

Erda City Council Minutes

5/23/2024 – 7:00 pm

Tooele County Building - Auditorium

1. Call to Order 7:00PM
2. Roll Call
 - a. Councilmen: Scott Droubay, Clyde Christensen, Terry Miner, Sheldon Birch
 - b. Jennifer Poole-City Recorder, John Brems- City Attorney- Via Zoom, Rachelle Custer -City Planner-Via Zoom
 - c. Craig Smith-Absent(Excused)
3. Pledge
 - a. Scott led the pledge of allegiance
4. Public Comment
 - a. No comment made
5. Approve meeting minutes from 4-25-24
 - a. Clyde moved to approve the meeting minutes form 4-25-24, Sheldon seconded the motion
 - b. Voting was unanimous to approve the meeting minutes
 - c. **Meeting minutes from 4-25-24 APPROVED**
6. Treasurer Report
 - a. Terry- We had 74,893.76 in deposits in May. 50'ish thousand of that was B&C Road funds and was transferred to Tooele County. Total expenses since last meeting 74,493.35 on the credit card we had 336.83 and it's been paid.
7. **Resolution 24-09 A RESOLUTION ACKNOWLEDGING RECEIPT OF A TENTATIVE BUDGET AND TENTATIVELY ADOPTING THE TENTATIVE BUDGET PURSUANT TO THE REQUIREMENTS OF UTAH CODE ANN. § 10-6-111 FOR THE TIME PERIOD BEGINNING JULY 1, 2024, AND ENDING JUNE 30, 2025, AND ESTABLISHING THE TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER ADOPTION**
 - a. Terry- I believe that will be the final budget next meeting, as well as accepting the County's Certified Tax rate. That is the time we will have the public hearing.
 - b. Sheldon- I saw a significant increase in professional services, what are we anticipating?
 - c. Terry- That was for legal fees, if we get sued again, so it'll be ready. We don't have to spend it all, it's just there if we need it.
 - d. **Sheldon- Moved to accept Resolution 24-09 as written, Scott seconded the motion**
 - e. **ROLL CALL VOTE: Scott-Yes, Sheldon-Yes, Clyde-Yes, Terry-Yes**
 - f. **Resolution 24-09 PASSED 4-0**

8. Fraud Risk Assessment

- a. Terry- This is something required by the state we do every year. For each item we can put an X by gives us points. I am not sure if it helps with the insurance.
- b. Scott- What is this internal audit?
- c. Terry- We don't have one at the moment but we may be able to once we get the Treasurer. This is to help us identify red flags in the budget.
- d. Sheldon- Who does the 40 hours of training a year?
- e. Terry-That's Dave, he is a CPA and does all of that.
- f. Sheldon- So do we need to approve this or something?
- g. Terry- Yes, if we all agree then Dave and I will sign it and send it in.
- h. Sheldon-motioned to approve the fraud risk assessment, Scott seconded the motion
- i. Voting was unanimous to approve the Fraud Risk Assessment
- j. **Fraud Risk Assessment APPROVED**

9. Fire Station Lease

- a. Terry- I spoke with the Fire Department Chief Nunn about extending our current contract as is and he feels like it's an okay deal.
- b. Sheldon motioned to extend their fire station contract
- c. Council was unanimous in the approval

10. Memorial Sign on Erda Way

- a. Jenn-Explained the situation of why the request was made.
- b. John- I've been doing this a long time and if you want to allow memorial signs we should have an established policy on them.
- c. Rachelle- I think if you do it on the public right of way then it could become a liability issue. So it should be on private property.
- d. John- I'm pretty sure in our zoning ordinance it says no signs on public property. But they may be allowed on private property.
- e. Clyde- Does this include all of these pop us signs that are by the stop signs?
- f. John- All of those signs you mentioned are illegal. They shouldn't be in the public right of way.
- g. Scott- Let her know we can't at this time, but that if she wants to contact the land owners to ask them I'll help her do that.

11. Council Representative Reports

- a. Rachelle- Erda City will be responsible for all striping and road signs that let them know about the railroad ahead. When the railroad comes to the city for permission we could bring up the sound wall. I believe the only place they are considering a grade separating it would be on the 138 and the UDOT does not own a right away so that will be a part of the contract.
- b. Terry- All of my neighbors are in favor of a sound wall.
- c. Rachelle- We will look into the claim that UP has that right of way. If they don't have that, then we do have every right to require those things.
- d. John- When you get that information, loop me in.
- e. Terry- Who is in charge of the weeds in that railroad bed?
- f. Rachelle- Savage admitted to owning that yesterday.
- g. Clyde- Does that mean they won't be blowing their horns when they cross Erda way?

- h. Rachelle- Yes, well for the first few months it will blow their horn while they do their study.
- i. Scott- We need to have a discussion and put it on our public meeting notification about open range. State law indicates on open range that if the city doesn't take any action, then they are open range. This came up in a Farm Bureau meeting about a month ago. Tooele County has carved out most of the county as closed range. We need to have our own act on it. Terry has a neighbor who's trying to take advantage of this, which basically means that he doesn't have to fence in his animals, it's everyone else's responsibility to put up fences to keep the animals out. But I think we need to write an ordinance for Erda where we are open range but only after they've made diligent effort to put up and maintain fences. I feel we need to address this, if we don't do anything then Erda is open range.
- j. Terry- But the state isn't open range, I thought you had to request to be open range.
- k. Scott- The lawyer at the Farm Bureau meeting said that Utah is an open range state unless you do something to close it.
- l. Sheldon- John will you please look into this and draft something with community input.
- m. John- I will do that.
- n. Scott- The airport has a construction project going on. They are sending their gravel trucks up 138 then Erda way. They agreed not to do that. But it's still been an issue. We have been considering getting the Sheriff involved.
- o. Sheldon- I think we may be out of diplomatic options.
- p. Sheldon- I was contacted by Brent and Alexix Beazer citizens of Erda who are trying to organize a couple of things valley wide. One of which is a Sept 11th, service day. They are working with each municipality to get a service project. If so they would like one of us to be on the committee to plan this.
- q. Clyde- Do they already have a specific project in mind?
- r. Sheldon- Not that I remember. But I thought we could discuss this and decide if we wanted to participate. If we are alright with this, I can fill that position and we can move forward. They also want to encourage block parties. They gave examples of what other municipalities are doing. They want to know if we would do anything specific to encourage block parties in Erda.
- s. Terry- I think we could have them do a presentation and see more of what they are thinking.
- t. Scott- I do think there is an issue in Erda with people not knowing their neighbors. This could be helpful.
- u. Sheldon- I'll ask them to come back and do a presentation.
- v. Scott- Erda Days is July 12-13.
- w. Terry- We tabled this, and I need to bring it back up, but do we want to be a part of the League of Cities and Towns?
- x. **Sheldon motioned to renew the contract with the League of Cities and Towns, Terry seconded the motion**
- y. **Council Approved the payment of that Bill.**
- z. John- They protect the cities at the legislature level. They hold two conventions a year one in Salt Lake one in St. George

12. Comments from Council Members

- a. Clyde- How do I go about getting an ordinance started if it's not already one. The ability of having all future subdivisions 1 acre or more.
- b. Rachelle-We currently have it dictated by zoning. Where you are inheriting the smaller lots is from the county. If you do not want smaller lots you do not approve the rezoning of something smaller.
- c. John- I think it would make a lot of sense to have the general plan say something about nothing being allowed smaller than an acre, as well in the City Ordinance.
- d. Sheldon- Will you draft those two changes you mentioned for us?
- e. John- Yes

13. Adjournment

- a. Terry motioned to adjourn the meeting, Clyde seconded the motion
- b. Voting was unanimous to adjourn the meeting
- c. **Meeting adjourned**

Note: these minutes represent a summary of the meeting and are not intended to be verbatim.

Prepared by: Jennifer Poole, Erda City Recorder

PASSED AND APPROVED by the Council this 11th day of July, 2024.

ERDA

ATTEST:

Jennifer Poole
Jennifer Poole, City Recorder

Sheldon Birch
Sheldon Birch, Chair