


NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a Special Town Council Meeting Thursday, July 11, 1991 at 12:00 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:

1. APPROVAL OF PLANNED MOUNTAIN HOME DEVELOPMENT FOR LOAFER RECREATION ASSOCIATION DEVELOPMENT
2. RESOLUTION OF INTENTION TO ESTABLISH A SPECIAL IMPROVEMENT DISTRICT FOR CORTEZ DRIVE STREET IMPROVEMENTS


All interested persons are invited to attend.

Dated this 10th 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 delivered to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on June 10, 1991.

  
Town Clerk

ELK RIDGE TOWN COUNCIL MEETING

July 11, 1991

TIME & PLACE OF MEETING The special meeting of the Elk Ridge Town Council was held on Thursday, July 11, 1991, at 12:00 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; Rodney Despain, Jerry Fuller and various members of the Loafer Recreation Association.

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 10, 1991.

APPROVAL OF PLANNED MOUNTAIN HOME DEVELOPMENT FOR LOAFER RECREATION ASSOCIATION DEVELOPMENT Mayor Bean called for comments or questions from the council members on the ordinance. Mayor Bean further stated that documents to be recorded with the county recorder will include the Ordinance for the Loafer Canyon Mountain Home Development, the agreement documents and the Plat maps (without lot designations) for Clusters 2 & 3. Project area boundary description will be referred to as a part of the ordinance by legal description in an exhibit attached to the ordinance.

Councilman Shirley stated that for the record he will support the adoption of the ordinance as long as no future violations will be perceived by what the council does here today. If the ordinance is passed it needs to be such that the council is not just postponing serious problems down the road, in terms of ordinance violations.

Rodney Despain stated that if the Town intends to enforce this ordinance it is structured so that development, as a matter of ordinance enforcement, will be within one of those three clusters. There is a line of logic which the city can pass in terms of enforcement of its ordinance where building occurring outside of those three clusters could be considered a violation and in some respects would parallel the situation with the Bona cabin.

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He further stated that in his judgment the decisions made with regard to this do not conform to the ordinance. It is consistent with the ordinance prepared for the Mt. Home Development for the Loafer Recreation Development being considered but was prepared by instruction of the council.

Mayor Bean referred to the conflicting ordinance clause within the ordinance. Additional cluster development is provided for in the ordinance, Part 3, Section 3, paragraph 2. Jerry Fuller stated Loafer anticipates additional cluster development in the late fall or early spring.

Councilman Prather stated he met with Kay Bryson and Guy Burningham, the county attorney and deputy county attorney. Councilman Prather reported that they had commented that the Loafer Development documents appeared to be inconsistent with the Elk Ridge ordinance and State ordinances. They mentioned that regarding the taxation concern to Loafer, it was not a good thing to cloud the use of the land to avoid the tax and the rollback. Local ordinances can be more restrictive but not less restrictive than state codes. There is nothing in the code to justify not filing all information on the plat to be recorded with county recorder. Association membership was discussed. The county attorneys cautioned the sale of memberships which could be construed as selling securities. They also questioned if the Town's insurance company had been notified. The council's actions could be construed as a capricious act and could affect insurance coverage. The County attorneys questioned if the municipal attorney had been apprised of the issues. Mayor Bean and the town clerk stated they were not aware of the municipal attorney having any knowledge of this issue.

Councilman Prather further stated the council has been cautioned by the town planner of the irregularities and the town clerk/recorder has concurred with the planner. The council has been cautioned of the irregularities and any liability which could extend to the council and to any individual members personally.

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Councilman Prather again advised the council that he will vote no on this issue because he thinks it has not been explored properly and the council is being asked to do something that is irregular. Councilman Prather asked for his remarks to be made a part of the minutes.

Those present then discussed concerns of the municipal engineer, Bruce Hall, as indicated in his letter dated July 10, 1991.

1. A contour map of the proposed development sites was presented in the early stages of the planning and was used to analyze the slope for the density to determine the number of building sites within the project area. Rodney Despain indicated that the contour map is a discretionary requirement. Mr. Fuller indicated he could provide a contour map.

2. Width of street right of ways is a pre-existing conditions. Mountain home standards are different standards than a standard subdivision. Width of street right of ways in cluster 2 & 3 will be determined after the existing ordinances are amended to provide a standard width.

3. Street grades exceeding 15% is also a pre-existing conditions.

4. Size and location of utility easements are not indicated on the drawings. Mayor Bean stated that the easements are located in the center of the roads.

5. Easement granting the Town the right of access upon travelways for Town purposes is provided on the entire project. It was agreed by those present that there is a need to provide an additional easement to the Loafer Recreation Association Water Company.

Councilman Prather informed the council that the County attorney also recommended the Town should secure the right to access the land and the right to drill a well and that it should be mentioned in the notations on the plat with easements to be recorded.



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Jerry Fuller stated there is no such agreement. If there is an agreement there will be a document.

6. A written letter from the Health Department should be submitted to the Town stating the acceptance of the septic tank design and location for each site development. At the time of issuance of a building permit the letter from the County Health Department will be required.

7. Surface water produced from the development should be properly disposed of within the limits of the Loafer Canyon Development. Mayor Bean stated that Donald Cole has indicated water bars will be constructed every 300-400 ft. along the road way.

8. A written letter from Don Cole stating he performed the required inspections on the utility improvements and that they complied with Town Standards should be provided to the Town. Rod Despain reminded the council that the improvements are not part of the municipal system and the intent is only to ensure that improvements have been completed not that they comply with town standards.

Mayor Bean stated his feeling is that he would in the spirit of what needs to be done here at this time be is in favor of approving it. "In spite of the dire predictions of suite and difficulties, you can't get anything out me, I don't have anything anyway."

Councilman Shuler stated he felt the same way as Mayor Bean. He is in favor of it. He stated, "the agreement was made with these people quite a few years ago and a part of this is just following up on the agreement. The things we've put in the ordinance they have put out a lot of money and done a lot of things, basically done all the things we've asked. I feel they will be a good addition to the Town."

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Mayor Bean stated what exists up there now with what has been recently completed is far superior to what was there when Loafer was first annexed them. Their water lines are far superior to our own, their water system is better than ours, their storage tank enables them now to adequately fight fires in that area, which they couldn't do before. I think they are far better shape now than then.

Councilman Foster stated he has said all he is going to say.

Councilman Shirley stated he is uneasy about this whole situation. From the very beginning it appears that the power has rested with the developer outside this council. He feels like something could come back and haunt the city of Elk Ridge in the future and open it up to setting a precedent. He will vote not in favor of this because he has an uneasy feeling for voting in favor of circumventing the rules and procedures.

MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY HAL SHULER TO APPROVE THE PLANNED MOUNTAIN HOME DEVELOPMENT FOR LOAFER RECREATION AS IT HAS BEEN SUBMITTED AND APPROVE THE ORDINANCE AS IT HAS BEEN WRITTEN. VOTE: YES-JAMES BEAN, HAL SHULER, CLARENCE FOSTER(3); NO-JAMES PRATHER, DENNIS SHIRLEY(2).

Rodney Despain requested that his statement as follows be included in the minutes:

"The ordinance of approval has been prepared by the Town planning consultant following instructions from the council. In providing the ordinance Mr. Despain expressed the opinion that the application of Loafer Association and the materials provided in support thereof are not in compliance with the Town's Planned Mountain Home Development Ordinances and that the project is being approved contrary to the recommendations of the planner."

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Councilman Prather also stated he will prepare a statement to be included in the minutes. See attached Exhibits A & B.

Documents will not be recorded until the changes noted in this meeting are complied with and building permits will be issued with no occupancy permits until the plat documents are recorded.

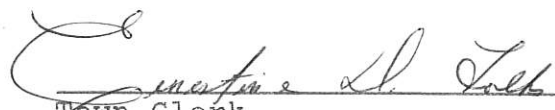
RESOLUTION OF  
INTENTION TO  
ESTABLISH A  
SPECIAL  
IMPROVEMENT  
DISTRICT FOR  
CORTEZ DRIVE  
STREET  
IMPROVEMENTS

Council reviewed the resolution of the intention to establish a special improvement district for Cortez Drive street improvements and the water and sewer laterals. MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAMES PRATHER, TO APPROVE THE RESOLUTION OF INTENT TO ESTABLISH A SPECIAL IMPROVEMENT DISTRICT FOR THE CORTEZ DRIVE STREET IMPROVEMENTS AND THE WATER AND SEWER LATERALS AND SET THE DATE OF THE PUBLIC HEARING FOR AUGUST 13, 1991 AT 7:30 P.M. VOTE: YES-ALL(5); NO-NONE(0).

Notice of public hearing is to be posted and all property owners are to be sent written notice of hearing no later than 10 days prior to the meeting.

ADJOURNMENT

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

Statement to be included in text of minutes of Elk Ridge Town Council Meeting of *July 11, 1991*

This is to document my strenuous objection to and position against the action of James Bean, Mayor, and Councilmembers Sterling Hal Shuler and Clarence Foster in their approval of the violation of the Zoning Ordinance of the Town of Elk Ridge, specifically, Section 02.622, Paragraph K, Subparagraph 2.b., Final Plan in the case of the Loafer Canyon Recreation Association.

The Zoning Ordinance states that the Final Plan shall be prepared and recorded with the County Recorder as a subdivision should be, and as defined by state law.

The Final Plan has been submitted and was approved by the above three members of the governing body (with two "no" votes from myself and Councilmember Dennis Shirley). The Plan is to be recorded in two parts: One incomplete part with the Utah County Recorder, and a second, detailed part, showing building sites within development clusters; this second part to be "recorded" at the Elk Ridge Town Office.


The second detailed recording is admittedly (by the Loafer Canyon Recreation Association in scheduled public Planning Commission and Town Council meetings) for the express purpose of concealing from the Utah County Tax Assessor the nature of the development in an effort to evade possible assessment and payment of just property taxes.

The Mayor and all Councilmembers were advised by Rodney DeSpain, the official municipal planner for the Town, that this action was contrary to the Zoning Ordinance and should not be taken. My concern was such that I consulted with the Utah County Tax Assessor, Ronald Smith, and with the Utah County Attorney, Kay Bryson, and his deputy, Guy Burningham, who examined the Zoning Ordinance, and all three agreed that the action was contrary to the Ordinance and appeared to be in violation. It should be emphasized that the Mayor stated in public meeting that the Municipal Attorney, Steven Killpack, was never consulted on the appropriateness or legality of this action. Mr. Killpack was away as I attempted to contact him, but Tom Taylor, a member of Killpack's firm and former Provo City Attorney, gave the same opinion on the matter.

The Mayor, Shuler and Foster, chose to ignore all contrary counsel and to approve the action in the face of it.

It is not within the purview of the Town Council to make determination of tax liabilities and levys, as regards County property taxes. It is the sworn responsibility of the Council to protect, uphold and defend the ordinances of the Town. In this instance, the ordinance has been, in the opinion of professional advisors, violated, and trust of the citizenry betrayed. This by three members of the governing body combining with the Loafer Canyon Association to perpetrate a deception of the Utah County Tax Assessor's office.

It should not go unnoticed that Mr. Jerry Fuller, a representative of the Loafer Canyon Association, stated in open meeting that there had been discussion of allowing the Town to drill a well on Association property "... but no committments had been made." This combines with Mayor Bean's remark at open meeting that "If we are real nice to these (Loafer Canyon Association) people, we just might get a well up there" -- or words to that effect. This apparent trading of a violation of the law for the "favor" of a well site is, if true, political prostitution and should be regarded and dealt with as such.

  
James E. Prather  
Councilmember

TOWN OF ELK RIDGE  
80 EAST PARK DRIVE, ELK RIDGE, UT 84651  
(801) 423-2300

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July 26, 1991

A letter to the current council of the Town of Elk Ridge and also to be preserved for future councils' reference in determining the reason for the action involving Loafer Canyon Recreation Development on July 11, 1991.

The preamble to the Constitution of the United States begins with the words "We The People". This country was founded because of several reasons. One was due to unfair taxation without representation, another dealt with the right to hold private property and yet another dealt with personal freedom and self-determination. The Bill of Rights went on to further guarantee the ideals set up in the constitution with the declaration of the right to life, liberty and the pursuit of happiness.

The Bill of Rights is a very important document, but it must also be understood that it is also an amendment to the original Constitution. When we take the oath of office, we swear to uphold the Constitution of the United States and this State. Both of the Constitutions were implemented so the governed have a voice in the determination of the outcome. The structure of the power in the United States is unique in the world except for Australia which used our Constitution to pattern their own, in that the power flows from the bottom up not from the top down. Gathering opinions from learned individuals is important in order to make informed judgements, but opinions are just that, opinions, and the outcome needs to be determined by individual circumstances. If every dispute could be settled in the same way, the guidelines would have been established centuries ago and we would have no need for legislative bodies. When gathering an opinion from an attorney, especially one on the public payroll, we need to be very cautious. These people will get paid regardless of the outcome of a suit and so are willing to make statements based on partial facts. Bureaucrats, even elected ones, tend to be on power trips and are looking to make examples of others even to the extent of illegal seizure of private property and the invasion of privacy. I am not advocating a return to lawlessness. What I am advocating is a careful guardianship of Constitutional rights and privileges.

In the matter of the Loafer Canyon Recreational Development, had we not passed the proposed development, it is my feeling that we would have incurred a lawsuit, in fact one was promised. I believe that the suit would have been well founded and would have been difficult to defend against. We would have appeared as bandits standing at the roadside waiting for persons to pass by so we could steal their

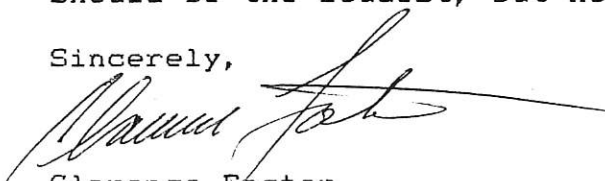
Page Two  
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rights to use private property. Even had we prevailed in the suit, the cost of defense would have been more than we are funded to bear.

The Loafer Canyon area is a very unique parcel of property and has to be treated as such. No other piece of property exists in the area so the chance of others wanting and justifiably expecting the same consideration is not an issue. Let's examine the facts supporting this statement: (1) The entire property is held in common by all members and any individual member cannot sell his or her share but must pass it by rights of survivorship. (2) If more members are to be added, this can only be done by the consent of the majority of all members. (3) The Town annexed the area into the Town (and even if we do not currently agree) with certain contingencies in place. Therefore generating a pre-existing status when the new ordinances were passed. (4) The area cannot be expanded or any new territory would fall completely under the guidelines of current ordinance. (5) Any new development in the area surrounding the town, even if it is almost identical to the Loafer Canyon Project, would not have pre-existing status and would not be exempt from any part of the ordinances. (6) Any reference to division within the development clusters recorded at the County would indicate single private ownership which does not exist, but may be, at sometime, challengeable in court if a single individual wanted to pull away from the group for personal gain.

The decision made to allow the Loafer Canyon Recreation Association to develop their property at this time was the proper decision. Any further development will have to be scrutinized and judged upon its own merits. When we approach any decision, we have to take all opinions and input on its own merit, we cannot go into a discussion with preconceived ideas on how we want the outcome to be. The voice of the people who are affected by the decision should be the loudest, but not the only voice heard.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Clarence Foster', with a stylized flourish extending to the right.

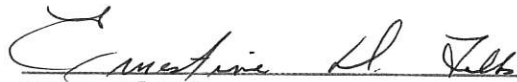
Clarence Foster  
Councilmember



NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will not hold a regular Town Council Meeting on Tuesday, July 23, 1991 at 8:00 P.M. The meeting will be held instead on Tuesday, July 30, 1991.

Dated this 16th 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 mailed to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on July 16, 1991.

  
Town Clerk

NOTICE OF HEARING

On July 30, 1991 at 8:15 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 C, specifically to split lot 24.

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

Dated this 16th day of July, 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, July 30, 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 AGENDA ITEMS:

SID/RDA Update - Glen Vernon  
Satellite Computer Terminal Location - County Sheriff  
Location of Drop In Mailbox  
Update on Grasshopper Spraying & Billing - Dennis  
Roadside Weed Problem - Dennis Shirley  
County Fire Marshall - Dennis Shirley  
Fire Department Truck Use - Hal Shuler

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

8:05 Minutes of Previous Meeting  
8:10 Location of Drop in Mailbox  
8:15 Modification of Request to Amend the Salem Hills Subdivision, Plat C, Lot 24 - Kevin Colver/William Berry  
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 C - Tim Isakson  
9:00 Ordinance Revision of the Standard Specifications - Survey Monument Markers  
9:10 Water System Update  
9:20 Final List Expenditures for June, 1991  
9:30 ADJOURNMENT

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

Dated this 26th day of July, 1991.

  
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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 delivered to the Daily Herald, 1555 North 200 West, Provo, Utah and to each member of the governing body on July 26, 1991.

Kristine Adams  
Deputy Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

July 30, 1991

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| TIME & PLACE<br>OF MEETING                    | The work session of the Elk Ridge Town Council was held on Tuesday, July 30, 1991, at 7:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.   |
| ROLL CALL                                     | <p>Clarence Foster, Hal Shuler and Dennis Shirley council members; Kristine Adams, deputy town clerk; Glen Vernon, Jim Winterton, Ron Ririe.</p> <p>Mayor James Bean and councilman Jay Prather 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 July 26, 1991.</p>  |
| SID/RDA                                       | Glen Vernon was present to give an update of the SID/RDA project above Gladstan Golf Course. Payson is working on a preliminary plat layout with an engineer and the blight survey from their consultant has been completed. The absence of utilities and the steep hillsides is their basis for the blight condition. Payson's concern now is whether any water is present. They are getting a hydrological presentation at no cost. One or more test holes will then be drilled at a total cost of \$10,000-\$15,000. Payson is willing to pay the major share of this and came to the Elk Ridge Council to ask for their help with part of that amount. No decision was necessary tonight, but Mr. Vernon asked that we look at our budget and have a representative come to their meeting on Wednesday, August 21 with our conclusion. |
| SATELLITE<br>COMPUTER<br>TERMINAL<br>LOCATION | A representative from the County Sheriff's Department was not able to be at the meeting.   |
| LOCATION OF<br>DROP IN<br>MAILBOX             | The Payson Postal Service approached Elk Ridge and asked if we would be willing to install a mailbox near our building for the resident's use. If approved by the Council it would be installed Friday and pickup time would be  |

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| LOCATION OF<br>DROP IN<br>MAILBOX<br>(CONTINUED)    | 10:30 Monday through Saturday. We were also asked by the Postal Service whether we would be willing to sell stamps to the residents. A motion will be made in the Council Meeting.   |
| UPDATE ON<br>GRASSHOPPER<br>SPRAYING AND<br>BILLING | Councilman Shirley reported that Bryce Rawlings sprayed this month for grasshoppers with Lorsban and charged the Town \$500.00 for his services. Hal Shuler sprayed his property. It was discussed whether it was too late to use spore bait. The cost will still be born by the vacant lot owners. Councilmen Foster and Shirley will get together this week to work out details of cost, the amount of spore to purchase and where to broadcast the spore. |
| ROADSIDE WEED<br>PROBLEM                            | Councilman Shirley reported that the roadside weeds have been cut down by Ron Diamond. The cost was \$292 for eight hours of cutting. Mr. Diamond will be contacted again to finish cutting the Loafer Canyon Road. The care of the roadsides along the main roads were discussed. They may be compacted in the Spring and kept mowed.   |
| COUNTY FIRE<br>MARSHALL                             | Councilman Shirley will write up a report from the County Fire Marshall Presentation held last month to go into the Town Newsletter for August.  |
| FIRE DEPART-<br>MENT TRUCK<br>USE                   | Councilman Shuler asked whether the old fire truck was of any value. It is presently at Carter's for an inspection. It was asked if it could be used in another department instead of having it sold.  |

ELK RIDGE TOWN COUNCIL MEETING

July 30, 1991

TIME & PLACE OF MEETING      The meeting of the Elk Ridge Town Council was held on Tuesday, July 30, 1991, at 8:00 p.m. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL      Jay Prather Mayor Pro Tempore; Clarence Foster, Dennis Shirley and Hal Shuler council members; Kristine Adams deputy town clerk; Marilyn Berry, Joel Vane, Dale and Pam Knight, Tim Isakson, Bruce Hall, Ron Ririe

Mayor James Bean 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 July 26, 1991.

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

MINUTES OF PREVIOUS MEETINGS      Following a review of the minutes, MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY HAL SHULER TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETING ON JULY 9, 1991 AND THE TWO STATEMENTS MADE BY JAMES PRATHER AND CLARENCE FOSTER TO BE INCLUDED WITH THE JULY 11, 1991 SPECIAL MEETING.      VOTE:      YES-ALL(4); NO-NONE(0); ABSENT-JAMES BEAN(1).

LOCATION OF DROP IN MAILBOX      MOTION WAS MADE BY HAL SHULER, SECONDED BY CLARENCE FOSTER TO APPROVE THE INSTALLATION OF A U.S. POST OFFICE MAILBOX NEXT TO THE DROP IN BOX OF ELK RIDGE.      VOTE:      YES-ALL(4); NO-NONE(0); ABSENT-JAMES BEAN(1).

MODIFICATION OF REQUEST TO AMEND THE SALEM HILLS SUBDIVISION, PLAT C, LOT 24 COLVER/BERRY      Marilyn Berry brought her updated plans to amend the Salem Hills Subdivision, Plat C, Lot 24. The Berry's intentions are to split the lot into three lots instead of the previously planned two lots. The newly created lot was still not 100 feet on the frontage side. Mrs. Berry will have it redrawn and then go back to the Planning Commission for their approval on August 20. After the Planning Commission



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approves the third lot another public hearing will be published with a request for water rights for the new lot.

The public hearing on the Berry lot split was postponed and will be rescheduled due to their decision to make three lots instead of two. Three people came with intentions to give their arguments against the lot split.

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

This item was postponed due to the fact that the lot split has not yet been approved by Council or the Planning Commission.

REQUEST FOR  
EXCEPTION TO  
SUBDIVISION  
ORDINANCE  
REQUIREMENT  
FOR CONVEYANCE  
OF WATER  
RIGHTS FOR ONE  
LOT, LOAFER  
HOLLOW, PLAT C  
TIM ISAKSON

MOTION WAS MADE BY DENNIS SHIRLEY, SECONDED BY CLARENCE FOSTER TO GRANT THE EXCEPTION TO THE SUBDIVISION ORDINANCE AS REQUESTED FOR THE NEWLY CREATED LOT FOR TIM ISAKSON CONTINGENT ON THE DEED AND BOND FOR THE IMPROVEMENTS OF THE WATER AND THE ROAD RIGHT-OF-WAY. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-JAMES BEAN(1).

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  |
| TIM ISAKSON.....                | 1  |
| TOTAL.....                      | 14 |

AVAILABLE WATER RIGHTS IN RESERVE...1

ORDINANCE  
REVISION  
THE STANDARD

The current Town standards specify putting survey markers on intersection corners which Bruce Hall says is not a good idea. He stated

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SPECIFICATIONS SURVEY MONUMENT MARKERS it is better to put survey markers in the center of each intersection. As new developments come in, the survey markers will be placed in the center of the intersections and stamped with their number. The locations will be recorded on the plat maps. The present intersections will not be redone, but left as they are. There will be no cost to the town for these new markers. MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY DENNIS SHIRLEY TO APPROVE ORDINANCE 91-7-30-1 AMENDING THE STANDARDS AND SPECIFICATIONS ORDINANCE OF THE TOWN OF ELK RIDGE WITH RESPECT TO SURVEY MONUMENT MARKERS. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-JAMES BEAN(1).

NOT LISTED ON AGENDA Bruce Hall reported that there were no maps of the Goosenest Plat Water System to be found. He asked if it would be possible for Ron Ririe's development to feed off of the existing 6" water line going to the church and if he needed to reimburse the church for its use. Council assured him he could feed off the water line going to the church with no reimbursement necessary.

WATER SYSTEM UPDATE Hal Shuler gave an update on Well #5. He stated that it is presently pumping out 100 g.p.m. more than before the new pump was installed. The amount of the increased pumping costs is still not available from Strawberry Electric.

FINAL LIST OF EXPENDITURES FOR JUNE, 1991 Following a review of the final list of expenditures for the month of June, 1991, MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY DENNIS SHIRLEY TO APPROVE PAYMENT OF THE FINAL LIST OF EXPENDITURES FOR JULY, 1991, AS PRESENTED. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-JAMES BEAN(1).

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 PRATHER, HAL SHULER, DENNIS SHIRLEY, CLARENCE FOSTER(54; NO-NONE(0); ABSENT-JAMES BEAN(1).

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, August 13, 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 ON THE PROPOSED TAX INCREASE FOR THE FINAL TAX RATE AND BUDGET FOR THE FISCAL YEAR 1991/1992 FOR THE TOWN OF ELK RIDGE

7:30 P.M. PUBLIC HEARING ON THE ISSUE OF ESTABLISHING A SPECIAL IMPROVEMENT DISTRICT FOR LOTS 23, 24, 25, 26 AND 27 OF SALEM HILLS SUBDIVISION, PLAT I AND THAT PORTION OF CORTEZ DRIVE ON WHICH THE AFOREMENTIONED LOTS ARE IMMEDIATELY ADJACENT; TO MAKE IMPROVEMENTS WITHIN THE DISTRICT; AND TO LEVY ASSESSMENTS ON THE REAL PROPERTY FOR THE PAYMENT THEREOF.

### COUNCIL WORK SESSION AGENDA ITEMS:

Zone Ordinance - Fence Requirement  
Update on Grasshopper Spore Treatment & Billing  
Update on Roadside Weed Problem - Dennis Shirley  
Water Board Report  
Full Time Municipal Employee

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

8:05 Minutes of Previous Meetings

8:10 Ryan Barker - Eagle Scout Project

8:20 Satellite Computer Terminal Location - County Sheriff

8:35 Adoption of Resolution for Final Tax Rate and Budget for the Fiscal Year 1991/1992 for Elk Ridge Town

8:50 Adoption of Resolution to Create a Special Improvement District for Lots 23, 24, 25, 26, & 27 of Salem Hills Subdivision Plat I and that portion of Cortez Drive on which the aforementioned lots are immediately adjacent; to Make Improvements within the District; and to Levy Assessments on the Real Property for the Payment Thereof

9:00 Appointment of Planning Commission Member

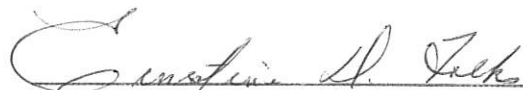
9:10 Street Repair Projects

Notice & Agenda  
Page 2  
August 9, 1991

- 9:25 Plat G - Proposal to Abandon Portion of Salem Hills Drive
- 9:40 Status of Surplus Brush Fire Truck
- 9:50 Water System Update
- 10:00 Financing for Development of Additional Well
- 10:15 SID/RDA Golf Course Property/Financing Test Wells
- 10:30 Final Plat Approval for Loafer Hollow Plats A, B, C & D
- 10:45 Property Damage Claim/Bryce Rawlings
- 10:50 Expenditures for July, 1991
- 11:00 Approve Checks to be Written Off
- 11:05 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 August, 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 August 9, 1991.

  
Town Clerk

ELK RIDGE TOWN COUNCIL PUBLIC HEARING & WORK SESSION

August 13, 1991

TIME & PLACE OF MEETING The public hearing & work session of the Elk Elk Ridge Town Council was held on Tuesday, August 13, 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 and Dennis Shirley council members; Ernestine D. Folks, town clerk; Lyle & Kathy Williams, Shari Dixon, Doreen Barker, Judy Jarvis, Paul Cazier, Tony Searle, Maureen & Matt Bushman, Scott Fuller, William & Marilyn Berry, Clayton Creek.

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 August 9, 1991.

PUBLIC HEARING ON THE PROPOSED TAX INCREASE FOR THE FINAL TAX RATE AND BUDGET FOR THE FISCAL YEAR 1991/1992 FOR THE TOWN OF ELK RIDGE Mayor Bean called the public hearing to order and stated increases in the budget are in the areas of administration in the General Fund. He further stated that the council salary increase of \$25 each per month is considered a token and not sufficient to cover the expenses, time and effort required by the positions. With the town growing the need for legal counsel, revision of ordinances and engineering services are increasing.

Residents questioned the council with regard to plans for road improvements, park playground equipment, problems related to grasshopper spraying and the financing of wells. Those present indicated to the council that reports of actions and plans by the council should be provided to the community on a regular basis.

Mayor Bean explained how the council was including short and long range goals with the acquisition of additional water rights and another source of water to provide for development.

Minutes of the Elk Ridge Town Council Public Hearing and Work Session - 8-13-91

In response to questions from the public, Councilman Prather explained how the location of well #6 was determined. A geological study was completed by Bryce Montgomery. The location to drill a well in the study by Bryce Montgomery, an engineer/geologist, was disregarded and was determined instead by a dowser. The driller employed was not adequately equipped or knowledgeable in the drilling of commercial type wells, and the reason the well will not be fully developed is that the well proved unproductive, which was likely due to the fact that it was drilled on the wrong side of the fault that had been pointed out by Mr. Montgomery. The funds from the \$100,000 loan were exhausted except for about \$20,000 which will now have to be used to drill for water in another location.

Councilman Shuler stated the two spots recommended by the geologist were both on property that Elk Ridge, at that time, was involved with a lawsuit with the property owners. Those two spots were not a possibility at that time.

PUBLIC HEARING Present at this meeting were Matt and Maureen  
ON THE ISSUE Bushman property owners of lot 27. They are  
OF the only resident owners in the SID present at  
ESTABLISHING this meeting. They did not protest the SID but  
A SPECIAL were at this meeting to gain a better under-  
IMPROVEMENTS standing of the SID project and how it will  
DISTRICT FOR effect them.  
LOTS 23,24,25  
26, 27, PLAT I Mayor Bean stated that the other owners have  
& THAT PORTION indicated to him they are in favor of the  
OF CORTEZ DRIVE project.  
ON WHICH THE  
AFOREMENTIONED  
LOTS ARE  
IMMEDIATELY  
ADJACENT; TO  
IMPROVEMENTS

ZONE ORD. Mayor Bean reported to the council an incident  
- FENCE involving Albert Knudsen and the construction  
REQUIREMENT of a home next to him where a retaining wall &  
fence with a combined height of 11 ft. was  
constructed. Current ordinances do not  
restrict the height of fences in this  
situation. -122-

Minutes of the Elk Ridge Town Council Public Hearing and Work Session - 8-13-91

UPDATE ON  
GRASSHOPPER  
SPORE  
TREATMENT  
& BILLING

Councilman Shirley indicated frustration in trying to deal with grasshopper control. Results in recent spraying have not been successful. He is not convinced that the spore treatment is the method to pursue. Council discussed the situation and agreed to purchase 200# of spore bait and treat selective areas as test sites. Billing for "springtoothing" still has not been completed.

UPDATE ON  
ROADSIDE WEED  
PROBLEM

Councilman Shirley reported that he has hired Ron Diamond to cut weeds along the roadside, grade the edges of the roadside at various areas in the community not to exceed 4 hours.

WATER BOARD  
REPORT

Recommendations from the Water Board as reported by Councilman Shuler were for the Council to negotiate with Loafer Recreation Association to drill a large well in their area to tie into the Elk Ridge water system and allow the Association water from the well, on the basis that the Association can pump into their system at a prescribed percent and rate on an "as needed basis" and at their own cost if needed. The well and pump area should be designed to fit the environment and be aesthetically appealing (i.e. electric driven system.) The distribution line from the pump area to the Elk Ridge system should go west through the Association property to where it adjoins the Elk Ridge property boundaries to avoid going down the canyon. Elk Ridge should not purchase water from the Association (i.e. Association drill a well and sell to Elk Ridge), and access to the system, once developed, must be understood.

FULL TIME  
MUNICIPAL  
EMPLOYEE

Reschedule for next meeting.



ELK RIDGE TOWN COUNCIL MEETING

August 13, 1991

TIME & PLACE OF MEETING      The meeting of the Elk Ridge Town Council was held on Tuesday, July 30, 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, Dennis Shirley and Hal Shuler council members; Ernestine D. Folks, town clerk; Doreen & Ryan Barker, Sheri Dixon, Bruce Hall, Rodney Despain, Marilyn & William Berry, Dale & Pam Knight.

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 August 9, 1991.

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 DENNIS SHIRLEY, SECONDED BY JAMES PRATHER, TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETINGS ON JULY 11, 1991 AND JULY 30, 1991. VOTE: YES-ALL(5); NO-NONE(0);

RYAN BARKER - EAGLE SCOUT PROJECT      Project is to construct railroad tie stairs leading from the pavilion to the ball park. Council instructed Ryan to contact Eldon McMurray and prepare a drawing with estimate of costs. Also, he should include handrails. He is to return at the next council meeting.

SATELLITE COMPUTER TERMINAL LOCATION - COUNTY SHERIFF      The town clerk reported to the council that the County Sheriff has indicated that the satellite computer terminal location will not be included in their budget until next year. The town will be contacted at that time.

ADOPTION OF RESOLUTION FOR FINAL TAX RATE AND BUDGET FOR FISCAL YEAR 1991/1992 FOR ELK RIDGE TOWN      MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY HAL SHULER TO ADOPT THE RESOLUTION FOR THE FINAL TAX RATE AND BUDGET FOR THE FISCAL YEAR 1991/1992 FOR ELK RIDGE TOWN. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-JAMES PRATHER(1).

Minutes of the Elk Ridge Town Council Meeting - 8-13-91

Those present were informed that although the proposed tax rate exceeds the certified tax rate it is less than last year's tax rate.

Mayor Bean informed the council that although councilman Prather was not present for the vote he is in favor of the proposed budget and indicated that to him before he left the meeting.

ADOPTION OF  
RESOLUTION TO  
CREATE A  
SPECIAL  
IMPROVEMENT  
DISTRICT FOR  
LOT 23,24,25,  
26 & 27 OF  
PLAT I

MOTION WAS MADE BY HAL SHULER, SECONDED BY DENNIS SHIRLEY TO ADOPT THE RESOLUTION TO CREATE SPECIAL IMPROVEMENT DISTRICT 91-1 AS PRESENTED. VOTE: YES-ALL(5); NO-NONE(0).

The project will be put out to bid as soon as possible. An ordinance of assessment will be passed by the council when the specific costs are determined. The amount of the liens will be established at that time.

APPOINTMENT  
OF PLANNING  
COMMISSION  
MEMBER

Table to next council meeting.

STREET  
REPAIR  
PROJECTS

Councilman Foster informed the council that the areas to be repaired with an overlay include Hudson, Magellan, Park Drive and Salem Hills Drive. The culvert on Lakeview/Hillside Drive will be extended and the asphalt widened to facilitate the school bus adding that area to their route. Potholes on Park Drive and Magellan will be repaired. Anticipated costs are \$15,000 and the repairs are expected to be completed before October.

PLAT G -  
PROPOSAL TO  
ABANDON  
PORTION OF  
SALEM HILLS  
DRIVE

Councilman Foster informed the council that previous council have released the developer from completing the unimproved portion of Salem Hills Drive on Plat G. He further recommended the council consider to abandon that portion of Salem Hills Drive to release the city of an liability for that road.

Minutes of the Elk Ridge Town Council Meeting - 8-13-91

MOTION WAS MADE BY CLARENCE FOSTER , SECONDED BY JAMES PRATHER TO COMMENCE PROCEDURES TO ABANDON A PORTION OF UNIMPROVED ROAD, SALEM HILLS DRIVE, IN PLAT G. ALSO TO NOTIFY THE PROPERTY OWNERS AND FOR THE COUNCIL TO DIRECT THE TOWN CLERK TO POST THE NOTICE OF PUBLIC HEARING AS REQUIRED ONCE A WEEK FOR FOUR WEEKS. THE PUBLIC HEARING WILL BE HELD AT THE FIRST COUNCIL MEETING IN SEPTEMBER. VOTE: YES-ALL(5); NO-NONE(0).

STATUS OF  
SURPLUS BRUSH  
FIRE TRUCK

Public Works Supvr., Kent Crawford was not available to report. Reschedule for next meeting.

WATER SYSTEM  
UPDATE

Councilman Shuler reported the water storage tanks are holding at 3 ft. below the top of the tank.

S.E.S.D. misread the well meter for July, so there is no way to calculate what the power usage was since the new pump was installed.

UNSCHEDULED  
AGENDA ITEM -  
WATER RIGHTS

Engineer Bruce hall reported he has received an offer from Wesley G. Waters to sell 488.67 acre ft. of underground water, (.675 sec. ft.)= 303 g.p.m. at \$195.00 per acre ft.(\$95,292). The right is good for January 1 through December 31 inclusive. The well is located at 380 West 700 South, Springville, Utah. Mr. Waters has indicated the rights can be transferred to other areas within Utah County according to the Division of Water Rights, Department of Natural Resources, State of Utah. Rodney Despain questioned that and stated there may be some reduction in what will be transferrable. Bruce Hall recommended verifying this information with the state engineer. In addition, Mr. Waters has indicated he has contacted other municipalities and made the same offer to them. Mr. Hall further stated that within eight years he anticipates there will be a water treatment plant in the south end of the valley, which will mean restrictions on the transfer of water rights.

Minutes of the Elk Ridge Town Council Meeting - 8-13-91

Rodney Despain reported his recent conversation with Mr. Gottfredson regarding the Ironton Water rights. Mr. Gottfredson indicates that the City of Springville is willing to take all of the Ironton water rights he is selling. Elk Ridge's proposal to acquire 250 acre ft. at \$400 per acre ft. with Mr. Gottfredson completing the exchange process is no longer acceptable. Mr. Gottfredson now proposes Elk Ridge buy the 400 acre ft. and bear the risks of loss in transferring.

Mr. Despain is sure there will be a loss in the transfer and not sure the \$400 is a good price without knowing what the loss will be.

FINANCING FOR  
DEVELOPMENT  
OF ADDITIONAL  
WELL

Council discussed the letter from Michael Georgeson regarding the request to use the remainder of the \$100,000 Drinking Water Board loan for another well. An opinion from the bond attorney that the loan money can be used for another well and an updated loan application for more funding which will have to go before the Drinking Water Board for their approval will need to be completed.

Bruce Hall indicated that approximately \$300,000 will be needed to purchase water rights and drill another well. He recommended if drilling in the Loafer Recreation Association area not to drill a test well. Negotiations with Loafer need to be completed and secured in writing within the next two weeks and anticipates three months to process the application for financing a loan to provide for developing a well next year.

Council agreed that developing a well and purchasing water rights will require additional financing. Town Clerk anticipates requiring an increase in water rates to provide sufficient funds to make payments on a new loan.

Minutes of the Elk Ridge Town Council Meeting - 8-13-91

SID/RDA GOLF COURSE PROPERTY TEST Council discussed the financing of test wells. Councilman Shuler anticipates costs to participate with Payson in the drilling of the test wells to be a maximum of \$15,000. Council agreed to authorize Hal Shuler to convey to Payson that Elk Ridge's share will be 10% not to exceed \$1500. It was questioned whether the water from wells developed within the SID/RDA will be used only for golf course properties.

FINAL PLAT APPROVAL FOR LOAFER HOLLOW PLATS A,B,C &D The Planning Commission gave preliminary and final approval contingent upon 1) the providing of a deed for 66' of right of way, and additional deed and title report. Need to have conveyance of right of way, from south side of 1D north to the quarter section line: 2) the mechanism for the improvements (bond to be posted, etc); 3) proper execution of the mylar drawings; and 4) description for road and water right execution on plat C (only). Item 4 is independent of items 1-3.

Council concluded that 66' road width on all four plats is to be conveyed to Elk Ridge with a quit claim deed with a preliminary report of title insurance.

Hal Shuler wants to withhold recording of plats until such time as all improvements and bonding are completed. Rodney Despain explained that customary procedures for deeding of roads is done on plats. For financing purposes that is not being done. The issue is how to get adequate roads if it is not part of the subdivision plat. The existing road is substandard and has been in place for public use for many years (50?). Needing to be resolved is the construction of improvements and the bonding for improvements. Question on where the 66' road dedication is in relation to the hill on the east side needs to be determined. Councilman Shuler questioned the legality of requiring full street improvements where development is occurring only on one side of the road.

Minutes of the Elk Ridge Town Council Meeting - 8-13-91

Councilman Shuler also cited the situation of requiring street improvement assessments, as was done on Goosenest lots at the time building permits were issued, which was determined by the attorney to not be legal, and questioned his being required to put in the improvements as a similar circumstance. Rodney Despain informed the council that there is no basis for not requiring the improvements as specified in the ordinances.

The existing water line improvements with easements needs to be verified and amount of improvements needs to be determined.

Rodney Despain stated the completion of improvements could be tied to the last lot to be recorded.

The plats need to be reviewed by the engineer, the preliminary report of title insurance on the deed needs to be completed, an estimate of costs for the improvements and plan and profile documents and bonding for improvements needs to be determined and provided by the developers. Based on the lack of necessary information, council asked for this issue to be placed back on the agenda at the next council meeting.

PROPERTY  
DAMAGE  
CLAIM/BRYCE  
RAWLINGS

Bryce Rawlings has requested the council allow a property damage claim for a tire damaged when he was spraying for grasshoppers. The council determined that as a contractor, he assumes the risks for losses sustained and the claim is disallowed.

EXPENDITURES  
FOR  
JULY, 1991

Following a review of the list of expenditures. MOTION WAS MADE BY DENNIS SHIRLEY, SECONDED BY JAMES PRATHER, TO APPROVE THE LIST OF EXPENDITURES FOR THE MONTH OF JULY, 1991 AS PRESENTED. VOTE: YES-ALL(5); NO-NONE(0).

APPROVE CHECKS  
BE WRITTEN OFF

Town clerk informed the council of checks which have not cleared the bank and the accountant has recommended the council authorize the checks to be written off to clear the books. Should those persons who were issued the original check come forward and demand payment another check will be issued.

## Minutes of the Elk Ridge Town Council Meeting - 8-13-91

MOTION WAS MADE BY JAMES PRATHER, SECONDED BY DENNIS SHIRLEY TO WRITE OFF THE FOLLOWING:

CHECK # 4404      DATED 2-28-89, \$5.00 PAYABLE TO  
    ROGER BEAN FOR  
    METER      READER  
    SALARY

CHECK # 4998      DATED 1-31-90, \$25.00, PAYABLE  
TO THE STEEL  
WORKERS FOR A  
P A V I L I O N  
DEPOSIT REFUND

CHECK # 5507      DATED 11-15-90, \$.01, PAYABLE  
TO MICHAEL BIRD FOR A UTILITY  
DEPOSIT REFUND

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 THIS MEETING. VOTE: JAMES BEAN, JAMES PRATHER, HAL SHULER, CLARENCE FOSTER, DENNIS SHIRLEY(5); NO-NONE(0).

Ernestine H. Folk  
Town Clerk



### NOTICE OF HEARING

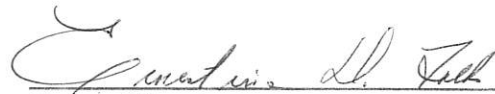
On Tuesday, August 27, 1991 at 7:00 P.m the Elk Ridge Town council will hold a meeting at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah for the purpose of conducting a public hearing on the issue of increasing the compensation of the elected and statutory officers of this municipality as follows:

|                       | Present<br>Salary | Proposed<br>Salary |
|-----------------------|-------------------|--------------------|
| Mayor                 | \$100.00 per mo.  | \$125.00 per mo.   |
| Council member        | \$ 50.00 per mo.  | \$ 75.00 per mo.   |
| Town Clerk/Recorder   | \$ 8.00 per hr.   | \$ 8.00 per hr.    |
| Deputy Clerk/Recorder | \$ 5.50 per hr.   | \$ 5.50 per hr.    |
| Treasurer             | \$ 5.50 per hr.   | \$ 5.50 per hr.    |
| Attorney              | \$ 75.00 per hr.  | \$ 75.00 per hr.   |

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

Dated this 19th day of August, 1991.

Posted by order of the Elk Ridge Town Council.

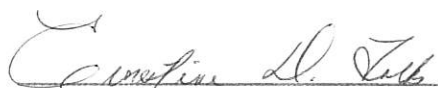
  
Town Clerk

### CERTIFICATE OF POSTING

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 19th day of August, 1991 which public places are:

1. The Elk Ridge Town Office, 80 East Park Drive.
2. The utility pole at Goosenest Drive, east of 817 W. Goosenest.
3. The utility pole at Goosenest Drive & North Park Dr.

Dated this 19th day of August, 1991.

  
Town Clerk

## NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, August 27, 1991 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. In addition, there will be the following beginning at 7:00 P.M.:

### 7:00 P.M. PUBLIC HEARING ON THE ISSUE OF INCREASING THE COMPENSATION OF THE ELECTED AND STATUTORY OFFICERS OF ELK RIDGE TOWN

#### COUNCIL WORK SESSION AGENDA ITEMS:

S.E.S.D Representative Report - Ronald Cooper  
Annual U.L.C. & T. Convention  
Monthly Collection of Sales Tax  
Full Time Municipal Employee

The regular council meeting agenda shall be as follows:

- 8:00 P.M. Invocation & Pledge of Allegiance
- 8:05 Ryan Barker - Eagle Scout Project
- 8:10 Petition to Name Pavilion the "John Thomas Pavilion"
- 8:15 Comprehensive Master Planning - Pam Knight
- 8:30 PUBLIC HEARING ON THE ISSUE OF AMENDING SALEM HILLS SUBDIVISION PLAT C, SPECIFICALLY TO SPLIT LOT 24
- 8:45 Adoption of a Resolution Approving the Alteration and Amendment of Plat C, Lot 24, Salem Hills Subdivision.
- 8:50 Request for Exception to Subdivision Ordinance Requirement for Conveyance of Water Rights for Lot 24, Plat C Lot Split - William Berry
- 9:00 Final Plat Approval for Plat L, Elk Ridge Subdivision, a Resubdivision of Lot 24, Plat C, Salem Hills Subdivision - William Berry
- 9:10 Final Plat Approval for Loafer Hollow Plats A, B, C & D
- 9:30 Status of Surplus Brush Fire Truck - Kent Crawford
- 9:45 Water Rights Acquisition

Notice & Agenda  
Page 2  
August 23, 1991

- 10:00      Financing for Development of Additional Well
- 10:15      SID/RDA Golf Course Property/Financing Test Wells
- 10:25      Appointment of Planning Commission Member
- 10:35      Minutes of Previous Meeting
- 10:45      Adoption of Ordinance for the Compensation of the  
Elected and Statutory officers of Elk Ridge Town
- 10:50      Resolution for Employee Salaries
- 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 23rd day of August, 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 August 23, 1991.

  
Town Clerk

NOTICE OF PUBLIC HEARING

On August 27, 1991 at 8:30 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 C, specifically to split lot 24. (See Attached)

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

Dated this 22nd day of August, 1991.

By order of the Elk Ridge Town Council.

  
Town Clerk

ELK RIDGE TOWN COUNCIL PUBLIC HEARING & WORK SESSION

August 27, 1991

TIME & PLACE OF MEETING The public hearing & work session of the Elk Elk Ridge Town Council was held on Tuesday, August 27, 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, council members; Ernestine D. Folks, town clerk; Ronald Cooper, Ken Hall

Council members Dennis Shirley and Clarence Foster 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 delivering a copy to each on August 23, 1991.

PUBLIC HEARING ON THE ISSUE OF INCREASING THE COMPENSATION OF THE ELECTED & STATUTORY OFFICERS OF ELK RIDGE TOWN Mayor Bean declared the public hearing open for comment. Ronald Cooper stated he has no problem with the salary increase.

No other persons representing the public were present at this meeting.

S.E.S.D. Mr. Cooper will present his report at the REPRESENTATIVE council meeting each month.

REPORT - RON COOPER

The litigation with Spanish Fork is expected to have an affect on the user rates for Elk Ridge and Woodland Hills.

By the end of the year there is expected to be an increase in the power rates of approximately 5% because of the amount of Western power purchased from the Glen Canyon Dam.

Information on test equipment to detect stray voltage will be made available to users in the near future.

ANNUAL U.L.C. & T. CONVENTION No one present will attend the convention scheduled September 11-13, 1991.

Minutes of the Elk Ridge Town Council Public Hearing & Work  
Session - 8-27-91

MONTHLY  
COLLECTION OF  
SALES TAX

Council discussed the information provided by the League of Cities & Towns and their request for the council to determine what the community can accomplish with the additional revenue it will receive if the League is successful in a monthly sales tax collection legislation. Based on the information provided council questioned if the additional estimated monthly collection & disbursement revenue was the yearly total or a monthly total. Mayor Bean stated the additional revenue will be used to improve the tennis court area presently under construction.

FULL TIME  
MUNICIPAL  
EMPLOYEE

Council briefly discussed the need to have a full time employee and asked for this item to be placed on the next meeting agenda.

# ELK RIDGE TOWN COUNCIL MEETING

August 27, 1991

TIME & PLACE OF MEETING      The regular meeting of the Elk Ridge Town Council was held on Tuesday, August 27, 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, council members; Ernestine D. Folks, town clerk; Ronald Cooper, Ken Hall, Mr. & Mrs. Albert Knudsen, William & Marilyn Berry, Ryan Barker, Dale & Pamela Knight, Lea Ann Adams, Jack Lomento, Randy Lindstrom, Ken Harris, Bruce Hall, Rodney Despain, Coleen Liechty, Eldon Money, Bill Pierce, Tony Searle, Betty Lou Bean, Ginger Helgeson, Clayton Creek, Kathy Meredith and others.

                 Council members Dennis Shirley and Clarence Foster 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 delivering a copy to each on August 23, 1991.

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

RYAN BARKER - EAGLE SCOUT PROJECT      Ryan Barker presented a drawing of plans for stairs to be constructed of railroad ties with a pipe hand rail. Estimate of cost is \$100-\$200. Council instructed Ryan to consult with Eldon McMurray on the location of the stairs and report back at the next meeting.

PETITION TO NAME PAVILION "THE JOHN THOMAS PAVILION"      William Berry presented a petition to name the pavilion, "The John Thomas Pavilion" to recognize John who has given so much of his time, talents and resources to the Town of Elk Ridge. The petition was signed by 62 persons.

                 Mayor Bean stated the council will consider the petition and place it on the next meeting agenda for a council vote.

Minutes of the Elk Ridge Town Council Meeting - 8-27-91

COMPREHENSIVE  
MASTER  
PLANNING

Dale Knight stated they have been circulating a petition to get a master plan in place. Mr. Knight further stated: We believe the town must have a publicly approved master plan before there is any future subdividing with the existing laws and that all petitions for future for subdividing should be put on hold until there is a master plan in place and new zoning ordinances. He cited the Zoning Ordinance Section 02.0100 Title, Intent, and Purpose, Paragraph A., and the definition of wooded areas as defined in the zoning ordinance and the fact that the only area providing for the protection of the wooded areas is in the R1 zone and that there are no R1 zones in the southern end of the town. Mr. Knight indicated he wants to encourage people to get together and get a master plan in place.

Lea Ann Adams stated that as a realtor she is always being asked about zoning requirements and the possibility of those being changed. Until there is a master plan the planning commission will always be asked to consider changing the lot size. The master plan should take into consideration sufficient water rights and address drainage problems.

PUBLIC HEARING  
ON THE ISSUE  
TO AMEND SALEM  
HILLS SUBDIV.,  
PLAT C,  
SPECIFICALLY  
TO SPLIT  
LOT 24

Pamela Knight stated that in the short time they have covered a quarter of the town and a few residents have hesitated to sign the petition only because they wanted to find out more about it before signing. The feeling is that a master plan is necessary due to discrepancies in the existing master plan, if there is one, and the zoning ordinances. The petition read as follows: "We the undersigned petition the Elk Ridge town council to halt all subdividing until such time that an approved master plan with zoning ordinances is in place. Also future water availability must be secured to meet the needs of future development". Mrs. Knight stated they want the council to guarantee that sufficient water is secured. She cited the outside watering restrictions caused questioning the availability of water to meet the needs of the new building being allowed.



Minutes of the Elk Ridge Town Council Meeting - 8-27-91

They would like real milestones that progress is being made to get a master plan together and approved by the people of the town. She will turn in the petition later after they get more signatures.

William Berry stated he doesn't want to do anything that is illegal. He cited the sizes of existing lots and that they have all done everything legally and conformed to all the zoning ordinance requirements and that they are adequate and cannot see why there would be a need to stop growth.

Mayor Bean cited a reference from the League of Cities and Town's handbook, section 12-306, entitled enforcement of zoning ordinance, rights of land owner which referred to the Utah Code the Utah supreme court has ruled that the developers rights under zoning ordinances (which are the law governing the situation) vest at the time he applies for a building permit or request approval of subdivision. Vest meaning to give to persons a legally fixed immediate right of present or future enjoyment of whatever they have. Mayor Bean stated that Mr. Berry having applied under the existing ordinances, for the council to deny him that right would allow him, he thinks to have legal grounds on which to sue Elk Ridge.

Ken Harris briefly explained that when Plat C was approved it was a subdivision in Utah County and was originally laid out in size to allow for animal rights. With incorporation, and the planning process it was evident that many people did not want animal rights. Without animal rights, property owners applied to get permission to reduce lot size by splitting the lots which was approved by the planning commission and town council. Preliminary approval for lot splits was given with final approval to be given when the fees were paid. Mr. Harris stated that the precedence for allowing lot splits is there.

Mayor Bean stated that quarter acre lots can only occur on corner lots which meets the zoning requirements.

Minutes of the Elk Ridge Town Council Meeting - 8-27-91

Dale Knight cited the State code reference to material injury Utah code 57-5-8. Mayor Bean stated he could not see any material injury would be caused. Mr. Knight stated he did not move into this area to live in a high density quarter acre area.

Lea Ann Adams stated that the people are not opposed to half acre lots. The concern is for wooded area and preserving the oak brush.

Councilman Prather stated that perhaps it would be appropriate to confer with the municipal attorney and get a definition of the material injury issue before doing anything.

Ginger Helgeson stated she can understand a the attitude of a neighborhood wishing to maintain its own identity and asked what would it take to put it to a vote to determine what a city wants.

Mayor Bean stated being asked to cease all subdivision development. Can only do that if there is some legal reason to deny development. The zoning map and ordinances is a form of master plan. The map and ordinances have been amended. The need is to update it further. Zoning amendments requests are processed through the planning commission and town council.

Bill Pierce stated the biggest concern is everyone is aware of water problems the city has and will have for some time and he also is concerned with the amount of subdivisions being allowed and the city does not have facilities to provide water for additional development.

Mayor Bean stated that if the Berry's subdivision is approved that will be the last water right, outside of the existing rights that were allocated for development within the existing plats, and that will halt additional development until we acquire additional water rights or the water rights are brought in with the development. The council is pursuing both the development of water and the water rights at this time.

Minutes of the Elk Ridge Town Council Meeting - 8-27-91

William Berry questioned how many quarter acre lots there are in Elk Ridge as a case for his request.

Joe Vane property owner of lot 26 in Plat C read his statement wherein he stated his reasons for buying a large lot being that the lots were platted as one acre lots. Mr. Berry questioned why Mr. Vane's property is for sale at this time.

Lea Ann Adams questioned the last water right being given to Mr. Berry. She stated she had requested and provided documents to request being placed on the agenda to request the same water right and had been denied being placed on the agenda. Town Clerk explained the process for posting of the agenda and denied having refused a request from Mr. Lomento or Mrs. Adams to be placed on the agenda.

Councilman Prather and Shuler agreed that as the ordinances read Mr. Berry's request does meet the requirements, and but the material damage issue is still a question which should be referred to the attorney.

Those present were informed of the process for zone change requests are processed as requests through the town clerk to be placed on the planning commission agenda to make recommendations to the council.

Mayor Bean stated that any zone change requests will not affect the Berry's application because it is a pre existing condition. If the attorney deems that legally feasible then it will be up to the council to approve or disapprove it.

Mayor Bean closed the public hearing at 9:25 p.m.

ADOPTION OF  
A RESOLUTION  
APPROVING  
THE ALTERATION  
& AMENDMENT OF  
PLAT C, LOT 24,  
SALEM HILLS  
SUBDIVISION

MOTION WAS MADE BY JAMES PRATHER, SECONDED BY JAMES BEAN, TO TABLE ANY ACTION ON THE RESOLUTION UNTIL THE ATTORNEY CAN GIVE AN OPINION ON THE MATERIAL INJURY QUESTION.  
VOTE: YES- NO-NONE(0); ABSENT-CLARENCE FOSTER,  
DENNIS SHIRLEY(2).

Minutes of the Elk Ridge Town Council Meeting - 8-27-91

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

No action to be taken until question of injury issue with attorney is clarified.

FINAL PLAT  
APPROVAL FOR  
LOAFER HOLLOW  
PLATS A,B,C&D

Hal Shuler indicated the plats are not ready. This item will be placed on the next council meeting agenda.

STATUS OF  
SURPLUS BRUSH  
FIRE TRUCK

Kent Crawford did not present any information for the council to consider.

WATER RIGHTS  
ACQUISITION

Engineer Bruce Hall reported the State Engineer indicated there will be a 25% to 75% loss in the transfer process, with a good possibility of a 50% loss, but they are 100% transferrable. Mr. Waters is willing to enter into an earnest money agreement with Elk Ridge for the price quoted based on the amount of rights transferred, with Elk Ridge filing the change application and paying the costs for the change. The State engineer also indicated the year around right might be restricted to summer usage and the change application will likely be protested. The water right will also have to be researched. The process is anticipated to take 6 months to a year. Rodney Despain and Bruce Hall were given direction by the council to work out the details for an earnest money agreement with attorney Steve Killpack. Council authorized the earnest money amount to be \$300.

FINANCING FOR  
DEVELOPMENT  
OF ADDITIONAL  
WELL

Bruce Hall reported on his conversation with Bryce Montgomery relative to the Loafer Canyon area being a better site for drilling a well.

Engineer indicated the application for financing would have a better chance of being funded if application is submitted in February.

Minutes of the Elk Ridge Town Council Meeting - 8-27-91

Bill Hansen, the bond attorney, has indicated that his understanding is the attorney's opinion requires all the documentation which was required with the last project. Attorney Bill Hansen will contact bonding counsel Bill Prater for further information.

Mayor Bean is to contact Jerry Fuller to discuss the possibility of drilling a well in the Loafer Recreation area. It was reported that Donald Cole will no longer be chairman after September.

Council discussed the engineer's recommendation to consider an economic study on well #5 since the new pump has been installed and agreed for Bruce Hall to proceed with the study.

SID/RDA GOLF  
COURSE  
PROPERTY/  
FINANCING TEST  
WELLS

Councilman Shuler informed Glen Vernon that Elk Ridge would be willing to participate in the financing of the drilling of the test wells on a minimum level.

APPOINTMENT OF  
PLANNING  
COMMISSION  
MEMBER

Councilman Prather reported that Tom Tervort declined his appointment as planning commission member.

MINUTES OF  
PREVIOUS  
MEETING

With the amount of changes requested by the council members, Mayor Bean requested the town clerk make the changes and the minutes will be placed on the agenda for approval at the next council meeting.

ADOPTION OF  
ORD. FOR THE  
COMPENSATION  
OF THE ELECTED  
AND STATUTORY  
OFFICERS OF  
ELK RIDGE  
TOWN

Councilman Prather indicated with the financial situation the town finds itself in, it would be inappropriate to raise the council salary. Mayor Bean asked to have this item placed on the next meeting agenda.

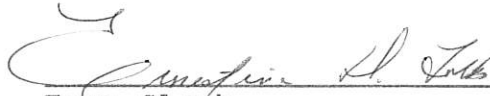
Minutes of the Elk Ridge Town Council Meeting - 8-27-91

RESOLUTION  
FOR EMPLOYEE  
SALARIES

Council discussed the Public Works Supvr. salary increase proposed by Councilman Shuler. The council directed Councilman Shuler to require that the public works supervisor maintain a daily log to track his duties. Mayor Bean asked for this item be placed on the next meeting agenda. No action was taken.

ADJOURNMENT

There being no further business to discuss at this meeting, MOTION WAS MADE BY JAMES PRATHER, SECONDED BY HAL SHULER, TO ADJOURN THIS MEETING. VOTE: JAMES BEAN, JAMES PRATHER, HAL SHULER(3); NO-NONE(0); ABSENT-CLARENCE FOSTER, DENNIS SHIRLEY(2).

  
Town Clerk


NOTICE OF HEARING

On Tuesday, September 10, 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 to vacate that portion of Salem Hills Drive as shown on Salem Hills Subdivision, Plat G.

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

Dated this 19th day of August, 1991.

Posted by order of the Elk Ridge Town Council.

  
Town Clerk

CERTIFICATE OF POSTING

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 19th day of August, 1991 which public places are:

1. The Elk Ridge Town Office, 80 East Park Drive.
2. The utility pole at Goosenest Drive, east of 817 W. Goosenest.
3. The utility pole at Goosenest Drive & North Park Dr.

Dated this 19th day of August, 1991.

  
Town Clerk


SECOND NOTICE OF PUBLIC HEARING

On Tuesday, September 10, 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 to vacate that portion of Salem Hills Drive as shown on Salem Hills Subdivision, Plat G.

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

Dated this 28th day of August, 1991.

Posted by order of the Elk Ridge Town Council.

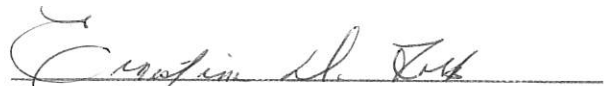
  
Town Clerk

CERTIFICATE OF POSTING

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 28th day of August, 1991 which public places are:

1. The Elk Ridge Town Office, 80 East Park Drive.
2. The utility pole at Goosenest Drive, east of 817 W. Goosenest.
3. The utility pole at Goosenest Drive & North Park Dr.

Dated this 28th day of August, 1991.

  
Town Clerk



THIRD NOTICE OF PUBLIC HEARING

On Tuesday, September 10, 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 to vacate that portion of Salem Hills Drive as shown on Salem Hills Subdivision, Plat G.

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

Dated this 4th day of September, 1991.

Posted by order of the Elk Ridge Town Council.

  
Town Clerk

CERTIFICATE OF POSTING

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 4th day of September, 1991 which public places are:

1. The Elk Ridge Town Office, 80 East Park Drive.
2. The utility pole at Goosenest Drive, east of 817 W. Goosenest.
3. The utility pole at Goosenest Drive & North Park Dr.

Dated this 4th day of September, 1991.

  
Town Clerk

FOURTH NOTICE OF PUBLIC HEARING

On Tuesday, September 10, 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 to vacate that portion of Salem Hills Drive as shown on Salem Hills Subdivision, Plat G.

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

Dated this 9th day of September, 1991.

Posted by order of the Elk Ridge Town Council.

  
Town Clerk

CERTIFICATE OF POSTING

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 9th day of September, 1991 which public places are:

1. The Elk Ridge Town Office, 80 East Park Drive.
2. The utility pole at Goosenest Drive, east of 817 W. Goosenest.
3. The utility pole at Goosenest Drive & North Park Dr.

Dated this 9th day of September, 1991.

  
Town Clerk

## NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, September 10, 1991 at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah. In addition, there will be the following beginning at 7:00 P.M.:

7:00 P.M. PUBLIC HEARING ON THE ISSUE TO VACATE THAT PORTION OF SALEM HILLS DRIVE AS SHOWN ON SALEM HILLS SUBDIVISION, PLAT G

7:30 P.M. CLOSED SESSION - DISCUSSION OF POTENTIAL LITIGATION WITH ATTORNEY, STEVEN KILLPACK

The regular council meeting agenda shall be as follows:

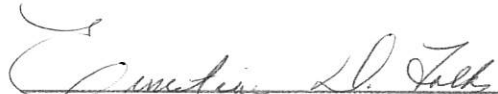
|           |   |
|-----------|---|
| 8:00 P.M. | Invocation & Pledge of Allegiance   |
| 8:05      | Ryan Barker - Eagle Scout Project   |
| 8:15      | Jacob Weber - Eagle Scout Project   |
| 8:25      | Approve Petition to Name Pavilion the "John Thomas Pavilion"  |
| 8:40      | Adoption of a Resolution Approving the Alteration and Amendment of Plat C, Lot 24, Salem Hills Subdivision.                       |
| 8:55      | Final Plat Approval for Plat L, Elk Ridge Subdivision, a Resubdivision of Lot 24, Plat C, Salem Hills Subdivision - William Berry |
| 9:10      | Request for Exception to Subdivision Ordinance Requirement for Conveyance of Water Rights for Lot Split - Jack Lomento            |
| 9:25      | Final Plat Approval for Loafer Hollow Plats A, B, C & D   |
| 9:45      | Status of Surplus Brush Fire Truck - Kent Crawford  |
| 10:00     | Water Rights Acquisition  |
| 10:15     | Financing for Development of Additional Well  |
| 10:30     | Update SID/RDA Golf Course Property   |
| 10:40     | Appointment of Planning Commission Member   |
| 10:45     | Minutes of Previous Meetings  |

Notice & Agenda  
Page 2  
September 6, 1991

10:55        Expenditures for the Month of August  
11:05        Maintenance - Linda Cooper  
11:15        Full Time Municipal Employee  
11:30        Adoption of Ordinance for the Compensation of the  
             Elected and Statutory Officers of Elk Ridge Town  
11:45        Adoption of Resolution for Employee Salaries  
12:00        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 6th day of September, 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 September 6th, 1991.

  
Town Clerk

EEK RIDGE TOWN COUNCIL PUBLIC HEARING & COUNCIL CLOSED SESSION

September 10, 1991

TIME & PLACE OF MEETING The public hearing & closed session of the Elk Ridge Town Council was held on Tuesday, September 10, 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; Kristine Adams, deputy town clerk; Steve Killpack

Council member 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 delivering a copy to each on September 6, 1991.

PUBLIC HEARING ON THE ISSUE TO VACATE THAT PORTION OF SALEM HILLS DR AS SHOWN ON SALEM HILLS SUBDIVISION, PLAT G Mayor Bean declared the public hearing open for comment. No one present stated opposition to the issue. Mayor Bean stated the street would be vacated from the plat and no paving would be done. Councilman Foster stated an easement for water will need to be maintained before vacating and will get more information by the next meeting.

MOTION WAS MADE BY HAL SHULER, SECONDED BY CLARENCE FOSTER TO GO INTO A CLOSED SESSION. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-DENNIS SHIRLEY(1).

COUNCIL CLOSED SESSION - POTENTIAL LITIGATION Persons present where potential litigation was discussed included James Bean, James Prather, Hal Shuler, Clarence Foster, Kristine Adams and Steve Killpack.

ELK RIDGE TOWN COUNCIL MEETING

September 10, 1991

TIME & PLACE OF MEETING      The regular meeting of the Elk Ridge Town Council was held on Tuesday, September 10, 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; Ken Hall, Ryan Barker, William Berry, Dale & Pamela Knight, Lea Ann Adams, Bruce Hall, Rodney Despain, Linda Cooper

     Council member 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 delivering a copy to each on September 6, 1991.

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

RYAN BARKER - EAGLE SCOUT PROJECT      Ryan Barker was instructed by Eldon McMurray to place the stairs halfway between the Pavilion and the parking lot. He is to contact Mr. McMurray when ready to begin. He was also instructed to contact the Town Clerk to find out where purchases should be made for a State discount. MOTION WAS MADE BY JAMES PRATHER, SECONDED BY HAL SHULER TO APPROVE RYAN BARKER'S EAGLE SCOUT PROJECT OF STAIRS FROM THE PAVILION DOWN TO THE BALL FIELD AT A COST BETWEEN \$100-\$200. VOTE: YES(4); NO-NONE(0); ABSENT-DENNIS SHIRLEY(1).

JACOB WEBER-EAGLE SCOUT PROJECT      Mr. Weber called and cancelled.

PETITION TO NAME PAVILION "THE JOHN W. THOMAS PAVILION"      MOTION WAS MADE BY CLARENCE FOSTER, SECONDED BY JAMES PRATHER TO NAME THE PAVILION THE JOHN W. THOMAS PAVILION. VOTE: YES(4); NO-NONE(0); ABSENT-DENNIS SHIRLEY(1).

Minutes of the Elk Ridge Town Council Meeting - 9-10-91

ADOPTION OF  
A RESOLUTION  
APPROVING THE  
ALTERATION &  
AMENDMENT OF  
PLAT C, LOT24,  
SALEM HILLS  
SUBDIVISION

Refer to Minutes of August 27, 1991 for information on the Public Hearing. Council discussed the letter from attorney Steve Killpack responding to the question of material injury. Mayor Bean informed Dale & Pam Knight that an expert witness such as an appraiser would be necessary to give an expert opinion on opposition to splitting lots. The question of splitting lot 24 into three lots is now a moot point, since William Berry has withdrawn his request to subdivide his lot into three lots and has instead presented to and had approved by the planning commission a two lot split. The petition to modify the plat fully complies with all existing zone requirements. The council therefore, determined that there is "good cause" for the proposed amendment, and that neither the public in general, nor any person in particular, will be "materially injured" by the proposed amendment. Therefore, MOTION WAS MADE BY JAMES PRATHER, SECONDED BY CLARENCE FOSTER TO APPROVE RESOLUTION 91-9-10-1R APPROVING THE ALTERATION AND AMENDMENT OF PLAT C, LOT 24, SALEM HILLS SUBDIVISION. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-DENNIS SHIRLEY(1).

FINAL PLAT  
APPROVAL FOR  
PLAT L, ELK  
RIDGE SUB-  
DIVISION, A  
RESUBDIVISION  
OF LOT 24,  
PLAT C,  
SALEM HILLS  
SUBDIVISION -  
WILLIAM BERRY

Dale Knight said that drainage was a problem on this lot and suggested diverting the water runoff to the other side of the road down the canyon. MOTION WAS MADE BY JAMES PRATHER, SECONDED BY CLARENCE FOSTER TO APPROVE PLAT L, ELK RIDGE SUBDIVISION, A RESUBDIVISION OF LOT 24, PLAT C, SALEM HILLS SUBDIVISION FOR WILLIAM BERRY, SUBJECT TO COMPLETION OF ENGINEER'S REQUIREMENTS. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-DENNIS SHIRLEY(1)

REQUEST FOR  
EXCEPTION TO  
SUBDIVISION  
ORDINANCE  
REQUIREMENT  
FOR CONVEYANCE  
OF WATER  
RIGHTS FOR  
LOT SPLIT -  
JACK LOMENTO

It was discussed that Jack Lomento's plat to split his lot will need to be approved by the engineer and the Planning Commission. Rod Despain stated there is a possibility the plat for the Mr. Lomento's original lot (Hal Shuler Ranchette) was never filed with the County Recorder's office. MOTION WAS MADE BY JAMES PRATHER, SECONDED BY CLARENCE FOSTER TO GRANT THE EXCEPTION TO THE SUBDIVISION ORDINANCE REQUIREMENT FOR THE CONVEYANCE OF THE WATER RIGHT FOR THE JACK LOMENTO LOT SPLIT. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-DENNIS SHIRLEY(1). -143-

Minutes of the Elk Ridge Town Council Meeting - 9-10-91

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  
TIM ISAKSON.....1  
JACK LOMENTO.....1

TOTAL.....15

AVAILABLE WATER RIGHTS IN RESERVE...0

FINAL PLAT  
APPROVAL FOR  
LOAFER HOLLOW  
PLATS A,B,C&D

Hal Shuler indicated the profile is not ready. This item will be placed on the next council meeting agenda.

STATUS OF  
SURPLUS BRUSH  
FIRE TRUCK

Hal Shuler has talked with Kent Crawford who said the estimate to put the truck back in working order is \$400. Council authorized the water department to make necessary repairs for the truck to pass the state safety inspection. A negotiation will need to be reached between the fire department and the water department as to a transfer of funds.

WATER RIGHTS  
ACQUISITION

Bruce Hall has met with Mr. Waters who is ready to go ahead with the agreement. He wants the Town to pay the costs of processing the application with the State Engineer and Council was agreeable to this. Mr. Hall stated that Mr. Waters is willing to listen to any price offer lower than the \$195.00 per acre foot but he does not recommend this in case he disregarded our offer and obtained a bid elsewhere. Rod Despain stated it is the Council's fiduciary responsibility to this community to spend the money wisely. He said they would be remiss in their responsibilities if they did not take a conservative financial position on this and bid a lower price but agreed with Mr. Hall's opinion.



Minutes of the Elk Ridge Town Council Meeting - 9-10-91

FINANCING FOR DEVELOPMENT OF ADDITIONAL WELL Councilman Shuler stated that he has talked with Homer Chandler who suggested some options about additional water resources. It was suggested obtaining grants through the Forest Service or the Farm Home Administration. Councilman Shuler reported that a meeting will be held on September 26 to finalize criteria for this year's CDBG grant. He stated that there was still a possibility of funds being left over from last year's grant.

CORTEZ UPDATE (NOT ON AGENDA) Bruce Hall stated that the Cortez street improvements will be put out to bid this month. Councilman Foster will work with Mr. Hall on any other street repairs to be made so it could be included in the bid.

PLAT G (NOT ON AGENDA) Rod Despain stated that in order for us to vacate that section of the road in Plat G, the road would need to be deeded back to the original owner with no rights to the Town.

PROPERTY EASEMENTS (NOT ON AGENDA) Bruce Hall reported that Art Jueschke questioned easements needing to be on every property line. Engineer, Bruce Hall, indicated any changes in what the ordinance requires will need an ordinance amendment which goes through the planning commission.

UPDATE SID/RDA GOLF COURSE PROPERTY Rod Despain reported that he has tried many times unsuccessfully to talk with Glen Vernon. It is his opinion that this project has been temporarily put aside. Mr. Despain recommended looking for other sources of water and not waiting on this project for our water supply. The possibilities of drilling a well in Loafer Canyon above the fault line in the Loafer Recreation Association area were discussed.

APPOINTMENT OF PLANNING COMMISSION MEMBER MOTION MADE BY JAMES PRATHER, SECONDED BY HAL SHULER TO APPOINT PAM KNIGHT AS A MEMBER OF THE PLANNING COMMISSION. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-DENNIS SHIRLEY(1). Mrs. Knight was told by Councilman Prather that copies of a training session given by Mountainlands Association of Governments would be given to her.

Minutes of the Elk Ridge Town Council Meeting - 9-10-91

|  |  |
|--|--|
| MINUTES OF<br>PREVIOUS<br>MEETINGS   | Following a review of the minutes, MOTION WAS MADE BY JAMES PRATHER, SECONDED BY CLARENCE FOSTER TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETINGS ON AUGUST 13, 1991 AND AUGUST 27, 1991 WITH ONE CHANGE TO THE ADJOURNMENT MOTION ON AUGUST 27. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-DENNIS SHIRLEY(1).  |
| EXPENDITURES<br>FOR THE MONTH<br>OF AUGUST,<br>1991  | Following a review of the list of expenditures, MOTION WAS MADE BY JAMES PRATHER, SECONDED BY HAL SHULER, TO APPROVE THE LIST OF EXPENDITURES FOR THE MONTH OF AUGUST, 1991 AS PRESENTED. VOTE: YES-ALL(4); NO-NONE(0); ABSENT-DENNIS SHIRLEY(1).  |
| MAINTENANCE  | This was covered under Full Time Municipal Employee.   |
| FULL TIME<br>MUNICIPAL<br>EMPLOYEE   | An itemized list was provided to Council of Norm Johnson's time cards for the last year breaking down each job responsibility into categories. Councilman Foster figured that approximately \$16,000 a year was spent on the Water Supervisor, Assistant Water Supervisor, and Grounds Maintenance person. It was felt that \$20,000 would be a necessary salary plus benefits for a full-time municipal employee which would be a \$5,000 additional cost to the Town. It was tabled until next Spring. |
| ADOPTION OF<br>ORD. FOR THE<br>COMPENSATION<br>OF THE ELECTED<br>AND STATUTORY<br>OFFICERS OF<br>ELK RIDGE<br>TOWN | MOTION WAS MADE BY HAL SHULER, SECONDED BY CLARENCE FOSTER TO APPROVE ORDINANCE 91-9-10-14 PROVIDING FOR THE COMPENSATION OF ELECTED AND STATUTORY OFFICERS OF THE TOWN OF ELK RIDGE. VOTE: YES(3); NO(1)JAMES PRATHER; ABSENT-DENNIS SHIRLEY(1).  |

Minutes of the Elk Ridge Town Council Meeting - 9-11-91

ADOPTION OF  
RESOLUTION  
FOR EMPLOYEE  
SALARIES

Discussion was given regarding the Public Works Supervisor. Kent Crawford will need to keep a daily log of his duties in order for Council to make a decision regarding his salary. The Facilities Maintenance Worker's salary will increase to \$15.00 per week and the Landscape Maintenance Worker's salary will increase to \$25.00 each time for the ball park. All other salaries will remain the same. MOTION WAS MADE BY HAL SHULER, SECONDED BY CLARENCE FOSTER TO APPROVE RESOLUTION NO. 91-1-10-2R TO COMPENSATE EMPLOYEES OF ELK RIDGE TOWN. VOTE: YES-HAL SHULER, CLARENCE FOSTER, JAMES PRATHER(3); NO-NONE(0); ABSTAINED-JAMES BEAN(1); ABSENT-DENNIS SHIRLEY(1).

ADJOURNMENT

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

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, September 24, 1991, beginning with the council work session at 7:00 P.M. and the regular council meeting at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

### 7:00 P.M. COUNCIL WORK SESSION AGENDA ITEMS:

- S.E.S.D. Representative Report - Ron Cooper
- Monthly Collection of Sales Tax Update
- Municipal Election
- John W. Thomas Pavilion
- Renewal of Fire Protection Agreement
- Ballpark Sprinklers
- Planning Commission Report

The regular council meeting agenda shall be as follows:

- 8:00 P.M. Invocation & Pledge of Allegiance
- 8:05 Approve Minutes of Previous Meeting
- 8:15 Preliminary & Final Plat Approval for Plat A, Lomento Subdivision
- 8:30 Bid Specifications for Special Improvement District 91-1 Improvements & Other Street Improvements
- 8:45 Adoption of Resolution to Amend Plat G, Salem Hills Subdivision
- 9:00 Final Plat Approval for Loafer Hollow Plats A, B, C & D
- 9:15 Status of Surplus Brush Fire Truck - Kent Crawford
- 9:30 Update SID/RDA Golf Course Property
- 9:40 Water Rights Agreement
- 9:50 Financing for Development of Additional Well
- 10:00 Adoption of Utah Criminal & Traffic Code, 1991 Edition
- 10:10 Adjournment

Notice & Agenda  
Page 2  
September 20, 1991

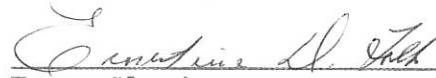
The times listed for each item and the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 20th day of September, 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 September 20th, 1991.

  
Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

September 24, 1991

|  |  |
|--|--|
| TIME & PLACE<br>OF MEETING                           | The work session of the Elk Ridge Town Council was held on Tuesday, September 24, 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, Ronald Cooper.<br><br>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 September 20th, 1991.                  |
| S.E.S.D.<br>REPRESENTATIVE<br>REPORT - RON<br>COOPER | Ronald Cooper reported the territorial integrity issue is of primary concern to S.E.S.D. at this time. There was a hearing held on September 20 for an injunction to stop further connections. Mr. Cooper is not aware of the outcome.<br><br>C.R.I.S.P. power rates are expected to increase for the next 12 months \$1-\$3 per month per resident. |
| MONTHLY<br>COLLECTION OF<br>SALES TAX<br>UPDATE      | Town Clerk reported to the council the \$605.71 additional estimated monthly collection disbursement revenue in sales tax would be the total for the year.   |
| MUNICIPAL<br>ELECTION                                | Council discussed those candidates who have filed for office. There are two, Dennis Shirley and Clayton Creek who have filed for the two-year position. Five persons, James Prather, Lea Ann Adams, Stephen Walker and Tony Searle and Eldon McMurray have filed for the two four-year positions.  |
| JOHN W. THOMAS<br>PAVILION                           | Council decided to have a presentation ceremony on October 22, 1991 at 6:30 p.m. to dedicate the pavilion. Town Clerk is to order plaque.  |
| RENEWAL OF<br>FIRE<br>PROTECTION<br>AGREEMENT        | Councilman Shirley is to review the existing contract for back up fire protection agreement. Agreement expires October 31, 1991.   |

Minutes of the Elk Ridge Town Council Work Session - 9-24-91

BALL PARK  
SPRINKLERS

Councilman Foster informed the council that the sprinklers are reaching the end of their life cycle. He recommends that next year the council consider replacing them with a commercial grade sprinklers instead of the residential type. Maintenance costs should be less and offset the replacement cost over time.

PLANNING  
COMMISSION  
REPORT

Councilman Prather reported the new planning commission member, Pam Knight was sworn in at the last meeting.

The preliminary and final plat for the Lomento Subdivision was approved by the planning commission.

Zone ordinance revisions for fences, signs, carports and garages was tabled to the next regular scheduled planning commission meeting.

Rodney Despain reviewed with the planning commission the basic state guidelines, rules and responsibilities of the planning commission and its role with the Town Council and discussed the basics of Master planning. Planning commission will meet in a special session on Tuesday, October 1st at 8:00 p.m. to specifically discuss Master Planning.

Planning Commission will be undergoing training sessions using materials published by the University of Utah and other various training programs were discussed.

ELK RIDGE TOWN COUNCIL MEETING

September 24, 1991

TIME & PLACE OF MEETING      The regular meeting of the Elk Ridge Town Council was held on Tuesday, September 24, 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, Jack Lomento, Lea Ann Adams

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 September 20, 1991.

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

MINUTES OF PREVIOUS MEETINGS MINUTES      Following a review of the minutes, MOTION WAS MADE BY JAMES PRATHER, SECONDED BY CLARENCE FOSTER TO APPROVE THE MINUTES OF THE ELK RIDGE TOWN COUNCIL MEETING ON SEPTEMBER 10, 1991 WITH CHANGES AS FOLLOWS: PAGE 143, FIRST PARA., THE WORD "MUTE" SHOULD BE "MOOT".

PAGE 145, FIRST PARA., THE WORDS "Foreign Home" SHOULD BE "Farm Home Administration".

PAGE 145, FOURTH PARA., SHOULD READ: " Bruce Hall reported that Art Jueschke questioned easements needing to be on every property line. Engineer, Bruce Hall, indicated any changes in what the ordinance requires will need an ordinance amendment, which goes through the planning commission."

PAGE 145, FIFTH PARA., LAST SENTENCE SHOULD READ: "The possibilities of drilling a well in Loafer Canyon above the fault line in the Loafer Recreation Association area were discussed.

PAGE 146, FIRST PARA., LAST SENTENCE SHOULD READ: "VOTE: YES-HAL SHULER, CLARENCE FOSTER, JAMES PRATHER(3); NO-NONE(0); ABSTAIN-JAMES BEAN(1); ABSENT-DENNIS SHIRLEY(1)."

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



Minutes of the Elk Ridge Town Council Meeting - 9-24-91

PRELIMINARY  
& FINAL PLAT  
APPROVAL FOR  
PLAT A,  
LOMENTO  
SUBDIVISION

Council reviewed the plat map and discussed the need for the engineer to review the plat and the required improvements a water lateral needs to be completed. The sewer lateral will not be necessary as the connection will tap into the sewer main which is located on the lot property. MOTION WAS MADE BY DENNIS SHIRLEY, SECONDED BY JAMES PRATHER TO APPROVE THE PRELIMINARY AND FINAL PLAT FOR THE LOMENTO SUBDIVISION, PLAT A, SUBJECT TO THE ENGINEER'S REVIEW, PAYMENT OF FEES AND THE WATER LATERAL BEING COMPLETED. VOTE: YES-ALL(5); NO-NONE(0).

BID  
SPECIFICATIONS  
FOR SPECIAL  
IMPROVEMENT  
DISTRICT 91-1  
AND OTHER  
STREET  
IMPROVEMENTS

Engineer, Bruce Hall, informed the council he has advertised the Bid Closing to be held on September 30, 1991. Bruce Hall discussed with the council the work being included in the bid which included the Cortez Drive street improvements with water and sewer laterals, three areas to have water and sewer asphalt repairs for the water/sewer dept., replacement of the Hillside Drive culvert and widen and dress up the curve on Lakeview/Hillside Drive. MOTION WAS MADE BY HAL SHULER, SECONDED BY CLARENCE FOSTER TO APPROVE THE BID SPECIFICATIONS AS PRESENTED BY BRUCE HALL. VOTE: YES-ALL(5); NO-NONE(0).

ADOPTION OF  
RESOLUTION TO  
AMEND PLAT G,  
SALEM HILLS  
SUBDIVISION

Council reviewed the resolution document and noted the legal description for that portion of Salem Hills Drive to be deleted from the plat and an easement description for where the existing water main is located have not been completed and attached as "Exhibit A".

Engineer is to complete the legal descriptions and this item is to be scheduled for the next meeting. No action until documents have been completed.

FINAL PLAT  
APPROVAL FOR  
LOAFER HOLLOW  
PLATS, A,B,C&D

Hal Shuler indicated the documents are not completed. This item is to be rescheduled for the next meeting.

STATUS OF  
SURPLUS BRUSH  
FIRE TRUCK -  
KENT CRAWFORD

Councilman Shuler reported the cost of \$400 is to complete brakes, front-end and door repairs as given by Carter's in Payson.

Minutes of the Elk Ridge Town Council Meeting - 9-24-91

UPDATE SID/RDA Mayor Bean reported to the council the letter  
GOLF COURSE received from Glen Vernon, Payson City  
PROPERTY Administrator, where he states that a financial  
analyst for First Security Bank has advised  
Payson City the reasons that this kind of  
project is not favorably viewed in today's  
market. At this point, Payson's City Council  
is not willing to put Payson City in the role  
of guarantor for a private development. Unless  
they are able to find a more acceptable method  
of financing the water and sewer improvements  
for the area around the golf course, the Payson  
City Council intends to take no further action  
at this time toward installing such  
improvements.

WATER RIGHTS Council reviewed and discussed changes in the  
AGREEMENT final draft of the water rights agreement.  
Changes are to be reviewed by attorney Steven  
Killpack prior to document signing scheduled  
for Thursday, September 26 at 5:00 p.m.  
Engineer informed the council that the water  
was used for irrigation prior to Mr. Waters  
ownership. MOTION WAS MADE BY CLARENCE FOSTER,  
SECONDED BY HAL SHULER, TO APPROVE THE WATER  
RIGHTS AGREEMENT WITH THE CHANGES NOTED BY THE  
COUNCIL. VOTE: YES-ALL(5); NO-NONE(0).

FINANCING FOR Nothing new to report. Mayor Bean was advised  
DEVELOPMENT to meet with Donald Cole as soon as possible.  
OF ADDITIONAL  
WELL

ADOPTION OF MOTION WAS MADE BY JAMES PRATHER, SECONDED BY  
UTAH CRIMINAL CLARENCE FOSTER TO APPROVE ORDINANCE 91-9-24-15  
& TRAFFIC CODE, ADOPTING THE UTAH CRIMINAL & TRAFFIC CODE, 1991  
1991 EDITION EDITION. VOTE: YES-ALL (5); NO-NONE(0).

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

  
Town Clerk