17-4400-340-000	Project Expenses	.00	
Total Additional Transit Tax-Local:		.00	421,190.66-

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

Email: kbecker@morgancountyutah.gov

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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: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address: Third Quarter Sale Tax

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department:

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

A request for $43,200 out of third quarter sales tax as recommended by Morgan Council of Governments at the 09/28/2026 meeting for Handicap accessible parking upgrades at the Morgan County Fairgrounds.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	
DECISION	
BOTH	☑
INFORMATION ONLY	

MINUTES OF MEETING HELD BY MORGAN COUNCIL OF GOVERNMENTS IN REGULAR SCHEDULED OPEN PUBLIC SESSION ON MONDAY, SEPTEMBER 28, 2026, AT 4:00 P.M., IN THE BOARD ROOM OF THE MORGAN SCHOOL DISTRICT OFFICE LOCATED AT 67 N. 200 E., MORGAN, UTAH

MEMBERS PRESENT: **Chair Kelly Preece, Angie Trease, Steve Gale, Tony London, Jeffrey Richins, Ty Bailey, Raelene Blocker, Vaughn Nickerson, Bret Heiner**

GUESTS PRESENT: **Jana Brown, COG Secretary**

ABSENT MEMBERS: **Andy Jensen**

This meeting was called to order at 4:00 p.m. by Chairman Kelly Preece.

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MOTION: Tony London moved to approve the minutes of the Morgan County Council of Governments meeting held on June 15, 2026, and August 17, 2026

SECOND: Bret Heiner

DISCUSSION: There was no discussion.

APPROVAL: The motion passed unanimously.

ITEMS FOR DISCUSSION/APPROVAL

Building Permit Running Totals for City & County

Ty Bailey reported that the city list was not available this month as a new employee was just hired to do this. It will be available at the next meeting. The list will be reviewed at the next meeting. The county list will also be reviewed at the next meeting.

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MOTION: Tony London moved to recommend to the Morgan County Commission that the Transportation Project of 100 S. and 150 E. be approved in the amount of $400,000.

SECOND: Bret Heiner

DISCUSSION: There was no discussion.

APPROVAL: The motion passed unanimously.

Morgan County Fairgrounds Handicapped Parking Project

Bret Heiner reported that this project would create approximately 36 new handicapped parking spots at the Morgan County Fairgrounds. He noted that he would like to begin this project this fall/early winter and finish in the spring. Ty Bailey suggested applying for the CDBG grant for this project. Bret Heiner stated that he will investigate this, and it will likely delay the project. He reported that the county is asking for $43,200 from 3rd quarter COG funds for this project.

MOTION: Kelly Preece moved to recommend to the Morgan County Commission that the Morgan County Fairgrounds Handicapped Parking Project be approved in the amount of $43,200.

SECOND: Jeffrey Richins

DISCUSSION: Tony London asked if the county has considered paving and striping the large parking lot at the fairgrounds. Bret Heiner reported that he will investigate this. He feels it will be very expensive.

APPROVAL: The motion passed unanimously.

Ty Bailey then reminded the county commissioners to ensure that these items are placed on the County Commission meeting agenda. Raelene Blocker reported that she will make sure this happens.

RAMP Advisory Board

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Vaughn then reported that the county received a preliminary well permit for the fields next to the fairgrounds. He noted that the drilling of the well should begin soon. He also stated that the county is working to obtain 2 more fields in Mountain Green as a result of the Flagship Development.

Other Business

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- Building Permit Lists
- RAMP Budget/Recreation Costs

Morgan County // Third Quarter Local Option Sales Tax

TRANSPORTATION PROJECT PRIORITIZATION PROCESS

Project Application

1	Project name:	Handicap Parking Morgan County Fairgrounds
2	Project location (attach map):	
3	Applicant:	Morgan County
4	Does the applicant own the facility:	Yes
5	Purpose/scope of project (attach plans if available):	
6	Project goals and objectives:	Add Handicap parking
7	How does the project consider all modes:	Yes
8	Phase funds being requested (engineering, environmental, ROW, final design, construction, maintenance, operation):	Construction
9	Project cost (attach cost estimate):	86,400.00
10	Requested funding (include percent match):	43,200.00
11	Does the project have a federal, state, or other grant (please explain):	No
12	Does the project have a revenue stream to cover maintenance and operation expenses (attach maintenance and operation plan):	Yes

13	Describe project readiness/status of project:	Shovel Ready
14	Anticipated project schedule:	2027
15	Project consistency with local, regional, or statewide plans:	Yes
16	If the project is on or part of a regionally significant transportation facility and constructs or adds a new through lane or interchange, or provides new fixed guideway public transit service, is the project on UDOT's statewide long-range plan:	Yes
17	Does the project meet all applicable federal laws and regulations:	Yes

Brat Heiner

Account Number	Title	Debit Amount	Credit Amount
County Mass Transit Tax			
19-2951-000-000	Fund Balance		1,059,697.68-
19-3150-000-000	County Mass Transit Tax		604,983.84-
19-4400-340-000	Project Expenses	151,930.49	
Total County Mass Transit Tax:		151,930.49	1,664,681.52-

Grand Totals:	151,930.49	1,664,681.52-

Report Criteria:
Actual amounts
Account.Account number = "192951000000","193150000000","194400340000"

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Morgan County
Attn: Kate Becker
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P O Box 886
Morgan,UT 84050
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Email: kbecker@morgancountyutah.gov

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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: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address:

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department: Parks

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Request to apply for a Foundation Grant to remove and replace the Enterprise Park playground equipment with ADA park equipment.
Costs requested from the Foundation:
1) Removal of existing Park equipment
2) Leveling of the existing park ground
3) Purchase and Installation of ADA Park Equipment
4) Purchase and installation of rubber coating under park equipment that is wheelchair compatible.
5) Surfacing and painting of parking lot lines wide enough to accommodate multiple ADA ramped vehicles.

Request of the Commission to pay for an engineers estimate of items 1, 2, 4, and 5.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	☐
DECISION	☐
BOTH	☑
INFORMATION ONLY	☐



Morgan County ADA Equipment Option 2.0

Morgan County

26429.2.0

ADA Freestanding Play Option 2.0

Garrett Parks and Play
PO Box 57426
Murray, UT 84157
(800) 748-4608
hello@garrettplay.com

NASPO Contract # PA 4281
Sourcewell Contract # 010521-LTS-8

Ship To
Kate Becker
kbecker@morgancountyutah.gov
435-800-8726

Morgan County, UT 84050

Date	8/21/2026
Expires	9/20/2026
Consultant	Jordon LeBaron
Project No	26429
Project Name	Morgan County ADA Equipment

PRODUCT	DESCRIPTION	QTY	RATE	AMOUNT
11-68-13.M Playground Equipment	714S614: Kids Choice Playground	1.00	$89,336.00	$89,336.00
11-68-13.M Playground Equipment	Concerto Vibes	1.00	$5,794.00	$5,794.00
11-68-13.M Playground Equipment	Concerto Tall Chimes	1.00	$5,807.00	$5,807.00
11-68-13.M Playground Equipment	Reflex	1.00	$11,488.00	$11,488.00
11-68-13.M Playground Equipment	Inclusive Whirl	1.00	$15,919.00	$15,919.00
11-68-13.M Playground Equipment	Sensory Garden Wall Double Sided w/ Make it Rain Insert & Tongue Drum Insert	1.00	$4,143.00	$4,143.00
11-68-13.M Playground Equipment	MM Goooaaalll	1.00	$8,112.00	$8,112.00

11-68-13.M Playground Equipment	3.5" Arch Swing Set: 5 Bays, 2 Inclusive Seats, 1 Tot Seat, 2 Belt Seats, 5 Generation Swing Seats	1.00	$18,944.00	$18,944.00
11-68-13.M Playground Equipment	Sandbox, Clover Leaf	1.00	$3,483.00	$3,483.00
11-68-13.M Playground Equipment	X-Cavator, ADA	1.00	$1,647.00	$1,647.00
11-68-13.S Playground Equipment Installation	CPSI: Certified Installation of Option 2	1.00	$50,710.00	$50,710.00
32-18-16.13.M PIP Surfacing	5,330 SF Poured-in-Place Rubber, 5' Fall Height, Color: 50% Black/50% Beige	1.00	$77,973.00	$77,973.00
32-18-16.13.S PIP Installation	Installation of Poured-in-Place Rubber	5,330.00	$6.60	$35,178.00
32-90-00.S Site Preparation Services	Compacted Stone Base Prep	5,330.00	$2.20	$11,726.00

Subtotal	$340,260.00
Sales Tax (0.00%)	$0.00
TOTAL	**$340,260.00**
Required Deposit	**$85,065.00**


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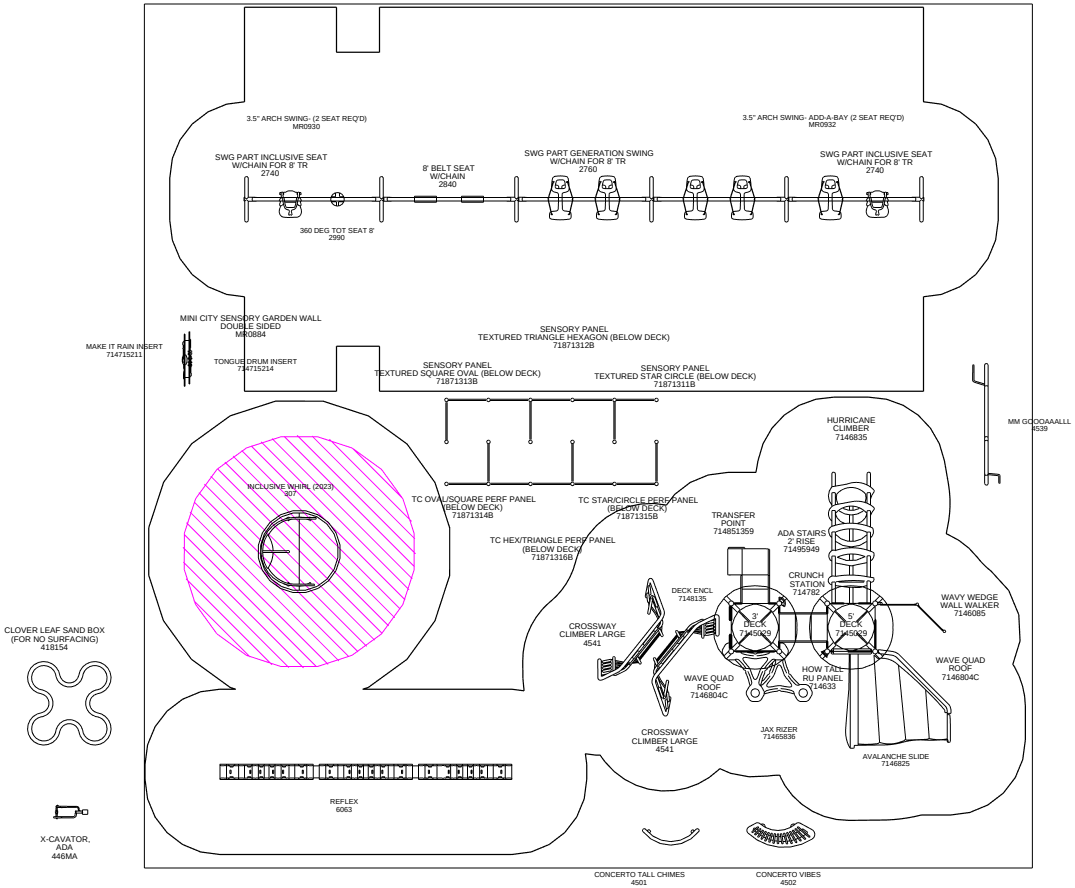
26429 Morgan County ADA - Option 2
Morgan, UT

FOR KIDS AGES 2-12 YEARS

AGE GROUP:	5-12_ASTM		
ELEVATED PLAY ACTIVITIES - TOTAL:	0		
ELEVATED PLAY ACTIVITIES ACCESIBLE BY TRANSFER:	0	REQ'D	0
ELEVATED PLAY ACTIVITIES ACCESIBLE BY RAMP:	0	REQ'D	0
GROUND LEVEL ACTIVITY TYPE:	1	REQ'D	0
GROUND LEVEL QUANTITY:	16	REQ'D	0

FOR KIDS AGES 5-12 YEARS

AGE GROUP:	5-12_ASTM		
ELEVATED PLAY ACTIVITIES - TOTAL:	7		
ELEVATED PLAY ACTIVITIES ACCESIBLE BY TRANSFER:	5	REQ'D	4
ELEVATED PLAY ACTIVITIES ACCESIBLE BY RAMP:	0	REQ'D	0
GROUND LEVEL ACTIVITY TYPE:	9	REQ'D	2
GROUND LEVEL QUANTITY:	25	REQ'D	2

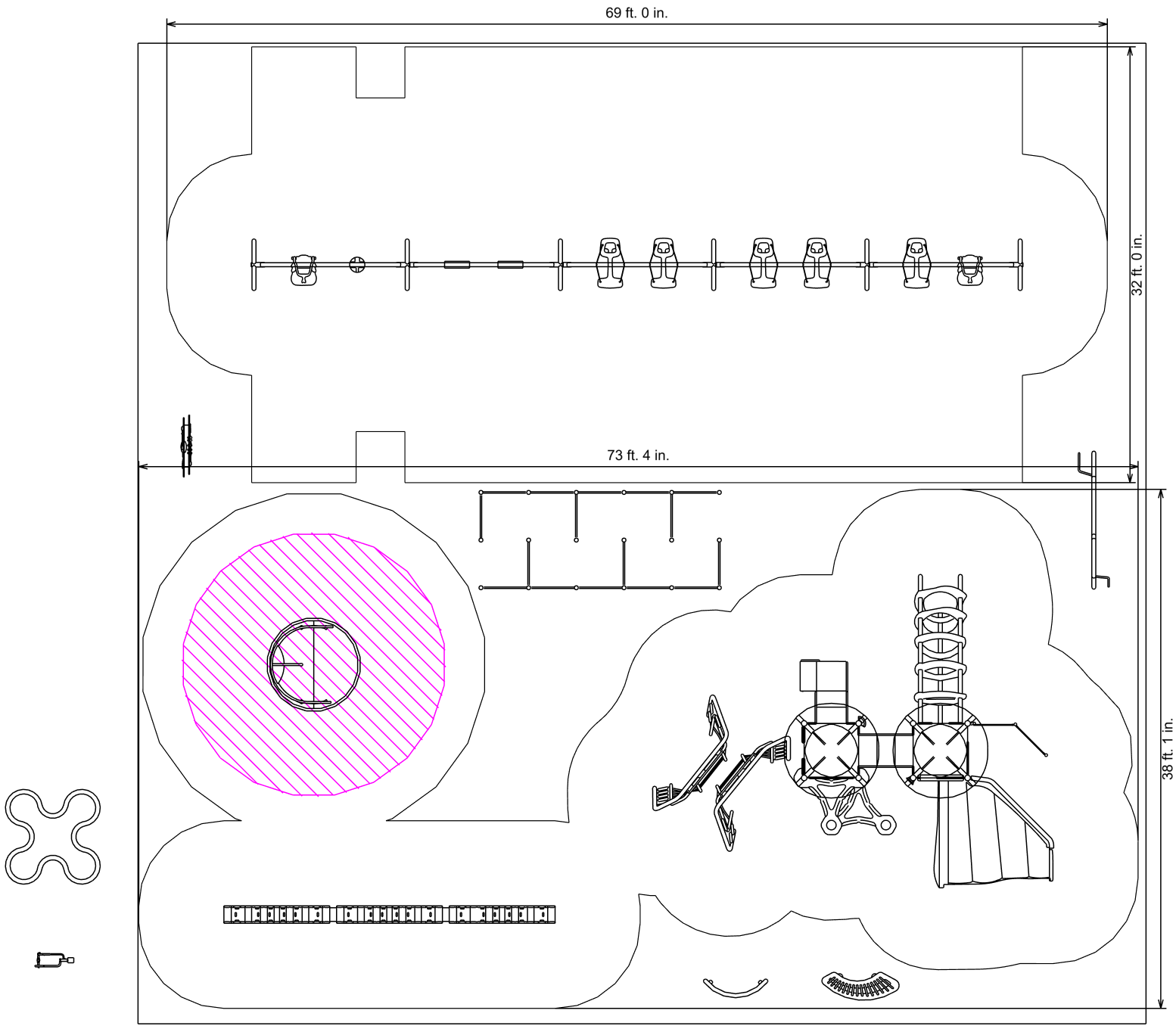


IPEMA CERTIFIED TO ASTM F1487
INTERNATIONAL PLAY EQUIPMENT MANUFACTURERS ASSOCIATION
To verify product certification, visit www.ipema.org

Miracle

AGENCY	26015449	To promote safe and proper equipment use by children. Miracle recommends the installation of either a Miracle safety sign or other appropriate safety signage near each playsystem's main entry point(s) to inform parents and supervisors of the age appropriateness of the playsystem and general rules for safe play.	THE PLAY COMPONENTS IDENTIFIED IN THIS PLAN ARE IPEMA CERTIFIED. THE USE AND LAYOUT OF THESE COMPONENTS CONFORM TO THE REQUIREMENTS OF ASTM F1487.
ADDRESS1 ADDRESS2 PHONE NO: PHONE	✓ COMPLIES TO ASTM/CPSC		AN ENERGY ABSORBING PROTECTIVE SURFACE IS REQUIRED UNDER & AROUND ALL PLAY SYSTEMS
EMAIL: angela@garrettandcompany.com			
PROTECTIVE AREA: 73'-6" x 71' GROUND SPACE: 83'-6" x 57'			
DRAWN BY: Angela Lebaron DATE: 08/21/2026			

Morgan County ADA - Option 2
Morgan, UT



Notice to Proceed

Project Name	Morgan County ADA Equipment
Estimate Number	ADA Freestanding Play Option 2.0
Estimate Date	8/21/2026
Total Project Cost	$340,260.00

By signing this document, the undersigned, acting as an authorized representative for the organization listed above, hereby accepts the scope of work, pricing, and all specifications detailed in the accompanying Estimate (**ADA Freestanding Play Option 2.0**).

The undersigned authorizes Garrett Parks and Play to proceed with the procurement of materials and/or the scheduling and commencement of work as described. Furthermore, the undersigned acknowledges that they have read, fully understood, and agree to be bound by the entirety of this document, including the detailed "Estimate Terms and Conditions" attached.

Deposit & Project Initiation

A deposit in the amount of **$85,065.00** is required to formally schedule this project and initiate material orders. Work cannot begin until this signed Notice to Proceed and, if applicable, the required deposit has been received. Please return this signed document via email to orders@garrettplay.com.

Agreed and Accepted By:

Signature _____

Printed Name _____

Title _____

Date _____

For Office Use Only

Date Received _____

Date Recorded _____

Recorded By _____

Estimate Terms + Conditions

This Estimate is valid until **9/20/2026**. After this date, Garrett Parks and Play reserves the right to re-quote the project due to potential changes in product pricing and freight rates.

To accept this Estimate and initiate the project, please sign and return this document to orders@garrettplay.com. The project will not be scheduled, and products will not be ordered until we receive the signed Estimate and, if applicable, the required deposit.

I. Payment Terms

A. Payment Schedule

1. A deposit of 25% of the total amount is required to place product orders and schedule work for all projects over $10,000.00.
2. We utilize progress invoicing to pay our vendors and subcontractors in a timely manner. You'll receive invoices at project milestones such as upon delivery of materials or completion of site preparation and upon completion.

B. Payment Methods

1. Please make payable to "Garrett Parks and Play" and mail to PO Box 57426, Murray, UT 84157.
2. Banking information for payment via ACH transfer is available upon request.
3. Payments made via credit card are subject to a 3% processing fee.

C. Late Payments

1. Invoices not paid within the specified terms are subject to a finance charge of 1.5% per month (18% annually) on the outstanding balance, or the maximum rate permitted by law. The Client agrees to pay all costs associated with the collection of overdue accounts, including but not limited to attorney's fees and court costs.

D. Title of Goods

1. Title and ownership of all products shall remain with Garrett Parks and Play until the full invoice amount has been paid.

E. Taxes and Fees

1. Prices quoted herein are exclusive of any and all applicable federal, state, and local sales. You shall be responsible for and shall pay all such taxes as are applicable to the final invoice.

II. Scope of Work & Change Orders

A. Scope of Work

1. The price quoted is limited to the specific products and services detailed throughout this Estimate, which shall constitute the entire "Scope of Work" for the project. Unless a product or service is explicitly included in this Estimate, it is excluded from the quoted price, including but not limited to:
    a) Site preparation, grading, or excavation.
    b) Removal and disposal of existing equipment or surfacing.
    c) Permits, bonds, temporary security fencing, or inspection fees.
    d) Site drainage design or implementation.

B. Change Orders

1. Any alteration, deviation, or addition to the specified Scope of Work will be executed only upon a written Change Order, signed by both the Client and Garrett Parks and Play. Change Orders may adjust the project cost and completion schedule.
2. The cost for each Change Order will be determined based on the sum of all direct costs (including but not limited to labor, materials, and equipment rental), plus a standard markup of 10% to cover company overhead and profit. The Client agrees to this pricing structure for all approved changes to the original Scope of Work.

III. Site Conditions & Responsibilities

A. Client Responsibility

1. The Client is responsible for ensuring the project site is ready, accessible, and suitable for the work to commence on the scheduled date.

B. Atypical Site Conditions

1. Our pricing is based on typical site conditions (e.g., soil suitable for standard excavation). The Client agrees to inform Garrett Parks and Play of any known adverse or atypical site conditions. If unforeseen conditions are discovered during work—including but not limited to buried utility lines (private or public), rock, caliche, high water tables, reinforced concrete, or other obstructions—work will be stopped. A Change Order will be issued to cover the additional costs and time required to address these conditions.

C. Mobilization

1. The prices quoted for installation, demolition, and site work services are based on a single, continuous phase of work and include one (1) mobilization to the project site and one (1) demobilization from the site upon completion. If Garrett Parks and Play is required to leave the site and return on a separate day due to the site not being ready, project delays caused by the Client or other contractors, or if the work must be completed in multiple phases at the Client's request, the Client agrees to pay for all associated remobilization costs. Such costs will be authorized via a Change Order.

D. Utility Location

1. As required by law, Garrett Parks and Play or its subcontractors will contact the applicable one-call notification center (e.g., Blue Stakes 811) to locate and mark public utilities. The Client is solely responsible for identifying and clearly marking the location of all private underground lines, such as sprinkler systems, landscape lighting, or electrical lines not installed by a public utility. Garrett Parks and Play is not liable for damage to unmarked or incorrectly marked private utilities.

E. Site Drainage

1. Drainage design and implementation are the responsibility of the Client unless explicitly included in our Scope of Work. We are not liable for any drainage issues arising from the existing site or as a result of the installation.

IV. Product, Freight & Delivery

A. Product Availability

1. We will make every effort to supply products as specified. However, we are not responsible for manufacturer delays, product backorders, or discontinuations. We will promptly notify the Client of any such issues and propose suitable alternatives.

B. Freight

1. All quotes include freight FOB **Morgan County** unless otherwise noted.

C. Delivery & Offloading

1. The Client is responsible for receiving and offloading all materials upon delivery unless offloading services have been explicitly included in this Estimate. The Client must provide sufficient personnel and equipment (e.g., forklift) to safely and promptly unload the delivery truck(s). Any fees incurred due to the Client's failure to offload in a timely manner (such as driver detention, demurrage, or re-delivery charges) will be billed to the Client.

V. Installation & Demolition Services

A. Installation

1. If included in the Scope of Work, installation will be performed in a workmanlike manner according to manufacturer specifications and project plans.

B. Demolition

1. If included in the Scope of Work, demolition will be performed according to project specifications. Unless otherwise stated, the price does not include the cost of hauling and disposal of demolished materials.

C. Warranties & Liability

1. Workmanship Warranty
    a) Garrett Parks and Play warrants its installation and site work services against defects in workmanship for a period of one (1) year from the date of project completion. This warranty does not cover damage resulting from vandalism, misuse, normal wear and tear, or acts of God.
2. Manufacturer's Warranty
    a) All products are covered by their respective manufacturer's warranties. Garrett Parks and Play will act as a facilitator for warranty claims but does not provide the product warranty itself. Please send all product condition or warranty claims to support@garrettplay.com.

3. Warranty Labor
    a) For product defects covered under a manufacturer's warranty, Garrett Parks and Play will provide the labor to install the replacement part at no charge if the claim occurs within one (1) year of the original installation date. After one year, the Client is responsible for all labor costs associated with installing warranty replacement parts.
4. Limitation of Liability
    a) In no event shall Garrett Parks and Play be liable for any indirect, special, incidental, or consequential damages. Our total liability for any and all claims arising from this agreement is limited to the total amount paid by the Client under this Estimate.

VI. Permits & Inspections

A. Permits

1. Unless explicitly stated otherwise, the Client is responsible for obtaining and paying for all necessary permits and licenses. Garrett Parks and Play will provide necessary product specifications and drawings to assist in this process. Any project delays caused by the Client's failure to obtain necessary permits will be the Client's responsibility.

B. Post-Installation Safety Inspection

1. Upon request, a third-party Certified Playground Safety Inspector (CPSI) can be contracted to inspect the completed project. This service is not included unless specified in the Estimate and will be billed as a separate line item or via a Change Order.

C. Playground Safety Audit

1. Audits of existing equipment can be performed by a CPSI if specified in the Estimate. This audit will identify non-compliant conditions against current safety standards and provide a detailed report.



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Morgan County ADA Equipment Option 3.0

Morgan County

26429.3.0

ADA Freestanding Play Option 3.0

Garrett Parks and Play
PO Box 57426
Murray, UT 84157
(800) 748-4608
hello@garrettplay.com

NASPO Contract # PA 4281
Sourcewell Contract # 010521-LTS-8

Ship To
Kate Becker
kbecker@morgancountyutah.gov
435-800-8726

Morgan County, UT 84050

Date	8/21/2026
Expires	9/20/2026
Consultant	Jordon LeBaron
Project No	26429
Project Name	Morgan County ADA Equipment

PRODUCT	DESCRIPTION	QTY	RATE	AMOUNT
11-68-13.M Playground Equipment	714S614: Kids Choice Playground	1.00	$89,336.00	$89,336.00
11-68-13.M Playground Equipment	Concerto Vibes	1.00	$5,794.00	$5,794.00
11-68-13.M Playground Equipment	Concerto Tall Chimes	1.00	$5,807.00	$5,807.00
11-68-13.M Playground Equipment	Reflex	1.00	$11,488.00	$11,488.00
11-68-13.M Playground Equipment	Inclusive Whirl	1.00	$15,919.00	$15,919.00
11-68-13.M Playground Equipment	Sensory Garden Wall Double Sided w/ Make it Rain Insert & Tongue Drum Insert	1.00	$4,143.00	$4,143.00
11-68-13.M Playground Equipment	MM Goooaaalll	1.00	$8,112.00	$8,112.00

11-68-13.M Playground Equipment	3.5" Arch Swing Set: 5 Bays, 2 Inclusive Seats, 1 Tot Seat, 2 Belt Seats, 5 Generation Swing Seats	1.00	$18,944.00	$18,944.00
11-68-13.M Playground Equipment	Sandbox, Clover Leaf	1.00	$3,483.00	$3,483.00
11-68-13.M Playground Equipment	X-Cavator, ADA	1.00	$1,647.00	$1,647.00
11-68-13.S Playground Equipment Installation	CPSI: Certified Installation of Option 3	1.00	$50,710.00	$50,710.00
32-18-16.13.M PIP Surfacing	5,330 SF Poured-in-Place Rubber, 5' Fall Height, Color: 50% Black/50% Beige	1.00	$77,973.00	$77,973.00
32-18-16.13.S PIP Installation	Installation of Poured-in-Place Rubber	5,330.00	$6.60	$35,178.00
32-90-00.S Site Preparation Services	Compacted Stone Base Prep	5,330.00	$2.20	$11,726.00

Subtotal	$340,260.00
Sales Tax (0.00%)	$0.00
TOTAL	**$340,260.00**
Required Deposit	**$85,065.00**

Notice to Proceed

Project Name	Morgan County ADA Equipment
Estimate Number	ADA Freestanding Play Option 3.0
Estimate Date	8/21/2026
Total Project Cost	$340,260.00

By signing this document, the undersigned, acting as an authorized representative for the organization listed above, hereby accepts the scope of work, pricing, and all specifications detailed in the accompanying Estimate (**ADA Freestanding Play Option 3.0**).

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Deposit & Project Initiation

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Agreed and Accepted By:

Signature _____

Printed Name _____

Title _____

Date _____

For Office Use Only

Date Received _____

Date Recorded _____

Recorded By _____


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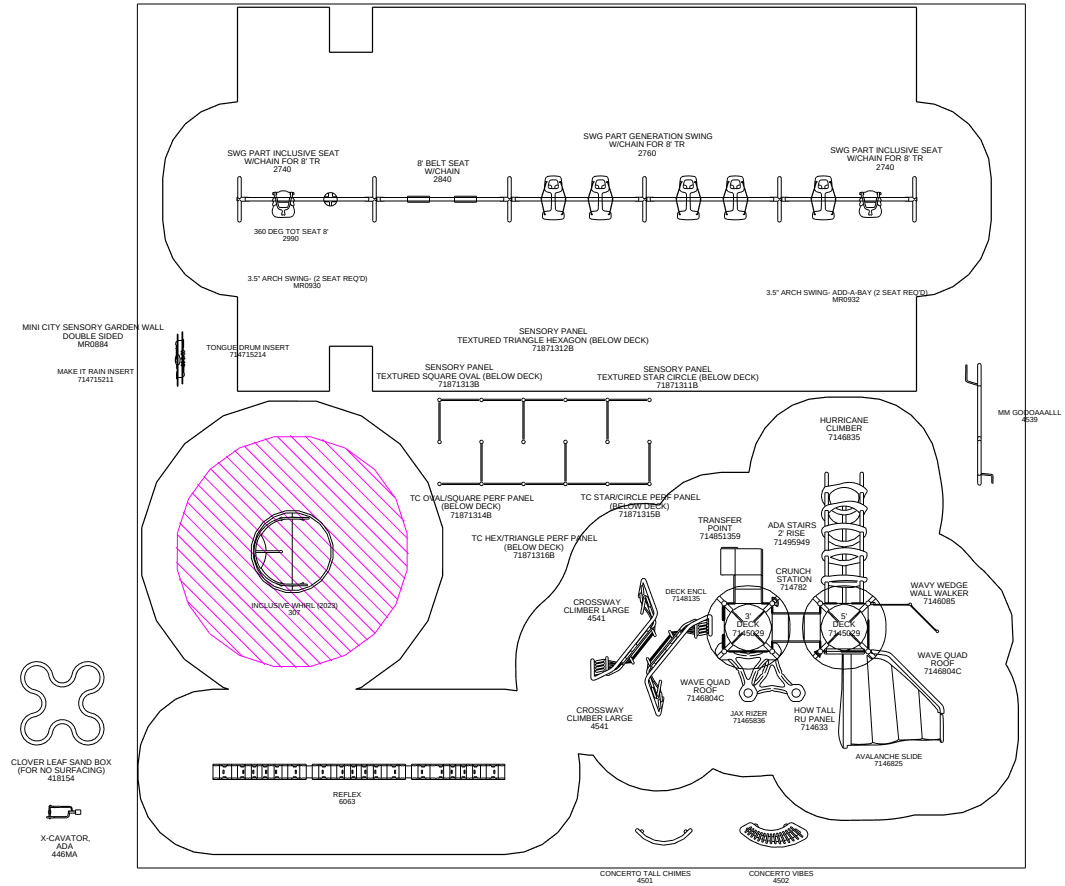
26429 Morgan County ADA - Option 3
Morgan, UT

FOR KIDS AGES 2-12 YEARS

AGE GROUP:	2-12_ASTM		
ELEVATED PLAY ACTIVITIES - TOTAL:	0		
ELEVATED PLAY ACTIVITIES ACCESIBLE BY TRANSFER:	0	REQ'D	0
ELEVATED PLAY ACTIVITIES ACCESIBLE BY RAMP:	0	REQ'D	0
GROUND LEVEL ACTIVITY TYPE:	1	REQ'D	0
GROUND LEVEL QUANTITY:	16	REQ'D	0

FOR KIDS AGES 5-12 YEARS

AGE GROUP:	2-12_ASTM		
ELEVATED PLAY ACTIVITIES - TOTAL:	7		
ELEVATED PLAY ACTIVITIES ACCESIBLE BY TRANSFER:	5	REQ'D	4
ELEVATED PLAY ACTIVITIES ACCESIBLE BY RAMP:	0	REQ'D	0
GROUND LEVEL ACTIVITY TYPE:	9	REQ'D	2
GROUND LEVEL QUANTITY:	25	REQ'D	2



IPEMA CERTIFIED TO ASTM F1487
INTERNATIONAL PLAY EQUIPMENT MANUFACTURERS ASSOCIATION
To verify product certification, visit www.ipema.org

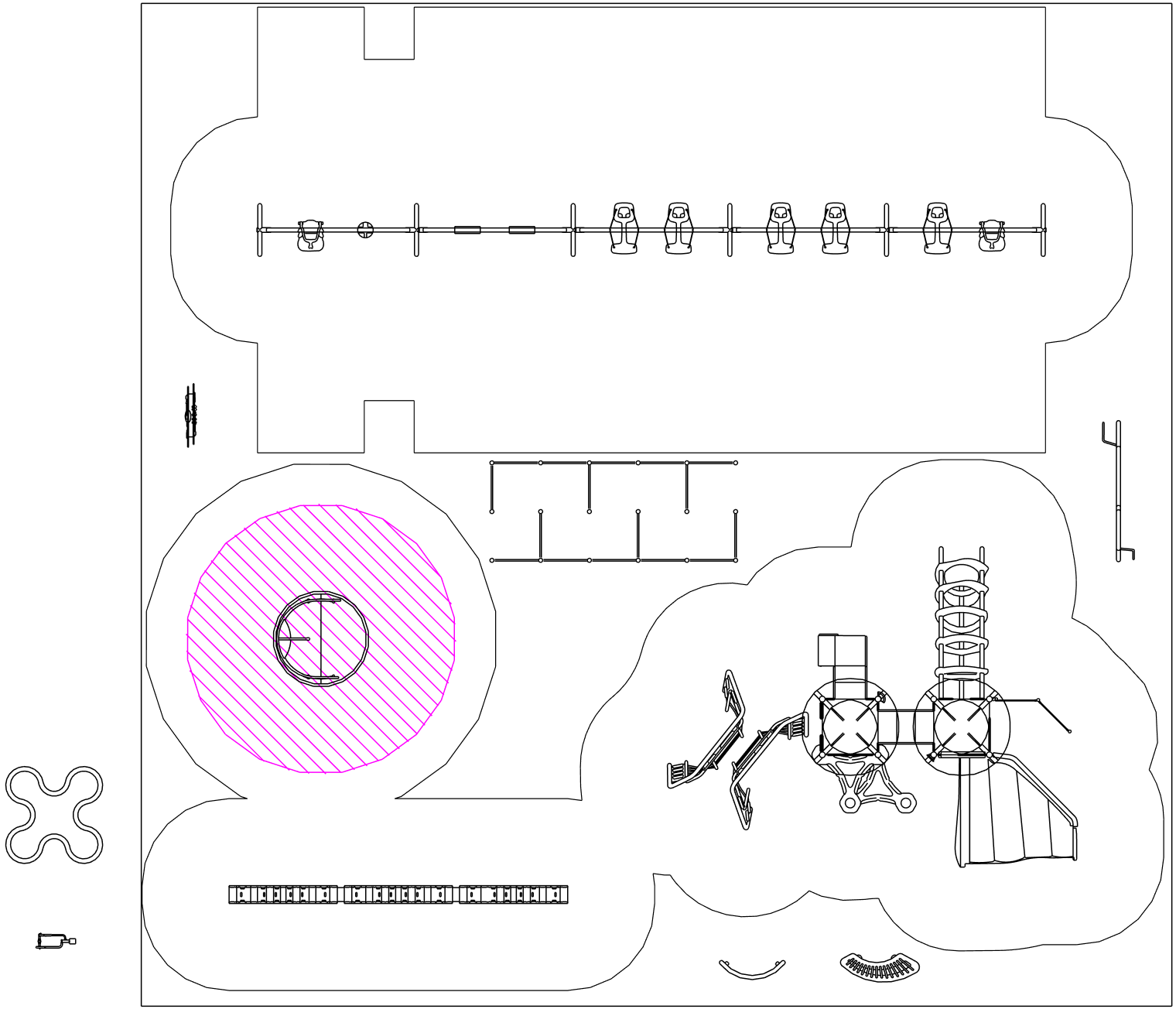
Miracle

AGENCY ADDRESS1 ADDRESS2 PHONE NO: PHONE EMAIL: angela@garrettandcompany.com PROTECTIVE AREA: 73'-6" x 71' GROUND SPACE: 83' x 56'-6" DRAWN BY: Angela Lebaron DATE: 08/21/2026	26015449 ✓ COMPLIES TO ASTM/CPSC	To promote safe and proper equipment use by children. Miracle recommends the installation of either a Miracle safety sign or other appropriate safety signage near each playsystem's main entry point(s) to inform parents and supervisors of the age appropriateness of the playsystem and general rules for safe play.

THE PLAY COMPONENTS IDENTIFIED IN THIS PLAN ARE IPEMA CERTIFIED. THE USE AND LAYOUT OF THESE COMPONENTS CONFORM TO THE REQUIREMENTS OF ASTM F1487.

AN ENERGY ABSORBING PROTECTIVE SURFACE IS REQUIRED UNDER & AROUND ALL PLAY SYSTEMS

26429 Morgan County ADA - Option 3
Morgan, UT



Estimate Terms + Conditions

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3. Payments made via credit card are subject to a 3% processing fee.

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E. Taxes and Fees

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A. Scope of Work

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    b) Removal and disposal of existing equipment or surfacing.
    c) Permits, bonds, temporary security fencing, or inspection fees.
    d) Site drainage design or implementation.

B. Change Orders

1. Any alteration, deviation, or addition to the specified Scope of Work will be executed only upon a written Change Order, signed by both the Client and Garrett Parks and Play. Change Orders may adjust the project cost and completion schedule.
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III. Site Conditions & Responsibilities

A. Client Responsibility

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1. Our pricing is based on typical site conditions (e.g., soil suitable for standard excavation). The Client agrees to inform Garrett Parks and Play of any known adverse or atypical site conditions. If unforeseen conditions are discovered during work—including but not limited to buried utility lines (private or public), rock, caliche, high water tables, reinforced concrete, or other obstructions—work will be stopped. A Change Order will be issued to cover the additional costs and time required to address these conditions.

C. Mobilization

1. The prices quoted for installation, demolition, and site work services are based on a single, continuous phase of work and include one (1) mobilization to the project site and one (1) demobilization from the site upon completion. If Garrett Parks and Play is required to leave the site and return on a separate day due to the site not being ready, project delays caused by the Client or other contractors, or if the work must be completed in multiple phases at the Client's request, the Client agrees to pay for all associated remobilization costs. Such costs will be authorized via a Change Order.

D. Utility Location

1. As required by law, Garrett Parks and Play or its subcontractors will contact the applicable one-call notification center (e.g., Blue Stakes 811) to locate and mark public utilities. The Client is solely responsible for identifying and clearly marking the location of all private underground lines, such as sprinkler systems, landscape lighting, or electrical lines not installed by a public utility. Garrett Parks and Play is not liable for damage to unmarked or incorrectly marked private utilities.

E. Site Drainage

1. Drainage design and implementation are the responsibility of the Client unless explicitly included in our Scope of Work. We are not liable for any drainage issues arising from the existing site or as a result of the installation.

IV. Product, Freight & Delivery

A. Product Availability

1. We will make every effort to supply products as specified. However, we are not responsible for manufacturer delays, product backorders, or discontinuations. We will promptly notify the Client of any such issues and propose suitable alternatives.

B. Freight

1. All quotes include freight FOB **Morgan County** unless otherwise noted.

C. Delivery & Offloading

1. The Client is responsible for receiving and offloading all materials upon delivery unless offloading services have been explicitly included in this Estimate. The Client must provide sufficient personnel and equipment (e.g., forklift) to safely and promptly unload the delivery truck(s). Any fees incurred due to the Client's failure to offload in a timely manner (such as driver detention, demurrage, or re-delivery charges) will be billed to the Client.

V. Installation & Demolition Services

A. Installation

1. If included in the Scope of Work, installation will be performed in a workmanlike manner according to manufacturer specifications and project plans.

B. Demolition

1. If included in the Scope of Work, demolition will be performed according to project specifications. Unless otherwise stated, the price does not include the cost of hauling and disposal of demolished materials.

C. Warranties & Liability

1. Workmanship Warranty
    a) Garrett Parks and Play warrants its installation and site work services against defects in workmanship for a period of one (1) year from the date of project completion. This warranty does not cover damage resulting from vandalism, misuse, normal wear and tear, or acts of God.
2. Manufacturer's Warranty
    a) All products are covered by their respective manufacturer's warranties. Garrett Parks and Play will act as a facilitator for warranty claims but does not provide the product warranty itself. Please send all product condition or warranty claims to support@garrettplay.com.

3. Warranty Labor
    a) For product defects covered under a manufacturer's warranty, Garrett Parks and Play will provide the labor to install the replacement part at no charge if the claim occurs within one (1) year of the original installation date. After one year, the Client is responsible for all labor costs associated with installing warranty replacement parts.
4. Limitation of Liability
    a) In no event shall Garrett Parks and Play be liable for any indirect, special, incidental, or consequential damages. Our total liability for any and all claims arising from this agreement is limited to the total amount paid by the Client under this Estimate.

VI. Permits & Inspections

A. Permits

1. Unless explicitly stated otherwise, the Client is responsible for obtaining and paying for all necessary permits and licenses. Garrett Parks and Play will provide necessary product specifications and drawings to assist in this process. Any project delays caused by the Client's failure to obtain necessary permits will be the Client's responsibility.

B. Post-Installation Safety Inspection

1. Upon request, a third-party Certified Playground Safety Inspector (CPSI) can be contracted to inspect the completed project. This service is not included unless specified in the Estimate and will be billed as a separate line item or via a Change Order.

C. Playground Safety Audit

1. Audits of existing equipment can be performed by a CPSI if specified in the Estimate. This audit will identify non-compliant conditions against current safety standards and provide a detailed report.



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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

Email: kbecker@morgancountyutah.gov

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

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: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (435) 800-8724

Address:

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department:

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Discussion on a budget adjustment from Fairgrounds Fund to pay for a base for the Pavilion the Fairgrounds is getting from the DAF Grant

Gravel w/o labor 1,800

Cement w/labor 32,000-37,000

There will also be an additional cost to move the power lines regardless what the Commission decides.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	☐
DECISION	☐
BOTH	☑
INFORMATION ONLY	☐

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

Email: kbecker@morgancountyutah.gov

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

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: 10/27/2026 **Time Requested:**

Name: Kate Becker **Phone:** (433) 580-0872

Address:

Email: kbecker@morgancountyutah.gov **Fax:**

Associated County Department:

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

I, Kate Becker, gave authorization for John Harrison, and Joel MacArthur to take their County Public Works vehicles home. Which, per our County Employee Handbook, I have authority to do.
A few Commissioners met with Bret and revoked my authorization.
I would like to discuss this with the intent of reinstating said authorization.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	☐
DECISION	☐
BOTH	☑
INFORMATION ONLY	☐

MORGAN COUNTY PUBLIC WORKS DEPARTMENT

Take-Home County Vehicles — Operational Justification and Fuel Cost Analysis

The Morgan County Public Works Department requests consideration of allowing certain designated employees to take assigned County vehicles home when justified by their operational responsibilities.

The intent is to improve efficiency, reduce unnecessary travel, strengthen emergency response capabilities, and support employee recruitment and retention while maintaining responsible oversight of taxpayer-funded resources.

1. Improved Efficiency and Faster Job Starts
Allowing designated employees to travel directly from their residences to assigned work locations can eliminate unnecessary trips to the Public Works shop and increase productive working time.

2. Reduced Unnecessary Travel and Vehicle Wear
Eliminating redundant travel may reduce fuel consumption, mileage, maintenance expenses, and employee time spent traveling between locations.

3. Improved Emergency Response
Public Works personnel respond to snowstorms, flooding, roadway hazards, and infrastructure emergencies outside normal working hours. Having assigned vehicles readily available can improve response times and public safety.

4. Employee Recruitment and Retention
Take-home vehicle assignments can provide a competitive advantage when recruiting and retaining qualified equipment operators, supervisors, and specialized maintenance personnel.

5. Equipment Readiness and Accountability
Consistent vehicle assignments encourage employee responsibility for vehicle maintenance, cleanliness, equipment readiness, and reporting mechanical concerns.

Average Fuel Cost by Calendar Quarter from Fuelman Card Data
The quarterly fuel costs are calculated using average gallons purchased during calendar years 2024 and 2025, multiplied by Utah's average fuel prices as of October 20, 2026: ***$4.7716 per gallon for regular gasoline*** *(Vehicle 325053) and* ***$6.4291 per gallon for diesel*** *(Vehicle LG259913).*

Quarter	Vehicle 325053 Joel	Vehicle LG259913 John	Combined
Q1: January–March	$1,314.77	$2,272.21	$3,586.98
Q2: April–June	$1,306.84	$1,741.15	$3,047.99
Q3: July–September	$1,167.02	$2,336.42	$3,503.44
Q4: October–December	$1,183.54	$2,120.93	$3,304.47
Column totals	**$4,972.17**	**$8,470.71**	**$13,442.88**

Seasonal Fuel Cost

The historical averages indicate that combined fuel expenses are highest during the first calendar quarter (January–March), averaging **$3,586.98**, and lowest during the second quarter (April–June), averaging **$3,047.99**.

Recommended Safeguards

Take-home vehicle authorization should be limited to employees with documented operational responsibilities, including emergency response, on-call assignments, field supervision, and specialized equipment needs.

Assignments should require approval, prohibit unauthorized personal use, provide for periodic review, and comply with County vehicle, insurance, and applicable tax-reporting requirements.

Ask

The Morgan County Public Works Department respectfully requests that the Morgan County Commission consider authorizing take-home vehicle assignments for specifically designated personnel, subject to documented operational needs and appropriate oversight.

County Employee Handbook Reference:

Use of Morgan County Vehicles, equipment and Tools.

County Department Head/Elected Official or supervisor may approve for routine work-related transportation by assigning County-owned vehicles to County employees on an ad-hoc permanent basis. Only authorized personnel may drive County-owned vehicles.

Morgan County Fleet Vehicle Use Policy

Purpose

To establish clear standards for the operation, care, and authorized use of County-owned vehicles in order to promote public safety, ensure responsible stewardship of public resources, and minimize liability exposure.

Policy Statement

County-owned vehicles are public assets and shall be used for official County business only. Employees operating County vehicles are expected to exercise the highest degree of care, professionalism, and compliance with all applicable laws and County policies.

Scope

This policy applies to all County employees and any other individuals who have received prior authorization to operate County-owned vehicles.

Authorized Use

County vehicles may be used only for:

1. Official County business and duties.
2. Travel to and from approved training, meetings, or conferences.
3. Emergency response or on-call assignments when authorized.

When travel to or from an employee's residence is authorized for official County business, such travel shall be direct and uninterrupted. Only minimal and incidental stops necessary for travel (e.g., fuel, restroom, or emergency-related needs) are permitted. Personal errands or extended deviations are strictly prohibited.

Driver Eligibility and Driving Record Requirements

Individuals operating County vehicles must:

1. Possess a valid driver's license appropriate for the vehicle being operated.
2. Maintain driving privileges in good standing.
3. Comply with all County insurance and risk management requirements.
4. Receive authorization from the appropriate Department Head/Elected Official or County administration prior to operating a County vehicle.

As a condition of operating a County vehicle, employees must consent to the County obtaining and reviewing their driving history from the appropriate licensing authority. The County may review driving records prior to authorizing an employee to operate a County vehicle and may enroll them in a continuous monitoring system to ensure continued eligibility.

Employees must promptly notify their supervisor if their driver's license is suspended, revoked, expired, or restricted**,** or if they are charged with or convicted of a major driving violation**,** including but not limited to:

1. Driving under the influence of alcohol or drugs (DUI)
2. Reckless or careless driving
3. Driving with a suspended or revoked license
4. Hit-and-run or leaving the scene of an accident
5. Any violation that results in license suspension or restriction

Employees must also report any condition, legal restriction, or administrative action that affects their ability to legally or safely operate a motor vehicle. Failure to maintain a valid license, to report changes in driving status, or to maintain an acceptable driving record may result in suspension or revocation of County vehicle privileges and may also result in disciplinary action.

Safety Requirements

The following safety requirements are mandatory:

1. Seatbelts must be worn by the driver and all passengers at all times while the vehicle is in operation.
2. All traffic laws and driving regulations must be obeyed at all times.
3. Use of a handheld cell phone or other electronic device while driving is strictly prohibited.
4. Drivers must not engage in distracted driving of any kind.
5. Vehicles shall not be operated in a careless, reckless, or negligent manner.

Employees are personally responsible for any traffic citations, parking violations, tolls (exception for ambulance & fire apparatus), or fines incurred while operating a County vehicle.

Operators are responsible for exercising reasonable care in the operation and basic cleanliness of County vehicles and must promptly report any maintenance concerns or mechanical issues to their supervisor.

Passenger Restrictions

1. Only County employees or other individuals authorized in advance for official County business may be transported in County vehicles.
2. Non-County employees may only be transported when necessary for official County purposes and when authorized in advance.
3. No one under the age of eighteen (18) shall be allowed to operate or ride in a County vehicle unless they are a current county employee clocked into work.

County vehicles shall not be operated by family members, friends, or any other unauthorized individuals.

Fueling Requirements

1. Operators must have and use an assigned County fuel PIN when fueling a County vehicle.
2. Vehicles shall not be returned with less than one-half (½) tank of fuel.
3. If the fuel level is below one-half (½) tank at the time of return, the operator must refuel the vehicle prior to returning it.

Geographic Restrictions

County vehicles may not be driven outside the State of Utah unless required for official County business and approved in advance by the appropriate Department Head/Elected Official or County Administrative Manager.

Prohibited Use

The following uses of County vehicles are strictly prohibited:

1. Personal errands or non-County business.
2. Transporting unauthorized passengers.
3. Operation by unauthorized drivers.
4. Political activity or outside employment.
5. Operation while impaired by alcohol, drugs, or any substance that affects safe driving.
6. Smoking or vaping

Employees must maintain County vehicles in a clean condition and avoid activities that could damage the vehicle interior or create odors that interfere with shared use.

Accidents and Reporting

Any accident, damage, citation, or mechanical issue involving a County vehicle must be reported immediately to the employee's supervisor and the Morgan County Clerk/Auditor.

Employees must complete the accident kit and follow County accident reporting procedures.

When required by law, law enforcement must be contacted following an accident. Employees must cooperate with County insurance representatives and accident investigation procedures.

Vehicle Assignment

Assignment of County vehicles for regular use or take-home purposes must be approved by the appropriate Department Head/Elected Official and comply with County administrative procedures.

Employees assigned County vehicles are responsible for taking reasonable precautions to secure the vehicle when not in use, including removing keys, locking the vehicle, and securing County equipment or sensitive materials contained within the vehicle.

County records, electronic devices, and other sensitive materials must be secured in accordance with County records management and data security policies. Employees shall not leave confidential or protected records visible or unsecured in County vehicles when unattended.

Use of a County vehicle for travel to and from an employee's residence, when authorized, does not convert normal commuting time into compensable work time unless otherwise required by law or specifically authorized by the employee's Department Head/Elected Official.

Any exceptions or additional restrictions to this section may be authorized/imposed by the County Administrative Manager.

Vehicle Modifications

County vehicles shall not be modified, altered, or equipped with aftermarket equipment, decals, or accessories without prior authorization from the appropriate Department Head/Elected Official and compliance with County purchasing and fleet management procedures.

Acknowledgment

Violations of this policy may result in disciplinary action up to and including termination, reimbursement of damages, loss of vehicle privileges, and/or legal action.

Employees authorized to operate County vehicles shall be required to sign an acknowledgment confirming receipt and understanding of this policy prior to being permitted to operate a County vehicle.

Employee Name (Printed): _____

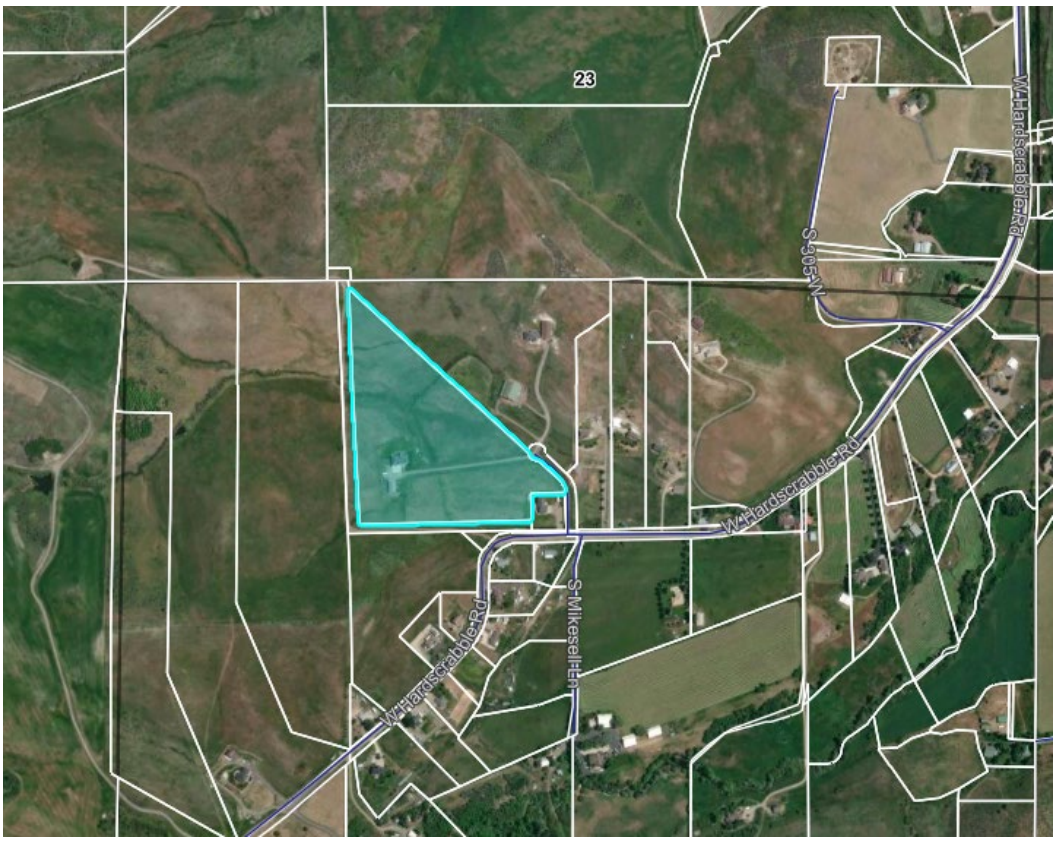
Employee Signature: _____

Date: _____

NOTICE OF PUBLIC HEARING

Tuesday, October 27, 2026 @ 6:00 PM
Morgan County Courthouse – 48 West Young Street
Commission Chambers

Public Hearing/Discussion/Decision - Eggett FLUMA & Rezone: A request to change the future land use map from A-20 (Agriculture, 20 acres min.) and RR-1 (Rural Residential, 1 acre min.) to Ranch Residential 5 and change the zoning from A-20 and RR-1 to RR-5 (Rural Residential, 5 acres min.) on 20.30 acres at 667 W. Hardscrabble Court in the Porterville area of unincorporated Morgan County.



Prior to the meeting date, written comments may be sent to:

kbecker@morgancountyutah.gov

Additional information may be obtained by contacting Planning & Development at 801-845-4015 or submit@morgancountyutah.gov

MORGAN COUNTY PLANNING COMMISSION

Eggett Rezone and FLUMA Recap

October 22, 2026 | Legislative item 10 | Application 26.031

Recommendation: The Planning Commission unanimously recommended denial of the Eggett Future Land Use Map Amendment and rezone request. The recommendation is forwarded to the County Commission for final consideration.

Request

Roger Eggett requested a future land use map amendment from A-20 and RR-1 to Ranch Residential 5 and a rezone from A-20 and RR-1 to RR-5 for approximately 20.30 acres at 667 W. Hardscrabble Court in the Porterville area. The applicant described the intended development as four five-acre lots.

Discussion and public hearing

The applicant's representative stated that water and road concerns from a prior denial had been addressed. The applicant cited a Weber Basin letter regarding available water rights and a well log reporting approximately 30–35 gallons per minute. The additional water rights had not been purchased. Commissioners distinguished available water rights from a dependable physical groundwater supply and questioned the age of the well test, drawdown, and sustained production.

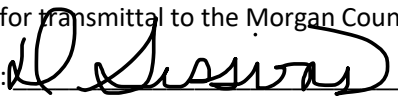
Residents described declining or dry wells, repeated water hauling, unsuccessful drilling, and concern that additional homes would affect existing water supplies. Other concerns included frontage, road standards, rural character, and further development. A commenter emphasized the distinction between a rezone decision and later subdivision review. Staff explained that a road meeting County standards would be needed to create frontage for future lots. Commissioners reviewed the rezone approval factors, including effects on adjacent property and adequacy of services and water supplies.

Motion and vote

Member Taylor, as identified by the Chair, moved to forward a negative recommendation on Application 26.031, based on the findings in the October 22, 2026 staff report, with the additional finding that additional demand on water in the area would adversely affect adjacent property. Member Maloney seconded. The Chair announced that the motion carried unanimously; no numerical tally was stated.

Chair Attestation

I attest that I have reviewed this recap and that it accurately reflects the substance of the Planning Commission's discussion, public hearing, motion, and recommendation on this item at its October 22, 2026 meeting. This recap is provided for transmittal to the Morgan County Commission and does not replace the official meeting minutes.

Signature: _____ Date: 10/24/2026_____

Printed name: Debbie Sessions_____ Planning Commission Chair

Sources: Supplied October 22, 2026 meeting transcript, 16:56–1:17:08 (motion at 1:16:06); official Eggett hearing notice, Utah Public Notice Website, notice 1114959.

MORGAN COUNTY
PLANNING & DEVELOPMENT

County Commission
Staff Report

October 27, 2026

Eggett FLUMA & Rezone
Public Hearing
October 27, 2026

Application No.:	26.031
Applicant:	Roger Eggett
Owner:	Roger Eggett
Project Location:	667 W. Hardscrabble Court
Parcel Number:	00-0062-3395
Serial Numbers:	01-HE3-0005
Date of Application:	October 2, 2026
Future Land Use Designation:	A-20 (Agriculture) & RR-1
Current Zoning:	A-20 (Agriculture) & RR-1
Requested Future Land Use Designation:	Ranch Residential 5
Requested Zoning:	RR-5
Total Acreage:	20.30

REQUEST

Request to change the future land use map from "A-20" (Agriculture, 20 acre minimum per dwelling) and "RR-1" (one dwelling per acre) to "Ranch Residential 5" (5 acre minimum per dwelling) and to change the zoning from "A-20" and "RR-1" to "RR-5" (Rural Residential, 5 acre minimum per dwelling).

LEGAL DESCRIPTION

ALL OF LOT 5, HARDSCRABBLE ESTATES, PHASE 3 ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE MORGAN COUNTY RECORDER. CONT 20.308 / 20.31 AC, M. OR L.

STAFF OBSERVATION

The proposal is for a future land use map amendment from A-20 and RR-1 to Ranch Residential 5, and a requested rezone from A-20 and RR-1 to RR-5.

The purpose of the Agricultural future land use designation is to support viable agricultural operations in Morgan County, while allowing for incidental large-lot residential and other uses. The residential density in this category is up to 1 unit per 20 acres.

The Ranch Residential 5 future land use designation accommodates rural large lot development. Agriculture privileges are a part of this character. Properties within this category are generally larger lots with accessory structures that may be used for agriculture.

Adjacent properties have the following future land use designations, zoning, and current land uses:

	Future Land Use	**Zoning**	**Current Use**
North	A-20	A-20	Single-family dwelling & vacant
East	A-20 & RR-5	A-20 & RR-5	Single family dwellings
South	A-20 & RR-1	A-20 & RR-1	Single-family dwelling & vacant
West	A-20	A-20	Vacant

The application narrative states that:

> "Our neighborhood is mostly RR-1 and RR-5. This change is consistent with the surrounding area.
>
> We requested this change two years ago but it was rejected because of lack of water and a hazardous driveway. We have a letter from Weber Basin Water indicating that there is sufficient water and we can purchase additional shares. Our current well produces over 35 gallons per minute. There was a pothole in the driveway that was on the county's property. We paid to have the driveway graded."

ANALYSIS

General Plan and Zoning:

The application requests a change in the future land use from "A-20" and "RR-1" to "Ranch

Residential" and a rezone from A-20 and RR-1 to RR-5 (Single-family residential, one dwelling per five acres).

The 2010 Morgan County General Plan identifies the following six visions for the County that may be applicable to the proposals (see pages 4 & 5 of the 2010 Morgan County General Plan):

1. *Morgan County attracts families with its quality of life, rural atmosphere, secure environment, and natural beauty. Residents have a wide range of employment, housing, and lifestyle choices. The County benefits from a balanced economy, livable wages, economic prosperity, and first-rate community services.*

2. *Morgan County respects property rights and recognizes personal responsibility to the land and communities.*

3. *Morgan County values its distinctive natural landscapes for their beauty, solitude, recreational opportunities, and natural resources and will work to ensure their long-range conservation and preservation.*

4. *Morgan County safeguards water resources for future generations, and conserves and reuses water whenever possible.*

5. *Morgan County public policies support the viability of working and hobby farms, protection of agricultural lands, and the conservation of natural resources and rural character.*

6. *Morgan County accommodates growth responsibly by integrating new development in a way that is respectful of the environment, supports County values, considers long-term sustainability, and uses available infrastructure. To help achieve this goal, the County strongly recommends that growth occur within or adjacent to corporate limits and villages or be located within master-planned communities.*

The following procedures from the Morgan County Code Section 155.022 and 155.023 effectively apply to a petition to change the future land use map and also apply to a petition to change the zoning map:

Section 155.022: *Amendments to Title and Zoning Map* indicates that:

> *The County Commission may amend this chapter, including the zoning map, but only in accordance with the following procedure.*
>
> *(A) The County Commission may instruct staff to study and make recommendations for amendments to this chapter or the zoning map in response to changes in policy or conditions generally within the county. Staff shall forward a recommended amendment to the Planning Commission for their consideration. The Planning Commission shall review and make recommendation to the County Commission regarding the proposed amendment pursuant to § 155.023(D) of this code.*
>
> *(B) The Planning Commission may instruct staff to study and make recommendations for amendments to this chapter in response to changes in policy or conditions generally within the county. Staff shall forward a recommended amendment to the Planning*

Commission for its consideration. The Planning Commission shall review and make recommendation to the County Commission regarding the proposed amendment pursuant to § 155.023(D) of this code.

(C) Any property owner may initiate an amendment to this chapter or the zoning map, as long as they are affected by the proposed amendment, by submitting a complete application to the Planning and Development Services Department in accordance with § 155.023(A) of this code.

(Prior Code, § 8-3-3) (Ord. 13-03, passed 4-16-2013)

Section 155.023: Procedures for *Amendments and Rezonings* states:

(D) Planning Commission review and recommendation.

(1) Upon receiving a recommendation from staff regarding an amendment to this chapter or the zoning map, and after holding the required public hearing, the Planning Commission shall review the amendment and prepare its recommendation. The Planning Commission may recommend approval, approval with modifications or denial of the proposed amendment and shall submit its recommendation to the County Commission for review and decision.

(2) Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes stated in this chapter.

(E) County Commission review. The County Commission shall schedule and hold a public hearing on the application as provided in § 155.031 of this code. Following the public hearing the County Commission may approve, approve with modifications or deny the proposed amendment. Prior to making a decision that goes contrary to the Planning Commission's recommendation, the County Commission may, but is not obligated to, remand the amendment to the Planning Commission with a request for another recommendation with additional or specific considerations. The Planning Commission shall review such request as specified in division (D) above.

(F) Approval standards. A decision to amend the text of this chapter or the zoning map is a matter committed to the legislative discretion of the County Commission and is not controlled by any one standard. However, in making an amendment, the County Commission and Planning Commission should consider the following factors:

(1) Whether the proposed amendment is consistent with goals, objectives and policies of the county's General Plan;

(2) Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;

(3) The extent to which the proposed amendment may adversely affect adjacent property; and

(4) The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies and wastewater and refuse collection.

(G) Reconsideration. Where an application for zoning amendment has been denied, the Planning Commission and the County Commission shall not review the same zoning amendment application within two years of a denial unless there is a substantial change of conditions since the earlier application. A new application, with applicable fee, shall be required and processed in accordance with the procedure outlined in this section.

(Prior Code, § 8-3-4) (Ord. 13-03, passed 4-16-2013; Ord. 18-07, passed 11-13-2018)

The Planning Commission completed its review on October 22, 2026.
This County Commission hearing fulfills subsection (E) above.

Staff's Assessment of 155.023 (F) (4) Above

Roadways: Hardscrabble Court (a private road owned by Rigby Construction Inc.) provides 314.49 feet of frontage. This road will need to be extended or a flag lot will be needed to subdivide into RR-5.

Parks and Recreation Facilities: Our code does not require additional parks and recreation facilities for developments within hard zoned properties.

Police and Fire Protection: Police protection will be provided by the Morgan County Sheriff's Department. Fire will be provided by the Morgan County Fire Department.

Schools: Staff checked with the Morgan County School District regarding capacity; schools in the area have capacity.

Stormwater Drainage Systems: Any future development will be required to provide storm drain facilities such that it will meet all natural and historic flows.

Water supplies: The application states that our current well produces over 35 gallons per minute.

Wastewater: Individual lots will need septic wastewater fields.

Refuse Collection: The County has a contract with Robinson for refuse collection. This company would most likely serve any future subdivisions in the area.

PUBLIC NOTICE, MEETINGS, COMMENTS

- ✓ Public Notice was submitted to the State of Utah Public Notice website on or before October 12, 2026; a minimum of 10 days prior to the scheduled meeting. [Morgan County Code § 155.032 (C)].
- ✓ A Public Notice was posted at the County on or before October 12, 2026.
- ✓ Notices to property owners within 1000' feet of the proposed use were mailed a Public Notice on or before October 12, 2026.
- ✓ A sign was posted on the site on or before October 12, 2026.

MORGAN COUNTY COMMISSION

Eggett FLUMA and Rezone

County Commission sample motions for October 27 2026

Application 26.031 | Ordinance CO 26-27 | Legislative action

Motion to deny

I move to deny the Eggett future land use map amendment and rezone requests, application 26.031, for approximately 20.30 acres at 667 W. Hardscrabble Court, retaining the existing A-20 and RR-1 future land use designations and zoning, based on the October 22, 2026 staff report and the Planning Commission's additional finding that additional demand on water in the area would adversely affect adjacent property, together with the findings stated by the County Commission on the record.

Motion to approve

I move to approve the Eggett future land use map amendment and rezone requests, application 26.031, under Ordinance CO 26-27, changing approximately 20.30 acres from A-20 and RR-1 future land use designations to Ranch Residential 5 and rezoning from A-20 and RR-1 to RR-5, based on the findings stated by the County Commission on the record.

Commission review

The Planning Commission forwarded a unanimous negative recommendation. Any action contrary to that recommendation should address the procedure in Morgan County Code Section 155.023(E), reproduced in this staff report. The approval motion above requires Commission findings supporting that action.

Supporting information

Exhibit A - Vicinity Map
Exhibit B - County Future Land Use Map
Exhibit C - County Zoning Map

Staff contact

Kent Page | 801-845-4007 | kpage@morgancountyutah.gov

Exhibit A: Vicinity Map

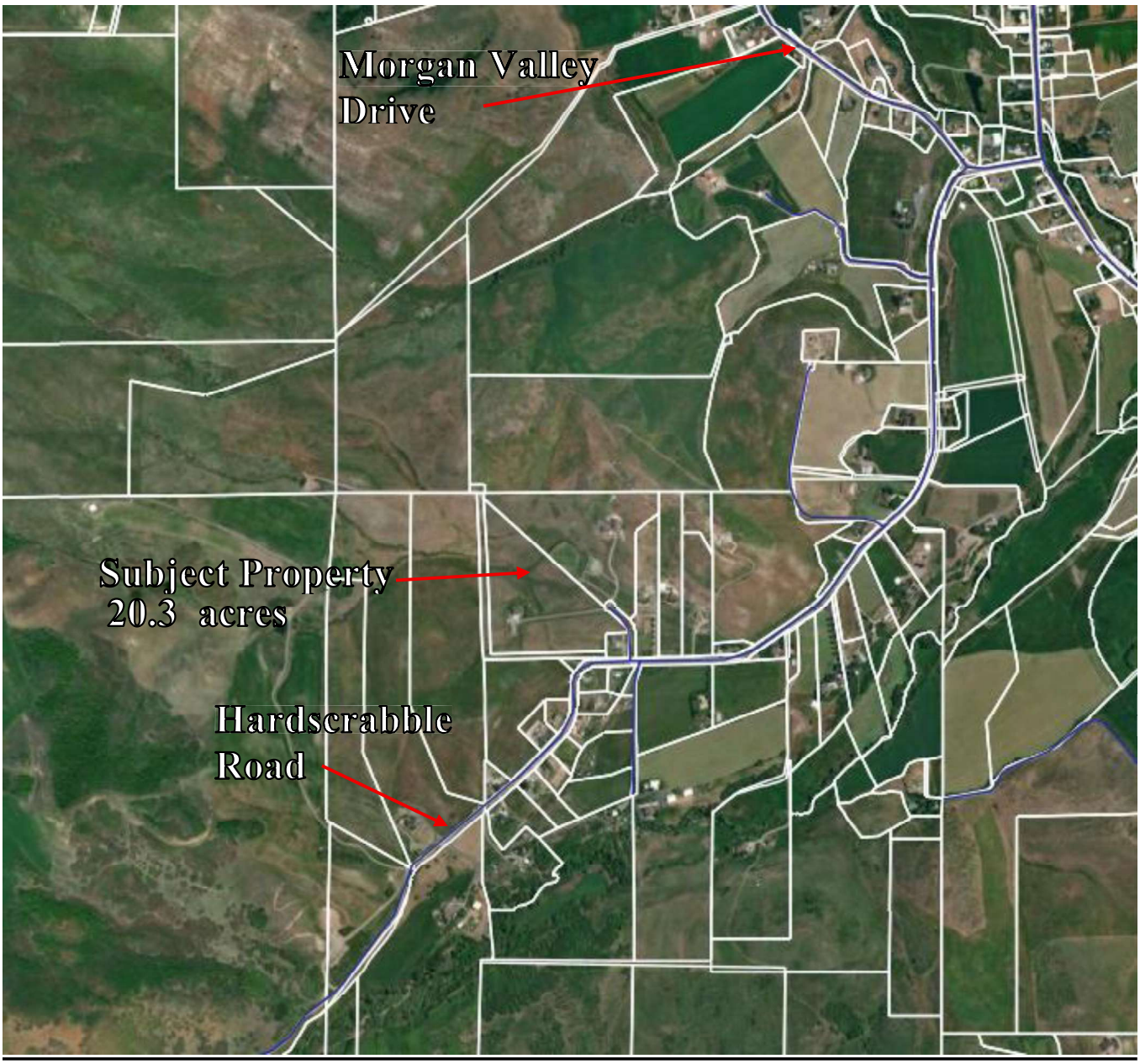


Exhibit B: County Future Land Use Map

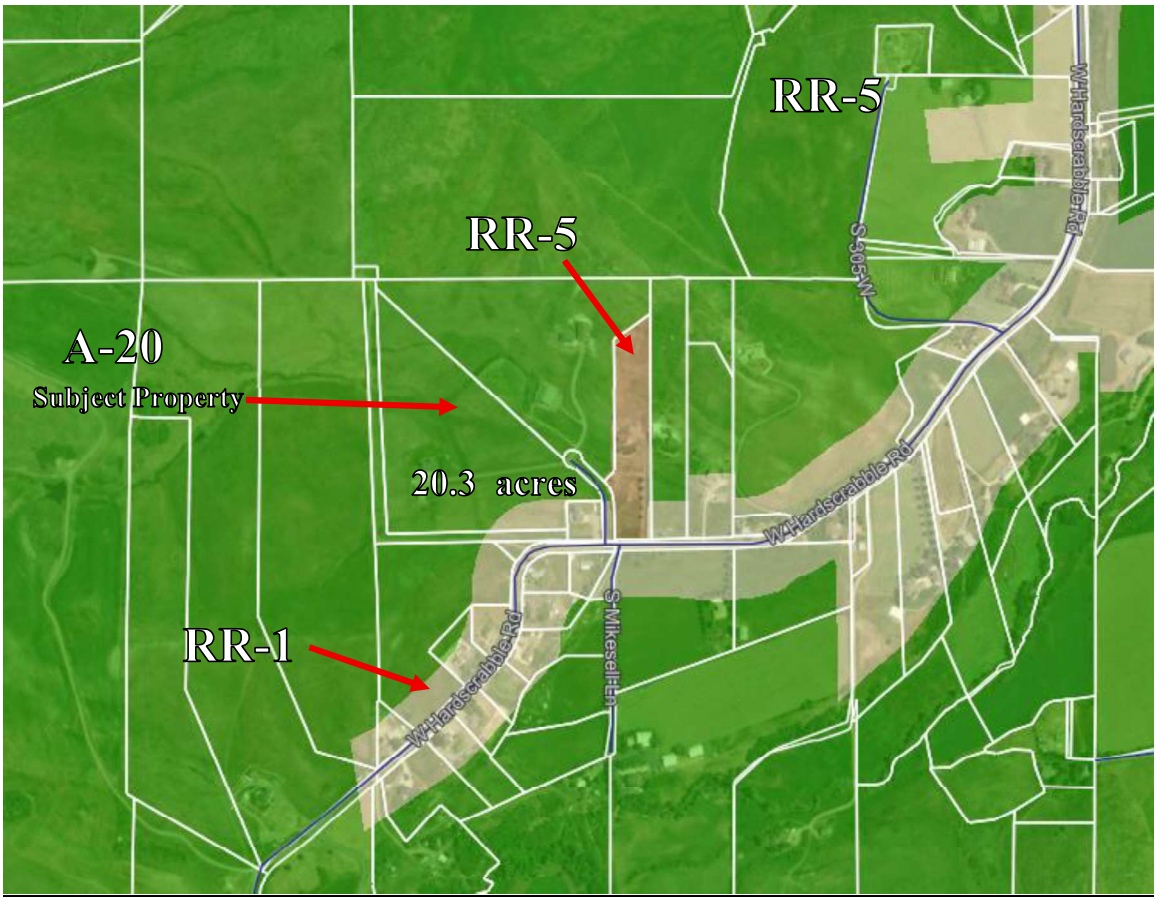


Exhibit C: County Zoning Map



MORGAN COUNTY, UTAH NOTICE OF PUBLIC HEARING

Proposed Code Text Amendment-Repeal of Section 155.464

Notice is hereby given that the Morgan County Commission will hold a public hearing on October 27, 2026, at 6:00 p.m. MDT, in the Commission Chambers, 48 W Young Street, Morgan, UT 84050, to receive public comment on a proposed amendment to Chapter 155, Land Use, of the Morgan County Code. The proposed amendment would repeal Section 155.464, 'Amending the Conceptual Development Plan,' in its entirety. This section establishes procedures for amendments to Planned Community (P-C) zone overlays, associated development agreements, and existing Planned Residential Unit Development (PRUD) subdivisions, including requirements for amendments treated as rezones and standards for administrative approval of minor amendments.

All interested persons are invited to attend and provide comments. Before the meeting, written comments may be submitted to Kate Becker, County Administrative Manager and Zoning Administrator, at kbecker@morgancountyutah.gov. Submission of written comments does not invalidate your ability to provide public comment at the hearing. For additional information or to request an accommodation, contact Kate Becker at the same email address.

MORGAN COUNTY PLANNING COMMISSION

Section 155.464 Repeal Recap

October 22, 2026 | Code text amendment | Amending the Conceptual Development Plan

Recommendation: The Planning Commission recommended approval of the repeal of Morgan County Code Section 155.464 in its entirety. The motion carried with no opposition recorded and is forwarded to the County Commission for final consideration.

Proposed amendment

Repeal Section 155.464, "Amending the Conceptual Development Plan." The hearing notice describes the section as governing amendments involving Planned Community zone overlays, related development agreements, and existing Planned Residential Unit Development subdivisions, including rezone procedures and administrative approval of minor amendments.

Discussion

Janet Christoffersen supported full repeal because the provision was unclear, combined conceptual plans, Planned Community provisions, and older PRUDs, and could lead to disputes over whether a requested change qualified as a minor administrative amendment. She also noted that conceptual plans had been removed from the County Code and that requirements for older PRUDs were generally reflected in their plats.

Commissioners discussed the value of flexibility for minor changes during development. Christoffersen explained that development agreements can address engineer approval of minor changes, while changes affecting development agreements or entitlements would return to the County Commission. The discussion supported repealing the existing section now and considering clearer replacement language later. No replacement text was adopted or included in the motion.

Public hearing

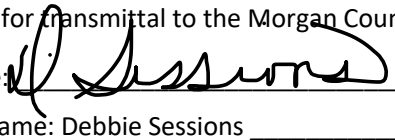
The Commission opened and closed the public hearing. No public comments were offered on this item.

Motion and vote

Member Maloney moved to recommend approval to the County Commission of the repeal of MCC 155.464, "Amending the Conceptual Development Plan," based on the findings listed in the memorandum dated October 22, 2026. Member Willson seconded. Following an affirmative voice vote and a call for opposition, the Chair announced that the motion carried. No opposing votes or numerical tally were recorded in the transcript.

Chair Attestation

I attest that I have reviewed this recap and that it accurately reflects the substance of the Planning Commission's discussion, public hearing, motion, and recommendation on this item at its October 22, 2026 meeting. This recap is provided for transmittal to the Morgan County Commission and does not replace the official meeting minutes.

Signature:  Date: 10/24/2026

Printed name: Debbie Sessions _____ Planning Commission Chair

Sources: Supplied October 22, 2026 meeting transcript, 2:43:43–2:50:05 (motion at 2:49:34); official repeal hearing notice, Utah Public Notice Website, notice 1114957.

ORDINANCE CO 26-24

AN ORDINANCE REPEALING SECTION 155.464, "AMENDING THE CONCEPTUAL DEVELOPMENT PLAN," OF THE MORGAN COUNTY CODE; PROVIDING FOR CODIFICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Morgan County Commission desires to repeal Section 155.464 of the Morgan County Code; and

WHEREAS, following proper notice, the Morgan County Planning Commission held a public hearing on October 22, 2026, and recommended approval of the proposed repeal, with no opposition recorded; and

WHEREAS, the Morgan County Commission considered the proposed repeal at a duly noticed public hearing on October 27, 2026;

NOW, THEREFORE, the County Legislative Body of Morgan County ordains as follows:

Section 1. Repeal. Section 155.464 of the Morgan County Code, entitled "Amending the Conceptual Development Plan," including all subdivisions thereof, is hereby repealed in its entirety.

Section 2. Codification. The County Clerk is directed to cause this repeal to be reflected in the Morgan County Code. Section 155.464 shall be designated as "Reserved."

Section 3. Severability. If any provision of this ordinance is held invalid by a court of competent jurisdiction, that determination shall not affect the validity of the remaining provisions.

Section 4. Effective Date. This ordinance shall take effect as provided by Utah law following passage and publication or posting as required by law.

ADOPTED AND PASSED this ___ day of _____, 2026.

DRAF

MORGAN COUNTY COMMISSION:

_____
Matthew Wilson, County Commission Chair

APPROVED AS TO FORM:

_____
Garrett Smith, Morgan County Attorney

ATTEST:

_____
Leslie A. Hyde, Morgan County Clerk/Auditor

COMMISSION MEMBERS VOTING:

Commissioner	AYE	NAY	ABSENT
Michael Newton	_____	_____	_____
Vaughn Nickerson	_____	_____	_____
Blaine Fackrell	_____	_____	_____
Raelene Blocker	_____	_____	_____
Matthew Wilson	_____	_____	_____

DRAFT