

MORGAN COUNTY COMMISSION MEETING AGENDA



MORGAN COUNTY COMMISSION MEETING AGENDA

July 1st, 2025

4:00 WORK SESSION 5:00 PM REGULAR MEETING

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

NOTE: Commission Chair Matt Wilson shall be attending virtually

4:00 WORK SESSION

Brandy Grace, CEO Utah Association of Counties – Housing Foundation

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

(C) Commissioner Declarations of Conflict of Interest

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

(E) Presentations

Morgan Valley Car Show Recap

(F) Action Items

1. **Kate Becker** – Discussion/Decision – Morgan Administrative Manager
 - a. Discussion and decision on a Tourism budget adjustment to cover Car Show Expenses
 - b. Discussion and decision on creation of a restricted fund and a budget adjustment to move opioid settlement funds out of sundry
2. **Joseph Garfield** – Discussion/Decision – Morgan County Airport Manager
Transfer and Assumption of Lease on Morgan County Airport Hangar DD-3
3. **Kate Becker** – Discussion/Decision – Morgan Administrative Manager
Discussion and decision on creating a new County bank account for the purpose of setting up a County PayPal and Venmo account for the Fair

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4. **Kate Becker** – Discussion/Decision – Morgan Administrative Manager
Discussion and decision on an agreement for the Morgan County Fair Fun Run
5. **Kate Becker** – Discussion – Morgan County Administrative Manager
Discussion on future uses and changes to Kent Smith Park
6. **Josh Cook** – Discussion/**Public Hearing**/Decision – County Planning & Zoning
Cemetery Code Text Amendment: A request to adopt § 155.373 and amend §§ 155.008, 155.107, and 155.132 of the Morgan County Code to define public and private cemeteries, update zoning use tables, and establish approval standards for cemetery development. The proposed changes set minimum lot sizes, restrict burial in unsuitable areas, require detailed site plans, and formalize long-term maintenance obligations for private cemeteries through deed covenants and endowment funds.
7. **Kate Becker** – Discussion/Decision – Morgan County Administrative Manager
Discussion and decision on an agreement with Polimorphic; costs to come out of non-departmental. **“Polimorphic”** This tool would function as an interactive way for citizens to find information by asking questions, similar to how they would interact with a chatbot. Instead of just returning a list of links, it would aim to directly answer their queries using the content available on the website.

(G) Commissioner Comments

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

The undersigned does hereby certify that the above notice and agenda were posted as required by law the 27th day of June 2025.



Kate Becker – Morgan County Administrative Manager

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

The Commission may vote to discuss certain matters in closed Session (Executive Session) pursuant to Utah Code Annotated §52-4-205. In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call Kate Becker at 435-800-8724 at least 24 hours prior to this meeting. This meeting is streamed live.

If you want to participate virtually in any public comment listed on this agenda, you need to contact

Jeremy@morgancountyutah.gov at least 24 hours before the scheduled meeting.

MORGAN COUNTY COMMISSION MEETING MINUTES



MORGAN COUNTY COMMISSION MEETING MINUTES

June 17th, 2025

4:00 WORK SESSION 5:00 PM REGULAR MEETING

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

COUNTY COMMISSION

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

OTHER EMPLOYEES

IT Director Jeremy Archibald
Deputy Clerk/Auditor Katie Lasater
Administrative Manager Kate Becker (CAM)
County Attorney Garrett Smith (CA)
County Recorder Shaun Rose
Public Works Director Bret Heiner
Clerk/Auditor Leslie Hyde
Airport Manager Joe Garfield

OTHERS IN ATTENDANCE

Debbie Sessions
Tina Kelley
Buster Delmonte
Bert Sheffer
Travis Taylor
James Sargent
Melissa Porter
Gary Derck

4:00 WORK SESSION

1. Kate Becker, County Administrative Manager

Review of Croydon Fire Building RFP modified submissions

- Commissioner Newton stated that Marsha White from the Office of Economic Opportunity informed him about a potential EDA disaster supplemental grant that could cover up to 80% of costs for eligible construction and non-construction projects, such as a fire station, equipment, and staffing. Morgan County qualifies due to the 2023 flooding. A meeting with the EDA's local representative is scheduled for next Thursday with Commissioner Blocker, the Fire Chief, and himself. Before proceeding, we need to clarify key details, including the timeline, potential administrative costs, and whether funds are reimbursed or provided upfront. Given the urgency, especially with recent homeowner insurance cancellations, and the possible financial benefit, he recommends holding off on awarding any bids for one week to fully assess the opportunity and revisit it at our next meeting.
- Chair Wilson and Commissioner Newton discussed that with this grant we could potentially apply this in Peterson and Croydon and get two fire houses for the price of one with the grant.

2. Morgan County Planning Department with Wasatch Civil Engineering

Discussion and Review of County-wide addressing issues

- The Commission along with the Planning Director and Thomas from Wasatch Civil discussed addressing errors in the county's address grid, which affects emergency services. The proposed solution involves renumbering addresses to align with the Public Land Survey System. Concerns about liability and

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practicality of changing addresses were also raised. The Commission agreed to address these issues in future meetings.

5:00 COMMENCEMENT OF MEETING

(A) Opening Ceremonies –

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

(B) Consent Agenda Items

1. Approval of the Morgan County Commission Minutes from June 3rd, 2025.
2. Notice of open Planning Commission Seat At-Large.
3. Approval of RFP for Fairgrounds Multi-Use Fields
4. Approval of RFP for Fairgrounds Electric Update
5. Approval of RFP for Clerk/Auditor's Office Security Upgrades
6. Approval of **Resolution CR 25-30** updating the Fairgrounds Rental Agreement language
7. Notice of out of State Travel: Library Director attending the Association of Rural & Small Libraries Conference in Albuquerque, NM in September 2025

Commissioner Newton moved to remove items 3, 5 and 6 and approve items 1, 2, 4, 7.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

(C) Commissioner Declarations of Conflict of Interest

- Chair Wilson with Buster Delmonte as he has done work for him.

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

- Melissa Porter, a resident of the Highlands neighborhood in Mountain Green, addressed the Commission regarding road safety concerns on SR-167 (Trappers Loop westbound). She highlighted two recent accidents near her neighborhood, including a fatal head-on collision and another involving a local teenager, which have deeply impacted the community. While acknowledging that UDOT maintains this section of road, Melissa shared that progress is being made, including a planned speed limit reduction to 40 mph and the addition of double yellow lines. However, the County has been asked to fund two flashing speed signs to further enhance safety. As a daily commuter, she noted how easy it is to unintentionally speed on that stretch due to its open feel and poor visibility in areas. Speaking on behalf of neighborhoods including Whisper Ridge, Monte Verde, Creekside, and the townhomes near Kent Smith Park, she urged the Commission to consider funding these improvements. She emphasized that even small changes could make a meaningful difference while longer-term solutions like the upcoming interchange are still in development.

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(E) Presentations

Introduction of Morgan County Airport Board Members

- The Airport Board came and introduced themselves to the Commission, Hugh Hortsman and Josh Bond, discussed the airport's current status, including 49 hangers, new fueling capacity, and the installation of a wind sock for better safety. They explained the need for a weather reporting system at the airport, which would cost around \$15,000 and improve safety and transit through the airport. The airport's budget for the next year was discussed, with an increase from \$105,000 to \$120,000, and plans for beautification and noise reduction measures are mentioned. They mentioned the airport's goal to be a good neighbor and the plans to meet with residents to address their concerns.

Consent Agenda items for discussion:

1. Item 3B) Approval of RFP for Fairgrounds Multi-Use Fields

- a. Commissioner Fackrell asked for clarification on this item.
- b. Commissioner Newton stated that it's common practice to state an expected project cost or budget upfront, which helps ensure that design plans stay within financial limits, especially for design-build projects where the budget guides the scope of design. While this approach prevents overdesign, it can sometimes lead to a mindset where the entire budget is spent regardless of actual need. In this case, the project budget was developed based on informed estimates and supported by the grant award, which also reviewed and considered those estimates during the approval process.
- c. Commissioner Fackrell stated that some of our match can be done with in-kind work.
- d. Commissioner Newton added that including the total budget is important in a design-build project so that the design team understands the financial limits upfront. This helps prevent scenarios where a proposal exceeds the available funding, for example, designing a million-dollar park when only \$500,000 was budgeted.

Commissioner Newton moved to approve item 3B as discussed this evening.

Seconded by Commissioner Nickerson

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

2. Item 5B) Approval of RFP for Clerk/Auditor's Office Security Upgrades

- a. The Clerk Auditor gave clarification on what the remodel will entail, the office will be bumped out and pass through windows added, as well as a secure ballot box. She added that the state has committed to pay up to 1/3rd of the cost.

Commissioner Newton moved to approve item 5B.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

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3. Item 6B) Approval of **Resolution CR 25-30** updating the Fairgrounds Rental Agreement language
- a. Commissioner Fackrell asked if they are only reviewing and updating the rental agreement language, or are they also updating the full language governing the Morgan County Fair Board.
 - b. Commissioner Newton stated that his understanding was that they are only discussing changes to the rental agreement with the CAM. It's somewhat unusual that the rental agreement and the fairgrounds board details are combined into a single document, as they serve entirely different purposes and should likely be separated. He believes Commissioner Fackrell had input regarding exempt groups and board composition. It would be beneficial to include representatives from areas like transportation on the board, along with existing groups such as the Lions Club, the rodeo, FFA, and the riding club. Currently, there seems to be heavy representation from similar rodeo-related organizations, and broader representation could be valuable.
 - c. Commissioner Newton added that he believes the fairgrounds board details should be removed from the rental agreement entirely, as they serve different purposes and should not be in the same document. Instead, the board should be established through a separate resolution that outlines its structure and responsibilities. The first page of the current document could likely be separated out to reflect this.

Commissioner Newton moved to approve Resolution CR-25-30, updating the fairgrounds rental agreement language with the changes discussed this evening.

Seconded by Commissioner Blocker

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

(F) Action Items

1. Jeremy Archibald – Discussion/Decision – Morgan County I.T. Director

Discussion and decision on a budget adjustment to cover increases to Caselle.

Commissioner Newton moved to approve the budget change form for Information Technology to move \$1,753 from non-departmental fund 10-4150-340-000 to 10-4149-310-000.

Seconded by Commissioner Nickerson

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

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2. **Hon. Shaun Rose** – Discussion/Decision – Morgan County Recorder

Discussion and decision on budget adjustment for Q2 FY 2025

- a) Pay increase due to change in job description
- b) Pass through line for Medici Recording Fees
 - a. The CAM introduced part a, she explained that During testing of the I Spy system, which supplies our E-911 data, it was discovered that many location records, particularly for WPR, were missing. Charles, who had participated earlier in the work session, quickly identified the issue: the data was being sourced from a crowdsourced platform rather than reliable sources like Google Maps or Apple Maps. In contrast, Wasatch Civil pulls from Google Maps, and no one had been updating Apple Maps. Since joining, Charles has taken on increasing GIS-related responsibilities and has performed exceptionally well. In the past week alone, he began updating Apple Maps and the maps used by I Spy. Despite holding a degree in Geographic Information Systems (GIS), Charles was originally hired under a different title due to an outdated job classification. The proposal is to formally reclassify Charles into a GIS-related position that reflects the work he is already doing. This change would cost approximately \$5,000 annually plus benefits and would align his title and pay with his qualifications and contributions.
 - b. It was explained that the Medici recording fees needs a new line item for the pass through fee, as discussed from the last meeting.

Commissioner Newton moved to approve the transfer of \$2,161.95 from the non-departmental wage and benefit adjustment line item (GL #10-4150-520) to the County Recorder's salary line item (GL #10-4144-110-000). Also transferring \$507.02 from the same non-departmental account (GL #10-4150-520) to the County Recorder's benefits line item (GL #10-4144-130). Also Increase the revenue estimate (GL #10-3412-000) by \$1,400 and establish a new expense line item (GL #10-4144-300-000) for \$1,400 to reflect the pass-through of Medici fees as previously discussed.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

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

Discussion and decision on budget adjustment for Q2 FY 2025 for seasonal overtime

- a. Commissioner Newton clarified that Commissioner Nickerson and himself had a productive discussion with the Public Works Director regarding the challenges related to overtime in the Public Works Department, particularly around snow removal. While the idea of hiring additional staff to reduce overtime costs was considered, several limitations were noted. The department has a limited number of snowplows and only a certain number of employees trained to operate them, meaning additional personnel would not necessarily alleviate the issue. As such, the current use of overtime remains a necessary part of managing seasonal demands.
- b. Public Works Director and the Commission discussed the need for a separate budget line item for this due to IRS laws.

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Commissioner Newton moved to approve the establishment and implementation of overtime line items for snow removal, the fair and fairgrounds, and various other Public Works budgets. To fund these new line items, a transfer of funds will be made from the wage and salary adjustment line item (GL #10-4150520), allocating \$5,000 to the snow removal overtime budget, \$8,875 to the fair and fairgrounds overtime budget, and \$9,778 to the miscellaneous Public Works overtime budget. This adjustment is intended to more accurately allocate and manage overtime expenditures within the department.

Seconded by Commissioner Nickerson

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

Commissioner Blocker moved to suspend the rules and move item 11 to item number 6 in respect of the Planning Commission applicants time.

Seconded by Commissioner Newton

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

4. Buster Delmonte – Discussion/Decision – Citizen Request

Discussion and decision on a requested fee waiver

- a. Buster introduced this stating he would like to have a discussion to bring attention to challenges with his airport project. As work begins, initial bills are coming in, including a \$65,000 charge to remove 9,500 tons of overburden material that was not placed by the current project team. Additional fees, such as a road cut fee for sewer lines, are expected. He noted they do not have access to historical contracts to determine responsibility for the overburden and wanted to gauge the Commission's sentiment on the issue. He expressed concern about the fairness of bearing these costs and are open to exploring budget-neutral options, such as offsetting unanticipated fees, as the project moves forward.
- b. Public Works Director clarified that that the overburden was known to exist prior to the start of the project. Although the developer (Buster) incurred the cost to move it, he noted he had assumed the County would be using the material for other purposes based on earlier conversations. He added the feasibility of using County or rented contractor trucks to move the material in the future. With six trucks, the material could likely be relocated within a week if needed.
- c. Commissioners and staff noted that the overburden issue had been discussed in prior meetings and recognized the effort made to relocate it. While no formal decision was made, the Commission expressed openness to revisiting the topic and finding a fair solution in the future.

Item was discussion only, no motion was taken.

5. Bert Sheffer – Discussion/Decision – Citizen Request

Discussion and decision of County approval to amend the CC&R allowing for self-governance by the HOA board.

- a. Bert introduced this to the Commission, he is the president of the Whisper Ridge HOA and wanted to report that the HOA was recently transitioned from the declarant and soon after discovered over \$100,000 in unpaid bills, with virtually no reserve funds available. A key issue raised was a requirement in Section 14.1 of the CC&Rs mandating the use of a professional management company, which has cost the HOA approximately \$6,500 annually for the past 11–12 years. The president stated that the management company has provided little to no value, and due to prolonged disinterest from the declarant, the condition of the development has deteriorated. In response, the HOA held a special meeting and overwhelmingly passed an amendment to strike Section 14.1 from the CC&Rs, exceeding the required 67% membership approval. However, per the existing language, this amendment cannot be recorded without county approval. The request presented was for the Commission to authorize this change, allowing the HOA to move forward and terminate the current management arrangement.
- b. The CA provided the recommendation to assist the HOA by removing the relevant provision from the development agreement, which is the enforceable document tying the County to the HOA's requirement for a professional management company. By eliminating this provision, the County would no longer need to approve amendments to the HOA's CC&Rs, allowing the HOA to proceed independently. Although the initial request focused on the CC&Rs, it was determined that the enforceable restriction lies within the development agreement. The County will provide a letter for the HOA's records confirming this, and the next step is for the HOA to submit an application to amend the development agreement. Staff offered to assist with this process directly.

No motion made, recommendation given.

6. Casey Basaker – Discussion/Decision – Morgan County Human Resources

Discussion and decision of the Local Public Safety and Firefighter Surviving Spouse Trust Fund Cost Sharing Agreement.

- a. Human Resources Casey Basaker introduced this stating it was brought to attention that the County is eligible to participate in the Local Public Safety and Firefighter Surviving Spouse Trust Fund. The program costs approximately \$100 per eligible employee per year, totaling around \$2,000 annually for the County based on current staffing. This benefit would apply to all benefit-eligible sheriff's personnel and the County's one firefighter. In the event of a line-of-duty death, the trust fund would cover the full cost of the surviving family's health insurance, including medical, dental, and vision. Records indicate the County participated in this program in the past but discontinued it for unknown reasons. He would like the Commission to consider re-enrollment and reinstate this important benefit.

Commissioner Newton moved to approve the agreement for the local public safety and firefighter surviving spouse trust fund cost sharing agreement, the funding will come from the wage and benefit adjustment 10-4150-520-000.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

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7. Casey Basaker – Discussion/Decision – Morgan County Human Resources

Discussion and decision on **Resolution CR 25-31** changing the County Employee paid leave policy in the County Employee Handbook.

- a. Human Resources Casey Basaker introduced this stating this policy would convert 75% of employees sick time and 100% of vacation would convert to PTO. Employees with a significant amount of sick time, and all current employees would have the one-time option over the next two weeks to stay on the current policy if they didn't want to lose hours. However, all new hires after the Resolution date will be hired with this PTO policy.

Commissioner Fackrell moved to approve Resolution CR-25-31 changing the county employee paid leave policy and the county employee handbook with the changes discussed this evening that Garret will add, including the time frame and option to opt out.

Seconded by Commissioner Blocker

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

8. Hon. Leslie Hyde – Discussion/Decision – County Clerk/Auditor

Discussion and decision on the County's 2025 Fraud Risk Assessment

- a. Clerk Auditor introduced this stating this is the annual fraud risk assessment for approval.
- b. Commissioner Fackrell asked why we received a zero on cash receiving and deposits.
- c. The CAM clarified that the information was given to the Treasurer to make a policy on cash receiving and deposits. The next step is for the Treasurer to complete the policy and return it so the issue can be resolved.

Commissioner Newton moved to approve the 2025 Fraud Risk Assessment that's been completed.

Seconded by Commissioner Nickerson

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

9. Hon. Leslie Hyde – Discussion/Decision – County Clerk/Auditor

Discussion and decision on the County's Certified Tax Rates

- a. Clerk Auditor introduced this stating the Tax Commission calculated the County's tax rate by dividing the approved budget amount by the total taxable property value within the County. As property valuations have increased and the budget has remained unchanged, the resulting tax rates have decreased. Approval of the updated rates is now being requested.

Commissioner Newton moved to approve the Morgan County certified tax rates as calculated by the state tax commission general fund of point 0.001367, Library of point 0.000106, flood control. Point 0.000009, capital improvements. Point 0.00005, health. Point 0.000078, and the county assessing and collecting point 0.000236.

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Seconded by Commissioner Blocker

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

10. Hon. Garrett Smith – Discussion/Decision – Morgan County Attorney

Discussion and decision on a finalized interlocal agreement between Morgan County and Wasatch Peaks Ranch Road & Fire District.

- a. The CA introduced this stating This item pertains to an addendum to the existing interlocal fire services agreement. At the last meeting, final approval was delayed due to outstanding questions, which have since been resolved through collaboration with Johnny Miller, CEO of UCIP. Updated language was exchanged, reviewed, and mutually agreed upon. Key revisions included clarification around insurance requirements. Since the County participates in an indemnity pool rather than traditional insurance, the language was adjusted to state that both parties will maintain either insurance or self-insurance. Additional language now specifies that, if self-insurance is maintained, sufficient reserves must be kept to meet obligations under the agreement. It also affirms the County's continued compliance with workers' compensation requirements, administered through USIP. Another revision was to the section formerly titled "Indemnification," now renamed "Governmental Immunity" to reflect the legal limitations of indemnity between government entities. A sentence stating that there are no indemnity obligations between the parties was removed to align with the Governmental Immunity Act. Aside from these changes, also reflected in the related lease agreement, the document remains consistent with what was included in the meeting packet.
- b. Gary Derck, president of the WPR Road and Fire District, expresses gratitude for the efforts and support from the county.

Commissioner Newton moved to approve the finalized interlocal agreement between Morgan County and Wasatch peaks, Ranch Road and fire district as currently listed.

Seconded by Commissioner Nickerson

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

11. Morgan County Commission – Discussion/Decision

Interviews of potential At-Large Planning Commissioner applicants. Discussion and decision of County **Resolution CR 25-32** appointing an At-Large Planning Commissioner.

- a. Debbie Sessions interviewed for the open position.
- b. Travis Taylor interviewed for the open position.
- c. James Sargent interviewed for the open position.
- d. The Commission tasked the CAM and Deputy Attorney to create 2 alternates positions for the Planning Commission.

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**Commissioner Blocker moved to appoint Travis Taylor as an At-Large Planning Commission member.
Seconded by Commissioner Newton**

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson NAY

Commissioner Newton NAY

Commissioner Blocker AYE

Commissioner Fackrell NAY

The Vote was 3 NAY, 2 AYE. The Motion failed.

**Commissioner Newton moved to appoint Debbie Session as an At-Large Planning Commission member.
Seconded by Commissioner Fackrell**

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson NAY

Commissioner Newton NAY

Commissioner Blocker AYE

Commissioner Fackrell NAY

The Vote was 3 AYE, 2 NAY. The Motion passed.

12. Hon. Raelene Blocker – Discussion/Decision – Morgan County Commissioner

Discussion and decision on road safety upgrades and allocated funding.

- a. Commissioner Blocker introduced this stating several community members and UDOT have expressed concerns about improving safety along the stretch of road north of Old Highway Road between Sinclair and the I-84 on-ramp. In response, UDOT has agreed to paint double yellow lines, conduct a traffic study on left-hand turns, and reduce the speed limit from 45 to 40 mph—contingent on the County purchasing two speed feedback signs. UDOT will handle installation, and the County is also being asked to increase law enforcement presence in the area to support speed compliance. A bid for the speed feedback signs was provided at \$3,672 each (solar-powered with data and a 12-month iCloud subscription), totaling \$7,344 for both.
- b. Chair Wilson clarified that Kate Dickman recently reached out to him to offer a \$5,000 grant from WHS, intended to support safety initiatives within the community. In response, it was suggested that the funding could be used for a project that enhances safety for children and the broader community
- c. Public Works Director clarified that there is strong interest from many residents in having speed feedback signs on their streets; however, it's not feasible for UDOT or the County to fund and install them for every location. UDOT's approach is to partner with communities—if a community purchases the sign, UDOT or the County may assist with installation. An example was given of Randolph, where the town held a bake sale to fund their sign, which was then installed. He stated that communities interested in these signs should take initiative in funding them, with potential support from the County or State for installation.
- d. Commissioner Newton stated that given recent events in the area, it was strongly recommended that this safety measure move forward immediately. While pursuing grant funding for potential reimbursement is encouraged, the priority is to purchase and install the necessary equipment without delay. The belief is that reimbursement is likely, but action should not be postponed while waiting for funding approval.

Commissioner Blocker moved to approve 2 road safety signs for a total of \$7,344 from non-departmental and complete a journal into the opioid fund.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Newton AYE

Commissioner Newton AYE

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Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

13. Morgan County Commission – Discussion/Decision

Discussion and decision on an agreement with Brad Neff who was appointed BOE Hearing Officer on June 3rd, 2025, by Resolution **CR 25-01-BOE**.

- a. The CAM introduced this stating this item pertains to the agreement outlining compensation for the hearing officer. Some grammatical revisions were provided by legal counsel and will be incorporated. Additionally, a correction was made to the compensation structure: the version included in the meeting packet incorrectly stated \$75 per appeal, when it should have stated \$75 per hour. This has been corrected in the version prepared for signature, pending approval. The clarification was noted to ensure transparency due to the significance of the change.

Commissioner Nickerson moved to the contract with Brad Neff who was appointed for our BOE Hearing officer by Resolution CR-25-01-BOE.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

14. Kate Becker – Discussion/[Public Hearing](#)/Decision – County Administrative Manager County Ordinance CO 25-13 passage of additional sales and use tax for the funding of Public Safety.

- a. Commissioner Fackrell stated that the proposal supports implementing a 0.3% sales tax increase to fund public safety infrastructure and equipment—not wages—without raising property taxes. This tax is paid not only by residents but also by visitors, helping spread the cost more broadly. The revenue would go into a restricted fund that can grow over time and be used as needed. Even with the increase, the county's sales tax rate would remain lower than most others in the state. This approach aligns with county goals and helps address public safety needs while avoiding additional burden on property owners.
- b. Chair Wilson voiced concern over implementing another sales tax increase, noting that the County has already enacted several in recent years. While acknowledging that some revenue would come from non-residents, he emphasized that it still impacts local taxpayers. He expressed the view that the County does not currently have a pressing financial need, especially with anticipated revenue from developments like WPR. He concluded that additional taxation should be avoided unless absolutely necessary and advocated instead for careful budgeting within the county.
- c. Commissioner Newton added that for public awareness, the County's property tax rate has decreased by 7.2% from 2024 to 2025 and has consistently declined each year since 2018, including a 15% drop a few years ago. While property values have continued to rise due to market sales data, the decreasing rate is a positive trend for taxpayers. Given this context, he suggested that any further tax decisions be revisited during the upcoming budget sessions for more informed consideration.

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Commissioner Fackrell moved to close public meeting and convene public hearing Seconded by Commissioner Blocker

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

- Tina Kelly from Mountain Green addressed the Commission and expressed concern about the cumulative impact of taxes, noting that while individual increases may seem small, they add up, especially with larger purchases. They emphasized that all funding, including state and federal grants, ultimately comes from taxpayers. She asked that the Commission carefully consider the long-term effects on citizens before implementing additional taxes, and to remain mindful that these are public dollars. She expressed confidence in the Commission's fairness and thoughtfulness in making such decisions.
- Boyd Carrigan addressed the Commission stating support for the proposed public safety tax increase, citing the County's rapid growth and the rising costs of emergency services. He emphasized the benefit of potentially establishing a full-time fire department, which would significantly reduce emergency response times from the current volunteer-based model. He believes most citizens would support the tax, recognizing the value of faster, more consistent public safety services for all residents, regardless of the time or day.

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

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

Commissioner Newton moved to postpone Ordinance CO-25-13 to a future budget session meeting. Seconded by Commissioner Newton

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

- **The Commission agreed to have this sent out to the community for feedback on this ordinance and will be sent out with the short term rental survey.**

MORGAN COUNTY COMMISSION MEETING MINUTES

15. Hon. Newton & Hon. Nickerson – Discussion/Decision – Morgan County Commissioners

Discussion and decision on **Resolution CR 25-33** allowing for the temporary sale of beer on County owned property during the Morgan County Fair.

- a. The CAM introduced this stating that a draft resolution was prepared and then updated with legal input to create a final version that permits the temporary sale, use, and possession of alcoholic beverages by vendors at the 2025 Morgan County Fair. While initially proposed for a designated beer garden, the request has expanded to allow alcohol throughout the fairgrounds. However, this broader allowance would require staffing at exit gates to ensure no open containers are taken off the premises.
- b. Commissioner Newton clarified that the vendor interested in selling alcohol at the fair was advised to proceed with obtaining County approval as a first step, recognizing it as a necessary hurdle before pursuing state licensing. This resolution allows them the flexibility to move forward, though they may ultimately decide not to proceed or to operate within a designated beer garden, depending on the requirements and feasibility. Final approval still depends on obtaining the appropriate state license.
- c. The CA expressed support for limiting alcohol consumption to a designated beer garden, citing concerns about underage drinking and public safety. He noted that a restricted area allows for better monitoring of alcohol consumption, particularly important given the presence of minors. He gave an example of a recent case involving an underage individual with a fake ID and a high BAC, he emphasized the increased risk and potential liability when alcohol access is less controlled.

Commissioner Blocker moved to oppose Resolution CR-25-33 that would allow the temporary sale of beer on county owned property during the Morgan County Fair.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

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

Discussion and decision on a letter of support and financial commitment of Tourism Tax dollars as a match for the Utah Office of Tourism grant application.

- a. The CAM introduced this stating The Utah Office of Tourism Co-Op Grant is up for renewal and requires a letter of support from the Commission due to a required funding match, which will be covered using existing Tourism, Recreation, Cultural, and Convention (TRT) tax funds. The current fund balance is sufficient to meet the match even without future revenue, and the recent 0.5% TRT tax increase further ensures sustainability. This grant specifically supports the promotion of Morgan County by covering 50% of advertising costs, such as web and social media ads, not content creation.

Commissioner Newton moved to approve the letter of support and financial commitment from TRT funds for the Utah Office of Tourism grant application.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

MORGAN COUNTY COMMISSION MEETING MINUTES

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

Discussion and decision on awarding the RFP for the Croydon Fire Department Building and designating funding.

- a. The CAM introduced stating that during the Commission work session, the modified bids for the Croydon Fire Department building were reviewed. Two qualifying bids were identified and labeled as Option A and Option B.
- b. The CA added that under the code, if a bidder is determined to be qualified and has met all the requirements of the RFP, the contract must be awarded to the lowest responsible bidder.
- c. The Commission expressed concern about the extra things added to the bids that was not originally asked for.
- d. The CA clarified that under the code, if all bidders are deemed responsible and qualified, the low bid must be accepted. However, bids can be rejected if they fail to meet specific requirements, as was done previously. If bids are rejected, the county must either reissue the RFP or reach out to every responsible bidder. After awarding a bid, it is possible to negotiate changes—such as removing certain extras—but doing so can be challenging. Contractors structure their pricing and margins differently, and removing certain items may eliminate where they planned to earn their profit, making renegotiation difficult or impractical.

Commissioner Newton moved to award the Adams Construction bid for the Croydon fire station which is option number one.

Seconded by Commissioner Nickerson

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell NAY

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

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

Discussion and decision on an agreement with Polimorphic; costs to come out of non-

departmental. “**Polimorphic**” This tool would function as an interactive way for citizens to find information by asking questions, similar to how they would interact with a chatbot.

Instead of just returning a list of links, it would aim to directly answer their queries using the content available on the website.

Commissioner Newton moved to postpone the item to the next meeting.

Seconded by Commissioner Nickerson

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

MORGAN COUNTY COMMISSION MEETING MINUTES

County Manager updates:

- The county just completed Q2, which is why there were numerous budget adjustments on the current agenda. Additional budget corrections are expected in the next meeting due to a Q2 project reviewing all restricted funds. Errors such as misallocated entries are being identified and corrected.
- The City of Morgan informed the county that it has never been billed for water use at the current building. This was discovered during the city's internal audit. The City of Morgan confirmed they will not be back-charging the county for previous water use. A budget adjustment will be required going forward to account for newly initiated water billing.
- She provided samples for review to the Commission of the short-term rental Every Door Direct Mail survey, drafted by Janet. This will be adjusted to include a survey for the 3% public safety tax increase change for the public to review.

(G) Commissioner Comments

- Commissioner Blocker
 - She attended the Goldenwest Credit Union opening in Mountain Green and stated the CEO was great and had a great turn out.
 - The post office box at Sinclair was removed, the CAM will check on this issue.
- Commissioner Newton
 - None.
- Commissioner Fackrell
 - **Active Transportation Curriculum:** A Utah State School Board member active in trails is developing a bike safety curriculum for elementary schools, targeted for implementation this fall.
 - **TRT Funds and Outdoor Rec Grants:** The county receives grants from the Utah Office of Outdoor Recreation, funded by the statewide transient room tax (TRT). Recent grants include \$200,000 for a multipurpose field and over \$60,000 for trails. These funds demonstrate the benefit of special sales taxes, which are paid broadly, including by visitors.
 - The Falcon Hill project near Hill Air Force Base in Weber and Davis counties is expected to bring new housing and public-facing economic development. This could offer regional economic opportunities worth monitoring.
 - The Car Show went great we had around 240 cars come, 2-3,000 people came through that day.
 - The 4th of July celebrations are happening this year and will include the cardboard regatta.
- Commission Vice-Chair Nickerson
 - He attended the COG meeting and UDOT approved the first traffic light in Morgan at the freeway exit in Mountain Green, and he expressed concerns about its location as it will be at Canyon View commercial west.
 - He was made aware of a past issue in Milton arena, our sprinklers are still watering the neighbors hay field, he will talk to the Public Works Director.
 - Residents are appreciative of a new road up in Deep Creek.
 - The Truck Pulls went great and the Lions Club made around \$7,000.
- Commission Chair Wilson
 - He went to Weber Human Services dinner in Roy and the seniors had a great time and did some folk dancing.

MORGAN COUNTY COMMISSION MEETING AGENDA

Adjourn – 8:58 p.m.

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

APPROVED: _____
Morgan County Commission Chair

DATE:

ATTEST: _____
Morgan County Deputy Clerk/Auditor

DATE

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

The Commission may vote to discuss certain matters in closed Session (Executive Session) pursuant to Utah Code Annotated §52-4-205. In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call Kate Becker at 435-800-8724 at least 24 hours prior to this meeting. This meeting is streamed live.

If you want to participate virtually in any public comment listed on this agenda, you need to contact Jeremy@morgancountyutah.gov at least 24 hours before the scheduled meeting.

▼ Record Details

Status

Submitted

Report Name

SLT-9379 - P&E Report -
2025

Report Type

Project and Expenditure
Report

Report Period

Annual March 2025

Reporting Period Start Date

4/1/2024

Reporting Period End Date

3/31/2025

Submission Deadline

4/30/2025 11:59 PM

Allocated Amount

\$2,354,945.00

Program Income Earned

\$0.00

FY25 Actual Opioid Settlement Funds Disbursement Plan

Please include information for settlement funds for July 2024-June 2025.

County	Morgan
Name of Individual Filing Report	Kate Becker
Title of Individual Filing Report	Administrative Manager
Email Address of Individual Filing Report	kbecker@morgancountyutah.gov

Opioid Settlement Funds Accounting

Amount of Funds Received from First Disbursement to June 2024	\$88,732.88
Amount of Funds Received from July 2024-June 2025	\$30,902.77
Total Amount of Funds Received So Far	\$119,635.65

Amount of Funds Used Before July 2024	\$0.00
Amount of Funds Used from July 2024-June 2025	\$0.00
Amount of Funds Left before FY26 Disbursements	\$119,635.65

This amount should equal the amount in cell E33

Uses of Funds

Please include actual disbursements of opioid settlement funds for July 2024-June 2025.

Vendor/Recipient of Funds	Short Description of Use of Funds	Description of measures used to determine if program achieved intended outcomes	Numbers of Individuals Served Through Program	Amount of Funds Disbursed
Total Amount of Funds Disbursed				\$ -

Demographic Factors of Individuals Served

Numbers may not match up with numbers in the "Uses of Funds" section as one individual may have been served by multiple programs.

Number of Individuals Served in Each Age Group	
0-17	
18-24	
25-44	
45-64	
65 and older	

Numbers of Individuals Served by Gender	
Male	
Female	
Non-Binary	
Prefer Not to Say	

Uses of Funds on Core Strategies

Please answer in % values. Please note that your answers may not add up to 100% as not all allowable uses can be defined by the list below.

Percent Breakdown of Use of Funds Received Between July 2024-June 2025 for:	
Treatment Services	
Recovery Support Services	
Prevention	
Criminal Justice	
Harm Reduction	
Expanding Housing, Legal Support, Education, and Job Training	

Comments, if any:

Morgan County has not spent any of our Opioid settlement funds to date.

Please submit to Katherine Rhodes (katherine@utahcounties.org) by June 30.

Date	Journal	Reference Number	Payee or Description	Credit Amount
12/21/2022	CR	8001123	National Opioids Settlement FD Trust - Wilmington Trust	-8,556.94
1/27/2023	CR	8001268	Other - Enter Account - Wilmington Trust	-6,794.63
6/27/2023	CR	8001808	National Sopioid Settlement FD Trust - Wilmington Trust	-5,798.40
7/5/2023	CR	8001829	National Opioid Abatement Trust - Wilmington Trust	-1,906.17
8/9/2023	CR	8002087	National Opioids Settlement FD Trust - Wilmington Trust	-8,556.94
11/21/2023	CR	8002270	National Opioid Abatement Trust II - Wilmington	-2,242.56
3/25/2024	CR	8002590	Opioid Settlement - Wilmington Trust	-4,714.08
5/7/2024	CR	8002656	National Opioid Settlements-Allergan Settlement Fund Acct -	-3,055.92
5/7/2024	CR	8002656	National Opioid Settlements-CVS Settlement Fund Acct - US Ba	-3,355.53
5/7/2024	CR	8002656	National Opioid Settlements-Teva Settlement Fund Acct - US B	-2,757.66
5/7/2024	CR	8002656	National Opioid Settlements-Walgreens Settlement Fund Acct -	-3,936.81
5/7/2024	CR	8002656	National Opioid Settlements-Walgreens Settlement Fund Acct -	-2,598.56
5/7/2024	CR	8002656	National Opioid Settlements-Walmart Settlement Fund Acct - U	-25,774.02
6/24/2024	CR	8002849	National Opioid Settlements FD Trust - Wilmington Trust	-8,684.66
8/5/2024	CR	8002998	National Opioids Settlement FD Trust - Wilmington Trust	-10,710.23
8/6/2024	CR	8003053	National Opioids Trust TEVA Settlement - US Bank	-3,047.11
8/7/2024	CR	8003058	National Opioid Trust Allergan - US Bank	-3,083.86
8/7/2024	CR	8003057	National Opioid Trust CSV - US Bank	-2,675.20
9/17/2024	CR	8003157	National Opioid Settlement - McKinsey Subdivision Settlement	-4,691.52
10/16/2024	CR	8003358	Endo Public Opioid Trust Abatement Fund - Wilmington Trust	-3,924.67
10/16/2024	CR	8003359	Endo Public Opioid Trust State Cost Fund - Wilmington Trust	-171.62
4/22/2025	CR	80000004151	CT HH MilwaukeeDirect-Walgreens Settlement Fund Acct - US Ba	-2,598.56

Annual Report--Rural County Grant-FY 2025

County: Morgan

Fund Source: Rural County Grant-FY 2025

Funds received by County: \$ 200,000.00 *Only report of the grant funding for FY 2025. You will be asked to report carry-over balances from previous years in the annual reporting application*

Funding Distribution--To Companies/Entities

Company/Entity	Amount Distributed	Project Type and Brief Description of Fund Use
Bingham's Custom Meats	\$ 10,000.00	Down payment on a delivery van to expand bomb distribution and add 3
Davinci LC DBA Higbee Honey	\$ 9,000.00	Advertising and Web optimization
Achieve Fitness	\$ 8,500.00	Equipment Additions
Deb's Spicy Pie	\$ 8,000.00	Kitchen Upgrades
Nineline	\$ 8,000.00	Specialty Aeronautical Tools to expand Services
Weight Room	\$ 8,000.00	Fitness Software and equipment upgrades
Grounds for Coffee	\$ 7,500.00	Grab and Go refridgerated case to expand menu
Wild Valley Farms	\$ 6,000.00	Product Wrapping Machine
Destination Sports	\$ 5,500.00	Additional rental tubes & Life jackets
Skinny T	\$ 5,000.00	Line painting equipment for roads and parking lots
Mountain Music Academy	\$ 4,800.00	Space Improvements and Sound Equipment
Shirts to a T	\$ 4,500.00	Dual Heat Press
Smokin Box Car	\$ 4,000.00	Highway signage and publication advertising
BN Motorsports	\$ 4,000.00	Sales Software Upgrades
Diamond D Beef	\$ 4,000.00	Targeted Advertising and Email Marketing
Morgan Valley Crafts	\$ 2,500.00	Software for Large Format Printer
Drage Second Chance Ranch	\$ 2,000.00	Marketing of new programs to support an additional instructor
Sandstone Psychology	\$ 1,200.00	Training, Signage, and Adverstising
Bringham's Custom Meats	\$ 13,102.01	Modifications to the sales area to meet Health Code and bring back
Davis Tech	\$ 4,578.58	Technology upgrades for large meeting space
Morgan Valley Crafts	\$ 1,500.00	Barrier Project Printers
Total:	\$ 121,680.59	

Funding Distribution--County Use

County Use	Amount Distributed	Project Type and Brief Description of Fund Use
Davis Tech	\$ 30,000.00	Business recruitment, Development, Expansion, and start up support
Morgan Area Chamber of Commerce	\$ 25,000.00	Work Force Development and Education; Event Management promoting local sales
Morgan County	\$ 397.99	Post cards and postage for grant
Total:	\$ 55,397.99	

Funding Encumbered

Encumbrance Project	Amount Encumbered	Project Type and Brief Description of Fund Use	Where are Encumbered Funds being held?	Project Completion Date
Digital Advertising	\$ 50,000.00	Digital Content and Advertising for All Local Businesses 70/30 split of advertising costs to content creation	B. Content LLC	12/31/2025
Upgrades to our CRM	\$ 421.42			
Total:	\$ 50,421.42			

Funding Unused

Reason for Unused Funds	Amount Unencumbered/Unused	Where/How funds may be used this year	Where are Unencumbered Funds being held?
Total:	\$ -		

Report the following in the annual reporting application

Total Distributed:	\$ 177,078.58
Total Encumbered/ Assigned:	\$ 50,421.42
Total Unencumbered/ Unassigned:	\$ -
Percentage of Funds Distributed	89%
Percentage of Funds Encumbered	25.2%
Percentage of Funds Unencumbered/Unused	0.0%
	\$ 227,500.00

State of Utah				
Governor's Office of Economic Opportunity				
Rural County Grant Budget				
	County:	Morgan		
	Fiscal Year:	2024-2025		
			\$ (232,078.58)	
Budget Line	Economic Development Project or Activity	Total Estimated Cost	Funds Used	Budget Line Balance
34-4510-340-300	Business Resource Center	\$ 20,000.00	\$ (20,000.00)	\$ -
34-4510-340-100	Economic Opportunity & Growth Grants (Spring)	\$ 75,000.00	\$ (75,000.00)	\$ -
34-4510-340-200	Economic Development Projects (Barrier Study)	\$ 15,000.00	\$ (15,000.00)	\$ -
34-4510-310-000	Professional & Technical (CRM / Grant Writer)	\$ 10,000.00	\$ (10,000.00)	\$ -
34-4510-340-400	Technology Updates	\$ 5,000.00	\$ (4,578.58)	\$ 421.42
34-4510-340-500	Economic Opportunity & Growth	\$ 50,000.00	\$ (50,000.00)	\$ -
34-4510-340-600	Morgan Area Chamber of Commerce	\$ 25,000.00	\$ (25,000.00)	\$ -
34-1100-000-000	Remaining Fund Balance FY 2023-2024	\$ 69,764.37	\$ (32,500.00)	\$ 37,264.37
		\$ 269,764.37	\$ (232,078.58)	\$ 37,685.79
Expenditures				
34-4510-340-400	Davis Tech; Technology Updates		\$ (4,104.12)	
34-1100-000-000	Budget Adjustment for Growth Grants		\$ (27,500.00)	
34-4510-340-100	Budget Adjustment for Growth Grants		\$ 27,500.00	
34-4510-340-100	Spring Growth Grants Awarded		\$ (102,500.00)	
34-4510-340-200	Barrier Funds Awarded: Bingham		\$ (6,260.00)	
34-4510-340-600	Morgan Area Chamber of Commerce Dues		\$ (25,000.00)	
34-4510-340-400	Davis Tech; Technology Updates		\$ (474.46)	
34-1100-000-000	Budget Adjustment for BRC		\$ (10,000.00)	
34-4510-340-100	Budget Adjustment for BRC		\$ 10,000.00	
34-4510-340-500	B. Content LLC		\$ 50,000.00	
34-4510-340-200	Barrier Funds Awarded: Bingham		\$ 6,842.01	
34-4510-340-200	Barrier Funds Awarded: Morgan Valley Crafts		\$ 1,500.00	
34-4510-340-200	Barrier Funds Awarded: Post Cards		\$ 61.99	
34-4510-340-200	Barrier Funds Awarded: Postage		\$ 336.00	
34-4510-340-400	CRM Expenses (unspent)		\$ 421.42	

State of Utah
Governor's Office of Economic Opportunity
Rural County Grant Budget

County: Morgan
Fiscal Year: 2025-2026

			\$ -	
Budget Line	Economic Development Project or Activity	Total Estimated Cost	Funds Used	Budget Line Balance
34-4510-340-300	Business Resource Center	\$ 30,000.00	\$ -	\$ 30,000.00
34-4510-340-100	Economic Opportunity & Growth Grants (Spring)	\$ 75,000.00	\$ -	\$ 75,000.00
34-4510-340-200	Rural Economic Blueprint Program	\$ 50,000.00	\$ -	\$ 50,000.00
34-4510-310-000	Professional & Technical (CRM / Grant Writer)	\$ 5,000.00	\$ -	\$ 5,000.00
34-4510-340-400	Technology Updates	\$ -	\$ -	\$ -
34-4510-340-500	Economic Opportunity & Growth	\$ 50,000.00	\$ -	\$ 50,000.00
34-4510-340-600	Morgan Area Chamber of Commerce	\$ 25,000.00	\$ -	\$ 25,000.00
34-1100-000-000	Remaining Fund Balance FY 2024-2025	\$ (35,000.00)	\$ -	\$ (35,000.00)
		\$ 200,000.00	\$ -	\$ 200,000.00
Expenditures				



SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

JOEL FERRY
Executive Director

Division of Forestry, Fire and State Lands

JAMIE BARNES
State Forester/Director

ORDER # UTCLO2504

Fire Restriction Order (Stage 1)

Due to current and forecasted weather conditions coupled with the record dry vegetation conditions and extreme fire danger throughout Utah, the State Forester has determined that measures must be taken to prevent the ignition of forest and rangeland fires. Therefore, pursuant to Utah State Law, Section 65A-8-212, the following acts (also known as "Stage 1 Fire Restrictions") are prohibited in the areas described below until rescinded by the Utah State Forester:

1. No open fires of any kind except within established facilities in improved campgrounds or day-use areas on **public lands**. -OR- in permanently constructed fire pits at **permanent private dwellings** served by pressurized running water.
2. Smoking, except within an enclosed vehicle, trailer or building, a developed recreation site or while stopped in an area that is paved or free from dry vegetation.
3. Cutting, welding or grinding metal in areas of dry vegetation.
4. Operating a motorcycle, chainsaw, ATV, or other small internal combustion engine without an approved and working spark arrestor.
5. Discharging or using fireworks, tracer ammunition or other pyrotechnics devices including exploding targets.

*The fire restriction NECLO2502 will be unchanged and will remain in effect until rescinded.

The following persons are exempted from the above prohibitions:

1. Persons with a permit or waiver issued by the Division, specifically authorizing a specified act at a specific location. A waiver does not relieve the permittee of liability if a fire does occur.
2. Any on-duty firefighter in the performance of an official duty.

Area Description: All state lands –AND– all unincorporated private lands within the state of Utah.

This order does not affect private lands within incorporated towns or city limits.

Any of the above acts is a violation of state law and is punishable by up to 6 months in jail and a fine of up to \$1,000. These restrictions will be enforced by county law enforcement.

Effective Date: **12:01 a.m., 28th day of June, 2025**

Brett Ostler

Brett Ostler (Jun 26, 2025 13:47 MDT)

Brett Ostler, State Fire Management Officer

Jamie Barnes

Jamie Barnes (Jun 26, 2025 14:00 MDT)

Jamie Barnes, State Forester





STATE OF UTAH CONTRACT AMENDMENT

AMENDMENT # 1 to CONTRACT NO. 232250 Morgan County NICA Course

TO BE ATTACHED TO AND MADE A PART OF the above-numbered contract by and between the State of Utah, Division of Outdoor Recreation referred to as the "State", and Morgan County referred to as the "Contractor" for the purposes of this amendment.

THE PARTIES AGREE TO AMEND THE CONTRACT AS FOLLOWS:

1. Contract period

June 1, 2023	(original contract effective date)
September 30, 2025	(current contract termination date)
June 1, 2026	new contract termination date

2. Contract amount

\$60,000.00	(current contract amount)
	(amendment amount)-
n/a	new amount
	add current amount to amendment amount

3. Additional Modifications. N/A

4. Effective Date of Amendment. This amendment becomes effective upon signing by all parties on page 2 and final execution of the amendment by the Utah Division of State Finance's processing of the amendment.

5. Other Terms and Conditions. All other conditions and terms in the original contract and previous amendments remain the same.

[The remainder of this page left blank intentionally]

IN WITNESS WHEREOF, the State and Contractor sign and cause the amendment to be executed.

Division of Outdoor Recreation



Name: Patrick Morrison

Title: Recreation Program Director

Date: 06/26/2025



Name: Maureen Casper

Title: Contract Analyst

Date: 06/26/2025

Division of Finance

**RECEIVED AND PROCESSED
BY DIVISION OF FINANCE**

Date: 06/26/2025

Contract Number: 232250

Morgan County



Justin Rees (Jun 26, 2025 11:23 MDT)

Name: Justin Rees

Title:

Date: 06/26/2025



48 W Young Street
P.O. Box 420
Morgan, UT 84050

Utah Office of Tourism
300 N State St.
Salt Lake City, UT 84114

June 16, 2025

RE: Outdoor Recreation Grant

Attn: Patrick Morrison

Dear Patrick,

I am writing on behalf of Morgan County to respectfully request a one-year extension for the use of funds allocated under the Outdoor Recreation Grant for the development of the NICA mountain bike track project in Morgan County, Utah.

Due to the recent availability of new state-owned land, we have an exciting opportunity to enhance the scope and impact of this project. We are actively collaborating with Utah State Parks, the Department of Wildlife, and Morgan County to identify the most suitable area on this new land for trail creation. This collaborative effort requires additional time to ensure that the site selection and trail design align with environmental, recreational, and community priorities.

To accommodate this planning process and ensure the successful completion of the mountain bike track, we request an extension of the grant period until June 1st 2026. This additional time will allow us to finalize site selection, complete necessary environmental assessments, and construct a high-quality trail system that meets the needs of our community and adheres to all regulatory requirements.

We remain fully committed to the goals of the Outdoor Recreation Grant and are confident that this extension will enable us to deliver a project that maximizes recreational opportunities and promotes outdoor engagement for youth in Morgan County. Please let us know if additional documentation or information is required to process this request.

Thank you for your consideration and continued support of the NICA mountain bike track project. We look forward to your response and to continuing our partnership to create exceptional outdoor recreation opportunities.

Sincerely,

Justin Rees
Morgan County Tourism Director

Morgan County Location Filming Permit Application

A Film Permit Application MUST be completed for any project that takes place on Morgan County property located within Morgan County limits. A formal agreement including rules and regulations will be created upon receipt and approval of application.

Along with your application, please submit:

- A copy of the script
- List of cast & crew members and local vendors
- Location maps showing specific streets, buildings etc.

Additional Notes

It is the responsibility of the production company to notify all business and residential tenants who will be affected by filming. Permission to use private property must be granted in writing by property owners/landlords/property management companies before filming commences and copies of these letters filed with Morgan County.

All structures constructed by the Production Company must be completely dismantled and the site returned to its pre-filming condition as soon as possible. Failure to do so may result in loss of damage deposit.

Production Title: _____

Applicant Name & Title: _____

Applicant Phone: _____

Company Address: _____

Company Phone: _____

Cell Phone: _____

Email: _____

Local Address: _____

Local Phone: _____

Fax: _____

Production Company: _____

Address: _____

Location Manager: _____

Local Phone: _____

Cell Phone: _____

Email: _____

Production Type

☐ Feature Film ☐ Television Film ☐ Documentary ☐ Commercial

☐ Music Video ☐ Industrial ☐ Still Photography ☐ Other: _____

Specific Location(s) (Please be as specific as possible. Provide street addresses, building names, floor numbers, cross streets, etc.):

Location 1: _____

Location 2: _____

Location 3: _____

Use of County Streets and Areas

Will County streets be used? ☐ Yes ☐ No

For filming? ☐ Yes ☐ No For parking? ☐ Yes ☐ No

Will streets need to be closed/blocked to traffic? ☐ Yes ☐ No

Date: _____ Time: _____

Please list all vehicles (and their sizes) that will be parked in the vicinity of the shoot (equipment trucks, vans, catering vehicles, dressing rooms, buses, generators, crew cars, etc.): _____

Special Circumstances

Will any scenes involve explosives, aircraft, firearms? ☐ Yes ☐ No If yes, describe:

Extraordinary noise (over 55 dB)? ☐ Yes ☐ No

Will there be permanent or temporary construction in the (filming area)? Yes No

If yes, attach a building permit request and describe your plans to restore/reclaim the area:
Attach building permit if applicable.

Describe your plans to restore/reclaim the area: _____

Night filming? ☐ Yes ☐ No Will this require turning off street lights for any length of time?
☐ Yes ☐ No

Will you be using portable toilet facilities? ☐ Yes ☐ No

Have you made arrangements for trash disposal? ☐ Yes ☐ No

The Permittee agrees to comply with all applicable laws and to maintain the premises in good condition, and to return said premises to the same condition as before use for this film project. In addition, the Permittee agrees to credit 'Morgan County' where appropriate.

Signature: _____ Date: _____

Describe your project: _____

County departments involved (fire, streets, parks, etc.): _____

WARNING: Submission of this form does not guarantee approval of the event. Failure to complete all sections of this form and meet all requirements may result in delay or limitations for your project. Morgan County reserves the right to deny approval of permit(s) for filming that does not comply with County ordinances or policies.

Street Use Agreement

Does your event require use of any sidewalk, traffic lane, or County street? ☐ Yes ☐ No

Street use area:

☐ Entire street ☐ Partial street ☐ Parking lane only ☐ Sidewalk only ☐ Street crossing

Street Name: _____ Between (cross streets): _____ and _____

Start Date: _____ Start Time: _____ End Date: _____ End Time: _____

1. A portion or all of the above street may be closed by installation of barricades at the two ends of the street. Permittee agrees to provide at his or her own expense safety barricades that will be lighted and conspicuously displayed.
2. County may require Permittee to move, remove, replace, or change any barricades at County's discretion. County may also revoke this Agreement at any time for any reason or no reason.
3. Permittee agrees to clean up the Public Street and all surrounding areas upon termination of using the Public Street.

Indemnity and Insurance Requirements

Morgan County shall not be liable for damage claims due to injury to persons or property from any cause related to the occupancy of the premises by the Permittee, including those arising out of damages or losses occurring on other areas adjacent to the premises during the term of the agreement or any extension of term. The Permittee shall indemnify Morgan County from any and all liability, loss or other damage claims or obligations resulting from any injuries or losses, and shall hold harmless and indemnify Morgan County from all costs associated with claims, including but not limited to judgments and costs of defense. Permittee's obligation to indemnify Morgan County is not limited or waived in any way by compliance or non-compliance with the insurance requirements section of the contract, and Permittee will be obligated to indemnify Morgan County to the fullest extent allowed by law whether or not the Permittee has secured insurance to finance those indemnification obligations.

Permittee must obtain a commercial general liability (CGL) insurance policy with minimum limits of \$1,000,000 per person per occurrence and \$3,000,000 aggregate. The insurance certificate must name Morgan County, its officers, officials, employees, and agents as a certificate holder and as a primary and non-contributory additional insured. A copy of said insurance certificate must be provided to the County Attorney's Office at least 20 days prior to the event for approval. Failure to provide said insurance certificate shall result in cancellation of the event.

General Terms, Conditions, and Restrictions

1. This permit must be in possession of the applicant at all times while on location and must be made available for inspection when requested by County authorities or the public.
2. Permittee agrees to comply with all applicable Federal, State, and local laws, regulations, ordinances, and rules. Vehicle code provisions and/or posted parking regulations will be enforced unless otherwise noted in this permit.

3. In the event that an authorized representative finds that the activities being conducted by the Permittee unnecessarily endangers the health and safety of any person or that said activities are or will cause damage to real or personal property, said representative, at his sole discretion, may suspend, cancel, or amend this permit. The County reserves the right to suspend, cancel, or amend this permit at any time without incurring any liability to the Permittee.

4. This permit does not constitute nor grant permission to use or occupy property not belonging to, or under control of, Morgan County. Permission to use or occupy these properties must be obtained from the owner or controller of such property in addition to this permit. Proof of such permission may be required prior to issuance of a permit.

5. Permittee is responsible for obtaining the cooperation of the residents or owners of adjacent properties. Interference with movement or activities of these owners or residents should be as minimal as possible.

6. Permittee agrees to canvass the areas impacted by the filming 48 hours prior to filming, and businesses and residents notified, preferably in person, otherwise with flyers. Permittee is responsible for working out any conflicts or negative financial aspects.

7. A fire lane of twenty (20) feet must be maintained, allowing access through the length of closed and open roadways/streets. Access to the fire hydrant must be maintained; no parking within 5 feet on either side of the existing fire hydrants.

8. Permittee must place equipment in such a way that pedestrians have safe passage and access to other sidewalks and the building entrances. Any cords or any type of equipment must be placed so it will not interfere, obstruct, or cause harm in any way to the pedestrians.

9. All accesses, ramps, parking stalls, etc. authorized or duly marked for use of "handicapped" persons shall remain open and accessible. ADA access to ramps, stalls, and driveways must be maintained.

10. Excessive noise (above 55 dB) is prohibited between 10:00 PM and 7:00 AM.

11. Driveways and entrances shall allow for accessibility for emergency vehicles.

12. Permittee must obtain all other permits required by County ordinance or applicable law, including right-of-way, mass gathering, special event, building, and business licenses.

I hereby warrant that I have the authority to obligate the production company to the terms of this permit. I have read and agree to the terms of this filming permit for this and the following locations referenced to the production referred to. I understand I may have filming temporarily or permanently shut down if the requirements as set forth are not adhered to either intentionally or unintentionally.

Applicant Signature: _____ Date: _____

Company Name: _____ Location Manager: _____

Send the completed Location Filming Permit to:

Morgan County

Morgan County Clerk

ATTN: FILM PERMIT APPLICATION

48 West Young Street

Morgan, Utah 84050

Email: [email address here]

Phone for credit card payment: 801.845.4030



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!



2025 BUDGET CHANGE FORM

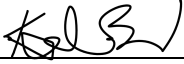
Date	6/25/2025
Department	Tourism
Department Head Signature	Kate Becker
Amount	3,300
Move from GL Account#	35-3680-000-000 [Increase Revenue Estimate]
Move to GL Account #	35-4510-310-400

Increase Revenue line for Car show to off set additional Car Show Expenses. Car show brought in a total of \$8394.70 but expenses to date are \$7,232.58

Clerk/Auditor Use Only	
Date Entered	



2025 BUDGET CHANGE FORM

Date	6/25/2025
Department	Opioid Settlement Fund (NEW) 62
Department Head Signature	
	Kate Becker
Amount	117,036.69
Move from GL Account#	10-2951-000-000
Move to GL Account #	62-2951-000-000

Historically Opioid Settlement Funds have been deposited into the Sundry Account even though the funds are restricted. This has caused these funds to roll into Fund Balance at the end of the Year.

Clerk/Auditor Use Only	
Date Entered	

Criminal Code Recodification and Cross References

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Matthew H. Gwynn

Senate Sponsor: Keith Grover

LONG TITLE

General Description:

This bill modifies criminal provisions in Title 76, Utah Criminal Code, by redrafting offense statutes into a new structure, reorganizing criminal statutes into a new format, and clarifying existing law.

Highlighted Provisions:

This bill:

- reorders language into a standardized format and clarifies existing law, including the offenses in Title 76, Chapter 9, Offenses Against Public Order and Decency, and Chapter 10, Offenses Against Public Health, Safety, Welfare, and Morals;
- reorganizes Title 76, Chapters 9 and 10 into a new organization to better align with the contents of the statutes;
- reorganizes offenses to enact an embedded offense as a stand-alone statute or statutes, including offenses concerning:
 - emergency reporting, interference, and false reports;
 - prohibited use of a party line or public pay telephone;
 - commercial obstruction;
 - electronic communication harassment and disclosure of personal information;
 - cruelty to animals, dog fighting, and police service canines, including aligning exemptions and defenses based on the elements of each offense;
 - voyeurism;
 - abuse or desecration of a dead human body;
 - criminal street gang activities;
 - tobacco sales and related offenses;
 - gambling and related offenses;
 - bus hijacking and related offenses;

- 4313 (v) a statement concerning the success and effectiveness of the program or campaign;
4314 (c) agree, by contract, to not use any funds received under this part directly or indirectly,
4315 to:
- 4316 (i) engage in any lobbying or political activity, including the support of, or opposition
4317 to, candidates, ballot questions, referenda, or similar activities; or
4318 (ii) engage in litigation with any tobacco manufacturer, retailer, or distributor, except
4319 to enforce:
- 4320 (A) the provisions of the Master Settlement Agreement;
4321 (B) Title 26B, Chapter 7, Part 5, Regulation of Smoking, Tobacco Products, and
4322 Nicotine Products;
4323 (C) Sections 26B-7-514 through 26B-7-520; and
4324 (D) Title 77, Chapter 39, Sale of Tobacco or Alcohol to Under Age Persons; and
4325 (d) agree, by contract, to repay the funds provided under this part if the organization:
4326 (i) fails to file a timely report as required by Subsection (1)(b); or
4327 (ii) uses any portion of the funds in violation of Subsection (1)(c).
- 4328 (2) The Department of Health and Human Services shall review and evaluate the success
4329 and effectiveness of any program or campaign that receives funding pursuant to a
4330 request submitted under Subsection (1). The review and evaluation:
4331 (a) shall include a comparison of annual smoking trends;
4332 (b) may be conducted by an independent evaluator; and
4333 (c) may be paid for by funds appropriated from the account for that purpose.
- 4334 (3) An organization that fails to comply with the contract requirements set forth in
4335 Subsection (1) shall:
4336 (a) repay the state as provided in Subsection (1)(d); and
4337 (b) be disqualified from receiving funds under this part in any subsequent fiscal year.
- 4338 (4) The attorney general shall be responsible for recovering funds that are required to be
4339 repaid to the state under this section.
- 4340 (5) Nothing in this section may be construed as applying to funds that are not appropriated
4341 under this part.

4342 **Section 57. Section 51-9-801 is amended to read:**

4343 **51-9-801 . Opioid Litigation Proceeds Restricted Account.**

- 4344 (1) There is created within the General Fund a restricted account known as the Opioid
4345 Litigation Proceeds Restricted Account.
- 4346 (2) The account consists of:

- (a) any money deposited into the account in accordance with Subsection (3);
- (b) interest earned on money in the account; and
- (c) money appropriated to the account by the Legislature.

(3) Notwithstanding Sections 13-2-8 and ~~[76-10-3114]~~ 67-5-40, after reimbursement to the attorney general and the Department of Commerce for expenses related to the matters described in Subsection (3)(a) or (b), the following shall be deposited into the account:

- (a) all money received by the attorney general or the Department of Commerce as a result of any judgment, settlement, or compromise of claims pertaining to alleged violations of law related to the manufacture, marketing, distribution, or sale of opioids from a case designated as an opioid case by the attorney general in a legal services contract; and
- (b) all money received by the attorney general or the Department of Commerce as a result of any multistate judgment, settlement, or compromise of claims pertaining to alleged violations of law related to the manufacture, marketing, distribution, or sale of opioids.

(4) Subject to appropriation by the Legislature, money in the account shall be used:

- (a) to address the effects of alleged violations of law related to the manufacture, marketing, distribution, or sale of opioids; or
- (b) if applicable, in accordance with the terms of a settlement agreement described in Subsection (3)(a) or (b) entered into by the state.

Section 58. Section **53-2a-214** is amended to read:

53-2a-214 . Prohibition of restrictions on and confiscation of a firearm or ammunition during an emergency.

(1) As used in this section:

- (a)(i) "Confiscate" means for an individual in Utah to intentionally deprive another of a privately owned firearm.
- (ii) "Confiscate" does not include the taking of a firearm from an individual:
 - (A) in self-defense;
 - (B) possessing a firearm while the individual is committing a felony or misdemeanor; or
 - (C) who may not, under state or federal law, possess the firearm.
- (b) "Firearm" has the same meaning as defined in Section ~~[76-10-501]~~ 76-11-101.

(2) During a declared state of emergency or local emergency under this part:

- (a) neither the governor nor an agency of a governmental entity or political subdivision

ASSIGNMENT AND ASSUMPTION OF LEASE

AND

MORGAN COUNTY CONSENT

THIS ASSIGNMENT AND ASSUMPTION OF LEASE AND COUNTY CONSENT ("Agreement") is effective as of _____ (the "Effective Date"), between CWHEELER RD, LLC ("Assignor"), and FLIGHT MODIFICATION, LLC ("Assignee") who agree as follows:

RECITALS

A. **Lease.** Assignor, as current lessee, is party to that certain Airport Lease Agreement dated as of _____ (the "Lease"), pursuant to which Assignor leased from Morgan County, and Morgan County leased to Assignor, certain premises consisting of Aircraft Hangar Plot DD-3 of the Morgan County Airport Master Plan (the "Premises") located at the Morgan County Airport, 5827 Willow Creek Rd, Morgan, UT 84050. A true, correct and complete copy of the Lease is attached hereto as **Exhibit "A"** and is by this reference incorporated herein and made a part hereof.

B. Assignor desires to transfer and assign all of his right, title and interest, as lessee, in, to, and under the Lease to Assignee, and Assignee wishes to assume all of Assignor's duties, liabilities, and obligations thereunder.

NOW, THEREFORE, in consideration of the mutual covenants contained in this Agreement and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties mutually covenant and agree as follows:

1. **Assignment.** Assignor, for and in consideration of the payment of rent, pursuant to the Lease, and performance of all of the Lease covenants by Assignee as successor lessee under the Lease, does hereby grant, assign, and convey to Assignee all of Assignor's right, title, and interest in and to the Lease, for the residue of the term of the Lease, subject to the conditions contained in the Lease and henceforth to be performed and observed by Assignee.

2. **Performance of Lease Covenants and Conditions; Assumption.** For the benefit of Assignor and Morgan County, Assignee hereby assumes all rights, duties, and obligations of the Lease and Assignee hereby covenants and agrees to perform all of the duties and obligations of the lessee pursuant to the Lease from and after the Effective Date as if Assignee were the original lessee thereunder. Assignee shall make all payments, and other sums due under the Lease from the lessee thereunder, for the period from and after the Effective Date, when due and payable strictly in accordance with the terms, covenants, and conditions of the Lease.

3. **Indemnification.** Assignee hereby indemnifies and holds Assignor and its officers, directors, shareholders, members, affiliates, representatives, agents, employees, successors and assigns harmless from and against all claims, damages, demands, losses, expenses and costs incurred, arising out of, or in connection with Assignee's failure, from and after the Effective Date, to observe, perform and discharge any and all of the lessee's covenants, obligations and liabilities in connection with the Lease. Assignor hereby indemnifies and holds Assignee and its officers, directors, shareholders, members, affiliates,

representatives, agents, employees, successors and assigns harmless from and against all claims, damages, demands, losses, expenses and costs incurred, arising out of, or in connection with Assignor's failure to the extent accruing prior to the Effective Date, to observe, perform and discharge any and all of the lessee's covenants, obligations and liabilities in connection with the Lease.

4. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns.

5. Severability. If any provision of this Agreement shall be held invalid or unenforceable for any reason and to any extent, the remainder of this Agreement shall not be affected, but shall be enforced to the greatest extent permitted by law.

6. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Utah.

7. Counterparts. This Agreement may be executed in one or more counterparts. All such counterparts, when taken together, shall comprise the fully executed Agreement. Signatures of the parties transmitted by facsimile or electronic mail in PDF format shall be deemed to constitute originals and may be relied upon, for all purposes, as binding the transmitting party hereto. The parties intend to be bound by the signatures transmitted by facsimile or electronic mail in PDF format, are aware that the other party will rely on such signature, and hereby waive any defenses to the enforcement of the terms of this Agreement based on the form of the signature.

8. Notices. For purposes of this Agreement, the notice addresses for Assignee and Assignor shall be as follows:

Assignor:

CWHEELER RD, LLC
4275 E. White Way
Salt Lake City, UT 84124

Assignee:

FLIGHT MODE AVIATION, LLC
1887 S. 1800 W. #10
WOODS CROSS, UT 84087

9. Warranty and Authority. Each party represents that this Agreement has been executed by its duly authorized representative.

IN WITNESS WHEREOF, this Agreement has been executed as of the Effective Date set forth above.

Assignor:

By: CWHEELER RD LLC
manager - Christian B Wheeler
Christian B Wheeler

Assignee:

By: Whitney Robinson, member

MORGAN COUNTY CONSENT TO ASSIGNMENT OF LEASE

By its execution below, Morgan County consents to this assignment of the Lease to Assignee and acknowledges the continuance of the Lease by and between Assignee and Morgan County. Morgan County is not a party to the assignment and executes this document for the limited purpose of granting its consent.

MORGAN COUNTY

By: _____

Its: _____

Dated: _____

APPROVED AS TO FORM

Morgan County Attorney

Exhibit A

Airport Lease Agreement

(see attached)

Kate needs
you to
review this!

They need to attach
the original Lease as
Exhibit A and include
the date of original Lease
in Section A.

Effective 3/12/2025

51-4-2 Deposits by political subdivisions.

- (1) As used in this section:
 - (a) "Officer" means each:
 - (i) county treasurer, county auditor, county assessor, county clerk, clerk of the district court, city treasurer, city clerk, justice court judge; and
 - (ii) other officer of a political subdivision.
 - (b) "Political subdivision" means a county, city, town, school district, special district, and special service district.
- (2)
 - (a) Each officer shall deposit all public funds daily, if practicable, but no later than once every three banking days.
 - (b) Each officer shall deposit all public funds only in qualified depositories unless the public funds need to be deposited in a bank outside Utah in order to provide for:
 - (i) payment of maturing bonds or other evidences of indebtedness; or
 - (ii) payment of the interest on bonds or other evidences of indebtedness.
- (3)
 - (a)
 - (i) Each officer shall require all checks to be made payable to the office of the officer receiving funds or to the political subdivision's treasurer.
 - (ii) An officer may not accept a check unless it is made payable to the office of the officer receiving funds or to the political subdivision's treasurer.
 - (b) Each officer shall deposit all money the officer collects into an account controlled by the political subdivision's treasurer.
- (4)
 - (a) Except as provided in Subsection (4)(b) and unless a shorter time for depositing funds is otherwise required by law, each political subdivision that has collected funds that are due to the state or to another political subdivision of the state shall, on or before the tenth day of each month, pay all of those funds that were receipted during the last month:
 - (i) to a qualified depository for the credit of the appropriate public treasurer; or
 - (ii) to the appropriate public treasurer.
 - (b) Property tax collections, or privilege tax collections directed by statute to be treated as property tax collections, shall be apportioned and paid according to Section 59-2-1365.

Amended by Chapter 31, 2025 General Session

MORGAN COUNTY COMMISSION MEETING MINUTES



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

Notice: Commissioner McConnell may be participating virtually

MORGAN COUNTY COMMISSION MEETING MINUTES

July 16th, 2024

4:00 PM WORK SESSION & 5:00 PM REGULAR MEETING

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

COUNTY COMMISSION

Commission Chair Mike Newton
Commissioner Matt Wilson
Commissioner Robert McConnell Virtual
Commissioner Jared Andersen
Commission Vice Chair Blaine Fackrell

OTHERS IN ATTENDANCE

Debbie Sessions
Tina Kelley
Vaugh Nickerson
Erin Bott
Kate Dickman
Haley Johnson
Ray Nettleton
Kelly Rees

OTHER EMPLOYEES

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

4:06 WORK SESSION

1. Open Meeting Act Training
 - a. Item wasn't discussed, it has been implemented and briefly discussed in prior meetings.
2. Commission Meeting Rules and Procedures
 - a. The CA introduced this item. The Commissioners discussed what they would like implemented and what is allowed or needed to be implemented.

5:04 COMMENCEMENT OF MEETING

(A) Opening Ceremonies –

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

(B) Consent Agenda Items

1. Approval of the County Commission meeting minutes for July 2nd, 2024.
2. Approval of the County's 2023-2024 Opioid Report
3. Approval of the County's FY 2024 Governor's Office of Economic Opportunity Rural Grant APP-082327

MORGAN COUNTY COMMISSION MEETING MINUTES

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell ABSENT

Commissioner Andersen AYE

Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

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

Request to purchase florescent light filters for office spaces within the County Administration Building.

- a. CAM introduced this stating offices in the building are experiencing migraines due to the lighting, the covers for the lights is cheaper than replacing them, it would cost \$3,806.16. This option is the cheapest solution to the problem at the moment.
- b. Chair Newton stated we should take the funds from capital improvement if we have it and if not to take it from the general fund.
- c. CAM added we may not have enough in capital improvement due to the Sheriff's clerical office is in the process of being redone for security improvement reasons.
- d. Chair Newton added we should take the funds from the capital improvement and we can do a budget adjustment to move some from the general fund to there if we need.

Commissioner Wilson motioned to approve the \$3,086.16 for light filters and or replacement for fluorescent lighting for Morgan County Administrative offices.

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell ABSENT

Commissioner Andersen AYE

Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

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

Request for authorization to create a Venmo account for the Morgan County Fair.

- a. CAM introduced this the Morgan County Fair has requested approval to establish a Venmo account. Previously denied due to lack of a charity version, Venmo now offers this option, requiring a PayPal account linked to a designated bank account. This setup would allow for direct transactions, including stall and parking rentals, with separate banking for transparency. Commission approval is sought before proceeding with this request.

Commissioner Wilson motioned to approve creating a Venmo account for the Morgan County Fair.

Seconded by Commissioner Andersen

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Fackrell AYE

Commissioner McConnell ABSENT

Commissioner Andersen AYE

Commissioner Wilson AYE

The Vote was unanimous. The Motion passed.

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

MORGAN COUNTY FAIR FUN RUN AGREEMENT

This Agreement is entered into on 26 day of June, 2025, by and between Morgan County, a political subdivision of the State of Utah ("County"), and On Hill Events, LLC ("Organizer").

1. Event Description

The Organizer shall plan, organize, and conduct a running event titled the Morgan County Fair Fun Run, including 1-mile, 5k, and 10k races ("Event") on:

- Date: Saturday, August 2, 2025
- Time: 7:00 a.m. to 9:00 a.m.
- Location/Route: Fairgrounds > Como Springs Rd > E 100 S > S 200 E St (to the high school) > E Young St > S Commercial St > return to Fairgrounds.

2. Duties of the Organizer

The Organizer shall:

- Be solely responsible for all aspects of organizing and conducting the Event, including but not limited to labor, logistics, registration, timing, permitting, equipment, and supplies.
- Secure any required permits or permissions related to street closures or use of property not owned by Morgan County.

3. Liability and Insurance

List "Morgan County" as an additional insured on a comprehensive general liability insurance policy covering the Event. Coverage shall be no less than \$2,000,000 per occurrence and \$4,000,000 aggregate. Proof of insurance shall be submitted to the County no later than July 15, 2025, unless otherwise agreed in writing.

Renter acknowledges and accepts that they are renting all facilities and grounds at their own risk and in their current "as-is" condition. Morgan County makes no warranty or representation as to the condition or suitability of the facilities for any particular purpose.

Morgan County shall not be liable for damage claims due to injury to persons or property from any cause related to the occupancy of the premises by the Renter, including those arising out of damages or losses occurring on other areas adjacent to the premises during the term of the agreement or any extension of term. The Renter shall indemnify Morgan County from any and all liability, loss or other damage claims or obligations resulting from any injuries or losses, and shall hold harmless and indemnify Morgan County all costs associated with claims, including but

not limited to judgements and cost of defense. Renter's obligation to indemnify Morgan County is not limited or waived in any way by compliance or non-compliance with the insurance requirements section of the contract, and Renter will be obligated to indemnify the Morgan County to the fullest extent allowed by law whether or not the Renter has secured insurance to finance those indemnification obligations.

4. Duties of Morgan County

The County shall:

- Promote the Event through its standard Morgan County Fair advertising channels, including print, digital, and social media platforms.
- Permit use of the Fairgrounds and identified public roadways for the Event, subject to coordination with the Morgan County Sheriff's Office, Public Works, and any other relevant County departments.

5. Revenue Sharing

- The Organizer shall remit to the County 10% of net profits generated from the Event.
- "Net profits" means gross registration fees collected less actual, documented expenses incurred for the Event.
- Payment shall be made within fourteen (14) calendar days after the Event and shall be accompanied by a basic written accounting of revenue and expenses. The County shall have the right to inspect and audit Organizer's accounting of the Event upon request.

6. Term and Termination

- This Agreement shall remain in effect through the completion of the Event and payment of proceeds to the County.
- Either party may terminate this Agreement for any reason upon written notice prior to **July 15, 2025**. In such event, neither party shall be liable for damages beyond actual costs incurred to the date of termination.

7. Miscellaneous

- This Agreement represents the entire understanding between the parties for the 2025 Fun Run and may only be amended in a written document signed by both parties.
- Nothing in this Agreement shall be construed to create a partnership or joint venture between the parties.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives:

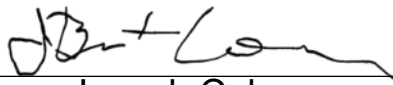
FOR MORGAN COUNTY:

By: _____
Matthew Wilson, Chair
Morgan County Commission

Date: _____

Attest: _____
County Clerk

FOR ON HILL EVENTS:

By:  _____
Name: Joseph Coles
Title: Race Director

Date: 6/26/2025

MEMORANDUM

TO: Morgan County Commission

FROM: Morgan County Planning & Development Services Staff

SUBJECT: Cemetery Code Text Amendment

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

The Morgan County Commission directed staff to prepare an amendment to the Land Use Code to better regulate the development and operation of cemeteries. The proposed changes include a new section (§ 155.373) that sets detailed approval standards for public and private cemeteries, including site plan components such as surveyed burial plots, circulation routes, landscaping plans, and lighting in compliance with the County's dark sky ordinance. The amendment requires a minimum lot size of five (5) acres, prohibits burial in areas prone to flooding or with high groundwater, and establishes setback requirements from property lines and roads. Updates to § 155.008 clarify the definitions of public and private cemeteries, while revisions to §§ 155.107 and 155.132 ensure that only public cemeteries may be considered as conditional uses in applicable zoning districts. For private cemeteries, additional requirements include a recorded endowment fund and a perpetual care agreement to ensure maintenance and responsible closure. Burial is prohibited outside an approved cemetery. These changes are intended to ensure consistent development, reduce land use conflicts, and protect public health and safety.

PLANNING COMMISSION SUMMARY:

The Planning Commission heard this item at their regularly scheduled meeting on June 12th, 2025. There were no comments made during the public hearing portion of the meeting. The Planning Director presented the item, noted minor syntactical errors that did not alter the meaning of the text, and walked through the proposed changes with the Commission, stating that those revisions would be incorporated into the version forwarded to the County Commission. There was a question from the Planning Commission regarding whether the County is required to follow its own development standards for cemeteries. The Planning Director explained that while the County is not legally obligated to comply with its own regulations, recording a plat is still considered best practice—even for government entities. Additional discussion addressed potential implications if the County were to enter the cemetery business in the future. The Commission voted to recommend approval of the application with a 4–0 vote; Member McMillan was absent from the meeting.

ATTORNEY GUIDANCE

Legislative Review:

The Planning Commission is tasked with advising and recommending to the County Commission whether the proposed zoning change (land use ordinance text amendment) is consistent with Morgan County Code requirements for zoning applications. The Planning Commission is further tasked with advising and making its recommendations based on whether the text amendment conforms to Utah State law. In that regard, while previously the County Commission had broad discretion in either approving or denying a legislative decision (the standard being whether the zoning ordinance could promote the general welfare; or even if it is reasonably debatable that it is in the interest of the general welfare), it appears to have been narrowed by recent changes to § 17-27a-801(3). The subsequently amended statute provides that legislative acts will be upheld if it is shown to be “reasonably debatable that the land use regulation is consistent with LUDMA.”

While I have not seen any caselaw testing this new standard, I highly recommend that any recommendations by the Planning Commission or decisions by the County Commission include references to the standards in Morgan County Code and Utah State Code to support them and provide a solid basis for review. In that regard, the State Code standards include:

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

(1)

(a) The purposes of this chapter are to:

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

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

- (i) uses;
- (ii) density;
- (ii) open spaces;
- (iv) structures;
- (v) buildings;
- (vi) energy-efficiency;
- (vii) light and air;

- (viii)air quality;
- (ix)transportation and public or alternative transportation;
- (x)infrastructure;
- (xi)street and building orientation and width requirements;
- (xii)public facilities;
- (xiii)fundamental fairness in land use regulation; and
- (xiv)considerations of surrounding land uses to balance the foregoing purposes with a landowner's private property interests and associated statutory and constitutional protections.

PROPOSED TEXT

§ 155.008 DEFINITIONS.

CEMETERY. A place where dead bodies and cremated remains are buried, **INTERRED, BURIED, INURNED, OR ENTOMBED**. It is a locale set aside, either by governmental authority or private enterprise. ~~A **PUBLIC CEMETERY** is open for use by the community at large while a **PRIVATE CEMETERY** is used only by a small segment of a community or by a family.~~
~~—**CEMETERY, PRIVATE.** One used only by a family or a small portion of the community up to ten plots.~~
~~—**CEMETERY, PUBLIC.** One used by the general community, a neighborhood or a church.~~

§ 155.107 USE REGULATIONS.

Districts				
Land Use	MU-160	F-1	A-20	RR
Private cemetery	-	-	-	-
Public Cemetery	C3	C3	C3	C3

§ 155.132 USE REGULATIONS.

Districts												
Land Use	CB	NC	TC	CS	CH	GC	BP	TPC	MGC	PC	LM	I
Private cemetery	-	-	-	-	-	-	-	-	-	-	-	-
Public Cemetery	C3	C3	C3	-	-	C3	C3	C3	C3	C3	-	-

155.373 Cemetery Approval Standards

In accordance with the provisions of this chapter of the Morgan County Code, the County Commission may approve a cemetery provided the provisions of this section are satisfied.

- A. **Application:** The applicant shall submit a **complete application** that is detailed, readable, and drawn-to-scale. The **application** shall be consistent with the requirements and standards of all applicable sections of this land use ordinance and shall show:
1. a preliminary and final plat of the proposed cemetery showing the perimeter boundary, survey points, monuments, and the location of each individual burial plot – each “lot” shall be surveyed and numbered;
 2. a site plan that showing circulation, parking, proposed buildings, structures, etc.;
 3. a landscaping plan which shows the planting areas, the layout of the irrigation system and proposed source of water along with certificate of water shares;
 4. a grading and drainage plan showing the system of detention or retention of storm waters; and
 5. a lighting plan demonstrating compliance with Morgan County’s dark sky ordinance found in Section 155.352.
 6. **a geohazard report**
 7. any additional information which the Zoning Administrator believes the County Commission will need to determine whether the use meets the requirements and standards of this land use ordinance.
- B. The site plan shall include the following supportive information:
1. the total number of acres in the cemetery (Minimum of five (5) acres required).
 2. the location of any existing drainage channels and floodways.
 3. the location of areas where ground water rises to within eight (8) feet of the surface of the ground.
 4. the location of all areas within the **floodplain with corresponding Base Flood Elevations (BFE).**
- C. **Standards:**
1. The cemetery plat shall be recorded, following approval of the County Commission, in the office of the County Recorder according to the terms of the Morgan County Code, as amended.
 2. The lot or parcel of land contained within the cemetery plat shall be properly maintained as per the approved site plan.
 3. Areas rendered unsuitable due to potential for flooding, high topographic relief, shallow depth to groundwater, or other problems peculiar to the site, shall not be used as burial sites. **These areas shall be noted on the plat.**
 4. No burial sites shall be within thirty (30) feet of the boundary of an adjacent property ownership or road right-of-way line.
 5. Above-grade markers or monuments may be used.
 6. Vehicular circulation within the cemetery shall be asphaltic hard surface for a width of at least twelve (12) feet **where only one-way traffic is permitted. Alternatively, a minimum**

width of twenty-four (24) feet shall be provided to accommodate passing vehicles (two-lane traffic).

7. Burial sites shall be properly surveyed and the survey shall be maintained on a survey plat and with corresponding survey monuments on the ground.
8. Buildings shall be limited to a sexton's office, storage and maintenance sheds.
9. The location of the cemetery and the layout shall not interfere with the adopted street plans and public facilities of the Official County Road Map of Morgan County.

D. Landscape Requirements:

1. All property setbacks, including front, side, and rear, shall be landscaped with carefully considered greenscape, xeriscape, or combination thereof.
2. Trees shall be placed along the perimeter of the property at an interval of one (1) tree per 30 feet. Minimum size of all trees planted shall be 2" caliper.
3. Shrubs shall be placed within the perimeter setbacks in the amount of one five (5) gallon shrub and two one (1) gallon shrubs per 500 square feet.
4. Proposed trees and shrubs shall not be fruit bearing. Half of all trees and shrubs shall be evergreen.
5. Trails and park amenities may be included to provide for gatherings and memorials.
6. Existing vegetation may be counted towards the total required trees and shrubs.

E. Except for public cemeteries, the applicant for a cemetery shall put into effect a deed covenant, endowment fund, and agreement to guarantee that the applicant and his successors will provide continued care and maintenance as long as any part of the plat is used as a burial site. Together the documents shall require:

1. Areas maintained as per landscaping plan.
2. Repair of any deterioration or damage to the grounds and facilities.
3. The designation of a corporate or other perpetuating party as trustee to operate and maintain the cemetery.
4. The removal and proper disposal of the remains at the termination of the cemetery at the expense of the applicant and his successors, rather than the public or some other party (for this purpose the cemetery shall not be severable from the endowment fund properties).
5. Morgan County may enforce these provisions, including maintenance of neglected cemeteries, or the removal of remains at the termination of operations, and use the endowment assets to defray the expense.
6. The endowment assets used to guarantee such maintenance and removal shall bear a reasonable relationship to the current costs of the same, including changes due to increasing numbers of occupied burial plots and inflation. The endowment properties used to guarantee maintenance and removal must bear a reasonable relationship to the current costs of same and provide for inflation.

F. The applicant complies with other requirements reasonably imposed by the County Commission to implement the street plan, general plan, and the legislative intent of the zoning district in which the cemetery is located.

G. It shall be unlawful for any person to be interred, entombed, inurned, or buried outside of an officially approved and/or recognized cemetery; public or private.

- H. All cemetery sextons, directors, supervisors, or other administrative staff shall comply with all Utah Administrative code requirements as detailed within Section R436-8.
- I. All cemeteries, whether public or private, and all persons or organizations forming, operating, managing, or maintaining a cemetery within the County, shall adhere to all applicable state statutes, administrative rules, and regulations governing the establishment, operation, and maintenance of cemeteries.

RECOMMENDED MOTIONS

Sample Motion for *Approval* – “I move we approve the Cemetery Code Text Amendment based on the findings listed in the memorandum dated July 1, 2025.”

Sample Motion for *Approval with Conditions* – “I move we approve the Cemetery Code Text Amendment based on the findings listed in the memorandum dated July 1, 2025, with the following additional conditions:”

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

Sample Motion for *Denial* – “I move we deny the Cemetery Code Text Amendment with the following findings:”

1. *List any additional findings...*

ATTACHMENTS:

Attachment “A”: Cemetery Code Text Amendment

Attachment “A”: Cemetery Code Text Amendment

ORDINANCE NO. CO-25-14

AN AMENDMENT TO THE LAND USE MANAGEMENT CODE FOR MORGAN COUNTY TO MODIFY THE MORGAN COUNTY CODE (MCC) TO DEFINE PUBLIC AND PRIVATE CEMETERIES, CLARIFY WHERE CEMETERIES ARE PERMITTED, AND ESTABLISH DETAILED APPROVAL STANDARDS FOR CEMETERY LAYOUT, INFRASTRUCTURE, AND LONG-TERM MAINTENANCE, OTHERWISE KNOWN AS THE CEMETERY CODE TEXT AMENDMENT, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Morgan County Commission has previously established land use management regulations for Morgan County as Title XV of the Morgan County Code which established, among other things, the requirements for the subdivision approval process; and

WHEREAS, the regulations established by the Morgan County Commission in Title XV of the Morgan County Code have been determined by the Morgan County staff and the Morgan County Commission to be in need of revision to address these concerns; and

WHEREAS, the Morgan County Planning Commission and Zoning Administrator have reviewed the proposed amendment in accordance with State law and have recommended approval of the same;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF MORGAN COUNTY, STATE OF UTAH:

Section 1. Amendment and Adoption. Title XV of the Morgan County Code is hereby amended and adopted to modify the Morgan County Code (MCC) to define public and private cemeteries, clarify where cemeteries are permitted, and establish detailed approval standards for cemetery layout, infrastructure, and long-term maintenance, as more specifically described in Exhibit “A”, attached hereto and incorporated herein by reference.

Section 2. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective after subsequent publication in accordance with State Law, but not before 15 days after its passage.

**APPROVED, ADOPTED AND PASSED and ordered published by the
Morgan County Commission, this 1st Day of July 2025.**

ATTEST:

MORGAN COUNTY GOVERNING
BODY

Leslie Hyde
Morgan County Clerk

Matthew Wilson, County Commission Chair

APPROVED AS TO FORM

Garrett Smith
Morgan County Attorney

Commission Members	Aye	Voting:	
		NAY	ABSENT
Vaughn Nickerson	_____	_____	_____
Mike Newton	_____	_____	_____
Raelene Blocker	_____	_____	_____
Matthew Wilson	_____	_____	_____
Blaine Fackrell	_____	_____	_____

Exhibit “A”: Cemetery Code Text Amendment

§ 155.008 DEFINITIONS.

CEMETERY. A place where dead bodies and cremated remains are buried, **INTERRED, BURIED, INURNED, OR ENTOMBED.** It is a locale set aside, either by governmental authority or private enterprise. ~~A **PUBLIC CEMETERY** is open for use by the community at large while a **PRIVATE CEMETERY** is used only by a small segment of a community or by a family.~~

~~—**CEMETERY, PRIVATE.** One used only by a family or a small portion of the community up to ten plots.~~

~~—**CEMETERY, PUBLIC.** One used by the general community, a neighborhood or a church.~~

§ 155.107 USE REGULATIONS.

Districts				
Land Use	MU-160	F-1	A-20	RR
Private cemetery	-	-	-	-
Public Cemetery	C3	C3	C3	C3

§ 155.132 USE REGULATIONS.

Districts												
Land Use	CB	NC	TC	CS	CH	GC	BP	TPC	MGC	PC	LM	I
Private cemetery	-	-	-	-	-	-	-	-	-	-	-	-
Public Cemetery	C3	C3	C3	-	-	C3	C3	C3	C3	C3	-	-

155.373 CEMETERY APPROVAL STANDARDS

IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER OF THE MORGAN COUNTY CODE, THE COUNTY COMMISSION MAY APPROVE A CEMETERY PROVIDED THE PROVISIONS OF THIS SECTION ARE SATISFIED.

J. **APPLICATION:** THE APPLICANT SHALL SUBMIT A **COMPLETE APPLICATION** THAT IS DETAILED, READABLE, AND DRAWN-TO-SCALE. THE **APPLICATION** SHALL BE CONSISTENT WITH THE REQUIREMENTS AND STANDARDS OF ALL APPLICABLE SECTIONS OF THIS LAND USE ORDINANCE AND SHALL SHOW:

1. A PRELIMINARY AND FINAL PLAT OF THE PROPOSED CEMETERY SHOWING THE PERIMETER BOUNDARY, SURVEY POINTS, MONUMENTS, AND THE LOCATION OF EACH INDIVIDUAL BURIAL PLOT – EACH “LOT” SHALL BE SURVEYED AND NUMBERED;
2. A SITE PLAN THAT SHOWING CIRCULATION, PARKING, PROPOSED BUILDINGS, STRUCTURES, ETC.;
3. A LANDSCAPING PLAN WHICH SHOWS THE PLANTING AREAS, THE LAYOUT OF THE IRRIGATION SYSTEM AND PROPOSED SOURCE OF WATER ALONG WITH CERTIFICATE OF WATER SHARES;
4. A GRADING AND DRAINAGE PLAN SHOWING THE SYSTEM OF DETENTION OR RETENTION OF STORM WATERS; AND
5. A LIGHTING PLAN DEMONSTRATING COMPLIANCE WITH MORGAN COUNTY’S DARK SKY ORDINANCE FOUND IN SECTION 155.352.
6. **A GEOHAZARD REPORT**
7. ANY ADDITIONAL INFORMATION WHICH THE ZONING ADMINISTRATOR BELIEVES THE COUNTY COMMISSION WILL NEED TO DETERMINE WHETHER THE USE MEETS THE REQUIREMENTS AND STANDARDS OF THIS LAND USE ORDINANCE.

K. THE SITE PLAN SHALL INCLUDE THE FOLLOWING SUPPORTIVE INFORMATION:

1. THE TOTAL NUMBER OF ACRES IN THE CEMETERY (MINIMUM OF FIVE (5) ACRES REQUIRED).
2. THE LOCATION OF ANY EXISTING DRAINAGE CHANNELS AND FLOODWAYS.
3. THE LOCATION OF AREAS WHERE GROUND WATER RISES TO WITHIN EIGHT (8) FEET OF THE SURFACE OF THE GROUND.
4. THE LOCATION OF ALL AREAS WITHIN THE **FLOODPLAIN WITH CORRESPONDING BASE FLOOD ELEVATIONS (BFE).**

L. STANDARDS:

1. THE CEMETERY PLAT SHALL BE RECORDED, FOLLOWING APPROVAL OF THE COUNTY COMMISSION, IN THE OFFICE OF THE COUNTY RECORDER ACCORDING TO THE TERMS OF THE MORGAN COUNTY CODE, AS AMENDED.

2. THE LOT OR PARCEL OF LAND CONTAINED WITHIN THE CEMETERY PLAT SHALL BE PROPERLY MAINTAINED AS PER THE APPROVED SITE PLAN.
3. AREAS RENDERED UNSUITABLE DUE TO POTENTIAL FOR FLOODING, HIGH TOPOGRAPHIC RELIEF, SHALLOW DEPTH TO GROUNDWATER, OR OTHER PROBLEMS PECULIAR TO THE SITE, SHALL NOT BE USED AS BURIAL SITES. **THESE AREAS SHALL BE NOTED ON THE PLAT.**
4. NO BURIAL SITES SHALL BE WITHIN THIRTY (30) FEET OF THE BOUNDARY OF AN ADJACENT PROPERTY OWNERSHIP OR ROAD RIGHT-OF-WAY LINE.
5. ABOVE-GRADE MARKERS OR MONUMENTS MAY BE USED.
6. VEHICULAR CIRCULATION WITHIN THE CEMETERY SHALL BE ASPHALTIC HARD SURFACE FOR A WIDTH OF AT LEAST TWELVE (12) FEET **WHERE ONLY ONE-WAY TRAFFIC IS PERMITTED. ALTERNATIVELY, A MINIMUM WIDTH OF TWENTY-FOUR (24) FEET SHALL BE PROVIDED TO ACCOMMODATE PASSING VEHICLES (TWO-LANE TRAFFIC).**
7. BURIAL SITES SHALL BE PROPERLY SURVEYED AND THE SURVEY SHALL BE MAINTAINED ON A SURVEY PLAT AND WITH CORRESPONDING SURVEY MONUMENTS ON THE GROUND.
8. BUILDINGS SHALL BE LIMITED TO A SEXTON'S OFFICE, STORAGE AND MAINTENANCE SHEDS.
9. THE LOCATION OF THE CEMETERY AND THE LAYOUT SHALL NOT INTERFERE WITH THE ADOPTED STREET PLANS AND PUBLIC FACILITIES OF THE OFFICIAL COUNTY ROAD MAP OF MORGAN COUNTY.

M. LANDSCAPE REQUIREMENTS:

1. ALL PROPERTY SETBACKS, INCLUDING FRONT, SIDE, AND REAR, SHALL BE LANDSCAPED WITH CAREFULLY CONSIDERED GREENSCAPE, XERISCAPE, OR COMBINATION THEREOF.
2. TREES SHALL BE PLACED ALONG THE PERIMETER OF THE PROPERTY AT AN INTERVAL OF ONE (1) TREE PER 30 FEET. MINIMUM SIZE OF ALL TREES PLANTED SHALL BE 2" CALIPER.
3. SHRUBS SHALL BE PLACED WITHIN THE PERIMETER SETBACKS IN THE AMOUNT OF ONE FIVE (5) GALLON SHRUB AND TWO ONE (1) GALLON SHRUBS PER 500 SQUARE FEET.
4. PROPOSED TREES AND SHRUBS SHALL NOT BE FRUIT BEARING. HALF OF ALL TREES AND SHRUBS SHALL BE EVERGREEN.
5. TRAILS AND PARK AMENITIES MAY BE INCLUDED TO PROVIDE FOR GATHERINGS AND MEMORIALS.
6. **EXISTING VEGETATION MAY BE COUNTED TOWARDS THE TOTAL REQUIRED TREES AND SHRUBS.**

N. EXCEPT FOR PUBLIC CEMETERIES, THE APPLICANT FOR A CEMETERY SHALL PUT INTO EFFECT A DEED COVENANT, ENDOWMENT FUND, AND

AGREEMENT TO GUARANTEE THAT THE APPLICANT AND HIS SUCCESSORS WILL PROVIDE CONTINUED CARE AND MAINTENANCE AS LONG AS ANY PART OF THE PLAT IS USED AS A BURIAL SITE. TOGETHER THE DOCUMENTS SHALL REQUIRE:

- 1. AREAS MAINTAINED AS PER LANDSCAPING PLAN.**
 - 2. REPAIR OF ANY DETERIORATION OR DAMAGE TO THE GROUNDS AND FACILITIES.**
 - 3. THE DESIGNATION OF A CORPORATE OR OTHER PERPETUATING PARTY AS TRUSTEE TO OPERATE AND MAINTAIN THE CEMETERY.**
 - 4. THE REMOVAL AND PROPER DISPOSAL OF THE REMAINS AT THE TERMINATION OF THE CEMETERY AT THE EXPENSE OF THE APPLICANT AND HIS SUCCESSORS, RATHER THAN THE PUBLIC OR SOME OTHER PARTY (FOR THIS PURPOSE THE CEMETERY SHALL NOT BE SEVERABLE FROM THE ENDOWMENT FUND PROPERTIES).**
 - 5. MORGAN COUNTY MAY ENFORCE THESE PROVISIONS, INCLUDING MAINTENANCE OF NEGLECTED CEMETERIES, OR THE REMOVAL OF REMAINS AT THE TERMINATION OF OPERATIONS, AND USE THE ENDOWMENT ASSETS TO DEFRAY THE EXPENSE.**
 - 6. THE ENDOWMENT ASSETS USED TO GUARANTEE SUCH MAINTENANCE AND REMOVAL SHALL BEAR A REASONABLE RELATIONSHIP TO THE CURRENT COSTS OF THE SAME, INCLUDING CHANGES DUE TO INCREASING NUMBERS OF OCCUPIED BURIAL PLOTS AND INFLATION. THE ENDOWMENT PROPERTIES USED TO GUARANTEE MAINTENANCE AND REMOVAL MUST BEAR A REASONABLE RELATIONSHIP TO THE CURRENT COSTS OF SAME AND PROVIDE FOR INFLATION.**
- O. THE APPLICANT COMPLIES WITH OTHER REQUIREMENTS REASONABLY IMPOSED BY THE COUNTY COMMISSION TO IMPLEMENT THE STREET PLAN, GENERAL PLAN, AND THE LEGISLATIVE INTENT OF THE ZONING DISTRICT IN WHICH THE CEMETERY IS LOCATED.**
- P. IT SHALL BE UNLAWFUL FOR ANY PERSON TO BE INTERRED, ENTOMBED, INURNED, OR BURIED OUTSIDE OF AN OFFICIALLY APPROVED AND/OR RECOGNIZED CEMETERY; PUBLIC OR PRIVATE.**
- Q. ALL CEMETERY SEXTONS, DIRECTORS, SUPERVISORS, OR OTHER ADMINISTRATIVE STAFF SHALL COMPLY WITH ALL UTAH ADMINISTRATIVE CODE REQUIREMENTS AS DETAILED WITHIN SECTION R436-8.**
- R. ALL CEMETERIES, WHETHER PUBLIC OR PRIVATE, AND ALL PERSONS OR ORGANIZATIONS FORMING, OPERATING, MANAGING, OR MAINTAINING A CEMETERY WITHIN THE COUNTY, SHALL ADHERE TO ALL APPLICABLE STATE STATUTES, ADMINISTRATIVE RULES, AND REGULATIONS GOVERNING THE ESTABLISHMENT, OPERATION, AND MAINTENANCE OF CEMETERIES.**



122 W 26th Street, Suite 1104 New York, NY 10001
accounting@polimorphic.com
(919) 812-1803

CREATED BY	Kate Armstrong	ORDER NUMBER	MO_UT_CO_001
CONTACT PHONE	303-710-5471	ORDER DATE	6/27/2025
CONTACT EMAIL	k.armstrong@polimorphic.com	VALID IF SIGNED BY	6/30/2025

CUSTOMER INFORMATION

CUSTOMER NAME	Morgan County	POC NAME	Kate Becker
BILLING CONTACT	Kate Becker	POC EMAIL	kBecker@morgancountyutah.gov
BILLING EMAIL	kBecker@morgancountyutah.gov	POC PHONE	
BILL TO ADDRESS	48 West Young Street P.O Box 886 Morgan, UT 84050		
SHIP TO ADDRESS	48 West Young Street P.O Box 886 Morgan, UT 84050		

SERVICES

SUBSCRIPTION			ANNUAL COST
AI Search & Chatbot:	Unlited web queries via Search Tool / Chatbot (Discounted from \$6K)	<input checked="" type="checkbox"/>	\$5,000
Voice AI:	To supplement existing phone line.	<input type="checkbox"/>	
CRM & Workflows:	Unlimited processes/workflows. 0 seats.	<input type="checkbox"/>	
Integrations:	Data connections to other software	<input type="checkbox"/>	
Bundle Discount: 0%			0.00
Reseller Fees: 0%			\$0
TOTAL ANNUAL SUBSCRIPTION COST:			\$5,000

BILLING

DESCRIPTION	NOTES	START	END	AMOUNT DUE	BILLING DATE
Year 1		7/1/2025	6/30/2026	\$5,000.00	7/1/2025

TERMS

Billing Terms and Conditions		
Valid Until	Jun 30, 2025	Pricing set forth herein is valid only if Polimorphic Service Order is executed on or before this date.
Payment	Net 30	All invoices are due Net 30 days from the date of invoice.
Rate Increase	4% per annum	After the final service end date listed in this service order, the Annual Subscription Service Fee shall automatically increase by this amount each subsequent year.

General Terms & Conditions	
Customer Satisfaction Guarantee	During the first thirty (30) days of the Service, Customer shall have the option to terminate the Service, by providing written notice to accounting@polimorphic.com . In the event that Customer exercises this customer satisfaction guarantee option, such termination shall become effective immediately and Customer shall be eligible for a full refund of the applicable Service Fees.
Taxes	The Service Fees and Billing amounts set forth above in this Polimorphic Service Order DO NOT include applicable taxes. In accordance with the laws of the applicable state, in the event that sales, use or other taxes apply to this transaction, Polimorphic shall include such taxes on applicable invoices and Customer is solely responsible for such taxes, unless documentation is provided to Polimorphic demonstrating Customer's exemption from such taxes.
Term & Termination	Subject to the termination rights and obligations set forth in the Polimorphic Terms of Service, this Polimorphic Service Order commences on the Order Date stated above and shall continue until the completion of the Service Period(s) for the Service(s) described above. Customer shall have the option to Terminate this Service Order on an annual basis by providing notice at least sixty (60) days prior to the end of the then current Annual Term.
Auto-Renewal	After the initial Service Period subscriptions automatically renew for successive annual periods (each an <i>"Annual Term"</i>), unless either Party provides written notice of its desire not to renew at least sixty (60) days prior to the end of the then current Annual Term. Written notice to Polimorphic should be sent to accounting@polimorphic.com .
Agreement	The signature below affirms your commitment to pay for the Service(s) ordered in accordance with the terms set forth in this Polimorphic Service Order and also acknowledges that you have read and agree to the terms and conditions set forth in the Polimorphic Terms of Service found at https://www.polimorphic.ai/terms-of-service , which are hereby incorporated into this Service Order.

Customer	
Signature	
Name	
Title	

Polimorphic, Inc.	
Signature	
Name	Parth Shah
Title	CEO