

Daniel Town Council Meeting

Monday, September 8, 2025, at 6:00 PM
Wasatch County Services Building, Conference Room B
55 South 500 East, Heber City, Utah

Quorum Present: Mayor Scott Kohler, Councilmembers Gary Walton, Jon Blotter, Eric Bennett, and Robyn Pearson arrived at 6:05 PM. Also present were Town Planner Eric Bunker, Clerk/Recorder Merry Duggin, Deputy Clerk/Recorder Megan Goodrich to record the minutes, and Town Treasurer Sherri Price.

Members of the Public: Lynne Shindurling, Jaq Shindurling, Andrea Clayton, Naomi Kisen, Spencer Foster, Larry Ward, Stefanie Grady, Pam Skinner, Gary Weight, Megan Phillips, Melanie North, Barb Walton, Quaye Hilton, Makayla Hilton, Craig Hancock

Mayor Kohler called the meeting to order at 6:00 PM.

1) Public Comment

Larry Ward, long-time resident of Daniel, expressed concern for those individuals who own a piece of property less than 5 acres. Mr. Ward believes that the property becomes invaluable because an owner cannot do what they want with the property. He opined that it turns into a situation where only rich people can build in Daniel and believes it is not fair.

2) Presentation from Spencer Foster, MAG Local Administrative Advisor, regarding Privacy Policy required by Utah State Legislature to be adopted

Spencer Foster, representing the Mountainland Association of Governments, stood to address the Council and the public regarding a new government data privacy act passed in 2024, which relates to how governments handle personal data. The new law requires initial compliance by December 31, 2025, with full compliance to follow in 2026. Before December 31, 2025, the Town of Daniel will be required to complete a Privacy Program Report, in which questions will be answered regarding how data is collected and what is done with the collected data.

Mr. Foster advised further action taken by the Town during the year; of most importance, the appointment of a CAO and Town Records Officer, completing the Privacy Program Report, adopting a local privacy policy, taking inventory of data, and training staff.

Mr. Foster listed the best practices for the Town to adopt to comply with the new law, including: only collecting data that is needed, notifying residents when collecting personal data, not sharing or selling data unless legally authorized, training staff

annually, and responding to correction or data access requests. He encouraged all staff and councils to watch an 8-minute privacy awareness training video, which will be required annually.

3) UDOT Presentation by Craig Hancock regarding Heber Valley Corridor Project (Bypass on South Heber City)

Craig Hancock, from UDOT, presented the two alternative drafts for the Heber Valley EIS project and stated the main difference was at the segment north of 900 North. He stated that both alternatives are freeway alternatives, traveling in free-flow from one end to the other with direct connect ramps. Councilmember Walton asked about a projected flyover going up Daniels Canyon, and Mr. Hancock responded that the project ends at 1500 S in Heber and does not go that far south.

Mr. Hancock reminded the audience that land acquisition is not yet complete and that they are waiting on funding. The project is estimated to cost \$700 million and can be completed in stages.

Councilmember Pearson would like UDOT to revisit the re-routing of 3000 South and would like travel times calculated for 3000 S and Little Sweden, as he is concerned about seeing more traffic on 3000 S. Mr. Hancock assured the council that the goal is to alleviate traffic at the Hub intersection, which would dissuade travelers from cutting through Daniel via 3000 S.

Mr. Hancock stated that the main freeway will be somewhat elevated to get over local roads and that there will be one-way frontage roads available for locals.

4) Business Licenses

Mayor Kohler announced that there was one new business license application, Thread Attire Boutique LLC. Owner, Makayla Hilton, explained to the council that her business offers clothing for women, online and around the state at farmers' markets.

Councilmember Bennett questioned whether Ms. Hilton would have retail sales out of her home. Ms. Hilton answered that there is no selling at the physical location and no extra traffic will be generated from her business.

Councilmember Bennett made a motion to approve a business license for Thread Attire Boutique, LLC; Councilmember Walton seconded. The roll call vote was Walton yes, Blotter yes, Bennett yes, Pearson yes.

Mayor Kohler read the business license renewal applications: Brows by Megan, Daybreak Pasture, and LJC Construction. There have been no complaints for these businesses.

Councilmember Walton made a motion to renew business licenses for Browns by Megan, Daybreak Pasture, and LJC Construction; Councilmember Blotter seconded the motion. The roll call vote was Walton yes, Blotter yes, Bennett yes, Pearson yes.

5) DR 2025-09-08A Resolution to cancel the November 4, 2025 election

Mayor Kohler read the resolution to cancel the upcoming election. Jon Blotter has withdrawn his candidacy for a 4-year council term, and candidates Stefanie Grady and Brooke Rose, running unopposed, will be elected to 4-year council terms. Mayor Kohler and Eric Bennett, also running unopposed, will be elected to the offices of Mayor and 2-year council member term, respectively.

Councilmember Blotter made a motion to approve resolution DR 2025-09-08A; Councilmember Walton seconded. The roll call vote was Walton yes, Blotter yes, Bennett yes, Pearson yes.

Clerk/Recorder Merry Duggin publicly thanked Councilmember Blotter for his many years of service to the Town.

6) DR 2025-09-08B Resolution for engagement of accounting services with Gilbert & Stewart for FY 2024-25 Agreed Upon Procedure

Mayor Kohler read the resolution to contract with Gilbert & Stewart to perform the AUP for FY 2024-25. The proposed fee to complete the AUP is \$4,950.00.

Councilmember Blotter made a motion to approve DR 2025-09-08B; Councilmember Bennett seconded. The roll call vote was Walton yes, Blotter yes, Bennett yes, Pearson yes.

7) Approval of road-crack seal project

Mayor Kohler explained that the Town had the opportunity to connect with Midway and Charleston on a road crack seal project. The project was opened for bid, with Midway doing the bidding process and contract. Mayor Kohler presented the map, which outlines roads in the Town that will be a higher priority for the project. The contract is for \$15,000. Clerk/Recorder Duggin stated that the road impact fees available to be spent are approximately \$30,000 and that there is plenty of money in the capital funds account as well. Councilmember Blotter questioned if they would be laying down chips, and Mayor Kohler clarified that they would only be sealing cracks. Councilmember Walton confirmed that the maximum expenditure will be \$15,000.

Councilmember Blotter made a motion to approve the road crack seal project; Councilmember Walton seconded. The roll call vote was Walton yes, Blotter yes, Bennett yes, Pearson yes.

8) Council Reports

Councilmember Walton announced that meters should be arriving later in the week, but the Town still has not decided on the meters that don't read. Planner Eric Bunker stated that the Town still has some meters that are under warranty, but have not been provided. Councilmember Walton said that he would follow up on these meters; he also stated that he would check the meter at the church.

Councilmember Bennett questioned the nuisance issues that arose the previous week and whether the Town had received anything from the attorney regarding those issues. Planner Bunker answered that the attorney is in the process of re-drafting a letter with some amendments made by the Town.

Mayor Kohler announced that a truck had turned over at the entrance to Storm Haven and had damaged the bridge. He stated that some pieces of concrete were sitting on a gas line and that Enbridge was aware of the damage. Ryan Taylor has looked at the damage and will have further suggestions. Sheriff Goode is investigating and will send insurance information. Storm Haven is still accessible, but work will need to be done to repair the damage.

Mayor Kohler read the Planning Commission Meeting Summary from the August 20th Planning Commission Meeting. Regarding the JDCO zone change public hearing, Councilmember Bennett asked if the Town needed to entertain the request, since a zone change had been turned down before at the same location. Mayor Kohler responded that the last applicants withdrew their request and that the Town did need to proceed with the public hearing.

9) Discussion of August 11, 2025 Town Hall meeting regarding non-conforming lots

Mayor Kohler would like to add this discussion to the October Town Council meeting and possibly hold a vote. Planner Bunker clarified that a vote does not need to happen if no changes are being made. Mr. Ward would like to make it fair for individuals owning less than 5 acres of property.

10)Planner Report/Update

Planner Bunker presented his report to the council and pointed out that Kyune Engineering had been issued a certificate of occupancy. Mayor Kohler mentioned the

complaints and legal actions and stated that letters have been delivered, and progress is being made toward resolution.

11)Storm Haven and Daniel Water System Report/Update; Water rates information and discussion

Clerk/Recorder Duggin presented three spreadsheets to the council. On the first sheet, yearly revenue was collected for both water systems, as well as expenses and bond payments, as far back as 2016. For Daniel Municipal Water, the Town was able to cover expenses except in 2023, and is currently in the black \$72,403; Storm Haven Water was able to cover expenses other than in 2020, 2019, and 2016, and is in the black \$68,326. Total depreciation for Daniel Municipal over that time period totaled \$935,880, and Storm Haven depreciation was \$75,230.

The second spreadsheet addressed increasing water rates for Daniel Municipal Water. Clerk/Recorder Duggin started with a base water rate of \$35 in 2009 and calculated a 3% increase each year through 2025. She determined that if the town had implemented the rate increase, it would currently be charging \$55/month and collecting \$674 per year per customer. She stated that by not raising water rates, the town has lost \$310,000 in revenue over that period and has saved each residential water customer \$2,000 over the same period of time.

The third spreadsheet collected monthly bill averages for Storm Haven Water customers. From September 2024-August 2025, the monthly average was \$58.63/customer, with the yearly average being \$703.54 per customer. Clerk Duggin stated that the Town has been looking into grant money and/or loan money to improve the Storm Haven system and has concluded that the Town would need \$3-5 million to improve the system, and in order to apply for funding, the Town should be charging 1-1.5% of income.

Councilmember Pearson stated that Utah rural water users had previously analyzed and made recommendations to the Town. He stated that the Town does not have a catastrophic fund and would like to go back and look at the recommendations that were made at that time. He suggested holding an open meeting to allow for community input.

12)Recorder's Office: Warrants approval, announcements, etc.

Deputy Clerk/Recorder Megan Goodrich announced that the Town is now compliant with the State Auditor's Office and that all withheld funds had been released to the Town, including property tax, sales tax, and telecom tax funds.

Councilmember Blotter made a motion to approve August 2025 Warrants; Councilmember Walton seconded. The roll call vote was Walton yes, Blotter yes, Bennett yes, Pearson yes.

13)Approval of Council Minutes for August 4, 2025 and Town Hall meeting minutes August 11, 2025

Councilmember Pearson commented regarding the second exception reported by Gilbert & Stewart and stated that he had spoken with the previous clerk/recorder, who stated that the GRAMA training had been completed. Clerk/Recorder Duggin stated that no record was found of the training having been done.

Councilmember Walton made a motion to approve the August 4, 2025 Town Council minutes; Councilmember Bennett seconded. The roll call vote was Walton yes, Blotter yes, Bennett yes, Pearson yes.

Councilmember Bennett made a motion to approve the August 11, 2025 Town Hall Meeting minutes; Councilmember Walton seconded. The roll call vote was Walton yes, Blotter abstain, Bennett yes, Pearson yes.

14)Possible Closed Session as Permitted by UCA 52-4-205

No closed session was held.

15)Adjourn

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

Mayor Kohler adjourned the meeting at 8:09 PM

Clerk/Recorder Duggin announced that the domain change to .gov is now working on the website and for all emails. She also announced that Charles Schulz has dismissed his lawsuit against the Town.

Megan Goodrich

Megan Goodrich
Deputy Clerk/Recorder