



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

AUGUST 17, 2021

**4:00 WORKSESSION**

HR Services, wage, benefits and 2022 planning

**5:00 COMMENCEMENT OF MEETING**

**A) Opening Ceremonies-**

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

**B) Consent Items-**

1. Approval of August 3, 2021 meeting minutes

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

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

**E) Action Items –**

1. Wasatch Industries (Brant Hayward) – Request to lease the current Forest Service Building at the Morgan County Airport for use as and Airport FBO, fuel services, mechanics an avionics shop with small café/deli
2. Commissioner Jared Andersen – Approval of recommended Library Board Members: Nathan Burby, Marsha Martin
3. Commissioner Jared Andersen – Discussion and approval of a Local Transportation Funding Local Option Sales Tax 59-12-2217 and 59-12-2219
4. Airport Advisory Board – Consideration of proposed Notice of Award and Contract Agreement with Morgan Pavement Maintenance in the amount of \$94,652.60
5. Lance Evans – Heather Meadows Plat Amendment-a proposed amendment to the Heather Meadows Subdivision adding a third option for fire suppression.

**F) Commissioner Comments –**

**G) 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 11<sup>th</sup> day of August, 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, AUGUST 17, 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 Allen  
Montell Guyman  
Kristn Guyman  
Dave Rich  
Boyd Carrigan  
Dave Kovach  
Jen Larsen  
Phil Larsen  
Brant Hayward  
Joe Garfield  
George Sousa  
Alan McCain  
Katie Tilby  
Kevin Hall  
Traca Wardel

**Other Staff Present**

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

**4:00 WORKSESSION**

HR Services, wage, benefits and 2022 planning

**5:00 COMMENCEMENT OF MEETING**

**A) Opening Ceremonies-**

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

**B) Consent Items-**

**1. Approval of August 3, 2021 meeting minutes**

**Commissioner Fackrell moved to approve the August 3, 2021 minutes with the noted corrections. Seconded by Commissioner Newton. The vote was unanimous. The motion passed.**

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

There were no conflicts of interest declared.

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

Jen Larsen – Lot owner 4 of the Heather Meadows Subdivision– expressed support of the plat amendment, action item #5 on the agenda.

Kristen Guyman – Co-owner of lot owner 1 – clarified intentions to supply fire suppression to their lot so that they may build their home.

Phil Larsen – expressed his frustration with rationale behind the lack of support.

Kevin Hall – made comment regarding the county’s response to the recent activity regarding mask mandates.

Alan McCain – made comment regarding the drought conditions and water source for continued development.

Katie Tilby – expressed concern over mask mandates.

**E) Action Items –**

**1. Wasatch Industries (Brant Hayward) – Request to lease the current Forest Service Building at the Morgan County Airport for use as an Airport FBO, fuel services, mechanics and avionics shop with small café/deli**  
Brant Hayward, Wasatch Industries, came before the commission with a proposal to lease the building currently occupied by the US Forest Service at the Morgan County Airport. The proposal consists of:

- 30-year lease
- \$40,000 annually/\$10,000 quarterly
- Commencement 30 dates after the US Forest Service Vacates

Mr. Hayward proposes four projects

- Fuel Truck and/or Self-Service Fuel Tank
- Fixed Base Operator
- Café’ and Deli/Ice Cream Shop
- Aviation Mechanics & Avionics Shop

It was clarified that the Forest Service may need an additional 3 years during transition. Mr. Hayward has been in discussion with the Forest Service and is amenable to working out a deal where they stay in the building for three years if an FBO could be put into place immediately. The current Forest Service lease ends February 2022.

Commissioner Fackrell moved to go forward to work on the details of a contract with the County Attorney with Commissioner McConnel to be involved. Seconded by Commissioner Newton. The vote was unanimous. The motion passed

2. **Commissioner Jared Andersen – Approval of recommended Library Board Members: Nathan Burby, Marsha Martin**

Commissioner Andersen presented the names of Nathan Burby and Marsha Martin to serve as the members of the library board.

Commissioner Andersen moved to appoint Nathan Burby and Marsha Martin to the Library Board. Seconded by Commissioner Wilson. The vote was unanimous. The motion passed.

3. **Commissioner Jared Andersen – Discussion and approval of a Local Transportation Funding Local Option Sales Tax 59-12-2217 and 59-12-2219**

Jacob Sobers, General Manager of Young Dealership, presented the Commission with sum of net sales tax based off of 2020 sales from the Dodge and Ford stores in Morgan. He explained that the sales tax is the lowest in the state and if a vehicle is purchased in Morgan, savings could be anywhere between \$400 to \$900.

Commissioner Newton moved to postpone the discussion and approval of the Local Transportation Funding Local Option Sales Tax 59-12-2217 and 59-12-2219 until the second meeting in October. Seconded by Commissioner Fackrell;. The vote was unanimous. The motion passed.

4. **Airport Advisory Board – Consideration of proposed Notice of Award and Contract Agreement with Morgan Pavement Maintenance in the amount of \$94,652.60**

Commissioners reviewed the Notice of Award to Morgan Pavement Maintenance in the amount of \$94,652.60 for the Airport Pavement Maintenance Project. Grant 156,000 10% in kind from Morgan County.

Commissioner Newton moved to approve the Notice of Award to Morgan Pavement Maintenance in the amount of \$94,652.60 for the Airport Pavement Maintenance Project pending review and approval by the County Attorney of the general conditions of the contract. Seconded by Commissioner Wilson. The vote was unanimous. The motion passed

5. **Lance Evans – Heather Meadows Plat Amendment-a proposed amendment to the Heather Meadows Subdivision adding a third option for fire suppression.**

Lance Evans, Community Development Director, gave the following presentation regarding the application by Montell Guymen for The Heather Meadows Subdivision Plat Amendment:

The owner of Lot 1 of Heather Meadows Subdivision is requesting to modify the Heather Meadows Subdivision by adding a third option for fire suppression by amending the improvement drawings note. The request is to amend note 5 on the construction drawings (improvement drawings).

**CURRENT NOTE:**

*5. Preferred to have fire suppression water provided by Peterson Water, else NOA well w/1000 gpm for 2 hr minimum required.*

**PROPOSED CHANGE:**

5. Fire suppression water provided by Peterson Water, else NOA well w/1000 gpm for 2 hr minimum required. **Residential Sprinklers per NFPA 13D may be installed as an alternate to NOA well.**

**PLANNING COMMISSION RECOMMENDATION**

The Morgan County Planning Commission reviewed this application at the June 24, 2021 meeting and unanimously voted to recommend denial to the Morgan County Commission based on the following findings:

**Findings:**

1. That the proposed change to allow residential sprinklers does not meet the adequate supply required by the International Fire Code.
2. That the proposal is detrimental to the health, safety, and welfare of the public.

The Planning Commission heard five people during the public comment section of the meeting regarding the Plat Amendment Application. Their comments included: requests to allow them the alternative of fire sprinklers so that they move forward and build on their lots, the benefits of fire sprinklers, requests to provide reasons for why the proposal does not meet code, concerns that this subdivision is not being treated like other subdivisions in the county outside water service areas, why are fire sprinklers not a good idea, trying to resolve this issue without a lawsuit, safety is the primary concern, Peterson Pipeline Association is still willing to allow for the connections. (Planning Commission Minutes Exhibit E.)

**Project History**

This request is to amend the Heather Meadows Subdivision Plat. The subdivision was approved on April 12, 2018 with seven lots. The approved plans were based on the submitted Heather Meadows Subdivision Improvement Plans submitted by the developer. Note 5 of the improvement plans indicated that the developer would provide fire suppression to the subdivision based on either a connection to Peterson Pipeline Association (PPA), the local water district with water lines established in the adjacent roadway or through a "NOA well with 1000 gallons per minute for at least 2 hours. This requirement based on the 2009 International Fire Code requirements that were in place at the time of review.

**Note 5 Heather Meadows Subdivision Improvement Plans**

*5. Preferred to have fire suppression water provided by Peterson Water, else NOA well w/1000 gpm for 2 hr minimum required.*

The March 8, 2018 Improvement Plans show that the water lines and hydrant system would be installed and entered into an improvement agreement with Morgan County to complete these items. The developer escrowed \$307,357.49 with the county on July 12, 2018 for the improvements shown on the Improvement Plans. The Heather Meadows Subdivision Plat was recorded on October 12, 2018. The developer sold the lots over the next year to third parties.

The final inspection of the subdivision improvements was completed on August 6, 2020 and all but \$8,543.48 of the escrow funds for the subdivision were released. The \$8,543.48 is being held for completion and inspection of the constructed water system.

**Peterson Pipeline Association Boundaries**

The boundaries of PPA were never in question with the Heather Meadows Subdivision. The PPA water lines are in 3800 West adjacent to the subdivision. The original approval allowed for a NOA well as an alternative to allow the subdivision approval process to move forward while the details of PPA and Heather Meadows Subdivision were resolved.

**ANALYSIS**

Morgan County Code Section 8-12-46c states:

*An adequate supply of and access to water for fire suppression shall be provided to each lot in the subdivision in conformance with the adopted fire code and wildland urban interface code of Morgan County and the state of Utah, and in addition to water storage and flow requirements for culinary and*

*irrigation uses. All fire flow and water storage requirements for firefighting purposes shall meet the requirements of the adopted fire code and the adopted wildland urban interface code of the county, and shall be verified in writing by the local fire code official. All requirements shall be articulated as conditions of approval during the preliminary and final plat processes, and verified in the field by the fire code official during subdivision construction and subsequent building construction.*

The subdivision was approved based on the adequate supply and access to water for fire suppression either through the local water company or through an NOA well. The proposal to add fire sprinklers to the home in place of the NOA well option does not meet the code requirement for supply for adequate suppression based on the International Fire Code as detailed in the memo from the Morgan County Fire Department

The following clarification was given by the County Attorney:

The County Commission has to follow different standards based on the type of decision that is being made. For a legislative decision, the Commission has discretion and can be persuaded by input from the public because the Commission can consider policy implications of the decision. The Commission will always open the meeting up to a public hearing when the decision is legislative so that the public can participate and voice their support or concerns. Administrative decisions are different. The only question the Commission can consider for administrative decisions is whether the request follows code/statute or not. There are no public hearings on administrative decisions and the Commission does not have discretion to ignore code even if a persuasive public policy argument is made. The Commission decision on the amendment to note 5 of the Heather Meadows improvement plans is an administrative decision and therefore the Commission is bound to follow the code.

The proposed amendment does not meet the requirements of the Morgan County code. Morgan County Code Section 8-12-46(C) states:

*C. Fire suppression:*

*1. No use shall be permitted unless it is shown that there is an adequate supply (as per the International Fire Code) of and immediate access to water for fire protection as determined by the Fire Marshal for the jurisdiction of the subdivision.*

The application requests fire sprinklers as an alternative to the two approved sources for fire suppression, which are either PPA or a NOA well. These two options have always been approved (and still are) yet neither option has been fully pursued. The fire sprinklers, by themselves, do not meet the requirements of our code.

Morgan County Code Section 7-8-1(A) explains that Morgan County has adopted the 2009 version of the International Fire Code (IFC).

*A. There is hereby adopted by Morgan County, as provided in section 53-7-106, Utah code, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion occurring in the unincorporated area of the county, that certain code known as the international fire code, 2009 edition, excluding all appendices except for those appendices which are specifically adopted herein, as promulgated by the International Fire Code Council, Inc., and adopted by the Utah fire prevention board, except as amended by the provisions listed in the Utah administrative rules, R710-9-1 et seq., and in the Utah administrative rules, R710-9-6 et seq., save and except such portions as are hereinafter deleted, modified, or amended by this code, as authorized in section 53-7-204(3), Utah code, hereinafter referred to as the international fire code. In the event of any conflict between the terms of the international fire code and the terms of this chapter, the terms of this chapter shall control.*

Morgan County Code Section 7-8-1(B) explains that appendix B of the IFC has also been adopted.

*B. The following appendices to the international fire code are hereby adopted:  
appendix B – fire flow requirements for buildings;  
appendix C - fire hydrant locations and distribution;  
appendix D- fire apparatus access roads;  
appendix E - hazard categories;  
appendix F - hazard ranking;  
appendix G - cryogenic fluids - weight and volume equivalents; and  
appendix I - fire protection systems/noncompliant conditions.*

Appendix B outlines the requirements for fire flow requirements for buildings and this link will take you to it <https://codes.iccsafe.org/content/IFC2009/appendix-b-fire-flow-requirements-forbuildings>. Appendix B allows for a 50% reduction in fire flow requirements "when the building is equipped with an approved automatic sprinkler system." Unfortunately, the proposed amendment did not resolve the fire suppression requirements under appendix B of the IFC which has been adopted by Morgan County. The current requirement for the subdivision under note 5 is "preferred to have fire suppression water provided by Peterson Water, else NOA well w/1000 gpm for 2 hour minimum required." The proposed change to have fire sprinklers as an alternate to the NOA well does not meet the required standards. Under IFC, approved sprinkler systems could reduce the current requirements by 50% meaning that the NOA well would only have to produce 500 gpm for 2 hours. However, for this reduction to be allowed, all seven lot owners would have to install approved sprinkler systems.

Appendix B does provide for modifications for fire suppression requirements under Section B103. B103.1 provides, "The fire chief is authorized to reduce the fire-flow requirements for isolated buildings or a group of buildings in rural areas or small communities where the development of full fire-flow requirements is impractical." B103.3 "Areas without water supply systems. For information regarding water supplies for fire-fighting purposes in rural and suburban areas in which adequate and reliable water supply systems do not exist, the fire code official is authorized to utilize NFPA 1142 or the International Wildland-Urban Interface Code." Full fire-flow requirements are not impractical in Heather Meadows as the fire hydrants and lines are present, just not charged. The developer stubbed the lines for PPA and later changed directions. Heather Meadows also does not fall within an area without water supply systems as PPA serves that area and all the development plans included PPA. Therefore, the fire officials do not have discretion for the requested modifications under the current circumstances.

Additionally, Morgan County Code 8-12-46(B)(2)(a) states, "Where an approved culinary water supply system is available or proposed, the county will require to be installed, at the subdivider's expense, water mains, valves, hydrants..." and that "Required water storage shall be calculated by the cumulative requirements of culinary, irrigation, and fire suppression requirements, but shall be no less than ... one hundred twenty thousand (120,000) gallons for fire suppression." The county made a modification from the full 240,000 gallons required in Appendix B of the IFC when it allowed for a NOA well at 1,000 gpm for 2 hours (half of what the IFC requires) but still followed the above County Code requiring a minimum of 120,000 gallons for fire suppression. The County cannot ignore its code requiring a minimum of 120,000 gallons for fire suppression because an approved culinary water system is available and was proposed by the developer. The County will allow the requirements to be met through PPA or a NOA well, but not through fire sprinklers only (although all homes equipped with fire sprinklers allows the fire flow to be reduced by 50%).

It was explained that the Commission understands that the lot owners are seeking a way forward, but they cannot approve the proposed amendment because it is not allowed by code. Because this is an administrative decision, the Commission is bound by the language of the codes. The Commission's decision is based on strictly following the requirements of the current code but in no way prevents the lot owners from seeking for a legislative change to the code if they feel it would be in the best interest of the County.

Commissioner Andersen moved to deny the Heather Meadows Subdivision Plat Amendment, application number 21.024, amending Improvement Plan Note 5 as proposed allowing residential sprinklers as a fire suppression alternative. Located at approximately 4490 N 3800 West, based on the findings listed in the staff report dated August 17, 2021. Seconded by Commissioner Newton. The vote was unanimous. The motion passed

F) Commissioner Comments –

Commissioner Newton – wants to see the Heather Meadow Subdivision issue resolved

Commissioner Wilson – acknowledged the time and money spent on the Heather Meadow Subdivision issue

Commissioner Fackrell – stated that had anticipated that the matter would be resolved prior to the Commission taking office

Commissioner McConnell – requested the information from the State Division of Drinking Water from Trevor Kobe

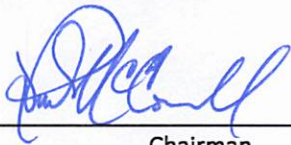
G) Adjourn –

Commissioner Newton moved to adjourn.

Adjourn –

Commissioner Newton moved to adjourn.

APPROVED



Chairman

Date

10/5/2021

ATTEST



Clerk

Date

10/5/2021



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**F) Commissioner Comments –**

**G) Adjourn –**

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**CERTIFICATE OF POSTING**

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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.

Morgan County Council Meeting  
AUGUST 17, 2021  
5:00 P.M.  
Morgan County Council Meeting Room  
Morgan County Courthouse  
48 West Young Street  
Morgan, UT 84050

PLEASE SIGN IN

- |                    |     |
|--------------------|-----|
| 1. KEVIN HALL      | 22. |
| 2. Debbie Sessions | 23. |
| 3. Tina Kelley     | 24. |
| 4. Montell Guymon  | 25. |
| 5. Kristen Guymon  | 26. |
| 6. Alan McKean     | 27. |
| 7. Brant H Hayward | 28. |
| 8. Jacob Sobers    | 29. |
| 9. George Sousa    | 30. |
| 10. David Carrigan | 31. |
| 11. David A. Rich  | 32. |
| 12. Joe Garfield   | 33. |
| 13. Linda Qah      | 34. |
| 14.                | 35. |
| 15.                | 36. |
| 16.                | 37. |
| 17.                | 38. |
| 18.                | 39. |
| 19.                | 40. |
| 20.                | 41. |
| 21.                | 42. |



# County Council 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](mailto: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: August 17, 2021

Time Requested: \_\_\_\_\_

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Fax: \_\_\_\_\_

Associated County Department: WORKSESSION

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

HR Services, wage, benefits and 2022 planning

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION  
DECISION  
BOTH  
INFORMATION ONLY




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

Morgan County  
Attn: Stacy Nets Clark  
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Fax: 801.829.6176  
Email: [sclark@morgan-county.net](mailto:sclark@morgan-county.net)

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

Council Meeting Date: August 17, 2021 Time Requested: 10-15 minutes  
Name: Wasatch Industries (Brant Hayward) Phone: 801-791-1800  
Address: 3721 South 250 West #201, Ogden, UT 84405  
Email: wasatch.ind@gmail.com Fax: \_\_\_\_\_  
Associated County Department: Morgan County Airport

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

Request to lease the current Forest Service Building at the Morgan County Airport for use as an Airport FBO, Fuel Services, Mechanics and Avionics Shop, with small cafe/deli.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION  
DECISION  
BOTH  
INFORMATION ONLY

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

# Morgan County Airport Enhancement Proposal

<b>Location:</b>	<b>Morgan County Airport Building currently occupied by US Forest Service</b>
<b>Yearly Rent Amount:</b>	<b>\$40,000 (annually)</b>
<b>Payments:</b>	<b>\$10,000 (quarterly)</b>
<b>Term:</b>	<b>30 Year Lease (with 30 year option to renew)</b>
<b>Lease execution date:</b>	<b>August 1, 2021</b>
<b>Lease commencement date:</b>	<b>30 days after US Forest Service Vacates</b>
<b>Tenant:</b>	<b>Wasatch Industries, LLC</b>
<b>Est. Sales Tax Revenue:</b>	<b>\$120,000</b>
<b>Estimated jobs:</b>	<b>10</b>

## **Use:**

**Four projects are proposed:**

- 1. Fuel Truck and/or Self Service Fuel Tank**
- 2. Fixed Base Operator (or commonly referred to as FBO in the aviation community)**
- 3. Café & Deli/Ice Cream Shop**
- 4. Aviation Mechanics & Avionics Shop**

## Fuel Service & FBO (Fixed Base Operator)

It is our intension to be able to provide fueling for the local airport community of Morgan County. Currently all pilots are either buying fuel at other airports or bringing fuel up from Ogden Airport. It is against current airport protocol for anyone to store fuel in their individual hangars. Thus, providing an opportunity to buy fuel at the Morgan County airport would enhance the quality of the airport, generate tax revenue for the county and create jobs.

For the first phase, we would like to purchase a fuel truck to supply pilots with their fueling needs. The county is currently missing out on an opportunity to generate sales tax revenue since there is no option of purchasing fuel in Morgan. Our presence as a fixed base operator would open the door for this service.

Estimated Additional Revenue:

There are currently over 120 aircraft at the Morgan Airport. Most pilots try and fly at least once per week and need on average 10 gallons of fuel per week. That is 520 gallons per year per aircraft or 62,400 gallons of fuel consumed annually.

As of May 2021, the current price of fuel at the Ogden Airport is \$5.30.

Total annual fuel costs are estimated at \$330,720.

Preliminary research has shown that it is typical for the county to collect what is called a "Flow Charge" or "Flow Fee" on each gallon of gas that is pumped at the airport. This Flow Charge is \$0.02 to \$0.04 per gallon. The amount that Morgan could collect just for the fuel is an estimated amount of \$2,500.

This venture presents the opportunity of hiring 1-3 individuals for employment.

This endeavor could be operational in 30-45 days after occupancy.

## Restaurant/Café

Morgan County has roughly 10 eating establishments. Mountain Green has zero. This is, of course, not counting the Sinclair Gas Station or Hinds Gas Station as eating establishments. These are convenience store locations.

It is our intention of putting a small café & deli/ice-cream shop in the front of the building to primarily cater to the residents of Mountain Green and the surrounding communities.

The deli would be open for lunch, with the café open for dinner.

There is currently a large influx of residential building and construction being completed in the immediate area of the airport. The labor force is limited to food items sold in the convenience store locations. This amounts to limited choices of chicken tenders or frozen burritos for lunch.

The Café would be open nightly until 9:00 pm to cater to the residents of Mountain Green who currently have zero options for eating outside of their home without traveling.

We have also considered the feasibility of opening the café for Saturday Morning Brunch. Saturday is the busiest day at the airport. This provides us with an opportunity to create some new interest in the field of aviation.

Having a busy café at the building would generate another \$15,000 in sales tax revenue.

The deli/café could employ 4-5 individuals in full and part time capacities.

This venture would take 4-6 months to begin operation due to renovations needed to establish the eatery.

## Avionics/Mechanics Shop

Lastly, we envision the back of the building as a mechanics and aviation shop.

The closest avionics shop is at the Bountiful Airport. There was a very large and popular avionics shop at the Ogden Airport that closed when the owner retired a few years ago.


The average cost of an avionics upgrade is \$25,000 in equipment and \$5,000 in labor to install that equipment.

The current backlog to have an avionics upgrade completed on a plane with a current competitor is over 6 months. Through minimal advertising and word of mouth, we project that the avionics shop would be averaging 1 to 2 avionics upgrades per week within the first 6 months of opening. A full scale avionics shop could do roughly 3-4 planes per week.

Annual sales tax revenue paid based on 1-2 planes per week is roughly \$100,000. If the avionics shop was completing 4 planes per week, the state/county could realize \$400,000 in annual sales tax revenue.

The avionics shop would employ 2-4 individuals.  
The shop could be up and running in 3-5 months.


In conclusion, I see an opportunity at the Mortgage County Airport, building on the aviation enthusiasm and interest in County. As an aviation enthusiast, I am interested in maximizing the aviation opportunities and see that a collaboration between myself as an investor and the county as a venture that is mutually beneficial and creates jobs and increases revenue for the County in the Mountain Green area.



Wasatch  
Industries

# OPPORTUNITY TAKING FLIGHT IN MORGAN COUNTY

INNOVATIVE USE OF SPACE  
ENHANCING MORGAN COUNTY



Wasatch Industries

**INNOVATION  
AND  
RENOVATION**



3 Phase Restructure  
Estimated  
Annual Sales Tax  
Revenue  
\$125,000

# Why support this request?

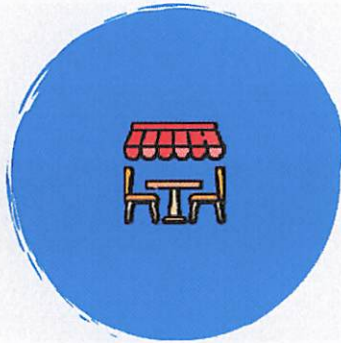
Taxes

Jobs

Community



Fixed Base  
Operator  
Provide fuel



Restaurant/Cafe  
Lunch, dinner  
Saturday Brunch



Avionics/  
Mechanics Shop  
Upgrades  
Repairs

# Innovate



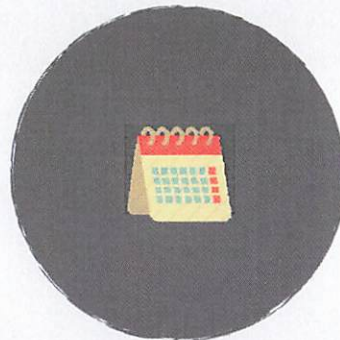
Revenue  
Generated  
\$2,500



Jobs  
2 part time/ 1 full  
time



Provide Service  
Over 120 aircraft  
consuming 62,400 of  
fuel annually



30-45 Days  
Able to start  
pumping gas

# Fixed Base Operator

Lack of fuel availability  
requires pilots to purchase fuel  
at other local airports.



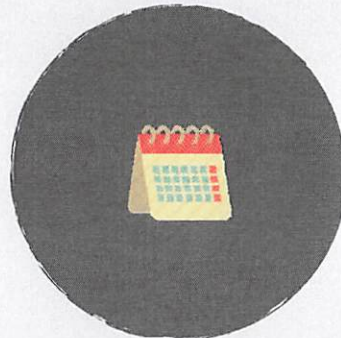
Tax Revenue  
Generated  
\$15,000



Jobs  
2- Cooks, 2-3 part-  
time servers



Provide Service  
Labor force, local  
patrons



4-6 months  
Time is needed to  
renovate building.

# Restaurant Cafe

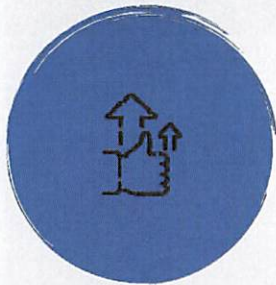
A restaurant/café would provide a much needed service in the area that is without an eating establishment.



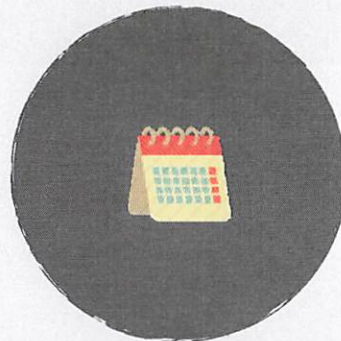
Tax Revenue  
Generated  
\$100,000-  
\$200,000



Jobs  
2-4 positions, highly  
specialized



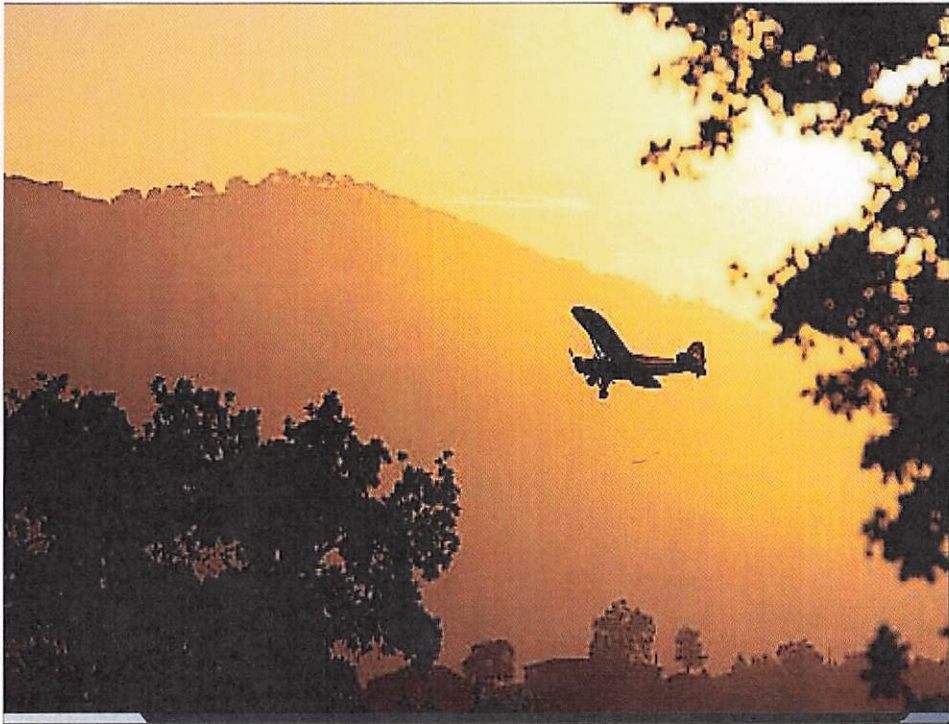
Provide service  
A full-scale shop could  
do 3-4 planes per  
week



3-5 months  
Potentially highest  
sales tax revenue  
opportunity

## Avionics/ Mechanic Shop

- The closest shop is in Bountiful.
- There is a constant need for this service.
- Typically wait 6 months for an upgrade/service.



# Collaboration

Aviation is a passion of many that has a large like-minded community who use the Morgan County Airport. This collaboration focuses on a unique aspect and beauty of Mountain Green and offers sales tax revenues for the county .

# THANK YOU

Wasatch Industries

801-791-1800

[Wasatch.ind@gmail.com](mailto:Wasatch.ind@gmail.com)

Brant H Hayward





## 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](mailto: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: 08/17/21 Time Requested: 15 min  
Name: Commissioner Andersen Phone: 8018298238  
Address: Morgan  
Email: jandersen@morgan-county.net Fax: \_\_\_\_\_  
Associated County Department: Library

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

Approval of recommend library board members:

Nathan Burby

Marsha Martin

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION  
DECISION  
BOTH  
INFORMATION ONLY

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



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Council Meeting Date:	<u>08/17/21</u>	Time Requested:	<u>30 min</u>
Name:	<u>Commissioner Andersen</u>	Phone:	<u>8018298238</u>
Address:	<u>Morgan</u>		
Email:	<u>jandersen@morgan-county.net</u>	Fax:	<u>                    </u>
Associated County Department:	<u>Transportation Planning</u>		

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

Discussion/Approval of a Local Transportation Funding Local Option Sales Tax 59-12-2217 and 59-12-2219.

WILL YOUR AGENDA ITEM BE FOR:

- DISCUSSION
- DECISION
- BOTH
- INFORMATION ONLY

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

## Stacy Clark

---

**From:** Jared Andersen <jandersen@morgan-county.net>  
**Sent:** Thursday, August 12, 2021 1:02 PM  
**To:** Stacy Netz Clark  
**Subject:** Fw: Sales tax Info  
**Attachments:** Morgan Sales Tax Summary Data.pdf; YCFOY Contr..pdf

Stacy,

See below.

Thanks

**Jared Andersen**  
**Morgan County Commissioner**  
[jandersen@morgan-county.net](mailto: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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From: Jacob Sobers ([jsobers@youngdodge.com](mailto:jsobers@youngdodge.com))

Date: 08/11/21 16:32

To: Jared Andersen ([jandersen@morgan-county.net](mailto:jandersen@morgan-county.net)), [mwilson@morgan-county.net](mailto:mwilson@morgan-county.net), Robert McConnell ([rmccconnell@morgan-county.net](mailto:rmccconnell@morgan-county.net)), Mike Newton ([mnewton@morgan-county.net](mailto:mnewton@morgan-county.net)), [bfackrell@morgan-county.net](mailto:bfackrell@morgan-county.net)

Subject: Sales tax Info

Commissioners,

Here is a breakout of some of the information that is being presented next week. Please let me know if there is any other information or questions you have for me prior to the meeting. Also here are the correlating unit counts from both stores each year.

2016 1167 units

2017 1199 units

2018 1241 units

2019 1337 units

2020 1639 units

Dodge had a higher swing YoY but I thought it would be good to have both put together.

Jacob Sobers  
General Manger  
Young CJDR of Morgan Utah  
Cell: 801-564-9214  
Ext:2855

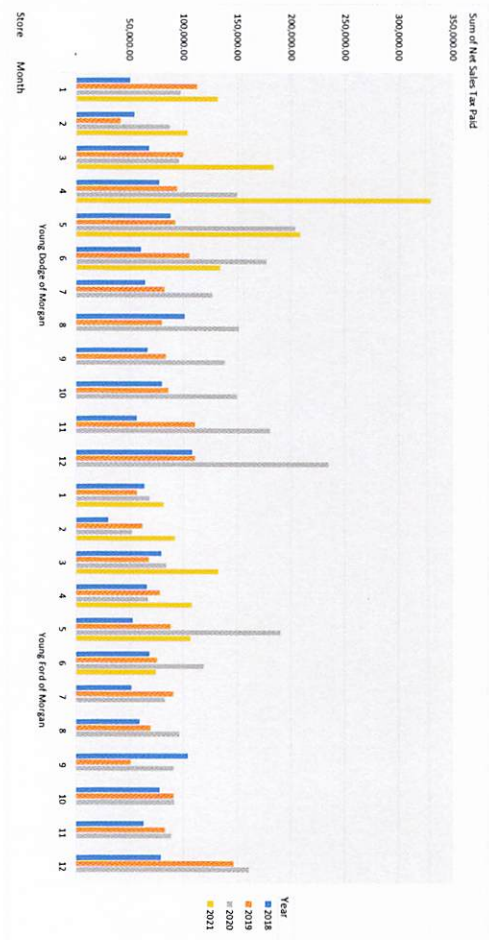


**THINK  
YOUNG**

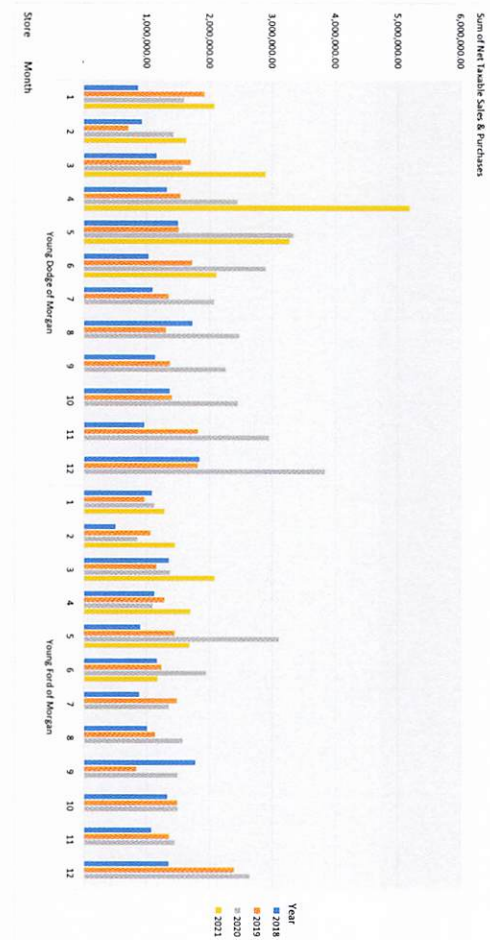


Please note: Morgan County is switching our domain from @morgan-county.net to @morgancountyutah.gov. Please update your address book for my email address removing the @morgan-county.net and replace it with @morgancountyutah.gov.

Row Labels	2018	2019	2020	2021	Grand Total
<b>Sum of Net Sales Tax Paid</b>					
<b>Young Dodge of Morgan</b>	<b>872,032.05</b>	<b>1,095,441.87</b>	<b>1,790,394.72</b>	<b>1,088,811.02</b>	<b>4,846,679.66</b>
1	50,210.65	112,216.42	97,240.84	131,184.47	390,852.38
2	53,821.78	41,310.90	87,058.04	103,173.17	285,368.89
3	67,693.62	99,342.03	95,626.38	183,593.78	446,194.81
4	77,002.91	93,651.47	149,461.49	329,423.44	649,539.31
5	87,644.42	91,882.22	203,649.93	207,884.40	591,040.97
6	60,234.74	105,064.44	176,767.03	133,612.76	475,678.97
7	64,082.36	82,183.70	126,467.92	272,733.98	312,208.58
8	100,980.84	79,837.64	151,390.10	131,390.10	288,367.09
9	66,514.92	83,561.25	138,285.92	218,569.22	314,959.22
10	79,703.60	85,565.55	149,690.07	180,385.54	347,331.15
11	56,420.91	110,921.70	110,921.70	180,385.54	347,331.15
12	107,761.30	110,921.70	234,371.46	592,748.10	452,414.31
<b>Young Ford of Morgan</b>	<b>792,987.68</b>	<b>939,232.04</b>	<b>1,191,190.85</b>	<b>592,748.10</b>	<b>3,592,280.67</b>
1	69,486.78	50,669.82	68,656.07	81,415.24	270,173.91
2	29,807.30	61,725.76	52,077.60	91,772.58	253,339.24
3	79,203.81	67,672.07	83,787.46	131,688.88	362,348.22
4	65,917.29	78,174.05	66,968.05	107,479.87	318,539.26
5	52,783.82	88,166.91	190,195.31	106,126.67	437,271.71
6	68,243.47	95,099.93	116,748.86	74,268.86	336,771.12
7	51,557.36	90,444.72	82,615.85	437,271.71	224,617.93
8	58,944.15	69,256.31	95,943.87	224,144.33	245,674.76
9	103,671.42	50,988.46	91,014.88	224,144.33	259,694.00
10	77,675.52	90,708.84	91,309.64	234,277.48	234,277.48
11	62,899.51	82,718.92	88,659.05	234,277.48	386,388.71
12	78,877.25	146,291.25	161,764.21	1,681,560.12	8,381,910.33
<b>Grand Total</b>	<b>1,664,999.73</b>	<b>2,033,764.91</b>	<b>2,981,585.57</b>	<b>1,681,560.12</b>	<b>8,381,910.33</b>



Row Labels	2018	2019	2020	2021	Grand Total
<b>Sum of Net Taxable Sales &amp; Purch Column Labels</b>					
<b>Young Dodge of Morgan</b>	<b>14,450,542.96</b>	<b>18,076,837.69</b>	<b>29,260,648.69</b>	<b>17,104,864.74</b>	<b>79,292,644.08</b>
1	855,077.99	1,911,024.68	1,589,219.42	2,050,865.08	6,416,187.17
2	916,574.86	703,516.91	1,427,800.62	1,620,816.73	4,663,708.12
3	1,150,899.71	1,691,776.22	1,562,834.09	2,883,239.90	7,290,659.92
4	1,311,345.18	1,520,657.88	2,443,668.15	5,175,134.42	10,459,705.64
5	1,489,232.51	1,501,642.81	3,328,216.72	3,763,795.88	9,881,948.92
6	1,029,786.37	1,171,931.51	2,088,581.06	2,099,011.73	7,390,868.67
7	1,091,310.62	1,343,138.69	2,068,881.51	4,201,330.59	4,201,330.59
8	1,179,684.85	1,304,796.71	2,474,187.66	5,498,669.22	5,498,669.22
9	1,131,736.67	1,385,552.14	2,266,074.98	4,758,413.19	4,758,413.19
10	1,357,397.42	1,398,408.67	2,446,403.86	5,702,149.95	5,702,149.95
11	960,897.56	1,806,319.23	2,948,063.83	5,715,220.62	5,715,220.62
12	1,834,814.21	1,802,672.26	3,830,362.59	7,467,849.07	7,467,849.07
<b>Young Ford of Morgan</b>	<b>13,504,091.51</b>	<b>15,789,762.67</b>	<b>19,467,783.61</b>	<b>9,311,894.34</b>	<b>58,073,532.13</b>
1	1,080,316.52	965,008.33	1,122,024.89	1,279,006.77	4,446,366.51
2	507,612.75	1,051,178.17	850,793.69	1,441,717.19	3,850,801.80
3	1,348,836.09	1,152,442.71	1,369,349.12	2,068,743.07	5,939,359.99
4	1,122,559.14	1,277,608.44	1,094,467.36	1,688,473.58	5,183,108.52
5	898,898.60	1,440,923.03	3,108,386.15	1,667,215.25	7,115,423.03
6	1,162,173.55	1,234,068.39	1,340,727.73	1,166,739.48	5,503,709.15
7	878,012.21	1,478,149.57	1,350,201.35	3,706,363.13	3,706,363.13
8	1,008,807.87	1,131,864.69	1,568,022.87	3,706,693.43	3,706,693.43
9	1,765,504.92	833,310.89	1,487,467.76	4,066,283.57	4,066,283.57
10	1,327,799.60	1,482,266.11	1,448,285.06	4,297,550.77	4,297,550.77
11	1,071,166.91	1,351,885.83	1,448,966.13	3,827,018.87	3,827,018.87
12	1,342,413.35	2,380,856.51	2,635,561.59	6,358,831.56	6,358,831.56
<b>Grand Total</b>	<b>28,354,634.47</b>	<b>33,866,350.36</b>	<b>48,728,432.30</b>	<b>26,416,758.08</b>	<b>137,346,176.21</b>



Ford Morgan Since 2018

Type	Num	Date	Account	Amount
Invoice	459	01/15/2021	110000 - Accounts Receivable	10,000.00
Invoice	439	11/30/2020	110000 - Accounts Receivable	0.00
Invoice	450	11/30/2020	110000 - Accounts Receivable	1,594.34
Invoice	418	09/15/2020	110000 - Accounts Receivable	500.00
Invoice	427	09/15/2020	110000 - Accounts Receivable	13,551.62
Invoice	380	03/10/2020	110000 - Accounts Receivable	8,333.34
Invoice	365	02/10/2020	110000 - Accounts Receivable	833.33
Invoice	356	01/10/2020	110000 - Accounts Receivable	833.33
Invoice	338	12/10/2019	110000 - Accounts Receivable	833.37
Invoice	332	12/03/2019	110000 - Accounts Receivable	255.06
Invoice	330	12/02/2019	110000 - Accounts Receivable	35.00
Invoice	327	11/27/2019	110000 - Accounts Receivable	492.50
Invoice	320	11/10/2019	110000 - Accounts Receivable	833.33
Invoice	316	11/05/2019	110000 - Accounts Receivable	0.00
Invoice	295	10/10/2019	110000 - Accounts Receivable	833.33
Invoice	290	09/11/2019	110000 - Accounts Receivable	2,603.40
Invoice	295	09/10/2019	110000 - Accounts Receivable	833.33
Invoice	285	08/23/2019	110000 - Accounts Receivable	1,400.00
Invoice	284	08/20/2019	110000 - Accounts Receivable	1,107.95
Invoice	274	08/10/2019	110000 - Accounts Receivable	833.33
Invoice	263	07/10/2019	110000 - Accounts Receivable	833.33
Invoice	251	06/10/2019	110000 - Accounts Receivable	833.33
Invoice	240	05/10/2019	110000 - Accounts Receivable	833.33
Invoice	230	04/10/2019	110000 - Accounts Receivable	833.33
Invoice	220	03/15/2019	110000 - Accounts Receivable	833.33
Invoice	208	02/15/2019	110000 - Accounts Receivable	833.33
Invoice	192	01/17/2019	110000 - Accounts Receivable	833.33
Invoice	177	12/31/2018	110000 - Accounts Receivable	668.71
Invoice	165	12/03/2018	110000 - Accounts Receivable	500.00
Invoice	155	11/30/2018	110000 - Accounts Receivable	868.69
Invoice	139	10/31/2018	110000 - Accounts Receivable	868.69
Invoice	123	09/30/2018	110000 - Accounts Receivable	868.69
Invoice	106	08/31/2018	110000 - Accounts Receivable	1,618.69
Invoice	92	07/31/2018	110000 - Accounts Receivable	833.33
Invoice	76	06/29/2018	110000 - Accounts Receivable	833.33
Invoice	64	05/31/2018	110000 - Accounts Receivable	833.33
Invoice	50	04/30/2018	110000 - Accounts Receivable	833.33
Invoice	37	03/31/2018	110000 - Accounts Receivable	833.33
Invoice	20	02/28/2018	110000 - Accounts Receivable	833.33
Invoice	8	01/31/2018	110000 - Accounts Receivable	833.33

YCFYOY Contributions



Dodge Morgan Since 2018

Type	Num	Date	Account	Amount
Invoice	468	01/29/2021	110000 - Accounts Receivable	1,459.08
Invoice	468	01/15/2021	110000 - Accounts Receivable	10,000.00
Invoice	448	11/30/2020	110000 - Accounts Receivable	6,243.14
Invoice	417	09/15/2020	110000 - Accounts Receivable	500.00
Invoice	426	09/15/2020	110000 - Accounts Receivable	22,162.57
Invoice	379	03/10/2020	110000 - Accounts Receivable	8,333.34
Invoice	364	02/10/2020	110000 - Accounts Receivable	833.33
Invoice	355	01/10/2020	110000 - Accounts Receivable	833.33
Invoice	337	12/10/2019	110000 - Accounts Receivable	833.37
Invoice	319	11/10/2019	110000 - Accounts Receivable	833.33
Invoice	312	11/05/2019	110000 - Accounts Receivable	2,557.22
Invoice	284	10/10/2019	110000 - Accounts Receivable	833.33
Invoice	284	09/10/2019	110000 - Accounts Receivable	833.33
Invoice	286	08/23/2019	110000 - Accounts Receivable	8,274.72
Invoice	273	08/10/2019	110000 - Accounts Receivable	833.33
Invoice	262	07/10/2019	110000 - Accounts Receivable	833.33
Invoice	250	06/10/2019	110000 - Accounts Receivable	833.33
Invoice	239	05/10/2019	110000 - Accounts Receivable	833.33
Invoice	229	04/10/2019	110000 - Accounts Receivable	833.33
Invoice	219	03/15/2019	110000 - Accounts Receivable	833.33
Invoice	207	02/15/2019	110000 - Accounts Receivable	833.33
Invoice	191	01/17/2019	110000 - Accounts Receivable	833.33
Invoice	176	12/31/2018	110000 - Accounts Receivable	868.66
Invoice	164	12/03/2018	110000 - Accounts Receivable	500.00
Invoice	154	11/30/2018	110000 - Accounts Receivable	868.70
Invoice	138	10/31/2018	110000 - Accounts Receivable	868.70
Invoice	122	09/30/2018	110000 - Accounts Receivable	868.70
Invoice	105	08/31/2018	110000 - Accounts Receivable	868.70
Invoice	91	07/31/2018	110000 - Accounts Receivable	833.33
Invoice	75	06/29/2018	110000 - Accounts Receivable	833.33
Invoice	63	05/31/2018	110000 - Accounts Receivable	833.33
Invoice	49	04/30/2018	110000 - Accounts Receivable	833.33
Invoice	36	03/31/2018	110000 - Accounts Receivable	833.33
Invoice	19	02/28/2018	110000 - Accounts Receivable	833.33
Invoice	7	01/31/2018	110000 - Accounts Receivable	833.33



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

Council Meeting Date: August 17, 2021 Time Requested: 15 minutes  
Name: Robert McConnell Phone: \_\_\_\_\_  
Address: \_\_\_\_\_  
Email: \_\_\_\_\_ Fax: \_\_\_\_\_  
Associated County Department: Airport Advisory Board

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

Consideration of proposed Notice of Award and Contract Agreement with Morgan Pavement Maintenance in the amount of \$94,652.60 for Morgan Airport--Pavement Maintenance Project.

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"/>



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Morgan County  
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Morgan, UT 84050  
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This form must be submitted, along with any required documentation, or the Agenda Item will not be scheduled until the next County Council Meeting

Council Meeting Date: August 17, 2021 Time Requested: 15 minutes  
Name: Robert McConnell Phone: \_\_\_\_\_  
Address: \_\_\_\_\_  
Email: \_\_\_\_\_ Fax: \_\_\_\_\_  
Associated County Department: Airport Advisory Board

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

Consideration of proposed Notice of Award and Contract Agreement with Morgan Pavement Maintenance in the amount of \$94,652.60 for Morgan Airport--Pavement Maintenance Project.

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"/>

**NOTICE OF AWARD**

DATED: July 29, 2021

TO: Morgan Pavement Maintenance

ADDRESS: 625 South Main Street, Clearfield, UT 84015

PROJECT: Airport Pavement Maintenance Project

You are notified that your Bid dated July 29, 2021, for the above Contract has been considered. You are the apparent Successful Bidder and have been awarded a Contract for the **Morgan County Airport – Airport Pavement Maintenance Project**. The Contract Price of your Contract is **NINETY- FOUR THOUSAND SIX HUNDRED AND FIFTY-TWO DOLLARS AND 60/100's dollars (\$94,652.60)**.

Actual total price will be based on the sum of work items completed (as measured in the field) multiplied by the unit prices for each item.

One copy of each of the proposed Contract Documents (except Drawings) accompanies this Notice of Award. Three sets of the Drawings will be delivered separately or otherwise made available to you immediately.

You must comply with the following conditions precedent within 10 days of the date of this Notice of Award:

1. Submit a Signed Contract Agreement
2. Submit a Payment Bond
3. Submit a Performance Bond
4. Submit Certificates of Insurance as specified in General and Supplementary Conditions

Failure to comply with these conditions within the time specified will entitle OWNER to consider your Bid in default, to annul this Notice of Award and to declare your Bid security forfeited.

Within ten days after you comply with the above conditions, OWNER will return to you one fully executed counterpart of the Contract Documents.

Morgan County Airport  
(OWNER)

  
(AUTHORIZED SIGNATURE)

Commission Chair  
(TITLE)

# CONTRACT AGREEMENT

**THIS AGREEMENT** is by and between **MORGAN COUNTY AIRPORT** (hereinafter called OWNER) and **MORGAN PAVEMENT MAINTENANCE**, (hereinafter called CONTRACTOR).

OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

## ARTICLE 1- WORK

1.01 CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

The work generally consists of furnishing and installing approximately 48,000 square yards of frictional mastic surface treatment (seal coat) on existing asphalt surfaces and restoration of pavement lines and markings.

## ARTICLE 2-THE PROJECT

2.01 The Project for which the Work under the Contract Documents may be the whole or only a part is generally described as follows:

**Morgan Airport – Pavement Maintenance Project**

## ARTICLE 3- ENGINEER

3.01 The Project has been designed by Wasatch Civil Consulting Engineering, who is hereinafter called ENGINEER and who is to act as OWNER's representative, assume all duties and responsibilities, and have the rights and authority assigned to ENGINEER in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

## ARTICLE 4- CONTRACT TIMES

4.01 *Time of the Essence:* All time limits for completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

4.02 *Dates for Completion and Final Payment:* The Work will be completed by **September 3, 2021**.

4.03 *Liquidated Damages:* CONTRACTOR and OWNER recognize that time is of the essence of this Agreement and that OWNER will suffer financial loss if the Work is not completed within the times specified in paragraph 4.02 above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by OWNER if the Work is not completed on time. Accordingly, instead of requiring any such proof, OWNER and CONTRACTOR agree that as liquidated damages for delay (but not as a penalty), CONTRACTOR shall pay OWNER \$200.00 for each day that expires after the time specified in paragraph 4.02 for Completion until the Work is accepted.

## ARTICLE 5- CONTRACT PRICE

5.01 OWNER shall pay CONTRACTOR for completion of the Work in accordance with the Contract Documents an amount in current funds equal to the sum of the amounts determined pursuant to the paragraph below:

For all Unit Price Work, an amount equal to the sum of the established unit price for each separately identified item of Unit Price Work times the actual quantity of that item as measured in the field.

### UNIT PRICE WORK

<u>No.</u>	<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Amount</u>
1	Mobilization	1	L.S.	\$0	\$0
2	Frictional Mastic Surface Treatment (Seal Coat)	48,000	S.Y.	\$1.5516644	\$69,918.20
3	Restore Pavement Lines and Markings	1	L.S.	\$24,734.60	\$24,734.60

**TOTAL OF ALL UNIT PRICES: NINETY-FOUR THOUSAND SIX HUNDRED AND FIFTY-TWO DOLLARS AND SIXTY CENTS (\$94,652.60).**

As provided in paragraph 11.03 of the General Conditions, estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by ENGINEER as provided in paragraph 9.08 of the General Conditions. Unit prices have been computed as provided in paragraph 11.03 of the General Conditions.

## ARTICLE 6- PAYMENT PROCEDURES

6.01 *Submittal and Processing of Payments:* CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by ENGINEER as provided in the General Conditions.

6.02 *Progress Payments; Retainage:* OWNER shall make progress payments on account of the Contract Price on the basis of CONTRACTOR's Applications for Payment on or about the 15th day of each month during performance of the Work as provided in paragraphs 6.02.A. 1 and 6.02.A.2 below. All such payments will be measured by the schedule of values established in paragraph 2.07.A of the General Conditions (and in the case of Unit Price Work, based on the number of units completed) or, in the event there is no schedule of values, as provided in the General Requirements:

1. Prior to Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as ENGINEER may determine or OWNER may withhold, in accordance with paragraph 14.02 of the General Conditions:

A. 95% of Work completed (with the balance being retained). If the Work has been 50% completed as determined by ENGINEER, and if the character and progress of the Work have been satisfactory to OWNER and ENGINEER, OWNER, on recommendation of ENGINEER, may determine that as long as the character and progress of the Work remain satisfactory to them, there will be no retainage on account of Work subsequently completed, in which case

the remaining progress payments prior to Substantial Completion will be in an amount equal to 100% of the Work completed less the aggregate of payments previously made; and

B. 25% of cost of materials and equipment not incorporated in the Work (with the balance being retained).

2. Upon Completion, OWNER shall pay an amount sufficient to increase total payments to CONTRACTOR to 100% of the Work completed, less such amounts as ENGINEER shall determine in accordance with paragraph 14.02.B.5 of the General Conditions.

6.03 *Final Payment:* Upon final completion and acceptance of the Work in accordance with paragraph 14.07 of the General Conditions, OWNER shall pay the remainder of the Contract Price as recommended by ENGINEER as provided in said paragraph 14.07.

#### **ARTICLE 7- INTEREST**

7.01 All moneys not paid when due as provided in Article 14 of the General Conditions shall bear interest at the rate of 1% per annum.

#### **ARTICLE 8- CONTRACTOR'S REPRESENTATIONS**

8.01 In order to induce OWNER to enter into this Agreement CONTRACTOR makes the following representations:

A. CONTRACTOR has examined and carefully studied the Contract Documents and the other related data identified in the Bidding Documents.

B. CONTRACTOR has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. CONTRACTOR is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, and performance of the Work.

D. CONTRACTOR has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) which have been identified in the Supplementary Conditions as provided in paragraph 4.02 of the General Conditions and (2) reports and drawings of a Hazardous Environmental Condition, if any, at the Site which has been identified in the Supplementary Conditions as provided in paragraph 4.06 of the General Conditions.

E. CONTRACTOR has obtained and carefully studied (or assumes responsibility for having done so) all additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and Underground Facilities) at or contiguous to the Site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by CONTRACTOR, including applying the specific means, methods, techniques, sequences, and procedures of construction, if any, expressly required by the Contract Documents to be employed by CONTRACTOR, and safety precautions and programs incident thereto

F. CONTRACTOR does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract Documents.

G. CONTRACTOR is aware of the general nature of work to be performed by OWNER and others at the Site that relates to the Work as indicated in the Contract Documents.

H. CONTRACTOR has correlated the information known to CONTRACTOR, information and observations obtained from visits to the Site, reports and drawings identified in the Contract Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract Documents.

I. CONTRACTOR has given ENGINEER written notice of all conflicts, errors, ambiguities, or discrepancies that CONTRACTOR has discovered in the Contract Documents, and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR.

J. Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

## **ARTICLE 9- CONTRACT DOCUMENTS**

### **9.01 Contents:**

A. The Contract Documents consist of the following:

1. This Agreement;
2. General Conditions;
3. Supplementary Conditions;
4. Specifications as listed in the table of contents of the Project Manual;
5. Addenda Number \_\_\_;
6. Exhibits this Agreement;
  1. Notice to Proceed;
  2. CONTRACTOR's Bid;
  3. Insurance Certificates; and
  3. Documentation submitted by CONTRACTOR prior to Notice of Award;

7. The following which may be delivered or issued on or after the Effective Date of the Agreement and are not attached hereto:

Written Amendments;  
Work Change Directives;  
Change Order(s).

The documents listed in paragraph 9.01A are attached to this Agreement (except as expressly noted otherwise above).

There are no Contract Documents other than those listed above in this Article 9.

The Contract Documents may only be amended, modified, or supplemented as provided in Paragraph 3.05 of the General Conditions.

## **ARTICLE 10- MISCELLANEOUS**

10.01 *Terms*: Terms used in this Agreement will have the meanings defined by Engineers Joint Contract Documents Committee STANDARD GENERAL CONDITIONS OF THE CONSTRUCTION CONTRACT.

10.02 *Assignment of Contract*: No assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

10.03 *Successors and Assigns*: OWNER and CONTRACTOR each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

10.04 *Severability*: Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon OWNER and CONTRACTOR, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement in duplicate. One counterpart each has been delivered to OWNER and CONTRACTOR. All portions of the Contract Documents have been signed or identified by OWNER and CONTRACTOR or on their behalf.

This Agreement will be effective on August 17, 2021 (which is the Effective Date of the Agreement).

**OWNER:**

**CONTRACTOR:**

MORGAN COUNTY AIRPORT

MORGAN PAVEMENT MAINTENANCE

By: 

By: \_\_\_\_\_

(If CONTRACTOR is a corporation or a partnership, attach evidence of authority to sign)

Designated Representative:

Name: Robert A. McConnell

Title: Commission Chair

Address: 43 West Henry Street

Phone: 801-694-1283



# County Council Agenda Request Form

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

Morgan County  
Attn: Stacy Clark  
48 West Young Street #23  
P O Box 886  
Morgan, UT 84050  
Phone: 801.845.4011  
Fax: 801.737.6209  
Email: [sclark@morgan-county.net](mailto: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: August 17  
July 20, 2021 Time Requested: 30 minutes

Name: Lance Evans Phone: 801-845-4059

Address: 48 W Young Street

Email: [levans@morgan-county.net](mailto:levans@morgan-county.net)

Associated County Department: PDS

**PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:**  
Discussion/Decision: Heather Meadows Plat Amendment – A proposed amendment to the Heather Meadows Subdivision adding a third option for fire suppression.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION	<input type="checkbox"/>
DECISION	<input type="checkbox"/>
BOTH	<input checked="" type="checkbox"/>
INFORMATION ONLY	<input type="checkbox"/>



COUNTY COMMISSION  
STAFF REPORT  
August 17, 2021

**PLANNING & DEVELOPMENT**

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**Heather Meadows Subdivision Plat Amendment  
Public Meeting**

Application No.: 21.024  
Applicant: Montell Guymon  
Project Location: 4490 Heather Meadows Drive  
Zoning: RR-1  
Acreage: 9.23 acres  
Application Type: Subdivision Plat Amendment

**REQUEST**

The owner of Lot 1 of Heather Meadows Subdivision is requesting to modify the Heather Meadows Subdivision by adding a third option for fire suppression by amending the improvement drawings note. The request is to amend note 5 on the construction drawings (improvement drawings).

**CURRENT NOTE:**

*5. Preferred to have fire suppression water provided by Peterson Water, else NOA well w/1000 gpm for 2 hr minimum required.*

**PROPOSED CHANGE:**

5. Fire suppression water provided by Peterson Water, else NOA well w/1000 gpm for 2 hr minimum required. **Residential Sprinklers per NFPA 13D may be installed as an alternate to NOA well.**

**PLANNING COMMISSION RECOMMENDATION**

The Morgan County Planning Commission reviewed this application at the June 24, 2021 meeting and unanimously voted to recommend denial to the Morgan County Commission based on the following findings:

**Findings:**

1. That the proposed change to allow residential sprinklers does not meet the adequate supply required by the International Fire Code.
2. That the proposal is detrimental to the health, safety, and welfare of the public.

The Planning Commission heard five people during the public comment section of the meeting regarding the Plat Amendment Application. Their comments included: requests to allow them the alternative of fire sprinklers so that they move forward and build on their lots, the benefits of fire sprinklers, requests to provide reasons for why the proposal does not meet code, concerns that this subdivision is not being treated like other subdivisions in the county outside water

service areas, why are fire sprinklers not a good idea, trying to resolve this issue without a lawsuit, safety is the primary concern, Peterson Pipeline Association is still willing to allow for the connections. (Planning Commission Minutes Exhibit E.)

### Project History

This request is to amend the Heather Meadows Subdivision Plat. The subdivision was approved on April 12, 2018 with seven lots. The approved plans were based on the submitted Heather Meadows Subdivision Improvement Plans submitted by the developer. Note 5 of the improvement plans indicated that the developer would provide fire suppression to the subdivision based on either a connection to Peterson Pipeline Association (PPA), the local water district with water lines established in the adjacent roadway or through a "NOA well with 1000 gallons per minute for at least 2 hours. This requirement based on the 2009 International Fire Code requirements that were in place at the time of review.

#### Note 5 Heather Meadows Subdivision Improvement Plans

*5. Preferred to have fire suppression water provided by Peterson Water, else NOA well w/1000 gpm for 2 hr minimum required.*

The March 8, 2018 Improvement Plans show that the water lines and hydrant system would be installed and entered into an improvement agreement with Morgan County to complete these items. The developer escrowed \$307,357.49 with the county on July 12, 2018 for the improvements shown on the Improvement Plans. The Heather Meadows Subdivision Plat was recorded on October 12, 2018. The developer sold the lots over the next year to third parties.

The final inspection of the subdivision improvements was completed on August 6, 2020 and all but \$8,543.48 of the escrow funds for the subdivision were released. The \$8,543.48 is being held for completion and inspection of the constructed water system.

#### Peterson Pipeline Association Boundaries

The boundaries of PPA were never in question with the Heather Meadows Subdivision. The PPA water lines are in 3800 West adjacent to the subdivision. The original approval allowed for a NOA well as an alternative to allow the subdivision approval process to move forward while the details of PPA and Heather Meadows Subdivision were resolved.

**ANALYSIS**

Morgan County Code Section 8-12-46c states:

*An adequate supply of and access to water for fire suppression shall be provided to each lot in the subdivision in conformance with the adopted fire code and wildland urban interface code of Morgan County and the state of Utah, and in addition to water storage and flow requirements for culinary and irrigation uses. All fire flow and water storage requirements for firefighting purposes shall meet the requirements of the adopted fire code and the adopted wildland urban interface code of the county, and shall be verified in writing by the local fire code official. All requirements shall be articulated as conditions of approval during the preliminary and final plat processes, and verified in the field by the fire code official during subdivision construction and subsequent building construction.*

The subdivision was approved based on the adequate supply and access to water for fire suppression either through the local water company or through an NOA well. The proposal to add fire sprinklers to the home in place of the NOA well option does not meet the code requirement for supply for adequate suppression based on the International Fire Code as detailed in the memo from the Morgan County Fire Department (Exhibit D).

**ANALYSIS OF STANDARDS**

Standards	Findings	Rationale
<p><i>Ordinance Evaluation. Morgan County Code, Chapter 8, Section 12-55 states the following:</i></p> <p><i>The subdivider shall submit a complete application for a small subdivision to the planning and development services department, along with a completed application and application fee. The proposed small subdivision application shall include all of the information required for a complete preliminary and final plat application as outlined in sections 8-12-24, 8-12-30, 8-12-31, and 8-12-32 of this chapter, and other applicable sections of this title, with the exception of the final mylar for signature. Small subdivisions shall meet all the requirements of this title. (Ord. 10-16, 12-14-2010)</i></p> <p><i>Therefore, this application has been reviewed for preliminary and final plat standards.</i></p>		
<p><b>8-12-24: PRELIMINARY PLAT SUBMITTAL:</b> <i>The preliminary plat shall be prepared, stamped and signed by a professional engineer or professional land surveyor licensed by the state of Utah. The preliminary plat submittal shall include at least the following information:</i></p>		
A	<p><b>Vicinity Map</b></p> <ol style="list-style-type: none"> <li>1. Drawn at a maximum scale of one thousand feet (1,000') to the inch.</li> <li>2. Show all existing and proposed roadways in the vicinity of the proposed development.</li> <li>3. A north arrow.</li> <li>4. The nearest section corner tie.</li> <li>5. Subdivision name.</li> </ol>	<p>Previously completed</p> <p>The material information of the plat is not proposed for any changes. Information not required.</p>
B	<p><b>Certified boundary survey of the subject property, which meets state of Utah requirements, which also depicts all easements identified by the title report.</b></p>	<p>Previously completed</p> <p>The material information of the plat is not proposed for any changes. Information not required.</p>
C	<p><b>Preliminary plat (all facilities within 200 feet of the plat shall be shown):</b></p> <ol style="list-style-type: none"> <li>1. Drawn at a scale not smaller than one hundred feet (100') to the inch.</li> <li>2. A north arrow.</li> <li>3. Subdivision name.</li> <li>4. The layout and names and widths of existing and</li> </ol>	<p>Previously completed</p> <p>The material information of the plat is not proposed for any changes. Information not required.</p>

	<p>future road rights of way.</p> <ol style="list-style-type: none"> <li>5. A tie to a permanent survey monument at a section corner.</li> <li>6. The boundary lines of the subdivision with bearings and distances.</li> <li>7. The layout and dimensions of proposed lots with lot areas in square feet.</li> <li>8. The location and dimensions and labeling of other spaces including open spaces, parks, trails, or public spaces.</li> <li>9. The location of manmade features including bridges, railroad tracks, fences, ditches, and buildings.</li> <li>10. Topography at two foot (2') intervals. One foot (1') contours may be required by the county engineer in particularly flat areas.</li> <li>11. Location and ownership of all adjoining tracts of land.</li> <li>12. Proposed subdivision phasing plan and relationship to existing phases of development. (Ord. 10-16, 12-14-2010)</li> </ol>		
D	<p><b>Grading and drainage plan (may be combined with plat sheet, if approved by the county engineer):</b></p> <ol style="list-style-type: none"> <li>1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout.</li> <li>2. Topography at two foot (2') contour intervals.</li> <li>3. North arrow.</li> <li>4. Subdivision name.</li> <li>5. Areas of substantial earthmoving.</li> <li>6. Location of existing watercourses, canals, ditches, springs, wells, culverts, and storm drains.</li> <li>7. Location of any 100-year floodplain as designated by the federal emergency management agency (FEMA).</li> <li>8. A storm drainage plan showing water flow directions, inlets, outlets, catch basins, waterways, culverts, detention basins, outlets to offsite facilities, and off site drainage facilities planned to accommodate the project drainage.</li> <li>9. Show any existing wetlands.</li> <li>10. Slope analysis which depicts all slopes greater than fifteen percent (15%) and greater than twenty five percent (25%) with distinct notation. (Ord. 12-09, 9-18-2012)</li> </ol>	Previously completed	The material information of the plat is not proposed for any changes. Information not required.
E	<p><b>Utility plan (may be combined with plat sheet, if approved by the county engineer):</b></p> <ol style="list-style-type: none"> <li>1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout.</li> <li>2. North arrow.</li> <li>3. Subdivision name.</li> <li>4. Show all existing and proposed utilities including: sewer, culinary water, well locations with secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, and streetlights, television and telecommunications.</li> <li>5. Show location and dimensions of all utility easements.</li> </ol>	No change proposed to the utilities	No changes are proposed for the existing public utilities. The proposal would add residential sprinklers as potentially the only fire protection source, inconsistent with the existing approved plans.
F	<p><b>The subdivider shall provide the following documents with the application:</b></p> <ol style="list-style-type: none"> <li>1. Three (3) copies of a geotechnical soils report.</li> <li>2. A traffic report when required by the planning</li> </ol>	Previously completed	The material information of the plat is not proposed for any changes. Information not

	<p>commission or county engineer.</p> <ol style="list-style-type: none"> <li>3. Preliminary title report, which specifically references the boundary survey and exactly matches the legal description of the outside boundary of the subdivision.</li> <li>4. Service agreements from all utility companies or providers.</li> <li>5. Any necessary agreements with adjacent property owners regarding storm drainage or other matters pertinent to subdivision approval.</li> <li>6. Maintenance agreements for subsurface drains serving the subdivision, if they are proposed or exist.</li> <li>7. An agricultural impact analysis, on subdivisions which are contiguous to an adopted agricultural preservation area, or which contain an agricultural open space conservation easement within the plat.</li> <li>8. Written verification of all proposed water sources. For all proposed water sources, provide approval letters from the Weber-Morgan County health department and proof of all water rights, including quantities (water rights certificates, etc.), for each well and water source to be utilized for the development.</li> <li>9. The developer shall submit all information concerning site geology, area hydrogeology, site topography, soil types and the proven wet water by the drilling of at least one test well from within the described subdivision boundary, as determined by a geotechnical engineer, licensed in the state of Utah. Well logs shall be submitted to the county identifying the depth and yield of the well. Information submitted must verify that the source is consistently available to supply eight hundred (800) gallons per day (gpd) per equivalent residential connection (ERC) at a minimum flow rate of 0.55 gallons per minute (gpm). Water for irrigation supplies shall be verified to provide three (3) gpm per irrigated acre. If the proposal is being served by an existing water utility company, these requirements do not apply.</li> <li>10. Verification of approval from the Weber-Morgan County health department regarding the proposed location of all septic systems and water source protection areas.</li> </ol>		required.
G	When the subdivision is located within the sensitive area district or geologic hazards special study area, required reports and documents are to be submitted in accordance with the provisions of this title.	Previously completed	The material information of the plat is not proposed for any changes. Information not required.
H	The subdivider shall comply with all applicable federal, state, and local laws and regulations, and shall provide evidence of such compliance if requested by the county.		
I	Copy of proposed protective covenants in all cases where subsurface drains or other common area maintenance proposals are to serve any portion of the subdivision.	Previously completed	
J	Electronic copies of all preliminary plat drawings in AutoCAD (DWG) format.	Complies	The applicant has submitted these documents.
K	Tabulations showing the total number of lots or buildings sites, and the percentage of land in roads, lots, and open space.	Previously completed	
L	Any additional submittal requirements required for or by master planned development reserves, specific development agreements, or requirements and conditions of other	Previously completed	

	applicable ordinances or previous approvals. (Ord. 10-16, 12-14-2010)		
<b>8-12-32: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:</b>			
A	The final plat shall consist of a mylar with the outside or trim line dimensions of twenty four inches by thirty six inches (24" x 36"). The mylar shall be submitted to the county at least twenty (20) days prior to consideration for placement on the county council agenda for approval. Until that date, submittal of paper copies is sufficient for review. The borderline of the plat shall be drawn in heavy lines leaving a space of at least one and one-half inches (1 1/2") on the left side and at least one-half inch (1/2") margin on the other sides. The plat shall be so drawn that the top of the drawing faces either north or west, whichever accommodates the drawing best. All lines, dimensions, and markings shall be made on a mylar with approved waterproof black ink. The plat shall be made to a scale large enough to clearly show all details, and in any case not smaller than one hundred feet (100') to the inch, and workmanship on the finished drawing shall be neat, clean cut and readable.	Previously completed	
B	The final plat shall show the subdivision name that is distinct from any other recorded subdivision name and the general location of the subdivision in bold letters at the top of the sheet.	Previously completed	
C	The plat shall contain a north arrow and scale of the drawing and the date.	Previously completed	
D	Prior to consideration by the county council, the plat shall be signed by all required and authorized parties, with the exception of the county council chairperson, planning commission chairperson and county attorney, with appropriate notarial acknowledgements and the final plat shall contain all information set forth in this section.	Previously completed	Historically, staff has recommended the applicant wait to print the final mylar and receive signatures, in the event that the Planning Commission and/or County Council recommend changes to the plat.
E	An accurate and complete survey, which conforms to Utah state law.	Previously completed	The survey has been completed.
F	Plats will show accurately drawn boundaries, showing the proper bearings and dimensions of all boundary lines of the subdivision, properly tied to at least two (2) public survey monuments. These lines should be slightly heavier than street and lot lines.	Previously completed	
G	The final plat shall show all survey, mathematical information and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angle, radius and arc length of curves, and such information as may be necessary to determine the location of beginning and ending points of curves. All property corners and monuments within the subdivision shall be tied to an acceptable Morgan County monument, as determined by the Morgan County surveyor. Lot and boundary closure shall be calculated to the nearest 0.02 of a foot.	Previously completed	
H	All lots, blocks, and parcels offered for dedication for any purpose should be delineated and designated with dimensions, boundaries and courses clearly shown and defined in every case. The square footage of each lot shall be shown. All parcels offered for dedication other than for streets or easements shall be clearly designated on the plat. Sufficient linear, angular and curved data shall be shown to determine readily the bearing and length of the boundary	Previously completed	

	lines of every block, lot and parcel which is a part thereof. No ditto marks shall be used for lot dimensions.		
I	The plat shall show the right of way lines of each street, and the width of any portion being dedicated and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty feet (50') of the subdivision shall be shown with dashed lines. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such existing streets shall be accurately shown.	Previously completed	
J	All lots are to be numbered consecutively under a definite system approved by the county. Numbering shall continue consecutively throughout the subdivision with no omissions or duplications.	Previously completed	
K	All streets within the subdivision shall be numbered (named streets shall also be numbered) in accordance with and in conformity with the adopted street numbering system adopted by the county. Each lot shall show the street addresses assigned thereto, and shall be according to the standard addressing methods approved by the county. In the case of corner lots, an address will be assigned for each part of the lot having street frontage.	Previously completed	
L	The side lines of all easements shall be shown by fine dashed lines. The width of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified.	Previously completed	
M	The plat shall fully and clearly show all stakes, monuments and other evidence indicating the boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed or destroyed before acceptance of all improvements shall be replaced by the subdivider under the direction of the county surveyor. The following required monuments shall be shown on the final plat: <ol style="list-style-type: none"> <li>1. The location of all monuments placed in making the survey, including a statement as to what, if any, points were reset by ties;</li> <li>2. All right of way monuments at angle points and intersections as approved by the county surveyor.</li> </ol>	Previously completed	
N	The final plat shall contain the name, stamp and signature of a professional land surveyor, together with the date of the survey, the scale of the map and number of sheets. The following certificates, acknowledgements and descriptions shall appear on the title sheet of the final plat, and such certificates may be combined where appropriate: <ol style="list-style-type: none"> <li>1. Professional land surveyor's "certificate of survey".</li> <li>2. Owner's dedication certificate in the following form:</li> </ol> <p><i>OWNERS DEDICATION</i></p> <p><i>Know all men by these presents that we, the undersigned owner(s) of the above described tract of land, having caused said tract to be subdivided into lots and streets to be hereafter known as Subdivision do hereby dedicate for perpetual use of the public all parcels of land, other utilities, or easements shown on this plat as intended for public use. In witness whereof, we have hereunto set out hands this day of, 20 .</i></p>	Previously completed	

	<p><i>(Add appropriate acknowledgments)</i></p> <ol style="list-style-type: none"> <li>3. Notary public's acknowledgement for each signature on the plat.</li> <li>4. A correct metes and bounds description of all property included within the subdivision.</li> <li>5. Plats shall contain signatures of the water provider (if provided by a culinary water system), sewer provider (if provided by a sewer improvement district), Weber-Morgan County health department, planning commission, and county engineer, and blocks for signatures of the county attorney and county council (a signature line for the council chairperson and an attestation by the county clerk). A block for the county recorder shall be provided in the lower right corner of the final plat.</li> <li>6. Such other affidavits, certificates, acknowledgements, endorsements and notarial seals as are required by law, by this title, the county attorney, or county surveyor.</li> <li>7. Prior to recordation of the plat, the subdivider shall submit a current title report to be reviewed by the county. A "current title report" is considered to be one which correctly discloses all recorded matters of title regarding the property and which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat.</li> <li>8. The owner's dedication certificate, registered land surveyor's certificate of survey, and any other certificates contained on the final plat shall be in the form prescribed by the county's standards.</li> <li>9. When a subdivision contains lands which are reserved in private ownership for community use, including common areas, the subdivider shall submit, with the final plat, the name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain and pay taxes on such lands and common areas and any access easements which may be required by the county.</li> </ol>		
O	<p>On subdivisions which are contiguous to an adopted agricultural protection area, or which contain an agricultural open space preservation area within the plat, a note shall be placed on the plat, in conjunction with right to farm provisions, stating such, and that agricultural operations work hours begin early and run late and that these operations may contribute to noises and odors objectionable to some residents.</p>	Previously completed	
P	<p>A note on the plat which states the following:</p> <p><i>Morgan County restricts the occupancy of buildings within developments as outlined in the adopted building and fire codes. It is unlawful to occupy a building located within any development without first having obtained a certificate of occupancy issued by the county.</i></p>	Previously completed	

**Department Comments**

Public Works: No comments

Fire/EMS Services: See attached memorandum

Engineering: No comments

Surveying: No comments

Recorders: No comments

**Recommended Motion**

Recommended Motion for *denial* – “I move we deny the Heather Meadows Subdivision Plat Amendment, application number 21.024, amending Improvement Plan Note 5 as proposed allowing residential sprinklers as a fire suppression alternative. Located at approximately 4490 N 3800 West, based on the findings listed in the staff report dated August 17, 2021.”

1. List any additional findings...

Recommended Motion for *approval* – “I move we approve the Heather Meadows Subdivision Plat Amendment, application number 21.024, amending Improvement Plan Note 5 as proposed allowing residential sprinklers as a fire suppression alternative. Located at approximately 4490 N 3800 West, *based on the following findings:*”

1. List findings

Recommended Motion for *approval with additional conditions* – “I move we conditionally approve the Heather Meadows Subdivision Plat Amendment, application number 21.024, amending Improvement Plan Note 5 as proposed allowing residential sprinklers as a fire suppression alternative. Located at approximately 4490 N 3800 West, based on the following findings and with the following additional conditions:”

1. List finding and additional conditions

**Supporting Information**

Exhibit A: Vicinity Map

Exhibit B: Zoning Map

Exhibit C: Plat Amendment Application

Exhibit D: Fire Department Memo

Exhibit E: June 24, 2021 Planning Commission Minutes

Exhibit A: Vicinity Map

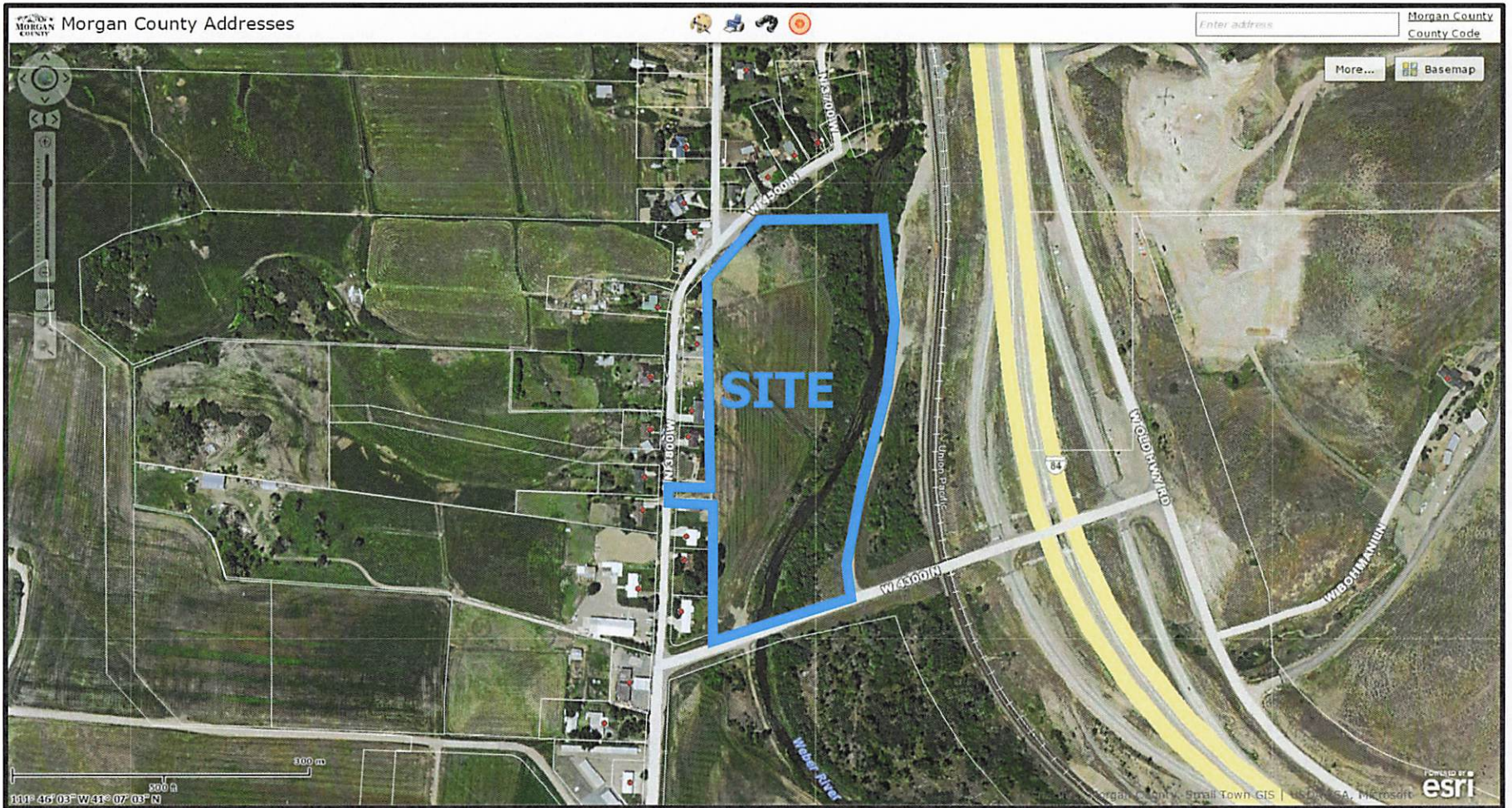
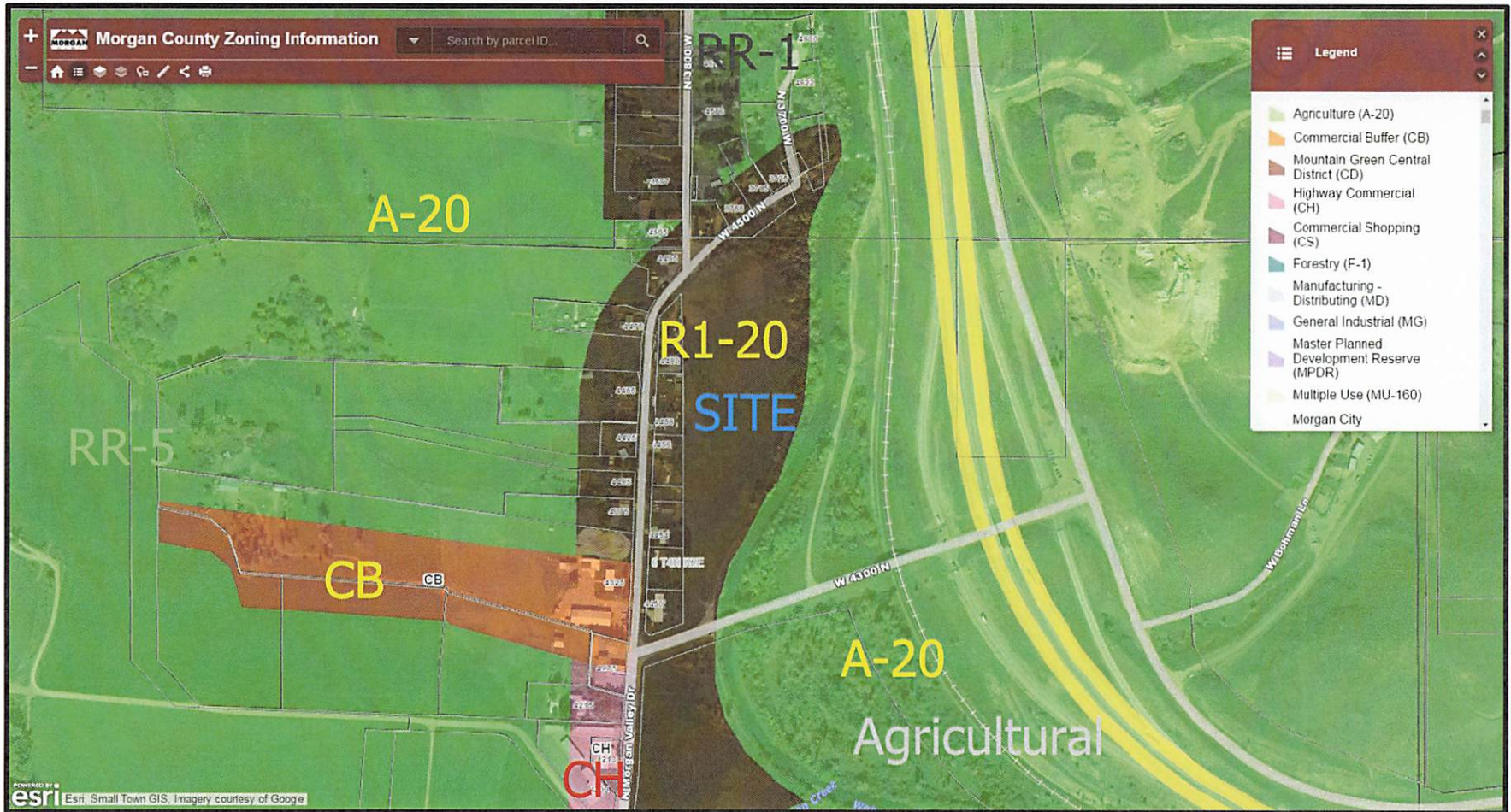


Exhibit B: Existing Zoning Map



**Subdivision Amendment Application**

Planning and Development Services  
 48 West Young Street, Morgan, UT 84050  
 (801) 845-4015 Fax (801) 845-6087  
[www.morgan-county.net](http://www.morgan-county.net)



*Notice:* The applicant must submit copies of the preliminary plans and final plat to be reviewed by the County in accordance with the terms of the Morgan County Code. Once a set of preliminary plans and final plat are submitted, the plans are subject to compliance reviews by the various county departments and contracted staff, and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the County Code and all other applicable laws. All submitted preliminary plan and final plat proposals shall be reviewed in accordance with Title 8 of the Morgan County Code. Submission of preliminary plans and final plat in no way guarantees placement of the application on any particular agenda of the County land use authority. It is **strongly** advised that all preliminary and final subdivision plans be submitted well in advance of any anticipated deadlines.

Project Information					
Date of Submission: 5/11/2021		Zone: R1-20		Serial#(s): 01-HMEAD-0001 TO -0007	
Project Name: Heather Meadows Subdivision Lots 1-7				Parcel #(s): 00-0001-3936	
Project Address: 4490 Heather Meadows Drives				Acres: 9.23	
Project Description: Amend plat to allow residential fire sprinklers in lieu of NOA well. See attached redlines in the construction drawings.					
Property Owner(s): Montell Guymon			Applicant(s): Montell Guymon		
Address: 2095 E 200 S			Address: 2095 E 200 S		
City: Layton	State: UT	Zip: 84040	City: Layton	State: UT	Zip: 84040
Phone: 385-888-0083			Phone: 385-888-0083		
Contact Person: Montell Guymon			Address: 2095 E 200 S		
Phone: 385-888-0083			City: Layton	State: UT	Zip: 84040
Cellular: 385-888-0083	Fax:		Email: tel.guymon@gmail.com		

\*The application you are submitting may become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time to process or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the County employee accepting this information. Morgan County does not currently share your private, controlled or protected information with any other person or government entity.

**Subdivision Amendment Fees**

Number of Lots: 7

<input checked="" type="checkbox"/>	Subdivision Amendment application fee.....	\$250.00 plus \$10.00/lot
<input type="checkbox"/>	Engineering review fees.....	\$Actual Cost
<input type="checkbox"/>	Surveyor review Fees.....	\$Actual Cost
<input type="checkbox"/>	Outside Consultants or Outsourced Staff Fee.....	\$ Actual Cost
<input checked="" type="checkbox"/>	<b>Noticing Fee.....</b>	<b>\$60.00</b>

For Office Use Only		
Received By:	Date Received:	App. #:

Narrative for allowing Residential Fire Sprinklers per NFPA 13D in Heather Meadows Subdivision in addition to trucked water from fire department.

Reference Fire Sprinkler Initiative at: <https://www.nfpa.org/Public-Education/Staying-safe/Safety-equipment/Home-fire-sprinklers/Fire-Sprinkler-Initiative>

ALCON,

I am a co-owner of Lot #1 in the Heather Meadows Subdivision(HMS). I purchased the lot in Nov '18 and subsequently began pursuing action in order to build a residence on said lot. At that time the Developer, David Pitcher, told us that Peterson Pipeline Association (PPA) was unable to provide culinary services to any lot in HMS. Later in a personal call with Trevor Kobe, PPA's President, on Nov 5<sup>th</sup> he confirmed that PPA was unable to give a will serve or accept the HMS into PPA's coverage at that time. I have recently been sent a copy of an email from Trevor stating that PPA was "now able to offer memberships to the other lot owners within Heather Meadows" dated Jun 10<sup>th</sup> '19. Needing a water source, we pursued the approval process to establish a well on Lot #1 and invested a large amount of time and money to produce a culinary water source which is one requirement for the approval of a building permit. At no time during this process were we ever notified by county, PPA or Developer that there was an issue with fire suppression or ability to gain a building permit. The well on Lot #1 was tested and approved by the Health Department for culinary use in August '19 and we continued the process of a building permit.

As we assembled documents for the building permit application we were notified by Shad Guffey (building assistant) that there was an issue with the fire suppression in the HMS. I began a series of calls to the county, PPA and the Developer in an effort to understand the situation and get some kind of resolution. For the next two months I made numerous calls and emails attempting to progress with the building application, however I was faced with multiple delays; at one point I was told by Morgan county that our application would not even be reviewed due to the HMS fire suppression issue despite receiving no formal communication of the issue even though I had asked multiple times for such a document. It was not until we had submitted our building permit application and removed all other obstacles that Morgan County Planning department finally distributed a formal statement on the HMS fire suppression status on Jan 23<sup>rd</sup> '20 in the form of a letter to David Pitcher and Clear Creek Development.

Due to obligations overseas and the necessary preparation leading up to it, I had to limit my activity in the resolution of this predicament from Jan '20 until I recently returned in May '21.

Throughout this process I feel like we as the lot owners have been used as pawns in the political games of the Developer, Morgan County and PPA. At the writing of this narrative these parties continue to be unable to come to an agreement. All sides offer condolences for the situation with nothing actually happening.

From my understanding:

PPA's Position:

- demands a land use agreement with the lot owners of HMS in order to provide fire suppression coverage and/or culinary water. The original purpose of the land use agreement was to limit the actions of lot owners in developing their own wells (I am not aware of how this has changed in progression of mediation since the lot owners have not been kept up to date on negotiations for

the last few weeks). It is applicable to note that no other PPA members that I am aware of have had to sign this land use agreement with PPA.

- I believe this ridiculous since the lack of a will serve from PPA is what forced us to pursue installing a well in the first place. This pursuit cost us almost a year of delay as well as more than the cost of a PPA membership. It is applicable to note that PPA offered to trade the well on lot 1 for a PPA membership early in '20. However, this was declined for multiple reasons. a) PPA does not have the capability to provide culinary water since they do not own the water lines in HMS, b) The cost of the well significantly exceeded the cost of a PPA membership, c) I believe I can provide water cheaper than the PPA monthly cost (which can be manipulated at any time), d) if the well was abandoned, as PPA requested, I would incur even more cost to properly abandon the well in addition to the wasted money and time incurred installing it, e) Lastly, PPA has had deficiencies which have become "Significant" with the Utah State Division of Drinking Water for a remarkable amount of time (since at least 2017) with no corrective action plan (as stated by State representative). An extension was granted by the State to extend the deadline from April till August at which time, if they have not complied and addressed their deficiencies, they will become a Non-approved water provider. In my case, having a water provider that is not approved will make getting a VA loan impossible.
- How can a service provider limit how my land is used? I believe PPA is attempting to usurp government authority already appointed to established and trained professionals which are employed by the state in order to establish its own control via this land use agreement which violates the intent of a public service association.

#### Clear Creek Development Position

- Claims that it is being treated differently from other subdivisions in regards to fire suppression requirements. County has confirmed that other subdivisions have been approved without the use of hydrants.
  - Currently there is a precedent set for residential sprinklers per NFPA 13D on the understanding that the Fire Department will truck water to the site of the fire.
- Has stated to lot owners and in emails multiple times they are willing to pay the \$15k per lot (total \$105k) to provide fire suppression to HMS, however details required by PPA have prevented this from progressing.
  - My personal understanding is that PPA required all lot owners to become members and assume the monthly payments in addition to signing the land use agreement they have newly incorporated into their contract.

#### Morgan County Planning Position

- Refuses to issue building permits or occupancy certs based on the stated lack of fire suppression in HMS.
- Has stated that if the HMS water lines are turned over to PPA, the hydrants will be charged and therefore HMS have its fire suppression.
- Maintains that a plat amendment to allow alternative fire suppression (i.e. Residential Sprinklers per NFPA 13D) is not possible due to HMS falling within the PPA's Water Service Area. PPA allegedly has threatened to sue the county if such were approved.

- PPA is responsible for updating its own water service map on record with the state of UT. However, when PPA was unable to serve a portion under their area they did not update that water service area map with new service boundaries. To me this indicates that the water service area map is not valid as there have admittedly been holes in their coverage, case in point. Mr. Pitcher was not notified of the capability to provide coverage until June 5<sup>th</sup> '19 which is well past the time that all 7 of the lots were sold.
- PPA acknowledges that it was unable to provide water for culinary or fire suppression, therefore the fire suppression responsibility defaulted to the NOA well. I understand the optimism that one day PPA could provide this service, however, Morgan County should have escrowed money for the NOA well it approved along with the other improvements that were bonded prior to clearing lots to be sold. This is a legal oversight and I believe Morgan County is liable.
- A plat amendment can be worded in such a way as to provide an alternate to only the NOA well, which, when PPA admittedly was unable to provide such services, became the primary.

As of this writing PPA, Morgan County and the Developer have been unable to reach a resolution to this conflict. I personally have been waiting almost 3 years for the parties to work out a solution with no indication that there ever will be. Below is a list of critical considerations:

- PPA was unavailable to provide water services when I bought my lot which forced me to drill a well in order to provide culinary water.
- PPA was unavailable to provide fire suppression services until June '19. Therefore the NOA well was to be the primary fire suppression system for HMS. Clear Creek Development has been unwilling/unable to perform and Morgan County did not appropriately manage the development of this subdivision to escrow funds for this improvement. To the contrary, the performance bond was released back to the developer even after it was noted that fire suppression did not exist in HMS.
- PPA does not have the capability of providing anyone within the HMS culinary water until Clear Creek Development transfers the existing pipeline within HMS to PPA.
- Fire Suppression has been approved and exists within the county based on residential sprinkling systems per NFPA 13D which can be accomplished via individual lot wells.

Given these, there is no possible way forward to provide both culinary water and fire suppression until Morgan County, PPA, and the Developer reach a resolution unless the county allows something else. After two years of watching these three parties bicker and argue, I am fed up and have little faith in any. Instead, I propose that the plat be amended to allow residential sprinklers as an alternate to the NOA well. I argue that this provides better fire suppression than either PPA or an NOA well as the response is IMMEDIATE. In either of the other two, at best, the response is going to be 7 minutes assuming that the engine/personnel are staged and ready to go; 7 minutes is the minimum driving time from the station to HMS and is a massive amount of time for the fire to grow. I question the motivations of anyone who says that the "gold standard" is a 7 minute drive time to a hydrant vs an immediate response system such as fire sprinklers.

I suggest anyone unfamiliar with the vast improvements created by residential fire sprinklers investigate referenced material found at: <https://www.nfpa.org/Public-Education/Staying-safe/Safety-equipment/Home-fire-sprinklers/Fire-Sprinkler-Initiative>

I propose the following amendment to the wording on the construction drawings or similar wording be added to the HMS plat.

Add to note 5 of the construction drawings:

- a. Sheet 3 of construction notes, Revision 3-14-18, sheet titled "Clayton Drive, 5+00.00 - 8+00.00."
- b. Sheet 4 of construction notes, Revision 3-14-18, sheet titled, Heather Meadows Drive 10+00.00-14+5.00

IS:

5. Preferred to have fire suppression water provided by Peterson Water, else NOA well w/1000 gpm for 2 hr minimum required.

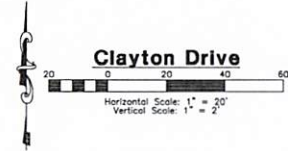
PROPOSED:

5. Fire suppression water provided by Peterson Water, else NOA well w/1000 gpm for 2 hr minimum required. Residential Sprinklers per NFPA 13D may be installed as an alternate to NOA well.

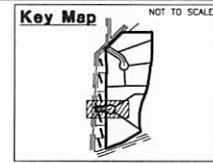
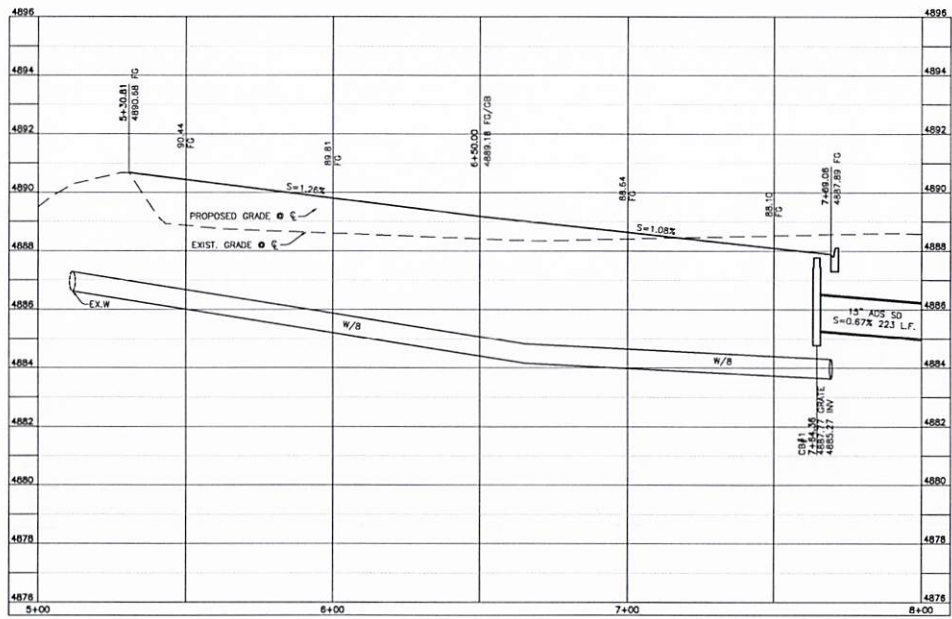
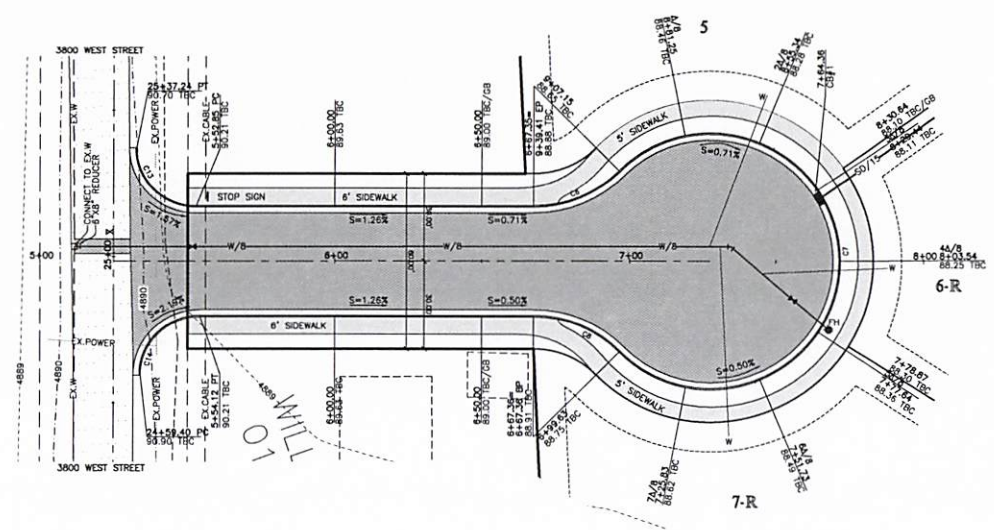




- NOTES:**
- TRANSITION PAVING FROM MORGAN VALLEY DRIVE, WITH A CLEAN SHIP-OUT TO FORM A SMOOTH TRANSITION BETWEEN NEW AND EXISTING SURFACES.
  - WATER LINE TRENCH MUST HAVE A "T" STYLE PATCH AND MUST BE APPROVED BY THE COUNTY PRIOR TO PAVING.
  - HOME FIRE MUST BE 1" MIN. ABOVE FLOOD ZONE LEVEL.
  - PREFERRED TO HAVE CULINARY WATER PROVIDED BY PETROBRON WATER, ELSE WELLS REQUIRED.
  - FIRE SUPPRESSION WATER PROVIDED BY PETROBRON WATER, ELSE NOA WELL W/1000 GPM FOR 2HR MINIMUM REQUIRED RESIDENTIAL SPRINKLERS PER NFPA 130 MAY BE INSTALLED AS AN ALTERNATE TO NOA WELL.



TBC Curve Data						
I	Delta	Radius	Length	Tangent	Chord	Ch Length
C6	45°16'11"	40.83'	32.26'	17.02'	N70°05'48"E	31.43'
C7	27°0'13'27"	44.00'	207.52'	43.83'	S23°37'10"W	4888.26'
C8	45°05'53"	41.00'	32.27'	17.02'	N64°49'05"W	31.45'
C13	89°27'11"	20.00'	31.23'	18.81'	S42°36'29"E	28.15'
C14	90°04'16"	20.00'	31.44'	20.02'	N47°35'48"E	28.30'



- Construction Notes:**
- ALL CONSTRUCTION IS TO CONFORM TO THE STANDARD DRAWINGS AND SPECIFICATIONS OF MORGAN COUNTY.
  - CONSTRUCT HANDICAP RAMP PER ADA AND CITY REQUIREMENTS.
- CULINARY WATER**  
W/8 - 6" DUCTILE IRON CL-51 WATER LINE
- STORM DRAIN**  
SD/12 - 12" ADS STORM DRAIN  
SD/15 - 15" ADS STORM DRAIN  
SD/18 - 18" ADS STORM DRAIN

**Reeve & Associates, Inc.**  
TRA & Associates, Inc.

100 SOUTH 100 WEST, SUITE 200  
MORGAN COUNTY, UTAH 84403

**REVISIONS**

DATE	BY	DESCRIPTION
08-28-18	CK	CITY COMMENTS
09-14-18	CK	WATER/WELL LOGS
09-18-18	CK	CITY COMMENTS
09-20-18	ER	STORM DRAIN
09-28-18	ER	STORM DRAIN

**Heather Meadows Subdivision**  
MORGAN COUNTY, UTAH

**Clayton Drive**  
5+00.00 - 8+00.00



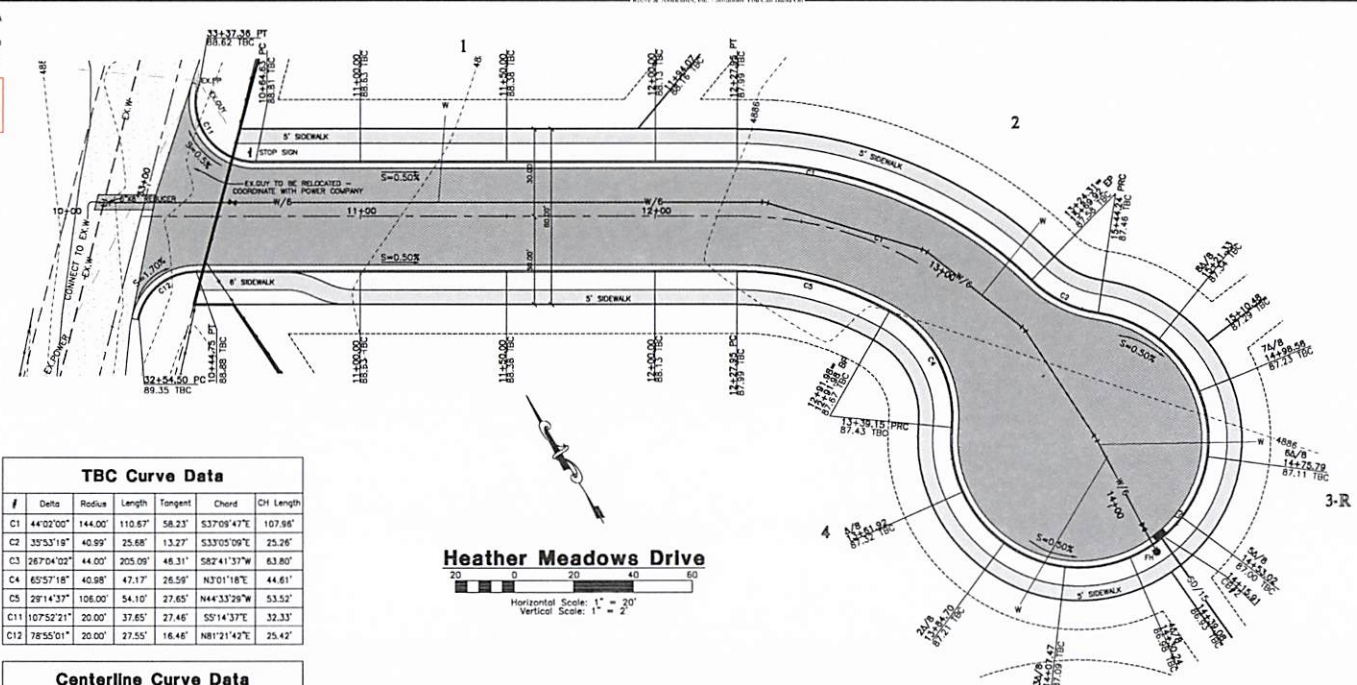
**Project Info.**  
Engineer: J. NATE REEVE  
Drafted: G. KINGOLEY  
Begin Date: 1-11-17  
Name: HEATHER MEADOWS SUBDIVISION  
Number: 6288-06

Blue Stakes Location Center  
**Call Toll Free 1-800-662-4111**  
Two Working Days Before You Dig

8/28/2018 1:03:38 PM C:\Users\jreave\OneDrive\Documents\Projects\Heather Meadows\Drawings\TRA\TRA-06-01.dwg

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC., 5180 SOUTH 1500 WEST RENO, UTAH 84403, AND SHALL NOT BE PHOTOCOPIED, RE-DRAWN, OR USED ON ANY PROJECT OTHER THAN THE PROJECT SPECIFICALLY DESIGNED FOR, WITHOUT THEIR WRITTEN PERMISSION. THE OWNERS AND ENGINEERS OF REEVE & ASSOCIATES, INC. DISCLAIM ANY LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS OR THE DESIGN THEREOF WITHOUT THEIR CONSENT.

- NOTES:**
1. TRANSITION PAVING FROM MORGAN VALLEY DRIVE WITH A CLEAN SAW-CUT TO FORM A SMOOTH TRANSITION BETWEEN NEW AND EXISTING SURFACES.
  2. WATER LINE TRENCH MUST HAVE A "T" STYLE PATCH AND MUST BE APPROVED BY THE COUNTY PRIOR TO PAVING.
  3. HOME FTE MUST BE 1" MIN. ABOVE FLOOD ZONE LEVEL.
  4. PREFERRED TO HAVE CULINARY WATER PROVIDED BY PETERSON WATER. (SEE WELLS REQUIRED).
  5. FIRE SUPPRESSION WATER PROVIDED BY PETERSON WATER, ELSE ADA WELL W/1000 GPM FOR 2HR MINIMUM REQUIRED. RESIDENTIAL SPRINKLERS PER NFPA 130 MAY BE INSTALLED AS AN ALTERNATE TO ADA WELL.

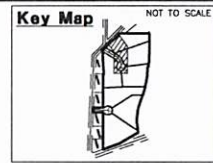
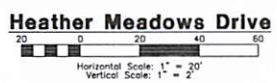


**TBC Curve Data**

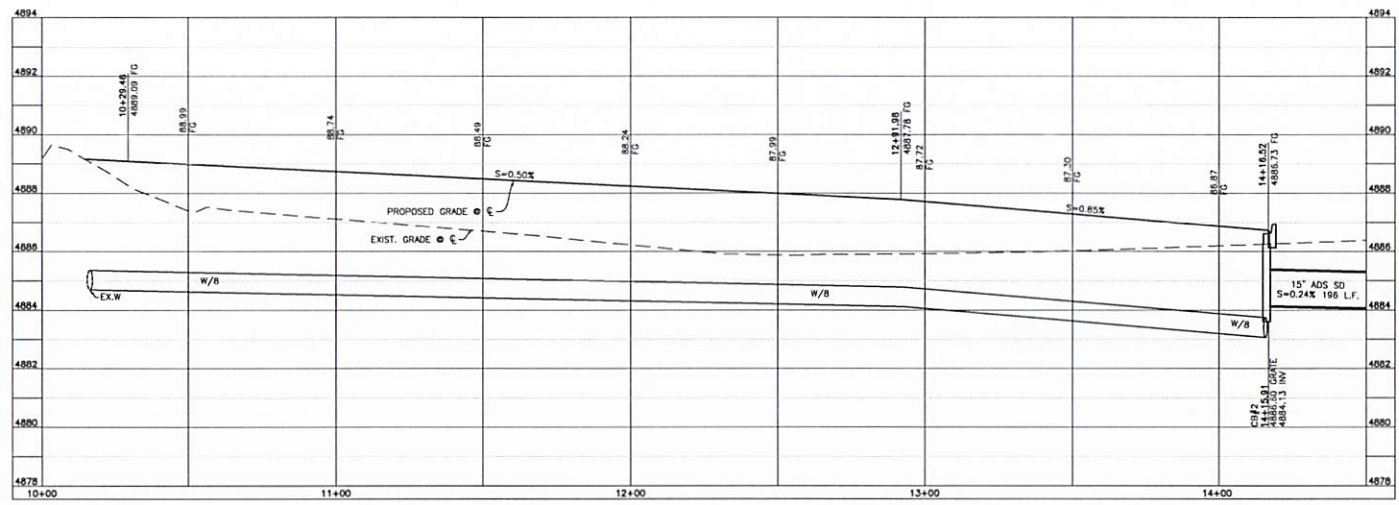
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C1	44°02'00"	144.00'	110.57'	58.23'	S37°09'47"E	107.95'
C2	35°53'18"	40.99'	25.68'	13.27'	S33°05'09"E	25.26'
C3	267°04'02"	44.00'	205.00'	48.31'	S82°41'37"W	63.80'
C4	65°57'18"	40.98'	47.17'	26.59'	N32°01'18"E	44.61'
C5	29°14'33"	106.00'	54.10'	27.65'	N44°33'29"W	53.52'
C11	107°52'21"	20.00'	37.65'	27.46'	S5°14'37"E	32.33'
C12	78°55'01"	20.00'	27.55'	16.48'	N81°21'42"E	25.42'

**Centerline Curve Data**

#	Delta	Radius	Length	Tangent	Chord	CH Length
C1	30°16'03"	121.21'	64.03'	32.78'	S44°39'58"E	63.29'



- Construction Notes:**
- 1) ALL CONSTRUCTION IS TO CONFORM TO THE STANDARD DRAWINGS AND SPECIFICATIONS OF MORGAN COUNTY.
  - 2) CONSTRUCT HANDICAP RAMP PER ADA AND CITY REQUIREMENTS.
- CULINARY WATER**  
W/6 - 6" DUCTILE IRON CL-51 WATER LINE
- STORM DRAIN**  
SD/12 - 12" ADS STORM DRAIN  
SD/15 - 15" ADS STORM DRAIN  
SD/18 - 18" ADS STORM DRAIN



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Two Working Days Before You Dig

**Reeve & Associates, Inc.**  
**IRA**

REVEE & ASSOCIATES, INC. ENGINEERS & ARCHITECTS  
1000 WEST 1000 SOUTH, SUITE 100, SALT LAKE CITY, UTAH 84119  
PHONE: (801) 466-1111 FAX: (801) 466-1112  
WWW.REVEE-ASSOCIATES.COM

**REVISIONS**

DATE	BY	DESCRIPTION
08-18-18	CK	City Comments
09-14-18	CK	Water/WEL Issues
09-15-18	CK	City Comments
09-18-18	CK	City Comments
09-18-18	CK	City Comments
09-18-18	CK	City Comments

**Heather Meadows Subdivision**  
MORGAN COUNTY, UTAH  
**Heather Meadows Drive**  
**10+00.00 - 14+50.00**



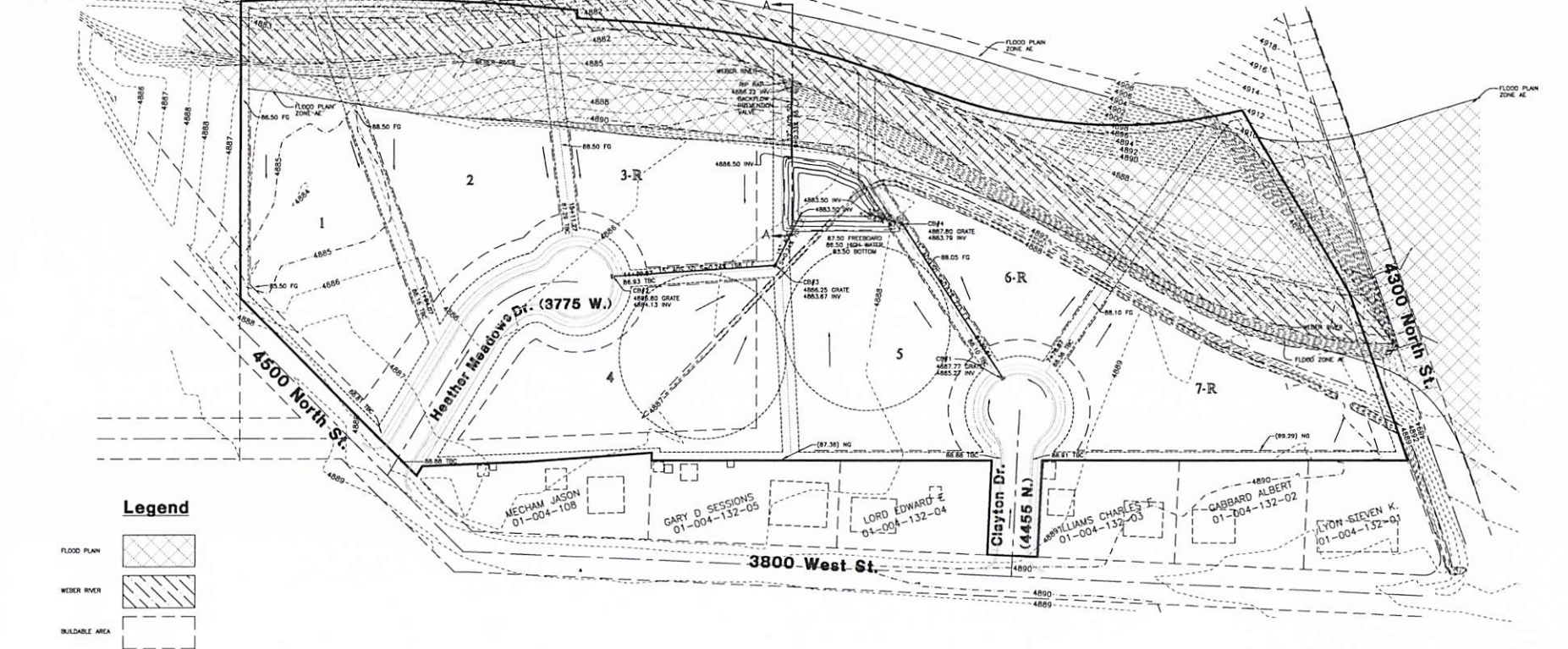
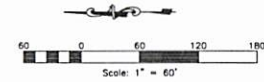
**Project Info.**  
Engineer: J. NITE REEVE  
Drafter: G. KINGSLEY  
Begin Date: 1-11-17  
Name: HEATHER MEADOWS SUBDIVISION  
Number: 6288-06

Sheet **8**  
4 Sheets

8/15/2018 1:00:00 PM C:\Users\jking\OneDrive\Documents\Projects\Heather Meadows\Heather Meadows.dwg User: jking

**RETENTION VOLUME CALC.**

TOP 88.50 = 6,711 SQ.FT.  
 ROFF 83.25 = 3,861 SQ.FT.  
 $(6,711 - 3,861) \times 0.20 = 5,780$   
 $88.50 - 83.25 = 5.25'$   
 $5,780 \times 0.91 = 5,257$   
 $5,257 + 17,218$  (PROVIDED RETENTION AREA)



**Legend**

- FLOOD PLAN
- WEBER RIVER
- BUILDABLE AREA

**Storm Runoff Calculations**  
 Heather Meadows - Peterson, UT  
 6228-08

The following runoff calculations are based on the Rainfall Intensity - Duration Frequency Curve for Peterson, UT area taken from the NOAA Atlas 14 database, using a 100 year storm 24 hour storm for retention. Storm water runoff has been calculated for completed site conditions.

The calculations are as follows:

**1. Drainage Area:**  
 Total Area = 1.28 acre or 55840 sq ft

Runoff Coefficients  
 Paved Area (sf) 34,840 C = 0.90  
 Roof/Hardscape Area (sf) 21,000 C = 0.85  
 Weighted Runoff Coefficient C = 0.88

**2. Volume of Run-off for 100-year 24-Hour Storm Event:**  
 $C = 0.88$  Post-Development Allowed Flow 0 cfs/acre  
 $I =$  See Below in/hr  
 $A = 55840$  sq ft  
 $Q_{(out)} = 0.00$  cfs (based on allowed cfs/acre rate)

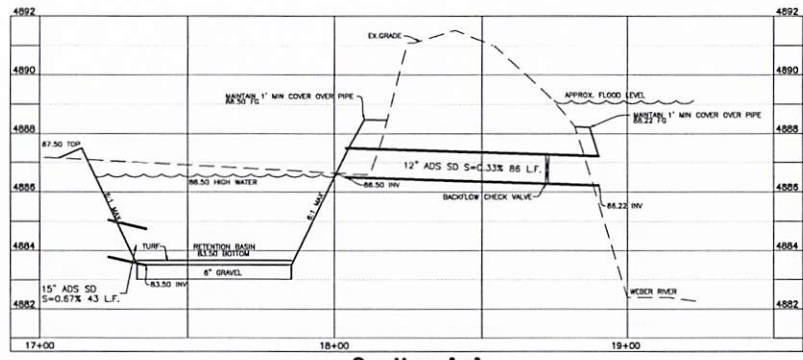
Time (min)	Time (hrs)	I (depth) (in/hr)	I (intensity) (in/hr)	Q (cfs)	Vol in (cu ft)	Vol out (cu ft)	Difference (cu ft)
0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5	0.08	7.37	8.29	2517.72	0.00	2517.72	0.00
10	0.17	5.81	6.39	3833.96	0.00	3833.96	0.00
15	0.25	4.64	5.29	4786.60	0.00	4786.60	0.00
30	0.50	3.12	3.55	5296.90	0.00	5296.90	0.00
60	1.00	1.93	2.20	7913.99	0.00	7913.99	0.00
120	2.00	1.12	1.28	9185.15	0.00	9185.15	0.00
180	3.00	0.77	0.88	9472.18	0.00	9472.18	0.00
360	6.00	0.43	0.48	10456.31	0.00	10456.31	0.00
720	12.00	0.26	0.30	12057.83	0.00	12057.83	0.00
1440	24.00	0.15	0.17	14599.83	0.00	14599.83	0.00

**Total Required Retention Volume 14,557 sq ft**

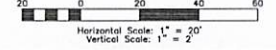
**STAGE STORAGE TABLE**

ELEV.	AREA (sq. ft.)	DEPT (ft)	AVG END INC. VOL. (cu. ft.)	AVG END TOTAL VOL. (cu. ft.)	CONIC INC. VOL. (cu. ft.)	CONIC TOTAL VOL. (cu. ft.)
4.884 000	3,528.08	N/A	N/A	0.00	N/A	0.00
4.885 000	5,238.12	1.000	4383.11	4383.11	4355.04	4355.04
4.886 000	7,216.44	1.900	8255.29	12638.41	8275.85	12664.26
4.886 500	6,790.83	0.500	4214.82	14853.23	4508.80	14566.48
4.867 000	5,619.45	0.500	4822.57	19233.81	4801.62	19190.51

PROVIDED VOLUME



**Section A-A**



**Reeve & Associates, Inc.**  
**IRA**

**REVISIONS**

DATE	DESCRIPTION
08-20-13	AN - City Comments
09-14-13	CR - Water/Air/Noise
09-25-13	CR - City Comments
10-10-13	CR - City Comments
10-20-13	CR - City Comments
11-20-13	CR - City Comments
12-20-13	CR - City Comments

**Heather Meadows Subdivision**  
 MORAN COUNTY, UTAH  
**Grading & Drainage Plan**



**Project Info.**  
 Engineer: J. KATE BEYER  
 Drafter: C. KINGSLEY  
 Begin Date: 1-11-17  
 Name: HEATHER MEADOWS SUBDIVISION  
 Number: 6228-08

Sheet **8**  
 5 Sheets









# THE TRUTH ABOUT HOME FIRE SPRINKLERS

Fires in the home pose one of the biggest threats to the people of your community. In 2018, US fire departments responded to an estimated 1,318,500 fires. These fires caused 3,655 civilian deaths, an increase of 8 percent over the previous year. Of those deaths, roughly 73 percent occurred in the home, the very place people feel most safe.

All national safety model codes include fire sprinklers as a minimum safety requirement for new home construction. Homes built without sprinklers lack a crucial element of fire protection. Because sprinklers have been around for so long, the evidence is clear that they are a proven way to protect lives and property against fires at home—

responding quickly and effectively to the presence of a nearby fire, and requiring minimal maintenance by homeowners.

## Fast Facts

- In 2018, there was a civilian fire death every 2 hours and 24 minutes in the United States.
- The risk of dying in a reported home fire is 85 percent lower where sprinklers are present.
- The cost of installation averages \$1.35 per sprinklered square foot for new construction.

### MYTH: "A smoke alarm provides enough protection."

**FACT:** Working smoke alarms can alert occupants to the presence of danger, but do nothing to extinguish the fire. In a fire, sprinklers can control and may even extinguish a fire in less time than it would take the fire department to arrive.

### MYTH: "Newer homes are safer homes."

**FACT:** Today's home fires become deadly in as little as 2 minutes. In a fire, unprotected lightweight construction materials, used in many modern homes, burn quicker and fail faster. New homes often contain modern furnishings made of synthetic materials that, in a fire, can create a highly toxic environment, greater fuel load, and faster fire propagation.

### MYTH: "Home fire sprinklers often leak or activate accidentally."

**FACT:** Leaks are rare, and are no more likely than leaks from a home's plumbing system. Home fire sprinklers are calibrated to activate when there is significant heat change—typically at 135-1650° F. Sprinklers don't operate in response to smoke, cooking vapors, steam, or the sound of a smoke alarm.

### MYTH: "When a fire occurs, every sprinkler will activate and everything in the house will be ruined."

**FACT:** Home fire sprinklers operate independently. In the event of a fire, typically only the sprinkler closest to the fire will

activate, spraying water directly on the fire, leaving the rest of the house dry and secure. In roughly nine of every 10 home fires with operating sprinklers, just one sprinkler operates.

### MYTH: "Sprinklers are unattractive and will ruin the aesthetics of the home."

**FACT:** New home fire sprinkler models are very unobtrusive, can be mounted flush with walls or ceilings, and can be concealed behind decorative covers.

### MYTH: "Sprinklers are not practical in colder climates, as the pipes will freeze and cause water damage."

**FACT:** With proper installation, sprinklers will not freeze. NFPA 13D, *Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*, includes guidelines on proper insulation to prevent pipes from freezing.

### MYTH: "The water damage caused by sprinklers will be more extensive than fire damage."

**FACT:** In a fire, sprinklers quickly control flames, heat, and smoke. Any water damage from the sprinkler will typically be much less severe than the damage caused by water from firefighting hose lines. Sprinklers use approximately 90 percent less water on a fire than a fire department hose line would.

## Free Information About Home Fire Sprinklers



**FIRE SPRINKLER INITIATIVE**  
Bringing Safety Home®

The Fire Sprinkler Initiative® (FSI), a project of the National Fire Protection Association®, aims to increase the number

of new, one- and two-family homes protected by sprinklers. The FSI website offers free research and resources to help advocates promote the fact that sprinklers are necessary in new construction. [firesprinklerinitiative.org](http://firesprinklerinitiative.org)



**Home Fire Sprinkler COALITION**  
Protect What You Value Most®

The non-profit Home Fire Sprinkler Coalition® (HFSC) is a leading resource for accurate, noncommercial information

and materials about home fire sprinklers for consumers, the fire service, builders, and other professionals. HFSC offers free educational materials about sprinklers and how they provide affordable protection to your community. [homefiresprinkler.org](http://homefiresprinkler.org)



IT'S A BIG WORLD.  
LET'S PROTECT IT TOGETHER.®

This information is provided to help advance fire and life safety. NFPA disclaims liability for any personal injury, property, or other damages of any nature whatsoever resulting from the use of this information.

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## Morgan County Fire Department

In response to a plat amendment requested by Montell Guymon Heather Meadows Lot owner #1. Morgan County Fire officials recommend denial of the proposed plat amendment for the following reasons and concerns.

Morgan County requires that "where an approved culinary water supply system is available or proposed" that water storage shall provide for "one hundred twenty thousand (120,000) gallons for fire suppression." [Morgan County Code 8-12-46(B)(2)(a)]. Note that 120,000 gallons of storage provides for fire flow of 1,000 gallons per minute for 2 hours (1,000 gallons per minute x 120 minutes = 120,000 gallons). The 2018 IFC requires 2,000 gallons per minute for 2 hours.

Concern for life safety; 13D residential sprinklers primary function during a fire event, only allows residents "for a very limited time" to exit the structure in the event of a fire. 13D can give a false sense of security. This type of system is not designed to extinguish a prolonged fire in a structure. This type of system is only a good alternative in areas of the county that do not have access to a culinary water supply system. Culinary water supply system; is preferred over the 13D for a working structure fire. 13D residential sprinklers limits water supply thus creating safety concerns for our firefighters. Water from a storage tank or other system is our best defense in keeping residents and firefighters safe. If a fire department must haul water, it creates a gap in water flow and safe fire operations.

There-fore: #5 Preferred to have fire suppression water provided by Peterson Water, else NOA well w/1000 gpm for 2 hr minimum should stay the requirement for this subdivision.

Fire Chief Morgan County  
Boyd Carrigan

Fire Marshal Morgan County  
Dave Rich

PLANNING COMMISSION MINUTES  
Thursday, June 24, 2021  
Morgan County Commission Room  
6:30 pm

Minutes of the Morgan County Planning Commission meeting at the above time and date at the Morgan County Courthouse, Commission Chambers; 48 West Young St., Morgan, Utah.

**Present PC Members:**

Chairman Ross  
Member Sessions  
Member Stephens  
Member Bass

**Staff:**

Lance Evans, Planning Director  
Haylie Hale, Planner I  
Bailey Smith, Transcriptionist/Permit Tech

**Absent Members:**

Member Wilson  
Member Little  
Member Mayerle

**Public Attendance:**

See Sign-in Sheet

1. Call to order – prayer
2. Pledge of Allegiance
3. Approval of agenda

**Member Bass moved to approve the agenda. Second by Member Stephens. The vote was unanimous. Motion carried.**

4. Declaration of conflicts of interest

Member Sessions stated she is a member/shareholder of the Peterson Pipeline Association.

5. Public Comment

Kristen Guymon from Peterson Utah stated she is a co-owner of Lot 1 in the Heather Meadows Subdivision. They had decided to come up with a Plan B in order to be able to build their home. She asked a question about the Fire Chief's review of the fire sprinklers. She asked the Planning Commission to ask a lot of questions.

Phil Larsen from Peterson Utah believes the proposed plat amendment provides a solution. The sprinkler option provides more protection for his family than waiting for the Morgan firetruck to arrive and connect to an NOA well or PPA system. If the plat amendment is not acceptable he asks the commission to be good regulators and provide detailed feedback as to why the proposed amendment falls short. He also thinks that if the laws and interpretation of those laws do not result in the technical requirements that achieve the level of safety then the laws need to change.

David Pitcher stated there have been mistakes made by him and by the county. He is confused as to why this is such an issue. He would like to know why is Heather Meadows specifically targeted. Seventy subdivisions in the county have no fire suppression at all. He proposed fire sprinklers in Morgan City and the Fire Marshal didn't know anything about fire sprinklers. He doesn't see any reason why the county can't approve what these lot owners want.

Jennifer Larsen from Peterson Utah stated she came here tonight to support the plat amendment. She emailed each of the PC members aside from Member Sessions asking for their support. They have spent over two years in trying to find a solution she has consulted with a land use attorney, fire suppression

expert, and a professional civil engineer. She added that each of the professionals recommended fire sprinklers as a solution to their dilemma. Three states mandate fire sprinklers to be in place in new single-family dwellings. She gave the top statistics of fires with fire sprinklers in the home. She is asking them to consider this research and help them incorporate fire sprinklers in the Heather Meadows subdivision so they can have a safe and reliable fire suppression method.

Trever Kobe President of Peterson Pipeline, stated they are willing and able to provide fire suppression to those homes. Peterson Pipeline does not prevent anyone from putting in fire sprinklers. The IFC does not currently permit fire sprinklers to replace the need for fire hydrants.

#### **Administrative Discussion:**

- 6. Discussion/Decision: Heather Meadows Plat Amendment** – A proposed amendment to the Heather Meadows Subdivision adding a third option for fire suppression.

Evans presented the application for a plat amendment to the Heather Meadows Subdivision to add a third option of fire sprinklers for fire suppression. The original plat was approved with two options. He gave a history of the subdivision and the process that was followed for approval. The request is to amend the construction drawings. The Fire department could not recommend approval. Fire sprinklers are allowed but not to replace hydrants. Staff is recommending denial. Member Bass asked what was needed for the hydrants to be functioning. Evans stated the connections are there but the water is turned off. Member Bass asked why the water was off. Evans stated the water was off because the developer had not paid the connection fees. Chair Ross asked if the subdivision was in the water service area. Evans stated yes.

Montell Guymon, the applicant, stated the fire official is allowed to defer from fire code requirements based on need and location. Neither of the other two options for fire suppression on the plat meets the 2018 IFC; the most the fire hydrants could meet is 500-600 gallons per minute. He has received verbal and other communication that all of the lot owners of the subdivision support the amendment. The applicant gave a history of his process to build in Heather Meadows. He purchased his lot in November of 2018 where his options were to drill his own culinary water well or wait six months in hopes that PPA would be able to provide water. They got their well permit in June of 2019 and the well was approved in July. The first time he heard from the county that the building permit would not be reviewed because the subdivision wasn't complete was in November of 2019. He stated he understands the county has a code and that it has to be followed. He went on to give a history of the conversations he and the planning director have had. He stated PPA has deficiencies that if they do not take care of they will become an unapproved water service. They are currently on probation with the division of drinking water. He feels this benefits all of us.

Member Bass asked why the county is responsible for this when it should be between the homeowner and developer. She asked why don't the lot owners sue the developer. Evans stated that this is an option for them but that is not something that the county is going to tell them to do. It is up to the lot owners to pursue or not. Member Bass stated she feels for the homeowners because they are the ones that bought into the mess but she doesn't understand why it is now our problem when the developer did not do their job. Chair Ross stated it is tough in these situations. We are limited in scope with our responsibility to look at this specific application. Member Bass asked if PPA had a will-serve when the subdivision was approved. Evans stated he believes so because the plat would not have been approved without it. Member Sessions asked if the pipelines in the road were accepted by the county. Evans stated the water lines have not been accepted by the water company. Chair Ross asked the water company to speak on the will-serve letter for the subdivision.

Trevor Kobe, Peterson Pipeline Association, stated they have consistently said they are happy to provide will-serves for all seven lots. They would just need to comply with the standard membership agreement. He stated the issue right now is there are a couple of lot owners that do not want to connect to them. They

have not yet been asked to provide a formal will-serve for this development but all of their communications have been that they are willing and able to service the seven lots. Chair Ross asked if they were to look at this like it is final plat would it meet code for approval. Member Bass stated if it is a standard agreement to get into PPA why is it a hang-up? Evans stated he understands that the lot owners feel that the Land Use Agreement they are being asked to sign is too much. If they have a well or water rights they would have to sign that over. Chair Ross clarified that our code states if you are in a water service area, which is independent of capacity the Fire Marshal cannot approve alternate fire suppression. Evans added that anywhere outside of water service areas they would have to get an approved fire plan from the Fire Marshal. Member Bass added it is important to note that we are community members that are here to help the planning process but we are not the professionals in any of these matters. She cannot go against the Fire Marshal's recommendation when she has no experience at all. She feels more comfortable forwarding this to the County Commission.

**Member Bass moved to recommend denial of the Heather Meadows Subdivision Plat Amendment to the County Commission, application number 21.024, amending Improvement Plan Note 5 as proposed allowing residential sprinklers as a fire suppression alternative. Located at approximately 4490 N 3800 West, based on the findings listed in the staff report dated June 24, 2021. Second by Member Stephens. The vote was unanimous. Motion carried.**