

Erda City Council Minutes

2/12/2026 – 7:00 pm

Erda City Office/Fire Station - Auditorium

Call to Order

1. Roll Call

- a. Scott Droubay, Larry Kimpel, Clyde Christensen, Kyle Mathews, Sheldon Birch
- b. Jennifer Poole- City Recorder, John Brems City Attorney, Rachelle Custer-City Planner Via Google Meet

2. Pledge

- a. Scott led the Pledge of Allegiance

3. Public Comment

- a. Shane Riley- I live on Bates Canyon Road. My thoughts are that I am trying to calm down. There is a lot of anger involved. I don't want it to come across that way. I just want to share my thoughts on the lawsuit that Erda City is now in. How did we get involved in it? Why wasn't there more open dialogue so we'd understand or have an option to say something. The way I see it is you broke your own rules in voting for it. You didn't have an open dialogue. You didn't discuss it. You voted on it and you didn't get the right votes so you had an emergency meeting to change the vote and that didn't go right so you had another emergency meeting so you can change the vote again. I don't want to be involved. If that is how it is going to be I want to get out of Erda City. And I don't want to move or sell my farm. I want to know how this got done. My understanding is the first lawsuit already went to the Utah Supreme Court and they lost so now they come back to do another lawsuit. My understanding is the plaintiffs are Mr. Matthews, his father and the ECA. They've lost once so they have the personal vendetta to have Erda City behind them. I think that is wrong. I do not want to be part of that and I don't think you should. I called and talked to Larry about it. He knows how I feel. I don't think it should have been done. I didn't like the way the emergency meetings went. I think it should be more open dialogue. Going forth I hope something gets done about it. I don't know what the legal ramifications are. Going forward, what do we gain if we win? What do we stand to lose if we don't. Tooele has been in a lawsuit for over 10 years and they lost \$25 million and they are still paying. I don't want to be paying for the next ten years on the decisions that were made hastily and aggressively by this group of people.
- b. Allison Kipt- Thank you for allowing me to speak. First I would like to thank Erda City for joining the lawsuit to address the constitutionality of the annexation. Second, my property has been included in the disconnection request that removes it from Erda and places it under jurisdiction that allows high density development. I respectfully ask the council to reject this request. Several of the parties involved previously submitted annexation requests to Tooele City and some of the same developers have spent nearly a decade trying to reshape land use in this area in ways that do not align with Erda's

character or long term planning goals. The Bleazards family sued to overturn the election results and since Erda became a city has filed two lawsuits to revoke the city's certification of incorporation. Both lawsuits are still pending. They also have a pending lawsuit suing the incorporation sponsors for their efforts. Despite receiving a PC zoning designation for one of their properties they are still seeking to disconnect along with seeking annexation into Grantsville. I bring this up to highlight that this disconnection request is part of a sustained strategy to move the land into jurisdictions more favorable to high density development regardless of the impact of the surrounding community. I did not request or consent to be included in this disconnect. It impacts me personally. I and my neighbors worked hard to create this city and to be a part of it. Disconnecting my property and my neighbors property would undermine Erda's ability to manage growth responsibly, maintain its rural identity and ensure the development matches our infrastructure and community values. It would also set a precedent that developers can circumvent local planning simply by shifting jurisdiction when they don't get the zoning they want. I urge the council to deny this request and protect the integrity of Erda's priorities, to protect Erda's rural character, and focus on quality control growth. Third, I want to address the tone of the public conversation. In recent weeks we have seen negative posts, videos and memes targeting residents and members of this council. A small number of individuals and their development partners have used fear mongering, fear based messaging and personal attacks to pressure decision makers and intimidate community members. This rhetoric discourages participation and undermines trust in the public process. I ask the council to take a clear stand. Call for an end to harassment, misinformation and intimidation. We can debate land use without attacking each other. Our community deserves a process where every resident feels safe to speak and where decisions are made based on fact, transparency and respect.

- c. Brian Walters- I own Walters Ranch and run it. I am the third generation to run that ranch. I have heard endless comments. You landowners only want development. My land has never been for sale. The development of my ranch, the only thing that has ever happened is I broke a few pieces off for our friends. I work day and night to promote agriculture. That is my lifestyle. It is my life. But yet, all I hear is landowners promote growth. They want high development. That is the farthest thing from the truth. I support, promote, residential land animal owners. That is the backbone of my ranch. Before they came in I had one avenue of income, selling cattle. Now I have a very good and loyal customer base of alfalfa sales which has helped keep my ranch afloat. I would do what I could to help and protect these people. But yet they backstab us constantly. The reason my name is on this disconnect is from the circus that I saw promoted here last month. A lawsuit was presented, councilmen had no idea what was on the lawsuit. Ask, what is on here. Kyle you said trust me. Any businessman that follows along with a "trust me, it'll be fine" and not knowing what they are signing, what they are getting into. Anyone who signed their name to that is paying my tax base should be ashamed of themselves. Not one respected businessman would have done that. He would have taken time to read and understand what you're getting into, what you're getting all of us into. We don't want to be a part of it. I have worked a long time following the letter of the law to keep my ranch out of a lawsuit. Now I got involuntarily put into one that I wanted no part in. For that, my name is on the disconnect. You drop the lawsuit, you drop the circus act, I'll pull it off. I was happy with what these gentlemen were doing before. Keeping residential growth to a minimum. Growth was slowing. I was happy with that. I am not happy with what went on.

- d. Kathy Jones- I live across the street from Brian and Mindy. They are up early, up late. I've never seen people work as hard as Brian and Mindy. They take good care of their customers and land. They are wonderful neighbors. I am very impressed with them.
- e. Russell Steadman- I live in Erda. I have been a resident of Tooele County my whole life. I was happy with how things were going and I am not happy with how things are going now. If this is how it keeps going I'm happy to disconnect.
- f. Jody Foster- I agree 100% with what the first speaker said. Things were done wrong. We are very unhappy with how things were done. It was a lack of integrity.
- g. Anita Sacu- I have lived in Erda for 33 years now. I was interested in the disconnect. I did not know about the disconnect. On the list is Erda Shop. My son owns Erda Auto. Does that mean my property is part of the disconnect? I am in favor of the disconnect. I might add, I was the grand marshal of the Erda Days parade.
- h. Doug Foster- I want to ask why we haven't heard about the disconnect and the lawsuit.
- i. Anne Gubler- I have a question, I was looking over the ordinance to join the lawsuit. In the ordinance it says that Erda will not incur any fees or any liability. Who pays for the lawsuit if Erda is not paying for it? Is that legal? Can we do that? We won't be liable?
- j. Sheldon- That was drafted by our attorney and included based on his recommendation.
- k. Jeff McNeill- I don't have the kind of clout that the grand marshal does. But I have seen many cities go through this. I watched it happen to Tooele City. Tooele lost \$23 million. I could see it coming like a train wreck. Legislating or governing by lawsuit is not a good road to go down. Property rights matter. Just because we want to see an open field, just because we want to see someone stay in Erda, just because we want to leave Erda doesn't mean we get to do what we want. If we keep these meetings up there are better ways to do this than a lawsuit. I was at the emergency meetings and they weren't emergencies. We are going to lose. The city will pay for that. Already we are paying because if we get an opinion from the attorney we are paying for that. He didn't give us that for free. I don't do business for free nor should he. We shouldn't govern by lawsuits.
- l. Buck Peck- I am representing myself as a citizen, although I am in uniform I would like to stay neutral but I do support my house being disconnected from Erda City.
- m. Sheldon motioned to close public comment; Scott seconded the motion
- n. Voting was unanimous to close public comment
- o. Public Comment Closed**

4. Approve meeting minutes from 1-08-26, 1-09-26, 1-12-26

- a. Sheldon-We need to approve the minutes from the last three meetings.
- b. Clyde motioned to approve all of the minutes, Larry seconded the motion
- c. Voting was unanimous to approve the meeting minutes from 1-08-26, 1-09-26, 1-12-26
- d. Meeting Minutes from 1-08-26, 1-09-26, 1-12-26 APPROVED**

5. Treasurer Report

- a. Scott- We had 19 different checks written out. We had 16 deposits from inspections and licensing fees as well as from the State for our sales tax. We also want to make note that Oquirrh Point did donate the \$1.1 million for our municipal building.

- b. John- We had a survey done on Mr. Toone's property for \$1200 and we will pay that cost. Mr. Toone built his fence in the right-of-way. We engaged a surveyor to survey and it showed it was in public right-of-way. He was convinced it was wrong so we offered to do a second survey and it showed the same thing. He is going to move the fence.
- c. Sheldon motioned to accept the treasurer report; Clyde seconded
- d. Voting was unanimous to accept the treasurer report
- e. **Treasurer Report Accepted**

6. Sheriff's Report

- a. Officer Wayman- A lot of our calls are at Bronzewood Circle, it's a boy's home owned by the state. I think year to date we go there almost every night. It's come to the point that we send two guys there to prevent any assaults on our officers. The other thing we have going on is distracted driving.
- b. Larry- There was a traffic accident involving the sheriff, is he okay?
- c. Wayman- Yes he's doing okay thanks for asking.

7. NTFD Report

- a. Buck Peck- We have gone on 129 calls, 18 in Erda. 12 on I-80. A reminder to talk to your counterparts and constituents about this. The boy's home again is an issue for us as well. We are there often with the deputies. There have been a number of accidents on Erda Way and 36.
- b. Chief Nunn- I just wanted to say hi, it's good to see so many people here. Buck is the fire marshal, if you have any questions please reach out.
- c. Clyde- Do you have any plans for the fire station on Arrowhead and Droubay?
- d. Chief Nunn- I would love \$10 million to build one. The one in Stockton is 6 million. On our website is our strategic plan. I have 9 volunteers right now. And we are replenishing those that have retired.
- e. Sheldon- I spoke to a bunch of your officers about equipment and costs and all you do to get grants to replace aging equipment. Thank you.

8. Tooele Tech College Presentation -Kent Thygerson (Interim President)

- a. Kent- I am Kent and I am the Interim President. My intention is to reach out to the smaller communities to let you know some of the benefits available to you. Out of the 154 employees we have 5 live in Erda. Tooele Tech is a state college. During 2025 we had 1232 students 40% high school the others are adults. We bus kids in from all of the high schools. We had 488 grads in 2025. One of the things we focus on is flexible enrollment. We have 22 programs. Tooele Tech also has business resources. If you are in an industry that requires recertification training we have programs for that too. We house the small business development center also. We also do loan and grant advising. I know a lot of ranchers and farmers can use our small business services. I would like to invite all of you to our Graduation on May 14th. I would like to introduce you to our student of the year Ty Dobmann.

- b. Ty Dobmann-It's an honor to speak here. I am a student of the year candidate. I am part of the satellite police academy. I was born and raised in Utah. My growing up revolved around sports and being outdoors. I also had a really big interest in law enforcement. I did follow my football career into many fields and eventually the X-FL draft. Sports taught me many life lessons. My dream did end with an injury. I was at a low point and a friend recommended that I attend the Tooele Tech Police Academy. Tooele Tech changed my life. All of my football training prepared me for the academy. My instructors guided me to be my best self. During the program I was taught the true reason and purpose for honesty, integrity, hard work, and courage, and what it means to dedicate yourself to what you believe in. I want everyone to know that accomplishing hard things is possible. Your support of the Tooele Tech is changing lives for the better. Here I am 8 months past my graduation and I am happily employed for Tooele County Sheriff's Department.
- c. Sheldon- Thank you for your presentation.

9. Consideration of Resolution 26-03 Appointment of an Administrative Hearing Officer

- a. Sheldon- This has become a need because we have had a request for a Variance from our code and we need someone to adjudicate this. I have spoken with Jed Hansen. He is an attorney by trade, and has done some work for us in the past.
- b. Sheldon moved to approve; Scott seconded
- c. **ROLL CALL VOTE: Scott- Yes, Larry- Yes, Clyde- Yes, Kyle- Yes, Sheldon- Yes.**
- d. **Resolution 26-03 APPROVED**

10. Consideration of Resolution 26-04 Removal and Addition of Persons from PTIF account

- a. Jenn- Terry was managing this as he was our treasurer. We need to remove him as he is no longer our treasurer. It would be prudent to add someone else on. This will need to be sent to the State Treasurer Office. Scott has been working with Terry on finances.
- b. Sheldon motioned to approve this resolution with adding Scott Droubay as the signer on the PTIF account, Larry seconded the motion
- c. **ROLL CALL VOTE: Scott- Yes, Larry- Yes, Clyde- Yes, Kyle- Yes, Sheldon- Yes.**
- d. **Resolution 26-04 APPROVED**

11. Discussion of Road Impact Fee Analysis Report

- a. Josh- My name is Josh Gibbons from Hales Engineering. Dallen Barrowman is with me as well. We have been working on the impact fees facilities plan for the past few months. We looked at the general plan and road projects that you could plan for the future and how they could be funded by impact fees. Transportation impact fees are for new roads and new residents, not for existing residents. We look at the next 6-10 years and projects that would be coming. This needs to be looked at every 6 years and updated. We looked at road and intersection projects. The next step is to work with a financial institution to use this data to get your specific impact fees numbers. The main criteria

we look at is the level of service which looks to see how congested a road is. As we looked at your roads we rated each of them.

- b. Dallen- This you can see a map of Erda and its major roadways. We rated each of them and did road trip counts in all of these areas. Sheep Lane is one of your major projects that will be needed. You have a few projected projects needed.
- c. Josh- We looked at the projects that came out of the plan, and a couple of these we put on the list as they were already planned. These are the projects we would suggest, widening projects, new facilities, a new traffic signal at Erda Way and Sheep Lane, and an all way stop at Erda Way and Droubay Road. On Sheep Lane we proposed the widening north of Erda Way. That is what we think will be needed in 10 years. We looked at the projects that came as a result of our analysis. The projected cost for all of these projects is about \$15 million. Assuming they are built in 10 years, if you calculate inflation it would be about \$23 million. You can only charge impact fees for the growth on the road, not what already exists. After this plan the next step is someone like Zions to finalize the impact fee. Right now the impact fee would be around \$800 plus per single family home. Any land use can be charged.
- d. Sheldon- Why was the Toms Lane project so much more expensive than the Sheep Lane project?
- e. Josh- There was some right of way that needed to be acquired. That was on the County Plan, so if that is something the City didn't want to do you wouldn't need to keep it on the list.
- f. Sheldon- Why is the signal at Sheep Lane \$860,000. Why is it so expensive?
- g. Josh- There is some right-of-way that needs to be acquired.
- h. John- This was an update on where we are in the process. We have Zions under contract to do the financial analysis of this and when they are ready we'll bring them in and talk to you.
- i. Scott- Just to report on the meeting I had with them. They explained it all to us and looked at how traffic flow is going to increase. We were very clear to say we don't have plans to put in new roads. One of the problems we have in Erda is we become a throughway. When Toms Lane connects to Overlake the traffic is going to multiply, we can't control how much traffic goes down Sheep Lane. This helps us recoup costs ahead of time.
- j. Sheldon- In my committee assignments there is a lot of talk county wide between municipalities just stating the obvious that we need additional roads to connect valley wide east-west and north-south. We are located in the middle of all of it.

12. Discussion of Public Infrastructure Districts (PIDs)

- a. Larry- My wife and I went and met with the State Auditor, she said PIDs are terrible things. We have 43 PIDs in Tooele County. Coleville just had a PID go bankrupt and that is now on the backs of the citizens of that town. Larry read from the Document- The Shift from Constitutional Republic PIDs, Districts, Zones, Authorities, and Appointed Boards under the section Utah Constitution Based Principles These Structures Undermine or Violate which states "Local Self-Government and Political Subdivision Integrity (Utah Constitution, Article XI) The Utah Constitution presumes that local governmental powers are exercised by cities and counties with elected governing bodies. Special districts and authorities that exercise taxing, bonding, or land-use power across or within local

jurisdictions weaken the constitutional role of political subdivisions by shifting core functions to entities not directly accountable to local voters.” That means when they set up these PIDS the board makes these decisions. “Uniform Operation of Laws (Article I, section 24) Laws must operate uniformly. Districts or zones that impose unique, long-term tax burdens, assessments, or financial obligations on a subset of residents, based solely on geographic designation rather than political representation, risk creating non-uniform application of taxation and governance. No Taking or Burdening of Property Without Due Process (Article I, section 7 & 22) When property is subjected to decades of mandatory assessments or tax capture authorized by boards residents cannot meaningfully influence, the practical ability to contest, alter, or exit those obligations is diminished, raising due process concerns related to property rights and financial encumbrances. Debt Limitation and Voter Protection Principles (Article XIV) The Utah Constitution places strict limits on public debt and historically requires voter involvement or clear accountability when public obligations are incurred. Structures that authorize long-term bonded indebtedness through districts or authorities, without direct voter approval of those obligations, circumvent the protective purpose of constitutional debt limits. Accountability for Public Funds and Public Credit (Article VI& ArticleXIIIprinciples) Public funds and public credit are constitutionally understood to require clear lines of responsibility and oversight. When revenue is statutorily defined as “not funds of the taxing entity” despite originating from taxpayers, constitutional safeguards over public finance transparency and responsibility are weakened. Prohibition on Special Privileges and Immunities (Article I, section 23) The Constitution forbids granting special privileges or immunities that do not equally belong to all citizens. Financing mechanisms that advantage developers or private entities, by socializing infrastructure costs while privatizing gains, raise concerns about unequal treatment under the law. Republican Accountability at the State Level (Not Merely Federal) (Article I) While the U.S. Constitution guarantees a republican form of government to the states, Utah's Constitution reinforces that principle internally by structuring governance around elected accountability at every meaningful level of power. Administrative entities exercising sovereign functions without electoral accountability depart from that design. Right to Alter or Reform Government in a Meaningful Way (Article I, section 2) The people retain the right to alter or reform their government. Structures that are legally durable, financially locked-in, and procedurally difficult to dissolve or amend impair this right by making a form practically unattainable even when public opposition emerges. Executive Bottom Line: Taken together, these structures do not merely finance infrastructure differently; they reallocate sovereignty. They move taxation, debt, and land-use authority away from electorally accountable government and into durable administrative entities, producing a system that remains legal on paper while drifting away from the constitutional design of representative, accountable self-government.” I’ve been watching this for a while. I have been to the state meetings and others. If any of these PIDs fall through it will be on the taxpayers. We do have a film from the State Auditor’s Office.

- b. Jenn- I will work with the City Web Developer to get this on the website.
- c. Sheldon- I will clarify some items. We have 1 PID in Erda. We don’t have any residents in that area yet. There is no doubt in my mind that there are risks to PIDs. Our contract was structured such that the existing citizens of Erda will not be on the hook for this. The County when it comes to Taxing, each one of these PIDs is a separate taxing entity. We

don't have to manage that as we aren't in charge of our own taxes but it could become a problem.

- d. Scott- Joe can you tell us how our PID is doing?
- e. Joe- We have 4 PIDs, one is active right now, we just had our board meeting today. In our document we were very clear that existing residents will not be held liable. There is a lot of misinformation.
- f. John- This is like a mortgage on a home. If you don't pay your mortgage you lose your home, your neighbor doesn't lose their home. The property is the collateral for the loan.
- g. Larry- This came out from the Citizens for the constitution.
- h. Joe- Our PID is doing great. It is in good shape right now. We've put in a lot of infrastructure worth \$10 million worth that will benefit the whole city.
- i. Scott- There is a lot of concern about these.
- j. Kyle- What I got out of it is taxation with representation was the bottom line.
- k. Sheldon- It seems like the document Larry read is a document from someone concerned with PIDs and they are discussing the validity and risks of PIDs. There is a disconnect about PIDs at the state level but we are not going to solve that problem here.

13. Discussion of Disconnect Applications

- a. Sheldon- I asked to have this on the agenda, we aren't in the position to make any decision, it's a process to get to that point.
- b. John- If you want me to give a formal presentation on this, I can be ready for the next meeting.
- c. Sheldon- I know there has been some question as to whether or not the application is valid based on the map.
- d. Clyde- I have had a few calls on why and what's going on and how it affects them.
- e. John- It's just like annexation. If you get enough signatures, 50% of the real property owners, you are moved in or out. There will be notices sent before any decisions are made.
- f. Sheldon- I would encourage citizens to go to our website and contact us as a council and let us know how they feel about it. In our March meeting we will have John present this to us. We are not ready for public notices yet.
- g. Clyde- So we have some big landowners that aren't happy with the way things are going they want to go and take the little guys with them.

14. Council Representative Reports

- a. Kyle- I have an update to provide regarding the lawsuit challenging the constitutionality of the Six Mile Ranch annexation request into Grantsville. I, along with the other individually named plaintiffs, decided to dismiss our claim against all the individuals named in the lawsuit. The lawsuit is now only against Grantsville City and the Lieutenant Governor's Office and addresses only the constitutionality of the annexation laws. The plaintiffs chose to take this action for two reasons. First, it is important to keep the focus of the lawsuit on challenging the constitutionality of the annexation statutes that

Grantsville is relying upon to try to complete the annexation and there is no doubt that the annexation would greatly harm the future of Erda. Second, we acknowledge and recognize that certain petitions for disconnect were filed recently because Erda City joined the lawsuit that included a claim against the Bleazards. The reasoning given on Facebook for the filing of the disconnect requests is because the Bleazards were named in the lawsuit, and not because Erda City is challenging Grantsville's efforts to annex land from Erda. As the claims against the Bleazards have now been dismissed, we are hopeful that the disconnect petitions filed by Joe White and Derald Anderson will now be withdrawn. I personally will continue to pursue my separately filed defamation case as it is important to clear my name. I did not commit any wrongdoing, and I am willing to go to trial to prove it because too many people have been deceived by these lies. Many may not be aware, but the Bleazards have filed three lawsuits to wipe out Erda City's existence. Two lawsuits are still pending, and there is a third action against me personally for my efforts, as well as others, to incorporate Erda. This process was done in accordance to state law. It was done in an effort to stop the land grab of other surrounding cities through annexation. It was also the will and desire of the majority of the people to incorporate. With that said, I truly do want to reduce tension in our community, and I offer an olive branch to the Bleazards. I hope they will similarly take steps to reduce tension and seek to resolve conflicts with Erda City, if not with me personally. I would briefly like to talk about the Keith Toone property. The right-of-way issues. It was where Ensign thought it was, so we can either move the fence or abandon the easement. There are three other lots on the other corners and they are each in the right-of-way.

- b. John- The ultimate check would be to do a survey and see if they are in the right-of-way. Normally we only respond to complaints.
- c. Sheldon- We either decide to do something as a council or wait for complaints.
- d. Scott- I am okay with just going forward and waiting.
- e. Clyde- waiting is fine with me.
- f. Clyde- In the last meeting last year Craig brought up some item about a bad road. Was that fixed?
- g. Sheldon- Yes that was, I did follow up with them.
- h. Clyde- If someone wants to get a hold of me to discuss why I changed my vote at the last meeting please reach out to me, I would gladly discuss it.
- i. Sheldon- I would like to propose an idea, that we change a rule for our council that we can't change or add an item to the agenda during a meeting. It would have to be an emergency meeting called and noticed.
- j. Scott- I am in favor of that.
- k. John- To have an emergency meeting it has to be a separate meeting altogether, it can't be held during an existing meeting.
- l. Sheldon-Yes, that is what I would propose. Will you draft it up?
- m. Council agrees to direct John to draft this up.
- n. Sheldon- I was made aware today of 3 grants that can be available to us that we can apply for. A quick report on the joint highway commission surface transportation board, we just awarded those this year. We awarded 8 projects from cities. This is the funds we were awarded last year to widen Erda Way and add a trail next to it. The award is capped at 1.5 million. I think we should be thinking as part of our transportation planning what roads may need rebuilt or reconstructed. We didn't apply this year, you likely don't want to apply each year, but I wanted to make sure you are aware of it. Similarly, I met with

the 3rd quarter sales tax board, there are two funds available. One is for roads, the other is for corridor preservation. We need to have a plan in mind of what roads we are worried about and what we want to apply for. At a minimum to maintain or repair our existing roads. I need help from the council to know what our priorities are. It is possible to apply for the third quarter sales tax funds and use them as matching funds for one of these other grants. Another night we should have a discussion on roads and what our plans are exactly.

15. Adjournment

- a. Larry moved to adjourn the meeting, Scott seconded the motion
- b. Voting was unanimous to adjourn the meeting
- c. **Meeting adjourned**

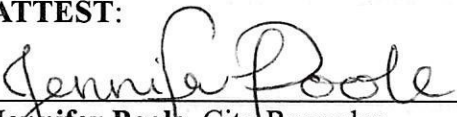
Note: these minutes represent a summary of the meeting and are not intended to be verbatim.

Prepared by: Jennifer Poole, Erda City Recorder and Jessilyn Stagg Deputy Recorder

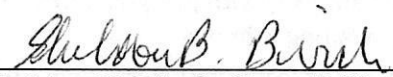
PASSED AND APPROVED by the Council this 12th day of March, 2026.

ERDA

ATTEST:



Jennifer Poole, City Recorder



Sheldon B. Birch, Council Chair