

MORGAN COUNTY COMMISSION MEETING AGENDA



**MORGAN COUNTY COMMISSION MEETING AGENDA**

**March 18<sup>th</sup>, 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.*

**4:00 WORK SESSION**

Short Term Rentals Policy for the County

**5:00 COMMENCEMENT OF MEETING**

**(A) Opening Ceremonies –**

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

**(B) Consent Agenda Items**

1. Approval of the Morgan County Commission Minutes from February 18th, 2025.
2. Approval of an RFP for the General Plan Update.
3. Approval of the County's internal budget adjustment policy.
4. Approval of **Resolution CR 25-15** appointing Commissioner Nickerson to the County's Weber Morgan Health Department Board seat.
5. Notice of applications being accepted for Airport Advisory Board members.

**(C) Commissioner Declarations of Conflict of Interest**

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

**(E) Presentations**

1. **Logan Taggart**, CEM Regional Business Manager for **Rocky Mountain Power**  
Mountain Green Substation Updates
2. **Hon. Shaun Rose**, Presentation on the roles and responsibilities of the County Recorder.

**(F) Action Items**

1. **Hon. Shaun Rose**– Discussion/Decision – Morgan County Recorder  
**Resolution CR 25-14:** Request to abate the back taxes and delete from County records the erroneous taxes assessed to parcel 00-0084-3741 serial 01-004-164-01-1.
2. **Darlene Musselman**– Discussion/Decision – Morgan County Citizen  
Concerns of blasting at WPR [Requested via phone; No documentation submitted]
3. **Hon. Sheriff Corey Stark**– Discussion/Decision – Morgan County Sheriff's Office  
Budget Adjustment requests for additional Student Resource Officers
4. **Buster Delmonte: 9Line Holdings LLC**– Discussion/Decision – Morgan County Citizen  
Request for approval of airport lease modifications that are on file with Attorney Smith. An update of lease modifications was presented to the Commission on 17 December 2024.

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5. **Josh Cook**– Discussion/Decision – County Planning Director

**The Heights at Whisper Ridge, Amended Plat No.2:** A request for approval of an amendment to the Heights at Whisper Ridge Subdivision P.U.D. for a series of lot line adjustments that will affect four (4) lots. // Applicant: Craig North // Application No. 24.065

6. **Josh Cook**– Discussion/Decision – County Planning Director

**Gardner Development Rezone:** A request to rezone property from a split-designation of Rural Residential (RR-1), Agriculture (A-20), Highway Commercial (CH), and Multiple Residential District (RM-15) to a RM-15 completely, and reflect that change on the Future Land Use Map from a split-designation of Rural Residential 1 and Town Center to Town Center completely. The properties are identified by parcel numbers 00-0004-9153, 00-0003-3975, 00-0004-7595, 00-0003-3934, and 00-0003-3926 and serial numbers 03-005-042-01, 03-005-042-04, 03-005-041-05, 03-005-041-04, and 03-005-041-03 and are approximately located near 4815 W Old Hwy Rd in unincorporated Morgan County. // Applicant: Gardner Development // Application No. 24.060

7. **Josh Cook**– Discussion/Decision – County Planning Director

**Giles Estates Plat Amendment No. 1:** A request for approval of an amendment to the Cottonwood Spring View A PUD Subdivision Phase 7B for the consolidation of two (2) lots into one (1) lot, which are identified by parcel numbers 00-0092-5446 & 00-0092-5445 and serial numbers 09-COSPR7B-0754 & 09-COSPR7B-0753 and are approximately located at 3049 and 3059 West Summit View Circle in unincorporated Morgan County. // Applicant: R. Matt Slate // Application No. 24.061

8. **Josh Cook**– Discussion/Decision – County Planning Director

**Cottonwoods Phase 7B, Amended Plat No. 3:** A request for approval of an amendment to the Giles Estates Subdivision for a series of lot line adjustments that will affect four (4) lots, which are identified by parcel numbers 00-0061-9013, 00-0061-9278, 00-0061-9435, and 00-0061-9682 & serial numbers 01-GILES-0001, 01-GILES-0002, 01-GILES-0003, and 01-GILES-0004 and are approximately located at 163, 173, 179, and 193 S Morgan Valley Dr in unincorporated Morgan County. // Applicant: Chase Hansen // Application No. 24.063

9. **Josh Cook**– Discussion/ **Public Hearing**/Decision – County Planning Director

**Helsten Rezone:** A request to rezone property from Neighborhood Commercial (NC) to Town Center (TC). The property is identified by parcel number 00-0004-8486 and serial number 03-005-050-02 and is approximately located 630 feet northwest of the intersection of West Old Highway Road and North Trappers Loop Road in unincorporated Morgan County. // Applicant: Kelvin Judd // Application No. 24.0079

10. **Hon. Raelene Blocker** – Discussion/Decision – Morgan County Commission

**Resolution CR 25-11** Nomination and appointment of **Tom Telford** as Planning Commissioner to represent the Mountain Green area.

11. **Hon. Mike Newton** – Discussion/Decision – Morgan County Commission

**Resolution CR 25-06** Nomination and appointment of **Matt King** as Planning Commissioner to represent the Croydon and Round Valley areas.

12. **Kate Becker** – Discussion/**Public Hearing**/Decision – Administrative Manager



## MORGAN COUNTY COMMISSION MEETING AGENDA

**Ordinance CO 25-05** Discussion and approval of an ordinance providing for the control of Noxious Weeds within the County and the establishment of a County Weed Board.

**13. Kate Becker** – Discussion/Decision – Administrative Manager

**Resolution CR 25-16** modifying Waste Management and Recycling Fees

**14. Kate Becker** /on behalf of **Daughters of Utah Pioneers** – Discussion/Decision

**Resolution CR 25-17:** Request for both permission and funds to connect the Pioneer Building to County internet and security cameras.

**15. Kate Becker** – Discussion/Decision – Administrative Manager

- a. Budget Adjustment Request for rollover ARPA funds.
- b. Budget Adjustment Request for rollover Flood Disaster Funds.

**16. Kate Becker** – Discussion/Decision – Administrative Manager

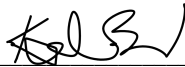
UAC Registration and discussion on Commission conference and travel approval process.

**CLOSED SESSION:** UCA 52-4-205 (1) (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares [...]

### **(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 this the 13th day of March 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](mailto:Jeremy@morgancountyutah.gov)** at least 24 hours before the scheduled meeting.

STR things to consider:

1. What structures to allow STRS in?

Home sharing...where you can rent out bedrooms. (I say no – except see Olympics section)

ADUs...whether internal or external

If you're renting part of home, do you allow STRs in rest? ( I say no)

Right now, I have it drafted that the entire residential unit is an STR and no one else can occupy it.

There are counties that only let primary residential home owners have STRs. I don't think that's workable for our area and I just don't want to go to battle over the Commerce Clause over it. It makes sense not to do that.

2. Where to allow STRS.

How do you manage counting and knowing where they are? GIS mapping?

Do you do it by whole county, subdivision, zone, structure type, etc?

Janet's thoughts, which are not relevant, but I sometimes can't keep my mouth shut:

I think that we need STRs. And it makes sense to have them in resort zones, town center, etc. As far as I know, we do not have a lot of hotels here. Meanwhile, everyone going to Snowbasin or floating the Weber is staying out of county. We need STRs to house people so they spend money here. And frankly, I don't stay in hotels when I go somewhere, and I spend money when I go somewhere. I would guess the people staying in STRs spend more locally than hotel people. With that, it makes sense to have them concentrated in town centers or resort zones near commercial areas instead of our regular subdivisions where we want families.

We need rental property. I get that. But, I think that will even out eventually as we limit the number of units in each zone, subdivision, etc. as the commercial spaces will need workers...most likely these workers won't have the cars or insurance to travel the canyon.

Many people are looking forward towards the Olympics, which just means a few months of big bucks...which in the scheme of the cost purchasing an investment unit doesn't make sense. I included in the ordinance my thoughts on a potential section on the Olympics. My thought is that may stymie prospector thoughts of just buying to cash in on Olympics if we include it. It still needs work.

Regardless, limiting the number of STRs may start to slow the buying of property just for STR income. Although, I just think there is going to always be a want to come to this county to visit and stay. We now have the opportunity to control where that happens and wouldn't it be better to have STRs in certain zones or areas we control than a million Motel 6's? It's also time that all the spending of tourists goes to businesses here, not Weber or Davis or SL or as in the case of my weird CA cousin my guest room. We need to help the commercial zones we want here.

We can always increase the number. It will just be harder to decrease the number.

### 3. Compliance

Thankfully, we now have help in the Planning Department to help with compliance. Obviously, whatever we end up doing, the current STRs are grandfathered in, as long as they are compliant with our current code. I've tried to draft our new ordinance to somewhat limit this as a license and not an entitlement....not sure that it works, but if we get this passed soon, I think we will still be under the number we decide to allow under whatever avenue we pursue. With that, this ordinance has compliance requirements and licensing compliance, and I think we are okay as if any of the grandfathered STRs don't comply going forward they'll lose their licensing. I'm doubtful that all of them are in compliance right now anyway. We just haven't had the man power to keep up. I think we will now, especially if we utilize strict application processes.

4. All our ducks in a row. I am including in this packet proposed drafts of application, inspection checklists, etc. I would like that when we pass whatever form of ordinance, we also include the approved fees, application, inspection checklists and fees, website form, good neighbor policy brochure so we are not waiting on that to get applications though. This was my bad in the past.

5. There lots more to think about. But, I hope this draft and the documents with it help give some guidance on the issues we really need to think about. I have been reading ordinances from all over UT and outside UT for a year now trying to come up with something workable. This is not a pretty draft, and I'm certain the numbering, wording, labelling, etc is off as I'm looking at big picture concepts and pitfalls.

## § 155.350 Short Term Rentals

### [A] Purpose.

- (1) Create a process for the application and licensing of a residential unit for transient use as a short term rental. Address the granting, enforcement, and revocation of a Short Term Rental License.
- (2) Establish that the short term rental of a unit is a transient use only permitted by a valid county license. It is not a dwelling type, zone, or entitlement. Also establish that a license only will be granted where the utility infrastructure, size limitations, setbacks, parking requirements, and all other licensing requirements are strictly complied with, as well as all county, state and federal laws.
- (3) Establish regulations to safeguard the public health, safety, and welfare by providing for the licensing and maintenance of a short term rental in the unincorporated areas of Morgan County.
- (4) Ensure that transient use of a residential unit for short term rental is operated in a manner that is safe for transient users.
- (5) Ensure that a Short term rental License is only granted when it is compatible with the surrounding neighborhood and protects the overall character of the community, mitigating the effects of a short term rental on neighborhoods from increased noise, traffic, parking, trash, waste, and water use.

### [B] Applicability.

- (1) As provided in Utah Code Ann. § 17-50-338, the following definitions apply to this Chapter:
  - (a) “Residential unit” means a residential structure or any portion of a residential structure that is occupied as a residence. Residential unit includes County-approved accessory dwelling units, both internal and detached.
  - (b) “Short-term rental” means a residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days.
  - (c) “Short-term rental website” means a website that:
    - (i) allows a person to offer a short-term rental to one or more prospective renters; and
    - (ii) facilitates the renting of, and payment for, a short-term rental.

(2) This section applies to the short term rental of a residential unit in the unincorporated areas of Morgan County as defined herein, where a valid license is maintained. It does not apply to long-term rentals. It does not apply to a bed and breakfast, boarding/lodging facility, hotel, condotel, motel, timeshare, fractional ownership unit, other similar facility with a central check-in location, or ongoing month-to-month tenancies.

(3) Approval required. It is unlawful for any person to use any property as a short term rental within the unincorporated area of Morgan County without short term rental approval pursuant to this chapter.

(4) Licenses, land use permits, and other applicable law. A short term rental use requires a short term rental license, as provided herein, a business license, as provided in \_\_\_\_\_, and shall only be conducted in a residential unit with all appropriate land use permits, building permits, certificates of occupancy, and any other approval as required by this Land Use Code, other County codes, and State and Federal law.

[C] Prohibitions. A short term rental license will not be issued for any of the following:

(1) Building not approved for residential occupancy. A short term rental is not allowed in any building unless it has received approval for a residential use and has a certificate of occupancy.

(2) Restricted housing. A short term rental is not allowed in a residential unit that has been reserved for workforce housing.

(3) Private covenants. A short term rental license is invalid if issued for any property that is subject to private covenants that prohibit the property's availability for short term rentals. This applies regardless of how the private covenants are labeled and regardless of whether or not the private covenants are enforced by a homeowner's association or committee.

(4) Density Limitations:

(a) Only one short term rental. Only one residential unit—primary residential unit or Accessory Dwelling Unit—on a lot or parcel may obtain a license as a short term rental, and only where the unit legally exists. The short term rental shall not have lockouts or other features that increase the number of units being short-term rented in any manner. The entire residential unit may constitute a short term rental, but only for the approved square footage in the license and at the situs for the short term rental as set forth in the license. No other residential unit or portion of a residential unit may be rented as a short term rental. Room shares, home shares, hostel-rooms, or amenity rentals (shared kitchen, bathroom, amenities, or other common facilities) are prohibited. All provisions in this code shall be met, including the size limitations and setbacks for the residential unit as applicable in the zone.



(b) Short Term Rental License Density Limit:

No short term rental may be approved or allowed within 1,000 feet of an existing, conforming short term rental. The Planning Department will provide a GIS mapping of all licensed short term rentals.

OR

Except as provided otherwise herein, each subdivision or phase of a subdivision is limited to the number of short term rental licenses that do not exceed 10% based on the number of lots in the subdivision or phase thereof. No additional short term rental licenses shall be granted for a fractional number of lots (i.e., a subdivision or phase with 15 lots may only obtain up to one short term rental license). short term rental licenses shall be disbursed throughout the subdivision based on its phases and limited in number based on the number of lots in each phase and the total number of lots in the subdivision (i.e., a subdivision phase with 28 lots may obtain up to two short term rental licenses; a subdivision with a total of 98 lots may obtain up to nine short term rental licenses if appropriately disbursed by phase). If an approved overlay zone has more restrictive short term rental density limit provisions, the more restrictive controls over the less restrictive.

Each subdivision, or phase of a subdivision in a Resort Zone, Town Center District, and Resort Special District, is limited to the number of short term rental licenses that do not exceed 15% based on the number of lots in the subdivision or phase thereof.

OR                      Except as provided herein, short term rentals are only allowed in the approved Short Term Rental Overlay Zones. The number of short term licenses allowed in each zone shall be a percentage of the number of lots contained therein as follows:

Then come up with zones?

OR

The number of short term rentals shall be limited to 10% of the number of legal residential units in the County. Short term rentals shall be approved on a first come, first serve basis.

[D] Waiting list.

(i) The Planning Department shall develop and implement policies regarding a waiting list for Short Term Rental Licenses by subdivision, zone, and/or district OR however, we end up limiting numbers.

(ii) Applications for new licenses shall be issued in accordance with the waiting list. The county shall notify the first property owner on the waiting list for a zone, district, or area when the denial, expiration, or revocation of a license makes a license available in that area. Notice shall be provided by first class mail to the address provided by the property owner. The property owner shall have thirty (30) days to submit a complete application for licensure. If no conforming application is submitted by 5:00 p.m. MT on the deadline, the property owner shall be removed from the waiting list, and the county shall provide notice to the next property owner on the list of the availability of a license. Positions on the list shall be personal to the owner and shall not transfer with the property.

(iii) If license or license renewal is denied or revoked as provided in this chapter, the property owner must apply for a new license and shall be treated accordingly in placement on any waiting list. No applications for licenses subject to a revocation period shall be accepted or placed on a waiting list until said revocation period has ended.

[D] Application Procedure. Application for short term rental license. The application and review procedure for a short term rental license shall include the requirements outlined in the business license procedure and the short term rental license procedure as follows:

(1) Application submittal requirements:

(a) Only the owner of the residential unit may apply for a short term rental and must include proof of ownership of the residential unit;

(b) A site plan drawn accurately to scale that shows property lines and dimensions, and that includes the following:

(i) Driveway;

(ii) Parking plan demonstrating compliance with the parking standards established in Morgan County Land Use codes, and any other relevant parking standard found in this Chapter;

(iii) Existing fencing or perimeter screening, if applicable;

(iv) Trash disposal and collection plan demonstrating compliance with the trash disposal and collection standards established in [H](4)(i); and

(v) Outdoor lighting plan showing compliance with [H](4)(j), including the replacement of all nonconforming outdoor lighting on the property;

(vi) Detailed floor plan of the entire building or buildings to be used for short-term renting, indicating all areas allowed to be occupied or used by short term rental occupants;

(vii) Commitment to serve, also known as a will-serve letter, from the utilities providing culinary water and sanitary sewer services, or, if the short term rental will be served by a well or septic system, the local health department. The will-serve letter shall specify the maximum occupancy or number of sleeping rooms allowed to be associated with the short term rental use;

(viii) Submission of a building permit and associated land use permit, unless no building modifications are required in order to attain compliance with building codes, in which case certificates of occupancy shall be submitted;

(ix) Submission of the name and contact information associated with the individual or management company being designated as the Responsible Local Agent and any other back-up Responsible Local Agent, as required by this Chapter;

(x) Signed acknowledgment by the owner, property manager (if any), and Responsible Local Agent that they have read this short term rental ordinance and understand the licensing, operational standards, and violation and revocation provisions;

(xi) Proof of insurance coverage in the amount of \_\_\_\_\_; and

(xi) An application fee as set forth by the County.

(2) Complete Application Required: A license shall not be issued unless each of the County's requirements are completed in full, as determined by the Zoning Administrator.

(3) Review procedure:

(a) Staff review. Upon submittal of a complete short term rental application, the Zoning Administrator will review the application to verify compliance with this chapter and any other relevant component of Morgan County Code.

(b) Agency reviews. The Zoning Administrator will route the application to the local Fire Authority and Building Official, for verification of compliance, determination of need for application modifications, and for the submittal of other applications and inspections necessary to obtain their approval of a license. The short term rental shall comply with local regulations and ordinances for a residential unit.

(c) License issuance. If the application complies with relevant land use laws and receives all required department and agency approvals, the license shall be issued after the initial property inspection finds that the proposed short term rental is in compliance with the requirements of this chapter. The Zoning Administrator shall determine if the application is complete and all the criteria are met, and make a decision based on substantial evidence whether to issue or deny a Short term rental License. The licensing decision of the Zoning Administrator is a final administrative decision.

(d) Conditions of approval. The Zoning Administrator may apply conditions of approval based on the standards listed in (conditional use standards??).

- i. Landline phone registered with 911 and County emergency response agencies.
- ii. Certified sprinkler system or other approved fire safety plan.
- iii. Limited dates of short term rental.
- iv. Limited number of occupants.
- v. ????

(e) Short term rental license and business license required. A short term rental license and business license are required to operate a short term rental on each property where a short term rental is located.

(f) License Renewal: Existing licensees must submit for license renewal and pay the required fee by no later than December 1st of each year, regardless of the date of the initial license issuance. The Zoning Administrator shall determine if all the criteria for renewal are met, and make a decision based on substantial evidence whether to renew or deny a Short term rental License. The decision of the Zoning Administrator is a final administrative decision.

(g) Owners wishing to renew a license must provide the following:

- (i) License renewal application;
- (ii) Inspection reports. Building inspection, if required by the Zoning Administrator. EMS and Fire Inspection.
- (iii) Evidence of tax remittance from the year prior, including those short term rentals using an approved Utah Marketplace Facilitator;
- (iv) Any other documentation required by the County;
- (v) Additionally, a Short term rental License shall be renewed annually, or when the property is transferred to a new owner, whichever occurs first. Each change in ownership of the property where a license exists requires a new license within 30 days of the transfer. No existing license may be

assigned or transferred to another person, entity, or property.

#### [E] Property Inspection

(1) Initial property inspection: Properties applying for their first short term rental license shall be inspected for compliance with the provisions of this chapter and other applicable sections of Morgan County Code, including a building inspection and EMS & Fire inspection. The Zoning Administrator shall have the option of designating a county inspector or may allow a third-party building inspector, at the applicant's expense, to conduct the building inspection. Fire and EMS safety inspections shall be performed by the applicable fire authority per this ordinance. Any code deficiencies applicable to the structure at the year of construction and occupancy found during this initial inspections, as well as any health, safety, and welfare issues identified during inspections, shall be resolved to the satisfaction of the inspector prior to the issuance of a short term rental license. Failure to resolve these issues within 90 days shall result in denial of the application.

(2) License renewal property inspection: The County, at its discretion, may require that a property be inspected by a building inspector prior to the renewal of an existing license. The Zoning Administrator shall have the option of designating a county inspector or a third-party building inspector, at the applicant's expense to conduct the inspection. Should the property fail the inspection, the owner shall have 90 days to bring their property into compliance, or the license renewal will be denied. A license may be immediately suspended if life/safety concerns arise during the inspection. If a license is suspended, the property owner must rectify the concerns that led to the suspension within the 90 days to continue with the renewal application procedure. Failure to do so will result in the denial of the renewal.

(3) License renewal EMS & Fire inspection. Fire and EMS safety inspections shall be performed by the applicable fire authority per this ordinance prior to the approval of any renewal. Should the property fail the inspection, the owner shall have 90 days to bring their property into compliance, or the license renewal will be denied. A license may be immediately suspended if life/safety concerns arise during the inspection. If a license is suspended, the property owner must rectify the concerns that led to the suspension within the 90 days to continue with the renewal application procedure. Failure to do so will result in the denial of the renewal.

(4) Property inspection after violation: If the County receives a complaint or notice of violation of any applicable County regulations at any time, the Zoning Administrator may request a building and/or EMS & Fire inspection to determine compliance with the regulations. Any deficiencies found during the inspections, as well as any health, safety, and welfare issues identified during inspections, shall result in the immediate suspension of the license. Failure to resolve these issues within 90 days shall result in revocation of the license. This is a final administrative denial.



(5) No third inspections allowed. Owners are encouraged to review the inspection checklists prior to making an inspection appointment. Failure to pass the first inspection shall result in double fees for the second inspection. Failure to pass the second inspection will result in immediate denial of the license application or revocation of any current license. Notwithstanding any other provision of revocation, said owner shall not be allowed to re-apply for two years after failure of last inspection under this subsection.

#### [F] Applicable Taxes and Remittance

(1) An owner of a short term rental is responsible for collecting and remitting all applicable state and local taxes, either through a third-party agency or individually.

(2) Owners who fail to collect and remit applicable taxes shall not be eligible for annual license renewal.

(3) All owners shall be required to provide proof of remittance of the appropriate tax, regardless of whether said tax is collected and remitted by them or a third party, including by an approved Utah Marketplace Facilitators, prior to the approval of a license renewal.

(4) The County reserves the right to conduct routine tax audits to verify appropriate tax remittance of any short term rental at any time or prior to license renewal.

(5) Any failure to remit the appropriate tax shall result in revocation or denial of the short term license.

#### [G] Responsible Local Agent

(1) Appointment of agent. The owner of a short term rental shall appoint a Responsible Local Agent for the rental property. This appointed Agent may be the owner or designee, independent property manager, or a professional property management company with a County address. The appointed Agent shall be on-call to manage the property during any period within which the property is occupied. This Agent must be able to respond in person within 60 minutes of receiving notification of a complaint to address any complaints that may arise from the operation of the short term rental. The Agent must have physical access to the short term rental property and shall be authorized to make decisions regarding the short term rental property on behalf of the owner. Designating one or more back-up agents is strongly advised to ensure this responsibility is fulfilled. The Agent's information shall be provided to the owners of all adjacent properties. The failure of the Agent to respond constitutes a major violation.

(2) Safety. A Responsible Local Agent is not required to, and should not, place themselves in a situation that could cause them physical harm in order to attempt to address a complaint.

(3) Notification of agent change. The owner shall notify the Planning Division within seven calendar days of a modification to the appointed Responsible Local Agent and shall provide the name, address, and telephone number of any newly appointed agent. It is the owner's responsibility to update this information throughout the term of the license and update any required postings or notices for the short term rental.

#### [H] Operating Standards

##### (1) Occupancy:

(a) Occupancy Limits: The maximum occupancy for a short term rental property shall be no more than two people per bedroom, plus four people, for up to a maximum of 16 people per short term rental. Only legal bedrooms may be rented or used as sleeping quarters. Sleeping accommodations shall not be provided, rented, or used in rooms other than approved bedrooms. No short term rental may be rented or used by more people than the maximum access and occupancy limit. Access to the property shall be limited to confirmed guests. It is the owner or property manager's duty to monitor its short term rental to prevent violations of the access and occupancy limits with monitors, cameras, or guest screening applications. Data from short term rental monitors, cameras, or guest screening applications shall be stored by the owner or property manager for 90 days and shall be provided to the County no later than five business days after a request, in an easily accessible format.

(b) Reduction in Occupancy: A property's maximum occupancy may be reduced due to unique characteristics, including, but not limited to, parking constraints or septic/sewer system capacity.

(c) Increased Occupancy: A greater maximum occupancy may be approved following additional review and approval of applicable reviewing agencies and the provision of additional components that would otherwise limit capacity (e.g., fire suppression systems, parking capacity, septic/sewer capacity, culinary water rights, and the number of available sleeping rooms).

(d) Single Contract: Owners shall not concurrently rent individual rooms or areas to more than one unrelated party for the same night or nights.

(e) External Sleeping Accommodations Prohibited: All sleeping accommodations must be maintained inside the licensed residential unit as indicated by the approved floorplan. External accommodations such as yurts, tents, recreational vehicles, or temporary structures may not be used for sleeping.

(f)

(g) Parking Requirements:

(i) At least one parking space measuring nine feet by 20 feet shall be provided for each two sleeping rooms offered, but never fewer than two parking spaces.

(ii) Vehicles must be parked within property boundary lines and in accordance with the approved parking plan.

(iii) No parking is allowed within the property's adjacent rights-of-way.

(iv) No vehicles shall be parked on the lawn or landscaped areas.

(v) No vehicles with a passenger capacity greater than 16 persons may be parked on the property.

(vi) Trailers and oversized vehicles shall be parked in the designated spaces per the approved parking plan.

(h) Noise: No sound exceeding 50 dB or amplified sound is allowed between 10:00 p.m. and 8:00 a.m.

(i) Nature of Use: The short term rental must remain consistent with the residential nature of the area. The short term rental may not be used for a purpose not incidental to its use for lodging or sleeping purpose. This restriction includes, but is not limited to the following:

A. Events, such as a wedding, banquet, reception, bachelor or bachelorette party, concert, fundraiser, sponsored event, or any similar group activity.

B. Distribution of retail products, rental of personal property, or personal services to invitees.

(j) Trash Disposal: All short term rental properties must have a trash disposal and collection plan to prevent issues with wildlife, snow removal, and unsightliness. Trash containers must be stored behind the property's front setback line except on collection days.

(k) Outdoor Lighting: All outdoor lighting must comply with the exterior lighting requirements set forth in \_\_\_\_\_ of the Land Use Code.

(l) Signage: On-site signage to advertise the property as a short term rental is prohibited.

(m) Fire Safety:

- (i) The property must have access that meets the fire marshal's requirements for a fire access road.
- (ii) Smoke and carbon monoxide detectors must be installed and maintained per building and fire codes.
- (iii) An emergency egress plan must be posted on each level of the property and include the EMS/Fire safety plan posted by front door and in kitchen.
- (iv) Properties within the Wildland-Urban Interface (WUI) must comply with the current WUI code requirements.

(n) Animals:

- (i) Animals must be kept on a leash while outdoors.
- (ii) No animal shall be allowed to roam freely without supervision.

(2) Street Addressing: Each licensed short term rental property shall have its assigned street address posted externally in a conspicuous location where it can be easily viewed day or night from the adjacent street or access way.

(3) Advertising Requirements. As provided in UCA 17-50-338, the following advertising requirements are not intended to prohibit an individual from listing a property for short term rental on any short term rental website.

(a) All advertising for a short term rental property shall include the following information in searchable plain text:

- (i) The property's short term rental license number and business license number;
- (ii) The property's maximum permitted occupancy;
- (iii) Maximum parking capacity, including the (un)availability for parking of large vehicles or trailers;
- (iv) A digital link to the County's short term rental regulations; and
- (v) The following language shall be included verbatim in a prominent location of the advertisement:

“Any advertisement for a short term rental property in unincorporated Morgan County, Utah, that does not provide a

unique license number is unlikely to be a lawfully licensed short term rental.”

(b) Advertising for a short term rental that does not have a Short Term Rental License and/or Business License, may be used as evidence in conjunction with other evidence to substantiate a violation of this Chapter. Failure to include the information contained in (3)(a) in advertising is a violation of this Chapter and does not require additional evidence.

(4) Information Dissemination Requirements. The owner shall have a clearly visible and legible notice posted in the residential unit on or near the front door, and in the kitchen, containing the following information:

(a) Short Term Rental License number;

(b) The name, address, email, and phone number of the owner or owner-occupant of the short term rental, and the name, address, email, and phone number of the property manager, if there is one, and a statement identifying the Responsible Local Agent, their contact information, and advising their availability to respond within 60 minutes, 24 hours a day, seven days a week, 365 days a year;

(c) The E-911 address of the property;

(d) The property’s maximum occupancy;

(e) The property-specific parking plan, including the maximum number of vehicles allowed to be parked on the property, the location of parking for large vehicles or trailers, the prohibition of parking in the public right-of-way, and all other applicable parking rules;

(f) A map and description of the locations of fire extinguishers and emergency egress routes (additionally included on each floor);

(g) Unit specific applicable requirements regarding noise, parking, trash pickup, and fire restrictions that will foster good neighbor relations;

(h) Current fire restriction information, as disseminated through the Morgan County Fire District website;

(i) The trash pick-up day and notification that trash receptacles and refuse shall not be left on the street. Trash receptacles shall not be placed on the street earlier than 5:00 p.m. the day before scheduled pick-up and shall be removed by noon the day after scheduled pick-up;

(j) Good Neighbor Policy. Notification that a renter or guest may be cited and fined for creating a disturbance or violating the Good Neighbor Policy or any



provisions of local, state, or federal law; and

(k) Any other information deemed necessary by the reviewing agencies to ensure the public's health and safety.

[I] Limitation of Liability. Morgan County assumes no responsibility for the operation of the short term rental, and the owner covenants and agrees to hold the county harmless for any injury or damage which may occur, of whatever type or nature, as the result of the operation of the short term rental. The owner shall maintain appropriate liability insurance for the short term rental. The owner further warrants and agrees to compensate the county for any expense incurred in the defense of any lawsuit or other type of action which may be brought against the county as a result of the owner's or owner-occupant's operation of this use. Nothing contained in this section allows a short term rental if otherwise prohibited by any applicable covenants. Covenants are privately enforced according to their terms.

#### [J] Enforcement

##### (1) General Enforcement:

(a) This section shall be enforced by the Planning and Development Department, Fire Authority, the Morgan County Sheriff's Office, and the County Attorney's Office as deemed appropriate by the county.

(b) Issuance, maintenance, or retention of a Short Term Rental License is strictly contingent on compliance with all requirements in this section, and county, state, and federal law.

(c) All renter or guest complaints shall first be directed to the owner, local property manager, or Responsible Local Agent who shall respond within 60 minutes and shall attempt to resolve the issue within two hours.

(d) County complaints shall be directed to the owner, property manager, or Responsible Local Agent, who must respond within one hour and be physically present at the short term rental within two hours.

(e) Civil penalties or criminal citations related to violations can be enforced against the owner, local property manager, and/or Responsible Local Agent.

(2) Minor Violations. Certain violations are defined as minor violations. Except as provided in [J] (3), violations of any of the terms of this ordinance and specifically those listed in [H] shall be minor violations unless the violation endangers public health, safety, or welfare.

(a) The civil fine for each minor violation is as follows:

(i) First violation. \$300.

(ii) Second violation. \$500.

(iii) Third violation. \$1,000.

(b) A violation notice may be issued based on substantial evidence for any action that violates this section. Any combination of three violations shall result in denial, non-renewal, or revocation of the short term rental license, which is a final administrative decision.

(c) Two-Year Revocation. Upon denial, non-renewal, or revocation of the short term license for three minor violations, the owner may not apply for a new license for two years. This provision shall not apply if the property is sold, or otherwise transferred, to an independent, unrelated party, in which case the new property owner may apply for a new license at any time.

(d) Five-Year Violation Reset. If a property with a Short Term rental License has no violations for a continuous five-year period, the accumulated violations reset to zero.

(3) Major violations.

(a) Certain violations are defined as major violations as follows:

(i) Any action that endangers public health, safety, or welfare;

(ii) Offering, operating, or renting a residential unit, or portion thereof, as a short term rental without a valid Morgan County Short Term Rental License or Business License;

(iii) Failure to collect and remit taxes, including transient room tax, at the time of a rental of a licensed, illegal, or unlicensed short term rental unit; and

(iv) Fraud, misrepresentation, or a false statement of material fact in the license application.

(b) Pursuant to Utah Code Ann. § 17-27a-803(3), the civil penalty for each such violation is \$4,000 after notice and a 14-day reasonable opportunity to cure the violation. Substantial evidence of the violation, and failure to pay the fine within 20 days of the written violation notice, will result in a Notice of Fine being filed with the county recorder against the property evidencing the violation and fine, and mailed to the record owner of the property. When the fine has been paid or resolved, the County will file a Notice of Satisfaction of Fine. Any property with

a recorded Notice of Fine is not eligible to hold or obtain a Morgan County Short Term Rental License. Violations may also be prosecuted as a class B misdemeanor. Each additional violation is a separate class B misdemeanor. Any major violation cured within the 14 day period is still subject to a \$4,000 civil penalty, which must be paid within 20 days of the written violation.

(c) Denial, Non-Renewal, or Revocation for Major Violation. If the major violation is not cured within the 14 days, the Short Term License shall be revoked. If the major violation is cured within the 14 days and fine paid, the Zoning Administrator, in his or her discretion, may allow the reinstatement of the Short Term License on a probationary status for two years and impose any conditions as reasonably necessary to insure compliance with this code. Any subsequent major violation or two minor violations within the two year probationary period shall result in immediate revocation of the Short Term License as a major violation.

(d) Five Year Revocation. If the short term license or renewal is denied or revoked due to a major violation, the owner may not apply for a new license for five years. This provision shall not apply if the property is sold, or otherwise transferred, to an independent, unrelated party, in which case the new property owner may apply for a new license at any time.

[L] 2034 Winter Olympics/Paralympic Winter Games Temporary Short Term Rental License Provision.

(1) Purpose. In anticipation of the XXVII Winter Olympics to be hosted by Salt Lake City, Utah from February 10-26, 2034 and Paralympic Winter Games from March 10-19, 2034, the County wishes to provide date specific regulations to accommodate athletes, coaches, and their families participating in those events. Nothing in this section shall otherwise modify the short term rental ordinance. This section shall not create any entitlements or rights outside this code and its effective dates.

(2) Applicability.

(a) Effective dates of temporary, home-share short term rental license. This provision of the short term rental ordinance shall apply from November 1, 2033 to April 1, 2034.

(b) Effect. Nothing in this section shall otherwise modify any existing licensed short term rental or modify the applicable regulations for application or operation of the short term rental.

(3) During the effective dates, temporary, home-share short term rental licenses shall be allowed as follows:

Number of temporary licenses by zone, area, however we determine.

(4) Application.

(a) Timing. On January 15, 2033, the County will start accepting applications for temporary home-share and primary residence short-term rentals for the period of November 1, 2033 to April 1, 2034. All regular application procedures and requirements shall apply.

(b) Prohibitions.

i. The residential unit must be the owner's primary residence as defined in \_\_\_\_\_. The owner must provide proof of primary residence status for the years of 2032 and 2033.

ii. No residential unit nor portion of a residential unit that has been or is leased or otherwise under a rental or lease agreement from January 1, 2033 to February 1, 2034, shall be eligible for a temporary home-share short term rental permit.

iii. Multiple bookings of the residential unit or portions of the residential unit during the same time are strictly prohibited. Only single bookings of the residential unit are allowed. Owners and/or their renters may remain in the residential unit during short term rentals.

(c) All other application procedures and requirements to obtain a short term rental license shall apply.

(d) Owner occupied home shares are allowed. Owner-occupied residential units may rent bedrooms in a home sharing arrangement; however, if more than one bedroom is short term rented, they must all be under the same booking. Multiple bookings of separate bedrooms and/or other portions of the residential unit are strictly prohibited. No portion of a residential unit under lease or rental may be used in a home share short term rental.

# Morgan County Short-Term Rental Inspection Checklists

The following two inspections are required prior to the licensing of any short-term rental, renewal, and/or request of Zoning Administrator of any short-term rental prior to licensing, renewal, or continued compliance.

Prior to calling the appropriate agencies to obtain these inspections, the owner must review these checklists and make the best efforts to comply with said lists. Any second inspections will be charged double the initial inspection fee. No third inspections will be allowed, and upon failure to pass a second inspection shall result in the denial and/or revocation of any license.

---

## EMS/Fire Safety Inspection Checklist

### 1. Life Safety Systems: Smoke & CO Detectors, Fire Extinguishers

- Required emergency egress plans and safety notices are posted at the front door, kitchen, and each level.
  - ☐ Compliant ☐ Not Compliant
- Carbon monoxide detectors are properly installed, maintained, and functioning per code.
  - ☐ Compliant ☐ Not Compliant
- Carbon monoxide detectors are installed within 15 feet of the entrance to each sleeping room.
  - ☐ Compliant ☐ Not Compliant
- Smoke detectors are properly installed, maintained, and functioning per code.
  - ☐ Compliant ☐ Not Compliant
- A 5 lb. dry chemical (ABC) fire extinguisher is located in a conspicuous location near an entry door.
  - ☐ Compliant ☐ Not Compliant
- A 2 lb. dry chemical (ABC) fire extinguisher is located in the kitchen. If the extinguisher is in a cabinet or not visible, an 'Extinguisher' sign must be posted.
  - ☐ Compliant ☐ Not Compliant
- Fire sprinkler system operable and currently up to date, if required.
  - ☐ Compliant ☐ Not Compliant

Section Comments: \_\_\_\_\_

- Carbon monoxide detectors are properly installed, maintained, and functioning per code.
  - ☐ Compliant ☐ Not Compliant



- Carbon monoxide detectors are installed within 15 feet of the entrance to each sleeping room.
  - ☐ Compliant ☐ Not Compliant
- Smoke detectors are properly installed, maintained, and functioning per code.
  - ☐ Compliant ☐ Not Compliant
- A 5 lb. dry chemical (ABC) fire extinguisher is located in a conspicuous location near an entry door.
  - ☐ Compliant ☐ Not Compliant
- A 2 lb. dry chemical (ABC) fire extinguisher is located in the kitchen. If the extinguisher is in a cabinet or not visible, an 'Extinguisher' sign must be posted.
  - ☐ Compliant ☐ Not Compliant
- The fire/disaster escape plan is posted at front door, kitchen, and each level.
  - ☐ Compliant ☐ Not Compliant
- Fire sprinkler system operable and currently up to date, if required.
  - ☐ Compliant ☐ Not Compliant

**Section Comments:** \_\_\_\_\_

## **2. Egress & Escape (Included in both checklists)**

- Required emergency escape openings and doors from bedrooms are maintained in accordance with the building code at the time of construction.
  - ☐ Compliant ☐ Not Compliant
- Openings and doors, including storm windows, are operational from inside the room and without the use of keys or tools.
  - ☐ Compliant ☐ Not Compliant
- Means of egress, including exterior means of egress stairways, are properly illuminated.
  - ☐ Compliant ☐ Not Compliant
- The structure does not have excessive use of extension cords.
  - ☐ Compliant ☐ Not Compliant
- Fire access road meets the fire marshal's requirements, including clearances and turnaround space.
  - ☐ Compliant ☐ Not Compliant

**Section Comments:** \_\_\_\_\_ (Included in both checklists)

- Required emergency escape openings and doors from bedrooms are maintained in accordance with the building code at the time of construction.
  - ☐ Compliant ☐ Not Compliant
- Openings and doors, including storm windows, are operational from inside the room and without the use of keys or tools.
  - ☐ Compliant ☐ Not Compliant
- Means of egress, including exterior means of egress stairways, are properly illuminated.
  - ☐ Compliant ☐ Not Compliant

- The structure does not have excessive use of extension cords.
  - ☐ Compliant ☐ Not Compliant

**Section Comments:** \_\_\_\_\_

### **3. Mechanical, Wiring, Exhaust, and Fireplaces**

- Unvented appliances are not permitted in Morgan County short-term rentals.
  - ☐ Compliant ☐ Not Compliant
- A maximum of one solid fuel-burning appliance or fireplace is permitted per short-term rental.
  - ☐ Compliant ☐ Not Compliant
- Mechanical appliances, fireplaces, solid fuel-burning appliances, and water heating appliances are installed and maintained in safe working condition.
  - ☐ Compliant ☐ Not Compliant
- No combustibles are stored near mechanical appliances or fireplaces.
  - ☐ Compliant ☐ Not Compliant
- Clothes dryer exhaust systems are independent of all other systems and vented outside.
  - ☐ Compliant ☐ Not Compliant

**Section Comments:** \_\_\_\_\_

### **4. Garage & Fire Barriers**

- Doors connecting the garage and living space are self-closing and maintained in operative condition.
  - ☐ Compliant ☐ Not Compliant

**Section Comments:** \_\_\_\_\_

### **5. Firepit**

- Property:
  - ☐ Does have firepit ☐ Does not have firepit
- Firepit approval status:
  - ☐ Is approved for firepit use ☐ Is not approved for firepit use
- Firepit instructions are posted.
  - ☐ Compliant ☐ Not Compliant

**Section Comments:** \_\_\_\_\_

### **6. Wildland Urban Interface (WUI) Regulations**

- Property location:

- ☐ Is located within the Wildland Urban Interface ☐ Is not located within the Wildland Urban Interface
- No firepits or outside fires are allowed in WUI.
- Appropriate WUI postings are in place.
- Property complies with current WUI code requirements, including defensible space, vegetation management, and fire-resistant construction where required.
  - ☐ Compliant ☐ Not Compliant

**Section Comments:** \_\_\_\_\_

## 7. EMS Access

- 911 address is clearly visible from the public right of way.
  - ☐ Compliant ☐ Not Compliant
- Road access is satisfactory for ambulance services to enter the property.
  - ☐ Compliant ☐ Not Compliant
- Operable landline is/is not required for this property.
  - ☐ Compliant ☐ Not Compliant
- Sleeping area compliance: No sleeping accommodations in non-bedroom areas (e.g., kitchens, living rooms, RVs, tents, or external structures).
  - ☐ Compliant ☐ Not Compliant

**Section Comments:** \_\_\_\_\_

- 911 address is clearly visible from the public right of way.
  - ☐ Compliant ☐ Not Compliant
- Road access is satisfactory for ambulance services to enter the property.
  - ☐ Compliant ☐ Not Compliant
- Operable landline is/is not required for this property.
  - ☐ Compliant ☐ Not Compliant

**Section Comments:** \_\_\_\_\_

## Inspection Approval Section

- ☐ Approved ☐ Not Approved
- **Comments:** \_\_\_\_\_
- **First Inspection:** ☐ **Second Inspection:** ☐
- **Inspector Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## Welcome to Your Stay in Morgan County!

Thank you for choosing a Morgan County short-term rental for your visit! We want to ensure you have a comfortable and enjoyable stay while also respecting our community and neighbors. Please review the following **Good Neighbor Policy** to ensure a safe and harmonious experience for everyone.

---

## GOOD NEIGHBOR POLICY

### 1. Occupancy Limits

- The maximum number of guests allowed is **[insert occupancy limit]**.
- No additional guests are allowed beyond the registered occupancy.
- Only legal bedrooms may be used for sleeping accommodations and no axillary accommodations such as tents, yurts, campers are allowed.

### 2. Noise & Quiet Hours

- Quiet hours are strictly enforced from **10:00 p.m. to 8:00 a.m.**
- Noise levels must not exceed 50 dB during quiet hours.
- No outdoor amplified sound, music, or disruptive activities during quiet hours.
- Please be mindful of noise when entering and exiting the property.

### 3. Parking & Vehicles

- Parking is limited to **[insert number]** designated spaces.
- All vehicles must be parked within the property boundary.
- **No parking is allowed on the street, landscaped areas, or blocking driveways.**
- Oversized vehicles and trailers must be parked in designated areas only.

### 4. Trash & Recycling

- Trash pick-up day is **[insert day]**.
- Please store trash in designated bins behind the property setback except on collection day.
- Trash bins should not be placed outside earlier than **5:00 p.m. the day before pick-up** and must be removed by **noon the day after pick-up**.
- Ensure lids are securely closed to prevent wildlife access.

### 5. Safety & Emergency Information

- In case of an emergency, call **911**.
- The **nearest hospital/urgent care** is **[insert location]**.
- Fire extinguishers and emergency exits are located **[insert details]**.

- **Fire Restrictions:** Please check the current fire risk level and adhere to all fire safety rules.
- **Be mindful of any current fire restrictions.** For more information, visit the **Morgan County Fire Restriction website:** [insert website].

## 6. No Events or Commercial Use

- **Parties, weddings, receptions, and events are strictly prohibited.**
- No commercial activities, including product sales or services, are allowed.

## 7. Responsible Local Agent

- If you have any issues or concerns during your stay, contact the Responsible Local Agent:
  - **Name:** [insert agent name]
  - **Phone:** [insert contact number]
  - **Email:** [insert email]
  - **Available 24/7 for guest concerns**

Owner of your short term rental:

- **Name:** [insert agent name]
- **Phone:** [insert contact number]

Property Manager, if any:

- **Name:** [insert agent name]
- **Phone:** [insert contact number]
- **Email:** [insert email]

## 8. Pets & Animal Control

- Pets must remain **leashed** when outdoors.
- Guests must clean up after their pets.
- No excessive barking or disturbances allowed.

## 9. Community Respect & Compliance

- Please be considerate of neighbors by keeping noise levels low and respecting their privacy.
- Violations of these policies may result in fines, eviction, or penalties.

## 10. Local Attractions & Activities

- Enjoy our beautiful county! Check out local hiking trails, restaurants, and other attractions.

- Visit **[insert website or visitor center]** for more information.
- If you have any concerns regarding your short term rental and its compliance with Morgan County regulations, please contact \_\_\_\_.

---

**We appreciate your cooperation in following these guidelines.** By respecting the rules, you help maintain a welcoming and peaceful environment for both guests and residents. Thank you for being a good neighbor!

Enjoy your stay in Morgan County!

## SHORT-TERM RENTAL NOTIFICATION

\_\_\_\_\_  
Date

\_\_\_\_\_  
Neighbor Name

\_\_\_\_\_  
Neighbor Address

Morgan, UT \_\_\_\_\_  
Zip

Dear Neighbor,

Morgan County ordinances require that I notify you and surrounding neighbors, that I am applying for a license to use the property listed below as a short-term rental property. The property is located at:

\_\_\_\_\_  
Street Address

Morgan, UT \_\_\_\_\_  
Zip

I understand that this may be a change from the previous use of my property, and I wanted to reach out to my neighbors to provide some information and ensure that we can maintain a positive relationship going forward.

As a responsible property owner, I will take every measure to ensure that my guests do not disturb the peace and tranquility of the neighborhood. I have set some guidelines to be followed by my guests to ensure that they respect the neighborhood and community's standards. However, if you do encounter any disruptive behavior, or in the event of an emergency, please contact me, or my designated agent via the information provided below.

Primary Contact \_\_\_\_\_ Phone # \_\_\_\_\_  
Secondary Contact \_\_\_\_\_ Phone # \_\_\_\_\_

If you have questions or concerns about the short-term rental of the property. I would be happy to speak with you further about it and address any concerns you may have. Please feel free to reach out to me at \_\_\_\_\_.

I believe that this new venture will not only provide an additional source of income but also help attract visitors to our community, which can benefit local businesses and the local economy. I encourage you to visit Morgan County's website which contains abundant information regarding short-term rentals and the associated ordinance (website link).

Sincerely,

\_\_\_\_\_  
Property Owner/Agent

## MORGAN COUNTY COMMISSION MEETING MINUTES



### MORGAN COUNTY COMMISSION MEETING MINUTES FEBRUARY 18<sup>th</sup>, 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 Vaugh Nickerson  
Commissioner Raelene Blocker  
Commissioner Mike Newton  
Commissioner Blaine Fackrell

##### OTHER EMPLOYEES

IT Director Jeremy Archibald  
Deputy Clerk/Auditor Katie Lasater  
Administrative Manager Kate Becker (CAM)  
County Attorney Garrett Smith (CA)  
Sheriff Corey Stark  
Fire Chief Boyd Carrigan  
Recreation Director Lydia Hebdon

##### OTHERS IN ATTENDANCE

Debbie Sessions  
Tina Kelley  
Ashley Fusselman  
Matt Pennington  
Jared Talbot  
Lincoln Talbot  
Preston Talbot  
Darci Goddard  
Cole Harding  
Tony Curtis  
Cameron Spencer

#### 4:00 WORK SESSION

Combined discussion on the Village at Trappers Loope & Gardner Development Rezones

- The meeting focused on the development of a town center in the Green City Center. Key points included the need for a cohesive development agreement to manage the commercial space and the importance of balancing commercial and residential development. Cameron Spencer from Flagship Homes and Tony Curtis from PV3 Enterprises discussed their plans for a high-end Alpine Village-style town center, emphasizing the importance of attracting long-term tenants and creating a sustainable, community-focused project. The Commissioners stressed the need for a well-planned, high-density residential area and the potential for public amenities to enhance the community's appeal. The discussion focused on the development of a 83-acre parcel in Mountain Green, emphasizing the need for a cohesive town center. Key points included the importance of collaboration among landowners, the potential for a 35% commercial requirement, and the need for a master development plan. Specific challenges discussed were traffic bottlenecks, preserving open spaces, and integrating commercial and residential zones. The vision includes creating a destination town center with amenities like parks, trails, and civic spaces. The group agreed to work together to develop a comprehensive plan, ensuring long-term community benefits and compatibility with existing development agreements.

#### 5:00 COMMENCEMENT OF MEETING

##### (A) Opening Ceremonies –

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



## MORGAN COUNTY COMMISSION MEETING MINUTES

### (B) Consent Agenda Items

1. Approval of the Morgan County Commission Minutes from February 4th, 2025.
2. Notice of Planning Commission Seat open for application in the Mountain Green Area
3. Notice of Planning Commission Seat open for application in the Croydon / Round Valley Area after the resignation of Dustan Little on January 23<sup>rd</sup>, 2025.
4. **Resolution CR 25-12** Appointing Commissioner Raelene Blocker as the County's voting member to the Community and Economic Opportunity Board.
5. **Resolution CR 25-13** Appointing Commissioners Raelene Blocker and Vaughn Nickerson as two of the County's three voting members to the Morgan County Council of Governments.
6. **Resolution CR 25-14** Appointing Commissioner Raelene Blocker as the County's voting member to YCC Family Crisis Center.
7. **Resolution CR 25-15** Appointing Commissioner Vaughn Nickerson as the County's voting member to the Weber Morgan Human Services Board.

**Commissioner Newton moved to approve the consent agenda items 1-5 and postpone numbers 6 and 7. Seconded by Commissioner Nickerson**

VOTE:

Commission Chair Wilson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commission Vice Chair Nickerson AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

### (C) Commissioner Declarations of Conflict of Interest

- None.

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

- None.

### (E) Presentations

1. **Logan Taggart**, CEM Regional Business Manager for **Rocky Mountain Power**  
Mountain Green Substation Updates
  - a. **Item postponed.**
2. **Boy Scouts**, Eagle Scout project out at the Rifle Range
  - a. Preston and Lincoln Talbot present their Eagle Scout projects, including building six shooting benches for the Morgan County shooting range and cleaning up the range.

### (F) Action Items

1. **Matt Pennington DPS**– Discussion/Decision – State of Utah's Director of State Security Updates on last year's House Bill 84 School Safety Amendments
  - a. Matt Pennington addressed the Commission. He is the State Security Chief with the Department of Public Safety. He addressed the request for School Resource Officers (SROs) in alignment with the Guardian provision of HB 84, the School Safety Amendment. He emphasized that while various security measures exist at the local education agency (LEA) and school district levels, the district and sheriff's office have been proactive in their implementation efforts. Under the law, schools have three options for compliance: utilizing

## MORGAN COUNTY COMMISSION MEETING MINUTES

an SRO, which is the preferred choice due to their law enforcement training and ongoing professional development; contracting private armed security, which requires specific training; or allowing a school employee to volunteer as a civilian Guardian after completing the necessary training. The sheriff's office is proposing a split-cost model for SRO placement, a common approach across the state. He recommended securing an additional deputy for Morgan schools at a reduced cost, noting that while alternative options exist, they may present significant financial challenges.

- b. The Commission discussed the cost of SROs, which is approximately \$180,000 per officer, and the potential for a property tax increase to fund the additional officers. The Commission considered the benefits of having SROs in schools, including improved student-officer relationships and increased safety.
- c. The Commission also discussed the possibility of sharing the cost of SROs with the school district and the potential for federal grants to cover some of the expenses.

### **Item discussed, no vote taken.**

#### **2. Ashley Fusselman– Discussion – Morgan County Citizen**

Student Resource Officers in the Morgan County School District

- a. Ashley Fusselman addressed the Commission about the need for School Resource Officers in Morgan County schools, highlighting the increase in gun incidents in US schools. She shared her efforts to secure locked doors in schools and the importance of SROs in preventing school violence and providing peace of mind to parents.

#### **3. Hon. Sheriff Corey Stark– Discussion/Decision – Morgan County Sheriff's Office**

At the request of Commission to discuss on redacted video requests

- a. Sheriff Stark addressed the Commission stating that there has been recent inquiry regarding the non-release of certain body camera footage is due to the presence of sensitive information, such as details involving juveniles or victims, which legally cannot be disclosed. Currently, the department lacks the capability to redact such information, preventing the release of these videos. In the past month or two, four to five body camera footage requests have been denied for this reason. Implementing redaction software would cost approximately \$35,000 per year, including equipment replacement every two and a half years. The inability to redact or remove sensitive content is the primary reason for these restrictions, ensuring compliance with legal requirements and privacy protections.
- b. Commissioner Newton asked if this would replace the current cameras.
- c. Sheriff Stark stated that it would replace the car and body cameras, Chair Wilson had him look into this.
- d. Chair Wilson emphasized the potential impact of public access to body camera footage on officer conduct. Knowing that interactions could be reviewed may encourage greater care and professionalism in handling situations. Further discussion on this matter can take place before bringing it back for a formal decision by the Commission.

### **Item not voted, discussion only.**

#### **4. Fire Chief Boyd Carrigan, Fire Marshall Dave Rich and LIV President Cole Harding– Discussion/Decision – Morgan County Fire & EMS**

LIV Life-Safety Inspection Vault Master Service Agreement

- a. Fire Chief introduced this to the Commission stating this would be a master agreement between Morgan County and LIV Life Safety Inspection Vault. Both the State of Utah and Morgan County have adopted the International Fire Code as part of their safety standards, specifically under IFC Section 901.6, which mandates regular inspections and maintenance of life safety equipment in all businesses, including county and city facilities. This equipment

## MORGAN COUNTY COMMISSION MEETING MINUTES

includes fire extinguishers, automatic sprinkler systems, fire alarms, and fire exits, all of which require annual inspections. Live is a platform designed to track these inspections and identify any deficiencies that need to be addressed. Notably, this contract comes at no cost to the county. To provide further details, LIV's president, Cole Harding, has been invited to explain the platform's functionality and benefits.

- b. Cole Harding addressed the Commission stating the system functions by requiring inspection companies to submit reports on life safety equipment directly through a centralized portal. These companies inspect systems in local businesses and are mandated to report their findings to the relevant fire departments. Without a tracking tool, these reports may be submitted inconsistently—via fax, email, paper copies, or, in some cases, not at all—leaving fire departments unaware of compliance status. The LIV platform ensures all reports are uploaded into a database, allowing fire departments to monitor which businesses are compliant, overdue, or deficient at any time. This system also collects valuable data, such as contact information, to streamline communication. Importantly, the platform operates at no cost to the county, as inspection companies are charged a fee each time they upload reports. This fee structure ensures that costs remain proportional to the level of work performed within a jurisdiction.
- c. Chair Wilson asked about the cost.
- d. Cole clarified that the platform charges inspection companies for report submissions. While some companies absorb the cost and even gain more business as a result, others incorporate the fee into their service pricing, which is beyond our control. However, the system offers several benefits, including improved ISO ratings that can lower taxes and costs, a reduction in false alarm callouts minimizing unnecessary emergency responses, and financial savings for business owners. For example, restaurants with properly maintained fire alarms and sprinkler systems have seen annual insurance premium reductions of approximately \$1,000. Ultimately, the platform enhances safety while also providing economic advantages.
- e. The CA provided some updates he would like made to the agreement, he stated we could approve the agreement with the exclusion of the specified paragraph while allowing for future revisions that benefit both parties. This approach ensures approval today while maintaining flexibility for necessary adjustments. Additionally, he recommends updating the language to reflect that the agreement is with Morgan County as a political subdivision of the State of Utah, rather than referencing the fire department as a municipal corporation. Given past discussions, it is important to clarify that the fire department is not a separate entity but operates under the county, similar to the Fair Board. Making this distinction ensures accuracy in the agreement's structure and representation.

**Commissioner Newton moved to approve the master service agreement between Morgan County and LIV Safety Inspection Vault LLC, subject to the conditions and updates that have been provided by the County Attorney.**

**Seconded by Commissioner Blocker**

VOTE:

Commission Chair Wilson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commission Vice Chair Nickerson AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

### **5. Jeremy Archibald– Discussion/Decision – Morgan County Information Technology Budget Adjustment request(s) due to increased software costs**

- a. IT Director addressed the Commission and presented a budget adjustment request due to increased software costs and the addition of new employees.

## MORGAN COUNTY COMMISSION MEETING MINUTES

- b. The Commission discusses the need to budget for ancillary costs associated with hiring new employees, such as Microsoft licenses and desk phones.

**Commissioner Blocker moved to approve the budget adjustment request due to increased software costs and the additional costs of adding 440 new employees requested by the Morgan County IT department.**

**Seconded by Commissioner Newton**

VOTE:

Commission Chair Wilson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commission Vice Chair Nickerson AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

### **6. Lydia Hebdon – Discussion/Decision – Recreation Director**

Request(s) to modify and improve Kent Smith Park fields.

- a. Recreation Director introduced this stating her and Commissioner Nickerson discussed the long-term vision for the Recreation Department. While a full comprehensive plan is in progress, we currently have a bullet-point outline. Regarding Kent Smith Park, the Commission approved \$3,000 in 2023 to purchase portable goals, intending to partner with UISA on a matching contribution. However, UISA was unable to meet the match at the time, so the funds were put on hold. Now that UISA is ready to partner, she is requesting reapproval of the \$3,000 allocation to proceed with the purchase.
- b. Commissioner Newton asked about what goals would need to be purchased
- c. Recreation Director clarified that it would be two portable goals to replace the cemented ones that are currently there. She mentioned the possibility of moving trees to make more space as well.
- d. The Commission agreed to explore options for moving trees and finding someone with the necessary equipment to complete the task.

**Item not voted on, discussion only.**

### **7. Josh Cook– Discussion/Decision – County Planning Director**

**Gardner Development Rezone:** A request to rezone property from a split-designation of Rural Residential (RR-1), Agriculture (A-20), Highway Commercial (CH), and Multiple Residential District (RM-15) to a RM-15 completely, and reflect that change on the Future Land Use Map from a split-designation of Rural Residential 1 and Town Center to Town Center completely. The properties are identified by parcel numbers 00-0004-9153, 00-0003-3975, 00-0004-7595, 00-0003-3934, and 00-0003-3926 and serial numbers 03-005-042-01, 03-005-042-04, 03-005-041-05, 03-005-041-04 and 03-005-041-03 and are approximately located near 4815 W Old Hwy Rd in unincorporated Morgan County. // Applicant: Gardner Development // Application No. 24.060

- a. Planner 1 introduced this to the Commission stating Gardner Development's rezone application for parcel 4.060, located at 4815 West Old Highway Road, seeks to rezone a split-designated property, entirely to RM-15, a multifamily residential district. The Planning Commission held a public hearing on December 19, 2024, and recommended denial with a 3-2 vote. The County Commission reviewed the proposal in a work session on February 4 and again tonight to explore planning cohesion among property owners. The request aims to allow townhomes, though the current zoning includes a commercial component. The

## MORGAN COUNTY COMMISSION MEETING MINUTES

property is designated as Town Center in the general plan, which permits multifamily development, making it a key factor in the request.

- b. Planning Director added that in the January meeting, there was discussion about combining both applications into a single request for a Town Center designation. However, following the first work session, a recommendation was made to keep them separate—one for RM-15 and the other for Town Center. The County Commission has the authority to approve the Town Center designation if desired, as the option to combine the applications was previously discussed.
- c. Chair Wilson stated that the goal is to develop a cohesive and well-planned city center that expands outward with a transition from higher to lower density areas. The intent is to avoid a fragmented approach and create a visually appealing and functional community. He feels if this proposal is approved, the county would lose jurisdiction and negotiating power over its development, limiting the ability to influence its final design.
- d. Skyler Gardner, the authorized agent for Gardner Development, clarified that the original submission included two separate applications—one for RM-15 zoning and another for a larger 35-acre Town Center zoning. While there was discussion about merging them into a single Town Center application, the preference is to keep the 4.5-acre RM-15 application separate. This area has already been rezoned RM-15 with concept approval, and approximately nine acres fall outside the Johnsons' development agreement. The intention is to align the proposed development with the existing concept approval by the Johnsons, ensuring continuity in street layout and a similar development approach while maintaining separate zoning applications.
- e. Planning Director stated that The Gardeners have no control over the nine acres owned by the Johnsons. When the Johnsons' representative discussed amending the development agreement, it was likely in reference to the Mountain Green Village Development Agreement, not this property. That application has been in process since August 2022. However, if the two properties are combined into the Town Center designation through negotiation, there would be an opportunity to influence some aspects such as architecture, trails, and connectivity. Nonetheless, the intent appears to be for this area to consist of townhomes, with commercial development being concentrated in the larger parcels.
- f. The Commission discussed the need for a master development agreement and the potential impact on the area's planning.

**Commissioner Newton moved to postpone the March 4<sup>th</sup> meeting.**

**Seconded by Commissioner Blocker**

VOTE:

Commission Chair Wilson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commission Vice Chair Nickerson AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

### **8. Josh Cook– Discussion/Decision – County Planning Director**

**The Village at Trappers Loope Rezone:** A request to rezone property from Agriculture (A-20) and Rural Residential 1-acre minimum (RR-1) to Town Center (TC) and reflect that change on the Future Land Use Map from a split-designation of Commercial, Rural Residential 1 and Agriculture to Town Center. The property is identified by parcel numbers 00-0060-8040, 00-0060-8040, 00-0060-8206, and 00-0003-3827 and serial numbers 03-005-037-02, 03-005-037-02, 03-005-037-03, and 03-005-037-01 and is approximately located near 4937 W Old Hwy Rd in

## MORGAN COUNTY COMMISSION MEETING MINUTES

unincorporated Morgan County. // Applicant: Rulon Gardner // Application No. 24.066

- a. Planner 1 introduced this stating application 24.066, submitted by Rulon Gardner, pertains to a project located at approximately 4937 West Old Highway Road. The property currently has a split zoning designation of A-20 and RR-1, with the general plan identifying portions as commercial, agricultural, and rural residential. This application has been discussed in previous sessions and was reviewed by the Planning Commission on December 19, 2024, where it received a 3-1 vote in favor of recommending approval. Based on surrounding land uses and the findings outlined in the staff report, staff believes the proposal aligns with sound planning principles.

**Commissioner Blocker moved to approve the village at Trappers Loope rezone application number 24.066 changing 36.18 Acres from A20 and RR1 to Town Center. And reflect that change on the future land use map from a split designation of commercial, RR1 and agricultural to town center based on the findings listed in the staff report.**

**Seconded by Commissioner Newton**

VOTE:

Commission Chair Wilson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commission Vice Chair Nickerson AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

### **9. Hon. Vaughn Nickerson** – Discussion/Decision – Morgan County Commission

**Resolution CR 25-10** Nomination and appointment of a Planning Commissioner to represent the Peterson and Enterprise areas.

- a. Commissioner Nickerson would like to nominate Randy Watt. He thanked Debbie Sessions for her years of service and knowledge.

**Commissioner Newton moved to approve Resolution CR-25-10 appointing Randy Watt as the Planning Commissioner representing the Peterson and Enterprise area.**

**Seconded by Commissioner Blocker**

VOTE:

Commission Chair Wilson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commission Vice Chair Nickerson AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

### **10. Hon. Raelene Blocker** – Discussion/Decision – Morgan County Commission

**Resolution CR 25-11** Nomination and appointment of a Planning Commissioner to represent the Mountain Green area.

- a. Commissioner Blocker is not ready at this time to nominate.

**Item postponed.**

### **11. Kate Becker** – Discussion/Decision – Administrative Manager

## MORGAN COUNTY COMMISSION MEETING MINUTES

**Resolution CR 25-09** Discussion and approval of an interlocal pass through grant agreement with the Mountain Green Fire Protection District.

- a. CAM introduced this stating this agreement outlines the interlocal match for grant funds allocated to Mountain Green Fire. As the designated depositor, the county will receive and transfer the funds while ensuring it is held harmless from any potential liabilities, including fund cut back. Mountain Green Fire has been awarded a \$177,000 grant from Phillips 66. However, due to the grant administrator's policy, up to \$250 will be withheld as a processing fee, resulting in a final deposit of \$176,750. These funds will be received by the county and then transferred to the Mountain Green Fire Protection District. To ensure proper execution, the county will not disburse the funds until the agreement has been fully executed by both the county and the Mountain Green Fire Protection District board. This process follows the same protocol previously used with MGS, where funds were held until all necessary approvals were in place. Importantly, accepting these funds does not impact the county's eligibility to apply for similar grants in the present or future.

**Commissioner Nickerson moved to approve Resolution CR-25-09 an interlocal pass through grant agreement with Mountain Green Fire Protection District.**

**Seconded by Commissioner Fackrell**

VOTE:

Commission Chair Wilson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commission Vice Chair Nickerson AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

### **12. Kate Becker** – Discussion/**Public Hearing**/Decision – Administrative Manager

**Ordinance CO 25-05** Discussion and approval of an ordinance providing for the control of Noxious Weeds within the County and the establishment of a County Weed Board.

- a. CAM introduced this stating this ordinance was initially proposed in late November and has since been revised with additional changes. While further modifications may be necessary based on current feedback, the updated version includes names submitted by the Conservation Board. Further adjustments will be considered as needed.
- b. Public Works Director commented to this stating each year, there is some pressure to spray herbicides on private property; however, county employees are only licensed to spray within public right-of-ways, typically 60 feet wide. This licensing restriction will not change. Although the county receives a few requests annually from property owners asking for weed control on private land, these requests are referred to private contractors, such as Dee's Dairy, for assistance. The County Attorney has previously advised that county employees cannot spray private property, as it is beyond their legal authority. Additionally, some property owners have mistakenly assumed that the county can intervene on their behalf, such as requesting the county to spray a neighbor's property. However, without the appropriate licensing and legal authorization, the county cannot take such actions. While this issue is raised each year, the county maintains that it is not responsible for private property weed control and will continue directing property owners to private services for assistance.
- c. Commissioner Newton stated a potential solution could be to establish a grant program where property owners can apply for financial assistance to address weed control. This could involve a cost-sharing model, such as a 50% match grant, allowing landowners to choose from a list of approved local private companies for the service. Implementing such a program could provide support without placing the county in direct conflict with landowners over

## MORGAN COUNTY COMMISSION MEETING MINUTES

private property responsibilities. This approach would encourage collaboration while ensuring that the county remains within its legal and operational boundaries.

- d. CA added that section five of the ordinance presents potential challenges, particularly regarding property rights and privacy concerns. In Morgan County, there is a strong emphasis on individual property rights, and the provision allowing the county to enter private property without consent after five business days, following reasonable notification, could create tension with residents. There are also constitutional considerations, particularly regarding the Fourth Amendment, which protects against unreasonable search and seizure. While typically applied in criminal contexts, this principle may be relevant in cases where the county assumes enforcement authority over private property matters. This situation bears similarities to the weed protection ordinance, where enforcement responsibility shifts to the county. While other weed boards have implemented similar measures and supporting legislation exists, this remains a legislative decision requiring careful consideration. Given these concerns, there is a request to postpone final action on the ordinance to allow for further discussion, particularly with legal counsel, before proceeding.

**Commissioner Newton moved to close public meeting and convene public hearing**

**Seconded by Commissioner Blocker**

VOTE:

Commission Chair Wilson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commission Vice Chair Nickerson AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

- None.

**Commissioner Newton moved to close public hearing and reconvene public meeting**

**Seconded by Commissioner Fackrell**

VOTE:

Commission Chair Wilson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commission Vice Chair Nickerson AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

**Postponed to March 4 meeting.**

### **13. Kate Becker /on behalf of COG – Discussion/Decision – Administrative Manager**

- a. Discussion and approval of two Quarter 3 sales tax projects as recommended by the Morgan County Council of Governments at their February 10<sup>th</sup>, 2025 meeting.
- b. Discussion and approval of Corridor Preservation funds for property purchase off 400 East in Morgan, as recommended by the COG in both their November 18<sup>th</sup>, 2024 and February 10<sup>th</sup>, 2025 meetings.
- c. Review, discussion, and approval of the Regional Planning Organization Project list.
  - The CAM introduced item B stating, COG recommended the approval of corridor preservation funds for the purchase of UDOT-owned property along 400 East. This



## MORGAN COUNTY COMMISSION MEETING MINUTES

recommendation was initially approved at the November 18, 2024, COG meeting and reaffirmed on February 10, 2025.

- Item 13C pertains to the Rural Planning Organization (RPO) within COG, which holds both a working group meeting and a regular meeting, with the RPO meeting occurring quarterly. The Wasatch Front Regional Council (WFRC) compiles a project list based on input from the city, county, and school district to coordinate with UDOT. The draft project list, which includes priorities such as the State Street Corridor Study, State Road 66 trail and road improvements for bicycles, and Mountain Green area enhancements, was presented for review. Given the addition of two new commissioners to COG, confirmation was sought on whether these remain the county's transportation priorities. No immediate action was expected, but the list was shared for consideration.
- Public Works Director added clarification stating The Dry Creek Trail project, which is part of the fairgrounds development, has already been approved and funded. However, there is a proposal to allocate additional funding from COG to support the project further. The project is expected to begin in May. This trail project is a priority on the Community Impact Board (CIB) list, where it is currently marked as "partial," indicating that only a section of the trail is being completed at this stage. The intent is to integrate this trail with the broader fairgrounds and recreational developments. Future extensions of the trail will depend on additional work to raise and prepare the adjacent land. There is also ongoing discussion about expanding trail development in the region, particularly in Mountain Green. Commissioners are encouraged to contribute ideas for additional trails, with a focus on long-term maintenance planning. While the initial maintenance costs will be covered by the Parks budget, future budgeting for trail repairs and improvements will need to be addressed. Overall, this project aligns with broader efforts to enhance recreational infrastructure and connect various developments within the fairgrounds area.

**Commissioner Fackrell moved to approve 13 A, the COG recommendation of using the 17 fund for the tax projects recommended by the COG, which are the trails and Young Street Bridge improvements West.**

**Seconded by Commissioner Nickerson**

VOTE:

Commission Chair Wilson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commission Vice Chair Nickerson AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

**Commissioner Newton moved to approve item 13b Corridor Preservation funds for the purchase of property for 400 East in Morgan City for dollar amount up to \$250,000.**

**Seconded by Commissioner Nickerson**

VOTE:

Commission Chair Wilson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commission Vice Chair Nickerson AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

**Item 13 C postponed.**

**14. Kate Becker /on behalf of CEO – Discussion/Decision – Administrative Manager**

## MORGAN COUNTY COMMISSION MEETING MINUTES

- a. Discussion and approval of Community & Economic Opportunity 'CEO' grant funds to 19 Morgan County business out of the Governor's Office of Economic Opportunity Grant for FY 2025.
  - The CAM introduced this stating, The GOEO grants provide Morgan County with \$200,000 annually from the Governor's Office of Economic Opportunity through a rural grant. The state commended Morgan County's approach, as unlike some counties that allocate the entire amount to an economic development director, Morgan County's Community and Economic Opportunity Board actively distributes small business grants. Initially, \$75,000 was budgeted for grants, but due to a significant increase in applications—from 18 last year to 29 this year—the board is requesting \$102,500 for Small Business Growth Grants. Leftover funds from the previous year's Dome Project, totaling \$36,000, have helped offset costs. These grants must contribute to business growth, such as through advertising or expanding product offerings, thereby increasing sales tax revenue. Given the high demand for advertising support, an additional \$50,000 grant is being considered for the fall to address this need. The board is requesting commission approval for 19 businesses to receive grant funding.
- b. Discussion and approval of Community & Economic Opportunity 'CEO' barrier study funds be allocated out of the Governor's Office of Economic Opportunity Grant for FY 2025.
  - The Community and Economic Opportunity Board allocated \$15,000 to address barriers preventing local business growth. The primary issue identified was regulatory challenges from the Health Department. Bingham Custom Meats had successfully expanded into sandwich production, generating \$60,000–\$80,000 in annual revenue. However, after gaining recognition, a new health inspection required additional sinks and plumbing modifications, forcing them to halt production. To help them meet compliance and resume operations, the board proposes using barrier study funds to cover necessary improvements. This would be the first allocation from the \$15,000 fund.

**Commissioner Newton moved to approve the Community of Economic Opportunity grant funds from for 19 Morgan County businesses from the Governor's office of Economic Opportunity Grant for fiscal year 2025 as well as the funds for the one business from the barrier study funds.**

**Seconded by Commissioner Fackrell**

VOTE:

Commission Chair Wilson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commission Vice Chair Nickerson AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

### **15. Kate Becker – Discussion/Decision – Administrative Manager**

Discussion and decision on whether to submit a letter of support for State and Federal broadband grants on behalf of Beehive Broadband.

- a. CAM introduced this stating Beehive Broadband would like a letter of support.
- b. The Commission discussed that due to the relationship between Beehive Broadband and the county, and the fact that the project is still not completed they weren't in support of this at this time.
- c. Commissioner Newton provided clarification stating during covid, the federal government provided relief funding, including approximately \$2 million under the CARES Act. A portion of this funding was allocated for infrastructure projects, with \$100,000 directed to Liberty and \$514,000 allocated for broadband expansion in Beehive. The funding decision was made

## MORGAN COUNTY COMMISSION MEETING MINUTES

hastily at the end of December, just before the initial December 31st spending deadline. However, three days after the decision, the federal government extended the deadline by a year, which might have influenced a different approach had the extension been known earlier. The broadband project aimed to install fiber along the entire length of Morgan Valley Drive, from Peterson to Porterville, with an expected completion timeline of 18 months. However, due to supply chain challenges, particularly in sourcing fiber materials, the project faced delays. Initially approved in late 2020 and expected to be completed by mid-to-late 2021, the project remains incomplete as of now.

**Commissioner Fackrell moved to deny the request from Beehive Broadband.**

**Seconded by Commissioner Newton**

VOTE:

Commission Chair Wilson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commission Vice Chair Nickerson AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

### **16. Kate Becker – Discussion/Decision – Administrative Manager**

Discussion and decision on possibly entering a 36-month contract with Morgan Valley Magazine.

- a.** Item postponed.

**CLOSED SESSION:** To hear a report from Darcy Goddard regarding UCA [52-4-205](#) (1) (a) discussion of the character, professional competence, or physical or mental health of an individual; and (1) (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares [...]

**Commissioner Nickerson moved to close public meeting and convene a closed session to discuss the character, professional competence and physical or mental health of an individual and strategy session discuss the purchase, exchange or lease of real property including any form of water right or water shares.**

**Seconded by Commissioner Blocker**

VOTE:

Commission Chair Wilson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commission Vice Chair Nickerson AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

**Commissioner Newton moved to close the closed session and reconvene public meeting.**

**Seconded by Commissioner Blocker**

VOTE:

Commission Chair Wilson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commission Vice Chair Nickerson AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

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**17. Morgan County Commissioners – Discussion/ Decision  
Portfolio Assignments.**

**Commissioner Newton moved to approve the portfolio assignments as listed with the following changes, COG voting member under Commissioner Fackrell to be removed and only having two voting COG members, USU Extension primary to move under Commissioner Newton, Recreation alternate to Commissioner Wilson and Commissioner Nickerson to be Recreation primary.**

**Seconded by Commissioner Nickerson**

VOTE:

Commission Chair Wilson AYE

Commissioner Newton AYE

Commissioner Blocker AYE

Commission Vice Chair Nickerson AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

**(G) Commissioner Comments**

- Commissioner Blocker
  - None.
- Commissioner Newton
  - None.
- Commissioner Fackrell
  - He mentioned HB 386 to discuss what the Commission would like to focus on with that bill.
- Commission Vice-Chair Nickerson
  - None.
- Commission Chair Wilson
  - None.

**Adjourn – 10:00 p.m.**

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

APPROVED: \_\_\_\_\_  
Morgan County Commission Chair

DATE:

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](mailto:Jeremy@morgancountyutah.gov) at least 24 hours before the scheduled meeting.**



## Request for Proposals 2025 General Plan Update

Morgan County Utah  
48W Young Street  
Morgan, Utah 84050

### **Request for Proposals to Prepare General Plan Update**

NOTICE IS HEREBY given that Morgan County is seeking proposals from consultants qualified to provide professional services for preparation of an update to its General Plan.

### **Background**

Morgan County, with an unincorporated population of 13,163, is located in the Wasatch Back through the Weber Canyon. Morgan County, Utah, was originally settled in 1859 and was part of Weber County. In 1862, it officially became its own county and was named after Jedediah Morgan Grant. The county is located in a high valley of the Wasatch Mountains and is divided by the Weber River. It has a history of attracting fur trappers, prehistoric Plains Indians, and historic Shoshone and Ute Indians

The County last prepared a comprehensive update to its General Plan in 2010 and revised in 2014.

### **General Instructions, Terms, and Conditions**

1. Submittals shall consist of 3 hard copies and one electronic copy (pdf) of the consultant's proposal for services. Proposals or unsolicited amendments to proposals arriving after the proposal submission deadline will not be considered.
2. Proposals shall explain how the consultant plans to meet the scope of work requirements
3. Proposals shall be received by 5:00pm, April 30<sup>th</sup>, 2025.
4. Send proposals to the attention of Joshua Cook, Planning Director, Morgan County Planning and Development Services at the above address; emails with questions and electronic submittals must be sent to [jcook@morgancountyutah.gov](mailto:jcook@morgancountyutah.gov). with a cc to [kbecker@morgancountyutah.gov](mailto:kbecker@morgancountyutah.gov) and [gsmith@morgancountyutah.gov](mailto:gsmith@morgancountyutah.gov).
5. Proposals shall be binding for 90 days following the deadline date and time.

### **Conditions of Award**

An evaluation team will evaluate the submitted proposals. The County reserves the right to;

1. Reject any or all proposals or make no award;
2. Require modifications to initial proposals;

3. Negotiate; or
4. Make partial or multiple awards.

The County reserves the right to excuse technical defects in a proposal when, in its sole discretion, such an excuse is beneficial to the County.

The County may award based on initial proposals received or may invite selected consultants to make a presentation to the evaluation team. To the extent permitted by law, all documents submitted as part of a proposal will be deemed as confidential during the evaluation process and until the award of contract. There shall be no disclosure of any consultant's information to a competing consultant prior to the award of a contract. A contract will be awarded only after official action by the County Commission.

### **Work Plan:**

The County seeks update to the Morgan County General Plan that takes into account the considerable changes to the economy, the nature of business, the demands for housing, new State laws, and the desires of the community and provided a solid vision for the future of the community over the next 10 years that can be used by elected and appointed officials to guide decisions.

The scope of work includes a full public participation plan, a rewrite of all current plan elements, a completion of additional elements and a light review of current land use codes that may need to be updated to mesh with the new vision in the General Plan.

Plan elements to be included are:

- Base Statistics
- Maps, Tables, Diagrams
- Land Use
- Transportation and Traffic Circulation
- Open Space, Parks, and Trails
- Housing
- Cultural Resources
- Economic Opportunities
- Natural resources
- Growth Areas
- Public Facilities -Water, Sewer, Education, Police, Fire
- Goals, Objectives, Policies
- Implementation Strategy

The work to complete all required elements will be undertaken in collaboration with Morgan County professional staff, Planning Commission and County Commission.

This proposal needs to develop current economic, demographic, and trade area trend information, and assess future land use needs. Based on this information the Consultant will objectively develop and create a future land use map, implement policy recommendations, criteria for the development

of subsequent neighborhood plans, and propose land use management techniques to encourage development within the planned infill and expansion areas.

It is the sole responsibility of the respondent to ensure that proposals are received prior to the closing time as late submittals will not be accepted and will be returned unopened. The physical address is 48 West young Street, Morgan, Utah 84050 the email addresses for submittal are [jcook@morgancountyutah.gov](mailto:jcook@morgancountyutah.gov), [kbecker@morgancountyutah.gov](mailto:kbecker@morgancountyutah.gov), and [gsmith@morgancountyutah.gov](mailto:gsmith@morgancountyutah.gov)

### **Consultant Responsibilities:**

With assistance from County Staff, the consultant responsibilities are:

- Developing and executing a stakeholder (public participation plan: residents, property owners, Planning Commissioners, and County Commissioners) engagement plan.
- Document generation and assembly
- Goal and objective development
- Future Land Use Map and Zoning Map in a format which can be integrated into the County's GIS department.
- Specific planning for the town center and commercial areas. (i.e. transportation plan, types of business to encourage development, design standards with digital mockups, etc.).
- Identify areas potential for neighborhood commercial services in the nine (9) areas.
- Specific planning for the downtown area (i.e. transportation plan, types of business to encourage development, design standards with digital mockups, etc.).
- Criteria for the development of subsequent neighborhood plans,
- Proposed land use management techniques to encourage development within the planned infill and expansion areas,
- Metrics for measuring the accomplishment of the implementation strategies.
- Timeline & public hearing process

The County has a seven-person Planning Commission which will provide a structured forum for public input and provide high-level advice to the County concerning the Growth Policy as it is developed.

Primary Contact by the consultants will be with the Planning Director.

### **Submission Requirements and Instructions**

All requirements in this section are mandatory.

1. A brief summary of the project and stakeholder engagement plan and use of County staff to reduce time and transportation costs.
2. Outline of services
3. A cost proposal for a specific "not to exceed" fixed fee, with descriptive associated fees (e.g. printing costs, attendance at meetings, travel, etc.)

4. A project timeline and completion date (must not extend beyond 1 year without prior County Commission approval granted 90 days before 1 year anniversary).
5. A cost for modifications to the project by the County subsequent to the final successful delivery.
6. Summary of qualifications and work on similar projects. Please include examples of general planning as well as specific planning (i.e. development standards and building mockups for highway commercial areas or downtown areas)

Questions relating to the scope of services and project management may be directed to **Josh Cook, Morgan County Planning Director** [jcook@morgancountyutah.gov](mailto:jcook@morgancountyutah.gov)

All requests for information or clarification and the related answers/information will be posted to the County's website. [Morgancountyutah.gov](http://Morgancountyutah.gov). Applicants are responsible for regularly checking for clarifications during the RFP process.

Staff is willing to schedule pre-submittal meetings to discuss with potential applicants the expectations.

County Staff will evaluate all responses to the RFP to ensure that they are responsive to the RFP and meet all mandatory submission requirements. All RFP responses that meet the minimum requirements will be forwarded to the evaluation committee.

County Staff will schedule an in-person meeting with respondents and the evaluation committee in which the evaluation committee can ask clarifying questions regarding the respondents' proposal

The evaluation committee will fill out the subjective rating scheme (attached) after video conference meetings, with the exception of cost scoring which will be completed by staff.

An award of a successful proposal will be made within 30 days.

All proposals submitted in response to this RFP become the property of the County and public records and, as such, may be subject to public review. The County reserves the right to accept or reject any and all proposals; to add or delete items and/or quantities; to waive any minor irregularities, informalities.

The County reserves the right to cancel this RFP. If the County cancels this RFP, all contractors who submitted proposals will be notified using email. This project is subject to the availability of funds.

Respondents shall have the responsibility of all salaries, wages, bonuses, retirement, withholdings, worker's compensation and occupational disease compensation, insurance, unemployment compensation other benefits and taxes, and premiums appurtenant thereto concerning their officers, employees, contractors and consultants. Each respondent shall save and hold the County harmless with respect to any and all claims for payment, compensation, salary, wages, bonuses, retirement, withholdings, worker's compensation and occupational disease compensation,



insurance, unemployment compensation, other benefits and taxes and premiums in any way related to each respondent's officers, employees, contractors and consultants.

The firm, agency, or individual selected will be required to carry liability insurance.

All public hearings and meetings shall be run by the hired Consulting Firm.

## **Budget Adjustment Policy**

### **Overview**

Department heads should make every reasonable effort to stay within their budget for the year. In the event that a department is over budget, a budget adjustment must be turned into the County Clerk/Auditor's office for review. In the event a department needs money from the Fund Balance, the approval must come from the Morgan County Commission.

### **Purpose**

Each quarter the County Clerk must present a resolution to the County Commission to adopt any changes that need to be made to the Operating and Capital Budgets of Morgan County. A public hearing will also take place at this meeting. In an effort to streamline this process, department heads must submit budget change forms and appear before the County Commission prior to this meeting.

### **Budget Adjustments from Fund Balance**

If a department needs funds from the fund balance the department head must appear at the County Commission Meeting on or before the first meeting of the new quarter in order to explain the reason behind the budget adjustment form. The department head will need to appear on or before the first meeting in April for Q1, on or before the first meeting in July for Q2, on or before the first meeting in October for Q3, and on or before the first meeting in December for Q4.

### **Other Budget Adjustment Forms**

If a department head submits a budget adjustment form within their own budget they will not need to appear before the County Commission unless explicitly asked. The department head must make every effort to ensure that moving money from one fund to another will not jeopardize either of the funds to go into a negative fund balance.

**RESOLUTION CR 25-15**

A RESOLUTION OF THE MORGAN COUNTY COMMISSION TO APPOINT VAUGHN NICKERSON TO THE MORGAN COUNTY COMMISSION SEAT OF THE WEBER MORGAN HEALTH DEPARTMENT BOARD.

WHEREAS, the Morgan County Commission did on May 1st 2018 enter into an amended Interlocal Cooperative Agreement with the Weber-Morgan Health Department; AND

WHEREAS, Article II of the amended Agreement defines the Governance through a Board of Health; AND

WHEREAS, the Morgan County Council, now the Morgan County Commission, in Article II-6-a-i “One (1) member of the Weber County Commission and one (1) Morgan County Council member shall be appointed by their respective legislative bodies to represent the participating counties..”

NOW THEREFORE, BE IT RESOLVED, that the Morgan County Commission hereby appoints Morgan County Commissioner Vaughn Nickerson to serve on the Weber Morgan Health Department Board.

PASSED AND ADOPTED this 18<sup>th</sup> day of March, 2025.

MORGAN COUNTY COMMISSION:

ATTEST:

\_\_\_\_\_  
Matthew Wilson, County Commission Chair

\_\_\_\_\_  
Leslie A. Hyde, Morgan County Clerk/Auditor

APPROVED AS TO FORM:

COMMISSION MEMBERS VOTING:

|  | AYE                       | NAY   | ABSENT |
|--|---------------------------|-------|--------|
| _____<br>Garrett Smith, Morgan County Attorney | Michael Newton<br>_____   | _____ | _____  |
|  | Vaughn Nickerson<br>_____ | _____ | _____  |
|  | Blaine Fackrell<br>_____  | _____ | _____  |
|  | Raelene Bl Matt<br>_____  | _____ | _____  |
|  | Wilson<br>_____           | _____ | _____  |

## **AMENDED INTERLOCAL COOPERATION AGREEMENT OF THE WEBER-MORGAN HEALTH DEPARTMENT**

This Amended Interlocal Agreement ("Agreement") is entered into and made effective upon the execution of a resolution approving the Agreement, by and between Weber County and Morgan County (herein after known as a "Party" or collectively as "the Parties").

### **RECITALS**

**WHEREAS**, the Local Health Department Act ("the Act"), Utah Code Ann. § 26A-1-105(1), permits two or more contiguous counties to unite in order to create and maintain a multi-county local health department; and

**WHEREAS**, the Act also requires any municipalities located within such counties that share a multi-county local health department to be served by the multi-county local health department under Utah Code Ann. § 26A-1-105(2); and

**WHEREAS**, Utah's Interlocal Cooperation Act ("the Cooperation Act"), Utah Code Ann. § 11-13-101 et al, permits local governmental units to enter into agreements with one another for the purpose of exercising on a joint and cooperative basis any powers, privileges, and authority exercised, or capable of exercise by such public agencies, and authorizes such public agencies, pursuant to such agreements, to create separate legal or administrative entities to accomplish the purposes of their joint or cooperative action, including the undertaking and financing of facilities or improvements to provide the services contemplated by those arrangements; and

**WHEREAS**, the Parties to this Agreement are presently being served by a multi-county health department known as the Weber-Morgan Health Department ("Department"); and

**WHEREAS**, the Parties desire to ratify their participation in the Department pursuant to the provisions of the Act and the Cooperation Act;

**NOW THEREFORE**, in consideration of the mutual promises set forth herein, and other good and valuable consideration, the Parties hereby agree as follows:

### **ARTICLE I RATIFICATION OF THE WEBER-MORGAN HEALTH DEPARTMENT**

1. Ratification. The Parties hereby ratify their participation as members of the Department and agree to participate in this Agreement for the purposes provided herein.

2. Nature of Entity. The Department is a separate legal and administrative entity created by the Parties pursuant to the Act and the Cooperation Act for the purpose of accomplishing the joint and cooperative actions authorized and contemplated by the legislative authority granted to local health departments. Utah Code Ann. §§ 26A-1-105(1) and 11-13-203.
3. Purpose. The purpose for which the Department is organized is to provide residents in the incorporated and unincorporated areas of Weber County and Morgan County public health services, and to provide enforcement of state and local public health laws, rules, regulations, and standards for which the Department has jurisdiction. Utah Code Ann. §§ 26A-1-108 and 26A-1-114.
4. Sole Provider of Public Health Services. It is the intent of the Parties that the Department be the sole and exclusive legal and administrative entity created under the authority of the Act for the purpose of providing public health services to the residents of Weber County and Morgan County.
5. Termination of Previous Agreements. Upon the execution of this Agreement by the Parties, any previous resolutions or agreements creating a health department among and between the Parties shall be terminated and made of no further effect, except that contracts and agreements between the Department and other entities presently in effect shall continue in full force and effect until their natural expiration, or as otherwise lawfully terminated.

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## ARTICLE II GOVERNANCE

1. Board of Health. The Department shall be governed by a Board of Health ("Board"). All powers of the Department shall be vested in and exercised by the Board unless otherwise provided by law. All references to the Department mean the Board unless otherwise specified. Utah Code Ann. § 26A-1-109.
2. Purpose. The general purpose of the Board shall be to determine the general public health policies to be followed in the administration of the Department. The Board may adopt and enforce public health rules, regulations, and standards to accomplish this purpose. Utah Code Ann. §§ 26A-1-109(8) and 26A-1-121(1). Policies adopted by the Board shall be consistent with generally accepted principles of public health and preventative medicine.
3. Voting. Each member of the Board shall have one vote in any actions taken or proceedings adopted by the Board.
4. Meetings. Regular meetings of the Board shall be held approximately every month at a regularly specified date and time (in no event shall the Board go more than three months

without convening a regular meeting). Utah Code Ann. § 26A-1-109(5)(a)(i). Meetings shall be organized and governed according to the Board's established bylaws.

5. Records. Records of the Board shall be kept, managed, classified, and disclosed of in accordance with state and local law, including Utah's Government Records Access and Management Act.

6. Board Membership.

- A. The Board shall consist of thirteen (13) members comprised as follows:

- i. One (1) member of the Weber County Commission and one (1) Morgan County Council member shall be appointed by their respective legislative bodies to represent the participating counties.
    - ii. One (1) member shall be appointed by the Morgan County Council to serve in an at-large capacity.
    - iii. Two (2) members shall be appointed by the Weber County Commission to represent municipal interests: one (1) shall be recommended by Ogden City and one (1) shall be an elected official recommended by the Weber Area Council of Governments ("WACOG"). If a representative recommended by WACOG shall, for any reason, lose his/her status as an elected official, that person's position as a Board member shall expire and the position shall be considered vacant.

- iv. The remaining eight (8) member positions shall be appointed by the Weber County Commission as follows:

- a. one (1) recommended by the Weber Medical Society;
      - b. one (1) recommended, on a rotating basis, by the Ogden, Morgan, and Weber school districts;
      - c. one (1) recommended by Weber State University specializing in health administration and/or public health;
      - d. one (1) recommended by Weber Human Services;
      - e. one (1) recommended, on a rotating basis, by Ogden Regional Hospital and McKay-Dee Hospital;
      - f. one (1) recommended by Midtown Community Health Center in Ogden representing at-risk populations; and

- g. two (2) to represent the following interests in at-large capacities:  
one (1) environmental and one (1) local business.

B. All Board members shall reside in either Weber County or Morgan County.

C. The thirteen (13) appointed members should be selected and appointed on the basis of their interest and/or experience in public health matters.

D. The length of an appointee's term shall be as follows: all appointments shall be for three (3) years unless an appointee is filling the unexpired term of another member.

7. Removal. Except for the Weber County commissioner and the Morgan County council member who serve by virtue of their election to county office, removal of any Board member shall only be for cause and shall be made by the appointing authority upon its own motion or considered upon the request of the Board. Cause shall be defined as: (a) an act which brings disrepute to the Board; (b) an act or behavior which is inimical to service on the Board; (c) failure to attend at least 50% of all Board meetings in a calendar year; and (d) an appointed representative of a municipality no longer holds the elected or appointed position with that municipality, which was held by the representative at the time of appointment to the Board. Any Board member removed for cause may request and receive a hearing before the county legislative body that appointed the member. A request for a hearing shall be made prior to the effective date for removal. Utah Code Ann. § 26A-1-109(2)(c).

8. Vacancies. Vacancies on the Board shall be filled as follows:

A. Vacancies occurring in a member position shall be filled pursuant to the process specified in Article II, § 6.

B. On or about October 1<sup>st</sup> of each year, Department administration will notify the appointing/recommending agencies of Board member terms that will expire that year in order to allow sufficient time for a replacement to be made when the member position becomes vacant.

9. Board Officers. The officers of the Board shall consist of a chairperson, a vice-chairperson, and such other officers as the Board may authorize, all of whom shall be elected or appointed by the Board from its own membership. Officers of the Board shall serve for two years, or until successors have been duly elected/appointed and qualified.

A. Chairperson. The chairperson of the Board shall call and preside at all meetings of the Board and shall be an ex-officio member of all committees. He/she shall be responsible for reporting committee actions/discussions to the Board. He/she shall make an annual report to the Board at its annual meeting. He/she shall

prepare the order of business for all meetings with due regard to expediting the business of the meeting and including therein any matters which may be ordered from time to time by the Board.

- B. Vice-chairperson. The vice-chairperson shall perform the duties and exercise the powers of the chairperson during the absence or inability of the chairperson to act, and shall have such further duties as may be prescribed from time to time by the Board.
- C. Secretary. The health officer shall serve as secretary to the Board. The health officer, or his/her designee, shall be responsible for the recording of all meetings and the preparation of minutes.
- D. Treasurer. As provided in Utah Code Ann. § 26A-1-118, the Weber County Treasurer shall serve as the treasurer of the Department. The Weber County Commission shall negotiate an equitable reimbursement to Weber County for the services of the treasurer.
- E. Legal Counsel. The Weber County Attorney's Office shall serve as legal advisor to the Department in all civil matters involving the Department. Utah Code Ann. § 26A-1-120.
- F. Committees. The Board may establish any standing and/or special committees it deems appropriate in carrying out the business of the Department.

- 
- 10. Ethical Standards. Board members shall familiarize themselves with and adhere to the provisions set forth in the Utah Public Officers and Employees' Ethics Act. Utah Code Ann. § 67-16-1 et al.
  - 11. Regulations and By-Laws. The Board shall have the power to adopt, amend, and repeal rules, by-laws, regulations, policies, and procedures for the regulation of the affairs and the conduct of the business of the Department. Utah Code Ann. § 26A-1-109(8).
  - 12. Health Officer. The Board shall select and appoint a health officer of the Department. The health officer shall serve as the chief administrative officer of the Department and as secretary to the Board (A statutory list of the health officer's powers and duties may be found in Utah Code Ann. § 26A-1-110).

### ARTICLE III POWERS AND DUTIES OF THE DEPARTMENT

- 1. Authority. In addition to the authority and powers granted to a multi-county local health department under Utah Code Ann. § 26A-1-114, the Parties hereby grant to



the Department, and the Department is hereby vested with, all rights, powers, privileges, and authority of the Parties that may be granted to the Department pursuant to the Act and the Cooperation Act. These rights, powers, and privileges include the authority to enforce health related ordinances adopted by the two counties and the municipalities, as well as local rules and regulations adopted by the Department.

2. Powers. Without limiting the foregoing, the Parties hereby grant the Department the power:

- A. to sue and be sued in its own name;
- B. to make and execute contracts, interlocal agreements, and all other documents and instruments necessary or convenient for the performance of its duties and the exercise of its powers and functions under the Cooperation Act;
- C. to acquire, buy, purchase or lease, by gift, or otherwise, any real or personal property in connection with the acquisition or construction of any facility or improvements to be owned, operated, and maintained by the Department;
- D. to receive property, grants, gifts, supplies, materials, contributions, and any benefit derived therefrom, for the provision of delivering health services;
- E. to arbitrate, mediate, and resolve disputes between the Parties relating to the provision of health services and to address and resolve all issues that may arise in connection with the provision of health services;
- F. to authorize and approve expenditures for the creation, maintenance, and operation of the programs, facilities, or services operated or maintained by the Department; and
- G. to appoint officers and hire employees to assist in carrying out the purposes of the Department;
- H. to assign, pledge, or otherwise convey as security for the payment of any bonded indebtedness, the revenues and receipts from any facility improvement or any service provided by the Department;
- I. the authority to enforce local health ordinances within the jurisdiction of any Party to this Agreement; and
- J. establish and collect appropriate fees for the performance of services and operation of authorized or required programs and duties.

3. Financing of Facilities. Subject to the limitations imposed under state or federal law, the Department shall have the power to finance the acquisition, construction and maintenance of capital facilities and improvements by such means and by such methods as the Board shall determine to be in the best interest of the Department. Such means and methods may include any financing vehicle or mechanism designed to achieve the lowest possible rate of interest for the Department for the issuance of such obligations, the interest on which is excludable from the gross income of the owners thereof for the purposes of federal and/or State of Utah income taxation, including, without limitation, any lease/purchase arrangements pursuant to which the Department may enter into annual renewable release agreements subject to annual appropriation by the Board, the interest component with respect to which is excludable from gross income for federal and/or State of Utah income tax purposes. Any such lease/purchase arrangements may include the issuance by the lessor of such capital improvements or certificates of participation representing undivided fractionalized ownership in any lease payments to be made pursuant to the lease agreement.

4. Funding and Budget Approval.

A. The Department obtains its financing from a variety of sources including state and federal grants and contracts, as well as contributions from Weber County and Morgan County. Nothing in this Agreement is intended to limit sources of funding for the operation and maintenance of the Department and its facilities.

B. Weber County's share of the funding of the Department is presently made pursuant to Utah Code Ann. § 26A-1-117(2)(b), which provides for a separate ceiling exempt tax under Utah Code Ann. § 59-2-911, not to exceed .0004 per dollar of taxable value of taxable property.

C. Morgan County's contribution is presently based on a formula which is attached hereto as "Exhibit A" That formula may be revised pursuant to agreement between the Board and Morgan County without further modification to this Agreement.

D. The Department may also seek additional funding from the municipalities and two counties that are parties to or served by this Agreement.

E. Pursuant to Utah Code Ann. §26A-1-110(2), the Weber County Commission is designated as the entity to whom the health department budget shall be presented for review, amendment, and approval.

**ARTICLE IV  
DUTIES OF WEBER-MORGAN HEALTH DEPARTMENT**

1. **Duties.** In addition to the powers and duties of the Department granted pursuant to the Utah Code Annotated § 26A-1-114, and any successor statute, it shall be the duty and responsibility of the Department to provide such public health services as each Party is required to provide and perform pursuant to applicable law:
  - A. Establish and maintain either directly or by contract, programs and services mandated by law;
  - B. Provide input and comment on new and revised policies established by State agencies;
  - C. Establish mechanisms to provide direct citizen input;
  - D. Comply with all applicable state and federal statutes, policies, audit requirements, and any directives resulting from those audits, and contract requirements;
  - E. Comply with the requirements and procedures of the Act and the Cooperation Act;
  - F. Maintain a complete record of all the acts, affairs of the Department, meetings of the Board, and present an annual report of the activities and finances of the Department upon request to the Parties;
  - G. Authorize and approve expenditures for the creation, maintenance and operation of the programs, facilities, and services created as a result of this Agreement;
  - H. Select and appoint a health officer of the Department and by this act sanction:
    - i. the employment of staff, agents, and representatives;
    - ii. the application to obtain the necessary licenses, permits, or consents from all government entities or other persons necessary to carry out the activities of the Department; and
    - iii. all other work reasonably necessary to accomplish the purposes for which the Department was created.

**ARTICLE V**  
**TERM OF THE INTERLOCAL AGREEMENT**

1. Term. The term of this Agreement shall be fifty (50) years from the effective date.
2. Termination. This Agreement may be terminated at any time by the service of a notice of termination by a Party upon the other Party in accordance with the provisions in Utah Code Ann. § 26A-1-122. Said notice of termination shall be in writing and shall be served on the other Party's county executive and also upon the chairperson of the Board. Notwithstanding the foregoing, no party may terminate this Agreement during the term of any agreement entered into by the Department to finance the acquisition or constitution of capital improvements for the Department, unless appropriate and acceptable provisions are made whereby such existing agreement is assumed by any Party, and such provisions are approved in writing under such lease/purchase agreement.

**ARTICLE VI**  
**MISCELLANEOUS**

1. Warranties of Parties. Each Party hereby represents and warrants that:
  - A. it is a public agency or public entity within the meaning of the Act and the Cooperation Act; and
  - B. it is duly authorized to execute and deliver this Agreement; and
  - C. there is no litigation or legal or governmental action, proceeding, inquiry or investigation pending or threatened by governmental authorities or others or to which it is a party or to which any of its property is subject which if determined adversely to such Party would individually, or in the aggregate: a) effect the validity or enforceability of this Agreement, or b) otherwise adversely affect the ability of such Party to comply with its obligations hereunder or the transactions contemplated hereby.
2. Documents on File. Executed copies of this Agreement shall be placed on file in the office of the Keeper of the Records of each of the Parties and shall remain on file for public inspection during the term of this Agreement.
3. Non-Assignability. Neither the Department, nor the Parties shall transfer or delegate any of its rights, duties, powers or obligations under this Agreement without the consent of the other Party.
4. Amendment. This Agreement may be changed, modified, or amended by written agreement of the Parties, upon adoption of a resolution by each of the Parties and approval as to form by each respective attorney, and upon meeting all other

- applicable requirements of the Cooperation Act; provided, however, that this Agreement shall not be amended during the term of any lease/purchase agreement contemplated by this Agreement and entered into by the Department without the prior consent of the lessor under such lease/purchase agreement.
5. Effective Date. This Agreement shall become effective immediately upon the execution of a resolution approving this Agreement by each of the Parties, which shall include the approval as to form by each of the respective attorneys.
  6. Sole and Exclusive Agreement. Upon and after the effective date of this Agreement, this Agreement shall constitute the sole and exclusive agreement between the Parties relative to the operation and management of the Department and the joint exercise of the powers, privileges, and authority of the Parties.
  7. Laws of Utah. It is understood and agreed by the Parties hereto that this Agreement shall be governed by the laws of the State of Utah both as to interpretation and performance.
  8. Severability of Provisions. If any provision of this Agreement is held invalid, the remainder of this Agreement shall not be affected thereby as such a remainder would then continue to conform to the terms and requirements of the applicable law.
  9. Captions and Headings. The captions and headings herein are for convenience of reference only and in no way define, limit, or describe the scope or intent of any sections or provisions of this Agreement.
  10. Broad Construction. It is the intention of the Parties that this joint and cooperative undertaking contemplated in this Agreement be broadly construed to include all actions, undertakings, and objectives permitted or contemplated by the provision of the Act, and any other applicable law, insofar as such provisions relate to fostering and protecting public health. The provisions of this Agreement shall be construed as broadly as necessary to accomplish the purposes and objectives set forth herein and pursuant to applicable law.
  11. Counterparts. A duly executed original counterpart of this Agreement, together with an originally executed approving resolution of the governing body of each Party hereto, shall be filed with the keeper of records of each such Party and shall remain on file for public inspection during the term hereof.
  12. Due Diligence. Each of the Parties acknowledges for itself that it has performed its own review, investigation, and due diligence regarding the relevant facts and law upon which this Agreement is based. Each of the Parties relies upon its own understanding and legal counsel for the relevant law and facts, information, and representations based upon its own due diligence and investigation.

13. No Third Party Beneficiary. Nothing in this Agreement shall create or be interpreted to create any rights in or obligations in favor of any person or entity not a party to this Agreement. Except for the Parties to this Agreement, no person or entity is an intended third-party beneficiary under this Agreement.

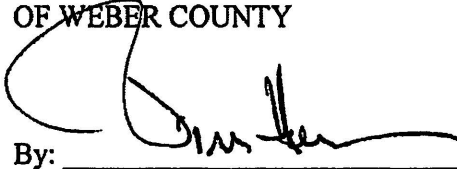
14. Indemnification. The Department shall defend and hold the Parties, their officers, employees and agents harmless from and against any and all liability, loss, expense (including reasonable attorney's fees), or claims for injury or damages arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorney's fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the Department, its officers, agents, or employees. The Parties shall defend and hold the Department harmless from and against any and all liability, loss, expense (including reasonable attorney's fees), or claims for injury or damages arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorney's fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the Party(ies), their officers, agents, or employees. The Department and Parties are governmental entities under the Utah's Governmental Immunity Act. None of the Parties intend to waive any defenses or limits of liability otherwise available under that Act, and nothing in this Agreement shall be construed to waive any defenses or limits of liability.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on their behalf by the following duly authorized representatives as of the date appearing opposite their signature below.

---

*[Signatures on Following Pages]*

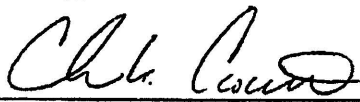
BOARD OF COUNTY COMMISSIONERS  
OF WEBER COUNTY

  
By: \_\_\_\_\_  
James H. "Jim" Harvey, Chair

ATTEST:

  
\_\_\_\_\_  
Ricky Hatch, CPA  
Weber County Clerk/Auditor

Approved as to form and compliance  
with applicable law:

  
\_\_\_\_\_  
County Attorney

Date: 5/23/18

MORGAN COUNTY

By: Neil S. Meekins  
COUNTY COUNCIL

ATTEST:

Stacy Clark  
County Clerk

Approved as to form and compliance  
with applicable law:

\_\_\_\_\_  
County Attorney

Date: \_\_\_\_\_



BOARD OF COUNTY COMMISSIONERS  
OF WEBER COUNTY

By: \_\_\_\_\_  
James H. "Jim" Harvey, Chair

ATTEST:

\_\_\_\_\_  
Ricky Hatch, CPA  
Weber County Clerk/Auditor

Approved as to form and compliance  
with applicable law:

*Morgan* *James R. Jones*  
County Attorney  
Date: 5-15-18

RESOLUTION NO. 19-2018

**RESOLUTION APPROVING AMENDED INTERLOCAL COOPERATION  
AGREEMENT OF THE WEBER-MORGAN HEALTH DEPARTMENT**

**WHEREAS**, the Utah Interlocal Cooperation Act ("Cooperation Act"), Title 11, Chapter 13, Utah Code Annotated 1953, as amended, permits governmental units to make the most efficient use of their powers and to provide the benefits of economies of scale to their residents; and

**WHEREAS**, the Local Health Department Act, Section 26A-1-105, Utah Code Annotated 1953 as amended, permits two or more counties to unite in order to create and maintain a multi-county local health department; and

**WHEREAS**, Weber County and Morgan County have previously negotiated an agreement to create the Weber-Morgan Health Department for the purpose of providing health services to the citizens of Weber County and Morgan County; and

**WHEREAS**, the Cooperation Act requires that governing bodies of governmental units adopt resolutions approving such interlocal agreements;

**NOW THEREFORE**, the Board of County Commissioners of Weber County resolves to enter in and approve the Amended Interlocal Cooperation Agreement of the Weber-Morgan Health Department. A copy of the amended agreement is attached as Exhibit A.


RESOLVED this 29th day of May, 2018.

BOARD OF COUNTY COMMISSIONERS  
OF WEBER COUNTY

By   
James H. "Jim" Harvey, Chair

Commissioner Ebert voted aye  
Commissioner Gibson voted aye  
Commissioner Harvey voted aye

ATTEST:

  
Ricky Hatch, CPA  
Weber County Clerk/Auditor

RESOLUTION NO. 18-02

**RESOLUTION APPROVING AMENDED INTERLOCAL COOPERATION  
AGREEMENT OF THE WEBER-MORGAN HEALTH DEPARTMENT**

**WHEREAS**, the Utah Interlocal Cooperation Act ("Cooperation Act"), Title 11, Chapter 13, Utah Code Annotated 1953, as amended, permits governmental units to make the most efficient use of their powers and to provide the benefits of economies of scale to their residents; and

**WHEREAS**, the Local Health Department Act, Section 26A-1-105, Utah Code Annotated 1953 as amended, permits two or more counties to unite in order to create and maintain a multi-county local health department; and

**WHEREAS**, Weber County and Morgan County have previously negotiated an agreement to create the Weber-Morgan Health Department for the purpose of providing health services to the citizens of Weber County and Morgan County; and

**WHEREAS**, the Cooperation Act requires that governing bodies of governmental units adopt resolutions approving such interlocal agreements;

**NOW THEREFORE**, the Morgan County Council resolves to enter in and approve the Amended Interlocal Cooperation Agreement of the Weber-Morgan Health Department. A copy of the amended agreement is attached as Exhibit A.

RESOLVED this 1<sup>st</sup> day of May, 2018.

COUNTY COUNCIL  
OF MORGAN COUNTY

By Ned Mechem  
Ned Mechem, Chair

APPROVED AS TO FORM:

Jean L. Farris  
Jean L. Farris  
Morgan County Attorney

Page | 1  
Resolution Approving  
Amended Interlocal Agreement  
Weber-Morgan Health Department

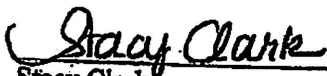
Council members

Voting:

AYE NAY ABSENT

|                  |                                     |                          |                          |
|------------------|-------------------------------------|--------------------------|--------------------------|
| Tina Cannon      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Austin Turner    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Robert Kilmer    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Daryl Ballantyne | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| John Barber      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Roland Haslam    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ned Mechem       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

ATTEST:

  
Stacy Clark  
Morgan County Clerk/Auditor



48 W Young St - 886  
Morgan, UT 84050

## Morgan County Airport Advisory Board

---

### **NOTICE**

The Morgan County Commission is seeking applicants to fill seats on the Morgan County Airport Advisory Board. The terms, requirements, and authorities of this board may be found in Morgan County Code § 33.083 (attached).

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

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

posted 03/13/2025

**§ 33.083**

**AIRPORT ADVISORY BOARD**

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

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

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

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

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

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

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

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

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

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

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

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

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

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



## **Limit of 3 Minutes**

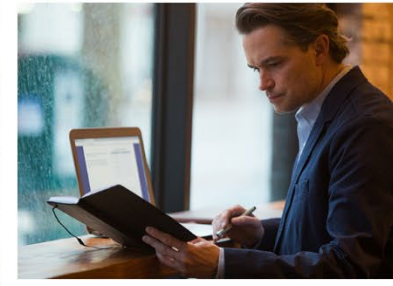
- \*Please do not repeat previously stated comments**
- \*The Commission cannot respond –  
This is not a Q & A**
- \*Please Be Respectful**

***Thank you for being here!***



# MOUNTAIN GREEN

ROCKY MOUNTAIN POWER UPGRADES: 2025-2026



# MOUNTAIN GREEN SUBSTATION

## EXISTING SUBSTATION:

- ~10MVA Transformer
- Single circuit breaker





# MOUNTAIN GREEN SUBSTATION

## NEW SUBSTATION:

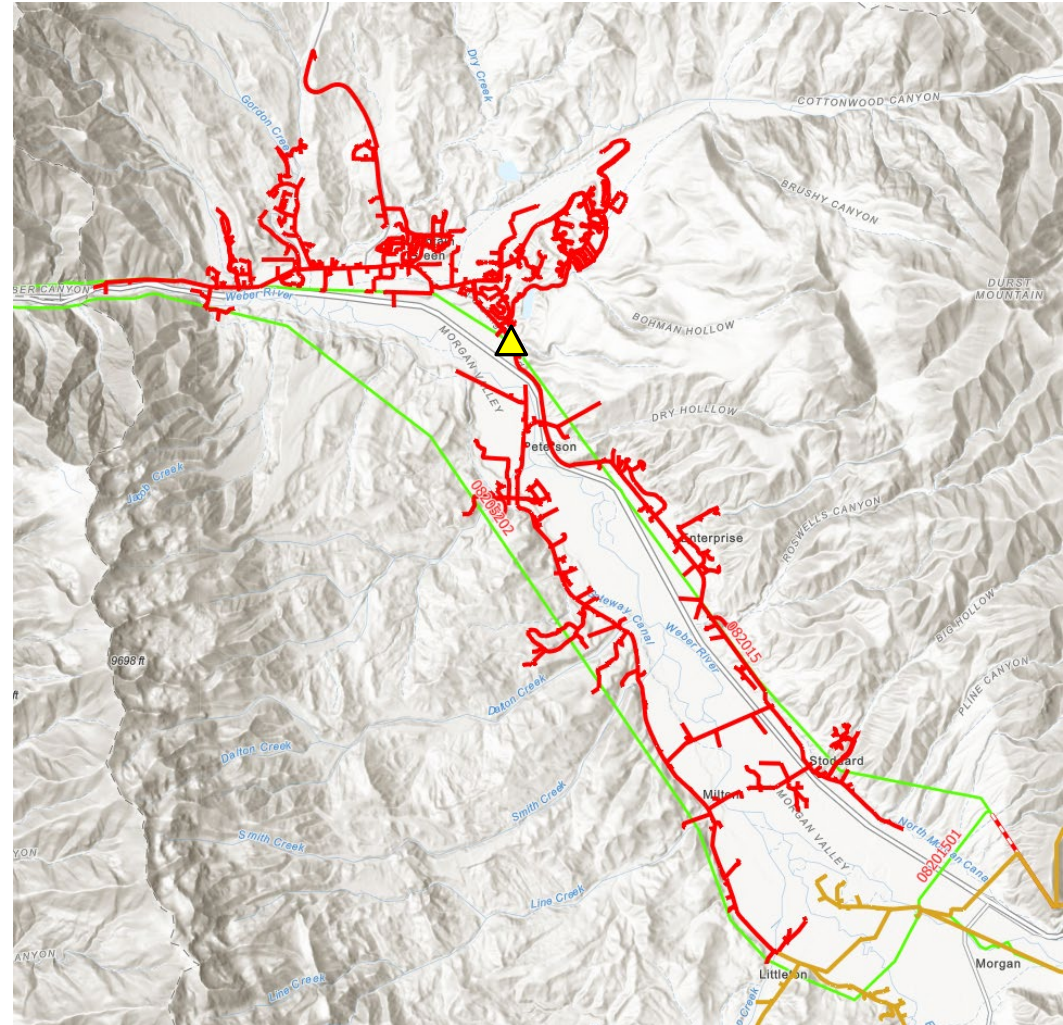
- New Transformer ~30 MVA
- Dedicated North and South distribution circuits
- Enhanced reliability
- 10' high patterned concrete wall around perimeter of substation
- Estimated completion May 2026



# MOUNTAIN GREEN SUBSTATION

## NEW SUBSTATION:

- North and South distribution circuits will have dedicated circuit breakers

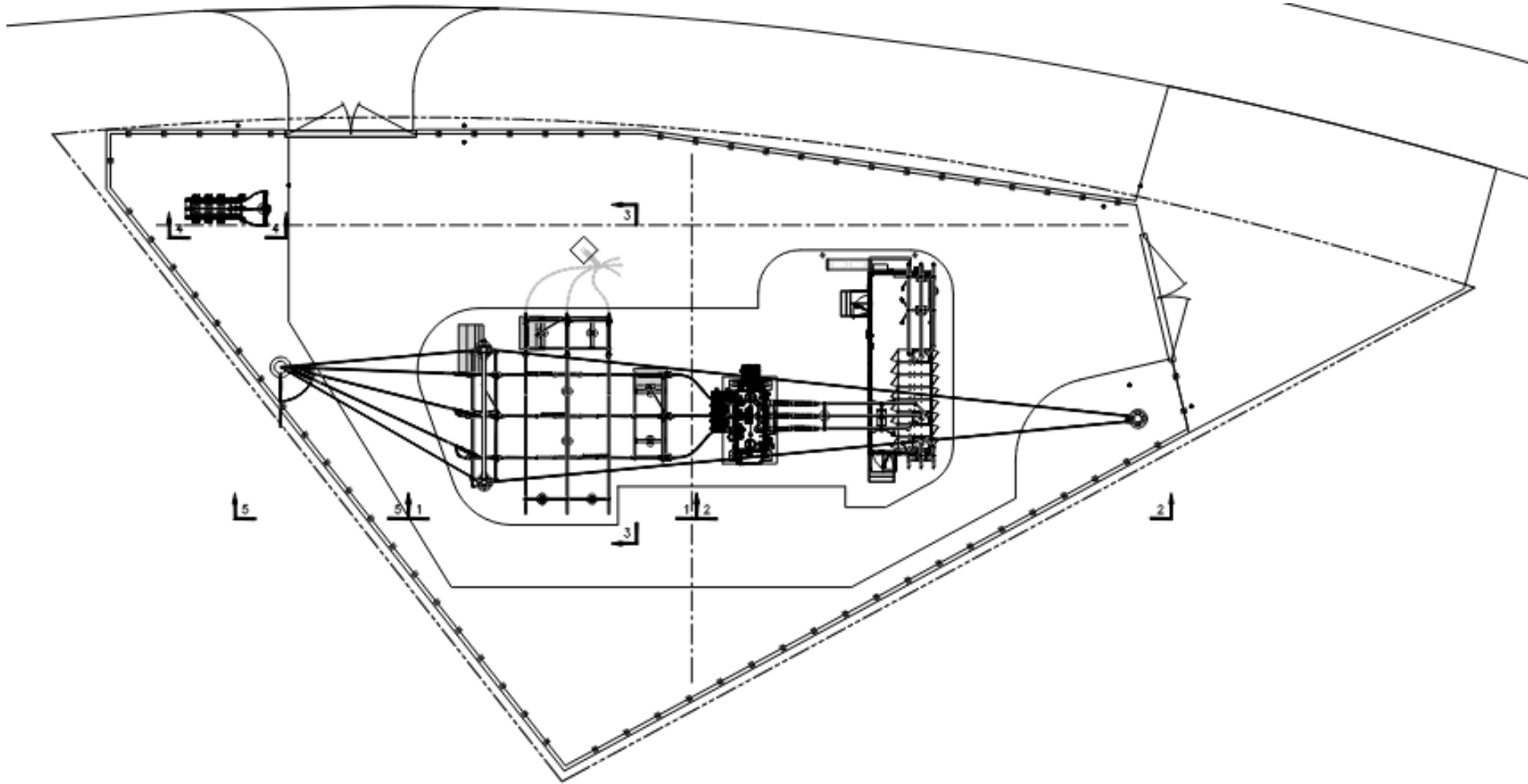




# EXISTING SUBSTATION

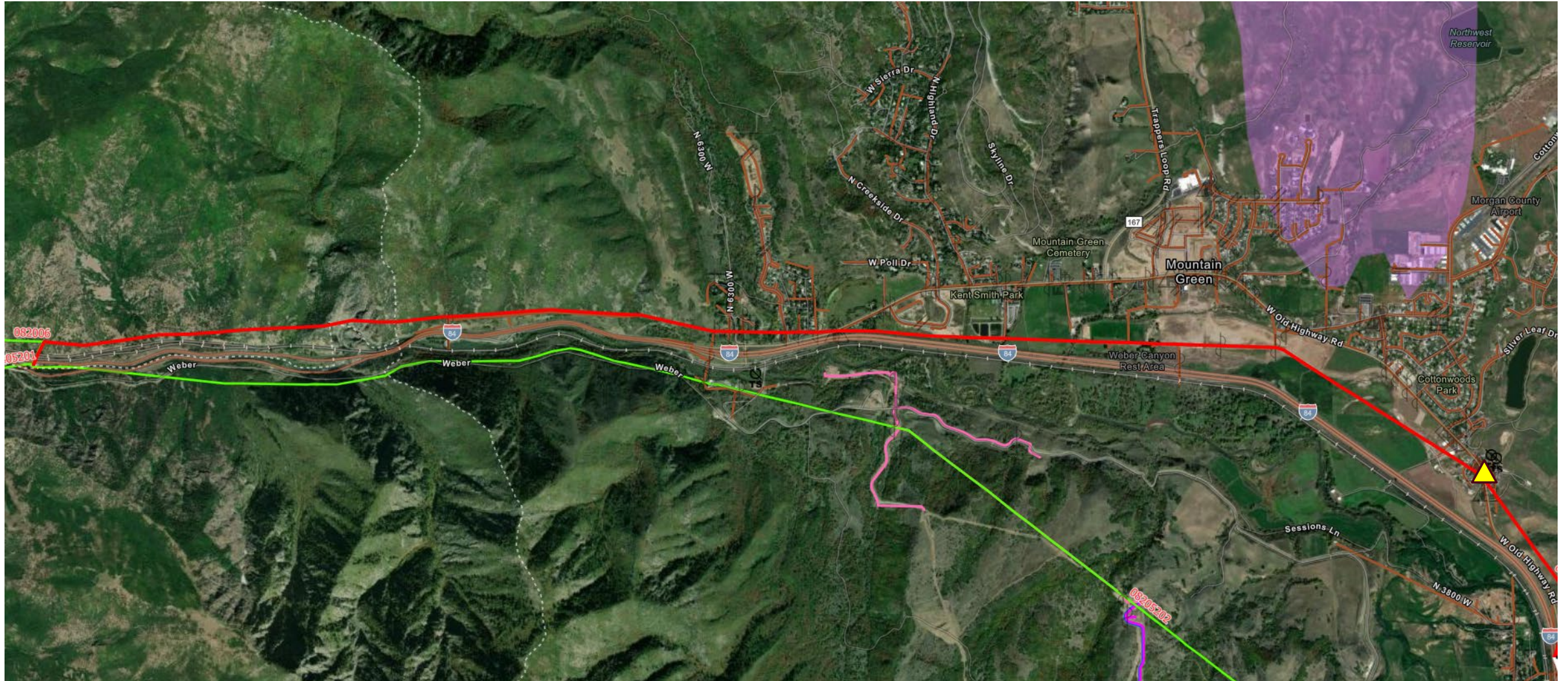


# SUBSTATION EXPANSION





# TRANSMISSION WORK





THANK YOU







**MORGAN COUNTY**  
**RECORDER'S OFFICE**



## Topics

- Staff
- Function Of The Recorder's Office
- Morgan County Recorder Webpage
- Public Search Website
- PLSS Section Corner Tie Sheets
- PLSS Section Corners
- Pro-West/Parcel Fabric
- Electronic Signing/Digital Recording For Subdivisions
- Scanning & Indexing

# Staff

## **Shaun Rose**

MORGAN COUNTY RECORDER

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Morgan, UT 84050

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## **Jessica Mikesell**

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## **Jenny MacArthur**

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48 W. Young St.

Morgan, UT 84050



# Function Of The Recorder's Office

- Records, stores and retrieve land documents in the public record.
- Assists the public in locating real property parcels on ownership plats.
- Assists the public in locating records.
- Provides copies of documents for a fee.
- Records Military discharges and provides certified copies of these documents at no charge.
- Provides services under Simplifile & CSC (Corporation Service Company) for electronic recording.



# Recorders Webpage

(New & Updated)

## MORGAN COUNTY RECORDER'S OFFICE

Morgan County Recorder - Shaun Rose



Recorder's Office 801-829-3277

EMAIL: [recorders@morgancountyutah.gov](mailto:recorders@morgancountyutah.gov)

OFFICE HOURS:

Monday-Friday

8:00am-5:00pm

Excluding Legal Holidays

ELECTRONIC RECORDING HOURS:

Monday-Friday

8:00am-4:30pm

ADDRESS:

48 W. Young St.

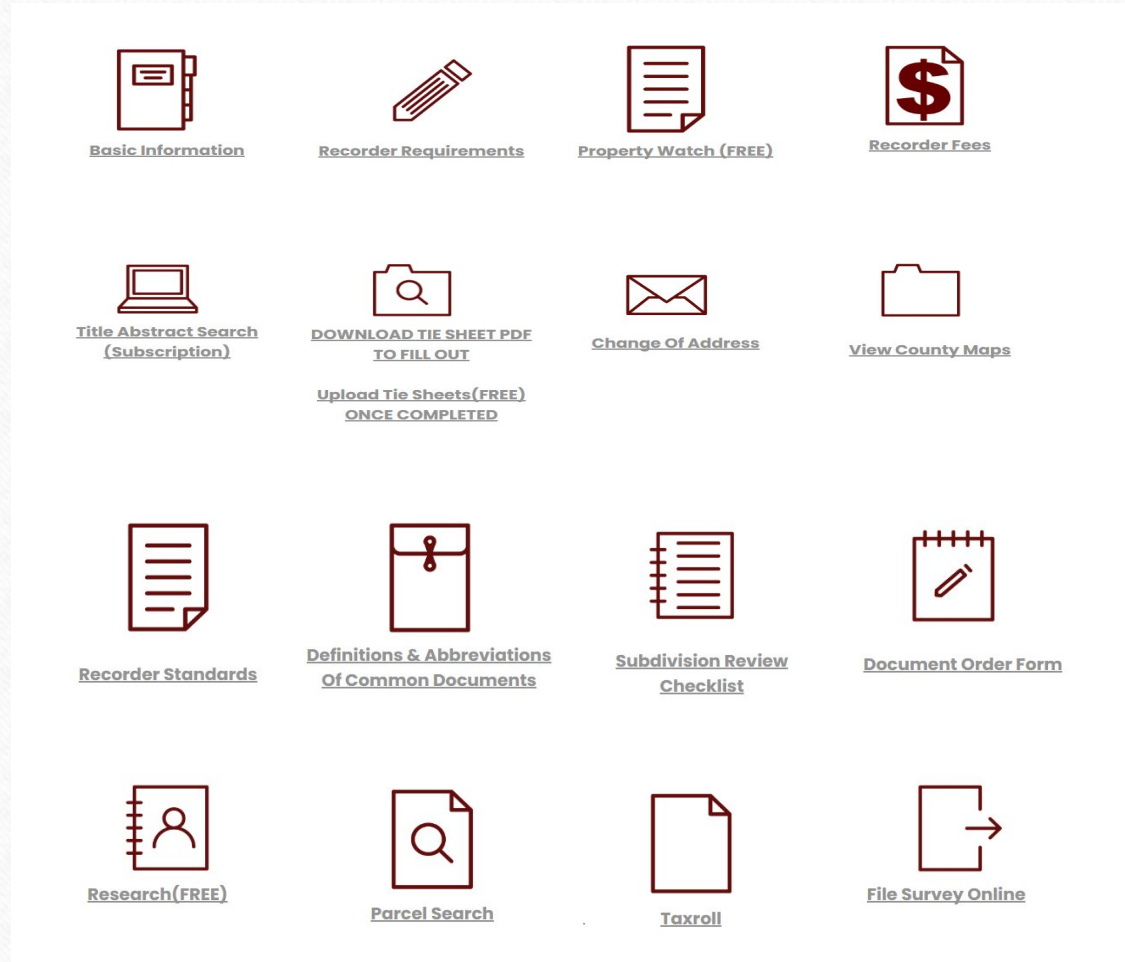
PO Box 886

Morgan, Utah 84050

**CONTACT US**

## Providing To The Public

- Creating these new buttons will:
  - Allow records to be more accessible to the public.
  - Allow documents to be submitted digitally online.
  - Allow anyone to research documents online without needing to come into the office.
  - Have the necessary information available for anyone to access.







## Basic Information

### Basic Information

#### **WHAT DOES THE COUNTY RECORDER DO?**

1. Records, stores and retrieve land documents in the public record.
2. Assists the public in locating real property parcels on ownership plats.
3. Assists the public in locating records.
4. Provides copies of documents for a fee.
5. Records Military Discharges and provide certified copies of these documents at no charge.
6. Provides services under Simplifile & CSC for electronic recording.

#### **THE COUNTY RECORDER DOES NOT:**

1. Prepare or notarize documents.
2. Give legal advice.
3. Perform title searches for the public.
4. Furnish legal descriptions over the phone.
5. Research records over the phone.
6. Interpret legal documents.

#### **WHAT DOCUMENTS ARE REQUIRED IN ORDER TO BE ACCEPTED FOR RECORDING?**

- Documents must have a title at the top.
- There must be adequate room on the top left margin (2 ½ & 4" from left) to affix recording data.
- If it affects real property, it must have a complete legal description of the property and the land serial number(s)/ parcel number(s) on the document (address is not sufficient-this includes UCC forms).
- Must be an original document with original signatures.
- Signatures must be acknowledged
- Documents must be legible and of adequate quality for microfilming.
- Documents cannot be larger than 8.5" x 14", unless it is a plat map.
- Must have mailing address for tax notice to be sent to.

#### **HOW DO I RECORD A DOCUMENT?**

- Bring or mail your completed document completely filled out, signed and acknowledged to the Recorder's Office. Recording information will be printed on your document to identify it, and a recording fee will be charged. If the document is mailed in, then the fee must accompany the document. (cash or check payable to Morgan County Recorder). The original document will be returned to you after it has been properly recorded.



## Recorder Requirements

### Recorder Requirements

## Recorder Requirements

#### **ALL DOCUMENTS TO BE RECORDED MUST MEET THE RECORDING REQUIREMENTS AS SET FORTH IN THE UTAH CODE.**

- Original documents with original signatures – Utah Code 57-3-106.1(a)(1)
- Acknowledgement and Notary Signatures/Seal – Utah Code 57-3-101
- Documents must be legible for scanning, copying, microfilm and certified copies – Utah Code 57-3-106.2
- Documents must have heading/title at top of page – Utah Code 57-3-106.1
- Document must have complete legal description of property – Utah Code 57-3-105.1
- Must include tax parcel number of property – Utah Code 17-21-20
- Tax mailing address must be included on document – Utah Code 57-3-105.2

#### **DUTIES OF THE RECORDERS OFFICE**

- Be custodian for all recorded documents – Utah Code 17-21-1
- Not alter any record – Utah Code 17-21-17
- Keep an index of all recorded documents – Utah Code 17-21-9, 10 & 14
- Report all property changes to the County Assessor's Office – Utah Code 17-21-22
- Expect payment in advance – Utah Code 17-21-18
- Follow fees established by Utah Legislature – Utah Code 17-21-18.5



## Property Watch

### Property Watch (FREE)

#### Property Watch

#### Property Watch

I am the owner of the property of the parcel no.'s listed below. I am requesting the recorder's office to add my email address to my taxing accounts. My understanding is that once the recorder's office puts in my email address for the parcel no.(s) that I list, I will receive information on what documents have been recorded for the parcel no.(s) as well if the mailing address for the parcels listed change. I would like the information emailed to me. Any documents recorded before that date the email address is put in will not be emailed out using Property Watch.

Please Register me for Property Watch.

Owner of Record (Please print your exact name of how you are deeded)

Parcel No.(s) requesting information to be emailed out:

Parcel No.(s) start with 00-

\_\_\_\_\_; \_\_\_\_\_;  
\_\_\_\_\_; \_\_\_\_\_;  
\_\_\_\_\_; \_\_\_\_\_;

Email address for person to receive notification

\_\_\_\_\_

Start Filling →



## Recorder Fees

### Recorder Fees

| Service  | Fee                            |
|--|--------------------------------|
| Recording fee per document (8½ x 11 or smaller)    | \$40.00                        |
| Each additional page                               | \$0.00                         |
| Each additional description over 10                | \$2.00                         |
| Exceptions (described)                             | \$0.00                         |
| Each Right-of-way described                        | \$0.00                         |
| Plat of Subdivision or Condominium                 | \$50.00 / SHEET + \$2.00 / LOT |
| Online Access (Subscription)(\$1,000.00 setup fee) | \$250.00 (qtr.)                |
| Tax Parcel Map (11x17 – 24x36)                     | \$2.00                         |
| Certificate under seal                             | \$5.00                         |
| License issued by the Department of Registration   | \$40.00                        |
| Federal Tax Lien or Discharge                      | \$40.00                        |
| Termination of Financing Statement (UCC)           | \$40.00                        |
| Affidavit or proof of labor                        | \$40.00                        |
| Copies Of Documents (per sheet)                    | \$1.00                         |
| Computer Prints (per sheet)                        | \$1.00                         |
| Abstract Print (per page)                          | \$1.00                         |
| Description Print (per page)                       | \$1.00                         |
| Ownership maps (to scale) 18" x 18"                | \$2.00                         |
| Dedication Plats 24" x 36"                         | \$3.00                         |
| Mylar Copies (all sizes)                           | \$6.00                         |
| Record of Survey (per sheet)                       | \$20.00                        |
| Copy of Record of Survey Plat (per sheet)          | \$3.00                         |
| Ownership maps 11'x17', 8 1/2' x 11"               | \$1.00                         |





## Title Abstract Search (Subscription)

- All Morgan County records will soon be available to the public online.
- The public will be able to search for any document online and retrieve the documents as a PDF.



# Title Abstract Search



## Morgan County Recordings

☐ I agree to the [Terms of Use](#)  
You must agree to terms to continue.

### PUBLIC SEARCH:

[Public Search](#)

Access property information only.

### REGISTERED USER SEARCH:

[Login](#)

To become a Registered User, select the 'Login' button and then select 'New registered User'. Once registered, you will be able to purchase document(s) for \$1.50 per page with a Credit card (Credit Card fees will be applied at check out)

### SUBSCRIPTION USER SEARCH:

Subscription searches will activate an additional option to purchase a document(s) for \$0.25 per page. First, become a Registered User. The option to purchase a search subscription will then appear. With a credit card, you can purchase a subscription(s) for the following time periods:

- One Day for \$10.00
- One Month for \$75.00
- One Year for \$800.00

All images will be degraded. You will be able to get a clean version on the image once the document is purchased.


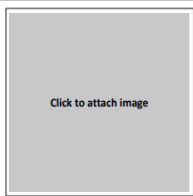
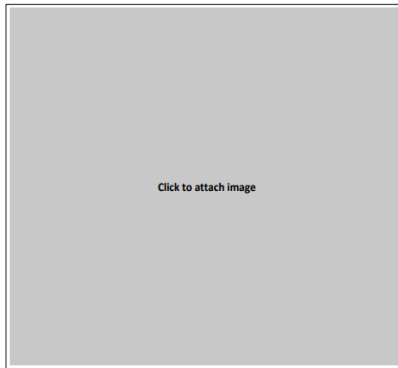







[DOWNLOAD TIE SHEET PDF  
TO FILL OUT](#)

[Upload Tie Sheets\(FREE\)  
ONCE COMPLETED](#)

# Morgan County PLSS/Section Corner Tie Sheets

- The tie sheet template has been updated to show & provide more information of what the **(State Corner Preservation Grant) Requires.**)
- The tie sheet template is available to download as a PDF to fill out the necessary information.
- Licensed Surveyor's who are submitting a tie sheet to be filed in the Recorder's Office can now download the tie sheet on the Recorder webpage and submit the PDF for digital filing.

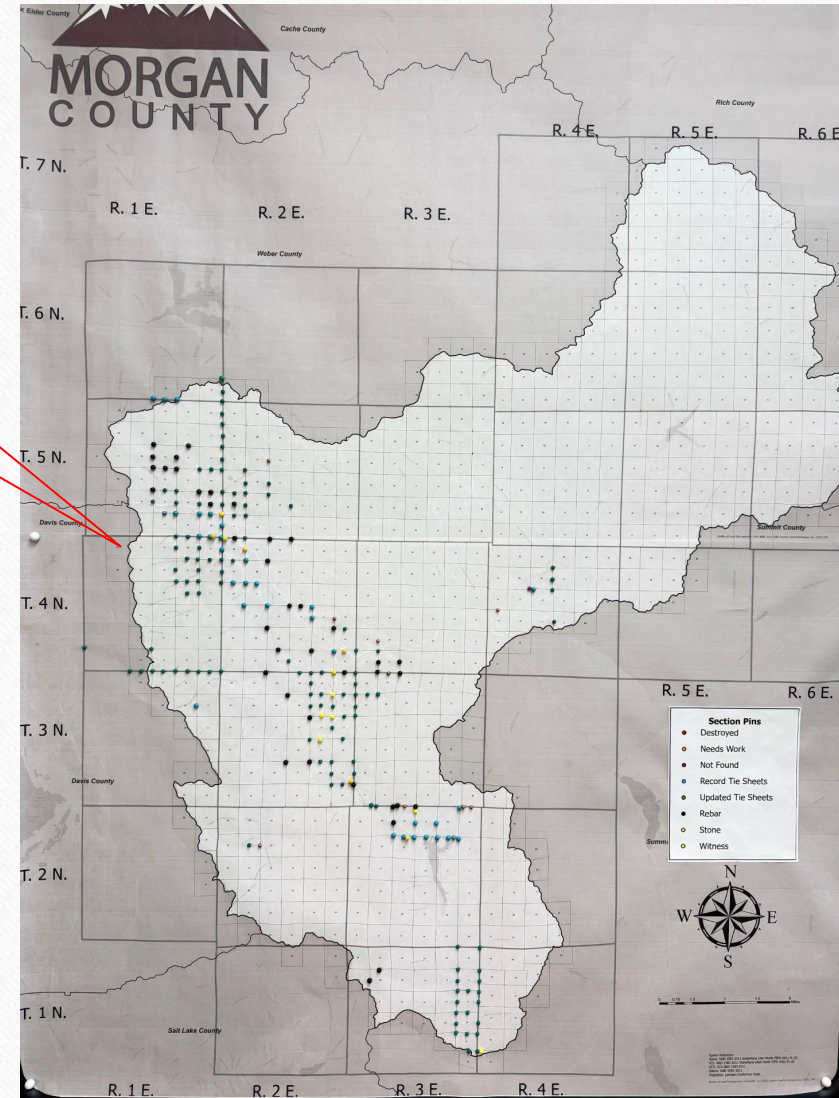
|  |  |              |  |
|--|--|--------------|--|
| <br><b>MORGAN COUNTY</b><br>48 W. Young Street Room 886<br>Morgan, Utah 84050<br>P.O. Box 886 | <b>CORNER</b>  |              | MON #:   |
|  | SECTION  | BLM #:       |  |
| Address:   | TOWNSHIP   | RANGE        | File No.                                       |
| Directions:  | SALT LAKE BASE and MERIDIAN  |              | Received: SHAUN ROSE<br>MORGAN COUNTY RECORDER |
|  |    | Agency:      |  |
|  |  | Cap Size:    |  |
|  |  | Date on Cap: |  |
|  |  | Location:    |  |
|  |  | Condition:   |  |
| Horizontal Datum:<br><small>Utah State Plane (NAD Survey Feet), North Zone, NAD83 (NAD83-2011)</small>   |   |              |  |
| Grid Northing:   |  |              |  |
| Grid Easting:  |  |              |  |
| Vertical Datum: <small>NAVD83 (NAD Survey Feet)</small>  |  |              |  |
| Ellipsoid Height:  |  |              |  |
| Orthometric Height:  |  |              |  |
| History/Narrative:   |  |              |  |
|   | Reference Ties:  |              |  |
|  | 1. _____<br>2. _____<br>3. _____<br>4. _____   |              |  |
| Surveyor's Seal  | <small>Disclaimer: Morgan County makes no guarantee, representation, or warranty, of any kind, expressed or implied, as to the content, accuracy, time line, or completeness of any of the data. Unless otherwise noted all images are aerial/satellite and are not to scale. The data is provided on a "as is, where is" basis. The county assumes no obligation or liability for its use by any person. Prepared by the Office of the Morgan County Surveyors for Morgan County. Color Aerials provided by Google via Google Earth @ 2025 Google with permission for non-commercial use.</small> |              |  |

|  |  |         |        |
|--|--|---------|--------|
|   |   |         |        |
| FACING NORTH   | FACING EAST  |         |        |
|  |  |         |        |
| FACING SOUTH   | FACING WEST  |         |        |
| TOWNSHIP   | RANGE  | SECTION | CORNER |

# Morgan County PLSS/Section Corners

- Currently working with Jeremiah Cunningham with Entellus (County Surveyor) to create a plan and put it into place to improve PLSS inventory in Morgan County.
- Use the **(State Corner Preservation Grant.)** at its fullest.
- The question that we are asking; Is how can we locate more PLSS section corners in Morgan County?
- It is **extremely** important that we work towards increasing the PLSS inventory in the county especially for current and future development.

Current  
PLSS  
inventory





- Digital forms have been created and made available to the public online.
- With the help from the IT department, the public can go on the Recorder's Webpage and submit these forms.
- In the Morgan County Recorder's Office, it is our goal to better provide to the public and to continue making the Morgan County Records more accessible to the public.



## Change Of Address

[Change Of Address](#)



## Document Order Form

[Document Order Form](#)



# File Survey Online

- Record of Surveys can now be submitted online to be digitally filed in the Recorder's Office.

## RECORDS OF SURVEY

The record of survey filing fee is (\$20.00 per page) for any filed survey whether filed by Mylar or online

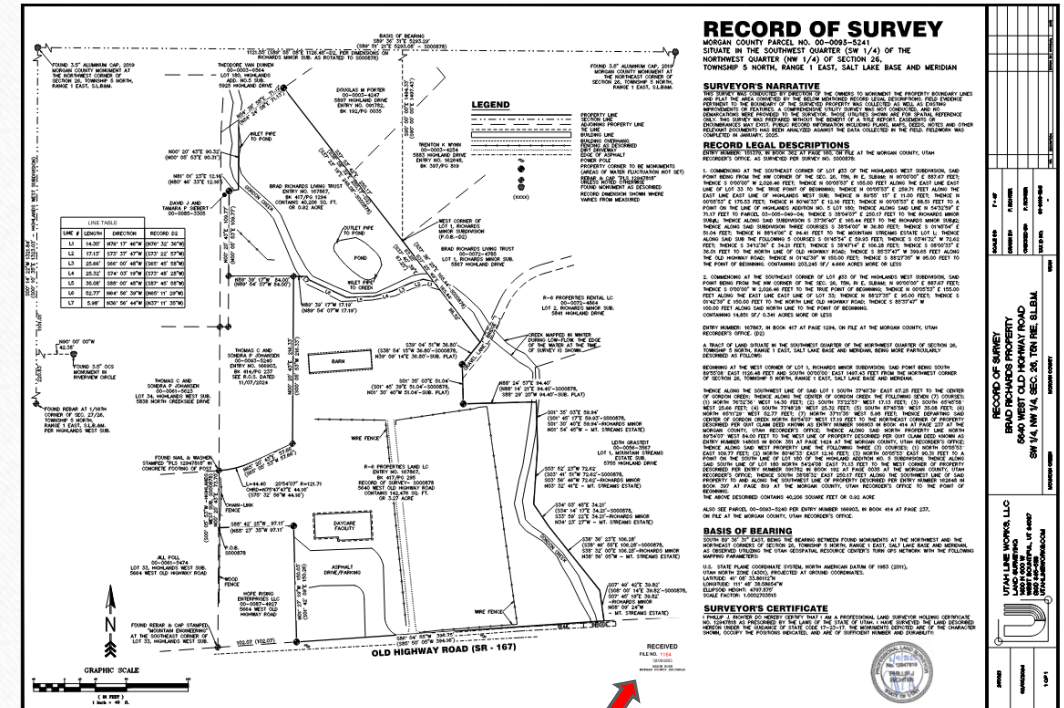
[File a Survey Online](#)

[Survey Index](#)

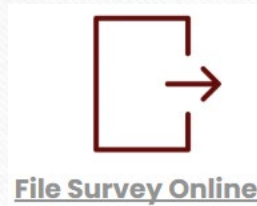
Copies can be obtained in person or requested by e-mail at the Morgan County Recorder's Office.

| SIZE                      | FEE    |
|---------------------------|--------|
| 8.5" x 11" - 11" x 17"    | \$1.00 |
| 11" x 11" - 24" x 36"     | \$3.00 |
| 24" x 36"                 | \$3.00 |
| Mylar copy any size       | \$6.00 |
| Certified copy (any size) | \$5.00 |

Revisions to a survey plat can be made within ten (10) business days of being submitted to the Morgan County Recorder's office for filing. After this period, no revisions can be made and the survey will be permanently archived.



New  
Digital  
Stamp



## File Survey Online

- Record of Surveys can now be searched for online.

### RECORDS OF SURVEY

The record of survey filing fee is (\$20.00 per page) for any filed survey whether filed by Mylar or online

[File a Survey Online](#)

[Survey Index](#)

Copies can be obtained in person or requested by e-mail at the Morgan County Recorder's Office.

| SIZE                      | FEE    |
|---------------------------|--------|
| 8.5" x 11" - 11" x 17"    | \$1.00 |
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| Mylar copy any size       | \$6.00 |
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Revisions to a survey plat can be made within ten (10) business days of being submitted to the Morgan County Recorder's office for filing. After this period, no revisions can be made and the survey will be permanently archived.

### RECORDS OF SURVEY TRACKER

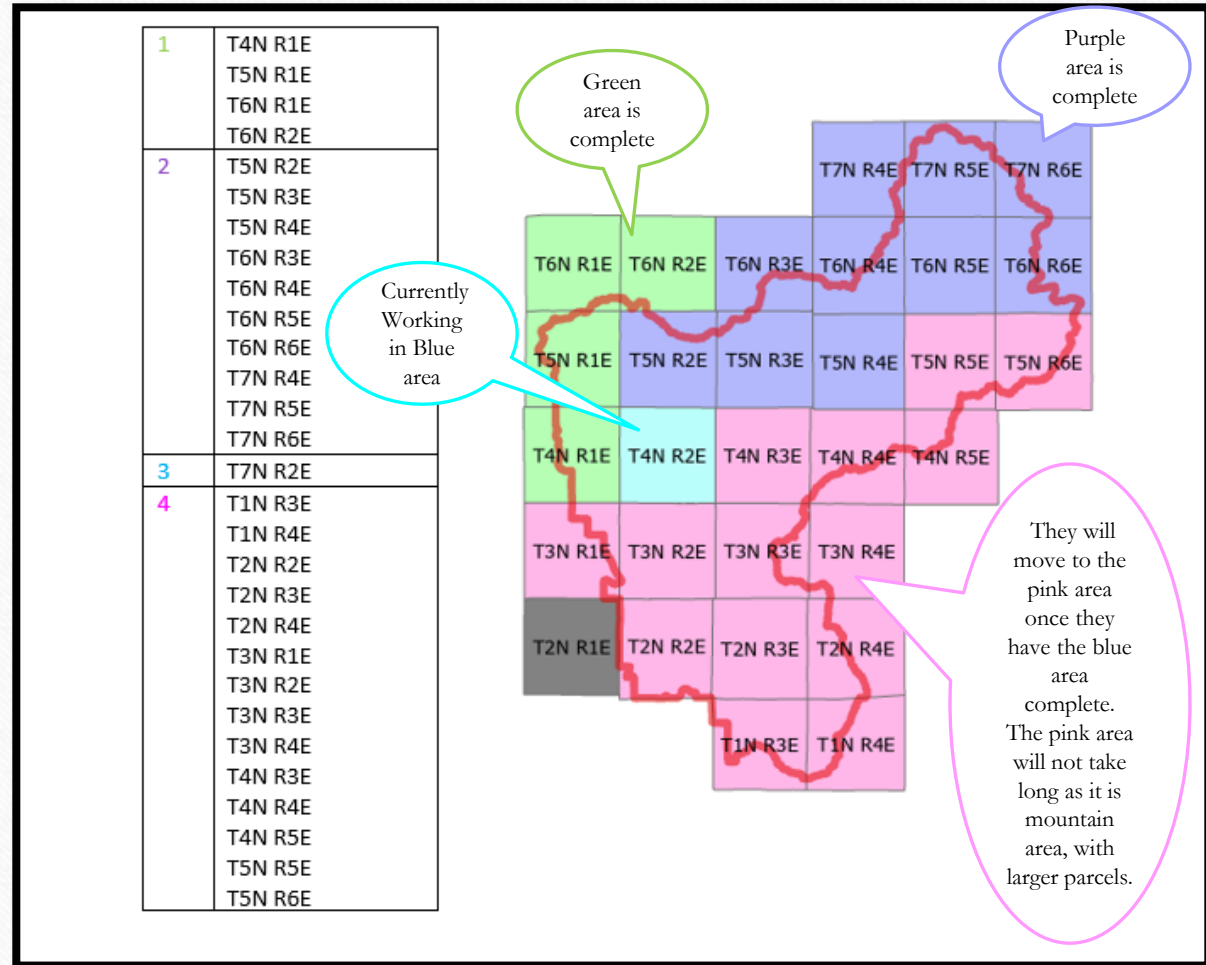
Show 50 entries

Search

| File Number | Date Signed | Date Filed | Title Of Survey                           |
|-------------|-------------|------------|---|
| 1           | 6/5/88      | 12/1/88    | GRANT RICH SUBDIVISION                    |
| 2           | 7/31/88     | 12/19/88   | DICKSON SUBDIVISION                       |
| 3           | 5/9/88      | 12/19/88   | DONALD BRENT CROFT PROPERTY SURVEY        |
| 4           | 12/2/87     | 12/19/88   | RICHARD K SOMMERS TRACT SURVEY            |
| 5           | 1/30/88     | 12/19/88   | RAYMOND & JUNE ROSE WISCOMBE TRACT SURVEY |
| 6           | 2/15/88     | 12/19/88   | LYNDA M WEST TRACT SURVEY                 |
| 7           | 5/13/87     | 12/19/88   | BRILL ESTATE                              |
| 8           | 1/26/88     | 12/19/88   | SARA LEE & LOWELL'S SUBDIVISION           |
| 9           | 6/16/87     | 12/19/88   | BART PORTER MINOR SUBDIVISION             |
| 10          | 6/21/88     | 12/19/88   | EARL WALDRON SUBDIVISION                  |
| 11          | 6/24/88     | 12/19/88   | EUGENE HAYES SUBDIVISION                  |
| 12          | 6/16/87     | 12/19/88   | SIX PENCE MINOR SUBDIVISION               |
| 13          | 7/6/88      | 12/19/88   | KENNEDY SUBDIVISION                       |
| 14          | 7/10/88     | 12/19/88   | JAMES LEE BAKER SUBDIVISION               |
| 15          | 3/30/88     | 12/19/88   | SARA LEE & LOWELL'S SUBDIVISION           |
| 16          | 11/7/88     | 12/23/88   | BURTON'S SOUTH PARCEL                     |
| 17          | 10/5/88     | 1/4/89     | VERLE R BOHMAN SUBDIVISION                |
| 18          | 8/20/88     | 1/4/89     | WARDELL FARM'S SUBDIVISION-PHASE ONE      |
| 19          | 11/9/88     | 1/6/89     | V.M. NOYES SUBDIVISION                    |
| 20          | 8/4/88      | 1/17/89    | JOHN JOSEPH NANCE PROPERTY SURVEY         |
| 21          | 1/30/88     | 1/30/89    | TRACT SURVEY                              |
| 22          | 6/21/88     | 2/15/89    | PROPERTY SURVEY AND MINOR SUBD PLAT       |

# Pro-West/ Parcel Fabric

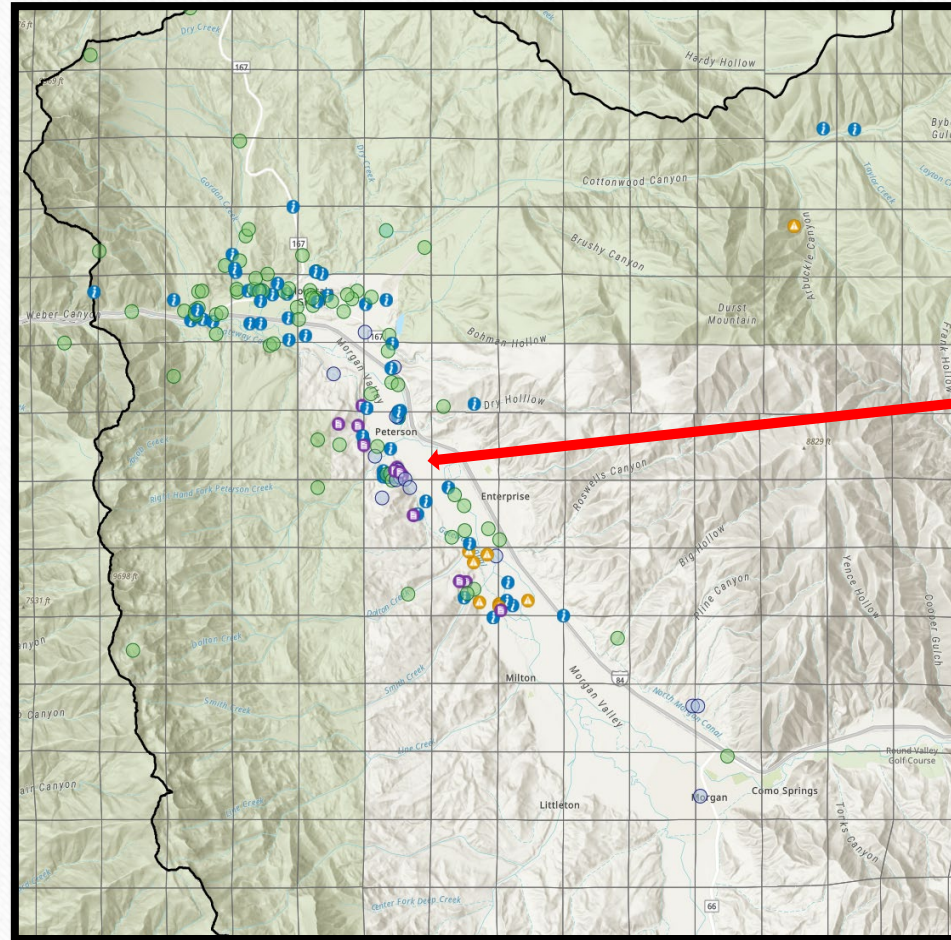
- Currently Pro-West is on track. Their plan is the first of June for the project to be complete.
- Pro-West will be training onsite June 23<sup>rd</sup>-26<sup>th</sup>.





## Pro-West/ Parcel Fabric (Discrepancy Points)

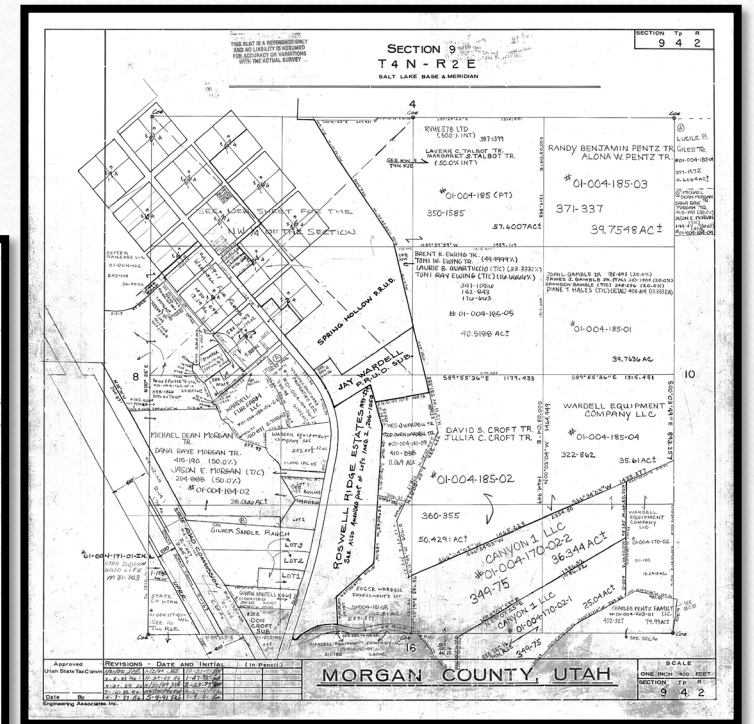
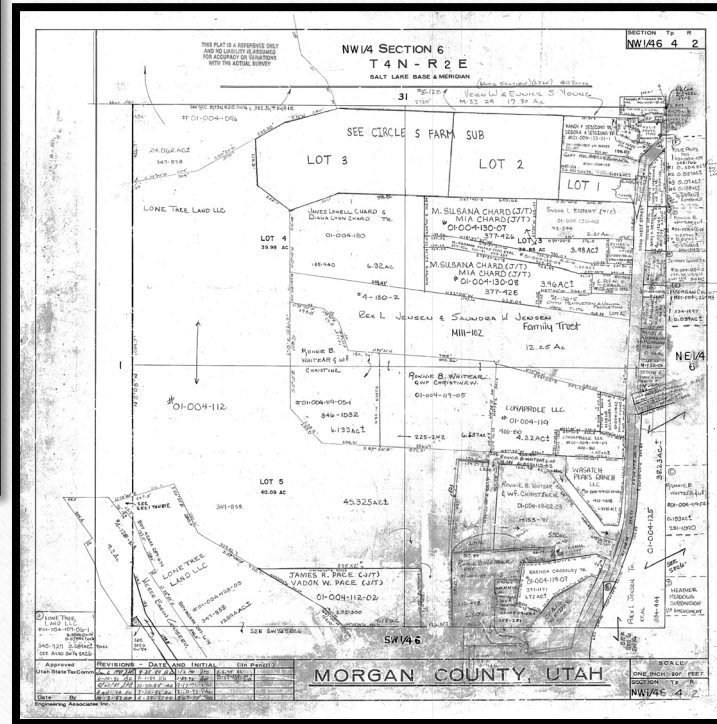
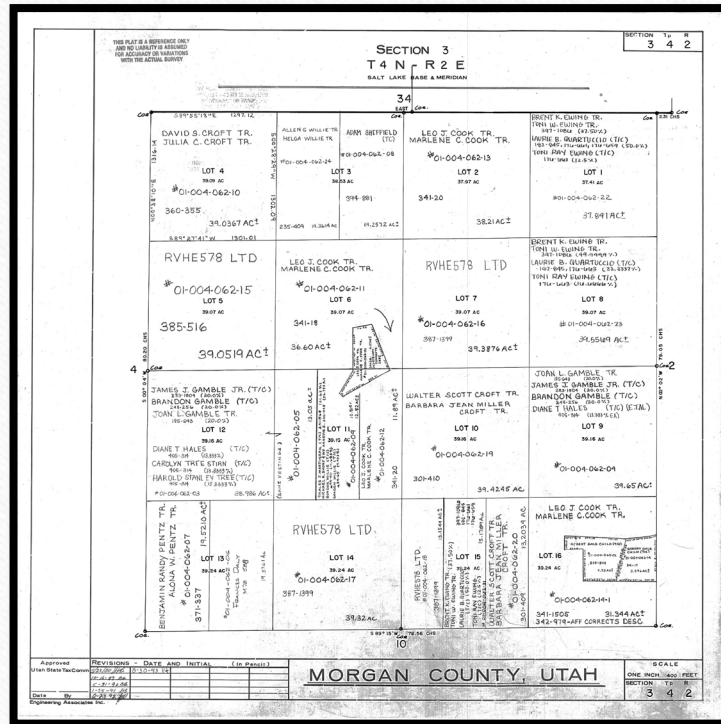
- As Pro-West is going through all the parcels in the county they are submitting (discrepancy points) such as overlaps, gaps, etc.
- Once Pro-West submits these discrepancy points to the Recorder's Office, we then do the research to determine what the issue is and the correct outcome.





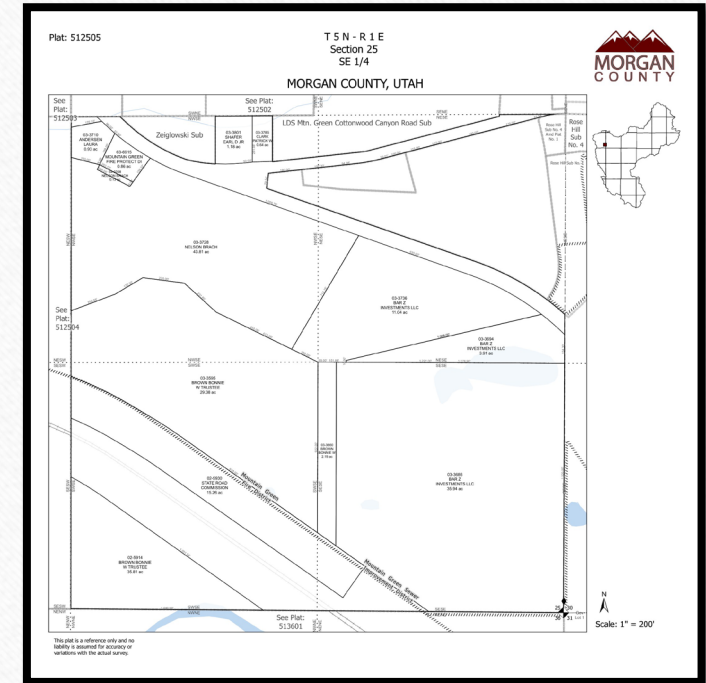
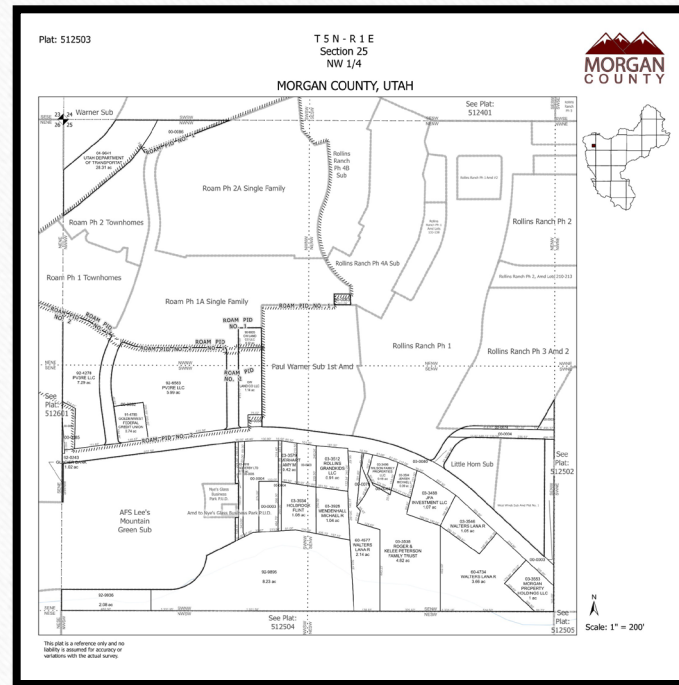
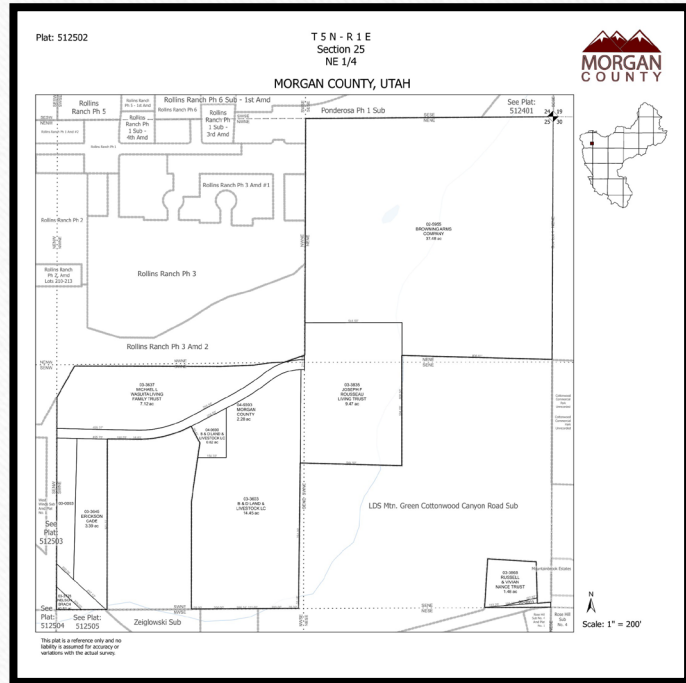
# Current Tax Maps

## (Hand drawn)



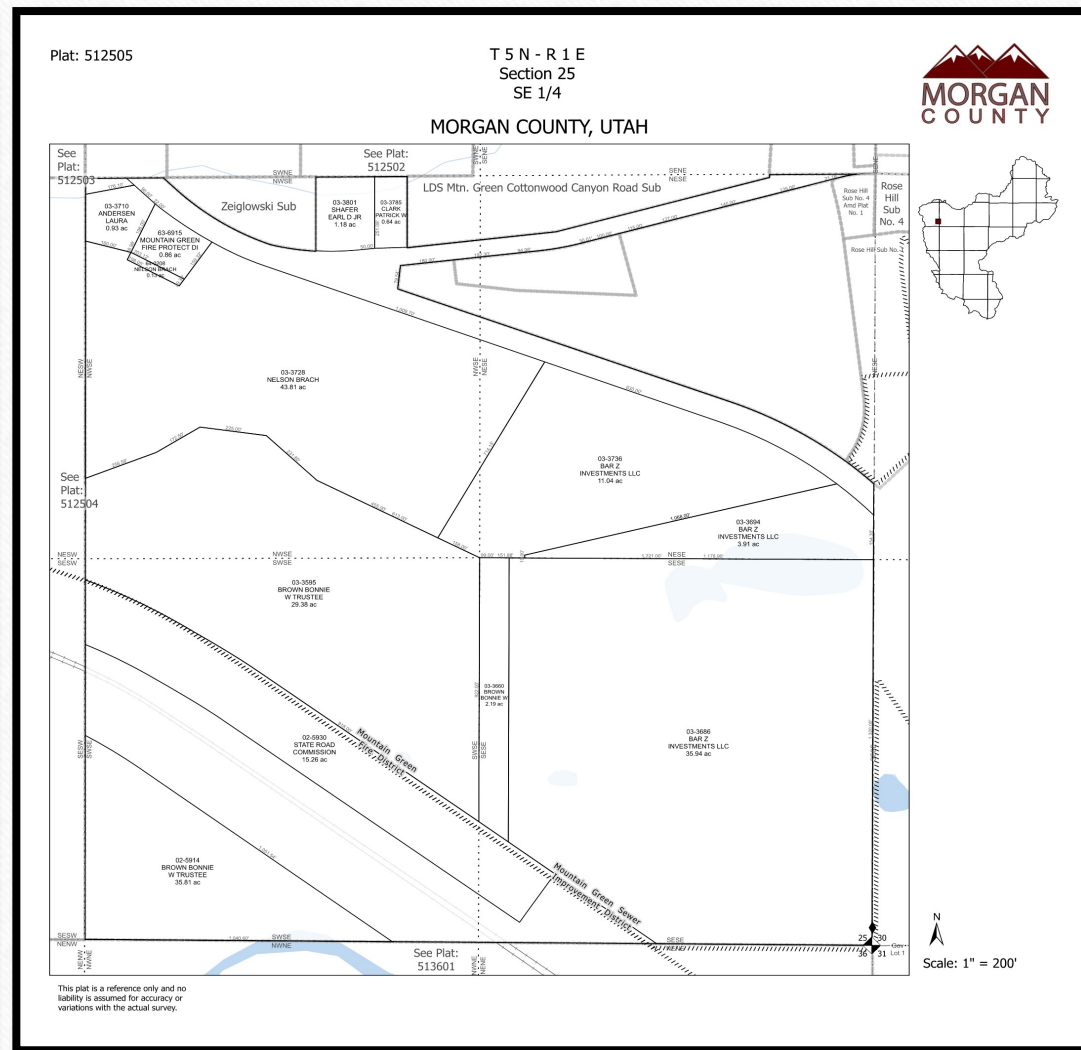
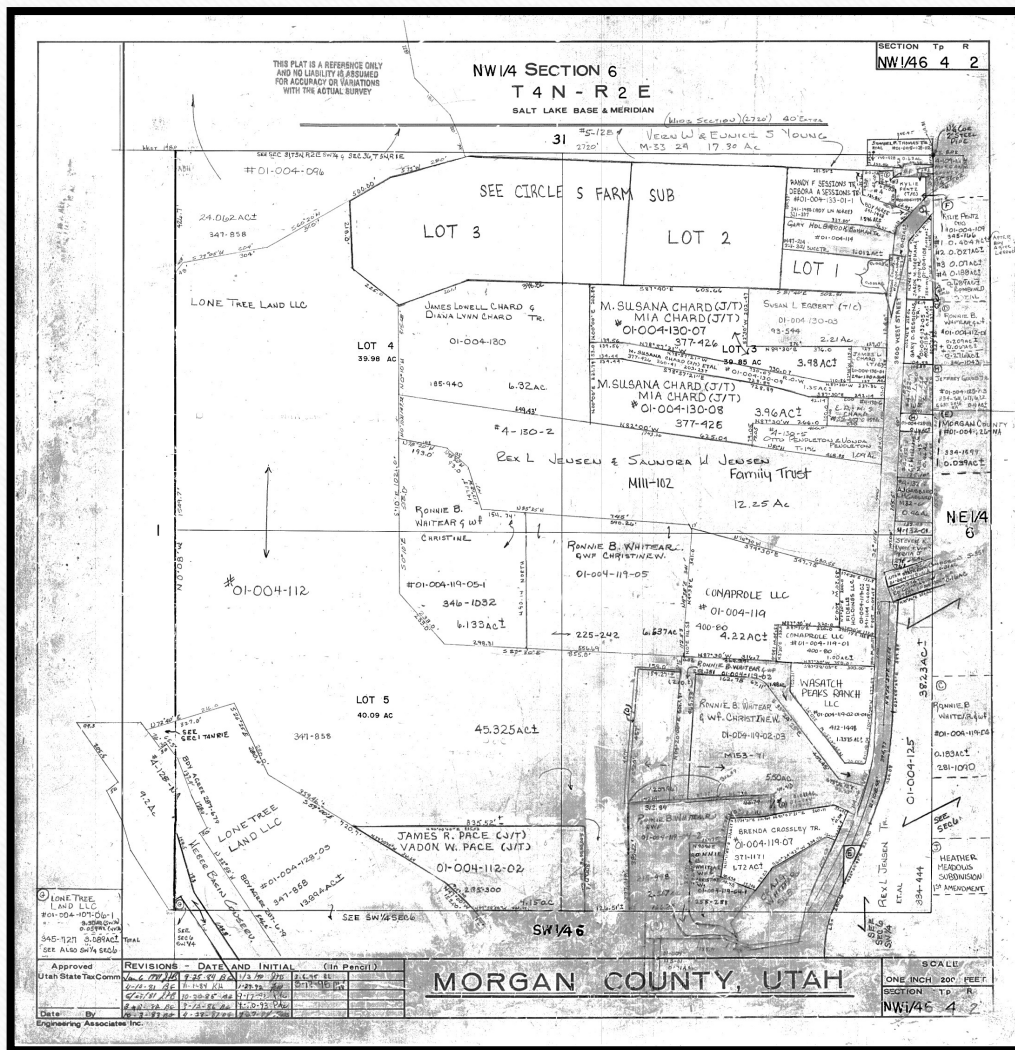
# Proposed Tax Maps

## (Digital)





# Old & New



## Electronic Recording Of A Subdivision Plat

- Per State Code: 17-21-18.5.- Electronic Recording Of Instruments.

(5) (a) Beginning on or before January 1, 2022, each county shall accept and provide for the electronic recording of instruments.

(b) Beginning on or before January 1, 2023, each county shall:

(i) provide for the electronic recording of a plat; and

(ii) accept an electronic document for the recording of a plat.

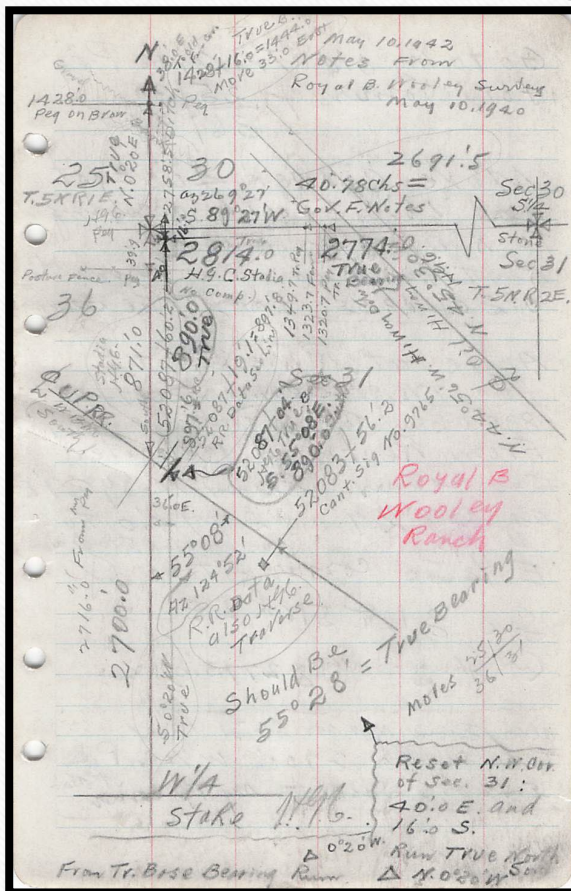
- This process is currently being built.
- Once this process is in place, all subdivision plats will be accepted to be electronically signed & recorded.



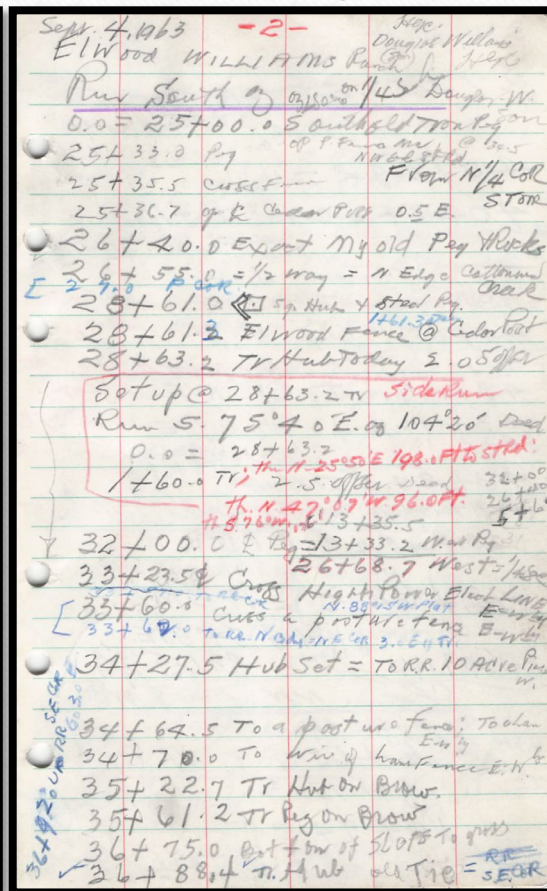


# Scanning & Indexing

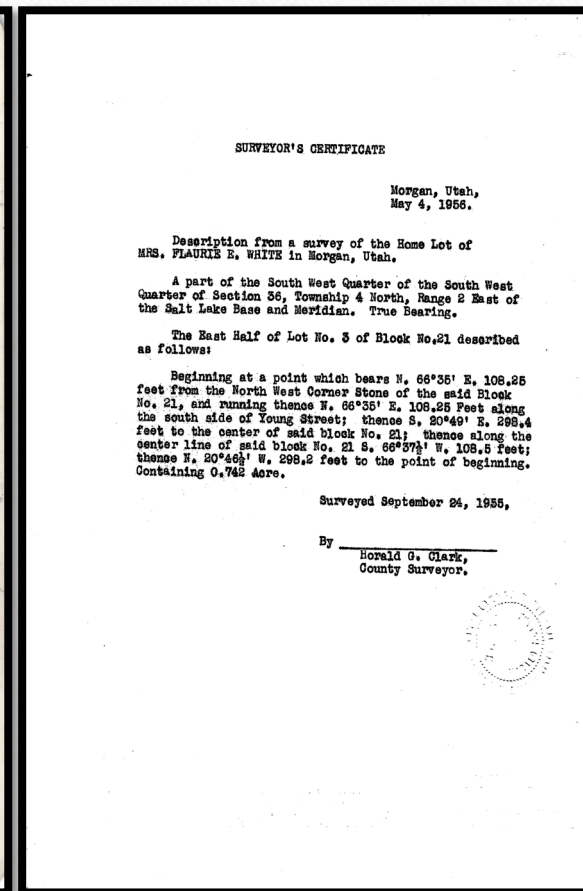
- Over a thousand documents including: old survey field notes, surveyor's certificates, maps and more **have been found**. These documents have not been scanned in.
- Currently we are in the process of having interns come into the Recorder's Office to scan and index these documents.
- After these documents have been scanned & indexed, they will be placed online and made available to the public.



## Old Survey Field Notes



# Old Survey Field Notes



## Surveyor's Certificate

The logo for Morgan County is a light beige watermark in the background. It features a stylized mountain range with three peaks. Below the mountains, the words "MORGAN" and "COUNTY" are written in a large, bold, sans-serif font, stacked on two lines.

Thank  
you!

**CR 25-14**

Approval of the Morgan County Commission to waive the erroneous 2023 taxes on parcel 00-0084-3741 // Serial 01-004-164-01-1 and delete the parcel going forward. Note: no taxes were assessed during the 2024 Assessment cycle. This 0.001 acre parcel was a remainder from a boundary line agreement between Anderson & Mortenson recorded in 2013. It is only 60 square feet and lies in the road. Mortenson sold to Snyder in 2023 triggering the delinquent taxes.

PASSED AND ADOPTED this 18th day of March, 2025.

MORGAN COUNTY COMMISSION:

ATTEST:

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Matthew Wilson, County Commission Chair

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Leslie A. Hyde, Morgan County Clerk/Auditor

APPROVED AS TO FORM:

COMMISSION MEMBERS VOTING:

|                      | AYE   | NAY   | ABSENT |
|----------------------|-------|-------|--------|
| <hr/> Michael Newton | _____ | _____ | _____  |
| Vaughn Nickerson     | _____ | _____ | _____  |
| Blaine Fackrell      | _____ | _____ | _____  |
| Raelene Blocker      | _____ | _____ | _____  |
| Matt Wilson          | _____ | _____ | _____  |

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59-2-1333 Errors or omissions -- In assessment book -- Authority to correct.

An omission, error, defect in form in the assessment roll, or clerical error, when it can be ascertained what was intended, may, with the consent of the county legislative body, be supplied or corrected by the assessor at any time before the sale for delinquent taxes or tax notice charges and after the original assessment or tax notice charge listing was made.



☐ Default Tab

Values

Reviewed: 04/25/2022

Changed: 11/07/2023

BRENDA

| Property |      |               |       |      | 2026 Values |         | 2025 Values |         |
|----------|------|---------------|-------|------|-------------|---------|-------------|---------|
| Code     | Type | Curr Yr Taxes | Acres | Size | Market      | Taxable | Market      | Taxable |
|          |      |               |       |      |             |         |             |         |
|          |      | 0.00          | 0.00  |      | 0           | 0       | 0           | 0       |

Last Yr Tax: 0.00

Tax Charged: 0.00 P

Spcs/Rollback: 0.00

Penalty: 0.00

Abatements: 0.00

Prepayments: 0.00

Amount Due: 0.00

Abatements

| Code | Type | Abatements | Date | Amount |
|------|------|------------|------|--------|
|      |      |            |      |        |

Prepayments

| Row | Date | Receipt # | Payments | Payer | Employee | Type |
|-----|------|-----------|----------|-------|----------|------|
|     |      |           |          |       |          |      |

Back Taxes

| Year | Principal | Special Totals | Penalty | Interest To Date | Interest Rate | Total Payments | Total Due |
|------|-----------|----------------|---------|------------------|---------------|----------------|-----------|
| 2023 | 4.75      | 0.00           | 10.00   | 1.70             | 10.00%        | 0.00           | 16.45     |



February 25, 2025

# MORGAN COUNTY Tax Roll Master Record

10:05:06AM

|  |                                       |
|--|---------------------------------------|
| Parcel: 00-0084-3741      Serial #:01-004-164-01-1      Entry: 044338                        |                                       |
| Name: MORTENSON BILLY J  |                                       |
| c/o Name:  | Property Address                      |
| Address 1: 2605 W OLD HWY RD   | MORGAN      84050-0000<br>Acres: 0.01 |
| Address 2:   |                                       |
| City State Zip: MORGAN      UT 84050-0000  |                                       |
| Mortgage Co:   |                                       |
| Status: <b>Back Tax</b> Year: <b>2026</b> District: <b>001 MORGAN COUNTY</b> <b>0.008961</b> |                                       |

| Owners  | Interest | Entry  | Date of Filing | Comment           |
|---|----------|--------|----------------|-------------------|
| MORTENSON BILLY J   |          | 044338 | 04/06/1978     | (0025/0417) (T/C) |
| <div style="display: flex; justify-content: space-between;"> <div> <p>**** <b>ATTENTION !!</b> ****</p> <p>Tax Rates for 2026 have NOT BEEN SET OR APPROVED! Any levied taxes or values shown on this printout for the year 2026 are SUBJECT TO CHANGE!! (Using Proposed Tax Rate)</p> </div> <div> <p>2026 Taxes: 0.00</p> <p>Special Fees: 0.00</p> <p>Penalty: 0.00</p> <p>Abatements: ( 0.00)</p> <p>Payments: ( 0.00)</p> <p>Amount Due: 0.00</p> </div> <div> <p>2025 Taxes: 0.00</p> <p><b>Review Date</b><br/><b>04/25/2022</b></p> <p><b>BACK TAXES OWING!</b></p> </div> </div> |          |        |                |                   |

| Back Tax Summary |           |                |         |              |               |                |           |
|------------------|-----------|----------------|---------|--------------|---------------|----------------|-----------|
| Year             | Principal | Specials Total | Penalty | Interest Due | Interest Rate | Total Payments | Total Due |
| 2023             | 4.75      | 0.00           | 10.00   | 1.70         | 10.00%        | 0.00           | 16.45     |
| Totals:          | 4.75      | 0.00           | 10.00   | 1.70         |               | 0.00           | 16.45     |

DO NOT USE THIS TAXING DESCRIPTION FOR LEGAL PURPOSES OR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.

### Taxing Description

COM ON A W'LY R. OF W LN OF CO RD (FKA U.S. 30) AT A PT N 39°17' W 654.0 FT FRM THE INT SEC OF THE ABOVE MENTIONED RD R. OF W LN, & THE N'LY R. OF W LN OF THE 80 FT WIDE ACCESS RD; SD INT SEC BEING S 1268.5 FT & E 5826.1 FT FRM THE NW COR OF SEC 8, T4N, R2E, SLB&M, & RUN TH S 48°33' W 490.0 FT; TH N 39°17' W 193.4 FT; TH N 59°51' E 495.9 FT; TH S 39°17' E ALG THE ABOVE MENTIONED CO RD R. OF W LN 96.2 FT TO THE POB. CONT 1.63 AC. LESS THAT PORT THAT LIES WITHIN THE BNDY LN / FNC LN AGREE AS RECORDED AS ENTRY NO. 130093, LEAV 0.001 / 0.01 AC

### History

NOTE: COMING FROM ENT #139314 (330/223) +0.001 AC COMING OUT OF #01-004-164-01 / 00-0001-5097 -2017 TAX YR; VESTING REF: #44338 (25/417);

00-0082-6006

2013  
BLA  
E#130093

original  
legal desc

Remainder  
from BLA  
60 sq.ft.

N59°20'41"E  
488.17  
N59°51'00"E  
495.90

S39°17'00"E  
26.90

S39°17'00"E 96.20  
S39°17'00"E 88.18

00-0001-5097

00-0082-5278

00-0001-4801

00-0001-5048

N39°17'00"W 206.71  
N39°17'00"W 193.40

S48°33'00"W  
490.00

00-24-47  
AUS map  
Kamagel

← 13000 ft  
← 13000 ft  
← 13000 ft





## 2025 BUDGET CHANGE FORM

Date 03/13/2025

Department Sheriff's Office

Department Head Signature 

Amount \$135,654.68

Move from GL Account# General Fund

Move to GL Account # 10-4211-110-000

### Brief Description

This amount is to cover the additional wages for adding two additional SRO's within Morgan County

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### Clerk/Auditor Use Only

Date Entered



## 2025 BUDGET CHANGE FORM

Date 03/13/2025

Department Sheriff's Office

Department Head Signature 

Amount \$87,574.98

Move from GL Account# General

Move to GL Account # 10-4211-130-000

### Brief Description

This amount is to cover Benefits for 2 added SRO Positions within Morgan County.

### Clerk/Auditor Use Only

Date Entered



## 2025 BUDGET CHANGE FORM

Date 03/13/2025

Department Sheriff's Office

Department Head Signature 

Amount \$30,000.00

Move from GL Account# General Fund

Move to GL Account # 10-4460-250-150

### Brief Description

This amount is requested to lease 2 additional vehicles for added SRO Positions within Morgan County

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### Clerk/Auditor Use Only

Date Entered



## 2025 BUDGET CHANGE FORM

Date 03/13/2025

Department Sheriff's Office

Department Head Signature 

Amount \$17,000.00

Move from GL Account# General Fund

Move to GL Account # 10-4460-250

### Brief Description

This amount is requested to purchase equipment and outfit vehicles for added SRO Positions

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### Clerk/Auditor Use Only

Date Entered



## County Commission Agenda Request Form

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

Morgan County  
Attn: Kate Becker  
48 West Young Street  
P O Box 886  
Morgan, UT 84050  
Phone: 435.800.8724

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

Email: [kbecker@morgancountyutah.gov](mailto:kbecker@morgancountyutah.gov)

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

commission Meeting Date: 03/18/2025 Time Requested: \_\_\_\_\_  
Name: Buster Delmonte Phone: (801) 791-2122  
Address: 6472 Willow Creek Rd  
Email: subscriptions@9line.us Fax: \_\_\_\_\_  
Associated County Department: UT

### PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Request approval of airport lease modifications that are on file with Attorney Smith. Company is 9Line. An update of lease modifications was presented to the commission on 17 Dec 2024.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION  
DECISION  
BOTH  
INFORMATION ONLY

|                                     |
|-------------------------------------|
| <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/>            |
| <input type="checkbox"/>            |





## County Commission Agenda Request Form

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

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

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

Email: [kbecker@morgancountyutah.gov](mailto:kbecker@morgancountyutah.gov)

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

Commission Meeting Date: 3/18/25 Time Requested: 15 min  
Name: Joshua Cook Phone: (801) 845-4015  
Address: 48 W. Young Street  
Email: jcook@morgancountyutah.gov Fax: \_\_\_\_\_  
Associated County Department: Planning and Development Department

### PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

#### Meeting/Discussion/Decision- The Heights at Whisper Ridge, Amended Plat No. 2

A request for approval of an amendment to the Heights At Whisper Ridge Subdivision P.U.D. for a series of lot line adjustments that will affect four (4) lots.

Application No.: 24.065  
Applicant: Craig North

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION  
DECISION  
BOTH  
INFORMATION ONLY

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/>            |

PUBLIC HEARING  
PUBLIC MEETING

|                                     |
|-------------------------------------|
| <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> |

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The Heights at Whisper Ridge, Amended Plat No. 2  
March 18, 2025  
Public Meeting  
File #24.065

|                   |   |
|-------------------|---|
| Applicant:        | Craig North   |
| Owner:            | Multiple Property Owners within the subdivision                 |
| Project Location: | 6253 and 6267 Strawberry Creek Rd, and 6315 Robinson Dr         |
| Parcel Numbers:   | 00-0092-3293, 00-0092-3294, 00-0092-3295                        |
| Serial Numbers:   | 03-HWRID-0206, 03-HWRID-0207, 03-HWRID-0208                     |
| Current Zoning:   | Residential (R1-20) / Rural Residential (RR-1) / Forestry (F-1) |
| Acreage:          | 4.77 acres combined   |

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**REQUEST:** A request for approval of an amendment to the Heights At Whisper Ridge Subdivision P.U.D. for a series of lot line adjustments that will affect four (4) lots.

**PLANNING COMMISSION SUMMARY:** The Planning Commission heard this item at their regularly scheduled meeting on February 27, 2025. There were no comments during the public comment section of the meeting. The discussion from the Planning Commission was minimal, with some clarifying questions about the number of lots being amended. Staff clarified that lot 205 was being removed and the acreage from that lot was being transferred to two other lots within the subdivision. The Commission voted to recommend approval of the application with a 5-0 vote.

**ATTORNEY GUIDANCE:**

**Administrative Review:**

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

**Applicable law:**

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

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

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

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

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

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

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

**STAFF RECOMMENDATION:** Based on the information in this staff report, staff recommends approval of the Heights at Whisper Ridge, Amended Plat No. 2, subject to all applicable regulations and the following conditions:

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

## PROJECT DESCRIPTION:

### Proposal Details

The applicant is seeking approval for a plat amendment to adjust the property boundary lines between four (4) lots within the Heights at Whisper Ridge subdivision. A reference figure (Figure 1.1) is provided to illustrate the proposed lot line adjustments and the impact on the affected lots.

|                  | Current Lot Size | Lot Size After Plat Amendment |
|------------------|------------------|-------------------------------|
| <b>Lot 205</b>   | 1.84 acres       | 0 acres                       |
| <b>Lot 206-A</b> | 2.02 acres       | 2.70 acres                    |
| <b>Lot 207-A</b> | 1.71 acres       | 2.89 acres                    |
| <b>Lot 208-A</b> | 1.04 acres       | 1.03 acres                    |

Figure 1.1 Lot Size Changes

## DISCUSSION:

This request is for a plat amendment to the Heights at Whisper Ridge. Lots 205 through 207 meet the required frontage on a County Right-Of-Way (ROW). An amendment to the plat to accommodate new lot lines will not negatively affect the developability of the lots, as the proposal includes an increase in the sizes of two (2) of the lots due to the removal of a lot, while a reduction in one of the lots retains the minimum required acreage required by the underlying zoning. Staff has determined that the impact on the County and nearby property owners is minimal. The plat amendment requirements come from Morgan County's Land Use Management Code, Title 15, Chapter 155, Section 440 and subsequent sections. Staff has reviewed the requirements and procedures for a plat amendment and found that the application request meets these standards.

### ***155.447: AMENDED PLAT REQUIREMENTS:***

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

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

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

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

**155.446: GROUNDS FOR VACATING OR CHANGING A PLAT:**

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

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

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

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

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

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

*(1) Good cause exists for the vacation; and*

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

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

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

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

*(2) May not be construed to impair:*

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

*(b) The franchise rights of any public utility.*

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

**155.444: PROCEDURE:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## ANALYSIS OF STANDARDS

| Standards  |  | Findings | Rationale |
|--|--|----------|-----------|
| <b>Ordinance Evaluation. Morgan County Code, Chapter 155, Section 440 states the following:</b><br><br><i>Prior to the County Commission's approval of a petition or proposal to amend a subdivision plat, the petitioner or sponsor shall deliver to the County an <u>amended plat map and complete supporting preliminary plat and final plat</u> information in compliance with the requirements of this chapter. The applicant shall also pay all fees required by the County's fee schedule.</i><br><br><i>Therefore, this plat amendment has been reviewed for preliminary and final plat standards.</i> |  |          |           |
| <b>155.407: PRELIMINARY PLAT SUBMITTAL:</b> The preliminary plat shall be prepared, stamped and signed by a professional engineer or professional land surveyor licensed by the state of Utah. The preliminary plat submittal shall include at least the following information:  |  |          |           |
| A  | <b>Vicinity Map</b><br>1. Drawn at a maximum scale of one thousand feet (1,000') to the inch.<br>2. Show all existing and proposed roadways in the vicinity of the proposed development.<br>3. A north arrow.<br>4. The nearest section corner tie.<br>5. Subdivision name.  | Complies |           |
| B  | <b>Certified boundary survey of the subject property, which meets state of Utah requirements, which also depicts all easements identified by the title report.</b>   | Complies |           |
| C  | <b>Preliminary plat (all facilities within 200 feet of the plat shall be shown):</b><br>1. Drawn at a scale not smaller than one hundred feet (100') to the inch.<br>2. A north arrow.<br>3. Subdivision name.<br>4. The layout and names and widths of existing and future road rights of way.<br>5. A tie to a permanent survey monument at a section corner.<br>6. The boundary lines of the subdivision with bearings and distances.<br>7. The layout and dimensions of proposed lots with lot areas in square feet. | Complies |           |



|   |   |                |  |
|---|---|----------------|--|
|   | <p>8. The location and dimensions and labeling of other spaces including open spaces, parks, trails, or public spaces.</p> <p>9. The location of manmade features including bridges, railroad tracks, fences, ditches, and buildings.</p> <p>10. Topography at two foot (2') intervals. One foot (1') contours may be required by the county engineer in particularly flat areas.</p> <p>11. Location and ownership of all adjoining tracts of land.</p> <p>12. Proposed subdivision phasing plan and relationship to existing phases of development. (Ord. 10-16, 12-14-2010)</p>  |                |  |
| D | <p>Grading and drainage plan (may be combined with plat sheet, if approved by the county engineer):</p> <ol style="list-style-type: none"> <li>1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout.</li> <li>2. Topography at two foot (2') contour intervals.</li> <li>3. North arrow.</li> <li>4. Subdivision name.</li> <li>5. Areas of substantial earthmoving.</li> <li>6. Location of existing watercourses, canals, ditches, springs, wells, culverts, and storm drains.</li> <li>7. Location of any 100-year floodplain as designated by the federal emergency management agency (FEMA).</li> <li>8. A storm drainage plan showing water flow directions, inlets, outlets, catch basins, waterways, culverts, detention basins, outlets to offsite facilities, and off site drainage facilities planned to accommodate the project drainage.</li> <li>9. Show any existing wetlands.</li> <li>10. Slope analysis which depicts all slopes greater than fifteen percent (15%) and greater than twenty five percent (25%) with distinct notation. (Ord. 12-09, 9-18-2012)</li> </ol> | Does Not Apply |  |
| E | <p>Utility plan (may be combined with plat sheet, if approved by the county engineer):</p> <ol style="list-style-type: none"> <li>1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout.</li> <li>2. North arrow.</li> <li>3. Subdivision name.</li> <li>4. Show all existing and proposed utilities including: sewer, culinary water, well locations with secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, and streetlights, television and telecommunications.</li> <li>5. Show location and dimensions of all utility easements.</li> </ol>   | Does Not Apply |  |
| F | <p>The subdivider shall provide the following documents with the application:</p> <ol style="list-style-type: none"> <li>1. Three (3) copies of a geotechnical soils report.</li> <li>2. A traffic report when required by the planning commission or county engineer.</li> <li>3. Preliminary title report, which specifically references the boundary survey and exactly matches the legal description of the outside boundary of the subdivision.</li> <li>4. Service agreements from all utility companies or providers.</li> <li>5. Any necessary agreements with adjacent property owners regarding storm drainage or other matters pertinent to subdivision approval.</li> <li>6. Maintenance agreements for subsurface drains serving the subdivision, if they are proposed or exist.</li> <li>7. An agricultural impact analysis, on subdivisions which are contiguous to an adopted agricultural preservation area, or which contain an agricultural open space conservation easement within the plat.</li> </ol>   | Complies       |  |

|   |   |                |  |
|---|---|----------------|--|
|   | <p>8. Written verification of all proposed water sources. For all proposed water sources, provide approval letters from the Weber-Morgan County health department and proof of all water rights, including quantities (water rights certificates, etc.), for each well and water source to be utilized for the development.</p> <p>9. The developer shall submit all information concerning site geology, area hydrogeology, site topography, soil types and the proven wet water by the drilling of at least one test well from within the described subdivision boundary, as determined by a geotechnical engineer, licensed in the state of Utah. Well logs shall be submitted to the county identifying the depth and yield of the well. Information submitted must verify that the source is consistently available to supply eight hundred (800) gallons per day (gpd) per equivalent residential connection (ERC) at a minimum flow rate of 0.55 gallons per minute (gpm). Water for irrigation supplies shall be verified to provide three (3) gpm per irrigated acre. If the proposal is being served by an existing water utility company, these requirements do not apply.</p> <p>10. Verification of approval from the Weber-Morgan County health department regarding the proposed location of all septic systems and water source protection areas.</p> |                |  |
| G   | When the subdivision is located within the sensitive area district or geologic hazards special study area, required reports and documents are to be submitted in accordance with the provisions of this title.  | Does Not Apply |  |
| H   | The subdivider shall comply with all applicable federal, state, and local laws and regulations, and shall provide evidence of such compliance if requested by the county.   | Complies       |  |
| I   | Copy of proposed protective covenants in all cases where subsurface drains or other common area maintenance proposals are to serve any portion of the subdivision.  | Does Not Apply |  |
| J   | Electronic copies of all preliminary plat drawings in AutoCAD (DWG) format.   | Complies       |  |
| K   | Tabulations showing the total number of lots or buildings sites, and the percentage of land in roads, lots, and open space.   | Does Not Apply |  |
| L   | Any additional submittal requirements required for or by master planned development reserves, specific development agreements, or requirements and conditions of other applicable ordinances or previous approvals. (Ord. 10-16, 12-14-2010)  | Does Not Apply |  |
| <b>155.415: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:</b> |   |                |  |
| A   | The final plat shall consist of a mylar with the outside or trim line dimensions of twenty four inches by thirty six inches (24" x 36"). The mylar shall be submitted to the county at least twenty (20) days prior to consideration for placement on the county commission agenda for approval. Until that date, submittal of paper copies is sufficient for review. The borderline of the plat shall be drawn in heavy lines leaving a space of at least one and one-half inches (1 1/2") on the left side and at least one-half inch (1/2") margin on the other sides. The plat shall be so drawn that the top of the drawing faces either north or west, whichever accommodates the drawing best. All lines, dimensions, and markings shall be made on a mylar with approved waterproof black ink. The plat shall be made to a  | Will Comply    | Historically, staff has recommended the applicant wait to print the final mylar in the event that the Planning Commission recommend changes to the plat. |

|          |  |             |   |
|----------|--|-------------|---|
|          | scale large enough to clearly show all details, and in any case not smaller than one hundred feet (100') to the inch, and workmanship on the finished drawing shall be neat, clean cut and readable.   |             |   |
| <b>B</b> | The final plat shall show the subdivision name that is distinct from any other recorded subdivision name and the general location of the subdivision in bold letters at the top of the sheet.  | Complies    |   |
| <b>C</b> | The plat shall contain a north arrow and scale of the drawing and the date.  | Complies    |   |
| <b>D</b> | Prior to consideration by the county commission, the plat shall be signed by all required and authorized parties, with the exception of the county commission chairperson, planning commission chairperson and county attorney, with appropriate notarial acknowledgements and the final plat shall contain all information set forth in this section.   | Will comply | Historically, staff has recommended the applicant wait to print the final mylar and receive signatures, in the event that the Planning Commission and/or County Commission recommend changes to the plat. |
| <b>E</b> | An accurate and complete survey, which conforms to Utah state law.   | Complies    |   |
| <b>F</b> | Plats will show accurately drawn boundaries, showing the proper bearings and dimensions of all boundary lines of the subdivision, properly tied to at least two (2) public survey monuments. These lines should be slightly heavier than street and lot lines.   | Complies    |   |
| <b>G</b> | The final plat shall show all survey, mathematical information and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angle, radius and arc length of curves, and such information as may be necessary to determine the location of beginning and ending points of curves. All property corners and monuments within the subdivision shall be tied to an acceptable Morgan County monument, as determined by the Morgan County surveyor. Lot and boundary closure shall be calculated to the nearest 0.02 of a foot. | Complies    |   |
| <b>H</b> | All lots, blocks, and parcels offered for dedication for any purpose should be delineated and designated with dimensions, boundaries and courses clearly shown and defined in every case. The square footage of each lot shall be shown. All parcels offered for dedication other than for streets or easements shall be clearly designated on the plat. Sufficient linear, angular and curved data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot and parcel which is a part thereof. No ditto marks shall be used for lot dimensions.  | Complies    |   |
| <b>I</b> | The plat shall show the right of way lines of each street, and the width of any portion being dedicated and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty feet (50') of the subdivision shall be shown with dashed lines. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such existing streets shall be accurately shown.   | Complies    |   |
| <b>J</b> | All lots are to be numbered consecutively under a definite system approved by the county. Numbering shall continue consecutively throughout the subdivision with no omissions or duplications.   | Complies    |   |
| <b>K</b> | All streets within the subdivision shall be numbered (named streets shall also be numbered) in accordance with and in  | Complies    |   |

|   |   |          |   |
|---|---|----------|---|
|   | conformity with the adopted street numbering system adopted by the county. Each lot shall show the street addresses assigned thereto, and shall be according to the standard addressing methods approved by the county. In the case of corner lots, an address will be assigned for each part of the lot having street frontage.  |          |   |
| L | The side lines of all easements shall be shown by fine dashed lines. The width of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified.  | Complies |   |
| M | The plat shall fully and clearly show all stakes, monuments and other evidence indicating the boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed or destroyed before acceptance of all improvements shall be replaced by the subdivider under the direction of the county surveyor. The following required monuments shall be shown on the final plat:<br>1. The location of all monuments placed in making the survey, including a statement as to what, if any, points were reset by ties;<br>2. All right of way monuments at angle points and intersections as approved by the county surveyor.   | Complies |   |
| N | The final plat shall contain the name, stamp and signature of a professional land surveyor, together with the date of the survey, the scale of the map and number of sheets. The following certificates, acknowledgements and descriptions shall appear on the title sheet of the final plat, and such certificates may be combined where appropriate:<br>1. Professional land surveyor's "certificate of survey".<br>2. Owner's dedication certificate in the following form:<br><br>OWNERS DEDICATION<br><br><i>Know all men by these presents that we, the undersigned owner(s) of the above described tract of land, having caused said tract to be subdivided into lots and streets to be hereafter known as Subdivision do hereby dedicate for perpetual use of the public all parcels of land, other utilities, or easements shown on this plat as intended for public use. In witness whereof, we have hereunto set out hands this day of, 21.</i><br><br>(Add appropriate acknowledgments)<br><br>3. Notary public's acknowledgement for each signature on the plat.<br>4. A correct metes and bounds description of all property included within the subdivision.<br>5. Plats shall contain signatures of the water provider (if provided by a culinary water system), sewer provider (if provided by a sewer improvement district), Weber-Morgan County health department, planning commission, and county engineer, and blocks for signatures of the county attorney and county commission (a signature line for the commission chairperson and an attestation by the county clerk). A block for the county recorder shall be provided in the lower right corner of the final plat.<br>6. Such other affidavits, certificates, acknowledgements, endorsements and notarial seals as are required by law, by this title, the county attorney, or county surveyor.<br>7. Prior to recordation of the plat, the subdivider shall submit a current title report to be reviewed by the county. | Complies | Owner's Dedication is present, but not signed |

|   |   |                |   |
|---|---|----------------|---|
|   | <p>A "current title report" is considered to be one which correctly discloses all recorded matters of title regarding the property and which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat.</p> <p>8. The owner's dedication certificate, registered land surveyor's certificate of survey, and any other certificates contained on the final plat shall be in the form prescribed by the county's standards.</p> <p>9. When a subdivision contains lands which are reserved in private ownership for community use, including common areas, the subdivider shall submit, with the final plat, the name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain and pay taxes on such lands and common areas and any access easements which may be required by the county.</p> |                |   |
| O | <p>On subdivisions which are contiguous to an adopted agricultural protection area, or which contain an agricultural open space preservation area within the plat, a note shall be placed on the plat, in conjunction with right to farm provisions, stating such, and that agricultural operations work hours begin early and run late and that these operations may contribute to noises and odors objectionable to some residents.</p>   | Does Not Apply | Does not border an Agricultural Protection Area |
| P | <p>A note on the plat which states the following:</p> <p><i>Morgan County restricts the occupancy of buildings within developments as outlined in the adopted building and fire codes. It is unlawful to occupy a building located within any development without first having obtained a certificate of occupancy issued by the county.</i></p> <p>(Ord. 10-16, 12-14-2010)</p>  | Complies       |   |

## DEPARTMENT COMMENTS/RECOMMENDED MOTIONS

Public Works: No comments received

Fire/EMS Services: Comments received and the reviewer has recommended approval

Engineering/Surveyor: Comments received, resubmittal required

Recorders: Comments received, and the reviewer has issued Conditional Approval

Zoning: The zoning is R1-20/RR-1/F-1

## Recommended Motions

**Sample Motion for *Approval*** – “I move we approve the Heights at Whisper Ridge, Amended Plat No. 2, application number 24.065, located at 6253 and 6267 Strawberry Creek Road, and 6315 Robinson Drive in unincorporated Morgan County based on the findings listed in the staff report dated March 18, 2025.”

**Sample Motion for *Approval*** – “I move we approve the Heights at Whisper Ridge, Amended Plat No. 2, application number 24.065, located at 6253 and 6267 Strawberry Creek Road, and 6315 Robinson Drive in unincorporated Morgan County based on the findings listed in the staff report dated March 18, 2025, with the following additional conditions:”

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

**Sample Motion for a Recommendation for *Denial*** – “I move we deny the Heights at Whisper Ridge, Amended Plat No. 2, application number 24.065, located at 6253 and 6267 Strawberry Creek Road, and 6315 Robinson Drive in unincorporated Morgan County with the following findings:”

1. *List any additional findings...*

## Attachments:

Attachment A. Vicinity Map

Attachment B. Current Zoning Map

Attachment C. Current Recorded Plat

Attachment D. Proposed Plat Amendment

Attachment E. Application



## Attachment A: Vicinity Map





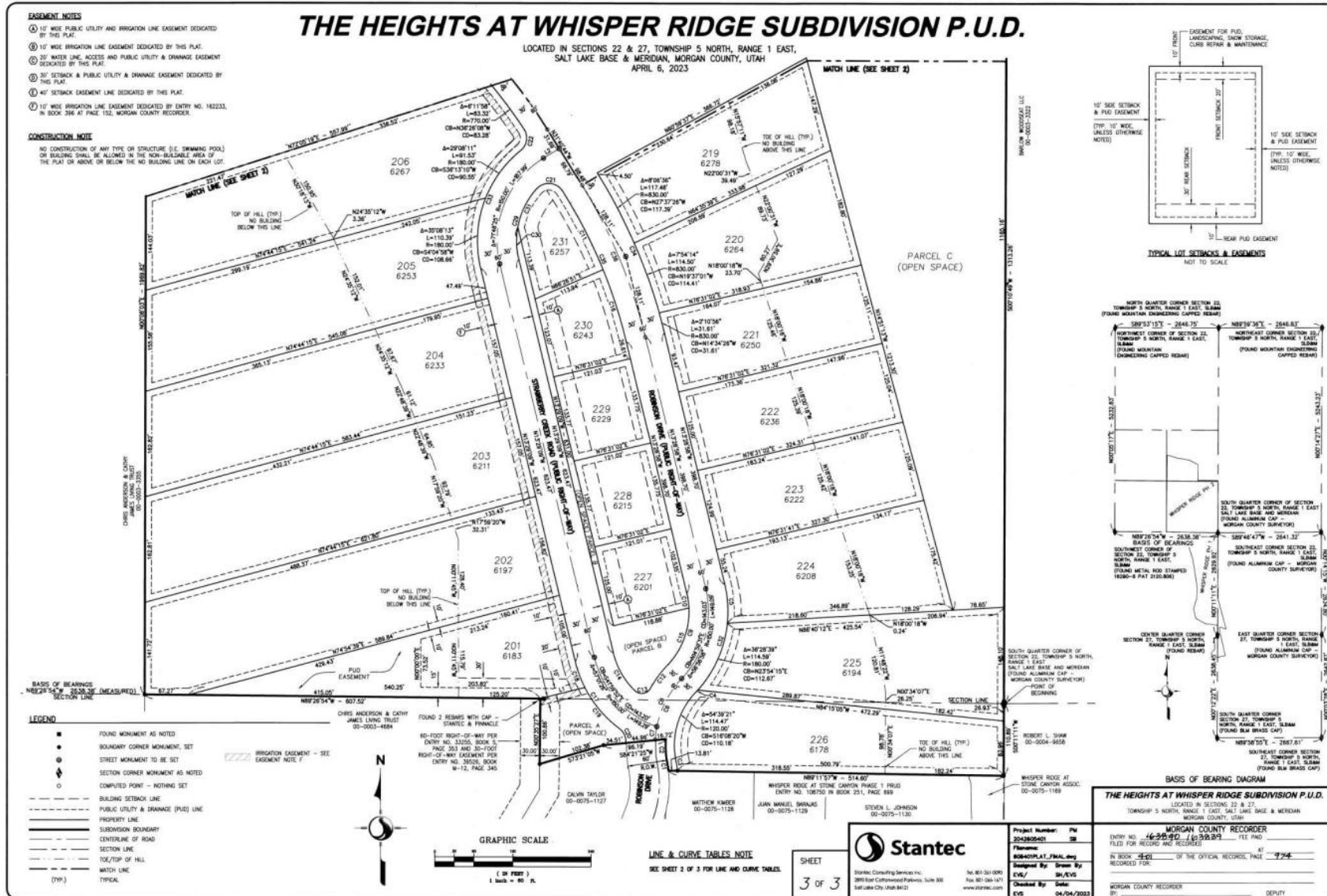
## Attachment B: Current Zoning Map





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

## Attachment C: Current Recorded Plat



The Heights at Whisper Ridge, Amended Plat No. 2  
Application #24.065  
March 18, 2025

*The Heights at Whisper Ridge, Amended Plat No. 2*  
*Application #24.065*  
*March 18, 2025*

## Attachment E: Application

Morgan County - Planning & Development  
Services

Printed: 02/20/2025

### 24.065 The Heights at Whisper Ridge, Amended Plat No. 2

24.065

885571f0-8107-11ef-9452-215532b00bcd

10/02/2024 - 10/01/2123

Subdivision

Active

General

Under Review

## Application Review Status

Pre-Review

Approved

10/02/2024

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

County Commission Not Reviewed

County Engineer Not Reviewed

County Surveyor Not Reviewed

Mountain Green Fire  
Department Approved

Planning Commission Not Reviewed

Planner I Not Reviewed

Highlands Water  
Company Not Reviewed

Mountain Green Sewer  
Improvement District  
(MGSID) Not Reviewed

GIS Personnel Not Reviewed

County Recorder Not Reviewed



## County Commission Agenda Request Form

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

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

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

Email: [kbecker@morgancountyutah.gov](mailto:kbecker@morgancountyutah.gov)

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

Commission Meeting Date: 3/18/25 Time Requested: 15 min  
Name: Joshua Cook Phone: (801) 845-4015  
Address: 48 W. Young Street  
Email: jcook@morgancountyutah.gov Fax: \_\_\_\_\_  
Associated County Department: Planning and Development Department

### PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

#### Hearing/Discussion/Decision- Gardner Development Rezone

A request to rezone property from a split-designation of Rural Residential (RR-1), Agriculture (A-20), Highway Commercial (CH), and Multiple Residential District (RM-15) to a RM-15 completely, and reflect that change on the Future Land Use Map from a split-designation of Rural Residential 1 and Town Center to Town Center completely. The properties are identified by parcel numbers 00-0004-9153, 00-0003-3975, 00-0004-7595, 00-0003-3934, and 00-0003-3926 and serial numbers 03-005-042-01, 03-005-042-04, 03-005-041-05, 03-005-041-04, and 03-005-041-03 and are approximately located near 4815 W Old Hwy Rd in unincorporated Morgan County.

Application No.: 24.060

Applicant: Gardner Development

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION  
DECISION  
BOTH  
INFORMATION ONLY

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/>            |

PUBLIC HEARING  
PUBLIC MEETING

|                          |
|--------------------------|
| <input type="checkbox"/> |
| <input type="checkbox"/> |



March 18, 2025

---

Gardner Development Rezone  
Public Hearing

March 18, 2025

|                           |   |
|---------------------------|---|
| Application No.:          | 24.060  |
| Applicant/owner:          | Gardner Development   |
| Project Location:         | Approx. 4815 W Old Hwy Rd   |
| Date of Application:      | October 24, 2024  |
| Current Zoning:           | CH/RM-15/A-20/RR-1  |
| General Plan Designation: | Town Center & Rural Residential 1   |
| Acreage:                  | 4.43 acres  |
| Parcel Numbers:           | 00-0004-9153, 00-0003-3975, 00-0004-7595, 00-0003-3934,<br>and 00-0003-3926       |
| Serial Numbers:           | 03-005-042-01, 03-005-042-04, 03-005-041-05, 03-005-041-<br>04, and 03-005-041-03 |

---

**REQUEST**

A request to rezone property from a split-designation of Rural Residential (RR-1), Agriculture (A-20), Highway Commercial (CH), and Multiple Residential District (RM-15) to RM-15 completely, and reflect that change on the Future Land Use Map from a split-designation of Rural Residential 1 and Town Center to Town Center completely.

**COUNTY COMMISSION SUMMARY:** The County Commission heard this item at their regularly scheduled meetings on January 7 and February 18, 2025, as well as work sessions held February 4 and February 18, 2025. Work sessions concentrated on the creation of a master plan, bringing together nearby property owners with Town Center-zoned properties to explore the best way to create a cohesive plan. The discussions also included balancing the needs for commercial development with necessary infrastructure improvements, such as roadways and utilities, to avoid disjointed or haphazard growth. The question is whether the property should be zoned Town Center or RM-15.

## **PLANNING COMMISSION SUMMARY:**

The Planning Commission heard this item at their regularly scheduled meeting on December 19, 2024. There were comments during the public hearing regarding the appropriateness of the RM-15 zone for this development, with concerns raised about its alignment with the rural character of Mountain Green and the lack of a development agreement that could incorporate mixed uses. A neighboring property owner raised concerns about potential impacts to historical access to their backyard due to the proposed development, to which the applicant indicated willingness to accommodate access, while staff advised the neighbor to consult with the applicant regarding the possibility of securing an easement.

The Planning Commission discussed the impacts of a rezoning, with some members expressing concerns about the potential for overdevelopment and the loss of commercial zoning in an already densely developed area. Clarifying questions were asked about the potential density of the development. Staff clarified that, based on the zoning and height requirements, the development would likely accommodate approximately between 40 to 60 townhomes; any overall possible unit count projection would likely be reduced after accounting for infrastructure requirements during the subdivision process. The Commission also discussed the challenges of balancing residential growth with the need for commercial spaces in the area. The Commission voted to recommend denial of the application with a 3-2 vote; Chair Sessions and Vice Chair Little voted against the negative recommendation, while members Bishop and Murray were absent from the meeting.

## **STAFF RECOMMENDATION**

County Staff recommends approval of the requested zoning map amendment from CH, RM-15, RR-1, and A-20 to RM-15 completely, along with a Future Land Use Map Amendment from Town Center and Rural Residential 1 to Town Center completely. The approval recommendation is based on the following findings listed below:

### Findings:

1. That the proposed amendment is in harmony with future land use goals and objectives.
2. That the proposed amendment is in harmony with existing land uses in the area.
3. That the rezone will not adversely impact the adjacent properties many of which are approximately one (1) acre in size or larger.
4. That the property amendment is consistent with surrounding property sizes and zoning.

## **ANALYSIS**

### General Plan and Zoning:

The properties are currently zoned as CH, A-20, RR-1, and RM-15. The A-20 zoned parcels are non-conforming, as they are smaller than the 20-acre minimum required in the A-20 zone. The parcels are all split-zoned. The applicant's request for RM-15 zoning aligns with adjacent zoning to the south, where a neighboring property shares the same zoning designation. Staff notes that approval of the rezone request would create development potential consistent with surrounding properties. A rezone to RM-15 would enable multiple-family residential development, addressing current zoning limitations. Future access concerns would be addressed by the development of properties to the north, including the installation and improvement of county streets.

For reference, the zoning designations for the subject parcels are as follows (please see the attached graph, which will depict the parcels from west to east for clarity):

|              |                    |
|--------------|--------------------|
| 00-0004-9153 | CH/RR-1            |
| 00-0003-3975 | RM-15/CH/RR-1/A-20 |
| 00-0004-7595 | RM-15/CH/RR-1/A-20 |
| 00-0003-3934 | RM-15/CH/RR-1/A-20 |
| 00-0003-3926 | RM-15/RR-1/A-20    |

The applicant has provided the following narrative:

*“Current zoning is Commercial Highway and A-20. We would like to amend the zoning to match the 9 acre parcel to the south with an RM-15 zoning with a small section adjacent to Old Highway at Highway Commercial.”*

*“Currently, the property is agricultural in use with a single-family home. Because the adjacent parcel is already zoned RM-15 and with it's close proximity to the Mountain Green Central District this rezone will be a good compliment to the future uses.”*

The 2010 Morgan County General Plan identifies the following as three of the six visions for the County that may be applicable to the proposal (see pages 4 & 5 of the 2010 Morgan County General Plan):

- 1. Morgan County attracts families with its quality of life, rural atmosphere, secure environment, and natural beauty. Residents have a wide range of employment, housing, and lifestyle choices. The County benefits from a balanced economy, livable wages, economic prosperity, and first-rate community services.*
- 2. Morgan County respects property rights and recognizes personal responsibility to the land and communities.*
- ...
- 6. Morgan County accommodates growth responsibly by integrating new development in a way that is respectful of the environment, supports County values, considers long-term sustainability, and uses available infrastructure. To help achieve this goal, the County strongly recommends that growth occur within or adjacent to corporate limits and villages or be located within master-planned communities.*

The proposed zone change appears to coincide with the stated vision for Morgan County. In changing the zoning district for the applicant's property, the County is reflecting the policies and desires of the General Plan and in accordance with the County Ordinance (See § 155.105). The purpose of the RM-15 multiple-family residential zoning district is defined as follows:

*Multiple Residential District RM-15: To provide areas for medium high residential density with the opportunity for varied housing styles and character.*

Staff anticipates that the proposed zoning map amendment and future land use map amendment will align with the purposes of the General Plan and complement surrounding development. While some impact on adjacent properties is expected, the introduction of multiple-family development is consistent with the area's existing character and provides a balanced approach to future growth that supports the county's long-term needs.

## **ORDINANCE EVALUATION:**

Morgan County ordinance anticipates amendments to the zoning map. Section 155.022: *Amendments to Title and Zoning Map* indicates that:

*The County Commission may amend this chapter, including the zoning map, but only in accordance with the following procedure.*

*(A) The County Commission may instruct staff to study and make recommendations for amendments to this chapter or the zoning map in response to changes in policy or conditions generally within the county. Staff shall forward a recommended amendment to the Planning Commission for their consideration. The Planning Commission shall review and make recommendation to the County Commission regarding the proposed amendment pursuant to § 155.023(D) of this code.*

*(B) The Planning Commission may instruct staff to study and make recommendations for amendments to this chapter in response to changes in policy or conditions generally within the county. Staff shall forward a recommended amendment to the Planning Commission for its consideration. The Planning Commission shall review and make recommendation to the County Commission regarding the proposed amendment pursuant to § 155.023(D) of this code.*

*(C) Any property owner may initiate an amendment to this chapter or the zoning map, as long as they are affected by the proposed amendment, by submitting a complete application to the Planning and Development Services Department in accordance with § 155.023(A) of this code.*

*(Prior Code, § 8-3-3) (Ord. 13-03, passed 4-16-2013)*

Section 155.023: *Procedures for Amendments and Rezoning*s states:

*(D) Planning Commission review and recommendation.*

*(1) Upon receiving a recommendation from staff regarding an amendment to this chapter or the zoning map, and after holding the required public hearing, the Planning Commission shall review the amendment and prepare its recommendation. The Planning Commission may recommend approval, approval with modifications or denial of the proposed amendment and shall submit its recommendation to the County Commission for review and decision.*

*(2) Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes stated in this chapter.*

*(E) County Commission review. The County Commission shall schedule and hold a public hearing on the application as provided in § 155.031 of this code. Following the public hearing the County Commission may approve, approve with modifications or deny the proposed amendment. Prior to making a decision that goes contrary to the Planning Commission's recommendation, the County Commission may, but is not obligated to, remand the amendment to the Planning Commission with a request for another recommendation with additional or specific considerations. The Planning Commission shall review such request as specified in division (D) above.*

*(F) Approval standards. A decision to amend the text of this chapter or the zoning map is a matter committed to the legislative discretion of the County Commission and is not controlled by any one standard. However, in making an amendment, the County Commission and Planning Commission should consider the following factors:*

*(1) Whether the proposed amendment is consistent with goals, objectives and policies of the county's General Plan;*

(2) *Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*

(3) *The extent to which the proposed amendment may adversely affect adjacent property; and*

(4) *The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies and wastewater and refuse collection.*

(G) *Reconsideration. Where an application for zoning amendment has been denied, the Planning Commission and the County Commission shall not review the same zoning amendment application within two years of a denial unless there is a substantial change of conditions since the earlier application. A new application, with applicable fee, shall be required and processed in accordance with the procedure outlined in this section.*

*(Prior Code, § 8-3-4) (Ord. 13-03, passed 4-16-2013; Ord. 18-07, passed 11-13-2018)*

This meeting is being held in accordance with subsection (D) above. In response to § 155.023(F), given the scope of the proposed zone change, the impact on facilities and services is expected to be manageable.

### **Approval Standards**

The proposed zoning map change complies with the intent of the Morgan County General Plan policies and Future Land Use Designation. The change would maintain the character of the area while allowing for multiple-family residential development in the Mountain Green area.

### **RECOMMENDED MOTION**

**Recommended Motion for *Approval*** – “I move we approve the Gardner Development Rezone, application number 24.060, changing 4.43 acres from a split-designation of RR-1, A-20, CH, and RM-15 to RM-15 completely, and reflect that change on the Future Land Use Map from a split-designation of Rural Residential 1 and Town Center to Town Center completely, based on the findings listed in the staff report dated March 18, 2025.”

**Recommended Motion for *Denial*** – “I move we deny the Gardner Development Rezone, application number 24.060, changing 4.43 acres from a split-designation of RR-1, A-20, CH, and RM-15 to RM-15 to RM-15 completely, and reflect that change on the Future Land Use Map from a split-designation of Rural Residential 1 and Town Center to Town Center completely, due to the following findings:”

1. List any additional findings...

#### Supporting Information

Exhibit A: Vicinity Map  
Exhibit B: Future Land Use Map  
Exhibit C: Existing Zoning Map  
Exhibit D: Rezone Concept  
Exhibit E: Boundary Description  
Exhibit F: Applicant’s Narrative

#### Staff Contact

Joshua Cook  
801-845-4015  
jcook@morgancountyutah.gov



Exhibit A: Vicinity Map

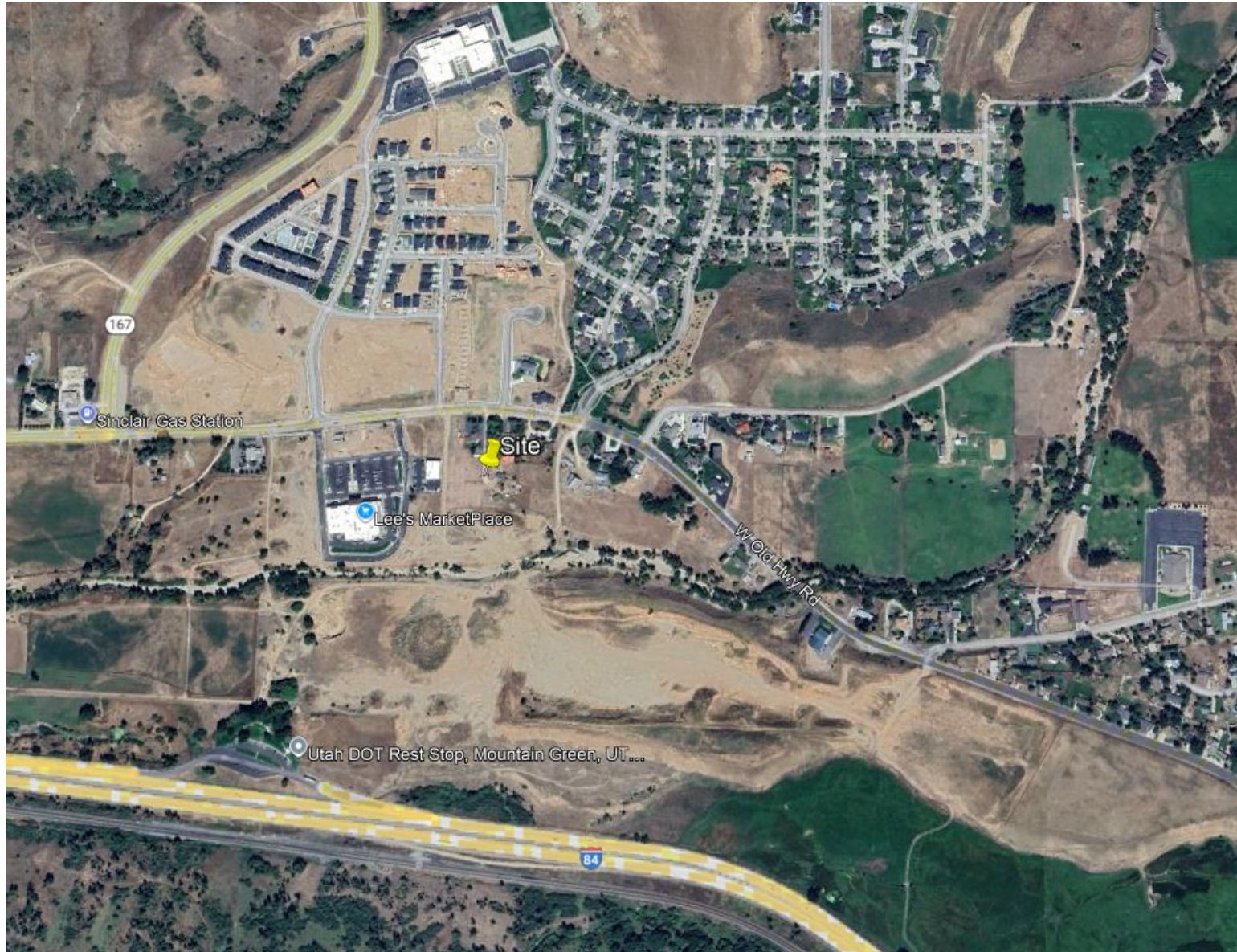




Exhibit B: Future Land Use Map

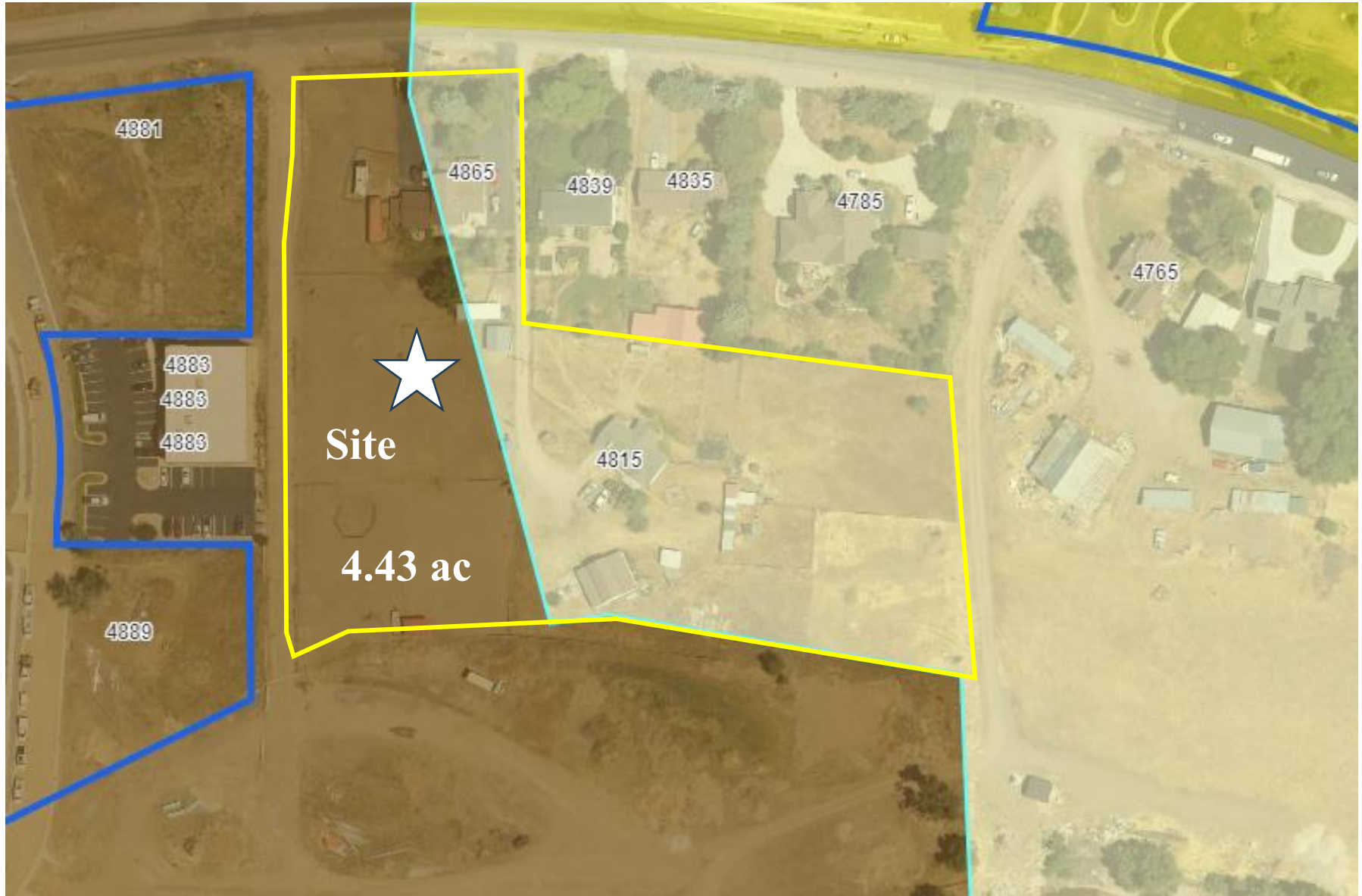
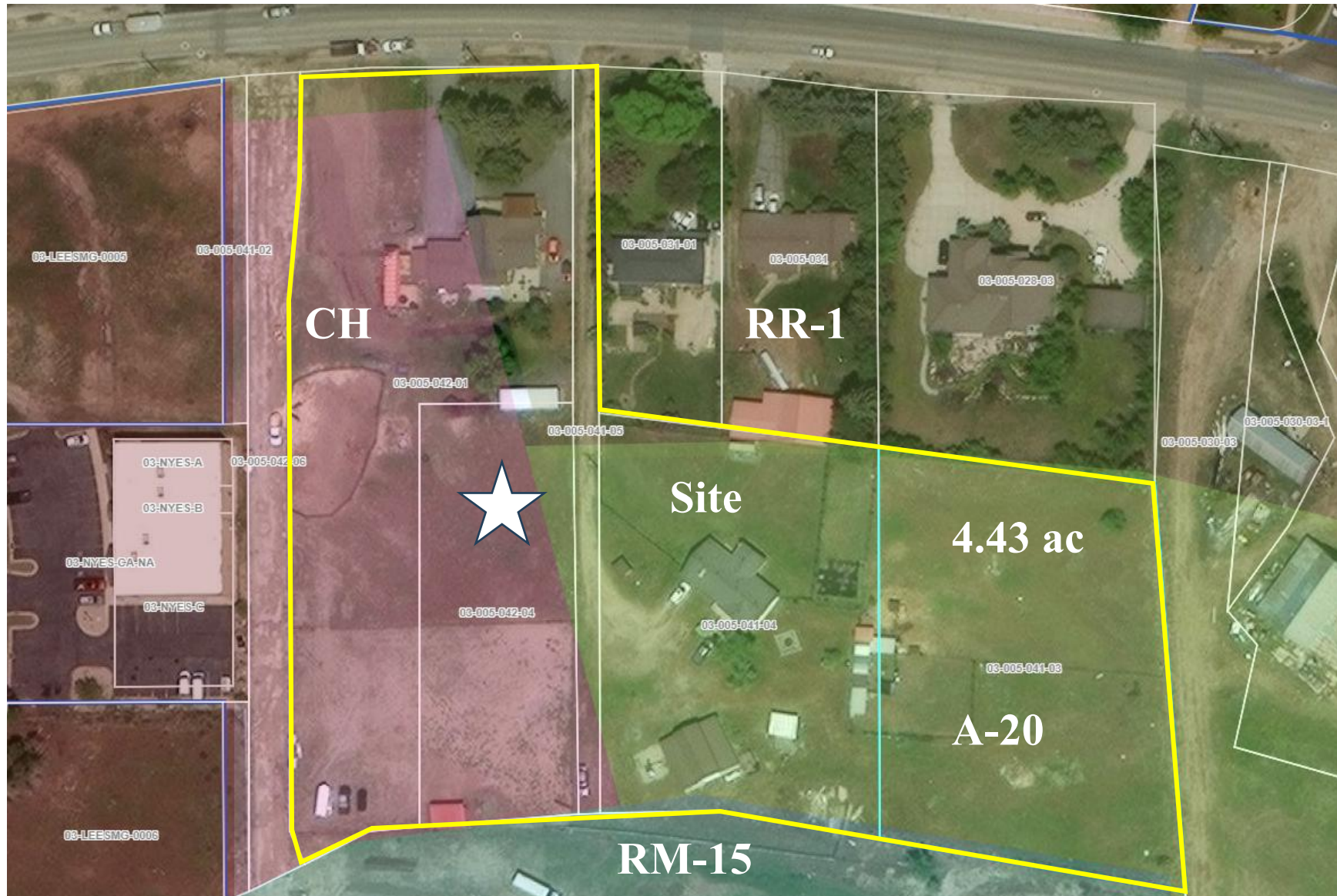


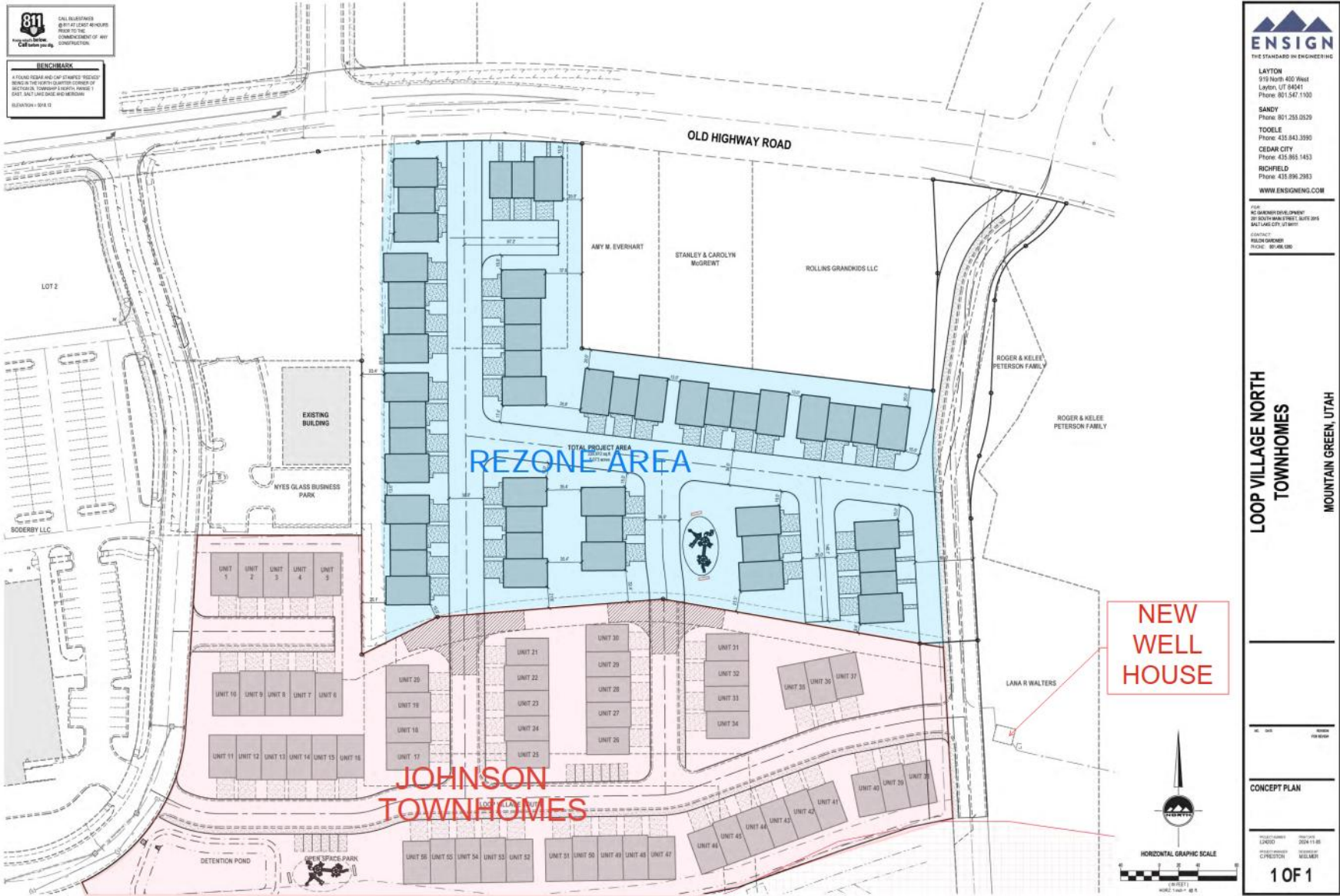
Exhibit C: Existing Zoning





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

Exhibit D: Rezone Concept



## Exhibit E: Property Boundary Description

### 4865 W OLD HWY RD

03-005-042-01

A PT OF THE SW1/4NW1/4 OF SEC 25, T5N, R1E, SLB&M, U.S. SUR: BEG AT A PT WH BEARS E 1167.8 FT & N 430.3 FT; & (CONTINUED) S 82\*25' W 103.33 FT FRM THE W1/4 COR OF SD SEC 25, & RUN TH S 82\*25' W 32.67 FT; TH S 63\*45' W 87.6 FT; TH N 528.06 FT TO THE STATE RD (U.S. 30); TH ALG THE S BDY LN OF SD RD, N 86\*50' E 83.46 FT; TH E 130.8 FT M. OR L, TO A RD ONE ROD WIDE; TH ALG SD RD S 218.4 FT; TH W 100 FT; TH S 274.56 FT TO THE POB. LESS & EXCEPT THEREFROM THE FOL: A PT OF THE NW1/4 OF SEC 25, T5N, R1E, SLB&M, U.S. SUR: BEG AT A PT LOC E 1167.8 FT & N 430.3 FT & S 85\*25' W 136.0 FT & S 63\*45' W 87.6 FT FRM THE W1/4 COR OF SD SEC 25, & RUN TH N 528.06 FT TO THE S R. OF W. LN OF THE STATE ROAD; TH N 85\*50'00" E 35.00 FT ALG SD S R. OF W. LN; TH S 69.00 FT; TH S 5\*40'28" W 80.00 FT; TH S 343.00 FT; TH S 22\*37'20" E 23.08 FT; TH S 63\*45'00" W 40.00 FT TO THE POB. LEAV 1.46 AC, M, OR L.

### 4815 W OLD HWY RD

03-005-041-04

A PT OF SW1/4NW1/4 OF SEC 25, T5N, R1E, SLB&M: BEG AT A PT WH BEARS E 1184.3 FT & N 431.6 FT FRM THE W1/4 SEC COR OF SD SEC 25; RUN TH N 265.0 FT ALG THE E SIDE OF A ONE ROD WIDE RD; TH S 83\* E 189.5 FT; TH S 254.0 FT TO THE N'LY BANK OF AN OLD CHANNEL OF COTTONWOOD CREEK; TH ALG SD BANK 2 COUR AS FOLS: N 89\*10' W 109.0 FT; S 85\*25' W 81.0 FT TO POB. CONT 1.07 AC, M. OR L.

### Approx 4815 W OLD HWY RD

03-005-041-03

A PT OF SE1/4NW1/4 SEC 25, T5N, R1E, SLB&M: BEG AT A PT WH BEAR E 1372.44 FT & N 419.46 FT FRM THE W1/4 SEC OF THE SD SEC 25, & RUN TH N 254.0 FT; TH S 83\*00' E 183.7 FT; TH S 2\*35' E 265.6 FT TO N'LY BANK OF AN OLD CHANNEL OF COTTONWOOD CREEK; TH ALG SD BANK N 80\*10' W 197.10 FT TO POB. CONT 1.08 AC, M. OR L.

### Approx 4815 W OLD HWY RD

03-005-041-05

PT OF THE SW1/4NW1/4 OF SEC 25, T5N, R1E, SLB&M: BEG AT A PT 1167.8 FT E & 430.3 FT N FRM THE SW COR OF SD 1/4 SEC & RUN TH N 484.7 FT TO THE S LN OF THE STATE RD; TH E ALG SD S LN 16.5 FT; TH S 483.4 FT; TH S 85\*25' W 16.5 FT TO POB. CONT 0.18 AC, M. OR L.

### Approx 4815 W OLD HWY RD

03-005-042-04

PT OF THE SW1/4NW1/4 OF SEC 25, T5N, R1E, SLB&M: BEG AT A PT WH BEAR E 1167.8 FT & N 430.3 FT FRM THE W1/4 SEC COR OF SD SEC 25 & RUN TH S 85\*25' W 103.33 FT; TH N 274.56 FT; TH E 103.0 FT; TH S 266.3 FT TO THE POB. CONT 0.6395 / 0.64 AC, M. O L.

Exhibit F: Applicant’s Narrative (Application)

Morgan County - Planning & Development Services

24.060 Gardner Development Rezone

10/24/2024 - 10/23/2025

Legislative Actions

General

Printed: 12/12/2024

24.060

ecfe4db0-7776-11ef-a4f8-2fbab421cd17

Active

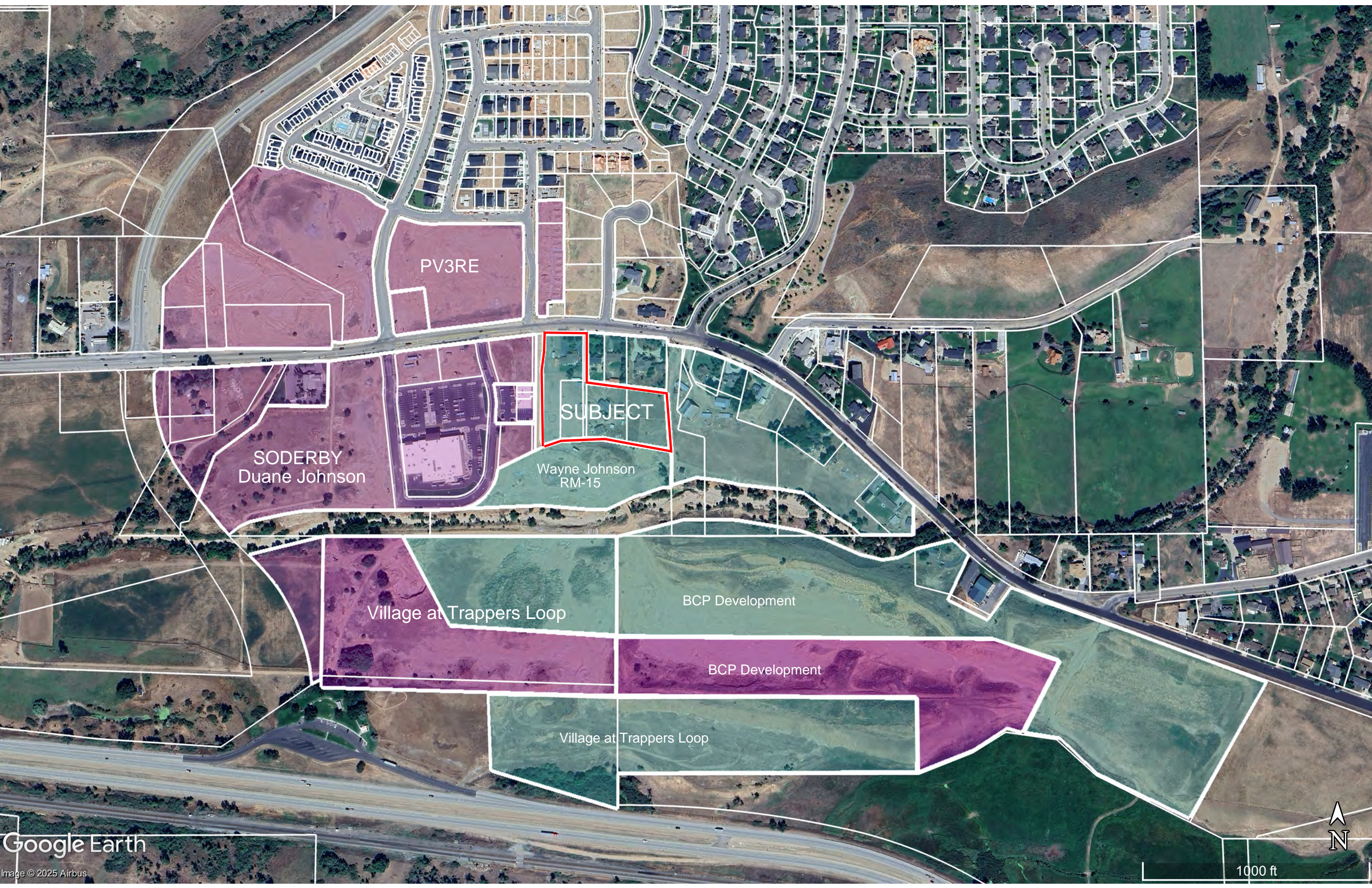
Under Review

Application Review Status

|   |              |            |
|---|--------------|------------|
| Pre-Review  | Approved     | 09/20/2024 |
| <i>The Zoning Administrator may take a project out of Pre-Review Status to allow the County Engineer to review to determine that all submittal items contain the required information necessary to be considered a complete application. While the application may be out of pre-review this does not constitute a complete application until such time as the County Engineer provides a memo stating all items are present.</i> |              |            |
| County Commission   | Not Reviewed |            |
| Zoning Administrator  | Not Reviewed |            |
| County Engineer   | Not Reviewed |            |
| Planner I   | Reviewing    |            |
| GIS Personnel   | Not Reviewed |            |
| County Attorney   | Not Reviewed |            |
| Final-Review  | Not Reviewed |            |

| Fees                          |          | Payments   |        |          |
|-------------------------------|----------|------------|--------|----------|
| Zone Map Amendment            | \$270.00 | 10/24/2024 | Online | \$960.00 |
| Noticing                      | \$190.00 | Total Paid |        | \$993.60 |
| Future Land Use Map Amendment | \$500.00 |            |        |          |
| Subtotal                      | \$960.00 |            |        |          |
| Processing Fee                | \$33.60  |            |        |          |









## County Commission Agenda Request Form

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

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

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

Email: [kbecker@morgancountyutah.gov](mailto:kbecker@morgancountyutah.gov)

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

Commission Meeting Date: 3/18/25 Time Requested: 15 min  
Name: Joshua Cook Phone: (801) 845-4015  
Address: 48 W. Young Street  
Email: jcook@morgancountyutah.gov Fax: \_\_\_\_\_  
Associated County Department: Planning and Development Department

### PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

#### Meeting/Discussion/Decision - Giles Estates Plat Amendment No. 1

A request for approval of an amendment to the Giles Estates Subdivision for a series of lot line adjustments that will affect four (4) lots, which are identified by parcel numbers 00-0061-9013, 00-0061-9278, 00-0061-9435, and 00-0061-9682 & serial numbers 01-GILES-0001, 01-GILES-0002, 01-GILES-0003, and 01-GILES-0004 and are approximately located at 163, 173, 179, and 193 S Morgan Valley Dr in unincorporated Morgan County.

Application No.: 24.061  
Applicant: R. Matt Slate

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION  
DECISION  
BOTH  
INFORMATION ONLY

|  |
|--|
| <input checked="checked" type="checkbox"/> |
| <input checked="checked" type="checkbox"/> |
| <input checked="checked" type="checkbox"/> |
| <input type="checkbox"/>                   |

PUBLIC HEARING  
PUBLIC MEETING

|  |
|--|
| <input type="checkbox"/>                   |
| <input checked="checked" type="checkbox"/> |

**COUNTY COMMISSION**  
**STAFF REPORT**  
Subdivision Plat Amendment

---

Giles Estates Plat Amendment No. 1  
March 18, 2025  
Public Meeting  
File #24.061

|                   |  |
|-------------------|--|
| Applicant:        | R. Matt Slate  |
| Owner:            | Multiple Property Owners within the subdivision            |
| Project Location: | 163, 173, 179, and 193 S Morgan Valley Dr                  |
| Parcel Numbers:   | 00-0061-9013, 00-0061-9278, 00-0061-9435, 00-0061-9682     |
| Serial Numbers:   | 01-GILES-0001, 01-GILES-0002, 01-GILES-0003, 01-GILES-0004 |
| Current Zoning:   | Rural Residential (RR-1)/Agriculture (A-20)                |
| Acreage:          | 6.63 acres combined  |

---

**REQUEST:** Request for approval of an amendment to the Giles Estates Subdivision for a series of lot combination of small remaining parcels affecting four (4) lots.

**PLANNING COMMISSION SUMMARY:** The Planning Commission heard this item at their regularly scheduled meeting on February 27, 2025. There were no comments during the public comment section of the meeting. The discussion at the Planning Commission was minimal, consisting mainly of clarifying questions about utility easements for the rear property lines, which are not being amended in the plat amendment drawings. Staff clarified that the property owners could amend those easements prior to recordation or through a future plat amendment, should they choose to do so. The Commission voted to recommend approval of the application with a 5-0 vote.

**ATTORNEY GUIDANCE:**

**Administrative Review:**

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

**Applicable law:**

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

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

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

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

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

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

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

**STAFF RECOMMENDATION:** Based on the information in this staff report, staff recommends approval of the Giles Estates Plat Amendment No. 1, subject to all applicable regulations and the following conditions:

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

|              | <b>Current<br/>Lot Size</b> | <b>Proposed<br/>Addition of<br/>Acreage</b> | <b>Lot Size<br/>After Plat<br/>Amendment</b> |
|--------------|-----------------------------|---|--|
| <b>Lot 1</b> | 1.15 acres                  | 0.46 acres                                  | 1.61 acres                                   |
| <b>Lot 2</b> | 1.03 acres                  | 0.49 acres                                  | 1.52 acres                                   |
| <b>Lot 3</b> | 1.07 acres                  | 0.55 acres                                  | 1.62   |
| <b>Lot 4</b> | 1.22 acres                  | 0.66 acres                                  | 1.88   |

Figure 1.1 Lot Size Changes

## **PROJECT DESCRIPTION:**

### **Proposal Details**

The applicant is seeking approval for a plat amendment to consolidate smaller parcels with four (4) of the five (5) lots within the Giles Estates Subdivision. A reference figure (Figure 1.1) is provided to illustrate the proposed consolidations and their impact on the affected lots.

## **DISCUSSION:**

This request is for a plat amendment to the Giles Estates Subdivision. Lots 1 through 4 meet the required frontage on a County Right-Of-Way (ROW). An amendment to the plat to accommodate new lot lines will not negatively affect the developability of the lots, as the proposal includes an increase in lot sizes. An adjacent property owner sold smaller parcels to each lot owner individually, and this plat amendment will consolidate those parcels following the individual parcel boundary adjustments, which were recorded in approximately July 2024. Staff has determined that the impact on the County and nearby property owners is minimal. The plat amendment requirements come from Morgan County's Land Use Management Code, Title 15, Chapter 155, Section 440 and subsequent sections. Staff has reviewed the requirements and procedures for a plat amendment and found that the application request meets these standards.

### ***155.447: AMENDED PLAT REQUIREMENTS:***

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

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

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

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

**155.446: GROUNDS FOR VACATING OR CHANGING A PLAT:**

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

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

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

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

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

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

*(1) Good cause exists for the vacation; and*

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

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

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

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

*(2) May not be construed to impair:*

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

*(b) The franchise rights of any public utility.*

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



**155.444: PROCEDURE:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## ANALYSIS OF STANDARDS

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

|          |  |                |  |
|----------|--|----------------|--|
| <b>B</b> | <b>Certified boundary survey of the subject property, which meets state of Utah requirements, which also depicts all easements identified by the title report.</b>   | Complies       |  |
| <b>C</b> | <b>Preliminary plat (all facilities within 200 feet of the plat shall be shown):</b> <ol style="list-style-type: none"> <li>1. Drawn at a scale not smaller than one hundred feet (100') to the inch.</li> <li>2. A north arrow.</li> <li>3. Subdivision name.</li> <li>4. The layout and names and widths of existing and future road rights of way.</li> <li>5. A tie to a permanent survey monument at a section corner.</li> <li>6. The boundary lines of the subdivision with bearings and distances.</li> <li>7. The layout and dimensions of proposed lots with lot areas in square feet.</li> <li>8. The location and dimensions and labeling of other spaces including open spaces, parks, trails, or public spaces.</li> <li>9. The location of manmade features including bridges, railroad tracks, fences, ditches, and buildings.</li> <li>10. Topography at two foot (2') intervals. One foot (1') contours may be required by the county engineer in particularly flat areas.</li> <li>11. Location and ownership of all adjoining tracts of land.</li> <li>12. Proposed subdivision phasing plan and relationship to existing phases of development. (Ord. 10-16, 12-14-2010)</li> </ol> | Complies       |  |
| <b>D</b> | <b>Grading and drainage plan (may be combined with plat sheet, if approved by the county engineer):</b> <ol style="list-style-type: none"> <li>1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout.</li> <li>2. Topography at two foot (2') contour intervals.</li> <li>3. North arrow.</li> <li>4. Subdivision name.</li> <li>5. Areas of substantial earthmoving.</li> <li>6. Location of existing watercourses, canals, ditches, springs, wells, culverts, and storm drains.</li> <li>7. Location of any 100-year floodplain as designated by the federal emergency management agency (FEMA).</li> <li>8. A storm drainage plan showing water flow directions, inlets, outlets, catch basins, waterways, culverts, detention basins, outlets to offsite facilities, and off site drainage facilities planned to accommodate the project drainage.</li> <li>9. Show any existing wetlands.</li> <li>10. Slope analysis which depicts all slopes greater than fifteen percent (15%) and greater than twenty five percent (25%) with distinct notation. (Ord. 12-09, 9-18-2012)</li> </ol>  | Does Not Apply |  |
| <b>E</b> | <b>Utility plan (may be combined with plat sheet, if approved by the county engineer):</b> <ol style="list-style-type: none"> <li>1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout.</li> <li>2. North arrow.</li> <li>3. Subdivision name.</li> <li>4. Show all existing and proposed utilities including: sewer, culinary water, well locations with secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, and streetlights, television and telecommunications.</li> <li>5. Show location and dimensions of all utility easements.</li> </ol>  | Does Not Apply |  |
| <b>F</b> | <b>The subdivider shall provide the following documents with the application:</b> <ol style="list-style-type: none"> <li>1. Three (3) copies of a geotechnical soils report.</li> <li>2. A traffic report when required by the planning commission or county engineer.</li> </ol>  | Complies       |  |

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

**155.415: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:**

|          |   |             |   |
|----------|---|-------------|---|
| <b>A</b> | The final plat shall consist of a mylar with the outside or trim line dimensions of twenty four inches by thirty six inches (24" x 36"). The mylar shall be submitted to the county at least twenty (20) days prior to consideration for placement on the county commission agenda for approval. Until that date, submittal of paper copies is sufficient for review. The borderline of the plat shall be drawn in heavy lines leaving a space of at least one and one-half inches (1 1/2") on the left side and at least one-half inch (1/2") margin on the other sides. The plat shall be so drawn that the top of the drawing faces either north or west, whichever accommodates the drawing best. All lines, dimensions, and markings shall be made on a mylar with approved waterproof black ink. The plat shall be made to a scale large enough to clearly show all details, and in any case not smaller than one hundred feet (100') to the inch, and workmanship on the finished drawing shall be neat, clean cut and readable. | Will Comply | Historically, staff has recommended the applicant wait to print the final mylar in the event that the Planning Commission recommend changes to the plat.  |
| <b>B</b> | The final plat shall show the subdivision name that is distinct from any other recorded subdivision name and the general location of the subdivision in bold letters at the top of the sheet.   | Complies    |   |
| <b>C</b> | The plat shall contain a north arrow and scale of the drawing and the date.   | Complies    |   |
| <b>D</b> | Prior to consideration by the county commission, the plat shall be signed by all required and authorized parties, with the exception of the county commission chairperson, planning commission chairperson and county attorney, with appropriate notarial acknowledgements and the final plat shall contain all information set forth in this section.  | Will comply | Historically, staff has recommended the applicant wait to print the final mylar and receive signatures, in the event that the Planning Commission and/or County Commission recommend changes to the plat. |
| <b>E</b> | An accurate and complete survey, which conforms to Utah state law.  | Complies    |   |
| <b>F</b> | Plats will show accurately drawn boundaries, showing the proper bearings and dimensions of all boundary lines of the subdivision, properly tied to at least two (2) public survey monuments. These lines should be slightly heavier than street and lot lines.  | Complies    |   |
| <b>G</b> | The final plat shall show all survey, mathematical information and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angle, radius and arc length of curves, and such information as may be necessary to determine the location of beginning and ending points of curves. All property corners and monuments within the subdivision shall be tied to an acceptable Morgan County monument, as determined by the Morgan County surveyor. Lot and boundary closure shall be calculated to the nearest 0.02 of a foot.  | Complies    |   |
| <b>H</b> | All lots, blocks, and parcels offered for dedication for any purpose should be delineated and designated with dimensions, boundaries and courses clearly shown and defined in every case. The square footage of each lot shall be shown. All parcels offered for dedication other than for streets or easements shall be clearly designated on the plat. Sufficient linear, angular and curved data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot and parcel which is a part thereof. No ditto marks shall be used for lot dimensions.   | Complies    |   |



|   |   |          |   |
|---|---|----------|---|
| I | The plat shall show the right of way lines of each street, and the width of any portion being dedicated and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty feet (50') of the subdivision shall be shown with dashed lines. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such existing streets shall be accurately shown.  | Complies |   |
| J | All lots are to be numbered consecutively under a definite system approved by the county. Numbering shall continue consecutively throughout the subdivision with no omissions or duplications.  | Complies |   |
| K | All streets within the subdivision shall be numbered (named streets shall also be numbered) in accordance with and in conformity with the adopted street numbering system adopted by the county. Each lot shall show the street addresses assigned thereto, and shall be according to the standard addressing methods approved by the county. In the case of corner lots, an address will be assigned for each part of the lot having street frontage.  | Complies |   |
| L | The side lines of all easements shall be shown by fine dashed lines. The width of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified.  | Complies |   |
| M | The plat shall fully and clearly show all stakes, monuments and other evidence indicating the boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed or destroyed before acceptance of all improvements shall be replaced by the subdivider under the direction of the county surveyor. The following required monuments shall be shown on the final plat:<br>1. The location of all monuments placed in making the survey, including a statement as to what, if any, points were reset by ties;<br>2. All right of way monuments at angle points and intersections as approved by the county surveyor.   | Complies |   |
| N | The final plat shall contain the name, stamp and signature of a professional land surveyor, together with the date of the survey, the scale of the map and number of sheets. The following certificates, acknowledgements and descriptions shall appear on the title sheet of the final plat, and such certificates may be combined where appropriate:<br>1. Professional land surveyor's "certificate of survey".<br>2. Owner's dedication certificate in the following form:<br><br><i>OWNERS DEDICATION</i><br><br><i>Know all men by these presents that we, the undersigned owner(s) of the above described tract of land, having caused said tract to be subdivided into lots and streets to be hereafter known as Subdivision do hereby dedicate for perpetual use of the public all parcels of land, other utilities, or easements shown on this plat as intended for public use. In witness whereof, we have hereunto set out hands this day of, 21.</i><br><br><i>(Add appropriate acknowledgments)</i><br><br>3. Notary public's acknowledgement for each signature on the plat. | Complies | Owner's Dedication is present, but not signed |

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

## DEPARTMENT COMMENTS/RECOMMENDED MOTIONS

Public Works: No comments received

Fire/EMS Services: Comments received and have been addressed

Engineering/Surveyor: Comments received, and the Reviewer has issued Conditional Approval

Recorders: Comments received and are being addressed

Zoning: The zoning is RR-1/A-20

### Recommended Motions

**Sample Motion for *Approval*** – “I move we approve the Giles Estates Plat Amendment No. 1, application number 24.061, located at 3049 & 3059 W. Summit View Circle in unincorporated Morgan County based on the findings listed in the staff report dated March 18, 2025.”

**Sample Motion for *Approval with Conditions*** – “I move we approve the Giles Estates Plat Amendment No. 1, application number 24.061, located at 3049 & 3059 W. Summit View Circle in unincorporated Morgan County based on the findings listed in the staff report dated March 18, 2025, with the following additional conditions:”

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

**Sample Motion for *Denial*** – “I move we deny the Giles Estates Plat Amendment No. 1, application number 24.061, located at 3049 & 3059 W. Summit View Circle in unincorporated Morgan County with the following findings:”

1. *List any additional findings...*

### Attachments:

Attachment A. Vicinity Map

Attachment B. Current Zoning Map

Attachment C. Current Recorded Plat

Attachment D. Proposed Plat Amendment

Attachment E. Application



## Attachment A: Vicinity Map





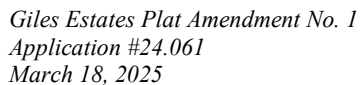
## Attachment B: Current Zoning Map





c:\work\Projects\g3\res\dwg\5\res\_PLATE.dwg Mon Aug 23 11:42:02 1999 MOUNTAIN ENGINEERING





## Attachment E: Application

Morgan County - Planning & Development  
Services

Printed: 02/04/2025

### 24.061 Giles Estates Plat Amendment No. 1

24.061

09/26/2024 - 09/25/2123

6ba111c0-7b9b-11ef-97e8-7d668c218532

Subdivision

General

Active

Under Review

## Application Review Status

Pre-Review

Approved

09/25/2024

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

County Commission Not Reviewed

County Engineer Not Reviewed

Morgan County Fire  
Department Not Reviewed

County Surveyor Not Reviewed

Planning Commission Not Reviewed

Planner I Not Reviewed

Weber-Morgan Health  
Department Not Reviewed

GIS Personnel Not Reviewed

County Recorder Not Reviewed

Secondary County  
Engineer Not Reviewed

Final-Review Not Reviewed



## County Commission Agenda Request Form

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

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

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

Email: [kbecker@morgancountyutah.gov](mailto:kbecker@morgancountyutah.gov)

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

Commission Meeting Date: 3/18/25 Time Requested: 15 min  
Name: Joshua Cook Phone: (801) 845-4015  
Address: 48 W. Young Street  
Email: jcook@morgancountyutah.gov Fax: \_\_\_\_\_  
Associated County Department: Planning and Development Department

### PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

#### Meeting/Discussion/Decision - Cottonwoods Phase 7B, Amended Plat No. 3

A request for approval of an amendment to the Cottonwood Spring View A PUD Subdivision Phase 7B for the consolidation of two (2) lots into one (1) lot, which are identified by parcel numbers 00-0092-5446 & 00-0092-5445 and serial numbers 09-COSPR7B-0754 & 09-COSPR7B-0753 and are approximately located at 3049 and 3059 West Summit View Circle in unincorporated Morgan County.

Application No.: 24.063  
Applicant: Chase Hansen

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION  
DECISION  
BOTH  
INFORMATION ONLY

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/>            |

PUBLIC HEARING  
PUBLIC MEETING

|                                     |
|-------------------------------------|
| <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> |



**COUNTY COMMISSION**  
**STAFF REPORT**  
Subdivision Plat Amendment

---

Cottonwoods Phase 7B, Amended Plat No. 3  
March 18, 2025  
Public Meeting  
File #24.063

|                   |   |
|-------------------|---|
| Applicant/Owner:  | Chase Hansen                                      |
| Project Location: | 3049 & 3059 W. Summit View Circle                 |
| Parcel Number:    | 00-0092-5445 & 00-0092-5446                       |
| Serial Number:    | 03-COSPR7B-0753 & 03-COSPR7B-0754                 |
| Current Zoning:   | Rural Residential (RR-1) w/ Development Agreement |
| Acreage:          | 0.61 acres combined                               |

---

**REQUEST:** This application is a request for approval of an amendment to the Cottonwood Spring View; A PUD Subdivision Phase 7B for the consolidation of two (2) lots into one (1) lot.

**PLANNING COMMISSION SUMMARY:** The Planning Commission heard this item at their regularly scheduled meeting on February 27, 2025. There were no comments during the public comment section of the meeting. There was no discussion from the Planning Commission regarding this item. The Commission voted to recommend approval of the application with a 5-0 vote.

**ATTORNEY GUIDANCE:**

**Administrative Review:**

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

**Applicable law:**

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



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

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

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

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

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

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

**STAFF RECOMMENDATION:** Based on the information in this staff report, staff recommends approval of the Cottonwoods Phase 7B, Amended Plat No. 3, subject to all applicable regulations and the following conditions:

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

## **PROJECT DESCRIPTION:**

### **Proposal Details**

The applicant requests approval of a plat amendment for a consolidation of lots, removing the western boundary of Lot 754 and the eastern boundary of Lot 753 within the Cottonwood Spring View A PUD Subdivision Phase 7B. The current size of lot 754 is 0.3 acres, while the current size of lot 753 is 0.31 acres. After approval of the proposed plat amendment, the total acreage will be 0.61 acres.

## **DISCUSSION:**

This request is for a plat amendment to the Cottonwood Spring View subdivision. Lots 754 and 753 do not meet the required frontage on a County Right-Of-Way (ROW), but as part of a PUD Development Agreement, the lot reduction maintains the subdivision's approved density and development rights. The amendment will not affect the developability of consolidated lots. Staff has determined that the impact on the County and nearby property owners is minimal. The plat amendment requirements come from Morgan County's Land Use Management Code, Title 15, Chapter 155, Section 440 and subsequent sections. Staff has reviewed the requirements and procedures for a plat amendment and have found that the application request meets these standards.

### ***155.447: AMENDED PLAT REQUIREMENTS:***

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

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

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

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

### ***155.446: GROUNDS FOR VACATING OR CHANGING A PLAT:***

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

- (1) There is good cause for the vacation, alteration or amendment; and*
- (2) No public street, right-of-way or easement has been vacated or altered.*

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

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

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

- (1) Good cause exists for the vacation; and*
- (2) Neither the public interest nor any person will be materially injured by the vacation.*

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

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

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

*(2) May not be construed to impair:*

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

*(b) The franchise rights of any public utility.*

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

**155.444: PROCEDURE:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## ANALYSIS OF STANDARDS

| Standards   |  | Findings | Rationale |
|---|--|----------|-----------|
| <p><b>Ordinance Evaluation. Morgan County Code, Chapter 155, Section 440 states the following:</b></p> <p><i>Prior to the County Commission's approval of a petition or proposal to amend a subdivision plat, the petitioner or sponsor shall deliver to the County an <u>amended plat map and complete supporting preliminary plat and final plat</u> information in compliance with the requirements of this chapter. The applicant shall also pay all fees required by the County's fee schedule.</i></p> <p><i>Therefore, this plat amendment has been reviewed for preliminary and final plat standards.</i></p> |  |          |           |
| <p><b>155.407: PRELIMINARY PLAT SUBMITTAL:</b> The preliminary plat shall be prepared, stamped and signed by a professional engineer or professional land surveyor licensed by the state of Utah. The preliminary plat submittal shall include at least the following information:</p>  |  |          |           |
| A   | <p><b>Vicinity Map</b></p> <ol style="list-style-type: none"> <li>1. Drawn at a maximum scale of one thousand feet (1,000') to the inch.</li> <li>2. Show all existing and proposed roadways in the vicinity of the proposed development.</li> <li>3. A north arrow.</li> <li>4. The nearest section corner tie.</li> <li>5. Subdivision name.</li> </ol>  | Complies |           |
| B   | <p><b>Certified boundary survey of the subject property, which meets state of Utah requirements, which also depicts all easements identified by the title report.</b></p>  | Complies |           |
| C   | <p><b>Preliminary plat (all facilities within 200 feet of the plat shall be shown):</b></p> <ol style="list-style-type: none"> <li>1. Drawn at a scale not smaller than one hundred feet (100') to the inch.</li> <li>2. A north arrow.</li> <li>3. Subdivision name.</li> <li>4. The layout and names and widths of existing and future road rights of way.</li> <li>5. A tie to a permanent survey monument at a section corner.</li> <li>6. The boundary lines of the subdivision with bearings and distances.</li> <li>7. The layout and dimensions of proposed lots with lot areas in square feet.</li> </ol> | Complies |           |



|   |   |                |  |
|---|---|----------------|--|
|   | <p>8. The location and dimensions and labeling of other spaces including open spaces, parks, trails, or public spaces.</p> <p>9. The location of manmade features including bridges, railroad tracks, fences, ditches, and buildings.</p> <p>10. Topography at two foot (2') intervals. One foot (1') contours may be required by the county engineer in particularly flat areas.</p> <p>11. Location and ownership of all adjoining tracts of land.</p> <p>12. Proposed subdivision phasing plan and relationship to existing phases of development. (Ord. 10-16, 12-14-2010)</p>  |                |  |
| D | <p>Grading and drainage plan (may be combined with plat sheet, if approved by the county engineer):</p> <ol style="list-style-type: none"> <li>1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout.</li> <li>2. Topography at two foot (2') contour intervals.</li> <li>3. North arrow.</li> <li>4. Subdivision name.</li> <li>5. Areas of substantial earthmoving.</li> <li>6. Location of existing watercourses, canals, ditches, springs, wells, culverts, and storm drains.</li> <li>7. Location of any 100-year floodplain as designated by the federal emergency management agency (FEMA).</li> <li>8. A storm drainage plan showing water flow directions, inlets, outlets, catch basins, waterways, culverts, detention basins, outlets to offsite facilities, and off site drainage facilities planned to accommodate the project drainage.</li> <li>9. Show any existing wetlands.</li> <li>10. Slope analysis which depicts all slopes greater than fifteen percent (15%) and greater than twenty five percent (25%) with distinct notation. (Ord. 12-09, 9-18-2012)</li> </ol> | Does Not Apply |  |
| E | <p>Utility plan (may be combined with plat sheet, if approved by the county engineer):</p> <ol style="list-style-type: none"> <li>1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout.</li> <li>2. North arrow.</li> <li>3. Subdivision name.</li> <li>4. Show all existing and proposed utilities including: sewer, culinary water, well locations with secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, and streetlights, television and telecommunications.</li> <li>5. Show location and dimensions of all utility easements.</li> </ol>   | Does Not Apply |  |
| F | <p>The subdivider shall provide the following documents with the application:</p> <ol style="list-style-type: none"> <li>1. Three (3) copies of a geotechnical soils report.</li> <li>2. A traffic report when required by the planning commission or county engineer.</li> <li>3. Preliminary title report, which specifically references the boundary survey and exactly matches the legal description of the outside boundary of the subdivision.</li> <li>4. Service agreements from all utility companies or providers.</li> <li>5. Any necessary agreements with adjacent property owners regarding storm drainage or other matters pertinent to subdivision approval.</li> <li>6. Maintenance agreements for subsurface drains serving the subdivision, if they are proposed or exist.</li> <li>7. An agricultural impact analysis, on subdivisions which are contiguous to an adopted agricultural preservation area, or which contain an agricultural open space conservation easement within the plat.</li> </ol>   | Complies       |  |

|   |   |                |  |
|---|---|----------------|--|
|   | <p>8. Written verification of all proposed water sources. For all proposed water sources, provide approval letters from the Weber-Morgan County health department and proof of all water rights, including quantities (water rights certificates, etc.), for each well and water source to be utilized for the development.</p> <p>9. The developer shall submit all information concerning site geology, area hydrogeology, site topography, soil types and the proven wet water by the drilling of at least one test well from within the described subdivision boundary, as determined by a geotechnical engineer, licensed in the state of Utah. Well logs shall be submitted to the county identifying the depth and yield of the well. Information submitted must verify that the source is consistently available to supply eight hundred (800) gallons per day (gpd) per equivalent residential connection (ERC) at a minimum flow rate of 0.55 gallons per minute (gpm). Water for irrigation supplies shall be verified to provide three (3) gpm per irrigated acre. If the proposal is being served by an existing water utility company, these requirements do not apply.</p> <p>10. Verification of approval from the Weber-Morgan County health department regarding the proposed location of all septic systems and water source protection areas.</p> |                |  |
| G   | When the subdivision is located within the sensitive area district or geologic hazards special study area, required reports and documents are to be submitted in accordance with the provisions of this title.  | Does Not Apply |  |
| H   | The subdivider shall comply with all applicable federal, state, and local laws and regulations, and shall provide evidence of such compliance if requested by the county.   | Complies       |  |
| I   | Copy of proposed protective covenants in all cases where subsurface drains or other common area maintenance proposals are to serve any portion of the subdivision.  | Does Not Apply |  |
| J   | Electronic copies of all preliminary plat drawings in AutoCAD (DWG) format.   | Complies       |  |
| K   | Tabulations showing the total number of lots or buildings sites, and the percentage of land in roads, lots, and open space.   | Does Not Apply |  |
| L   | Any additional submittal requirements required for or by master planned development reserves, specific development agreements, or requirements and conditions of other applicable ordinances or previous approvals. (Ord. 10-16, 12-14-2010)  | Does Not Apply |  |
| <b>155.415: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:</b> |   |                |  |
| A   | The final plat shall consist of a mylar with the outside or trim line dimensions of twenty four inches by thirty six inches (24" x 36"). The mylar shall be submitted to the county at least twenty (20) days prior to consideration for placement on the county commission agenda for approval. Until that date, submittal of paper copies is sufficient for review. The borderline of the plat shall be drawn in heavy lines leaving a space of at least one and one-half inches (1 1/2") on the left side and at least one-half inch (1/2") margin on the other sides. The plat shall be so drawn that the top of the drawing faces either north or west, whichever accommodates the drawing best. All lines, dimensions, and markings shall be made on a mylar with approved waterproof black ink. The plat shall be made to a  | Will Comply    | Historically, staff has recommended the applicant wait to print the final mylar in the event that the Planning Commission recommend changes to the plat. |

|          |  |             |   |
|----------|--|-------------|---|
|          | scale large enough to clearly show all details, and in any case not smaller than one hundred feet (100') to the inch, and workmanship on the finished drawing shall be neat, clean cut and readable.   |             |   |
| <b>B</b> | The final plat shall show the subdivision name that is distinct from any other recorded subdivision name and the general location of the subdivision in bold letters at the top of the sheet.  | Complies    |   |
| <b>C</b> | The plat shall contain a north arrow and scale of the drawing and the date.  | Complies    |   |
| <b>D</b> | Prior to consideration by the county commission, the plat shall be signed by all required and authorized parties, with the exception of the county commission chairperson, planning commission chairperson and county attorney, with appropriate notarial acknowledgements and the final plat shall contain all information set forth in this section.   | Will comply | Historically, staff has recommended the applicant wait to print the final mylar and receive signatures, in the event that the Planning Commission and/or County Commission recommend changes to the plat. |
| <b>E</b> | An accurate and complete survey, which conforms to Utah state law.   | Complies    |   |
| <b>F</b> | Plats will show accurately drawn boundaries, showing the proper bearings and dimensions of all boundary lines of the subdivision, properly tied to at least two (2) public survey monuments. These lines should be slightly heavier than street and lot lines.   | Complies    |   |
| <b>G</b> | The final plat shall show all survey, mathematical information and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angle, radius and arc length of curves, and such information as may be necessary to determine the location of beginning and ending points of curves. All property corners and monuments within the subdivision shall be tied to an acceptable Morgan County monument, as determined by the Morgan County surveyor. Lot and boundary closure shall be calculated to the nearest 0.02 of a foot. | Complies    |   |
| <b>H</b> | All lots, blocks, and parcels offered for dedication for any purpose should be delineated and designated with dimensions, boundaries and courses clearly shown and defined in every case. The square footage of each lot shall be shown. All parcels offered for dedication other than for streets or easements shall be clearly designated on the plat. Sufficient linear, angular and curved data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot and parcel which is a part thereof. No ditto marks shall be used for lot dimensions.  | Complies    |   |
| <b>I</b> | The plat shall show the right of way lines of each street, and the width of any portion being dedicated and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty feet (50') of the subdivision shall be shown with dashed lines. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such existing streets shall be accurately shown.   | Complies    |   |
| <b>J</b> | All lots are to be numbered consecutively under a definite system approved by the county. Numbering shall continue consecutively throughout the subdivision with no omissions or duplications.   | Complies    |   |
| <b>K</b> | All streets within the subdivision shall be numbered (named streets shall also be numbered) in accordance with and in  | Complies    |   |

|   |   |          |   |
|---|---|----------|---|
|   | conformity with the adopted street numbering system adopted by the county. Each lot shall show the street addresses assigned thereto, and shall be according to the standard addressing methods approved by the county. In the case of corner lots, an address will be assigned for each part of the lot having street frontage.  |          |   |
| L | The side lines of all easements shall be shown by fine dashed lines. The width of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified.  | Complies |   |
| M | The plat shall fully and clearly show all stakes, monuments and other evidence indicating the boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed or destroyed before acceptance of all improvements shall be replaced by the subdivider under the direction of the county surveyor. The following required monuments shall be shown on the final plat:<br>1. The location of all monuments placed in making the survey, including a statement as to what, if any, points were reset by ties;<br>2. All right of way monuments at angle points and intersections as approved by the county surveyor.   | Complies |   |
| N | The final plat shall contain the name, stamp and signature of a professional land surveyor, together with the date of the survey, the scale of the map and number of sheets. The following certificates, acknowledgements and descriptions shall appear on the title sheet of the final plat, and such certificates may be combined where appropriate:<br>1. Professional land surveyor's "certificate of survey".<br>2. Owner's dedication certificate in the following form:<br><br>OWNERS DEDICATION<br><br><i>Know all men by these presents that we, the undersigned owner(s) of the above described tract of land, having caused said tract to be subdivided into lots and streets to be hereafter known as Subdivision do hereby dedicate for perpetual use of the public all parcels of land, other utilities, or easements shown on this plat as intended for public use. In witness whereof, we have hereunto set out hands this day of, 21.</i><br><br>(Add appropriate acknowledgments)<br><br>3. Notary public's acknowledgement for each signature on the plat.<br>4. A correct metes and bounds description of all property included within the subdivision.<br>5. Plats shall contain signatures of the water provider (if provided by a culinary water system), sewer provider (if provided by a sewer improvement district), Weber-Morgan County health department, planning commission, and county engineer, and blocks for signatures of the county attorney and county commission (a signature line for the commission chairperson and an attestation by the county clerk). A block for the county recorder shall be provided in the lower right corner of the final plat.<br>6. Such other affidavits, certificates, acknowledgements, endorsements and notarial seals as are required by law, by this title, the county attorney, or county surveyor.<br>7. Prior to recordation of the plat, the subdivider shall submit a current title report to be reviewed by the county. | Complies | Owner's Dedication is present, but not signed |

|   |   |                |   |
|---|---|----------------|---|
|   | <p>A "current title report" is considered to be one which correctly discloses all recorded matters of title regarding the property and which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat.</p> <p>8. The owner's dedication certificate, registered land surveyor's certificate of survey, and any other certificates contained on the final plat shall be in the form prescribed by the county's standards.</p> <p>9. When a subdivision contains lands which are reserved in private ownership for community use, including common areas, the subdivider shall submit, with the final plat, the name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain and pay taxes on such lands and common areas and any access easements which may be required by the county.</p> |                |   |
| O | <p>On subdivisions which are contiguous to an adopted agricultural protection area, or which contain an agricultural open space preservation area within the plat, a note shall be placed on the plat, in conjunction with right to farm provisions, stating such, and that agricultural operations work hours begin early and run late and that these operations may contribute to noises and odors objectionable to some residents.</p>   | Does Not Apply | Does not border an Agricultural Protection Area |
| P | <p>A note on the plat which states the following:</p> <p><i>Morgan County restricts the occupancy of buildings within developments as outlined in the adopted building and fire codes. It is unlawful to occupy a building located within any development without first having obtained a certificate of occupancy issued by the county.</i></p> <p>(Ord. 10-16, 12-14-2010)</p>  | Complies       |   |

## DEPARTMENT COMMENTS/RECOMMENDED MOTIONS

Public Works: No comments received

Fire/EMS Services: No comments received

Engineering/Surveyor: Comments received, and the Reviewer has issued Conditional Approval

Recorders: Comments received, and the Reviewer has issued Conditional Approval

Zoning: The zoning is RR-1 with a Development Agreement



## Recommended Motions

**Sample Motion for *Approval*** – “I move we approve the Cottonwoods Phase 7B, Amended Plat No. 3, application number 24.063, located at 3049 & 3059 W. Summit View Circle in unincorporated Morgan County based on the findings listed in the staff report dated March 18, 2025.”

**Sample Motion for *Approval with Conditions*** – “I move we approve the Cottonwoods Phase 7B, Amended Plat No. 3, application number 24.063, located at 3049 & 3059 W. Summit View Circle in unincorporated Morgan County based on the findings listed in the staff report dated March 18, 2025, with the following additional conditions:”

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

**Sample Motion for *Denial*** – “I move deny the Cottonwoods Phase 7B, Amended Plat No. 3, application number 24.063, located at 3049 & 3059 W. Summit View Circle in unincorporated Morgan County with the following findings:”

*1. List any additional findings...*

## Attachments:

Attachment A. Vicinity Map

Attachment B. Current Zoning Map

Attachment C. Current Recorded Plat

Attachment D. Proposed Plat Amendment

Attachment E. Application

## Attachment A: Vicinity Map

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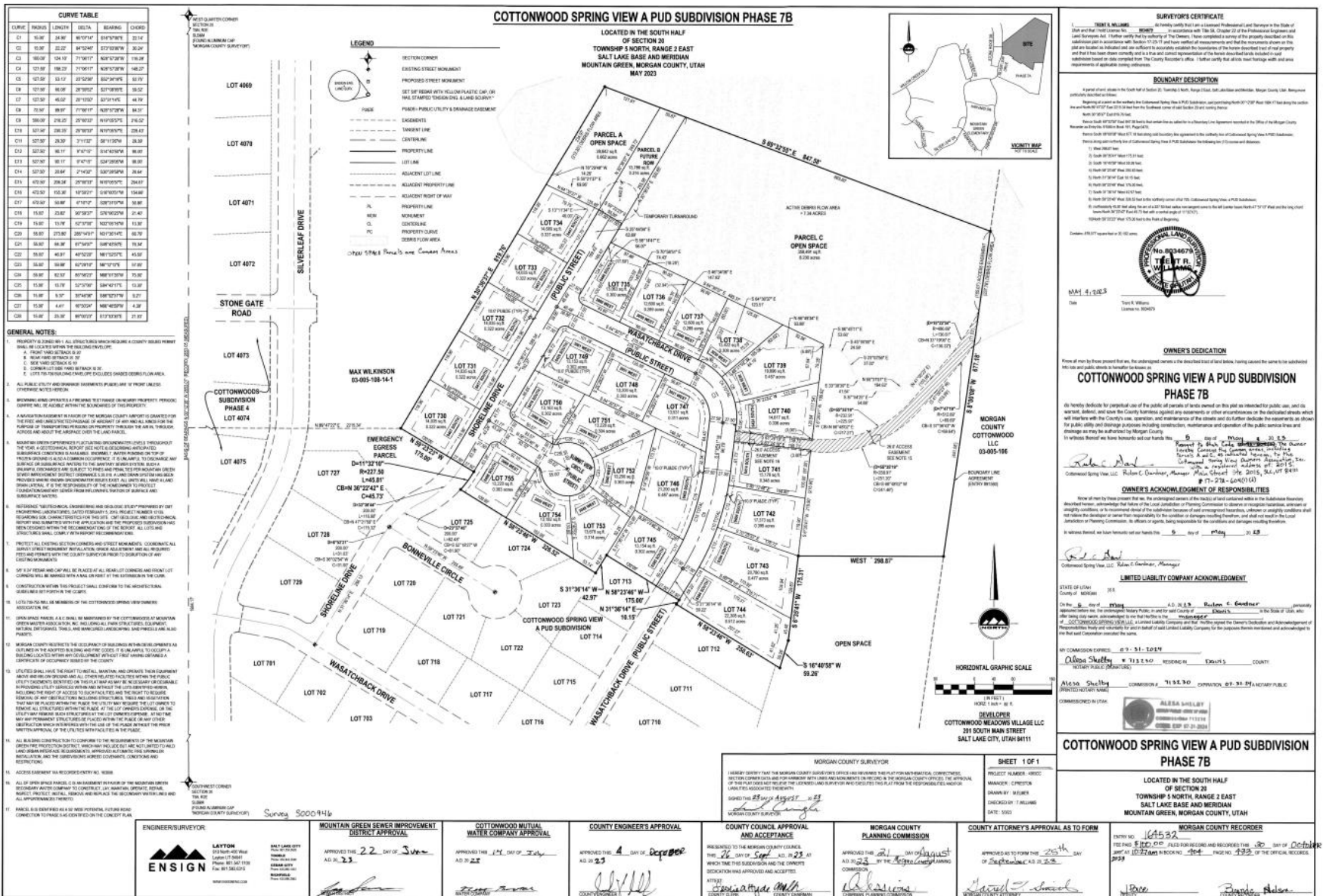
## Attachment B: Current Zoning Map





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

## Attachment C: Current Recorded Plat



*Cottonwoods Phase 7B, Amended Plat No. 3*  
*Application #24.063*  
*March 18, 2025*



## Attachment E: Application

Morgan County - Planning & Development  
Services

Printed: 01/29/2025

**24.063 Cottonwoods Phase 7B,  
Amended Plat No. 3**

24.063

**09/30/2024 - 09/29/2123**

c6b02bc0-7f45-11ef-92f0-671c86f14e2c

**Subdivision**

**General**

Active

Under Review

## Application Review Status

Pre-Review

Approved

09/30/2024

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

County Commission Not Reviewed

County Engineer Not Reviewed

County Surveyor Not Reviewed

Mountain Green Fire Department Not Reviewed

Planning Commission Not Reviewed

Planner I Not Reviewed

Mountain Green Sewer Improvement District (MGSID) Not Reviewed

Cottonwood Mutual Water Company Approved

GIS Personnel Not Reviewed

County Recorder Not Reviewed

Secondary County Engineer Not Reviewed



## County Commission Agenda Request Form

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

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

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

Email: [kbecker@morgancountyutah.gov](mailto:kbecker@morgancountyutah.gov)

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

Commission Meeting Date: 3/18/25 Time Requested: 15 min  
Name: Joshua Cook Phone: (801) 845-4015  
Address: 48 W. Young Street  
Email: jcook@morgancountyutah.gov Fax: \_\_\_\_\_  
Associated County Department: Planning and Development Department

### PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

#### Hearing/Discussion/Decision- Helsten Rezone

A request to rezone property from Neighborhood Commercial (NC) to Town Center (TC). The property is identified by parcel number 00-0004-8486 and serial number 03-005-050-02 and is approximately located 630 feet northwest of the intersection of West Old Highway Road and North Trappers Loop Road in unincorporated Morgan County.

Application No.: 24.079  
Applicant: Kelvin Judd

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION  
DECISION  
BOTH  
INFORMATION ONLY

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/>            |

PUBLIC HEARING  
PUBLIC MEETING

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/>            |



**PLANNING & DEVELOPMENT**

Planning Commission  
Staff Report  
Zoning Map Amendment

March 18, 2025

---

Helsten Rezone  
Public Hearing  
March 18, 2025  
Application #24.079

|                           |                              |
|---------------------------|------------------------------|
| Applicant                 | Kelvin Judd                  |
| Owner:                    | Helsten Family Living Trust  |
| Project Location:         | Approx. 4937 W Old Hwy Rd    |
| Parcel Number:            | 00-0004-8486                 |
| Serial Number:            | 03-005-050-02                |
| Date of Application:      | December 12, 2024            |
| Current Zoning:           | Neighborhood Commercial (NC) |
| General Plan Designation: | Town Center                  |
| Acreage:                  | 4.31 acres                   |

---

**REQUEST:** A request to rezone property from Neighborhood Commercial (NC) to Town Center (TC).

**PLANNING COMMISSION SUMMARY:** The Planning Commission heard this item at their regularly scheduled meeting on February 27<sup>th</sup>, 2025. There were no comments made during the public hearing portion of the meeting. The Planning Commission's discussion was minimal, with a question about whether the project should align with recent Town Center rezone requests. Staff clarified that while this rezone is not directly connected to those recent rezonings, the property owner has the option to pursue cohesion with the adjacent Town Center-zoned property to the west, as their submitted conceptual development plan already shows the intent of some cohesion between the two properties. The Commission voted to recommend approval of the application with a 5-0 vote.

## **ATTORNEY GUIDANCE**

### **Legislative Review:**

The Planning Commission is tasked with advising and recommending to the County Commission whether the proposed zoning change 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 application 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 decisions by the Planning Commission or 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;
- (iii) 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.*

Utah Code Ann. § 17-27a-102. While the County Commission still appears to have broad discretion, I would caution that Utah Code Ann. § 17-27a-102 (1)(b)(xiv) causes concern for legal actions if the Commission fails to support its decisions with the above purposes and standards.

## **STAFF OBSERVATION**

County staff believes that the proposed zoning map amendment from NC to TC would be consistent with good planning principles based on surrounding land uses. The following findings support this observation:

### Findings:

1. That the proposed amendment is in harmony with future land use goals and objectives.
2. That the proposed amendment is in harmony with existing land uses in the area.
3. That the rezone will not adversely impact the adjacent properties many of which are zoned for Multi-Family or Commercial.
4. That the property amendment is consistent with surrounding property sizes and zoning.

## **ANALYSIS**

### General Plan and Zoning:

The property is currently zoned as NC. The adjacent property to the west is zoned TC, with additional TC-zoned properties located across North Trappers Loop Road at the Roam development to the east and 900 feet to the southeast. Furthermore, additional multi-family residential development is in the permitting process in the area to the southwest. Approval of the rezone request would create development potential consistent with various properties in the surrounding area and would require a development agreement to guide development of the property. A rezone to Town Center would allow for mixed-use development. The applicant has provided the following narrative:

*“This rezone will create a better project to occur by combining this parcel with the adjacent parcel that is already zoned Town Center so it can be master planned with a development agreement.”*

The 2010 Morgan County General Plan identifies the following as three of the six visions for the County that may be applicable to the proposal (see pages 4 & 5 of the 2010 Morgan County General Plan):

1. *Morgan County attracts families with its quality of life, rural atmosphere, secure environment, and natural beauty. Residents have a wide range of employment, housing, and lifestyle choices. The County benefits from a balanced economy, livable wages, economic prosperity, and first-rate community services.*
2. *Morgan County respects property rights and recognizes personal responsibility to the land and communities.*

...



6. *Morgan County accommodates growth responsibly by integrating new development in a way that is respectful of the environment, supports County values, considers long-term sustainability, and uses available infrastructure. To help achieve this goal, the County strongly recommends that growth occur within or adjacent to corporate limits and villages or be located within master-planned communities.*

The proposed zone change appears to coincide with the stated vision for Morgan County. In changing the zoning district for the applicant's property, the County is reflecting the policies and desires of the General Plan and in accordance with the County Ordinance (See § 155.130). The purpose of the Town Center zoning district, which is a type of commercial zoning, is defined as follows:

*“ (C) Town Center District (TC). To provide areas in appropriate locations where a combination of business, commercial, entertainment, residential and related activities may be established and maintained. Regulations of this district are designed to provide a compatible environment for commercial and residential uses. The district has strict design standards for architecture, landscaping and other performance requirements as reflected in §§ 155.265 through 155.270 of this code. A mix of commercial and residential uses, in the same building or on the same site is allowed in this zoning district;”*

Furthermore, the introduction to the Town Center Design Standards outlines the purpose of the standards for that subchapter, as defined in Morgan County Code § 155.265:

*The purpose of the town center design standards as set forth in this subchapter is to enhance the economic viability and aesthetic value of the county's town center areas as an essential core for the county. These design standards will also establish a unified mien of the rural recreational nature for which the county is known.*

A Conceptual Development Plan is required to provide an overview of the proposed development, ensuring that the project aligns with zoning requirements, land use policies, and potential impacts on the surrounding area according to MCC § 155.266(D), adopted by ordinance as CO-23-15 on October 3<sup>rd</sup>, 2023, which outlines the following:

- (1) A conceptual plan and narrative discussing the proposing development (including density ranges) shall be required to be submitted as part of the rezoning application.*

This plan serves as an important tool for both staff and decision-makers to evaluate the feasibility and compatibility of the development with the existing infrastructure and land use patterns.

Staff anticipates that the proposed zoning map amendment and future land use map amendment will align with the purposes of the General Plan and complement surrounding development. While some impact on adjacent properties is expected, the introduction of mixed-use development is consistent with the area's existing character and provides a balanced approach to future growth that supports the county's long-term needs.

#### **ORDINANCE EVALUATION:**

Morgan County ordinance anticipates amendments to the zoning map. Section 155.022: *Amendments to Title and Zoning Map* indicates that:

*The County Commission may amend this chapter, including the zoning map, but only in accordance with the following procedure.*

*(A) The County Commission may instruct staff to study and make recommendations for amendments to this chapter or the zoning map in response to changes in policy or conditions generally within the county. Staff shall forward a recommended amendment to the Planning Commission for their consideration. The Planning Commission shall review and make recommendation to the County Commission regarding the proposed amendment pursuant to § 155.023(D) of this code.*

*(B) The Planning Commission may instruct staff to study and make recommendations for amendments to this chapter in response to changes in policy or conditions generally within the county. Staff shall forward a recommended amendment to the Planning Commission for its consideration. The Planning Commission shall review and make recommendation to the County Commission regarding the proposed amendment pursuant to § 155.023(D) of this code.*

*(C) Any property owner may initiate an amendment to this chapter or the zoning map, as long as they are affected by the proposed amendment, by submitting a complete application to the Planning and Development Services Department in accordance with § 155.023(A) of this code.*

*(Prior Code, § 8-3-3) (Ord. 13-03, passed 4-16-2013)*

Section 155.023: Procedures for Amendments and Rezonings states:

*(D) Planning Commission review and recommendation.*

*(1) Upon receiving a recommendation from staff regarding an amendment to this chapter or the zoning map, and after holding the required public hearing, the Planning Commission shall review the amendment and prepare its recommendation. The Planning Commission may recommend approval, approval with modifications or denial of the proposed amendment and shall submit its recommendation to the County Commission for review and decision.*

*(2) Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes stated in this chapter.*

*(E) County Commission review. The County Commission shall schedule and hold a public hearing on the application as provided in § 155.031 of this code. Following the public hearing the County Commission may approve, approve with modifications or deny the proposed amendment. Prior to making a decision that goes contrary to the Planning Commission's recommendation, the County Commission may, but is not obligated to, remand the amendment to the Planning Commission with a request for another recommendation with additional or specific considerations. The Planning Commission shall review such request as specified in division (D) above.*

*(F) Approval standards. A decision to amend the text of this chapter or the zoning map is a matter committed to the legislative discretion of the County Commission and is not controlled by any one standard. However, in making an amendment, the County Commission and Planning Commission should consider the following factors:*

*(1) Whether the proposed amendment is consistent with goals, objectives and policies of the county's General Plan;*

*(2) Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*

(3) *The extent to which the proposed amendment may adversely affect adjacent property; and*

(4) *The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies and wastewater and refuse collection.*

(G) *Reconsideration. Where an application for zoning amendment has been denied, the Planning Commission and the County Commission shall not review the same zoning amendment application within two years of a denial unless there is a substantial change of conditions since the earlier application. A new application, with applicable fee, shall be required and processed in accordance with the procedure outlined in this section.*

*(Prior Code, § 8-3-4) (Ord. 13-03, passed 4-16-2013; Ord. 18-07, passed 11-13-2018)*

This meeting is being held in accordance with subsection (D) above. In response to § 155.023(F), given the scope of the proposed zone change, the impact on facilities and services is expected to be manageable.

### **Approval Standards**

The proposed zoning map change complies with the intent of the Morgan County General Plan policies and Future Land Use Designation. The change would maintain the character of the area while allowing for mixed-use development in the Mountain Green area.

### **RECOMMENDED MOTIONS**

**Recommended Motion for *Approval*** – “I move we approve the Helsten Rezone, application number 24.079, changing 4.31 acres from Neighborhood Commercial to Town Center, based on the findings listed in the staff report dated March 18, 2025.”

**Recommended Motion for *Denial*** – “I move we deny the Helsten Rezone, application number 24.079, changing 4.31 acres from Neighborhood Commercial to Town Center, due to the following findings:”

1. List any additional findings...

### Supporting Information

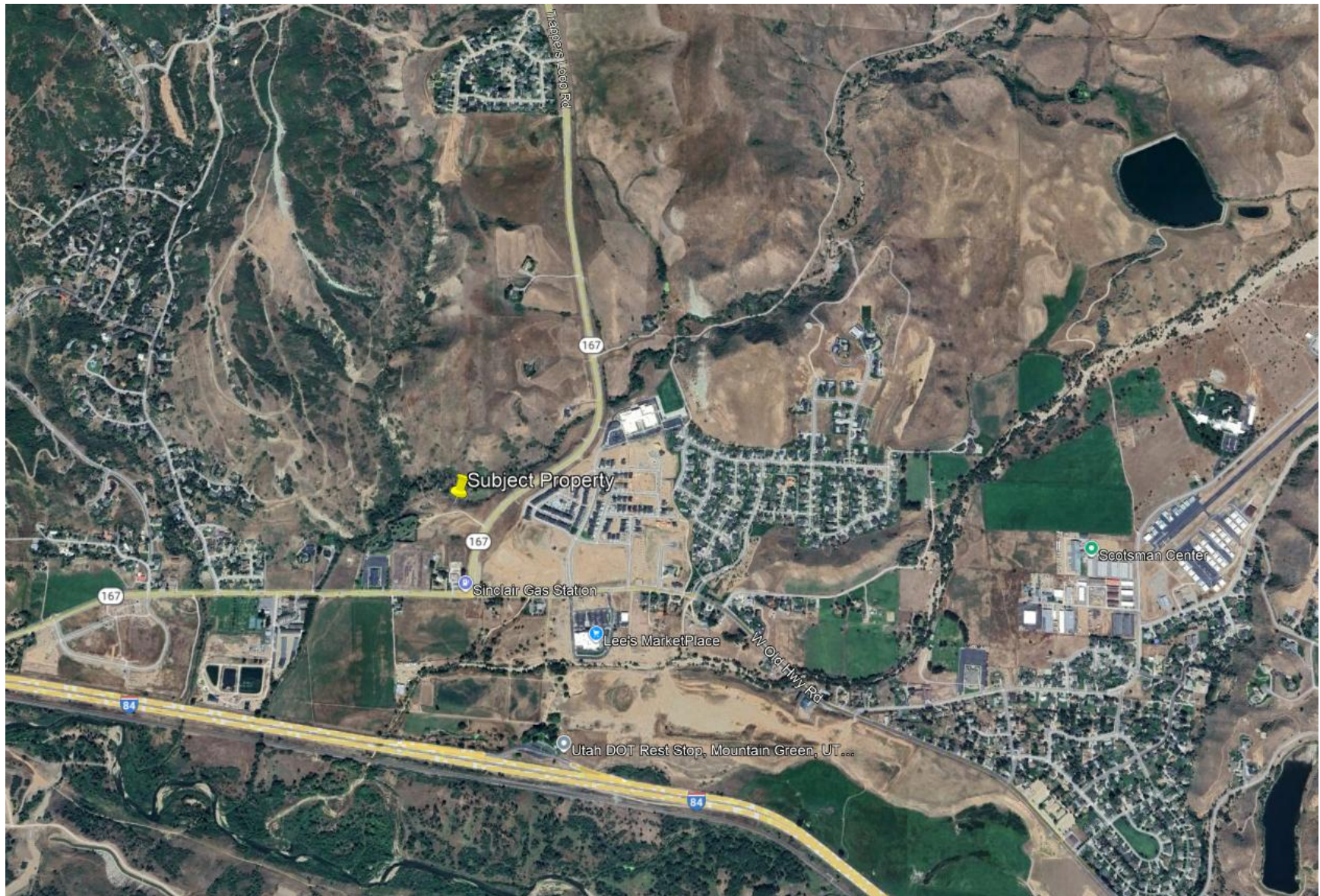
Exhibit A: Vicinity Map  
Exhibit B: Future Land Use Map  
Exhibit C: Existing Zoning Map  
Exhibit D: Boundary Description  
Exhibit E: Conceptual Development Plan  
Exhibit F: Detailed Written Narrative  
Exhibit G: Applicant's Narrative

### Staff Contact

Joshua Cook  
801-845-4015  
[jcook@morgancountyutah.gov](mailto:jcook@morgancountyutah.gov)

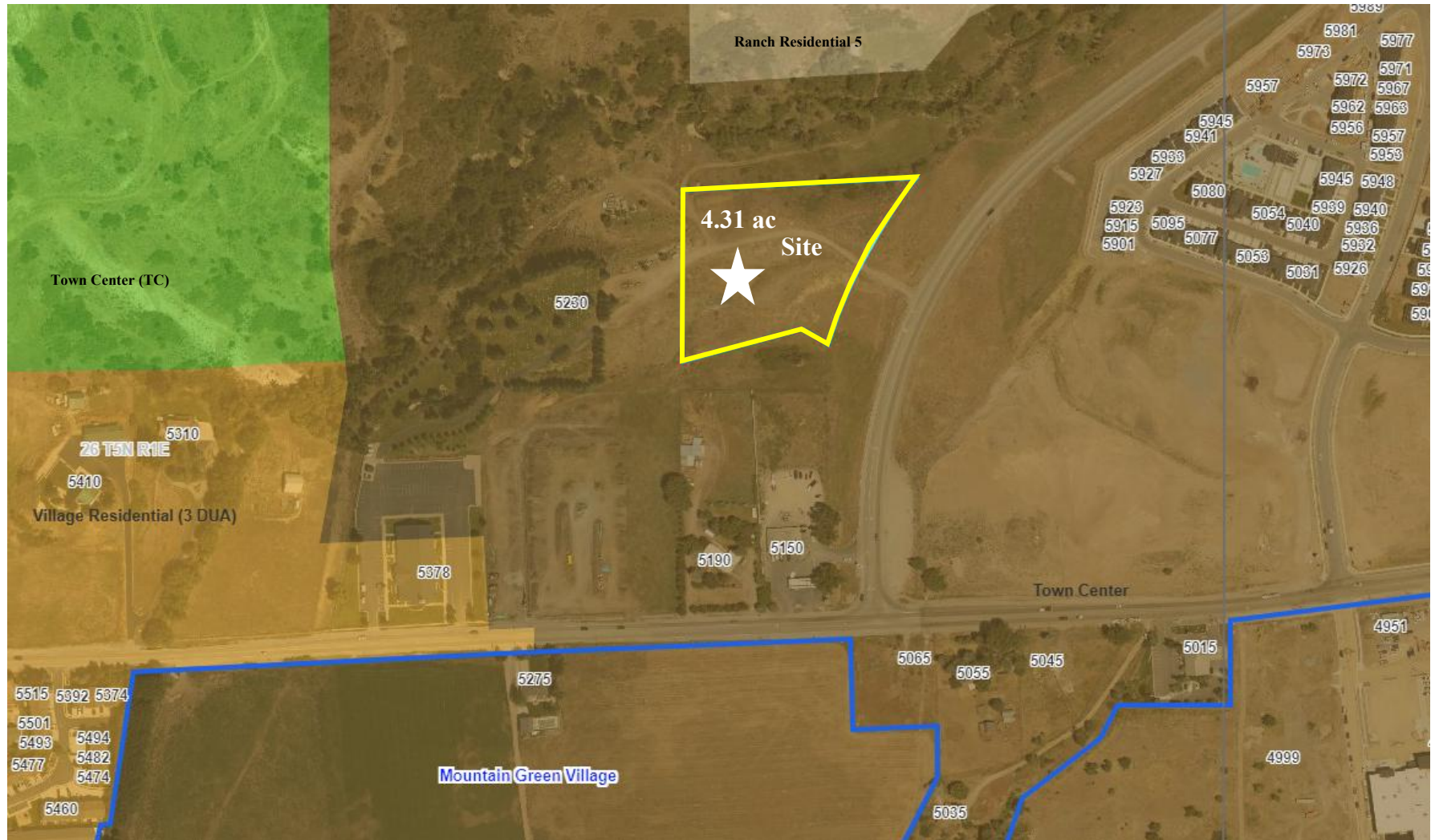


Exhibit A: Vicinity Map



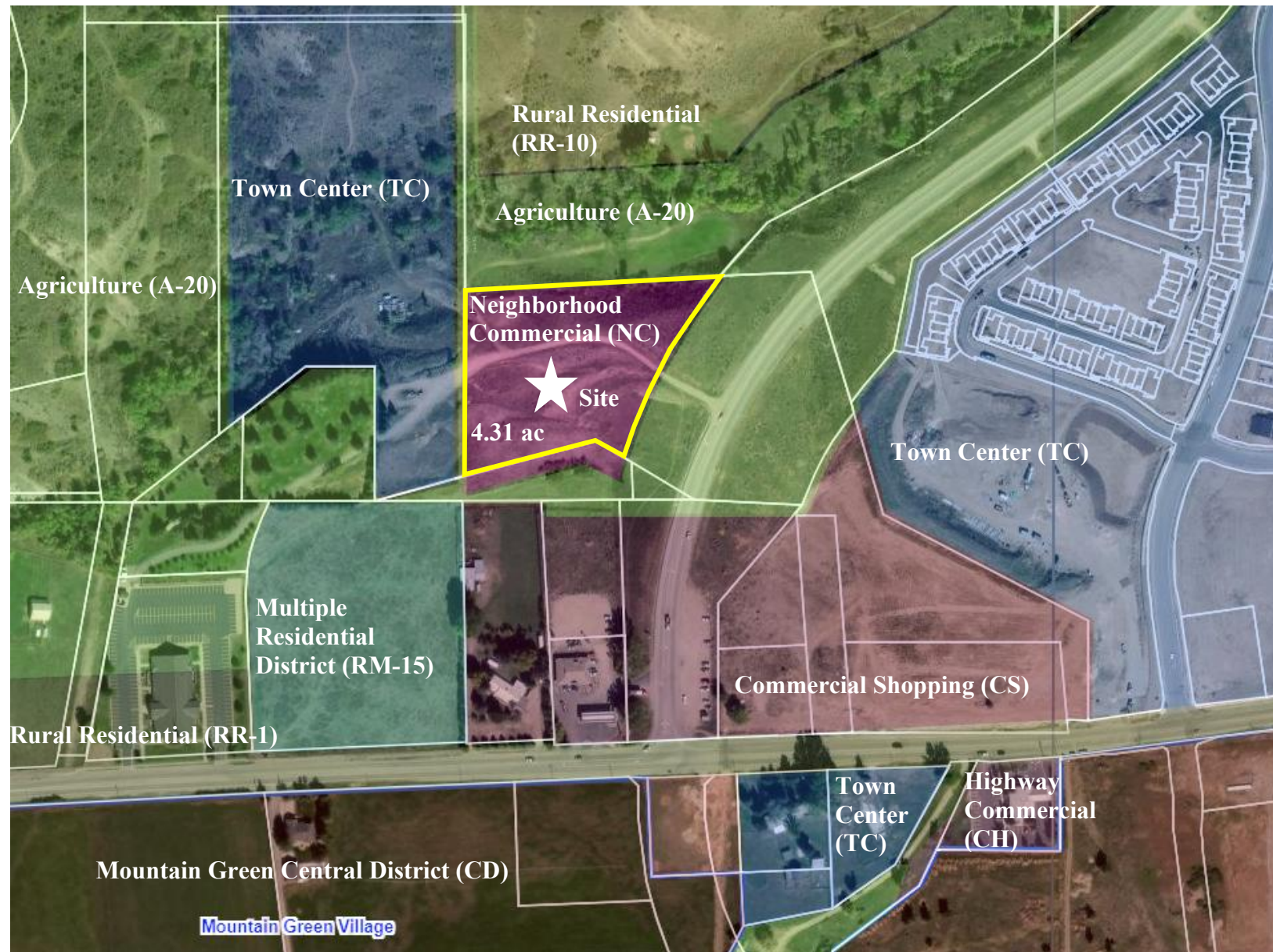


## Exhibit B: Future Land Use Map





## Exhibit C: Existing Zoning



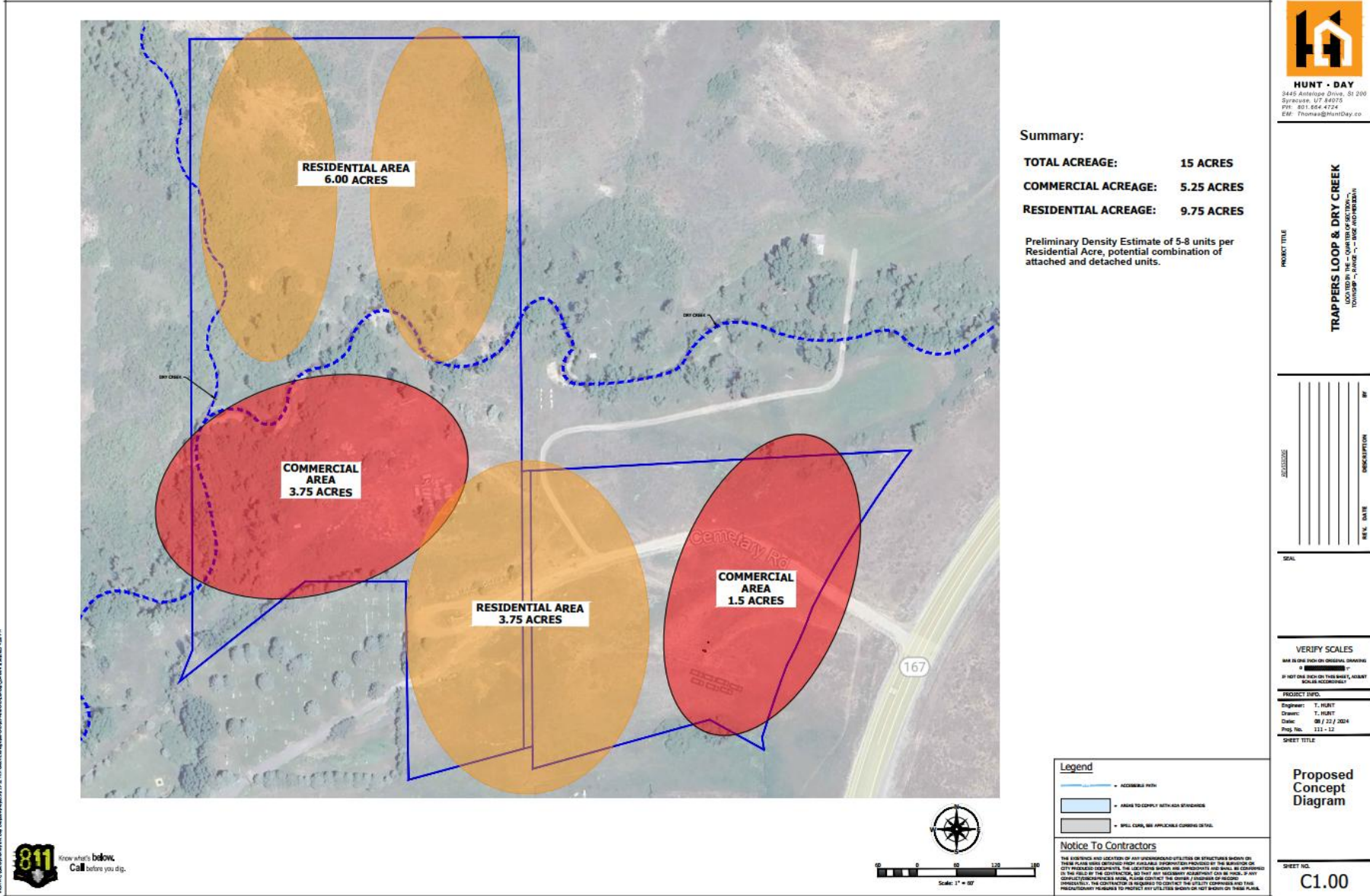
#### Exhibit D: Property Boundary Description

BEG AT THE SW COR OF OF THE WARNER PROP (03-005-050), BEING THE NW COR OF A TRACT OF LAND WH PT IS APPROX 824 FT S & 1323 FT W FRM THE NE COR OF SEC 26, T5N, R1E, SLB&M; SD PT ALSO BEING ON THE W LN OF THE NE1/4NE1/4 OF SD SEC 26, TH N 87\*11' E 577.63 FT, M. OR L, ALG SD PROP TO THE W'LY R. OF W LN OF A PROJECT KNOWN AS NS-365(2), SD PT BEING ON THE ARC OF A 1320.92 FT RAD CUR TO THE L; TH SW'LY 492.37 FT ALG THE ARC OF SD 1320.92 FT RAD CUR (NOTE: TNGT TO SD 1320.92 FT RAD CUR AT ITS POB BEARS S 38\*16'07" W); TH S 1\*59'51" E 16.88 FT ALG SD R. OF W. LN TO A S'LY BDY LN OF SD TRACT OF LAND; TH N 62\*47' W 92.62 FT; TH S 75\* W 277.90 FT TO SD 1/4 1/4 SEC LN; TH N 451.00 FT TO THE POB. CONT 4.31 AC, M. OR L



[Click here to view a full-size .pdf version of the Conceptual Development Plan](#)

Exhibit E: Conceptual Development Plan



## Exhibit F: Detailed Written Narrative

### Narrative:

Parcel 00-0004-8486 sits just north of Sinclair on the west side of Trapper's Loop near the Old Highway and Trapper's Loop intersection in Mountain Green. The Roam sits directly East of the subject parcel on the opposite side of Trapper's Loop. The parcel is currently zoned for Neighborhood Commercial, which provides a wide variety of permitted commercial uses. It is surrounded by various commercial and residential zoning, including Town Center zoning to the east and west, RM-15 to the SW, and commercial zoning to the south. The location of this parcel logically places it in the center of town, on the main east/west artery through Mountain Green.

The current commercial zoning of the parcel allows for a lot of flexibility for various commercial uses, with limited input/control from the county because it does not currently require a development agreement for entitlement. In an effort to improve our ability and the county's ability and flexibility to facilitate a more thoughtful entitlement of this parcel, we are applying for a town center rezone so this parcel can be master planned through a development agreement in conjunction with parcel 00-0004-8171, the contiguous parcel (approx. 11 acres) to the west of the subject parcel. Parcel 00-0004-8171 is already zoned town center. The intent of town center zoning and nature of these parcels lend themselves to a mix of commercial and residential use. Commercial use along the Trapper's Loop frontage makes the most sense, with some residential uses to the west and north.

We are considering the main commercial use of the property to be an event/reception center for community events, weddings, family gatherings/reunions, corporate trainings/retreats, etc. The topography and stream running through the property will dictate a relatively less dense site plan, preliminary estimates range from roughly 5 to 8 units per acre for the residential sections. The project also has the ability to provide a section of beautiful creekside trails with really nice mountain views that can hopefully connect to adjoining projects/trails/parks in the future. Town center zoning would be the first step towards refining a well-planned land use here that the county can assist with a very useful development agreement tool.



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

## Exhibit G: Applicant's Narrative (Application)

Morgan County - Planning & Development  
Services

Printed: 02/20/2025

**24.079 Helsten Rezone**

24.079

**12/17/2024 - 12/16/2025**

**Legislative Actions**

faa276b0-b8b4-11ef-b83c-537a6ae8e3ab

General

Active

Under Review

## Application Review Status

|                      |              |            |
|----------------------|--------------|------------|
| Pre-Review           | Approved     |            |
| County Commission    | Not Reviewed | 12/12/2024 |
| Zoning Administrator | Not Reviewed |            |
| County Engineer      | Not Reviewed |            |
| Planner I            | Not Reviewed |            |
| GIS Personnel        | Not Reviewed |            |
| County Attorney      | Not Reviewed |            |
| Final-Review         | Not Reviewed |            |

## Fees

## Payments

|                       |                 |                   |        |                 |
|-----------------------|-----------------|-------------------|--------|-----------------|
| Zone Map Amendment    | \$270.00        | 12/17/2024        | Online | \$460.00        |
| Noticing              | \$190.00        | <b>Total Paid</b> |        | <b>\$476.10</b> |
| <b>Subtotal</b>       | <b>\$460.00</b> |                   |        |                 |
| <b>Processing Fee</b> | <b>\$16.10</b>  |                   |        |                 |
| <b>Total</b>          | <b>\$476.10</b> |                   |        |                 |
| <b>Amount Paid</b>    | <b>\$476.10</b> |                   |        |                 |
| <b>Total Due</b>      | <b>\$0.00</b>   |                   |        |                 |

## Application Form Data

(Empty fields are not included)

Applicant First Name

Kelvin

**RESOLUTION CR 25-11**

A RESOLUTION OF THE MORGAN COUNTY COMMISSION TO APPOINT TOM TELFORD TO THE MORGAN COUNTY PLANNING COMMISSION.

WHEREAS, County Ordinance CO 24-13 amended the Code involving the appointment of the Morgan County Planning Commission; AND

WHEREAS, the Morgan County Commission has advertised and received applications to serve on the Morgan County Planning Commission; AND

WHEREAS, Commissioner Raelene Blocker nominates Tom Telford to serve as the Morgan County Planning Commissioner representing the Mountain Green Area.

NOW THEREFORE, BE IT RESOLVED, that the Morgan County Commission does hereby support the nomination by quorum and appoints Tom Telford to the Morgan County Planning Commission. This appointment shall be effective 31 March of 2025 to 28 February of 2029 or until resignation or removal for cause.

PASSED AND ADOPTED this 18th day of March 2025.

MORGAN COUNTY COMMISSION:

ATTEST:

\_\_\_\_\_  
Matthew Wilson, County Commission Chair

\_\_\_\_\_  
Leslie A. Hyde, Morgan County Clerk/Auditor

APPROVED AS TO FORM:

\_\_\_\_\_  
Garrett Smith, Morgan County Attorney

COMMISSION MEMBERS VOTING:

|                  | AYE   | NAY   | ABSENT |
|------------------|-------|-------|--------|
| Michael Newton   | _____ | _____ | _____  |
| Raelene Blocker  | _____ | _____ | _____  |
| Blaine Fackrell  | _____ | _____ | _____  |
| Vaughn Nickerson | _____ | _____ | _____  |
| Matt Wilson      | _____ | _____ | _____  |

**RESOLUTION CR 25-06**

A RESOLUTION OF THE MORGAN COUNTY COMMISSION TO APPOINT MATT KING TO THE MORGAN COUNTY PLANNING COMMISSION.

WHEREAS, County Ordinance CO 24-13 amended the Code involving the appointment of the Morgan County Planning Commission; AND

WHEREAS, the Morgan County Commission has advertised and received applications to serve on the Morgan County Planning Commission; AND

WHEREAS, Commissioner Mike Newton nominates Matt King to serve as the Morgan County Planning Commissioner representing the Croydon and Round Valley areas.

NOW THEREFORE, BE IT RESOLVED, that the Morgan County Commission does hereby support the nomination by quorum and appoints Matt King to the Morgan County Planning Commission. This appointment shall be effective 31 March of 2025 to 28 February of 2029 or until resignation or removal for cause.

PASSED AND ADOPTED this 18th day of March 2025.

MORGAN COUNTY COMMISSION:

ATTEST:

\_\_\_\_\_  
Matthew Wilson, County Commission Chair

\_\_\_\_\_  
Leslie A. Hyde, Morgan County Clerk/Auditor

APPROVED AS TO FORM:

\_\_\_\_\_  
Garrett Smith, Morgan County Attorney

COMMISSION MEMBERS VOTING:

|                  | AYE   | NAY   | ABSENT |
|------------------|-------|-------|--------|
| Michael Newton   | _____ | _____ | _____  |
| Raelene Blocker  | _____ | _____ | _____  |
| Blaine Fackrell  | _____ | _____ | _____  |
| Vaughn Nickerson | _____ | _____ | _____  |
| Matt Wilson      | _____ | _____ | _____  |

**Morgan County Ordinance 25-05**  
**Providing for the Control of Noxious Weeds within the County**

**Whereas**, Utah Code§ 4-17-105 authorizes counties to appoint a County Weed Board; and

**Whereas**, Utah Code§ 4-17-108 authorizes counties to appoint a County Weed Control Supervisor; and

**Whereas**, the Utah Noxious Weed Act defines the powers, duties, and responsibilities of a County Weed Board and County Weed Supervisor; and

**Whereas**, the Utah State Department of Agriculture keeps a list of noxious weeds to be suppressed and eradicated; and

**Whereas**, the Commission finds that suppression of noxious weeds is in the best interests of the people of Morgan County and that having a Weed Control Board and Weed Control Supervisor is necessary to do so.

**Therefore, the County Legislative Body of Morgan County, Utah ordains as follows:**

**Section 1. Definitions.**

"Noxious weed" means a plant listed by the Utah Department of Agriculture on the State of Utah Noxious Weed List. Noxious weed also includes any plant declared by the Morgan County Board of Commissioners to be a county noxious weed within Morgan County.

**Section 2. County Weed Control Board.**

The County Weed Control Board is hereby created. The County Weed Board shall consist of between three and five members appointed by the Morgan County Board of Commissioners as provided by Utah Code§ 4-17-105.

The Morgan County Weed Control Board shall be organized as follows:

- A. The chair of the county legislative body shall appoint one member of the county legislative body who shall act as a coordinator between the county and the county weed control board. [4-17-105(2)(a)]
- B. Three members of the board shall be farmers or ranchers whose source of income is derived from production agriculture. [4-17-105(3)]

- C. A representative from the Morgan County Conservation District; Recommended by quorum vote of the Conservation District and affirmed by the County Board of Commissioners.
- D. The County's appointed Weed Control Supervisor [NON-VOTING]

The County Weed Control Board has all the powers and duties provided under the Utah Noxious Weed Act. The County Weed Control Board shall:

- A. Formulate and implement a county-wide coordinated noxious weed control program designed to prevent and control noxious weeds within Morgan County.
- B. Direct the efforts of the County Weed Control Supervisor.
- C. Cooperate with neighboring county weed control boards to prevent and control the spread of noxious weeds.
- D. Publish before May 1 of each year a general notice of the primary noxious weeds present in the County as required by law. See Utah Code § 4-17-109.

### **Section 3. County Weed Control Supervisor.**

The office of the County Weed Control Supervisor is hereby created consistent with state law which consists of a person, or persons appointed to said office by the Board of County Commissioners of Morgan County, State of Utah.

The County Weed Control Supervisor shall have all the duties and powers provided by the Utah Noxious Weed Act, Utah Code § 4-17-101 et seq. The County Weed Control Supervisor shall, under the direction of the County Weed Control Board:

- A. Examine all the land in Morgan County to find areas with noxious weeds. Compile data on infested areas.
- B. Consult and give advice to landowners and the County Weed Control Board on the best and most practical method to control and prevent noxious weeds.
- C. Aid landowners as appropriate. Investigate violations of this ordinance.
- D. Enforce noxious weed controls within the county.

### **Section 4. Noxious weeds are declared a nuisance.**

If the County Weed Control Board determines that a particular property requires prompt and definite attention to prevent or control noxious weeds, the County Weed Control Board shall serve the owner or person in possession of the property a notice specifying what action is required and when the action should be completed by.



Notice shall be provided personally or by certified mail. One notice shall be sufficient on any lot or parcel of property for the entire season of weed growth during that year.

Prescribed methods of prevention may include definite systems of tillage, cropping, use of chemicals, or use of livestock.

An owner or person in possession of property who fails to take action to control or prevent the spread of noxious weeds as specified in the notice within the time specified in the notice is automatically declared to be maintaining a nuisance.

#### **Section 5. Owner is responsible for costs to abate nuisance.**

If the owner or person in possession of the property fails to act as specified in the notice within five (5) business days after the time set in the notice to do so, then the county may:

- A. WITH WRITTEN PERMISSION, enter the property and perform any work necessary, consistent with sound weed prevention and control practices, to control the noxious weeds.
  - a. If the County Weed Control Board seeks reimbursement for abating a nuisance, the County Weed Supervisor shall prepare an itemized statement of all expenses incurred in abating the nuisance and shall mail a copy thereof to the property owner of record or person in possession of the premises within thirty (30) days from when the weed control took place.
  - b. Said Notice shall be deemed delivered when mailed by registered mail addressed to the person's last known address.
  - c. The property owner of record or person in possession of property shall reimburse the County's expenses within ninety (90) days after receipt of the demand for payment.
  - d. If the demand for payment is not paid within ninety (90) days after receipt, the charge becomes a lien against the property and is collectible by the county treasurer at the time the general property taxes are collected.
- B. The County Weed Control Board may impose a fine of \$25 (twenty-five dollars) per acre. Acre(s) shall be calculated on presence and density of identified noxious weeds.
  - a. If a fine is imposed under this subsection, the County Weed Supervisor shall prepare an itemized statement of the fine(s) incurred and shall mail a copy thereof to the property owner of record or person in possession of the premises within thirty (30) days from when the fine was approved by the Weed Control Board.

- b. Said Notice shall be deemed delivered when mailed by registered mail addressed to the person's last known address.
- c. The property owner of record or person in possession of property shall remit the fined amount in full within ninety (90) days after receipt of the demand for payment.
- d. If the demand for payment is not paid within ninety (90) days after receipt, the charge becomes a lien against the property and is collectible by the county treasurer at the time the general property taxes are collected.

#### **Section 6. Request for Hearing.**

Any person served with notice to control noxious weeds may request a hearing to appeal the terms of the notice before the County Weed Control Board within ten (10) days of receipt of such notice and may appeal the decision of the County Weed Control Board to the Morgan County Board of Commissioners.

After hearing before the County Weed Control Board and the Morgan County Board of Commissioners, the decision may be appealed to a court of competent jurisdiction.

The County Weed Control Board may waive costs and fines for abating a nuisance if it is established that the property owner has a hardship exemption.

#### **Section 7. Emergency.**

Nothing contained in this ordinance shall be construed as limiting the power of the County to act in an emergency when authorized by law.

#### **Section 8. Penalty.**

Any property owner or person in possession of property who willfully fails to comply with a notice issued under section 4 is maintaining a public nuisance. Every person who maintains or commits any public nuisance or who willfully omits to perform any legal duty relating to the removal of a public nuisance is guilty of a class-B misdemeanor.

The originating Morgan County Weed Control Board members are appointed as stated below. All changes to the board members going forward shall be made by County Resolution.

- A. **Commissioner Vaughn Nickerson:** member of the county legislative body who shall act as a coordinator between the county and the county weed control board. [4-17-105(2)(a)]
- B. **Lewis 'Smokey' Dillree & Les Adams, Brad Bowman:** Three members of the board shall be farmers or ranchers whose primary source of income is derived from production agriculture. [4-17-105(3)]
- C. **Kevin Thurston:** A representative from the Morgan County Conservation District; Recommended by quorum vote of the Conservation District and affirmed by the County Board of Commissioners.
- D. **Joel MacArthur:** The County's appointed Weed Control Supervisor [non-voting.]

PASSED AND ADOPTED this 18th day of March 2025.

MORGAN COUNTY COMMISSION

ATTEST:

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Matthew Wilson, Commission Chair

---

Leslie A. Hyde, County Clerk/Auditor

APPROVED AS TO FORM:

COMMISSION MEMBERS VOTING:

---

Garrett Smith, Morgan County Attorney

|                  | AYE   | NAY   | ABSENT |
|------------------|-------|-------|--------|
| Michael Newton   | _____ | _____ | _____  |
| Raelene Blocker  | _____ | _____ | _____  |
| Blaine Fackrell  | _____ | _____ | _____  |
| Vaughn Nickerson | _____ | _____ | _____  |
| Matt Wilson      | _____ | _____ | _____  |

**RESOLUTION CR 25-16**

A RESOLUTION OF THE MORGAN COUNTY COMMISSION TO APPROVE CHANGES TO THE WASTE MANAGEMENT FEE SCHEDULE TO INCLUDE RECYCLING.

**WHEREAS**, the Morgan County Commission in support of Wasatch Integrated in their attempt to extend the life of the two landfills currently used by Morgan County residents, AND

**WHEREAS**, the cost of trucking waste having increased exponentially over the years, AND

**WHEREAS**, the County has been given the opportunity to participate in a grant that promotes recycling as a means of extending the life of the landfills in question, AND

**WHEREAS**, in partnership with the City of Morgan, the County Commission supports a change of the monthly waste management fee schedule [attached as "Exhibit A"] which shall include a bundled service of both waste and recycling. No additional implementation costs shall be levied on the customer for adding recycling services.

**NOW THEREFORE, BE IT RESOLVED**, that the Morgan County Commission hereby approves the changes to the waste management fee schedule as attached, effective 1 July 2025.

PASSED AND ADOPTED this 18<sup>th</sup> day of March 2025.

ATTEST:

MORGAN COUNTY COMMISSION:

\_\_\_\_\_  
Matthew Wilson, County Commission Chair

APPROVED AS TO FORM:

\_\_\_\_\_  
Garrett Smith, Morgan County Attorney

\_\_\_\_\_  
Leslie A. Hyde, Morgan County Clerk/Auditor

COMMISSION MEMBERS VOTING:

|                  | AYE   | NAY   | ABSENT |
|------------------|-------|-------|--------|
| Michael Newton   | _____ | _____ | _____  |
| Vaughn Nickerson | _____ | _____ | _____  |
| Blaine Fackrell  | _____ | _____ | _____  |
| Raelene Blocker  | _____ | _____ | _____  |
| Matt Wilson      | _____ | _____ | _____  |

**GARBAGE****EXHIBIT A:**

| TYPE OF SERVICE   | RATE | SIZE OF CONTAINER  | COST               |
|---|------|--|--------------------|
| <b>Residential Bundled Service</b>  |      |  |                    |
|   | 701  | 90 Gallon Cans<br>1 <sup>st</sup> Can / Once Week<br>Recycle Can / Bi-weekly       | \$25.50 per month  |
|   | 706  | 90 Gallon Cans—<br>1 <sup>st</sup> Can / Once / Week<br>2 Recycle Cans / Bi-weekly | \$35.50 per month  |
|   | 702  | 90 Gallon Cans—<br>2 <sup>nd</sup> Can / Once / Week<br>Recycle Can / Bi-weekly    | \$45.50per month   |
|   | 727  | 90 Gallon Cans –<br>3 <sup>rd</sup> Can / Once / Week<br>Recycle Can / Bi-weekly   | \$65.50 per month  |
| <b>Hardship 25% discount of monthly fee. Hardship is defined as a home that qualifies for either the Homestead Credit or Circuit Breaker.</b> |      |  |                    |
| <b>Commercial</b>   |      |  |                    |
|   | 709  | 1 <sup>st</sup> 90 Gallon Can –<br>Once / Week                                     | \$20.00 per month  |
|   | 708  | 90 Gallon Cans<br>1 <sup>st</sup> Can / Once Week<br>Recycle Can / Bi-weekly       | \$25.50 per month  |
|   | 718  | 2 <sup>nd</sup> 90 Gallon Can –<br>Once / Week                                     | \$40.00 per month  |
|   | 720  | 3 <sup>rd</sup> 90 Gallon Can –<br>Once / Week                                     | \$60.00 per month  |
|   | 719  | 4 <sup>th</sup> 90 Gallon Can –<br>Once / Week                                     | \$80.00 per month  |
|   | 714  | 3 <sup>rd</sup> 90 Gallon Can –<br>Twice / Week                                    | \$120.00 per month |
|   | 716  | Recycle Can<br>Twice / Month   | \$10.00 per month  |
| <b>A one-time delivery/setup fee of \$100 shall be assessed to all new customers.</b>   |      |  |                    |
| <b>Customers requesting a second can are required to keep the can for a minimum of 6 months.</b>  |      |  |                    |



| Expenditure category                                     | Relative importance<br>Nov.<br>2024 | Dec.<br>2023-<br>Dec.<br>2024 |
|--|-------------------------------------|-------------------------------|
| Services less energy services                            | 61.728                              | 4.4                           |
| Shelter  | 36.707                              | 4.6                           |
| Rent of shelter(13)                                      | 36.299                              | 4.6                           |
| Rent of primary residence                                | 7.750                               | 4.3                           |
| Lodging away from home(2)                                | 1.364                               | 2.6                           |
| Housing at school, excluding board(13)                   | 0.247                               | 3.8                           |
| Other lodging away from home including hotels and motels | 1.116                               | 2.3                           |
| Owners' equivalent rent of residences(13)                | 27.185                              | 4.8                           |
| Owners' equivalent rent of primary residence(13)         | 25.833                              | 4.8                           |
| Tenants' and household insurance(1)(2)                   | 0.408                               | 1.7                           |
| Water and sewer and trash collection services(2)         | 1.110                               | 5.2                           |
| Water and sewerage maintenance                           | 0.780                               | 5.6                           |
| Garbage and trash collection(1)(10)                      | 0.330                               | 4.3                           |



*Locally owned and operated since 1989*

## Service Fulfillment Report

**Municipality:** Morgan City & County  
**Service Description:** Residential Curbside Waste Collection  
**Date Range:** January 1 - December 31, 2024  
**Services Offered:** Trash  
**Service Type:** 96 Gal Residential Carts

| Month     | Monthly<br>Services | Calls Logged | RWS at Fault |
|-----------|---------------------|--------------|--------------|
| January   | 18,733              | 5            | 0            |
| February  | 16,957              | 0            | 0            |
| March     | 15,932              | 1            | 0            |
| April     | 18,003              | 0            | 0            |
| May       | 17,627              | 1            | 0            |
| June      | 15,768              | 1            | 0            |
| July      | 18,341              | 1            | 0            |
| August    | 17,072              | 2            | 0            |
| September | 16,703              | 0            | 0            |
| October   | 19,277              | 2            | 0            |
| November  | 15,715              | 1            | 0            |
| December  | 18,003              | 1            | 0            |
| Total     | 208,131             | 15           | 0            |

**Service fulfillment rate: 99.99%**

(Percent of services without issues)

Date Report Generated: 1/7/2025

**RESOLUTION CR 2) 1/4**

A RESOLUTION OF THE MORGAN COUNTY COMMISSION TO APPROVE THE DONATION OF \$1,500 AND 8 HOURS OF COUNTY STAFF TIME TO THE DAUGHTERS OF UTAH PIONEERS.

**WHEREAS**, the Morgan Daughters of Utah Pioneers have experienced vandalism and removal of artifacts from the Historical Society they maintain on County property; AND

**WHEREAS**, the Morgan Daughters of Utah Pioneers see the imminent need of Security Cameras for exterior and interior protection of buildings and artifacts in its possession; AND

**WHEREAS**, the Morgan Daughters of Utah Pioneers is requesting donation funds and time to install cameras and Internet into the Historic Building adjacent to the County Administration Building.

NOW THEREFORE, BE IT RESOLVED, that the Morgan County Commission hereby approves a donation of \$1,500 plus 8 hours of County staff time for installation of security and Internet. This shall be paid out of Budget Line 10-4150-340-000 [Non-Departmental: Services Not Otherwise Classified.]

PASSED AND ADOPTED this 11<sup>th</sup> day of December 2018

MORGAN COUNTY COMMISSION: ATTEST:

\_\_\_\_\_  
Mae A. Smith, County Commission Chair

\_\_\_\_\_  
Leslie A. Hyde, Morgan County Clerk/Auditor

APPROVED AS TO FORM:

COMMISSION MEMBERS VOTING:

|  | AYE                 | NAY   | ABSENT |
|--|---------------------|-------|--------|
| _____<br>Garrett Smith, Morgan County Attorney | Michael Newton      | _____ | _____  |
|  | Xæ * @ Áæ ^! • [ }  | _____ | _____  |
|  | Blaine Fackrell     | _____ | _____  |
|  | Ræ   ^ } ^ Á [ & ^! | _____ | _____  |
|  | Matt Wilson         | _____ | _____  |

## **Request for Support**

### **Morgan Company Daughters of Utah Pioneers**

The Morgan Daughters of Utah Pioneers need Security Cameras for exterior and interior protection of buildings and artifacts. The amount requested is \$1,500 plus an estimated 8 hours of the County Information Technology Department's time which will pay for equipment and installation.

The Morgan Daughters of Utah Pioneers (DUP) is a Pioneer historical organization that was started in 1918. The purpose of the organization is to educate and preserve the Pioneer way of life here in Morgan County. The cabin and museum house over 600 artifacts that are mostly from Morgan Pioneers.

The Cabin was originally located in the community of Weber City, now Peterson, and was built by the Charles Peterson family. The Utah Historical Society has identified this cabin as one of only a few original cabins left in the state of Utah. The Morgan DUP Company opens the Cabin and Museum in the summer months for visitors and by request any other time of the year. The 4<sup>th</sup> Grade and 7<sup>th</sup> Grade classes from Morgan Elementary, Mountain Green Elementary and Morgan Middle schools visit each year and learn about Morgan Pioneers as they study Utah History in their classrooms.

The Daughters of Utah Pioneers is a non-profit organization that is operated solely by member dues and donations. We are not affiliated with any County organizations.

There is a need for Security Cameras to be installed to protect our assets. Vandalism of the Cabin this past summer resulted in broken windows and damage to the door locks. (We did file a report with the Sheriff's Dept.) There has also been broken glass on an entrance door to the Museum a year ago, and other disregard of the grounds surrounding the cabin and museum. Several artifacts have been removed from the museum in the past years. The docents who volunteer in the cabin and museum cannot be everywhere when the

museum is open, so security cameras would provide an extra measure of observation and protection. **The artifacts and Cabin cannot be replaced if they are damaged or stolen.**

The Morgan DUP installed Security Cameras, but we have not been successful with the internet service needed to record and view the areas.

In checking with the Morgan County IT department they can provide us with the 24/7 cameras and recording that is used in the County facilities at an estimated cost of \$2,297.07.

The Morgan DUP wishes to extend our appreciation for your consideration on our funding request.



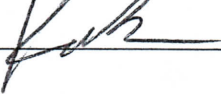
| Parts   | Cost Each | Quantity | Total      |
|---|-----------|----------|------------|
| Roof mounts for arial hard wire   | \$43.95   | 2        | \$87.90    |
| Unifi Cloud Gateway Max With 512GB NVR  | \$279.00  | 1        | \$279.00   |
| Unifi G4 Instant indoor wireless camera   | \$99.00   | 4        | \$396.00   |
| Unifi G5 Turrett Ultra outdoor camera   | \$129.00  | 4        | \$516.00   |
| Indoor CAT6 cable 1000 feet   | \$139.99  | 1        | \$139.99   |
| Exterior CAT6 Cable 200 feet  | \$53.98   | 1        | \$53.98    |
| Estimated Shipping Costs  | \$24.20   | 1        | \$24.20    |
| Estimated IT department time in hours   | \$100.00  | 8        | \$800.00   |
|   |           |          | \$2,297.07 |
|   |           |          |            |
| Estimated donation for internet and cameras at the museum to the east of the County building. |           |          |            |



## 2025 BUDGET CHANGE FORM

Date 03/01/2025

Department ARPA

Department Head Signature 

Amount \$434,455.19

Move from GL Account# 10-2951-000-000

Move to GL Account # 10-4150-675-000

Put reason: \_\_\_\_\_

Continuation of ARPA Expenses \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Clerk/Auditor Use Only

Date Entered



## 2025 BUDGET CHANGE FORM

Date 03/01/2025

Department Flood Disaster Fund

Department Head Signature 

Amount \$250,000

Move from GL Account# 21-3310-000-000

Move to GL Account # 21-4400-340-000

Put reason: \_\_\_\_\_

Continuation of Grant Expenses (Activity #33)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Clerk/Auditor Use Only

Date Entered



## **Register for the 2025 Legislative Management Conference Now**

Utah Association of Counties presents the annual Legislative Management Conference! These meetings are an opportunity to gather our affiliate groups and discuss updates from the 2025 Legislative Session.

We will be holding elections at this conference going forward for our open leadership positions: Second Vice President and Secretary. All registered elected officials will be eligible to vote.

The conference will take place beginning on April 30th through May 2 at the Dixie Convention Center in Washington County. The UAC Board Meeting and other ancillary meetings will occur on April 30th and affiliate meetings will begin on May 1.

**[Register Here](#)**