



**May 5th, 2026**

**4:00 CLOSED SESSION 5:00 REGULAR MEETING**

*PUBLIC NOTICE is hereby given that the MORGAN COUNTY COMMISSION will hold a regular Commission meeting in the Commission meeting room at 48 West Young Street, Morgan, Utah.*

NOTE: Commissioner Raelene Blocker shall be attending remotely.

**COUNTY COMMISSION**

Commission Chair Matt Wilson  
Commissioner Mike Newton  
Commissioner Raelene Blocker  
Commissioner Blaine Fackrell  
Commission Vice Chair Vaughn Nickerson

**OTHERS IN ATTENDANCE**

Debbie Sessions  
Tina Kelley  
Jeff Mathews  
Brian Nesteroff  
Bret Smith  
John Bearnson  
Lauren Hiller  
Mike Babcock

**OTHER EMPLOYEES**

IT Director Jeremy Archibald  
Administrative Manager Kate Becker (CAM)  
Deputy Clerk/Auditor Chloe Adams  
County Attorney Garrett Smith (CA)  
Planning Director Josh Cook  
Planner 1 Kent Page  
Fire Chief Brad Wilkes  
Fair Coordinator Hailey Johnson  
Code Enforcement Officer Chris Tremea  
Public Works Director Brett Hiener

**4:00 CLOSED SESSION**

Utah Code Annotated § 52-4-205 (1) (c) strategy sessions to discuss pending or reasonably imminent litigation; AND (d) strategy sessions to discuss the purchase, exchange, or lease of real property [...]

**Closed Session Adjourned at: 4:55 PM**

**5:00 COMMENCEMENT OF MEETING**

**(A) Opening Ceremonies**

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

**(B) Consent Agenda Items**

1. Approval of the Morgan County Commission Minutes from April 21<sup>st</sup>, 2026.
2. Notice of vacancy on the Morgan County Rifle Range Advisory Board – Open to Submissions
3. Approval of out-of-state travel for training; Recreation Director Lydia Hebdon National Alliance for Youth Sports Conference, Orlando, FL November 17 – 19.
4. Notice of project completion: Morgan Fire Station Cement approach, sidewalks, and stairs.
5. Notice of project completion: Morgan County Airport Berm for beautification and sound barrier.
6. Notice of project completion: ADA door replacement in Library and external light upgrades.
7. Approval of the final Ticket Spice Agreement language for Fair ticket sales.
8. Approval of Indigent Defense Conflict Counsel agreement with Randall Lee Marshall of Marshall Law PLLC.

**Commissioner Nickerson moved to approve consent agenda items 1-4**

**Seconded by Commissioner Fackrell**

**VOTE:**

Commission Chair Wilson: Aye

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Commissioner Newton: Aye  
Commissioner Blocker: Aye  
Commission Vice Chair Nickerson: Aye  
Commissioner Fackrell: Aye  
The vote was unanimous. The motion passed.

**(C) Commissioner Declarations of Conflict of Interest**  
**No conflicts of interest were declared.**

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

**Tina Kelly (Mountain Green)** spoke on behalf of **Sean York**, who could not attend due to a family obligation. She read his statement into the record regarding the baseball fields at the Bowery. York reminded the commission of an upcoming meeting with the LDS Church about a possible lease opportunity for the fields. He noted he had already spoken with Commissioners Blocker and Nickerson and wanted to ensure the Commission was aware of and discussing the opportunity as needed. Tina also mentioned that Sean had sent photos of the Mountain Green team's uniforms and offered to share them with commissioners.

**Debbie Sessions (Peterson)** spoke on Agenda Item 3. She said the Planning Commission did not fail to make a timely recommendation. She explained that the application had been ongoing for years, that postponements are normal, and that the applicant had agreed to the Commission's timeline. She said the staff report given to the Planning Commission incorrectly stated the plat met code and that the Commission believed the code should be amended to allow the requested flag lot. She disagreed with the packet's interpretation of non-conforming approval rules and noted that significant plat errors remain uncorrected.

**(E) Action Items**

**1. Haley Johnson – Discussion/Decision – Morgan County Fair Coordinator**

Discussion and decision on section 7 of the 2026 Fair Fun Run Agreement to determine an alternate to profit sharing.

**Garret Smith (County Attorney)** explained that legal review recommended replacing profit-sharing with either a flat-fee or per-participant model. Race organizer **Joe Coles** said last year's fair run lost money, which is typical for a first-year event, and said a flat fee is simplest; he suggested \$500 as reasonable. **Haley Johnson (Fair Director)** clarified that the prior profit-share idea was hers. **Fire Chief Brad Wilkes** said a \$500 flat fee would cover ambulance availability. Commissioners, including **Vaughn Nickerson** and **Blaine Fackrell**, asked about emergency-service needs and impacts on the Junior Livestock Show, and Joe explained the early-morning Como Loop route would not interfere. Commissioner **Mike Newton** said \$500 was fair and supported moving forward.

**Commissioner Mike Newton** moved to approve the Morgan County Fair Run agreement using Option A, requiring a \$500 flat event fee.

**Commissioner Vaughn Nickerson** seconded.

VOTE:

Commission Chair Wilson: Aye  
Commissioner Newton: Aye  
Commissioner Blocker: Aye  
Commission Vice Chair Nickerson: Aye  
Commissioner Fackrell: Aye  
The vote was unanimous. The motion passed.

**2. Josh Cook – Discussion/Decision – County Planning & Zoning**

**WPR Mountain Villa Plat Amendment No. 2:** A request to adjust the "Limited Common Areas" around the previously platted and recorded twelve (12) townhome units.

**Kent Page (Planning and Development)** appeared in place of Josh and explained that the Planning Commission had recommended approval of the item, which was a simple adjustment converting common area to limited common area on the plat. He said the applicant, **Brian Nesteroff**, was present for questions. Commissioners indicated they had no concerns and noted the change did not affect density.

**Commissioner Newton** moved to approve **WPR Mountain Villa Plat Amendment No. 2**  
**Seconded by Commissioner Fackrell**

VOTE:

Commission Chair Wilson: Aye

Commissioner Newton: Aye

Commissioner Blocker: Aye

Commission Vice Chair Nickerson: Aye

Commissioner Fackrell: Aye

The vote was unanimous. The motion passed.

**3. Josh Cook** – Discussion/Decision – County Planning & Zoning (Presented by Chris Tremea)  
Silverstone Subdivision Phase 6 Plat Amendment: A request for approval of an amendment to Silverstone Subdivision No. 1, Amended Plat No. 1, for the creation of a new lot.

**Chris Tremea (Planning and Development)** presented the Silverstone Subdivision Phase 6 plat amendment, explaining that it would help resolve long-standing non-conformities stemming from an improper remainder parcel and unpermitted remodeling by the property owner, **Mike Babcock**. He noted the structure lacks a valid certificate of occupancy and will require code-compliance verification and double permit fees. **Garret Smith (CA)** clarified the constructive-denial process and how non-conforming use rules apply. The Commission discussed whether to pursue a text amendment allowing flag-lot access from cul-de-sacs before moving forward, or to address this application independently. Concerns were raised about potential unintended consequences of a code change, and opinions differed on the best sequence for resolving the issue. **Debbie Sessions** added that significant plat errors remain. The Commission agreed corrections are needed before action and returned the item to the Planning Commission for its May 28 meeting.

**Commissioner Newton** moved to return the Silverstone Subdivision Phase 6 plat amendment to the Planning Commission for its May 28 meeting, with direction not to pursue a code change but instead resolve the plat errors as a one-time correction.

**Commissioner Blaine Fackrell** seconded.

VOTE:

Commission Chair Wilson: Aye

Commissioner Newton: Aye

Commissioner Blocker: Aye

Commission Vice Chair Nickerson: Aye

Commissioner Fackrell: Aye

The vote was unanimous. The motion passed.

**4. Kate Becker**– Discussion/Decision – County Planning & Zoning  
Discussion and decision on awarding the RFQ for Engineering and Surveying Services.

**Kate Becker (County Administrator/Manager – CAM)** explained that the county's engineering services contract with Wasatch Civil expired the previous day and that Wasatch Civil was the only firm to submit an RFQ, offering the same rate as before. She said the RFQ had been posted in early April with no responses, then reopened for nine more days, during which only Wasatch Civil submitted. Kate said an extension would be necessary because the current contract had expired, and she requested authority to reopen the RFQ until May 28 and extend the existing contract long enough to complete the process. **Garret Smith (County Attorney)** recommended extending the contract through early July to allow time for review and negotiation. Kate agreed and asked if commissioners had firms they wanted her to contact directly.

**Commissioner Newton moved to extend the existing contract until July 9<sup>th</sup> and repost the RFQ until May 28<sup>th</sup> to be voted on at the June 2<sup>nd</sup> meeting.**

**Commissioner Vaughn Nickerson seconded.**

VOTE:

Commission Chair Wilson: Aye

Commissioner Newton: Aye

Commissioner Blocker: Aye

Commission Vice Chair Nickerson: Aye

Commissioner Fackrell: Aye

The vote was unanimous. The motion passed.

**5. Josh Cook – Discussion/Decision – County Planning & Zoning**

Discussion and decision on awarding the RFP for Building Inspector and Plans Examiner services.

**Kate Becker (County Administrator/Manager – CAM)** clarified that additional RFQs had been received from Sunrise, BCS, and SafeBuilt, and she requested approval for all three so the county would have multiple qualified options for building inspections and plan review. **Chris Tremea (Planning and Development)** explained that keeping all three firms on record complies with state code and gives the county flexibility if workload spikes or review timelines slip. He said the county would use the most competitive provider first, while the others offer backup capacity depending on whether plan review or inspections are needed. Commissioners expressed support once the list of firms was confirmed.

**Commissioner Nickerson moved to approve the award of the RFP to three separate entities: Sunrise, BCS, and SafeBuilt.**

**Seconded by Commissioner Fackrell.**

VOTE:

Commission Chair Wilson: Aye

Commissioner Newton: Aye

Commissioner Blocker: Aye

Commission Vice Chair Nickerson: Aye

Commissioner Fackrell: Aye

The vote was unanimous. The motion passed.

**6. Josh Cook – Discussion/Public Hearing/Decision – County Planning & Zoning**

**Side Yard Setbacks Code Text Amendment:** Request for approval of a text amendment to Morgan County Code (MCC) amending the side-yard setback requirements in Residential and Multiple-Family Residential Districts.

**Kent Page (Planning and Development)** presented a text amendment removing the unused and confusing rule that combined side-yard setbacks must equal or exceed the building's height. He explained that the Planning Commission recommended approval because the requirement has never been enforced and the updated language uses clear, fixed setbacks instead. Commissioners **Blaine Fackrell, Vaughn Nickerson, and Mike Newton** asked clarifying questions about measurement, zoning differences, and cumulative setbacks, and agreed the amendment simplifies the residential setback rules.

**Commissioner Vaughn Nickerson moved to enter Public Hearing.**

**Commissioner Blaine Fackrell seconded.**

VOTE:

Commission Chair Wilson: Aye

Commissioner Newton: Aye

Commissioner Blocker: Aye

Commission Vice Chair Nickerson: Aye

Commissioner Fackrell: Aye

The vote was unanimous. The motion passed.

**Commissioner Newton Motioned to leave Public Hearing.  
Seconded by Commissioner Nickerson.**

**VOTE:**

Commission Chair Wilson: Aye

Commissioner Newton: Aye

Commissioner Blocker: Aye

Commission Vice Chair Nickerson: Aye

Commissioner Fackrell: Aye

The vote was unanimous. The motion passed.

**Commissioner Newton Motioned to approve Ordinance SCCO-26-07, adopting automatic updates to the WUI code.**

**Seconded by Commissioner Nickerson.**

**VOTE:**

Commission Chair Wilson: Aye

Commissioner Newton: Aye

Commissioner Blocker: Aye

Commission Vice Chair Nickerson: Aye

Commissioner Fackrell: Aye

The vote was unanimous. The motion passed.

**7. Chief Wilkes – Discussion/Public Hearing/Decision – County Planning & Zoning**

**Wildland Urban Interface Code Text Amendment:** A request for approval of a text amendment to the Morgan County Code (MCC) to amend the requirements of the Wildland Urban Interface Code to match amendments to the Utah Code.

**Fire Chief Brad Wilkes** presented a request to update the county's Wildland-Urban Interface (WUI) code so that the county would automatically adopt the most current state code whenever the state makes amendments, rather than requiring new county actions each time legislation changes. He explained that frequent House Bill updates make repeated adoptions inefficient and that automatic adoption keeps the county aligned with state requirements without repeated hearings. Commissioners, including **Vaughn Nickerson**, agreed this approach is simpler and consistent with state-minimum obligations. **Garret Smith (County Attorney)** confirmed the language mirrors what the county previously did with the International Fire Code. The Commission opened and closed the required public hearing with no public comments.

**Commissioner Nickerson Motioned to enter Public Hearing**

**Seconded by Commissioner Fackrell**

**VOTE:**

Commission Chair Wilson: Aye

Commissioner Newton: Aye

Commissioner Blocker: Aye

Commission Vice Chair Nickerson: Aye

Commissioner Fackrell: Aye

The vote was unanimous. The motion passed.

**Commissioner Nickerson Motioned to leave Public Hearing**

**Seconded by Commissioner Fackrell**

**VOTE:**

Commission Chair Wilson: Aye

Commissioner Newton: Aye

Commissioner Blocker: Aye

Commission Vice Chair Nickerson: Aye

Commissioner Fackrell: Aye

The vote was unanimous. The motion passed.

**Commissioner Nickerson Motioned to Approve CO-26-07  
Seconded by Commissioner Fackrell**

VOTE:

Commission Chair Wilson: Aye

Commissioner Newton: Aye

Commissioner Blocker: Aye

Commission Vice Chair Nickerson: Aye

Commissioner Fackrell: Aye

The vote was unanimous. The motion passed.

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

Discussion on requests for the following (note the Commission budgeted \$50,000 from line 19-4400-340 County Mass Transit Tax Projects):

- a) Funding an engineering estimate for a trail along the north side of Old Highway from Trappers Loop to the dirt spot.
- b) Funding to install and repair the sidewalk, curb, and gutter, along Old Hwy on County right-of-way. This needs to be completed before UDOT will install and repair the ADA ramps on either side of Trapper's Loop and install a crosswalk.
- c) Funding for surveying, fence, and engineering of Kent Smith Park. Specifically:
  - i) Surveying the legal description of the rental area.
  - ii) Fencing the established boundary between the lease and the remaining MGSID property.
  - iii) Engineering design for recreation fields (to possibly include a baseball diamond usable for up to 12U), additional parking, and a trail along the leased and current park property.

**Commissioner Raelene Blocker** asked for three items: an engineering estimate for a **three-mile trail** along Old Highway Road to improve pedestrian and bike safety and position the county for state and railroad-related trail grants; action on **ADA access** at Old Highway and Trappers Loop so UDOT will install a crosswalk; and help moving forward on **Kent Smith Park** by staking the property, confirming layout needs, and addressing fencing and water-supply issues. **Kate Becker (CAM)** explained that a trail estimate would cost \$30,000–\$40,000, the trail must be 12 feet wide for Utah Trail Network eligibility, and staff has not yet mapped ownership along the route. **Bret Heiner (Road Supervisor)** reviewed jurisdiction boundaries and UDOT's plans, noting UDOT will not fix sidewalks or ADA ramps until after its interchange project moves forward. Commissioners discussed cost, land ownership, maintenance funding, and limits on eminent domain. For Ken Smith Park, Kate said a simple staked boundary and informal layout should satisfy MGSID before moving to lease. The Commission set priorities: completing ADA work first, obtaining the trail estimate, and coordinating with MGSID on the park. Kate's assignments were to request the trail-engineering estimate, use available \$50,000 transit-tax funds for the ADA/crosswalk section, assist with property staking and a basic park layout, and prepare a **RAMP Board** request for fencing, a water share, and a second well.

**There was no vote taken, the item was postponed.**

**2. Kate Becker – Discussion/Decision – Morgan County Administrative Manager**

Discussion and decision on a change order to the election security bid, moving all the condenser units to the roof and possibly replacing two. [*Tabled from the April 7<sup>th</sup> meeting.*]

**Kate Becker (CAM)** introduced HVAC replacement bids and noted that the originally scheduled contractor needed to move existing units before construction could begin, meaning selecting a different vendor would delay the project by about a week. She explained that parking stalls near the building would be blocked off during construction. Commissioners reviewed the bids, and **Chair Matt Willson** raised a technical concern about the number of interior heads connected to the condensers, noting the existing system uses nine heads, while the bid listed five. He confirmed that the low-bid vendor's option—including replacing all heads—matched what was needed, since older refrigerant types are no longer compatible.

**Commissioner Newton** moved to approve the lowest bid for relocating and upgrading the HVAC condenser units with the head-replacement option included.  
**Commissioner Nickerson** seconded.

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VOTE:

Commission Chair Wilson: Aye

Commissioner Newton: Aye

Commissioner Blocker: Aye

Commission Vice Chair Nickerson: Aye

Commissioner Fackrell: Aye

The vote was unanimous. The motion passed.

**3. Kate Becker – Discussion/Decision – Morgan County Administrative Manager**

Discussion and decision on awarding the RFP for Transportation Master Plan. [*Tabled from the April 7<sup>th</sup> meeting.*]

**Kate Becker (CAM)** presented the updated \$60,000 cost for the Transportation Master Plan, reduced from earlier quotes. **Commissioner Blaine Fackrell** asked whether the county had checked with the **Wasatch Front Regional Council (WFRC)** about using **TLC funding** for the plan, noting that WFRC has funded similar county projects before. Kate said she was unaware TLC was an option but preferred not to spend county funds if outside funding was available. **Commissioner Matt Willson** and **Commissioner Mike Newton** discussed whether the county could approve the plan and still pursue WFRC support, but **Commissioner Mike Newton** and **County Attorney Garret Smith** noted WFRC typically handles the RFP themselves. Because of concern the county would be committing its own funds prematurely, commissioners agreed the best approach was to table the item again and seek TLC funding.

**Commissioner Nickerson** **Motioned to table the RFP for the Transportation Master Plan until the next available meeting.**

**Commissioner Newton** **Seconded.**

VOTE:

Commission Chair Wilson: Aye

Commissioner Newton: Aye

Commissioner Blocker: Aye

Commission Vice Chair Nickerson: Aye

Commissioner Fackrell: Aye

The vote was unanimous. The motion passed.

**4. Kate Becker – Discussion/Decision – Morgan County Administrative Manager**

Discussion and decision on a budget adjustment and approval to post an RFP for an hourly rate for code text amendment services.

**Kate Becker (CAM)** received consensus approval from the Commission to move forward with issuing an RFQ for third-party assistance to complete multiple code text amendments, explaining that her current \$7,000 budget will not cover the workload expected after the General Plan update. She noted that an additional \$20,000 would allow meaningful progress, though complex items like commercial design standards will cost more. She also presented two additional updates: she is coordinating with Wasatch Integrated Waste and the new Mountain Green welding teacher to create a bear-shaped metal recycling sculpture for placement at Taggart's, with Wasatch Integrated covering material costs; the sculpture can be opened and emptied and is intended to promote river-related litter awareness and recycling. Kate further announced that the county's tire-recycling program resumes June 1 and that a county e-waste collection event is being planned for old electronics and cords.

**No formal vote was needed; the Commission approved her proceeding on all items.**

**(F) Commissioner Comments:**

**Commissioner Wilson** wants the commission to reconsider how the county is developing, especially regarding affordable housing. High-density projects may be increasing inflation and home prices rather than helping. Other counties are seeing patio homes in the \$500-\$550k range, which is far more attainable than the \$800k

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townhomes proposed locally. He suggested discussing this in a work session. He also noted that Janet has drafted an affordable housing ordinance.

**Commissioner Newton** provided recycling and waste-management updates, including that Robinson Waste has been purchased by Republic Services. He shared examples from other counties using deed restrictions and 3% annual appreciation caps to maintain affordability. Newton noted that high-density housing is not resulting in affordability and recommended reducing townhome development. He emphasized the need for single-level homes suitable for aging residents and expressed concerns about over-development in unincorporated areas, limited water/sewer infrastructure, and rising property values harming young families and agriculture

**Commissioner Blocker** attended a productive UAC conference and forwarded an MOU from the Northern Utah Economic Alliance. It will be on the consent agenda for the next meeting.

**Commissioner Nickerson** reported that measles cases continue to decline, with only two confirmed cases currently in the county. He reminded the public of the upcoming General Plan meeting on Wednesday. He also noted that the airport’s AWOS system and cameras are fully operational, and the recently completed berm is performing well and receiving positive feedback from pilots.

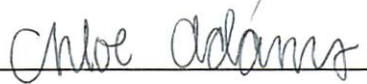
**Commissioner Fackrell** reported on federal outdoor mitigation and search-and-rescue grants available under HB 456. Public lands work continues and additional support is needed. The American Lands Council is encouraging counties to contact senators about federal-to-state land transfers. He shared updates from a Kanab trip focusing on astrotourism and agritourism, including new liability signage requirements for farms hosting visitors. Astrotourism could bring economic benefits at no cost, especially at East Canyon, and the county will need strong storytellers to support future programs.

**Public Meeting Adjourned at 7:45**  
**Commissioner Fackrell moved to Adjourn.**  
**Commissioner Newton seconded.**

VOTE:  
Commission Chair Wilson: Aye  
Commissioner Newton: Aye  
Commissioner Blocker: Aye  
Commission Vice Chair Nickerson: Aye  
Commissioner Fackrell: Aye  
The vote was unanimous. The motion passed

APPROVED:   
Morgan County Commission Chair

DATE: 5/19/26

ATTEST:   
Morgan County Deputy Clerk/Auditor

DATE: 5/19/26

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call Kate Becker at 435-800-8724 at least 24 hours prior to this meeting. This meeting is streamed live.  
**If you want to participate virtually in any public comment listed on this agenda, you need to contact [Jeremy@morgancountyutah.gov](mailto:Jeremy@morgancountyutah.gov) at least 48 hours before the scheduled meeting.**