# Erda City Council Minutes

## 8/25/2022 – 7:00 pm

## Tooele County Building - Auditorium

View-Only Live Stream on Youtube: https://tinyurl.com/2p8fjfnx

1. Call to Order 7:00pm
2. Roll Call
    a. Jess Bird, Craig Smith, Scott Droubay, Terry Miner, Kael Martin
    b. Jennifer Poole-City Recorder, John Brems-City Attorney
3. Pledge
    a. Kael Martin- Led the pledge
4. Public Comment
    a. Jack Peck-You guys need to put the WUI Code back into your land use code. I think it was in Chapter 17. But the reference to the code has been removed.
    b. Craig- Moves to close public comment Scott 2nds the motion to close public comment
    c. Voting Unanimous to close public comment
5. Approve meeting minutes from 8-11-22
    a. Jess- Moves to approve meeting minutes from 8-11-22, Kael 2nds the motion to approve the meeting minutes.
    b. Voting Unanimous to approve meeting minutes from 8-11-22
6. Committee Assignments Report and Discussion
    a. Finance (Miner/Droubay)
        i. Treasurer Report
            a. Terry- We Had a deposit of $642.14 ABBTRML that has something to do with the transit tax, in our PTIF account there was a deposit of sales tax in the amount of $6,545.15. In building permits we deposited $17,129.76 and $740 in business licenses. Disbursements for the last 2 weeks, $772.81 for clerk salary, $2,322.53 to PSOMAS for the map, $289 to CVE technologies for google, and $17,775 to Ensign Engineering for permits. And as of today we have $250 on the credit card. Total checks written $21,160.03
    b. Land Use/Zoning (Bird/Smith)
        i. Proposed Annexation Policy and Map
            a. Jess-Scott at our last meeting I mentioned a friend of mine that lives in the old Cleg 90, he wants to be a part of our annexation plan. I have heard a few more people who want to be a part of Erda.
            b. Terry- That's the only point we are trying is that THEY get to decide if they want to be a part of Erda.
            c. Craig- I Wouldn't have any problem in putting them in the plan, but they would have to get together and move forward.
            d. Jess-This would be the first step in letting them in, if they want to.

e. Craig-Chris Robinson sent us an email letting us know that there were still 80 acres in the plan he would like it out. I think if you don't' want to be in then that's fine. But also if you do then that's okay too.
f. Craig- I sent everyone the annexation policy plan. It's the one John wrote, there is only 1 thing that could be changed.
g. Terry-Can you explain #4 in requirements.
h. Craig-This follows current state law, to avoid islands and public lands.
i. Jess- Reads #4." The annexation must not create unincorporated islands or peninsulas within the boundaries of the City. To avoid creation of islands and peninsulas, unincorporated territory and publicly owned land such as roadways, schools, parks or recreational land, may be annexed as part of other logical annexations"
j. John- It just means to include roads and other things that would fit in the annexed area.
k. Craig- Maybe we just need to remove the word "other" and make it wording "part of logical annexations"
l. John- Do I have 3 votes? Council all agrees to change
m. Terry- So this map is going to change already. We want to add Clegg 90 and take out the rest of those 80 acres of Mr. Robinsons.
n. Craig-They just need to change the line, it should be a simple easy thing. We'll adopt what we want then have them do the map.
o. Jess- I'm with Scott, whoever wants to be in can be in, and whoever wants to be out can be out.
p. Craig-State law says that we have to have public comment open for 10 days to collect statements and information. Then we can vote on it after that. We've sent notice to Tooele City, Stansbury Park, We did send to Lake Point even though we did change the boundaries but anyone within ½ a mile of those boundaries must be notified.
q. Jess-Moves to open public hearing, Craig 2nds the motion to open the public hearing on the Annexation Policy Plan and Map
r. Voting Unanimous to open public hearing
s. Trent- I have a couple of comments regarding the map there are still a couple of issues. There are a couple of issues in the Erda area. The 3 things the annexation map still includes the pier that was disconnected, additional a parcel south 0503600056 that is part of unincorporated Tooele County but have included it as part of Erda Boundaries, also Fassio Egg farm on the 36 I think those need to be changed before it can be adopted.
t. Jess- It's my understanding that there are some inaccuracies on the map.
u. Craig- This is the annexation boundaries. If you have further comments please, call, email, or come and make a comment.
v. Craig- The current boundaries aren't what this map is. This is for the area we will accept annexation out of. I know the pier is still there but this isn't what this map is about.
w. Scott- On that note, what does this map include west of Erda?
x. Craig- There is nothing on the west of this map.
y. Scott-So we can't add anything that is currently part of Grantsville city?

z. Craig- Our policy doesn't allow this.
aa. Jess- I want to thank Craig, he has been spear heading this and I know it's been a job. I am thankful for all he's done for this.

ii. PID Policy Discussion
a. Scott- I think that was a good post that Kael put up about PID policies and cities that have used them. After seeing that I've come back around rather than have a 30 year tax for a PID it should be included in the price of the sale of the land. Hopefully the developers are ethical and not including that cost twice. If there is no PID they have to add this to the price of the home. But this allows for the Developers to get the infrastructure done quickly and upfront. We just need to make sure the developers are ethical and not charging 2x for that.
b. Terry- How can 1 entity get a loan and then have another entity pay it back?
c. Scott- This came out of the State Legislature.
d. Craig-They own the ground, and there are disclosures that must show that this debt is part of that property.
e. Scott-If it's included in the price of the home there is no lien that can be put on the property. Kael did a good job with doing this research.
f. Craig- I am in favor of a MIL levee, 10k today is different from 10k in 10 years. I talked with Brett Palmer at SPID. He hates that. Stansbury Park Improvement District is 2 million in the whole with impact fees. He thinks the only way to make it happen is a MIL levee.
g. Scott- It's going to be a board responsibility to put together the amounts of the cost, whether it's over 30 years or in 1-2 with fees. I do feel like the MIL levee could be misused. I do see where an entity could offload a lot of the risk of the decisions they are making 20-30 years down the road. By allowing only a fee based PID policy you are requiring more responsibility from the Developer and the City. Cities play a part on Fee based funds. The more near term of those decisions the more responsible those people will be. I also will be voting against a MIL levee based policy.
h. Jess-When should we vote on this?
i. Craig-I think next meeting. Let's get this done?
j. Jess-John is this something you can have ready by next meeting?
k. John- Let me know what changes you want to make and if you want all MIL levee wording taken out I can do that. 4 councilmen agree to take out MIL levees on the PID policy.
l. Scott-So we need to go over more of this policy so we can be ready.
m. Jess- We need to try to streamline this process and make it clear what the expectations are.
n. Craig-This is not streamlined at all. And we don't want it to be. We want it to be an involved process where we talk about and it goes to committee. This isn't a simple process nor should it be.
o. John-This is not intended to be a streamlined process. You're dealing with people's properties. It's intended to be slow and cumbersome. There are good reasons for that.

p. Craig- We want to make sure this is done right for the people and the city. It won't last years but there is a timeline in it.
q. Scott- We should all have a lot to say next time on PIDS.

c. Roads (Droubay/Miner)
    a. Terry- We need to come up with a plan b. The only services we have past Sept is the dispatch service. Our roads and sheriff contracts end at the end of Sept. I don't know if we need to come up with a plan b. I mean think about snow removal, we need to make these decisions quickly.
    b. Jess- Are we waiting for a proposal from the city?
    c. Scott-Collin Winchester is working on something. John, have you gotten it? John-No.
    d. Scott- Ty Hoffman thought this would work. I suggested that just as the sheriff office does, they give a report every month of what they do. The roads give us a review every month, what they've done and what it costs. Then when we get to the end of the money they have to stop.
    e. Terry-Yeah but what happens if it's in the middle of the winter? We still need the plows.
    f. Scott- We should have a little bit of money that we should be squirreling away for those extra moments when we need it. I think the county will work out but we should have an extra option. We could have an RFP put out now, and we could still look at those other options. I guess it's okay to send out an RFP and not award a contract to somebody.
    g. Jess-So if we send out an RFP the Tooele County also has to be a part of the RFP process.
    h. Scott- We had somebody offer to do snow removal.
    i. Kael-I think ACE disposal gave us a contact that might be interested.
    j. Terry-My main thing is just that we are coming up to an end of our contracts and need that taken care of.
    k. John- If you want me to do an RFP we need a map of roads we want plowed and how many miles there are. Scott- We have access, we can get it to you.
    l. Scott- On a side note we need to add Emergency Management to the agenda.
    m. Terry-Let's have it on the first meeting of each month.

d. IT (Martin/Bird)
    i. Erda City Website Discussion
        a. Jess- I think we are ready to go live on our new website, such as it is.
        b. Terry- Is there a place for the treasurer report?
        c. Jess- There is a place. Just create a report and send it to Jenn and we'll get it on there.
        d. Craig-This is just the 1st draft and things will change and improve.
        e. Jess- I've fixed the league and insurance now we can have it sent to the City's address.
        f. Jenn- The complaint form is done, we just need to add the link back to the website.
        g. Jess- Okay website is going live tonight

7. Council Representative Reports
    a. Scott- We have an Emergency Committee and we had a meeting and training this week. Coming up we are going to have to take some ordinances that address disaster mitigation. For example we need to have an ordinance on how steep of a slope they can

develop. Just look at Bountiful. Buck mentioned that the Wildlife Urban Interface, that needs to be in our code if it's not.

b. Terry- We need a true geological ordinance that should be a part of that. We Should have a geological survey done of the area so we can get this information on the map.
c. Scott- As we got this committee meeting together we only had 2 people come but we were really glad for those that were there. They were very helpful. We need to make plans to try and mitigate some of those issues we have. We need to get the plan implemented so if there is a disaster we can get federal help. So as we work on that we'll be coming back here for ordinances. They actually have a map of what parts of the city would be affected if Settlement canyon's dam broke. We just need to have the plan in place so we can get help if we need it. We had a fire 2 weeks ago by a welder who was just trying to build a fence. I know he was trying to take precautions. But there was still a fire that happened.
d. Terry- I know that to even get grants we need to have that Wildlife code.
e. Buck-The WUI is an extra set of code that requires an extra set of parameters that would encroach on the wildlife area. It's to protect your home and area from the possible hazards in the area you live. It's an extra precaution to keep your citizens safe and it helps with insurance. We have to abide by it. It's adopted by the state, you can't not do it. I think John's right, it just needs to be put back in.
f. Jess- Maybe WUI was in Chap 16.
g. John- I'm pretty sure it's in here, the state will pay for your fire if you have it in there. It's in 6-18 of the city code.
h. Craig- If it's a problem we will fix it in our next meeting.

8. Comments from Council Members
    a. Terry- I want to give Jenn an ataboy for her minute taking. There hasn't been anything to change.
    b. Scott- Are we paying her enough?
9. Adjournment
    a. Craig moves to adjourn the meeting, Kael 2nds the motion to adjourn the meeting.
    b. Voting was unanimous to adjourn the meeting.

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

Prepared by: Jennifer Poole, Erda City Recorder

**PASSED AND APPROVED** by the Council this 8th day of September, 2022.

**ERDA**

Jess Bird, Chair

**ATTEST**:

Jennifer Poole, City Recorder