

Erda City Council Minutes

8/19/2026 – 7:00 pm

Erda City Office/Fire Station - Auditorium

Call to Order

1. Roll Call

- a. Councilmembers: Scott Droubay, Lawrence Kimpel, Clyde Christensen, Kyle Mathews, Sheldon Birch
- b. Jennifer Poole-City Recorder, Jessilyn Stagg- Deputy Recorder, John Brems- City Attorney

2. Pledge

- a. Pledge led by Clyde Christensen

3. Public Comment

- a. No public comment was given.
- b. **Public Comment Closed**

4. Approve meeting minutes from 7-9-26

- a. **Clyde motioned to approve the meeting minutes from 7-9-2026, Sheldon seconded.**
- b. **Voting was unanimous to approve the meeting minutes.**
- c. **Meeting minutes from 7-9-2026 APPROVED**

5. Treasurer Report

- a. Scott- The budget shows we are over budget, but we are not over budget. Pages 5 and 6 have deposits and checks that were written. I reviewed the day-to-day incoming and outgoing funds with Jennifer when signing checks and making bank deposits. Terry's name is still listed on the PTIF account statement and I will look into having it updated.
- b. Sheldon- The City has been setting aside funds for a future City Hall and now has property for it, although the property is not yet ready for development. Construction could cost approximately \$3 million to \$10 million, depending on the size and design of the building. The Council should keep the potential costs and available PTIF funds in mind for future planning.
- c. Clyde- Grantsville City has a conference room attached to the fire station. We might look into doing something like that.

6. Sheriff's Report

- a. None Given

7. NTFD Report

- a. None Given

8. Consideration of Disconnect request of Parcel #01-441-0-0001

a. **Sheldon opened public hearing**

b. Steven Jones- I am the attorney representing the applicant, the Ewing Group. I hope to be brief but I can summarize this as well. I am very aware of the East and West disconnect requests. This is a very different situation. The one point that we should talk about is what Councilman Mathews brought up. The property across the street may be coming back into Erda based on decisions in litigation. The applicant understands that no matter what happens we will be neighbors, and we want to always be good neighbors and work with others.

c. Clyde- What is the intended use for this property?

d. Steven- I believe it's a warehouse development, such as storage units.

e. Kyle- Do you have plans to join the Inland Port?

f. Steven- I have not yet talked to anybody about this nor has it come up at this time. That would be the port's decision. I don't know, we don't have any intention to at this time.

g. Kyle- How many warehouses do you plan on?

h. AJ Ewing- I am with the Ewing Group. We are trying to build a warehouse-type building. We do not have a client right now. Our goal is to get a client to come in and we will build for them. As far as IPA goes we have not created a plan with them.

i. Clyde- It's not storage warehouses then; it will be manufacturing warehouses.

j. AJ- We don't have a client right now, but we are looking for a manufacturer. It would be a build to suit.

k. Clyde- There is water with that property, correct?

l. Steven- There is a well, but for the type of building that we require a well will not work. The only way we can get away from a well is to go to Grantsville.

m. AJ- It would depend on the end user, but whoever it is they would not be able to sustain on a well. They would need services from a city for water and sewer.

n. Kyle- Have you spoken to UDOT about the Midvalley expansion?

o. AJ- There have been conversations but there isn't anything to say on record for it.

p. Kyle- Access would be off Sheep Lane?

q. Steven- We are kind of speculating, but as of now, yes.

r. **Sheldon moved to close the public hearing, Kyle seconded the motion.**

s. **Public Hearing Closed**

t. John- Have you considered doing a boundary line adjustment with Grantsville? The disconnection would be a two-step process: first disconnecting from Erda and becoming part of the County, then annexing into Grantsville. When two cities share a boundary, a boundary adjustment is another option if both cities agree. Since the properties would continue using Erda roads, Erda may seek some benefit or consideration from Grantsville as part of the process.

u. Steven- As I understand it, the applicants have contacted Grantsville regarding water and sewer service if the properties disconnect from Erda. Grantsville cannot provide a will-serve letter while the properties remain within Erda. The properties would first need to disconnect, after which annexation into Grantsville would likely be the next step before services are provided. A boundary adjustment between the cities would then likely be appropriate.

- v. John- A boundary adjustment could potentially be completed within a few months rather than waiting for the annexation process. This would move the property into Grantsville and allow Grantsville to provide a will-serve letter.
- w. Steven- I agree that a boundary adjustment would be a more straightforward process than annexation and would likely be the easiest way to accomplish what the Ewing Group is seeking. However, I don't want to speak on behalf of either Erda or Grantsville.
- x. Kyle- My understanding is that state statute does not allow a disconnection that would create an island of unincorporated property. Because the property would be surrounded by incorporated property, whether in Erda or Grantsville, I don't believe we can legally approve the disconnection.
- y. Steven- The statute requires the applicant to make the required showing regarding the proposed disconnection; it is not simply an absolute prohibition. I agree that, technically, the disconnection would create an island of Tooele County, but the statute provides an exception if the applicant can make the required showing. A boundary adjustment with Grantsville may resolve the issue, but we are currently in a Catch-22 because Grantsville wants to know what Erda will do, while Erda wants to know what Grantsville will do. I suggest the Council provide some indication of whether the disconnection could move forward so we can approach Grantsville about a potential boundary adjustment.
- z. Sheldon- Before making a decision, I think the Council needs to consider the larger, long-term issue of what Erda wants to be as a city. Property owners have a right to develop within the City's requirements, and if Erda cannot provide the necessary services, we could see additional properties seek disconnection. We need to consider whether we are comfortable remaining smaller as properties disconnect or whether we want to develop the services and facilities necessary to retain those properties and have greater influence over how they develop.
- aa. Kyle- We incorporated for a reason—to protect our boundaries and our community. If we approve this disconnection, we need to consider where it stops and whether other properties will seek to disconnect as well. If that continues, eventually we may no longer have a viable city.
- bb. Sheldon- Agreed. We also need to consider whose rights we are responsible for protecting. This situation is somewhat unique because of the other lawsuit and the island issue, but other property owners may also want to develop and pursue other options if the City cannot provide the necessary services. Property owners have the right to use and develop their land within reason, and the City has a responsibility to either provide the support necessary for that development or allow them to pursue other options. We need to decide and plan for what kind of city we want Erda to be in the future. We cannot expect property owners to keep their land vacant if the City cannot provide services. Long term, Erda needs to decide whether to provide services to influence growth or remain a smaller government and potentially face additional disconnection requests.

9. Discussion and Direction on Water Wise Standards

- a. Sheldon- This is a follow-up from a previous meeting. The City Planner provided a copy of the County's Water Wise standards and feels it fits the State expectations.
- b. Larry- If this is a State thing, when are they going to say that everyone has to do this?
- c. Clyde- I went to the Grantsville PC meeting last night. There was a good presentation on the options. Another concern raised was that using large rocks in Water Wise landscaping can retain heat and increase surrounding temperatures.

- d. Sheldon- The proposed standards specifically discourage xeriscaping with rocks because of heat retention. They still encourage planted areas but with more water-efficient landscaping than grass.
- e. Sheldon- I have questions about Section 30-6-32(G), which appears to make additions, remodels, expansions, or rehabilitated sites subject to the standards. I would like clarification from the City Planner on whether that is required by the State or whether the City has flexibility to modify that provision.
- f. Kyle- Are we able to adjust these requirements?
- g. John- If you meet the requirements, you get the state credits. If you don't, you don't.
- h. Sheldon- The requirements do not state that this is exactly what your code has to say. The County drafted these specific standards to meet the State requirements.
- i. Kyle- I have been struggling with the Water Wise standards. I agree that we need to conserve water, but I still have some concerns about the proposed requirements.
- j. Scott- Something that is a breaking point for me is that if we pass this it is required for all new developments. We cannot leave it up to the citizens.
- k. Sheldon- New construction does not get anything from the state.
- l. Scott- That is even more of a breaking point for me.
- m. Sheldon- I don't think this alone will solve our water problem, but I think it is a piece of the puzzle. I feel it helps if we reserve our residential water use. If we pass this code, then existing residents who choose to remodel their yard will qualify for state credits.
- n. Scott- I don't think new builds should be required to do this.
- o. Sheldon- I don't think we have the votes to approve this the way it stands.
- p. Clyde- One argument raised last night was why individual property owners cannot qualify for State incentives on their own without requiring the entire city to adopt Water Wise standards.
- q. Sheldon- I think they saw a way to make a bigger impact for the same amount of money.
- r. Kyle- Can we look into other options to encourage smart water use?
- s. Jenn- You can task the Planning Commission to come up with Erda City's own Water Wise ordinance.
- t. Sheldon- I have concerns about the enforcement and government mandates included in the proposed standards, although I agree we could be smarter about water conservation. We could consider something more optional and ask the Planning Commission to develop alternatives. I thought the standards were worth discussing, but I understand the concerns with adopting them.

10. Council Representative Reports

- a. Scott- I don't have anything to report.
- b. Larry- None.
- c. Clyde- I don't have a report, but I've been consumed with these data centers. I would like to propose a moratorium of no data centers for at least 6 months. The data center on Burmester Road is expected to use reverse osmosis and produce approximately 250,000 gallons of wastewater per day. I understand the project has been in the works for about five years and that they purchased the Higley farm as a water source.
- d. Scott- What do they say is wastewater?
- e. Clyde- They plan to use reverse osmosis to remove salts and other contaminants from the water before using it in the cooling system. The proposed development is significant, with three projects planned for the area, including logistics uses.

- f. Sheldon- I disagree with a moratorium. I would rather begin working on City Code to regulate data centers.
- g. John- If you instruct staff to work on that, it would be a pending ordinance.
- h. Sheldon- It would prevent anything from moving forward while the City works on an ordinance to regulate it.
- i. Sheldon- In a small city like ours, a data center could cut the property taxes in half.
- j. Clyde- There has been a lot of speculation about the downsides of data centers.
- k. Sheldon- There are 48 data centers in the state right now.
- l. Clyde- In 10 years, these could be outdated. What will we do with all of these buildings in the future?
- m. Sheldon- There are differing opinions on the pros and cons of data centers. I favor developing code to address them. Do we want to suggest we ban them or do we want to come up with code to govern them?
- n. Kyle- I am not a big fan of them.
- o. Clyde- How many do we need?
- p. Sheldon- There are national security concerns related to technology and data centers, including competition with China. Recent cyberattacks on U.S. water systems also demonstrate the need to protect critical infrastructure.
- q. Scott- I am not in favor. I have concerns about AI and technology, but I also see the importance of the U.S. remaining competitive with China. I support regulating data centers and defining where and under what conditions they would be acceptable in Erda, including requirements such as using recycled water.
- r. Scott- I support regulations that would prohibit data centers from using agricultural water or negatively impacting neighboring wells, with studies required to demonstrate those protections. Water recycling should also be considered, since recycled water can significantly reduce overall consumption. Rather than prohibit data centers entirely, I believe Erda should establish code identifying appropriate locations, separation distances, and water-use requirements.
- s. Sheldon- For additional context, data centers currently operate in every state. Virginia has the highest concentration, with Texas and California also having significant numbers. The City of South Jordan administration says the data centers are not causing any issues.
- t. **Sheldon moved that City staff do an analysis of the potential future effects of data centers in Erda and whether an appropriate set of codes could be prepared for the city for that purpose and report back to City Council. Seconded by Clyde.**
- u. **Voting was unanimous.**
- v. **Staff will do an analysis of the potential future effects of data centers in Erda and whether an appropriate set of codes could be prepared for the city for that purpose. Staff will report back to the City Council.**
- w. Clyde- I wanted to ask about the Flock cameras. Do we have any and are they legal?
- x. Sheldon- Tooele City owns their data. It is stored on the cloud. He has extended an invitation to tour their facility. I am only aware of Tooele City and have not heard of the County approving any. I believe the Highway Patrol may use them, which could potentially place some along SR-36.
- y. Scott- What do these accomplish?
- z. Sheldon- One of the biggest questions is what the cameras actually collect and how that information is used. Law enforcement says they monitor license plates and can flag vehicles associated with open cases. State law places restrictions on accessing and retaining the data, including a 30-day retention period and requiring a case number for

- access. Local entities can also establish their own policies and procedures for training, management, and use of the system.
- aa. Clyde- I was just wondering if they are legitimate.
 - bb. Sheldon- There are legitimate public safety benefits to Flock cameras, but also valid data privacy concerns. I compare it to other sensitive databases where access has had to become more regulated after misuse occurred. The question is whether Flock cameras can be regulated well enough to prevent abuse and protect privacy or whether the risks warrant prohibiting them.
 - cc. Kyle- The engine brake sign has been installed.
 - dd. Kyle- I got a call about the school traffic at Excelsior.
 - ee. Sheldon- We have previously discussed installing no-parking signs in the area, but I am unsure why that has not happened and would need to follow up with Jake.
 - ff. Larry- You can tell them they will be widening the road next year.
 - gg. Sheldon- We will also be adding a trail when we widen the road, which should help.
 - hh. Kyle- Why did they stop using the church parking lot?
 - ii. Sheldon- That was a decision made by the school.
 - jj. Jenn- In the past we have requested an increased presence from the sheriff's office to encourage drivers to follow the road laws and stay safe.
 - kk. Sheldon- As part of the Legislature's PID requirements, annual financial reports are required. Do we have that?
 - ll. John- Yes, we do.
 - mm. Scott- I have seen them.
 - nn. Sheldon- I need Council approval for an increase in the City's matching funds for the trail project. Additional engineering is required under federal guidelines, increasing the City's match from approximately \$7,000 to over \$10,000. Grant funding is still available for the project, but the City needs to approve the additional match and provide documentation to WFRC or UDOT.
 - oo. Council agreed to increase the City's matching funds for the trail project.
 - pp. Sheldon- I need direction from the Council regarding Rabbit Lane. The City can purchase the existing gate, bollards, and dog waste stations from the County for approximately \$9,000, or develop its own plan. Tooele Valley Pumping has offered to build and install a new gate at no cost in exchange for placing its logo on the gate.
 - qq. Council agreed to have Tooele Valley Pumping build and install a new gate and allow them to place their logo on the gate.
 - rr. Sheldon- The Council also needs to decide whether to keep one or both porta potties at Rabbit Lane. They were previously funded privately and later by the County, so keeping them would create an expense for the City, although there may be an offer from Caleb to cover the cost of one.
 - ss. Kyle- It doesn't hurt to get a quote. I think it would be nice to continue to provide that for the citizens.
 - tt. Sheldon- I have requested a quote for that as well as maintaining the dog waste stations.
 - uu. Sheldon- John and I wanted to discuss road impact fees and a transportation utility fee. We, as a Council, agreed to participate in a study with the State to determine how much it would be. The State has reached out for data that they need from us. I don't think this is council business, so I will reach out for the data they need. I will follow up.
 - vv. John- We commissioned an IFFP for a traffic impact fee. The results were not good. The engineer made a determination that all new residents will use State highways and gave us no buy-in for our current roads. Based on the current study, the City would collect

approximately \$3 million in impact fees over 10 years, which I don't believe is worth pursuing. Another engineer could review the study for \$2,500 and, if warranted, prepare a full IFFP for approximately \$22,000.

ww. Scott- These impacts are for new growth.

xx. Kyle- I think it's always a good idea to get a second opinion.

yy. The majority of the Council agreed. John will contact another engineer to review the study.

zz. John- Oquirrh Point wants to amend their development agreement. They want to change from some townhomes to single-family detached. If you are interested, I'll let them know.

aaa. Council agreed to pursue that amendment to the development agreement.

bbb. Moved to CLOSED Session - See Section 11

ccc. Returned to OPEN Session

ddd. Sheldon- Do we want to hold the next meeting next week?

eee. Council agreed to cancel next week's meeting.

fff. Sheldon- Where do we want to discuss the Toone situation?

ggg. John- He didn't like what I put in the agreement.

hhh. Sheldon- I tried to resolve the issue with Mr. Toone and was unable to do so.

iii. Scott- I will talk to him and let him know that it needs to be done.

11. CLOSED SESSION was held pursuant to Utah Code Ann. §52-4-205(1)(c).

- a. **Sheldon moved to close the public meeting to move to a closed meeting for a strategy session to discuss pending or reasonably imminent litigation, Kyle seconded the motion.**
- b. **ROLL CALL: Kyle- Yes, Clyde- Yes, Scott- Yes, Larry- Yes, Sheldon- Yes**
- c. **Closed Session OPENED**
- d. **Sheldon moved to close the closed session, Larry seconded the motion**
- e. **ROLL CALL: Kyle- Yes, Clyde- Yes, Scott- Yes, Larry- Yes, Sheldon- Yes**
- f. **Closed Session CLOSED**

12. Adjournment

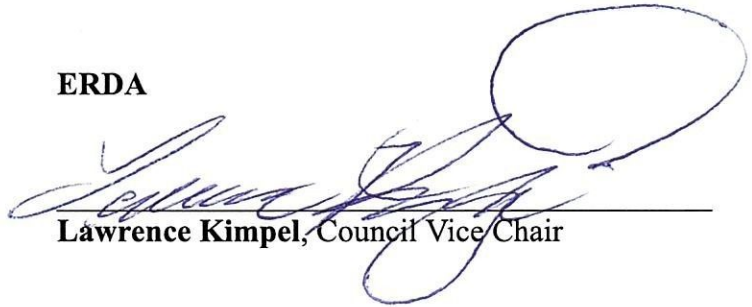
- a. **Sheldon moved to adjourn the meeting, Larry seconded.**
- b. **Voting was unanimous to adjourn the meeting.**
- c. **Meeting adjourned.**

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 10th day of September, 2026.

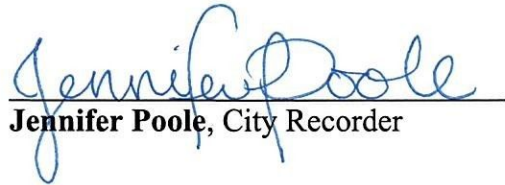
ERDA



Handwritten signature of Lawrence Kimpel in blue ink, written over a horizontal line.

Lawrence Kimpel, Council Vice Chair

ATTEST:



Handwritten signature of Jennifer Poole in blue ink, written over a horizontal line.

Jennifer Poole, City Recorder