



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

APRIL 20, 2021
Commencing at 4:00 p.m.

A) Opening Ceremonies-

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

B) Consent Items-

1. Request for approval of meeting minutes
2. Approval of Contract with Clinical Reference Laboratory and Morgan Clinic for pre-employment and random drug and/or alcohol testing

C) Commissioner Declarations of Conflict of Interest

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

E) Presentations –

1. Julie Bjornstad – Wasatch Front Regional Council – Local Option Sales Taxes and Corridor Preservation
2. Melissa Freigang – Weber/Morgan Health and Human Services

F) Action Items –

1. Darrell Rupp – Morgan Valley Car Show Committee – request exemption from deposit, rental, permits and insurance. Request that Morgan County assist with funding to promote and organize the car show.
2. Commission – Resolution for the transfer of funds from Fund 24 (Flood Fund)

G) Public Hearings –

Public hearing

Regarding the proposed creation of the ROAM Public Infrastructure District No. 1 and ROAM Public Infrastructure District No. 2 (the “Proposed Districts”) and to allow for public input on (i) whether the requested service is needed in the area of the applicable Proposed District, (ii) whether the service should be provided by the County or the Proposed District, and (iii) all other matters relating to the Proposed Districts.

Request for a motion to adjourn public meeting and convene public hearing

Public Comments (please limit comments to 3 minutes)

Request for a motion to adjourn public hearing and reconvene public meeting

Action on public hearing

Consideration of a resolution creating the ROAM Public Infrastructure District No. 1 and ROAM Public Infrastructure District No. 2 (the "Proposed Districts"), appointing boards of trustees therefor, approving governing documents for the Proposed Districts, approving interlocal agreements with the County and the Proposed Districts, approving of an annexation area, and all other matters relating to the creation of the Proposed Districts.

H) Commissioner Comments –

I) Adjourn –

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

CERTIFICATE OF POSTING

The undersigned does hereby certify that the above notice and agenda were posted as required by law this 14th day of April, 2021

Stacy Netz Clark

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



MEETING MINUTES
OF THE MORGAN COUNTY COMMISSION
TUESDAY, APRIL 20, 2021
4:00 P.M.
MORGAN COUNTY COURTHOUSE
48 WEST YOUNG STREET
MORGAN, UTAH

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

Commissioners Present

Robert McConnell
Mike Newton
Matt Wilson
Blaine Fackrell
Jared Andersen

Others Present

Debbie Sessions
Tina Kelley
Melissa Freigang
Greg Day
Darrell Rupp
Austin Turner
Aaron Wade

Other Staff Present

Stacy Netz Clark, County Clerk/Auditor
Lance Evans, Community Development Director

A) Opening Ceremonies-

4. Welcome –Commissioner McConnell opened the meeting and welcomed the public at 4:00 p.m.
5. Invocation and/or Moment of Reflection- The invocation was given by Commissioner Wilson.
6. Pledge of Allegiance-The pledge was led by Commissioner Wilson.

B) Consent Items-

Request for approval of meeting minutes

Commissioner Newton moved to approve the minutes of April 6, 2021 with the noted corrections.
Seconded by Commissioner Fackrell. The vote was unanimous. The motion passed.

Approval of Contract with Clinical Reference Laboratory and Morgan Clinic for pre-employment and random drug and/or alcohol testing

Changes were made to contract:

- Strike the second sentence in Section 1
- Section 2 add "15% not to exceed fuel surcharge"
- Delete all of Section 5

Commissioner Newton moved to approve the contract with Clinical Reference Laboratory and Morgan Clinic for pre-employment and random drug and/or alcohol testing with the changes discussed. Seconded by Commissioner Wilson. The vote was unanimous. The motion passed.

C) Commission Declaration of Conflict

There were no declarations of conflict

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

There were no public comments

E) Presentations –

- 1) Julie Bjornstad – Wasatch Front Regional Council – Local Option Sales Taxes and Corridor Preservation
- 2) Melissa Freigang – Weber/Morgan Health and Human Services

3) Action Items –

- 1) Darrell Rupp – Morgan Valley Car Show Committee – request exemption from deposit, rental, permits and insurance. Request that Morgan County assist with funding to promote and organize the car show.

Darrell Rupp came before the Commission and explained that a group of like-minded volunteer gear heads organized a free community event, Morgan Valley Classic Car Show, for June 19, 2021 to be held on the grass field at the Morgan County Fairgrounds. The event is a non-profit activity available at no charge to exhibitors or spectators.

Request that Morgan County co-sponsor the car show and exempt the organizers from:

Deposit

Rental

Permits

Insurance

Also requests Morgan County assist with funding to promote and organize the car show

Commissioner Newton moved to approve Morgan County's co-sponsorship of the Morgan Valley Car Show contingent upon insurability, and as such there are no fees in conjunction with the event and to provide up to \$500 in funding, to come from Economic Development funds. Seconded by Commissioner Fackrell. The vote was unanimous. The motion passed.

- 2) Commission – Resolution for the transfer of funds from Fund 24 (Flood Fund)
Commissioner Wilson moved to approve resolution CR-21-05 moving \$120,000 from Fund 24 to 10-4255-610 Seconded by Commissioner Newton. The vote was unanimous. The motion passed.

3) Public Hearings –

Regarding the proposed creation of the ROAM Public Infrastructure District No. 1 and ROAM Public Infrastructure District No. 2 (the "Proposed Districts") and to allow for public input on (i) whether the requested service is needed in the area of the applicable Proposed District, (ii) whether the service should be provided by the County or the Proposed District, and (iii) all other matters relating to the Proposed Districts.

Request for a motion to adjourn public meeting and convene public hearing

Commissioner Newton moved to go out of regular session and into public hearing

Seconded by Commissioner Wilson. The vote was unanimous. The motion passed.

Public Comments (please limit comments to 3 minutes)

There was no public comment.

Request for a motion to adjourn public hearing and reconvene public meeting

Commissioner Newton moved to go out of public hearing and reconvene the regular meeting . Seconded by Commissioner Wilson. The vote was unanimous. The motion passed.

Action on public hearing

Consideration of a resolution creating the ROAM Public Infrastructure District No. 1 and ROAM Public Infrastructure District No. 2 (the "Proposed Districts"), appointing boards of trustees therefor, approving governing documents for the Proposed Districts, approving interlocal agreements with the County and the Proposed Districts, approving of an annexation area, and all other matters relating to the creation of the Proposed Districts.

Commissioner Newton moved to approve resolution number CR-21-06, a resolution creating the ROAM Public Infrastructure District No. 1 and ROAM Public Infrastructure District No. 2 (the "Proposed Districts"), appointing boards of trustees therefor, approving governing documents for the Proposed Districts, approving interlocal agreements with the County and the Proposed Districts, approving of an annexation area, and all other matters relating to the creation of the Proposed Districts with the changes noted. Seconded by Commission Fackrell. The vote was unanimous. The motion passed.

4) Commissioner Comments –

5) Adjourn –

6) Commission

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

APPROVED  Date 5/4/2021
Chairman

ATTEST  Date 5/4/2021
Clerk

Morgan County Council Meeting
Tuesday, April 20, 2021
4:00 P.M.
Morgan County Council Meeting Room
Morgan County Courthouse
48 West Young Street
Morgan, UT 84050

PLEASE SIGN IN

- | | |
|---------------------|-----|
| 1. Debbie Sessions | 22. |
| 2. Tina Kelley | 23. |
| 3. Melissa Freising | 24. |
| 4. Daruelle | 25. |
| 5. Darrell Rupp | 26. |
| 6. Austin Turner | 27. |
| 7. GREG DAY | 28. |
| 8. | 29. |
| 9. | 30. |
| 10. | 31. |
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| 20. | 41. |
| 21. | 42. |



Consent Items



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

APRIL 6, 2021
Commencing at 4:00 p.m.

A) Opening Ceremonies-

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

B) Consent Items-

1. Request for approval of meeting minutes

C) Commissioner Declarations of Conflict of Interest

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

E) Presentations –

1. Stacy Netz Clark – Information regarding move from Business Credit Card program to Government “P” Card and consideration of update to credit card policy, procedures, and agreements

F) Action Items –

1. Bret Heiner – 2021 Road Projects
2. Bret Heiner – Public Works Building Replacement Bid Approval
3. Bret Heiner – Creation of County Weed Board
4. Lance Evans – Continuation of February 2nd Commission Meeting – Morgan Valley Partners, LLC requests approval of an amendment to the Rivala Master Development Agreement, to establish the extended time for development as approved by the Morgan County Council on December 4, 2018 and to update the development language to reflect the changes to the project.
5. Haylie Hale – Rollins Ranch Phase 5 Amendment 2 – A proposed amendment to the Rollins Ranch Phase 5 subdivision combining Lost 506 & 507 into one lot. Located at approximately 6201 N Lariat Lane in Mountain Green, Utah
6. Haylie Hale – A proposed Final Plat for Cottonwoods Phase 5a-3 & 5a-4 Meadow Park West, consisting of 33 units, and located at approximately 6500 Silver Leaf Drive in Mountain Green, Utah
7. Jeff Franklin – Request late payment record on garbage account be reversed.
8. Kylie Horne/Morgan High Cheerleaders – Participation in the 2021-2022 Morgan High cheerleader flag program

G) Work Session

Presentation of the Morgan 2050 General Plan Survey

H) Action Items – Continued

9. Robert McConnell—Airport Advisory Board proposals for Airport expansion

10. Mike Newton/Blaine Fackrell – Bylaws for Tourism Tax advisory board (TTAB)
11. Mike Newton/Blaine Fackrell – Implementation of optional service from Economic Development agreement with Ebert Solutions section 3, C, i. “Destination and Marketing Organization (DMO) creation, execution, and management: Funding of \$20,000
12. Commission – Resolution for the transfer of Funds from Fund 24 (Flood Fund)
13. Robert McConnell—Approval of Heather Meadows Settlement Agreement

I) Public Hearings –

1. Request for a motion to adjourn public meeting and convene public hearing
2. Lance Evans – A proposed amendment to the Morgan County Zoning Map of approximately .65 acres from RR-10 to R-1-20. Located at approximately 6810 N. Frontier Drive, Mountain Green, Utah
3. Public Comments (please limit comments to 3 minutes)
4. Request for a motion to adjourn public hearing and reconvene public meeting
5. Action on public hearing - A proposed amendment to the Morgan County Zoning Map of approximately .65 acres from RR-10 to R-1-20. Located at approximately 6810 N. Frontier Drive, Mountain Green, Utah

J) Commissioner Comments –

K) Adjourn –

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

CERTIFICATE OF POSTING

The undersigned does hereby certify that the above notice and agenda were posted as required by law this 30th day of March, 2021

Tacy Netz Clark

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Morgan County Clerk/Auditor’s Office at 801-845-4011 at least 24 prior to this meeting. This meeting is streamed live.
4813-2492-6179, v. 2



MEETING MINUTES
OF THE MORGAN COUNTY COMMISSION
TUESDAY, APRIL 6, 2021
4:00 P.M.
MORGAN COUNTY COURTHOUSE
48 WEST YOUNG STREET
MORGAN, UTAH

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

Commissioners Present

Robert McConnell
Mike Newton
Matt Wilson
Blaine Fackrell
Jared Andersen

Others Present

Debbie Sessions
Tina Kelley
Lillia Silverstien
Austin Turner
Blaine Breshears
Jim Wagner
James Ebert
Anisa Brown
Lilia Silverstien

Other Staff Present

Stacy Netz Clark, County Clerk/Auditor
Lance Evans, Community Development Director

L) Opening Ceremonies-

4. Welcome – Vice-Chairman Newton opened the meeting and welcomed the public at 4:00 p.m.
5. Invocation and/or Moment of Reflection- The invocation was given by Commissioner Fackrell.
6. Pledge of Allegiance-The pledge was led by Commissioner Fackrell.

M) Consent Items-

Request for approval of minutes for the meetings held on March 2 and March 16, 2021.

Corrections were made to the minutes of March 2 and March 16, 2021.

Commissioner Andersen moved to approve the minutes of March 2 and March 16 with the noted corrections. Seconded by Commissioner Wilson. The vote was unanimous. The motion passed.

N) Commission Declaration of Conflict

Member Wilson disclosed that he has built, and has been asked to build, hangers at the airport.

Member McConnell disclosed that he has represented applicants of both Rollins Ranch and Cottonwoods Developments.

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

There was no public comment.

P) Presentations –

2. Stacy Netz Clark – Information regarding move from Business Credit Card program to Government “P” Card and consideration of update to credit card policy, procedures, and agreements

Q) Action Items –

14. Bret Heiner – 2021 Road Projects

Public Works Director, Bret Heiner presented the Commission with 2021 Street Maintenance Construction Cost Estimate. Included in the list were the following:

- 2” Thick Overlay with Minor Leveling Course
3900 North
Day Lily Drive
Cascade Dr
Uintah Dr
Willow Creek Rd
Island Road
Subtotal = \$266,279.80
- Chip Seal w/Fog Coat
Vista Drive
Richville Lane
Hardscrabble Road
Day Lily Drive
Monte Verde Drive
Willow Creek Rd
Hidden Hills Drive & Connecting Cul-de-sacs
Rollins Ranch Rd
Ranch Boulevard
Stampede Lane & Cattle Drive Lane
Saddleback Rd & Roundup Rd
Lariat & Hidden Valley Dr
Rawhide & Wrangler
Subtotal = \$165,899.02
- Full Width Leveling Course
Willow Creek Rd
Monte Verde Drive
Subtotal = \$105,766.67

Also included for consideration was a Cut-off Road Estimate

- Leveling Course and Overlay – Staker Parson Prices = 225,500
- Drainage Work and Shouldering = \$47,500
Total with 10% Contingency and Management = \$300,300 (\$225,000 from State in July as a reimbursement, \$100,000 from COG)

Commissioner Newton moved to approve 2021 Road Projects as listed from B&C Funds and State funds for Croydon project. Seconded by Commissioner Wilson. The vote was unanimous. The motion passed.

15. Bret Heiner – Public Works Building Replacement Bid Approval

Public Works Director, Bret Heiner presented the Commission with the proposal from Lundahl Building for the fire damage design/build of the Public Works building. Included in the proposal was:

- Demolition
 - Construction
 - General Requirements \$128,480
 - Site Work \$2,860
 - Concrete \$91,806
 - Masonry \$0
 - Metals \$0
 - Wood and Plastics \$5,500
 - Thermal & Moisture Protection \$0
 - Doors & Windows \$38,916
 - Finishes \$35,115
 - Specialties \$385
 - Equipment \$0
 - Furnishings \$1980
 - Special Construction \$227,235
 - Conveying Systems \$0
 - Mechanical \$21,882
 - Electrical \$43,321
- | | | |
|-----------------|-----------|------------------------|
| Total | \$597,480 | |
| Building Permit | \$0 | |
| Bond | \$6,438 | |
| Builders Risk | \$1,757 | Total \$624,638 |
- Excludes
 - Building Permit
 - Fire wall at North wall
 - Asphalt repair due to construction damage

It was noted that this bid has been reviewed and approved by the insurance company. Bid is within the insurance reimbursement and will not cost the county.

Commissioner Fackrell moved to approve the public works replacement bid, to be funded by the insurance proceeds. Seconded by Commissioner Newton. The vote was unanimous. The motion passed.

16. Bret Heiner – Creation of County Weed Board

Public Works Director, Bret Heiner presented the Commission with laws and policies regarding the control of noxious weeds and the creation of a weed board. A notice was posted from which 4 public individuals and one county employee volunteered. His suggestion was to create the board and then draft the ordinance necessary to bring Morgan County compliant. Once compliant, Morgan County becomes eligible for grant money to control noxious weeds.

Commissioner Newton moved to appoint Chet Adams, Aaron Waldron, Randy Sessions, Kevin Thurston and Jason Rose, to serve on the Morgan County Weed Board with Jason Rose as the Morgan County employee to

act as the designee of the county chair. Seconded by Commissioner Wilson. The vote was unanimous. The motion passed.

17. **Lance Evans – Continuation of February 2nd Commission Meeting – Morgan Valley Partners, LLC requests**
In 2018 Morgan Valley Partners submitted a revised concept plan that reduced the number of dwelling units from 561 as per the Development Agreement (DA) to 115 units. At that time the County Council approved an extension of the DA for an additional five years, to 2023 (see Attachment B).

The applicant is preparing to submit a revised concept plan plat application for 34 lots. However, staff felt that the five-year extension that was approved at a Morgan County Council meeting on December 4, 2018 should be reflected in an amendment to the Rivala Development Agreement.

The applicant has submitted the Second Amendment to Master Development Agreement for the Rivala Master Planned Development. The amendment modifies six elements of the existing development agreement.

Commissioner Wilson moved to approve the Rivala Development Agreement Second Amendment as proposed, file #20.064, based on the findings in the staff report dated April 6, 2021. Seconded by Commissioner Newton. The vote was unanimous. The motion passed.

18. **Haylie Hale – Rollins Ranch Phase 5 Amendment 2 – A proposed amendment to the Rollins Ranch Phase 5 subdivision combining Lot 506 & 507 into one lot. Located at approximately 6201 N Lariat Lane in Mountain Green, Utah**

This request is for a plat amendment to the Rollins Ranch Phase 5 Subdivision. The property is located at 6201 N Lariat Lane in the Mountain Green area. The Rollins Ranch Phase 5 Subdivision 2nd Amendment consists of 2 lots. The plat amendment includes 3.03 acres. The applicants would like combine parcel 03-ROLLR5-0507 (lot 507) and parcel 03-ROLLR5-0506 (Lot 506) into a single lot.

The Morgan County Planning Commission reviewed this application at their March 25th meeting and recommends approval of the Rollins Ranch Phase 5 2nd amendment subject to all applicable regulations and the following conditions:

1. That all of the County Surveyor and Recorders review comments be addressed.
2. That all outsourced consultant fees are paid current prior to final plat recordation.
3. That a note is added to the plat referencing the geotechnical report dated October 14, 2020
4. That all other local, state, and federal laws are adhered to.

Commissioner Newton moved to approve the Rollins Ranch Phase 5 Subdivision 2nd Amendment, application #21.003, located at 6201 N Lariat Lane based on the findings and with the conditions listed in the staff report dated April 6, 2021. Seconded by Commissioner Wilson. The vote was unanimous. The motion passed.

19. **Haylie Hale – A proposed Final Plat for Cottonwoods Phase 5a-3 & 5a-4 Meadow Park West, consisting of 33 units, and located at approximately 6500 Silver Leaf Drive in Mountain Green, Utah**

This request Phase 5A-3 and 5A-4 of the Cottonwoods Meadow Park West Condominium subdivision. The property is north of Phase 3 of the Cottonwoods and south of Phase 4. It is directly north of the Mountain Green Elementary. Phase 5A-3 will consist of 24 units and Phase 5A-4 will consist of 9 units. Both will be located at approximately 6500 Silver Leaf Drive in the Mountain Green area. Each phase will consist of a building site with zero lot lines, all setbacks will be considered from the overall common lot as depicted in the Condominium Plat. The parcel being subdivided is 8.905 acres.

Phase 5A-3 will consist of 24 units on 258,834 ft² and will gain access along new public streets: Oxford Loop, Kingston Drive and will connect with Park Meadow Drive, intersecting at Silver Leaf Drive. Roadway and utilities will be constructed as per construction plans approved by the County Engineer and according to County code and standards for construction. There are no existing buildings on the property.

Phase 5A-4 will consist of 9 units along a newly improved continuation of Park Meadow Drive on 129,068 ft². Utilities will be installed as per construction plans approved by the County Engineer and according to County code and standards for construction. All right of way permits shall be obtained for any excavation in the County Right of Way (See condition #2.)

Phase's 5A-3 and 5A-4 of the Park Meadow West Phase 5A subdivision has been designed according to the Cottonwoods at Mountain Green Development Agreement (CMDA) and the PUD Overlay Report as recorded with Morgan County.

Based on the information in this staff report, planning staff recommends approval to the County Commission of the Cottonwoods Phase 5A-3 and 5A-4, Condominium Subdivision Final Plat with the following findings and conditions:

1. That all the items from the April 3, 2019 Engineer's memo be addressed along with comments stated in the January 10, 2021 Engineer's memo.
2. That the public improvements agreement be signed for the proposed subdivision improvements. All excavation or right of way permits shall be obtained through the Planning & Development office and approved prior to any road cuts.
3. All comments and corrections requested by the County Engineer, County Surveyor and County Recorder be completed prior to the mylar being printed and signed.
4. That the developer add the Cottonwood Mutual Water Company redlines to the construction drawings and meet their installation requirements (See Attachment #6).
5. That all outsourced consultant fees are paid current prior to final plat recordation.
6. That all other local, state, and federal laws are adhered to.
7. That the following statement is added to the subdivision completion agreement; "In lieu of withholding Final Certificate of Occupancy, we agree that the 10% subdivision warranty bond deposit that will be remitted at plat recording by Cottonwood Meadows Village, LLC, may be held by Morgan County until the Subdivision Improvements have concluded their warranty period and that all landscaping improvements are installed in the Meadow Linear Park (Lot 4 of 5A-2 Plat and Lot 2 of the 5A-3 Plat) and Meadow Street Parkway (Silverleaf Buffer Park in Lot 3 of 5A-2 and Lot 4 of 5A-3 & 5A-4)".
8. Prior to recordation of the plat, the subdivider shall submit a current title report to be reviewed by the county.

Commissioner Newton moved to approve the Cottonwoods at Mountain Green Phase 5A-3 and Phase 5A-4 Meadow Park West Subdivision Final Plat, application #21.004, located at approximately at 6500 Silver Leaf Drive in the Mountain Green area, based on the findings and with the conditions listed in the staff report dated April 6, 2021, with the addition that the final plat approval be for the 12 months as opposed to six months. Seconded by Commissioner Wilson. The vote was unanimous. The motion passed.

20. Jeff Franklin – Request late payment record on garbage account be reversed.

Mr. Franklin was not present for this appointment. It was explained that Mr. Franklin is requesting that his garbage account late fee record be removed from his account. Although the fee can be removed, there is question as to whether there is the ability to actually remove the record.

Commissioner Wilson moved to approve waiving the \$4 late fee from Mr. Franklin's garbage account. Seconded by Commissioner Newton. The vote was unanimous. The motion passed.

21. Kylie Horne/Morgan High Cheerleaders – Participation in the 2021-2022 Morgan High cheerleader flag program

Ms. Horne appeared before the Commission on behalf of the Morgan High School Cheerleaders. She explained that the Morgan County has participated in their flag program and last year purchased 12 flags at \$30 per flag.

Commissioner Newton moved to approve participation in the 2021-2022 Morgan High cheerleader flag program for a total of \$360 to be paid from the non-departmental account. Seconded by Commissioner Fackrell. The vote was unanimous. The motion passed.

R) Work Session

Presentation of the Morgan 2050 General Plan Survey

S) Action Items – Continued

22. Robert McConnell—Airport Advisory Board proposals for Airport expansion

George Sousa and Joe Garfield came before the Commission with a proposal for improvements and expansion at the Morgan County Airport.

Option 1 – Minimum Recommended

• General Site Work	\$19,000
• Sewer	\$38,350
• Storm Drain	\$7,207
• Culinary Water	\$0
• Culinary Water Individual Service	\$13,740
• Base Course for Roadways	\$36,300
• 10% Contingency	<u>\$11,459.70</u>
Total	\$126,056.70

Option 2 – Additional Extension of Utilities

• General Site Work	\$21,000
• Sewer	\$52,150
• Storm Drain	\$15,266
• Culinary Water	\$21,772
• Culinary Water Individual Service	\$13,740
• Base Course for Roadways	\$36,300
• 10% Contingency	<u>\$16,022.80</u>
Total	\$176,250.80

Option 3 – Additional Extension of Utilities and Asphalt

• General Site Work	\$22,500
• Sewer	\$68,455
• Storm Drain	\$15,266
• Culinary Water	\$49,938
• Culinary Water Individual Service	\$19,995
• Base Course for Roadways	\$36,300
• 10% Contingency	<u>\$21,145.40</u>
Total	\$232,599.40

The Commission will review the financial statements of the county upon completion of the 2020 independent audit to get a better understanding of the available funding for this project. In the meantime, Mr. Sousa requests the ability to move forward on some of the lower cost/no cost projects in order to move forward.

Commissioner Newton moved to authorize the expenditure of \$6,000 for purposes of having Wasatch Civil complete the design and having Rocky Mountain Power remove the old power boxes. Seconded by Commissioner Fackrell. Member Wilson abstains. Members Newton, McConnell, Fackrell and Andersen voting in favor. The vote was unanimous. The motion passed.

23. Mike Newton/Blaine Fackrell – Bylaws for Tourism Tax advisory board (TTAB)

Commissioner Newton explained that this item was discussed at the March 16th meeting. The advisory board was approved at that meeting. This action will approve the bylaws and handbook.

Commissioner Newton moved to approve Tourism Tax Bylaws & Handbook. Seconded by Commissioner Fackrell. The vote was unanimous. The motion passed.

24. Mike Newton/Blaine Fackrell – Implementation of optional service from Economic Development agreement with Ebert Solutions section 3, C, i. "Destination and Marketing Organization (DMO) creation, execution, and management: Funding of \$20,000

Commissioner moved to approve the implementation of optional service from Economic Development agreement with Ebert Solutions section 3, C, i. "Destination and Marketing Organization (DMO) creation, execution, and management: Funding of \$20,000 to be paid from the rural grant which is an amendment to the agreement. Seconded by Commissioner Newton. The vote was unanimous. The motion passed.

25. Commission – Resolution for the transfer of Funds from Fund 24 (Flood Fund)

It was noted that further clarification was needed to understand fund accounting and the amounts to allocate to for each purpose.

Member Newton moved to postpone this item to the next meeting. Seconded by Member Wilson. The vote was unanimous. The motion passed.

26. Robert McConnell—Approval of Heather Meadows Settlement Agreement

This item is to be removed

T) Public Hearings –

6. Lance Evans – A proposed amendment to the Morgan County Zoning Map of approximately .65 acres from RR-10 to R-1-20. Located at approximately 6810 N. Frontier Drive, Mountain Green, Utah

This application is for an amendment to the Morgan County zoning map. The applicant is proposing to rezone approximately 0.65 acres currently zoned RR-10 (See Exhibit D for legal description) and located southeast of North Frontier Drive in the Mountain Green area (See Exhibit A). The 0.65 acres is part of a larger 34.83-acre parcel that would have to be subdivided at a later date.

Morgan County Code establishes four standards for approval of a rezoning. Staff's analysis follows each of the criteria as outlined.

The General Plan and Future Land Use Map designation, Village Low Density Residential, demonstrates the desire of the County to allow for the development of uses that provides for a lifestyle with planned single-family residential communities with a maximum density of 2 units per acre.

7. Request for a motion to go adjourn regular meeting and convene public hearing
Commissioner Newton moved to go out of public meeting to go into public hearing. Seconded by Commissioner Fackrell. The vote was unanimous. The motion passed.

8. Public Comments (please limit comments to 3 minutes)
There was no public comment

9. Request for a motion to adjourn public hearing and reconvene regular meeting
Commissioner Newton moved to approve to go out of public hearing and go back into regular session. Seconded by Commissioner Fackrell. The vote was unanimous. The motion passed.

10. Action on public hearing - A proposed amendment to the Morgan County Zoning Map of approximately .65 acres from RR-10 to R-1-20. Located at approximately 6810 N. Frontier Drive, Mountain Green, Utah

Commissioner Newton moved to approve A proposed amendment to the Morgan County Zoning Map of approximately .65 acres from RR-10 to R-1-20. Located at approximately 6810 N. Frontier Drive, Mountain Green, Utah. Seconded by Commissioner Wilson. The vote was unanimous. The motion passed.

U) Execution Session

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

Member Newton moved to go out of executive session and back into regular session. Seconded by Member Wilson. The vote was unanimous. The motion passed.

V) Commissioner Comments –

W) Adjourn –

Commissioner Newton moved to adjourn.

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

APPROVED _____ Date _____
Chairman

ATTEST _____ Date _____
Clerk

Stacy Clark

From: Wilde, Emily <ewilde@co.weber.ut.us>
Sent: Monday, April 5, 2021 10:23 AM
To: 'Robert McConnell'
Cc: Jann Farris (jfarris@morgan-county.net); sclark@morgan-county.net; Swan, Sarah
Subject: Drug Testing Agreement
Attachments: 21 0401 MorganCountyUTSFA03012021.pdf

Hi Robert,

Morgan County has a current drug policy that states “*Prior to actual hiring, a prospective employee whose job responsibilities may require operating of heavy equipment and/or a valid CDL license, or post certification must pass a pre-employment drug and/or alcohol test and will be subject to random testing.*” This has not been happening and we would like to get it started. The budget would come out of the HR budget and is estimated to be around \$1,000 annually. The current HR budget can support this cost. The per quarter and annual breakdown of the estimated cost is below.

Morgan currently has a contract with Clinical Reference Laboratory (CRL) using WorkMed in Ogden. We would like to change the location to the Morgan Clinic. That would require signing a new agreement with CRL. Legal has reviewed and approved this agreement.

Breakdown of Cost based on the agreement

CRL charges \$10.75/5 panel test and Morgan Clinic charges a \$19 collection fee.

Random

5 Employees (Public Safety and Fire) per quarter - \$29.75/per test
Non-DOT cost: \$148.75/per quarter

1 DOT (Heavy Equipment Operators) Employee per quarter - \$29.75/per test
Breath Alcohol Test - \$27/per test

Random Total Cost per quarter - \$205.50
Random Total Cost per year - \$822

Pre-employment

Pre-employment (Public Safety, Fire, or Heavy Equipment Operators) \$29.75/per test
Estimated 5 Pre-Employment tests per year - \$148.75

Total for Random and 5 Pre-Employment per year - \$970.75

Thanks,

Emily Wilde

Assistant Director of Human Resources
E: ewilde@co.weber.ut.us | P: 801-399-8620

Weber County

2380 Washington Blvd., Suite 340 | Ogden UT | 84401





THIS AGREEMENT ("Agreement") is made between CLINICAL REFERENCE LABORATORY, INC., a Kansas corporation ("CRL"), and the entity indicated below (the "CLIENT") for toxicology testing.

- 1. The effective Date ("Effective Date") of this Agreement shall be the last date of execution set forth below and shall expire three (3) year from such date. Unless notice to the contrary is given, by either party, at least one hundred-twenty (120) days prior to end of the then-current term, this Agreement shall automatically renew for successive three (3) year term(s)
2. Client will utilize CRL as its primary laboratory for the toxicology testing detailed in the pricing section hereof. This price list is guaranteed for the Initial Term of the Agreement, except as noted in (a) and (b) below. CRL will notify CLIENT thirty (30) days prior to the renewal, of any pricing changes.
(a) Positive Screen Surcharge. If CLIENT has a Positive Screen Percentage (as defined below) of twelve percent (12%) or greater, CRL has the right to increase CLIENT's current drug screen pricing by two percent (2%) for each one percent (1%) that the Positive Screen Percentage exceeds the twelve percent (12%).
i. Positive Screen Percentage is defined as the percentage of Specimens received from CLIENT, in a three month time period, which receives a positive result under its immunoassay screen.
ii. Example: If CLIENT's Positive Screen Percentage is 15%, CRL would have the right to increase CLIENT's current drug screen pricing by 6% (15 minus 12 equals 3 percent over the base of 12%, times 2 = 6% price increase).
(b) Fuel Surcharge. CRL has the right to charge CLIENT any fuel surcharge CRL incurs from its courier services, including increasing any existing fuel surcharge, with thirty (30) days prior notice. This fuel surcharge will be reflected as a separate line item on the laboratory services invoice. The fuel surcharge will be assessed as a percentage (as shown in Exhibit A) of the CLIENT's total Services for that month. This fuel surcharge will be removed from CLIENT's current drug screen pricing only when the courier service(s) are no longer charging CRL a fuel surcharge.

Fuel Surcharge not to exceed n/a% 15%

- 3. Invoices shall be paid by Client within thirty (30) days of the date of CRL's invoice. Failure of Client to render payment when due shall be cause for immediate termination, without notice, in CRL's sole discretion. Should Client fail to make payment of any amount due to CRL in accordance with the terms of this Agreement which result in CRL turning the account over for collection, Client shall pay all reasonable expenses (including but not limited to, attorney fees and court costs) associate with the collection or attempted collection of such account.
4. CRL will make available the following testing services at the prices itemized below:

Table with 2 columns: Test/Panel and Price. Rows include DOT / W215 (\$10.75), NON DOT Lab based Urine Panels, NON DOT 5 panel w/ DOT look-a-like levels & Adulterants / 30C7 (\$10.75), NON DOT 7 panel w/ DOT look-a-like levels & Adulterants / 30FT (\$10.75), NON DOT 9 panel w/ DOT look-a-like levels & Adulterants / 30GQ (\$11.75), NON DOT 10 panel w/ DOT look-a-like levels & Adulterants / 30JK (\$11.75), and Additional Add on options (\$).

Version Date: 06/22/2016



Alcohol (Ethanol)	\$2.00
Oycodone	\$2.00
Buprenorphine	\$2.50
Tramadol	\$2.50
Fentanyl (Elisa)	\$4.00
Fentanyl (Analog)	\$5.00
Cotinine (Nicotine)	\$7.00
ETG/ETS	\$18.00
K2 (Synthetic Marijuana/ Testing for 28 metabolites)	\$22.50
Bath Salts (Synthetic Stimulants /Testing for 30 metabolites)	\$27.00
Instant Testing "Un-Bundled" Billable supplies	
5 PANEL cup, Device item #KCUR920079 Coc Methamp Opi Pcp Thc+ph sg ox cr ni	\$3.75 per test (25 per box) + Freight
6 PANEL cup, Device item #KCUR920095 Amp Coc Methamp Opi Pcp Thc+ph sg ox cr ni	\$4.25 per test (25 per box) + Freight
10 PANEL cup, Device item #KCUR920083 Coc Methamp Opi Pcp Thc Amp Bar Benz Mtd Oxy+ph sg ox cr ni	\$5.25 per test (25 per box) + Freight
Instant Chain of Custody Form	No Charge
Confirmation per drug class	\$20.00 per drug
Rescreen all drugs on POCT device with Auto Confirmation when using the Formfox eCCF	\$18.00 for rescreen & confirmation (eCCF)
Prepaid Shipping Supplies	No Charge
Client Purchases POCT kits from outside Vendor	
Confirmation per drug class	\$30.00 per drug
Instant Chain of Custody Form	\$0.35 cents per form + Freight
Prepaid Shipping Supplies	No Charge
Oral Fluid Instant Billable supplies	
Oral Fluid Lab Testing	
5 Panel Oral Fluids Analysis (V371)	\$14.85
8 Panel Oral Fluids Analysis (PN43)	\$22.85
Intercept (Saliva collection kit)	\$3.50 + Freight
Q.E.D. Rapid Saliva Alcohol Testing Device (each	
Alco Screen	\$6.75 each + Freight
	\$1.75 each + Freight

Version Date: 06/22/2016



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General Pricing Notes.

- i. These prices include initial screening and automatic confirmation by GC/MS or LC/MS/MS, when applicable.
 - ii. CRL's testing shall automatically include D&L Isomer reflex testing at no additional cost.
 - iii. Specimens not suitable for analysis (NSA) will incur a \$10.00 fee. This is to cover CRL's costs.
 - iv. Forensic Handling Fee of \$25.00. This fee shall only apply where CRL repackages and forwards specimens to another laboratory on behalf of CLIENT.
 - v. Full Laboratory Data Package charge is \$150.00. This is to cover CRL's costs.
 - vi. Specimens received at CRL without a test panel requested will default to the most comprehensive panel available to the client.
 - vii. Each billable supply order will incur a handling fee along with the separate outbound shipping charges.
 - viii. Applicable State sales tax is not included in the pricing above.
5. The pricing herein has been specially negotiated between Client and CRL and are strictly confidential. The parties agree that should these prices become known to third parties, CRL could be injured and/or damaged. Therefore, Client agrees to treat these prices as confidential at all times and that the prices will not be divulged to anyone outside Client's employ either during the term of the Agreement or anytime thereafter.
6. Each party ("Indemnifying Party") shall indemnify and save the other party, its officers, directors, employees, agents, or representatives ("Indemnified Party") harmless from and against all damages sustained or incurred by a third party arising from personal injuries or other claims recovered against Indemnified Party, as a result of any negligent act or omission of Indemnifying Party, its agents, servants, or employees, arising out of or related to this Agreement, including any and all reasonable expense, legal or otherwise, incurred by Indemnified Party in the defense of any such third party claim or suit.
7. Neither party shall be liable for any indirect, consequential, incidental, special, or punitive or other damages of any kind arising from CRL's Services hereunder or from the rendering of failure to render professional services.
8. CRL shall not be liable for failure to perform any duty or obligation where such failure was caused by any act of God, fire, strike, inevitable accident, war or any cause outside the reasonable control of CRL.
9. Each party shall, at its sole cost and expense, procure insurance policies or self-insurance in appropriate amounts to cover such parties' risks hereunder.
10. Either party may terminate this Agreement by written notice to the other party at the address listed below as follows:
- a. For Cause. In the event the other party commits a material breach of this Agreement, the party wishing to terminate on the basis of a material breach shall give the breaching party written notice specifying the nature of the breach, and the breaching party shall have thirty (30) days following the effective date of such written notice in which to cure such default. If the breaching party fails or is unable to cure such default within such period, the party wishing to terminate this Agreement may do so by written notice at the expiration of the cure period.
 - b. Bankruptcy. In the event a party files for protection under any bankruptcy or creditor's rights statutes or has such action filed against it and the action is not dismissed within thirty (30) days.
11. This Agreement shall be governed by the laws of the State of Utah without regard to the choice-of-law principles thereof.

This Agreement shall not be deemed effective until accepted by Clinical Reference Laboratory, Inc. in Lenexa, KS.



Clinical Reference Laboratory, Inc.

Address: 8433 Quivira Road
Lenexa, KS 66215

Client: Morgan County - Utah

Address: 48 West Young Street
Morgan, UT 84050

By:
Print Name:
Title:
Date:
Contract ID#

By:
Print Name:
Title:
Date:
Contract ID#

Reviewed and Approved
As to Form by
L. Lynn - R. Stone
CRL Legal Dept.
(Non-Standard Agreement)



Presentations

Stacy Clark

From: Jared Andersen <jandersen@morgan-county.net>
Sent: Tuesday, April 13, 2021 10:57 AM
To: Stacy Netz Clark
Subject: Local Option Sales Taxes and Corridor Preservation

Stacy,

This will be the title of the presentation and the presenter will be Julie Bjornstad with Wasatch Front Regional Council.

Jared Andersen
Morgan County Commissioner
jandersen@morgan-county.net

This e-mail transmission is intended solely for the ordinary user from Morgan County, of the e-mail address to which it was addressed. It may contain legally privileged and/or confidential information. If you have received this e-mail in error or are not an intended recipient please inform the sender with-out delay and delete this e-mail, attachments and possible copies immediately. The unauthorized use, disclosure, distribution and/or copying of this e-mail or any information it contains is prohibited.

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County Council Agenda Request Form

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

Morgan County
Attn: Stacy Nets Clark
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: 801.845.4011
Fax: 801.829.6176
Email: sclark@morgan-county.net

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

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

Council Meeting Date: April 20th Time Requested: _____
Name: Melissa Freigang Phone: 801-698-1413
Address: _____
Email: mfreigang@webercountyut.gov Fax: _____
Associated County Department: Weber/Morgan health and Human Services

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

presentation/ could you please let her know

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH
INFORMATION ONLY

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



Action Items



County Council Agenda Request Form

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

Morgan County
Attn: Stacy Nets Clark
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: 801.845.4011
Fax: 801.829.6176
Email: sclark@morgan-county.net

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

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

Council Meeting Date: 4/20/21 Time Requested: 5 min

Name: Darrell Rupp Phone: 801-231-4810

Address: 451 N 300 W, Morgan, UT 84050

Email: drupp55@gmail.com Fax: _____

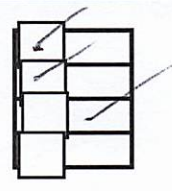
Associated County Department: Fair Grounds

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

(Please see attached)

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH
INFORMATION ONLY



A group of like-minded volunteer gear heads is organizing a free community event, Morgan Valley Classic Car Show, for June 19, 2021, to be held on the grass field at the Morgan County Fairgrounds. This event is a non-profit activity available at no charge to exhibitors or spectators.

The organizing committee is asking to be on the Morgan County Council agenda to discuss the following items:

- Request that Morgan County co-sponsor the car show and exempt the organizers from the following fees:
 - deposit
 - rental
 - permits
 - insurance
- Request that Morgan County assist with funding to promote and organize the car show. (Amount to be discussed.)

Morgan County Fairgrounds Rental Agreement Application & Permit

Today's Date: ~~6/19/21~~ Date of Event: 6/19/21 to 6/19/21
Time(s) of Event: 7 A.M./P.M. to 3 A.M./P.M.
Title of Event: Morgan Valley Car Show *

Facilities Requested (Please Mark All That Apply):

Entire Fairgrounds
 Exhibit Building
 Main Arena
 North Arena
 Livestock Pavilion
 Grass Area
 Main Food Booth
 Small Food Booth
 Tractor/Groomer Rental

Approximate Number of People Attending: 200 (best guess)

Renter Information:

Name: Morgan Valley Car Show Committee (Darrell Rupp, Rep)
Address: 451N 300 W, Morgan, UT 84050
Home Phone: _____ Cell: 801-231-4810 Work: _____
Email: drupp55@gmail.com
Company or Organization: Morgan Valley Car Show Committee

By Signing this Agreement, I Agree to the Following:

Morgan County will review the request for this Event to ensure that your rights and the rights of others can be maintained. Upon review, there may be conditions of approval attached to this permit. You must comply with any and all conditions to conduct this event. Please allow ten business days for processing.

The undersigned acknowledges that the information in this application is true and correct and agrees to adhere to all rules, regulation, and policies established by Morgan County. Applicant also understands that an Event Permit does not authorize any violation of the provisions of Morgan County Code or any other code or law, rules, regulations, or ordinances. The undersigned agrees to waive and release all rights and claims that might be had against Morgan County, its employees, officers, boards, or agents.

Signature of Applicant: _____

For Internal Use Only:

All Morgan County Depts that are affected will be consulted. Special conditions or concerns may be attached to approved permit.

Payment Received By:

Morgan County Treasurer: _____ Date: _____
Deposit Paid: _____ Date: _____ Fee Paid: _____ Date: _____

Rental Fee Waved: _____ YES _____ NO

Morgan County Council Member Signature: _____ Date: _____

Denied By: _____

Comments: _____

Business License: _____ Food Handlers Permit: _____ Mass Gathering Permit: _____

Revised 3/5/2020



* This will be a non-profit volunteer community event.
There are no fees being charged to exhibitors
or spectators.



Fairgrounds Policy & Reservation Contract

Arenas and Facilities

Contents:

- Morgan County Fairgrounds Board Bylaws
- Morgan County Policy for Fairgrounds Arenas and Facilities
 - Reservation Procedure
 - Application Process
 - Possible Conditions or Requirements
 - License, Permits and Insurance
 - Fees
 - Groups Exempt from Rental Fees
 - Deposit
 - Groups Exempt from Deposit Fees
 - Prohibitions
 - Liability
 - Altering of Fairgrounds
- Rules
- Rental Fees Chart
- Rental Agreement Application and Permit

Morgan County Policy for Fairgrounds Properties

If you would like to rent an arena or facility at the Morgan County Fairgrounds you will need to submit a "Rental Agreement Application and Permit" form. Please carefully read through the "Policy for Fairgrounds Arenas and Facilities" and the "Fairgrounds Rules".

Import Things to Remember:

- The application and deposit need to be turned in 30 days prior to your event.
- Please allow 10 business days for processing.
- Upon review of your application, if accepted, you will be asked to sign a written contract, show proof of insurance, if applicable, and pay all rental fees.
- Any additional fees, permits or licenses shall be due a minimum of seven days prior to the event.

Questions: Please call the Morgan County Treasurer's Office at (801) 845-4030.

We look forward to working with you on your event.

Revised 3/5/2020

MORGAN COUNTY FAIRGROUNDS BOARD BYLAWS

The Morgan County Fairgrounds Board was established to oversee and assist Morgan County Council and County employees in maintaining and improving the fairgrounds. The board is responsible to hold a meeting in February of each year to approve the initial fairgrounds schedule before opening reservations to the public. The board is responsible to set rental fees, policies, procedures, and discuss fairgrounds improvements. Exemptions from fees require county council approval. All major changes/improvement should be presented to the fairgrounds board for approval before taken to the County Council.

Primary agenda item.

The fairgrounds board consists of a total of 9 voting members:

- Fair Board
- Junior Livestock
- Lions Club
- Horse 4-H
- Morgan High School Rodeo Club
- Morgan Riding Club
- Fairgrounds Board Secretary
- 2 At Large Members

There will be a Chairperson selected from the board members.

Each group listed above may have 2 members on the board. but only 1 vote per group.

- **Example:** The fair board has two members on the fairgrounds board but they only get 1 vote to represent their group.

A quorum does not need to be present to pass an item. A majority vote from the members attending the meeting may pass any item voted on at such meeting.

A member of the County Council is requested to be present at all meetings.

MORGAN COUNTY POLICY FOR FAIRGROUNDS ARENAS AND FACILITIES

Reservation Procedure

We can begin making reservations for the current calendar year as soon as the Morgan County Council approves the schedule and the Fairgrounds Board has had their initial meeting in February. All reservations for use of the Fairgrounds are done through the USU/Morgan County Extension office. Call 801-829-3472 or come to the office inside the county building at 48 W Young Street in Morgan to make your reservation. If your desired date is available, you will be penciled in on the Fairgrounds Reservation Calendar. Your reservation **will not** be complete until you have filled out a contract, shown proof of insurance, and paid all rental fees. The contract is available online at www.morgan-county.net or in the USU/Morgan County Extension Office. You must take your completed contract and deposit to the treasurer's office. The clerk's office will keep the final copy of all application documents.

Done

Application Process

A Rental Agreement Application and Permit form shall be fully completed and submitted along with the required fees/deposit to the Treasurer's Office at least 30 days prior to the scheduled event. Appropriate County departments will review each application. Involved departments may impose appropriate conditions and requirements to protect the health.

safety, and welfare of the public. Please allow 10 business days for this process. Upon acceptance of the application a contract between the County and the applicant will be signed and all rental fees must be paid. Seven days prior to the event proof of required permits, licenses and insurance, if applicable must be shown, and all additional fees must be paid. This will be handled through the Morgan County Treasurer's Office.

Possible Conditions or Requirements

A. Safety:

- Emergency vehicle access
- Fire protection
- Police officers
- Emergency medical services, including ambulance and medical personnel
- A security plan to be approved by the sheriff's office
- Use of barricades, cones, no parking signs, etc.
- Internal security, crowd control
- Lighting, special electrical needs
- Traffic and parking regulations
- Other public safety issues

B. Health Sanitation and Environment:

- First aid supplies and assistance
- Trash containers
- Toilet and sanitary facilities
- Other health and sanitation issues
- Elimination
- Odor prevention
- Noise prevention
- Lights
- Other concerns

License, Permits and Insurance

A business license, permits and insurance may be needed for events being held at the Morgan County Fairgrounds.

- To determine if a business license and permits are needed for an event please call the Morgan County Clerk's Office at 801-829-6811.
- To determine if Insurance is needed for an event please contact the Morgan County Attorney's Office at 801-845-4006.

Food Booth rental for concessions, other than non-profit organizations, require a business license and Utah State Sales Tax Certificate and number.

Events lasting over 2 hours with expected attendance of over 500, must apply for a Mass Gathering permit through the Health Department.

A Food Handlers Permit is required for rental of food booths.

The applicant of the following types of special events shall provide liability insurance, with minimum limits of \$1,000,000.00 per occurrence. The County, its officials, officers, employees, and agents shall be named as additional insured's:

- Concerts
- Dances

Request co-sponsorship w/ county so we can utilize county permits and insurance.

Also request assistance w/ funding from county. Amount to be discussed.

- Events involving animals
- Events when the applicant brings its own equipment such as trampolines, rides, games, etc.
- Carnivals
- Truck pulls, motorcycle events, etc.
- Other events as determined on a case by case basis for the health, safety, and welfare of the County and its residents.

Fees

The applicant shall pay all rental fees, as established by the county, due upon acceptance of application. A business license fee, if required and any additional fees are due a minimum of seven days prior to the event.

Additional fees may be incurred with the need of any of the following:

- Ambulance and emergency medical technicians
- Police officers
- Barricades
- Additional grooming of arenas
- Special lighting and or electrical work
- Other goods or services

Fees for special lighting, electrical work, or for other goods/services must be paid prior to the commencement of the work for the special needs. These fees shall be assessed to applicant based on County's actual cost.

Groups Exempt from Rental Fees

Any entity besides those listed below who wish to be exempt from fairgrounds rental payments must be approved by a member of the Morgan County Council. Approved exempt groups include:

- | | |
|----------------------------------|-----------------------------------|
| • Morgan County Lions Club | • Morgan County FFA |
| • Morgan County Rodeo Club | • Morgan County Riding Club |
| • Morgan County Junior Livestock | • Morgan County Search and Rescue |
| • Morgan County 4-H | |

Request for exemption

Deposit

No deposits are required for hourly rental.

A deposit in the amount established by the County is required to be paid at the time of application. Facilities will not be made available until deposit has been made.

Before and upon completion of the event, the Grounds Supervisor will inspect the area. If it is verified that all grounds and facilities are clean and free of damage and all conditions have been met, the deposit shall be returned. If any property is left unclean or damaged during use, the person or group that made the reservation will be responsible for cleaning or repairing damage, or for paying all costs incurred for the clean-up or repair, within 48 hours after their event, (unless special arrangements have been made with the Grounds Supervisor).

Scheduled events may preclude access to areas in need of repair: this will be taken into consideration.

Groups Exempt from Deposit Fees

All users of the fairgrounds, including those exempt from rental fees, are subject to pay a deposit. The only groups exempt from paying the deposit are the Morgan County 4-H and FFA programs.

Request for exemption

Prohibitions

No alcohol or drugs, in any form, may be possessed nor consumed on County Fairgrounds property as per Morgan County Ordinance No. CO-00-05. Smoking is prohibited as per the Weber-Morgan Board of Health Regulations on smoking in outdoor public places. No lighted candles, flammable materials, explosives, or fireworks may be brought into nor used in any County indoor facility. Applicants shall be required to comply with and obey all laws, rules, regulations, and ordinances, whether Federal, State, or county, including the County noise ordinance.

Liability

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

Altering of Fairgrounds

Renting the fairgrounds **DOES NOT** grant one the authority to alter any portion of the fairgrounds including bleachers, panels, picnic tables, etc. without obtaining permission prior to your reservation. If you are wishing to change the fairgrounds setup in any way, you must get permission from the Public Works Director.

MORGAN COUNTY FAIRGROUNDS RULES

- Morgan County Fairgrounds facilities are used at the personal risk of all patrons.
- Morgan County Fairgrounds Board, under the direction of the Morgan County Council reserves the right to recommend changes to rules, policies and procedures at any time as deemed necessary, and reserves the right to prohibit any event, activity or vendor from using the fairgrounds facilities, if deemed inappropriate.
- No alcoholic beverages or drugs in any form may be possessed nor consumed on Fairground property, as per Ordinance No. CO-00-05.
- Smoking is discouraged.
- All dogs must be on a leash, and owner must clean up after their dog in and around the food and public areas.
- Morgan County is not responsible for lost or stolen articles.
- Depending on the event, security may be required at the expense of the event organizers.
- Persons making reservations for special events will be responsible for collecting all fees for their group.
- Free riders must be out of the arena 2 hours prior to any event. Please check the reservation schedule for events. Reservations will be posted on a monthly basis at both the Fairgrounds and the Courthouse. All scheduled reservations are subject to change without notice.
- Parking is allowed only in designated areas.
- Promoters/Patrons are responsible for all clean up and or damages to facilities. Required clean up includes litter inside buildings, arenas, under bleachers, around outside of buildings and parking areas. Clean up all trash and litter and deposit in the provided dumpster.
- Users must remove all obstacles, jumps, barrels, etc. to the outside of the arenas after practice or events.
- When using the picnic areas, fires are allowed only in grills and fire pits, and must be attended at all times and extinguished before leaving. Never place hot coals in any garbage receptacles.
- When using the picnic areas, leave the grounds in better condition than when you arrived. Clean up all trash and litter and deposit in the provided dumpster.
- Do not tamper with the sprinkler system, lights, fences or any other Fairground property.
- Renting the fairgrounds **DOES NOT** grant one the authority to alter any portion of the fairgrounds including bleachers, panels, picnic tables, etc. without obtaining permission prior to your reservation.
- Payment for any damage will be the responsibility of the event organizer.
- Failure to comply with any of the listed rules may result in future applications being denied.

Report any accidents or damage to the Clerk's Office 801-829-6811 or in case of emergency call 911.

Revised 3/5/2020

Morgan County Fairgrounds Rental Rates

Rental	Description	Rental Rate	Deposit
Main Arena	Rental includes a prepared arena. Metered utilities are extra with payment due before deposit is released. For hourly rental the arena is taken as is, utilities are included. The area must be left clean and free from damage. No deposit required for hourly rental. No maintenance available on Sundays.	\$30.00 per hour for the first 4 hours, after 4 hours day rental prices will be in effect. \$200.00 per day Metered utilities extra	\$500.00 per day. Refundable following inspection by Facilities Manager No deposit required for hourly rental.
North Arena	Rental includes a prepared arena. There are no lights on this arena. For hourly rental the arena is taken as is. The area must be left clean and free from damage. No deposit required for hourly rental.	\$30.00 per hour for the first 4 hours, after 4 hours day rental prices will be in effect, per arena. \$200.00 per day, per arena Metered utilities extra	\$500.00 per day. Refundable after inspection by Facilities Manager No deposit required for hourly rental.
Exhibit Building	Rental includes use of the main area, kitchen and rest room. Metered utilities are extra with payment due before deposit is released. Building must be left clean and free from damage, all trash removed and floors swept.	\$15.00 per hour for first 4 hours, after 4 hours day rental prices will be in effect. \$100.00 per day. \$1800.00 per month plus billed utilities.	\$500.00 per day. Refundable following inspection by Facilities Manager Deposit for monthly rental--\$1800.
Main Food Booth	Rental includes bowery and utilities. Booth must be left clean and free from damage. Counters and floors washed, trash removed, all leftover food removed from refrigerators, grill area cleaned and de-greased.	\$15.00 per hour for first 4 hours, after 4 hours day rental prices will be in effect. \$100.00 per day.	\$500.00 per day. Refundable following inspection by Facilities Manager.
Small Food Booths	Rental includes bowery and utilities. Booth must be left clean and free from damage. Counters and floors washed, trash removed, all leftover food removed.	\$50.00 per day.	\$500.00 per day. Refundable following inspection by Facilities Manager.
All other areas	Rental includes, Livestock Pavilion, grass area, bowery and grounds. All areas must be left clean and free from damage. All trash picked up and hauled away.	\$15.00 per hour, per area. \$50.00 per day, per area. Utilities \$5 per hour, per area.	No deposit required
Tractor/Groomer Rental	Includes operator.	\$125.00 per day	No deposit required
Entire Fairgrounds	Rental includes a prepared arena. Metered utilities are extra with payment due before deposit is released. For hourly rental the arena is taken as is. Utilities are extra. Arenas must be left clean and free of damage.	\$600.00 per day.	\$1500 per day, Refundable following inspection by Facilities Manager.

Request for exemption



County Commission Agenda Request Form

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

Morgan County
Attn: Stacy Netz Clark
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: 801.845.4011
Fax: 801.829-6716
Email: sclark@morgan-county.net

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

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

Council Meeting Date:	<u>April 20, 2021</u>	Time Requested:	<u>10 min</u>
Name:	<u>Commission</u>	Phone:	<u>801-317-6275</u>
Address:	<u>County Commission</u>		
Email:	<u>mnewton@morgan-county.net</u>	Fax:	<u></u>
Associated County Department:	<u>Budget</u>		

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Resolution for the transfer of funds from Fund 24 (Flood Fund).

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH
INFORMATION ONLY

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

RESOLUTION CR 21-05

MORGAN COUNTY RESOLUTION
A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS

WHEREAS, the Morgan County Commission has an obligation to provide for the health safety and general welfare of the residents of Morgan County; and

WHEREAS the independent auditor's management letter dated June 17, 2009 found that Morgan County has a fund with residual balance that is unnecessary. The flood fund (fund number 24) with a balance of \$ 279,510.⁰⁰; and

WHEREAS, the independent auditors have reviewed the circumstances of how this fund has evolved and believe there is no reason for it to exist; and

WHEREAS the independent auditors have recommended that the account be closed and the residual funds transferred; and

WHEREAS it has been confirmed that the funds were received as a federal reimbursement for disaster work completed by the County as a result of the 1983 floods.

NOW THEREFORE BE IT HEREBY RESOLVED BY THE MORGAN COUNTY COMMISSION, IN AND FOR MORGAN COUNTY, STATE OF UTAH, AS FOLLOWS:

1. That Flood Fund (fund 24) be closed once all funds have been removed from this fund.
2. That a portion of the funds from Fund 24, a total of: (\$120,000.00) be transferred to the County General Fund to the Emergency Management Budget line item 10-4255-610-000 to be used for Equipment.

PASSED AND ADOPTED THIS 20th day of April, 2021

ATTEST:

MORGAN COUNTY GOVERNING BODY

Stacy Netz Clark
Morgan County Clerk

Robert McConnell, County Council Chair

APPROVED AS TO FORM

Council Members Voting:

AYE NAY ABSENT

Robert McConnell	_____	_____	_____
Michael Newton	_____	_____	_____
Jared Andersen	_____	_____	_____
Matthew Wilson	_____	_____	_____
Blaine Fackrell	_____	_____	_____

Jann L. Farris
Morgan County Attorney



Public Hearings

NOTICE OF PUBLIC HEARING

INPUT IS REQUESTED BY THE MORGAN COUNTY COUNCIL REGARDING THE FOLLOWING ITEM SCHEDULED FOR BUDGET HEARING ON:

April 20, 2021

Morgan County Courthouse – 48 West Young Street –

Regarding the proposed creation of the ROAM Public Infrastructure District No. 1 and ROAM Public Infrastructure District No. 2 (the “Proposed Districts”) and to allow for public input on (i) whether the requested service is needed in the area of the applicable Proposed District, (ii) whether the service should be provided by the County or the Proposed District, and (iii) all other matters relating to the Proposed Districts.

Sign-up Sheet

*IF YOU WISH TO SPEAK REGARDING THIS ISSUE,
PLEASE SIGN UP BELOW*

- | | |
|-----|-----|
| 1. | 22. |
| 2. | 23. |
| 3. | 24. |
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| 15. | 36. |
| 16. | 37. |
| 17. | 38. |
| 18. | 39. |
| 19. | 40. |
| 20. | 41. |
| 21. | 42. |

Stacy Clark

From: Wade, Aaron (G&B) <awade@gilmorebell.com>
Sent: Monday, April 12, 2021 2:36 PM
To: 'Marcus Keller'; Lance Evans; Jann Farris; Stacy Clark
Cc: Colin Wright; Seth Robertson; Darlene Carter; Brennen Brown; Larsen, Randall (G&B)
Subject: RE: ROAM PIDs - Proposed Governing Document and Notice of Public Hearing
Attachments: Creation Resolution - ROAM PID - Morgan County 2021.docx; Morgan County Notice of Public Hearing for PID - ROAM PIDs 1 and 2.docx

I spoke with Stacy this morning and confirmed that the meeting is April 20th. I have updated the notice and resolution to reflect this updated date and the timing of the meeting. Please let me know of any comments on the resolution.

Stacey – if you could send the notices out to the below addresses in the next day or so it would be greatly appreciated. I have also provided proposed agenda language for the public hearing and the resolution.

Addresses:

Jack B Parson Companies
Attn: Dak Maxfield
2350 S 1900 W Ste 100
Ogden, Ut, 84401

Staker & Parson Companies
Attn: Dak Maxfield
2350 S 1900 W Ste 100
Ogden, Ut, 84401

CW ROAM, LLC
Attn: Tony Hill
1222 W. Legacy Crossing Boulevard, Suite 6
Centerville, Utah 84014

Proposed Agenda Language:

Public Hearing:

Public hearing regarding the proposed creation of the ROAM Public Infrastructure District No. 1 and ROAM Public Infrastructure District No. 2 (the "Proposed Districts") and to allow for public input on (i) whether the requested service is needed in the area of the applicable Proposed District, (ii) whether the service should be provided by the City or the Proposed District, and (iii) all other matters relating to the Proposed Districts.

Creation Resolution:

Consideration of a resolution creating the ROAM Public Infrastructure District No. 1 and ROAM Public Infrastructure District No. 2 (the "Proposed Districts"), appointing boards of trustees therefor, approving governing documents for the Proposed Districts, approving interlocal agreements with the City and the Proposed Districts, approving of an annexation area, and all other matters relating to the creation of the Proposed Districts.

Thank you,
Aaron

Aaron Wade | Attorney | Gilmore & Bell, P.C.

15 West South Temple | Suite 1450 | Salt Lake City, UT 84101
Phone: (801) 258-2730 | Fax: (801) 364-5032
awade@gilmorebell.com

From: Wade, Aaron (G&B)

Sent: Friday, April 9, 2021 5:47 PM

To: 'Marcus Keller' <Marcus.Keller@zionsbancorp.com>; Lance Evans <levans@morgan-county.net>; Jann Farris <jfarris@morgan-county.net>; Stacy Clark <sclark@morgan-county.net>

Cc: Colin Wright <colin@cw.land>; Seth Robertson <seth@cw.land>; Darlene Carter <darlene@cw.land>; Brennen Brown <bsbrown@dadco.com>; Randall Larsen (G&B) (rlarsen@gilmorebell.com) <rlarsen@gilmorebell.com>

Subject: ROAM PIDs - Proposed Governing Document and Notice of Public Hearing

Good afternoon,

I have attached a draft of the governing document of the ROAM PIDs 1 and 2 for consideration at the upcoming Council meeting. I've also attached a notice that will need to be mailed to the below property owners prior to the meeting, please let me know if any issue. Can you confirm the date/time of the next meeting? I had in my notes that it was scheduled for April 15 but now that I'm looking it seems like your meetings are the 1st/3rd Tuesday of the month, which would be April 20th. Let me know and I can revise the resolution that was previously sent and the attached notice.

I've also attached a draft of the petition. It is set to be signed Monday or Tuesday of next week, but wanted to get these documents to you sooner rather than earlier.

The notices (once hearing date is confirmed) will need to be sent to the below addresses:

Jack B Parson Companies
2350 S 1900 W Ste 100
Ogden, Ut, 84401

Staker & Parson Companies
2350 S 1900 W Ste 100
Ogden, Ut, 84401

CW ROAM, LLC
Attn: Tony Hill
1222 W. Legacy Crossing Boulevard, Suite 6
Centerville, Utah 84014

Thanks,
Aaron

Aaron Wade | Attorney | Gilmore & Bell, P.C.

15 West South Temple | Suite 1450 | Salt Lake City, UT 84101
Phone: (801) 258-2730 | Fax: (801) 364-5032
awade@gilmorebell.com

This is an electronic mail transmission from the law firm of Gilmore & Bell, P.C. and may contain information that is privileged, confidential, and protected by the attorney-client or attorney-work product privileges. It is intended only for the addressees. If you are not an addressee, note that any disclosure, copying, distribution or use of the contents of this message is prohibited. If you have received this transmission in error, please notify us immediately via return e-mail to the sender and then delete the message or you may call the sender at telephone number 1-(800) 844-3232. Unless otherwise specifically stated herein, any U.S. federal tax advice contained in this communication is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

Morgan, Utah

April 20, 2021

The County Commission (the "Commission") of the Morgan County, Utah (the "County"), met in regular session (including by electronic means) on April 20, 2021, at its regular meeting place in Morgan, Utah at 5:00 p.m., with the following members of the Council being present:

Robert McConnell	Chair
Jared Andersen	Commission Member
Blaine Fackrell	Commission Member
Mike Newton	Commission Member
Matt Wilson	Commission Member

Also present:

Stacy Clark	County Clerk
Jann Farris	County Attorney

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this Resolution had been discussed, the County Clerk presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this April 20, 2021, meeting, a copy of which is attached hereto as Exhibit A.

Thereupon, the following Resolution was introduced in writing, read in full and pursuant to motion duly made by Council Member _____ and seconded by Council Member _____ adopted by the following vote:

AYE:

NAY:

The resolution was later signed by the Chair and recorded by the County Clerk in the official records of the County. The resolution is as follows:

RESOLUTION CR-21-06

A RESOLUTION OF THE COUNTY COUNCIL (THE "COUNCIL") OF THE COUNTY OF MORGAN COUNTY, UTAH (THE "COUNTY"), PROVIDING FOR THE CREATION OF THE ROAM PUBLIC INFRASTRUCTURE DISTRICTS NO. 1 AND 2 (THE "DISTRICTS") AS AN INDEPENDENT DISTRICT; AUTHORIZING AND APPROVING A GOVERNING DOCUMENT AND INTERLOCAL AGREEMENT; APPROVING OF AN ANNEXATION AREA; APPOINTING BOARDS OF TRUSTEES; AUTHORIZING OTHER DOCUMENTS IN CONNECTION THEREWITH; AND RELATED MATTERS.

WHEREAS, a petition (the "Petition") was filed with the County requesting adoption by resolution the approval of the creation of two separate public infrastructure districts pursuant to the Public Infrastructure District Act, Title 17B, Chapter 2a, Part 12, Utah Code Annotated 1953, as amended (the "PID Act") and relevant portions of the Limited Purpose Local Government Entities - Local Districts, Title 17B (together with the PID Act, the "Act") within the boundaries of the County and approve an annexation area (the "Annexation Area") which the Districts may annex into or withdrawal therefrom without further approval or hearings of the County or the Council, as further described in Governing Document Exhibits A and C (as hereinafter defined) for the purpose of financing public infrastructure costs; and

WHEREAS, pursuant to the terms of the Act, the County may create one or more public infrastructure districts by adoption of a resolution of the Council and with consent of 100% of all surface property owners proposed to be included in the Districts (the "Property Owners"); and

WHEREAS, the Petition, containing the consent of such Property Owners has been certified by the Recorder of the County pursuant to the Act and it is in the best interests of the Property Owners that the creation of the Districts be authorized in the manner and for the purposes hereinafter set forth; and

WHEREAS, the County prior to consideration of this Resolution, public hearings were held after 6:00 p.m. to receive input from the public regarding the creation of the Districts and the Property Owners have waived the 60 day protest period pursuant to Section 17B-2a-1204 of the PID Act; and

WHEREAS, it is necessary to authorize the creation of the Districts under and in compliance with the laws of the State of Utah and to authorize other actions in connection therewith; and

WHEREAS, the governance of the Districts shall be in accordance with the PID Act and the terms of a governing document (the "Governing Document") attached hereto as Exhibit B and an Interlocal Agreement between the County and the Districts, attached to the Governing Document as Governing Document Exhibit D; and

WHEREAS, pursuant to the requirements of the Act, there shall be signed, authenticated, and submitted to the Office of the Lieutenant Governor of the State of Utah a Notices of Boundary Action attached hereto as Exhibit C (the “Boundary Notice”) and Final Entity Plats attached thereto as Boundary Notice Exhibit B (the “Plat”).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL, AS FOLLOWS:

1. Terms defined in the foregoing recitals shall have the same meaning when used herein. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Council and by officers of the Council directed toward the creation and establishment of the Districts, are hereby ratified, approved and confirmed.

2. The Districts are hereby created as separate entities from the County in accordance with the Governing Document and the Act. The boundaries of the Districts shall be as set forth in the Governing Document and the Plat.

3. Pursuant to the terms of the PID Act, the Council does hereby approve the annexation of any area within the Annexation Area Boundaries into any of the Districts without any further action of the Council or the County and further approves withdrawal of any area within the Initial District Boundaries (as defined in the Governing Document) or Annexation Area Boundaries from any of the Districts without any further action, hearings, or resolutions of the Council or the County, upon compliance with the terms of the PID Act and the Governing Document.

4. The Council does hereby authorize the Districts to provide services relating to the financing and construction of public infrastructure within the Annexation Area upon annexation thereof into the Districts without further request of the Districts to the County to provide such service under 17B-1-407, Utah Code Annotated 1953 or resolutions of the County under 17B-1-408, Utah Code Annotated 1953.

5. It is hereby found and determined by the Council that the creation of the District is appropriate to the general welfare, order and security of the County, and the organization of the District pursuant to the PID Act is hereby approved.

6. The Governing Document and the Interlocal Agreement in the form presented to this meeting and attached hereto as Exhibits B and Governing Document Exhibit D are hereby authorized and approved and the Districts shall be governed by the terms thereof and applicable law.

7. The Boards of the Districts are hereby appointed as follows:

(a) District No. 1:

(i) Trustee 1 – Greg Day for an initial six-year term.

(ii) Trustee 2 – Tony Hill for an initial six-year term.

(iii) Trustee 3 – Seth Robertson for an initial four-year term.

(b) District No. 2:

- (i) Trustee 1 – Greg Day for an initial six-year term.
- (ii) Trustee 2 – Tony Hill for an initial six-year term.
- (iii) Trustee 3 – Seth Robertson for an initial four-year term.

(c) Such terms shall commence on the date of issuance of a Certificate of Creation by the Office of the Lieutenant Governor of the State of Utah.

8. The Council does hereby authorize the Chair or a Council Member to execute the Boundary Notice in substantially the form attached as Exhibit C and such other documents as shall be required to accomplish the actions contemplated herein on behalf of the Council for submission to the Office of the Lieutenant Governor of the State of Utah.

9. The Board of Trustees of the Districts (the “District Boards”) are hereby authorized and directed to record such Governing Document with the recorder of Morgan County within 30 days of the issuance of an issuance of the Certificate of Creation by the Office of the Lieutenant Governor of the State of Utah.

10. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

11. All acts, orders and resolutions, and parts thereof in conflict with this Resolution be, and the same are hereby, rescinded.

12. This resolution shall take effect immediately.

PASSED AND ADOPTED by the County Council of the Morgan County, Utah,
this April 20, 2021.

MORGAN COUNTY, UTAH

By: _____
Chair

ATTEST:

By: _____
County Clerk

(Here follows other business not pertinent to the above.)

Pursuant to motion duly made and seconded, the meeting of the Board of the County adjourned.

By: _____
Chair

ATTEST:

By: _____
County Clerk

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, _____, the undersigned of the Morgan County, Utah (the “the County”), do hereby certify that I gave written public notice of the agenda, date, time and place of the regular meeting held by the Council (the “Council”) on April 20, 2021, not less than 24 hours in advance of the meeting. The public notice was given in compliance with the requirements of the Utah Open and Public Meetings Act, Section 52-4-202, Utah Code Annotated 1953, as amended, by:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the County’s principal offices at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be published on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2021 Annual Meeting Schedule for the Board of (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the Council of the County to be held during the year, by causing said Notice to be (i) posted on _____, at the principal office of the County, (ii) provided to at least one newspaper of general circulation within the geographic jurisdiction of the County on _____ and (iii) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this April 20, 2021.

By: _____
County Clerk

SCHEDULE 1

NOTICE OF MEETING AND AGENDA

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

EXHIBIT B

GOVERNING DOCUMENT

EXHIBIT C

NOTICES OF BOUNDARY ACTION

**NOTICE OF IMPENDING BOUNDARY ACTION
(District No. 1)**

TO: The Lieutenant Governor, State of Utah

NOTICE IS HEREBY GIVEN that the County Council of the Morgan County, Utah (the "Council"), acting in its capacity as the creating entity for the ROAM Public Infrastructure District No. 1 (the "District"), at a regular meeting of the Council, duly convened pursuant to notice, on April 20, 2021 adopted a *Resolution Providing for the Creation of a Public Infrastructure District*, a true and correct copy of which is attached as EXHIBIT "A" hereto and incorporated by this reference herein (the "Creation Resolution").

A copy of the Final Local Entity Plat satisfying the applicable legal requirements as set forth in Utah Code Ann. §17-23-20, approved as a final local entity plat by the Surveyor of Morgan County, Utah, is attached as EXHIBIT "B" hereto and incorporated by this reference. The Council hereby certifies that all requirements applicable to the creation of the District, as more particularly described in the Creation Resolution, have been met. The District is not anticipated to result in the employment of personnel.

WHEREFORE, the Council hereby respectfully requests the issuance of a Certificate of Incorporation pursuant to and in conformance with the provisions of Utah Code Ann. §17B-1-215.

DATED this ____ day of _____, 2021.

**CITY COUNCIL, THE MORGAN COUNTY, UTAH,
acting in its capacity as the creating authority for the
ROAM Public Infrastructure District No. 1,**

By: _____
AUTHORIZED REPRESENTATIVE

VERIFICATION

STATE OF UTAH)
 :ss.
COUNTY OF MORGAN)

SUBSCRIBED AND SWORN to before me this ____ day of
_____, 2021.

NOTARY PUBLIC

**EXHIBIT "A" TO NOTICE OF BOUNDARY ACTION
(District No. 1)**

Copy of the Creation Resolution

**EXHIBIT "B" TO NOTICE OF BOUNDARY ACTION
(District No. 1)**

Final Local Entity Plat

**NOTICE OF IMPENDING BOUNDARY ACTION
(District No. 2)**

TO: The Lieutenant Governor, State of Utah

NOTICE IS HEREBY GIVEN that the County Council of the Morgan County, Utah (the "Council"), acting in its capacity as the creating entity for the ROAM Public Infrastructure District No. 2 (the "District"), at a regular meeting of the Council, duly convened pursuant to notice, on April 20, 2021 adopted a *Resolution Providing for the Creation of a Public Infrastructure District*, a true and correct copy of which is attached as EXHIBIT "A" hereto and incorporated by this reference herein (the "Creation Resolution").

A copy of the Final Local Entity Plat satisfying the applicable legal requirements as set forth in Utah Code Ann. §17-23-20, approved as a final local entity plat by the Surveyor of Morgan County, Utah, is attached as EXHIBIT "B" hereto and incorporated by this reference. The Council hereby certifies that all requirements applicable to the creation of the District, as more particularly described in the Creation Resolution, have been met. The District is not anticipated to result in the employment of personnel.

WHEREFORE, the Council hereby respectfully requests the issuance of a Certificate of Incorporation pursuant to and in conformance with the provisions of Utah Code Ann. §17B-1-215.

DATED this _____ day of _____, 2021.

**CITY COUNCIL, THE MORGAN COUNTY, UTAH,
acting in its capacity as the creating authority for the
ROAM Public Infrastructure District No. 2,**

By: _____
AUTHORIZED REPRESENTATIVE

VERIFICATION

STATE OF UTAH)
 :ss.
COUNTY OF MORGAN)

SUBSCRIBED AND SWORN to before me this _____ day of
_____, 2021.

NOTARY PUBLIC

**EXHIBIT "A" TO NOTICE OF BOUNDARY ACTION
(District No. 2)**

Copy of the Creation Resolution

**EXHIBIT "B" TO NOTICE OF BOUNDARY ACTION
(District No. 2)**

Final Local Entity Plat

**NOTICE OF PUBLIC HEARING REGARDING THE CREATION OF A PUBLIC
INFRASTRUCTURE DISTRICTS BY MORGAN COUNTY, UTAH**

April 13, 2021

Dear Property Owner and/or Registered Voter,

This letter is furnished to you by the County Council (the “Council”) of Morgan County, Utah (the “County”) to provide notice of a public hearing to be held by the Council on **April 20, 2021 at or after 6 P.M.** The public hearing is regarding the proposed creation of the ROAM Public Infrastructure District No. 1 and ROAM Public Infrastructure District No. 2 (the “Proposed Districts”) and to allow for public input on (i) whether the requested service (described below) is needed in the area of the applicable Proposed District, (ii) whether the service should be provided by the County or the Proposed District, and (iii) all other matters relating to the Proposed Districts.

You are receiving this letter because your property or residence is located within the boundaries of one or more of the Proposed Districts. Because consent to the creation of the Proposed Districts and waiver of the protest period has been obtained from all property owners and registered voters within the boundaries of the Proposed Districts, pursuant to Section 17B-2a-1204 of the Utah Code, the County may adopt a resolution creating the Proposed District immediately after holding the public hearing described herein or on any date thereafter. **Any withdrawal of consent to creation or protest of the creation of the Proposed District must be submitted to the County prior to the public hearing described herein.**

Meeting Information:

Held By: The County Council of Morgan County, Utah

Date and Time: April 20, 2021 at or after 6 P.M.

Location:

48 West Young Street

Morgan, Utah

Proposed District Boundaries:

A metes and bounds boundary description of each of the Proposed Districts are attached as **Appendix A**. In addition, it is anticipated that the Proposed Districts would be authorized to adjust their boundaries through annexation and withdrawal of properties, so long as such properties are within the proposed inclusion area, as shown on the map attached as **Appendix B** and certain requirements as established in a governing document have been met.

Summary of Proposed Resolutions:

Each of the proposed resolutions regarding the creation of the Proposed Districts contain consideration of approval the following items:

- Creation of the Proposed Districts with the boundaries as described herein
- Approval of the annexation of or withdrawal from the boundaries of the Proposed Districts any area within the Annexation Area without additional approvals or hearings of the County, subject to the conditions of the Governing Document
- Establishment of a Board of Trustees for each of the Proposed Districts and appointment of the following individuals as initial members:
 - Greg Day (with an initial six-year term)
 - Tony Hill (with an initial six-year term)
 - Seth Robertson (with an initial four-year term)
- Authorization for execution by the County of a Notice of Boundary Action and Final Entity Plat
- Approval of a Governing Document and Interlocal Agreement with respect to each Proposed District containing the following limitations
 - A combined property tax limit of 0.006 per dollar of taxable value for all of the Proposed Districts
 - An aggregate debt limit for all of the Proposed Districts of \$8,000,000

Proposed Service:

ROAM Public Infrastructure District No. 1 is proposed to be created for the purpose of financing the construction of public infrastructure relating to the Project, as permitted under the Local District Act, Title 17B, Chapter 1, Utah Code Annotated 1953 and the Public Infrastructure District Act, Title 17B, Chapter 2a, Utah Code Annotated 1953 (collectively, the “Act”).

ROAM Public Infrastructure District No. 2 is proposed to be created for the purpose of financing the construction of public infrastructure relating to the Project, as permitted under the Act.

Sincerely,

The County Council of Morgan
County, Utah

APPENDIX A
PROPOSED DISTRICT BOUNDARIES

Initial District Boundaries

District No. 1

A parcel of land, situate in the Southwest Quarter of Section 24, the Northwest Quarter of Section 25 and the Northeast Quarter of Section 26, Township 5 North, Range 1 East, Salt Lake Base and Meridian, said parcel also located in Morgan County, Utah. Being more particularly described as follows:

Beginning at a point along the North line of said Section 25, said point being South 89°43'35" East 899.46 feet along the section line from the Northwest Corner of said Section 25 and running thence:

North 69°02'40" East 390.21 feet to the westerly line of Rollins Ranch Phase 4B Subdivision;

thence along said westerly line of Rollins Ranch Phase 4B Subdivision the following six (6) courses and distances:

- 1) South 05°13'53" East 192.37 feet (191.80 feet Record);
- 2) South 41°45'22" East 110.48 feet;
- 3) North 72°46'57" East 66.68 feet;
- 4) South 05°21'11" East 122.44 feet;
- 5) southerly 218.22 feet along the arc of a 442.00-foot radius tangent curve to the right (center bears South 84°38'49" West and the long chord bears South 08°47'26" West 216.01 feet with a central angle of 28°17'13");
- 6) southerly 510.29 feet along the arc of a 356.50-foot radius curve to the left (center bears South 67°03'58" East and the long chord bears South 18°04'21" East 467.83 feet with a central angle of 82°00'46") to and along the westerly boundary of Rollins Ranch Phase 4A Subdivision;

thence South 04°15'30" East 39.46 feet along the said westerly boundary of Rollins Ranch Phase 4A to the North line of that property owned by Cottonwood Mutual Water Company;

thence along said property owned by Cottonwood Mutual Water Company the following two (2) courses and distances:

- 1) North 89°47'45" West 87.99 feet;
- 2) South 00°11'51" West 61.67 feet to the North line of Paul Warner Subdivision;

thence along the North and West lines of Paul Warner Subdivision the following two (2) courses and distances:

- 1) West 389.73 feet;

2) South 00°09'40" East 230.00 feet;
thence South 89°43'47" West 127.49 feet;
thence North 00°16'13" West 62.59 feet;
thence South 89°43'47" West 75.04 feet;
thence South 89°53'27" West 407.03 feet;

thence westerly 74.72 feet along the arc of a 220.00-foot radius tangent curve to the right (center bears North 00°06'33" West and the long chord bears North 80°22'47" West 74.36 feet with a central angle of 19°27'33");

thence North 70°39'00" West 29.31 feet;
thence North 74°05'45" West 91.51 feet;

thence northwesterly 102.77 feet along the arc of a 228.35-foot radius non-tangent curve to the right (center bears North 19°25'17" East and the long chord bears North 57°41'10" West 101.90 feet with a central angle of 25°47'06");

thence northwesterly 113.54 feet along the arc of a 250.00-foot radius non-tangent curve to the left (center bears South 45°22'18" West and the long chord bears North 57°38'21" West 112.57 feet with a central angle of 26°01'18");

thence North 70°39'00" West 457.67 feet to the easterly right-of-way line of Trappers Loop Road (Highway 167);

thence along said easterly right-of-way line the following seven (7) courses and distances:

- 1) North 11°33'46" East 104.25 feet;
- 2) North 54°11'41" East 488.90 feet;
- 3) North 49°59'43" East 370.62 feet;
- 4) northeasterly 97.16 feet along the arc of a 918.51-foot radius non-tangent curve to the left (center bears North 48°03'19" West and the long chord bears North 38°54'52" East 97.11 feet with a central angle of 06°03'22");
- 5) South 39°45'59" East 34.71 feet;
- 6) North 69°02'40" East 491.58 feet to the Point of Beginning.

Contains: 1,480,407 square feet or 33.986 acres.

District No. 2

A parcel of land, situate in the Southwest Quarter of Section 24, the Northwest Quarter of Section 25 and the Northeast Quarter of Section 26, Township 5 North, Range 1 East, Salt Lake Base and Meridian, said parcel also located in Morgan County, Utah. Being more particularly described as follows:

Beginning at a point along the West line of said Section 25, said point being South $00^{\circ}17'11''$ West 974.50 feet along the section line from the Northwest Corner of said Section 25 and running thence:

South $70^{\circ}39'00''$ East 98.19 feet;

thence Southeasterly 113.54 feet along the arc of a 250.00 feet-foot radius tangent curve to the right (center bears South $19^{\circ}21'00''$ West and the long chord bears South $57^{\circ}38'21''$ East 112.57 feet with a central angle of $26^{\circ}01'18''$);

thence Southeasterly 102.77 feet along the arc of a 228.35 feet-foot radius non-tangent curve to the left (center bears North $45^{\circ}12'23''$ East and the long chord bears South $57^{\circ}41'10''$ East 101.90 feet with a central angle of $25^{\circ}47'06''$);

thence South $74^{\circ}05'45''$ East 91.51 feet;

thence South $70^{\circ}39'00''$ East 29.31 feet;

thence Easterly 74.72 feet along the arc of a 220.00 feet-foot radius tangent curve to the left (center bears North $19^{\circ}21'00''$ East and the long chord bears South $80^{\circ}22'47''$ East 74.36 feet with a central angle of $19^{\circ}27'33''$);

thence North $89^{\circ}53'27''$ East 407.03 feet

thence North $89^{\circ}43'47''$ East 75.04 feet;

thence South $00^{\circ}16'13''$ East 62.59 feet;

thence North $89^{\circ}43'47''$ East 127.52 feet to the West line of Paul Warner Subdivision;

South $00^{\circ}09'40''$ East 591.01 feet along said West line to that property owned by Questar Gas Company;

thence along said property owned by Questar Gas Company the following two (2) courses and distances:

- 1) South $89^{\circ}50'20''$ West 75.10 feet;
- 2) South $00^{\circ}09'40''$ East 66.91 feet to the northerly right-of-way line of Old Highway Road;

thence along the northerly right-of-way line of Old Highway Road the following three (3) courses and distance:

- 1) westerly 109.03 feet along the arc of an 872.11-foot radius non-tangent curve to the left (center bears South 01°37'22" East and the long chord bears South 84°47'44" West 108.96 feet with a central angle of 07°09'48");
- 2) South 82°40'32" West 780.90 feet;
- 3) westerly 50.76 feet along the arc of a 2824.90-foot radius tangent curve to the right (center bears North 07°19'28" West and the long chord bears South 83°11'25" West 50.76 feet with a central angle of 01°01'46");

thence North 00°41'40" East 218.70 feet;

thence North 62°19'37" West 514.41 feet;

thence North 15°50'55" West 256.23 feet to the easterly right-of-way line of Trappers Loop Road (Highway 167);

thence along said easterly right-of-way line the following seven (7) courses and distances:

- 1) northeasterly 149.83 feet along the arc of a 920.92-foot radius non-tangent curve to the right (center bears South 53°52'36" East and the long chord bears North 40°47'03" East 149.66 feet with a central angle of 09°19'17");
 - 2) North 11°33'46" East 102.71 feet;
- thence South 70°39'00" East 359.48 feet to the Point of Beginning.

Contains: 800,675 square feet or 18.380 acres.

Annexation Area

The boundaries of the annexation area consist of the entirety of the legal descriptions contained under "District No. 1" and "District No. 2" above.

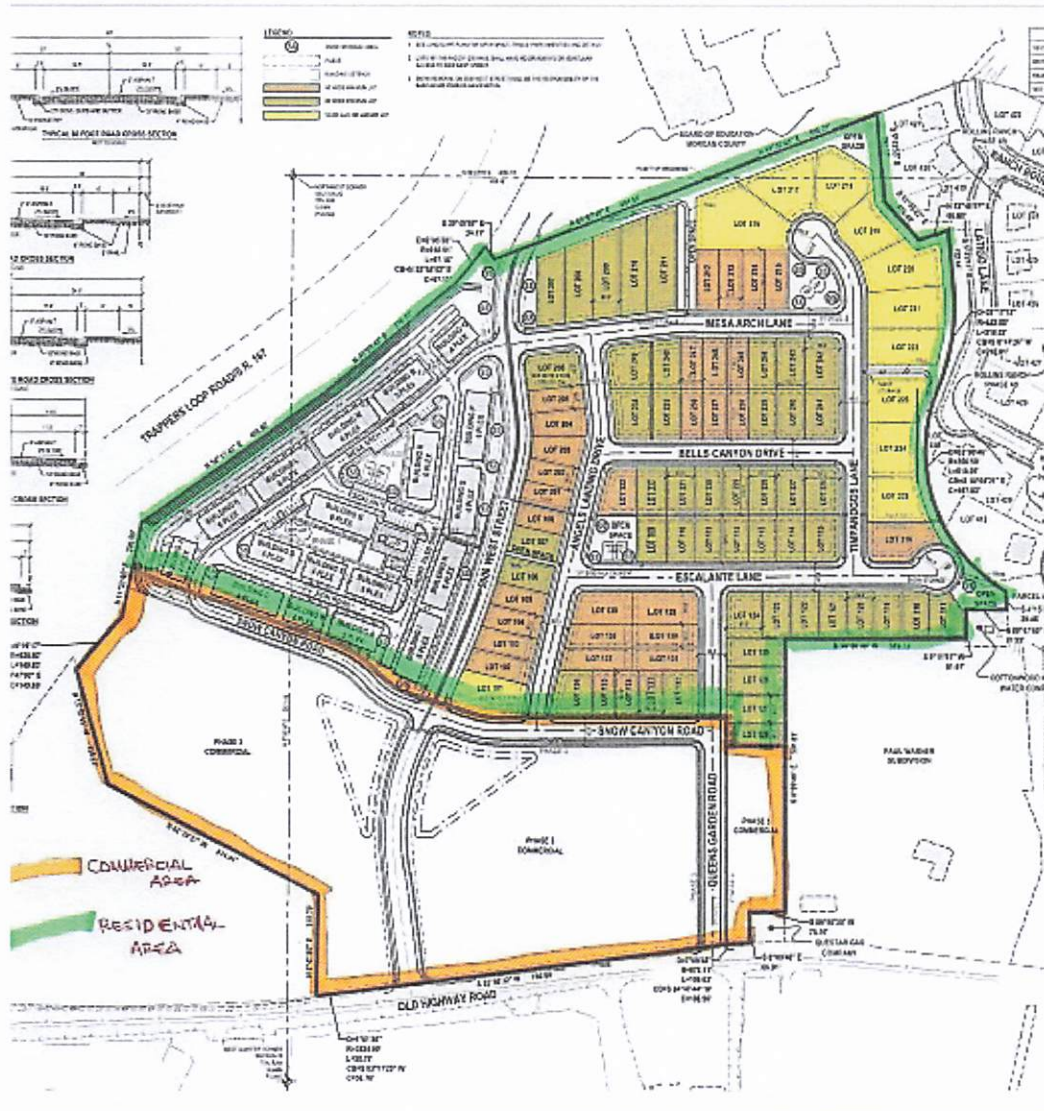
APPENDIX B

MAPS OF PROPOSED DISTRICT AND ANNEXATION AREA BOUNDARIES

Green Border = District No. 1 Boundaries

Orange Border = District No. 2 Boundaries

Black Outline = Annexation Area Boundaries





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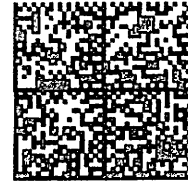
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CW ROAM, LLC
Attn: Tony Hill
1222 W Legacy Crossing Boulevard, Suite 6
Centerville, Utah 84014



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