TOOELE COUNTY

Council Meeting Minutes

April 28, 2026

Council Chambers

6:00 PM

1. **Call to Order**

   Chairman Jared Hamner called the Council Meeting to order at 12:12 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 Council Member Tye Hoffmann.

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 Brittany Lopez- Assistant County Manager, and Nicole Rash- Chief Deputy Clerk.

   Staff in attendance were Nathan Harris- Deputy Attorney, Bucky White- Emergency Operations Director, Brian White- Deputy Sheriff, Aaron Jackson- IT Department and Ty Gagon -IT Department.

   Guests in attendance were Mike Rapich of Stockton.

   Council Member Scott Wardle motioned to recess the open meeting and go into a closed session to discuss potential litigation. Second by Council Member Erik Stromberg. Roll Call Vote: Council Member Kendall Thomas voted aye. Council Member Erik Stromberg voted aye. Council Member Scott Wardle voted aye. Council Member Tye Hoffmann voted aye. Chairman Jared Hamner voted aye. The motion passed, and the public meeting adjourned at 12:15 pm.

   The public meeting was called back into session at 1:23 pm. Council Member Tye Hoffmann was excused.

4. **Public Comments**

   Chairman Jared Hamner read a public comment submitted by Auditor Alison McCoy as outlined below.

Thank you for the opportunity to address the Council regarding the State's request for a property tax deferral on the former US Magnesium parcel.

First, I want to note that I have not had the opportunity to formally review any written deferral request from the State. I believe it is important, and in the interest of transparency, that any deferral request be properly submitted, reviewed, and considered through the County's established processes, which typically include review and discussion with the Tooele County Auditor's Office.

Historically, deferrals for county residents have generally involved qualifying residential circumstances. Commercial parcels have traditionally been excluded from this program. In addition, this parcel has already received unique consideration once before. Granting another exception would represent a second departure from the standard process applied to other taxpayers.

County bankruptcy counsel has advised caution regarding a deferral and has recommended protecting the County's currently secured legal position in the US Magnesium bankruptcy case. I believe that guidance should be carefully considered.

Additionally, It is my understanding that the State previously allocated funds for this obligation during the 2026 legislative session, proceeded with closing the purchase of the property, then later reduced that allocation. Tooele County did not cause or create that funding decision, and local taxpayers should not be expected to bear the burden of it.

When delinquent property taxes remain unpaid, the impact extends beyond a single parcel. Those revenues support county services, schools, public safety, and other taxing entities that depend on timely collection.

Tooele County cannot compel any taxpayer, public or private, to pay. What it can do, and what I am obligated to do, is administer the remedies and timelines provided under Utah State Government law when collection responsibility falls to the County.

If the Council determines that a deferral is appropriate, I would respectfully ask that it explain how this decision serves the best interests of Tooele County, what protections will be put in place, and how similarly situated taxpayers will be treated going forward.

Thank you.

Alison McCoy
Tooele County Auditor

5. **Action Item**
   a. **Approval of Tax Deferral Application for the State of Utah, Nathan Harris**

      The FFSL has sent a letter requesting a tax deferral related to the state's recent purchase of the property from US Magnesium. The County Council will discuss the application.

      Nathan Harris, Deputy Attorney, presented this item as outlined above.
      Attorney Harris referenced State Code 59-2-1347 which outlines tax sales of properties that are delinquent and what remedies are available. He explained the history of the US Magnesium property, stating that US Magnesium failed to pay their taxes over the last 5 years. He stated that after 4 years of delinquency, the county is allowed to sell the property at a tax sale. However, the county chose to enter into a deferral agreement in hopes that US Magnesium would get their business back up and running and pay their taxes. The initial agreement was that US Magnesium would pay $100,000 per month, and then a new agreement was drafted reducing the payment to $50,000 per month. US Magnesium then filed for bankruptcy in September or October of 2025. The State of Utah was the winning bid in the bankruptcy case and purchased the property for $30 million. The bankruptcy court ordered the State of Utah to pay the taxes due. Attorney Harris pointed out that the bankruptcy court out of Delaware did not put a value on the amount of taxes owed, as taxes can be appealed or different avenues taken to reduce taxes. He advised that the court order does state that "the purchaser expressly reserves the right to challenge the amount, validity, or priority of any property tax liens of Tooele County." He advised that any dispute between Tooele County and the purchaser is to be handled locally. Attorney Harris advised that the State purchased the US Magnesium property

in February of 2026; the county has been in discussions with the State Division of Forestry, Fire and State Lands to come to an agreement as there are many moving parts with this item. The county received a letter from the State requesting deferral on any and all tax liability assessed against the US Magnesium property, which has a current value of $44.6 million. The disputed amount of delinquent taxes, interest and penalties for this property is $8.19 million.
Chairman Jared Hamner confirmed with Attorney Harris that the letter was also received by the County Treasurer, and he has advised that it meets statutory requirements for a deferral request. Chairman Hamner also advised that US Magnesium had previously asked the County Council to defer their taxes in an effort to stay in business, free up debt and keep their employees employed. He stated that tax money supports local schools and students, and he agrees with Auditor McCoy's statement that the tax liability should not be wiped clean.
Council Member Scott Wardle asked about a discussion between Bankruptcy Counsel, the County Attorney's Office and the County Auditor last week. He asked that it be put on record that there have been additional discussions between Bankruptcy Counsel, the County Attorney's Office and the County Council. Attorney Harris affirmed that additional discussions have happened. Council Member Scott Wardle confirmed that those discussions contemplated everything that has been discussed in this meeting. Council Member Scott Wardle also stated that part of the bankruptcy dispute is who owns the mineral and water rights. There has not been an adequate answer from the State, and, therefore, there is a potential for litigation.
Attorney Harris stated that the water and mineral lease agreement rights ownership is unknown at this time. Council Member Scott Wardle advised that there has been contact with the State Attorney General's Office, and clarified for the record that Auditor Alison McCoy did not say in the June 11, 2025 meeting that the cleanup would cost hundreds of millions of dollars, but rather it was FFSL (State Division of Forestry, Fire and State Lands) that said that.
He stated the disputed amount, if the county took ownership of this property and were asked to clean it up, ranges between $100 million and $500 million. Attorney Harris stated that the last number he was given by the Attorney General's Office for clean-up is around $500 million.
Council Member Scott Wardle reiterated that the Council's intent is not to wipe the taxes owed clean, but rather work through a process of ensuring that the taxes are paid and the citizens of Tooele County are made whole.
Attorney Harris recommended to the Council that as they consider adopting or not adopting this deferral, they agree that their action is in the best human interest, and in the best interest of the State, the County and all entities affected by this.

Council Member Scott Wardle motioned to approve the tax deferral application from the State Division of Forestry, Fire and State Lands property, understanding that this is being done in the best community, human, State, and County Government interest, so that the County can enter into settlement discussions and ensure that the taxpayers are made whole. Second by Council Member Erik Stromberg. All in favor. The motion passed.

6. **Adjournment - Closed Session if needed**

Council Member Erik Stromberg motioned to adjourn at 1:41 pm. All in favor. The motion passed.

THE FOREGOING MINUTES ARE APPROVED:

Jared Hamner, County Council Chairman

Tracy Shaw, County Clerk

COUNTY OF TOOELE
COUNTY CLERK
STATE OF UTAH

Tracy Shaw, County Clerk