

## Daniel Town Council Work Meeting

Monday July 12, 2021 @ 5 PM  
Wasatch County Service Complex,  
55 S 500 E, Conference Room B  
Heber City, UT 84032

### Electronic:

Join Microsoft Team Meeting  
By Phone: 323-433-2389, ref: #702 084 23#

**Town Council Quorum:** Mayor Chip Turner, Council members: Eric Bunker, John Glodowski, Stefanie Grady and Merry Duggin. Clerk Mary Snyder and Treasurer Sherri Price present.

**Member of public:** Shelly Bunker (Daniel Water Secretary), Ryan Taylor (T-O Engineers), Pam Skinner, Gary Weight, Stefanie Carlson, Gina Williams, Bret Williams, Lisa Dinga, Mike Duggin, Jonelle Fitzgerald (Wasatch County Health Dept), Tracy Richardson (Wasatch County Health Dept), Lynne Shindurling, Todd Bonner, Jill Bonner, Rae Thacker, Kim Norris, Jeremy Charchenko, Wyatt Bush, Jana Bush, Scott Kohler, Stacy Kohler, Robyn Pearson

**ONLINE:** Calah Worthen (SWCA Environmental Consultants), Chris Garrett (SWCA Environmental Consultants)

The meeting was called to order at 5:03 PM by Mayor Turner.

### 1) **PUBLIC COMMENT:**

No public comments were made.

### 2) **REQUESTED HEARING: 3888 Crazy Acres, parcel # 00-0020-9417, Code Violation:**

The requesting party sent an email on Friday indicating that he would no longer need the hearing and requested to cancel. The initial letter was mailed to the party and was also read during this session. There have been further complaints that the individual has since moved a camp trailer into the agricultural structure and possibly living in such.

***Council member Duggin made a motion to discuss further during the closed session, seconded by Council member Grady. FOR: Mayor Turner, Council members: Bunker, Grady, Duggin and Glodowski.***

CHANGE ORDER to #5

### 3) **WASATCH COUNTY HEALTH DEPT: Water quality Report/Updated Septic Rule:**

Jonelle Fitzgerald stated that the County has been diligent working through the COVID-19 pandemic as well as through important environmental issues. She introduced Tracy Richardson to speak about the update of tonight's agenda item.

Tracy Richardson presented stating that in the early 1980's there was a study conducted by Hansen, Allen and Luce Inc. for ground water and septic effects on drinking water. The study was completed in the late 1990's. It indicated there was limited density to protect the water sheds from septic systems. Due to needing future reviews, Wasatch County Health Department has implemented into their budget funding to continue monitoring. Wasatch County did a

recent study that was completed in September 2020 that comes with a new set of requirements for septic systems. Tracy Richardson turned the time over to Calah Worthen from SWCA Environmental Consultants to present the findings of the study.

Calah Worthen stated that overall, the County has a grade 1 water shed that includes two aquifers. There are areas that present threats from pesticides, emergent contaminants such as pharmaceuticals, personal care products, etc. and the ground lack a protective clay layer. A GIS model was created to show sensitivity and vulnerability areas.

The first model: samples were collected from 25 well sites within the county and tested for pollutants such as Nitrate, Ammonia, Volatile Organic Compounds (VOCs), etc. which concluded with few detections resulting in overall good quality water.

Chris Garrett presented the second model: this was to show current and future impacts from growth and land use to indicate how much water was flowing. This was completed by gathering wells logs and hydrology reports to create a mathematical model. It shows the relationship between septic systems and nitrate levels and indicates that over time the levels will increase.

The third model presented by Calah Worthen: is to decipher septic regulations. The new rule is 1 resident, one residential unit per 5 acres. The county Health Department will re-evaluate and monitor moving forward. A full copy of the study will be made available. This was opened to comment.

Council member Duggin asked of the impacts of livestock and possible effects. Tracy Richardson stated that they do know that surface activities do have an effect. She further asked if the aquifers are holding stable or if there is an impact with the overall growth drawing water down. Mr. Richardson stated that it is interesting to predict, but density from growth will have an effect. Mr. Garrett stated that it is stable and the two aquifers flow from the mountains toward Deer Creek. The first aquifer is in loose sandy silt dirt with the secondary below it in bedrock. Both are transmissive and are equally productive. Miss. Worthen stated that of the 25 wells tested there are a few that are decreasing in limits, but overall, there are no issues.

**4) DANIEL RESOLUTION: DR 2021-07-12 A: Certified Tax Rate:**

Clerk Mary Snyder was informed initial to back out the postings for public hearing and informed to wait until noticing went out for Truth and Taxation at the end of July. Immediately prior to the meeting, she received an email stating that she was misinformed and needed to set the hearing prior to noticing going out. The information stated that the Truth and Taxation notices would be going out on July 22<sup>nd</sup> and the hearing had to be scheduled out at least 10 days from date of noticing.

***Council member Duggin made a motion to delay the certified tax rate until the hearing, seconded by Council member Glodowski. FOR: Mayor Turner, Council members: Bunker, Grady, Glodowski and Duggin.***

***Council member Duggin made a motion to set the public hearing for the Truth and Taxation and adopt the Certified Tax Rate on Monday, August 2 at 6 PM, seconded by Council member Glodowski. FOR: Mayor Turner, Council members: Bunker, Grady, Glodowski and Duggin.***

**5) AMENDED FIREWORKS/OPEN FIRE/FIREARM DISCHARGE RESOLUTION DR 2021-07-06 B:**

The amended resolution was draft to include discharge of firearms and was presented.

**Council member Duggin made a motion to approve the amended resolution DR 2021-07-06 B, seconded by Council member Glodowski.**

Council member Bunker stated that there had been complaints of individuals discharging firearms. Per the Sheriff's Office, the Town would need to include such to address arising issues.

**Mayor Turner called for the vote: FOR: Mayor Turner, Council members Bunker, Grady, Glodowski and Duggin.**

**6) PUBLIC HEARING: Bush Family Farm Conditional Use:**

**Council member Duggin made a motion to end regular session and enter the Public Hearing for the Bush Family Farm Conditional Use, seconded by Council member Glodowski. FOR: Mayor Turner, Council members: Bunker, Grady, Glodowski and Duggin.**

Jana and Wyatt Bush were present to discuss the conditional use stating that she is an educator and would like to have summer education consisting of canning, bread making, animal and farm education; as well as sell of her home grown produce and homemade products from a greenhouse/stand. They do not intend to build a stand this year, but hopefully next year. There was an application and site map that had been provided during the business license phase.

Council member Duggin asked if this item came with recommendations from the Planning Commission? Council member Bunker stated that the recommendations would come after the public hearing and the Planning Commission were present for this hearing.

Council member Duggin asked the applicants how the plan to regulate pickups? Mrs. Bush indicated that at this time, it would be online purchasing for now for products/produce. As far as drop-offs and pick up of students, this will occur on the front acreage with signs. There will not be students coming and going all hours of the day.

Bret Williams addressed his concern of high prone fire danger area that consists of a lot of dry brush bordering the highway. His primary concern is one-way access into this section of the subdivision and extra congestion of possible traffic in the event of a fire. Another main concern is not having fire hydrants in the area. Mrs. Bush stated that the area will be excavated of brush and that they do have an irrigation line through this section that they plan to frequently water when necessary. But at the current moment, there is a water restriction and trying to stay in compliance. She also stated that the students will come off highway right onto the property.

Lisa Dinga expressed concern of the bus stop being in the area and potential traffic year-round. She stated that the bus schedule is early morning, noon, 3 PM and 4 PM. Mrs. Bush stated that during the school year she will not be holding classes as she is a full-time teacher for Wasatch County School District. During the summer, she plans to limit to 8 students per class. This will mainly be a summer operation to continue to teach. She will sell produce as they mature.

Mrs. Bush stated that they have 7 acres and is currently zoned RA-5 Agricultural and would like to be able to utilize their property. They understand the concerns of the fire issue and potential traffic and are willing to address the concerns of the other residence to find a happy medium.

She is willing to address concern per the potential conditional use and even visit the issue frequently to maintain a good relationship with the community.

Jill Bonner stated that she was in favor and felt it was a positive use and maybe other kids in the area would want to attend. Todd Bonner also indicated that thought is a good use and that maybe looking at a secondary access should be warranted.

Jeremy Charchenko stated that he understood the fire concern as the past years fire left them with one access to and from their residents. He stated that because the applicant is right at the entrance and pulling direct into property hopefully this will reduce the impact to the area. He also felt that was a good use.

John Glodowski stated that this was presented nicely, and that the irrigation would be helpful with potential fire issues. Mrs. Bush stated that she intends to follow all rules and conditions as they may apply.

**Council member Glodowski made a motion end the public hearing and resume the regular session at 6:41 PM, seconded by Council member Duggin. FOR: Mayor Turner, Council members: Bunker, Grady, Glodowski and Duggin.**

**7) SET PUBLIC HEARING FOR MARK HAROLDSEN: zone change (Parcel # 20-4498)**

There has been an approved concept review before the Planning Commission and need to set a public hearing for the matter.

**Council member Grady made a motion to set the public hearing for Monday, August 2 at 6 PM, seconded by Council member Glodowski.**

Council member Duggin respectfully asked to include Planning Commission for said hearing.

**Council member Grady amended her motion to have Planning Commission attend the hearing. This was seconded by Council member Glodowski. FOR: Mayor Turner, Council members: Bunker, Grady, Duggin and Glodowski.**

**8) BUSINESS LICENSES:**

**NEW:** None

**RENEWALS:** Action Performance Electric, Simpson Fence, John Glodowski LLC, Daniels Academy

**Council member Duggin made a motion to approve all renewal business licenses, seconded by Council member Grady. FOR: Mayor Turner, Council members: Bunker, Duggin, Glodowski, and Grady.**

**9) COUNCIL REPORTS/UPDATES:**

Council member Duggin indicated that she would like to finalize the Board of Appeals training material and asked for Council for final review updates. She also stated that there is an Interlocal Meeting July 28 at 6:30 PM via Zoom.

Council member Duggin stated that she received special permission to spend the remain CARE Funds as the Town is passed the deadline. She also stated that the American Rescue Plan has approved the Town of Daniel for \$120,000. The first trench would be \$60,000 and the 2<sup>nd</sup> would follow over the remaining 12 months. She stated that these funds are acceptable to use

towards water and sewer infrastructure. Therefore, it is possible to use all or partial funds to extend work to the Storm Haven project. The deadline for the application is July 22<sup>nd</sup> and there are very strict guidelines and reporting that are required with the funding.

Council member Bunker stated that the FEMA Mitigation is at the 5-year marker and needs to be updated. Mountainland Association of Government (MAG) has drafted a plan and will revise for adoption. MAG will be billing the Town \$500.00. Ryan Taylor stated that it may need look at including a secondary access location for the Storm Haven area.

**10) DANIEL MUNICIPAL WATER:**

Water Secretary Shelly Bunker stated that there are about half of the customers with water overages this passed month and that noticing to conserve water was included with the last billing statement. She also stated that people are going around and turning off people's water, which is illegal. The issue was addressed with the individual doing it and told they will prosecute if they continue. She stated that the high bills overdue accounts are clearing up and only have a few that are still outstanding.

**11) STORM HAVE WATER:**

Shelly Bunker stated that some of residence's are required to have backflow prevention inspections and are having a hard time finding a contractor to complete the inspections. She also stated that the Xpress Bill Pay has been very positive moving forward and seems to be working well. Most of the customers have signed up to use this payment method.

**12) APPROVAL of COUNCIL MEETING MINUTES: June 7, 2021**

***Council member Bunker made a motion to approve the meeting minutes for June 7, 2021, seconded by Council member Duggin. FOR: Mayor Turner, Council members: Bunker, Glodowski, Grady and Duggin.***

**13) RECORDERS OFFICE: Warrant approval, announcements, etc.**

***Council member Duggin made a motion to approve the warrants, seconded by Council member Grady. FOR: Mayor Tuner, Council members: Bunker, Duggin, Grady and Glodowski.***

**14) POSSIBLE CLOSED SESSION:**

***Council member Grady made a motion to end regular session at 7:16 PM and enter closed session for pending litigation, seconded by Council member Bunker. FOR: Mayor Turner, Council members: Bunker, Grady, Duggin and Glodowski.***

***Council member Glodowski made a motion to end closed session at 7:53 PM and re-enter regular session, seconded by Council member Duggin. FOR: Mayor Turner, Council members: Bunker, Duggin, Grady and Glodowski.***

**15) ADJOURN:**

***Council member Duggin made a motion to adjourn, seconded by Council member Glodowski. For: Mayor Turner, Council members Bunker, Grady, Duggin and Glodowski.***

Meeting adjourned at 7:57 PM

*Mary Snyder*  
Clerk/Recorder