

# Daniel Town Council Meeting

Monday, May 4, 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. Councilmember Brooke Rose was excused. Also present were Town Planner Eric Bunker, Town Treasurer Sherri Price, and Clerk/Recorder Megan Goodrich, to record the minutes.

**Members of the Public:** Merry Duggin, Lisa Dinga, Byron Horner, Gina Williams, Jonelle Fitzgerald, Lindsay Simpson, Gary Weight, Mark Haroldsen, Drew Reilly, Marcia Birch, Chip Polvoorde

Mayor Kohler called the meeting to order at 6:13 PM.

## 1) Public Comment

Byron Horner stated that, in his opinion, the Town should be enforcing code or doing away with them. If the code is enforced by complaint only, the Town could get into trouble with lawsuits. He stated that the Town's code enforcement officer should be able to approach a home to give notice of a violation and, if refused, the Town would then proceed to get a legal cease and desist letter.

## 2) 2025 Wasatch County Health Department annual report by Jonelle Fitzgerald

Jonelle Fitzgerald, Director of the Wasatch County Health Department, presented the 2025 annual report. She explained the services and programs of the health department, such as vital records, public policies, emergency services and preparedness, medical reserve corps, environmental health, and health promotion, including vaccinations and the WIC program.

She stated that more than half of the health department's funding is from state and local grants, followed by taxes and fees. Total expenditures for the year were just over \$4 million. She stated that Wasatch County is a healthy place to live, regularly being ranked in the top three counties statewide.

Councilmember Walton questioned which branch of the health department would control the number of people living in a single-family dwelling. Ms. Fitzgerald stated the ordinance ties the size of the septic tank to the number of bedrooms, and it is hard to determine how many people are living in a home. Councilmember Bennett clarified that the health department would be able to intervene only in the case of a public health problem, a septic tank overflow for example.

Ms. Fitzgerald stated that the health department is watching the water quality in several wells around the valley. Planner Bunker questioned if the valley still has a pristine water classification. Ms. Fitzgerald answered yes. Planner Bunker stated that his concern is how changes in environmental conditions could affect the Town's water systems. Ms. Fitzgerald suggested that Tracy Richardson attend a Council meeting to speak to the water monitoring projects that the health department is currently running.

### **3) Planning Commission Summary of April 15, 2026**

Mayor Kohler read the Planning Commission Meeting Summary from April 15, 2026.

Councilmember Grady questioned if the public hearing for a zone change request at 1680 W 3000 W would be held on May 20<sup>th</sup>. Planning Commission Chair Gary Weight answered yes.

Planner Bunker clarified that anytime a building permit is approved, it is conditional on engineering requirements. He also noted that the public hearing for Geneva Rock Conditional Use Permit is a land-use issue and will not come before the Town Council.

#### **4) Discussion of zone change request at 3350 S Hwy 40 from RA-5 to Commercial; set public hearing**

***Councilmember Walton made a motion to set a public hearing for parcel #20-4489 and parcel #20-4491 for June 1, 2026; Councilmember Bennett seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Kohler yes.***

#### **5) Set a public hearing for Wildland Urban Interface map and code**

Councilmember Walton mentioned that the Utah State Governor had recently moved the deadline for adoption to January 1, 2027. Councilmember Bennett clarified that fees would not be collected until January 1, 2027.

***Councilmember Grady made a motion to set a public hearing for the adoption of the Wildland Urban Interface map and code for June 1, 2026; Councilmember Bennett seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Kohler yes.***

#### **6) Set a public hearing for possible code changes to 8.07 RA-5 Residential and Agricultural Zone**

Councilmember Bennett questioned if, in changes to code 8.07.07, clarification needed to state that only one unit may be built within the main structure. Chair Weight stated that the public hearing would be the appropriate time to discuss the matter.

Planner Bunker stated that the state legislature has recently made it a use and that, by changing the Town code, it would match the State code.

Mr. Drew Reilly stated that the code change to 8.07.06 would be taxing on any future development or growth in the Town. He cited examples in the Town where, if 200 feet of frontage had been required, the frontage road would have had to go an extra one hundred feet into the property. He stated that the county has had several variances over the years and suggested that the Town look at doing something similar.

***Councilmember Bennett made a motion to create a public hearing on June 1, 2026, for possible code changes to 8.07 RA-5 Residential and Agricultural Zone; Councilmember Walton seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Kohler yes.***

## **7) Business Licenses**

Ms. Lindsay Simpson, representing Moxy Home Services, LLC, doing business as Showhomes Summitt, explained that her business is a home-staging service offering interior design and staging to homeowners and realtors. They offer services to Daniel, Heber, Midway, and Park City. Ms. Simpson stated that there is no retail front, rather they offer the service at the client's home.

***Councilmember Bennett made a motion to approve the new business license for Moxy Home Services, LLC dba Showhomes Summitt; Councilmember Grady seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Kohler yes.***

Planner Bunker stood to address complaints that have been received against the new business license for Daniels Highway 40 Storage. Planner Bunker presented an agreement and map that had previously been recorded against the property. He stated that the front 50% of the property had been approved for commercial use while the back was set aside as a buffer zone. The complaints state that there is an encroachment of commercial use in the buffer zone. The business has received a temporary CO and is waiting on the fire department for the radio to pass inspection.

Mark Haroldsen, managing partner for Daniels Storage, stated that he was told, upon initial approval, that the buffer zone could not be developed but were not told they couldn't use it for operations.

Councilmember Bennett asked if Mr. Haroldsen was still considering having a U-Haul business and if he was parking trucks and/or trailers in the buffer zone. Mr. Haroldsen stated that they would like to manage a U-Haul business and that they were parking in the buffer zone. He stated that the business would create additional sales tax revenue for the Town. Councilmember Bennett stated that it was his understanding that the buffer zone was meant to be agricultural in nature.

Planning Commissioner Byron Horner stated that the Planning Commission had made it clear that one vehicle could be parked in front of the building until there was further clarification regarding the buffer zone. He questioned if there is a delineation line where the buffer zone begins. Planner Bunker stated that it is defined in the agreement.

Mayor Kohler questioned Mr. Haroldsen if any neighbors had approached him to utilize the buffer zone as an agricultural space. Mr. Haroldsen answered that he would be open to that option.

Mr. Haroldsen stated that they would maintain a pasture and weeds but had received no communication from the Town that they couldn't utilize the buffer zone for parking. He questioned if the road base behind the white fence could become a demarcation for the buffer zone.

Councilmember Bennett opined that Mr. Haroldsen has the right to park U-Hauls up to the line but anything beyond that would be abusing the agreement. Mr. Haroldsen stated that the buffer zone would need to be more clearly defined.

Councilmember Grady again questioned whether Mr. Haroldsen has begun to use the buffer zone as parking for trailers, trucks, and boats. Mr. Haroldsen stated that he has one boat parked there but is not using it as a rental space for storage. He stated that, if they were allowed to do so, the Town would benefit from an increase in sales tax.

Councilmember Walton stated that the buffer zone was not meant to be an extension of the storage space. He further stated that it is the Council's job to look at what the citizens expect based on the agreement and that that buffer zone is there to protect the lifestyle of neighboring residents. Councilmember Bennett stated that the Council is more concerned with the use of the buffer zone and protecting the Town's citizens than the extra income the business would generate. He opined that if trucks are parked in the buffer zone, it is not protecting neighboring residents.

Mayor Kohler stated that the buffer zone needs to be defined and that the Town and Mr. Haroldsen know exactly where commercial use is allowed before a license can be approved. Mr. Haroldsen clarified that the disagreement is regarding the definition of the buffer zone. Councilmember Walton responded that the definition of the buffer zone is what was stated in the agreement.

***Councilmember Walton made a motion to continue the business license approval until there is clarification regarding the buffer zone on the property; Councilmember Bennett seconded the motion with the addition of defining how the buffer zone is used. The roll call vote is Bennett yes, Walton yes, Grady yes, Kohler yes.***

Mayor Kohler suggested to Mr. Haroldsen that he define where the buffer zone is and meet with the Daniel Town Review Committee at his earliest convenience. Mayor Kohler further requested to visit the site.

The following businesses were presented for renewal: Bart Wilde & Associates, LLC, Jolley Electric, Inc, Norwood Construction, Rafter K Construction, Given's Gravel & Dumping Services, Daniels Creek Construction. There have been no complaints.

***Councilmember Grady made a motion to renew the business licenses for Bart Wilde & Associates, Jolley Electric, Inc, Norwood Construction, Rafter K Construction, Given's Gravel & Dumping Services, and Daniels Creek Construction; Councilmember Walton seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Kohler yes.***

**8) Tentative Budget for FY 2026-27; set public hearings for amended budget FY 2025-26 and final budget FY 2026-27**

Clerk/Recorder Goodrich brought attention to money saved on the Town office monthly phone bill, IT costs, and snowplow services. Some budget items were increased in price for the upcoming year. Overall, the Town of Daniel is financially sound.

Ms. Goodrich reported that 83% of the fiscal year has expired and that the Town is currently under budget and forecasting to be under budget next year as well.

Ms. Goodrich pointed out miscellaneous revenue was budgeted to receive \$0 but the Town had received \$5,000 for the general plan update.

***Councilmember Grady made a motion to set a public hearing for June 1, 2026, to approve the 2025-26 amended budget and to approve the 2026-27 final budget; Councilmember Walton seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Kohler yes.***

**9) Town Policies to be approved: Personal Use of Entity Assets, Reporting Fraud or Abuse, Credit Card Policy, Travel Policy**

Clerk/Recorder Goodrich presented Personal Use of Assets Policy, Reporting Fraud for Abuse Policy, Credit Card Policy, and Travel Policy for possible adoption.

Regarding Personal Use of Assets policy, it is understood that use of Daniel Town resources for any use outside of Daniel Town business is prohibited.

The Reporting Fraud and Abuse Policy defined improper government actions and summarized the steps for reporting suspected fraud or abuse in the Town. The policy also summarized how the Town would investigate reported fraud or abuse.

The Credit Card Policy stated how to obtain a card, card holder responsibilities, Treasurer responsibilities, approved and prohibited purchases. Mayor Kohler questioned how many Town credit cards are currently issued. Clerk Recorder stated that 4 cards have been issued to Town employees and that any credit card purchase is put on the warrant sheet for approval from the Town Council.

There was discussion regarding the Travel Policy and when mileage reimbursement should be approved. Mayor Kohler opined that mileage could begin to be tracked once an individual leaves their home. Councilmember Bennett suggested possible wording to read: "All travel expenses incurred while conducting Town of Daniel business" and that bullet-point #2 could use a wording change as well. The Policy further stated that all travel expenses would need to be approved by the Mayor and that all travel expenses would need to be documented.

Planner Bunker opined that the policies were not yet ready to be adopted. He further stated that the policies adopted the previous month were not ready for adoption. Planner Bunker discussed areas of concern with each policy and stated why they are not ready for approval.

***Councilmember Walton made a motion to postpone adoption of Town Policies until the Town Council can compare the policies presented by Clerk/Recorder Goodrich and policies prepared by Planner Bunker; there was no second. Motion failed.***

***Councilmember Grady made a motion that the administration collaborate on Town Policies and bring a recommendation to the Council on June 1<sup>st</sup>, 2026; Councilmember Bennett seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Kohler yes.***

### **10) Council Reports**

Councilmember Grady expressed concern regarding the Maverick Stone mine and how it might affect the Town's quality of water and quality of life. Councilmember Walton questioned if the Town knew of its scope of depth or volume of mine. Councilmember Bennett stated the county has held public hearings but has been unsuccessful thus far in holding it back.

Mayor Kohler mentioned complaints regarding vehicles parked at the end of 3000 S and Hwy 189. Mayor has spoken with Sherriff Rigby, who sent deputies to put tickets on all cars parked there. He further reported that the speed limit sign on the west side of the trailer court will be fixed later in the week and that the county has fixed six more signs within the Town.

### **11) Planner Report**

Planner Bunker gave a legislative update in which he summarized new bills that could potentially affect the Town.

Mayor Kohler discussed that there was some remaining power on old power poles near the Southfield Road project. The contractor is waiting to sign a notice to proceed until the power line is moved from the old poles. Planner Bunker stated that the notice to proceed allows for 90 days before any penalty is incurred.

### **12) Storm Haven and Daniel Water System Report/Update**

Mayor Kohler explained that when a renter moves out of the trailer park and a new tenant moves in, the new information will be provided to the Daniel Town Water Secretary, Emilee Hilton. The owner of the trailer park would be responsible for paying the water bill if the information was not provided in a timely manner.

Planner Bunker reported on a discussion between Daniel Council and Heber City Council regarding the line between the two municipalities and the County, the "no-mans" land. Heber City would like to discuss a potential boundary line agreement and has reached out to the Town to set up a meeting. The Council directed Planner Bunker to schedule the meeting for May 19<sup>th</sup> at 4:00 PM with the Heber City Council.

### **13) Recorder's Office: Warrants approval, announcements**

Clerk/Recorder Goodrich added office hours for Jolene Munford to the warrant sheet. Additionally, she removed the pay for Planning Commissioner Long, who did not attend the April Planning Commission Meeting.

**Councilmember Bennett made a motion to approve the warrant sheet with the additions/corrections; Councilmember Walton seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Kohler yes.**

**14)Approval of Council Minutes for April 6, 2026; Approval of Minutes for April 15, 2026  
Joint Town Council/Planning Commission Meeting**

**Councilmember Walton made a motion to approve the council minutes from April 6, 2026; Councilmember Bennett seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Kohler yes.**

Drew Reilly explained that, at the April Town Council Meeting, Mr. Blake Soifua stood claiming to represent Mr. Reilly, which was false. Mr. Reilly requested that the paragraph be stricken from the minutes. Councilmember Bennett stated that, as the interaction had already happened, it could not be removed from the minutes. Mr. Reilly requested a previously sent letter from Mr. Soifua to Planner Bunker be attached to this meeting's minutes to show that Mr. Soifua had misrepresented himself.

Regarding the April 15, 2026 joint minutes, Councilmember Bennett requested that the words "affordable housing" on page 2 be removed.

**Councilmember Bennett made a motion to approve the joint minutes from April 15, 2026, with one change; Councilmember Grady seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Kohler yes.**

**15)Possible Closed Session**

**Councilmember Walton made a motion to enter closed session; Councilmember Bennett seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Kohler yes.**

The Council entered closed session at 8:58 PM to discuss possible upcoming legal issues.

**Councilmember Grady made a motion to leave closed session and enter regular session; Councilmember Bennett seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Kohler yes.**

The Council entered regular session at 9:28 PM.

**16)Adjourn**

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

The meeting was adjourned at 9:29 PM.

*Megan Goodrich, Clerk/Recorder*