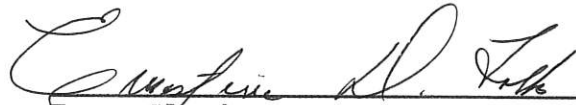



PUBLIC NOTICE OF ANNUAL MEETING

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. at 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 8th day of January 1991.


Town Clerk

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, January 8, 1991 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. The agenda shall be as follows:

7:00 P.M. COUNCIL WORK SESSION:

7:00	Bid opening for construction of well #6 pump house project
7:05	SESD Report - Ron Cooper
7:10	Employee or independent contractor status
7:15	Local officials day at the Legislature
7:20	Board of Adjustment and Planning Commission Member appointments - UVEDA Rep. and Water Board
7:25	Cross Connection Ordinance
7:30	Planning Consultant - Rob Despain

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

8:05	Acceptance of bid for construction of Well #6 pump house project
8:15	Well #6
8:30	Special Improvement District - Glen Vernon
9:00	Fire Chief appointment and Oath of Office - Bryce Rawlings
9:05	Presentation to Ray Folks
9:15	Approve minutes of previous meetings
9:30	Expenditures for December, 1990
9:40	CDBG LMI Survey Results
9:50	Prevention of Slum and Blight Resolution
9:55	Application for CDBG Small Cities Program 1991-1992
10:00	Performance Bond for Goosenest Plat A & Hal Shuler Ranchette
10:30	Closed session - Potential litigation and attorney's opinion on other related issues
11:00	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 4th day of January, 1991.


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 January 4, 1991.


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

January 8, 1991

TIME & PLACE OF MEETING The work session of the Elk Ridge Town Council was held on Tuesday, January 8, 1991, 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, Clarence Foster, Council members; Ernestine D. Folks, town clerk; Kristine Adams, deputy town clerk; Rodney Despain and Bruce D. Hall.

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 each member of the governing body by mailing a copy to each on January 4, 1991.

BID OPENING FOR CONSTRUCTION OF WELL #6 PUMP HOUSE PROJECT Bruce D. Hall, P.E. was present to open the bids that were submitted for the construction of Well #6 Pump House Project. He stated that the estimated engineering bid was \$17,800. The four bids received were as follows:

Hadfield Irrigation Co.w/Bid bond..\$12,484.58
Barney, Inc.w/Cashier's Check.....\$17,775.00
RD Construction & Concrete, Inc.
w/Bid bond..... \$19,745.00
RB&R Construction Co.w/Bid bond....\$16,838.00

Acceptance of the submitted bids will be postponed until the low bid by Hadfield Irrigation Co. is reviewed to make certain all items were included.

WELL #6 Bruce Hall stated that Dewey Peterson is presently on site at Well #6 and Doxey Drilling has removed his equipment from the premise.

CDBG PROJECT Bruce Hall, Engineer, gave his estimate of \$121,100 for the CDBG Project. This figure includes \$3500 for the easement, \$4200 for engineering, \$3400 for administration fees, \$30,000 for a pilot hole for the new well, and \$80,000 for purchase of water rights. Mr. Hall agreed with Bryce Montgomery to drill a pilot hole for the future well.

Minutes of the Elk Ridge Town Council Work Session - 1-8-91

S.E.S.D.
REPORT

The S.E.S.D. Report by Ron Cooper was postponed until the next meeting.

EMPLOYEE OR
INDEPENDENT
CONTRACTOR
STATUS

Council reviewed the employee/independent contractor status of Norm Johnson's backhoe tractor work. The need for this review is that the IRS will penalize an employer for inaccurately reporting an employee as a contractor. A checklist for determining if a common law employee or contractor relationship exists was used to determine his status. However, the questions on the checklist were problematic. Kim Peterson, CPA, will be contacted for his assistance. If necessary, it was suggested to have a separate contract drawn up for Mr. Johnson's backhoe work. Other areas of concern include Norm Johnson not having liability insurance.

LOCAL
OFFICIALS DAY
AT THE LEGIS-
LATURE

The Mayor and Council members must decide by January 14th whether they will be able to attend the Local Officials Day at the Legislature on January 21st. The cost will be \$20.00 per person.

PLANNING
CONSULTANT

Rod Despain gave an overview of the topic that Glen Vernon, Payson City Administrator, will be discussing in the Town Council Meeting. Mr. Vernon will be coming to request opening dialogue between Payson and Elk Ridge concerning development of the properties next to the golf course. The owners would like to see their properties developed and have gone to Payson with a proposal. Mr. Despain stated that the land areas are not capable of development due to lack of water and sewer facilities. He stated that it is increasingly difficult to borrow money for raw land development. Mr. Despain gave some background on the differences between using a Special Improvement District and a Redevelopment Area as a method for financing such development.

If the city is willing to allow the development of subdivisions using an SID where annual assessments from each lot is the source of income, then the burden of construction costs is shifted to the city. Some cities do pass these costs on to the lots.

Minutes of the Elk Ridge Town Council Work Session - 1-8-91

PLANNING
CONSULTANT
(CONTINUED)

If the city were to prepare a redevelopment plan of the land area and determine it blighted they could buy the land for full market value, then sell it for half the price on the theory that development of this property will generate taxes that will compensate the city for the 50% they gave away. The source of money received through an RDA is through tax increments so the increase in taxes is not realized by the city for seven years. The revenue from the increasing tax base goes to the redevelopment agency. If the entire area was not developed at once, then the amount received in tax increments could not be what was estimated in order to pay off the debt. Mr. Despain stated that he does not recommend we consider an RDA.

BOA, PCM,
UVEDA REP AND
WATER BOARD
APPOINTMENTS

Lee Pope's term on the Board of Adjustments (BOA) expires February, 1991. Council reviewed members of the Board of Adjustments and discussed possible nominees to fill vacancies. Nominees are: Dale Christofferson, Lee Haskell, and Gary Bowen.

Kathy Meredith's term on the Planning Commission (PCM) expires February, 1991. Nominees are: Jan Newman, Dennis Shirley, David Simpson, and Dave Tervort.

A replacement for Bill Boston, UVEDA Representative, was discussed. UVEDA will be contacted to determine if a representative from Elk Ridge is necessary. Kathy Meredith has indicated her interest to be the representative if no one else can be found.

Rick Thayne and Eldon McMurray have asked to be released from the Water Board. Nominees are: Scott Fuller and John Thomas. Current members for the Water Board include Kent Crawford, Lynn Wilson, Ted Braithwaite and Cregg Ingram.

CROSS CONNEC-
TION ORDINANCE

Copies of Cross Connection Ordinances from Salem and Payson were discussed. Councilman Shuler will review these documents with Public Works Supervisor, Kent Crawford, and present a proposed ordinance for Elk Ridge at the next meeting.

ELK RIDGE TOWN COUNCIL MEETING

January 8, 1991

TIME & PLACE OF MEETING	The regular meeting of the Elk Ridge Town Council was held on Tuesday, January 8, 1991 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, Clarence Foster, Hal Shuler, council members; Ernestine D. Folks, town clerk; Kristine Adams, deputy town clerk; Rodney Despain, Glen Vernon, Steven Killpack, Ray Folks, Bryce and Lynn Rawlings.</p> <p>Councilman Marc Hansen 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 January 4, 1991.</p>
INVOCATION & PLEDGE OF ALLEGIANCE	Prayer was offered by Hal Shuler with the pledge of allegiance following.
BID ACCEP- TANCE FOR REDUCTION OF WELL #6 PUMP HOUSE PROJECT	Acceptance of bid for construction of Well #6 was postponed until the next council meeting to allow for the engineer to further examine the bid of \$12,484.58 by Hadfield Irrigation Hall.
WELL #6	Hal Shuler stated that Dewey Peterson is presently on site at well #6. For further information, refer to discussion in the Work Session Page 164.
SPECIAL IMPROVEMENT DISTRICT	Glen Vernon, Payson City Administrator, was present to offer Payson City's ideas to develop the area surrounding the golf course. He has requested open dialogue between Payson and Elk Ridge to discuss possible ways to develop the land. Mr. Vernon stated that owners of property surrounding the golf course have approached Payson council to develop a subdivision. Presently, there is not an adequate water supply nor sewer facilities. A well, storage tank and trunk line for sewer

Minutes of the Elk Ridge Council Meeting - 1-8-91

SPECIAL
IMPROVEMENT
DISTRICT
(CONTINUED)

would need to be developed. Payson has retained an engineer to identify the number of lots in that area. There is the potential of approximately 136 lots that could be developed. Three options were given by Payson engineers where possible wells could be dug and sewer lines laid.

Mr. Vernon stated that residential development does not create substantial amounts of income and therefore has suggested creating a SID overlaid with a Redevelopment Area. Because RDAs cannot exceed 100 acres, two RDAs would need to be created. Payson council is reluctant to create an SID overlapping two entities. There are many questions that Payson city council has on this, and their frame of mind at this time is to see the area being considered scaled back.

Other items for consideration included possible boundary adjustments.

Mr. Vernon suggested that Elk Ridge council take these issues under advisement and give serious consideration to opening dialogue between both communities. Mayor Bean stated we would be happy to discuss it at the next meeting.

FIRE CHIEF
APPOINTMENT
AND OATH OF
OFFICE

The Fire Department elected Bryce Rawlings as Fire Chief for 1991. MOTION WAS MADE BY JAMES PRATHER, SECONDED BY HAL SHULER, TO APPOINT BRYCE RAWLINGS AS FIRE CHIEF. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1) Oath of office was administered by the town clerk.

PRESENTATION
TO RAY FOLKS

A presentation was made and a plaque given by Clarence Foster to Ray Folks in appreciation to the three years he spent and his dedication to his office of Fire Chief for Elk Ridge Fire Department.

MINUTES
OF PREVIOUS
MEETINGS

MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAMES PRATHER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETINGS HELD ON NOVEMBER 27, 1990; DECEMBER 11, 1990; AND DECEMBER 26, 1990; AMENDING THE NOVEMBER 27, 1991, MINUTES, PAGE 152, PARA.4, TO READ AS FOLLOWS:

Minutes of the Elk Ridge Council Meeting - 1-8-91

MINUTES
OF PREVIOUS
MEETINGS
(CONTINUED)

"Engineer Bruce Hall stated he has not inspected the work H. E. Davis has done on the west side of Hillside Drive. Mr. Hall recommended the culvert at Lakeview Drive and Hillside Drive be extended with additional gravel placed to support and cover the culvert. To provide for proper drainage, roads should have been cut the full extent of the 56 ft. right of way. Also, instead of the 24 ft. width of asphalt, the width as specified in the ordinances should be required. Twenty-four foot width of asphalt makes for tight turns and problems such as are being encountered on Hillside Drive and Lakeview Drive." VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).

EXPENDITURES
REPORT FOR
MONTH OF
DECEMBER,
1990

Following a review and discussion of the list of expenditures for the month of December, 1990, MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAMES PRATHER, TO APPROVE THE LIST OF EXPENDITURES FOR THE MONTH OF DECEMBER, 1990. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).

CDBG LMI
SURVEY RESULTS

Hal Shuler reported that the survey is nearing completion. We presently have 30% of the families in the low income bracket and we need hope to increase that to 33% in order to score higher on the CDBG Grant list. The remainder of the surveys will be picked up this week.

PREVENTION OF
SLUM AND
BLIGHT
RESOLUTION

MOTION WAS MADE BY HAL SHULER, SECONDED BY CLARENCE FOSTER, TO PASS RESOLUTION 91-1-8-1 RECOGNIZING THE NEED TO DEVELOP ADDITIONAL WATER AT REASONABLE COSTS FOR THE CITIZENS OF ELK RIDGE, AND DECLARING THE NEED TO PREVENT THOSE AREAS SERVICED BY THE ELK RIDGE WATER SYSTEM FROM BECOMING SLUM OR BLIGHTED. VOTE: YES-ALL(3); NO-NONE(0); ABSTAIN-JAMES PRATHER(1); ABSENT-MARC HANSEN(1).

APPLICATION
FOR CDBG SMALL
CITIES PROGRAM
1991-1992

The application deadline for CDBG Small Cities Program 1991-1992 is Friday at 5:00 P.M. MOTION WAS MADE BY HAL SHULER, SECONDED BY CLARENCE FOSTER, TO ALLOW THE TOWN OF ELK RIDGE TO APPLY FOR THIS GRANT. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).

For further information, refer to discussion in the Work Session Page 164.

Minutes of the Elk Ridge Council Meeting - 1-8-91

PERFORMANCE
BOND FOR
GOOSENEST
PLAT A & HAL
SHULER'S
RANCHETTE

Steve Killpack was present to give an update on his findings for the Goosenest Plat A Performance Bond. Mr. Killpack reported that he was not successful in holding a meeting with Earl Davis and Hal Shuler. ~~Hal-Shuler~~ The Mayor reported that Earl Davis is willing to leave the existing performance bond as a durability retainer. Attorney, Steve Killpack reviewed the performance bond document and concluded that this would be acceptable if H.E. Davis and Sons, Inc. would write a letter indicating that the performance bond is to be left in place and cover not only as a durability retainer, but as performance bond for the remaining improvements (\$3,000 for the remaining 100 feet of asphalt at the North end of Columbus Lane). Mayor Bean reported that Mr. Davis questioned the fire hydrant being part of the improvements required and asked for this to be verified.

Hal Shuler was told he will need to prepare a notice of completion and a request for release of the cash performance guarantee for the Hal Shuler Ranchette Subdivision before the council can take formal action. Twenty percent of the cash bond will be held as a durability retainer.

ADJOURNMENT
TO WORK
SESSION

MOTION WAS MADE BY JAMES PRATHER, SECONDED BY CLARENCE FOSTER TO ADJOURN BACK INTO WORK SESSION, TO FINISH SOME UNFINISHED BUSINESS. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).

For information on topics discussed, refer to Page 165, Paragraphs 2-6.

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

Minutes of the Elk Ridge Council Meeting - 1-8-91

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

Persons present at this closed session where
potential litigation was discussed included,
James Bean, James Prather, Clarence Foster,
Rodney Despain, Steve Killpack, Ernestine
Folks, and Kristine Adams.



Deputy Town Clerk

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, January 22, 1991 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. The agenda shall be as follows:

7:00 P.M. COUNCIL WORK SESSION:

- SESD Report - Ron Cooper
- Employee or Independent Contractor Status
- Local Officials Day at the Legislature - Clarence Foster
- UVEDA Representative
- Cross Connection Ordinance
- Development of Properties Adjacent to Golf Course
- CDBG LMI Survey Results
- CDBG Small Cities Program 1991-1992 Application

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

- 8:05 Approve Minutes of Previous Meeting
 - 8:15 Acceptance of Bid for Construction of Well #6 Pump House Project
 - 8:25 Well #6
 - 8:35 Utah County Sheriff Law Enforcement Agreement
 - 8:45 Performance Bond for Goosenest Plat A
 - 8:55 Petition for Release of Hal Shuler Ranchette Performance Bond
 - 9:05 Review of Financial Reports
 - 9:30 Appointment of Planning Commission Member
 - 9:35 Appointment of Board of Adjustment Member
 - 9:40 Appointment of Water Board Members
- 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 18th day of January, 1991.


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 January 18, 1991.


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

January 22, 1991

TIME & PLACE OF MEETING The work session of the Elk Ridge Town Council was held on Tuesday, January 22, 1991, 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, Clarence Foster, Marc Hansen, Council members; Ernestine D. Folks, town clerk; Kristine Adams, deputy town clerk; Ron Cooper and Bruce D. Hall.

 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 January 18, 1991.

SESD REPORT Representative Ron Cooper reported that the main topic of discussion at the SESD Board Meeting was the territorial integrity issue with Spanish Fork and Strawberry Electric. Both sides have the same attorney, but Strawberry wants to release him from any conflict of interest. A court date has not been set yet. Mr. Cooper will update further as information is available.

EMPLOYEE OR INDEPENDENT CONTRACTOR STATUS The Town Clerk spoke with C.P.A. Ellen McNeese about the problems we had when completing the checklist for determining if a common law employee or contractor relationship exists for Norm Johnson's backhoe work. Ellen said the IRS was concerned with two main factors. If the person provides their own tools, then they are a contractor; and, if the person's hours are set exactly by the city then they are an employee. Based upon this criteria, the Council concluded Norm would be considered a contractor. She also said it would be wise if we had a written contract with him for his backhoe work. Rex Behling, insurance agent, said we are presently paying premiums around \$1,000 a year to cover Mr. Johnson with liability insurance. Mr. Behling is currently researching possible rider policies to add to Mr. Johnson's personal insurance coverage.

Minutes of the Elk Ridge Town Council Work Session - 1-22-91

WASTE
DISPOSAL

It was reported that Spanish Fork Landfill will be closing on February 2nd. Because we are not a member city of Southern Utah Valley Solid Waste Management District, prices could increase to \$22 a ton. Councilman Foster has been and will continue to research possible ways to recycle some of Elk Ridge's trash. A Laidlaw supervisor followed the dump truck around town this week and picked up missed garbage and observed problems first hand. Beginning this week, the town office will begin documenting all calls and complaints about the garbage and all calls will be directed to Rod Betz at Laidlaw so he will be aware of the problems we are having.

LOCAL
OFFICIALS DAY
AT THE
LEGISLATURE

Clarence Foster gave an update of the Local Officials Day at the Legislature that he attended on January 21. The topics discussed were: Senate Bill #25 - Contracts for Public Improvements, Monthly Remittance of Sales Tax, Problems with "Truth-in-Taxation", Business Promotion Amendment, Recodification of Planning and Zoning Enabling Acts, and Unemployment Compensation for Seasonal Employment.

UVEDA
REPRESENTATIVE

Ernie talked with UVEDA. They were not aware that the clause was still in the letter about sending a representative for UVEDA from our town. Presently, the Mayor of Spanish Fork represents all cities and towns in Southern Utah County and the Council agreed it would not be necessary to have an Elk Ridge Representative. A copy of the agenda for each meeting will be sent to Elk Ridge for our information. Presently, UVEDA is undergoing a three-year reorganization project to become part of the County Commission District.

CROSS CONNEC-
TION ORDINANCE

The Cross Connection Ordinance was postponed until the next meeting.

DEVELOPMENT
OF PROPERTIES
ADJACENT TO
GOLF COURSE

James Prather reported that Payson is energetically pursuing the property development adjacent to the golf course. We will be hearing from them soon. Rod Despain has been asked to call Glen Vernon, Payson City Administrator, to determine if Payson City is considering implementing a Task Force/Advisory Committee to include a representative from Elk

Minutes of the Elk Ridge Town Council Work Session - 1-22-91

DEVELOPMENT Ridge in the planning of the development of the
OF PROPERTIES properties adjacent to the golf course.
ADJACENT TO

GOLF COURSEF Councilman Foster stated that the size of lots
(CONTINUED) being considered are too small for the
development being proposed and two of the lots
have no frontage on a public street. In
addition, he said all utilities should be
located in a right-of-way fronting the lots
instead of easements running between lots.

CDBG LMI Hal Shuler reported that according to our LMI
SURVEY RESULTS survey, we ended up with 37% of the 51% needed.
For that reason, we applied under blight
instead of LMI. He stated that the chart used
to obtain the percentage rate only went up to
eight people in a family still living at home.
It would have helped our percentage if that
number could have been higher since a number
of families have more than eight still living
at home. Some surveys could not be picked up
and those would have helped the ending survey
percentage as well.

CDBG SMALL The Mayor reported that all cities applied
CITIES PROGRAM under LMI except for Elk Ridge who applied
APPLICATION under blight.
1991-1992

PLANNING The Planning Commission has compiled a
COMMISSION community survey. A copy was given to all
SURVEY council members for their review. Kathy
Meredith from the Planning Commission would
like any suggestions or input from the Council
right away.

ELK RIDGE TOWN COUNCIL MEETING

January 22, 1991

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, January 22, 1991, 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, Clarence Foster, Hal Shuler, Marc Hansen, Council members; Ernestine D. Folks, town clerk; Kristine Adams, deputy town clerk; Ron Cooper, Kent Crawford, and Bruce D. Hall.

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 January 18, 1991.

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

MINUTES OF PREVIOUS MEETINGS MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAMES PRATHER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETING HELD ON JANUARY 8, 1991; AMENDING PAGE 169, PARA.3, TO READ AS FOLLOWS:

"Hal Shuler reported that the survey is nearing completion. We presently have 30% of the families in the low income bracket and we hope to increase that to 33% in order to score higher on the CDBG Grant list. The remainder of the surveys will be picked up this week."

ALSO AMENDING PAGE 170, PARA.1, TO READ AS FOLLOWS:

"Steve Killpack was present to give an update on his findings for the Goosenest Plat A Performance Bond. Mr. Killpack reported that he was not successful in holding a meeting with Earl Davis and Hal Shuler. Mayor Bean reported that Earl Davis is willing to leave the existing performance bond as a durability retainer. Attorney, Steve Killpack reviewed the performance bond document and concluded that this would be acceptable if H.E. Davis and Sons, Inc. would write a letter indicating that the performance bond is to be left in

Minutes of the Elk Ridge Council Meeting - 1-22-91

place and cover not only as a durability retainer, but as performance bond for the remaining improvements (\$3,000 for the remaining 100 feet of asphalt at the North end of Columbus Lane). Mayor Bean reported that Mr. Davis questioned the fire hydrant being part of the improvements required and asked for this to be verified."

VOTE: YES-ALL(5); NO-NONE(0)

BID ACCEPTANCE
FOR CONSTRUCTION OF WELL
#6 PUMP HOUSE

Bruce Hall reviewed with the low bidder, Hadfield Irrigation Co., their bid to construct Well #6 Pump House and recommended the Council accept their bid. MOTION WAS MADE BY HAL SHULER, SECONDED BY CLARENCE FOSTER TO ACCEPT THE BID FROM HADFIELD IRRIGATION CO. FOR THE CONSTRUCTION OF WELL #6 PUMP HOUSE. VOTE: YES-ALL(5); NO-NONE(0).

WELL #6

Bruce Hall was present to give a status update for well #6. Dewey Peterson has extracted the 6" casing and cleaned out the well. There was a five days delay while he waited for the spear to arrive. When the spear came, Peterson pulled out the casing and there was no indication that the casing had been stuck as Doxey had indicated. The perforations had been cut sporadically by a cutting torch and they were inadequate. Mr. Hall recommends to pull out all of the 6" casing, bring in a thicker walled casing, and clean out the well. A new casing will have to be ordered and hopefully that can be done within the allotted budget. A Mills knife will be used to cut the perforations. Mr. Hall stated that he hopes Peterson Drilling will have the work on the well finished before the next two weeks. The Engineer indicated this additional work would not exceed his original cost estimates.

Engineer, Bruce Hall, informed the Council that the Elk Ridge standard specifications are adequate, but need to be enforced. The specifications require that 48 hours prior notice be given to the inspector to have the work inspected. Time needs to be spent with the contractors to go over all specifications in the beginning. All items on Plats will need to be completed to specifications before final approval of the Plat can be given.

Minutes of the Elk Ridge Council Meeting - 1-22-91

WELL #6
(CONTINUED)

A bill from Doxey Drilling was received and reviewed. Council questioned two items on the billing and requested that John Doxey come before the council to discuss the two items in dispute. No payment will be made until that time. Mr. Doxey will be contacted and asked to come to the next council meeting.

UTAH COUNTY
SHERIFF LAW
ENFORCEMENT
AGREEMENT

The new County Sheriff's Agreement was reviewed by council. There are no changes from last year. MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAMES PRATHER TO ACCEPT THE COUNTY SHERIFF'S AGREEMENT AS PRESENTED FOR 1991. VOTE: YES-ALL(5); NO-NONE(0).

PERFORMANCE
BOND FOR
GOOSENEST
PLAT A

Steve Killpack was not able to contact Earl Davis' attorney to get a letter from Earl indicating that he was agreeable to the Performance Bond being retained as a durability retainer. Mr. Killpack will call Earl directly to find out who his attorney is since he was given the wrong information.

PETITION FOR
RELEASE OF HAL
SHULER'S
RANCHETTE
PERFORMANCE
BOND

A petition for releasing the bond has been drafted. Hal will need to provide lien releases from subcontractors and suppliers of materials. No action can be taken until all lien releases are secured.

REVIEW OF
FINANCIAL
REPORTS

Ernie reported that the Town of Elk Ridge is mid-year into their budgets. Each council member was asked to review the mid-year financial reports with their original budgets to see if there will need to be any necessary adjustments. This will be continued at the next council meeting. It was reported that Councilman Foster has not calculated the billing for the work done to control the grasshoppers. He will be given copies of Norm's time card and Fast Gas bills for his information.

APPOINTMENT
OF PLANNING
COMMISSION
AND BOARD OF
ADJUSTMENT
MEMBERS

MOTION WAS MADE BY JAMES PRATHER, SECONDED BY CLARENCE FOSTER, TO APPOINT DENNIS SHIRLEY AS PLANNING COMMISSION MEMBER AND JOHN THOMAS AS BOARD OF ADJUSTMENT MEMBER. VOTE: YES-ALL(5); NO-NONE(0).

Minutes of the Elk Ridge Council Meeting - 1-22-91

APPOINTMENT OF WATER BOARD MEMBERS Council reviewed additional nominees for the Water Board to fill the vacancies left by Rick Thayne and Eldon McMurray. Nominees are: Jan Newman, David Simpson, Dave Tervort, Gary Bowen, Ron Thomas, and Chad, Jim or Mark Brown.

ADJOURNMENT MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAMES PRATHER, TO ADJOURN THIS MEETING. VOTE: YES-JAMES BEAN, JAMES PRATHER, HAL SHULER, CLARENCE FOSTER, MARC HANSEN(5). NO-NONE(0).

Kristine Adams
Deputy Town Clerk

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, February 12, 1991 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. The agenda shall be as follows:

7:00 P.M. COUNCIL WORK SESSION:


- SESD Report - Ron Cooper
- Telephone Facilities to New Subdivisions - James Bean
- Development of Properties Adjacent to Golf Course & Water Rights Acquisition - Rod Despain
- Sale of Well #5 - James Bean

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

8:05	Approve Minutes of Previous Meeting
8:15	Water Board Members - Appointment & Oath of Office
8:25	Well #6 - Doxey Drilling/Jon Doxey - Engineer Report/Bruce Hall
9:15	Performance Bond for Goosenest Plat A
9:25	Petition for Release of Hal Shuler Ranchette Performance Bond
9:30	Expenditures & Financial Reports for January, 1991
9:45	CDBG Small Cities Program 1991-1992 Application
10:00	Adjournment/Closed Session - Potential Litigation & Attorney's opinion on other related issues.


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 February, 1991.


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 8, 1991.


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

February 12, 1991

TIME & PLACE OF MEETING The work session of the Elk Ridge Town Council was held on Tuesday, February 12, 1991, 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, Clarence Foster, Marc Hansen, Council members; Ernestine D. Folks, town clerk; Ron Cooper and Rod Despain.

 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 8, 1991.

SESD REPORT Representative Ron Cooper reported that a representative from UP&L has proposed to purchase a small area by the Oak Crest Inn. SESD seems to be in agreement with this arrangement.

 Spanish Fork City has verbally agreed to allow Reed Martineau to represent S.E.S.D. S.E.S.D. intends to file an injunction to restrict further connections.

 On the recommendation of Gary Aiken, the board voted to not approve a power supply offer from U.A.M.P.S.

TELEPHONE FACILITIES TO NEW SUBDIVISIONS The council discussed a letter from U. S. West dated 12-31-90 requesting the Town require developers to contact U. S. West and to have construction permits withheld until U. S. West has reviewed and signed the developer's plans and the town has documentation that the developer has made payment for the facilities. Council took exception to having U. S. West sign off on the plans. Copies of preliminary plans should go to utilities both public and municipal. It was noted, we already require this in the municipal ordinances. The checklist for processing preliminary plats will be revised to require evidence of review for specific utilities. Councilman Prather will contact Gary Johnson, engineer for U. S. West to inform him of the councils decision.

Minutes of the Elk Ridge Town Council Work Session - 2-12-91

WATER RIGHTS
ACQUISITION

Rod Despaign reported his discussion with Richard Heap relative to the acquisition of water rights from U.M.P.A. through Spanish Fork City. Spanish Fork is of the opinion that Elk Ridge could buy surplus water rights from Spanish Fork and over a period of time portions of water rights would then be conveyed to Elk Ridge as the water rights are acquired when people are annexed by Spanish Fork. Mr. Despaign informed the council that the state constitution provides that municipalities cannot divest themselves of their water rights. Unknown at this time is the costs of a possible long term lease and many unanswered questions on how this could legally be accomplished. Mr. Despaign recommended that the council allow him to continue to pursue this further.

There is also a possibility of purchasing water rights directly from U.M.P.A. instead of going through Spanish Fork City. The basis of the U.M.P.A. water is an Ironton spring right, which is the same right that Mr. Gottfredson had proposed selling to Elk Ridge. The City of Salem just purchased and completed a transfer of those Ironton water rights to Salem and the understanding is that they received a favorable exchange.

Problem that Mr. Despaign sees with a long term lease agreement is that in the absence of ownership Elk Ridge would have no stand to take to the State, unless possibly the mechanics of the agreement could provide for the Town to take a contractual lease hold on the water right with releases on an annual basis. Mayor Bean is to contact Mr. Gottfredson and arrange for further discussion.

Mr. Despaign reported that on the water rights we most recently acquired with the transfer of the Upper East Union Irrigation shares, we may see a reduction of that right since the value of the water right out of Provo Canyon was reduced to 40% of normal last year. Stan Roberts of the Upper East Union Irrigation Co. will inform the Town if there is a reduction that affects the Town's right.

Minutes of the Elk Ridge Town Council Work Session - 2-12-91

DEVELOPMENT
OF PROPERTIES
ADJACENT TO
GOLF COURSE

Mr. Despain reported that his discussions with Glen Vernon indicate that the Payson Council is favorable and understands that Elk Ridge is not interested in giving away territory. Also Payson will not be the sole provider of water rights for this development. Mr. Vernon indicated he should have more information in a couple of weeks.

LOAFER
RECREATION
DEVELOPMENT

Mr. Despain reported that there are problems with the Loafer Development. The State Health Department has notified Loafer that the information on their sources of water is inadequate. Their engineer, Donald Cole is gone until March and Elk Ridge cannot approve anything until the State approvals have been given. Mr. Despain recommends he speak with Jerry Fuller and advise him of the problems he foresees and perhaps that they should get another engineer to assist with this development.

SALE OF WELL
#5

Mayor Bean spoke with Mayor Brailsford of Salem City concerning the purchase of Well #5. There is concern that the well is necessary to the Elk Ridge system at this time. Salem City is very interested in purchasing the well.

ELK RIDGE TOWN COUNCIL MEETING

February 12, 1991

TIME & PLACE OF MEETING	The regular meeting of the Elk Ridge Town Council was held on Tuesday, February 12, 1991, 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, Clarence Foster, Hal Shuler, Marc Hansen, Council members; Ernestine D. Folks, town clerk; Bruce Hall, Kent Crawford, and Mark Doxey. 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 8, 1991.
INVOCATION & PLEDGE OF ALLEGIANCE	Prayer was offered by Hal Shuler with the pledge of allegiance following.
MINUTES OF PREVIOUS MEETING	After some discussion to clarify the minutes, MOTION WAS MADE BY HAL SHULER, SECONDED BY CLARENCE FOSTER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETING HELD ON JANUARY 22, 1991. VOTE: YES-ALL(5); NO-NONE(0)
WATER BOARD MEMBERS - APPOINTMENT AND OATH OF OFFICE	MOTION WAS MADE BY HAL SHULER, SECONDED BY MARC HANSEN, TO APPOINT RON THOMAS, GARY BOWEN, LYNN WILSON, CREGG INGRAM, AND TED BRAITHWAITE TO THE WATER BOARD WITH KENT CRAWFORD AND HAL SHULER AS ADVISORY MEMBERS. VOTE: YES-ALL(5); NO-NONE(0)
WELL #6	Council reviewed the last billing for services received from Doxey Drilling with Mark Doxey. Mr. Doxey was informed that: 1)The responsibility for loss of the pumps is not the Town's. 2)The quality of the 6" casing is questionable and considered substandard. Also, the perforations were inadequate. Engineer Bruce Hall reported that the alignment of the hole was not right and caused the casing to not drop. In addition the manner the casing was set up in the 8", to develop the well would not have been possible.

Minutes of the Elk Ridge Town Council Meeting - 2-12-91

WELL #6
(CONTINUED)

Public Works Supervisor, Kent Crawford, also questioned that there have not been any driller log report information provided.

The council concluded that Councilman Shuler, Mayor Bean, Kent Crawford and Bruce Hall should meet with Mr. Doxey to discuss discrepancies and make a recommendation to the council at the next meeting.

Bruce Hall reported that Peterson Drilling is down to 550', but are not in the original hole because the original hole was not in alignment. To continue drilling will increase the costs to approximately \$600 per day, or \$2000 total if the intent is to drill to 600'. Council agreed to authorize the drilling to continue to 600'. Notice to proceed will be held up until Peterson Bros. has completed their work.

The plans & specifications for the Well #6 pumping station were approved by the Utah Safe Drinking Water Committee. Bond closing is expected to take place on Friday, February 15, 1991.

PERFORMANCE
BOND FOR
GOOSENEST,
PLAT A

Council reviewed the legal memorandum from attorney Steven Killpack. His recommendation indicated that at the Goosenest Subdivision there is approximately 100 feet of roadway along the north end of Columbus Lane which has not been completed. The town currently holds a performance bond to guarantee completion of the project in the amount of \$38,677. Last month it was his understanding that the council concluded that the developer could be released from the performance bond if he provided a smaller bond in the amount of \$3000 (the amount necessary to complete the project) and a Durability Retainer Bond. After meeting with H. E. Davis and Hal Shuler regarding this matter, Mr. Davis has informed him that he would prefer to leave the current bond in place to secure the completion of the project. Mr. Killpack prepared a letter, to Mr. Mike Vowels at Leavitt Insurance Company to confirm the continuation of the performance bond on the project. Subsequently, he met with Mr. Vowels and spoke with Mr. Davis on the telephone.

Minutes of the Elk Ridge Town Council Meeting - 2-12-91

PERFORMANCE
BOND FOR
GOOSENEST,
PLAT A
(CONTINUED)

Vowels refused to sign the letter on the basis that Mr. Davis was not responsible for completion of the road. Davis said the Mayor had released him from all further work except for the durability retainer. Therefore, Mr Killpack needs some clarification before proceeding further.

Mayor Bean stated that Davis' statement that he had released him from all further work except for the durability retainer is not true. The council agreed that Mr. Davis is to put in the remainder of the roadway as soon as weather permits. Mayor Bean asked that Mr. Killpack arrange for another meeting with Mr. Davis, Mr. Vowels, Mayor Bean and Mr. Killpack as soon as possible.

PETITION FOR
RELEASE OF HAL
SHULER'S
RANCHETTE
PERFORMANCE
BOND

No lien releases have been submitted at this time from subcontractors and suppliers of materials for Hal Shuler's Ranchette. This will be tabled until the next Council Meeting.

EXPENDITURES
AND FINANCIAL
REPORTS FOR
JANUARY, 1991

Following a review and discussion of the list of expenditures and the financial report for the month of January, 1991, MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY HAL SHULER, TO APPROVE THE LIST OF EXPENDITURES FOR THE MONTH OF JANUARY, 1991. VOTE: YES-ALL(5); NO-NONE(0);

CDBG SMALL
CITIES PROGRAM
1991-1992
APPLICATION

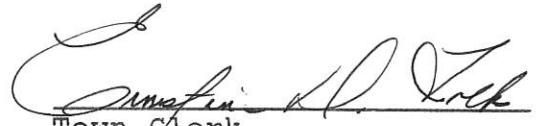
Nothing to report. Last month's meeting was canceled.

Minutes of the Elk Ridge Town Council Meeting - 2-12-91

ADJOURNMENT/
CLOSED SESSION
POTENTIAL
LITIGATION &
ATTORNEY'S
OPINION ON
OTHER RELATED
ISSUES

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

Present at this closed meeting where potential litigation and attorney's opinion on other related issues were discussed were James Bean, James Prather, Clarence Foster, 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, February 26, 1991 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. The agenda shall be as follows:

7:00 P.M. COUNCIL WORK SESSION:

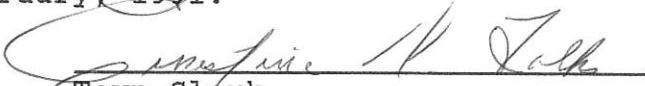
- Update on Development of Properties Adjacent to Golf Course & Water Rights Acquisition - Rod Despain
- Development Costs to be Billed to Developer - James P.
- Home Occupation Business Licensing Inspections - James P.
- Telephone Facilities to New Subdivisions - James P.
- Community Survey - James P.
- Upper East Union Irrigation Board Meeting - James B.
- Solid Waste Management - Clarence F.

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

- 8:05 Approve Minutes of Previous Meeting
 - 8:15 Literacy Awareness Week - Connie Carrasco
 - 8:25 Well #6 - Billing from Doxey Drilling
- Engineer Report/Bruce Hall
 - 8:45 Performance Bond for Goosenest Plat A
 - 8:50 Petition for Release of Hal Shuler Ranchette
Performance Bond
 - 8:55 Public Hearing & Adoption of Cross Connection
Ordinance
 - 9:05 CDBG Small Cities Program 1991-1992 Application
 - 9:15 Public Hearing & Adoption of Model Energy Code, 1989
Edition
 - 9:25 Renewal of Fire Protection Agreement
- 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 22nd day of February, 1991.


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 22, 1991.


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

February 26, 1991

TIME & PLACE OF MEETING The work session of the Elk Ridge Town Council was held on Tuesday, February 26, 1991, at 7:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL James Prather, Hal Shuler, Clarence Foster, Council members; Ernestine D. Folks, town clerk; Rodney Despain.

Mayor James Bean and Council member Marc Hansen were 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 22, 1991.

WATER RIGHTS ACQUISITION Rodney Despain informed the council that with the transfer of the Upper East Union Irrigation rights it is calculated that Elk Ridge now has sufficient water rights for its present demand and to allow for additional development, possibly doubling the number of connections.

Spanish Fork having substantially more water than they need, Mr. Despain presented for consideration an option to utilize some of Spanish Fork's surplus right at \$8 or \$9 an acre ft. This would provide a back up source for Elk Ridge in dry years. The issue with this option is, would Spanish Fork require payment every year whether we use the right or not; or do we pay for what we use. An agreement utilizing Spanish Fork's water right when and if we need it, the council felt would be an option worth pursuing, especially if there is no or a limited cost to Elk Ridge. The possibility of a conveyance of water rights feature with this option would be another desirable feature. Price for buying water right has not been determined, and the possibility of acquiring those rights when acquired by Spanish Fork through the annexation is uncertain.

Minutes of the Elk Ridge Town Council Work Session - 2-26-91

WATER RIGHTS
ACQUISITION
(CONTINUED)

Spanish Fork is now in the process of going to the State Engineer to allow taking all of their water right from any or all of their wells. If Elk Ridge were to enter into a lease use agreement, Spanish Fork would add to the available withdrawal sites the well locations of Elk Ridge. In this way the State Engineer would approve the right of withdrawal from our sites.

Mr. Despain reported he has further discussed the possible acquisition of the Ironton right with Mr. Gottfredson. Salem's recent acquisition and transfer of the Spring Creek right, which is in the immediate area of the Ironton right, was treated favorably by the State engineer, which indicates Elk Ridge could expect equal treatment in the transfer of the Ironton right. Recommendation was made to purchase some of the right now, using Mr. Ririe's \$20,000, plus what Elk Ridge has available, and lease(long term) a larger block. Mr. Despain further recommended using the lease to go through the change process and then sell to developers to pay the lease for partial releases based on the lease agreement as a method of partial financing. Mr. Gottfredson has indicated he is favorable to working out an arrangement for a long term lease. Council directed Mr. Despain to negotiate an acquisition of 100 acre feet now and as much as 300 acre feet more through a long term lease arrangement with Mr. Gottfredson. Negotiations should start with an offer of \$180 per acre ft.

Another option Mr. Despain presented was an exchange arrangement with the North Fork Special Service District for lease of Upper East Irrigation right. As chairman for the District, Mr. Despain explained that the North Fork Special Service District and Sundance are looking for additional water. An exchange such as Spanish Fork is proposing to Elk Ridge could benefit both the District and Elk Ridge.

Council directed Mr. Despain to continue negotiations with Spanish Fork City, Mr. Gottfredson and discuss further details on the North Fork Special Service District with Mayor Bean.

Minutes of the Elk Ridge Town Council Work Session - 2-26-91

DEVELOPMENT OF PROPERTIES ADJACENT TO GOLF COURSE Payson City has indicated to Mr. Despain that they are wanting to proceed with the planning for the development of the properties adjacent to the golf course as quickly as possible. A meeting with the property owners and the councils of both municipalities will be scheduled in the near future.

DEVELOPMENT COSTS TO BE BILLED TO DEVELOPER James Prather indicated his concern with the excessive costs for plan review. Mr. Despain was asked to review the present fee structure and make a recommendation. Mr. Despain noted that although larger cities do not try to cost account for those services, many other entities do bill all costs back to the developer and some have a processing fee of \$500 to start.

HOME OCCUPATION BUSINESS LICENSING INSPECTIONS Council was informed that other cities do inspect home business. Inspections are performed by the Fire Department. Council agreed home businesses are to have annual inspections by the fire department with a member of the board to ensure compliance with codes. Board of Adjustment is to inform each business at time of conditional use request.

TELEPHONE FACILITIES TO NEW SUBDIVISIONS James Prather has informed Gary Johnston of U. S. West of the council's decision to require evidence of review by the utility companies as part of the requirements of subdivision plat approval.

COMMUNITY SURVEY Following a discussion of the survey questions, Councilman Prather stated he will give the survey back to the Merediths and indicated they should proceed with the survey.

UPPER EAST IRRIGATION BOARD MEETING Mayor Bean reported he attended the board meeting and the items of business included election of officers and problems with rights of ways along the canal.

SOLID WASTE MANAGEMENT Councilman Foster reported there are many of things happening in solid waste management. Apparently the biggest drawback is the lack of communication. Although the mayors are not getting together to provide information as to what is available and what can be done with the recycling. (AMENDED 3-12-91 PAGE 39)

Minutes of the Elk Ridge Town Council Work Session - 2-26-91

SOLID WASTE
MANAGEMENT
(CONTINUED)

SB 130 on the Container Deposit Tax was sent back to the rules committee. Various groups have opposed the bill as an unfair form of taxation.

Congress seems to be working on a comprehensive program. However, it seems to fall back on municipalities and business in Utah to prove they can do what they said they will do with solid waste before next fall.

Economics on what is happening in other states are showing that is not profitable thus far.

ELK RIDGE TOWN COUNCIL MEETING

February 26, 1991

TIME & PLACE OF MEETING	The regular meeting of the Elk Ridge Town Council was held on Tuesday, February 26, 1991, 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, Hal Shuler, Clarence Foster, Council members; Ernestine D. Folks, town clerk; Rodney Despain, Kent Crawford, Bruce Hall, Connie Carrasco.</p> <p>Council member Marc Hansen 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 February 22, 1991.</p>
INVOCATION & PLEDGE OF ALLEGIANCE	Prayer was offered by Clarence Foster with the pledge of allegiance following.
MINUTES OF PREVIOUS MEETING	Following a review of the minutes, MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAMES PRATHER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETING HELD ON FEBRUARY 12, 1991. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).
LITERACY AWARENESS WEEK	Connie Carrasco provided information on the newly formed Payson Read Program which teaches adults, 16 years of age and older to read. The program is funded through grants and volunteer tutors. Mayor Bean then signed a proclamation declaring the week of March 4 through March 10 as Light on Literacy Week.

Minutes of the Elk Ridge Town Council Meeting - 2-26-91

WELL #6 - Council again reviewed the problems involved
BILLING FROM with the billing from Doxey Drilling. In
DOXEY DRILLING addition to the cost for loss of the pumps, and
the quality of the 6" casing being substandard
and the perforations inadequate as was
discussed in the previous council meeting, it
was also noted that the labor to install the
casing should be credited back to the town.
Engineer Bruce Hall questioned the pump test
being done without first surging the well.
Council also discussed the possibility of
falsification of reports, since some of the
information in the well log does not
correspond with what has been completed. John
Doxey is to be informed that he is to provide
copies of all the daily well logs and well
driller report which is to be reviewed by
Mayor Bean, Councilman Shuler, Kent Crawford
and Bruce Hall prior to any payment being made
to Doxey Drilling.

ENGINEER
REPORT

Bruce Hall reported that Peterson Brothers has
finished surging the well and are ready to pump
test. Councilman Shuler recommended drilling
an additional 30 feet and cited that well #3
drilled in 1970 had the same type of strata and
because of the similarity he felt well #6 could
produce more water if drilled 30 more feet.
Mr. Shuler estimated the costs to be an
additional \$1600 for two more days drilling.
Engineer, Bruce Hall disagreed and stated that
well #3 and well #6 were in different areas
and things change dramatically in different
areas and that it was his opinion there would
be nothing to gain in drilling 30 more feet.
He also expressed concern that the budget
would be over spent with all the additional
work that Peterson Brothers has had to do
because of the inadequate work done by Doxey
Drilling, and estimated that costs for the
additional drilling could go as high as \$2400.
MOTION MADE BY HAL SHULER TO AUTHORIZE
DRILLING TO CONTINUE FOR AN ADDITIONAL 40 FEET
DIED DUE TO LACK OF A SECOND.

Minutes of the Elk Ridge Town Council Meeting - 2-26-91

PERFORMANCE Mayor Bean informed the council that a meeting
BOND FOR with Earl Davis & Steve Killpack is scheduled
GOOSENEST for Friday, March 1, 1991.
PLAT A

PETITION FOR Lien releases have not been provided.
RELEASE OF HAL
SHULER
RANCHETTE
PERFORMANCE
BOND

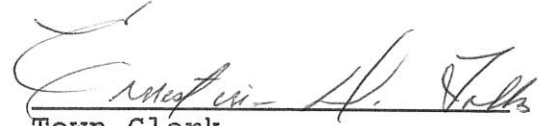
PUBLIC HEARING No one was present from the public. Council
& ADOPTION OF reviewed the proposed ordinance. MOTION WAS
CROSS MADE BY CLARENCE FOSTER, SECONDED BY JAMES
CONNECTION PRATHER TO ADOPT THE CROSS CONNECTION ORDINANCE
ORDINANCE WITH CHANGES NOTED TO CORRECT TYPOGRAPHICAL
 ERRORS. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-
 MARC HANSEN(1).

CDBG SMALL Councilman Shuler reported that the outcome is
SMALL CITIES not looking favorable for Elk Ridge. There
PROGRAM were corrections and additional information
1991-1992 made to the application and were given to
APPLICATION Mountainlands and the Utah State Health
 Department. One of the items included a
 resolution to declare the area serviced by the
 Elk Ridge Water System as slum and blighted
 based on the existence of inadequate utilities.
 MOTION WAS MADE BY HAL SHULER, SECONDED BY
 CLARENCE FOSTER, TO ADOPT THE RESOLUTION NO.
 91-1-26-1. VOTE: YES-3; NO-NONE(0); ABSTAIN-
 JAMES PRATHER(1); ABSENT-MARC HANSEN(1).

RENEWAL OF MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY
FIRE JAMES PRATHER TO APPROVE THE RENEWAL OF THE
PROTECTION FIRE PROTECTION AGREEMENT WITH SALEM FOR THE
AGREEMENT PERIOD 10-31-90 TO 11-1-91 AS PRESENTED. VOTE:
 YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1)

Minutes of the Elk Ridge Town Council Meeting - 2-26-91

ADJOURNMENT There being no further business to discuss at this meeting, MOTION WAS MADE BY JAMES PRATHER SECONDED BY CLARENCE FOSTER, TO ADJOURN TO THIS MEETING. VOTE: YES-JAMES BEAN, JAMES PRATHER, HAL SHULER, CLARENCE FOSTER (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 Work Session Meeting on Saturday, March 9, 1991 at 8:00 A.M. to discuss development of properties adjacent to the golf course. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Dated this 7th day of March, 1991.


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 March 7, 1991.


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

March 9, 1991

TIME & PLACE OF MEETING The work session of the Elk Ridge Town Council was held on Saturday, March 9, 1991, at 8:00 A.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL James Bean, mayor; James Prather, Hal Shuler, Clarence Foster, Marc Hansen, Elk Ridge Council members; Ernestine D. Folks, town clerk; Rodney Despain; Glen Vernon, Payson City Administrator; Brent York, Steve Hanson, Payson Council Members; James Winterton, Boyd Winterton, Gary 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 mailing a copy to each on March 7, 1991.

DEVELOPMENT OF PROPERTIES SURROUNDING PAYSON GOLF COURSE Glen Vernon presented information on the purpose of a Special Improvement District (SID), which in this instance would provide a financing mechanism for essentials, whose main purpose is to establish under an interlocal agreement the financing structure for a water well and tank which would be a joint facility for Elk Ridge and Payson City.

Mr. Vernon stated it is very difficult for developers to come in and develop an area that is so far removed from water and sewer facilities, and places an extra burden on the developers to attempt to provide those services. At this time the idea is to attempt to find a way to make it possible to assist with the development surrounding the golf course with the understanding that Payson & Elk Ridge have an interest in seeing that area develop.

Creating an SID and project areas under a Redevelopment Agency(RDA) will provide a financing mechanism by charging back an assessment against each lot that is created within that SID. By creating a project area under a RDA, which has the ability to capture a good deal of money generated by the new homes that would be built, the costs of the SID to the property owner would be reduced.

Minutes of the Elk Ridge Town Council Work Session - 3-9-91

Initial costs involved with setting up an RDA would be for an attorney and consultant services for a blight survey. Although there would be separate RDA project areas for the two municipalities, working together would mitigate some of the costs.

To create a project area which is eligible to capture this revenue from property taxes each area it would need to meet two of the qualifying blight definitions, one of which is lack of utilities. Mr. Vernon reported that communications with Bill Oswald, legal counsel on RDA, indicates that the county and school district have verbally agreed they will not protest as they recognize the value of what we are trying to do. With the creation of two separate RDA project areas, each area can define up to 100 acres, and have the potential to capture additional increment which would become available over time. A RDA does have the power of condemnation, but with this project we would not want to use. Question as to whether moneys can/cannot be spent outside of the corporate boundaries was discussed and Mr. Vernon indicated that they can as long as the benefit is to the project areas.

The assessment on each property in the SID has to be shown to be equitable, that is it must be able to show that the method by which you have assessed property has equal benefit. This particular SID is to provide water and sewer to each lot. There are a number of ways to determine the assessment, but the front footage method would not be preferable.

Mr. Despain stated the assessment against the property becomes the financing mechanism, therefore the property itself is responsible and the assessment becomes a lien against that property and like property taxes, if not paid the same process for recovery can be used. Municipalities are ultimately responsible for the payments, and importance of determining if the land is sufficiently marketable and of value, and is the town willing to ultimately get in the business of selling land if the developers default was stressed. The SID assessment on par with property taxes jumps ahead of all other claims.

Minutes of the Elk Ridge Town Council Work Session - 3-9-91

Councilman Steve Hanson stated he believes this to be a safe concept and the only danger would be in a worst case scenario if the economy were to fail. Mr. Vernon indicated that there are risks involved and that the theory behind this is that the tax increment out of the RDA we will hope will very quickly get to the point where the tax increment would be sufficient to carry the assessment against the SID. That will depend on growth or change being able to do that and if you have two project areas each will have to make their own payments. If we were to get all of this in place and no growth for whatever reason, it would first go back to the property owners and then back to the cities to make good on this. The developers need to understand this is not something they can sit on and if lots don't move they are gone. Furthermore, the developers need to bear in mind the need to sell the lots for a sufficient amount which will cover the assessment, which will have to be cleared at time of sale.

The potential life of a RDA is 32 years. However, the increment can only be captured for 25 years and we have 7 years to decide when do we want to begin capturing revenues. It was explained that the RDA can only capture what is new and will not capture an increment until after houses are built. When the taking of the increment begins it is done at 100% for the first five years, 80% after the first five years for five years, 75% after 10 years for five years, 70% after 15 years for five years, 65% after 15 years for five years. Mr. Vernon proposed, as an incentive to assist the developers to recapture what they have put into the development, returning to the developer the increment for the first five years as each house comes on line, at whatever percentage the increment is at the time the house comes on line.

The SID will provide for the water well and storage tank, but it was felt the each entity should bring sufficient water rights and not include the acquisition of water rights as part of the SID.

Minutes of the Elk Ridge Town Council Work Session - 3-9-91

If the concept proceeds as anticipated, both entities will need to participate equally in the drilling of a test well to locate a good source of water as soon as possible.

Three possible scenarios for providing sewer facilities have been identified by a Payson engineer. The first and least expensive would be to connect to the Salem/Elk Ridge Regional Sewer facility in Salem. The estimated cost would be \$274,000. Salem City will be approached to determine how they will respond to this as a possible alternative .

The second alternative would be to extend a trunk line north to HWY 6 and then west to the Payson facility. The estimated cost is \$981,000.

The third alternative would be for a trunk line taking the Gooseneck Drive route to the Payson facility. Payson City would be the primary beneficiary if this alternative would be selected. Mr. Vernon indicated, that in fairness, if a more expensive alternative is chosen the amount to be paid by the SID should not exceed the least expensive alternative.

Power source for the Payson golf course is Strawberry Electric Service District.

The level of debt to the municipalities and what level of debt the developers are willing to take on needs to be determined. The councils will need to decide what level of improvements the SID will finance. Street paving where a water line or sewer line could be extended further might be a consideration in some instances. However, Mr. Despain cautioned that the councils will need to consider the high risks to municipalities when and if they choose to finance typical developer costs.

Minutes of the Elk Ridge Town Council Work Session - 3-9-91

Preliminary drawing for the layout of lots will need to be redesigned and/or a possible municipal boundary adjustment determined. Councilman Clarence Foster indicated areas of concern with the preliminary layout are: 1) cul de sacs create critical problems especially for snow removal and fire protection. 2) lot size needs to be more flexible since up scale homes are larger and need more flexible frontage and larger lot size. 3) Golf cart paths fronting lots not a desirable feature.

If the concept for financing the development of the property surrounding the golf course is still acceptable to all the parties involved the next step in the process would be to look at having someone redesign the layout of lots and setting up the mechanics for the SID which Glen Vernon can take care of. Efforts in creating the RDAs, and identifying the project areas within each RDA may need some outside help and should be coordinated between both municipalities. The project plan and policy can be accomplished by Rodney Despain and Glen Vernon. Costs for setting up the SID are covered by the bond counsel.

Mr. Despain advised Elk Ridge council to move forward. Costs incurred for setting up the RDA are reimbursable from the increment when the RDA is set up. The costs for the blight analysis is estimated at \$3000-\$5000. Study of possible water well sites prepared by Dave Thurgood indicates a good location south of the Shuler spring and the location of the storage tank would be in Elk Ridge.

There being no further business to discuss this meeting was adjourned.

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, March 12, 1991 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. The agenda shall be as follows:

7:00 P.M. COUNCIL WORK SESSION:

- S.E.S.D. - Ron Cooper
- Development of Properties Adjacent to Golf Course
- Water Rights Acquisition
- Land Use Planning Seminar
- Budget Planning/Property Tax Increases

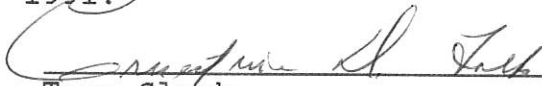
8:00 P.M. COUNCIL MEETING: Invocation & Pledge of Allegiance

- 8:05 Approve Minutes of Previous Meetings
- 8:15 Expenditures for February, 1991 & Financial Report
- 8:30 Well #6 - Billing from Doxey Drilling
- Engineer Report/Bruce Hall
- 8:45 Performance Bond for Goosenest Plat A
- 8:50 Petition for Release of Hal Shuler Ranchette
Performance Bond
- 9:00 CDBG Small Cities Program 1991-1992 Application
- 9:15 Adoption of Statewide amendments to the Uniform
Building Code, 1988 Edition

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 9th day of March, 1991.


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 March 9, 1991.


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

March 12, 1991

TIME & PLACE OF MEETING	The work session of the Elk Ridge Town Council was held on Tuesday, March 12, 1991, at 7:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.
ROLL CALL	<p>Jim Bean, Mayor, Marc Hansen, Clarence Foster, Council members; Kristine Adams, deputy town clerk; Ron Cooper, and Norman Davis</p> <p>Council members James Prather and Hal Shuler were 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 March 8, 1991.</p>
SESD REPORT	Representative Ron Cooper reported that a territory integrity letter for release of conflict of interest has been written and will be filed this week. An injunction will be filed in Spanish Fork by next month to keep them from hooking up any more connections.
NORMAN DAVIS PROPERTY ON PLAT I	Mr. Davis owns the corner lot on Escalante and Alpine and the asphalt from the road cuts off the corner of his property. He stated that he brought this to the attention of the Town and Jim Winterton eight years ago and nothing has been done on it. He brought up that the road was repaved last year and it should have been moved at that time. The Mayor pointed out that it was cheaper to repave than it was to move the road and that the Town could not move the road because the residents would be the ones paying for it. The attorney has written a letter to Mr. Winterton stating this problem among others. Mr. Davis asked if he could take the road out himself which would block the traffic and build a fence around his property. The Mayor stated that legally he is entitled to do this. The Mayor will also contact Mr. Winterton again with this information and let him know he has the option to buy the land or fix the road. We will be able to communicate with Ken Orton concerning this while Mr. Davis is at work out of state.

Minutes of the Elk Ridge Town Council Work Session - 3-12-91

DEVELOPMENT
OF PROPERTIES
ADJACENT TO
GOLF COURSE

There was nothing new to report from Rodney Despain.

The Council discussed that the Town should not get involved in the business of paying for the development. Councilman Foster stated, "the Town should not get in the business of paying for developer fees. If we're going to expend money for a well or sewer trunk line, then that is beneficial for the entire Town. But when we get into the other expenditures, then the Town has to stand by and rebate the increment. I'm really not in favor of that. I don't think it is going to bill back to us. If we do expend increment, then it should be only those properties that are built on within a very short period of time after development starts. We can see with Winterton how his properties are all sitting there doing nothing. I can only see this project as a SID not a RDA. The SID and RDA will go toward the water, sewer and tank, but where does the Town get their money back off that." The other Council members and Mayor agreed with what he said. Rodney Despain mentioned to the Mayor after the meeting on March 9, that Elk Ridge should proceed very carefully, partly due to the fact that some of the people owning the land are financially stretched already and can't assume any assessment costs.

Councilman Foster also mentioned that Elk Ridge was told that Payson City could handle the extra capacity in their sewage treatment plant but when Santaquin had asked to be connected to them, they were told they didn't have the capacity.

WATER RIGHTS
ACQUISITION

Rodney Despain has spoken with Richard Heap and Spanish Fork City is willing to enter into an agreement to lease water when necessary at about \$8 acre foot with no cost to Elk Ridge unless we use the water.

Their attorney is in the process of drafting an agreement to include the lease arrangements as well as the procedure for acquisition of additional water rights. We are now waiting to receive the documents for the agreement.

Rodney Despain has not spoken with Mr. Gottfredson. -37-

Minutes of the Elk Ridge Town Council Work Session - 3-12-91

LAND USE Mayor Bean will bring copies to every Council
PLANNING member concerning attendance at the Land Use
SEMINAR Planning Seminar.

BUDGET PLAN- Councilman Foster intends to get more public
NING/PROPERTY input concerning Town issues specifically
TAX INCREASES property tax increases and try to get more
 individuals interested in running for Town
 Council. An issue why people are not
 interested in running for office is due to the
 low salaries the Council receives. He
 indicated that salaries should be increased as
 much as five times the current amount in order
 to get people interested in running.
 Councilman Foster is considering a public
 meeting announcing property tax increases and
 the increase in Council salaries.

Dale Bigler called Councilman Foster with a
proposal to clean up the Town debris on empty
lots. Scouts from both L.D.S. Wards of Elk
Ridge will be contacted to donate four hours
on a Saturday to pick up debris, rocks, etc.
Monetary help has been requested so Norm can
use his front loader to put the items in a
truck. It was stated that funds have been put
aside for clean-up purposes.

A resident having chickens on their property
and other requests for chickens was discussed.
The nuisance ordinance was discussed and
whether or not it is enforceable. Proof is
needed that a nuisance is a threat to human
health or that there are insect or rodent
infestations. Junky yards was discussed and
the Fire Chief will need to inspect Whiting's
home at 376 East Alpine Drive as a fire
hazard.

ELK RIDGE TOWN COUNCIL MEETING

March 12, 1991

TIME & PLACE OF MEETING	The regular meeting of the Elk Ridge Town Council was held on Tuesday, March 12, 1991, at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.
ROLL CALL	<p>James Bean, mayor; Hal Shuler, Marc Hansen, Clarence Foster, Council members; Kristine Adams, deputy town clerk; Bruce Hall, Bill Pierce, Kent Crawford</p> <p>Council member 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 March 8, 1991.</p>
INVOCATION & PLEDGE OF ALLEGIANCE	Prayer was offered by Marc Hansen with the pledge of allegiance following.
MINUTES OF PREVIOUS MEETING	<p>Following a review of the minutes, MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY MARC HANSEN, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETING HELD ON FEBRUARY 26, 1991, AMENDING PAGE 25, PARAGRAPH 7, TO READ AS FOLLOWS:</p> <p>"Although, the mayors are getting together to provide information as to what is available and what can be done with the recycling."</p> <p>VOTE: YES-ALL(4); NO-NONE(0); ABSENT-JAMES PRATHER(1).</p>
FINANCIAL REPORT AND EXPENDITURES FOR MONTH OF FEBRUARY	<p>Following a review and discussion of the list of expenditures for the month of February, 1991, MOTION WAS MADE BY HAL SHULER, SECONDED BY CLARENCE FOSTER, TO APPROVE THE LIST OF EXPENDITURES FOR THE MONTH OF FEBRUARY, 1991. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-JAMES PRATHER(1).</p> <p>The Financial Report was reviewed but will not be approved until the next meeting.</p>

Minutes of the Elk Ridge Town Council Meeting - 3-12-91

WELL #6 - The Town Clerk sent a letter to Doxey Drilling
BILLING FROM this week requesting that they are to
DOXEY DRILLING provide written documentation, including
copies of the daily log and their well driller
reports, on the work they performed for Elk
Ridge in connection with Well #6. This
information will be reviewed by the council
prior to any payments made. They were to send
the documents to the Elk Ridge Town office as
soon as possible.

WELL #6 - Bruce Hall reported that the pump testing
ENGINEER began yesterday and is still proceeding. The
REPORT water table has decreased since the pumping
began and the amount of water being pumped is
very sporadic. Last reported the water level
was down to 350' and 35 gallons a minute were
being pumped. Since the water hasn't
stabilized, Mr. Hall recommended to stop the
pumping by Peterson Drilling and buy our own
pump. He suggested letting it pump for a
couple of weeks until the water stabilizes and
a more accurate reading can be taken. He
stated we might be able to rent a small pump
for less than \$1,000 or buy PVC pipe and chain
to build a pump using the motor that Elk Ridge
presently has.

Mayor Bean suggested telling Hadfield
Irrigation Co. to hold off building the well
pump house. Bruce Hall will talk to Hadfield
because they may want to withdraw their bid.
He will also tell Peterson Drilling to move
out their equipment.

MOTION WAS MADE BY HAL SHULER, SECONDED BY
MARC HANSEN, TO HAVE PETERSON DRILLING MOVE
OUT THEIR EQUIPMENT AND TO BUY A PUMP AND PIPE
TO GO WITH ELK RIDGE'S EXISTING MOTOR TO
CONTINUE TEST PUMPING WELL #6. AN AMOUNT NOT
TO EXCEED \$1,000 WILL BE USED FOR THIS
PURPOSE. VOTE: YES-ALL(4); NO-NON(0);
ABSENT-JAMES PRATHER(1).

Minutes of the Elk Ridge Town Council Meeting - 3-12-91

PERFORMANCE
BOND FOR
GOOSENEST
PLAT A

Mayor Bean informed the council that a meeting with Earl Davis and Steve Killpack was held on March 1, 1991. He reported that the amount of the bond included the hydrant even though the hydrant was not drawn on the plans. A letter was sent to our attorney that indicated the fire hydrant in question was included as an improvement to be covered by the performance bond. The attorney is to contact Mr. Earl Davis and Mr. Vowles to hold the performance bond in place as a durability retainer and for the remainder of the road improvements.

PETITION FOR
RELEASE OF HAL
SHULER
RANCHETTE
PERFORMANCE
BOND

The Mayor stated a separate petition for release of ranchette performance bond was needed to get the Lomento's home underway. If the bond is being held with Earl Davis' agreement, then the two year durability retainer will cover both Lomento's home and the rest of the development and there is no need to revoke the 20% of the Ranchette Bond. The Ranchette Bond originally covered the entire amount. Steve Killpack, our attorney, is to write a letter and work this out with Mr. Davis' bonding company. We will wait to hear back from our attorney.

Lien releases have not been provided.

CDBG SMALL
CITIES PROGRAM
1991-1992
APPLICATION

Councilman Shuler reported the outcome of the CDBG Grant. Fifteen municipalities applied for the grant and ten received money. Elk Ridge was eleventh on the list so no money was received. Councilman Shuler stated that there is a possibility that some of the money will be returned and reissued at the end of the year. If this happens, Elk Ridge would be next on the list to receive it. Mr. Shuler talked with Homer from Mountainlands and he suggested we talk with the Health Department and have them give us in writing the reasons why we were not awarded higher points in some of the areas. Councilman Shuler stated that criteria is set up for awarding extra points which are; 1) extra points are given if no grant has been received in the last few years, 2) if the growth level is above a certain percentage, and 3) the relationship between the number of people in the town and the tax base.

Minutes of the Elk Ridge Town Council Meeting - 3-12-91

CDBG SMALL Another meeting will be held in August to
CITIES PROGRAM allocate any remaining funds at that time.
(CONTINUED)

ADOPTION OF Bill Pierce reported that the State has
STATEWIDE mandated all cities to adopt the Utah Building
AMENDMENTS TO Code as written and there are new amendments to
THE UBC, 1988 the UBC that must be adopted. Mr. Pierce
EDITION recommended that we adopt the Utah Building
Code and the amendments. MOTION WAS MADE BY
CLARENCE FOSTER, SECONDED BY MARC HANSEN, TO
ACCEPT THE AMENDMENTS TO THE UTAH BUILDING
CODE AND ADOPT AS ORDINANCE 91-13-12-9. VOTE:
YES-ALL(4); NO-NONE(0); ABSENT-JAMES
PRATHER(1).

A letter will be sent to the state notifying
them that these new amendments were adopted.

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


Deputy Town Clerk

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, March 26, 1991 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. The agenda shall be as follows:

7:00 P.M. COUNCIL WORK SESSION:

- Land Use Planning Seminar - J. Bean
- Budget Planning - Property Tax Increases/Franchise Tax
- Review Property Insurance Coverage - E. Folks
- 1990 Regional Sewer Facility Usage Report - E. Folks
- Addition of Federal Aid Secondary 613 - J. Bean
- Road Repairs & Bus Route Problems - E. Folks
- Plat I, Lot 7 - Street Improvement Problems

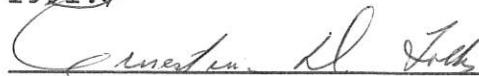
8:00 P.M. COUNCIL MEETING: Invocation & Pledge of Allegiance

- 8:05 Approve Minutes of Previous Meetings
- 8:15 Finance Report & Cash Flow Income Statement
- 8:30 Well #6 - Billing from Doxey Drilling
- Engineer Report/Bruce Hall
- 8:45 Performance Bond for Goosenest Plat A
- 8:50 Petition for Release of Hal Shuler Ranchette
Performance Bond
- 9:00 Establishment of Redevelopment Agency & Survey Area
- 9:30 Zone Ordinance Revision, Animal Rights Requirement

ADJOURNMENT

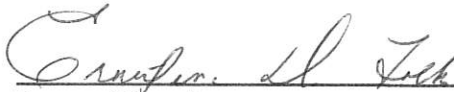
The times listed for each item and the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 22nd day of March, 1991.


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 March 22, 1991.


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

March 26, 1991

TIME & PLACE OF MEETING The work session of the Elk Ridge Town Council was held on Tuesday, March 26, 1991, 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; Clarence Foster, Hal Shuler, Marc Hansen, Council members; Ernestine D. Folks, town clerk; James Winterton.

Mayor James Bean was not present at this meeting.

Notice of meeting and agenda of this meeting was published in the Elk Ridge Herald and to be published in the body by mail on March 26, 1991.

LAND USE PLANNING SEMINAR - JAMES BEAN This was Mayor Bean

BUDGET PLANNING - PROPERTY TAX INCREASE/ FRANCHISE TAX Council will be an

REVIEW PROPERTY INSURANCE COVERAGE Council will determine if it is sufficient. Council stated that they need more information on the valuation of the buildings from the building inspector and contents of the buildings would need to be compared to current inventory.

1990 REGIONAL SEWER FACILITY USAGE REPORT Town clerk informed the council that the figures on the annual report are and have been a percentage of the total for the regional plant based on the number of sewer connections from each municipality. For 1990 the percentage was 16.48%.

Minutes of the Elk Ridge Town Council Work Session - 3-26-91

1990 REGIONAL SEWER FACILITY USAGE REPORT (CONTINUED) Recently the town clerk was made aware that based on the water meter readings from each residence, the amount of water put into the sewer system (based on winter water consumption) is less than half the 16.48%. Discussion with Salem City indicates that Salem will not recognize the residential meter reading calculations and they have indicated that Elk Ridge should consider installing a flume on the trunk line at the municipal boundary for a more accurate reading. Salem City also stated that the interlocal agreement between Elk Ridge and Salem provides for the billing of the O & M costs and annual debt payment to be assessed on the percentage of connections and not on the amount of flow. Concern that inaccurate reporting could affect other reports and future negotiations was expressed by the town clerk and that the council should be aware of and records should reflect the accurate information regardless of what the reports show or the basis for payment to Salem City.

Councilman Shuler was concerned with the training for reading the flume and costs involved with maintaining the flume. Engineer Bruce Hall is to advise on the impact of the reporting of sewer usage figures (as far as the State is concerned) and also costs involved with installing the flume.

ADDITION OF
FEDERAL AID
SECONDARY 613

Information received from the Utah Dept. of Transportation indicates that federal funding has been granted for the proposed roadway connecting Woodland Hills and Elk Ridge. No information was provided as to when this was scheduled nor the amount of funding.

ROAD REPAIRS
& BUS ROUTE
PROBLEMS

Council was informed that the Nebo School District D.O.T. has expressed concern with the pot holes which need repair. Councilman Hansen indicated that Norm Johnson will do the pot hole repairs within the next two weeks and repair to the culvert on Hillside and Lakeview Drive will be looked at this Spring. Councilman Hansen will also check with engineer, Bruce Hall concerning possible erosion problems on Hillside Drive and the hill sloughing off onto Park Drive road surface.

Minutes of the Elk Ridge Town Council Work Session - 3-26-91

PLAT I, LOT 7 Marc Hansen informed the council that at the
STREET Mayors request he measured 56' from the east
IMPROVEMENT boundary line of Lot 7. The 56' does not
PROBLEMS encroach onto the Curtis home or carport, but
 will be at the edge of the finished land-
 scaping. Mr. Winterton was informed that the
 council would not discuss this work session
 agenda item since it was time for the council
 meeting to start. Mr. Winterton stated he is
 not aware of how much of the road surface
 overlaps onto lot 7, but stated he would take
 responsibility for the removal of the asphalt.
 Council directed Mr. Winterton to get back to
 the council after he has inspected the area in
 question.

ELK RIDGE TOWN COUNCIL MEETING

March 26, 1991

TIME & PLACE OF MEETING	The regular meeting of the Elk Ridge Town Council was held on Tuesday, March 26, 1991, 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, Marc Hansen, Clarence Foster, Council members; Ernestine D. Folks, town clerk; Rodney Despain. 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 March 22, 1991.
INVOCATION & PLEDGE OF ALLEGIANCE	Prayer was offered by Marc Hansen with the pledge of allegiance following.
MINUTES OF PREVIOUS MEETINGS	Following a review of the minutes, MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY MARC HANSEN, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETINGS HELD ON MARCH 9, 1991 AND MARCH 12, 1991 AS WRITTEN. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-JAMES BEAN(1).
FINANCIAL REPORT AND CASH FLOW INCOME STATEMENT	Council discussed the new financial report format and that it does not include the total budget figure for the year which is a problem. Council was asked to consider purchasing a general ledger program and completing the monthly financial reports in house. Kim Peterson recommended the council consider this option. Costs for the general ledger program and computer changes are anticipated to cost approximately \$4000. Savings could be realized over a period of maybe two years. Council requested the clerk do a cost analysis on this project for their review. Cash flow statements were not available at this time for Council review.
WELL #6 - BILLING FROM DOXEY DRILLING	Mayor Bean, Councilman Shuler, Kent Crawford and Bruce Hall need to schedule a meeting to review the information received from Doxey Drilling.

Minutes of the Elk Ridge Town Council Meeting - 3-26-91

WELL #6
ENGINEER
REPORT

Town clerk reported that nothing has been done on the well since Peterson Drilling pulled out their equipment. Engineer Bruce Hall has expressed concern that delays could mean Hadfield will withdraw their bid and the possibility of new specifications may need to be drawn and the project rebid which will need to be approved by the State.

Councilman Shuler reported that Kent Crawford has not been able to locate a pump for the pump test and is arranging to pull the pump out of well #3 to use for pump testing well #6. A new pump for well #3 will need to be purchased for approximately \$3000.

MOTION WAS MADE BY HAL SHULER, SECONDED BY MARC HANSEN TO AUTHORIZE PAYMENT TO PETERSON BROS. DRILLING CO., INC. FOR \$22,990.00. VOTE: YES-ALL(5); NO-NONE(0). It was noted that the work done by Peterson Bros. was needed because of the misinformation provided by Doxey Drilling and that the costs for the removal of the casing should be billed back to Doxey Drilling.

PERFORMANCE
BOND FOR
GOOSENEST
PLAT A

Council discussed allowing the performance bond to remain in place as a durability retainer and for the remainder of the road improvements in Gooseneast Subdivision Plat A and also as the durability retainer for the Hal Shuler Ranchette performance bond. Attorney Steve Killpack will be asked to determine if this is possible.

PETITION FOR
RELEASE OF HAL
SHULER
RANCHETTE
PERFORMANCE

See Performance Bond for Gooseneast Plat A

ESTABLISHMENT
OF AN R.D.A.
SURVEY AREA

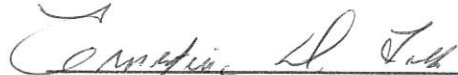
Rodney Despain informed the council that Dave Thurgood has been retained to redesign the property under consideration for development. The initial process to enter into the establishment of the RDA is by the adoption of the ordinance establishing the RDA. Project survey area has not been defined. The next step will be for Gary Jones to conduct the blight analysis.

Minutes of the Elk Ridge Town Council Meeting - 3-26-91

ESTABLISHMENT OF AN R.D.A. SURVEY AREA MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY MARC HANSEN, TO ADOPT THE ORDINANCE NO. 91-3-26-10 AS PRESENTED. VOTE: YES-ALL(4); NO-NONE(0); ABSTAIN-HAL SHULER(1).

ZONE ORDINANCE REVISION, ANIMAL RIGHTS REQUIREMENT Rodney Despain reviewed the revision recommended by the planning commission for public hearing. Council agreed to schedule the public hearing on the zone amendment for the fourth Tuesday of April in conjunction with the council meeting.

ADJOURNMENT There being no further business to discuss at this meeting, MOTION WAS MADE BY MARC HANSEN, SECONDED BY CLARENCE FOSTER, TO ADJOURN FROM THIS MEETING. VOTE: YES-JAMES BEAN, HAL SHULER, CLARENCE FOSTER, MARC HANSEN, JAMES PRATHER(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, April 9, 1991 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. The agenda shall be as follows:

7:00 P.M. COUNCIL WORK SESSION:

- Land Use Planning Seminar - J. Bean
- 1991-1992 Budget Planning
- Plat I, Lot 7 - Street Improvement Problems
- SID/RDA Update
- Water Rights Acquisition

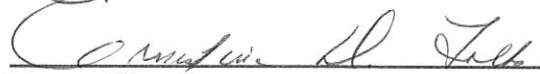
8:00 P.M. COUNCIL MEETING: Invocation & Pledge of Allegiance

- 8:05 Approve Minutes of Previous Meeting
- 8:15 Expenditures & Financial Report for March, 1991
- 8:30 Well #6 Update
- 8:45 Performance Bond for Goosenest Plat A
- 8:50 Petition for Release of Hal Shuler Ranchette
Performance Bond
- 9:00 County Animal Shelter Service Agreement
- 9:10 County/City Dog Licensing Agreement
- 9:15 Grasshopper Control
- 9:30 Outside Watering Restrictions
- 9:45 Council Member Resignation

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 5th day of April, 1991.


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 5, 1991.


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

April 9, 1991

TIME & PLACE OF MEETING The work session of the Elk Ridge Town Council was held on Tuesday, April 9, 1991, 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, Clarence Foster, Hal Shuler, Council Members; Kristine Adams, Deputy Town Clerk; Ron Cooper.

 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 each member of the governing body by mailing a copy to each on April 5, 1991.

SESD REPORT Representative Ron Cooper reported that the territory integrity letters for release of conflict of interest with Spanish Fork have been written but nothing can be done until signatures are received. The attorney was not at the meeting for his update. Mr. Cooper stated that the letters need to be signed by the end of the week or a new attorney will be obtained.

 Mr. Cooper also reported on the Strawberry Power Privilege.

LAND USE PLANNING SEMINAR - JAMES BEAN The Land Use Planning Seminar will be held the end of April. The Mayor stated he would get the information to Councilman Prather this week. He also said the Planning Committee may be interested in attending.

1991-1992 BUDGET PLANNING The budget plan will be available at the end of the week. Council members were advised to check their folders by the end of the week.

PLAT I, LOT 7 STREET IMPROVEMENTS The Mayor reported that Jim Winterton met with Norman Davis' Father-in-law, Malcom Condie, the owner of Plat I, Lot 7. Mr. Winterton stated he would be willing to remove the existing road and replace it to specification. He requested the Town to help financially with the new road, but no amount was recommended. Councilman Prather said if Mr. Winterton put

Minutes of the Elk Ridge Town Council Work Session - 4-9-91

the road in the wrong place he should take the responsibility financially to straighten it. How would we decide what is fair in determining what amount to pay him if we were to pay him anything. Councilman Foster said if we help him out, we are setting a precedence for other developers. Councilman Shuler said the Town has an obligation to have our engineer check the surveyors and approve it before the roads are laid so no mistakes are made. Jim Winterton told the Mayor long ago that Walt Limb had come in to lay the road, there were no stakes, so he guessed on the direction of the road. Nothing was confirmed as to how these improvements would be handled or what to proceed with next.

SID/RDA
UPDATE

There was nothing new to report.

WATER RIGHTS
UPDATE

Rod Despain is to meet with Mr. Gottfredson this week to finalize the planning details.

ELK RIDGE TOWN COUNCIL MEETING

April 9, 1991

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, April 9, 1991, 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, Clarence Foster, Council Members; Kristine Adams, Deputy Town Clerk.

 Councilman Marc Hansen arrived late to 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 5, 1991.

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

MINUTES OF PREVIOUS MEETINGS Following a review of the minutes, MOTION WAS MADE BY JAY PRATHER, SECONDED BY CLARENCE FOSTER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETING HELD ON MARCH 26, 1991 AS WRITTEN. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).

FINANCIAL REPORT AND EXPENDITURES FOR MONTH OF MARCH Following a review and discussion of the list of expenditures for the month of March, 1991, MOTION WAS MADE BY HAL SHULER, SECONDED BY JAY PRATHER, TO APPROVE THE LIST OF EXPENDITURES FOR THE MONTH OF MARCH, 1991. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).

 The Financial Report was reviewed but will not be approved until the following meeting. Council suggested adding page numbers to the financial report for easier reference.

WELL #6 UPDATE The pump was taken out of Well #3 and put into Well #6. The pump worked for about an hour before it became blocked with mud and the motor burned out. During that time the water level seemed to be holding and 70 gallons were pumped but the water was very dirty. Kent Crawford is getting another pump lined up for use in well #6 from Roy Daley. Mr. Daley has

Minutes of the Elk Ridge Town Council Meeting - 4-9-91

WELL #6 UPDATE (CONTINUED)	a pump that has sensitive controls and will shut off automatically if the motor gets gummed up.
PERFORMANCE BOND FOR GOOSENEST PLAT A	The Mayor stated that once a month a conference call is held with Steve Killpack, the town clerk and himself to discuss present issues. He stated that Mr. Killpack was not aware that Earl Davis had been to a meeting with the Mayor. Mr. Davis left that meeting thinking that he would not be obligated to put in the fire hydrants at Goosenest Plat A. After the meeting, the town clerk showed the Mayor documents that included the fire hydrant as part of the agreement. So Mr. Davis had to be aware that the fire hydrants were included in the bond report. Since then, Mr. Killpack has sent a letter to Mr. Davis stating that the fire hydrants should have been put in and Elk Ridge also expects him to finish the 100 feet of road which includes the widening and the turn around. The Mayor stated that we should let Mr. Davis finish the road as it is without trying to lessen the grade since there are a number of other roads just as steep.
PETITION FOR RELEASE OF HAL SHULER RANCHETTE PERFORMANCE BOND	The Mayor reported that Steve Killpack has advised Elk Ridge that we cannot combine the Performance Bond for Goosenest Plat A and Hal Shuler's Ranchette under one bond. Mr. Killpack stated we will have to retain 20% of the performance bond as part of the durability retainer. He has received no information back from Earl Davis or the Bonding Company in letter form to update this.
COUNTY ANIMAL SHELTER SERVICE AGREEMENT	No fee schedule was sent with this agreement. The Service Agreement will be tabled until the following meeting.
COUNTY/CITY DOG LICENSING AGREEMENT	The new County Licensing Agreement was reviewed by Clarence Foster. Changes included small price increases for licenses issued. MOTION WAS MADE BY JAY PRATHER, SECONDED BY CLARENCE FOSTER, TO APPROVE THE COUNTY/CITY DOG LICENSING AGREEMENT. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN.
GRASSHOPPER CONTROL	Clarence Foster reported that Norm Johnson was continuing the springtoothing from last Fall.

Minutes of the Elk Ridge Town Council Meeting - 4-9-91

GRASSHOPPER
CONTROL
(CONTINUED)

Norm will be doing some areas on the North side of Elk Ridge and out about 100 yards. One application of pesticide will be done the first part of June. The time will be determined by the color of the grasshoppers. A second application will not be done. It was felt that the second application did nothing but antagonize the residents.

OUTSIDE
WATERING
RESTRICTIONS

Clarence Foster reported that outside watering restrictions have already been announced by some Cities. He felt it would be best to begin restricting water usage immediately. Councilman Shuler was concerned that if we began restricting water now, it would cut the budget. Mayor Bean suggested announcing in the next newsletter that there will be water restrictions in July and August in view of the drought so those residents that will be putting in grass can have it in and well established before the end of summer. Councilman Shuler will contact Kent Crawford to ask for his opinions on restriction times.

COUNCIL MEMBER
RESIGNATION

Councilman Marc Hansen announced his resignation due to personal matters, but will not turn in a resignation letter until a replacement is elected. Councilman Foster indicated that he would be interested in assuming Councilman Hansen's position doing Roads and Parks. Nominees recommended for replacements are Grant Bench and Clayton Creek.

ADJOURNMENT

There being no further business to discuss at this meeting, MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAY PRATHER TO ADJOURN FROM THIS MEETING. VOTE: YES-JAMES BEAN, HAL SHULER, CLARENCE FOSTER, MARC HANSEN, JAMES PRATHER(5); NO-NONE(0);

Kristine Adams
Deputy Town Clerk

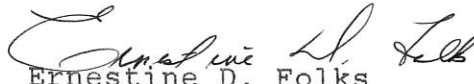
NOTICE OF HEARING

On Tuesday, April 23, 1991 at 8:00 P.M. the Elk Ridge Town Council will hold a public hearing at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah, 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 and revising certain provisions of the S-2 Zone relating to Livestock Uses.

Copies of the proposed ordinance are on file and available to the public at the town office during normal business hours.

All interested persons shall be given an opportunity to be heard.

Dated this 5th day of April, 1991.


Ernestine D. 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 23, 1991 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. The agenda shall be as follows:

7:00 P.M. COUNCIL WORK SESSION:

- Wasatch Front Water Demand Video Presentation
- Land Use Planning Seminar - J. Bean
- Planning Commission Report
- Business License Ordinance Revisions
- Water System Ordinance Revisions
- Plat I, Lot 7 - Street Improvement Problems
- SID/RDA Update
- Water Rights Acquisition Update
- Budget Planning

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

- 8:05 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 and revising certain provisions of the S-2 Zone relating to Livestock Uses.
- 9:05 Adoption of Zoning Ordinance Amendment 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 and revising certain provisions of the S-2 Zone relating to Livestock Uses.
- 9:15 Surplus Fire Truck
- 9:30 Rawlings Lawn & Pest Control Service for Park
- 9:40 Comprehensive Town Master Plan
- 10:00 Well #6 Update
- 10:15 Outside Watering Restrictions
- 10:30 County Animal Shelter Service Agreement
- 10:35 Performance Bond for Goosenest Plat A
- 10:40 Petition for Release of Hal Shuler Ranchette Performance Bond
- 10:45 Council Member Replacement

ADJOURNMENT

Notice & Agenda
April 19, 1991
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 19th day of April, 1991.


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 19, 1991.


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

April 23, 1991

TIME & PLACE OF MEETING The work session of the Elk Ridge Town Council was held on Tuesday, April 23, 1991, 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, Clarence Foster, Marc Hansen, Hal Shuler, Council Members; Ernestine Folks, town clerk; Rodney Despain.

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 19, 1991.

WASATCH FRONT WATER DEMAND VIDEO PRESENTATION Council reviewed a video presentation of a computer program available to municipalities.

LAND USE PLANNING SEMINAR - JAMES BEAN Mayor Bean had no information to report.

PLANNING COMMISSION REPORT James Prather reported that preliminary plat approval with conditions was given by the planning commission on the Loafer Recreation Association Development.

Rodney Despain informed the council that the State Health Department has given approval on the Loafer Recreation water system solely on the basis of developing the spring with the storage tank. Mr. Despain expressed concern that Donald Cole will not be willing to identify the lots in the clusters on the plat which is to be filed and recorded.

The council agreed with Mr. Despain's proposal to set up a meeting with Mr. Cole and identify the areas with which they must comply which are as follows:

1. Identify the lots in the clusters on the plat requiring recordation.

Minutes of the Elk Ridge Town Council Work Session 4-23-91

2. The monies assembled through the sale of lots for improvements is to be placed in a secured banking account.
3. Performance Bond must be equal to the amount of improvements.

The possibility of Loafer being billed for the assistance rendered by Mr. Despain was also discussed.

Commission wants council approval for a comprehensive master plan.

Rodney Despain is to draft an ordinance revision to require covered parking as a minimum requirement.

Sign ordinance still under review.

BUSINESS
LICENSING
ORDINANCE
REVISIONS

Town clerk asked the council to consider revising the business license ordinance because it is in conflict with state codes on job license requirements for contractors. A copy of the revision will be made available to the council and this item will be on the agenda for council approval at the council meeting in May.

WATER SYSTEM
ORDINANCE
REVISIONS

Town clerk asked the council to consider revising the water system ordinance to provide for refunding customer deposits after 18 months with a good payment record, require owner be responsible for utilities on rental properties and bill contractors \$20 per 12,000 gallons for water during construction without requiring a deposit. Rod Despain will assist on revisions.

PLAT I, LOT 7
STREET
IMPROVEMENTS
PROBLEMS

Town clerk reported that James Winterton reported to her that he is waiting for a bid from Earl Davis on Thursday of this week to determine the costs relative to removing the asphalt from lot 7 and placing a new road surface in the right place. Council asked for this item to be put on the agenda for an update at the next council meeting.

SID/RDA
UPDATE

Rodney Despain reported that Payson is still proceeding with the blight study. He is not aware of anything so far as the test well is concerned.

Minutes of the Elk Ridge Town Council Work Session 4-23-91

He has had some conversations with Jim Winterton on the risks of an RDA.

Mr. Despaigne further discussed concern with the nature of providing five years of the tax increment back to the developers where the increment on residential property is not the same as on commercial development. Perhaps the council should consider extending the length of the increment. However, with the focus of the purpose of the tax increments being to create the water storage tank, a five year give back is common.

WATER RIGHTS
ACQUISITION
UPDATE

Rod Despaigne has not had any further contact with Richard Heap in connection with the lease of water right from Spanish Fork.

Rod Despaigne reported he has had fairly extensive conversations with State engineer representatives and anticipates no problems with the exchange of the Ironton right, other than there will be a need to tie down the point of diversion which he assumes will be the new well site near the golf course. Mr. Despaigne has not met with Mr. Gottfredson on the Ironton water rights acquisition.

Mr. Despaigne further reported, the North Fork District over which Mr. Despaigne is the chairman, is also in need of water rights. The District is finding that the rights which have their basis in the Provo River are movable south but not north. Should Ironton rights be acquired by Elk Ridge, the North Fork District would also be interested in negotiating to acquire some of the Ironton water right.

The District could then negotiate through an agreement a transfer of their Ironton water right to Elk Ridge in exchange for the actual use of another right which Elk Ridge has already had approved.

Mr. Despaigne informed the council that although a municipality cannot divest its water rights, arrangements can be worked out to lease/transfer rights.

Minutes of the Elk Ridge Town Council Work Sesssion 4-23-91

BUDGET	Council is to have their budget to the town
PLANNING	clerk by April 30. The tentative budget will
	be presented at the May 14th meeting.

ELK RIDGE TOWN COUNCIL MEETING

April 23, 1991

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, April 23, 1991, 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, Clarence Foster, Marc Hansen, council members; Ernestine D. Folks, Town Clerk, Rodney Despain

Councilman Hansen left this meeting at 10:30 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 mailing a copy to each on April 19, 1991.

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

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 AND REVISING CERTAIN PROVISIONS OF THE S-2 ZONE RELATING TO LIVESTOCK USES.

ROLL CALL James Bean, James Prather, Marc Hansen, Clarence Foster, Hal Shuler, Ernestine D. Folks, Rodney Despain, Ron Thomas, Karl Shuler, Lee Pope, Mary Nielsen, Michelle Creek, Toni Horne, Susan Baird.

Mayor Bean declared the public hearing open for comment. Rodney Despain briefly summarized the proposed amendment. Various comments from the public were as follows:

Lee Pope, stated the problem as he sees it is that the Planning Commission members do not have animals.

Minutes of the Elk Ridge Town Council Meeting - 4-23-91

Karl Shuler stated the RR1 zone is more restrictive than the S-2. The S-2 zone allows more animals than the RR1.

Hal Shuler stated he felt the size of lots being one acre minimum as a problem.

Mary Nielsen stated she would be in favor of no restrictions.

Michelle Creek expressed concern with the grasshopper control efforts and requested permission to allow for the use of animals to control the grasshoppers.

All agreed that Section 02.0902.02, Paragraph B.1, be changed to allow four (4) animal units as the maximum number of livestock or fowl for the first acre of Livestock Management Area.

ADOPTION OF
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 AND
REVISING CERTAIN
PROVISIONS OF THE
S-2 ZONE RELATING
TO LIVESTOCK USES.

Council agreed to delay the adoption of the ordinance until May 14, 1991 to allow the Goosenest area residents to give their input. Names of the persons giving/supporting the proposed changes must be included.

Minutes of the Elk Ridge Town Council Meeting - 4-23-91

SURPLUS FIRE TRUCK	Councilman Foster reported that Fire Chief Rawlings has indicated that the older brush fire truck is not worth anything, with exception of possibly the bed and tires. The fire department no longer has any use for the vehicle. Following a discussion council agreed to check with the attorney, Steve Killpack regarding the procedures for disposition of surplus property.
RAWLINGS LAWN PEST CONTROL SERVICE FOR PARK	MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAMES PRATHER TO ACCEPT THE PROPOSAL FROM RAWLINGS LAWN AND PEST CONTROL FOR LAWN SERVICES FOR THE BALL PARK FOR 1991 AT A COST OF \$384. VOTE: YES-ALL; NO-NONE.
COMPREHENSIVE TOWN MASTER	Rodney Despain reported it will take \$2000 to \$3000 for Mr. Despain's services to complete. The planning commission sees a need to move forward with a master plan, although Mr. Despain sees revising the zoning ordinance as a better alternative. The community survey is a good starting place for a master plan. Mr. Despain recommends obtaining copies of the Planning Administration Manual for the council and planning commission members. The planning commission will need to commit to a long range planning schedule to complete a master plan which will most likely require more time than the one regular meeting each month. In conclusion the council agreed to wait until the community survey is completed before deciding whether to commit to a master plan or a revision of the zoning ordinance.
WELL #6 UPDATE	The mayor reported the engineer's concern with the way the pumping is being done in that it needs to be pumped continuously without stopping. Kent reported he pumped the well last week how the engineer wanted and then he did it the way he wanted. He then presented bottles of water to show the change in the water coming from the well. Mayor Bean stated the engineer has recommended the pump be placed at a depth of 380' and pumped continuously for a sustained period of time to prevent the pump from burning up.

Minutes of the Elk Ridge Town Council Meeting - 4-23-91

WELL #6
UPDATE
(CONTINUED)

Kent Crawford stated that at 380' the pump would not be down past the aquifer to clean the aquifer and he has set the pump at 460', and also the hole has filled in again to a 520' depth. The engineer also recommended the pump be set at 35gpm. Kent stated he is pumping at 65gpm.

The Safe Drinking Water Committee will be meeting with the mayor and engineer to tour the new well site on Thursday, April 25 at 10:00 a.m.

Mayor Bean, Kent Crawford, Hal Shuler and Bruce Hall are to meet on Tues, April 30 at 8p.m. to discuss the billing from Doxey.

Mayor Bean informed Kent Crawford to contact the engineer and update on what he is doing with the well.

OUTSIDE
WATERING
RESTRICTIONS

Councilman Shuler will draft a letter to be sent to the residents asking each to conserve water and there is a possibility of outside water restrictions in July and August.

COUNTY ANIMAL
SHELTER
SERVICE
AGREEMENT

MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAMES PRATHER, TO ACCEPT THE COUNTY ANIMAL SHELTER SERVICE AGREEMENT AS PRESENTED.
VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).

PERFORMANCE
BOND FOR
GOOSENEST
PLAT A

The Mayor reported that Steve Killpack has not been successful in negotiations with Earl Davis to finish the Columbus Lane improvements and authorize the performance bond to remain in place as a durability retainer. Mayor Bean is to meet with Earl Davis again in attempt to come to an agreement. Councilman Foster pointed out that the roadside on east side of Columbus Lane needs repairs and the fill for the temporary turnaround still needs to be completed.

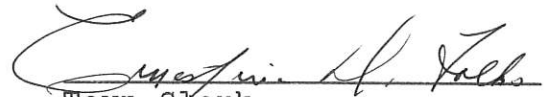
PETITION FOR
RELEASE OF HAL
SHULER
RANCHETTE
PERFORMANCE
BOND

No lien releases have been provided.

Minutes of the Elk Ridge Town Council Meeting 4-23-91

COUNCIL MEMBER Mayor Bean will contact Clayton Creek, Dennis
REPLACEMENT Shirley, John Peterson, Wayne Shute and Cregg
Ingram as possible replacements for Councilman
Hansen.

ADJOURNMENT There being no further business to discuss at
this meeting, MOTION WAS MADE BY JAMES
PRATHER, SECONDED BY CLARENCE FOSTER TO
ADJOURN FROM THIS MEETING. VOTE: YES-JAMES
BEAN, HAL SHULER, CLARENCE FOSTER, JAMES
PRATHER(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, May 14, 1991 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. The agenda shall be as follows:

7:00 P.M. COUNCIL CLOSED SESSION: Potential Litigation

8:00 P.M. REGULAR COUNCIL MEETING: Invocation & Pledge of Allegiance

8:05 Eagle Scout Projects - Jacob Bushman
- Daryl Stahli

8:25 Preliminary Plan for Loafer Recreation Development

9:00 Council Closed Session: Acquisition of Property

RETURN TO PUBLIC MEETING:

9:35 Public Hearing & Adoption of Zoning Ordinance Amendment 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 and revising certain provisions of the S-2 Zone relating to Livestock Uses.

10:00 Water Rights

10:15 Request for Exception to Subdivision Ordinance Requirement For Conveyance of Water Rights:
- Brian Smith Development
- Hal Shuler Development

10:30 Council Closed Session - Potential Litigation

RETURN TO PUBLIC MEETING

11:00 Lot 7, Plat I - Street Improvement Problems

11:10 Performance Bond for Goosenest Plat A

11:15 Petition for Release of Hal Shuler Ranchette Performance Bond

11:20 Special Improvement District for Street Improvements on Cortez Drive

11:30 SID/RDA Update

11:45 Policies & Procedures for Disposal of Surplus Property

Notice & Agenda
May 10, 1991
Page 2

- 12:00A.M. Adoption of Business License Ordinance Revision
- 12:15 Minutes of Previous Meetings
- 12:30 Expenditures and Financial Report for April, 1991
- 12:45 Zone Ordinance Revision/Comprehensive Town Master Plan
- 1:00 Tentative Budget for 1991-1992 Fiscal Year
- 1:30 Well #6 - Engineer Report
Billing From Doxey Drilling
- 1:45 Council Member Replacement
- 2:00 Community Survey

ADJOURNMENT

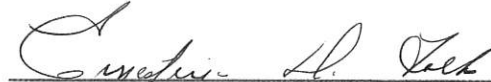
The times listed for each item and the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 10th day of May, 1991.


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 10, 1991.


Town Clerk

ELK RIDGE TOWN COUNCIL MEETING

May 14, 1991

TIME & PLACE OF MEETING The meeting of the Elk Ridge Town Council was held on Tuesday, May 14, 1991, 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, Clarence Foster, council members; Ernestine D. Folks, town clerk; Rodney Despain, Steve Killpack.

 Council member, 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 each member of the governing body by mailing a copy to each on May 10, 1991.

COUNCIL CLOSED SESSION In a closed session those present discussed potential litigation. Present at this meeting included James Bean, Mayor; James Prather, Hal Shuler, Clarence Foster, council members; Ernestine D. Folks, town clerk; Rodney Despain, Steve Killpack.

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

ROLL CALL James Bean, Mayor; James Prather, Hal Shuler, Clarence Foster, council members; Ernestine D. Folks, town clerk; Rodney Despain, Steve Killpack, Daryl Stahli, Max Stahli, Jacob Bushman, Matt Bushman, Donald Cole, Stan Cole, Jerry Fuller, Scott Fuller, Max Fuller, Grant Moore, Don Taylor, Vaud Hanks.

 Council member, Marc Hansen was not present at this meeting.

EAGLE SCOUT PROJECTS - JACOB BUSHMAN Jacob Bushman presented his eagle scout project to paint the exterior of the town hall fire station building. Estimated costs are \$250. Council approved the project.

Minutes of the Elk Ridge Town Council Meeting - 5-14-91

EAGLE SCOUT PROJECTS - DARYL STAHLI	Daryl Stahli presented his eagle scout project to construct a basketball/tennis/volleyball court. Two options with projected costs were presented, one of which included utilizing the parking lot for the court area. The more costly being the one using the area to the south of the town hall building. Council directed Daryl Stahli to consult with Eldon McMurray for input on where in his master plan he has included the courts. Council asked for Daryl to return to the May 28, 1991 council meeting to report further information on his meeting with Eldon McMurray.
LOT 7, PLAT I STREET IMPROVEMENTS	-Mayor Bean reported that Earl Davis will give Jim Winterton an estimate for putting in the road. Council member Clarence Foster is to contact Earl Davis to ensure that Mr. Davis will have the standard specifications for road improvements before he does the work.
PERFORMANCE BOND FOR GOOSENEST PLAT A	Mayor Bean reported that Earl Davis will finish Columbus Lane. Steve Killpack will contact Mr. Vowles to verify that the performance bond will remain in place as the durability retainer for the improvements.
POLICIES & PROCEDURES FOR DISPOSAL OF SURPLUS PROPERTY	Attorney, Steve Killpack informed the council that there are no State code requirements on the disposal of personal property. He would be happy to provide guidance and draft an ordinance. Town clerk will investigate the possibility of obtaining a copy of an ordinance from another municipality as a sample to review.
PRELIMINARY PLAN FOR LOAFER RECREATION DEVELOPMENT	Donald Cole, Pres. of Loafer Recreation Assoc., presented to the council in length the plans for the 135,000 gal water storage tank and the plats showing the development of cluster #1, 2 and 3. Mr. Cole contends that Loafer should not be required to file a plat with the lots identified within the clusters with the county recorder because the tax assessor will then do a five year rollback on the lots which will be a tax burden to the owners. Mr. Cole further stated being that road maintenance and garbage pickup services are not provided by Elk Ridge, the Loafer Recreation Assoc. felt it should not be taxed the same as other properties in Elk Ridge.

Minutes of the Elk Ridge Town Council Meeting - 5-14-91

PRELIMINARY
PLAN FOR
LOAFER
RECREATION
DEVELOPMENT
(CONTINUED)

Mr. Cole was reminded that for the municipality to maintain the roads and provide for garbage services the Association could not lock their gate and the road would need to be a public street dedicated to the municipality to be maintained. Council expressed concern for allowing anything contrary to the ordinances and specifically that by not filing a plat with the county recorder, the easements and lot boundaries are not a matter of public record which the municipality relies on to ensure that utilities and buildings are placed within the specified boundaries; and that those are not changed after the development is approved.

Mr. Cole stated that the municipality should file the plats as a zoning change not a development. Rodney Despain stated that in order to be entitled for a building permit, there must be compliance with the zoning requirement codes and that there seems to be a misunderstanding. The municipality is not requiring separate ownership. Mr. Cole maintained that the municipality needs to either revise the codes or give Loafer services to which they are entitled.

Council directed Rodney Despain and Steve Killpack to review the details of this issue and give the council more information on the legality and impact of allowing a development without filing a plat with lot designations.

PUBLIC HEARING & ADOPTION OF ZONING ORD.AMENDMENT 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 AND REVISING CERTAIN PROVISIONS OF THE S-2 ZONE RELATING TO LIVESTOCK USES.

Council directed the planning commission to review and make a recommendation on the petition documents received from the residents in the Goosenest Drive area as soon as possible.

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REQUEST FOR
EXCEPTION TO
SUBDIVISION
ORDINANCE
REQUIREMENT
FOR CONVEYANCE
OF WATER RIGHT
BRIAN SMITH
DEVELOPMENT

Brian Smith presented his plat for a two lot subdivision adjacent to the Goosenest, Plat A subdivision. Mr. Smith requested to pay the fee for water rights in lieu of providing the water right for each lot. Council discussed the number of water rights still available in the reserve. Rodney Despain informed the council that the Town has sufficient water right to satisfy the water supply obligation to existing users and previously approved developments. He estimates there to little if any water right in reserve at this time. However, with the potential for acquisition for more water rights under way, MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAMES PRATHER, TO APPROVE BRIAN SMITH'S REQUEST FOR EXCEPTION TO THE SUBDIVISION ORDINANCE REQUIREMENT FOR CONVEYANCE OF WATER RIGHT AND ALLOW HIM TO PAY THE WATER RIGHT FEE OF \$500 PER LOT. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).

HAL SHULER
DEVELOPMENT

Mr. Shuler requested to pay the fee for water rights in lieu of providing the water right for each lot in a proposed four lot development. However, council indicated to Mr. Shuler that his request to pay the fee for water rights in lieu of providing the water right for each lot would be given consideration following the planning commission reviewing and approving the four lot development he is proposing, since Mr. Shuler did not have any plat documents for the town council to review.

COUNCIL
CLOSED SESSION
ACQUISITION
OF PROPERTY

MOTION WAS MADE BY JAMES PRATHER, SECONDED BY CLARENCE FOSTER TO MOVE INTO A CLOSED SESSION. VOTE: YES-JAMES BEAN, JAMES PRATHER, CLARENCE FOSTER, HAL SHULER(4); NO-NONE(0); ABSENT-MARC HANSEN(1). Present in the closed session where acquisition of property was discussed were James Bean, James Prather, Hal Shuler, Clarence Foster, Rodney Despain, Steve Killpack, Ernestine Folks.

COUNCIL CLOSED
SESSION :
POTENTIAL
LITIGATION

MOTION WAS MADE BY JAMES PRATHER, SECONDED BY CLARENCE FOSTER TO MOVE INTO A CLOSED SESSION. VOTE: YES-JAMES BEAN, JAMES PRATHER, CLARENCE FOSTER, HAL SHULER(4); NO-NONE(0); ABSENT-MARC HANSEN(1). Present in the closed session where potential litigation was

Minutes of the Elk Ridge Town Council Meeting - 5-14-91

COUNCIL CLOSED were James Bean, James Prather, Hal Shuler,
SESSION Clarence Foster, Rodney Despain, Steve
POTENTIAL Killpack, Ernestine Folks.
LITIGATION

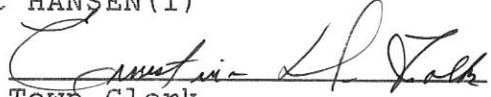
PETITION FOR No lien releases have been provided.
RELEASE OF
HAL SHULER
RANCHETTE
PERFORMANCE
BOND

WELL #6 Mayor Bean reported that the review of the
BILLING FROM billing from Doxey Drilling and subsequent work
DOXEY DRILLING completed by Peterson Bros. Drilling by Bruce
Hall, Kent Crawford, Hal Shuler and himself
resulted in the determination by the four that
in actuality John Doxey owes Elk Ridge \$1458
instead of Elk Ridge owing Doxey Drilling
anything. Attorney, Steve Killpack advised
the council to notify Mr. Doxey denying any
responsibility for payment and Mr. Killpack
will draft a letter to that effect.

WELL #6 Council reviewed the recommendation from
ENGINEER Bruce Hall on the further development
REPORT of the well. Councilman Shuler indicated he
and Kent Crawford were working on other
alternatives for completing the well and
putting it in production. Council asked for
Councilman Shuler to present his
recommendations at the next meeting and
council will withhold any decision on the
engineers recommendation until then.

SCHEDULE OF MOTION WAS MADE BY JAMES BEAN, SECONDED BY
SPECIAL TOWN JAMES PRATHER, TO SCHEDULE A SPECIAL COUNCIL
COUNCIL MEETING ON WEDNESDAY, MAY 22, 1991 AT 7:00 P.M.
MEETING TO FINISH THE AGENDA ITEMS NOT COMPLETED AT
THIS MEETING. VOTE: YES-ALL(4); NO-NONE(0);
ABSENT-MARC HANSEN(1).

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


Town Clerk

NOTICE & AGENDA

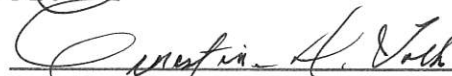
Notice is hereby given the Town Council of Elk Ridge will hold a special Town Council Meeting on Wednesday, May 22, 1991 at 7:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. The agenda shall be as follows:

- 7:00 P.M. SPECIAL COUNCIL MEETING: Invocation & Pledge of Allegiance
- 7:05 Minutes of Previous Meetings
- 7:20 Expenditures and Financial Report for April, 1991
- 7:40 Council Member Replacement
- 7:50 Community Survey
- 8:00 Zone Ordinance Revision/Comprehensive Town Master Plan
- 8:15 Continuation of Public Hearing & Adoption of Zoning Ordinance Amendment 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 and revising certain provisions of the S-2 Zone relating to Livestock
- 9:00 Request for Exception to Subdivision Ordinance Requirement For Conveyance of Water Rights:
- Hal Shuler Development
- 9:15 Special Improvement District for Street Improvements on Cortez Drive
- 9:30 SID/RDA Update
- 9:35 Adoption of Business License Ordinance Revision
- 9:50 Well #6 - Engineer Report
- 10:00 Water Rights Acquisition

ADJOURNMENT

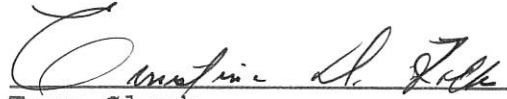
The times listed for each item and the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 17th day of May, 1991.


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 17, 1991.


Town Clerk

ELK RIDGE SPECIAL TOWN COUNCIL MEETING

May 22, 1991

TIME & PLACE OF MEETING	The special meeting of the Elk Ridge Town Council was held on Wednesday, May 22, 1991, 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, Clarence Foster, Marc Hansen, council members; Kristine Adams, deputy 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 mailing a copy to each on May 17, 1991.
INVOCATION & PLEDGE OF ALLEGIANCE	Prayer was offered by Marc Hansen with the pledge of allegiance following.
MINUTES OF PREVIOUS MEETING	Following a review of the minutes, MOTION WAS MADE BY JAY PRATHER, SECONDED BY HAL SHULER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETINGS HELD ON APRIL 9, 1991, and APRIL 23, 1991, AMENDING PAGE 59, PARAGRAPH 5, OF THE SECOND MEETING TO READ AS FOLLOWS: "All agreed that Section 02.0902.02, Paragraph B.1, be changed to allow four (4) animal units as the maximum number of livestock or fowl for the first acre of Livestock Management Area." VOTE: YES-ALL(5); NO-NONE(0).
FINANCIAL REPORT AND EXPENDITURES FOR MONTH OF APRIL, 1991	Following a review and discussion of the financial report and the list of expenditures for the month of April, 1991, MOTION WAS MADE BY HAL SHULER, SECONDED BY JAY PRATHER, TO APPROVE THE FINANCIAL REPORT AND THE LIST OF EXPENDITURES FOR THE MONTH OF APRIL, 1991. VOTE: YES-ALL(5); NO-NONE(0).
COUNCIL MEMBER REPLACEMENT	MOTION WAS MADE BY HAL SHULER, SECONDED BY MARC HANSEN, TO APPOINT DENNIS SHIRLEY TO REPLACE MARC HANSEN ON THE TOWN COUNCIL. VOTE: YES-ALL(5); NO-NONE(0). Council discussed possible nominees to fill Dennis Shirley's position on the Planning Commission. Cregg Ingram and Clayton Creek will be approached by the Council for their acceptance.

Minutes of the Elk Ridge Town Council Meeting - 5-22-91

COMMUNITY SURVEY The Community Survey has been delivered to and collected from the majority of the Elk Ridge residents. A few more surveys are still left to deliver. Results will be totaled when they are completed.

ZONE ORDINANCE REVISION/COMPREHENSIVE TOWN MASTER PLAN Rod Despain has informed the Mayor that in his opinion the revision of the Zoning Ordinance should take precedence over the Town Master Plan. The Mayor declared that the Town Council is committed to a Comprehensive Town Master Plan and they will begin working on this through the Town Planning Commission and through the revision of the Zoning Ordinance. He also stated that the Master Plan will not be done until the next budget year.

CONTINUATION OF PUBLIC HEARING & ADOPTION OF ZONING ORDINANCE AMENDMENT 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 AND REVISING CERTAIN PROVISIONS OF THE S-2 ZONE RELATING TO LIVESTOCK.

This item was postponed until the next Town Council meeting due to lack of quorum at last nights Planning Commission meeting.

REQUEST FOR EXCEPTION TO SUBDIVISION ORDINANCE REQUIREMENT FOR CONVEYANCE OF WATER RIGHTS: HAL SHULER DEVELOPMENT This item was postponed until the next Town Council meeting due to lack of quorum at last nights Planning Commission meeting.

SPECIAL IMPROVEMENT DISTRICT FOR STREET ON CORTEZ DRIVE The Mayor stated he will delay sending letters to notify the lot owners on Cortez Drive about the planned SID until Bruce Hall has finished the bid specs on the road improvements and the bids have been received.

SID/RDA UPDATE Rod Despain was not present to give an update at this time.

Minutes of the Elk Ridge Town Council Meeting - 5-22-91

ADOPTION OF
BUSINESS
LICENSE ORD.
REVISION

The Business License Ordinance was reviewed by the Council. MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY HAL SHULER TO ACCEPT AND ADOPT THE REVISION OF THE BUSINESS LICENSE ORDINANCE NO. 83-12 SUBJECT TO APPROVAL BY THE ATTORNEY. VOTE: YES-ALL(5); NO-NONE(0).

WELL #6
UPDATE

Bruce Hall sent a letter to Council with his reasons and recommendation for capping Well #6. He gave monetary figures of the remaining costs involved to get the well on-line and he didn't feel it was worth the cost for the small amounts of water that could be pumped from the well. He felt the remaining money from the grant could be better used to begin a new well in a better location. The Council discussed his recommendations. Councilman Shuler stated he thought the costs involved to get the well on-line would be less than half of what Mr. Hall declared and the well would still furnish water for about 25 extra homes. He stated that the well had filled up with 100' of silt and he would ask Roy Daley how much it would cost to clean it out. Council agreed to not proceed further with Well #6 and to place a temporary cap on it instead of putting more money into it. Councilman Shuler stated that the cap could always be taken off to have more work done to it but agreed that nothing would be done without State direction.

Councilman Shuler stated that Kent Crawford is doing a few things with the other wells to try to obtain more water from them. He is studying the feasibility of placing a booster on Well #5 to increase the outflow by 100 gpm. No costs for this project were given.

Councilman Shuler also reported that the pump to Well #3 will be replaced this week.

Councilman Marc Hansen left the meeting at this time.

WATER RIGHTS
ACQUISITION

The Town Clerk presented five year projections on the water and sewer budget to aid the Council in determining the availability of extra money for their decision on whether the Town could afford to purchase water rights or

Minutes of the Elk Ridge Town Council Meeting - 5-22-91

WATER RIGHTS
ACQUISITION
(CONTINUED)


to drill a new well. A large cash flow will be needed immediately for Rod Despain to purchase the water rights.

The Council discussed that in order for them to know how much money is available in the budget, estimates will need to be given on the water booster that Kent Crawford is considering and on other capital improvements that will be needed.

Councilman Shuler stated that he thought the Town could afford to purchase the water rights and to drill a new well. He gave as examples of incoming cash to the Town the 40 lots that Ron Ririe has to sell by the golf course and the four new subdivisions that are in the process of being approved. Councilman Prather recommended we do all we can to get water rights now and see about getting financial aid for the well in the future. Water rights will only get more expensive the longer we wait. The number of water rights to be purchased nor the cost involved was mentioned. MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAY PRATHER THAT THE TOWN COUNCIL AUTHORIZE ROD DESPAIN TO PROCEED WITH NEGOTIATIONS TO OBTAIN WATER RIGHTS. VOTE: YES-(4); NO-(0); ABSENT-MARC HANSEN(1)

ADJOURNMENT

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


Deputy Town Clerk

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, May 28, 1991 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. The agenda shall be as follows:

7:00 P.M. COUNCIL WORK SESSION:

Utah County Valley Fair - James Bean
Grasshoppers - Clarence Foster
Planning Commission Report - James Prather
Community Survey - James Prather
Special Improvement District for Street Improvements on Cortez Drive
SID/RDA Update
Water Rights Acquisition

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

8:05 Eagle Scout Project - Daryl Stahli

8:15 Minutes of Previous Meetings

8:30 Appointment & Oath of Office, Council Member

8:40 Appointment of Planning Commission Member

8:50 Planning Commission Recommendations:

-Petition to Change Plat B - Jeff & Lorelei Harward

-Plat B Goosenest Subdivision - Brian Smith

-Plats C & D, Loafer Hollow Subdivision - Hal Shuler

-Gary Moody Building Permit Request

-Petition for the purpose of amending provisions of the proposed RR-1 Zoning Ordinance of Elk Ridge as it relates to minimum area requirements and number of animal units allowable

9:50 Continuation of Public Hearing & Adoption of Zoning Ordinance Amendment 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 and revising certain provisions of the S-2 Zone relating to Livestock

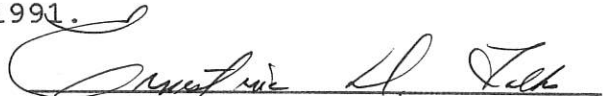
Notice & Agenda
May 24, 1991
Page 2

10:00 Plat A, Iron Oaks Subdivision - Alvin Harward
10:15 Update on Well #6
10:30 Improvements to Well #5
10:45 Petition for Release of Hal Shuler Ranchette
 Performance Bond

ADJOURNMENT

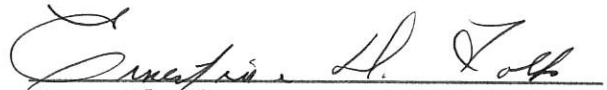
The times listed for each item and the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 24th day of May, 1991.


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 24, 1991.


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

May 28, 1991

TIME & PLACE OF MEETING	The work session meeting of the Elk Ridge Town Council was held on Tuesday, May 28, 1991, 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; Hal Shuler, Clarence Foster, council members; Ernestine D. Folks, town clerk; Rodney Despain
	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 24, 1991.
UTAH COUNTY VALLEY FAIR	Nothing was reported
GRASSHOPPERS any	Councilman Foster reported he has not sighted grasshoppers.
PLANNING COMMISSION REPORT	Nothing was reported.
COMMUNITY SURVEY	Councilman Prather reported he is not aware of what the status on the survey is at this time.
SPECIAL IMPROVEMENT DISTRICT FOR STREET IMPROVEMENTS ON CORTEZ	Council reviewed the improvement costs (\$12,624) for Cortez Drive as prepared by the engineer. Council questioned the cost for the sump not being included. Administrative costs can be added to the construction costs for the total SID project costs. Method for determining the amount each property owner will be assessed will need to be determined. Option of pre paying assessment within a specified period or delayed payment with interest being charged was discussed. If possible the council is intending to do the project in house instead of bonding.
	Rodney Despain reviewed process in creating a special improvement district which included preparing a Notice of Intention. Prior to this he recommends the mayor contact each property owner, by telephone, to get a sense of the property owners willingness to participate before proceeding any further.

Minutes of the Elk Ridge Town Council Work Session - 5-28-91

SID/RDA Rodney Despain indicated he had nothing to
UPDATE report. Mr. Glen Vernon has not been
 available.

WATER RIGHTS Council discussed the acquisition of the water
ACQUISITION rights as being a priority. Question as to
 where the financing for the purchase would be
 obtained was not answered. Mayor Bean
 indicated he felt that over a year's time the
 municipality would see from where the
 financing would come. Council agreed for
 Rodney Despain to pursue with Mr. Gottfredson
 the proposal to acquire 100 acre ft. at \$350
 per acre ft., with the purchase of an
 additional 100 acre ft. over time through the
 lease purchase agreement at \$___?___ per acre
 ft. The purchase of the first 100 acre ft. at
 \$350 per acre ft. includes Ron Ririe's offer
 of \$20,000 to participate.

ELK RIDGE TOWN COUNCIL MEETING

May 28, 1991

TIME & PLACE OF MEETING	The regular meeting of the Elk Ridge Town Council was held on Tuesday, May 28, 1991, 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, Clarence Foster, Dennis Shirley, council members; Ernestine D. Folks, town clerk; Rodney Despain, Mr. & Mrs. Alvin Harward, Lorelei Harward, Mr. & Mrs. Dennis Dunn, Lee Pope, Ron Moody. 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 each member of the governing body by mailing a copy to each on May 24, 1991.
INVOCATION & PLEDGE OF ALLEGIANCE	Prayer was offered by James Prather with the pledge of allegiance following.
EAGLE SCOUT PROJECT - DARYL STAHLI	Daryl Stahli was not present to report.
MINUTES OF PREVIOUS MEETING	Following a review of the minutes, MOTION WAS MADE BY JAY PRATHER, SECONDED BY CLARENCE FOSTER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETINGS HELD ON MAY 14, 1991 AND MAY 22, 1991 AS WRITTEN. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-MARC HANSEN(1).
APPOINTMENT & OATH OF OFFICE COUNCIL MEMBER	Oath of office was administered by the town clerk to Dennis Shirley who was sworn in as replacement for Marc Hansen.
APPOINTMENT OF PLANNING COMMISSION MEMBER	Nothing to report on this item.

Minutes of the Elk Ridge Town Council Meeting - 5-28-91

PLANNING
COMMISSION
RECOMMENDATIONS:

PETITION TO The public hearing for the request to amend lot
CHANGE PLAT B 12, block 5, Plat B, Salem Hills Subdivision is
JEFF & LORELEI to be scheduled for the next council meeting
HARWARD following a planning commission meeting for the
 planning commission to review the final plat of
 lot 12, block 5, Plat B, Salem Hills
 Subdivision.

PLAT B,
GOOSENEST
SUBDIVISION - Following a review of the Goosenest, Plat B
BRIAN SMITH subdivision development, MOTION WAS MADE BY
 CLARENCE FOSTER, SECONDED BY JAMES PRATHER, TO
 APPROVE THE FINAL PLAT OF THE GOOSENEST, PLAT
 B, SUBDIVISION DEVELOPMENT SUBJECT TO REVIEW BY
 AND MEETING ALL OF THE ENGINEER'S REQUIREMENTS,
 PROVIDING FOR A PERFORMANCE BOND ESCROW
 ACCOUNT IN THE AMOUNT APPROVED BY THE ENGINEER
 AND PAYMENT OF ALL REQUIRED FEES BEING
 COMPLETED. VOTE: YES-ALL(4); NO-NONE(0);
 ABSTAIN-HAL SHULER(1). Recording of plat
 document is to be withheld until all
 conditions are completed. No building permits
 are to be issued until the plat is recorded.

PLATS C & D,
LOAFER HOLLOW
SUBDIVISION - Hal Shuler presented a four-lot preliminary
HAL SHULER plan to the planning commission which will need
 to go back to the planning commission. The
 plat will be two, two-lot final plats which
 will also need to go back to the planning
 commission for approval because of the
 dedication of the road. Planning Commission
 gave Mr. Shuler concept approval only. At
 this time Mr. Shuler requested the council
 authorize payment of the fee for water rights
 in lieu of providing the water right for each
 lot in his proposed four-lot development.

Following a discussion on the issue of how
much reserve the municipality has from which
to allow purchase of water right in lieu of
providing the water right, the council
determined that at this time there is a water
right reserve for 15 lots. Prior approval has
been given to Mr. Ririe for 3 lots, Mr.
Harward for 2 lots and Mr. Smith for 2 lots,
thus leaving 8 available.

Minutes of the Elk Ridge Town Council Meeting - 5-28-91

PLATS C & D,
LOAFER HOLLOW
SUBDIVISION -
HAL SHULER
(CONTINUED)

Council concluded that no more than 3 per individual would be approved. Mr. Shuler was informed he would be allowed to purchase 3 for his proposed development.

GARY MOODY
BUILDING
PERMIT
REQUEST

Mr. Moody's request for a building permit was reviewed by the planning commission because of the need to determine and make recommendation on how Mr. Moody will provide for his share of the upgrade to the Goosenest Water system. The planning commission concluded that options for the council to consider for the Goosenest water system's compliance to allow for building permits are to 1) have a survey of the water system done by the city engineer. 2) Establish an escrow account to provide for the payment for the construction, or allow a 3) Deferral agreement signed by owner of property at the building site to defer payment for the water system improvements to said property.

Council discussed that the Goosenest Water Co. should have an engineering survey completed to show the Goosenest system and how upgrading will be addressed with the city's engineer approval of the proposed construction. Mr. Despain did not recommend the deferral of payment method. Conditions with the approval for a building permit are to require Mr. Moody's engineer to submit an estimate for the cost of improvements for an 8" water main for the full width of his lot. The council determined that the escrow account would be the best alternative.

PETITION FOR
THE PURPOSE
OF AMENDING
PROVISIONS OF
THE PROPOSED
RR-1 ZONING
ORDINANCE OF
ELK RIDGE AS
IT RELATES
TO MINIMUM
AREA
REQUIREMENTS
& NUMBER OF
ANIMAL UNITS

Planning commission recommended to accept the proposed changes presented by Lee Pope and signed by the majority of the Goosenest residences. Proposed changes include reducing the minimum lot size to 1/2 acre and increasing the number of animal units. Mr. Despain was directed to incorporate the changes and present a complete redraft of the proposed amendment for adoption at the next council meeting.

Minutes of the Elk Ridge Town Council Meeting - 5-28-91

CONTINUATION OF PUBLIC HEARING & ADOPTION OF ZONING ORDINANCE AMENDMENT 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 AND REVISING CERTAIN PROVISIONS OF THE S-2 ZONE RELATING TO LIVESTOCK.

Mr. Despain is to make the final revisions for the council to adopt at the next council meeting.

PLAT A, IRON
OAKS SUBDIV.
ALVIN HARWARD

*FINAL PLAT
APPROVAL
GIVEN SEE

6-27-89 MINUTES

Council authorized Rodney Despain, Bruce Hall Ernestine Folks to review all the required documents and with the conditions previously stipulated being completed, authorized the plat to be recorded without having to be reviewed another time by the council. Clarification by the engineer as to cost estimate is to be verified.

WELL #6

Bruce Hall is to verify with the State the intent to cap the well and not proceed any further.

IMPROVEMENTS
TO WELL #5

Mr. Shuler reported he will be contacting Roy Daley as to what he recommends be done to improve the performance of the well.

Council asked for the town clerk to contact the insurance agent to have him indicate to the council what the exposure is on hiring contractors to work for the municipality without a certificate of insurance.

LOAFER
RECREATION
DEVELOPMENT

The council reviewed a memorandum received from Donald Cole, Pres. of Loafer Recreation Assoc. with a proposed ordinance revision. The council was not inclined to revise the zoning ordinance as suggested by Mr. Cole. Council discussed at length the possibility of providing for easements, public right of ways, streets, and the lot designations within the cluster areas in another manner, without having to require those details being included on the plat which is filed with the county recorder. Still unclear is how the tax assessor will deal with the valuation and rollback on the properties and if the county will accept the plat for recording without the lot designations.

Minutes of the Elk Ridge Town Council Meeting - 5-28-91

LOAFER
ASSOCIATION
DEVELOPMENT
(CONTINUED)

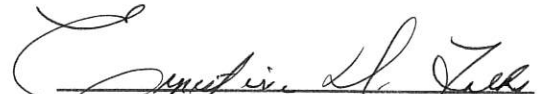
Mr. Despain was given direction to continue to study the possibilities and provide the council with further information.

PETITION FOR
RELEASE OF HAL
SHULER
RANCHETTE
PERFORMANCE
BOND

Earl Davis is to provide a lien release his share of the work on the improvements for this project.

ADJOURNMENT

There being no further business to discuss at this meeting, MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAY PRATHER TO ADJOURN FROM THIS MEETING. VOTE: YES-JAMES BEAN, HAL SHULER, CLARENCE FOSTER, JAMES PRATHER; DENNIS SHIRLEY(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, June 11, 1991 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. The agenda shall be as follows:

7:00 P.M. COUNCIL WORK SESSION:

SESD Report - Ron Cooper
Utah County Valley Fair - James Bean
Community Survey - James Prather
Council Member Areas of Responsibility
Cortez Drive Street Improvement
4th of July Activities
Insurance Certification of Insurance Requirement
Budget for Fiscal Year 1991/1992
SID/RDA Update
Water Rights Acquisition

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

8:05 Eagle Scout Project - Daryl Stahli
8:15 Uintah National Forest Fire Presentation - Bevan Killpack
8:30 Minutes of Previous Meetings
8:40 Expenditures & Financial Report for May, 1991
8:50 Appointment of Planning Commission Member
9:00 Improvements to Well #5
9:15 Update on Well #6
9:30 Loafer Assoc Development
10:00 Continuation of Public Hearing & Adoption of Zoning Ordinance Amendment 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 and revising certain provisions of the S-2 Zone relating to Livestock
10:15 Ordinance for Surplus Property
10:25 Petition for Release of Hal Shuler Ranchette Performance Bond
10:35 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 7th day of June, 1991.

Kristine Adams
Deputy Town Clerk

CERTIFICATION

The undersigned, duly appointed and acting deputy 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 June 7, 1991.

Kristine Adams
Deputy Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

June 11, 1991

TIME & PLACE OF MEETING The work session meeting of the Elk Ridge Town Council was held on Tuesday, June 11, 1991, 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, Clarence Foster, council members; Ernestine D. Folks, town clerk; Kristine Adams, deputy town clerk; Rodney Despain

Dennis Shirley 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 June 7, 1991.

SESD REPORT Ron Cooper was not available for a report.

UTAH COUNTY VALLEY FAIR The Mayor reported that Utah County Valley Fair is asking for donations to the fair and is giving out hats for those who do. He also reported that Utah County asked for suggestions for a person or group that has made significant contributions to our community. Ken Harris, the first mayor of Elk Ridge, was the person suggested. Utah County is to contact Phyllis Thomas, Town Historian, for dates and other information on him. Mayor Bean will put something in the newsletter or an announcement at the 4th of July picnic to publicize the Fair.

COMMUNITY SURVEY Councilman Prather reported that all surveys have been turned in and the Deputy Town Clerk will have the results by the next meeting.

COUNCIL MEMBER AREAS OF RESPONSIBILITY It was reported that Clarence Foster will now be responsible for Roads and Parks and Dennis Shirley will be responsible for Public Safety.

CORTEZ DRIVE STREET IMPROVEMENT The Mayor reported that he has been able to contact part of the owners on Cortez Drive. Presently the Glaziers and Jacobsons are in favor of paying their portion for an SID for the street improvement. One more is needed for a majority. The Youngs are not in favor of an SID and Bushmans are not able to pay. Norma Anderson, one of the owners and developers of the Plat, stated she had already paid money

Minutes of the Elk Ridge Town Council Work Session - 6-11-91

CORTEZ DRIVE STREET IMPROVEMENT (CONTINUED) to Blaine Hales, a past Councilman, for improvements. It was discussed that the money she paid was for water and sewer development fees, not for road improvements.

4TH OF JULY ACTIVITIES Clarence Foster talked with Jack Lomonto at the Gladstan Golf course and set up a tee time on July 4th starting at 6:45 a.m. for the Elk Ridge Golf Tournament. The Town Clerk will ask Mr. Lomonto to be in charge of the Tournament and the prizes.

The Fire Department will hold their breakfast in the morning of the 4th. Councilman Foster will talk with Cregg Ingram concerning the 10K run. Scouts will be asked to do the flag ceremony and a new flag will be purchased. The Mayor was asked to present awards to Dwight Williams, Angie Bigler, Nolan Money and others who were called to serve during Desert Storm. A parade from the Primary children was also considered. Councilman Foster will ask Cregg Ingram to help put the activities together and send out a special flier to all residents this week.

CERTIFICATE OF INSURANCE REQUIREMENT The Town Clerk contacted Rex Behling, the insurance agent, concerning hiring contractors with no certificate of insurance. When the Town pays for uninsured contractors it costs \$.27 per \$100 of the job cost. This year, 1990-1991, the Town paid \$233 extra in premiums. Councilman Shuler stated that the job materials are subtracted from the total construction cost before the insurance is calculated. The Town Clerk did not agree with this and will contact Rex Behling again to determine if materials are taken out before the insurance premium is determined. She stated when the Town is audited, the total building cost is looked at and nothing is omitted when reviewing the insurance amount paid.

BUDGET FOR FISCAL YEAR 1991/1992 The tax rate summary from the auditor was received today. Mayor Bean and the Town Clerk will have a meeting Thursday to discuss it.

SID/RDA UPDATE Rodney Despain indicated he had nothing to report.

WATER RIGHTS ACQUISITION Rodney Despain indicated that he is still working on negotiations for water rights.

ELK RIDGE TOWN COUNCIL MEETING

June 11, 1991

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, June 11, 1991, 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, Clarence Foster, council members; Ernestine D. Folks, town clerk; Kristine Adams, deputy town clerk; Rodney Despain, Daryl and Max Stahli, Bevan Killpack, Kent Crawford, Bruce Hall, Greg Magelby, Don Cole, Jerry Fuller, Cleve Swenson, Scott Johnson, Stanley Cole, Bob Rasmussen, Vaud Hanks, Kathy and Deni Rasmussen, Frances Bona, Glen Cole, and Lee Pope

 Dennis Shirley 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 June 7, 1991.

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

EAGLE SCOUT PROJECT - DARYL STAHLI Daryl Stahli reported that Blue Stakes was called to mark the gas lines, but the phone lines were marked instead. As soon as the correct gas lines are marked, Eldon McMurray will help him with the layout of the basketball court area. Mr. Stahli plans to only do half a court for his project. He has the equipment to level a spot by himself. The standards are made up minus the rim and backboard. He could put the standard in the ground, put the backboard and rim on and have someone else do the concrete work for their project. Or he can donate the backboard and rim and do something else. The Mayor directed him to do what he thought was best.

UINTA NATIONAL FOREST FIRE PRESENTATION Bevan Killpack from the Uinta National Forest Service was present to ask for permission for Tom Wroe and other experts from the County Fire Department talk to Elk Ridge residents concerning fire safety. A video and slides

Minutes of the Elk Ridge Town Council Meeting - 6-11-91

UINTA NATIONAL FOREST FIRE PRESENTATION (CONTINUED) will be shown of actual fires and demonstrations will be given to residents on fire safety around their homes. This will be turned over to the fire department and Councilman Shirley to plan a night and place for this presentation to be made. A Sunday night in the Pavilion was discussed.

Councilman Foster will contact Ray Allred to borrow his machine to cut the grass along the roads to help with fire prevention. He also discussed that UDOT, for a fee, will look at our roads to see where repairs will need to be made, then look at our budget and tell us where our emphasis should be on road repair in the future. More information will be obtained from Dale Bigler.

MINUTES OF PREVIOUS MEETING Following a review of the minutes, MOTION WAS MADE BY JAY PRATHER, SECONDED BY CLARENCE FOSTER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETING HELD ON MAY 28, 1991, AS WRITTEN. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-DENNIS SHIRLEY(1).

FINANCIAL REPORT AND EXPENDITURES FOR MONTH OF MAY, 1991 Following a review and discussion of the financial report and the list of expenditures for the month of May, 1991, MOTION WAS MADE BY HAL SHULER, SECONDED BY JAY PRATHER, TO APPROVE THE FINANCIAL REPORT AND THE LIST OF EXPENDITURES FOR THE MONTH OF MAY, 1991. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-DENNIS SHIRLEY(1).

PLANNING COMMISSION MEMBER REPLACEMENT MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAY PRATHER, TO APPOINT CLAYTON CREEK TO REPLACE DENNIS SHIRLEY AS A MEMBER ON THE PLANNING COMMISSION. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-DENNIS SHIRLEY(1).

No replacement has been found to fill Marriner Beckstead's position on the Planning Commission.

IMPROVEMENTS TO WELL #5 Kent Crawford was present to discuss the improvements and costs involved to increase the output of Well #5. He stated that for \$12,000 Delco Western Pumping Co. could replace the well pump with a 30 horse power booster pump that would increase the output by 120 gpm. It would cost an additional \$3,000

Minutes of the Elk Ridge Town Council Meeting - 6-11-91

IMPROVEMENTS
TO WELL #5
(CONTINUED)

to install the booster pump but this could be put out to bid. The cost of the increase in electricity was discussed.

Bruce Hall stated that he would find out from the State if Elk Ridge could use the balance of the funds from Well #6 to finance the new booster pump for Well #5. Whether the pump will be installed will be discussed at the next Council Meeting. Mr. Hall stated that the State would require detailed drawings on the new improvements before their decision to allow Elk Ridge to use the remaining funds can be made and Kent indicated he would supply those.

It was decided that if the amount of water the well would produce were increased, it would not raise the value of the well if it were to be sold.

UPDATE ON
WELL #6

Bruce Hall asked the Council what they want to do with Well #6 so he could verify it with the State. Councilman Shuler stated an effort should be made to clean out the silt in the well to see if more water could be produced before totally closing it up. The Council told Mr. Hall to have the State cap the well but not fill it with concrete.

Mr. Hall also recommended that the Council decide immediately whether to drill another well and where it would be for next year. He recommended drilling higher in the Loafer Association area and let the water gravity feed into the storage tank. He stated that the Town needs a backup system for additional water in case Well #5 were to fail.

LOAFER ASSOC
DEVELOPMENT

The Loafer Association Development met in Loafer Canyon Saturday with Councilmen Foster and Shuler and Rod Despain and turned in a letter indicating their one concern which is what to include on their plats if no revisions in the Ordinance were made. Do they file the total perimeter area along with an easement and right-of-way document. They would give us an easement on the total 257 acres to travel on existing roads, trails or land in the administration of the Town duties for emergency purposes. They would also identify

Minutes of the Elk Ridge Town Council Meeting - 6-11-91

LOAFER ASSOC
DEVELOPMENT
(CONTINUED)

by legal description the major roads. Rod Despain stated that this is commonly done with a notation written on the plat.

It was discussed that Mayor Bean will authorize payments and be the authorized signature representing Elk Ridge on the escrow account.

Mr. Cole asked if there has been any decision made on what items need to be shown on the final plat. The Mayor stated there was general agreement among the Council except for Councilman Prather about filing a plat with the county showing the clusters and number of units with a note stating that the Town holds a detailed description with the easements drawn in and then submitting to us a detailed drawing that we would keep here.

MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY HAL SHULER, THAT ON THE PLATS SUBMITTED TO THE COUNTY THE OUTSIDE BOUNDARIES OF EACH CLUSTER WILL BE IDENTIFIED BY LEGAL DESCRIPTION. THE MAXIMUM NUMBERS OF DWELLINGS IN THOSE CLUSTERS IS TO BE INDICATED. THE ROADS AND UTILITY EASEMENTS ARE TO BE DRAWN AND A NOTATION ON THE PLAT STATING THAT A MORE COMPLETE DIAGRAM INCLUDING ALL THE DIVISIONS OF THAT CLUSTER IS KEPT ON FILE AT THE TOWN OFFICE OF ELK RIDGE. There was some discussion by James Prather. He stated "this should be recorded the same as all plats are with the County Recorder. Things get lost in this office, we've had problems with that before. I think the safest place for this to be recorded with the delineation of the building sites is at the County Recorders Office and if there is an effort to escape any possibility of taxation, that is not up to this Town to decide or participate in. This is an irregularity to be done this way. This will surface again sometime and I will vote no."

Don Cole stated he has been associated with many other outside recreational developments of this nature and believes this is not unique for the Loafer Recreational Association to ask for some tax deduction. They pay a very moderate fee to the forest service for road

Minutes of the Elk Ridge Town Council Meeting - 6-11-91

LOAFER ASSOC
DEVELOPMENT
(CONTINUED)

maintenance and fire protection. They maintain their own water system and pay taxes on the cabin, but they pay no taxes on the land. He didn't think it was unique that they were not overpaying a traditional proportionate share from the standpoint of services rendered back to the association. He said Jay has a point, but if Loafer were to have the whole thing recorded as a standard subdivision with lots with all the taxes, all the maintenance and responsibility comes back to them and he thought that was a good proportionate share.

Councilman Prather said it's not being recorded as a regular subdivision plat. Those lots are drawn with dash lines. Our understanding from the assessor is that this won't have any bearing on taxation. This would make certain that the structures built on the sites were placed correctly.

VOTE: YES(3); NO(1); ABSENT(1).

It was stated that some of the owners will get their percolation test from the County started and begin excavation immediately.

This item will go before the Planning Commission next week and Loafer Recreation will have all their needed information by that time. A notice will also appear in the newspaper for a public hearing to be held 15 days from the date of notice concerning the amendment to the Zoning Ordinance.

CONTINUATION OF PUBLIC HEARING & ADOPTION OF ZONING ORDINANCE AMENDMENT 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 AND REVISING CERTAIN PROVISIONS OF THE S-2 ZONE RELATING TO LIVESTOCK.


A few minor typing corrections will be made by Mr. Despain on the Zone Ordinance. MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY HAL SHULER TO APPROVE ORDINANCE NO.91-6-11-12 ESTABLISHING A NEW ZONE ENTITLED RR-1 RURAL RESIDENTIAL ZONE SETTING FORTH THE REQUIREMENTS APPLICABLE TO THE ZONE AND REVISING CERTAIN PROVISIONS TO THE S-2 ZONE RELATING TO LIVESTOCK. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-DENNIS SHIRLEY(1).

Minutes of the Elk Ridge Town Council Meeting - 6-11-91

ORDINANCE FOR An amendment will be drafted of our existing
SURPLUS purchase procedures adding sections from
PROPERTY Highland's Ordinance on disposal of surplus
 property for review at the next Council
 Meeting.

PETITION FOR Earl Davis has not yet provided a lien release
RELEASE OF HAL for his share of the work on the improvements
SHULER for this project.
RANCHETTE
PERFORMANCE
BOND

ADJOURNMENT There being no further business to discuss at
 this meeting, MOTION WAS MADE BY CLARENCE
 FOSTER, SECONDED BY HAL SHULER TO ADJOURN FROM
 THIS MEETING. VOTE: YES-JAMES BEAN, HAL
 SHULER, CLARENCE FOSTER, JAMES PRATHER(4); NO-
 NONE(0); ABSENT-DENNIS SHIRLEY(1).



Deputy Town Clerk

ELK RIDGE TOWN COUNCIL MEETING

June 14, 1991

TIME & PLACE OF MEETING The emergency meeting of the Elk Ridge Town Council was held on Friday, June 14, 1991, 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, Clarence Foster, Dennis Shirley, council members; Ernestine D. Folks, town clerk; Kent Crawford, Bruce Hall

Notice of time, place and agenda of this meeting was provided to each member of the governing body by a telephone call to each on June 13, 1991.

IMPROVEMENTS TO WELL #5 Mayor Bean stated the purpose of this meeting was to discuss options to either install a new pumping system on well #5, which is anticipated to result in an additional 120 g.p.m., or continue through the summer without the improvements and use the money to begin the process to drill another well next year.

The possibility of getting through the summer with the existing pumping system was discussed.

The Public Works Supvr. informed the council that the system is almost to the point of using all the water being pumped. Based on usage through the summer in the past, the council determined that restrictions would be necessary if nothing is done. Kent Crawford estimates the cost for the new pumping system to cost approximately \$15,000.

Selling well #5 to Salem City is still a possibility. However, Public Works Supvr. stated that until another source is located Elk Ridge cannot consider letting the well go.

Engineer Bruce Hall informed the council he discussed with Cleve Bolingbroke the possibility of using the balance (\$23,000) of the loan for various projects. Bruce Hall informed the State of the intent to cap well #6, and Mr. Bolingbroke agreed it is not worth pursuing well #6 any further.

Minutes of the Elk Ridge Town Council Meeting - 6-14-91

Mr. Bolingbroke informed Mr. Hall that the State would be receptive to issuing an interest free loan for additional funding for a future well. The remainder (\$23,000) of the existing loan can be used for a pilot well or for the booster pumping system. However, the Safe Drinking Water Committee would need to approve the proposed improvements at their monthly meeting which is scheduled for next week. Mr. Hall and the Safe Drinking Water Committee recommend the need to plan now for the development of future water needs and pursue funding now. The engineer reminded the council that anything the Town intends to do next year, they need to do the planning and pursue funding now.

The engineer informed the council that he reviewed the information given to him on the pumping system being considered, and has determined that the pump will not work because it is not sufficient to meet the needs of the system. A different kind of pump would cost approximately \$25,000. Problems are with the inline booster pump being designed to have a maximum working pressure of 170 psi. To get water from the well to the tank will require 280 psi to overcome the elevation and friction loss in the line. The pumping system being considered would work if it were located closer to the storage tank, but would be at a considerable increase in costs and designing in order to operate with the other pump in the well. Delivery on the pumps would take three weeks and designing will take another week to submit the plans to the state for approval. By the time all this is accomplished the critical demand period will be past and will cost substantially more than the original estimate of \$12,000.

The booster pump is not sufficient to meet the needs, a pitless adaptor would still need to be cleared with the State, the pumping costs with well #5 being extreme, and a gravity flow well eliminating those costs were discussed.

Councilman Shuler stated that Ken Hall has indicated his well pumps 80 gpm. However, his well would not be approved for municipal use because of the type of well.

Minutes of the Elk Ridge Town Council Meeting - 6-14-91

Engineer recommended the council consider replacing the pump with a larger pump, which will cost approximately \$6,000-\$7,000, if the improvements would be used for more than a one year period, or get through the summer with watering restrictions and plan to utilize the money on another source next year. He further recommended drilling a well in the Loafer Canyon area as recommended by the geologist in a previous report. Council further discussed the possibility of drilling a well with the Loafer Recreation Assoc. Mayor Bean will negotiate preliminary discussions with Loafer representatives.

Replacing the pump with a larger pump was estimated to increase the amount being pumped an additional 100 plus gpm.

Restriction of outside watering for two days during the installation of the new pump was recommended by the Public Works Supvr. Decision on restriction of outside watering will be made at the meeting on June 25, 1991.

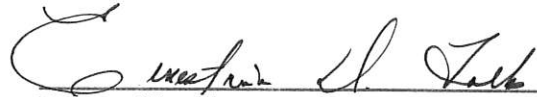
Mayor Bean stated that Elk Ridge will definitely pursue a test well using the remainder (\$23,000) of the funds from the loan and will be pursuing additional funding for another well.

Council discussed financing the costs for the larger pump, \$10,000, with a loan from the sewer fund which will eliminate the time delay, as opposed to using funds from the loan.

MOTION WAS MADE BY HAL SHULER, SECONDED BY DENNIS SHIRLEY, TO APPROVE THE PURCHASE OF A 75 H.P. PUMP FOR WELL #5 AT A COST NOT TO EXCEED \$10,000 WITHOUT FURTHER APPROVAL FROM THE COUNCIL. FINANCING OF THE COSTS WILL BE THROUGH A LOAN FROM THE SEWER FUND. VOTE: YES-ALL(5); NO-NONE(0).

Minutes of the Elk Ridge Town Council Meeting - 6-14-91

There being no further business to discuss at this meeting, MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAMES PRATHER, TO ADJOURN THIS MEETING. VOTE: YES-JAMES BEAN, JAMES PRATHER, HAL SHULER, CLARENCE FOSTER, DENNIS SHIRLEY(5); NO-NONE(0).


Town Clerk

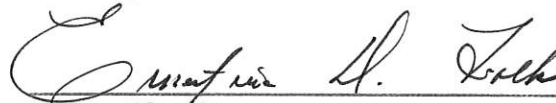
NOTICE OF HEARING

Notice is hereby given, on Tuesday, June 25, 1991 at 7:00 P.M. the Elk Ridge Town Council will hold a meeting at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah, for the purpose of conducting a public hearing on the issue of amending the budget for the fiscal year 1990-1991 for the operation of the Town of Elk Ridge.

All interested persons shall be given an opportunity to be heard.

Dated this 17th day of June, 1991.

Posted by order of the Elk Ridge Town Council.

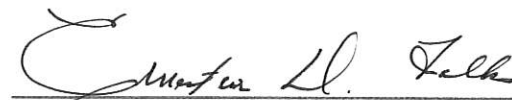

Town Clerk

CERTIFICATION

I, the duly appointed and acting clerk for the Town of Elk Ridge, hereby certify that copies of the foregoing Notice of Hearing were posted at three public places within the municipality this 17th day of June, 1991, which public places are:

1. The Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.
2. The utility pole located at Goosenest Drive and North Park Drive.
3. The utility pole located at 817 West Goosenest Drive.

Dated this 17th day of June, 1991.


Town Clerk

NOTICE OF HEARING

On June 25, 1991 at 8:00 P.M. the Elk Ridge town council will hold a meeting at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah, for the purpose of conducting a public hearing on the issue of amending Salem Hills Subdivision Plat B, specifically, a petition to split lot 12, block 5.

All interested persons shall be given an opportunity to be heard.

Dated this 11th day of June, 1991.

By order of the Elk Ridge Town Council.


Town Clerk

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, June 25, 1991 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. The agenda shall be as follows:

6:00 P.M. COUNCIL CLOSED SESSION: POTENTIAL LITIGATION

7:00 P.M. PUBLIC HEARING TO AMEND THE BUDGET FOR THE FISCAL YEAR 1990-1991 FOR THE OPERATION OF THE TOWN OF ELK RIDGE

COUNCIL WORK SESSION AGENDA ITEMS:

SESD Report - Ron Cooper
Ordinance Requirement for Fence - J. Prather
Community Survey - J. Prather
Council Members Areas of Responsibility - J. Bean
Budget for Fiscal Year 1991/1992
Street Improvements - C. Foster
Grasshopper Spraying - C. Foster
Cortez Drive Street Improvements - J. Bean
Plat I, Lot 7 Street Improvement Problems - C. Foster
Insurance Liability Update - E. Folks
SID/RDA Update
Water Rights Acquisition
Development of Future Water

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

8:05 Public Hearing on the Issue of amending the Salem Hills Subdivision Plat B, Block 5, Lot 12

 Resolution to Amend the Salem Hills Subdivision Plat B, Block 5, Lot 12

8:15 Final Plat Approval, Elk Ridge Subdivision, Plat K (Resubdivision of Salem Hills Subdivision Plat B, Block 5, Lot 12)

8:30 Minutes of Previous Meetings

8:50 Appointment of Planning Commission Member

9:00 Improvements to Well #5

9:30 Community Survey

9:45 Peterson Ogden Audit Proposal

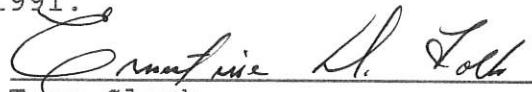
9:50 Request for Exception to Subdivision Ordinance Requirement for Conveyance of Water Rights - Hal Shuler

Notice & Agenda
June 22, 1991
Page 2

- 10:00 Adoption of Amended Budget for the Fiscal Year 1990-1991 for the Operation of the Town of Elk Ridge
- 10:30 Petition for Release of Hal Shuler Ranchette Performance Bond
- 10:35 Lien Release - Salem Hills Subdivision Plat A, Blk 4, Lot 16
- 10:40 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 22nd day of June, 1991.


Town Clerk

CERTIFICATION

The undersigned, duly appointed and acting deputy 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 June 22, 1991.


Town Clerk

ELK RIDGE TOWN COUNCIL MEETING

June 25, 1991

TIME & PLACE OF MEETING The closed and work session meeting of the Elk Ridge Town Council was held on Tuesday, June 11, 1991, at 6:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL James Bean, mayor, James Prather, Hal Shuler, Clarence Foster, Dennis Shirley, council members; Ernestine D. Folks, town clerk; Rodney Despain

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 June 22, 1991.

COUNCIL CLOSED SESSION - POTENTIAL LITIGATION Persons present where potential litigation was discussed included James Bean, James Prather, Hal Shuler, Dennis Shirley, Clarence Foster and Ernestine Folks, Rodney Despain.

PUBLIC HEARING TO AMEND THE BUDGET FOR THE FISCAL YEAR 1990-1991 FOR THE OPERATION OF THE TOWN OF ELK RIDGE There being no one present from the public to discuss the issue to amend the budget for the fiscal year 1990-1991, council continued with the agenda of the council work session.

SESD REPORT - RONALD COOPER Nothing to report

ORDINANCE REQUIREMENT FENCE Councilman Prather reported that a resident had recently objected to a fence which he described as being unsightly. Investigation into the ordinance requirements indicate there to be no violation of the ordinances. Council could not conceive how the municipality could require something the ordinance does not restrict.

COMMUNITY SURVEY Council reviewed the results of the recent community survey.

Minutes of the Elk Ridge Town Council Work Session - 6-25-91

COUNCIL MEMBER Mayor Bean informed the council that Dennis Shirley will assume responsibility for the AREAS OF RESPONSIBILITY areas of Public Safety which include the fire department, town hall fire station building, animal control, police protection and weed and insect abatement. Councilman Clarence Foster is to assume the responsibility for the Street and Park departments which includes the pavilion facilities and recreation.

BUDGET FOR COUNCIL was informed that inquiries into the FISCAL YEAR amount of sales tax received this year being an 1991/1992 accurate estimate for next year indicate that the amount of sales tax received this year can be expected for the coming years.

County Auditor's office is investigating the question on why no new growth was included in last years calculation of the certified tax rate for property taxes. Council indicated that a tax rate increase is expected for the year 1991/1992.

STREET COUNCILMAN Foster reported Bryce Rawlings will be IMPROVEMENTS checking into using prison labor and obtaining the poles to complete the project of installing the guard rail into Loafer Canyon. He further reported major asphalt repairs to sections of Powell, Magellan and Hudson will be completed this year.

Councilman Shirley requested that methods to prevent the rock from the embankment falling onto the road going into the canyon be investigated.

GRASSHOPPER COUNCILMAN Foster reported the spraying for SPRAYING grasshoppers will be completed next week utilizing Rawlings Insect Service to spray Lorsban with a boom on his truck. Notice is to be provided to residents using the Boy Scouts.

CORTEZ DRIVE Mayor Bean reported that initial contact with the STREET property owners of lots fronting on the IMPROVEMENTS incomplete portion of Cortez Drive indicates that a majority of the property owners are in favor of and will support a special improvement district to complete the project. Rodney Despain is to prepare the necessary documents to for the formation of the Special Improvement District.

Minutes of the Elk Ridge Town Council Work Session - 6-25-91

PLAT I, LOT 7 STREET IMPROVEMENTS	Councilman Foster reported to the council that Jim Winterton had been told that it would be cheaper if he bought the lot and rededicated the road to the town. Such an action would not relieve him of his responsibility to place the road where it should be because the road must service property owners on each side of the road and such action would not fulfill Mr. Winterton's obligation to complete the remainder of Alpine Drive.
INSURANCE LIABILITY UPDATE	Town Clerk informed council that insurance agent Rex Behling indicated that the extra premium for using contractors with no certificate of insurance is calculated on the total project cost. Job materials are not subtracted from the project cost before the calculation is made. The municipality should also require \$300,000 combined single limit on all contractors.
SID/RDA UPDATE	Nothing to report.
WATER RIGHTS ACQUISITION	Nothing to report.
DEVELOPMENT OF FUTURE WATER	Mayor Bean reported that preliminary discussion with Donald Cole indicate that Loafer Recreation Assoc. seems amenable to pursuing further discussion on drilling a municipal well in the Loafer Recreation area.

ELK RIDGE TOWN COUNCIL MEETING

June 25, 1991

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, June 25, 1991, 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, Clarence Foster, Dennis Shirley, council members; Ernestine D. Folks, town clerk; Bruce Hall, Lorelei Harward, Lee Pope

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 June 22, 1991.

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

PUBLIC HEARING ON THE ISSUE OF AMENDING THE SALEM HILLS SUBDIV. PLAT B, BLOCK 5, LOT 12 Lorelei Harward was the only person present representing the public and stated she was in favor of the amending the Salem Hills Subdivision Plat B, Block 5, Lot 12.

RESOLUTION TO AMEND THE SALEM HILLS SUBDIVISION, PLAT B, BLK 5, LOT 12 MOTION WAS MADE BY DENNIS SHIRLEY, SECONDED BY HAL SHULER, TO ADOPT THE RESOLUTION PROVIDING FOR THE AMENDMENT OF THE SALEM HILLS SUBDIVISION, PLAT B, BLOCK 5, LOT 12. VOTE: PLAT B, BLK 5, YES-ALL(5); NO-NONE(0).

FINAL PLAT APPROVAL, ELK RIDGE SUBDIV., PLAT K Following a review of the final plat and the recommendation from the planning commission to approve the final plat for Plat K, Elk Ridge Subdivision, a resubdivision of Salem Hills Subdivision Plat B, Block 5, Lot 12, MOTION WAS MADE BY HAL SHULER, SECONDED BY JAMES PRATHER TO APPROVE THE FINAL PLAT FOR PLAT K, ELK RIDGE SUBDIVISION. VOTE: YES-ALL(5); NO-NONE(0).

Minutes of the Elk Ridge Town Council Meeting - 6-25-91

MINUTES OF PREVIOUS MEETINGS	Following a review of the minutes, MOTION WAS MADE BY JAY PRATHER, SECONDED BY CLARENCE FOSTER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETINGS HELD ON JUNE 11 AND JUNE 14, 1991, AS WRITTEN. VOTE: YES-ALL(4); NO-NONE(0); ABSTAIN-DENNIS SHIRLEY(1).
APPOINTMENT OF PLANNING COMMISSION MEMBER	MOTION WAS MADE BY JAMES PRATHER, SECONDED BY CLARENCE FOSTER, TO APPOINT TOM TERVORT TO REPLACE MARRINER BECKSTEAD. VOTE: YES-ALL(5); NO-NONE(0).
IMPROVEMENTS TO WELL #5	Engineer Bruce Hall reported that the new pump is scheduled to be installed Monday, July 1. Cost for pump is \$5,800. He further recommended restricting outside watering for three(3) days. MOTION WAS MADE BY HAL SHULER, SECONDED BY DENNIS SHIRLEY TO RESTRICT ALL OUTSIDE WATERING FROM MIDNIGHT SATURDAY, JUNE 29 UNTIL MIDNIGHT TUESDAY, JULY 2. VOTE: YES-ALL(5); NO-NONE(0). This will allow for the storage tank to fill, the day the pump is being installed and time for the disinfecting of the well. Notice is to be mailed to all water users. Pump being removed from well is to be overhauled and kept for emergency use.
COMMUNITY SURVEY	Discussed in the work session
PETERSON ODGEN AUDIT PROPOSAL	Council reviewed the proposal to complete the audit for the year ending June 30, 1991. Cost for audit is an increase of \$300 over last year's fee for a total of \$2800. MOTION WAS MADE BY DENNIS SHIRLEY, SECONDED BY HAL SHULER TO ACCEPT THE AUDIT PROPOSAL FROM PETERSON ODGEN & ASSOCIATES. VOTE: YES-ALL(5); NO-NONE(0). Council agreed to continue with the monthly bookkeeping services. Cost will increase \$10 per month.
REQUEST FOR EXCEPTION TO SUBDIVISION ORDINANCE FOR CONVEYANCE OF WATER RIGHT- HAL SHULER	MOTION WAS MADE BY JAMES BEAN TO GRANT THE EXCEPTION, MOTION DIED FOR LACK OF SECOND. Mr. Shuler's previous request was for a four lot plat. Council previously approved the exception for only three (3) of the lots on the two two-lot plat which was presented.

Minutes of the Elk Ridge Town Council Meeting - 6-25-91

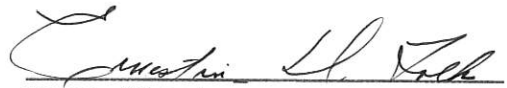
At this time Mr. Shuler informed the council that one of the lots on the two two-lot plat is not his, but is owned by Lee Pope and Karl Shuler. The request for the exception is for their lot. Council indicated to Mr. Shuler the reason for not approving the request is based on what he has presented. It would seem he is resubmitting the same plat for four exceptions which is not allowed. The council indicated if Mr. Shuler were to present plats for his lots and another plat for the one lot owned by Lee Pope and Karl Shuler the council would be inclined to grant the exception.

ADOPTION OF AMENDED BUDGET FOR THE FISCAL YEAR 1990-1991 Council reviewed the proposed amendments to the budget for the fiscal year 1990/1991. MOTION WAS MADE BY HAL SHULER, SECONDED BY JAMES PRATHER, TO ADOPT THE AMENDED BUDGET FOR THE FISCAL YEAR 1990-1991 FOR THE OPERATION OF THE TOWN OF ELK RIDGE AS PRESENTED. VOTE: YES-ALL(5); NO-NONE(0).

PETITION FOR RELEASE OF HAL SHULER RANCHETTE PERFORMANCE BOND Lien releases have not been provided.

LIEN RELEASE SALEM HILLS SUBDIVISION PLAT A, BLK 4, LOT 16 Council was informed of a lien on Salem Hills Subdivision Plat A, Blk. 4, Lot 16 for non-payment of utility services. At this time payment has been received and the title company now requests a release of the lien. MOTION WAS MADE BY JAMES PRATHER, SECONDED BY CLARENCE FOSTER, TO APPROVE THE LIEN RELEASE ON SALEM HILLS SUBDIVISION PLAT A, BLK. 4, LOT 16. VOTE: YES-ALL(5); NO-NONE(0).

ADJOURNMENT There being no further business to discuss at this meeting, MOTION WAS MADE BY DENNIS SHIRLEY, SECONDED BY JAMES PRATHER TO ADJOURN FROM THIS MEETING. VOTE: YES-JAMES BEAN, HAL SHULER, CLARENCE FOSTER, JAMES PRATHER, DENNIS SHIRLEY(5); NO- NONE(0).


Town Clerk

WATER RESTRICTION NOTICE

Due to the installation of a new pump in the large well all Elk Ridge Water System Users are to restrict ALL OUTSIDE WATERING as of Midnight, Saturday, June 29, 1991, until midnight, Tuesday, July 2, 1991. THIS MEANS NO OUTSIDE WATERING ON SUNDAY, MONDAY AND TUESDAY.

It is critical that everyone comply to ensure that during those three days there is sufficient water to provide for culinary use and fire protection.

If you feel you need to be an exception contact the Town Office, 423-2300.

BY ORDER OF THE ELK RIDGE TOWN COUNCIL THIS 25TH DAY OF JUNE, 1991.

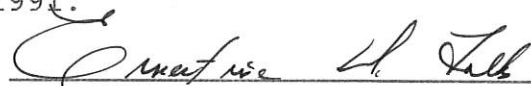
NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a Special Town Council Work Session on Monday, July 1, 1991 at 6:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. The agenda shall be as follows:

LOAFER RECREATION ASSOCIATION DEVELOPMENT

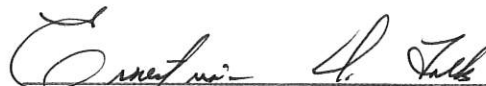
All interested persons are invited to attend.

Dated this 27th day of June, 1991.


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 June 27, 1991.


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

July 1, 1991

TIME & PLACE OF MEETING The special work session of the Elk Ridge Town Council was held on Monday, July 1, 1991, at 6:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL James Bean, mayor; James Prather, Hal Shuler, Clarence Foster, council members; Kristine Adams, deputy town clerk; Jerry Fuller and Don Cole

Councilman Dennis Shirley 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 June 28, 1991.

LOAFER RECREATION ASSOCIATION DEVELOPMENT Rod Despain was not present but gave a written summary of what will be required in order to gain final approval of the Loafer project. Two sets of documents will be required, one containing those plats showing the boundaries of the clusters, appurtenant travel and utility easements to be recorded with the County and a second containing detailed plats showing lot boundaries, setback lines and similar data to be retained by the Town.

Overall project plan will not be recorded with the County but a copy will be provided to the Town showing the entire project area. This would identify the general location of each cluster and should contain all notes, descriptions, dedication statements, signatures and other items applicable to the entire project.

Cluster 1 - No plat showing the cluster boundaries, travel easements and travelways has been recorded with the County. The claim that the area has been previously recorded and does not need to be provided is without merit. The County Assessor could only find this land filed as a "Notice of Claim" when it was annexed into the Town of Elk Ridge. That recording is inappropriate for the purposes set forth in the Ordinance.

Minutes of the Elk Ridge Town Council Work Session - 7-1-91


LOAFER
RECREATION
ASSOCIATION
DEVELOPMENT
(CONTINUED)

Cluster 2 & 3 - these plats will satisfy the Ordinance after a few minor changes to the notes have been made. Don Cole showed a boundary that was extended out in Cluster 3.

Rod Despain made suggestions in writing for changes to be made to the notes on the plats before the plats could be approved. There was some discussion between Council and Don Cole concerning these suggestions. Mr. Despain's suggestions will be added to the notes on the final plats.

Mr. Despain also suggested in writing an open space and maintenance agreement be recorded with the County which is required under the Ordinance. This agreement addresses two main subjects: It establishes the relationship between the Town and the project and acts as a commitment not to develop in the designated open space area. The Bona cabin occurrence was discussed.

Loafer was asked to provide with each Cluster a description of where the center line of the road is and where the easements are. Loafer was also asked to provide on a map the lots which have paid their \$200 fee. Also the name, phone number and location of the propane tanks for each cabin for Fire Department use.



Deputy Town Clerk

NOTICE OF HEARING

On Tuesday, July 9, 1991 at 7:00 P.M. the Elk Ridge Town Council will hold a public hearing at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah, for the purpose of receiving public comment regarding the recommendations of the planning commission with respect to the following:

1. Approval of a Planned Mountain Home Development Project Proposed by Loafer Recreation Association.
2. Amendment of the Zone Map to Change the Zone Designation at the NE 1/4 of the SW 1/4 of Section 23, from the S-2, Suburban Residential Zone to the S-1 Suburban Residential Zone.

Copies of the plats and documents relating to the above items are available for public inspection at the town hall during normal business hours.

All interested persons shall be given an opportunity to be heard.

Dated this 20th day of June, 1991.

Ernestine D. Folks
Town Clerk

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, July 9, 1991 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. The agenda shall be as follows:

7:00 P.M. PUBLIC HEARING FOR PLANNED MOUNTAIN HOME DEVELOPMENT PROJECT PROPOSED BY LOAFER RECREATION ASSOCIATION

COUNCIL WORK SESSION AGENDA ITEMS:

SESD Report - Ron Cooper
Grasshopper Spraying
Animal Control Problems
SID/RDA Update
Water Rights Acquisition
Satellite Computer Terminal Location - County Sheriff
Nuisance Ordinance Violation - Dennis Shirley
Roadside Weed Problem - Dennis Shirley
Update on Uinta Forestry Service Community Meeting - Dennis Shirley

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

8:05 Minutes of Previous Meetings

8:15 Approval of a Planned Mountain Home Development Project Proposed by Loafer Recreation Association

8:30 Request for Exception to Subdivision Ordinance Requirement for Conveyance of Water Rights for Lot 24, Plat C Lot Split - Kevin Colver/William Berry

8:45 Request for Exception to Subdivision Ordinance Requirement for Conveyance of Water Rights for One Lot, Loafer Hollow Plat - Lee Pope/Karl Shuler

9:00 Request for Exception to Subdivision Ordinance Requirement for Conveyance of Water Rights for One Lot, Loafer Hollow Plat A - Hal Shuler

9:15 Request for Exception to Subdivision Ordinance Requirement for Conveyance of Water Rights for Two Lots, Loafer Hollow Plat B - Hal Shuler

9:30 Update on Improvements to Well #5

9:30 Water System Update

9:45 Public Works Supvr. Asst. Position

Notice & Agenda
July 8, 1991
Page 2

- 9:50 Special Improvement District Cortez Drive Street Improvements
- 10:00 Expenditures for June, 1991
- 10:15 Update Budget for Fiscal Year 1991/1992
- 10:30 Schedule of Next Meeting in July
- 10:35 ADJOURNMENT

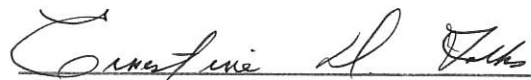
The times listed for each item and the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 8th day of July, 1991.


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 July 8, 1991.


Town Clerk

ELK RIDGE TOWN COUNCIL PUBLIC HEARING & WORK SESSION

July 9, 1991

TIME & PLACE OF MEETING The public hearing & work session of the Elk Ridge Town Council was held on Tuesday, July 9, 1991, 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, Clarence Foster, Dennis Shirley, council members; Ernestine Folks, town clerk; Jerry Fuller, Donald Cole, Jack Lundell, Cleve Swenson, Stanley H. Cole, Scott Fuller, Max Fuller, Frances Bona, Boyd Hanks, Grant Moore, Bob Rasmussen

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 July 8, 1991.

PUBLIC HEARING FOR PLANNED MOUNTAIN HOME DEVELOPMENT PROPOSED BY LOAFER Mayor Bean opened the hearing by informing those present that there are two sets of documents, one which is to be recorded with the county recorder and the second set to be filed with the town office.

RECREATION ASSOCIATION Those present reviewed the documents and the changes previously discussed in the July 1, 1991 meeting.

No plat is to be recorded with the county recorder for Cluster 1 or the project area. Plat map showing Cluster 1 boundaries, travel easements and travelways are to be kept on file with the Elk Ridge Town office. The claim that the project area has been previously provided on the annexation plat and does not need to be provided with this development was discussed. Councilman Prather stated the County Assessor could not locate the project area or Cluster 1 as a subdivision plat and that the documents presented are in contrast with the ordinance provisions. Councilman Shirley stated the problem seems to be the annexation plat being considered a project area plat for the purposes set forth in the Ordinance. Mayor Bean stated the legal description of the project area is to be included on the access agreement and the open space agreement documents which will be recorded. -100-

Minutes of the Elk Ridge Town Council Public Hearing & Work
Session - 7-9-91

Jerry Fuller reported to the council costs Loafer has sustained since their annexation. Councilman Foster stated that the Town only points out things that are required by law such as the water system for fire control in the area. Improvements have to be done before a development can be completed, but because of State law requirements not because of an arbitrary decision made by Elk Ridge.

Councilman Shirley stated that it appears the two groups are near to agreeing on what is necessary, but sees problems in allowing other than what is required by the ordinances.

Donald Cole stated Loafer's basic objection to recording of a project area plat is that it would cause a tax burden to the Association an area where Elk Ridge provides no services.

UNSCHEDULED
AGENDA ITEM

Mr. & Mrs. Kent Worthen asked for The council to allow them to explain a problem. They stated they were told by the town clerk when they bought the lot created from the split of Lot 12, Plat B, Salem Hills Subdivision that all the utilities were there and that the \$2500 fee paid by Lorelei Harward was for all the utilities. Council informed them that the \$2500 fee is a facility & construction fee for water and sewer only. Mr. Worthen also stated that the town clerk told him he could not purchase nor get a building permit until it was created into a lot. Mr. & Mrs. Worthen stated they were with the understanding that all the utilities were to the lot and the utilities are not there. The utility companies now state that the Worthens will need to pay for the utilities to be extended to the lot. The council informed the Worthens that regardless what the town clerk informed them, the clerk cannot supersede the requirements of the law. An employee cannot change the law. The town clerk stated that the misunderstanding is in how the Worthens interpreted that information given to them. Mayor Bean apologized to the Worthens and explained there is nothing the council can do.

S.E.S.D
REPORT - RON
COOPER

The territorial integrity injunction is ready to be filed against Spanish Fork City.

Minutes of the Elk Ridge Town Council Work Session - 7-9-91

GRASSHOPPER SPRAYING	Bryce Rawlings will spray for grasshoppers starting tomorrow. Various residents have contacted Councilman Shirley about not spraying in their area. Councilman Shuler stated he will spray his property and the Goosenest area.
ANIMAL CONTROL	Council discussed various reports of problems with animal nuisances.
SID/RDA UPDATE	Nothing to report.
WATER RIGHTS ACQUISITION	Nothing to report.
SATELLITE COMPUTER TERMINAL LOCATION - COUNTY SHERIFF	The town clerk reported that the county sheriff has expressed an interest in locating satellite computer terminals, one at this end of the county in Elk Ridge and another in Alpine. The sheriff's officers would use the computer to complete their reports during the evening hours. The only cost to the town would be the space and electricity for operating the computer. The benefit would be extra patrol coverage at no cost. The council asked for a representative from the sheriff's office come to the council to discuss this further.
NUISANCE ORDINANCE VIOLATION	Councilman Shirley reported that a complaint reported by Leonard Allen against Denise Smith was turned over to the county sheriff. Problem has been resolved with the trash being cleaned up.
ROADSIDE WEED PROBLEM	Council discussed options for dealing with the roadside weed problem. Councilman Shirley will check into either renting mowing equipment from Ace Rents, contracting with Payson City to have their employee and equipment do the mowing, or having Rey Allred use his orchard equipment.
UPDATE ON UINTA FORESTRY SERVICE COMMUNITY	Councilman Shirley reported that the meeting held on June 30 was attended by mostly the Loafer Recreation people. The county fire marshall will be willing to come over and inspect their home and indicate fire hazards.

ELK RIDGE TOWN COUNCIL MEETING

July 9, 1991

TIME & PLACE OF MEETING	The regular meeting of the Elk Ridge Town Council was held on Tuesday, July 9, 1991, 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, Hal Shuler, Clarence Foster, Dennis Shirley, council members; Ernestine Folks, town clerk; Jerry Fuller, Donald Cole, Jack Lundell, Cleve Swenson, Stanley H. Cole, Scott Fuller, Max Fuller, Frances Bona, Boyd Hanks, Grant Moore, Bob Rasmussen, Vernile Gasser, Marilyn Berry, Lee Pope, Bruce Hall, Kent Crawford</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 July 8, 1991.</p>
INVOCATION & PLEDGE OF ALLEGIANCE	Prayer was offered by Dennis Shirley with the pledge of allegiance following.
MINUTES OF PREVIOUS MEETINGS	Following a review of the minutes, MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAMES PRATHER TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETINGS ON JUNE 25, 1991 AND JULY 1, 1991. VOTE: YES-ALL(5); NO-NONE(0).
APPROVAL OF A PLANNED MOUNTAIN HOME DEVELOPMENT PROJECT BY LOAFER RECREATION ASSOCIATION	<p>Councilman Shirley stated that the Cluster Plats are sufficient. The question he is on the overall project area plat lacking.</p> <p>Councilman Shuler stated that originally the twenty-one cabins in Cluster #1 was done years ago and now the council is trying to go back and make everything retroactive. Councilman Shuler doesn't think Loafer is trying to change anything from that. He further stated, "I think anybody that comes in with a plan for a subdivision, an overall plan, the preliminary does not go to the county. It just stays in the town and I don't think they are asking anything different than any other subdivision".</p>

Minutes of the Elk Ridge Town Council Meeting - 7-9-91

Councilman Shuler further stated that he felt the CE2 ordinance was pushed through before the end of the year.

Councilman Prather stated that he would like to reiterate from the ordinance, "The final plan is to contain the boundaries of the project, each development cluster, the location of each lot or building site, all common areas and open space areas, building setback lines location of all utility and travel easements and to be treated as a subdivision ordinance." Councilman Prather's statement included the following: "I talked with the county assessor, and he said that is normally the way it should be done, he agreed with me that this is an irregular approval and I made him aware of what your reasoning was in trying to do it that way. And, by your statement it was to avoid taxation or increase or loss of your greenbelt designation. I tried to get in touch with the municipal attorney, Mr. Killpack, but he was out of town, but I talked to another attorney at his offices who was the municipal attorney for Provo and has some knowledge of municipal law and this sort of thing. I said I seem to be the only fly in the ointment on this whole thing and I explained what we are going through tonight and have been through several times and what you wanted to do and what we wanted you to do and what the ordinance said, and I said, am I off base or out of bounds and he said your concerns are well founded. I told him I thought the town was being asked to participate in a maneuver that was designed to avoid taxation and it was not the town's business to be involved in whether or not or why anything was taxed that we had an ordinance to guard and see that it was complied with. He said that is the first thing that has to be done that you have to be in compliance with the ordinance. My feeling it is not in compliance with the ordinance and that you are avoiding definite points, paragraphs that are lettered here in doing it this way. The Mayor's comment awhile back was that if we are real nice to these people we may have an opportunity to drill a well up there .

Minutes of the Elk Ridge Town Council Meeting - 7-9-91

There may have been meetings with Loafer representatives and council members but if this is a trade off of the sacredness of the ordinance and the opportunity to drill a well, if we are making trade offs then that is political prostitution. The attorney said, you had better tell them if they are going to do this they had better get the money up front. Don't expect them to leave it on the dresser the next morning. You had better have something on the plat or something in writing if you are going to trade the ordinance for a well then you better have it agreed to in writing. I think it shouldn't be done at all, but I will tell the mayor and anybody that votes yes on this that you better have something in writing about the water agreement before you do this because the pump handle is off after you have done this and have no leverage. Mr. Prather asked for his statements to be included in the minutes.

Don Cole asked to make a statement. He stated: "we did meet with the mayor and some members of the council and water board and we discussed the advantages of drilling a well up on our property. There were no commitments and there were statements made to the fact that there was nothing to be done in regards to discussion of a well on the property and would not be tied to this ordinance or these approvals. That would have to come at a later date. I told the mayor that in my experience both as a military man and as a engineer working with the government you will find two organizations, people, countries, companies that cooperate together and pool resources and work towards a common goal and a mutual understanding and have faith in each other and support each other can accomplish great goals. If we can have a reversal of the decision and get some support from Elk Ridge and show that cooperating agreements have been made and we can support each other to a point where there is 180 degree reversal in the council and the attitude towards taking our membership into Loafer into Elk Ridge could be reversed, there may be some cooperative efforts come out where both the well and Loafer could support Elk Ridge and would participate and using part of the water along the way and it would benefit the city. -105-

Minutes of the Elk Ridge Town Council Meeting - 7-9-91

As long as we are fighting each other tooth and toe nail and we feel that Elk Ridge is trying take advantage of us at every turn we are not going to even consider the type of thing you are talking about. Those were the comments I left with the mayor.

Mayor Bean stated he felt the spirit of the ordinance has been complied with.

Donald Cole requested the mayor call for a motion to approve the development with building permits to be issued with no occupancy specified until development is finalized.

Town Clerk informed the mayor that the required ordinance document has not been drafted and is not available for adoption, therefore the development cannot be approved at this time. Mayor Bean left the meeting to call the planning and zoning consultant, returned and informed those present that he is to meet with Rodney Despain at 8:00 a.m. on Wednesday, July 10, 1991 to draft the necessary ordinance document.

The council agreed to hold a special council meeting on Thursday, July 11, 1991 at 12:00 p.m. for the final approval of the Loafer Development.

Engineer Bruce Hall recommended that the council authorize Donald Cole to complete the necessary inspections and write a letter stating that he has completed those inspections of the improvements in the Loafer Recreation area since he is qualified to do those inspections. The council was in agreement.

Minutes of the Elk Ridge Town Council Meeting - 7-9-91

REQUEST FOR EXCEPTION TO SUBDIVISION ORDINANCE REQUIREMENT FOR CONVEYANCE OF WATER RIGHTS FOR LOT 24, PLAT C, LOT SPLIT, COLVER/ WILLIAM BERRY

Council reviewed the final plat for the resubdivision of Lot 24, Plat C, which is to be presented to the planning commission at their next meeting on the July 16, 1991. At this time William & Marilyn Berry are negotiating the sale of lot 24 from Kevin Colver and wish to split the lot. They are requesting an exception to the Subdivision Ordinance requirement for conveyance of the water right for the newly created lot, which would allow them to pay \$500 in lieu of providing the right. MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY DENNIS SHIRLEY TO GRANT THE EXCEPTION AS REQUESTED FOR THE NEWLY CREATED LOT, WITH THE CONDITION THAT THE WIDTH OF THE CORNER LOT BE REDRAWN TO SHOW 100 FT WIDTH ON BOTH SIDES OF THE LOT. VOTE: YES-ALL(5); NO-NONE(0). Council agreed to hold the public hearing on the amendment to Salem Hills Subdivison, Plat C on July 30, 1991.

REQUEST FOR EXCEPTION TO SUBDIVISION ORDINANCE REQUIREMENT FOR CONVEYANCE OF WATER RIGHT FOR LOAFER HOLLOW, PLAT D, LEE POPE

Council reviewed the final plat for the Loafer Hollow Subdivision Plat D, to be presented to the planning commission at their next meeting on July 16, 1991. At this time Lee Pope is requesting an exception to the subdivision Ordinance requirement for conveyance of the water right, which allows them to pay \$500 in lieu of providing the right. MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAMES PRATHER, TO APPROVE THE REQUEST TO GRANT THE EXCEPTION FOR THE LOAFER HOLLOW SUBDIVISION, PLAT D. VOTE: YES-ALL(4); NO-NONE(0); ABSTAIN-HAL SHULER(1).

REQUEST FOR EXCEPTION TO SUBDIVISION ORDINANCE REQUIREMENT FOR CONVEYANCE OF WATER RIGHT FOR LOAFER HOLLOW, PLATS A & B, - HAL SHULER

Council reviewed the final plat for the Loafer Hollow Subdivision, Plat A, and the final plat for the Loafer Hollow Subdivision, Plat B, to be presented to the planning commission at their next meeting on July 16, 1991. At this time Hal Shuler is requesting an exception to the subdivision Ordinance requirement for conveyance of the water right, which allows them to pay \$500 per lot in lieu of providing the right. MOTION WAS MADE BY DENNIS SHIRLEY, SECONDED BY CLARENCE FOSTER, TO APPROVE THE REQUEST AND GRANT THE EXCEPTION FOR THE LOAFER HOLLOW SUBDIVISION, PLATS A & B, A TOTAL OF 3 RIGHTS TO HAL SHULER. VOTE: YES-ALL(4); NO-NONE(0); ABSTAIN-HAL SHULER(1).

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Town Clerk informed the council that the current status on the water right reserve as follows:

ORIGINAL WATER RIGHT RESERVE.....15

WATER RIGHTS GRANTED TO DATE:

RON RIRIE.....3

ALVIN HARWARD.....2

BRIAN SMITH.....2

LORELEI HARWARD.....1

KEVIN COLVER/WILLIAM BERRY.....1

LEE POPE.....1

HAL SHULER.....3

TOTAL.....13

AVAILABLE WATER RIGHTS IN RESERVE...2

UPDATE ON
WELL #5

Kent Crawford reported that well #5 is pumping 265 g.p.m.

WATER SYSTEM
UPDATE

Councilman Shuler reported vandalism at the water tanks, which included damage to the controls and the lid to the controls. The damaged controls allowed the level of the water level in the water tanks to decrease and cause an air lock which resulted in the Beaty family being out of water. Chainlink fencing will be placed around the tank and pump houses.

Water leak at the ball park 2 inch water line was located and repaired.

Councilman Shuler reported combining what all the wells are pumping, they are producing 350 g.p.m. at this time.

PUBLIC WORKS
SUPVR. ASST.
POSITION

Councilman Shuler reported that Kent Crawford and he recommend hiring Eldon McMurray as the Public Works Supervisor Assistant. MOTION WAS MADE BY HAL SHULER, SECONDED BY CLARENCE FOSTER TO HIRE ELDON MCMURRAY AS THE PUBLIC WORKS SUPERVISOR ASSISTANT. VOTE: YES-ALL(5); NO-NONE(0).

Councilman Foster recommended the council seriously consider hiring a full time employee to do everything for all the departments including to fill the Public Works Supervisors position.

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Recommendation was made to consider hiring Kent Haskell to do the snow removal.

Mayor Bean will be meeting with the mayors on municipalities sharing of equipment.

SPECIAL
IMPROVEMENT
DISTRICT
CORTEZ DRIVE
STREET
IMPROVEMENTS

This item to be rescheduled for the next council meeting.

EXPENDITURES
FOR JUNE, 1991

Following a review of the list of expenditures for the month of June, 1991, MOTION WAS MADE BY HAL SHULER, SECONDED BY JAMES PRATHER, TO APPROVE PAYMENT OF THE LIST OF EXPENDITURES AS PRESENTED. VOTE: YES-ALL(5); NO-NONE(0).

Council reviewed the billing from G. & L. Pumps for the work completed on Well #3 and Well #5.

UPDATE ON
BUDGET FOR
FISCAL YEAR
1991/1992

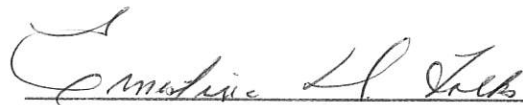
Nothing to report at this time. No information has been received from the County Auditor.

SCHEDULE OF
NEXT MEETING
IN JULY

Following a discussion of the next regular meeting being scheduled the day before the holiday, July 24th. The council agreed to schedule the second regular meeting of the council on Tuesday, July 30, 1991.

ADJOURNMENT

There being no further business to discuss at this meeting, MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY DENNIS SHIRLEY TO ADJOURN THIS MEETING. VOTE: YES-JAMES BEAN, JAMES PRATHER, HAL SHULER, DENNIS SHULER, CLARENCE FOSTER(5). NO-NONE(0).


Town Clerk