

Daniel Town Council Meeting

Monday, September 14, 2026, at 5:00 PM

Wasatch County Services Building, Conference Room B

55 South 500 East, Heber City, Utah

Quorum Present: Mayor Scott Kohler, Councilmembers Gary Walton, Eric Bennett, 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: Lisa Dinga, Paul Dinga, Gary Weight, Riley Lyman, Paul and Tina Ballif, Johnny Wetsel, Sadie Mauldin, Shae Orgillis, Kristi Weight, Ronda Rose, Chris and Renee Anderson, Drew Reilly, Nate M., Debbe and Jordan Woodbury, Megan Phillips, Curt Clyde, Adrienne Clyde, Brent and Mary Waterman, Daquiri and Collin Rhodes, Rich and Mary Martin, Jeff and Nicole Ritz, Tabatha Benzler, Jalayne Bassett, Scott Bassett, Carol Sonnenberg, Diane Glenn, Steph Carlson, Darren Carlson, Tom Ingels, Kim and Mick Kohler, Chip Polvoorde, Gail Polvoorde, Jill Ross Andersen, Thomas Huffaker, Julian Stemmer, Sam Stout, Gary Crabb, Erin Bailey, Jason Beveridge, Melanie North, Julie Givens, John Neff, Larry K Ward, Mark and Phyllis Lloyd, Terri Witt, Cody Mortensen, David Hilton, Will Overly, Travis Price, Emilee Hilton

Mayor Kohler called the meeting to order at 5:02 PM.

1) Closed Session

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

Present in the closed session were Scott Kohler, Eric Bennett, Stefanie Grady, Brooke Rose, Gary Walton, Tim Jones, Pam Skinner, Eric Bunker, Byron Horner, Gary Weight, Scott Long, Heber Taylor, Matt Laurendeau, Jolene Munford, Clayton Preece

The closed session was held to discuss legal matters.

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

Mayor Kohler made an announcement that the order of the agenda would be changed, switching item #3 with item #4.

2) Public Comment

Mr. Riley Lyman from Trophy Construction, representing the Whaley project, requested a variance for a 15-foot utility easement for a detached barn.

Ms. Ronda Rose, resident of Cobble Creek Lane, spoke on the importance of good planning for the Town. She stated that new, commercial threats are dangerous and threatening to the community as a whole and that the Town must make sure every possible legal advantage for the Town is discovered. She requested a professional, well-trained, and seasoned in commercial planning to identify and implement every possible advantage for the Town. She stated that commercial businesses have no place in a residential area.

Mr. Chip Polvoorde requested that the Town look forward and ensure that all commercial and industrial zones are developed properly and to protect the neighbors who live near them. He opined that it would be helpful for the Town to hire someone who understands how to develop commercial and industrial zones.

Ms. Jalayne Bassett respectively asked the Town to hire a professional, independent Town Planner to assist with commercial and industrial applications as the Town begins to see more complex applications. She stated that a professional planner could provide objective expertise, consistent evaluation, identify issues early, and give the Council the information they need to make well-informed decisions. She opined that investing in professional planning now could prevent costly mistakes in the future.

Mr. Drew Reilly, owner of 487 Cobble Creek Lane, stood to publicly object to the Findings and Notice of Determination (Agenda Item #4) based on procedural errors. He stated that the findings go well beyond the original cease and desist letter by the owner. Mr. Reilly submitted three questions for the record: 1. Who is the Town's nuisance inspector or Town law enforcement officer and by what resolution or ordinance? 2. Who is the Town's code enforcement officer and by what resolution? 3. When did the Council approve Eric Bunker as the Planning Director's delegate? Mr. Reilly claimed that the findings declare his personal and family use of the home as a present nuisance.

Mr. Tim Jones spoke to the nuances of hiring an additional professional planner for the Town. He poses the question of cost to the Town and urges the Town to think of, not just an individual, but an organization with various avenues for funding.

Mr. Travis Price, a code enforcement officer for Heber City, stated that decisions need to be made strategically with the future in mind.

Mr. Thomas Huffaker, a new resident in Daniel, spoke to his desire to respect the rights of others to use their land how they want but is concerned about safety on Big Hollow Road. He agreed with other opinions regarding hiring a professional planner. He requested that anything that concerns safety, increased traffic, dust, etc. should be thoughtfully discussed. He would like to see the rural nature of the Town preserved.

Mr. Jason Beveridge mentioned the external pressure put on the Town and would like consideration for master planning and the hiring of an additional planner.

Mr. John Neff stressed the importance of the Town to protect what it has and to act as a community to support the community. He questioned who was in support of a mine at

the end of Big Hollow Road and opined that no one would want that. He urged everyone to think of the right uses for a community. He is in support of hiring a professional planner for commercial and industrial applications to bring revenue to the Town in a way that benefits those that live in the Town.

Mr. Rich Martin spoke to the sense of community he feels in the Town. He would like to see someone with extensive knowledge in planning assist the Town in making right decisions for the future.

Mr. Corland Robinson spoke about the number of drivers that ignore the speed limit on 3000 S. He referenced the Town's RA-5 zoning and pointed out that, were more commercial development approved for the Town, many people would be commuting to Daniel to work, increasing the traffic on Town roads. He referenced commercial cement trucks and the damage they could cause on farm roads. He urged the Council to consider hiring a planner who would understand the impact of increased traffic as well as the effect truckloads of heavy equipment and gravel would have on the Town's infrastructure, electricity, and water and everyone in the vicinity.

Mr. Johnny Wetsel emphasized the need for good planning, not for today, but for tomorrow.

Mr. Curt Clyde urges the Town to "get it right".

Ms. Jill Anderson stated that the Town needs proper planning to make sure everything is done to protect the Town. She opined that heavy trucks on Big Hollow Road would not be sustainable as the road currently is.

Mr. Chris Anderson spoke about the problems a developer caused in 2007 and how much the Town spent on legal fees. He suggests making sure the Town knows exactly what they want, have it written down in law, and enforce the law when necessary.

Mr. Julian Stemmer wants to make sure the Town is protected and suggests an additional consultant or planner to help. He read into record the mission statement of Geneva Rock/Clyde Companies which states "building a better community". Mr. Stemmer questioned how a mine in the Town would build a better community.

Ms. Erin Bailey, resident at 3400 S Big Hollow Road, voiced her recommendation to hire a professional planner for commercial and industrial projects to be handled in a way that would protect the Town's future. She stated that, when they bought their home, there was a pit (as part of the county's mine) with standing water which caused concern to her regarding the water table and well contamination. She has similar concerns regarding a new mining operation at the end of Big Hollow Road.

Mr. Larry Ward, resident on Big Hollow Road, stated that, when the County dug deep enough that water filled the gravel pit, it polluted his well, which is his only source of water. He would like the Town to consider water, use, views, and protection of

resources. He believes that the water table would be affected by a new pit and desires that the Town preserve what they have.

Ms. Nicole Ritz see the Town as a place her family can grow and be safe. She advocated for a professional planner to help maintain the Town as a place of safety. Additionally, Ms. Ritz stated concerns about mines being too close and urged the Town to consider what blasting would do to the Town.

Ms. Diane Anderson Glen opined that Daniel is sacred land and that it is the community's responsibility to protect it. She stated that it is time to hire a Town Planner.

Ms. Renee Anderson questioned who would accept a tax increase in order to hire additional planning department staff.

Ms. Julie Givens spoke to the diminishing wildlife on the hillside, her appreciation for the space in Daniel, and expressed her desire to maintain Daniel as a small community with little growth.

Mr. Mark Lloyd, resident on 3000 S, stated that the Town needs to take control of code violations. He further stated that a pit on Big Hollow Road would not be possible because the hillside is too steep.

Mr. Byron Horner stated that the work required for planning in the Town is more than one person can do and do right. He is in favor of hiring a second planner as well as a code enforcement officer. He suggested that neither a planner nor code enforcement officer live in the Town.

Mr. Jordan Woodbury, resident on Daniel Road, is also in favor of an additional planner and he would support a tax increase to alleviate the costs.

Ms. Mary Waterman enjoys that Daniel is less developed and would like to continue in that direction.

Councilmember Grady stated that she is a representative of the citizens of Daniel and would also like to move forward in hiring a professional planner.

Councilmember Bennett acknowledged that there will be many details to address in the future, and he further recognized the existing contract the Town has with Jones and DeMille Engineering, who has two planners on their staff. He stated that the Town can use them temporarily to give the Town time to "do it the right way".

Mayor Kohler stated that the Town would be obligated to advertise a position for a dedicated period of time followed by an interview process. He expressed his accountability and commitment to the Town, saying "I'm invested in this Town." He desires to preserve the Daniel way of life to the best of his abilities.

3) Discussion of Town Staffing

Councilmember Grady made a motion to move ahead with a job scope and noticing to hire a professional planner; Councilmember Rose seconded.

Councilmember Walton requested to amend the motion to allow the Town to use the resources offered by Jones and DeMille until a professional planner could be hired by the Town.

Councilmember Grady made a motion to move forward with hiring a professional planner while using Jones and DeMille in the interim; Councilmember Rose seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

4) 487 Cobble Creek Lane: Town Council Findings of Fact, Conclusions of Law, and Order; Notice of Compliance

Mr. Clayton Preece, attorney representing the Town, stated that an oral finding had previously been made in the case and that the written finding was being presented to the Town Council that night. He further stated that there is nothing in Town code requiring the Council to issue a Notice of Compliance, but it was considered based on a request from the homeowner.

Councilmember Bennett made a motion to approve the Town Council Findings of Fact, Conclusions of Law, and Order; Councilmember Walton seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

Councilmember Grady made a motion to table the Notice of Compliance; Councilmember Rose seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

5) Planning Commission Meeting Summary of August 19, 2026

Mayor Kohler discussed the summary and asked for any questions.

6) Town Hall Meeting Summary of August 26, 2026

Mayor Kohler discussed the summary and asked for any questions.

7) Business Licenses

Curbside RV and Home Maintenance LLC was applying for a new business license. The applicants stated that the business is strictly mobile and would not bring any RVs to their home in the Storm Haven subdivision.

Councilmember Grady made a motion to approve the business license for Curbside RV and Home Maintenance, LLC; Councilmember Walton seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

The following business were up for renewal: LJC Construction, Inc, Brows by Megan, Hungry Bunny Bakery, and The Pretzel Connection. There have been no complaints against these businesses.

Councilmember Walton made a motion to approve the business license renewals; Councilmember Bennett seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

8) DR 2026-09-14A Interlocal Agreement for Snow Plowing

Mayor Kohler explained that Town contracts with Wasatch County to provide snowplow services. He stated that the hourly rate would be \$215/hour plus \$48/ton for salt. Mayor Kohler read the resolution into record.

Councilmember Grady made a motion to approve DR 2026-09-14A; Councilmember Walton seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

9) DR 2026-09-14B: Engagement letter with Gilbert & Stewart for 2025-26 AUP

Mayor Kohler explained that the Town uses an independent auditing firm, Gilbert & Stewart, for the yearly audit which is due by the end of the calendar year. He read the resolution into record

Councilmember Rose made a motion to approve DR 2026-09-14B; Councilmember Bennett seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

10) Set a public hearing for code enforcement

Councilmember Grady made a motion to set a public hearing for code enforcements on October 5, 2026; Councilmember Walton seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

11) Heber Light and Power discussion

Mayor Kohler explained that Heber Light and Power have traditionally written off the power costs for all streetlights at the end of each year. In a recent meeting, the company decided that, starting in January 2027, each municipality will be invoiced for the streetlights in their own area. The Town has 11 streetlights which will cost the Town about \$1200/year.

Councilmember Walton stated that all lights are LED lightbulbs which results in a lower consumption of power.

Heber Light and Power will still oversee maintenance for each streetlight.

12) Discussion of potential water rate increase

Mayor Kohler stated that the Town of Daniel's municipal water rate is \$35/month for 20,000 gallons of water. He further explained that the low rate of water could potentially disqualify the Town to receive water-services grants. Mayor Kohler is sensitive to residents in Daniel who are on a fixed income. The process will require serious

discussion which would start with a public hearing. He urged the Council to begin considerations of how the Town should address a potential water rate increase.

Storm Haven water rates are \$45/month for 8,000 gallons of water. The trailer court on 3000 S and Daniel Road pays \$45/month. Mayor Kohler stated the Town has about 241 hookups total.

Mr. Scott Long questioned when the last water rate increase had been. Councilmember Walton answered that it was 18 years ago.

Councilmember Bennett requested to see numbers as the process begins.

Councilmember Walton made a motion to continue the water rate discussion as the Council gleans more information on water rates; Councilmember Rose seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

13)Discussion of Pledge of Allegiance and Prayer with possible action

Mayor Kohler stated that he receives multiple calls each year from individuals requesting to offer a prayer at Town meetings and that the Town would be obligated to accommodate anyone who wanted to pray at a meeting. He expressed the concern that the Town would not be able to control the comments made in a prayer.

Councilmember Bennett suggested the Town put together a written policy that would eliminate the biggest concerns surrounding the issue.

Councilmember Bennett made a motion to add the Pledge of Allegiance to the Town Council meeting agenda; he also made a motion to add a prayer to the agenda pending a policy that passes legal review; Councilmember Rose seconded. The roll call vote was Bennett yes, Walton no, Grady yes, Rose yes, Kohler yes.

14)Southfield Waterline discussion

Planner Bunker explained that the Whaley family is asking for a variance on their waterline easement. He further explained that the Council cannot give a variance, but the request would have to go to the Board of Appeals. He stated that the original contract signed by the owners allowed for a 20-foot easement, but they are asking for a 5-foot adjustment.

Mayor Kohler stated that the owners have been made aware of the Board of Appeals process.

Planner Bunker stated that, when the Board of Appeals makes a decision, that decision stands unless adjudicated.

Councilmember Weight proposed sending a recommendation to the Board of Appeals.

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

15) Council Reports

There were no Council reports.

16) Planner Report/Update

Councilmember Bennett observed that Highway 40 Storage had been waiting for approval from fire for a long time. Planner Bunker stated that some components for the fire system did not work; the company ordered new parts, which they are still waiting for.

Councilmember Walton observed that the Whaley's are planning on submitting a new site plan. Planner Bunker clarified that a permit will not be issued until they submit a site plan that follows the contract that was signed. Councilmember Walton further questioned if the Town had received a water share; Planner Bunker answered no and that a CO will not be issued until certain items are complete.

Councilmember Walton questioned if there was any update on the Alpine Development project. Planner Bunker answered that the Town was approached about the possibility of designing the new intersection on Highway 40. Jones and DeMille have been asked to assist with the intersection design.

Councilmember Walton questioned if the Town has incurred any cost when ag barn applications are changed to allow for power, water, etc. Planner Bunker answered that applicants are charged for inspections to the building so that the Town is not losing money in these instances.

Planner Bunker presented two handouts: the first, from the Weed Board, summarizing the loan-out program; the second, conditional use code from the State of Utah. He announced that anyone who has works on noxious weeds and turns their hours into Wasatch County helps continue the grant program. The grant program is a matching grant.

17) Storm Haven and Daniel Water System Report/Update

Mayor Kohler announced that both water systems are operating well.

Councilmember Walton urges residents to uncover the lids to their water meters.

18) Southfield Waterline Change Orders

Planner Bunker presented a change order from Mountain Valley Construction; the company encountered a thrust block around the waterline which required additional work. The change order was for \$11,486.78. Jones and DeMille also submitted a change order for \$600.00.

Mayor Kohler stated that Jones and DeMille reviewed and approved the change order request from Mountain Valley Construction.

Councilmember Bennett questioned if a legal team should review the change orders. Planner Bunker and Mayor Kohler opined that they did not think it needed an additional legal review.

Councilmember Walton made a motion to accept Mountain Valley Construction's change order for \$11,486.78; Councilmember Bennett seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

Councilmember Rose made a motion to approve the \$600 change order for Jones and DeMille; Councilmember Grady seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

19)Recorder's Office: Warrants approval, announcements

Clerk/Recorder Goodrich announced an adjustment on the warrant sheet and payment to Mountain Valley Construction was changed to \$99,646.78. She stated that impact fees would be used for payment. The total amount of invoices on the warrant sheet was changed to \$138,606.03.

Planner Bunker clarified that, while both water systems are undergoing a lead and copper inventory, the \$40,000 grant is only being used for the Storm Haven Water System.

Councilmember Grady made a motion to approve the August 2026 warrant sheet with the changes that were made; Councilmember Rose seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

20)Approval of Minutes for August 3, 2026 Town Council Meeting, August 21, 2026 Town Council Special Meeting, and August 26, 2026 Town Hall Meeting

Councilmember Bennett made a motion to approve the August 3, 2026 Town Council meeting minutes; Councilmember Walton seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

Councilmember Walton made a motion to approve the August 21, 2026 Town Council Special Meeting minutes; Councilmember Bennett seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

Councilmember Grady made a motion to approve the August 26, 2026 Town Hall Meeting minutes; Councilmember Rose seconded. The roll call vote was Bennett yes, Walton yes, Grady yes, Rose yes, Kohler yes.

21)Adjourn

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

The meeting was adjourned at 9:37 PM

Megan Goodrich

Megan Goodrich

Clerk/Recorder

APPROVED October 5, 2026