



## Council Business Meeting Minutes

August 20, 2024  
Council Chamber  
07:00 PM

### 1. Call to Order

Chairman Jared Hamner called the Council Business Meeting to order at 07:00 PM. The time, place, and agenda of the meeting had been provided to the Tooele Transcript Bulletin and to each member of the governing body by posting the notice and agenda at least two days before on the Tooele County website and emailing them a link.

### 2. Pledge of Allegiance

The Pledge of Allegiance was led by Nathan Harris- Deputy Attorney.

### 3. Roll Call

Council Member Roll call as follows:

Erik Stromberg: Present

Jared Hamner: Present

Tye Hoffmann: Present

Scott Wardle: Present

Kendall Thomas: Present

Also, present were Scott Broadhead- Attorney, Andy Welch- County Manager, Rachelle Custer- Community Development Director, and Tracy Shaw- Clerk.

Staff in attendance were Nathan Harris- Deputy Attorney, Alison McCoy- Auditor, Joy Peters- Assessor, Paul Wimmer- Sheriff, Brandon Bell- Deputy Assessor, Trish DuClos- County Planner/Ordinance Enforcement, Jerry Caldwell- Weeds Director, Aspen Wimmer- Deputy Auditor

Guests in attendance were Chris Sloan, Jess Clifford, Richard Mitchell, Sherrie Ivie, Joy Anderson, Paul Holliday, and Mark Robinson and other residents.

### 4. Public Comments

Coral Vaclavic of Rush Valley: She stated what rural means to Rush Valley. She is here in regards to Ordinance 2024-06, agenda item 9B. She questioned how the Planning Commission can deny a rezoning but it still goes to the County Council. She is concerned about growth and feels this rezone request seems excessive. If the Council approves this, she is wondering how can the next man be denied. She asked the Council to deny this request and allow Rush Valley to stay rural.

Jay Anderson- applicant for the Rush Valley rezone: He stated he has listened to comments from the residents of Rush Valley. He is willing to focus on 16 one acre lots at this time. He acknowledged the questions that have come up with the Planning Commission. He stated he understands this is emotional for the residents, but growth is inevitable. He is willing to work with the residents. He stated he has worked with the state regarding water, and he spoke about some of the other issues brought up by residents. He asked the Council to read the material that was shared, and he added that he is willing to significantly reduce what was planned.

Gary Morgan of Rush Valley: He stated that he is in opposition to the rezone. Rush Valley is a small town and this will double the population, which he feels Rush Valley does not have the water resources or emergency services to support. He urged the Council to deny the rezone request.

Sherrie Ivie with Ivie Acres Petting Zoo: She described the construction vehicles that are utilizing the

access road and speeding on it. She stated this is a safety hazard, and she emailed the Council and Trish DuClos. The answer she received is that it is temporary and only going to be used during construction for emergency access. There has been a speed limit sign installed. She talked about the problems the Inland Port is causing. She is requesting written proof that Higley Road will not be utilized in the construction of the Inland Port.

Additional public comments were added later in the meeting:

Kim Shaffer of Rush Valley: Expressed opposition to the Rush Valley zone change. She has concerns about law enforcement and the traffic increase and noted that there are already limited resources for fire.

Matt Broderick of Rush Valley: Owns property across the street from the proposed rezone property. He stated the aquifer will not support this development.

## **5. Recognitions, Presentations, & Informational Items**

### **a. July & August Anniversaries, Jared Hamner**

#### **July & August Anniversaries:**

##### **5-Year Anniversary:**

Trish DuClos - Community Development

Wade Jones - Solid Waste

##### **10-Year Anniversary:**

Brandon Bell - Assessor

##### **20-Year Anniversary:**

Cissy Morton - Transportation Manager

Holly Langston - Sheriff

##### **25-Year Anniversary:**

Marshall Evans - Sheriff

##### **35-Year Anniversary:**

Regina Nelson - Dispatch

Council Member Jared Hamner presents awards. He gave verbal recognition to the five-year employees.

Joy Peters, Assessor, recognized Brandon Bell for his 10 years of service and complimented his patience and excellent work.

Paul Wimmer, Sheriff, recognized Holly Langston for her 20 years of service and complimented her remarkable work protecting the children of the community.

Paul Wimmer, Sheriff, recognized Marshall Evans for his 25 years of service and complimented his stellar work in dispatch and as a deputy.

Paul Wimmer, Sheriff, verbally recognized Regina Nelson for her long-standing career with the county as a historian and record-keeping.

### **b. SBDC Report, Jess Clifford**

Council Chair Jared Hamner called for any additional public comments. 2 additional comments were added above.

Jess Clifford with the Small Business Development Center provided an onscreen presentation. So far to date, 75 businesses have been served, which has created 38 new jobs. Between financing investment and increased sales, there has been \$9 million dollars brought into the county so far. He outlined several additional programs and initiatives. He stated the campus is expanding in sections of the building and the commercial driver's license field.

Council Member Hoffmann asked if any new programs would be added. Mr. Clifford replied yes, but he is unable to announce them right now.

He invited elected officials to a guided tour next week.

**6. Minutes**

**a. August 6, 2024 Business Meeting Minutes**

Agenda Attachments

1. 08.06.2024.Business.Draft.pdf

Council Member Erik Stromberg motioned to approve the August 6, 2024 Business Meeting Minutes. Second by Council Member Kendall Thomas. All in favor. The motion passed.

**7. Consent Agenda: Check Register**

**a. Check Register 7/25, 8/1 and 8/8**

Agenda Attachments

1. Check Register combined.pdf

Council Member Scott Wardle motioned to approve the Check Registers dated 7/25, 8/1 and 8/8. Second by Council Member Tye Hoffmann. All in favor. The motion passed.

**8. Consent Agenda: Contracts**

**a. Approval of contract for the Parks and Recreation/Weeds Maintenance Shop, Nathan Harris**

Parks and Recreation and Weeds Departments are seeking approval of a contract with Wadman Corporation to build a maintenance shop at the Deseret Peak Complex. The Wadman Corporation was selected after a competitive bid and proposal process.

Agenda Attachments

1. Recreation&Weeds Maintenance Shop Contract.pdf

Presented by Nathan Harris, Deputy Attorney. He stated this is a contract for the shared building for Weeds Parks & Recreation at Deseret Peak. Andy Welch, Manager, stated that the Weeds building needs to relocate, and part of the Master Plan is to move all the Parks & Recreation maintenance buildings, so this new building will facilitate both purposes.

Council Member Kendall Thomas motioned to approve the contract for the Parks and Recreation/Weeds Maintenance Shop with Wadman Corporation. Second by Council Member Tye Hoffmann. All in favor. The motion passed.

**9. Resolutions/Ordinances**

**a. Resolution 2024-19 - Amending (Increasing) the 2024 Tooele County Budget, Alison McCoy - PUBLIC HEARING**

The General Fund is increasing by \$208,979.

Agenda Attachments

1. Res 2024-19.pdf

2. Budget Increase Requests.pdf

Alison McCoy, Auditor, reviewed the budget adjustments. She stated that Cal Ranch provided a donation bin to benefit the 4H program and collected \$12,979.01. A line item has been created for those funds. She stated the county has received a BLM community assistance grant for \$150,000. She advised that insurance premiums have increased by \$40,000 which accounts for one of the budget adjustments. She stated some programs have been put into place which will help mitigate premium adjustments in the future. Auditor McCoy explained the deductible for the Trust and how the departments will be shouldering some of the cost. The final budget adjustment was for the Attorney's office for \$6,000, for the victim and witness supplies and travel.

Council Member Erik Stromberg motioned to open a Public Hearing. Second by Council Member Kendall Thomas. All in favor. The motion passed.

No public comments

Council Member Tye Hoffmann motioned to close the Public Hearing. Second by Council Member Erik Stromberg. All in favor. The motion passed.

Council Member Scott Wardle motioned to approve Resolution 2024-19. Second by Council Member Kendall Thomas. All in favor. The motion passed.

**b. Ordinance 2024-06 - Rezoning 139.87 Acres East of Rush Valley From MU-40 to RR-1, Trish DuClos**

Jerome (Jay) Anderson has requested a rezone of approximately 139.87 acres of land located just east of Rush Valley from MU-40 (Multiple-Use, 40-Acre Minimum Lot Size) to RR-1 (Rural Residential, One-Acre Minimum Lot Size). The Planning Commission voted to deny the requested zone change.

**Agenda Attachments**

1. Ord 2024-06.pdf
2. Planning and Zoning Paperwork.pdf

Trish DuClos, Code Enforcement/Planner presented. She stated the applicant originally included about 140 acres, but he is willing to reduce it to 16 acres. The Planning Commission asked a lot of questions and tabled the item the first time. They wanted the applicant to address water concerns, wildlife, emergency services, traffic and roads, among many other things. The applicant addressed the items and how the rezone will complement the general plan. The Planning Commission still had some concerns.

Planner DuClos reviewed the general plan mapping and growth boundary map with the Council. She stated the growth boundary map is unclear, so it is up to the Council to decide how it will fit in. She stated the other concern was with water. She stated the Health Department tested, and it came back brackish, but they gave the applicant ways to rectify it.

Chairman Jared Hamner asked if any letters against this were received by Planning Staff. Planner DuClos replied that at the first meeting there were a lot of letters and a lot of residents that spoke at the Planning Commission meeting.

Council Member Scott Wardle asked Nathan Harris, Deputy Attorney, about the procedure of amending the Ordinance and how that would affect what was presented and discussed by the Planning Commission. Attorney Harris stated that if the Council decided to amend the Ordinance to entertain Mr. Anderson's concession of working with only 16 acres instead of the whole 139.87 acres, they would essentially need to remand the request back to the Planning Commission to consider the substantial change.

Council Member Kendall Thomas stated that he read the minutes from the Planning Commission. He shared his perspective on the issue. He stated the Rush Valley Mayor called him and stated that he was not supportive of this.

Council Member Kendall Thomas made a motion to deny Ordinance 2024-16. Second by Council Member Erik Stromberg.

**Roll Call Vote:**

Council Member Scott Wardle voted yes to deny due to water reasons.

Council Member Kendall Thomas voted yes to deny due to water reasons.

Council Member Tye Hoffmann yes to deny due to lack of commercial development. He doesn't want to support any more growth until there is more commercial in the area.

Council Member Erik Stromberg voted yes to deny based on emergency services.

Chairman Jared Hamner voted yes to deny based on regulations and ambiguous maps.

The motion for denial passed unanimously.

#### 10. Action Items

**a. Council Approval of Tax Sale Bids & Declaration of Parcels 02-054-0-0001 and 01-077-0-0064 as Surplus Property, Alison McCoy**

On May 9, 2024 the Tooele County Auditor, did cause the attached listing of real property to be sold at tax sale in accordance with Utah State Code 59-2-1351, and at a minimum, the following attempts to notice the owner(s) of said parcels were made: Newspaper Publication: Tooele Transcript Bulletin; Publication Dates: 2024: April 3, April 10, April 17, April 24, May 1, and May 8 Notice Via First Class Mail: On or near March 20, 2024; Notice Via Certified Mail: On or near April 24, 2024

Auditor recommends approval of the winning bids and issuing a tax deed to the appropriate parties.

Auditor further recommends that parcels 02-054-0-0001 and 01-077-0-0064, which were struck to the county at the tax sale, be declared surplus property and marked for sale.

##### Agenda Attachments

1. 2024 Letter of Final Sale to Council.pdf
2. Final Bid Price List May Tax 2024.pdf

Alison McCoy, Auditor, outlined the tax sale process.

Council Member Tye Hoffmann motioned to approve the Tax Sale Bids & Declaration of Parcels 02-054-0-0001 and 01-077-0-0064 as Surplus Property. Second by Council Member Erik Stromberg. All in favor. The motion passed.

**b. Resolution Declaring Parcels 02-054-0-0001 and 01-077-0-0064 as Surplus Property, Alison McCoy**

This is a resolution declaring two properties as surplus and marked for sale.

##### Agenda Attachments

1. Res 2024-20.pdf

Alison McCoy, Auditor, explained that now that these 2 properties have been declared as surplus property, the County is now allowed to keep any overage paid.

Council Member Scott Wardle motioned to approve Resolution 2024-20. Second by Council Member Tye Hoffmann. All in favor. The motion passed.

**c. Resolution 2024-21 - Resolution Adopting Council of Government Priority Lists, Nathan Harris**

This resolution adopts the priority lists for the Local Transportation Corridor Preservation Fund and Third Quarter Option Sales and Use Tax, as recommended by the Council of Governments ("COG"). COG held a public meeting on August 15, 2024 in which it finalized the two priority lists for the two aforementioned funds and this Resolution adopts the lists.

##### Agenda Attachments

1. Reso 2024-21 (Amended).pdf

Nathan Harris, Deputy Attorney, presented. He stated that COG (Council of Governments) had a meeting to discuss the use of 3rd quarter sales tax and corridor preservation funds. That body voted on priority lists which were presented to the Council.

Council Member Erik Stromberg explained the scoring process to create a priority list.

Council Member Erik Stromberg motioned to approve Resolution 2024-21. Second by Council Member Scott Wardle. All in favor. The motion passed.

## 11. Council Update

Council Member Kendall Thomas stated he was invited to participate in the recognition of Tunnel to Towers Foundation, which builds homes for veterans and first responders. It was a privilege to see this organization work. There was a lot of support from the county. He also participated in Utah Transportation Commission meeting where the 3rd phase of the mid-valley highway was discussed. He stated he also went to the Savage Rail presentation at Deseret Peak.

Council Member Tye Hoffmann also recognized the Tunnel to Towers Foundation. It was a cool ceremony to see a Tooele County resident in need receive a smart home. He would encourage everyone to donate to the organization.

Chairman Jared Hamner also attended the Tunnel to Towers event. He gave the history of the foundation. He also stated that he is continuing to work with the Film Commission and Tooele County had two actors that toured a few different places.

## 12. Manager Update

Andy Welch, County Manager, stated that Tooele Tech has a CDL program and the Roads Department has come up with a way to certify their own instructors and use Deseret Peak as a training area. He gave a shout out to the department for getting their CDLs in an affordable way.

## 13. Manager Update: Ratifications

### a. 4 MVA's

Refund on vehicles

Agenda Attachments

1. 4 MVA's.pdf

### b. Agreement between Five Star Painting and Tooele County

This is a contract with Five Star Painting and Tooele County to paint the Benson Gristmill. Five Star Painting was the bid winner.

Agenda Attachments

1. Pristine Proposal- Five Star Painting.pdf

### c. Social Services Block Grant Agreements

Agenda Attachments

1. SFY25 SSBG agreements - signed.pdf

### d. Deseret Peak HVAC Replacement Agreement

Agenda Attachments

1. 2024 07 30 Contract for Deseret Peak HVAC Replacement with Exhibit Bid Attached - signed.pdf

### e. Jail Agreement with Department of Corrections

Agenda Attachments

1. 242616 - FY25 Tooele County Fully Signed.pdf

## 14. Adjournment - Closed Session if needed

Council Member Tye Hoffmann motioned to adjourn and go into a closed session for legal updates at 8:24 pm. Second by Council Member Scott Wardle. All in favor. The motion passed.

THE FOREGOING MINUTES ARE APPROVED:

  
Jared Hamner, County Council Chairman

  
Tracy Shaw, County Clerk



Tracy Shaw, County Clerk