

Town of Independence

Town Council Meeting

08/12/2025 7:00 p.m.

In attendance: Mayor Wayne Heaton, **Councilmembers** Gary Ryan, Bonnie Wilson, Tracy Sabey, Rose Heaton and Jim Tolbert.

Staff attendance: Jodi Hoffman and Cathy Bingham

Others in attendance: Lauren Bolger, Chuck (Richins Horrocks) Engineers, Kim Tolbert, Rebecca Paulson, Wacey Sweat, Garrett Sweat, Verna Sweat, Alexis Smith, Jason Sweat, Phil Sweat, Jim Franc, Brant Wallace, Angela Anderson, Jose Hernandez, Jeff Carson, Dantzelle Harper, Larna McPhie, Carolyn Sweat, Evan Sweat, Doug Allred, Kelly Sweat, Alice Hicken, Jennifer Sweat, Clark and Jennifer Sweat, Bud and Marcia Remund, Jim and Dixie Holmes, Amanda Sorensen, David and Kathleen Loveless, Paula Miller, Bonnie Franc, Nelda McAllister, Cathy Kendall, Janet Carson, Paul McAllister, Ivan and Sharon McDonald, Ryan and Sasha Fenton, Julia and Ben Goodrich, Steven Rodgers, Jerry and Diana Strand, Kevin Goode, Joe Coombs, Russ Olsen, Mark Earnshaw, Marty and Christine Howard, Allen Sweat, Greg Cronin and others who didn't sign in.

1. Mayor Heaton called the meeting to order at 7:06 p.m.
2. Prayer. Mayor Heaton offered the prayer.
3. Pledge of Allegiance. Lauren Bolger offered the Pledge of Allegiance.
4. Discussion and possible adoption of draft minutes for July 8, 2025.
 - Councilmember Tolbert moved to approve the draft minutes for July 8, 2025.
 - Councilmember Wilson seconded the motion.
 - The motion passed unanimously.
5. Update on postcard mailings and Town contact list.
 - Councilmember Heaton explained she and Councilmember Wilson put together a list of citizens in the Town with their addresses. The County GIS department was asked to send a list of all property owners in the Town which was to be compared with the list Councilmembers Heaton and Wilson prepared. The list was to be used for a mailing to inform residents of tonight's meeting along with information on how to access the Town's website and the Utah Public Notice website. The County didn't send the list in time to send out a mailing before tonight's meeting but will be used to send out information in the near future.
6. GFOA training discussion and possible approval.
 - GFOA stands for Government Finance Officers Association. Ms. Hoffman reported that GFOA holds a conference every year and provides continuing education to professionals whose position requires continuing education. This training is usually geared toward bigger cities. The Town's accountant, Dave Sanderson, will be attending this

conference. Councilmember Heaton who is also the Town Treasurer inquired earlier if she should attend this conference. After reading more about the upcoming GFOA conference and discussion with the Council, Councilmember Heaton didn't think this training would be beneficial to City Treasurers. She will watch for other training more applicable to City Treasurers.

7. Discussion and appointment of a Mayor Pro Tempore.

- Mayor Heaton explained that the Council should nominate a Councilmember to serve as Mayor Pro Tem when he is absent.
- Councilmember Heaton nominated Councilmember Wilson to be Mayor Pro Tem. She told the Council she thought Bonnie would be a good choice and has the flexibility to fill in on short notice if needed.
- Councilmember Ryan seconded the motion.
- Councilmember Wilson indicated her willingness to accept the Mayor Pro Tem responsibilities.
- The motion passed unanimously.

8. Discussion of “read receipt” capabilities for City emails sent to the Mayor, Council, Staff and Planning Commission.

- Ms. Bingham, Town Clerk addressed the Council. She explained that in the past certain emails had not been received causing some confusion. Currently, the Mayor, each Councilmember, Staff and Planning Commission use their own private email accounts to receive information from the Town and not all of the emails accounts have the “read receipt” capability. The Town has only one email where general inquiries are sent.
- Ms. Bolger explained that Mountainland Associations of Governments had recently changed the Town's email to a independenceut.gov format. After some research, Ms. Bolger found that we will need to set up a G-mail account that will eventually get converted to a ut.gov email, which will have “read receipt” capability. After the conversion, all Town Officials and Staff .gov email addresses will be listed on the Town's website.

9. Change of Address update.

- Mayor Heaton reported that although he has changed the address from the previous Mayor's home address to Mayor Heaton's home address, but that he hasn't received any mail for the Town at his home address yet. If mail doesn't start coming to his address he will contact the post office.

10. Accountant update.

- Councilmember Tolbert reported that a meeting will be set up with the Town's Accountant, Dave Sanderson. Mr. Sanderson will explain Government Accounting and help those that attend get a better understanding of the General Ledger codes and how it works. Councilmember Tolbert will report to the Council after the meeting.

11. Discussion about Mayor, City Council, and Staff having access to the same software.

- Councilmember Heaton explained the need for the Mayor, Councilmembers, and Staff's software to be compatible so that Town officials will be able to download and view materials that are sent out. After everyone's software is evaluated, the Town will look in to changes that need to be made.

12. Roads Update; LiDAR update and dam repair.

- Ms. Hoffman gave a brief history of what the LiDAR System does. The Council approved the purchase of this system at the July 8, 2025 Council meeting. At that meeting the Council felt like the contract should specifically state that the Town owns the information. Ms. Hoffman is waiting for the final contract after the changes are made before signing the contract.
- Ms. Hoffman reported a few months ago that the Kimball property developer had informed her that they had helped Center Creek Irrigation Company secure a \$6,000,000 grant to repair irrigation reservoirs of which some are on his property. Ms. Hoffman contacted Center Creek Irrigation Company recently, who said that the grant had not been approved; therefore it would be at least 2 years before any work on the reservoirs would begin.

13. Development Update.

- A Certificate of Occupancy was issued for the Bryce Cook property in the Daniels Estates Subdivision.
- United Independence, LLC (the Town Center Developers aka Utah Business Alliance) who own approximately 1,500 acres in the Town will have to show evidence of water (currently they may have about 550 acre feet of water through a potential wheeling agreement with Twin Creeks SSD) before a petition for a zone change is made.
- Planning Commission will hold a public hearing August 13, 2025 to hear and discuss possible preliminary subdivision approval for Center Creek Canyon Phase 1. This is a 21 lot on a 35.71 acre subdivision which falls under the County background zoning, 1 unit per every 1.3 acres.
- Councilmember Wilson asked Ms. Hoffman about the road repairs that were put on hold due to the repairs on the reservoirs. Since the repairs won't be made for at least 2 years, when will the Town be doing road repairs?
 - Ms. Hoffman said the Council needs to decide when the road work will be done. Things that need taken in consideration are;
 - The LiDAR analysis of the roads to determine where the problem areas are and how best to prioritize and bid the repairs.
 - Get bids for the repairs in order of priority. The Town currently has approximately \$710,000 in reserves, some of which can be used for road repairs.

- Councilmember Wilson asked Ms. Hoffman to briefly explain the finances of the Town.
 - Ms. Hoffman explained that when Independence was incorporated, Brent Hill owner of Daniels Summit Resort was one of the incorporation sponsors. Daniels Summit Resort has numerous hotel rooms and since the Town has very few residents, the ratio of available rental rooms compared to residents qualifies the Town for Resort Cities Sales Tax. As such, the Town receives 1.7 cents for every dollar spent within the jurisdiction. A non-resort City or Town only receives only .5 cents sales tax for every dollar spent. This has allowed the Town to support itself for 17 years without a property tax on its residents. The General Plan has been drafted to grow in a manner that will maintain the Resort Cities Sales Tax status. If the Town maintains this tax status it will not be forced to impose a property tax. Currently, the town is primarily funded by non-residents who visit the Daniel Summit Lodge and Resort. The only tax on current residents is a cell phone tax that amounts to about a dollar a month per residence.
 - Secondly, all developers, and potential developers are required to pay for all of the cost of their development including planning, engineering, and legal review. Citizens within the Town do not subsidize new growth. Currently, developers must fund an out-of-pocket account (OOP) to cover the cost of the Town's project review consultants
 - Finally, state B&C Road Fund taxes are awarded to the Town based on current miles of paved roads within the Town boundary. This tax covers about 1/3 to 1/2 of the Town's annual cost to plow and maintain the roads. That tax is an ever-diminishing amount, as it is based on a state-wide gas tax that does not capture electric vehicles' impacts on the state and local road system

14. General Public Comment:

- Clark Sweat – Nonresident.
 - Stated that he is a member of a Family Trust that owns approximately 400 acres in the Town. Mr. Sweat asked if he would receive postcard notice since he is not a resident but a property owner.
 - Ms. Hoffman responded that the one-time postcard notice is for Town residents to better understand how to access information on the Town's website and the Utah Public Notice Website regarding Town Council and Planning Commission meetings (which she explained to the public in attendance). The Town will also send individualized notices to everyone within 300 feet of the perimeter of property that is the subject of a proposed land use application or a petition to rezone and will send courtesy notice of a public hearing to anyone who lives in, or owns property within, an area within the Town that is proposed for a zone change.
 - Will a LiDAR survey be of paved roads only?

- Councilmember Heaton responded that the LiDAR survey is only for paved roads. The scope of work with Horrocks engineering will also include a video/visual survey of the gravel portion of Center Creek Road. She also reported that the bulk of the road repair funds in the past have been on the gravel road.
 - Councilmember Ryan said another purpose of the LiDAR system and survey is to establish a baseline of road conditions so the Town will have a record of evidence if developers cause damage to the roads. This information will also be used to help the Town determine what types of repairs are needed, to prepare a maintenance schedule and bid contract format for those repairs.
- Randy Stocks – Resident (Center Creek). Stated that he believes:
 - Public input is needed.
 - Nothing has been changed in the General Plan in 17 years. Asked the public if they understood the General Plan.
 - Asked the public if they wanted/needed a City in Independence, did they want traffic on Center Creek Road?
 - If the developers damage the roads, they should be responsible to pay for damages.
 - Water, Power, Sewer, etc. needs to be addressed.
 - Councilmember Wilson reported that after Mr. Stocks had attended a Town Council meeting a couple months ago and told the Council that he believed that the Public wasn't adequately informed about meetings, the Council is preparing a one-time postcard mailer that will be mailed out to property owners within the Town explaining when meetings are held, how to sign up for notices from the Utah Public Notice website and how to access the Town's website.
 - Ms. Bingham reported that all meetings are posted on the Utah Public Notice website. Meeting information is also on the Town's website at: independenceut.gov.
- Phil Sweat – Resident (Center Creek)
 - Presented visuals of the current zoning and the General Plan for the Town.
 - He feels the Independence General Plan doesn't explain how big the lots are and how many lots are planned for. He would like to see the Town amend the General Plan to include more detail. The General Plan shows the Town Center in Magpie, next to the Town Center is the Resort Recreational area which allows for resorts and lodges and much more. The mixed-use area appears to allow stores

and “almost anything”. The Recreational area extends past the Center Creek Dugway.

- He believes the “Town” wants to become a mini–Park City. Mr. Sweat showed a picture of what Center Creek currently looks like and said that under the current General Plan there will be houses, shops, and “anything goes”. In his opinion, only rooftops will be seen up Center Creek; it will look just like Park City; people move here to be in the country and want to get away from “City” life; they don’t want a Town; they don’t want construction vehicles and traffic on Center Creek Road. He stated his opinion that (new?) traffic will not use the proposed Town Center Road but will use Center Creek Road.
- Councilmember Wilson:
 - The developer of the Town Center may have up to 574-acre-feet of water: so how does Mr. Sweat think the 5000-unit development, as he has been spreading rumors of, can happen?
- Phil Sweat: believes it was time to get the citizens (and non-citizens) together to present a new General Plan concept.
- Councilmember Heaton: At the former Mayor’s request, the Council has discussed and reviewed the current General Plan numerous times in the last year and is unanimously of the opinion that the General Plan should stay the same.
- Phil Sweat: why didn’t the Town didn’t have a public hearing when it discussed whether to consider amending the current General Plan?
- Cathy Bingham – Nonresident and Town Clerk
 - Gave her understanding of the background about how and when the Town was incorporated. Longtime residents and property owners from Center Creek got together to discuss what options they could have for developing their property. After discussion of their options under the Wasatch County system, they felt the best way to control development in the area and have a say in what their property could be used for was to incorporate into a Town.
 - Mr. Sweat was among other property owners who petitioned to create a Town.
 - She feels that property owners should have a say in how their property is zoned. The Town can follow a General Plan. If property owners/developers want to develop different than what the current zoning is, they will apply for an up zone. The Planning Commission can compare their proposed up zone to the General Plan criteria and decide whether to recommend that the Town Council approve or deny the request. The Town has approximately 26 conditions (including water, sewer, traffic plans, etc.) that need to be met before an application for an upzone is brought before the Planning Commission for a recommendation to the City Council.

- If someone in the Town wants to develop under the County background zoning they can do it. If the Town allows 1 house per 160 acres or 1 house per 20 acres it would be “spotty development” with no infrastructure. The applicant would still be required to provide water, sewer, roads and other requirements, which make it less likely that the person would want to develop that way.
 - If someone wants to develop something different than the current zone allows and follows the General Plan, they will present the plan to the planning commission for a zone change. The planning commission will then forward their decision to the Town Council for a vote. It is always within the power of the Town Council to say no to a rezone request, if the Town Council thinks the request isn’t right for the Town.
 - The only development that has applied for preliminary subdivision approval is a 37 acre parcel along on Center Creek Road. The developer followed the County’s background zoning which is 1 lot per every 1.3 acres. They have complied with all conditions and will be seeking preliminary approval from the Planning Commission. This application has nothing to do with the General Plan.
 - Ms. Bingham stated she has been the Town Clerk since 2018 and is a non-resident.
- Cathy Kendall – Resident (Center Creek)
- She appreciates that the Town has a General Plan and hasn’t felt a need to become involved until now.
 - Is water the only thing stopping development? Being from Southern Utah she has seen Developers come up with water when everyone thought there wasn’t any.
 - Is there a backup plan to “discourage” development?
 - Ms. Hoffman replied there are approximately 26 requirements when applying for a rezone under the General Plan. She explained that when developers present a drawing of how they want to develop, she lets them know that before the Town would be willing to process their proposal, because the Town has very little infrastructure, the developer must first show how they are going to build and dedicate to the Town a municipal water system (not just water rights), a municipal sewer system, a new road system that funnels all newly rezoned growth away from Center Creek Road and directly to Highway 40, and how they are going to first develop viable resort products, before they build new primary residential homes, so they don’t ruin the Town’s resort cities sales tax structure. These first four elements of the General Plan appear to be the most difficult requirements for developers to figure out. If and when one of them present a viable plan that adequately addresses these first four criteria, then they would need to propose a way to address the remaining

22 criteria in the General Plan. Once they have proposed a plan that meets all of the 26 criteria in the General Plan, and they have agreed to do these things in writing, then the public and the Planning Commission will review their plan to see if it actually meets those criteria and if it looks to the Planning Commission like the developer has proposed a plan to develop their property in a manner that does not create unwarranted off-site impacts on the community. The Planning Commission will hold public hearings on the rezone request and when they have the developer's plan refined to the point that they think it is the best the developer can offer, they either make a favorable or an unfavorable recommendation to the Town Council. Because a rezone request is a "legislative" decision, it is always up to the Town Council whether to approve or deny the rezone request.

- Councilmember Wilson said she feels like the General Plan and the Town's requirements for rezoning and developing under the General Plan has served to slow the pace of development in the Town, compared to the pace of development seen elsewhere in Wasatch County.

– Joe Combs – Nonresident

- Under State Law, a feasibility study must be done when a Town incorporates. Has the Town done a feasibility study? How can this be a Town without water? How can the Town have a General Plan without a feasibility study?
 - Ms. Hoffman replied that the fact that the Town has met all of its financial obligations for the last 17 years and has a large financial reserve proves that the Town was feasible.
- Wanted to know where to find the General Plan.
- Utah Business Alliance (UBA) has preliminary plans on their architect's website (Pel-Ona) showing their idea of development in Magpie on their website. He believes it shows parks, business, houses, and no water to support it.
- Why would the State/Town allow a \$6,000,000 grant be jointly awarded to a property owner and irrigation company?
- The Gardner Group also has a concept plan on their website showing about 85 homes, cabins, ATV trails, etc. There is already more ATV traffic at the top of Center Creek than the road can handle, adding additional trails will just increase traffic and make the roads worse than they are now.
- In his opinion, the Town appears to be becoming a Park City South.
- Told the Town to be aware of "public places". They eventually get developed.
- Told the Town: Codes get violated.
- The Town should not entertain any plans unless water is evidenced.

- Russ Olsen – Nonresident
 - Assuming the water for Kimball Ranch development was purchased (the Gardner Group) with the sale of the land, this development has a lot of water and could develop whatever they want if it follows the General Plan.
 - Ms. Hoffman explained the Gardner Group has proposed that in exchange for a rezone, it would preserve and farm the hay fields (and the appropriate amount of water associated with keeping the fields in production) and have approximately 80 ERUs (homes) on the hillside. In addition to their water rights for irrigation, the developer has 80 culinary water connections (ERCs) reserved in the Twin Creeks Special Service District. Although the Gardner concept doesn't follow the General Plan, if all of the infrastructure issues are resolved, the Council thinks this proposal could be a good one, since it is a lot less density than the current RA -1 zoning allows (1 unit per 1.3 acres) on the flat property (hay fields) which is about 300 +/- acres and 1 unit per 20 acres and 1 unit per 160 acres on the hillside, which equates to about 300 ERUs. The traffic for the 80 ERUs will be required to be directed to the proposed Town Center Road, which will funnel traffic directly to Highway 40, south of Center Creek Road. If the developer petitions for a General Plan amendment and a rezone of the "Kimball" property, commits to the hay field preservation (through a conservation easement), municipal infrastructure, construction phasing, and other criteria currently in the General Plan, their petition will be scheduled for review and public hearings before the Planning Commission and, upon a (positive or negative) recommendation from the Planning Commission, for consideration by the Town Council.
- Jim Franc – Resident (Daniel Summit)
 - He believes the new road going to the (new) gravel pit from Highway 40 is being used for reasons other than loading gravel.
 - Asked the Council to put a moratorium on development until a feasibility study is done and the General Plan is revised by people who live in the Town. He believes that the current General Plan was created by people who don't live in the Town.
 - He believes if the Town continues as is, it will look like the North end of Wasatch County. He urged the Council to listen to what the people are saying.
- Phil Sweat – Resident (Center Creek)
 - How do we stay a Resort Community? Beds, lodges, resorts? Do the residents really want that and the traffic it brings?
- Kelly Sweat – Nonresident
 - Encouraged Council to keep development controlled.

- Asked the Council how they plan to control traffic on Center Creek Road. There is already a large increase in traffic with truck traffic from surrounding (unincorporated Wasatch County) developments.
- He is concerned that the increased development could lead to water shortage problems for those that are on a well.
- He lives at the bottom of Center Creek Road and does not want a sewer plant in his back yard. What are the plans to provide sewer service?
 - Ms. Hoffman said that the developments along Center Creek Road that have the background zoning could use Center Creek Road as their main access road, which was their right before the Town incorporated. The original Town Council decided that they would not take existing (Wasatch County) zoning away from existing properties. Other developments that ask for a zone change will have to show that new growth that results from a zone change will be designed to funnel traffic onto a Town Center Road to Highway 40, without the use of Center Creek Road. Property owners having property within the area that the Town Center Road will serve, are work together to agree on a road alignment and a cost sharing agreement to build the new road. Development within the zone change would not move forward until the new road is built, and all construction traffic associated with the new growth is diverted away from Center Creek Road.
- When the new road is built what will happen to the wildlife?
- Wants his voice to be heard now.
- Warned the Council that when the County says no to density, developers seek to be incorporated in to a City. He strongly urges the Town Council to control the density.
- Mark Earnshaw - Nonresident
 - The Town of Independence caused him a loss of a lot of money because the Town required him to improve the frontage in front of his property along Center Creek Road if he subdivided. The cost to do these improvements was so high he couldn't afford develop his property. Why doesn't the Town require developers to put these improvements in?
 - Ms. Hoffman reported that, as a subdivider, he is a developer and therefore must improve the frontage road for his subdivision, to Town standards, as a condition of development. The Town does not build roads but maintains them after they have been constructed.
- Larna McPhie – Nonresident
 - Wants speeding and the truck traffic stopped on Center Creek Road.

- Ms. Hoffman reminded the public that Center Creek Road is a County Road until 3600 East. At 3600 East the Town is responsible for the South Side of the road and the County is responsible for the North Side.
 - Councilmember Wilson reported that the Town had requested the Sherriff's office be more aware of the speeding on Center Creek Road. They put up a traffic trailer for a couple weeks and patrol vehicles were seen a little more during that time. The sheriff's office told her speed bumps and dips would not work because the snow plow will rip them up during the winter when they plow.
 - Did the Council consider the huge population of rattlesnakes in Magpie and what would happen when development starts? She stated that "rattlesnakes are a protected species".
- Clark Sweat – Nonresident
 - Wants the Town to do a feasibility study and revisit the General Plan.
 - Ms. Hoffman says a feasibility study is designed to show how the incorporation will create revenue to offset expenses of running a Town. In the past 17 years, the Town has proven that the Town's revenue structure far exceeds its expenses; therefore, the Town is feasible. The Town's General Plan is unique in that it doesn't say what the future density will be. It provides a range of development options so that if the 26 required criteria for development is met, the developer could chose an idea that suits the type of development the market supports. Rather than limiting the numbers of residents coming in to the Town with a certain time frame, it requires development that does not add to the tax burden of existing residents, does not add traffic to Center Creek Road, provides a great deal of public access to what is now private land that residents have been using as public land for quite some time, and invites developers to present ideas how to achieve these goals.
 - Wants the Council to change the General Plan to be something the citizens and neighboring resident feel good about and not something that someone with deep enough pockets wants.
- Marty Howard - Nonresident.
 - Asked about the proposed 5,000 units for the development, there is no zoning that entertains this idea.
 - Ms. Hoffman responded: So far, there has been no application from any developer showing 5,000 units. If a developer shows this on its website it is simply the developer's vision. Nothing will come forward until all 26 conditions in the General Plan, including the Water, Sewer, Road and Resort Room conditions have been addressed. The latest word is that

there may be a total of 574-acre feet of water available for both culinary and irrigation demands on over 2000 acres. That won't support anything close to 5,000 units.

- The only development within the Town that has an application in is for at 21 lot subdivision on 37 acres on Center Creek Road. There has been talk about an RV Resort at the Town's entrance off Highway 40. However, no application has been made for that development, which would require consistency with the 26 criteria in the General Plan and a rezone.
- Who is providing sewer to the 21 lot subdivision?
 - Ms. Hoffman responded: This development will be served by Twin Creeks Special Service District which falls under TCSSD service area and will be treated at the Heber Valley Special Service District waste water facility.
- Who is providing water to this subdivision?
 - Ms. Hoffman responded: Center Creek Culinary and Center Creek Irrigation companies have signed will-serve letters for this development.
- Will the traffic for this subdivision be using Center Creek Road?
 - Ms. Hoffman responded: Yes. This subdivision is developing under the County background zoning and was grandfathered in when the Town was incorporated. The subdivision has nothing to do with the General Plan.
- Are there any zoning requirements in the General Plan?
 - Ms. Hoffman responded: If you are asking whether the General Plan mandates upzoning, the answer is no. The current zoning is still the same as it was when the Town incorporated. If Developers want to follow the General Plan or develop anything other than that background zoning at a minimum, zone change will be required. There is no zoning in place that would allow the density similar to the rumors currently being spread about the community or being talked about tonight.
- Kelly Sweat – Nonresident
 - Those in attendance tonight want their voices heard before any development starts and encouraged the Council to list to them.
- Doug Allred - Nonresident
 - Reminded the Council that water isn't ultimately an issue. Developers can find water anywhere.
- Bud Remund - Nonresident

- Along with other lifelong residents and property owners in Wasatch County and Center Creek, he was one of the original owners and incorporation petitioners of the property that was incorporated to become the Town of Independence. He served on the first Planning Commission when the General Plan was created. The Town Center Road was designed as the main road alleviating traffic off of Center Creek Road. He believes the General Plan is a good plan.
 - Mayor Heaton agreed with Mr. Remund's comments and felt like there is a lot of misinformation circulating around.
- Sasha Fenton - Nonresident
 - In reply to a survey sent out (not from the Town Council) asking how residents felt about commercial property development in the County. She does not want to see stores and commercial development in this area. Why won't the Council look at changing the General Plan when there is so many that oppose it?
- Ms. Hoffman – Town Administrator
 - In the past several months the Town Council has discussed at length whether the General Plan should be changed. They have concluded that the General Plan meets the moment, embraces their vision for the Town, and is not in need of amendment. She encouraged the public to write down their email address and a General Plan will be sent to them. The General Plan will also be uploaded to the Town's website.
 - Mayor Heaton and Ms. Hoffman invited the attendees to study the General Plan and see that there are no "density numbers" called out, or mentioned, in the General Plan. After the attendees have studied the General Plan each of them will be able to inform their opinion based on facts.
 - When the Town was incorporated the original incorporators (longtime residents and property owners) met with residents and made three promises to them:
 - Keep traffic off Center Creek Road.
 - Do not impose a property tax.
 - Protect open space.
 - The first idea that was presented for the Magpie area for the Town Center development showed about 80% open space. It had separate improved and dedicated public trail systems for horses, hikers, bikers, and ATVs. It had extensive wildlife corridors and a road system that kept traffic off Center Creek Road. The plan was very appealing. However, the developer could not solve the water, sewer, and resort room issues and eventually sold to another entity.

- Developers that have bought properties from the original incorporators since the Town was incorporated. They bought with the understanding they could possibly develop under the parameters of the General Plan. The Town can make certain the development follows the General Plan.
- Lexi Smith – Nonresident
 - A representative from the Gardner Group approached her and told her their development was going to include a restaurant and an event center. She is concerned traffic will not use the Town Center Road and will use Center Creek Road.
 - Ms. Hoffman replied that the Gardner Group has not turned in an application for this idea. When the Gardner Group met with the Council about a possible rezone that diverged from the General Plan, the Council was very clear that all traffic that would result from the Gardner development would need to be funneled to Highway 40 without using Center Creek Road. As of now the property is not zoned to support this type of development. A zone change would be required.
- Phil Sweat - Resident
 - Asked the Council why the zoning can't stay the same as it is now?
 - RA1 – 1 lot per every 1 acre.
 - P20 - 1 lot per every 20 acres.
 - P160 – 1 lot per every 160 acres.
- Councilmember Heaton
 - Fire Department explained to the Council that sagebrush flats are fuel for open fire and are dangerous if developed in a traditional manner.
- Phil Sweat – Resident
 - Why is the Council saying they support the General Plan but is against growth.
- Allen Sweat – Resident
 - In his opinion, the Gardner Group can probably get the State to approve the water that they need for their rezone proposal.
 - Advised the Council to be thorough when approving water.
 - Told the Council they shouldn't make water requirements depending on the type of development.
- Ms. Hoffman – Town Administrator
 - The Town has water rights requirements and has a very well-respected Water consultant that reviews, evaluates, and advises the Council on water issues.

15. Adjourn.

- Councilmember Wilson moved to adjourn at 9:07 p.m.
- Councilmember Sabey seconded the motion.
- The motion was approved unanimously.

Dated this 9th day of September 2025.

Wayne R. Heaton, Mayor

Cathy Bingham, Town Clerk