



PUBLIC NOTICE OF ANNUAL MEETING

Pursuant to section 52-4-6, Utah Code Annotated 1989, the Elk Ridge Town Council hereby gives notice that the Town Council holds its regular meetings on the second and fourth Tuesday of each month, starting at 8:00 P.M. in the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

  
Town Clerk

CERTIFICATION

I, the undersigned duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Public Notice of Annual Meeting was mailed to the Daily Herald, 1555 N. 200 West, Provo, Utah this 18th day of January, 1990.

  
Town Clerk

NOTICE & AGENDA

Notice is hereby given, the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, January 9, 1990 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

The agenda shall be as follows:

7:00 P.M. -OATH OF OFFICE - NEWLY ELECTED OFFICIALS

7:30 P.M. -COUNCIL WORK SESSION:

Councilmember Assignments  
1990 Schedule for Council Meetings & Work Sessions  
Cross Connection Program  
Water Development Loan Application  
Delinquent Accounts Water Shutoff  
Incomplete Building Permits  
Municipal Attorney Replacement

8:00 P.M.-Invocation & Pledge of Allegiance

8:05 P.M.-Minutes of Previous Meetings

8:20 P.M.-Bank Signature Additions & Removals

8:30 P.M.-Performance Bond for Lakeview & Hillside Drive  
Street Improvements - James Winterton

8:45 P.M.-November Financial Report

9:00 P.M.-December Expenditures

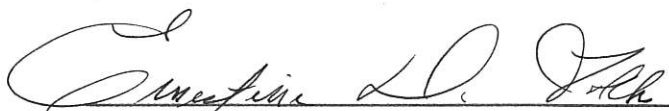
9:15 P.M.-Test Well Update

9:30 P.M.-Adjournment Closed Session-Potential Litigation

The times listed for each item and the agenda may be accelerated if time permits.


All interested persons are invited to attend.

Dated this 8th day of January, 1990.

  
Town Clerk

CERTIFICATION

The undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was delivered to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on January 8, 1990.

  
Town Clerk

# ELK RIDGE TOWN COUNCIL WORK SESSION

January 9, 1990

TIME & PLACE OF MEETING The work session of the Elk Ridge Town Council was held on Tuesday, January 9, 1990 at 7:30 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

OATH OF OFFICE NEWLY ELECTED OFFICIALS Prior to the Council Work Session, the Oath of Office was administered to the newly elected officials, James L. Bean and Marc Hansen by the town clerk. A brief reception was held following the oath of office, which was attended by several residents and members of the Bean family.

ROLL CALL James Bean, mayor; Ronald Cooper, James Prather, Hal Shuler, Marc Hansen, councilmembers; Ernestine D. Folks, town clerk; Linda Cooper, treasurer, Bill Pierce, building inspector; James Winterton.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by delivering copies of the Notice & Agenda to each on January 8, 1990.

COUNCILMEMBER ASSIGNMENTS Marc Hansen is to replace Clarence Foster as councilman over Parks, Roads & Recreation. Other councilmembers will continue with their previously designated areas of responsibility as follows:

Hal Shuler	Water & Sewer Depts
James Prather	Planning & Zoning,
	Building Inspection
Ronald Cooper	Public Safety

1990 SCHEDULE FOR COUNCIL MEETINGS & WORK SESSIONS Council meetings will remain as previously scheduled; the second and fourth Tuesday of each month at 8:00 P.M. and the council work session at 7P.M. prior to the council meeting.

CROSS CONNECTIONS Nothing to Report.



Minutes of the Elk Ridge Town Council Work Session -  
1-9-90

WATER                      Councilman Shuler reported the water board  
DEVELOPMENT              will be looking at the application for a  
LOAN                        loan from the League of Cities & Towns  
APPLICATION               Municipal Cooperative.

DELINQUENT                Council discussed current policies for  
ACCOUNTS                  shutoff of water on delinquent accounts.  
WATER SHUTOFF            Councilman Shuler was asked to present his  
proposal in writing as an amendment to the  
existing ordinance for the council to  
consider.

INCOMPLETE               Building inspector was requested to  
BUILDING                  outline who is not in compliance with  
PERMITS                    building permit requirements and submit to  
the council. Council also discussed new  
legislation requiring building inspectors  
to be certified by 1993. This is expected  
to increase the costs for building  
inspection excessively, where smaller  
municipalities could not afford to  
maintain a building inspector. Building  
inspector to report back to council after  
the Building Inspectors Conference in  
February on what is happening elsewhere in  
the State.

MUNICIPAL                Mayor Bean will continue to pursue  
ATTORNEY                  possible replacements.  
REPLACEMENT

ELK RIDGE TOWN COUNCIL MEETING

January 9, 1990

TIME & PLACE OF MEETING      The regular meeting of the Elk Ridge Town Council was held on Tuesday, January 9, 1990 at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL      James Bean, mayor; Ronald Cooper, James Prather, Hal Shuler, Marc Hansen, councilmembers; Ernestine D. Folks, town clerk; Linda Cooper, treasurer, Bill Pierce, building inspector; James Winterton.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by delivering copies of the Notice & Agenda to each on January 8, 1990.

INVOCATION & PLEDGE OF ALLEGIANCE      Prayer was offered by Marc Hansen with the pledge of allegiance following.

MINUTES OF PREVIOUS MEETING      MOTION WAS MADE BY RONALD COOPER, SECONDED BY JAMES PRATHER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETING FOR DECEMBER 12, 1989 AS PRESENTED. VOTE: YES-ALL (5); NO-NONE(0).

BANK SIGNATURE ADDITIONS & REMOVALS      MOTION WAS MADE BY JAMES BEAN, SECONDED BY JAMES PRATHER, TO APPROVE THE ADDITION OF MARC HANSEN, JAMES BEAN, JAMES PRATHER, HAL SHULER AND LINDA COOPER; AND TO REMOVE RANDY LINDSTROM AND CLARENCE FOSTER AS PERSONS AUTHORIZED TO SIGN CHECKS. VOTE: YES-ALL (5); NO-NONE(0).

PERFORMANCE BOND FOR LAKEVIEW & HILLSIDE DR. IMPROVEMENTS-JAMES WINTERTON      James Winterton requested the council release the \$4000 bond to H. E. Davis & Sons. Council discussed the letter from engineer, Donald Cole, indicating there was still work to be done. Council agreed to contact Donald Cole, to determine what are the costs for the unfinished improvements and if possible release the bond minus the costs for the unfinished improvements.

Minutes of the Elk Ridge Town Council Meeting - 1-9-90

NOVEMBER  
FINANCIAL  
REPORT

MOTION WAS MADE BY HAL SHULER, SECONDED BY JAMES PRATHER, TO APPROVE THE FINANCIAL REPORT FOR THE MONTH OF NOVEMBER AS PRESENTED. VOTE: YES-ALL(5); NO-NONE(0);

DECEMBER  
EXPENDITURES

MOTION WAS MADE BY JAMES PRATHER, SECONDED BY RONALD COOPER, TO APPROVE THE LIST OF EXPENDITURES FOR THE MONTH OF DECEMBER AS PRESENTED. VOTE: YES-ALL (5); NO-NONE(0).

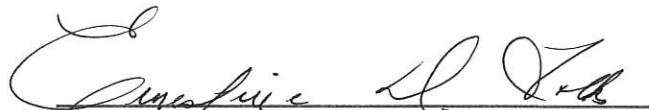
TEST WELL

Councilman Shuler reported that the 10" bit the driller is using to bore out the hole is stuck at an approximate depth of 200' and the opening has collapsed on top of the drill bit. Efforts to extract the bit have not been successful. Driller has also reported having problems with the hydraulics which need repair. When the drill bit is removed the council will need to make a decision relevant to other options such as driving the 12" pipe further than the required 100' to a 200' depth and then go with 10" bore, which will cost more than originally anticipated.

ADJOURNMENT-  
CLOSED  
SESSION

There being no further business to discuss at this meeting, MOTION WAS MADE BY RONALD COOPER, SECONDED BY HAL SHULER, TO ADJOURN TO A CLOSED SESSION. YES-JAMES BEAN, JAMES PRATHER, HAL SHULER, RONALD COOPER, MARC HANSEN (5); NO-NONE(0).

Persons present at this meeting where potential litigation was discussed included, James Bean, James Prather, Hal Shuler, Marc Hansen, Ronald Cooper, Bill Pierce and Ernestine Folks.

  
Town Clerk

## NOTICE & AGENDA

Notice is hereby given, the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, January 23, 1990 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

The agenda shall be as follows:

### 7:00 P.M. - COUNCIL WORK SESSION:

1. Update on Water Rights Transfer
2. Cross Connection Program
3. Water Development Loan Application
4. Development Fees for Shuler Loafer Canyon Lots
5. Leins for Street Improvements on Cortez Drive
6. Performance Bond for Lakeview & Hillside Drive Improvements
7. Future Improvements to Belt Route
8. Snow Removal
9. Conflict of Interest Disclosure
10. Nominations for Planning Commission Member
11. Incomplete Building Permits
12. Municipal Attorney Replacement

### 8:00 P.M. Invocation & Pledge of Allegiance

8:05 P.M.-Minutes of Previous Meeting

8:20 P.M.-Adoption of the Complete Revision of the Subdivision Ordinance of the Town of Elk Ridge

8:45 P.M.-Test Well Update/Driller Report

9:00 P.M.-Equipment Purchase for Water Dept.

9:10 P.M.-Appointment of Mayor Pro Tempore

9:15 P.M.-Appointment of Fire Chief

9:20 P.M.-Fire Protection Agreement

Notice & Agenda

Elk Ridge Town Council Meeting - 1-23-90

Page 2


9:30 P.M.-December Financial Report

9:40 P.M.-Adjournment Closed Session-Potential Litigation

The times listed for each item and the agenda may be accelerated if time permits.

All interested persons are invited to attend.

Dated this 19th day of January, 1990.

  
Town Clerk

CERTIFICATION

The undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was delivered to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on January 19, 1990.

  
Town Clerk

## ELK RIDGE TOWN WORK SESSION

January 23, 1990

### TIME & PLACE OF MEETING

The work session of the Elk Ridge Town Council was held on Tuesday, January 23, 1990 at 7:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

### ROLL CALL

James Bean, mayor; James Prather, Ron Cooper, Marc Hansen, Hal Shuler; councilmembers, Ernestine D. Folks, town clerk, Bill Pierce, building inspector.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by delivering copies of the Notice & Agenda to each on January 19, 1990.

### UPDATE ON WATER RIGHTS TRANSFER

The hearing on the transfer of the water rights is scheduled in Provo at the County Commission Chambers on the 13th of February.

The annual stockholder's meeting of the Upper East Union Irrigation Co. will be held on February 5th. Mayor Bean will attend both meetings.

### CROSS CONNECTION PROGRAM

Councilman Shuler reported the council will need to establish an ordinance to specify what the municipality will require relative to the installation of backflow prevention devices. Councilman Shuler will contact Rod Despain for drafting of an ordinance. The water department intends to implement a program where a backflow prevention device will be installed at each meter when meters are changed out. Projections are it will take four or five years to complete. This projection was questioned based on the number of meters that are presently being changed out each year.

### WATER DEVELOPMENT LOAN APPLICATION

Councilman Shuler reported that the costs for bonding through the Utah League of Cities & Towns Municipal Cooperative are the same for both large and small amounts. There is a possibility of those costs being subsidized.

Minutes of the Elk Ridge Town Council Work Session-  
1-23-90

WATER  
DEVELOPMENT  
LOAN  
APPLICATION

Safe Drinking Water Loan Application, and C.D.B.G. applications will also be considered.

DEVELOPMENT  
FEES FOR  
SHULER LOAFER  
CANYON LOTS

Preliminary plat approval was given on five lots for Hal Shuler in Loafer Canyon in 1981. At that time credit for development fees was recognized for those five lots. Recently this credit for development fees was transferred to the Goosenest Plat A Subdivision. Hal Shuler questioned that the preliminary plat for the five lots in Loafer Canyon included a lot which is now owned by the L.D.S. Church. He claims that there was another preliminary plat which included a different lot. Currently there is nothing in the records to substantiate Mr. Shuler's claim. However, based on the preliminary plat approval, the lots were then identified on the street map as approved and addressed as lots. Currently the property is being taxed as greenbelt. Mr. Shuler stated that the lots given preliminary plat approval in 1981 are not considered lots at this time.

Council also discussed the status of 10 lots owned by John Peterson which were given preliminary plat approval prior to 1981. If preliminary plat approval was given and development fees paid why is the property being taxed as greenbelt?

Council agreed to remove the addressing of the Hal Shuler five lots from the street map and to investigate the status of John Peterson's 10 lots in Loafer Canyon.

LIENS FOR  
STREET  
IMPROVEMENTS  
ON CORTEZ  
DRIVE

Council discussed a letter received from Dallas Young, representing Central Bank, on the issue of lots owned by Central Bank being encumbered due to improvements not being completed on Cortez Drive.

Minutes of the Elk Ridge Town Work Session-  
1-23-90

LIENS FOR  
STREET  
IMPROVEMENTS  
ON CORTEZ  
DRIVE

Dallas Young is to be notified that the lots on Ocampo Lane are not being held encumbered inasmuch as the street improvements have been completed on Ocampo Lane. However, lot 26, of Plat I is encumbered in favor of the Town and a building permit will be withheld until such time as the street improvements to Cortez Drive have been completed to specifications. The letter from Dallas Young is to be referred to attorney Dave McMullin prior to notifying Dallas Young.

Council discussed filing a lien on the lots which front on the unimproved section of Cortez Dr.

PERFORMANCE  
BOND FOR  
LAKEVIEW &  
HILLSIDE DR.

Letter from Donald Cole dated January 8, 1990 states that in Mr. Cole's opinion all the work done meets Elk Ridge Requirements and the approximately \$4000.00 held in escrow by Elk Ridge Town as a bond for the work could now be released. No mention was made as to the unfinished surface improvements referred to in his previous letter. Councilman Hansen is to check with Don Cole on this discrepancy.

FUTURE  
IMPROVEMENTS  
TO BELT ROUTE

Councilman Prather had considered writing another letter to General Matthews requesting continuation of their assistance in completing the belt route. The National Guard has said they could possibly return during their two week encampment the summer of 1990 and complete the rough construction of the road within two weeks. Councilman Prather is concerned with a lack of development in those areas where the belt route is located which would create a dust problem if the road is not paved. Until such time as the developers of the property fronting on the belt route are ready and willing to pave the road Councilman Prather advises not proceeding with further construction of the belt route. The National Guard does this type work as a community project which in this case benefits developers and the municipality.



Minutes of the Elk Ridge Town Council Work Session -  
1-23-90

FUTURE  
IMPROVEMENTS  
TO BELT  
ROUTE

Until the deeding of the proposed road is confirmed and the council wants the National Guard to proceed, Councilman Prather will not write a letter requesting further assistance from the National Guard. There was no further discussion.

SNOW REMOVAL

Council discussed there being no backup driver for snow removal. Drivers are now required to have a commercial license which costs \$85 and taking a 4 hr test.

Council discussed driving the snowplow onto private property, specifically J. C. Evans property, to assist him in clearing access to his property and also to provide the truck with a turnaround at the end of Canyon View Drive. Council was not opposed to this being done.

CONFLICT OF  
OF INTEREST  
DISCLOSURE

Mayor Bean asked councilmembers to file a disclosure of any conflict of interest they may have.

NOMINATIONS  
FOR PLANNING  
COMMISSION  
MEMBER

Councilman Prather proposed appointing Clarence Foster as Planning Commission member.

INCOMPLETE  
BUILDING  
PERMITS

Building Inspector Bill Pierce reviewed the building permits needing final inspections. Council authorized the building inspector to draft a letter to Roger Nemelka notifying him that his building permit has expired, giving 30 days notice to complete and get a final inspection. Included in the letter should be a list of what needs to be completed on the project. If not completed then a second payment of building permit fees will be required and as a final recourse, court action will be taken.

MUNICIPAL  
ATTORNEY  
REPLACEMENT

Either Glen Ellis or Bill Hansen were discussed as possible replacement for Dave McMullin. Mayor Bean is to contact Bill Hansen.

ELK RIDGE TOWN COUNCIL MEETING

January 23, 1990

TIME & PLACE OF MEETING	The regular meeting of the Elk Ridge Town Council was held on Tuesday, January 23, 1990 at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.
ROLL CALL	James Bean, mayor; James Prather, Ron Cooper, Marc Hansen, Hal Shuler; councilmembers, Ernestine D. Folks, town clerk, Bill Pierce, building inspector. Mark Doxey, Rod Despain, Kent Crawford
	Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by delivering copies of the Notice & Agenda to each on January 19, 1990.
INVOCATION PLEDGE OF ALLEGIANCE	Prayer was offered by James Prather with the pledge of allegiance following.
MINUTES OF PREVIOUS MEETING	MOTION WAS MADE BY JAMES PRATHER, SECONDED BY RONALD COOPER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETING FOR JANUARY 9, 1990 AS PRESENTED. VOTE: YES-ALL (5); NO-NONE(0).
ADOPTION OF OF THE COMPLETE REVISION OF THE SUBDIVISION ORDINANCE OF ELK RIDGE	With the recommendation from the planning commission to adopt the 1-8-90 revised version of the complete revision of the Subdivision Ordinance of the Town of Elk Ridge, MOTION WAS MADE BY RONALD COOPER, SECONDED BY JAMES PRATHER, TO ADOPT THE ORDINANCE NO 89-1-23-1.VOTE: YES-ALL (5); NO-NONE (0).
TEST WELL UPDATE/DRILLER REPORT	Driller Mark Doxey reported that the 12" casing has been taken down to 108'. They have drilled to a depth of 207'. The drill bit is stuck at 180'. The drillers have had problems with hydraulic motors, oil pump in the compressor failing and the mechanical drive breaking. Mr. Doxey proposed connecting to the water system and using water to loosen the bit.

Minutes of the Elk Ridge Town Council Meeting - 1-23-90

TEST WELL                    Once the bit is out then the driller  
UPDATE/DRILLER            proposes the council consider driving the  
REPORT                    12" pipe further than the required 100'  
                             depth to a 200' depth. Council further  
                             discussed perforating the pipe and the  
                             methods of doing this at length. Council  
                             asked the driller to prepare a change  
                             order for his proposal for the council to  
                             consider. A special meeting will be held  
                             if necessary.

EQUIPMENT                   MOTION WAS MADE BY HAL SHULER, SECONDED BY  
PURCHASE FOR               JAMES PRATHER TO AUTHORIZE THE PURCHASE OF  
WATER DEPT.               AN ELECTRONIC PIPE LOCATOR AT A COST NOT  
                             TO EXCEED \$650.00.    VOTE:    YES-ALL (5);  
                             NO-NONE (0).

APPOINTMENT               MOTION WAS MADE BY RON COOPER, SECONDED BY  
OF MAYOR PRO               HAL SHULER, TO APPOINT JAMES PRATHER AS  
TEMPORE                   MAYOR PRO TEMPORE.    VOTE:    YES-ALL(5); NO-  
                             NONE(0).

APPOINTMENT               MOTION WAS MADE BY RONALD COOPER, SECONDED  
OF FIRE CHIEF             BY JAMES PRATHER TO APPOINT RAY FOLKS AS  
                             FIRE CHIEF.    VOTE:    YES-ALL (5); NO-  
                             NONE(0).


FIRE                        Tabled until next meeting.  
PROTECTION  
AGREEMENT

DECEMBER                   Following a review of the financial  
FINANCIAL                   report, MOTION WAS MADE BY RONALD COOPER,  
REPORT                    SECONDED BY MARC HANSEN TO ACCEPT THE  
                             FINANCIAL REPORT FOR THE MONTH OF DECEMBER  
                             AS PRESENTED.    VOTE:    YES-ALL (5); NO-  
                             NONE(0).

ADJOURNMENT               There being no further business to discuss  
CLOSED SESSION-at this meeting, MOTION WAS MADE BY RONALD  
POTENTIAL                   COOPER, SECONDED BY MARC HANSEN, TO  
LITIGATION                ADJOURN TO A CLOSED SESSION.    VOTE:    YES-  
                             JAMES BEAN, JAMES PRATHER, HAL SHULER,  
                             RONALD COOPER, MARC HANSEN(5); NO-NONE(0).

Minutes of the Elk Ridge Town Council Meeting - 1-23-90

ADJOURNMENT      Persons present at this closed session  
CLOSED SESSION where potential litigation was discussed  
POTENTIAL      included, James Bean, James Prather, Hal  
LITIGATION      Shuler, Marc Hansen, Ronald Cooper, Rodney  
Despain and Ernestine Folks.

  
Town Clerk

## NOTICE & AGENDA

Notice is hereby given, the Town Council of Elk Ridge will hold an Emergency Town Council Meeting on Saturday, February 3, 1990 at 9:00 A.M. The meeting will be held at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

The agenda shall be as follows:

1. TEST WELL UPDATE

The times listed for each item and the agenda may be accelerated if time permits.

All interested persons are invited to attend.

Dated this 2nd day of February, 1990.

  
Town Clerk

## CERTIFICATION

The undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was delivered to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on February 2, 1990.

  
Town Clerk

ELK RIDGE TOWN COUNCIL EMERGENCY MEETING

February 3, 1990

TIME & PLACE OF MEETING      The emergency meeting of the Elk Ridge Town Council was held on Saturday, February 3, 1990 at 9:00 A.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL              James Bean, mayor; James Prather, Ron Cooper, Hal Shuler; councilmembers, Ernestine D. Folks, town clerk; Kent Crawford.

Councilman Marc Hansen was not present at this meeting.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to Marc Hansen and Hal Shuler by delivering copies of the Notice & Agenda to each on February 2, 1990.

All members of the governing body were given notice of time, place and agenda of this meeting by a telephone call on February 1 or 2, 1990.

TEST WELL              Councilman Shuler reported for the driller, Mark Doxey, that perforating the pipe prior to driving it down weakens the pipe. Whereas perforating after the pipe is in place allows the driller to be more exact in placing the perforations where they should be, since they have no way of knowing how far down they will be able to drive the pipe. Councilman Shuler reminded the council that the further down the driller can go with the larger pipe the larger the volume of water.

Council reviewed the change order from Doxey Drilling and discussed the cost for explosive charges vs perforating with mills knife and concluded that depending on the depth the 12" casing goes down the costs could differ greatly. The mills knife could take longer, which based on an hourly rate would be more costly.

Minutes of the Elk Ridge Town Council Meeting - 2-3-90

TEST WELL

Council discussed loan rates based on information received from the Utah League of Cities & Towns Municipal Cooperative for \$30,000 & \$50,000 loan. Homer Chandler advised inquiring into a loan from Safe Drinking Water and Farmers' Home Administration.

Council discussed other costs to finish well would include \$3000 for a 10 HP motor. Council discussed the need to have a complete finished bid with high and low projected costs for the total project.

The change order also included additional mobilization charges of \$200, to cover hand moving the extra pipe to get behind the well site. Also, \$5.00 per ft. additional for drilling 12" instead of 8" from 108' to 400'. The cost for the 12" casing is now \$16.75 and increase of \$1.75 per ft. from the original bid. Council calculated the total cost of the change order could be \$6000.

MOTION WAS MADE BY HAL SHULER, TO AUTHORIZE THE CHANGE ORDER FOR 12" CASING TO A DEPTH NOT TO EXCEED 400'. Councilman Prather asked for discussion on the motion. He stated that he voted against this well in the beginning and requested his reasons for abstaining be included in the minutes as follows:

First, the geologist report was ignored by council, the reason being given that it would cost too much for pipeline to bring the line from where the geologist recommended to the system. By ignoring the geologist report the council jeopardized the application for a loan from the Bureau of Clean Water, because they require a geologist's report and we don't have a geologist's report on this well site. All we have is Hal Shuler's recommendation based on a dowsers' findings. We depleted our financial reserves and it was agreed with everyone on the council, except Hal Shuler in order to get into this thing.

Minutes of the Elk Ridge Town Council Meeting - 2-3-90

TEST WELL

An apology was made at an emergency meeting to myself, and I don't want to pat myself on the back for that but I think that it came to be realized by the rest of the council that they had gotten themselves into a situation that they shouldn't have gotten themselves into. We failed to pursue an application on the loan. To this point we're drilling in the dark so to speak, since we don't know if we can get these loans even at this point. So all we have is councilman Shuler's assurance again that we can do things that in some cases we have been told by the State that we cannot do. My position is at this point, I don't see how you can back out of this because you have been placed into a position where it will cost you everything you've put into it so far, which is several tens of thousands dollars to get out of it. Then you will be back at square one. All you can base your actions on now is hope that this thing will pan out and there's been not that much hope extended by the driller because he started out almost assuring us he would get 80 to 100 gpm and now he's down to 20-30 gpm, maybe, and not knowing that. So we did all this flying by the seat of our pants. I say we, as I pointed out, I was the one who voted against it. I'm going to abstain from this vote and I think that due to Councilman Shuler's conflict of interest in this kind of thing that he should abstain, and that will be my position. I won't have anything to do with putting more of the Town's money into an operation like this. You're in it so deep now that it's like being at the slots and running out of cash to buy a bus ticket home, you gotta keep trying and that's where I think we find ourselves thanks to Councilman Shuler's efforts.

Councilman Cooper stated the council needs to have a complete bid for the finished project presented.



Minutes of the Elk Ridge Town Council Meeting -2-3-90

TEST WELL

Councilman Shuler stated that would be impossible with so many variables and unknown factors in drilling wells. Council insisted that he present a high and low estimate.

MOTION WAS SECONDED BY RONALD COOPER.  
VOTE: YES-JAMES BEAN, HAL SHULER, RONALD COOPER(3); NO-NONE(0); ABSTAIN-JAMES PRATHER(1); ABSENT-MARC HANSEN(1).

MOTION WAS MADE BY RONALD COOPER, SECONDED BY HAL SHULER, TO APPROVE PAYMENT OF \$5,995 TO DOXEY DRILLING, BASED ON THE WATER DEPT. KEEPING TOTAL OF MATERIALS THAT ARE BEING INSTALLED. VOTE: YES-JAMES BEAN, RONALD COOPER, HAL SHULER(3); NO-NONE(0); ABSTAIN-JAMES PRATHER, (1); ABSENT-MARC HANSEN(1).

MOTION WAS MADE BY RONALD COOPER, SECONDED BY JAMES PRATHER, TO ADJOURN THIS MEETING. VOTE: YES-JAMES BEAN, JAMES PRATHER, RONALD COOPER, HAL SHULER(4); NO-NONE(0); ABSENT-MARC HANSEN(1).

  
Town Clerk

## NOTICE & AGENDA

Notice is hereby given, the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, February 13, 1990 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

The agenda shall be as follows:

7:00 P.M. - COUNCIL WORK SESSION:

1. S.E.S.D. - John Thomas
2. Update on Water Rights Transfer
3. Water Development Loan Application
4. Update on Test Well
5. Municipal Attorney Replacement
6. Housing Authority Governing Board Nominee
7. Richard Robertson Property
8. Legislative Update
9. Nuisance Ordinance

8:00 P.M. Invocation & Pledge of Allegiance

8:05 P.M.-Minutes of Last Meetings

8:10 P.M.-Appointment of Planning Commission Member

8:15 P.M.-Appointment of Town Clerk & Treasurer

8:20 P.M.-Financial Report & Expenditures for Jan/1990

8:35 P.M.-Review Cash Flow for Funds

8:45 P.M.-Transfer Pavilion Capitol Project Fund Balance

8:55 P.M.-Authorize Expenditures Exceeding Water Dept.  
Line Item Budget

9:05 P.M.-Street Improvements on Cortez Drive

9:15 P.M.-Fire Dept:  
Fire Protection Agreement  
Acquisition of Equipment

9:30 P.M.-Photographs of Utah Valley-Chris Herbert

9:45 P.M.-Payson City Golf Course Property-Glen Vernon

10:00P.M.-Development Fees Owing on Goosenest Plat A  
Subdivision

10:15P.M.-Ordinance to Increase Local Options Sales Tax

Notice & Agenda

Elk Ridge Town Council Meeting - 2-13-90

Page 2

10:25P.M.-Adjournment Closed Session-Potential Litigation

The times listed for each item and the agenda may be accelerated if time permits.

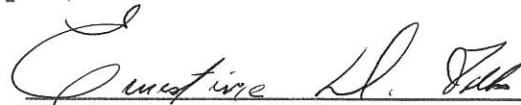
All interested persons are invited to attend.

Dated this 9th day of February, 1990.

  
Town Clerk

CERTIFICATION

The undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was mailed to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on February 9, 1990.

  
Town Clerk

REVISED  
NOTICE & AGENDA

Notice is hereby given, the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, February 13, 1990 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

The agenda shall be as follows:

7:00 P.M. - COUNCIL WORK SESSION:

1. S.E.S.D. - John Thomas
2. Update on Water Rights Transfer
3. Update on Upper East Union Irrigation Stockholders Mtg
4. Water Development Loan Application
5. Update on Test Well
6. Municipal Attorney Replacement
7. Housing Authority Governing Board Nominee
8. Richard Robertson Property
9. Legislative Update
10. Nuisance Ordinance

8:00 P.M. Invocation & Pledge of Allegiance

8:05 P.M. - Minutes of Last Meetings

8:10 P.M. - Appointment of Planning Commission Member

8:15 P.M. - Appointment of Town Clerk & Treasurer

8:20 P.M. - Financial Report & Expenditures for Jan/1990

8:35 P.M. - Review Cash Flow for Funds

8:45 P.M. - Transfer Pavilion Capitol Project Fund Balance

8:55 P.M. - Authorize Expenditures Exceeding Water Dept.  
Line Item Budget

9:05 P.M. - Street Improvements on Cortez Drive

9:15 P.M. - Fire Dept:  
Fire Protection Agreement  
Acquisition of Equipment

9:30 P.M. - Photographs of Utah Valley - Chris Herbert

9:45 P.M. - Payson City Golf Course Property - Glen Vernon

10:00 P.M. - Development Fees Owing on Goosenest Plat A  
Subdivision

REVISED Notice & Agenda

Elk Ridge Town Council Meeting - 2-13-90

Page 2

10:15P.M. -Ordinance to Increase Local Options Sales Tax

10:25P.M. -Performance Bond for Lakeview & Hillside Drive  
Improvements

10:40P.M. -Adjournment Closed Session-Potential Litigation

The times listed for each item and the agenda may be accelerated if time permits.

All interested persons are invited to attend.

Dated this 12th day of February, 1990.

  
\_\_\_\_\_  
Town Clerk

CERTIFICATION

The undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was delivered to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on February 12, 1990.

  
\_\_\_\_\_  
Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

February 13, 1990

TIME & PLACE OF MEETING      The work session of the Elk Ridge Town Council was held on Tuesday, February 13, 1990 at 7:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL      James Prather, mayor pro tempore; Marc Hansen, Ronald Cooper, Hal Shuler, councilmembers; Ernestine D. Folks, town clerk; John Thomas.

Mayor James Bean was not present at this work session.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by delivering copies of the Notice & Agenda to each on February 12, 1990.

S.E.S.D. -      Representative, John Thomas reported there has been no progress relative to Strawberry Water Users Association's power privilege and development of power resources in Diamond Fork canyon.

UPDATE ON WATER RIGHTS TRANSFER      Public Hearing regarding the protests on the applications to transfer the 110 shares of Upper East Irrigation Stock has been scheduled for 10:00 A.M. on Thursday, February 15, 1990, at the Utah County Administration Building, Conference Rm. #2300, 100 East Center, Provo, Utah. James Prather and Rodney Despain will attend on behalf of Elk Ridge.

WATER DEVELOPMENT LOAN APPLICATION      Councilman Shuler reported that Cregg Ingram is investigating the possibility of applying to the Community Impact Board for a loan. Mayor Carol Scott has advised applying to the Safe Drinking Water Committee for financial assistance. Council was advised to proceed with arranging the financial assistance as soon as possible.

Minutes of the Elk Ridge Town Council Work Session -  
2-13-90

UPDATE ON  
TEST WELL

Councilman Shuler reported he is waiting for bids on pumps, installation and wiring from Daley, and the vault from Mark Doxey. The council was also informed that the new well will be connected from the upper system to the lower system near Canyon View Drive and Salem Hills Drive. Other council members stated they were not aware that connection to the lower system was being considered. Cost for approximately 285' of pipe is expected to be \$3,000.

There has been no further progress on the well in the past week. The driller is waiting for pipe.

MUNICIPAL  
ATTORNEY  
REPLACEMENT

Nothing new to report.

HOUSING  
AUTHORITY  
BOARD

Council was not aware of anyone they should nominate to serve on the governing board of the Housing Authority of Utah County.

RICHARD  
ROBERTSON  
PROPERTY

Council discussed a letter from attorney, Dean Payne, representing Richard Robertson, regarding erosion and run-off damage to his property when the upper water tanks were set in place. Hal Shuler reported that reseeding was done a few years ago but was not effective and that nothing can be done until the spring.

LEGISLATIVE  
UPDATE

Utah League of Cities & Towns will provide copies of proposed legislation.

NUISANCE  
ORDINANCE

Nothing to report.

# ELK RIDGE TOWN COUNCIL MEETING

February 13, 1990

TIME & PLACE OF MEETING      The regular meeting of the Elk Ridge Town Council was held on Tuesday, February 13, 1990 at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL      James Bean, mayor; James Prather, Marc Hansen, Ronald Cooper, Hal Shuler, councilmembers; Ernestine D. Folks, town clerk; Rodney Despain, Kent Crawford, Chris Herbert.

Mayor James Bean arrived at this meeting at 8:10 P.M.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by delivering copies of the Notice & Agenda to each on February 12, 1990.

INVOCATION & PLEDGE OF ALLEGIANCE      Prayer was offered by Ronald Cooper with the pledge of allegiance following.

MINUTES OF PREVIOUS MEETINGS      MOTION WAS MADE BY RONALD COOPER, SECONDED BY MARC HANSEN, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETINGS HELD ON JANUARY 23, 1990 AND FEBRUARY 3, 1990. VOTE: YES-ALL (4); NO-NONE(0); ABSENT-JAMES BEAN(1).

APPOINTMENT OF PLANNING COMMISSION MEMBER      MOTION WAS MADE BY RONALD COOPER, SECONDED BY HAL SHULER, TO NOMINATE CLARENCE FOSTER AS PLANNING COMMISSION MEMBER. MOTION WAS MADE BY JAMES PRATHER, SECONDED BY RONALD COOPER, TO CEASE NOMINATIONS AND APPOINT CLARENCE FOSTER BY ACCLAMATION. VOTE: YES-ALL(5); NO-NONE(0).

APPOINTMENT OF TOWN CLERK & TREASURER      MOTION WAS MADE BY JAMES PRATHER, SECONDED BY MARC HANSEN, TO APPOINT ERNESTINE FOLKS AS TOWN CLERK AND LINDA COOPER AS TREASURER FOR THE TOWN OF ELK RIDGE. VOTE: YES-ALL(4); NO-NONE(0); ABSTAIN-RONALD COOPER(1).



Minutes of the Elk Ridge Town Council Meeting - 2-13-90

FINANCIAL  
REPORT &  
EXPENDITURES  
FOR JANUARY,  
1990

Following a review of the list of expenditures and the financial report for the month of January, 1990, MOTION WAS MADE BY JAMES PRATHER, SECONDED BY RONALD COOPER, TO APPROVE THE LIST OF EXPENDITURES AND THE FINANCIAL REPORT FOR THE MONTH OF JANUARY, 1990. VOTE: YES-ALL (5); NO-NONE(0).

REVIEW CASH  
FLOW FOR FUNDS

The town clerk reviewed the cash flow for the Water, Sewer and General Funds with the council. The amounts transferred from State Treasurer's sewer and water accounts to cover the expenses for the new well were also reviewed. The level of cash flow for the water fund and the expenses anticipated in the near future may necessitate borrowing additional funds from the sewer fund and most importantly either obtaining a loan or grant prior to the end of the fiscal year to aid in the financing of the well.

TRANSFER  
PAVILION  
CAPITOL  
PROJECT FUND  
BALANCE

At the end of the 1989/1990 fiscal year the balance remaining in the capitol projects fund for the pavilion is \$49. MOTION WAS MADE BY JAMES PRATHER, SECONDED BY HAL SHULER, TO TRANSFER THE BALANCE REMAINING IN THE CAPITOL PROJECTS FUND FOR THE PAVILION TO THE CAPITOL PROJECT FUND FOR THE FIRE STA/TOWN HALL. VOTE: YES-ALL(5); NO-NONE(0).

AUTHORIZE  
EXPENDITURES  
EXCEEDING  
WATER DEPT.  
LINE ITEM  
BUDGET

Expenses for sending the Public Works Supervisor and the Assistant Public Works Supervisor to the Rural Water Users Seminar will exceed the Water departments budget for education, training and conferences. Expenditures for salaries for the assistant public works supervisor is not expected to reach the budgeted figure. Therefore, based on covering the over budget amount for the conference expenses with the salaries budget, MOTION WAS MADE BY HAL SHULER, SECONDED BY JAMES PRATHER, TO APPROVE THE EXPENSES FOR THE EMPLOYEES TO ATTEND THE RURAL WATER USERS SEMINAR. VOTE: YES-ALL (5); NO-NONE(0).

Minutes of the Elk Ridge Town Council Meeting - 2-13-90

STREET  
IMPROVEMENTS  
ON CORTEZ  
DRIVE

Council was informed that attorney, Dave McMullin has advised that the municipality cannot file a lien on the lots fronting on the unimproved section of Cortez Drive. Council discussed forming a special improvement district as a vehicle to complete the improvements. Mayor James Bean will contact Central Bank and Dave McMullin to further discuss the possibility of involving all the property owners to work together to complete the improvements. A recommendation from Dave McMullin to amend existing ordinances to require a certain level of improvements be completed before a building permit can be issued will be sent to the planning commission for further investigation and their recommendation.

FIRE DEPT. :  
FIRE  
PROTECTION  
AGREEMENT;  
ACQUISITION  
OF EQUIPMENT

Fire Protection Agreement: Tabled to next meeting.

Acquisition of Equipment: MOTION WAS MADE BY RONALD COOPER, SECONDED BY JAMES PRATHER, TO AUTHORIZE THE APPLICATION TO THE RURAL COMMUNITY FIRE PROTECTION COMMITTEE FOR ASSISTANCE IN PURCHASING FIRE EQUIPMENT. VOTE: YES-ALL(5); NO-NONE(0).

Councilman Ronald Cooper reported that U. S. West Communications has donated a used 3 Ton truck to the fire department to be converted for use as a brush truck.

PHOTOGRAPHS  
OF UTAH  
VALLEY -  
CHRIS HERBERT

Council examined various photographs presented by Chris Herbert. Mayor Bean asked the council to consider for what purpose Elk Ridge would consider acquiring such photographs and further discussion will be held at the next council meeting.

PAYSON CITY  
GOLF COURSE  
PROPERTY -  
GLEN VERNON

Discussion was tabled until such time as Glen Vernon can be present.

Minutes of the Elk Ridge Town Council Meeting - 2-13-90

DEVELOPMENT Attorney Dave McMullin advised against  
FEES OWING ON filing a lien on lots 6 & 7 for unpaid  
GOOSENEST, development fees. Instead, Hal Shuler is  
PLAT A to have an abstract company as trustee  
SUBDIVISION prepare and file a trust deed and note  
with a preliminary title report as the  
claim the municipality has on each lot.  
Council requested Hal Shuler to have the  
necessary documents as outlined by the  
attorney prepared.

ORDINANCE TO MOTION WAS MADE BY RONALD COOPER, SECONDED  
TO INCREASE BY JAMES PRATHER, TO APPROVE THE ORDINANCE  
LOCAL OPTIONS TO INCREASE THE LOCAL OPTIONS SALES TAX AS  
SALES TAX PRESENTED. VOTE: YES-ALL (5); NO-NONE  
(0).

PERFORMANCE Council was informed the reference to  
BOND FOR other improvements (chip & seal) needing  
LAKEVIEW & to be made to the asphalt surface are  
HILLSIDE DRIVE improvements for which the municipality is  
IMPROVEMENTS responsible not the developer. MOTION WAS  
MADE BY RONALD COOPER, SECONDED BY MARC  
HANSEN, TO AUTHORIZE MAYOR JAMES BEAN TO  
RELEASE THE PERFORMANCE BOND, SUBJECT TO  
LIEN RELEASES BEING PROVIDED BY JAMES  
WINTERTON. VOTE: YES-ALL (5); NO-  
NONE(0).

ADJOURNMENT - MOTION WAS MADE BY RONALD COOPER, SECONDED  
CLOSED SESSION BY JAMES PRATHER, TO ADJOURN TO A CLOSED  
POTENTIAL SESSION. VOTE: YES-JAMES BEAN, JAMES  
LITIGATION PRATHER, HAL SHULER, RONALD COOPER, MARC  
HANSEN (5); NO-NONE(0).

Persons present at the closed session  
where potential litigation was discussed  
included, James Bean, James Prather, Hal  
Shuler, Marc Hansen, Ronald Cooper, Rodney  
Despain and Ernestine Folks.

MOTION WAS MADE BY JAMES PRATHER, SECONDED  
BY RONALD COOPER, TO GO BACK INTO A PUBLIC  
WORK SESSION. VOTE: YES-ALL(5); NO-  
NONE(0).

Minutes of the Elk Ridge Town Council Meeting - 2-13-90

UPDATE ON Mayor James Bean was not able to attend  
UPPER EAST the meeting. Nothing to report.

UNION

IRRIGATION

STOCKHOLDERS MTG

ADJOURNMENT There being no further business to  
discuss, MOTION WAS MADE BY JAMES PRATHER,  
SECONDED BY MARC HANSEN, TO ADJOURN THIS  
MEETING. VOTE: YES-JAMES BEAN, JAMES  
PRATHER, RONALD COOPER, MARC HANSEN, HAL  
SHULER(5); NO-NONE(0).

  
\_\_\_\_\_  
Town Clerk

### NOTICE & AGENDA

Notice is hereby given, the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, February 27, 1990 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

The agenda shall be as follows:

#### 7:00 P.M. - COUNCIL WORK SESSION:

1. Update on Water Rights Transfer
3. Water Development Loan Application
5. Update on Test Well
6. Photographs of Utah Valley
7. Plat C Improvements

#### 8:00 P.M. Invocation & Pledge of Allegiance

8:05 P.M. - Minutes of Last Meetings

8:10 P.M. - Payson City Golf Course & Related Properties -  
Glen Vernon

8:30 P.M. - Municipal Insurance

8:45 P.M. - Fire Protection Agreement

9:00 P.M. - Adjournment Closed Session - Potential Litigation

The times listed for each item and the agenda may be accelerated if time permits.

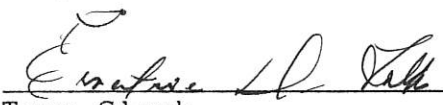
All interested persons are invited to attend.

Dated this 23th day of February, 1990.

  
\_\_\_\_\_  
Town Clerk

### CERTIFICATION

The undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was mailed to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on February 23, 1990.

  
\_\_\_\_\_  
Town Clerk

## ELK RIDGE TOWN COUNCIL WORK SESSION

February, 27, 1990

TIME & PLACE OF MEETING      The work session of the Elk Ridge Town Council was held on Tuesday, February 27, 1990 at 7:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL              James Bean, mayor; James Prather, Ron Cooper, Hal Shuler, councilmembers; Ernestine D. Folks, town clerk; Kent Crawford, Lucretia Thayne, Bill Pierce.

Marc Hansen, councilman, was not present at this meeting.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by mailing a copy to each on February 23, 1990.

### RED CROSS UTAH COUNTY CHAPTER

Lucretia Thayne serving on the board of the Utah County Chapter of the Red Cross requested the council to designate an official representative for Elk Ridge to coordinate Red Cross programs and training for the community of Elk Ridge. Costs involved would be for replacement of materials. Mrs. Thayne is to draft a proposal to combine the efforts of persons in the community and the Red Cross for presentation to the council on March 27, 1990.

### BUILDING INSPECTION

Council instructed building inspector, Bill Pierce to make a list of prospective members to serve on a Board of Appeals as outlined in the Uniform Code for the Abatement of Dangerous Buildings. If necessary the council will schedule a special meeting to appoint the board.

Building Inspectors will be required to be certified by 1993.

Minutes of the Elk Ridge Town Council Work Session -  
2-27-90

UPDATE ON  
WATER RIGHTS  
TRANSFER

Councilman Prather reported that at the public hearing for the transfer of the water rights, the Bureau of Reclamation and the Provo River Water Users stated they would withdraw their protest, if they were assured, as they had been, that the amount of water withdrawn would be closely monitored. The State is expected to notify the town of their decision on the application for transfer within 2-3 weeks.

WATER  
DEVELOPMENT  
LOAN  
APPLICATION

Application to the Safe Drinking Water Committee for a \$98,000 loan is in the process of being completed. Council requested Councilman Shuler to prepare a complete breakdown on the \$80,000.00 for capital facilities, land, etc. as soon as possible.

Size of pipe to connect to the system was discussed and needs to be determined by the engineer.

Council discussed shutting down Well #1, when new well is put in production. Ownership of well property is unknown and needs investigation.

UPDATE ON  
TEST WELL

Driller is expected to be back the first of next week and will complete the work in three weeks if no problems are encountered.

PHOTOGRAPHS OF  
UTAH VALLEY

Councilman Prather recommended the council consider an aerial photograph of the Elk Ridge area instead of spending money on a picture. Also, an aerial photograph for planning purposes would be of more use. Councilman Prather is to check into the costs for an aerial photograph.

Councilman Shuler was in favor of having a new picture taken to include more of the Elk Ridge area. Councilman Shuler will check into private funding for the costs of taking a new picture.

Minutes of the Elk Ridge Town Council Work Session -  
2-27-90

PLAT C  
IMPROVEMENTS

Council was informed of the situation involving the water & sewer mains on Oak Lane & Hillside Drive where the laterals were not stubbed out when the mains were installed.

The Plat C subdivision is part of the Home Owners Association and is not required by the subdivision ordinances to install laterals as part of the improvements the developer is required to install.

The road surfacing has not been completed, but Jim Winterton has indicated he will have it completed this spring.

The town clerk has already been informed of building permits for lots on Oak Lane.

The depth of the sewer main is such as to require a large trench for each lateral connection which is anticipated to require most of the asphalt be removed.

Council discussed having the laterals stubbed out prior to the road surfacing being completed, but does not know what the expenses would be and questioned if the municipality should or could front the costs for the project to save the road surface.

Strawberry Electric has indicated they would be willing to extend their lines based on future connections. Mountain Fuel will need to be contacted to determine if they would also be willing to extend their lines. Councilman Cooper is to contact engineer Don Cole to determine what the costs for this project would be prior to council making any decision.



# ELK RIDGE TOWN COUNCIL MEETING

February, 27, 1990

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, February 27, 1990 at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL James Bean, mayor; James Prather, Ron Cooper, Hal Shuler, councilmembers; Ernestine D. Folks, town clerk; Kent Crawford, Glen Vernon.

Marc Hansen, councilman, was not present at this meeting.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by mailing a copy to each on February 23, 1990.

INVOCATION & PLEDGE OF ALLEGIANCE Prayer was offered by James Bean with the pledge of allegiance following.

MINUTES OF PREVIOUS MEETING MOTION WAS MADE BY JAMES PRATHER, SECONDED BY RON COOPER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETING HELD ON FEBRUARY 13, 1990. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).

PAYSON CITY GOLF COURSE & RELATED PROPERTIES - GLEN VERNON Glen Vernon informed the council that Elk Meadow Drive as was built is not as it was originally deeded. In order to keep the road where it actually is, a number of deeds to convey property back and forth between the property owners have been prepared. Council reviewed maps of the area which showed the properties in question. MOTION WAS MADE BY RONALD COOPER, SECONDED BY JAMES PRATHER, TO APPROVE THE CONVEYANCE OF THE PROPERTIES WITH QUIT-CLAIM DEEDS AS PRESENTED. VOTE: YES-ALL (4); NO-NONE(0); ABSENT-MARC HANSEN(1).

MUNICIPAL INSURANCE Council reviewed the premium for the municipal insurance renewal. The increase is \$52 over last years premium with no changes in insurance coverage.

Minutes of the Elk Ridge Town Council Meeting - 2-27-90

MUNICIPAL  
INSURANCE  
(CONTINUED)

MOTION WAS MADE BY JAMES PRATHER, SECONDED BY RONALD COOPER, TO APPROVE THE RENEWAL OF MUNICIPAL INSURANCE FOR 1990. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).

FIRE  
PROTECTION  
AGREEMENT

Ronald Cooper reported that the Salem City fire chief and Elk Ridge fire chief met and have agreed to modify the existing agreement for fire protection to delete the mini-pumper truck and add the tanker truck as equipment Salem will provide. MOTION WAS MADE BY RONALD COOPER, SECONDED BY JAMES PRATHER, TO APPROVE THE MODIFIED AGREEMENT FOR FIRE PROTECTION AS OUTLINED. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).

Council also discussed billing residents for response to fire. Some insurance policies cover fire department response. Councilman Cooper is to research this further and draft a resolution to implement billing for response to fire.

Council discussed the recent structure fire at the Liechty home with fire chief, Ray Folks.

ADJOURNMENT -  
CLOSED SESSION  
POTENTIAL  
LITIGATION

There being no further business to discuss at this meeting, MOTION WAS MADE BY RONALD COOPER, SECONDED BY JAMES PRATHER, TO ADJOURN TO A CLOSED SESSION. VOTE: JAMES BEAN, JAMES PRATHER, HAL SHULER, RONALD COOPER(4); NO-NONE(0); ABSENT-MARC HANSEN(1).

Persons present at the closed session where potential litigation was discussed included, James Bean, James Prather, Ronald Cooper and Ernestine Folks.

  
Town Clerk

## NOTICE & AGENDA

Notice is hereby given, the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, March 13, 1990 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

The agenda shall be as follows:

### 7:00 P.M. - COUNCIL WORK SESSION:

1. Municipal Attorney
2. Water Development Loan Application
3. Update on Test Well
4. Board of Appeals
5. Plat C Improvements
6. Cortez Street Improvements
7. Zone Ordinance Amendment
8. County Police Protection/Animal Control Agreement
9. Deeds for Wells
10. U.L.C. & T. Midyear Convention

### 8:00 P.M. Invocation & Pledge of Allegiance

8:05 P.M. - Minutes of Last Meeting

8:10 P.M. - S.E.S.D. Representative

8:20 P.M. - Rawlings Lawn & Pest Control Service

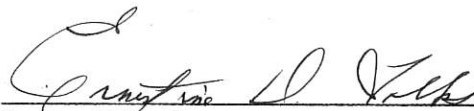
8:30 P.M. - Speeding Problems/Loafer Canyon & 1600 West

8:45 P.M. - Adjournment Closed Session - Potential Litigation

The times listed for each item and the agenda may be accelerated if time permits.

All interested persons are invited to attend.

Dated this 12th day of March, 1990.

  
\_\_\_\_\_  
Town Clerk

# CERTIFICATION

The undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was delivered to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on March 12, 1990.

  
\_\_\_\_\_  
Town Clerk

# ELK RIDGE TOWN COUNCIL WORK SESSION

March 13, 1990

TIME & PLACE OF MEETING The work session of the Elk Ridge Town Council was held on Tuesday, March 13, 1990 at 7:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL James Bean, mayor; James Prather, Ronald Cooper, Hal Shuler, Marc Hansen, councilmembers; Ernestine Folks, town clerk; John Thomas, Dale & Pamela Knight, Alayne Bean.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by delivering a copy to each on March 12, 1990.

MUNICIPAL ATTORNEY James Prather reported Junior Baker is attorney for Spanish Fork City. His fee would be \$100 per hour and he would want to attend all council meetings. Council agreed the cost for his services was more than Elk Ridge could possibly afford. At the next council meeting the council will give further consideration to selecting an attorney.

WATER DEVELOPMENT LOAN APPLICATION Application for a loan from the Safe Drinking Water Committee is being prepared for submission at the March meeting of the Safe Drinking Water Committee.

UPDATE ON TEST WELL The driller is back on site with the cable tool outfit.

BOARD OF APPEALS Nothing to report.

PLAT C IMPROVEMENTS Councilman Cooper reported that the sewer line on Oak Lane & Hillside Drive is 12 ft. deep. Lots requiring the laterals stubbed out need to be identified and main lines located.

A letter is to be sent informing Jim Winterton of the intent to stub out the laterals prior to the road being hard surfaced.

Minutes of the Elk Ridge Town Council Work Session -  
3-13-90

PLAT C  
IMPROVEMENTS  
(CONTINUED)

Mountain Fuel & Strawberry Electric Service District are also to be informed in order to coordinate installation of their utility lines being installed prior to the street improvements being completed.

Council informed Dale & Pamela Knight that the improvements could not possibly be completed for at least two months minimum and a building permit could not be issued for their adjacent property before the street improvements were completed.

CORTEZ STREET  
IMPROVEMENTS

Council discussed the letter dated March 6, 1990, from Dallas Young, attorney for Central Bank. The bank's proposal that Elk Ridge does not now have nor will in the future assert any interest adverse to that of Central Bank and Trust and its successors in interest or assigns in Lot 26, Plat I was not acceptable to the council. Mayor Bean will contact the owners of the lots fronting on the unimproved portion of Cortez Drive to discuss the possibility of each owner paying for their proportionate share of the costs for the improvements.

ZONE  
ORDINANCE  
AMENDMENT

Public Notice of Hearing on the zone amendment has been published. Hearing will be held on March 27, 1990 at 7:00 P.M.

COUNTY POLICE  
PROTECTION/  
ANIMAL CONTROL  
AGREEMENT

New agreement with the county has been received and will be approved at the next council meeting.

DEEDS FOR  
WELLS

Deeds for well property need to be either located or obtained.

U.L.C. & T.  
MIDYEAR  
CONVENTION

Council discussed attending the midyear Convention in St. George to be held April 6 & 7. The newly elected officials' training will be held at that time.

# ELK RIDGE TOWN COUNCIL MEETING

March 13, 1990

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, March 13, 1990 at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL James Bean, mayor; James Prather, Ronald Cooper, Hal Shuler, Marc Hansen, councilmembers; Ernestine Folks, town clerk; John Thomas, Alayne Bean.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by delivering a copy to each on March 12, 1990.

INVOCATION & PLEDGE OF ALLEGIANCE Prayer was offered by Marc Hansen with the pledge of allegiance following.

MINUTES OF PREVIOUS MEETING MOTION WAS MADE BY JAMES PRATHER, SECONDED BY MARC HANSEN, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETING HELD ON FEBRUARY 27, 1990. VOTE: YES-ALL(5); NO-NONE(0).

S.E.S.D. REPRESENTATIVE Representative, John Thomas reported that S.E.S.D. is concerned with municipalities annexing county property which means losing customers. However, last year S.E.S.D. gained customers overall. At this time Mr. Thomas submitted his resignation as representative.

MOTION WAS MADE BY JAMES BEAN, SECONDED BY HAL SHULER, TO APPOINT RONALD COOPER TO REPLACE JOHN THOMAS AS THE S.E.S.D. REPRESENTATIVE. VOTE: YES-ALL(5); NO-NONE(0).

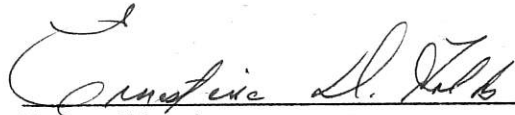
RAWLINGS LAWN & PEST CONTROL SERVICE MOTION WAS MADE BY RONALD COOPER, SECONDED BY JAMES PRATHER, TO ACCEPT THE BID FROM RAWLINGS LAWN & PEST CONTROL AS PRESENTED. VOTE: YES-ALL(5); NO-NONE(0).

Minutes of the Elk Ridge Town Council Meeting - 3-13-90

SPEEDING Council discussed the concern with the  
PROBLEMS/ increase in vehicles speeding. Suggestion  
LOAFER CANYON had been made to consider putting in speed  
& 1600 WEST bumps. Due to the liability factor this  
was dismissed. Council agreed to increase  
the county sheriff patrol.

ADJOURNMENT - There being no further business to discuss  
CLOSED SESSION at this meeting, MOTION WAS MADE BY JAMES  
POTENTIAL PRATHER, SECONDED BY RONALD COOPER, TO  
LITIGATION ADJOURN TO A CLOSED SESSION. VOTE: YES-  
JAMES BEAN, JAMES PRATHER, MARC HANSEN,  
RONALD COOPER, HAL SHULER(5). NO-NONE(0).

Persons present at the closed session  
where potential litigation was discussed  
included, James Bean, James Prather,  
Ronald Cooper, Marc Hansen and Ernestine  
Folks.

  
\_\_\_\_\_  
Town Clerk



## NOTICE & AGENDA

Notice is hereby given, the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, March 27, 1990 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

The agenda shall be as follows:

- 7:00 P.M. - PUBLIC HEARING FOR AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF ELK RIDGE, RELATING TO THE EXTENT OF PUBLIC IMPROVEMENTS REQUIRED TO BE IN PLACE PRIOR TO ISSUANCE OF A BUILDING PERMIT ON AN ADJACENT LOT AND REVISING THE DEFINITION OF A ZONING LOT.

### COUNCIL WORK SESSION:

1. Update on Municipal Attorney/Jim Bean
2. Update on Test Well/Hal Shuler
3. Update on Water Rights Transfer/Jay Prather
4. Update on Deeds for Wells/Hal Shuler
5. Update on Board of Appeals/Jay Prather
6. Update on Patterson Subdivision/Jay Prather
7. Update on Plat C Improvements/Ron Cooper
8. Update on Cortez Dr. Street Improvements/Jim Bean
9. Update on Park Dr. Street Improvements/Marc Hansen
10. U.L.C. & T. Midyear Convention

### 8:00 P.M. Invocation & Pledge of Allegiance

8:05 P.M. - Minutes of Last Meeting

8:10 P.M. - Expenditures & Financial Report for February

8:20 P.M. - Adoption of Zone Amendment to the Zoning Ordinance of the Town of Elk Ridge, relating to the Extent of Public Improvements Required to be in Place Prior to Issuance of a Building Permit on an Adjacent Lot and Revising the Definition of a Zoning Lot

8:30 P.M. - Ordinance Adopting the National Electric Code, 1990 Edition

8:40 P.M. - County Police Protection/Animal Control Agreement

8:50 P.M. - Water Development Loan Application

9:00 P.M. - Adjournment Closed Session - Potential Litigation

Notice & Agenda for Elk Ridge Town Council Meeting - 3-27-90  
Page 2

The times listed for each item and the agenda may be accelerated if time permits.

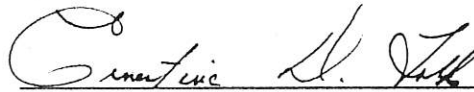
All interested persons are invited to attend.

Dated this 26th day of March, 1990.

  
\_\_\_\_\_  
Town Clerk

CERTIFICATION

The undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was delivered to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on March 26, 1990.

  
\_\_\_\_\_  
Town Clerk

ELK RIDGE TOWN COUNCIL PUBLIC HEARING & WORK SESSION

March 27, 1990

TIME & PLACE OF MEETING The public hearing & work session of the Elk Ridge Town Council was held on Tuesday, March 27, 1990 at 7:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL James Bean, mayor; James Prather, Ronald Cooper, Marc Hansen, councilmembers; Ernestine Folks, town clerk; Donald Cole, Jason Davis.

Councilman Marc Hansen arrived at this meeting at 7:40 P.M. Councilman Hal Shuler was not present at this public hearing or work session.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by delivering a copy to each on March 26, 1990.

PUBLIC HEARING AMENDMENT, RELATING TO THE EXTENT OF PUBLIC IMPROV. REQUIRED TO BE IN PLACE PRIOR TO ISSUANCE OF A BUILDING PERMIT, & REVISING DEF. OF ZONING LOT Mayor Bean opened the public hearing on the amendment to the zoning ordinance, relating to the extent of public improvements required to be in place prior to issuance of a building permit on an adjacent lot and revising the definition of a zoning lot.

Council reviewed the proposed ordinance. No one present voiced any objections to the ordinance.

MUNICIPAL ATTORNEY Mayor Bean is scheduled to meet with attorney, Bill Hansen.

UPDATE ON TEST WELL Jay Prather reported the driller continues to drive the 12" casing and is at 165'.

UPDATE ON WATER RIGHTS TRANSFER Jay Prather reported that Payson City's application for transfer of water rights was approved. However, Payson is appealing due to the amount of water rights lost in the transfer. Jim Riley indicated that by mid April he would have more information on the transfer of water rights for Elk Ridge.

Minutes of the Elk Ridge Town Council Work Session -  
3-27-90

DEEDS FOR WELLS	Nothing to report.
BOARD OF APPEALS	Jay Prather reported that Kelly Adams, Chad Brown and Randy Cloward have agreed to serve on the board. Building inspector is working on finding two others.
PATTERSON SUBDIVISION	Jay Prather reported that the planning commission gave preliminary approval to the proposed subdivision subject to the stipulation requiring a "T" intersection at North Park Drive & Goosenest. The flow of thru traffic will be on Goosenest Drive with a stop sign for North Park Drive traffic.
PLAT C IMPROVEMENTS  (SEE PAGE 41 FOR MORE INFO)	Donald Cole reviewed with council the bid requirements for installation of the water & sewer laterals on Oak Lane & Hillside Drive. Estimated cost for the project is \$10,760. (\$420 for each sewer connection, 10 connections= \$4,200; \$820 for each water connection, 8 connections= \$6560.) Invitation to bid will be published in the Daily Herald with bid opening on April 10. In addition, contractors will be contacted by telephone to ensure an adequate response to bid.  Donald Cole also informed the council of problem areas with the existing soil on Oak Lane & Hillside Drive being an expansive clay type. He recommends, that prior to the hard surfacing of the street, 20" of excavation and addition of gravel subbase be required. Mr. Cole was asked to put his recommendation in the form of a letter, in order to advise developer.
CORTEZ DR. STREET IMPROVEMENTS	Mayor Bean reported a meeting with the owners of the lots fronting on the unimproved portion of Cortez Drive will be scheduled within the next few weeks to discuss the possibility of each owner paying for their proportionate share of the costs for the improvements.

Minutes of the Elk Ridge Town Council Work Session -  
3-27-90

PARK DRIVE  
STREET  
IMPROVEMENTS

Council discussed proposal to install guard rail on Park Drive where the street goes down into Loafer Canyon. Arrangements have been made to obtain used guard rail from U.D.O.T. at no cost. Councilman Hansen is to discuss installation of guard rail and problems relative to snow removal with engineer.

U.L.C. & T.  
MIDYEAR  
CONVENTION

Mayor Bean will attend the convention.

ELK RIDGE TOWN COUNCIL MEETING

March 27, 1990

TIME & PLACE OF MEETING	The regular meeting of the Elk Ridge Town Council was held on Tuesday, March 27, 1990 at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.
ROLL CALL	James Bean, mayor; James Prather, Ronald Cooper, Hal Shuler, Marc Hansen, councilmembers; Ernestine Folks, town clerk.  Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by delivering a copy to each on March 26, 1990.
INVOCATION & PLEDGE OF ALLEGIANCE	Prayer was offered by Ronald Cooper with the pledge of allegiance following.
MINUTES OF PREVIOUS MEETING	MOTION WAS MADE BY RONALD COOPER, SECONDED BY JAMES PRATHER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETING HELD ON MARCH 13, 1990. VOTE: YES-ALL(5); NO-NONE(0).
EXPENDITURES & FINANCIAL REPORT FOR FEBRUARY, 1990	MOTION WAS MADE BY HAL SHULER, SECONDED BY MARC HANSEN, TO APPROVE THE EXPENDITURES AND FINANCIAL REPORT FOR THE MONTH OF FEBRUARY, 1990 AS PRESENTED. VOTE: YES-ALL(5); NO-NONE(0).
ADOPTION OF ZONE AMENDMENT RELATING TO EXTENT OF PUBLIC IMPROV. REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT & THE REVISION OF ZONING LOT DEFINITION.	MOTION WAS MADE BY RONALD COOPER, SECONDED BY JAMES PRATHER, TO ADOPT THE ZONE AMENDMENT TO THE ZONING ORDINANCE OF THE TOWN OF ELK RIDGE, RELATING TO THE EXTENT OF PUBLIC IMPROVEMENTS REQUIRED TO BE IN PLACE PRIOR TO ISSUANCE OF A BUILDING PERMIT ON AN ADJACENT LOT AND REVISING THE DEFINITION OF A ZONING LOT AS PRESENTED. VOTE: YES-ALL (5); NO-NONE(0).

Minutes of the Elk Ridge Town Council Meeting - 3-27-90


ORDINANCE                    MOTION WAS MADE BY RONALD COOPER, SECONDED  
ADOPTING THE                BY MARC HANSEN, TO ADOPT THE ORDINANCE  
NATIONAL                    ADOPTING THE NATIONAL ELECTRIC CODE, 1990  
ELECTRIC CODE, EDITION, AS PRESENTED. VOTE: YES-ALL  
1990 EDITION                (5); NO-NONE(0).

COUNTY POLICE/ ANIMAL CONTROL AGREEMENT                MOTION WAS MADE BY RONALD COOPER, SECONDED  
BY JAMES PRATHER, TO APPROVE THE AGREEMENT  
WITH UTAH COUNTY TO PROVIDE POLICE  
PROTECTION AND ANIMAL CONTROL AS OUTLINED  
IN THE AGREEMENT PRESENTED. VOTE: YES-  
ALL(5); NO-NONE(0).

WATER DEVELOPMENT LOAN APPLIC.                MOTION WAS MADE BY HAL SHULER, SECONDED BY  
MARC HANSEN, TO APPROVE SUBMITTING THE LOAN  
APPLICATION TO THE SAFE DRINKING WATER  
COMMITTEE AS PRESENTED. VOTE: YES-ALL  
(5); NO-NONE(0).

ADJOURNMENT - CLOSED SESSION POTENTIAL LITIGATION                There being no further business to discuss  
at this meeting, MOTION WAS MADE BY RONALD  
COOPER, SECONDED BY JAMES PRATHER, TO  
ADJOURN TO A CLOSED SESSION. VOTE: YES-  
JAMES BEAN, JAMES PRATHER, MARC HANSEN,  
RONALD COOPER, HAL SHULER(5). NO-NONE(0).

Persons present at the closed session where  
potential litigation was discussed  
included, James Bean, James Prather, Ronald  
Cooper, Marc Hansen and Ernestine Folks.

  
Town Clerk

## NOTICE & AGENDA

Notice is hereby given, the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, April 10, 1990 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

The agenda shall be as follows:

### 7:00 P.M. - COUNCIL WORK SESSION:

1. Update on Municipal Attorney/Jim Bean
2. Update on Test Well/Hal Shuler
3. Update on Deeds for Wells/Hal Shuler
4. Update on Cortez Dr. Street Improvements/Jim Bean
5. Proposed Street Improvements/Marc Hansen
6. Street & Traffic Signs/Marc Hansen
7. U.L.C. & T. Midyear Convention/Jim Bean
8. 1989/1990 Audit/Jim Bean
9. Building Inspection Dept./Jay Prather
10. Preliminary Budget Work Sessions/Ernie Folks

### 8:00 P.M. Invocation & Pledge of Allegiance

8:05 P.M.-Minutes of Last Meeting

8:10 P.M.-Financial Report for February

8:20 P.M.-Water Development Loan Application

8:30 P.M.-Water Rights Transfer Application

8:40 P.M.-Fire Protection Agreement

8:50 P.M.-Rural Community Fire Protection Application

9:00 P.M.-Bids for Water & Sewer Hook-ups on Oak Lane & Hillside Drive Project

9:30 P.M.-Water Rights Requirement/Ririe Subdivision

9:45 P.M.-Annual Town Clean-up

9:55P.M.-Licensing & Vaccination Clinic

10:00P.M.-Hiring of Temporary/Seasonal Employees for Landscape Maintenance

10:15P.M.-Appointment of Board of Adjustment Member

10:30P.M.-Adjournment Closed Session-Potential Litigation

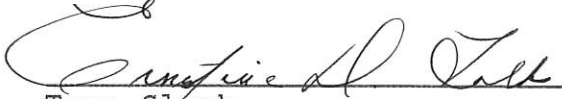


Notice & Agenda for Elk Ridge Town Council Meeting - 4-10-90  
Page 2

The times listed for each item and the agenda may be accelerated if time permits.

All interested persons are invited to attend.

Dated this 6th day of April, 1990.

  
Town Clerk

CERTIFICATION

The undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was mailed to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on April 6, 1990.

  
Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

April 10, 1990

TIME & PLACE OF MEETING	The work session of the Elk Ridge Town Council was held on Tuesday, April 10, 1990 at 7:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.
ROLL CALL	James Bean, mayor; James Prather, Hal Shuler, councilmembers; Ernestine Folks, town clerk; Kent Crawford, Bill Pierce.  Councilmen, Marc Hansen and Ronald Cooper were not present at this work session.  Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by mailing a copy to each on April 6, 1990.
MUNICIPAL ATTORNEY	Mayor Bean reported he has met with attorney, Bill Hansen, and is favorably impressed. Mr. Hansen seems capable and knowledgeable. His fee is \$85 per hour.
UPDATE ON TEST WELL	Jay Prather reported the driller is at 180' with the 12" casing. Problems with driving the casing further require the other rig to be brought back in place.
UPDATE ON DEEDS FOR WELLS	Deeds for wells are still being researched. The large well is the only well deeded to the municipality. Councilman Shuler informed the council that the properties where the other wells are located belong to Errol Raven, Payson City and Keith Shuler. Councilman Shuler is to inquire as to preliminary title insurance costs.
UPDATE ON CORTEZ DRIVE STREET IMPROVEMENTS	Mayor Bean will check on name and address of the person(s) who has bought lot 26 from Central Bank. A meeting of the property owners has not been set.
PROPOSED STREET IMPROVEMENTS	Mayor Bean asked to have discussion on this item tabled to the next council work session.
STREET & TRAFFIC SIGNS	Mayor Bean asked to have discussion on this item tabled to the next council work session.

Minutes of the Elk Ridge Town Council Work Session -  
4-10-90

U.L.C.&T.  
MIDYEAR  
CONVENTION

Mayor Bean asked to have discussion on this item tabled to the next council work session.

1989/1990  
AUDIT

Council reviewed procedures for obtaining a bid for the annual audit. Council requested prior years figures on audit costs. Peterson, Ogden & Assoc. are to be contacted to determine if they anticipate a change in their audit costs.

BUILDING  
INSPECTION  
DEPT.

Council discussed the fee structure for determining the valuation for the construction of a home, the permit & plan review fees and the method for determining the salary for the building inspector. Council agree there needs to be some changes and asked building inspector, Bill Pierce, to check with Payson and Spanish Fork to compare with their fee structure.

PRELIMINARY  
BUDGET WORK  
SESSIONS

Council scheduled preliminary budget work sessions with the town clerk.

ELK RIDGE TOWN COUNCIL MEETING

April 10, 1990

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, April 10, 1990 at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL James Bean, mayor; James Prather, Hal Shuler, councilmembers; Ernestine Folks, town clerk, Ron Ririe, Lynn Thompson, Donald Cole.

Councilmen, Ronald Cooper and Marc Hansen were absent from this meeting.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by mailing a copy to each on April 6, 1990.

INVOCATION & PLEDGE OF ALLEGIANCE Prayer was offered by James Prather with the pledge of allegiance following.

MINUTES OF PREVIOUS MEETING MOTION WAS MADE BY JAMES PRATHER, SECONDED BY HAL SHULER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETING HELD ON MARCH 27, 1990. VOTE: YES-ALL(3); NO-NONE(0); ABSENT-RONALD COOPER, MARC HANSEN (2).

FINANCIAL REPORT FOR FEBRUARY Council reviewed the financial report for the month of February and were informed of several errors in the coding of expenditures which were not detected until after the council had reviewed and approved the report at the last council meeting. MOTION WAS MADE BY HAL SHULER, SECONDED BY JAMES PRATHER TO APPROVE THE CORRECTIONS AS OUTLINED, WHICH ARE AS FOLLOWS:

ACCT # 104013 SHOULD BE \$309.38  
ACCT # 104126 SHOULD BE \$181.72  
ACCT # 517026 SHOULD BE \$624.88  
ACCT # 104146 SHOULD BE \$ 10.40  
ACCT # 104034 SHOULD BE \$ 31.14  
ACCT # 105528 SHOULD BE \$ -0-  
ACCT # 106228 ADD ..... \$ 78.99

Minutes of the Elk Ridge Town Council Meeting - 4-10-90

FINANCIAL	ACCT # 104031 SHOULD BE \$ 78.75
REPORT FOR	ACCT # 106026 SHOULD BE \$ -0-
FEBRUARY	ACCT # 106226 SHOULD BE \$129.00
(CONTINUED)	ACCT # 517021 DECREASE..\$100.00
	ACCT # 517031 INCREASE..\$100.00
	ACCT # 517023 DECREASE..\$ 50.00
	ACCT # 517031 INCREASE..\$ 50.00
	ACCT # 517023 DECREASE..\$ 66.00
	ACCT # 517031 INCREASE..\$ 66.00
	ACCT # 517023 DECREASE..\$157.10
	ACCT # 517031 INCREASE..\$ 50.00
	ACCT # 517023 INCREASE..\$107.10

WATER	Elk Ridge's application for financial
DEVELOPMENT	assistance is scheduled for review at
LOAN	the April 24th meeting of the Safe
APPLICATION	Drinking Water Committee in Delta.

WATER RIGHTS	Nothing to report.
TRANSFER	
APPLICATION	

FIRE	Salem City has returned the agreement
PROTECTION	approved by the Elk Ridge Council on
AGREEMENT	February 27, 1990 with additional
	revisions to the end that Elk Ridge will
	indemnify Salem for injury, damage or harm
	caused to Salem equipment when fighting Elk
	Ridge fires. Salem is self insured so far
	as its fire equipment is concerned. the
	Salem council desires Elk Ridge to assume
	this risk when Salem equipment is used to
	fight Elk Ridge fires.

Insurance agent Rex Behling does not know if it would be possible to get an insurance policy for collision coverage on the equipment. Salem does not want insurance coverage only for Elk Ridge to indemnify Salem for injury, damage or harm caused to Salem equipment when fighting Elk Ridge fires.

Council discussed what the possibility of an accident happening would be. MOTION WAS MADE BY JAMES PRATHER, SECONDED BY HAL SHULER, TO APPROVE THE FIRE PROTECTION AGREEMENT WITH SALEM AS OUTLINED IN THE AGREEMENT PRESENTED. VOTE: YES-ALL(3); NO-NONE(0); ABSENT-RONALD COOPER, MARC HANSEN(2).

Minutes of the Elk Ridge Town Council Meeting - 4-10-90

RURAL  
COMMUNITY  
FIRE  
PROTECTION  
APPLICATION

Application for assistance was not approved for funding.

BIDS FOR  
WATER & SEWER  
HOOK-UPS ON  
OAK LANE &  
HILLSIDE DRIVE  
PROJECT

Bids were received are as follows:

Barney Inc.....\$ 5,249.75  
Badger Constr. Co..\$10,996.25  
Taurus Plumbing....\$11,299.55

(SEE PAGE 33)

Council discussed the original project cost estimate from Donald Cole in a previous meeting was \$3225 for the 8 water connections without the meter, box, lid or \$6560 with the meter, box, and lid. The total project cost estimate being \$7425 since the meter, box and lid would not be included in the bid.

MOTION WAS MADE BY JAMES PRATHER, SECONDED BY HAL SHULER, TO ACCEPT THE LOW BID FROM BARNEY INC. FOR \$5249.75. VOTE: YES-ALL (3); NO-NONE(0); ABSENT-RONALD COOPER, MARC HANSEN(2).

WATER RIGHTS  
REQUIREMENT/  
RIRIE  
SUBDIVISION

Mr. Ririe has submitted a preliminary plan to the planning commission and received preliminary approval. Council reviewed the concept plan. Mr. Ririe informed the council he has attempted to find water rights and has not been successful and requested the council consider accepting payment of water rights fee in place of water right. Council discussed with Mr. Ririe the importance of having sufficient water rights for development and until the transfer of water rights is approved and the amount of rights transferred is known, the council must consider that a certain amount of the municipal water rights are obligated to previously approved subdivisions. Until that time the council cannot make any decision.

Mr. Ririe further requested the council to approve delaying payment of the facility improvement construction fees on his proposed subdivision development until building permits are issued on the lots.

Minutes of the Elk Ridge Town Council Meeting - 4-10-90

WATER RIGHTS REQUIREMENT/  
RON RIRIE  
(CONTINUED)

The newly revised subdivision ordinance does not allow this. Council informed Mr. Ririe they would request the planning commission to review the subdivision ordinance(section 1-11-2) relative to the payment of the facility improvement and construction fees and recommend whether Elk Ridge Town should consider amending the existing ordinance to provide other options for payment of the facility improvement construction fees.

ANNUAL TOWN CLEAN-UP

The annual clean-up will be Colby Nilsson's eagle scout project and is scheduled for the weekend of May 5th. Dumpsters will be ordered from Laidlaw. Scouts will deliver fliers on May 1. The municipality will donate \$150 to the boy scouts.

LICENSING & VACCINATION CLINIC

Councilman Cooper recommends not having a clinic this year due to the small number needed. The clinic will be scheduled next year.

HIRING OF TEMPORARY/  
SEASONAL  
EMPLOYEES FOR  
LANDSCAPE  
MAINTENANCE

Council discussed hiring Daniel Hoschouer to mow and edge the lawn at the town building and pavilion. Concern was expressed as to the salary for the amount and type of work involved. Further discussion will be held at the next council meeting.

APPOINTMENT OF  
BOARD OF  
ADJUSTMENT  
MEMBER

Councilman Prather nominated Steven Walker as Board of Adjustment member to serve until February, 1995.

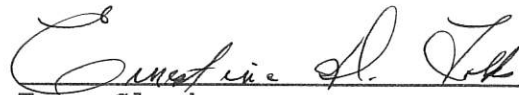
MOTION WAS MADE BY JAMES PRATHER, SECONDED BY HAL SHULER, TO CLOSE NOMINATIONS AND APPOINT STEVEN WALKER AS BOARD OF ADJUSTMENT MEMBER BY ACCLAMATION. VOTE: YES-ALL (3); NO-NONE(0); ABSENT-RONALD COOPER, MARC HANSEN(2).

ADJOURNMENT -  
CLOSED SESSION  
POTENTIAL  
LITIGATION

There being no further business to discuss at this meeting, MOTION WAS MADE BY JAMES PRATHER, SECONDED BY HAL SHULER, TO ADJOURN TO A CLOSED SESSION. VOTE: YES-JAMES BEAN, JAMES PRATHER, HAL SHULER(3). NO-NONE(0); ABSENT-RONALD COOPER, MARC HANSEN(2).

Minutes of the Elk Ridge Town Council Meeting - 4-10-90

ADJOURNMENT- Persons present at the closed session  
CLOSED SESSION where potential litigation was discussed  
POTENTIAL included, James Bean, James Prather,  
LITIGATION Hal Shuler, Bill Pierce, Bill & Sharon  
Collins and Ernestine Folks.

  
\_\_\_\_\_  
Town Clerk



## NOTICE & AGENDA

Notice is hereby given, the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, April 24, 1990 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

The agenda shall be as follows:

### 7:00 P.M. - COUNCIL WORK SESSION:

1. Update on Municipal Attorney/Jim Bean
2. Update on Test Well/Hal Shuler
3. Update on Deeds for Wells/Hal Shuler
4. Update on Cortez Dr. Street Improvements/Jim Bean
5. Proposed Street Improvements/Marc Hansen
6. Street & Traffic Signs/Marc Hansen
7. U.L.C. & T. Midyear Convention/Jim Bean
8. 1989/1990 Audit/Jim Bean
9. Building Inspection/Bill Pierce
10. Community Survey/Jay Prather

### 8:00 P.M. Invocation & Pledge of Allegiance

8:05 P.M.-Minutes of Last Meeting

8:10 P.M.-Expenditures & Financial Report for March

8:20 P.M.-Water Development Loan Application

8:30 P.M.-Water Rights Transfer Application

8:40 P.M.-Fire Protection Agreement

8:50 P.M.-Subdivision Ordinance Requirements:

1. Facility Improvement & Construction Fee
2. Water Rights

9:00 P.M.-Resolution for Proposed Employee Salary

9:15 P.M.-Adjournment Closed Session-Potential Litigation

The times listed for each item and the agenda may be accelerated if time permits.

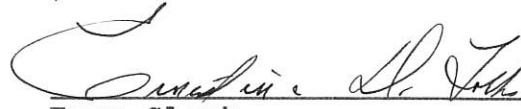
All interested persons are invited to attend.

Dated this 20th day of April, 1990.

  
Town Clerk

CERTIFICATION

The undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was mailed to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on April 20, 1990.

  
Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

April 24, 1990

TIME & PLACE OF MEETING      The work session of the Elk Ridge Town Council was held on Tuesday, April 10, 1990 at 7:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL      James Bean, mayor; Ronald Cooper, Hal Shuler, Marc Hansen, councilmembers; Ernestine Folks, town clerk; Logan Nilsson, Colby Nilsson, Kathy Meredith.

     Councilman, James Prather was not present at this work session.

     Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by mailing a copy to each on April 20, 1990.

MUNICIPAL ATTORNEY      Council discussed a replacement for Dave McMullin, and decided to ask Mr. McMullin if he has a recommendation for a replacement and when does he plan to retire.

UNSCHEDULED AGENDA ITEM - ANNUAL TOWN CLEAN-UP      Colby Nilsson presented his proposal to use the annual town clean up as an eagle scout project. Scouts will deliver fliers just prior to May 5th and will clear the large vacant areas of debris. Each resident will be given a trash bag to clear vacant lots adjacent to their property and then asked to set the bag out with their regular trash for Monday pick up. Laidlaw dumpsters will be delivered for the weekend of May 5th.

     Snowplow will be used to transport debris collected by the scouts.

UPDATE ON TEST WELL      Councilman Shuler reported the driller is back to the well site with the rotary rig to drill a 10" bore and drive the 12" casing in place.

UPDATE ON DEEDS FOR WELLS      Deeds for wells are still being pursued. Councilman Shuler has identified on the County plat maps for Provo Abstract the location of the wells for preliminary search.

Minutes of the Elk Ridge Town Council Work Session -  
4-10-90

UPDATE ON  
CORTEZ DRIVE  
STREET  
IMPROVEMENTS

Mayor Bean informed the council that a letter will be sent to the property owners notifying them that no building permits can be issued until the improvements to the street have been completed. The improvements are normally the responsibility of the developer, but in this case the developer has taken out bankruptcy, so the responsibility for completing the street improvements now falls to the property owners.

PROPOSED  
STREET  
IMPROVEMENTS

Councilman Hansen expressed concern with the asphalt patching municipal employees have done, and reviewed the condition of the streets with a representative from Tim's Asphaltting. A bid for asphalt work, equipment, etc., was submitted by Tim's Asphaltting. Concern for the deterioration of a large amount of street surface was discussed by the council. Council agreed that identifying those areas and the needs, prior to completing any major asphalt repair projects must be done.

Arrangements were made during this meeting to have Russell Hutchinson, Ron Cooper, Hal Shuler and Marc Hansen review the status of the roads and make recommendations.

S.E.S.D. has indicated they intend to come back and complete their asphalt repairs where the road surface has sunk.

Council was reminded that property tax collected last fiscal year over what was budgeted is to be allocated to the Roads Dept. Also, if projects cannot be completed this fiscal year, council can authorize unexpended monies from this fiscal year to be carried over to next years roads budget.

STREET &  
TRAFFIC SIGNS

Councilman Hansen has contacted Payson City administrator, Glen Vernon, concerning placing Elk Ridge directional signs in Payson.

Minutes of the Elk Ridge Town Council Work Session -  
4-24-90

STREET &  
TRAFFIC SIGNS  
(CONTINUED)

Eagle scout project of replacing missing street signs will be given a deadline. If not completed by deadline, fire department will be asked to place the signs.

Councilman Hansen recommended removing the Lewis Feild sign. Council did not discuss replacing the sign; only the importance of identifying Lewis Feild with Elk Ridge.

Elk Ridge sign has not been set in place because of problems encountered with utilities being in the area where the sign was to have been set. Council indicated to Kathy Meredith where the sign should be set.

U.L.C.&T.  
MID YEAR  
CONVENTION

Mayor Bean reported on sessions he attended at the convention.

Councilmembers were informed of the upcoming newly elected officials workshops schedule.

1989/1990  
AUDIT

Costs for previous years audits have been \$2500 per year. Peterson, Ogden & Assoc. have indicated they do not anticipate a change in their audit costs. Council asked for Peterson, Ogden & Assoc. to submit their audit proposal for the council to consider.

BUILDING  
INSPECTION

Mayor Bean asked to have discussion on this item tabled to the next council work session.

COMMUNITY  
SURVEY

Council agreed to continue with the Community Survey. Costs are estimated to be \$150.

# ELK RIDGE TOWN COUNCIL MEETING

April 24, 1990

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, April 24, 1990 at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL James Bean, mayor; Ronald Cooper, Hal Shuler, Marc Hansen, councilmembers; Ernestine Folks, town clerk; Dave McMullin, attorney.

Councilman, James Prather was not present at this meeting.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by mailing a copy to each on April 20, 1990.

INVOCATION & PLEDGE OF ALLEGIANCE Prayer was offered by Marc Hansen with the pledge of allegiance following.

MINUTES OF PREVIOUS MEETING MOTION WAS MADE BY HAL SHULER, SECONDED BY RONALD COOPER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETING HELD ON APRIL 10, 1990. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-JAMES PRATHER (1).

EXPENDITURES & FINANCIAL REPORT FOR MARCH, 1990 MOTION WAS MADE BY RONALD COOPER, SECONDED BY MARC HANSEN, TO APPROVE THE EXPENDITURES AND FINANCIAL REPORT FOR THE MONTH OF MARCH, 1990 WITH THE FOLLOWING CORRECTIONS TO BE MADE:

ACCT CODE 104012.....MINUS \$50.00  
ACCT CODE 104111.....PLUS \$50.00  
ACCT CODE 104311.....PLUS\$1485.00  
ACCT CODE 104331....MINUS\$1485.00

VOTE: YES-ALL(4); NO-NONE(0); ABSENT-JAMES PRATHER(1).

Corrections are due to incorrect coding on checks. It was also noted that the previous months corrections were not reflected on this months report.

Minutes of the Elk Ridge Town Council Meeting - 4-24-90

WATER Elk Ridge's application for financial  
DEVELOPMENT assistance was approved at the meeting  
LOAN of the Safe Drinking Water Committee.  
APPLICATION The committee approved a loan of \$100,000  
at 3% interest. Further details need to be  
confirmed with Michael Georgeson.

WATER RIGHTS Nothing to report.  
TRANSFER  
APPLICATION

FIRE Town Clerk reported that councilman  
PROTECTION Prather attended a Salem City council  
AGREEMENT meeting to discuss wording included in the  
agreement the Elk Ridge Council approved at  
the April 10, 1990 meeting, and concluded  
with the consent of the Salem council that  
paragraph B on page 3 of the agreement be  
modified as follows: The words "by or" be  
deleted. In addition, attorney Dave  
McMullin has advised that the word  
"resources" be replaced with "Salem city  
personnel and equipment" and the phrase  
"not covered by insurance" be inserted.

SUBDIVISION The planning commission's response to the  
ORDINANCE Elk Ridge Town council's request for the  
REQUIREMENTS- planning commission to review the  
FACILITY subdivision ordinance relative to the  
IMPROVEMENT & payment of facility improvement and  
CONSTRUCTION construction fees and recommend whether  
FEE Elk Ridge Town should consider amending the  
existing ordinance to provide other options  
for payment of the facility improvement  
construction fees was read by the town  
clerk as follows:

"The Facility Improvements and Construction  
Fees in the Subdivision Ordinance of Elk  
Ridge, section 1-11-2, has been well  
thought out and put in place in the best  
interests of the community. The Planning  
Commission strongly felt the ordinance is  
clear, and no further discussion or action  
need be taken."

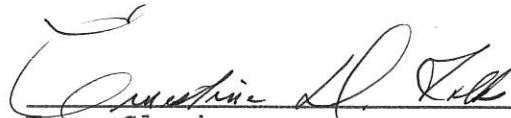
Mayor Bean stated that the planning  
commission's recommendation will stand.

Minutes of the Elk Ridge Town Council Meeting - 4-24-90

RESOLUTION FOR Council discussed the proposed resolution  
PROPOSED to change the job title for the cleaning  
EMPLOYEE person to Facilities Maintenance Worker,  
SALARY and to add the position of Landscape  
Maintenance Worker, for lawn mowing, weeding  
and tree watering at the pavilion and town  
bldg. once per week at \$5 per week each.  
Discussion of the \$5 hourly rate for the  
ball park resulted in a proposal to  
purchase a riding mower for the ball park  
and consider paying a flat fee for mowing  
the ball park. MOTION WAS MADE BY RONALD  
COOPER, SECONDED BY MARC HANSEN, TO APPROVE  
THE RESOLUTION FOR THE PROPOSED EMPLOYEE  
SALARY. VOTE: YES-ALL (4); NO-NONE(0);  
ABSENT-JAMES PRATHER(1).

ADJOURNMENT - There being no further business to discuss  
CLOSED SESSION at this meeting, MOTION WAS MADE BY RONALD  
POTENTIAL COOPER, SECONDED BY MARC HANSEN, TO  
LITIGATION ADJOURN TO A CLOSED SESSION. VOTE: YES-  
JAMES BEAN, HAL SHULER, MARC HANSEN,  
RONALD COOPER(4); NO-NONE(0); ABSENT-JAMES  
PRATHER (1).

Persons present at the closed session  
where potential litigation was discussed  
included, James Bean, Ronald Cooper, Marc  
Hansen, Dave McMullin and Ernestine Folks.

  
\_\_\_\_\_  
Town Clerk



### NOTICE & AGENDA

Notice is hereby given, the Town Council of Elk Ridge will hold an Emergency Town Council Meeting on Friday, April 27, 1990 at 7:00 A.M. The meeting will be held at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

The agenda shall be as follows:

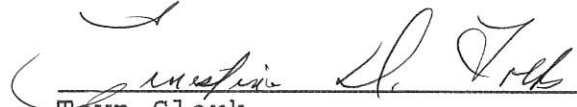
1. Test Well
2. Adjournment to Closed Session-Potential Litigation
3. Adjournment From Closed Session to Open Meeting
4. Potential Litigation Settlement
5. Adjournment

The times listed for each item and the agenda may be accelerated if time permits.

All interested persons are invited to attend.

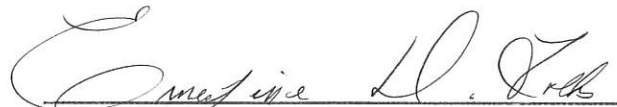
Dated this 26th day of April, 1990.

By order of the Mayor, James L. Bean.

  
Town Clerk

### CERTIFICATION

The undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that notification of the forgoing Notice and Agenda was given to each member of the governing body on the evening of April 26, 1990 by telephone.

  
Town Clerk

EMERGENCY ELK RIDGE TOWN COUNCIL MEETING

April 27, 1990

TIME & PLACE OF MEETING The emergency meeting of the Elk Ridge Town Council was held on Friday, April 27, 1990 at 7:00 A.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL James Bean, mayor; Ronald Cooper, Hal Shuler, Marc Hansen, James Prather, councilmembers; Ernestine Folks, town clerk; Dave McMullin

Councilman Marc Hansen was not present for the entire meeting.

Mayor Bean called this emergency meeting. Notice of time, place and agenda of this meeting was provided to each member of the governing body by telephone call to each on the evening of April 26, 1990.

CLOSED SESSION POTENTIAL LITIGATION Persons present at the closed session where potential litigation was discussed included, James Bean, Ronald Cooper, Marc Hansen, Hal Shuler and Dave McMullin and Ernestine Folks.

Final Draft of the Compromise Settlement Agreement and Release of All Claims will not be available until later in the day. All members of the council present at the closed session agreed to hold another emergency meeting on Friday, April 27, 1990 at 3:00 P.M. to resolve the Settlement Agreement of the James Winterton/Salem Hills Home Owners Association Litigation issue.

TEST WELL Councilman Hal Shuler reported the driller is down to 390' and is having problems again with rock falling down on top of the bit. The driller intends to use water to free up the drill, and may have to case the well. The council has previously given approval for drilling up to 500'. The driller could possibly go down to 650' at a cost of \$28 per ft. Councilman Shuler recommends authorizing the driller to continue drilling as far as possible since the costs will never be cheaper.

Minutes of the Elk Ridge Town Council Meeting - 4-27-90

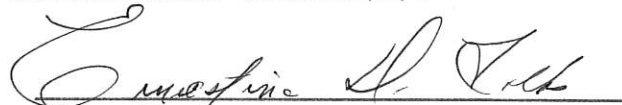
TEST WELL  
(CONTINUED)

Councilman Shuler stated there is an extra \$20,000 in the loan to cover the costs. The driller will not be able to go any further than 180' with the 12" and will now be drilling a 10". MOTION WAS MADE BY HAL SHULER, SECONDED BY RONALD COOPER, TO AUTHORIZE THE DRILLER TO DRILL UP TO 650' WITH THE 10" AT A COST OF \$28 PER FT. VOTE: YES-JAMES BEAN, HAL SHULER, RONALD COOPER(3); NO-NONE (0); ABSTAIN-JAMES PRATHER(1); ABSENT-MARC HANSEN(1).

MOTION WAS MADE BY HAL SHULER, SECONDED BY RONALD COOPER, TO APPROVE PAYMENT OF \$7,600 TO DOXEY DRILLING COMPANY. VOTE: YES-JAMES BEAN, HAL SHULER, RONALD COOPER(3); NO-NONE (0); ABSTAIN-JAMES PRATHER(1); ABSENT-MARC HANSEN(1).

ADJOURNMENT

There being no further business to discuss at this meeting, MOTION WAS MADE BY JAMES BEAN, SECONDED BY RONALD COOPER, TO ADJOURN THIS MEETING. VOTE: YES-JAMES BEAN, JAMES PRATHER, RONALD COOPER, HAL SHULER (4); NO-NONE(0); ABSENT-MARC HANSEN(1).

  
Town Clerk

EMERGENCY ELK RIDGE TOWN COUNCIL MEETING

April 27, 1990

TIME & PLACE OF MEETING The emergency meeting of the Elk Ridge Town Council was held on Friday, April 27, 1990 at 3:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL James Bean, mayor; Ronald Cooper, James Prather, councilmembers; Ernestine Folks, town clerk; Dave McMullin, attorney.

Councilmen, Marc Hansen and Hal Shuler were not present at this meeting. Notice of time, place and agenda of this meeting was provided to each member of the governing body at the council meeting held on April 27, 1990 at 7:00 A.M.

JAMES WINTERTON/  
SALEM HILLS  
HOME OWNERS  
ASSOCIATION  
LITIGATION  
SETTLEMENT Council reviewed the final draft of the Compromise Settlement Agreement and Release of All Claims as presented by attorney Dave McMullin.

Concern was expressed as to how the Letter of Credit will be traced until all the credit is used. Follow up procedures to ensure that this information does not get lost need to be established.

Council discussed having the Salem Hills Home Owners Association dissolved.

MOTION WAS MADE BY RONALD COOPER, SECONDED BY JAMES PRATHER, TO ACCEPT THE COMPROMISE SETTLEMENT AGREEMENT AS FOLLOWS:

COMPROMISE SETTLEMENT AGREEMENT AND RELEASE OF ALL CLAIMS

The undersigned, James R. Winterton, personally, and James R. Winterton, President of Salem Hills Home Owners Assoc., a Utah Corporation and their attorney of record, have offered to accept the following:

The plaintiffs to this lawsuit claim that Elk Ridge owes the Salem Hills Home Owners Association \$29,124.00, plus interest for sewer outfall lines.

Minutes of the Elk Ridge Town Council Meeting - 4-27-90B

The plaintiffs have heretofore filed a suit seeking to recover therefore from the defendants the sum of \$29,124.00, plus interest.

The defendants, the town of Elk Ridge have answered in such suit and denied the claim.

The undersigned, James R. Winterton, President, for Salem Hills Home Owners Assoc., and their attorney of record have offered to accept the following:

SETTLEMENT

1. Twenty-Seven Thousand Dollars(\$27,000) credit as shown by a Letter of Credit to be used only towards the Sewer System Facility Improvement and Construction Fees. (A copy of the Letter of Credit is attached hereto).
2. Salem Hills Home Owners Association shall have the right to convey this credit to other developers. (A copy of the Letter of Credit is attached hereto).
3. All rights of ownership for all sewer lines within or outside of the municipality of Elk Ridge are hereby transferred to and dedicated to the town of Elk Ridge.

In full final and complete settlement of all rights, claims or causes of action of an kind which the plaintiffs have or may claim to have growing out of or arising from said claimed obligation; and denying all liability, in order to avoid the time and expense necessary in litigation, have agreed to such settlement purely and simply as a compromise of the disputed claim and without admitting liability for said incident.

Minutes of the Elk Ridge Town Council Meeting - 4-27-90B

NOW THEREFORE, Elk Ridge Town, a Utah Municipal Corporation and James R. Winterton, personally and as President of Salem Hills Home Owners Association, joined herein by their attorneys of record, for and in consideration of settlement indicated herein and in behalf of the town of Elk Ridge, defendants, and Salem Hills Home Owners Association, a Utah Corporation, plaintiffs, and David J. Winterton, attorney for plaintiffs, hereby agree to the following settlement:

1. Twenty-Seven Thousand Dollars (\$27,000), as represented by Letter of Credit attached hereto. This Letter of Credit shall be used only towards the Sewer System Facility Improvement Construction Fees, only of Elk Ridge Town.

2. Salem Hills Home Owners Association shall have the right to convey this Letter of Credit to other developers, but in doing so shall inform Elk Ridge of its assignment, and the person assigned to and the amount.

3. All rights of ownership for all sewer lines within and without the municipality of Elk Ridge are hereby dedicated and transferred to the town of Elk Ridge.

Salem Hills Homeowners Association, hereby release and discharge the town of Elk Ridge, their legal representatives, successors, and assigns, and any other persons, firms or corporations, legally responsible, of and from any and all claims, rights or causes of action of any kind, which they may have or claim to have growing out of or arising from said incident, as evidence in Civil Case No. CV-89-144, Fourth Judicial Court, Utah County, State of Utah.

Minutes of the Elk Ridge Town Council Meeting - 4-27-90B

Without limiting the generality of the foregoing, it is expressly agreed and understood, for the considerations, named, the undersigned, James R. Winterton for Salem Hills Home Owners Assoc., joined by their attorneys, do by these presents release, relinquish and discharge unto defendants, the town of Elk Ridge, their legal representatives, successors, and assigns, and any other persons, firms or corporations legally responsible, of and from any and all claims of whatever kind or character arising from the incident in question, regardless of whether or not said claims are now known or asserted in plaintiffs pleadings or otherwise.

Provided, however, it is expressly agreed and understood that the settlement made herein is in compromise and settlement of the claims of the plaintiffs and the same is not intended and shall not be taken to be an admission of liability on the part of the defendants, or any person, firm or corporation, legally responsible for the incident, and that this settlement is made purely and simply as a compromise settlement of a disputed claim in order to avoid the further costs of litigation.

In order to induce the defendants to make this compromise settlement, the plaintiffs hereby represent that no one connected with the defendants has made any representations of any kind to them either as to liability or as to the extent of damages and the plaintiffs hereby state that they are in full agreement with the making of this compromise settlement and executing this release and they have consulted their own legal counsel.

It is further agreed and understood that the suit which has been heretofore filed shall be dismissed with prejudice.

Each party hereto shall assume their own costs.

Minutes of the Elk Ridge Town Council Meeting - 4-27-90B

The statements and representations contained herein are to be considered contractual in nature and not mere representations of fact.

This Agreement shall be binding upon our heirs, legal representatives, assigns and successors forever.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1990.

\_\_\_\_\_  
DAVID WINTERTON, Attorney  
for James R. Winterton,  
for Salem Hills Home Owners  
Association.

\_\_\_\_\_  
JAMES R. WINTERTON,  
Personally

James R. Winterton, President, and Gary L. Winterton, Secretary, of the Salem Hills Home Owners Associations, hereby certifies that James R. Winterton has been granted authority by the Board of Directors of Salem Hills Home Owners Association to sign this document on behalf of the Salem Hills Home Owners Association.

\_\_\_\_\_  
JAMES R. WINTERTON, Pres.  
of the Salem Hills Home  
Owners Association

ATTEST:

\_\_\_\_\_  
Secretary of the Salem Hills  
Home Owners Association

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_,  
1990.

\_\_\_\_\_  
Notary Public  
Residing at : \_\_\_\_\_

My Commission Expires:  
  
\_\_\_\_\_



Minutes of the Elk Ridge Town Council Meeting - 4-27-90B

ELK RIDGE

BY \_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
TOWN CLERK

Authority of Mayor James Bean to sign this document was given by Elk Ridge Town Council on the 27th day of April, 1990.

\_\_\_\_\_  
DAVE MCMULLIN, Attorney for  
Elk Ridge

Subscribed and sworn to be fore me this \_\_\_\_\_ day of \_\_\_\_\_, 1990.

\_\_\_\_\_  
Notary Public  
Residing at: \_\_\_\_\_

My Commission Expires:  
\_\_\_\_\_

Minutes of the Elk Ridge Town Council Meeting - 4-27-90B

LETTER OF CREDIT OF SEWER FEES

Elk Ridge, a Municipal Corporation hereby grants to Salem Hills Home Owners Association, this Letter of Credit in the sum of \$27,000.00 dollars as credit to be used as construction fees of Elk Ridge Sewer System Facility Improvement, as setforth in the Compromise Settlement Agreement, entered into between Elk Ridge and Salem Hills Home Owners Association on the \_\_\_\_ day of \_\_\_\_\_, 1990.

This Letter of Credit may be assigned to other developers. Any assignee shall be responsible to determine from Elk Ridge the amount of credit, and if any remains.

Dated this \_\_\_\_ day of \_\_\_\_\_, 1990.

ELK RIDGE, a Municipal Corporation

BY: \_\_\_\_\_  
Mayor

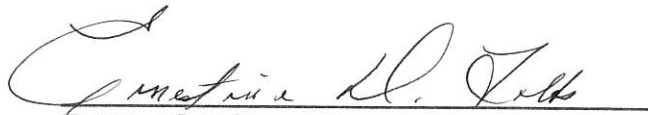
ATTEST:

BY: \_\_\_\_\_  
Town Clerk

VOTE: YES-ALL(3); NO-NONE(0); ABSENT-HAL  
SHULER, MARC HANSEN(2).

ADJOURNMENT

There being no further business to discuss at this meeting, MOTION WAS MADE BY JAMES PRATHER, SECONDED BY RONALD COOPER, TO ADJOURN THIS MEETING. VOTE: YES-ALL(3); NO-NONE(0); ABSENT-HAL SHULER, MARC HANSEN(2).

  
Town Clerk

### NOTICE & AGENDA

Notice is hereby given, the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, May 8, 1990 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

The agenda shall be as follows:

7:00 P.M. - COUNCIL WORK SESSION:

1. Review Minutes From Previous Meetings
2. Update on Deeds for Wells/Hal Shuler
3. Shuler Performance Bond/Lomento Subdivision
4. Update on Cortez Dr. Street Improvements/Jim Bean
5. Proposed Street Improvements/Marc Hansen
6. Street & Traffic Signs/Marc Hansen
7. State Auditor Spring Seminar/E. Folks
8. Fundamentals of Government Budgeting & Finance/E. Folks
9. Building Inspection/Bill Pierce

8:00 P.M. Invocation & Pledge of Allegiance

8:05 P.M.-Minutes of Previous Meetings

8:10 P.M.-Test Well

8:20 P.M.-Water Development Loan Application

8:30 P.M.-Water Rights Transfer Application

8:40 P.M.-Fire Protection Agreement

8:50 P.M.-Copier Preventative Maintenance Agreement

9:00 P.M.-SSI Software Support Agreement

9:10 P.M.-Capital Outlay- Parks Equipment Purchase

9:20 P.M.-Resolution for Proposed Employee Salary

9:30 P.M.-Tentative Budget for Fiscal Year 1990/1991

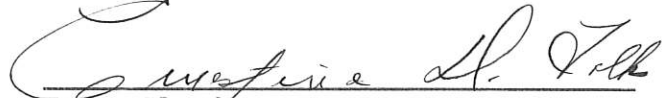
10:00P.M.-Adjournment Closed Session-Potential Litigation

The times listed for each item and the agenda may be accelerated if time permits.

All interested persons are invited to attend.

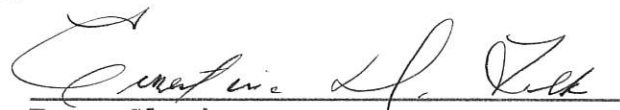
Notice & Agenda -Elk Ridge Town Council Meeting-5-8-90  
page 2

Dated this 5th day of May, 1990.

  
Town Clerk

#### CERTIFICATION

The undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was mailed to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on May 5, 1990.

  
Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

May 8, 1990

TIME & PLACE OF MEETING	The work session of the Elk Ridge Town Council was held on Tuesday, May 8, 1990 at 7:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.
ROLL CALL	<p>James Bean, mayor; Hal Shuler, Ronald Cooper, Marc Hansen, councilmembers; Ernestine D. Folks, town clerk.</p> <p>Councilman James Prather was not present at this meeting.</p> <p>Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by mailing a copy to each on May 5, 1990.</p>
REVIEW OF MINUTES FROM PREVIOUS MEETINGS	Council reviewed the minutes of the previous council meetings before beginning this meeting.
UPDATE ON DEEDS FOR WELLS	<p>Councilman Shuler reported that Matt Mecham, of Provo Abstract is looking for deeds and has not reported back with any further information.</p> <p>Council needs to determine if deeds are necessary for the well sites.</p> <p>Councilman Shuler was reminded that he has not prepared trust deeds and promissory notes on lots 6 &amp; 7, Goosenest Plat A, for development fees owing.</p>
SHULER PERFORMANCE BOND/LOMENTO LOT (HAL'S RANCHETTE)	Councilman Shuler was reminded that his cash performance bond for street improvements for the Hal's Ranchette Subdivision expires July, 1990. Councilman Shuler stated he intends to complete the street improvements with the Goosenest Plat A street improvements before July, 1990. He is hoping to sell a lot to finance the street improvements for Goosenest Plat A. The bond for the Goosenest Plat A expires October, 1990.

Minutes of the Elk Ridge Town Council Work Session -  
5-8-90

UPDATE ON  
CORTEZ DRIVE  
STREET  
IMPROVEMENTS

Mayor Bean stated he will draft a letter to be sent to the property owners notifying them that no building permits can be issued until the improvements to the street have been completed. The improvements are normally the responsibility of the developer, but in this case the developer has taken out bankruptcy, so the responsibility for completing the street improvements now falls to the property owners.

PROPOSED  
STREET  
IMPROVEMENTS

Having met with Russell Hutchinson, councilman Hansen recommends doing some of the patching of pot holes using the assistant public works supervisor and hiring one other person. Mr. Hutchinson recommends a "fog seal" on all the streets. A fog seal will give about one year more life to a road surface at a cost of approximately \$3500. The Loafer Canyon road is still a major project being considered for repairs.

STREET &  
TRAFFIC SIGNS

Councilman Hansen has completed an inventory of the missing street signs and will be ordering new signs.

Payson City has ordered new directional signs for the golf course. The name of Elk Ridge will be included. Cost to Elk Ridge will be minimal.

STATE AUDITOR  
SPRING  
SEMINAR

Town Clerk reported information on unclaimed property collected and held by the state. There will be a booth at the state fair in Sept. for the public to check on unclaimed property.

A mayors training work shop will be held in July.

Direct deposit of state funds will be made to the state treasurer's municipal accounts.

The Center for Public Policy and Administration have new educational packages and training programs for local governments. This information will be passed on to the planning commission.

Training sessions on completing the state budget forms were held.

Minutes of the Elk Ridge Town Council Work Session -  
5-8-90

FUNDAMENTALS  
OF GOVERNMENT  
BUDGETING &  
FINANCE

Seminar presented by George Karlsven was attended by town clerk. Other sessions are held for elected officials. This seminar was intended for person who is the budget officer or person who prepares the budget.

The financial reports the council currently receives each month are difficult to understand. A new method of summarizing each fund will enable the council to know if a fund is currently operating in the surplus or deficit and how much of each fund balance is restricted. Clerk intends to incorporate this new income statement as soon as possible.

The town clerk further reported that jurisdictions which have an assessed value comprised primarily of residential development have to rely upon the residents to pay for all services, repay all debt, and fund the maintenance and replacement of infrastructure.

In a primarily residential jurisdiction, such as Elk Ridge, there will ultimately have to be significant tax increases required or major reductions in maintenance, service and infrastructure quality.

A local government which has a well balanced "growth mix" will have a good portion of its land dedicated to non-residential development. Non-residential development typically requires less in services and pays more in revenues than residential development, thus off setting the costs of services provided to residential development.

The council needs to identify for what purpose the fund balances should be designated. Saving, "just to save" is not beneficial to the community. Recommendation was made to maintain 15% of the budget in a fund balance to meet operating needs until property taxes are received each year. Anything above the 15%, should be designated to a specific capitol project.

Minutes of the Elk Ridge Town Council Work Session -  
5-8-90

Further recommendation was made to not allow accounts to become more than 60 days in arrears. Allowing accounts to become more than 60 days in arrears means allowing others to operate on municipal funds.

BUILDING  
INSPECTION

Tabled to the next council meeting.

S.E.S.D.

Ronald Cooper reported on the projects which are currently of interest to S.E.S.D., the generating facility which is fed out of Strawberry, the Glen Canyon Dam project, and the IPP plant transmission line project; all of which are purported to effect an increase in costs for electricity.

S.E.S.D. intends to continue with the construction project this summer to replace and reroute power cable within the municipality.



# ELK RIDGE TOWN COUNCIL MEETING

May 8, 1990

TIME & PLACE OF MEETING	The regular meeting of the Elk Ridge Town Council was held on Tuesday, May 8, 1990 at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.
ROLL CALL	James Bean, mayor; Hal Shuler, Ronald Cooper, Marc Hansen, councilmembers; Ernestine D. Folks, town clerk.  Councilman James Prather was not present at this meeting.  Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by mailing a copy to each on May 5, 1990.
INVOCATION & PLEDGE OF ALLEGIANCE	Prayer was offered by Ronald Cooper with the pledge of allegiance following.
MINUTES OF PREVIOUS MEETINGS	MOTION WAS MADE BY RONALD COOPER, SECONDED BY HAL SHULER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETINGS HELD ON APRIL 24, 1990, AND BOTH MEETINGS ON APRIL 27, 1990. VOTE: YES-ALL (4); NO-NONE(0); ABSENT-JAMES PRATHER(1).
TEST WELL	Councilman Shuler reported that the compressor on the drilling rig is broke down again, but driller intends to continue drilling using other means. The driller is to contact the state to witness the seal. At that time the "proper filing" with the state begins.
WATER DEVELOPMENT LOAN APPLICATION	Michael Georgeson has indicated that a letter should be received later this week. Assistance from the municipal attorney will be required in place of a bond attorney. The loan is for 20 years. Draws from the loan will be handled on a reimbursement basis. He anticipates that thirty days from the date the council approves the resolution, claims for reimbursement can be submitted. It is understood that the documents to be completed for the loan cannot be completed before the end of the fiscal year.

Minutes of the Elk Ridge Town Council Meeting - 5-8-90

WATER RIGHTS TRANSFER APPLICATION Kent Jones has indicated that the State should have an answer soon. He is still reviewing the application for a clear understanding of all the details.

FIRE PROTECTION AGREEMENT The final draft of the fire protection agreement as reviewed by the council at the meeting of the council on April 24, was not approved by motion. Therefore, at this time, MOTION WAS MADE BY HAL SHULER, SECONDED BY RONALD COOPER, TO APPROVE THE FINAL DRAFT OF THE FIRE PROTECTION AGREEMENT AS REVIEWED BY THE COUNCIL AT THE MEETING OF THE COUNCIL ON APRIL 24, 1990. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-JAMES PRATHER(1).

COPIER PREVENTATIVE MAINTENANCE AGREEMENT MOTION WAS MADE BY RONALD COOPER, SECONDED BY MARC HANSEN, TO APPROVE THE COPIER PREVENTATIVE MAINTENANCE AGREEMENT WITH WESTAR AS PRESENTED. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-JAMES PRATHER(1).

SSI SOFTWARE SUPPORT AGREEMENT MOTION WAS MADE BY JAMES BEAN, SECONDED BY HAL SHULER, TO APPROVE THE SSI SOFTWARE SUPPORT AGREEMENT AS PRESENTED. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-JAMES PRATHER(1).

CAPITAL OUTLAY PARKS EQUIP. PURCHASE Council discussed purchasing a rider mower for the ball park. Councilman Hansen will check the consumer rating on the various mowers discussed.

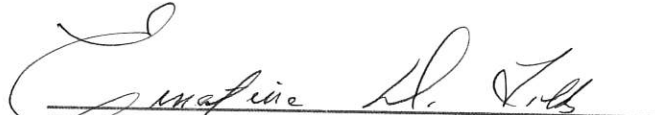
RESOLUTION PROPOSED EMPLOYEE SALARY MOTION WAS MADE BY MARC HANSEN, SECONDED BY FOR RONALD COOPER, TO APPROVE THE RESOLUTION NO.90-5-8-1 FOR EMPLOYEE SALARIES, SETTING THE SALARY FOR MOVING THE BALL PARK AT \$20 EACH TIME, AS PRESENTED. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-JAMES PRATHER(1).

TENTATIVE BUDGET FOR FISCAL YEAR MOTION WAS MADE BY RONALD COOPER, SECONDED BY MARC HANSEN, TO ACCEPT THE TENTATIVE BUDGET FOR THE FISCAL YEAR 1990-1991 AS PRESENTED, NOTING THAT THE TENTATIVE BUDGET WILL BE MORE CLEARLY DRFINED AND AMENDED BEFORE FINAL ADOPTION. VOTE: 1990/1991 YES-ALL(4); NO-NONE(0); ABSENT-JAMES PRATHER(1).

Minutes of the Elk Ridge Town Council Meeting - 5-8-90

ADJOURNMENT

There being no further business to discuss at this meeting or at a closed session, MOTION WAS MADE BY RONALD COOPER, SECONDED BY MARC HANSEN, TO ADJOURN THIS MEETING. VOTE: YES-JAMES BEAN, HAL SHULER, RONALD COOPER, MARC HANSEN.(4); NO-NONE(0); ABSENT-JAMES PRATHER.

  
Town Clerk

## NOTICE & AGENDA

Notice is hereby given, the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, May 22, 1990 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

The agenda shall be as follows:

### 7:00 P.M. -COUNCIL WORK SESSION:

1. Review Minutes of Previous Meeting
2. 4th of July Activities
3. Review Documents for Council Meeting Agenda

### 8:00 P.M. Invocation & Pledge of Allegiance

8:05 P.M. Minutes of Previous Meeting

8:10 P.M. Building Valuation Data  
Building Permit Fees & Plan Check Fees

8:30 P.M. Proposed Animal Related Zone Ordinance  
Amendments

8:45 P.M. Update on New Well

9:00 P.M. Water Development Loan Application

9:20 P.M. Deeds for Wells

9:30 P.M. Water Rights

9:50 P.M. Ron Ririe Subdivision

10:00P.M. Red Cross Utah County Chapter/Emergency  
Preparedness

10:10P.M. Expenditures & Financial Report for April, 1990

10:20P.M. Budget for Fiscal Year 1989/1990

10:50P.M. Budget for Fiscal Year 1990/1991

11:30P.M. Adjournment Closed Session-Potential Litigation

The times listed for each item and the agenda may be accelerated if time permits.

Notice & Agenda - Elk Ridge Town Council Meeting-5-22-90  
Page 2

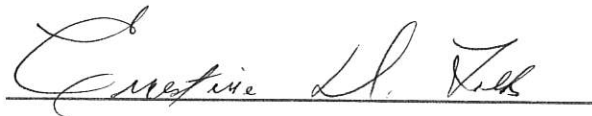
All interested persons are invited to attend.

Dated this 19th day of May, 1990.

  
Town Clerk

#### CERTIFICATION

The undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was delivered to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on May 19, 1990.

  
Town Clerk

Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

May 22, 1990

TIME & PLACE OF MEETING The work session of the Elk Ridge Town Council was held on Tuesday, May 22, 1990 at 7:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL James Prather, mayor pro tempore; Ronald Cooper, Marc Hansen, Hal Shuler, councilmembers; Ernestine D. Folks, town clerk.

Mayor, James Bean was not present at this work session.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by delivering a copy to each on May 19, 1990.

REVIEW MINUTES OF PREVIOUS MEETING Council reviewed the minutes of the Elk Ridge Town Council Meeting held on May 8, 1990.

Well properties are to have a legal descriptions prepared to secure deeds.

Councilman Hansen reported it has been proven to be less expensive to contract road repairs than to buy the supplies and have municipal employees do the work.

4TH OF JULY ACTIVITIES Councilman Hansen will make arrangements for Cregg Ingram to coordinate the races. The fire department will arrange the breakfast. The golf tournament needs to be arranged through Jack Lomento. The scouts will take charge of the flag ceremony.

Councilman Cooper will inquire as to hats, shirts and jackets with Elk Ridge logo being made available for sale on July 4th.

Council discussed the enforcement of the nuisance ordinance requirements relating to trash and garbage accumulation on lots.

REVIEW DOCUMENTS FOR COUNCIL MEETING AGENDA Council reviewed the various documents to be discussed during the council meeting.

ELK RIDGE TOWN COUNCIL MEETING

May 22, 1990

TIME & PLACE OF MEETING	The regular meeting of the Elk Ridge Town Council Meeting was held on Tuesday, May 22, 1990 at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.
ROLL CALL	<p>James Bean, Mayor; James Prather, mayor pro tempore; Ronald Cooper, Marc Hansen, Hal Shuler, councilmembers; Ernestine D. Folks, town clerk, Bill Pierce, Clayton Creek.</p> <p>Mayor, James Bean did not arrive at this meeting until approximately 9:00 P.M.</p> <p>Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by delivering a copy to each on May 19, 1990.</p>
INVOCATION & PLEDGE OF ALLEGIANCE	Prayer was offered by Marc Hansen with the pledge of allegiance following.
MINUTES OF PREVIOUS MEETING	MOTION WAS MADE BY RONALD COOPER, SECONDED BY MARC HANSEN, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETING HELD ON MAY 8, 1990. VOTE: YES-ALL (4); NO-NONE(0); ABSENT-JAMES BEAN(1).
BUILDING VALUATION DATA	Council reviewed the building valuation data comparing what the ICBO presents as the average costs and what other local cities are using. Currently Orem, Salem and Spanish Fork are using the ICBO National figures with the regional modifier. Elk Ridge is currently lower than all those mentioned including the County. The recommendation from the Elk Ridge Building Inspector is to adopt the National Building Valuation Data Table with the Utah Modifier in the <u>Building Standards</u> , November-December, 1989 issue, to calculate the building valuations in Elk Ridge.
BUILDING PERMIT FEES PLAN CHECK FEES	Current building permit fee is 80% of ICBO Table 3A. Plan Check fee is 65% of the building permit fee. Recommendation was made to not change those fees.

Minutes of the Elk Ridge Town Council Meeting - 5-22-90

BUILDING  
VALUATION  
DATA  
(CONTINUED)

MOTION WAS MADE BY RONALD COOPER, SECONDED BY MARC HANSEN, TO APPROVE THE CHANGE IN THE MEANS OF CALCULATING THE BUILDING VALUATION BY ADOPTING THE NATIONAL BUILDING VALUATION DATA TABLE WITH THE UTAH MODIFIER IN THE BUILDING STANDARDS, NOVEMBER-DECEMBER, 1989 ISSUE, EFFECTIVE MAY 22, 1990. VOTE: YES-ALL (4); NO-NONE(0); ABSENT-JAMES BEAN(1).

Building plans received by the building inspector after May 22, 1990 will be calculated using the new method.

Council discussed and requested that a resolution to consider a change in the building inspector's salary be considered at the next council meeting.

PROPOSED  
ANIMAL RELATED  
ZONE ORD.  
AMENDMENTS

Following a review of the proposed animal related zone ordinance amendments presented, the council requested the planning commission review the final document at their next meeting prior to the public hearing on June 26, 1990 at 7:00 P.M.

A clear understanding of the intent and the definition of the term "pasture" were two of the questionable areas with the ordinance amendment.

UNSCHEDULED  
AGENDA ITEM

Ryan Tervort proposed to the council the installation of the sprinkler system on the south side of the fire station/town hall building as his Eagle Scout project.

Nathan Jorgenson previously volunteered to do the laying of the sod. Ryan Tervort was advised to coordinate his efforts with Nathan Jorgenson and return to the council when his plans are more complete.

UPDATE ON  
NEW WELL

Councilman Shuler reported the driller has drilled to a depth of 390' with 8" casing and will now reduce to 6" casing and continue drilling. Driller anticipates completing the drilling within a week.



Minutes of the Elk Ridge Town Council Meeting - 5-22-90

WATER  
DEVELOPMENT  
LOAN  
APPLICATION

The state has asked for more detail on the engineering report, so Donald Cole has submitted engineering information, a map of the water system and copies of the well bids.

The revenue bond requires the signature of the municipal attorney.

Attorneys, Dave McMullin and Bill Hansen will be contacted and Mayor Bean will determine who will assist with the revenue bond.

DEEDS FOR  
WELLS

Donald Cole is to prepare deeds for well properties.

WATER RIGHTS

Council reviewed information regarding the number of approved subdivision lots and the current number of lots with homes, in order to determine the amount of water rights committed to approved subdivisions and also how much water rights Elk Ridge has in reserve for future needs, or will need to acquire to meet needs.

According to the data provided, subdivision approval has been given for 313 lots. Current water rights are 119 acre feet per year. Council agreed that until the water rights transfer is completed and the amount of water rights the transfer will provide is known, the council cannot determine that the town has acquired more water right than is needed to satisfy the water supply obligation to existing users and previously approved developments, to allow the subdivider in lieu of conveying water rights, to offer to the Town a cash contribution for the purchase of the water right.

RON RIRIE  
SUBDIVISION

Mr. Ririe was not present at this meeting.

RED CROSS  
UTAH COUNTY  
CHAPTER/  
EMERGENCY  
PREPAREDNESS

Lucretia Thayne requested the council approve Mary Eaton, Mary Dennis and herself to act as the committee for Elk Ridge to coordinate emergency preparedness training of people in the community on shelter management, 72 hr. kits and first aid. The town hall will be used as a training location.

Minutes of the Elk Ridge Town Council Meeting - 5-22-90

RED CROSS MOTION WAS MADE BY RONALD COOPER, SECONDED BY  
UTAH COUNTY JAMES PRATHER TO SANCTION THE ELK RIDGE  
EMERGENCY EMERGENCY PREPAREDNESS COMMITTEE AND RED CROSS  
PREPAREDNESS LIAISON. VOTE: YES-ALL(5); NO-NONE(0).  
(CONTINUED)

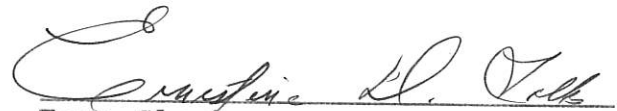
EXPENDITURES Council reviewed the expenditures and financial  
& FINANCIAL report for the month of April, 1990. MOTION  
REPORT FOR WAS MADE BY RONALD COOPER, SECONDED BY JAMES  
APRIL, 1990 PRATHER, TO APPROVE THE EXPENDITURES AND  
FINANCIAL REPORT FOR THE MONTH OF APRIL, 1990.  
VOTE: YES-ALL (5); NO-NONE(0).

BUDGET FOR MOTION WAS MADE BY HAL SHULER, SECONDED BY  
FISCAL YEAR JAMES PRATHER, TO SCHEDULE THE AMENDMENT OF THE  
1989/1990 BUDGET FOR THE FISCAL YEAR 1989/1990 ON JUNE  
26, 1990. VOTE: YES-ALL(5); NO-NONE(0).

BUDGET FOR MOTION WAS MADE BY JAMES PRATHER, SECONDED BY  
FISCAL YEAR RONALD COOPER, TO SCHEDULE THE PUBLIC HEARING  
1990/1991 TO CONSIDER THE TOWN BUDGET FOR THE FISCAL YEAR  
1990/1991, AND ADOPT AT THAT TIME IF THERE ARE  
NO CHANGES, ON JUNE 12, 1990 AT 8:15 P.M.  
VOTE: YES-ALL(5); NO-NONE(0).

ADJOURNMENT There being no further business to discuss at  
CLOSED SESSION this meeting, MOTION WAS MADE BY JAMES PRATHER,  
POTENTIAL SECONDED BY TO ADJOURN TO A CLOSED SESSION.  
VOTE: YES-JAMES BEAN, JAMES PRATHER, HAL  
SHULER, RONALD COOPER, MARC HANSEN (5); NO-  
NONE(0).

Persons present at this meeting where potential  
litigation was discussed were James Bean, James  
Prather, Ronald Cooper, Hal Shuler, Marc  
Hansen, Ernestine Folks.

  
Town Clerk

### NOTICE & AGENDA

Notice is hereby given, the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, June 12, 1990 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

The agenda shall be as follows:

- 7:00 P.M. -PUBLIC HEARING for the purpose of receiving public comment regarding the intent to issue a non-voted revenue bond to the Utah Safe Drinking Water Committee for \$100,000 at 3% interest for 20 years for the purpose of drilling and addition of a new well and housing to the existing water system, also acquiring properties and easements for a well site and waterlines, and the extension of waterlines and installation of pressure regulating stations to improve the system.
- 8:00 P.M. Invocation & Pledge of Allegiance
- 8:05 P.M. Minutes of Previous Meeting
- 8:10 P.M. Dale & Pam Knight Building Permit
- 8:15 P.M. Public Hearing for the purpose of receiving public comment regarding the Town Budget & Tax Rate for the Fiscal Year 1990/1991
- 9:30 P.M. Adoption of the Town Budget and Tax Rate for the Fiscal Year 1990/1991
- 9:35 P.M. Laidlaw Waste Systems - Rod Betts
- 9:45 P.M. Adoption of Resolution Providing for the Issuance of a \$100,000 Water Revenue Bond
- 9:50 P.M. Grasshopper Spraying
- 9:55 P.M. Purchase of Hats for July 4th
- 10:00P.M. Capitol Outlay Parks Equipment Purchase
- 10:10P.M. Street Sign Purchase
- 10:15P.M. Adoption of Utah State Plumbing Code, 1988 Edition
- 10:20P.M. Resolution for Proposed Employee Salary Schedule
- 10:30P.M. Update on New Well
- 10:40P.M. Water Rights Change Application

Notice & Agenda - Elk Ridge Town Council Meeting - 6-12-90  
Page 2

11:10P.M. Ron Ririe Subdivision

11:30P.M. Adjournment Closed Session-Potential Litigation

The times listed for each item and the agenda may be accelerated if time permits.

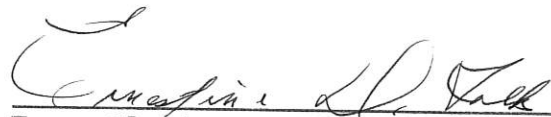
All interested persons are invited to attend.

Dated this 9th day of June, 1990.

  
Town Clerk

CERTIFICATION

The undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was delivered to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on June 9, 1990.

  
Town Clerk

ELK RIDGE TOWN COUNCIL PUBLIC HEARING & WORK SESSION

June 12, 1990

TIME & PLACE OF MEETING The public hearing and work session of the Elk Ridge Town Council was held on Tuesday, June 12, 1990 at 7:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL James Bean, mayor; James Prather, Ronald Cooper, Marc Hansen, Hal Shuler, councilmembers; Ernestine D. Folks, town clerk.

No other persons were present during the public hearing held from 7:00 P.M. to 8:00P.M.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by delivering a copy to each on June 9, 1990.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT REGARDING THE INTENT TO ISSUE A NON-VOTED REVENUE BOND TO THE UTAH SAFE DRINKING WATER COMMITTEE Council reviewed the Resolution Providing for the Issuance of a \$100,000 Water Revenue Bond. No one present voiced any objection to the intent to issue a non-voted revenue bond to the Utah Safe Drinking Water Committee for \$100,000 at 3% interest for 20 years for the purpose of drilling and addition of a new well and housing to the existing water system, also acquiring properties and easements for a well site and waterlines, and the extension of waterlines, and installation of pressure regulating stations to improve the system.

S.E.S.D. REPRESENTATIVE REPORT Councilman Cooper reported that S.E.S.D. is entering the second phase of the powerline replacement, starting next week.

TOWN BUDGET & TAX RATE FOR FISCAL YEAR 1990/1991 Council reviewed the budget documents for the fiscal year 1990/1991.

The certified tax rate is .003896. There will be no increase in the certified tax rate, actually a decrease not significant enough to cause a reduction in property taxes. The amount of revenue budgeted under delinquent taxes was increased to cover the actual amount expected in taxes.

Minutes of Elk Ridge Town Council Work Session - 6-12-90

TOWN BUDGET &  
TAX RATE FOR  
FISCAL YEAR  
1990/1991

Building permit revenue is expected to increase due to the change in valuation calculation. There will also be an increase in the General Government revenue due to an increase in the administrative fee from the water and sewer funds. Sanitation revenue is expected to increase due to the increase in billing from Laidlaw of \$1.15 per customer per month. The excess fund balance, \$5000, from the 1989/1990 roads budget will be appropriated to the 1990/1991 roads budget, as will the excess property taxes from 1988/89, \$1,692, and 1989/1990, \$5,745. Fund Balance of \$2,725 will be appropriated to the fire department capital outlay. Total Revenue & Other Sources for the fiscal year is \$128,022.

Under general government expenditures, the new budget will provide for hiring a part time deputy clerk to work 12 hrs. per week. After January, the town clerk anticipates reducing the number of hours she works, to allow for an increase in the hours for the new deputy clerk position. Maintenance of capital assets was increased. Professional services expenses were increased to cover extra consultant services as well as financial reports and audits. Public safety increases include an increase in fire department to cover the truck being upgraded, which is capital outlay. Contract with the County Sheriff for police protection is provided for the full contract amount of \$1900. Highways & Streets budget will allow for \$15,270 for road repairs with the prior year fund balance appropriation.

ELK RIDGE TOWN COUNCIL MEETING

June 12, 1990

TIME & PLACE  
OF MEETING

The regular meeting of Elk Ridge Town Council was held on Tuesday, June 12, 1990 at 7:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL

James Bean, mayor; James Prather, Ronald Cooper, Marc Hansen, Hal Shuler, councilmembers; Ernestine D. Folks, town clerk; Charla Zeeman, Gary Nielsen, Dale & Pamela Knight, Bill Pierce, Ron Ririe, Rod Despain, Rick Waltz.

No other persons were present during the public hearing held from 7:00 P.M. to 8:00P.M.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by delivering a copy to each on June 9, 1990.

INVOCATION  
& PLEDGE OF  
ALLEGIANCE

Prayer was offered by Ronald Cooper, with the pledge of allegiance following.

MINUTES OF  
PREVIOUS  
MEETING

Minutes of previous meetings were not available.

DALE & PAMELA  
KNIGHT  
BUILDING  
PERMIT

Mr. & Mrs. Knight requested the council to allow them to construct the foundation for their home without a building permit. They requested a building permit from the building inspector, however, the current ordinances provide that a certain level of improvements must be in place prior to a building permit being issued, therefore, the building inspector stated that a building permit could not be issued.

Councilman Prather expressed concern with not abiding with ordinances if the Knights are allowed to construct the foundation for their home without a building permit, since the building codes provide that a building permit must be issued for construction of a home.

Minutes of the Elk Ridge Town Council Meeting - 6-12-90

DALE & PAMELA  
KNIGHT  
BUILDING  
PERMIT  
(CONTINUED)

Gary Nielsen, contractor for the Knights, stated that H. E. Davis has a contract with James Winterton to do the street improvements this year. If necessary, the Knights stated they intend to put the road in and then sue James Winterton. Delays in the construction are proving costly to the Knight family. At this time the Knights are not asking for a building permit, but for the council to permit them to continue with the construction without a permit without any further delays. He estimated that to construct the road will mean a delay of 3 weeks.

Councilman Cooper stated that if H. E. Davis will post a performance bond for the improvements, he would not object to allowing the Knights to construct the foundation.

The building inspector expressed concern with allowing construction of a foundation and then the street is not completed.

Mayor Bean stated he will meet with James Winterton and will check agreements with H. E. Davis. Also, municipal attorney will be contacted to advise on this issue. The council was asked to be ready to attend an emergency meeting of the council should the need arise to resolve this issue.

PUBLIC HEARING  
FOR THE  
PURPOSE OF  
RECEIVING  
PUBLIC  
COMMENT  
REGARDING THE  
TOWN BUDGET &  
TAX RATE FOR  
THE FISCAL  
YEAR 1990/1991

Mayor Bean declared the public hearing open, and asked for input from those present.

The sanitation budget is increased to allow for the increase in rates. At this time only the \$1.15 per residential connection is included in the budget. Building inspection expenses are increased due to salary increases and minimal other cost increases in the area of conventions. Animal control costs are increased due to the county sheriff providing the full amount of services as provided in the contract. Concern for the level of animal control service was expressed. Sheriff is to provide minimum quarterly incident reports.

Insect & Weeds costs are also increased.



Minutes of the Elk Ridge Town Council Meeting - 6-12-90

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT REGARDING THE TOWN BUDGET & TAX RATE FOR THE FISCAL YEAR 1990/1991 (CONTINUED)

Parks & Recreation budget increased slightly due to increase in park expenses. A transfer of \$600 to the capital projects for the fire station/town hall building is also included. The council discussed the possibility of a capital projects fund for aluminum siding on the city building. Action on this was postponed until after July 1, 1990.

Council reduced the fire department budget by \$500, and approved covering the difference in total revenues and expenditures from the fund balance, for a total \$128,022 for expenditures & uses for the fiscal year of 1990/1991 .

Water Fund Budget includes salary increases to Public Works Supvr and Asst. Public Works Supvr. Non-operating revenue is expected to have 9 connections to system. Repayment of a \$43,000 loan from the sewer fund will be made from the anticipated revenue bond.

ADOPTION OF TOWN BUDGET & TAX RATE FOR FOR THE FISCAL YEAR 1990/1991

MOTION WAS MADE BY HAL SHULER, SECONDED BY THE RONALD COOPER, TO APPROVE THE TAX RATE AND TOWN BUDGET FOR THE FISCAL YEAR 1990/1991 AS AMENDED. VOTE: YES-ALL(5); NO-NONE(0).

LAIDLAW WASTE WASTE SYSTEMS

Rick Waltz from Laidlaw Waste Systems, informed the council that effective July 1, 1990, Laidlaw will increase rates from \$5.00 to \$6.15 per residence per month. Rates have been \$5.00 since 1984. This increase is due to increase in insurance liability costs.

Council discussed the possibility of having Spanish Fork provide garbage collection for Elk Ridge. This is to be checked into further.

ADOPTION OF RESOLUTION PROVIDING FOR THE ISSUANCE OF A \$100,000 WATER REVENUE BOND

Council reviewed the Resolution providing for the issuance of a \$100,000 water revenue bond. Attorney Bill Hansen has agreed to act as municipal attorney for the water revenue bond. MOTION WAS MADE BY HAL SHULER, SECONDED BY MARC HANSEN TO ADOPT THE RESOLUTION PROVIDING FOR THE ISSUANCE OF A \$100,000 WATER REVENUE BOND AS PRESENTED. VOTE: YES-ALL(5); NO-NONE(0).

Minutes of the Elk Ridge Town Council Meeting - 6-12-90

GRASSHOPPER  
SPRAYING Councilman Cooper informed the council that Rawlings Lawn & Insect Control will be spraying for grasshoppers on Thursday & Friday, June 14 & 15. Notice has been provided for all residents. After a discussion on cutting the hay from more vacant lots before the spraying is done, the spraying is to be delayed until the hay is cut from more of the vacant lots. Another notice will be sent to the residents.

PURCHASE OF  
HATS FOR  
JULY 4TH Councilman Cooper requested the council approve the purchase of 50 hats with the Elk Ridge Logo at a cost of \$470. The hats will be sold at the July 4th activities for \$10 each. MOTION WAS MADE BY JAMES PRATHER, SECONDED BY RONALD COOPER, TO AUTHORIZE THE PURCHASE OF THE ELK RIDGE HATS FOR \$470. VOTE: YES-ALL(5); NO-NONE(0).

CAPITAL OUTLAY Postpone until next council meeting.  
PARKS EQUIPMENT  
PURCHASE

STREET SIGN  
PURCHASE Council discussed addressing the streets to provide the block and direction on the sign in addition to the name of the street. With the engineer gone for four months, the fire chief will be asked if he can do the addressing.

Costs for posts, signs and brackets is \$700.

ADOPTION OF  
UTAH STATE  
PLUMBING CODE,  
1988 EDITION MOTION WAS MADE BY JAMES PRATHER, SECONDED BY MARC HANSEN, TO ADOPT THE ORDINANCE NO 90-6-12-5, ADOPTING THE UTAH PLUMBING CODE, 1988 EDITION. VOTE: YES-ALL(5); NO-NONE(0).

RESOLUTION FOR  
PROPOSED  
EMPLOYEE  
SALARY  
SCHEDULE MOTION WAS MADE BY RONALD COOPER, SECONDED BY JAMES PRATHER, TO ADOPT RESOLUTION NO. 90-6-12-3R, A RESOLUTION FOR THE PROPOSED EMPLOYEE SALARY SCHEDULE TO CHANGE THE BUILDING INSPECTOR'S SALARY AS PRESENTED, EFFECTIVE JUNE 1, 1990. VOTE: YES-ALL(5); NO-NONE(0).

UPDATE ON  
NEW WELL Councilman Shuler reported the new well is complete, with 8" casing to a depth of 390' and 6" casing to 630'. A letter of certification from the State has been issued as a result of compliance with regulations as they apply to the surface seal installed on the new well.

Minutes of the Elk Ridge Town Council Meeting - 6-12-90

WATER RIGHTS  
CHANGE  
APPLICATION

RON RIRIE  
SUBDIVISION

Change application No. 51-6174 has been approved and authority has been given to proceed with the actual construction work. The diversion of water under the change application, represented by the ownership of 110 shares of stock in the Upper East Union Irrigation Co., shall not exceed 127 acre-feet during the period of April 15 to October 31 and is limited to 32 acre-feet from November 1 to April 14. Other conditions were outlined in the memorandum decision. As to the amount of water right to be committed to additional development, Rodney Despain cautioned the council on commitment of the municipality's water right reserve. The council and Ron Ririe discussed the pro's and con's with requiring the developer to provide the water right for each lot in new development. Mr. Ririe stated he feels the water right requirement does not promote development, because purchase of water rights is nearly impossible. The council felt they were not prepared to make a decision on committing the municipality's water right reserve to Mr. Ririe's or any other development until a clear understanding of the amount of water right flow is determined, even though with the additional water right the municipality does have more water rights now than are being used.

ADJOURNMENT

There being no further business to discuss at this meeting, MOTION WAS MADE BY RONALD COOPER, SECONDED BY JAMES PRATHER, TO ADJOURN TO A CLOSED SESSION. VOTE: YES-JAMES BEAN, JAMES PRATHER, HAL SHULER, RONALD COOPER, MARC HANSEN.(5); NO-NONE(0).

Those in attendance at this closed meeting included James Bean, James Prather, Hal Shuler, Marc Hansen, Ronald Cooper, Ernestine Folks, Rodney Despain where potential litigation was discussed.

  
Town Clerk

### NOTICE & AGENDA

Notice is hereby given, the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, June 26, 1990 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

The agenda shall be as follows:

7:00 P.M. -PUBLIC HEARING for the purpose of receiving public comment regarding the recommendations of the planning commission for the ordinance amending certain provisions of the Zoning Ordinance of the Town of Elk Ridge, Utah, Relating to the Location and Management of Livestock Within the Town, Establishing a New Zone Entitled the RR-1 Rural Residential Zone, Setting Forth the Requirements Applicable Within Said Zone, Revising Certain Provisions of the S-2 Zone Relating to Livestock Uses.

7:30P.M.- Closed Session-Potential Litigation

8:00 P.M. Invocation & Pledge of Allegiance

8:05 P.M. Plat C Subdivision Performance Bond

8:20 P.M. Hal Shuler's Ranchette Performance Bond

8:35 P.M. Ron Ririe Subdivision - Water Rights Requirement

8:50 P.M. Adoption of Ordinance Amending Certain Provisions of the Zoning Ordinance of the Town of Elk Ridge, Utah, Relating to the Location and Management of Livestock Within the Town, Establishing A New Zone Entitled the RR-1 Rural Residential Zone, Setting Forth the Requirements Applicable Within Said Zone, Revising Certain Provisions of the S-2 Zone Relating to Livestock Uses.

9:00 P.M. Minutes of Previous Meetings

9:10 P.M. Expenditures & Financial Report for May, 1990

9:30 P.M. 1989/1990 Budget Amendments

9:45 P.M. Garbage Rate Increase

10:00P.M. Update on New Well

10:15P.M. Enforcement of Nuisance and Zoning Ordinance

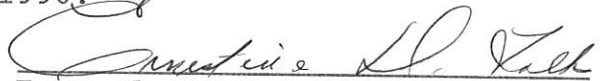
10:30P.M. Adjournment

Notice & Agenda - Elk Ridge Town Council Meeting 6-26-90  
Page 2

The times listed for each item and the agenda may be accelerated if time permits.


All interested persons are invited to attend.

Dated this 25th day of June, 1990.

  
Town Clerk

CERTIFICATION

The undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was delivered to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on June 25, 1990.

  
Town Clerk

ELK RIDGE TOWN COUNCIL PUBLIC HEARING

June 26, 1990

TIME & PLACE OF MEETING The public hearing of the Elk Ridge Town Council was held on Tuesday, June 26, 1990 at 7:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL James Bean, mayor; James Prather, Ronald Cooper, Hal Shuler, councilmembers; Ernestine D. Folks, town clerk; Clarence Foster, Dwight Williams, Lee Pope, Ronald & Connie Segura, James Winterton, Kevin Colver.

Notice of time, place and agenda of this meeting was provided to the Daily Herald and to each member of the governing body by delivering a copy to each on June 25, 1990.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT REGARDING THE RECOMMENDATION OF THE PLANNING COMMISSION FOR THE ORDINANCE AMENDING THE ZONING ORDINANCE, RELATING TO THE LOCATION & MANAGEMENT OF LIVESTOCK WITHIN THE TOWN, ESTABLISHING A NEW ZONE, ENTITLED THE RRI ZONE

Clarence Foster reviewed the ordinance and explained its purpose.

Lee Pope indicated that the properties in the Goosenest area would not be in compliance with the new ordinance. Councilman Cooper pointed out that they aren't now. Reducing the setback to 75' when a pasture no longer has enough vegetation was considered as not realistic by Mr. Pope. Suggestion was made to use the Nuisance Ordinance to enforce the existing ordinance instead of an amendment.

A lengthy discussion on the odor problems with maintaining animals ensued.

Councilman Prather suggested that for the clarification of pasture, animal units initially allowed on areas intended as pasture shall be subject not only to maximum number of units per area dimension, but adjusted downward as necessary to ensure the forage is not depleted by grazing pressure. Animal units allowed should not exceed the ability of the pasturage to maintain its character as a primary food source.

Recommendation was made by Mr. Pope to meet again to gather further input from the people living in that area to be rezoned.

Minutes of Elk Ridge Town Council Public Hearing - 6-26-90

CLOSED SESSION MOTION WAS MADE BY RONALD COOPER, SECONDED BY  
POTENTIAL JAMES PRATHER, TO ADJOURN TO A CLOSED SESSION.  
LITIGATION VOTE: YES-JAMES BEAN, JAMES PRATHER, HAL  
SHULER, RONALD COOPER(4); NO-NONE (0).  
ABSENT-MARC HANSEN(1).

Those present at this meeting included James  
Bean, James Prather, Hal Shuler, Ronald  
Cooper, James Winterton, Kevin Colver,  
Ernestine Folks.

MOTION WAS MADE BY HAL SHULER, SECONDED BY  
JAMES PRATHER TO MOVE BACK INTO A PUBLIC  
MEETING. VOTE: YES-ALL(4); NO-NONE(0);  
ABSENT-MARC HANSEN(1).

ELK RIDGE TOWN COUNCIL MEETING

June 26, 1990

TIME & PLACE OF MEETING	The regular meeting of Elk Ridge Town Council was held on Tuesday, June 26, 1990 at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.
ROLL CALL	James Bean, mayor; James Prather, Ronald Cooper, Hal Shuler, councilmembers; Ernestine D. Folks, town clerk; Charla Zeeman, Ron Ririe, Rod Despain.  Councilman Marc Hansen was not present at this meeting.  Notice of time, place and agenda of this meeting was provided to the Daily Herald by delivering a copy to each on June 25, 1990.
INVOCATION & PLEDGE OF ALLEGIANCE	Prayer was offered by Ronald Cooper, with the pledge of allegiance following.
PLAT C SUBDIVISION PERFORMANCE BOND	Council agreed to consider an extension on the performance bond for the improvements to Plat C, based on further information to be provided at the next meeting.
HAL SHULER'S RANCHETTE SUBDIVISION PERFORMANCE BOND	Council agreed to table any discussion on this issue until the next council meeting.
RON RIRIE SUBDIVISION WATER RIGHTS REQUIREMENTS	Mr. Ririe reported he contacted the State Engineer's office and spoke with Ed Felt who directed him to Stan Roberts from the Upper East Irrigation Company to pursue the acquisition of water rights for his development. If he were to purchase water rights from the Upper East Union Irrigation Company the State assures him they will use the same calculation as they did with the last transfer.



Minutes of the Elk Ridge Town Council Meeting - 6-26-90

RON RIRIE  
SUBDIVISION  
WATER RIGHTS  
REQUIREMENT  
(CONTINUED)

All of this takes time, which Mr. Ririe intends to pursue, but at this time he again requests that the council approve payment of a water rights purchase fee of \$500 per lot in lieu of conveying water rights for his subdivision development.

*AMENDED*

*8-14-90*

*SEE PAGE 100*

~~Councilman Prather cautioned the council to not approve such a request, as such action would be in violation of the subdivision ordinances, which specifies that until such time as the Town Council determines that the Town has acquired and obtained more water rights than is needed to satisfy the water supply obligation to existing users and previously approved developments the subdivider may, in lieu of conveying water rights, pay the Town a water rights purchase fee.~~

MOTION WAS MADE BY HAL SHULER, SECONDED BY RONALD COOPER, TO ALLOW RON RIRIE TO PAY THE WATER RIGHTS PURCHASE FEE OF \$500 PER LOT FOR 3 LOTS ON HIS PROPOSED DEVELOPMENT. VOTE: YES-(3); NO-JAMES PRATHER(1); ABSENT-MARC HANSEN(1).

ADOPTION OF  
ORDINANCE  
AMENDING THE  
ZONING ORD.,  
RELATING TO  
THE LOCATION &  
MANAGEMENT OF  
LIVESTOCK  
WITHIN THE  
TOWN,  
ESTABLISHING  
A NEW ZONE,  
RRI-1

Consultant Rod Despain informed the council that the definition of a pasture was never intended to be so precise as to be mathematically calculable. He further suggested to the council to schedule a continuance of the hearing on this issue to discuss the heart of the issue, which seems to be, at what point does a pasture stop being a pasture and what are the specifics when it does. He further recommended that the definition should not be used as a regulating tool. Regulation of the requirements are included elsewhere in the ordinance. Should, as a result of the hearing, changes be significant, the planning commission should review the ordinance again. Council agreed to table the adoption of the Ordinance until further discussion could take place at the next council meeting.

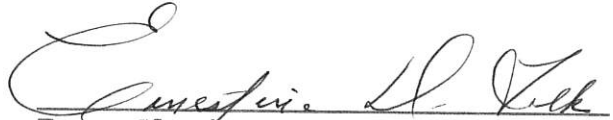
Minutes of the Elk Ridge Town Council Meeting - 6-26-90

MINUTES OF PREVIOUS MEETINGS	MOTION WAS MADE BY HAL SHULER, SECONDED BY JAMES PRATHER TO ACCEPT THE MINUTES FROM THE ELK RIDGE TOWN COUNCIL MEETINGS HELD ON MAY 22, 1990 AND JUNE 12, 1990 AS PRESENTED. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).
EXPENDITURES & FINANCIAL REPORT FOR MAY, 1990	MOTION WAS MADE BY JAMES PRATHER, SECONDED BY HAL SHULER, TO APPROVE THE EXPENDITURES AND FINANCIAL REPORT FOR MAY, 1990. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).
1989/1990 BUDGET AMENDMENTS	MOTION WAS MADE BY RONALD COOPER, SECONDED BY HAL SHULER, TO SCHEDULE A SPECIAL MEETING TO AMEND THE 1989/1990 BUDGET FOR FRIDAY, JUNE 29, 1990 AT 9P.M. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).
GARBAGE RATE INCREASE	MOTION WAS MADE BY RONALD COOPER, SECONDED BY JAMES BEAN, TO APPROVE THE GARBAGE RATE INCREASE FROM \$6.50 PER MONTH, TO \$7.65 PER MONTH PER RESIDENCE EFFECTIVE JULY 1, 1990. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).
UPDATE ON NEW WELL	<p>Councilman Shuler reported the driller is test pumping the new well at this time, but has experienced equipment breakdowns, which is causing delays.</p> <p>A break on one of the laterals stubbed out by Barney has reduced the level in the storage tank to 6 ft. With the wells pumping 250 gpm it is anticipated the loss in the storage tank will be recovered with no further problems. The water level in the tank is being monitored, however there may be a need to send a letter requesting residents to conserve on outside watering.</p>
ENFORCEMENT OF OF NUISANCE ORDINANCE & ZONING	Councilman Cooper reported that a letter has been sent to residents on the enforcement of the nuisance and zoning ordinances. An Environment Committee comprised of Nolan Money, Jan Newman, Clarence Foster, Mary Dennis and Dwayne Dyer will evaluate the problem areas in the community. Pictures will be taken, letters will be sent to those individuals in violation. If no response, or correction of violations then county sheriff will issue citation.

Minutes of the Elk Ridge Town Council Meeting - 6-26-90

ADJOURNMENT

There being no further business to discuss at this meeting, MOTION WAS MADE BY HAL SHULER, SECONDED BY JAMES PRATHER TO ADJOURN THIS MEETING. VOTE: YES-JAMES BEAN, JAMES PRATHER, HAL SHULER, RONALD COOPER(4); NO-NONE(0); ABSENT-MARC HANSEN(1).

  
Town Clerk

NOTICE & AGENDA

Notice is hereby given, the Town Council of Elk Ridge will hold a Special Town Council Meeting on Friday, June 29, 1990 at 9:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

The agenda shall be as follows:


1989/1990 Budget Amendments

Update on Water System

The times listed for each item and the agenda may be accelerated if time permits.

All interested persons are invited to attend.

Dated this 28th day of June, 1990.

  
Town Clerk

CERTIFICATION

The undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was given to the Daily Herald Journalist, Charla Zeeman and to each member of the governing body at the Council Meeting on June 26, 1990.

  
Town Clerk

ELK RIDGE TOWN COUNCIL MEETING

June 29, 1990

TIME & PLACE  
OF MEETING

The special meeting of Elk Ridge Town Council was held on Friday, June 29, 1990 at 9:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL

James Bean, mayor; James Prather, Ronald Cooper, Hal Shuler, councilmembers; Ernestine D. Folks, town clerk;

Councilman Marc Hansen was not present at this meeting.

Notice of time, place and agenda of this meeting was provided to the Daily Herald reporter, Charla Zeeman and to each member of the governing body at the council meeting on June 26, 1990.

1989/1990  
BUDGET  
AMENDMENTS

Council reviewed Resolution No. 90-6-29-1 which outlined the proposed budget amendments, recognizing that there is no increase in the general fund budget. However, it is estimated that the total revenue will exceed what was budgeted.

The general fund expenditures budget amendments include an increase in administration, reduction in elections, reduction in police department, increase in fire department, increase in highway & streets construction with a decrease in highway & streets repair and maintenance. Sanitation is being reduced, health & welfare is being increased, with parks being reduced. Fixed assets was increased and a budgeted increase in the fund balance has been budgeted to balance the expenditures with the revenues.

The capital projects fund for the park pavilion was amended to show an available beginning balance and a transfer of that balance to the fire station bldg/town hall capital projects fund to close the pavilion account.

Minutes of the Elk Ridge Town Council Meeting - 6-29-90

1989/1990  
BUDGET  
AMENDMENTS  
(CONTINUED)

The capital projects fund for the fire station bldg/town hall was amended to correct the beginning balance and show the transfer from the park pavilion.

The enterprise fund for the water department was changed to reflect the non-operating revenue received from the development and connection fees. Also, to meet cash flow needs until the water revenue bond is completed, a loan of \$43,000 will be made from the sewer fund. This will be repaid when the water revenue bond monies are received.

The enterprise fund for the sewer department was changed to show the increase in operating revenue with no change in operating expenses. Non-operating revenues were changed to show actual revenue received to date. The loan of \$43,000 to the water fund was also included as an amendment.

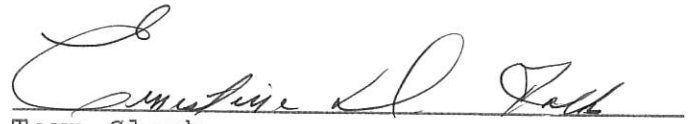
MOTION WAS MADE BY RONALD COOPER, SECONDED BY JAMES PRATHER, TO APPROVE THE RESOLUTION AMENDING THE 1989/1990 BUDGET AS PRESENTED. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).

UPDATE ON  
WATER SYSTEM

Councilman Shuler reported that a letter had been sent to all the water users restricting the use of outside water until further notice to even/odd watering days.

ADJOURNMENT

There being no further business to discuss at this meeting, MOTION WAS MADE BY RONALD COOPER, SECONDED BY JAMES PRATHER, TO ADJOURN THIS MEETING. VOTE: YES-JAMES BEAN, JAMES PRATHER, HAL SHULER, RONALD COOPER(4); NO-NONE(0); ABSENT-MARC HANSEN(1).

  
Town Clerk