September 1, 2026

4:00 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.

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 Cindee Mikesell
Attorney Janet Christofferson
Planning and Zoning Director Josh Cook
County Assessor Janell Walker
Sheriff Corey Stark
Chief Deputy Jim Wagner
County Recorder Shaun Rose
Surveyor Devron Anderson

OTHERS IN ATTENDANCE
Debbie Sessions
Kent Carter
Cindy Carter
Brent Hunziker
Katie Hunziker
Jeff Mathews
Ray Nettleton
Jennifer Lance
Valerie Calusen
Michelle Stocking
Haley Johnson
Zack Burton
Heidi Dorius
Patrick Clark
Tina Kelly
Karla Berk
Matt Wilkinson
Dane Wilkinson
Jeff Jones

4:00 WORK SESSION

Flagship BCP "Eagle Vista Villas" Development Agreement latest updates

The applicant was not present for the scheduled discussion of the Eagle Vista Villas Development Agreement.

Commission Vice Chair Nickerson moved to enter closed session for the purpose of discussing the purchase, exchange, or lease of real property, including water rights.

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.

The Commission entered closed session at 4:15 PM.

The Commission adjourned closed session at 4:45 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 Work Session Minutes from August 17th, 2026.

2. Approval of the Morgan County Commission Minutes from August 18th, 2026.
3. Approval of the Morgan Pavement Contract Agreement for the airport seal. RFP was awarded in the 6/16 Commission meeting.
4. Approval of the Morgan County Fair Treasurer Independent Contractor Agreement.
5. Approval of an agreement with Carl N Anderson, III for Indigent Defense Conflict Counsel.
6. State Publication of frequently asked questions about flood insurance.

Commissioner Newton moved to approve all consent agenda items.
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.

(C) Commissioner Declarations of Conflict of Interest
There were none.

(D) Public Comments

Brent Hunziker, Hardscrabble Road, stated he was not disputing the County's legal right within an established county road or right-of-way, but asked that before the gate is moved approximately 308 feet, the County clearly establish what legal right it has to that additional distance and exactly where the county road ends. He noted the existing gate has been in its current general location for as long as anyone can remember and that the County has not historically maintained the road beyond it. He asked the Commission to place several items in the public record before taking any action: what recorded deeds, dedications, easements, or plats establish the County's interest in the additional 308 feet; what survey or legal description establishes the proposed new gate location; who owns the underlying property where a new gate would be located, noting it is privately owned; and whether the County has included that segment in its Class B road funding and, if so, what maintenance has actually been performed. He stated he was not asking the Commission to resolve every historical disagreement involving the road, only to establish the factual and legal basis for the gate's location before deciding to move it, and requested that all supporting documentation be made available for public review beforehand.

Kent Carter, Hardscrabble Road, distributed several documents for the Commission's consideration, including a 2014 road right-of-way agreement that had requested his family grant a 60-foot easement, which they declined to sign, and plat records he stated consistently show the historical county road ending near the middle of his and Cindy Carter's shared driveway. He explained that when his family sought to subdivide their property years ago, the County required a small family subdivision and a 26.6-foot road dedication to provide adequate frontage, and questioned whether it is in the County's best interest to maintain a road of that narrow width to a dead end. He stated that if the County moves forward with relocating the gate to the edge of that dedicated area, he intends to move his own fence to his property line accordingly. He also challenged a deed included in the County's packet materials, noting it was recorded years after, and unrelated to, the actual road dedications on record, and asked the Commission to further research the matter before taking action.

Katie Hunziker, Hardscrabble Road, stated that the road and gate have existed in their current form for more than 70 years and asked that the County complete a full survey and legal review before making any changes, noting that road alignments can shift over time and that clear documentation is needed to confirm the proposed gate location does not encroach on other landowners' property. She said her family is not opposed to moving the gate in principle, but asked that the County proceed carefully, noting that removing the existing fence without a resolution in place could allow livestock currently contained in the area to escape.

Cindy Carter, Hardscrabble Road, stated the gate has been in place since the 1970s, when it was installed by a prior property owner, and that part of it sits on her family's property. She stated she has safety concerns about public vehicle traffic near her home given that she is often home alone, and about the impact on livestock in the area. She stated the request to move the gate originated from a call to Public Works asking that it be relocated in exchange for constructing a cul-de-sac for snowplow turnaround, and expressed concern that her family was not contacted directly before the item was placed on the agenda. She also thanked Kate Becker, Sheriff Corey Stark, and Commissioner Newton for their assistance evacuating livestock from her property during a recent wildfire.

(E) Presentations

1. Hon. Shaun Rose, introduction of the County's Surveyor

County Recorder Shaun Rose introduced Devron Anderson as Morgan County's newly hired County Surveyor, noting his 18 years of surveying experience. Rose highlighted improvements made by his office in records access and preservation.

The Chair recognized an additional public comment at this time.

Haley Johnson, on behalf of the Morgan Farmers Market, thanked the Commission for allowing the market's relocation to Kent Smith Park, reporting a successful season, safe traffic conditions, and steady attendance from both local and out-of-area visitors.

2. Hon. Sheriff Corey Stark, presentation on license plate recognition cameras

Sheriff Corey Stark presented on the County's license plate reader (LPR) system, clarifying that the equipment is manufactured by Motorola rather than Flock Safety, and that the Sheriff's Office retains full control of the data it collects. He explained that the system records the date, time, and location of vehicle sightings and provides real-time alerts to assist investigations, but does not identify drivers or passengers, perform facial recognition, or track individuals; data is retained locally for nine months under restricted, audited access. Sheriff Stark reported that the technology has helped identify suspects in a homicide, a kidnapping, and a child-exploitation case, as well as locate missing and runaway individuals, by flagging vehicles entered into national alert lists. Commissioners asked how the system distinguishes flagged vehicles from ordinary traffic and discussed the balance between public safety benefits and surveillance concerns; Sheriff Stark noted an open-door policy for residents with questions and said the program would be reviewed annually by the Commission.

(F) Action Items

1. Bret Heiner – Discussion/ Decision – Morgan County Public Works
Discussion and decision on moving the gate in Hardscrabble to the end of the County line (308 feet).

Public Works Director Bret Heiner reported that after receiving a complaint, he and his crew physically measured Hardscrabble Road and found the county-maintained portion extends approximately 308 feet beyond the existing gate, which was installed years ago by a private property owner. He stated that County records show

Class B and C road funds have been collected on that additional 308 feet. Deputy County Attorney Janet Christofferson stated that this is a legal problem, since state administrative rule prohibits collecting such funds on a road segment blocked by a permanent obstruction such as a locked gate, and advised that the gate be removed and the road maintained. Commissioners expressed concern about relocating or removing the gate without first confirming the exact location of the county right-of-way and adjoining property lines, noting inconsistencies between existing maps and GIS data, and agreed a survey should be completed and the affected neighbors consulted before any physical changes are made. Heiner confirmed the County would not install a replacement gate on private property, and that the road already has an asphalt base which would be chip-sealed as part of routine maintenance regardless of the gate's disposition.

Commissioner Fackrell moved that this agenda item be postponed to a future date not yet determined.
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.

2. Hon. Matthew Wilson – Discussion/ Decision – Morgan County Commission
Discussion and decision on Morgan County Resolution CR 26-41 appointing Kimberly Bell to the Morgan County Planning Commission representing the area of Stoddard and Milton.

Commissioner Nickerson moved to remove Item F2 from the agenda.
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. Kate Becker – Discussion/Decision – Morgan County Administrative Manager
Discussion and decision on a refund of unexpended funds received in FY 2025 from WPR-RFD.

Kate Becker explained that Morgan County contracts with the Wasatch Peaks Ranch Road and Fire District (WPR-RFD) to staff fire and EMS services at that location, with the district reimbursing the County for associated costs. The current agreement, signed in July 2025, funds three firefighter positions; however, staffing was not fully ramped up until the first quarter of 2026, leaving an unexpended payroll balance from FY 2025 that rolled into the County's general fund. Under the agreement, the district may request a subsidy modification 90 days before annual renewal; Becker, Fire Chief Brad Wilkes, and the County Attorney's office met with WPR-RFD and requested that the monthly subsidy not be reduced, in exchange for refunding the unexpended FY 2025 balance. The district agreed and will continue paying the County's full monthly subsidy for FY 2026. Becker noted the parties have since established quarterly financial review meetings to prevent similar timing issues going forward.

Commissioner Nickerson moved to approve.
Seconded by Commissioner Blocker.
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. **Morgan County Board of Equalization – Discussion/Decision – 2026 BOE Appeals**
Discussion and decision on Morgan County Resolution CR 26-03-BOE approving board of equalization changes to date.

Commissioner Newton moved that the Commission adjourn as the County Commission and reconvene as the County Board of Equalization.
Seconded by Commission Vice Chair Nickerson.
VOTE:
Commission Chair Wilson: Aye
Commissioner Newton: Aye
Commissioner Blocker: Aye
Commission Vice Chair Nickerson: Aye
Commissioner Fackrell: Aye

Deputy Clerk/Auditor Chloe Adams presented a first round of adjustments recommended by the County Assessor's office, consisting primarily of reclassifications between primary and secondary residence status. She noted that decision letters would be sent to each applicant, who would retain the right to appeal the Board's decision to the State Tax Commission, and that additional rounds of adjustments are expected in the future.

Commissioner Fackrell moved to approve these adjustments.
Seconded by Commissioner Blocker.
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 moved to adjourn the Board of Equalization and reconvene as the County Commission.
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.

5. Josh Cook – Discussion/ Decision – County Planning and Zoning
***Flagship Homes Development Agreement:* A request for approval of County Ordinance CO 26-17 Flagship Development Agreement for 37 acres in the Mountain Green Area.**

Kameron Spencer, representing the applicant, presented revisions incorporating feedback from the prior work session, including shifting the internal road alignment north to consolidate and square off the park area, resulting in a 5.2-acre park (up from the previous layout) and an increased 2.6-acre commercial space. All residential roads were revised to be private, with public streets limited to major thoroughfares. The plan continues to reserve land for a future fire station in coordination with the fire department. Commissioners commented favorably on the changes and the additional parking provided along the park's south frontage.

Commissioner Newton moved to postpone the decision until September 15th.

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.
The vote was unanimous. The motion passed.

The Chair recognized additional public comment at this time from residents who believed public comment began at 6:00 PM.

Kacey Shaffer, who resides at the corner of Cottonwood Road and Old Highway Road across from the Flagship development, stated that his family has lived in the valley for multiple generations and that he was not asking the Commission to halt construction, but to ensure it is done with proper dust and traffic mitigation. He stated he works as a government emissions specialist and is Method 9 certified in opacity, and that dust from the site has at times been severe enough to obscure visibility of utility poles roughly 25 yards from his porch, forcing his family indoors. He stated the site has no wind barrier and only one water truck, which he did not believe was adequate for a project of that size, and asked whether the developer had submitted a fugitive dust plan and whether PM10 monitoring was in place, noting state and federal rules govern fugitive dust and that he regularly attends DEQ, DAQ, and EPA Region 8 air quality meetings. He separately raised concerns about a planned intersection near his home at Cottonwood Road, stating that speeding is already a significant problem in the area, that deputies have issued numerous citations there, and that he was concerned the planned intersection could create backups and safety hazards, particularly once winter weather returns to the area.

Commissioners stated this was the first time they had been made aware of these concerns and indicated they would look into the matter further.

6. Josh Cook – Discussion/PUBLIC HEARING/Decision – County Planning and Zoning
***Agriculture Protection Areas Code Text Amendment:* A request for approval of County Ordinance CO 26-12 a code text amendment that provided framework for the creation, continuation, modification, and termination of Agriculture Protection Areas.**

Valerie Calusen, representing Planning Outpost, presented the proposed amendment, noting that state law requires review of an Agriculture Protection Area every 20 years and that participation does not restrict a landowner's own use of their property, but limits others' ability to develop or route infrastructure through land

within the designated area. Kate Becker added context for the public, explaining that the ordinance is intended to prevent agricultural land from being treated as available open space for future roads or development, citing growth pressures seen in areas like Heber City as an example of what the county is trying to avoid, and thanked Valerie Calusen for drafting the amendment.

Valerie Calusen explained that the existing ag protection provisions in County Code were incomplete, and that the amendment establishes a clear process consistent with state code for establishing, adding to, and removing land from an Agriculture Protection Area. She noted the Planning Commission had recommended changes prior to this hearing, including removing language that would have disqualified land not actively in production agriculture (such as land left fallow) from qualifying, so that any property eligible for Greenbelt tax status could also qualify for ag protection. Kate Becker added that the amendment allows contiguous property owners to file a single joint application to reduce fees, without binding them together should one owner later choose to remove their portion; the minimum parcel size remains five acres.

Commissioner Fackrell asked whether the 20-year term was a hard limit; Valerie Calusen and Becker clarified that state law requires review at 20 years but does not cap how long a property may remain in an Agriculture Protection Area, and that a landowner may petition to remove land from the designation at any time without a public hearing or fee, and without affecting the property's separate Greenbelt tax status, which is governed independently.

Commissioner Fackrell separately raised a concern with the provision limiting the Agriculture Protection Area Advisory Board to members of the County Conservation District Board of Supervisors, stating he preferred broader representation on the board rather than relying solely on one existing body. Valerie noted the Planning Commission also reviews applications under the ordinance, providing an additional layer of review, and cautioned that because state law requires an application decision within 45 days or it is automatically approved, relying on an entirely new board could risk missed deadlines. Commissioner Newton agreed additional perspectives could be valuable but noted the County has previously struggled to fill volunteer board vacancies, including on the Planning Commission itself. Kate Becker proposed a compromise: amending the board-appointment language to allow the Commission to appoint up to five members at large and/or from the County Conservation District Board of Supervisors, by resolution, rather than limiting appointments to the conservation board alone. Commissioners agreed this approach preserved flexibility to add outside perspectives, including agricultural producers, without creating a new standalone board or risking the statutory review deadline.

Commissioner Fackrell moved to enter 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.

Jeff Jones, who resides along Highway 66, stated he ranches parcels scattered throughout the county, from Huntsville to the Wyoming border, and that his greatest difficulty is moving equipment between them, since it is not practical to purchase separate equipment for each parcel. He stated his primary concern was not access to roadways, which he already has, but protection from other drivers passing farm equipment unsafely, noting he has been involved in three tractor-related accidents recently. In response to clarifying questions from Kate Becker and Deputy County Attorney Janet Christofferson, he confirmed his concern centered on roadway safety while moving between properties rather than land-use access, and acknowledged the ordinance as proposed addresses protection from eminent domain and nuisance complaints but does not directly address roadway safety. He also

described nuisance complaints his family has received over routine agricultural activity, such as noise from weaning calves, and stated that farmers in Weber County have found similar ag protection provisions beneficial. Commission Vice Chair Nickerson agreed the concern about slow-moving equipment on county roads was valid and stated the County should look into formalizing protections. Jones asked that the County enforce the existing state law requiring drivers to slow down before passing slow-moving vehicles.

Commissioner Newton moved to adjourn the 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.

Following the hearing, Commissioners returned to Commissioner Fackrell's concern regarding protection for farm equipment and livestock movement on county roadways, raised during Jeff Jones's testimony. Deputy County Attorney Janet Christofferson advised that any protections beyond what state law already requires for this ag protection ordinance, which is a land-use tool, would need to be adopted as a separate ordinance rather than incorporated into this one, and that such protections should apply to all farmers moving equipment or livestock on county roads, not only those within a designated Agriculture Protection Area. Commissioner Newton agreed the two issues, land use versus roadway and traffic regulation, are distinct. Kate Becker noted a related but separate policy question, commonly referred to as "fence in, fence out," on which the Commission has never reached a quorum decision, and stated that issue would likewise need to be addressed through its own future code provision rather than this amendment. Commission Chair Wilson stated the County should continue working on additional agricultural protections going forward, but that there was no reason not to approve the amendment currently before the Commission.

Commissioner Newton moved to approve Ordinance CO 26-12, with an amendment adding an at-large position to the oversight board.
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. Josh Cook – Discussion/PUBLIC HEARING/Decision – County Planning and Zoning
***Anderson Rezone:* A request for approval of County Ordinance CO 26-18 to rezone 2.90 acres at 2685 W Old Highway Road, From RR-1 and A-20 to R 1-20, located in the Enterprise area in unincorporated Morgan County.**
Planning and Zoning Director Josh Cook presented the application (No. 26.014) on behalf of applicant James Anderson, describing the property as split-zoned Rural Residential (RR-1) and Agricultural (A-20) and noting the County's General Plan designates the area "Village Low Density Residential," permitting half-acre lots consistent with the requested R1-20 zoning. Because the proposal matches the existing future land use map

designation, no map amendment was required. Cook stated the request is consistent with surrounding zoning and best planning practices and recommended approval. Commissioners asked whether the rezone would functionally create a flag lot if the property is later subdivided; Cook clarified that lot configuration would be addressed separately at the time of any future subdivision application and is not part of the rezone request itself.

Commissioner Newton moved to enter 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.

No public comment was offered.

Commissioner Newton moved to adjourn the public hearing and reconvene the regular meeting.
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 moved to approve County Ordinance CO 26-18 to rezone 2.90 acres at 2685 W Old Highway Road, from RR-1 and A-20 to R1-20, located in the Enterprise area in unincorporated Morgan County.
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.

8. 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.

This item was noticed for public hearing at the February 17th, 2026 Commission meeting and was continued to a date certain of May 19th, 2026. At the May 19th, 2026 meeting it was continued to July 7th. At the July 7th, 2026 meeting it was continued to August 4th, 2026. At the August 4th, 2026 meeting it was continued to September 1st, 2026.

Ray Nettleton, representing several affected landowners, outlined the history of the project dating to 2006 and described proposed open space, trail, and amenity commitments, including trails to be constructed by the developer and dedicated to the HOA for maintenance. He raised questions regarding consistency of open space designations throughout the agreement and how portions of agricultural open space would be protected from future development.

Dane Wilkinson, one of the four landowners involved in the Mountain Green development alongside Ray Nettleton, addressed continued access for livestock grazing and trail use, noting existing seasonal trail closures to accommodate sheep grazing in the area.
Representatives noted that an incorrect version of the redlined agreement had been submitted and requested additional time to reconcile the documents before the Commission takes action.

Michelle Stocking, who resides in the Cottonwoods and serves as vice president of the Master Homeowners Association, raised concerns regarding the proposed open space percentage and requested clarification of language regarding agricultural open space acreage.

Zack Burton, Mountain Green, addressed the relationship between agricultural open space designations and the development's overlay requirements, noting several provisions still require revision.
Heidi Dorius, Mountain Green, asked about the status of parcels intended to be dedicated to the HOA as native open space.

Commissioners discussed the tradeoffs between private and HOA/public ownership of open space and the importance of maintaining a clear buffer between the development and surrounding properties.

Commissioner Newton moved to postpone this item until the next meeting.
Seconded by Commissioner Blocker.
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.

(G) Commissioner Comments:

Commissioner Blocker reported that the UAC conference is coming up and requested approval for two nights in Provo. She noted she will be out of town on the 23rd.

Commissioner Newton reported attending a Wasatch Front Regional Council meeting regarding commuter travel patterns into and out of the county. He also raised a concern with County Code § 155.426(5) regarding flag lots, noting that the provision excluding the flagpole portion of a lot from calculated square footage does not clearly reflect the original intent that a flag lot's underlying zoning determine minimum lot size, and asked

that staff be tasked with clarifying the language. Planning and Zoning Director Josh Cook agreed the provision has caused confusion, including among the Planning Commission and outside engineers, and stated his office would work on a revision.

Commissioner Fackrell then questioned Josh Cook regarding accessory dwelling units (ADUs), asking whether properties with an approved detached ADU could later be divided or rezoned to separate the units into individual parcels. Cook clarified that he was not aware of any property with an approved ADU that could currently be subdivided without a separate rezone application, and that approval of any future rezone remains within the Commission's discretion regardless of a property's ADU status. Commission Vice Chair Nickerson added that the county's development priorities change over time and that the Commission, as the legislative body, retains ultimate authority over whether future rezone requests are approved.

Commission Chair Wilson stated that a detailed code discussion was not appropriate for Commissioner Comments and redirected the discussion back to commissioner reports.

Commissioner Fackrell reported attending a tourism discussion regarding expanding the county's marketing efforts, and a WFRC regional planning meeting on commuting patterns.

Commission Vice Chair Nickerson reported on the Weber-Morgan Health Department's WIC program, noting it serves approximately 4,000 participants regionally and encouraging greater use of the program locally. He noted a breastfeeding clinic for expectant mothers is scheduled for September 9th.

Commission Chair Wilson had no further comment

Kate Becker CAM noted that County offices will be closed Monday for Labor Day.

Commissioner Newton moved to adjourn at 8:25 PM.

Seconded by Commissioner Nickerson.

APPROVED: Matt Wilson DATE: 9/15/26
Morgan County Commission Chair

ATTEST: Chloe Adams DATE: 9/16/26
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.