

Daniel Town Council Meeting

Monday, February 2, 2026, at 6:00 PM
Wasatch County Services Building, Conference Room B
55 South 500 East, Heber City, Utah

Quorum Present: Mayor Scott Kohler, Councilmembers Eric Bennett, Gary Walton, Stefanie Grady, Brooke Rose. Also present were Town Planner Eric Bunker, Town Treasurer Sherri Price, and Clerk/Recorder Megan Goodrich, to record the minutes.

Members of the Public: Marcia Birch, Lynne Shindurling, Lisa Dinga, Ben Probst, Scott and Jalayne Bassett, Jennifer Whaley, Merry Duggin, Heber Taylor, Kathleen Call

Mayor Kohler called the meeting to order at 6:00 PM.

1) Public Comment

Merry Duggin announced that the month of February is the 20th anniversary of the Town of Daniel. She made mention of a General Plan Survey made available to Town residents. The survey would give individuals the chance to provide input into the future of the Town. The survey would be closing the following day.

2) AUP Presentation by Ben Probst for Fiscal Year 2024-25

Ben Probst, an independent auditor from Gilbert & Stewart, presented the Agreed Upon Procedure for the Fiscal Year of 2024-25 for the Town of Daniel. Mr. Probst summarized three findings: 1. The General Fund unassigned balance exceeded the General Revenue Fund. Mr. Probst recommended transferring a portion of funds to another Town fund. 2. It was noted that the Town did not approve the 2025-26 budget before the start of the fiscal year. 3. The Town did not have the required conflict of interest disclosures on file.

Mr. Probst also made mention of the balance sheet, which is a compilation only, and was not audited.

Councilmember Grady questioned why former clerk, Mary Snyder, was still listed on the PTIF accounts. Treasurer Sherri Price stated that it would be worthwhile to change the name to current Clerk/Recorder Megan Goodrich.

3) Hearing for home at 487 Cobble Creek Lane regarding nightly rentals

Mayor Kohler stated that the attorney representing the owners at 487 Cobble Creek Lane had requested to have this issue continued. The Daniel Town attorney had

recommended continuing the item, due to the fact that the homeowners would have no representation at the meeting.

Councilmember Eric Bennett made a motion to not continue, stating that the Council had already continued the matter and that the owners had said they would attend the February meeting.

Mr. Walton reminded the audience that the owners had stated at the previous meeting that they would comply with Town code during the continuance period, but that the Town has evidence that they have not been compliant. He questioned if the Town attorney gave a specific reason why the Council should vote to continue.

Town Planner, Eric Bunker, spoke regarding a phone call with the Town Attorney. He stated that the owners are questioning the structure of the appeal process and their right to see all the evidence presented against them. The Town Attorney would like to put this case in front of an administrative law judge and have a hearing outside of the council hearing. Planner Bunker stated that the owners have the right to take the matter directly to the court system.

Councilmember Grady questioned what the cons would be if the council chose not to continue the matter. Planner Bunker stated that continuance would give the owners the right to present before an administrative law judge. He stated that they would lose that right if the hearing was “completed” that evening.

Councilmember Bennett questioned if the Council could have a hearing without the owners present. Town Planner stated that they could because the hearing was properly noticed and put on the agenda.

Councilmember Rose questioned if the stipulations to not rent the home would hold with a continuance. Planner Bunker stated that has been illegal through the entire process and would remain the same.

Councilmember Grady questioned if the attorney was aware of the owner’s continued non-compliance with the Town’s nightly rental code. Mayor Kohler stated that he is aware of the owners’ actions.

Councilmember Walton would like the attorney to answer additional questions for the council, specifically the ramifications of either a continuance or a denial to continue. Planner Bunker advised the Council to follow the direction of the Town attorney.

Councilmember Bennett made a motion not to continue the hearing; Councilmember Walton seconded. The roll call vote was Bennett yes, Walton yes, Grady no, Rose no, Kohler no. The motion did not pass.

Councilmember Walton made a motion to continue the hearing for 30 days to give the Town Council time to confer with the Town attorney, specifically with the goal for the attorney to respond to and answer questions the Council has regarding this issue; Councilmember Grady seconded. The roll call vote was Bennett no, Walton yes, Grady yes, Rose yes, Kohler yes. The motion passed.

The questions that the Council would like to pose to the Town attorney are as follows:
What would the consequence be if the Council were to deny a continuance in this matter? What are the pros and cons of not continuing the matter?
What options does the Town have to shut down the nightly rental business?
What does the Council do if the owners do not attend the next hearing?

Planner Bunker stated that he will reach out to the Town attorney with the questions and respond to the Councilmembers via email. He reminded the council members of attorney-client privilege and asked that they not share anything they receive regarding this matter.

The Council requested to have the Town Attorney present for the March Town Council meeting.

4) Southfield Waterline Extension Contract Award

Planner Bunker stated that the Town received two bids for a project to extend the Daniel Municipal waterline north on Southfield Road. One bid was disqualified. He stated that the contract is ready to be issued. The original bid went all the way to Valley View Road but was determined to be above the budget the Town had set. The bid was later shortened to stay within budget. The total cost will be \$88,200 and will make use of money that is currently in the impact fee fund, and which needs to be used within 5 years of collection. Planner Bunker further stated that this project is qualified to use the impact fee funds because it is part of the Town's 20-year plan.

Ms. Lynne Shindurling questioned how far north on Southfield Road the water line would go. Planner Bunker responded that it would go to the property line between the first two properties.

Planner Bunker stated that Jones and DeMille Engineering have drafted the plans, which include fire hydrants, and that everything complies with state code.

Councilmember Walton questioned how far the water line would extend past the resident's line. Planner Bunker answered that it will go past the property line and then will have a T and a valve to block it off for the future. He estimated it would go at least

20 feet past the property line. The homeowner will connect at that point and extend the line further.

Councilmember Walton made a motion to accept the bid for the Southfield Waterline Extension at 2132 S 390 W; Councilmember Rose seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

Ms. Jennifer Whaley, building on Valley View Road, stated that they are putting in the new fire hydrant on Valley View Road, but was confused about an email they had received from the Town stating that they would need to give up a water share. She stated that they are not comfortable doing that and, because the water shares are owned by an HOA, they are not able to give up any water shares. She further stated that they would not be using the water line but were trying to help the Town so that the line did not go stagnant. The Whaley's have a well and that is the water that they will be using for their home.

Planner Bunker stated that the Town sells a hook-up and that they are allowed 20,000 gallons of water per month. Ms. Whaley stated that they would prefer not to hook on and help the Town flush the line and that they would put the fire hydrant in but would not like to give up a water share.

Planner Bunker explained that the hook-up is part of the process to extend the line.

Ms. Shindurling explained that there are separate water shares for irrigation and, if someone has a well, they have a water right connected to the well. She questioned if the water right Planner Bunker is referring to is connected to the well, not the irrigation shares. Planner Bunker stated that what typically happens is that someone turns over a water share that is converted into drinking water, and the source of removal is moved to a Daniel source. He stated that it comes from the irrigation share.

Ms. Whaley stated again that the HOA owns the irrigation and that they cannot turn over a share. Ms. Shindurling stated that the HOA would need to make an arrangement to transfer a share to the Whaley's.

Planner Bunker clarified that the Whaley's would have enough irrigation water for their lot, which is in hay. They are now removing a quarter acre for their house and lawn and garden and that is the portion the Town is using to give them a hook-up. He stated that another option would be to go on the open market and purchase an additional share.

Planner Bunker stated that having a hook-up will keep the water flowing and can prevent potential contamination. Ms. Whaley questioned if there was a different location where they could hook up. Planner Bunker stated that 3000 South is a trunk line which supplies a major line and is needed for fire flow.

Planner Bunker stated that the cost for a hook up is \$10,700 and that the Town is allowing the Whaley's to take that money and use it toward the line that will run through their field.

5) Business licenses

One business license was presented for renewal, Tee J's Custom Mutt Cutts. There have been no complaints.

Councilmember Grady made a motion to renew the business license for Tee J's Custom Mutt Cutts; Councilmember Bennett seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

6) 2026-02-02 Resolution appointing Planning Commission members to 4-year term

Mayor Kohler named the following individuals to be appointed to the Planning Commission: Scott Long and Tim Jones as new commissioners, as well as Byron Horner and TJ McGeean as returning commissioners. Mayor Kohler read in the resolution which appoints each commissioner to a 4-year term.

Councilmember Bennett made a motion to approve DR 2026-02-02; Councilmember Walton seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

7) Council Reports

Councilmember Walton mentioned reports of high-water usage, one that had had a broken water line in the home and was currently being repaired. He questioned whether the Council would be inclined to adjust the bill for the homeowners. Councilmember Walton also mentioned meters in the vault that were not reading. He stated that going into the vault could be unsafe since it is considered confined space and wondered if the Town should research other ways to detect meters within the vault. Planner Bunker stated that the vault was not a restricted confined space and that one course of action would be an exchange of air with a blower before entry.

Councilmember Walton mentioned that, upon inspection, he saw no water line in the trench at the Webb garage. Mayor Kohler stated that the meter had been shut off and there was no water flowing. Councilmember Walton stated that the concern with the trench being open for too long would be the freezing in the case of cold or winter weather.

Deputy Clerk/Record Merry Duggin announced that she had completed the Community Development Block Grant (CDBG) application to request funding for a new master plan for the Storm Haven Water System. She also stated that the Town had not appropriated funding in the budget for the Southfield Waterline project and will need to have a budget amendment in a future meeting with a public hearing.

Councilmember Grady reminded the audience of the Daniel Irrigation Company meeting to be held Wednesday, February 4, 2026, at 7:00 PM.

Mayor Kohler mentioned that pressure-reducing valves had been installed in all the trailers at the trailer park so that all the valves are completely open. Water Manager David Hilton has also verified that the valves are open. The house on the property is still not on a pressure-reducing valve. He mentioned that the leak on 3000 South has been fixed and cleaned up.

8) Planner Report

9) Storm Haven and Daniel Water System Report/Update

Ms. Lisa Dinga questioned whether the Town had received bids for the fence at Storm Haven. Mayor Kohler stated that the Town had received one bid from Aloha Fence and is waiting on another bid. Ms. Dinga would like to see the matter move forward.

10)Recorder's Office: Warrants approval, announcements

Clerk/Recorder Goodrich presented the warrant sheet to the council members for approval. She mentioned two additional invoices received that afternoon from Wasatch County Public Works Department, one for snowplow services for the month of January, and one for straightening signs in the Town. She questioned whether the council would like the two additional invoices to be added to the January warrant sheet to be paid that week.

Councilmember Walton made a motion to approve the January warrant sheet, with the addition of two invoices from Wasatch County in the amounts of \$695.17 and \$163.65; Councilmember Bennett seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

11)Open and Public Meeting Act annual training

Clerk/Recorder Goodrich stated that OPMA is a required annual training for the Town. She addressed content regarding open and public meetings, closed meetings, emergency meetings, and electronic meetings.

Councilmember Bennett questioned if the Town is in compliance with OPMA. Deputy Clerk/Recorder Duggin assured the Council that the Town is compliant in following the guidelines of OPMA.

12)Approval of Council Minutes for January 5, 2026

Councilmember Bennett made a motion to approve the minutes from the January 5, 2026 Town Council meeting; Councilmember Rose seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

13)Possible Closed Session as permitted by UCA 52-4-205

There was no closed session held.

14)Adjourn

Councilmember Grady made a motion to adjourn the meeting; Councilmember Walton seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

The meeting was adjourned at 7:24 PM.

After the meeting was adjourned, Mr. James Percy stood to question a property that was being used to park construction equipment. Mr. Percy understood that piece of land to be used as agriculture. Mayor Kohler questioned if the lot was currently under construction. He stated that, if a lot was under construction, it would be allowed to have construction equipment on site and action would not be taken until the construction was completed. Councilmember Bennett reminded the audience that members of the public were welcome to submit complaints to any member of the council via email.

Megan Goodrich
Megan Goodrich
Clerk/Recorder