

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a special Town Council Meeting on Friday, June 4th, 1993, at 11:30 A.M. for the purpose of authorizing a short-term loan for use by the Town for expenditures associated with the New Well in Loafer Canyon. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

11:30 A.M. SPECIAL COUNCIL MEETING AGENDA ITEMS:

- 11:35 A.M. Invocation & Pledge of Allegiance
- 11:40 A.M. Approval of Agenda Time Frame
- 11:45 A.M. New Well/Short Term Loan
 Authorize Mayor to Sign for Loan, &
 Town Clerk to Attest to Authorized
 Signature
- 11:55 A.M. Adjournment

Additions to Agenda:

Closed Session: Executive Session/Discussion of Litigation

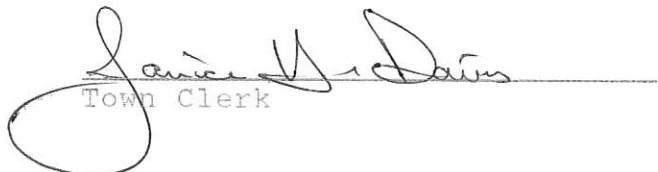
The times listed for each item and the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 3rd day of June, 1993


Town Clerk

CERTIFICATION

I, the undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was hand carried to the Payson Chronicle, 12 South Main, Payson, Utah and to each member of the governing body on June 3, 1993.


Town Clerk

Town Council Agenda
6-8-93

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

Dated this 4th day of June, 1993.


Town Clerk

CERTIFICATION

I, the undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was mailed to the Daily Herald, 1555 N. 200 W., Provo, Utah and mailed to each member of the governing body on June 4, 1993.


Town Clerk

SPECIAL MEETING OF THE ELK RIDGE TOWN COUNCIL

June 4, 1993

TIME & PLACE OF MEETING A special meeting of the Elk Ridge Town Council was held on Friday June 4, 1993, Council Meeting was held at 11:30 A.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was hand carried to the Payson Chronicle and to each member of the governing body on June 3, 1993.

ROLL CALL Mayor Bean, Council members: Lee Ann Adams, Hal Shuler; Janice H. Davis, Town Clerk.


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

APPROVAL OF AGENDA TIME FRAME MOTION WAS MADE BY MAYOR BEAN SECONDED BY LEA ANN ADAMS TO APPROVE THE AGENDA TIME FRAME AS PRESENTLY CONSTITUTED. VOTE: YES-ALL(3), NO-NONE(0).

SHORT TERM LOAN MOTION WAS MADE BY MAYOR BEAN SECONDED BY LEA ANN ADAMS, TO AUTHORIZE A SHORT TERM LOAN IN THE AMOUNT OF \$60,000 FOR USE BY THE TOWN, 1. FOR PURCHASE OF 136.5 ACRE FEET OF WATER RIGHTS FROM WESLEY WATERS. 2. \$30,000 AS PAYMENT TO THE FOURTH DISTRICT COURT, TO BE PLACED IN AN ESCROW ACCOUNT BY THE COURT, AS PART OF THE REQUIREMENTS OF THE CONDEMNATION PROCEEDINGS. VOTE: YES-ALL(3), NO-NONE(0).

MOTION WAS MADE BY LEA ANN ADAMS SECONDED BY HAL SHULER, TO AUTHORIZE MAYOR BEAN TO SIGN FOR THE SHORT TERM LOAN FOR PURPOSES OF 1. PURCHASE OF WATER RIGHTS 2. PAYMENT TO THE FOURTH DISTRICT COURT; AND TO AUTHORIZE THE TOWN CLERK TO ATTEST TO THE MAYOR'S SIGNATURE. VOTE: YES-ALL(3), NO-NONE(0).

ADJOURNMENT MOTION WAS MADE BY MAYOR BEAN SECONDED BY LEA ANN ADAMS TO ADJOURN. VOTE: YES-ALL-(3), NO-NONE(0).


TOWN CLERK

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, June 8, 1993, beginning with the Council Work Session at 7:00 P.M., 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:

SESD Report
Water Share Policy

8:00 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:

8:05 Invocation & Pledge of Allegiance
8:10 Approval of Agenda Time Frame
8:15 Richard Robertson/Water
8:25 Agreements-Rod Despain
Thorne Water Rights
Don Mecham
8:50 Well #4-Tony Searle
9:00 New Well-Tony Searle
9:20 Budget Discussion
93/94 Budget Must Be Ready by 6-12-93
10:00 Pest Control-Lea Ann Adams
10:10 Administrative Concerns-Lea Ann Adams
10:15 Parks/Recreation-Hal Shuler
4th of July Celebration
10:00 Roads Update-Hal Shuler
Snowplow Replacement
10:15 SID Update/Payment Extension (Norma Anderson)
10:20 Approval of Development Fees/350 N. Salem Hills Dr.
10:25 Approval of Minutes for Previous Meeting
10:35 Consideration for and Adoption of a Resolution making technical corrections and amendments to the Bond Resolution of July 14, 1992, authorizing the issuance of Parity Water Revenue Bonds, Series 1992, of Elk Ridge Town, Utah County, Utah.
10:45 Expenditures:
General:
Approval of Financial Report/ April, 1993
Approval of Expenditures for May, 1993
11:00 Adjournment

Additions to Agenda: Eliason/Subdivision Requirements
Ken Orton

Closed Session: Executive Session/Discussion of Litigation

ELK RIDGE TOWN COUNCIL WORK SESSION

June 8, 1993

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, June 8, 1993, beginning with the Work Session at 7:00 PM, and the regular Council Meeting at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on June 4, 1993.

ROLL CALL Mayor Bean, Council members: Clayton Creek(absent), Tony Searle, Lee Ann Adams, Hal Shuler; Rod Despain, Don Mecham, Richard Robertson, Jack Robertson; Water Board Members - Ron Thomas, Lee Ryan, Cory Ruward, Janice H. Davis, Town Clerk

SESD-
RON COOPER Ron Cooper was not present.

WATER SHARE
POLICY Review of the current water situation for the Water Board Members present.
Rod Despain discussed options:
Now that the Town has purchased the 136.5 acre feet of water rights from Wesley Waters, there are approximately 52 acre ft. above those already committed (in a low water year) and 100 acre ft. (in a high water year)
What to do?

1. Keep this as a "cushion" and adopt the policy that connections, for a fee (500), are not available.
 - A. A draft of the Deanna Thorne Agreement, for purchase of additional water rights, was presented to the Council, by Rod Despain.
 1. About 62 acre ft.
 2. Developers still must find their own shares to transfer.
2. The Council could decide that there are extra Water rights, with the question of "How to Allocate those out?"
 - A. Not on a 1st come, 1st serve basis
 - B. These would be "City-acquired" rights

ELK RIDGE TOWN COUNCIL WORK SESSION - 6-8-93 CONT.

Mr. Despain recommends an annualized number, subject to periodic review. He also recommends that the ideal would be to maintain a "cushion" of 2 to 3 time what is required.

Do to time, the Work Session will resume after the regular Council Meeting.

ELK RIDGE TOWN COUNCIL MEETING

June 8, 1993

TIME & PLACE
OF MEETING

The regular meeting of the Elk Ridge Town Council was held on Tuesday, June 8, 1993, beginning with the Work Session at 7:00 PM, and the regular Council Meeting at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on June 4, 1993.

ROLL CALL

Mayor Bean, Council members: Clayton Creek(absent), Tony Searle, Hal Shuler, Lee Ann Adams; Rod Despain, Don Mecham, Richard Robertson, Jack Robertson, Cory Ruward, Janice H. Davis, Town Clerk

INVOCATION &
PLEDGE OF
ALLEGIANCE

Prayer was offered by Hal Shuler, with the pledge allegiance following.

APPROVAL OF
AGENDA TIME
FRAME

MOTION WAS MADE BY TONY SEARLE, SECONDED BY LEA ANN ADAMS, TO APPROVE THE AGENDA TIME FRAME AS PRESENTLY CONSTITUTED. VOTE: YES-(4), NO-NONE(0), ABSENT-CLAYTON CREEK

RICHARD
ROBERTSON/
WATER

Richard Robertson was present to explain his situation to the Council: He owns 10 acres South-West of the upper water storage tank. The road accessing the tank cuts across his land. There are problems with this:

1. No easements were obtained for the road
2. Land was not only sacrificed, but that portion was never restored properly.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 6-8-93 CONT.

Proposal:

Mr. Robertson wants to build on his land. He would be willing to allow the Town legal access to the road on his land with no problems. In return, he wants to hook onto the Elk Ridge Water System. The subdivision requirements (including the obligation to front a public road) was discussed with Mr. Robertson previously by the Town Clerk, and at this Council Meeting. The Council wants Mr. Robertson to fully understand that if he is willing to comply with the Town's subdivision requirements, they would be willing to grant the following:

1. Waiver of \$1,500 Development fees in exchange for the Right of Easement for the existing road
2. Water Right

The Council (Councilmember Searle) will have 90 days to have the Engineer give a description, and the Council will address the feasibility of Mr. Robertson's proposal.

AGREEMENTS-
ROD DESPAIN
THORNE WATER
RIGHTS

Rod Despain presented a proposed agreement for the purchase of approximately 62 acre ft. from Deanna Thorne. He and the Council reviewed the document. 1) Does the Town want an "escape clause"? (It is recommended that item #9 be stricken from the agreement.) 2) \$200 binder is required 3) Payment: a) within 40 days after the transfer b) based on amount of water rights actually transferred. It was decided to leave in Item #7, and see if it is questioned.

MOTION WAS MADE BY TONY SEARLE SECONDED BY LEA ANN ADAMS, TO APPROVE THE AGREEMENT, AS PRESENTED, WITH THE CHANGES MENTIONED; AND TO AUTHORIZE ROD DESPAIN TO PRESENT IT TO LEGAL COUNSEL FOR REVIEW; AND TO THEN NEGOTIATE WITH THE THORNES. VOTE: YES-(4), NO-NONE(0), ABSENT-CLAYTON CREEK.

Mr. Despain feels fairly comfortable, with preliminary review, that the 62 acre feet look transferable.

DON MECHAM

Don Mecham submitted a written proposal of \$15,000, earlier in the week, to the Town. (each councilmember was given a copy) Rod Despain prepared a possible agreement in response to Mr. Mecham's proposal. This was reviewed with the

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 6-8-93 CONT.

Council. Mr. Mecham wants 15 water connections in exchange for the \$15,000, when the availability of water is sufficient to cover his request. The \$15,000 would be used to clean Well #4 and to install a new pump and motor in an effort to increase the well's pumping capacity. Councilmember Searle advised the Council that Well #2, and #3 are pumping slightly less than they were last year. Well #4 is pumping approximately the same amount. If the upgrade of Well #4 is effective, at what point (gallons per minute) will Mr. Mecham's request be met? Councilmember Searle reports that the Water Board would recommend not allocating any water rights until the Town drills the New Well and knows what kind of a well it will be. The Council discussed the option of not accepting Mr. Mecham's \$15,000 and the Town paying for the upgrade of Well #4. Mr. Mecham said he wants the feelings of the Council to be clear on the terms with regard to the \$15,000. Should it be as 1) donation 2) tied to development fees. Mr. Mecham wants to be allowed to continue with the subdivision process (Preliminary approval of about 40 lots) understanding that the Final Plat would be fewer lots to begin the first phase of development. Mr. Mecham could get approval on all but a Final Approval. Mr. Mecham feels that the Council has not dealt fairly with him as far as requests made of him, financially; and the position the Town seems to be in now.

MOTION WAS MADE BY MAYOR BEAN SECONDED BY HAL SHULER, TO APPROVE THE AGREEMENT BETWEEN THE TOWN OF ELK RIDGE AND MECHAM DEVELOPMENT INC., AS PRESENTLY WRITTEN WITH 10 LOTS TO RECEIVE WATER RIGHTS.

Discussion: Councilmember Shuler feels a Closed Session with Councilmember Creek present would be in order. There would be no legal basis for a Closed Session VOTE: YES-MAYOR BEAN, HAL SHULER, NO-TONY SEARLE, LEA ANN ADAMS, ABSENT-CLAYTON CREEK.

MOTION WAS MADE BY HAL SHULER SECONDED BY MAYOR BEAN, TO APPROVE THE AGREEMENT, AS WRITTEN, WITH 15 LOTS, AND THE \$15,000 ACCEPTED AS A DONATION RATHER THAN AS PRE-PAYMENT OF DEVELOPMENT FEES. (PARAGRAPH #1), AND TO ALLOW MECHAM DEVELOPMENT INC. 15 OF THE THORNE WATER RIGHTS (PARAGRAPH 4-A)

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 6-8-93 CONT.

VOTE: YES-MAYOR BEAN, HAL SHULER, NO-TONY SEARLE, LEA ANN ADAMS, ABSENT-CLAYTON CREEK.

Mr. Mecham reminded the Council that if the capacity is not sufficient, there will be no Final Plat Approval.

MOTION WAS MADE BY LEA ANN ADAMS SECONDED BY MAYOR BEAN, TO APPROVE THE AGREEMENT, AS WRITTEN BY ROD DESPAIN. UNDER TERMS AND CONDITIONS THAT: 1) THE \$15,000 BE ACCEPTED AS A DONATION RATHER THAN AS PARTIAL PREPAYMENT OF DEVELOPMENT FEES 2) APPROVE 15 CONNECTIONS TO 15 LOTS AND 3) THAT THE WELL CAPACITY SHOULD BE AT 413 GPM FOR ALL 3 WELLS COMBINED BEFORE ANY OF THE 15 CONNECTIONS WOULD BE ALLOCATED TO MR. MECHAM'S DEVELOPMENT. VOTE: YES-ALL(4), NO-NONE(0), ABSENT, CLAYTON CREEK.

WELL #4

No further information.

NEW WELL-
TONY SEARLE

The State requires a Public Hearing to demonstrate "public Support" of the loan for the New Well. Public Meetings have taken place, but no hearings.

A mailing to all Elk Ridge Water System Users will take place 6-9-93, giving notice of the Public Hearing as well as a possible, future increase of the base water rate of \$20.00 per month to \$22.00 per month (\$2.00 increase). The particular wording was faxed to the Town by the Bond Attorney, Ken Chamberlain.

MOTION WAS MADE BY TON SEARLE SECONDED BY LEA ANN ADAMS, TO SET A PUBLIC HEARING TO DETERMINE "PUBLIC SUPPORT" OF THE NEW WELL PROJECT, AS WELL AS TO RECEIVE COMMENTS ON A POSSIBLE, FUTURE INCREASE OF WATER RATES = \$2.00; FOR JUNE 18TH, 1993, AT 6:00 P.M. VOTE: YES-ALL(4), NO-NONE(0), ABSENT, CLAYTON CREEK.

BUDGET
DISCUSSION

Budget items discussed.

Major items affecting the 1993/94 Budget:

1. Compensation of salaries for Statutory Officers
 - A. .03 (COLA) + .50 raise for all Clerks
 - B. Town Clerk to go onto a 401 K plan with the State Retirement Systems.
 1. As of 7-1-93, State Retirement Systems use 7.80% of Gross Income

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 6-8-93 CONT.

Councilmember Searle commented that he feels that a single clerk with more accounting experience would do a better job with budgets and financial reports.

2. Purchase of a rebuilt Snowplow at approximately \$38,000 (financing would be required). With \$5,00 down payment, the annual obligation would be about 7-8,000/year. Councilmember Shuler feels this can be traced as a revenue source through the Fund Balance.

3. A new Capital Projects Funds will be set up - Capital Projects - Parks. The current Capital Projects - Town Hall-Firestation - will close out with the 571 going to Capital Projects Funds - Parks.

PEST CONTROL- Dates for spraying remain as scheduled; June 11-19,
LEA ANN ADAMS July 19-26. Councilmember Shuler says the hay may not be all out by then, due to mechanical difficulties and rain.

ADMINISTRATIVE Councilmember Adams suggests that the Councilmembers
CONCERNS- take turns attending the monthly Mayor's meetings to
LEA ANN ADAMS gain more information about grants and funding for municipal projects.

PARKS/ The Parks and Recreation Board will be meeting 6-16-
RECREATION- 93. More members are needed for the Board.
HAL SHULER

ROADS UPDATE- The County has not been contacted as far as road
HAL SHULER repair. Councilmember Shuler will meet with Clyde Naylor before 7-1-93.

SID UPDATE/ Norma Anderson is selling lot #24 to Lynn Jacobson.
PAYMENT They have requested an extension in the time that
EXTENSION interest will not accrue for the assessment. Mr.
NORMA ANDERSON Jacobson assured the Town that the assessment for lot #24 would be paid before the end of June, 1993. The Council feels this arrangement is acceptable.

APPROVAL OF In an effort to determine if development fees have
DEVELOPMENT been paid on the lot at 350 No. Salem Hills Dr., the
FEES/350 NO. Clerk is to contact South Rim Real Estate
SALEM HILLS DR. (representing the seller of said lot) and request a cover letter, with a date, for the copy of a disclosure/settlement statement submitted to the Town, from the Title Company handling the transaction. They should also have a copy of the cashiers' check.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 6-8-93 CONT.

APPROVAL OF MINUTES OF THE PREVIOUS MEETING MOTION WAS MADE BY TONY SEARLE SECONDED BY LEA ANN ADAMS, TO APPROVE THE MINUTES OF THE PREVIOUS MEETING AS PRESENTLY CONSTITUTED, WITH THE FOLLOWING CHANGE: PG. #12, 3RD PARAGRAPH: CHANGE "LOOSE" TO "LOSE". VOTE: YES-ALL(4), NO-NONE(0), ABSENT-CLAYTON CREEK.

ADOPTION/ AMENDMENT TO PARITY WATER REVENUE BONDS MOTION WAS MADE BY MAYOR BEAN SECONDED BY TONY SEARLE, TO ADOPT A RESOLUTION MAKING TECHNICAL CORRECTIONS AND AMENDMENTS TO THE BOND RESOLUTION OF JULY 14, 1992, AUTHORIZING THE ISSUANCE OF PARITY WATER REVENUE BONDS, SERIES 1992, OF ELK RIDGE TOWN, UTAH COUNTY, UTAH. VOTE: YES-ALL(4), NO-NONE(0), ABSENT-CLAYTON CREEK.

APPROVAL OF EXPENDITURES FINANCIAL REPORT/APRIL MOTION WAS MADE BY TONY SEARLE SECONDED BY LEA ANN ADAMS, TO APPROVE THE FINANCIAL REPORT FOR APRIL, 1993. VOTE: YES-ALL(4), NO-NONE(0), ABSENT-CLAYTON CREEK.

APPROVAL OF EXPENDITURES FOR MAY, 1993 MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR BEAN, TO APPROVE THE EXPENDITURES FOR MAY, 1993. VOTE: YES-ALL(4), NO-NONE(0), ABSENT-CLAYTON CREEK.

ELIASON/ SUBDIVISION REQUIREMENTS Current road requirements for the R&L - 2,000 Zone are under reconsideration by the Planning Commission and the Council will probably get a recommendation from the Planning Commissions on this matter. The Eliasons began the subdivision process before the adoption of the current Zoning Ordinance. They seek a variance from the 56' Right of Way, with 42" of pavement, as presented on the cross-section on the Plat drawing, which has already been approved. They wish to continue the already existing road more in accordance to the existing width and requirements.

MOTION WAS MADE BY LEA ANN ADAMS SECONDED BY MAYOR BEAN, TO APPROVE THE RURAL CROSS SECTION, AS CONTAINED IN THE CURRENT SUBDIVISION ORDINANCE; WITH THE FOLLOWING:

1. NO CURB AND GUTTER
2. 28' PAVED ROAD
3. 8' GRAVEL APRON
4. 6' BARROW PIT.

VOTE: YES-ALL(4), NO-NONE(0), ABSENT-CLAYTON CREEK.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 6-8-93 CONT.

ADJOURNMENT MOTION WAS MADE BY TONY SEARLE SECONDED BY LEA ANN ADAMS TO ADJOURN. VOTE: YES-ALL(4), NO-NONE(0), ABSENT-CLAYTON CREEK


MINUTES OF ELK RIDGE TOWN COUNCIL WORK SESSION 6-8-93 CONT.

After a continuation of the discussion of the Water Share policy, the Council recommends the following:

Water Rights (Rights to Connect onto the Elk Ridge Water System)

1. Maximum of three(3) rights to connect to any one individual per year
2. Maximum rights to connect available for allocation per year = 24
 A) Kim Christensen and Scot Bell are considered part of the 24 for this year.

Developers are still encouraged to find Water Shares for transfer to the Town.


Town Clerk

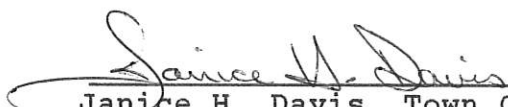
NOTICE OF PUBLIC HEARING

TO ALL CULINARY WATER USERS OF ELK RIDGE TOWN:

Notice is hereby given, that on the 18th day of June, 1993, at the hour of 6:00 P.M., at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah, a public hearing will be held to give notice of and to receive comments, objections and protests to the issuance of a non-voted revenue bond of the Town of Elk Ridge in the amount of \$367,000 payable with interest at the rate of 2% per annum in 25 annual installments of approximately \$19,000 (which may be more or less but sufficient to satisfy repayment of the bond).

The repayment schedule may have a future impact on the user rate charges to be assessed at \$22.00 per month. Each user on the Elk Ridge Town culinary water system may, in addition to or in lieu of appearing at the hearing mentioned above, respond in writing within ten days of the date of this notice. Any verbal or written protests or comments will be submitted to the Utah State Drinking Water Board to determine whether or not there is sufficient opposition to the project for which the bonds are issued and sold. The project includes the drilling of a well and construction of drinking water system improvements. At the public hearing to be held on June 18, 1993, all oral or written protests or objections will be considered.

DATED this 9th day of June, 1993



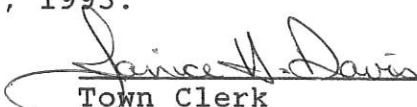
Janice H. Davis, Town Clerk
Town of Elk Ridge

CERTIFICATION

I, the duly appointed and acting clerk for the Town of Elk Ridge, do hereby certify that copies of the foregoing Notice of Hearing were mailed to each water user on the Elk Ridge Water System, and were posted at three public places within the municipality this 9th day of June, 1993, which public places are:

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

Dated this 9th day of June, 1993.



Town Clerk

NOTICE & AGENDA

Notice is hereby given, that on the 18th day of June, 1993, at the hour of 6:00 P.M., at the Elk Ridge Town Hall, 80 East Park Dr., Elk Ridge, Utah, a Public Hearing will be held to give notice and to receive comments, objections and protests to the issuance of a non-voted revenue bond of the Town of Elk Ridge in the amount of \$367,000 payable with interest at the rate of 2% per annum in 25 annual installments of approximately \$19,000 (which may be more or less but sufficient to satisfy repayment of the bond).

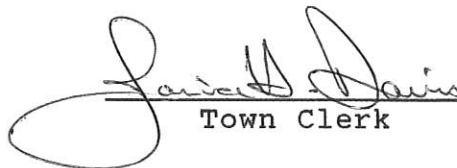
The repayment schedule may have a future impact on the user rate charges to be assessed at \$2.00 over the already established base rate of \$20.00/month. Each user on the Elk Ridge Town culinary water system may, in addition to or in lieu of appearing at the hearing mentioned above, respond in writing within 10 days of the date of this notice. Any verbal or written protests or comments will be submitted to the Utah State Drinking Water Board to determine whether or not there is sufficient opposition to the project for which the bonds are issued and sold. The project includes the drilling of a well and construction of drinking water system improvements. At the public hearing to be held on June 18, 1993, all oral or written protests or objections will be expressed.

SPECIAL PUBLIC HEARING AGENDA ITEMS

6:00 P.M.	Invocation & Pledge of Allegiance
	Public Hearing on Utah State Drinking Water Non-Voted Revenue Bond & Possible Water Rate Increase for Elk Ridge Town Water System Users
7:00 P.M.	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 16th day of June, 1993.


Town Clerk

TOWN COUNCIL AGENDA
6-18-93

CERTIFICATION

I, 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 hand delivered to the Payson Chronicle, 12 South Main, Payson, Utah and to each member of the governing body on June 16th, 1993.


Town Clerk

ELK RIDGE TOWN PUBLIC HEARING

June 18, 1993

TIME AND
PLACE OF
MEETING

A Public Hearing was held on June 18, 1993, at 6:00 P.M., at the Elk Ridge Town Hall, 80 East Park Dr., Elk Ridge, Utah, to give notice and to receive comments, objections and protests to the issuance of a non-voted revenue bond of the Town of Elk Ridge in the amount of \$367,000 payable with interest at the rate of 2% per annum in 25 annual installments of approximately \$19,000 (which may be more or less but sufficient to satisfy repayment of the bond. Consideration will also be given to all oral or written protests or objections to a possible Water Rate increase of \$2.00 over the already established base rate of \$20.00 per month.

Notice of time, place and Agenda of this meeting was mailed to each water user on the Elk Ridge Water System, and was posted at three public places within the municipality on the 9th day of June, 1993.

ROLL CALL

Mayor Bean, Council members: Clayton Creek, Tony Searle, Lee Ann Adams, Hal Shuler; Paul Cazier, Roger Bean, Bettylou Bean, Mr. Lynn Jacobson, Jerry Fuller, Carolyn Curtis, Dave Curtis, Stan Cole, Leann Moody (representing the Provo Herald), Jim Nicolet.

INVOCATION &
PLEDGE OF
ALLEGIANCE

Prayer was offered by Hal Shuler, with the pledge allegiance following.

There was no opposition, only questions of concern by some citizens.

Mr. Lynn Jacobson had questions on the following:

1. Size of the Well and the Test Well
2. Tank Capacity
3. Location of the Well
4. Water Shares
5. Water rates

Current capacity of Elk Ridge holding tank is adequate for the already existing wells, and the New Well. No new tank is required at this time.

MINUTES OF PUBLIC HEARING - 6-18-93 CONT.

There was a brief discussion of the condemnation proceedings. Of the points left to negotiate with Loafer Recreation Association, one of the major issues is the water line coming from the Well and the impact on the property upon which the water line will travel. If need be, Elk Ridge will move the water line so it would not go across the property owned by Loafer Recreation Associates.

The Town used a "court approve" appraiser and paid the higher price for an appraisal which would be acceptable to the courts. The Council feels the Town is on "solid ground" as far as the appraisal price quoted for the well site. Mr. Jim Nicolet questioned if the Town will be able to pay off the loan from the State early. The Council feels no early "pay-off" to the State is anticipated. He also wanted to know why a rate increase is being considered. Reasons were discussed including the rising cost of materials over the year or so it has taken to actually drill the well; condemnation has driven the costs up in court fees, attorney fees, appraiser fees and could continue to drive those costs up before the process is complete.

Will rates go down sometime in the future? That is difficult to predict; but, with the New Well in a position to "free fall" to the tank rather than expensive pumping costs, there is a hope of rates going down in the future.

Water rights vs. available water to supply those rights was discussed.

Paul Cazier wanted to know if new rights are being purchased. He was assured that the Town already has acquired and will continue to acquire additional water rights.

ADJOURNMENT

MOTION WAS MADE BY TONY SEARLE SECONDED BY CLAYTON CREEK TO ADJOURN. VOTE: YES-ALL(5), NO-NONE(0).


Town Clerk

NOTICE OF HEARING

On Tuesday, June 22, 1993 at 8:45 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 Salary	Proposed Salary
Mayor	\$125.00 per mo.	\$125.00 per mo.
Council member	\$ 75.00 per mo.	\$ 75.00 per mo.
Town Clerk/Recorder	\$ 7.00 per hr.	\$ 7.71 per hr.
Deputy Clerk/Recorder	\$ 5.75 per hr.	\$ 6.43 per hr.
Treasurer	\$ 6.25 per hr.	\$ 6.94 per hr.
Attorney	\$ 75.00 per hr.	\$ 75.00 per hr.

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

Dated this 14th day of June, 1993.

Posted by order of the Elk Ridge Town Council.

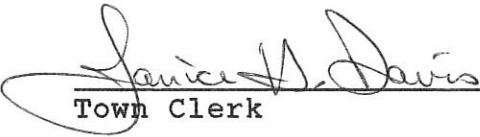

Town Clerk

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 14th day of June, 1993, 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 14th day of June, 1993.


Town Clerk

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, June 22, 1993, beginning with the Council Work Session at 7:00 P.M., 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:

SESD Report
New Well Update-Mayor Bean
Legal Council
Pest Control

8:00 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:

8:05 Invocation & Pledge of Allegiance
8:10 Approval of Agenda Time Frame
8:15 Public Hearing on an Ordinance Providing for the Compensation of Elected & Statutory Officers of Elk Ridge.
8:30 Well #4/Update-Gary Proctor
8:40 Adoption of Water Share Application Policy
8:55 Adoption of an Ordinance for the Compensation of Elected & Statutory Officers of Elk Ridge Town
9:00 Public Hearing on the issue of Adopting the Final Budget for the Fiscal Year 1993/1994; and for the purpose of Adopting the Certified Tax Rate for 1993/1994
9:30 New Well-(Any Action from Work Session Discussion)
9:45 Roads/Update-Hal Shuler
Repairs
Snowplow Replacement
Motion for Loan for Financing
10:00 Parks/Recreation-4th of July
10:05 Adoption of the Final Budget for the Fiscal Year 1993/1994
10:10 Adoption of the Certified Tax Rate for the Fiscal Year 1993/1994
10:00 Approval of Minutes of Previous Meeting
10:15 Expenditures:
General
Approval of Expenditures for May, 1993
Approval of Financial Report for May, 1993
10:30 Adjournment

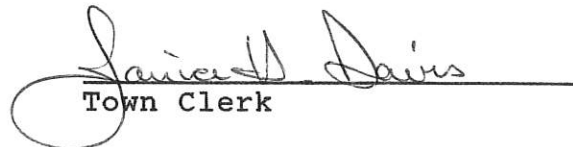
Additions to Agenda: Eliason/Subdivision Requirements
Ken Orton

Closed Session: Executive Session/Discussion of Litigation

Town Council Agenda
6-22-93

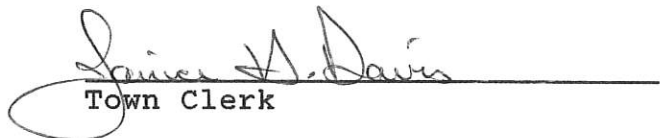
The times listed for each item and the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 17th day of June, 1993.


Town Clerk

CERTIFICATION

I, the undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was mailed to the Daily Herald, 1555 N. 200 W., Provo, Utah and mailed to each member of the governing body on June 17, 1993.


Town Clerk

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ELK RIDGE TOWN COUNCIL WORK SESSION

June 22, 1993

TIME & PLACE OF MEETING

The regular meeting of the Elk Ridge Town Council was held on Tuesday, June 22, 1993, beginning with the Work Session at 7:00 PM, and the regular Council Meeting at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on June 17, 1993.

ROLL CALL

Mayor Bean(absent), Council members: Clayton Creek(Mayor Pro Tempore), Tony Searle(absent), Lea Ann Adams, Hal Shuler; Don Mecham, Kent Crawford, Gary Proctor, Janice H. Davis, Town Clerk

SESD- RON COOPER

Ron Cooper was not present.

NEW WELL UPDATE

The Town Clerk reports that the closing (the first of two with the State Drinking Water Board) took place that morning at Ken Chamberlain's office in Richfield, Utah. \$246,000 was loaned to the Town, with \$121,00 left for the water line on the New Well project. Michael Georgeson will see that the amount will be deposited in the Town's State Treasury Account.

It was reported by Councilmember Creek that the Well Driller cleared a section of ground approximately 100'x 100'. When the Driller asked Bruce Hall, he was given clearance to clear as much as he felt he needed. Councilmember Searle had given directions to Bruce Hall to impact the area as little as possible. Loafer Recreation Associates are upset and Councilmember Creek feels this puts the Town in a negative light. He recommends that the Town replants and restores as much as possible, as soon as possible. Kent Crawford feels that the area may be necessary for catching run off from the drilling. Councilmember Creek advised that the procedures for drilling, as well as construction of the well, must be well defined, in a document. Don Mecham suggested a prepared proposal for the laying of the water line, and that it must be supervised, enforcing the proposal.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 6-22-93 CONT.

It is to be in the Work Session of the next Regular Town Council meeting to be held 7-13-93.

ADOPTION OF
AN ORDINANCE
FOR THE
COMPENSATION
OF ELECTED &
STATUTORY
OFFICERS OF
ELK RIDGE TOWN

MOTION WAS MADE BY LEA ANN ADAMS SECONDED BY HAL SHULER, TO ADOPT ORDINANCE #93-6-22-3. VOTE: YES-(3), NO-NONE(0), ABSENT(2)-MAYOR BEAN, TONY SEARLE.

PUBLIC
HEARING/
ADOPTION OF
FINAL BUDGET
AND TAX RATE
1993-1994

At 9:00 pm, a Public Hearing was opened on the issue of Adopting the Final Budget for the fiscal Year 1993/1994; and for the purpose of Adopting the Certified Tax Rate for 1993/1994. Besides the Council and the Town clerk, Jim Nicolet was the only resident present. Budget items were reviewed.

The Tax rate was also discussed:

The Certified Tax Rate was lowered from, .003309 for 1992-1993 to .003068 for 1993-1994. With new growth in Elk Ridge, this would result in residents actually paying less in property taxes for 1993-1994 than in 1992-1993. The Town's expenses are increasing, as it grows. It was decided to stay with the tax rate for the current year of 1992-1993 which is .003309. This exceeds the Certified Tax Rate for 1993-1994.

MOTION WAS MADE BY HAL SHULER SECONDED BY CLAYTON CREEK, TO CLOSE THE PUBLIC HEARING FOR THE ADOPTION OF THE FINAL BUDGET FOR 1993-1994. VOTE: YES(3), NO-NONE(0), ABSENT(2)-MAYOR BEAN, TONY SEARLE.

MOTION WAS MADE BY HAL SHULER SECONDED BY LEA ANN ADAMS, TO CLOSE THE PUBLIC HEARING FOR THE ADOPTION OF THE CERTIFIED TAX RATE FOR 1993-1994. VOTE: YES(3), NO-NONE(0), ABSENT(2)-MAYOR BEAN, TONY SEARLE.

ROADS/UPDATE-
HAL SHULER

Councilmember Shuler reports:

1. that Loafer Canyon Road has been patched and repaired by the County.
2. A Thank You letter should go out to the youth and adults of the Elk Ridge 2nd Ward who were involved with the service project on Park Drive.
3. Work on the roads needs to be scheduled with Utah County.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 6-22-93 CONT.

SNOW PLOW The Cost for a 1988 International, rebuilt, with
REPLACEMENT dump body on it, sander repaired, would be \$37,200.

MOTION WAS MADE BY HAL SHULER SECONDED BY CLAYTON CREEK, TO APPROVE A LOAN FOR \$38,000, AT 6% INTEREST, TO FINANCE THE PURCHASE OF THE SNOWPLOW, AND TO AUTHORIZE MAYOR JAMES L. BEAN TO SIGN FOR THE LOAN IN BEHALF OF THE TOWN. VOTE: YES(3), NO-NONE(0), ABSENT(2)-MAYOR BEAN, TONY SEARLE.

PARKS/
RECREATION 4th of July Celebration:
 7-2 Golf Tournament (5:00pm)
 7-3 Activities: Parade, 10K race, Mountain Bike
 Race, Water Follies, 3 on 3 Basketball, Fund
 Raiser/Free Shots.

Councilmember Shuler reports that "event-type" insurance coverage for the celebration is not available. Jerry Newitt needs a \$100 check for Gladstan Golf Course for the tournament.

ADOPTION OF From 9:00p.m. to 9:30p.m., there was no public
THE FINAL comment.
BUDGET FOR
THE FISCAL
YEAR 1993/1994

MOTION WAS MADE BY CLAYTON CREED SECONDED BY LEA ANN ADAMS, TO ADOPT THE BUDGET AS PRESENTED AS A TENTATIVE BUDGET FOR 1993-1994, AND TO SET A PUBLIC HEARING FOR THE ADOPTION OF THE FINAL BUDGET FOR 1993-1994 ON AUGUST 10, 1993 AT 9:00 P.M. VOTE: YES(3), NO-NONE(0), ABSENT(2)-MAYOR BEAN, TONY SEARLE.

ADOPTION OF MOTION WAS MADE BY HAL SHULER SECONDED BY LEA ANN
THE CERTIFIED ADAMS, NOT TO ADOPT THE CERTIFIED TAX RATE OF
TAX RATE .003068 FOR 1993-1994; RATHER, TO PROPOSE THE TAX
FOR THE RATE OF .003309 FOR THE FISCAL YEAR 1993-1994.
FISCAL YEAR VOTE: YES(3), NO-NONE(0), ABSENT(2)-MAYOR BEAN,
1993/1994 TONY SEARLE.

MOTION WAS MADE BY CLAYTON CREEK SECONDED BY LEA ANN ADAMS, TO SET A PUBLIC HEARING FOR THE ADOPTION OF THE PROPOSED TAX RATE OF .003309, ON AUGUST 10, 1993 AT 8:15 P.M. VOTE: YES(3), NO-NONE(0), ABSENT(2)-MAYOR BEAN, TONY SEARLE.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 6-22-93 CONT.

APPROVAL OF
MINUTES OF
PREVIOUS
MEETINGS

MOTION WAS MADE BY CLAYTON CREEK SECONDED BY HAL SHULER, TO APPROVE THE MINUTES OF THE MEETING HELD 6-8-93 WITH THE FOLLOWING CHANGE: PG. 82, PARAGRAPH 2 (NEW WELL): CHANGE 609093 TO 6-9-93. VOTE: YES(3), NO-NONE(0), ABSENT(2)-MAYOR BEAN, TONY SEARLE.

MOTION WAS MADE BY CLAYTON CREEK SECONDED BY LEA ANN ADAMS, TO APPROVE THE MINUTES OF THE PUBLIC HEARING ON 6-18-93 TO CONSIDER COMMENTS AND OPINIONS ON THE LOAN FROM THE UTAH STATE DRINKING WATER BOARD FOR THE PURPOSE OF DRILLING A WELL IN LOAFER CANYON; AND ON THE ISSUE OF A POSSIBLE WATER RATE INCREASE OF \$2.00 ABOVE THE ALREADY ESTABLISHED RATE OF \$20.00/MONTH. VOTE: YES(3), NO-NONE(0), ABSENT(2)-MAYOR BEAN, TONY SEARLE.

EXPENDITURES
GENERAL:

Bills from: 1. Ray, Quinney & Nebeker, \$2,295 for legal services rendered for the Condemnation process. 2. Ken Chamberlain (Bond Attorney), \$7,500, were presented and approved for payment.

MOTION WAS MADE BY CLAYTON CREEK SECONDED BY HAL SHULER, TO ALLOW \$25.00/MONTH "PHONE ALLOWANCE" FOR THE BUILDING INSPECTOR. VOTE: YES(3), NO-NONE(0), ABSENT(2)-MAYOR BEAN, TONY SEARLE.


FINANCIAL
REPORT
MAY, 1993

MOTION WAS MADE BY LEA ANN ADAMS SECONDED BY HAL SHULER, TO APPROVE THE FINANCIAL REPORT FOR MAY, 1993. VOTE: YES(3), NO-NONE(0), ABSENT(2)-MAYOR BEAN, TONY SEARLE.

MOTION WAS MADE BY HAL SHULER SECONDED BY LEA ANN ADAMS, TO SET THE TIME AND DATE FOR PUBLIC HEARING ON THE ISSUE OF ADOPTING THE FINAL AMENDED BUDGET FOR THE CURRENT FISCAL YEAR 1992-1993 FOR 6-30-93 AT 8:00 P.M. VOTE: YES(3), NO-NONE(0), ABSENT(2)-MAYOR BEAN, TONY SEARLE.

ADJOURNMENT

MOTION WAS MADE BY CLAYTON CREEK SECONDED BY LEA ANN ADAMS TO ADJOURN. VOTE: YES-ALL(3), NO-NONE(0), ABSENT(2)-MAYOR BEAN, TONY SEARLE.


Town Clerk


NOTICE OF HEARING

Notice is hereby given, on Wednesday, June 30, 1993 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 the budget for the fiscal year 1992-1993 for the operation of the Town of Elk Ridge.

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

Dated this 21st day of June, 1993.

Posted 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 Special Town Council Meeting on Wednesday, June 30, 1993 at 8:15 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah. This meeting will be for the purpose of conducting a Public Hearing of the issue of amending the Budget for the fiscal year 1992/1993 for the operation of the Town of Elk Ridge.

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

The agenda shall be as follows:

8:00 P.M.	Invocation/Pledge of Allegiance
8:05 P.M.	Approval of Agenda Time Frame
8:10 P.M.	Loan/Far West Bank-Update
8:15 P.M.	Public Hearing on the issue of amending the Budget for the fiscal year 1992/1993
8:30 P.M.	Approval/Road Repair-Gary Proctor
8:35 P.M.	Adoption of the Amended Budget for the fiscal year 1992/1993
8:40 P.M.	Adjournment

Additions to the Agenda: Don Mecham - Agreement

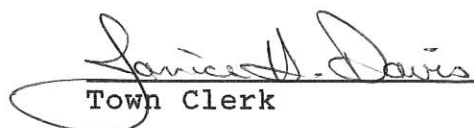
The times listed for each item and the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 28th day of June, 1993.


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 hand carried to the Payson Chronicle, 12 South Main, Payson, Utah, and to each member of the governing body on June 28, 1993.


Town Clerk

ELK RIDGE TOWN COUNCIL MEETING

June 30, 1993

TIME & PLACE OF MEETING	A special meeting of the Elk Ridge Town Council was held on Tuesday, June 30, 1993, 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on June 28, 1993.
ROLL CALL	Mayor Bean, Council members: Clayton Creek, Tony Searle(absent), Lee Ann Adams(absent), Hal Shuler; Don Mecham, Gary Proctor, Janice H. Davis, Town Clerk
INVOCATION & PLEDGE OF ALLEGIANCE	Prayer was offered by Clayton Creek, with the pledge allegiance following.
APPROVAL OF AGENDA TIME FRAME	MOTION WAS MADE BY CLAYTON CREEK SECONDED BY MAYOR BEAN, TO APPROVE THE AGENDA TIME FRAME AS PRESENTED INCLUDING ANY ADDITIONS TO THE AGENDA. VOTE: YES-(3), NO-NONE(0), ABSENT(2)- TONY SEARLE, LEA ANN ADAMS.
LOAN/ FAR WEST BANK UPDATE	The Clerk reports that the short-term loan in the amount of \$60,000 for payment for Water Rights and to the Court for a portion of the appraisal cost for the New Well site, can be carried over as a liability in the next fiscal year.
PUBLIC HEARING ON THE ISSUE OF AMENDING THE BUDGET FOR THE FISCAL YEAR 1992/1993	<p>The Public Hearing was opened on the issue of amending the Budget for the fiscal year 1992/1993. The Budget Message was reviewed with major items discussed:</p> <ol style="list-style-type: none">1. Increased revenue in the General Fund2. Expenditures did not increase in the over-all totals3. The Water Fund is able to finance the upgrade of Well #4 on its own, without the aid of outside funds <p>Councilmember Shuler suggest checking on B & C roads</p> <p>Funds Revenue:</p> <ol style="list-style-type: none">1. Population adjustment2. Additional roads, Town needs to get credit

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 6-30-93 CONT.

MOTION WAS MADE BY HAL SHULER SECONDED BY MAYOR BEAN, TO CLOSE THE PUBLIC HEARING ON THE ISSUE OF THE FINAL AMENDED BUDGET FOR 1992/1993. VOTE: YES-(3), NO-NONE(0), ABSENT(2)-LEA ANN ADAMS, TONY SEARLE.

APPROVAL/
ROAD REPAIR-
GARY PROCTOR

Gary Proctor submitted a breakdown of areas needing repair and the costs involved. The bid was from Valley Asphalt. Councilmember Creek recommends focusing on the main roads, such as Park Drive first, then the other areas, where needed most. Councilmember Shuler suggests getting other bids. Mr. Proctor has called Geneva and Valley's bid is comparable. Don Mecham recommends Eckles Paving for reasonable rates. All work is to be done according to Town Standards. Councilmember Creek advises a change in the agreement with Valley Asphalt that payment should be made within 30 days rather than 10 days.

MOTION WAS MADE BY CLAYTON CREEK SECONDED BY MAYOR BEAN, TO APPROVE, BASED ON VALLEY ASPHALT'S BID:

1. \$3,485 + 5% (AS A CUSHION FOR EXPENSES
2. CHANGE #3 TO PARK DRIVE

VOTE: YES-(3), NO-NONE(0), ABSENT(2)-LEA ANN ADAMS, TONY SEARLE.

Interstate Asphalt is to finish their job on Park Drive in front of the LDS Chapel before the \$1,000 final payment is made to them. The work is to be inspected by Gary Proctor.

MOTION WAS MADE BY HAL SHULER SECONDED BY MAYOR BEAN, TO APPROVE THE FINAL PAYMENT OF \$1,000 TO INTERSTATE ASPHALT, FOR COMPLETION OF WORK, SUBJECT TO INSPECTION. VOTE: YES-(2) MAYOR BEAN, HAL SHULER, NO-NONE(1) CLAYTON CREEK, ABSENT-(2) LEA ANN ADAMS, TONY SEARLE.

The Motion did not pass, there must be a quorum in agreement when only 3 members of the Council are present.

ADOPTION OF
THE AMENDED
BUDGET FOR
THE FISCAL
YEAR 1992/1993

MOTION WAS MADE BY CLAYTON CREEK SECONDED BY HAL SHULER, TO ADOPT THE FINAL AMENDED BUDGET FOR THE FISCAL YEAR 1992/1993. VOTE: YES-(3), NO-NONE(0), ABSENT(2)-LEA ANN ADAMS, TONY SEARLE.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 6-30-93 CONT.

ADDITIONS TO THE AGENDA:

DON MECHAM/
AGREEMENT

Don Mecham reviewed figures from the State and the county regarding gallons of water pumped, capacity and ability to service residents. According to the figures presented, Elk Ridge should have more than enough water available to sustain not only the current residents, but new growth as well.

Rod Despain submitted a proposed agreement between Elk Ridge and Mr. Mecham for \$15,000. The document was reviewed.

Mr. Despain compared the years 1991, 1992, 1993 as far as the number of gallons pumped and the capacity to supply residents in Elk Ridge. The figures of Elk Ridge's water usage are much higher than those from the State or County. All discussion was in an effort to determine the Town's capacity to supply new development.

Mr. Mecham advises: In new development, Mr Mecham's 15 lots of the 1st phase will not all be on the Water System for another 6 months (there will be no new lawns or outside watering until next spring, and not all of the lots will sell at once).

In Rod Despain's review of the draft of the proposed agreement, he stressed the following points:

1. Mr. Mecham is actually buying himself preferential treatment with the \$15,000
2. Are there any legal ramifications with this arrangement?
3. If the arrangement is agreeable to both parties, the \$15,000 could be put into an escrow account while the document was reviewed by legal counsel and the details worked out.

Since the Town can cover the payment to Delco Western, there is the possibility that Mr. Mecham's offer of \$15,000 is no longer needed. Mr. Mecham does not feel his treatment has been "preferential" in any way, and that all discussions have been in open meetings, and all subdivision requirements have been met.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 6-30-93 CONT.

Gary Proctor is to work together with Kent Crawford and check figures on the Well readings and compare with those figures submitted, as soon as possible. The results from the test Well, currently being drilled in Loafer Canyon, will give the Council a better idea of how much water is actually available now and in the future. If it is a negative picture, "Plan B" would be to install a "Booster" pump on Well #4. The Mayor would like to see building and new development continue in Elk Ridge.

Rod Despain is to continue with the agreement with Don Mecham. The Mayor is to contact Mr. Tucket to review the document.

ADJOURNMENT

MOTION WAS MADE BY CLAYTON CREEK SECONDED BY HAL SHULER TO ADJOURN. VOTE: YES-(3), NO-NONE(0), ABSENT(2)-LEA ANN ADAMS, TONY SEARLE.


Town Clerk

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, July 13, 1993, beginning with the Council Work Session at 7:00 P.M., 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:

SESD Report
Legal Counsel
Well #4-Update
Mecham Agreement
Water Policy Review

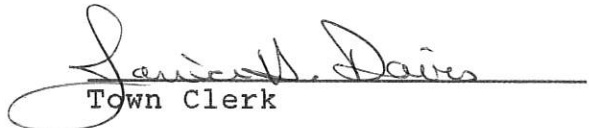
8:00 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:

8:05 Invocation & Pledge of Allegiance
8:10 Approval of Agenda Time Frame
8:15 Ron Ririe/Subdivision Requirements
8:30 New Well/Update-Tony Searle
8:45 Water Policy
9:00 Future Annexation-Lea Ann Adams
9:10 Interlocal Agreements (Payson & Salem)
9:30 Zone Changes/Cub, Gutter, Sidewalks-Lea Ann Adams
9:40 Roads/Update-Hal Shuler
Repairs
9:55 Parks/Recreation
10:00 Employee Bar-B-Q/Fire Dept. Awards
10:05 Pest Control
10:10 Approval of Minutes of Previous Meetings
10:15 Expenditures:
General
Weed-trimmer
Approval of Preliminary List of Expenditures
for June, 1993
Approval of Financial Report for June, 1993
10:30 Adjournment

Additions to Agenda: Ririe, Plat C/Final Plat Approval..Moved
Forward, Oak Bluffs Estates/Final Approval
Closed Session: Executive Session/Discussion of Litigation
Town Council Agenda: Potential Litigation/7:00 P.M.

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 July, 1993.

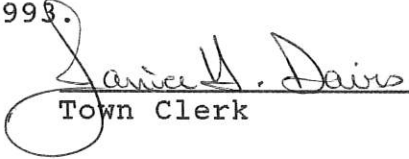

Town Clerk

Agenda 7-27-93

Pg. 2

CERTIFICATION

I, 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 hand carried to the Payson Chronicle, 12 S. Main, Payson, Utah and mailed to each member of the governing body on July 22, 1993.


Town Clerk

Changes here
to page 95.

July 13, 1993

ELK RIDGE TOWN COUNCIL WORK SESSION

July 13, 1993

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, July 13, 1993, beginning with the Work Session at 7:00 PM, and the regular Council Meeting at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on July 9, 1993.

ROLL CALL Mayor Bean, Council members: Clayton Creek, Tony Searle, Lee Ann Adams, Hal Shuler; Rod Despain, Craig Carlile, Bruce Hall, Greg Magalby, Janice H. Davis, Town Clerk.

7:00 P.M. MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR BEAN, TO MOVE INTO A EXECUTIVE (CLOSED) SESSION FOR THE PURPOSE OF DISCUSSING POTENTIAL LITIGATION. VOTE: YES-ALL, NO-NONE(0).

Present were the following: Mayor Bean, Council members: Clayton Creek, Tony Searle, Lee Ann Adams, Hal Shuler; Rod Despain, Craig Carlile, Bruce Hall, Greg Magalby, Janice H. Davis, Town Clerk.

8:15 P.M. MOTION WAS MADE BY TONY SEARLE SECONDED BY LEA ANN ADAMS, TO ADJOURN THE EXECUTIVE SESSION, AND MOVE TO THE REGULARLY SCHEDULED TOWN COUNCIL MEETING. VOTE: YES-ALL, NO-NONE(0).

ELK RIDGE TOWN COUNCIL MEETING

July 13, 1993

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, July 13, 1993, beginning with the Work Session at 7:00 PM, and the regular Council Meeting at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on July 9, 1993.

ROLL CALL Mayor Bean, Council members: Clayton Creek, Tony Searle, Hal Shuler, Lee Ann Adams; Rod Despain, Kent Purdy, Don Mecham, Ron Ririe, Kent Crawford, Eldon McMurray, Janice H. Davis, Town Clerk

INVOCATION & PLEDGE OF ALLEGIANCE Prayer was offered by Tony Searle, with the pledge allegiance following.

APPROVAL OF AGENDA TIME FRAME MOTION WAS MADE BY CLAYTON CREEK SECONDED BY TONY SEARLE, TO APPROVE THE AGENDA TIME FRAME AS PRESENTLY CONSTITUTED, WITH ADDITIONS AND MOVING THE WORK SESSION UNTIL AFTER THE COUNCIL MEETING VOTE: YES-ALL, NO-NONE(0),

RIRIE/PLAT C FINAL PLAT APPROVAL

1. Agrees to "loop" water line on Park Drive to Columbus Lane
2. Water rights - submitted 6 shares to the Town. Rod Despain feels there is little risk in transferring the shares.
3. Additional water supply from Well #4 was addressed. The upgrade of the Well increased production, but not enough to supply additional growth.

Councilmember Searle feels the Town is 2 weeks or so from knowing what kind of Well the Well in Loafer Canyon will be. He feels it is important to know what that Well will produce before moving forward with any building permits. Don Mecham is concerned that 1 1/2 years ago, the same projection was made.

Councilmember Adams questioned Mr. Ririe if there would be a problem in not issuing building permits until 1994.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-13-93 CONT.

Mr. Ririe would have no problem with this. He said he just wants to install Water/Sewer lines and roads while it is still possible this year.

If the New Well does not produce the expected increase in water supply, the option of further upgrading Well #4 and the present water lines was discussed.

MOTION WAS MADE BY MAYOR BEAN SECONDED BY CLAYTON CREEK, TO GIVE FINAL PLAT APPROVAL TO RIRIE SUBDIVISION, PLAT C, SUBJECT TO: NO BUILDING PERMITS WILL BE ISSUED TO THOSE 11 LOTS IF AND UNTIL THE COUNCIL DETERMINES THAT THE TOWN HAS THE CAPABILITY TO DELIVER SUFFICIENT WATER TO SAID LOTS. VOTE: YES-(4), NO-TONY SEARLE(1).

Recording of the Plat will be subject to all subdivision requirements having been met.

NEW WELL/
UPDATE-
TONY SEARLE

No further information.

WATER POLICY

Tabled until the Work Session.

FUTURE
ANNEXATION-
LEA ANN ADAMS

Councilmember Adams advises that a Master Declaration of Annexation is needed for Elk Ridge. Councilmember Creek is to contact Rod Despain to write a rough draft.

INTERLOCAL
AGREEMENTS
(PAYSON &
SALEM)

Mayor Bean met with Mayor Harmer, of Payson. Mayor Harmer is favorable towards an interlocal agreement concerned with the property belonging to Don Mecham, which lies within Payson's boundaries. The problem lies with sewerage that area. Salem is not anxious to include lots outside Elk Ridge's boundaries. Councilmember Adams suggested approaching Salem again to gain a better understanding of their feeling on this matter. Councilmember Searle is to contact Salem. Mayor Harmer request that the two Planning Commissions from Payson and Elk Ridge meet together to discuss an interlocal agreement. Don Mecham suggests that an environmental zone be considered around the Goosenest Spring so as not to be impacted. A meeting is to be arranged between the two Commissions. Mayor Bean suggested Gladstan Club House as a meeting place.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-13-93 CONT.

ZONE CHANGES/
CURB, GUTTER,
SIDEWALKS-
LEA ANN ADAMS Councilmember Adams reports for citizens concerned about the Commercial Zone being close to their properties. A petition to request a Zone Change is to be presented at the next Planning Commission Meeting. Councilmember Shuler and Councilmember Searle feel the property owners within the C-1 Zone should be notified. Councilmember Adams responded that they would be, within the normal process of submission.

ROADS/UPDATE-
HAL SHULER Councilmember Shuler reports that the County informed him there would be no more Chip and Seal done this year. They are willing to help next year. The County's budget for roads was cut by snow removal costs this year. Valley Asphalt and the County road crew suggested not contracting the Chipping and Sealing out. They advise the Town to patch with hot mix and a roller. Gary Proctor is working with Valley Asphalt to arrange getting a "hot pot", roller, and a road brush. August is projected for patching the roads. Councilmember Shuler suggests doing repairs, and with the remaining funds, calculate what will be needed for snow plowing and Spring repairs. Then take a section or two and do an overlay. (The work would be bid out.)

The guard-rail will be put up along the dugway in the Fall of 1993.

Councilmember Shuler reports that Payson has a Chip and Seal crew, and there may be a possibility of working out an agreement to do work on Goosenest and the Golf Course Road.

PARKS/
RECREATION Councilmember Shuler doesn't have all of the totals from the 4th of July celebration. Councilmember Creek and Councilmember Shuler are aware of a Scout troop willing to do a service project which would clear the area to be used for the playground (south of the basketball court). There is the possibility of free heavy equipment, as well as free labor to help prepare the area for future projects (sprinklers, etc.). Councilmember Creek has arranged, thus far, for a free dump truck, and 1 hour of free loading time to take dirt down in the playground area. 1st hour with the backhoe/loader is free, the 2nd hour would be approximately \$40/hr. Eldon McMurray is to put up flags indicating where the dirt should go.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-13-93 CONT.

A construction company (Adcon) is bringing up a bobcat to level the area, put dirt where it needs to be. 30-60 youth will clear with rakes and shovels. The money in the "Capital Projects - Park" fund is to be used on the playground, as well as money collected is to go into the Capital Projects Fund.

EMPLOYEE BAR-B-Q/FIRE DEPT. AWARDS	There is to be a Bar-B-Q for all Town employees with the Fire Department on August 11, 1993. Plaques for the firemen to be presented at that time.
PEST CONTROL	All the spray for grasshopper control has been purchased. Any excess can be taken back and money refunded. Councilmember Creek complimented Councilmember Adams on a through job in approaching the situation of pest control for the Town
APPROVAL OF MINUTES OF THE PREVIOUS MEETINGS	MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR BEAN, TO APPROVE THE MINUTES FROM MEETINGS OF 6-22-93 AND 6-30-93 AS CONSTITUTED WITH ONE CHANGE: ADJOURNMENT, MOTION WAS MADE BY CLAYTON CREEK NOT TONY SEARLE FROM 6-22-93. VOTE: YES-(4), ABSENT FROM VOTE-(1) CLAYTON CREEK.
EXPENDITURES	Do not pay the bill from Loafer Recreation Associates of \$152.00 for alleged damage to their gate.
WEED TRIMMER	MOTION WAS MADE BY HAL SHULER SECONDED BY LEA ANN ADAMS, TO PURCHASE A HEAVY-DUTY WEED TRIMMER FOR THE APPROXIMATE COST OF \$400.00. VOTE: YES-(4), ABSENT FROM VOTE-(1) CLAYTON CREEK. The Clerk is to verify check #7309 to see if the amount should be coded to Water or Sewer.
APPROVAL OF PRELIMINARY LIST OF EXP. FOR JUNE, 1993	MOTION WAS MADE BY TONY SEARLE SECONDED BY HAL SHULER, TO APPROVE THE PRELIMINARY LIST OF EXPENDITURES FOR JUNE. VOTE: YES-ALL(5), NO-NONE(0)
APPROVAL OF FINANCIAL REPORT FOR JUNE, 1993	The Council received the reports from the CPA at the council Meeting and have not had time to review.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-13-93 CONT.

ADDITIONS:

OAK BLUFFS The Planning Commissions recommends final Plat
ESTATES/FINAL Approval.
APPROVAL

Don Mecham presented his plat drawings to the Council, pointing out that all the lots are well over the minimum requirement of 1/3 acre. the re-routing of a portion of road was discussed and the change was submitted with the other plat drawings. The appropriate deeds must be recorded for proper road dedication. A water line is to be installed along the belt route from Salem Hills Drive over to Oak Bluffs Estates. Curb, gutter and sump-system was discussed. There is a possibility of increasing the size of line coming across. Bruce Hall recommends 12-14" line. The Town would cover the difference between the required 8" line and the 12-14" line. Mr. Hall is to be consulted.

Councilmember Creek:

1. The Agreement between Elk Ridge and Don Mecham was voted on
2. There has been no agreement signed
3. No money has been exchanged
4. The project of upgrading Well #4 was done without the use of Mr. Mecham's 15,000
5. What obligates the council and the Town to Don Mecham?

Mayor Bean answered that the council had voted on the agreement, the money from Mr. Mecham would still be restricted to use on the water system. He feels that the council gave their word, and that the course should not change because the Agreement was not signed in a timely manner.

Councilmember Adams was very concerned that the subject of capacity to deliver was not being addressed. She reminded the Council that this was the main contingency that the vote to approve the Agreement was based on. Councilmember Searle and Councilmember Adams still ask the Council the same question, Does the Town have the capability to pump sufficient water. Councilmember Searle expressed his opinion that final approval should wait until the Test Well in Loafer Canyon is in, to determine capacity.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-13-93 CONT.

Councilmember Creek summarizes:

1. The Town will accept the \$15,000 from Mr. Mecham
2. The Agreement will not be for use in upgrading the pump on Well #4.

Mayor Bean suggest the \$15,000 should be restricted for use on the Water System. It was decided that there would be no contingencies with a motion for final plat approval.

MOTION WAS MADE BY CLAYTON CREEK SECONDED BY HAL SHULER, TO APPROVE THE FINAL PLAT OF OAK BLUFFS ESTATES. VOTE: YES-(3) MAYOR BEAN, HAL SHULER, CLAYTON CREEK, NO-(2) TONY SEARLE, LEA ANN ADAMS.

ADJOURNMENT

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR BEAN TO ADJOURN. VOTE: YES-ALL(5), NO-NONE(0).


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION 7-13-93

SESD	Ron Cooper was not present
LEGAL COUNCIL	Mr. Steve Killpack was recently appointed Public defender, and will no longer represent Elk Ridge as its attorney. Mr. Dave Tuckett will be on the Agenda for the next Council Meeting. Mr. Craig Carlile is also interested in representing the Town.
WELL #4- UPDATE	Nor further information.
MECHAM AGREEMENT	Discussion of this subject took place in the regular session.
WATER POLICY REVIEW	No further discussion.

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a special Town Council Meeting on Monday, July 19, 1993, beginning 6:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 P.M. - SPECIAL COUNCIL MEETING AGENDA ITEMS:

6:05 Invocation & Pledge of Allegiance

6:08 Approval of Agenda Time Frame

6:10 New Well:

A. General

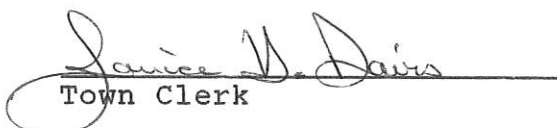
B. Agreement-Loafer Recreation Association/
Elk Ridge Town

Additions to Agenda:

Closed Session:

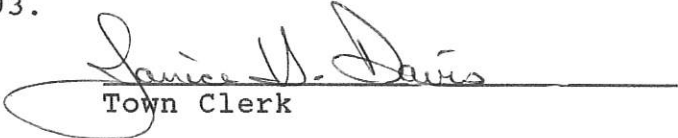
The times listed for each item and the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 16th day of July, 1993.


Town Clerk

CERTIFICATION

I, the undersigned, duly appointed and acting town clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was hand carried to the Payson Chronicle, 12 S. Main, Payson, Utah and to each member of the governing body on July 16, 1993.


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

July 19, 1993

TIME & PLACE OF MEETING A special meeting of the Elk Ridge Town Council was held on Tuesday, July 19, 1993, beginning at 6:00 PM, at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on July 16, 1993.

ROLL CALL Mayor Bean, Council members: Clayton Creek, Tony Searle, Lee Ann Adams(absent), Hal Shuler; Rod Despain, Clarence Foster, Janice H. Davis, Town Clerk.

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

APPROVAL OF AGENDA TIME FRAME MOTION WAS MADE BY CLAYTON CREEK SECONDED BY TONY SEARLE, TO APPROVE THE AGENDA TIME FRAME AS PRESENTLY CONSTITUTED. VOTE: YES-(4), NO-NONE(0), ABSENT-(1) LEA ANN ADAMS.

NEW WELL On Friday, 7-16-93, Mayor Bean was asked to meet with representatives from Loafer Recreation Associates, who came to the Elk Ridge Town Hall. They expresses their concern with the amount of water expected to flow out of the test pumping scheduled for 7-20-93. They fear damage from the run-off. Mayor Bean walked the pathway of the drainage ditch. Loafer's main concern is with portions of the road where the water is not contained. The test pump will be for 24 hours, at an estimated 1,000 - 1,200 gallons per minute. According to the Mayor, the representatives he met with are still anxious to negotiate. According to Loafer representatives, if negotiations are not possible, they say they will de-annex.

Mayor Bean suggests the following conditions:

1. Loafer to donate land for Well site, Water line, easements/ Elk Ridge owns the land
2. 1st 1,000 gallons would be to Elk Ridge
 - A. Loafer's portion would be out of excess. After their needs are filled, the rest would go back to Elk Ridge

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-19-93 CONT.

- B. The water to Loafer would be in the form of a lease
- 3. Elk Ridge would build a storage tank.

Rod Despain:

Joint Venture or Joint Ownership?

Rod Despain, in speaking with Craig Carlile, seeks to determine what Loafer really needs. Is it to prove up on their water rights? Their water right expires in February, 1994. Proof = A. Can they deliver water B. Proof of beneficial use

What it would take on the part of the Town to be able to accomplish this:

- 1. Agreement that Town could use the water in an emergency
- 2. Loafer could use the water when need arises (at cost)

What Mr. Despain recommended be presented to Mr. MacNeill by Mr. Carlile was what is termed a "Water Right Development and Water Use Agreement". It was patterned after one used in American Fork, in which they (Loafer) do not have to give up their water right. They enter into an agreement, the details of which are not worked out. "If they give it up, and the Town gets it, constitutionally they can't get it back." Mr. Despain has been cautioned by the State on this matter.

Loafer Recreation Associates are held to a different standard than cities are. Cities demonstrate "beneficial use", by virtue of the fact that they own a water right. For Loafer, just pumping the water and showing that they can deliver it, does not show "beneficial use". If the city were the "advocate" or "spokesman", the city becomes the vehicle with which their (Loafer's) submittal of proof is satisfied. Then their right is preserved. There is an advantage to both.

The Town must make application to the State to pump out of a 6th source. Why not apply with an agreement with Loafer. Elk Ridge could show "beneficial use" by putting in the tank.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-19-93 CONT.

Councilmember Shuler reports that Loafer Recreation Associates want to be "water purveyors." That would be more difficult for them than they realize. Mr. MacNeill seems amenable to Mr. Despain's suggestions to Mr. Carlile. Does Mr MacNeill really represent the feelings of the Associates?

Rod Despain recommends the Town maintain ownership in the Well.

Points of Consideration:

1. Elk Ridge Occupies the Site
2. They have what they need
3. Advantage of the tank to both Loafer and Elk Ridge

Councilmember Creek would like a written document by Rod Despain with all the contingencies discussed, to review by the Council.

Randy Lindstrom, former Mayor of Elk Ridge, submitted a letter to the Council urging them not to share ownership of the well with Loafer Recreation Association.

There is to be a meeting with Rod Despain, Mayor Bean, Tony Searle, Loafer Recreation Associates and the attorneys.

ADJOURNMENT

MOTION WAS MADE BY CLAYTON CREEK SECONDED BY MAYOR BEAN TO ADJOURN. VOTE: YES-(4), NO-NONE(0), ABSENT-(1) LEA ANN ADAMS.


Town Clerk

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, July 27, 1993, beginning with the Council Work Session at 7:00 P.M., 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:

SESD Report
Legal Counsel/David Tucket
Water Policy Review
Employee Bar-B-Q

8:00 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:

8:05 Invocation & Pledge of Allegiance
8:10 Approval of Agenda Time Frame
8:15 C-1 Zone/Bed & Breakfast-Ross & Janet Baum
8:30 Legal Counsel
8:35 New Well/Update-Tony Searle
8:50 Water Policy
8:55 Proposed Zone Change-R&L 1-20,000 to RR-1
Loafer Canyon
9:25 Road Cross sections/Width
9:45 Loafer Hollow, Plats A,B,D/Final Plat Approval
10:00 Adoption-Utah Code Unannotated-1993 Version
10:05 Roads/Update-Hal Shuler
Repairs/Maintenance
10:15 Allred/Gasser Agreement
10:25 Expenditures:
General
Approval of Expenditures for June, 1993
financial Report for June, 1993
10:10 Approval of Minutes of Previous Meetings
10:30 Adjournment

Additions to Agenda: Ridge View Meadows/Final Plat Approval

Closed Session:

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

Dated this 22nd day of July, 1993.

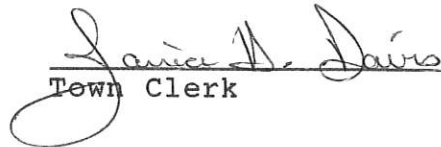

Town Clerk

Agenda 7-27-93

Pg. 2

CERTIFICATION

I, 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 hand carried to the Payson Chronicle, 12 S. Main, Payson, Utah and mailed to each member of the governing body on July 22, 1993.


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

July 27, 1993

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, July 27, 1993, beginning with the Work Session at 7:00 PM, and the regular Council Meeting at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on July 23, 1993.

ROLL CALL Mayor Bean, Council members: Clayton Creek, Tony Searle, Lee Ann Adams, Hal Shuler; Rod Despain, Dave Tucket, Dennis Christensen, Mike Johnson, Clark Palfreyman, Janice H. Davis, Town Clerk.

SESD REPORT Ron Cooper was not present.

LEGAL COUNSEL/
DAVID TUCKET Steve Killpack is no longer the Town's attorney. Mr. Dave Tucket desires to represent Elk Ridge as legal counsel. He will work with the Town as far as method of payment. An hourly wage and retainer was discussed. The Council decided on: \$120.00 per month for 3 hours of legal counsel. Any time over the 3 hours would be charged on an hourly rate. There will be a 3 month trial period, at which time, the matter will be reviewed by the Council.

WATER POLICY
REVIEW Rod Despain reviewed the proposed resolution detailing the Water Policy. The intent of the Policy is to avoid too many water rights from the Town's reserve going to any one development. This encourages developers of large subdivisions to find their own water rights and deed them to the Town. The Policy is to be reviewed periodically (at least annually) by the Council. The Policy, as written, does not address the capability to supply the needed water. Rod Despain concerned that, with new growth, the Town will get too liberal in issuing water rights and use up the supply. Change Section 4:B-1 from (30) days to (60) days.

EMPLOYEE
BAR-B-Q The Employee Bar-B-Q was changed from August 11th to August 18th.

ELK RIDGE TOWN COUNCIL MEETING

July 27, 1993

TIME & PLACE OF MEETING	<p>The regular meeting of the Elk Ridge Town Council was held on Tuesday, July 27, 1993, beginning with the Work Session at 7:00 PM, and the regular Council Meeting at 8:00 P.M. at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.</p> <p>Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on July 23, 1993.</p>
ROLL CALL	<p>Mayor Bean, Council members: Clayton Creek(absent), Tony Searle, Hal Shuler, Lee Ann Adams; Ross & Janet Baum, Ken Orton, Rod Despain, Kent Purdy, Clark Palfreyman, Mike Johnson, Dennis Christensen, Janice H. Davis, Town Clerk</p>
INVOCATION & PLEDGE OF ALLEGIANCE	<p>Prayer was offered by Hal Shuler, with the pledge allegiance following.</p>
APPROVAL OF AGENDA TIME FRAME	<p>MOTION WAS MADE BY TONY SEARLE SECONDED BY LEA ANN ADAMS, TO APPROVE THE AGENDA TIME FRAME AS PRESENTLY CONSTITUTED, WITH THE ADDITIONS: RIDGE VIEW MEADOWS/FINAL PLAT APPROVAL. VOTE: YES(4), NO-NONE(0), ABSENT(1)-CLAYTON CREEK.</p>
C-1 ZONE/BED & BREAKFAST ROSS & JANET BAUM	<p>Ross & Janet Baum were present to present plans for a Bed & Breakfast to be located within the C-1 Zone. Issues for discussion; 1. Sewer/Septic tank 2. Water.</p> <p>The Planning Commission suggested a bond for a future sewer line rather than installation of lines at this time. The Council advises that a policy is needed to determine which areas should be sewered and which areas temporary septic tanks would be acceptable. Bruce Hall needs to be consulted on Sewer mains. The council recommends the Planning commission study this matter and establish a Policy. The Planning Commission needs to take into consideration: Distance from established sewer line for temporary septic tanks and time frame for installation of sewer lines. The Council recommends:</p> <ol style="list-style-type: none">1. Cash (Escrow Account) in lieu of line installed2. Council is anxious for the sewer system to be extended.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-27-93 CONT.

MOTION WAS MADE BY MAYOR BEAN SECONDED BY TONY SEARLE, TO REFER THE MATTER OF SEWER EXTENSION / SEPTIC TANKS AND CASH (ESCROW ACCOUNT) IN LIEU OF LINE INSTALLATION TO THE PLANNING COMMISSION. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-CLAYTON CREEK.

Councilmember Searle is to contact Bruce Hall for a cost estimate on the Sewer Master Plan. The Sewer Master Plan is to be on the next Town Council Agenda for 8-10-93.

LEGAL
COUNSEL

MOTION WAS MADE BY TONY SEARLE SECONDED BY HAL SHULER, TO RETAIN DAVID TUCKET AS THE TOWN'S ATTORNEY FOR A TRIAL PERIOD OF 3 MONTHS, AT A RATE OF \$120.00 PER MONTH FOR 3 HOURS OF LEGAL COUNSEL. THERE WILL BE A \$75.00/HR. CHARGE FOR TIME OVER THE 3 HOURS. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-CLAYTON CREEK.

NEW WELL/
UPDATE-
TONY SEARLE

Councilmember Searle reports that the cost estimate for rental on pipe to re-route the water from the test pumping of the Well is \$3,500 (this includes the rental of the pipe and labor). Councilmember Searle is to inform the property owners and obtain permission to run the water on their property. The Clerk is to give Councilmember Searle a list of property owners.

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR BEAN, TO APPROVE \$3,500 FOR THE RENTAL OF PIPE FOR THE RUN-OFF FROM THE NEW WELL. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-CLAYTON CREEK.

Councilmember Searle reports that the well driller is down 600 ft. Councilmember Shuler suggest consideration be given to drill an additional 300 ft. while still in the process. Bryce Montgomery (geologist) should be consulted. Councilmember Searle is to contact Bruce Hall to check the cost of drilling deeper than 700 ft., is there any wisdom in going deeper, has Bryce Montgomery been consulted?

ADOPTION/
WATER POLICY

MOTION WAS MADE BY TONY SEARLE SECONDED BY LEA ANN ADAMS, TO ADOPT RESOLUTION #93-7-27-5R ESTABLISHING A POLICY FOR THE ALLOCATION OF TOWN ACQUIRED WATER RIGHTS WITH THE FOLLOWING CHANGE: SECTION 4: B-1.....(30) DAYS TO (60) DAYS. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-CLAYTON CREEK.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-27-93 CONT.

PROPOSED
ZONE CHANGE-
R&L 1-20,000
TO RR-1/
LOAFER CANYON

Councilmember Shuler proposes a zone change in the R&L 1-20,000 Zone which is located on Loafer Canyon Road to a RR-1 Zone. He feels the RR-1 Zone would be more appropriate due to: 1. More freedom with animal rights 2. Curb and gutter would destroy the rural atmosphere and be difficult to deal with on a partial basis. He feels the property owners would not support an SID to complete curb and gutter in that area. This proposed change has gone before the Planning Commission and has received a negative recommendation. Councilmember Searle advised that this matter has been voted on in public hearing when the entire Development Code was adopted.

MOTION WAS MADE BY LEA ANN ADAMS SECONDED BY MAYOR BEAN, TO APPROVE A PUBLIC HEARING FOR THE PROPOSED ZONE CHANGE ON LOAFER CANYON ROAD FROM R&L 1-20,000 TO RR-1 ZONE TO BE HELD 8-24-93. VOTE: YES(3), NO-NONE(0), ABSTAIN(1)-HAL SHULER, ABSENT(1)-CLAYTON CREEK.

DISCUSSION:

Kent Purdy: The Planning Commission has already given a negative recommendation based on the following: 1. Lots are deep, not exceedingly wide 2. curb and gutter is advisable to preserve the roads.

Councilmember Adams suggested that a culvert on the east side of Loafer Canyon Road might solve the drainage problem. The Planning Commission should be in attendance at the Public Hearing.

ROAD CROSS
SECTIONS/
WIDTH

The Current standard for urban class roads is 56' right of way with 42' of paved surface. The Planning Commission recommends 34' travel surface, 2' curb and gutter, 9' on the other side of the curb and gutter, no sidewalk. This allows 10' travel lanes, 7' parking lane. Rod Despain advised that sidewalks should accompany curb and gutter, mainly for safety purposes. He encourages a travel surface of not less than 34'. Bruce Hall submitted a written recommendation for 40' of asphalt surface. Kent Purdy advised that the wider the pavement, the more maintenance required. The main road in Town (Park Drive) is 28' wide. According to Mr. Purdy, 42' creates a Town with too much road surface. (Councilmembers Shuler and Adams agree).

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-27-93 CONT.

MOTION WAS MADE BY TONY SEARLE SECONDED BY LEA ANN ADAMS, TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION FOR A PAVED ROAD WIDTH FROM 42' TO 34', AND TO SCHEDULE A PUBLIC HEARING TO BE HELD 8-24-93. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-CLAYTON CREEK.

LOAFER HOLLOW
PLANTS A,B,D/
FINAL PLAT
APPROVAL

The plat shows the standard road cross section. Councilmember Shuler feels that the vote of the council to require 24' of paved surface with a 56' right of way should still be honored. The current road assessment for development on Loafer Canyon Road is based on 24' of pavement. Councilmember Shuler would like to work with the property owners and actually install the necessary road improvements rather than pay the required road assessment. The Planning Commission has approved the Final Plat subject to the cross section decision.

MOTION WAS MADE BY MAYOR BEAN SECONDED BY TONY SEARLE, FOR FINAL PLAT APPROVAL FOR LOAFER HOLLOW PLATS A,B,D SUBJECT TO THE FOLLOWING CONDITIONS:
1. DRAINAGE APPROVAL BY ENGINEER 2. APPROPRIATE TRANSFER OF DEEDS WITH RESPECT TO ROAD RIGHT OF WAY
3. ALL BONDING AND SUBDIVISION REQUIREMENTS BEING MET. VOTE: YES-(3), NO-NONE(0), ABSTAIN(1)-HAL SHULER, ABSENT(1)-CLAYTON CREEK.

ADOPTION-
UTAH CODE
UNANNOTATED-
1993 VERSION

MOTION WAS MADE BY MAYOR BEAN SECONDED BY HAL SHULER, TO ADOPT THE 1993 VERSION OF THE UTAH CODE UNANNOTATED. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-CLAYTON CREEK.

ROADS/UPDATE-
HAL SHULER

Councilmember Shuler reported that there is a possibility of Payson's road crew doing chip and seal work on Goosenest Drive and the Golf Course Road. Councilmember Shuler is to meet with Clyde Naylor (County) to discuss culverts for the east side of Loafer Canyon Road.

The repair work by Interstate Asphalt on Loafer Canyon Road and Park Drive is complete and satisfactory.

MOTION WAS MADE BY HAL SHULER SECONDED BY MAYOR BEAN, TO RELEASE THE \$1,000 TO INTERSTATE ASPHALT. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-CLAYTON CREEK.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-27-93 CONT.

ALLRED/GASSER AGREEMENT A letter is to go to Rey Allred and Vernile Gasser stating:

1. \$3,000 Durability Retainer is not complete (another \$1,000 is needed)
2. 5 year testing time has not begun
3. Plat of cul de sac not recorded until the escrow account is complete.

They have 2 weeks to review the agreement and arrange a meeting with the Mayor to reach an agreement. The Council is willing to back date the beginning of the 5 years if an agreement is signed and the remaining \$1,000 is deposited to the Town.

EXPENDITURES:

GENERAL: The disbursements from the New Well Account were reviewed by the Council.

APPROVAL OF EXPENDITURES FOR JUNE, 1993 MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR BEAN, TO APPROVE THE FINAL LIST OF EXPENDITURES FOR JUNE, 1993. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-CLAYTON CREEK.

FINANCIAL REPORT The Final Financial Report for June, 1993 was not ready.

APPROVAL OF MINUTES OF THE PREVIOUS MEETING MOTION WAS MADE BY TONY SEARLE SECONDED BY HAL SHULER, TO APPROVE THE MINUTES OF 7-13-93 WITH ONE CHANGE: PAGE 97, LAST SENTENCE: "SUGGEST GLADSTAN GOLF COURSE"....TO "SUGGESTED GLADSTAN CLUB HOUSE..."VOTE: YES-(4), NO-NONE(0), ABSENT(1)-CLAYTON CREEK.

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR BEAN, TO APPROVE THE MINUTES OF 7-19-93 AS PRESENTLY CONSTITUTED. VOTE: YES(4), NO-NONE(0), ABSENT(1)-CLAYTON CREEK.

ADDITIONS TO THE AGENDA:

RIDGE VIEW MEADOWS/FINAL PLAT APPROVAL The Planning Commission recommends Final Approval. Bruce Hall submitted a letter recommending certain alterations to the Plat. Corrections to be made. Rod Despain discussed the issues noted on Bruce Hall's letter and the 3 conditions listed by the Planning Commission:

1. Approval for drainage by Engineer
2. Approval for water by Council
3. Deed to the property for the road west of Lot #14

34' or 42' of paved road is also in question.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-27-93 CONT.

Water rights were discussed:

Mike Johnson is to deed 6.4 shares (20 acre ft.) or more to the Town. Rod Despain spoke with the State Engineer and a portion of this right has already gone through the transfer process. The Engineer feels this portion would receive the same consideration. Upon preliminary review, Mr. Despain feels that the right is transferable. If the right does not transfer, or a portion does not transfer, the developer would be responsible to make up the difference to meet the water right requirement.

Councilmember Searle reminds the council that the New Well is not on line as yet. Is the Town over extending its capacity to supply water?

MOTION WAS MADE BY HAL SHULER SECONDED BY LEA ANN ADAMS, TO APPROVE RIDGE VIEW MEADOWS, PLAT A, FOR FINAL PLAT APPROVAL SUBJECT TO THE ENGINEER'S RECOMMENDATIONS BEING MET AS WELL AS THE 3 CONDITIONS LISTED BY THE PLANNING COMMISSION. VOTE: YES-(4), NO-NONE(0), ABSENT(1)-CLAYTON CREEK.

ADJOURNMENT

MOTION WAS MADE BY TONY SEARLE SECONDED BY LEA ANN ADAMS TO ADJOURN. VOTE: YES-ALL(5), NO-NONE(0).


Town Clerk