



MORGAN COUNTY COMMISSION MEETING AGENDA

March 3rd, 2026

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)
Deputy Clerk/Auditor Cindee Mikesell
Deputy Clerk/Auditor Chloe Adams
County Deputy Attorney Janet Cristofferson
Planning Director Josh Cook
Planner 1 Jeremy Lance
Clerk/Auditor Leslie Hyde
Fire Chief Brad Wilkes
Emergency Manager Erica White
Chris Tremea Code Compliance Officer
Morgan County Assessor Janell Walker
Morgan County Recorder Shaun Rose
Public Works Director Bret Heiner
Fire Marshall David Olson

OTHERS IN ATTENDANCE

Debbie Sessions
Matt Wilkinson
Heidi Nettleton
Douglas Perkins
James Ermatiagerd
Doug Durbano
Heidi Nettleton
Ray Nettleton
Ryan Hath
Darrin Palmer
Rand T Mattson
Lynthia Mattson
Nancy Moss
Ben Rabe
Paul Kramer
Kevin Kmrzt
Angie Hansen
Ty Reese
Joel Durbano
Sarah Durbano
Christian Bauer
Danna Bauer
Sarah Williamson
Jennifer Larson
Jack Whittier
Kathy Wilkinson
Sean Dorius
Heidi Dorius
Steve and April Quiller
Michelle Stocking
Brian Nestoreff
Marissa Tuttle
Elarna Duke
Chad Crowther
Jeremy Blackburn
Gavin Mc Cleary
McCall Greenwood
Tina Kelley
Paul and Danielle

5:00 COMMENCEMENT OF MEETING

(A) Opening Ceremonies

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

(B) Consent Agenda Items

1. Approval of the Morgan County Commission Minutes from February 17th, 2026.
2. Notice of vacancy on the Weed Abatement Board – Open to Submissions
3. Notice of vacancy on the Morgan County Rifle Range Advisory Board – Open to Submissions
4. Approval of a letter of support of the City of Morgan’s project to construct a box culvert bypass.
5. Approval of a letter of support of Morgan City’s UORG grant for their fishpond addition to Riverside Park.

Commissioner Nickerson motion to approve Consent Agenda Items 1-5

Second by Commissioner Newton

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

Commissioner Newton AYE

Commissioner Fackrell AYE

The Vote was unanimous. The motion passed.

(C) Commissioner Declarations of Conflict of Interest

Raelene Blocker Lives in the Cottonwood

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

Dana Bauer Rollins Ranch: Dana Bauer spoke in opposition to proposed road relocation within the development. She stated that homeowners purchased their properties based on the original development agreement, which showed the road connecting to Hidden Valley and positioned in a way that would not significantly impact nearby homes. She argued that the developer is attempting to move the road primarily to preserve a private entrance to their own residence, which would negatively affect neighboring properties by placing roads closer to existing homes and increasing traffic concerns. She also raised issues about ongoing drainage and flooding problems caused by construction, questioning whether stormwater systems are adequate for additional development. She further expressed concerns about safety, noting that the subdivision currently has only one legal egress for emergency evacuation and that water pressure in the area is already limited, potentially impacting fire protection. She urged the commission to consider the concerns of many Rollins Ranch residents and evaluate infrastructure and safety issues before approving further development or road changes.

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Sarah Durbano Hidden Valley Drive: Sara Durbano, a Hidden Valley Road resident, spoke in support of the proposed road placement. She stated that the developer has worked to address community concerns by meeting with residents and communicating about the plan. Durbano believes the proposed location is the fairest solution and noted that many neighbors support the development and are eager for the project to move forward. She asked the commission to consider the voices of residents who are in favor of the plan as well.

George Patterson Rollins Ranch: George Patterson, a Rollins Ranch resident, supported the concerns raised by the previous speaker and opposed the proposed road relocation. He argued that placing two intersections within 50–100 feet along Ranch Boulevard would create traffic and safety hazards. Patterson stated that the developer originally planned to access his property from Hidden Valley Drive but is now trying to reroute traffic to avoid having vehicles pass near his property. He also referenced a past dispute where the developer restricted access to secondary irrigation water that crossed his property, forcing residents to install an alternate water line. Patterson said he supports continued development but believes it should follow the original agreement. He suggested an alternative solution of installing a roundabout at the main intersection, which could maintain the developer's privacy while improving traffic flow and providing an additional route for residents.

Paul Clayton Rollins Ranch: Paul Clayton, a resident who has spoken at previous meetings, reiterated concerns about the Ponderosa subdivision. While he noted that the proposed road relocation addresses some of the concerns he raised earlier, he remains worried about unresolved issues such as water pressure, drainage, and other unknown impacts of the development. Clayton urged the commission to consider conducting a more comprehensive review or planning process before approving the project and beginning construction.

Angela Hansen Horseshoe Hollow Lane: Angela Hansen, who lives on Horseshoe Hollow Lane and whose property backs up to the proposed development area, spoke in opposition to the current road placement. She expressed concerns about increased traffic and the safety of children in the neighborhood, noting nearby school bus stops and existing issues with drivers rolling through stop signs. Hansen stated that placing the road at the end of Hidden Valley Drive would better address these safety concerns.

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RJ Bunnell Rollins Ranch: RJ Bunnell, a resident on Ranch Boulevard, expressed appreciation to the commission for being responsive and willing to listen to public input regarding the proposed amendment to the Rollins Ranch development plan. He thanked the commissioners for their availability and the opportunity to share his thoughts on the matter.

Nancy Moss Rollins Ranch: Nancy Moss, a resident on Ranch Boulevard, stated she is not opposed to development but is concerned about the proposed road relocation. She questioned the reason that the change is needed for fire safety, noting that similar road conditions exist elsewhere in Morgan Valley. Moss also raised concerns about water pressure, drainage, and infrastructure impacts, and asked the commission to carefully consider these issues when making their decision.

Jeremy Blackburn Rollins Ranch: Jeremy Blackburn, a Hidden Valley Drive resident, spoke in support of the proposed development and road placement. He said he has followed the project for several years and believes the developer has made efforts to address community concerns, though it is impossible to satisfy everyone. Blackburn noted he is interested in purchasing lots for family members to build homes and believes the revised plan with larger lots and a straighter road provides better access and fire safety. He stated that development in the area is inevitable under the existing master plan and urged the commission to approve the proposal so construction can move forward.

Christian Bauer Rollins Ranch: Christian Bauer, a Rollins Ranch resident, expressed opposition to the proposed road relocation. He said he supports development but believes it should follow the originally approved plans that homeowners relied on when purchasing their properties. Bauer stated that many residents did their due diligence based on those plans, and changing the road location now would unfairly impact existing homeowners who have already invested in the neighborhood.

Elena Duke Rollins Ranch: Elena Duke, a resident of Lariat Lane Drive, said she supports development but expressed concerns about the proposed road and retention pond placement. She warned that the retention pond could create flooding risks for nearby homes if stormwater is not managed properly. Duke also raised concerns about increased traffic, limited water resources, wildfire risk, and the lack of adequate evacuation routes if more homes are built. She urged the commission to address water management, road access, and overall community safety before approving further development.

(E) Presentations

1. Morgan High School FFA Parliamentary Procedures: FFA practice of Parliamentary procedures for their state convention.

UDOT Roads to Recreation: Ogden Valley Becky Parker, Director of Traveler Information for the Utah Department of Transportation (UDOT), and consultant Isaac Cortez presented the “Roads to Recreation” program. The initiative aims to reduce congestion and improve

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travel safety by providing timely transportation information to people traveling to recreational areas.

The program focuses on communication rather than building new roads, helping travelers make informed decisions about when and how to travel. It works through partnerships with tourism organizations, transit providers, ski resorts, and local communities.

For the Ogden Valley area, which includes travel routes impacting Morgan County, UDOT launched a digital hub that provides:

- Live traffic cameras and travel times
- Road and weather conditions
- Construction and safety alerts
- Social media updates and travel tips

The system also promotes transit, carpooling, and pre-trip planning to help manage peak recreation traffic. Information is shared through websites and social media, with coordination among partners such as ski resorts and recreation areas.

Local officials and residents can also share updates (such as accidents or road closures) to improve real-time information. The program will expand to summer recreation areas like Pineview and Causey reservoirs and is seeking public feedback to improve the tools.

Commissioner Newton moved to Move Action Items 8,9,10 to earlier in meeting

Seconded by Commissioner Blocker

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

Commissioner Newton AYE

Commissioner Fackrell AYE

The Vote was unanimous. The motion passed.

2. Bret Heiner – Discussion/Decision – Morgan County Public Works Director

Discussion and decision on replacing AC condensers in the Administration Building that have recently been identified as not working.

The County Commission discussed replacing aging HVAC condenser units that serve the Recorder's Office, HR, and the Recorder Vault, which are essential for maintaining the temperature and humidity required to protect county records. The existing condenser unit was installed in 1997 and is nearly 30 years old, and staff reported that it has begun failing.

Commissioners asked why the issue was only now being brought forward and whether the expense could be covered within existing departmental budgets. Staff explained that certain funding sources cannot legally be used for the repair. Road funds derived from gas tax revenue are restricted to transportation purposes, and payroll funds generally cannot be repurposed for building maintenance.

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The conversation also expanded to the broader condition of the courthouse building, which is approximately 70 years old. Commissioners discussed the need for ongoing, incremental improvements to maintain the facility rather than pursuing construction of a new building, which would likely require a bond and be significantly more expensive. One idea discussed was establishing a systematic capital improvement approach that renovates portions of the buildings such as individual offices—on a rotating basis each year.

Staff also indicated that a similar condenser replacement will likely soon be required for the Assessor's Office.

The Commission approved contracting with Mountain Valley Mechanical to replace the condenser units serving the Recorder's Office, HR, and the Recorder Vault, and to include the Assessor's Office unit as well, with the total cost not to exceed \$25,000. Staff will return with a budget adjustment, likely through the capital improvements fund, to cover the expense.

Commissioner Fackrell moved to approve public works department to purchase and install condenser units and Assessors Office Human Resource and Recorders Office and not to exceed over \$25,000

Second by Commissioner Newton

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

Commissioner Newton AYE

Commissioner Fackrell AYE

The Vote was unanimous. The motion passed.

3. Casey Basaker – Discussion – Morgan County Human Resources

Discussion on moving to Utah Local Government Trust for Workers Comp.

The County Commission received a presentation from representatives of the Utah Local Governments Trust regarding workers' compensation insurance. The Trust explained that it is a statewide insurance pool that serves more than 650 local government entities and specializes in insuring public agencies. They noted that Morgan County currently carries workers' compensation through the Workers Compensation Fund of Utah (WCF), which ensures a wide range of private businesses, whereas the Trust focuses exclusively on government entities.

Representatives outlined how workers' compensation premiums are calculated, including payroll by job classification, nationally established rates set by the National Council on Compensation Insurance (NCCI), and the county's experience modification factor based on past claims. They explained that the primary difference between insurers is the "loss cost multiplier," and because the Trust has lower overall losses among its government members, it can offer significantly lower premiums.

The Trust presented a comparison showing that if Morgan County had switched over the previous year, the county would have saved approximately \$46,000 (about 40%). The

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potential savings this year would be even greater due to changes in the county's rating and the Trust's lower multiplier.

County staff and HR expressed frustration with the current workers' compensation provider, citing poor communication, difficulty getting responses, denied claims that should have been covered, and situations where employees received billing notices for services that should have been paid through workers' compensation. Staff emphasized that the recommendation to consider switching providers was based not only on cost savings but also on improving service and support for county employees.

Commissioners discussed the county's current relationship with USIP and the Utah Association of Counties and noted that while the county is not required to stay with them, leaving would require proper advance notice. The discussion also raised the possibility of reviewing other insurance coverages with the Trust in the future if the workers' compensation change proves successful.

Overall, staff recommend moving to the Utah Local Governments Trust for workers' compensation coverage to reduce costs and provide better service for county employees.

Commissioner Fackrell approves changing over to Utah Local Government Trust for Workers Compensation and to investigate possibility of more business with Trust.

Seconded by Commissioner Nickerson

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

Commissioner Newton left the meeting to catch flight

Commissioner Fackrell AYE

The Vote was unanimous. The motion passed.

- 4. Casey Basaker – Discussion/Decision – Morgan County Human Resources Manager**
Discussion and decision on Resolution CR 26-10 approving the Morgan County Employee Handbook in its entirety superseding all previous versions and amendments to said handbook.

Casey Basaker presented the updated employee handbook, explaining that he incorporated the commissioners' previous comments and highlighted the sections he added or modified for easier review. Tabs were included so commissioners could quickly check the wording and confirm they were comfortable with the changes.

Commissioners reviewed their copies and generally agreed the revisions addressed their questions. One minor wording preference was mentioned, but there were no major objections.

It was noted that the handbook should be treated as a "living document," meaning it can be updated if issues arise. Casey recommended reviewing it at least once per year, and the commissioners agreed with the idea of an annual revisit.

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A question was raised about whether employees would be allowed time to read the handbook before signing it, since it is a lengthy document. The discussion emphasized ensuring employees can review it if they are required to acknowledge or sign it.

**Commissioner Blocker moved to accept CR 26-10 Morgan County Employee Handbook
Seconded by Commissioner Nickerson**

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

Commissioner Newton no vote

Commissioner Fackrell AYE

The Vote was unanimous. The motion passed.

5. Chief Brad Wilkes – Discussion/Decision – Morgan County Fire & EMS

Discussion Entering an MOU (Memorandum of Understanding) for the use of the Davis Technical College fire training center. The training center is basically a mock set of buildings that are used for live evolution training. We plan on using this facility 1-2 times per year.

Fire Marshal/ Deputy Fire Chief David Olson presented a Memorandum of Understanding (MOU) with Davis Technical College that would allow Morgan County firefighters to use a training facility located in the Freeport Center. The facility includes a full-size ladder truck, a simulated house, a commercial building, a convenience-store setup, and roof props for both flat and pitched roof training. These props allow firefighters to run realistic training evolutions, including smoke-filled building scenarios.

The goal is to give Morgan County firefighters more hands-on training opportunities by renting the facility one to two times per year, at approximately \$100 per hour, which is already covered in the fire department training budget.

Commissioners asked about training capacity, with the response that the facility can handle 30–40 firefighters rotating through different training stations. Commissioners also asked whether the County Attorney had reviewed the MOU. Staff indicated that Attorney Garrett Smith had made some edits, and commissioners suggested approving the MOU contingent on final legal review to ensure proper wording and liability protection.

Overall, the item focused on improving firefighter training opportunities while ensuring legal review of the agreement before final approval.

**Commissioner Nickerson moved to approve MOU with Morgan County and Davis Tech with the approval of Morgan County Attorney
Second by Commissioner Blocker**

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

Commissioner Newton no vote

Commissioner Fackrell AYE

The Vote was unanimous. The motion passed.

6. Chief Brad Wilkes – Discussion/Decision – Morgan County Fire & EMS
Discussion and approval of a budget adjustment to repair Engine 141.

Fire Marshal/ Deputy Fire Chief David Olson explained that a fire engine recently returned to the county from the Wasatch Peaks Ranch Rural Road and Fire District (after being sold back to the county for \$1 under an interlocal agreement) has serious mechanical problems that were previously unknown. When mechanics inspected it, they found multiple safety issues, including a fuel leak, worn steering components, and an original air dryer that should have been replaced years ago. The mechanic recommended pulling the truck off the road until repairs are made. Because these problems were discovered only recently, the repair costs were not included in the current budget, and staff are proposing funding the repairs from the general fund. Commissioners acknowledged that while the repairs are unexpected, fixing the engine is far cheaper than replacing it, since a new fire truck could cost \$1.2–\$1.4 million.

Commissioner Fackrell moved to approve fixing Engine 141 coming out of General Fund
Second by Commissioner Blocker

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

Commissioner Newton no vote

Commissioner Fackrell AYE

The Vote was unanimous. The motion passed.

Commissioner Nickerson into BOE Board
Seconded by Commissioner Blocker

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

Commissioner Newton no vote

Commissioner Fackrell AYE

The Vote was unanimous. The motion passed.

7. Morgan County Board of Equalization – Discussion/Decision – BOE Hearing

- a. Discussion and decision on BOE Hearing **CR 26-2508-BOE** based on the approved late appeal **CR 26-2501-BOE** from 1/06/2026 for John & Sarai Williamson/3250 MVD LLC; Appellant is requesting a value reduction for the tax year 2025. Also, requesting a recommendation to the Morgan County Commission for the abatement of Greenbelt Rollback taxes.

The Williams received approval for a late appeal, allowing the Board of Equalization to review their case. The assessor agreed to reduce the property value to \$1,025,000, matching the purchase price. However, the property likely never qualified for Greenbelt, which triggered an \$8,024 rollback tax. The commission must decide whether to require the rollback tax or grant some relief but cannot grant Greenbelt status through this appeal.

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Commissioner Nickerson approves CR 26-2508-BOE adjusting value at \$1,025,000

Second by Commissioner Blocker

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

Commissioner Newton no vote

Commissioner Fackrell NAYE

The Vote was unanimous. The motion passed.

Commissioner Vaughn Nickerson asked whether the property owners were receiving a primary residence exemption, and it was clarified that they are not. The discussion shifted to the rollback tax calculation related to agricultural use.

The property owner explained how their estimated rollback amount was calculated by spreading the \$8,025 rollback tax over 60 months (five years), resulting in about \$133.75 per month.

Kate Becker clarified that the county's method differed: it prorates the 2024 rollback tax (based on 2023) by dividing it by 12 months and multiplying by two months, which equals about \$338.00. The exchange highlighted the difference between the owner's calculation **and** the county's proration method, which caused the confusion.

Commissioner Blocker moved CR 26-2509-BOE abate down to the amount of \$338.00

Motion dies due to lack of second

Commissioner Nickerson to approve CR 26-2509-BOE to abate down to 2024 tax year to \$ 2,028.03

Second Commission Fackrell

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker Naye

Commissioner Newton no vote

Commissioner Fackrell AYE

The Vote was unanimous. The motion passed.

Commissioner Blocker moved to approve CR 26-2509-BOE Abate down to \$507.00 including the month home was purchased October, November, December

Motion dies due to lack of second

Commissioner Fackrell moved to postpone

Motion dies due to lack of second

**Commissioner Fackrell moved to Deny CR-26-2509-BOE
Motion dies due to lack of Second**

**Commissioner Blocker moved CR-26-2509-BOE with abatement down to \$507.00
Second by Nickerson**

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker Aye

Commissioner Newton no vote

Commissioner Fackrell Naye

The Vote was unanimous. The motion passed

**Commissioner Blocker moved to go out of BOE Board
Second by Commissioner Fackrell**

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

Commissioner Newton no vote

Commissioner Fackrell AYE

The Vote was unanimous. The motion passed.

- b. Discussion and decision on BOE Hearing CR 26-2509-BOE remanded back from the State Tax Commission for Mitchell & Sarah Volpe on parcel 00-0090-7136; Appellant requesting primary exemption and a value reduction for the tax year 2024.

Mitchel and Sarah Volpe appealed their 2024 property tax assessment seeking two things: (1) to reclassify their home as a primary residence and (2) to reduce the assessed value. They argued they lived in the home since purchase (March 2024) and that the county's valuation (~\$850K) was too high compared to their purchase price (\$684,990) and appraisal (~\$735K).

The Assessor's Office explained the valuation is based on the January 1 lien date, noted the primary exemption paperwork was not submitted until November 22, 2024, and presented comparable sales supporting a revised value of about \$776,501.

Board members generally agreed that the homeowners are likely to qualify for the primary residence exemption, but there was concern about lowering the value because adjustments affect the overall tax burden across the county.

Commissioner Blocker moved to Approve CR 26-2509-BOE Primary Exemption and value reduction for the tax year 2024 from \$776,501.00 to the original price of \$684,990

Second by Commissioner Nickerson

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

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Commissioner Newton no vote
Commissioner Fackrell NAYE
The Vote was unanimous. The motion passed.

Commissioners Blocker vote to Come out of BOE Board

Second by Commissioner Fackrell

VOTE:

Commission Chair Wilson AYE
Commission Vice Chair Nickerson AYE
Commissioner Blocker AYE
Commissioner Newton no vote
Commissioner Fackrell AYE
The Vote was unanimous. The motion passed.

Commissioners Fackrell moved to extend the hours of Commission Meeting Past 9:30 pm

Second by Commissioner Nickerson

VOTE:

Commission Chair Wilson AYE
Commission Vice Chair Nickerson AYE
Commissioner Blocker AYE
Commissioner Newton no vote
Commissioner Fackrell AYE
The Vote was unanimous. The motion passed.

8. Hon. Morgan County Commission – Discussion/Decision

Discussion and decision on Resolution **CR 26-14** abating the assessed Greenbelt Rollback taxes on parcel 00-0060-1763.

Commissioner Nickerson move to approve CR-26-14 abating the assessed Greenbelt Rollback taxes on parcel 00-0060-1763. \$507.00

Second by Commissioner Blocker

VOTE:

Commission Chair Wilson AYE
Commission Vice Chair Nickerson AYE
Commissioner Blocker AYE
Commissioner Newton
Commissioner Fackrell Naye
The Vote was unanimous. The motion passed.

9. Josh Cook – Discussion/Decision – County Planning & Zoning

WPR Preliminary Plat Phase 3A.1: Application 25.045 a request for preliminary plat approval of a subdivision of 13 lots.

Planning staff presented a request for preliminary approval of a 13-lot subdivision within a 25.27-acre area located in a Resort Special District with an existing development agreement. The review was completed by planning staff, the county engineer, and the county fire department, and the proposal was evaluated alongside the previously approved Phase 3A subdivision.

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The Planning Commission reviewed the request on February 12, 2026, with no public comments received. Commissioners discussed the “3A.1” designation, which staff and the applicant agreed would help maintain a clear sequential naming structure for phases. The proposal also reincorporates a previously removed lot (Lot 57A) into the subdivision.

The county will continue providing fire review until the WPRS Fire Station becomes operational. After review, the Planning Commission voted 6-0 to recommend approval, with Chair Maloney absent from the vote.

Commissioner Newton moved to approve WPR Preliminary Plat Phase 3A.1: Application 25.045 a request for preliminary plat approval of a subdivision of 13 lots.

Seconded by Commission Blocker

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

Commissioner Newton AYE

Commissioner Fackrell AYE

The Vote was unanimous. The motion passed.

10. Josh Cook – Discussion/Decision – County Planning & Zoning

Rollins Ranch Development Agreement Amendment – Poderosa Conceptual Street

Relocation: Application 25.063 A request for a minor amendment to a street layout depicted within the conceptual development plan for the Rollins Ranch Development Agreement, which is identified by parcel number 00-0063-3521 and serial number 03-005-029 and is approximately located at 6113 N Hidden Valley Rd in unincorporated Morgan County. This matter is administrative subject to County Commission discretion to approve or deny contract amendments.

Staff presented a request to amend the Rollins Ranch development agreement to revise the road alignment for safety and infrastructure reasons. The proposal would move the road, create a detention basin, eliminate the prior triple-frontage lot issue, and address snow storage and drainage concerns. Staff noted the Planning Commission recommended approval 6-0.

Commission discussion focused on whether the request was administrative or legislative in nature. Legal clarification indicated it remains administrative, but because it amends a contract, the County Commission still has discretion to approve or deny it. Several commissioners expressed concern that the Planning Commission may not have fully understood that discretion when it voted.

The applicant explained the revised alignment was intended to meet engineering, fire access, drainage, and snow storage requirements, while also avoiding the prior triple-frontage lot problem. The detention pond was described as a county-required improvement designed to handle a 100-year storm event.

Commissioners remained concerned about the new T-intersection, its effect on neighboring homes, whether the road should remain closer to its originally planned location, and the

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broader neighborhood impacts. Some commissioners indicated they preferred denying the amendment rather than approving a road configuration they believed departed too far from what residents originally expected.

Commissioner Nickerson denied 25.063

Second by Commissioner Newton

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

Commissioner Newton AYE

Commissioner Fackrell AYE

The Vote was unanimous. The motion passed.

Adding findings to the Motion- Commissioner, Blocker explained her reasoning for denying the proposed amendment to the Rollins Ranch development agreement. She stated the amendment would relocate and introduce a new road alignment that directly impacts existing homeowners who built their homes before the proposed change. Evidence suggested the new road placement could negatively affect nearby residential properties, including written correspondence from a licensed real estate professional indicating the road's proximity could reduce the affected property's market value. Citing Morgan County Land Management Code (LUDMA) Chapter 9A, which directs the county to protect property values and promote community welfare and safety, Commissioner Blocker concluded that the amendment does not adequately protect existing property owners and could cause measurable harm to property values, forming the basis for their decision to deny the amendment.

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

Cottonwoods Land Removal: Application 23.072 This application is a request for approval of an amendment to the Cottonwoods Development Agreement (“DA”) to remove specific properties from the bounds of the land specified in the DA. Additionally, to remove the specified land from §155.465 Cottonwoods PUD Overlay District and revert it to its prior zoning designation.

Jeremy Lance: Application 23.072, submitted by Matt Wilkinson on behalf of the Wilkinson Family Trust, requesting an amendment to the Cottonwoods Development Agreement. The proposal would remove approximately 189.6 acres located southeast of the current development agreement and PUD overlay area and return the land to its prior A-20 agricultural zoning. The property currently has split zoning between RR-5 and A-20.

The application has had a lengthy procedural history. It originally began as a combined request involving both the Wilkinson and Nettleton families, was split, recombined, and ultimately directed by the County Commission to be separated again into individual applications. The matter was first heard by the Planning Commission in September 2025 and was continued multiple times due to public concerns and the extensive noticing requirements, which included approximately 750 mailed notices. A revised version proposing a one-to-one land swap was

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heard again in January 2026, followed by public hearings before the County Commission in January and February.

Staff ultimately recommends approval of the Wilkinson request, supporting removal of the specified acreage from both the Development Agreement and the PUD overlay, with the land reverting to the entitlements of the underlying A-20 zone. Janet Christoffersen clarified that the request involves removal from both the Development Agreement and the PUD ordinance, which must be processed together.

Commissioner Newton Moved to go into public hearing or Cottonwood land removal

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

Commissioner Newton AYE

Commissioner Fackrell AYE

The Vote was unanimous. The motion passed.

Public hearing

Bret Snelgrove: Bret Snelgrove, a Cottonwoods resident, expressed concern about removing land from the Cottonwoods Development Agreement (DA). He stated that while landowners should be able to use their property as they choose, any land that was originally counted toward required open space in the development agreement should remain or be replaced with equivalent “like-for-like” acreage. He emphasized that when he moved into the development, residents expected the agreed-upon open space and amenities to remain intact. He also questioned whether the entire 189 acres proposed for removal was included in the original PUD and DA calculations, or if only part of it was used to meet development requirements.

Chad Crowther: Chad Crowther, a homeowner in the Cottonwoods development, spoke on behalf of neighborhood residents regarding proposed changes to the development agreement. He explained that many homeowners learned about the proposed changes late and are concerned about losing amenities and protections they believed were guaranteed when they purchased their homes.

Crowther mentioned a community petition with over 500 signatures opposing any amendment that would increase density, add additional units, or remove large-scale recreational amenities promised in the original plan. He specifically raised concerns about rezoning Phase 9 and removing it from the Development Agreement (DA) and Master Owners Association (MOA), arguing that doing so would convert shared open space into private acreage and create uncertainty about future development.

He emphasized that residents are not opposed to development itself, but they want to preserve the originally planned density, open space, and amenities that influenced their investment in the community. Crowther asked the county to ensure that any amendments affecting the development include input from the neighborhood committee or MOA board,

stating that homeowners should have a seat at the table because the changes directly impact their property values and quality of life.

He concluded by acknowledging the commission's time and noting the frustration felt by many residents.

Michelle Stocking Hidden Meadows: Michelle Stocking, a homeowner in the Cottonwoods development and Vice President of the Master Owners Association, addressed the commission regarding the proposed amendment to the development agreement. She explained that she had previously spoken in January about concerns related to language density changes and uncertainties surrounding new land being added.

Stocking stated that she is not inherently opposed to a land swap or the Wilson family removing their land, but she is strongly concerned about removing Phase 9 from the development agreement without replacing it. She emphasized that a development agreement is a binding contract between the county and landowners and should not be treated casually.

She explained that the Cottonwoods development was designed with 40% open space calculated across the entire community, not on a phase-by-phase basis, and that density was front-loaded in earlier phases. Removing Phase 9 from the agreement could therefore undermine the overall open-space commitments and disrupt the balance of the master plan.

Stocking noted that homeowners relied on the development agreement's representations—including density limits, open space allocations, and public amenities—when purchasing their homes. She also referenced a signed and notarized document from the Wilkinson family related to the parcel and argued that its legal significance should be carefully considered.

She asked the commission to deny the amendment, or at minimum ensure that if Phase 9 is removed, the existing open space and public obligations remain attached to the land to protect homeowner expectations and the integrity of the agreement.

Jennifer Lance Cottonwood HOA: Jennifer Lance, President of the Cottonwoods Master Owners Association (MOA), spoke on behalf of residents expressing concern about proposed changes affecting the Cottonwoods development. She emphasized that the community's character, open space, and property values are based on the original master plan and development agreement that 527 families relied on when purchasing their homes.

Lance stated that residents were only recently made aware of the full proposal, despite the county and applicants reportedly working on it for about 18 months. She said this limited time has left homeowners confused about how the proposal may affect open space requirements and the master plan.

She referenced provisions in the development agreement that require open space to be owned and maintained by the MOA and stated that the agreement runs with the land and

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binds successors. Lance also noted that their legal counsel has raised concerns about the legality and enforceability of the original development agreement and the 2015 assignment.

She requested that the commission grant continuance to allow the MOA's legal counsel time to review the successor obligations and potential impacts on the homeowners before the Commissioners take action.

Heidi Nettleton: The speaker stated they were part of the originally combined application and support the current proposal. They explained that the issue became complicated because the original developer did not purchase options on certain land that was used to justify open space when front-loading the subdivision's density.

They also addressed a community petition circulating among residents, saying it contains misinformation about density, emphasizing that the overall density is not increasing because it is already capped under the development agreement.

The speaker acknowledged residents' frustration but clarified that there may be differences between amenities required in the Development Agreement (DA) and amenities that may have been promised by the original developer to buyers.

Finally, they noted that there is precedent for removing land from a Development Agreement or PUD, citing a similar action in the north portion of the development (North Lake / North Side Creeks) approved around December. They concluded by stating that their related application is expected to come before the commission in May.

Ray Nettleton: Ray Nettleton stated he has been neighbors with the Wilkinson family for about 20 years and spoke in support of their amendment request. He explained that the Wilsons' land was never purchased but was restricted under the development agreement, which he believes unfairly limited the value of their property without compensation.

He described the amendment as a first step to remove the Wilkinson property cleanly from the agreement, allowing them a fresh start. Nettleton also mentioned that a proposal exists to bring in different land that may be more appropriate for the Cottonwoods development, potentially replacing the removed property.

He added that he believed the matter was ready for a vote earlier, but a letter from the previous developer's attorney raised concerns that delayed the process. He concluded by reiterating his support for the Wilson family and the proposal.

Marrisa Tuttle: Marrisa Tuttle resident of Silver Leaf Circle in the Cottonwoods, expressed concern about the proposal and emphasized that the location of open space in the development is very important to homeowners. She explained that her family recently built a home costing over \$1 million and specifically chose their lot because of the current design of the Cottonwoods community and its surrounding open space.

She shared that the proposed changes directly affect the view from the front of her home, making her family very nervous about potential impacts. Tuttle asked the commissioners to

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carefully consider how changes to open space could affect residents who made significant financial and life decisions based on the existing layout of the development.

Kate Becker (CAM) Kate Becker thanked community members and applicants for their patience and kindness toward county staff during the discussion. She noted that many of the issues being debated stem from past decisions made years ago, describing them as “sins of the father.”

Becker emphasized that staff are working to remain neutral and treat both the applicant and community fairly, while helping provide documents and information. She expressed appreciation for the respectful engagement from most participants and thanked everyone for their cooperation regardless of whether the commission acts on the item that evening.

Commissioner Newton Moved to close public hearing

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

Commissioner Newton AYE

Commissioner Fackrell AYE

The Vote was unanimous. The motion passed.

Discussion Janet Christofferson During the discussion, the county attorney clarified the legal distinction between the terms “may” and “shall.” She explained that “shall” creates a mandatory, legally binding requirement, while “may” only provides an option and does not obligate the developer to act.

The attorney also referenced the Statute of Frauds and a related court case, explaining that certain agreements must meet legal standards to be enforceable, emphasizing the importance of precise language in development agreements and legal documents.

The discussion focused on the legal and practical problems created by the Cottonwoods development agreement, especially the fact that some land in Phase 9 was never actually purchased by the original developer but was still treated as part of the project. The county attorney explained that this creates serious legal uncertainty because the original landowners never signed or ratified the development agreement, making enforcement complicated. She said one of the cleanest ways to address the problem may be through amendments.

Commissioners discussed whether removing the Wilkinson property now would create problems for open space, density, and future development. Commissioner Newton suggested the county could allow the removal but prevent additional development in the remaining undeveloped portions of Phase 9 until replacement land is added, so the overall density and open space balance can be preserved. Commissioner Nickerson expressed

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similar concerns about making sure any replacement is truly comparable and usable, not just equal in acreage.

Matt Wilkinson: argued their land was never purchased, remains privately owned, and should be clearly removed from the development agreement. He said the current situation unfairly burdens their family, causes public confusion, and allows people to treat their land as though it belongs to the Cottonwoods when it does not. He also said the proposed land swap became too convoluted, and that removing their land first would allow a cleaner process for future replacement proposals.

Commissioner Blocker said she was not ready to support removal yet, citing concern for the 507 residents who are worried about the impact on peace, welfare, and expectations in the community. Commissioner Fackrell expressed sympathy for both sides, noting the Wilkinsons still own the land and questioning whether the homeowner's association would cooperate on acceptable replacement open space. Overall, the commission appeared divided, with some delays and more discussion, and others favor moving forward with guardrails to protect density and open space.

The discussion centered on significant legal uncertainty surrounding the Cottonwoods development agreement. The county attorney explained that case law raises concerns because the original property owners of the disputed land never signed or ratified the development agreement, meaning there may be no clear contractual relationship between them and the county. She noted that while the PUD ordinance is binding legislatively, the separate 2015 assignment between the original developer and property owners did not include the county, making enforceability complicated. Her view was that amendments may be one of the cleanest ways to resolve the situation.

Commissioners then discussed the practical effect of removing the Wilkinson property from Phase 9. Commissioner Newton suggested that if land is removed before replacement acreage is added, the county could prohibit further development in the remaining undeveloped portion of Phase 9 until additional land is brought in, preserving the intended open space and density balance. Commissioner Nickerson agreed that any replacement should be not only equal in acreage but also comparable in usefulness, since steep mountainside property is not the same as more usable open land. The commission also noted uncertainty about whether bonus density was tied to a golf course and whether any penalty ever existed for the original developer's failure to purchase the land; staff said there was no such penalty.

Commissioner Newton Moves approve the amendment to the cottonwoods development agreement and PUD overlay district to reconfigure certain parcels within in the development, as outlined in staff report, and based on the text listed in Exhibit A of the staff report dated March 3, 2026, with the following additions that further density will not be allowed until such time as additional property has been brought in to offset the existing densities will be removed and open space.

Seconded by Commissioner Nickerson

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

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Commissioner Blocker Naye
Commissioner Newton AYE
Commissioner Fackrell AYE
The Vote was unanimous. The motion passed.

Commissioner Blocker wants to explain why she voted No Nay, Because not that I don't want the Wilkinsons to have their land, but because Morgan County is a party to the development agreement and has an obligation to uphold the integrity of that agreement, and under LUDMA, we are supposed to protect the general welfare, improve morales, peace, good order, comfort, convenience, prosperity and esthetics and encourage orderly development.

- 12. Hon. Raelene Blocker** – Discussion/Decision – Morgan County Commission
Discussion and decision on whether to join Northern Utah Economic Alliance.

**Commissioner Fackrell moved to approve to join with Northern Utah Economic Alliance for one year.
Second by Commissioner Blocker**

VOTE:
Commission Chair Wilson AYE
Commission Vice Chair Nickerson AYE
Commissioner Blocker AYE
Commissioner Newton no vote
Commissioner Fackrell AYE
The Vote was unanimous. The motion passed.

- 13. Hon. Blaine Fackrell** – Discussion/Decision – Morgan County Commission
Request to attend the One Utah Summit: Economic Development & Leadership Event August 4-6 on the Southern Utah University Campus.

**Commissioner Nickerson Moved to approve for Commissioner Fackrell to attend One Utah Summit
Second by Commissioner Blocker**

VOTE:
Commission Chair Wilson AYE
Commission Vice Chair Nickerson AYE
Commissioner Blocker AYE
Commissioner Newton no vote
Commissioner Fackrell AYE
The Vote was unanimous. The motion passed.

- 14. Janet Christoffersen** – Discussion/Decision – Morgan County Attorney's Office
Approval of a 'Notice of Corrected Exhibit and Re-Recording Ordinance No. CO 23-11'

Janet Christoffersen Morgan County Deputy Attorney review of website updates revealed that a 2023 ordinance was recorded with the wrong exhibit attached. To correct the record, staff prepared a clarification statement, attached the correct exhibit to the original ordinance, and will rerecord the document for accuracy.

**Commissioner Blocker Moved to approve the corrected exhibit and rerecord ordinance CO 23-11.
Second by Commissioner**

VOTE:
Commission Chair Wilson AYE
Commission Vice Chair Nickerson AYE
Commissioner Blocker AYE
Commissioner Newton no vote
Commissioner Fackrell AYE

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The Vote was unanimous. The motion passed.

-Commissioner Fackrell- Has stated that HB-231 failed.

-Commissioner Nickerson- HB 445, addressing purchasing across county boundaries, passed out of Senate committee unanimously (4-0) and is now scheduled for second reading.

A conservation easement / farm succession meeting held at the Search & Rescue rifle range building drew strong attendance (around 50 participants) and was viewed as productive.

Concern was expressed that the Town Center (TC) zoning text amendment, expected in February, had not been presented by March, creating uncertainty for Flagship Homes and others; it was later acknowledged that the amendment has now been received.

Commissioner Nickerson moved to go into Closed Executive Session for the purpose of acquisition and disposition of real property

Second by Commissioner Blocker

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

Commissioner Newton no vote

Commissioner Fackrell AYE

The Vote was unanimous. The motion passed.

Commissioner Blocker moved to Come out of Closed Session

Second by Commissioner Nickerson

VOTE:

Commission Chair Wilson AYE

Commission Vice Chair Nickerson AYE

Commissioner Blocker AYE

Commissioner Newton no vote

Commissioner Fackrell AYE

The Vote was unanimous. The motion passed.

Adjourn – 10:30pm

Note: The Commission may vote to discuss certain matters in Closed Session (Executive Session) pursuant to Utah Code Annotated §52-4-205.

APPROVED:  _____
Morgan County Commission Chair

DATE: 3/18/26

ATTEST: _____
Morgan County Deputy Clerk/Auditor

DATE

MORGAN COUNTY COMMISSION MEETING AGENDA

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.