September 15, 2026

4:30 WORK 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 Nickerson & Commissioner Newton attended remotely.

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

OTHER EMPLOYEES
IT Director Jeremy Archibald
Administrative Manager Kate Becker (CAM)
County Clerk/Auditor Leslie Hyde
Deputy Clerk/Auditor Chloe Adams
Deputy Clerk/Auditor Penny Butler
Deputy County Attorney Janet Christoffersen
Morgan County Sheriff Corey Stark
Jim Wagner
Casey Basaker
Josh Cook

OTHERS IN ATTENDANCE
Tina Kelley
Lilith Allen
Jenny Adams
Paige Hunzeth
Joclyn Glass
Mandy Webb
Debbie Sessions
Heidi Nettleton
Ray Nettleton
Kyle Biederwolf
Louise Earley
Jennifer Lance
Heidi Dorious
Cason Holdaway

4:30 BUDGET SESSION

Hon. Sheriff Corey Stark, 2027 Budget requests

Sheriff Corey Stark presented his office's 2027 budget requests. He requested an increase to the training budget in light of the growing number of newer deputies, and asked to add a sergeant position to be filled by promotion from within the department, with the wages budgeted for that position last year remaining in effect. Casey Basaker reviewed the payroll and benefit projections for the Sheriff's Office with the Commission, noting that final benefit costs are pending the medical insurance renewal. No changes were requested for animal control or records.

Kate Becker explained that department heads and elected officials were not permitted to change payroll and benefit lines this year, and that the Commission will review payroll as a separate item at its budget discussion the following Monday. Leslie Hyde had prepared a spreadsheet reflecting those changes. Kate Becker also gave the Commission an overview of the county budget worksheets and dashboard, including projected fund balances and how to view attachments to budget requests. No action was taken.

5:00 COMMENCEMENT OF MEETING

Commissioner Newton attended the meeting remotely. Commission Vice Chair Nickerson was not present at the start of the meeting.

(A) Opening Ceremonies

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

(B) Consent Agenda Items
1. Approval of the Morgan County Commission Minutes from September 1st, 2026.

Commissioner Fackrell moved to approve the consent agenda, consisting of the minutes of the September 1, 2026, Commission meeting.

Seconded by Commissioner Blocker

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

(C) Commissioner Declarations of Conflict of Interest
Commission Chair Wilson declared a conflict of interest regarding Action Item 1, as he is related to the presenter, Jenny Adams.
Commissioner Blocker declared that she resides in the Cottonwoods, the subject of Action Item 6.

(D) Public Comments
Ray Nettleton, Kaysville: Stated that he understands the planning department is reviewing a site plan for a water tank above Phases Six and Seven on land zoned F-1, and that a conditional use permit is required for a water tank in that zone. He noted that his group obtained a conditional use permit for a water tank above Phase Eight and asked that the same permit and site plan review requirements be applied to any water tank in that zone.

(E) Presentations

(F) Action Items

1. Jenny Adams – Discussion/ Decision – Citizen Request
Discussion and decision on a possible new childcare facility in Morgan County and request for startup funds/support from Morgan County.

Jenny Adams, owner of Love and Learning Childcare in Coalville, presented a proposal to open a new childcare center in Morgan County, to be known as "The Grove," in the former Polaris building. She described the limited availability of childcare in the county, noting that parents often leave the county to find childcare and work elsewhere, and stated that the center would add up to 65 childcare spaces with an emphasis on infant, toddler and preschool care. She described the program's mission, its use of the Pyramid Model to teach social-emotional skills, and its full compliance with state licensing requirements.

Ms. Adams stated that she is not asking the County to fund a business but is seeking community partnerships to help with startup costs, including furnishings and equipment, outdoor classrooms, safety and security systems, and building upgrades. She described a partnership with Summit County under which that county

supports the center's arts program and its employees receive priority enrollment. She stated that she is also pursuing other grants and an SBA loan and is working with the County's Business Resource Center.

Commissioners discussed the need for childcare in the county but noted that direct county funding of a for-profit business would not be appropriate. Alternatives raised included the County's small business grant program through the Business Resource Center, state and other grant programs, employer partnerships and legislative childcare credits, a childcare benefit for county employees, and support similar to Summit County's, such as funding safety and security or a specific program element. The Commission indicated that it would place the request on a budget session agenda for further discussion.

Commissioner Fackrell moved to postpone this item to a later time.

Seconded by Commissioner Blocker

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

Commissioner Newton left the meeting.

2. Penny Butler – Discussion/ Decision – Morgan County Clerk/Auditor's Office
Discussion and decision on Resolution CR 26-42 Homesteaders credit to increase amount based on Social Security's COLA (5.3%) from 50k to $52,650. The application "Exhibit A" amends PT-33 attached to CR 24-77.

Penny Butler followed up on the July work session, at which she was asked to determine an adjustment to the Homesteaders credit qualifying amount based on Social Security cost-of-living adjustments. She explained that the proposed increase reflects the combined cost-of-living increases for 2024 and 2025 and would require amending Exhibit A. The Commission discussed the basis for the percentage used.

Commissioner Blocker moved to approve Resolution CR 26-42 Homesteaders credit to increase amount based on Social Security's COLA (5.3%) from $50,000 to $52,650.

Seconded by Commissioner Fackrell

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Absent
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Absent
Commissioner Fackrell: Nay
The vote was not unanimous. The motion failed.
The motion failed because at least three affirmative votes were needed. The Commission moved to the next item and returned to this item later in the meeting.

3. Janet Christoffersen – Discussion/ Decision – Morgan County Deputy Attorney
Discussion and decision on a franchise agreement between Morgan County and Comcast Cable Communications Management LLC.

Janet Christoffersen reported that the franchise agreement with Comcast had been substantially negotiated, with one provision remaining unresolved: a requirement that Comcast automatically receive any more favorable franchise fee terms later granted to another cable provider. She recommended deleting that provision because the County is working to bring other utilities that operate without franchise agreements into compliance and does not want to be bound automatically by terms given to others; a separate provision allows the parties to meet and confer if a similar utility receives better terms. She stated that Comcast has been responsive and easy to work with.

Kyle, representing Comcast, thanked staff and stated that Comcast is willing to sign the agreement with that change. He described the project as a private investment that will not use federal or state funding, will include Morgan City as well as the county, and is expected to reach approximately 4,700 homes and businesses (more than 99% of the county), with completion targeted for 2028. Comcast will work with County staff to map out the phasing of construction. In response to a question, it was confirmed that the required bond is consistent with the County's other franchise agreements and is sufficient. It was also noted that the agreement is non-exclusive and that another provider is expected to request a franchise agreement.

Commissioner Fackrell moved to approve the non-exclusive franchise agreement between Morgan County and Comcast Cable Communications Management LLC with the changes recommended by the Deputy County Attorney.

Seconded by Commissioner Blocker

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

4. Janet Christoffersen – Discussion/ Decision – Morgan County Deputy Attorney
Discussion and decision on a final revision of an exclusive right-of-way and easement grant between Morgan County and Questar Gas Company dba Enbridge Gas Utah. The Morgan County Commission approved a previous version at the July 7th, 2026, meeting.

Janet Christoffersen reported that the final revisions had been agreed to by the company. Because the agreement includes a warranty of title, she asked that the Recorder's Office complete a title search before the easement is signed; the County will also require payment before signing. In response to questions, it was clarified that the Enbridge and MountainWest easements are separate exclusive easements on the same parcel with different legal descriptions, and that a more specific provision on removal and abandonment controls over the general introductory language. A page-number correction was also noted.

Commissioner Blocker moved to approve the final revision of an exclusive right-of-way and easement grant between Morgan County and Questar Gas Company dba Enbridge Gas Utah.

Seconded by Commissioner Fackrell

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

5. Janet Christoffersen – Discussion/ Decision – Morgan County Deputy Attorney
Discussion and decision on a final revision of an exclusive right-of-way and easement grant between Morgan County and MountainWest Pipeline.

Janet Christoffersen explained that the final revisions conform the MountainWest easement to the Enbridge easement, including adding the easement property definition, clarifying the compliance with laws provision, requiring written County permission before any assignment of rights, and correcting the company name on an exhibit. The company agreed to the revisions.

Commissioner Blocker moved to approve the final revision of an exclusive right-of-way and easement grant between Morgan County and MountainWest Pipeline.

Seconded by Commissioner Fackrell

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

The Commission took a brief recess and then returned to Action Item 2: Penny Butler – Discussion/ Decision – Morgan County Clerk/Auditor's Office
(Discussion and decision on Resolution CR 26-42 Homesteaders credit to increase amount based on Social Security's COLA (5.3%) from 50k to $52,650. The application "Exhibit A" amends PT-33 attached to CR 24-77.)

Commissioner Blocker moved to approve Resolution CR 26-42 Homesteaders credit to increase amount based on Social Security's COLA (5.3%) from $50,000 to $52,650.

Seconded by Commissioner Fackrell

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Absent
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Absent
Commissioner Fackrell: Aye

The vote was unanimous. The motion passed.

6. Josh Cook – Discussion/PUBLIC HEARING/Decision – County Planning and Zoning
Cottonwoods at Mountain Green Development Agreement Third Amendment: A request for approval of County Ordinance CO 26-02, a third amendment to the Development Agreement for the Cottonwoods at Mountain Green.
This was noticed for Public Hearing for the February 17th, 2026, Commission meeting and at that meeting was continued to a-date-certain being May 19th, 2026. At the May 19th, 2026, meeting it was continued to a-date-certain being July 7th. At the July 7th, 2026, meeting it was continued to a-date-certain being August 4th, 2026. At the August 4th, 2026, meeting it was continued to a-date-certain being September 1st, 2026. At the September 1st, 2026, meeting it was continued to a-date-certain being September 15th, 2026.

Ray Nettleton, on behalf of the applicants, stated that no presentation was planned because the Commission had reviewed the proposal several times, and offered to answer questions.

In response to questions, the applicant explained that each landowner group has made its own open space commitments: the revised Phase Six property provides at least 40% open space and a new park; the Phase Nine MGI property provides 47% open space, including at least 50 acres of agricultural open space; and the Phase Nine MCC property, which is being added to the agreement, provides approximately 87% open space and guarantees trails and open space in perpetuity. Across the amendment area this averages approximately 67% open space. The total number of dwelling units has been reduced from 253 proposed last November to 222, with no townhomes and no lots smaller than 10,000 square feet.

The revised Phase Six and Phase Nine MGI properties are already within the boundaries of the master HOA. The Phase Nine MCC property is not, and the master HOA must approve its inclusion by a 75% vote. The amendment requires each property to join the master HOA or form an alternate HOA before platting. Two changes were agreed to during discussion: removing the word "commercially" from the provision requiring reasonable and good faith efforts to join the master HOA, and correcting the term provision to state a single termination date of September 2046, removing the alternative termination language. The Deputy County Attorney also confirmed that the references to the "applicable HOA" and the "alternative HOA" carry the same meaning.

Commissioners discussed whether the agricultural open space requirement should read "at least" or "up to" 50 acres. It was clarified that "at least" sets a minimum, and the language remained "at least." The owner of the Phase Nine MGI property stated that he intends to keep as much land open as possible but wants flexibility in lot sizes and layout. It was explained that the agricultural land will be deed restricted and platted as agricultural open space, that the original agreement allows the developer to deed the land to the master HOA if farming ceases, and that recorded covenants would remain in place if the land were sold.

Commissioners also discussed the proposed 104 dwelling units in the revised Phase Six property, compared with 91 units under the overlay report (94 with the three bonus units previously discussed for a park). The applicant stated that the parks, additional trails and open space offered justify the requested density, that density is tied to each property and cannot be transferred between properties, and that if the amendment is not approved the alternative would be to build an equestrian center under the original agreement with 91 units. Additional bonus density for other developers would require a separate amendment to the development agreement.

Commissioner Blocker moved to enter public hearing.

Seconded by Commissioner Fackrell

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

Public Hearing:

Jennifer Lance, Cottonwoods MOA: Reported that the MOA's legal team spoke with the original developer's counsel, who assured them that the developer's declarant rights would not be used to oppose the MOA's decision to annex the applicants' land, so a separate HOA would not be needed. The MOA's remaining concern is density: the Cottonwoods was approved as a master-planned community, with bonus density granted in exchange for a binding plan that includes density limits, community-wide amenities and 40% native open space. She asked that native open space be protected even if agricultural land is privately held, and that the overlay totals of 91 lots in Phase Six (94 with the three bonus lots already agreed to) and 93 lots in Phase Nine be upheld so that all developers are held to the same standard.

Commission Vice Chair Nickerson joined the meeting remotely.

Zack Burton, Mountain Green: Stated that he is not a member of the MOA. Asked whether the restrictive easements for the agricultural land and trails would remain in perpetuity if the MOA agreement or the 2046 term expires. Stated that he would support the applicants keeping their land in agriculture if the deed restrictions remain permanently in place and the trails are secured by permanent easements. Expressed concern that the requested density in Phase Six exceeds the overlay totals and stated that the maximum should be between 91 and 94 units. Stated that the other elements of the proposal are excellent.

Heidi Doria, Mountain Green: Stated that the previous developer holds a significant amount of native open space in Phase Nine that is separate from the applicants' land, and that land the applicants will farm should remain agricultural. Noted that each phase must still return for planning review and technical studies, so approval of the amendment allows the applicants to plan but is not approval of any individual phase. Stated that she supports the amendment, including the prohibition on moving density between phases, and cautioned about the work involved in maintaining agricultural land.

Janet Christoffersen clarified that the original documents define preserved open space as land that is perpetually left naturally undeveloped or in agricultural use.

Zack Burton, Mountain Green: Stated that the original developer is deeding land to the MOA, and that a portion of the original open space was intended to remain native. Cited the community's past experience with agricultural open space being sold and trails being closed, and asked that agricultural open space be protected long term through deeded easements. Stated that he is comfortable with the applicants' agricultural open space if it is protected in perpetuity.

Eric Plyer, Mountain Green: Stated that the applicants feel they are being held accountable for the actions of a previous developer, and that they will deed restrict land and develop in accordance with the development agreement as they have said. Noted that any future phase must still go through preliminary plat and technical review, that density under the agreement is not fixed to specific parcels, that the overlay report is a living document, and that the applicants are not taking all of the remaining density. Stated that the applicants have given up a great deal and asked for a vote.

Ray Nettleton, applicant: Stated that a representative of the original developer had verbally agreed not to oppose annexation of the MCC property into the master association, and asked that the Commission formalize this by voting to include it in the development agreement area with the rights of a declarant. Noted that the amendment provides approximately 67% open space against a 40% minimum, that the overlay report was not followed when an equestrian center and open space were previously removed, and that the amenities offered justify the requested density. Stated that other developers would need to come before the Commission with their own proposals for any remaining density, and that without the amendment the property would revert to base zoning. Thanked Janet Christoffersen for working over the Labor Day weekend and the Commissioners for their time and negotiation.

Kate Becker, Morgan City: Speaking as a resident, stated that she supports agricultural open space, noting that wildlife favors cultivated crops over unmaintained native brush.

Tina Kelley, Mountain Green: Stated that many different density numbers were being discussed and asked that the Commission use the base density in the original development agreement as its reference point.

Louise Early, Mountain Green: Thanked the Commission and the MOA committee. Stated that the community has learned lessons about density and trails, including that farming operations and insurance concerns can close trails, and that the community maintains its native open space. Asked that native open space and low density be preserved, noting that density in another phase was reduced because of traffic and congestion.

Heidi Nettleton, applicant group: Stated that the theoretical maximum density in the ordinance is much higher than what the applicants are proposing, and that the applicants met with the community many times to address concerns about open space, easements and restrictions. Stated that the trails will be deeded and roughly doubled, and that the community receives more with the amendment than without it.

Ray Nettleton, applicant: Stated that the trails through the agricultural open space will be deeded to the HOA and the public rather than held as easements, so they cannot be removed once recorded, and that the restrictions in the amendment close the loopholes of past agreements.

Commissioner Fackrell moved to close the public hearing and rejoin the regular meeting.

Seconded by Commissioner Blocker

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Absent
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye

The vote was unanimous. The motion passed.

The Commission discussed the public comments. Commissioners emphasized that agricultural open space must be protected in perpetuity so that it cannot be developed, while remaining available for farming and grazing, and that trails and parks are valuable amenities for the community. Janet Christoffersen advised that the land will be platted as agricultural open space, that the development agreement runs with the land, and that the County should confirm at the time of platting that trails and easements are properly recorded so that problems experienced in earlier phases do not recur.

Josh Cook clarified that the amendment is a legislative decision and that the Commission may approve it, deny it, or cap density. Density for each phase is set at platting from an overall maximum, and the question before the Commission was whether the amenities offered are equal to or greater in value than the previously planned golf course that supported additional density.

Commissioners discussed the requested density in the revised Phase Six property, including a possible reduction to 94 units. The applicant stated that a reduction would not be acceptable, that the amenities offered justify the requested number, and asked that the Commission proceed to a vote.

Commissioner Fackrell moved to approve County Ordinance CO 26-02, the Third Amendment to the Development Agreement for the Cottonwoods at Mountain Green, together with the supplement to the overlay report, with the modifications discussed during the meeting, including removal of the word "commercially" from the reasonable and good faith efforts provision and correction of the term provision.

Seconded by Commissioner Nickerson

VOTE:
Commission Chair Wilson: Nay
Commissioner Newton: Absent
Commissioner Blocker: Nay
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was not unanimous. The motion failed.
Commissioners voting nay stated for the record that they considered the density requested for the revised Phase Six property to be too high, citing input from residents of the community; traffic concerns were also noted.

(G) Commissioner Comments:

Commission Chair Wilson

Reminded everyone that the rifle range has reopened.

Commissioner Blocker

Reported that at the UAC board meeting, counties were asked to join an amicus brief in a federal case concerning jury size. If the federal standard required 12-member juries instead of the eight allowed in Utah, costs would increase and cases on appeal would need to be reappealed. The cost of the brief is being shared by the counties, and Morgan County's share is small. Reported on a tour of the Utah State Hospital, noting its size and the need for additional bed capacity. Recommended that advanced air mobility, which is moving

forward with new FAA requirements for landing pads, be included in the County's general plan and transportation plan.

Commissioner Fackrell

Noted that UDOT's Project Alta will host public viewings of advanced air mobility aircraft and drones on September 29 and 30 and October 6 and 7, with information available on the UDOT website, and agreed that advanced air mobility should be included in the County's transportation plan.

Commissioner Nickerson moved to go into closed session for the purpose of discussing the character, professional competence, or physical or mental health of an individual, and the purchase, exchange, or lease of real property, including water.

Seconded by Commissioner Fackrell

VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Absent
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye
The vote was unanimous. The motion passed.
The Commission entered closed session at 8:11 PM.

APPROVED: _____ DATE: 10-6-25
Morgan County Commission Chair or Vice Chair

ATTEST: Chloe Adams DATE: 10-6-26
Morgan County Deputy Clerk/Auditor

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 at least 48 hours before the scheduled meeting.