

Daniel Town Council Meeting
Monday, February 3, 2025 at 6:00 PM
Wasatch County Services Building, Conference Room B
55 South 500 East, Heber City, Utah

Quorum Present: Mayor Scott Kohler, Council Members Gary Walton, Jon Blotter, Robyn Pearson and Eric Bennett. Also present Planner Eric Bunker and Treasurer Sherri Price. Clerk/recorder Kim Crittenden was excused.

Members of the Public: Spencer Foster, Gary Weight, Megan Phillips

Mayor Kohler called the meeting to order at 6:05 PM

1) Public Comment (please limit to 2 minutes per person) There were none.

2) Spencer Foster MAG LAA presentation

Mr. Foster has been with the Local Administrative Advisory Program for about eight months. In 2023, because the legislature realized small cities and towns have limited resources, MAG and the ULCT worked with the legislature to obtain funding for various projects, simple to intense, at no cost to the municipality. These funds are to provide technical assistance to the municipalities. MAG has thus far helped Daniel with the TAG program involving updating their General Plan. Templates for ordinances involving budgeting and Open Meeting Act are documents that MAG has available that can be helpful located on MAG's website.

Council Member Pearson inquired if there is a library of resources available to address common issues in smaller towns. Mr. Foster stated there are numerous templates on the website that were created for specific issues brought to MAG's attention, and they have created ordinances to help deal with these issues.

Planner Bunker asked Mr. Foster to bring the Council up to speed on Daniel's General Plan. Mr. Foster stated Dan Wayne will provide the awarding of funds information at the end of February. The General Plan update requested would be at a cost of \$150,000 to be paid to the consultant hired to complete the update project.

Council Member Pearson asked about the total amount funded for the year. Mr. Foster said it is \$2 million and will continue year to year. When given an award, the Town would have a match of five to \$10,000. It is a 6.77% match that is required. The General Plan Update award of \$150,000 under consideration currently is split between Henefer, Daniel and Charleston. The update would be performed by a consultant chosen by MAG.

3) Possible Action for Small Subdivision Application from Geneva Rock for Parcel #09-6276 (Continued)

Mayor Kohler is asking for a motion to continue item #3 due to the failure of Geneva Rock to produce additional documents.

Council Member Walton made a motion to continue the discussion, which was seconded by Council Member Blotter. The vote was Walton yes, Blotter yes, Kohler yes, Bennett yes, and Pearson yes. The motion passed.

4) Possible Action for Conditional Use Application from Geneva Rock for Parcel #09-6276 (Continued)

Mayor Kohler stated we'll do the same thing on item #4.

Council Member Blotter made a motion to continue the discussion, which was seconded by Council Member Walton. The vote was Walton yes, Blotter yes, Kohler yes, Bennett yes, and Pearson yes. The motion passed.

5) Possible Action on Melanie North/Megan Phillips Lot of Record Application (Continued)

Mayor Kohler stated he had previously mentioned he'd like to look at this for about six months, and is in the process of meeting with Gary Weight. He would like a motion to continue.

Council Member Walton made a motion to continue the discussion. Council Member Blotter seconded the motion. The vote was Walton yes, Blotter yes, Kohler yes, Bennett yes, Pearson yes. The motion passed.

6) Council Reports

Beginning with Council Member Pearson, he stated he attended the Interlocal meeting two weeks prior where the major point of discussion was the bypass road plan. Mr. Pearson asked if Daniel Town's input was being considered by UDOT, and it was stated they'd be happy to be an agenda item in a future meeting to update Town officials on the road plans. He stated if Highway 189 is abandoned at 3000 South in a northeast direction to Heber City, the traffic will be funneled right through the Town of Daniel eastward to reach Highway 40. Our input should be top of mind. UDOT is hoping by the fall of 2025 to have the alignment in place. Mr. Pearson asked that UDOT be placed on an agenda, and then for the Mayor to write a letter summarizing Daniel's understanding of the conclusions drawn in the meeting.

The second item Council Member Pearson discussed was the berm around the CMC cement plant. Residents in Daniel have complained that its height is only four feet, but Mr. Pearson stated when he visited the plant, he could not see over the berm and it measured over his head. He was concerned additionally about the trees surrounding the plant. They too are taller, but thin, and appear to be dying.

Mayor Kohler stated he had had conversation with Todd Cusick, who has some health issues, and requested to be put on hold until March. The Mayor will reach out again to see how he is feeling and see if he can come to a meeting in March or April. Mr. Pearson is concerned about reports from neighbors of dust and noise from the plant. The Mayor continued to report that Mark Lloyd, who has filed a formal complaint against the plant, reported CMC to the EPA who investigated the site immediately and found they had the proper permit from Wasatch County to crush. They sent a report to Mayor Kohler citing no violations. Their crushing operation is on County property.

Council Member Bennett asked Planner Bunker about the Disaster Mitigation Committee meetings. Mr. Bunker said they will start involving Town personnel in the meetings in the future.

Mayor Kohler stated he authorized an ad to be put into the Wasatch Wave for three open Board of Appeals positions and a deputy clerk/recorder position.

Applications will be accepted until February 28th. Applicants are required to be residents of the Town of Daniel.

7) Planning Report/Updates

Council Member Pearson asked how violations at an Airbnb are handled in the Town. Planner Bunker stated once enough evidence of such is compiled, he gets in touch with the Town attorney to handle the matter. Discussion amongst Council members brought out the fact there is a bill before the legislature dealing with the legality of posting homes on a website as an Airbnb. The Town Council's consensus seems to be that they must have a business license and pay the appropriate use taxes, limit the number of people in regards to septic systems and well water permits. Many details need to be worked out. Mayor Kohler suggested waiting till March to see if the bill passes in the legislature and then take appropriate action, which may involve legal action.

Council Member Walton asked about the entry on the planning report regarding Cody Coleman, and it was corrected to be an addition on Scott Coleman's residence. Mr. Walton inquired about the will serve letter on the Mark Haroldsen entry on the planning report on Highway 40. The property is currently being serviced by Twin Creeks. They will bore underneath the highway to hook into the sewer and water. It will be a change to the point of diversion.

8) Storm Haven and Daniel Water System Report/Update

Mr. Bunker reported there had been a freeze at a home located in Storm Haven. The homeowner hired Clint Allen to push steam into the system, but it was unsuccessful. The hose currently rests on the ground until a fix can be made.

Many of the lead and copper questionnaires were not returned, and perhaps an incentive for returning such would be warranted, like a few dollars off your water bill.

The main heater in the pump house is new and two smaller backups work in stages. They are working well.

Because the clerk/recorder was not at the meeting to present the warrants, Mayor Kohler asked that the Council approve them for the month so the invoices can be paid. Then each Council member will be provided with a copy after-the-fact.

Council Member Blotter made a motion to approve the warrants. The motion was seconded by Council Member Bennett. The vote was Walton yes, Blotter yes, Kohler yes, Bennett yes, Pearson yes. The motion passed.

10) Approval of Meeting Minutes for December 2, 2024, and January 6, 2025

Mayor Kohler called for a motion to continue the approval of minutes.

Council Member Blotter made a motion to continue the approval, which was seconded by Council Member Walton. The vote was Walton yes, Blotter yes, Kohler yes, Bennett yes, Pearson yes. The motion passed.

11) Possible Closed Session as Permitted by UCA 52-4-205. No closed session.

12) Adjourn

Council Member Walton made a motion to adjourn, seconded by Council Member Blotter. The vote was Walton yes, Blotter yes, Kohler yes, Bennett yes, Pearson yes. The motion passed.

The meeting was adjourned at 8:16 PM

Submitted by Lynne Shindurling
Deputy Clerk/Recorder