

**NOTICE OF MEETING TO BE HELD IN PUBLIC AND EXECUTIVE SESSION
OF THE MORGAN COUNTY COUNCIL
TUESDAY, MAY 18, 2010
5:00 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 members 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.

AGENDA:

5:00 p.m.	Call to Order Prayer Approval of Agenda Approval of Minutes Approval of Checks Personnel Action Forms Garbage Waivers Motor Vehicle Fee Refund Personal Property Tax Refund
5:15 p.m.	Public Comment Period
5:20 p.m.	County Council Business
5:25 p.m.	Brenda Nelson – Discussion/Decision – Approve Agreement for Access to Public Records/Approve Fee Schedule
5:40 p.m.	Gwen Rich – Discussion/Decision – Approve MCAT CAMA Installation Resolution
5:45 p.m.	Stacy Lafitte – Discussion/Decision – Approval of Bailiff and Security Contracts between Morgan County and the Administrative Office of the Courts for Fiscal Year 2011
5:50 p.m.	Discussion – Process for Filling Un-Expired Vacancy for Council District 5 position
5:55 p.m.	MHS Cheerleaders – Discussion/Decision – Approve Flag Fundraiser for Cheerleaders
6:00 p.m.	Garth Day – Discussion/Decision – Ordinance for County hiring process within Elected offices
6:10 p.m.	Garth Day – Discussion/Decision – Restaurant Tax Advisory Board
6:20 p.m.	Road Dept – Discussion/Decision – Equipment Needs
6:35 p.m.	Executive Session

ADJOURN

Note: The Council may vote to discuss certain matters in Executive Session pursuant to Utah Code Annotated 52-4-5. In compliance with the Americans with Disabilities Act, individuals needing accommodations (including auxiliary communicative aids and services) during this meeting should notify Stacy Lafitte at (801)845-4011 at least 24 hours before this meeting. Agendas are also posted on the county web site at <http://www.morgan-county.net> under 'Agendas & Notices' and on the Utah Public Meeting Notice website at <http://www.utah.gov/pmnl/index.html>

Date Posted	May 17, 2010
Time Posted:	12:35 p.m.
Posted By:	Teresa Lake

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Members Present

Sid Creager, Chairman
David Gardiner
Howard Hansen
Rodney Haslam
Tina Kelley
Karen Sunday

Members Excused

Alvin Lundgren

Other Staff

Garth Day, Council Administrator
Jann Farris, County Attorney
Teresa Lake, Deputy Clerk
Jeremy Archibald, IT
Grant Crowell, Planning Director
Jay Palmer, Road Supervisor
Brenda Nelson, County Recorder
Gwen Rich, County Assessor
Mark Miller, Engineer

Others Present

Debbie Sessions
Val Byram
Deanne Winterton
Larry Hatch
Lyle Nelson
Kristy Nelson
Don Anderson
Don Mathews
Robert Wright
Julie Anderson

Chairman Creager called the meeting to order at 5:00 p.m.

The invocation was given by Member Gardiner.

Approval of Agenda

It was noted there will not be an Executive Session.

**Member Hansen moved to approve the agenda for May 18, 2010 with the noted correction.
Seconded by Member Sunday. The vote was unanimous. The motion passed.**

Approval of Minutes

There were corrections noted.

**Member Gardiner moved to approve the minutes of May 4, 2010 with the noted corrections.
Seconded by Member Haslam. The vote was unanimous. The motion passed.**

Approval of Checks

There was a check to Automated Mechanical taken out of the Parks budget and it should be taken out of the Buildings and Grounds budget (the Clerk is aware of this).

**Member Kelley moved to approve the Check Edit List dated May 11, 2010 with the noted correction.
Seconded by Member Gardiner. The vote was unanimous. The motion passed.**

Personnel Action Forms

Member Gardiner moved to approve the Personnel Action Forms for salary increases for Jason Lee, Jodi Carrigan, Blaine Breshears, Chris Brown and Daniel Scott Peay with the finding it is in line with the salary plan. Seconded by Member Haslam. The vote was unanimous. The motion passed.

Garbage Waivers

Member Sunday moved to approve writing off garbage accounts #937.1 for \$15, #578.2 for \$340 and #644.1 for \$19 with the finding it was recommended by the Clerk's office. Seconded by Member Gardiner. The vote was unanimous. The motion passed.

Motor Vehicle Fee Refund

Member Gardiner moved to refund \$15 for watercraft VIN # UTZ8240AF0410 with the finding it was an incorrect calculation based on boat size. Seconded by Member Hansen. The vote was unanimous. The motion passed.

Personal Property Tax Refund

Member Kelley moved to approve the refund of an overpayment on personal property for Stan Rees with the finding it is recommended by the Assessor because this was an error in their office. Seconded by Member Hansen. The vote was unanimous. The motion passed.

Public Comment Period

Val Byram stated he was here on March 2, 2010 requesting something be done to fix a round-a-bout on Cottonwood Canyon Road and to date nothing has been done.

Garth stated he has talked with the Gardner's and they were going to take care of this but to date they have done nothing.

Jann recommended notice be given to Gardner's that if it is not taken care of by a certain date then the County will do it and send them the bill.

County Council Business

Member Haslam stated the High School Rodeo was last weekend and was a success. He noted the groups that use the fairgrounds helped clean the fairgrounds. He stated the fairgrounds crew, road crew and parks crew have done a good job in getting everything ready for the season. He also stated the Ogden Pioneer Days honors an "American Cowboy" from each county and asked for a recommendation from Morgan County. He stated Randy Sessions, Scott Rees, Dean House and Lan LaJeunesse have been spotlighted in the past; he submitted Mike Morgan as the person to be honored this year.

Member Sunday stated the Fourth of July celebration will be on July 3rd and plans are moving along; they are looking for someone to help build a stage for the program if anyone is interested in helping.

Chairman Creager stated there will be an Open House on June 2, 2010 at Wasatch Integrated for the grand opening of the Wasatch Recycling Drop-Off Facility.

Brenda Nelson – Discussion/Decision – Approve Agreement for Access to Public Records/Approve Fee Schedule

Brenda Nelson, County Recorder, stated they have worked with a couple of companies to get everything in line for access to Public Records. She noted the fee schedule is in line with other counties of our size. She asked for the Council to approve the agreement and fee schedule so they can move forward.

Member Kelley moved to approve the Agreement for Access to Public Records as outlined in the packets. Seconded by Member Hansen. The vote was unanimous. The motion passed.

Member Kelley moved to approve the Fee Schedule for accessing the Public Records as outlined in the packets and recommended by the Recorder's Office. Seconded by Member Gardiner. The vote was unanimous. The motion passed.

Gwen Rich – Discussion/Decision – Approve MCAT CAMA Installation Resolution

Gwen Rich, County Assessor, stated MCAT is implementing a CAMA system that was approved by the legislature and all counties are involved; Morgan County is scheduled to go on the CAMA system in June of 2012. She noted they are asking for each County to adopt a resolution stating they will provide sufficient funds and other resources necessary to implement and operate the CAMA system after it is installed.

Member Kelley moved to approve the MCAT CAMA Installation Resolution on the recommendation of the Assessor's Office. Seconded by Member Sunday. The vote was unanimous. The motion passed.

Stacy Lafitte – Discussion/Decision – Approval of Bailiff and Security Contracts between Morgan County and the Administrative Office of the Courts for Fiscal Year 2011

Member Sunday moved to approve the Bailiff and Security Contract between Morgan County and the Administrative Office of the Courts for FY2011. Seconded by Member Gardiner. The vote was unanimous. The motion passed.

Discussion – Process for Filling Un-Expired Vacancy for Council District 5 position

Member Gardiner stated in the past when there have been vacancies that applications have been taken and then the Council interviews and appoints a new member to fill the vacancy.

It was noted that Member Gardiner will be moving and this is his last meeting.

Chairman Creager publicly thanked Member Gardiner for his service.

It was requested that Staff advertise for the District 5 Council seat in the Morgan newspaper and also the Ogden paper.

Larry Hatch suggested the two candidates who have filed to run for this position automatically be considered.

MHS Cheerleaders – Discussion/Decision – Approve Flag Fundraiser for Cheerleaders

Stephanie and Shannon Criddle, Morgan High School Cheerleaders, stated they put up flags on six of the patriotic holidays as a fundraiser. They noted in the past the County has had 10 flags for a total donation of \$300 and requested the County's support again this year.

Member Sunday asked for the cheerleaders to place the flags along the parade route for the July 4th parade and then return them to their proper places after the parade; she also requested they put a float in the parade.

Member Haslam also requested they put a float in the fair parade.

Member Sunday moved to approve the donation of \$300 to the Morgan High School Cheerleaders for the flag fundraiser. Seconded by Member Gardiner. The vote was unanimous. The motion passed.

Garth Day – Discussion/Decision – Ordinance for County hiring process within Elected offices

Garth Day stated this came from UAC; there is a Utah Statute, section 17-16-7(1) (b) outlining how the County is to hire administrative staff in the offices of the county. He stated the three options for hiring are:

- Budget approval process through the department's personnel line item;
- Approval of individual personnel allocations of a specific number of positions in a department
- Approval or disapproval of all hiring.

He noted there is a model ordinance in the packet that was provided by UAC to handle this.

Member Kelley stated this is a clean-up item and currently the county hires through the budget approval process.

It was suggested that language be added to the ordinance referring that HR Services would do a thorough review to be consistent with salary plan.

Member Gardiner moved to direct staff to put together an ordinance for the county hiring process with the elected officials using the current budget approval process; also with an optional subparagraph including HR Services and the salary schedule that will be used with some exceptions knowing there are some contract employees and there will be some exceptions for them. Also direct staff to have other elected officials review this before it is brought forward for approval. Seconded by Member Haslam. The vote was unanimous. The motion passed.

Garth Day – Discussion/Decision – Restaurant Tax Advisory Board

Garth stated under State code, section 59, it authorizes counties to collect TRCC. He noted TRCC comes in three forms:

- Transient Room Tax (hotel tax) (Morgan County does not have a hotel so they are not eligible to collect that tax.)
- Rental Car Tax (Morgan County does not have a car rental business).
- Restaurant Tax (Morgan County does have restaurants and 1% tax is collected on sale of food).

He noted under 17-31-8 Morgan County is required to have a Tourism tax advisory board; this law has changed recently. He noted there is currently not a board but there are certain people who should serve on that board.

Member Sunday stated 17-31-8(3) (b) specifically states “employees of” and she questioned who specifically that refers to since there are not certain facilities in Morgan County.

Garth stated the Council would be in charge of the appropriations and the board would only make recommendations.

It was noted a majority should be employees located within the County and members of the boards could be appointed to serve on this board.

It was suggested that the Chairman of each board (Parks, Recreation, Airport, Fairgrounds) serve on this advisory board as well as employees from restaurant businesses located in the County and possibly someone from the golf course and Chamber of Commerce with meetings to be held quarterly or at least a couple of times a year with one of those meetings being held prior to the budget sessions so that they could make recommendations for the upcoming year.

Road Dept – Discussion/Decision – Equipment Needs

Garth stated the County is moving towards more of a construction maintenance rather than crisis management of the roads throughout the County; this move will require purchasing equipment to do the job.

Jay explained what equipment his department needs and the purpose of each item. He noted purchasing the equipment makes it available when there is a need to fix problems or stay on top of maintaining the roads.

Mark Miller put together an analysis showing the savings to the County considering the conditions of the roads in the County; based on his estimates it would be approximately \$25,700 savings per typical year. He stated with the equipment that repairs could be fixed in a timelier manner and it could extend the life of the roads.

It was noted there could be additional savings as this equipment and materials could also be used on the airport, parks, etc.

Chairman Creager suggested if this moves forward then direction needs to be given to staff on what funds to use for paying for this equipment, road bond or Class B Road fund.

Member Gardiner moved to direct staff and road department to do additional research and receive bids for the actual cost of the equipment and allow the Council to make the decision at that point. Seconded by Member Haslam. The vote was unanimous. The motion passed.

Executive Session

No Executive Session was held.

Member Hansen moved to adjourn

APPROVED 
Chairman

Date 6-1-10

ATTEST 
Clerk

Date 6-1-10