

**NOTICE OF MEETING TO BE HELD IN PUBLIC AND EXECUTIVE SESSION  
OF THE MORGAN COUNTY COUNCIL  
TUESDAY, JUNE 3, 2008  
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 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:**

- |           |  |
|-----------|--|
| 4:00 p.m. | Call to Order<br>Prayer<br>Approval of Agenda<br>Approval of Minutes<br>Approval of Checks<br>Personnel Action Forms   |
| 4:15 p.m. | Public Comment Period  |
| 4:20 p.m. | County Council Business  |
| 4:25 p.m. | Discussion/Decision – Appoint citizen representative to Weber-Morgan Health Board  |
| 4:30 p.m. | Tom Dupre, Karen Sunday, Lynette Stephens – Discussion/Decision – Amend by-laws for the Fairgrounds Board, extend approval of Fairgrounds packet to July 1, 2008, make changes to the Fairgrounds Board, waive fees for non-profit groups using fairgrounds as per 2007  |
| 4:40 p.m. | David Gardiner – Discussion/Decision – Request waiver of fees for use of fairgrounds for truck pulls   |
| 4:45 p.m. | Community Development – Discussion/Decision – Peak Development, Clay West: Zone change request at approximately 2200 N Old Hwy Rd, Stoddard Village Center, from A-20 to RR-1 between Old Hwy and I-84 and Concept Plan Approval of Stoddard Meadows Subdivision, 13 lots  |
| 5:00 p.m. | Public Hearing – Morgan Valley Partners LLC Tom Henriod, Agent: Petition to amend the zoning map of the existing Round Valley Golf Course from A-20 to MPDR zoning in concurrence with an application for Concept approval of “Rivala MPDR” a proposed 343-acre golf course and recreational community <ul style="list-style-type: none"><li>• Staff Presentation</li><li>• Public Hearing</li><li>• Discussion/Decision</li></ul> |
| 5:30 p.m. | Dave Rich – Discussion/Decision – Approve contract and Purchase Order for Lantis Productions for fireworks for July 4th  |
| 5:35 p.m. | Discussion/Decision – Approve funding for Seed Weber/Davis/Morgan  |

**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'.

|              |              |
|--------------|--------------|
| Date Posted  | June 2, 2008 |
| Time Posted: | 1:55 p.m.    |
| Posted By:   | Teresa Lake  |

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**Council Members Present**

Bruce Sanders, Chairman  
Tina Kelley  
Lynette Stephens  
Chad Hawkes

**Other Staff**

Teresa Lake, Deputy Clerk  
Jann Farris, County Attorney  
Sherrie Christensen, County Planner  
Jason Allen, County Engineer

**Others Present**

Debbie Sessions  
Joan Hellstrom  
Deanne Winterton  
Preston Stinger  
Nate Fotheringham  
Tom Henriod  
Chris VanCampen  
Dean Pace  
Colin Winchester  
J Blair Larsen Sr

Brent Bohman  
Bruce Tonks  
Carol Tonks  
Gene Ercanbrack  
Aloma Ercanbrack  
DeOrr Peterson  
William Weaver  
Ray Little  
Dennis Peterson

**Members Excused**

Sid Creager  
David Gardiner  
Karen Sunday

**Chairman Sanders called the meeting to order at 4:00 pm.**

**The invocation was given by Member Hawkes.**

**Approval of Agenda**

It was noted there were no minutes to approve.

**Member Stephens moved to approve the agenda for June 3, 2008 with the noted change. Seconded by Member Kelley. The vote was unanimous. The motion passed.**

**Approval of Minutes**

There were no minutes to approve.

**Approval of Checks**

**Member Stephens moved to approve the Check Edit List of May 28, 2008. Seconded by Member Hawkes. The vote was unanimous. The motion passed.**

**Personnel Action Forms**

**Member Hawkes moved to approve the Personnel Action Form for Katharine M. Lyon as a Library Page. Seconded by Member Kelley. The vote was unanimous. The motion passed.**

**Member Stephens moved to approve the Personnel Action Form for Susie Lyon as a Library Page. Seconded by Member Kelley. The vote was unanimous. The motion passed.**

**Public Comment Period**

J. Blair Larsen Sr. stated that the Mountain Green Park has never looked better and the people responsible for taking care of it should be commended. He also commended Member Sunday for the work she has done with the Fairgrounds and the Fairgrounds Board to bring about the needed changes.

### **County Council Business**

Chairman Sanders read a letter from the Wasatch Front Regional Council stating they would donate \$10,000 for fiscal year 2009 for Envision Morgan.

Member Kelley encouraged everyone to come to the Envision Morgan public workshop meeting tomorrow (Wednesday, June 4<sup>th</sup>) night at the Morgan Middle School.

Member Stephens reminded everyone that the Morgan County Fair is coming up the end of July and first of August; quilts are being accepted for the quilt auction to help raise money for the fair.

### **Discussion/Decision – Appoint citizen representative to Weber-Morgan Health Board**

Member Kelley noted that there are four applicants for the Weber-Morgan Health Board; they are Farrell Kirk, Katherine Oakley, Ann Larsen, and Wayne Woodward. She suggested accepting the application of Ann Larsen.

**Member Kelley moved to appoint Ann Larsen as the Morgan County At-Large Representative on the Weber-Morgan Health Board. Seconded by Member Stephens. The vote was unanimous. The motion passed.**

### **Tom Dupre, Karen Sunday, Lynette Stephens – Discussion/Decision – Amend by-laws for the Fairgrounds Board, extend approval of Fairgrounds packet to July 1, 2008, make changes to the Fairgrounds Board, waive fees for non-profit groups using fairgrounds as per 2007**

Member Stephens noted that the Fairgrounds Board would like to have two individuals serve from each group; they would be appointed within their group and then approved by the Fairgrounds Board rather than by the Council. Member Stephens also noted that there are non-profit groups that would like their fees waived for this year.

Member Kelley noted that these groups are the ones using the fairgrounds and then expect the County to cover the fees for maintaining the fairgrounds.

Chairman Sanders agreed with Member Kelley.

Member Stephens noted that the Fairgrounds Board would like an extension on the approval of the Fairgrounds packet until the first of July. She also suggested allowing this year as a grace period before charging the fees.

Chairman Sanders stated that all fees should be paid until this is approved and if the fees are waived then refunds can be issued to those particular groups requesting them.

Member Hawkes stated that he is concerned that there is no one here to represent the Fairgrounds Board.

The by-laws were discussed but it was determined that not everyone has a copy.

**Member Stephens moved to table the decisions on the Fairgrounds until July 15, 2008. Seconded by Member Hawkes. The vote was unanimous. The motion passed.**

### **David Gardiner – Discussion/Decision – Request waiver of fees for use of fairgrounds for truck pulls**

Member Stephens noted that the people running the truck pulls collect all the gate fees and they do not put anything back into the County. The Rec-Plex handles the concessions and they put the money back into the Rec-Plex. She further noted that they should be required to have a business license.

Member Kelley noted that the truck pulls requires the rock picker and it is costly to the County; she feels that they should be charged the same as anyone else.

**Member Hawkes moved to deny this agenda item to request waiver of fees for use of the fairgrounds for truck pulls. Seconded by Member Stephens. The vote was unanimous. The motion passed.**

**Community Development – Discussion/Decision – Peak Development, Clay West: Zone change request at approximately 2200 N Old Hwy Rd, Stoddard Village Center, from A-20 to RR-1 between Old Hwy and I-84 and Concept Plan Approval of Stoddard Meadows Subdivision, 13 lots**

Sherrie noted on the zone change they are requesting a change from A-20 to RR-1. She stated that it is compliant and the Planning Commission recommends approval based on the following findings:

**Findings:**

- The proposed amendment is in accord with the comprehensive General Plan goals and policies of the county;
- Changed or changing conditions made the proposed amendment reasonably necessary to carry out the purposes of the LUMC;
- The proposed zone change is in accordance with existing uses in the Area Plan and specifically recommended by the Stoddard Area Plan.

She noted on the concept plan they are proposing a 13-lot standard subdivision with each of the lots being over 1.5 acres for individual septic tanks and wells. She noted that the code does allow for shared wells but there have been issues with the shared wells and the Health Department. The Planning Commission and Staff recommend approval based on the following findings and conditions:

**Findings:**

- The proposed Concept Plan is in conformance with the LUMC, General Plan and Stoddard Area Plan;
- The proposed use will not negatively effect integrity of the General Plan;
- The Stoddard Area Plan specifically identifies this property within the Village Center and recommends the RR-1 zone.

**Conditions:**

- All engineering concerns shall be addressed prior to preliminary plat approval.
- The Planning Commission may place additional conditions and restrictions as deemed necessary at preliminary plat approval and within the development agreement, if required;
- All lots must be 1.5 acres, unless shared wells are employed and approved by the Weber-Morgan Health Department.

Member Stephens noted that she would like to see a finding that building envelopes have to be outside of jurisdictional wetlands.

Sherrie noted that the finding could be added but she would enforce it anyway.

It was noted that it was tabled by the Planning Commission so that a couple of things could be reviewed and was then approved on May 15, 2008.

**Member Hawkes moved to approve the Zone Change at approximately 2200 North Old Highway Road from A-20 to RR-1 and approve the Concept Plan for the Stoddard Meadows Subdivision, 13 lots, in accordance with the findings and subject to the conditions of the Planning Commission with an additional condition added that building envelopes must be outside of any jurisdictional wetlands. Seconded by Member Stephens. The vote was unanimous. The motion passed.**

**Public Hearing – Morgan Valley Partners LLC Tom Henriod, Agent: Petition to amend the zoning map of the existing Round Valley Golf Course from A-20 to MPDR zoning in concurrence with an application for Concept approval of “Rivala MPDR” a proposed 343-acre golf course and recreational community**

- Staff Presentation
- Public Hearing
- Discussion/Decision

Sherrie noted that this is before the Council for the Public Hearing. She noted that the developer has an updated traffic study. She has also been working with Grant MacKay and his attorney to work out the access through Como and she does not foresee any problems there.

**Member Hawkes moved to go into public hearing. Seconded by Member Stephens. The vote was unanimous. The motion passed.**

**Public Hearing**

J. Blair Larsen asked for clarification on the route to this development; the developer stated they would be going through Como. Mr. Larsen stated that he would like to see affordable housing in Morgan. He read from chapter nine of the General Plan and noted that the reality is affordable housing needs to be addressed sooner rather than later. He asked what would be wrong with having a base density and then penalize the developer if there is not affordable housing. He noted that he is not against this development.

**Member Stephens moved to go out of Public Hearing. Seconded by Member Hawkes. The vote was unanimous. The motion passed.**

Tom Henriod addressed the Council Members concerns from the work session. He understands the concerns about privatizing the road and noted that they will protect the rights and access of the neighboring landowners. They feel that the density is appropriate for the resort and the area; they are less dense than other developments currently in the County. He noted that they will work with the Fire Department when Phase 5 begins. He further noted that there are no specific requirements for affordable housing in this development and ask the Council to take into account that this project is different than other projects going into the County. This project will bring notoriety to the County. He stated that they feel like affordable housing is not appropriate for this project.

Preston Stinger, Fehr & Peers Traffic Consultants, stated that they have provided a couple of traffic analyses, one using 100 South and the other using Commercial Street. He noted that in terms of the project that Morgan is in good condition. The only problem they can see is at the corner of Commercial Street and State Street and they propose placing signs at the exit of freeway encouraging people to use the frontage road instead of Commercial Street as access to the development. He noted that in his studies projecting 2012 that things still look good. In traffic reports he noted that different density have been used. He noted that 40% of the housing would be for secondary homes which would decrease traffic from what is projected.

Mr. Henriod stated that Sherrie had given him a copy of a motion from the Planning Commission and it is not what he remembers and would like to listen to the tape of that meeting.

Member Kelley stated that the maps still show the use of the 100 South and she wants a guarantee that it will not be used; she does not want to go ahead and approve the rezone with 100 South still as an option.

Mr. Henriod stated they understand the City, County and neighbor concerns showing 100 South as the access to the development and they have come up with a plan using Commercial Street; they will also look at options for the construction access.

Sherrie stated that as part of the zone change they will get an agreement with Mr. MacKay for access through Como. She noted that once the primary access road is finished that 100 South would be vacated and dead end just beyond Harold Laughter's home.

Chairman Sanders noted that in the Envision Morgan public workshops that everyone has put this as a resort, he likes the net economic gain to Morgan County and the School District and the increase in jobs in the County. He stated that his biggest concern is the access and he would like it listed as a condition that 100 South will not be used; he would also like to have the City give input and concur with the decision about the traffic. He would like to see condition #2 changed to "the primary access road shall remain a public street up to the end of the existing County right of way" and strike out "which dead ends at the

existing club house", the next line "the developer may maintain a security booth" add "at the end of the public road". Chairman Sanders noted that this is what he envisions for Morgan.

Member Hawkes stated that he was surprised there was not more public comment made on this development because this is a big deal for the County.

Member Kelley noted that condition 12 talks about affordable housing being provided and the developer does not want to look at that.

Sherrie noted that the developer would rather pay the fee-in-lieu.

Sherrie suggested tabling this agenda item until the next meeting, have a work session and then make a decision with a full quorum.

Mr. Henriod would like clarification on the motion from the Planning Commission and he would agree to have this tabled until the next meeting.

**Member Stephens moved to table the "Rivala MPDR" for two weeks. Seconded by Member Hawkes. The vote was unanimous. The motion passed.**

**Dave Rich – Discussion/Decision – Approve contract and Purchase Order for Lantis Productions for fireworks for July 4th**

It was noted that this is more than it was last year because the cost of fireworks has gone up.

Jann Farris noted that he has looked at the contract and there are a couple of typos that he has talked with Fire Chief David Rich about, other than that it looks good.

**Member Hawkes moved to approve the firework contract for 2008 with the corrections noted by the Attorney with the Fire Chief also noting that there may be a \$500 increase in the cost of the fireworks from what was budgeted. Seconded by Member Stephens. The vote was unanimous. The motion passed.**

**Discussion/Decision – Approve funding for Seed Weber/Davis/Morgan**

Chairman Sanders stated that the Seed Weber/Davis/Morgan is well into the implementation stage; there have been four sub-committees formed that can help an individual at all levels in trying to establish a business. He noted that they are hosting an Entrepreneurial Boot Camp on a High School level and they have had 5 students from Morgan High School signed up. He noted that it is a week long, they have help at all levels, they earn Monopoly money and whatever is earned during the week can be used to purchase prizes.

Member Hawkes noted that there is a lot of potential in the County if people can just learn how to tap into it.

Chairman Sanders stated that he can see a lot of good coming from this. He noted that you join as a member so you have a service fee and then there is an annual fee. He also noted that this was not budgeted for because there were not firm figures.

**Member Hawkes moved that from the fund balance to fund a one time membership fee for the Seed Weber/Davis/Morgan in the amount of \$5,200 and also from the same fund to fund an annual fee for 2008 in the amount of \$1800 and that at budget time this be addressed to have money set aside as a line item. Seconded by Member Stephens. The vote was unanimous. The motion passed.**

**Member Stephens moved to adjourn. Seconded by Member Hawkes. The vote was unanimous. The motion passed.**

FOR REFERENCE ONLY  
SEE THE COUNTY CLERK FOR THE OFFICIAL COPY

Approved: \_\_\_\_\_  
Chairman

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

ATTEST: \_\_\_\_\_  
Clerk

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