

NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, September 12, 2000, at 7:00 PM; it will be preceded by three Public Hearings for the purpose of hearing public comment on the following: The first Public Hearing, at 6:00 PM, will be regarding a proposed Ordinance amending the Zoning Ordinance Elk Ridge Town, Utah, Section 10-3-3, Supplementary Regulations within the Zones, Creating Section 10-3-3.32, regulating Assisted Living Centers; The second Public Hearing, to be held at 6:15 PM, will be on a proposed Ordinance amending the Elk Ridge, Utah, Zoning Ordinance, dealing with the Transfer of Development Rights Overlay Zone; The Third Public Hearing will be at 6:30 PM. It will be regarding a Proposed Ordinance Amending Section 10-6-3.8 of the Zoning Ordinance and Section 10-7-6.3 of the Elk Ridge, Utah, Subdivision Ordinance, dealing with surface water disposal, design criteria and access design. The Public Hearings will be followed by the Council Work Session at 6:45 PM. The meetings will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 - PM **PUBLIC HEARING - ORDINANCE AMENDING THE ELK RIDGE TOWN ZONING ORDINANCE, SECTION 10-3-3, SUPPLEMENTARY REGULATIONS WITHIN THE ZONES, CREATING SECTION 10-3-3.32, REGULATING ASSISTED LIVING CENTERS**

6:15 - PM **PUBLIC HEARING - ORDINANCE AMENDING THE ELK RIDGE, UTAH, ZONING ORDINANCE, DEALING WITH THE TRANSFER OF DEVELOPMENT RIGHTS OVERLAY ZONE**

6:30 - PM **PUBLIC HEARING - ORDINANCE AMENDING SECTION 10-6-3.8 OF THE ELK RIDGE TOWN ZONING ORDINANCE AND SECTION 10-7-6.3 OF THE ELK RIDGE TOWN SUBDIVISION ORDINANCE; DEALING WITH SURFACE WATER DISPOSAL, DESIGN CRITERIA AND ACCESS DESIGN**

6:45 - PM **TOWN COUNCIL WORK SESSION**
Water Dept. Updates - Gary Bowen
Back-flow Preventers/Lien Enforcement - Gary Bowen
Water Rights - Gary Bowen
Approved Lots/Building Permits Report - Ernestine Folks
Ad Hoc Committee Report - Michael Motko

7:00 - PM **REGULAR COUNCIL MEETING AGENDA ITEMS:**

Invocation and Pledge of Allegiance
7:03 Approval of Agenda Time Frame
7:05 Robert Nelson Annexation Petition
7:10 Sewer Connection Policy - Stewart Jolley
7:15 Action on Public Hearing Ordinances:
Ordinance/Regulating Assisted Living Centers

**ELK RIDGE
TOWN COUNCIL MEETING
September 12, 2000**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge Town Council was held on **Tuesday, September 12, 2000, at 7:00 PM**; it was preceded by the **Council Work Session at 6:45 PM**. There were also **three Public Hearings: the first, at 6:00 PM**, was concerned with an Ordinance amending the Elk Ridge Town Zoning Ordinance, Section 10-3-3, supplementary regulations within the Zones, creating section 10-3-3.32, regulating Assisted Living Centers; **the second Public Hearing, held at 6:15 PM**, was about a proposed Ordinance amending the Elk Ridge, Utah, Zoning Ordinance, dealing with the transfer of Development Rights Overlay Zone; **the third Public Hearing, at 6:30 PM**, was on a proposed Ordinance Amending Section 10-7-6.3 of the Elk Ridge Town Subdivision Ordinance; dealing with Surface Water Disposal, Design Criteria and Access Design.

The meetings were held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of these meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by mailing a copy to each on September 8, 2000.

6:00 PM - PUBLIC HEARING/ORDINANCE-ASSISTED LIVING CENTERS

ROLL CALL

Mayor: Cregg Ingram; Town Council: Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson (Absent: Michael Motko); Planning Commission: Stewart Jolley; Administrative Assistant: Ernestine Folks; Public: Paul Eddy; and Town Clerk: Janice H. Davis

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO OPEN THE PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE TOWN ZONING ORDINANCE, SECTION 10-3-3, SUPPLEMENTARY REGULATIONS WITHIN ZONES, CREATING SECTION 10-3-3.32 REGULATING ASSISTED LIVING CENTERS.

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

Stewart Jolley: Assisted Living has a broad definition. Other communities are experiencing eventual problems which has resulted in some going out of business...some being interpreted as mentally handicapped young people. The Planning Commission would like to add the definition of Assisted Living Centers in the Code; they would be restricted to people over 55 years of age.

Mayor Ingram: Observed that he has witnessed Assisted Living Centers for younger people which have been good; however, he has no problem

ELK RIDGE TOWN COUNCIL PUBLIC HEARING - 9-12-00, CONT.

with the proposed ordinance, as it is.

Cindi Ellis: Questioned the necessity of a fence.

Stewart Jolley: Responded that it would be for the safety of the residents staying in the Center.

Mayor: According to the Town Planner, the proposed ordinance can be approved with the addition of the definition, subject to the Attorney's review.

There were no further concerns expressed.

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO CLOSE THE PUBLIC HEARING ON AN ORDINANCE REGULATING ASSISTED LIVING CENTERS

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

6:15 PM

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PUBLIC HEARING/ORDINANCE-TRANSFER OF DEVELOPMENT RIGHTS

ROLL CALL

Mayor: Cregg Ingram; *Town Council*: Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson (*Absent*: Michael Motko); *Planning Commission*: Stewart Jolley; *Administrative Assistant*: Ernestine Folks; *Public*: Paul Eddy, James H. & Kay Armstrong, Jana & Brad Saunders, Josh Lee, Robert Nelson, Dennis Wintch, Debbie Dallas, Dave & Cindi Hendrickson, Karen Tribett, Scout Tyler Tribett, Jeff & Camille Jensen, Krish F. Dodenbier, Bob & Karen Kolibar, Patrick Hagen;

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO OPEN THE PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE, UTAH, ZONING ORDINANCE, DEALING WITH THE TRANSFER OF DEVELOPMENT RIGHTS OVERLAY ZONE
VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

Gary Bowen: It needs to be understood by all that this Ordinance has nothing to do with the transfer of water rights. It only transfers the development right from one property to another.

Mayor: In essence, the Town is allowing the transfer of a development right attached to an approved lot to an unimproved parcel. (The owner of the approved lot would have to be willing to sign some sort of a waiver of entitlement to build.) This is concerned with water capacity to be able to service the already -existing, approved lots in Town.

Gary Bowen: Both parties would keep their water rights, which are assigned to the lots. There will be some Town involvement in administering the transfers (staff, attorney review, etc.). A fee needs to be established to apply for the process.

Paul Eddy: Suggestion: file with the County that the lot is no longer buildable or usable and they will reduce the taxes.

ELK RIDGE TOWN COUNCIL PUBLIC HEARING - 9-12-00, CONT.

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO CLOSE THE PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE, UTAH, ZONING ORDINANCE, DEALING WITH THE TRANSFER OF DEVELOPMENT RIGHTS OVERLAY ZONE
VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

6:30 PM

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MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO OPEN A PUBLIC HEARING ON AN ORDINANCE AMENDING SECTION 10-6-3.8 OF THE ELK RIDGE TOWN ZONING ORDINANCE AND SECTION 10-7-6.3 OF THE ELK RIDGE TOWN SUBDIVISION ORDINANCE; DEALING WITH SURFACE WATER DISPOSAL, DESIGN CRITERIA AND ACCESS DESIGN
VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

This proposed ordinance simply gathers all of the drainage issues into one place in the Development Code, for easier access.

Paul Eddy: (Drainage issue) Mr. Eddy reported an existing problem on High Sierra Dr.: The storm drainage system is full, presenting a danger of flooding the homes below. Last Spring the same problem existed. The Engineer said he would look at it...to date, nothing has been done. The Jensen's have had their basement flooded twice. There is a great deal of dirt in the gutters, as well. All that will eventually wash down the street and cause problems at the storm drains.

Gary Bowen: The sumps can be pumped out. Councilmember Bowen will take a look at the situation and get back to the Council.

(Corner of Coley's Cove & High Sierra)

The Council has not released the Durability Bond for the Subdivision, yet.

There were no further comments.

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VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

ELK RIDGE TOWN COUNCIL WORK SESSION - 9-12-00, CONT.

ELK RIDGE TOWN COUNCIL WORK SESSION

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson, Michael Motko; *Planning Commission:* Stewart Jolley; *Administrative Assistant:* Ernestine Folks; *Public:* Paul Eddy, James H. & Kay Armstrong, Jana & Brad Saunders, Josh Lee, Robert Nelson, Dennis Wintch, Debbie Dallas, Dave & Cindi Hendrickson, Karen Tribett, Scout Tyler Tribett, Jeff & Camille Jensen, Krish F. Dodenbier, Bob & Karen Kolibar, Patrick Hagen; and *Town Clerk:* Janice H. Davis

WATER/SEWER
DEPTS.
UPDATES

1. Gary Bowen: The Town still needs a cost estimate of the Sewer line Installation on Loafer Canyon Rd. and the water line on South Salem Hills Dr. from LEI Engineering. Mr. Nelson is ready to lay asphalt in his subdivision and would like to get started on the other two projects. LEI is suppose to have the estimate at the end of the current week. A cost estimate is also needed for the road work to be done after the sewer line is laid, specifically on the 1200 ft. south of Loafer Ridge Subdivision, on Loafer Canyon Rd.

Ernestine Folks: Construction signs should be put up on both sides of the subdivision to warn people of the work being done.

Cindi Ellis: There should also be another sign placed at the top of Park Dr., before people drive down into Loafer Canyon. (Councilmember Bowen agreed.)

2. Gary Bowen: (Backflow Preventers)

There is an Ordinance in place which requires that backflow preventers be installed all over Town. They are being installed, one section at a time, at cost. There is no way to actually collect the reimbursement to the Town from the homeowner. He proposed filing a lien on the lot after 90 days, if the Town has not been paid back. The cost is about \$100 (depending on the line size). The homeowner would have the option to pay it off in three months. A lien would not necessarily force the owner to pay the bill off, unless the owner tried to sell the home.

Councilmember Bowen would prefer to attach the cost to the utility bill. He doesn't know if this could be done. The Town Attorney will be contacted to determine if the ordinance could be amended to attach the cost to the utility bill. Councilmember Bowen will follow up on this with Ernie Folks and will contact the attorney.

3. Gary Bowen: (Water Rights)

Information was needed as to the total usage for every individual over a year's period of time. Linda Cooper traced last year's usage and came up with the figures, as compared to the actual water right. Originally, the water right requirement was one acre foot/lot (this is a specific amount of water).

ELK RIDGE TOWN COUNCIL WORK SESSION - 9-12-00, CONT.

An engineering firm updated the amount of required water right to 1.3 acre ft. This creates some concern of the Town being short on water rights. The Town Clerk reviewed all the water rights in the Town's name. Original Rights: Difficult to pin-point exactly where they are assigned.

Salem Hills Subdivisions + Town use

In the past, developers could purchase up to 3 acre ft. per development, from the Town.

After review, the total number of rights is substantially higher than he thought. The transfer process has been for the Town to apply in conjunction with the developer and transfer all of the rights to the Town's wells. (The reasoning behind this was that municipalities did not have to prove-up on their rights...now, that is not the case.) As the rights were used in development, they were deeded to the Town and assigned to specific subdivisions. Some of the rights which have been transferred have not been put to use.

Councilmember Bowen has discussed with the Council in the past that the EPA (Environmental Protection Agency) is going to take over the State Division of Water in 2002. The information coming to the certified operators (Kent Haskell and Gary Bowen are certified) is that they are going to track pumping vs. water sales...to make sure there are rights for all the water pumped. Because the rights are transferred, the Town can pump them; but, actually, water is being used that is allocated to other lots.

Some of the water users in Town are using well over the amount allowed by their water right (1.3 acre ft. = 434,428 gals./1 acre ft. = 325,829 gals.).

Example: One user is over 1,080,000 gals. last year compared to the 1 acre ft. assigned to their lot. Another user is at about 970,000 gals.

There is a group that are in the 600,000 gal. range.

Total number of users over in gallons = 168 (not including new lots)

In the future, if the Town pumps more water than their water rights allow, there will be a fine.

Recommendation:

1. Consider getting control of water shares
 - A. Dallas Young rights (Balance of about 85 acre ft.)
 - B. Other sources of water rights
 2. How would the Town go about getting extra rights to the lots using over their allotment? Suggestion:
 - A. Lease rights to cover usage
 - B. High-end users could purchase additional rights for their lots
- Example: If Mecham's proposed Annexation and subsequent development goes through, the lots will be oversized...how much water right will be required?

Other cities are not any where close to where we are in water usage or charges. Payson has a secondary water system.

ELK RIDGE TOWN COUNCIL WORK SESSION - 9-12-00, CONT.

Salem does not have the usage per lot that Elk Ridge does (they have many smaller lots). Woodland Hills has a different process: there are restrictions on how much of a lot one can actually develop. The oak brush is not watered, the lots are bigger and are left in their natural state, except for a small portion which is landscaped.

One problem in requiring the high-end users to purchase additional water rights is that there may be a problem with enforcement. What would be the initiative to purchase the extra rights, once they are on the system and have established homes and yards?

Councilmember Bowen stated a further concern that it has yet to be determined what the Town's actual water capacity in the aquifers is. It doesn't matter how many wells are drilled if there isn't enough water to fill those wells and tanks. At some point there is a limit; so the build-out has got to be connected to that. This should be addressed.

Mayor (in summary):

1. The Town is using more water than there are rights to use.
2. How much capacity does the Town really have in the aquifers to supply the wells?

Gary Bowen: When the EPA takes over, municipalities will have to prove that their rights are in use. (Suggestion: to change the policy of co-application for water rights transfers with the developers)

APPROVED LOTS/
BUILDING PERMITS
REPORT

Ernestine Folks: Copies of the report were included in the packets to the Town Council members. Total number of homes at the end of August, 2000 = 469; Approved vacant lots = 198 (150 of these would connect onto the Town's water system); 2 new building permits;

AD HOC
COMMITTEE
REPORT

Michael Motko: A draft of the report has gone to the members of the Ad hoc Committee. They were given a month to review it and get their feed-back to Councilmember Motko. There was only one response. A formal presentation will be given to the Council at the next Town Council Meeting with LEI Engineering; then the report will be referred to the Planning Commission.

**ELK RIDGE
TOWN COUNCIL MEETING
September 12, 2000**

**TIME & PLACE
OF MEETING**

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ROLL CALL

Mayor: Cregg Ingram; *Town Council*: Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson, Michael Motko; *Planning Commission*: Stewart Jolley; *Administrative Assistant*: Ernestine Folks; *Public*: Paul Eddy, James H. & Kay Armstrong, Jana & Brad Saunders, Josh Lee, Robert Nelson, Dennis Wintch, Debbie Dallas, Dave & Cindi Hendrickson, Karen Tribett, Scout Tyler Tribett, Jeff & Camille Jensen, Krish F. Dodenbier, Bob & Karen Kolibar, Patrick Hagen; and *Town Clerk*: Janice H. Davis

**INVOCATION
& PLEDGE OF
ALLEGIANCE**

The invocation was offered by Janice Davis; with the Pledge of Allegiance following.

**AGENDA TIME
FRAME**

**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY
CINDI ELLIS TO APPROVE THE AGENDA TIME FRAME
VOTE: YES (5) NO (0)**

**ROBERT NELSON
ANNEXATION
PETITION**

Robert Nelson: (Mr. Nelson submitted a Petition for Annexation to the Town on September 7, 2000. It was also filed with Utah County.
(It was before the Council for either acceptance or denial.)

The area proposed for annexation into Elk Ridge lies just east of 2 lots in the Loafer Ridge Subdivision on North Loafer Canyon Rd. The annexation would deepen the existing lots by 40 feet. He also wishes to adjust the 2 lots to create 3 lots (One of them cannot be built on until water capacity in Town changes). The proposed area to be annexed is 40' X 477'.

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO ACCEPT THE ROBERT NELSON/TED HANKS PETITION FOR ANNEXATION

VOTE: YES (5)

NO (0)

**SEWER
CONNECTION
POLICY**

The proposed policy is in the form of a resolution. It addresses the issue of connecting existing homes onto the sewer line, as it is brought to their property. This resolution explains the fees to be paid and the process to follow when this occurs. If the resident connects as the line is being installed, the sewer hook-up fee will be waived. Once the sewer line is in place, the affected residents will have to connect onto the line within one year.
Discussion.

Mayor: The affected residents need to be sent a copy of the resolution. Council member Bowen is to check on Jim Armstrong's case; to see if he lies within the required distance from the sewer line to be forced to connect.

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY KENT ANDERSON TO APPROVE A RESOLUTION ESTABLISHING A SEWER CONNECTION POLICY, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE, WHICH SHALL BE 9-12-00

VOTE: YES (5)

NO (0)

**ACTION ON
PUBLIC HEARINGS**

1. Ordinance/Regulating Assisted Living Centers

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN TO ADOPT THE ORDINANCE AMENDING THE ELK RIDGE TOWN ZONING ORDINANCE, SECTION 10-3-3, SUPPLEMENTARY REGULATIONS WITHIN THE ZONES, CREATING SECTION 10-3-3.32, REGULATING ASSISTED LIVING CENTERS; WITH THE ADDED DEFINITION OF ASSISTED LIVING FACILITIES ; TO BE ADDED TO THE ORDINANCE SUBJECT TO REVIEW BY THE TOWN ATTORNEY.

VOTE (POLL): KENT ANDERSON-AYE, CINDI ELLIS-AYE, MICHAEL MOTKO-AYE, GARY BOWEN-AYE, MAYOR INGRAM-AYE

MOTION PASSES 5-0

2. Ordinance/Transfer of Development Rights

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MICHAEL MOTKO TO ADOPT AN ORDINANCE AMENDING THE ELK RIDGE, UTAH, ZONING ORDINANCE, DEALING WITH THE TRANSFER OF DEVELOPMENT RIGHTS OVERLAY ZONE

VOTE (POLL): KENT ANDERSON-AYE, CINDI ELLIS-AYE, MICHAEL MOTKO-AYE, GARY BOWEN-AYE, MAYOR INGRAM-AYE

MOTION PASSES 5-0

**3. Ordinance/Surface Water Disposal, Design Criteria & Access Design
MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MICHAEL
MOTKO TO ADOPT AN ORDINANCE AMENDING SECTION 10-6-3.8 OF
THE ELK RIDGE TOWN ZONING ORDINANCE AND SECTION 10-7-6.3
OF THE ELK RIDGE TOWN SUBDIVISION ORDINANCE; DEALING WITH
SURFACE WATER DISPOSAL, DESIGN CRITERIA AND ACCESS
DESIGN**

**VOTE (POLL): KENT ANDERSON-AYE, CINDI ELLIS-AYE, MICHAEL
MOTKO-AYE, GARY BOWEN-AYE, MAYOR INGRAM-AYE
MOTION PASSES 5-0**

SAUNDERS
SUBDIVISION,
PLAT A
FINAL PLAT

Mayor: The Mayor contacted Andrew Jackson (Town Planner) about the question of the subdivision of the lot, itself. He indicated that it meets all the conditions and can be approved as a subdivision; however, we also know that the Saunders cannot build on it unless they have an approved development right for their lot transferred from someone else's lot.

Ernestine Folks: The Planning Commission's recommendation is to deny the approval of the proposed subdivision, based on no further water capacity in the water system. All subdivision requirements have been met.

Mayor: According to the Town Planner, if the Saunders have a development right transferred to them, then this would replace the right of another already approved lot.

Jana Saunders: Had in her possession a letter written from the Murrays, giving their permission for the Saunders to use the development which was assigned to the extra lot which was involved in a combinations of two lots into one lot.

(Salem Hills Subdivision, Plat A, was vacated and amended to create the Brian Murray Subdivision, Plat A.)

Brad Saunders: The reason for denial is the issue of water capacity. So, with the combination of their lots, what happened to the extra right to connect? Wouldn't this free up a right to connect to the system? Would the Murrays be involved at all?

Gary Bowen: The first thing to understand is that the Murrays did not have possession of any water. The water is transferred to the Town. When they vacated the previous subdivision, their 2 lots became 1 lot.

Mayor: The engineering studies on the water system set the capacity at a certain level. The 2 lots belonging to the Murrays were counted as part of the original 566 approved lots. When the lots were combined, the extra development right came back to the Town.

The question remains; Will the Council regard that extra development right as one that can be transferred to the Saunders' or leave it with the Town to assist in paying down the deficit in capacity?

The Mayor has not checked with the Attorney as to whether the Murrays would be involved in receiving payment for the development right and how much that payment should be.

ELK RIDGE TOWN COUNCIL MEETING - 9-12-00, CONT.

Gary Bowen: Has a problem approving a lot that cannot be connected onto the sewer line. Septic tanks are not allowed in Loafer Canyon.

(The Saunders are willing to connect onto the sewer line when it is accessible. They will extend the south end of the line to their property.)

If the subdivision is approved and the Saunders start building before the sewer line is in place, then the house could be finished before they are in a position to connect onto the system. Would the Town then withhold a certificate of occupancy until the sewer line is in? It is impossible to predict with absolute certainty the progress of that line. Unforeseen events could even halt construction on the line.

Jana Saunders: If the transfer of development rights were approved, then the only thing that would be affected would be the inability to build on the property.

Michael Motko: The big question is the transfer of development rights. Is it in the best interest of the Town to reassign this right to the Saunders?

Mayor: The Saunders were directed that they would have to weigh the situation as to the best time to start to build, should their lot be approved.

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY MAYOR INGRAM TO APPROVE THE SAUNDERS SUBDIVISION, PLAT A, FOR FINAL PLAT APPROVAL, WITH THE CONTINGENCY OF HAVING TO DEFINE THE DEVELOPMENT RIGHT ISSUE AS TO WHETHER A TRANSFER TO THE SAUNDERS' LOT IS TO COME FROM THE TOWN OR FROM SOMEONE ELSE

Discussion:

Cindi Ellis: Still questions the wisdom of transferring a development right to another party when the Town is in a deficit situation, with water capacity.

Mayor: The approval is contingent upon clarification of development rights.

Cindi Ellis: Does not feel comfortable approving the subdivision without first clarifying the contingencies.

Michael Motko: The only contingency is the question of development rights.

VOTE (POLL): KENT ANDERSON-AYE, MICHAEL MOTKO-AYE, MAYOR INGRAM-AYE....CINDI ELLIS-NAY, GARY BOWEN-NAY

MOTION PASSES 3-2

Brad Saunders: The questions which remain:

1. Is there a development right to be transferred?
2. Who will be paid?
3. When will the sewer be available?

Mayor: Will take the lead on these issues. The Saunders will be kept informed.

ELK RIDGE TOWN COUNCIL MEETING -9-12-00, CONT.

JIM ARMSTRONG
WATER LINE

Jim Armstrong: (Brief History of Property)

(Property is located north of Town, east of Burke Cloward's land)

Mr. Armstrong purchased his land in 1977 from Jim Winterton, on the condition that Mr. Winterton install a road, at a cost to Mr. Armstrong of about \$9,700 for 1,800 feet of road. Mr. Armstrong also installed a 6" water line with fire hydrants. While living in Price, Utah, he received a letter from Elk Ridge Town, stating that a well was being drilled in the area and that there was a possibility that the Town would want to connect onto his water line. In 1994, he and his wife decided that they would build on their land here in Elk Ridge. Mr. Armstrong said that he came to the Mayor at the time and was told that under no condition would he grant any kind of variance or would he grant Mr. Armstrong a building permit. Mr. Armstrong said that he commented to the Mayor that the Town had connected onto his private water line and had been transferring water to the Town all those years...trespassing across his property...without Mr. Armstrong's knowledge. Since he had owned his lot prior to the adoption of the Zoning Ordinance, it was considered a non-conforming lot of record and he was granted a building permit. As the basement was being built, Mr. Armstrong was connecting a pressure regulator due to the high pressure existing on that water line. He was going to run a full-sized line to the road.

Again he met with the Mayor and was told that the water line had been changed into a high-pressure transmission line and that there was nothing that could be done about the situation. Mr Armstrong threatened to turn the water off to the Town. An agreement was presented to him.

(Part of the Agreement was read to the Council) The Town granted certain things to Mr. Armstrong:

1. 1 right to connect to the water transmission line. This would waive the water right conveyance obligation for the 1 lot, along with the connection fee (\$1,500)
2. The right to connect his home and out buildings to the existing water line.
3. At the time Armstrong, his heirs or assignees, develops his property, Elk Ridge will engineer and install a separate water line from the well to the southeast corner of the Armstrong property. The installation of the new water line will be at Elk Ridge's expense. The line is to be either along the present easement or a mutually agreeable route through the Armstrong property. Said action will provide a main high pressure line from the well and allow the present line to be used in development for the lower pressured **connections**. (Armstrong, in turn, granted to the Town:

1. Ownership of the water line to Elk Ridge
2. A permanent water transmission line easement and right of way, granting the right to enter the property, for the purpose of maintaining the line.)

Mr. Armstrong has been told that if he plans to develop his property beyond his existing lot, that he will have to install 8" lines. He called attention to the word connections (plural) and reminded that Council that an agreement

ELK RIDGE TOWN COUNCIL MEETING - 9-12-00, CONT.

has been signed between the Town and himself and that it should be honored. He also reported that when the lower well went back on line, his sprinkler system and elbow on the line blew. They were repair at a cost to Mr. Armstrong. He asked Kent Haskell to check the pressure in the line and when the well is on, it is about 500 lbs. Two 300 psi. Pressure regulators have been installed. Mr. Armstrong wants assurance from the Town Council:

1. That any further damage to his property will be covered by the Town
2. That the present Town Council will honor the signed agreement

(He feels he should not have to meet the current requirement of an 8" water line, if he or his heirs decide to develop his property.)

If the agreement is not honored, then Mr. Armstrong stated that he would attempt to collect compensation for all of the things granted to the Town from the beginning of the use of his water line. He is prepared to use legal means, if necessary.

Gary Bowen:

1. Only place that the pressure is 500 psi is at the well house. There is a relief valve which bleeds the pressure off.
2. As the line goes up the hill, the pressure decreases.
 - A. As the pressure goes into Mr. Armstrong's house, the pressure is about 300 psi. That is the reason for the two pressure reducing valves in a row.

(Mr. Armstrong requested an independent opinion as to the determine the pressure in that line.)

- B. Ductile pipe operates at 300 lbs. Ductile iron operates at 20% of what its burst-rate is. The problem exists with Mr. Armstrong tying into a transmission line. A plan is suppose to be worked out to have him on a line that is not a transmission line.
3. The water line in the area needs to be moved to a different location. So, the plan is to have the transmission line totally separate from the line on Mr. Armstrong's land.
4. The Development Code does require an 8" line for development. Because of the change, the Town will cover taking the 8" line to corner of the property.

Mayor (summary):

1. Mr. Armstrong will be noticed on every issue which affects his property while Mayor Ingram is in Office.
2. The Council needs more information on the issue and what is being proposed for the area. The Mayor feels that Mr. Armstrong should be involved in the planning for the area where his land is located.

Kay Armstrong: They have 5 sons; when they develop on the property, how will that be accomplished? Will they be able to use the 6" lines already in existence, or will they be held to the current requirements?

Michael Motko: The 6" water lines in Town are being replaced. They are old and corroded and they are no longer adequate. When the Armstrongs began to address the Council, Councilmember Motko said that he felt

ELK RIDGE TOWN COUNCIL MEETING - 9-12-00, CONT.

concern for their situation. Why direct offensive accusations toward the Council? There is no doubt that Mr. Armstrong has issues; but, if the 6" line is left in place and it goes bad, then the Town will be responsible to fix it. When 5 or 6 homes are added on his property, the Town will be responsible to provide services to them, not Mr. Armstrong.

Jim Armstrong: He is willing to honor his part of the agreement; but, when the rules change, the Town should still honor the agreement.

Mayor: Allow the chance for this Council to review the issues.

The Mayor will:

Inform Mr. Armstrong of any action involving his land

Review the agreement with the Town Attorney, Town Planner and the Town Engineer to clarify the concerns expressed by the Armstrongs.

(Mr. Armstrong should be involved in anything that is considered appropriate...Mr. Armstrong was willing.)

BUS ROUTE/
OAK BLUFF AREA

Kent Anderson:

Many of the residents of the Oak Bluff Estates area in Town are concerned about the growing problem that the school bus will not pick up the school aged children in their area, due to the lack of a turn-around of sufficient size to allow a school bus to turn around. A letter was submitted to the Town Council expressing the concern over the safety of these children, as they must walk to their bus stop at the north end of Elk Meadows Dr. It is a heavily traveled road due, in part, to the golf course. With new growth, it will get busier.

Proposal:

1. Remove the bus stop from the corner of Park Dr. & Elk Meadows Dr. and relocate it to the corner of Elk Meadows Dr. & Gladstan Drive.
2. Elk Ridge could work with Payson City to facilitate a turn-around point for school buses. The proposed bus route would allow the bus to come up (south) Elk Meadows Dr. and to turn right at Gladstan Dr. The bus would use the Golf House parking lot to turn around in and then come back up and pick up the children at Gladstan Road & Elk Meadows Dr.

Payson City may not want to have the road unchained in the winter. The chain discourages people from using the Golf Course as a sledding hill.

Plowing the road could also be a problem.

Steepness of Elk Meadows Dr. could also be a concern.

Mayor Ingram: This is one option. He has actually been concerned with this very problem and has looked into the possibility of the Town installing a temporary connecting road between West Salem Hills Dr. and East Salem Hills Dr. The cost to the Town would be about \$5,000 to \$6,000. If the road was a hard-surfaced road, installed to the Town Standards could cost approximately \$40,000.

ELK RIDGE TOWN COUNCIL MEETING -9-12-00, CONT.

The question on this option is whether the school district would allow the buses to drive on a temporary, chip & seal type road. Another issue is that the Town does not own the ground the road would be on.

The Mayor will contact Payson's Mayor and road superintendent and will call Nebo School District as soon as possible about the possibility of using the Golf Course parking lot for a turn-around.

The contact person for the Oak Bluff area will be Scot Bell.

NON-AGENDA
ITEM

Eagle Scout Project/Report:

Tyler Tribett had his Project approved by the Council. He finished it and now was present to report to the Council. The Project was to paint house numbers on the curbing in the Oak Bluff Estates area. The cost totaled \$88.94. The stencils which were purchased belong to the Town for future use.

HASKELL SUBD.,
PLAT E/
DURABILITY
RETAINER
RELEASE

The Subdivision has been inspected by the Town Engineers and they have issued a letter approving the release of the Durability Retainer for Haskell Subdivision, Plat E.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MICHAEL MOTKO TO RELEASE THE DURABILITY RETAINER FOR HASKELL SUBDIVISION, PLAT E

VOTE: YES (5)

NO (0)

S. SHULER
SUBDIVISION,
PLAT A/
DURABILITY
RETAINER
RELEASE

The improvements for this Subdivision were installed in conjunction with Haskell Subdivision, Plat E. It is located within Mr. Haskell's Subdivision. The Town Engineers inspected the Subdivision at the same time as their inspection of Haskell, Plat E. They recommend release of the Durability Retainer.

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY GARY BOWEN TO APPROVE THE RELEASE OF THE DURABILITY RETAINER FOR S. SHULER SUBDIVISION, PLAT A

VOTE: YES (5)

NO (0)

STREET NAMES
& ADDRESSES

Cindi Ellis: There is concern on the part of residents and the Fire Dept. that so many street names in Town are similar and difficult to find. This presents a danger in that emergency vehicles may not be able to locate an address quickly. (Example: East & West Salem Hills Drive)

Suggestions:

1. Change the entire Town to North/South/West/East coordinates.

Councilmember Ellis met with LEI Engineering and they say it is feasible; but, should be done in phases, over a period of time...perhaps four years.

Mayor: The cost should be determined to change the addresses. A survey could be sent out to the residents to see what the reaction would be.

Michael Motko: Would not support changing over. He enjoys the street names rather than coordinates.

ELK RIDGE TOWN COUNCIL MEETING - 9-12-00, CONT.

Kent Anderson: Leave the street names and add the coordinate numbers to the signs.

2. Change certain names that are the most confusing.

BACK-FLOW
PREVENTERS

Gary Bowen: No action at this time.

WATER RIGHTS/
ACTION

Gary Bowen: Councilmember Bowen wants the Council to authorize him to negotiate the cost on the Dallas Young water rights; for purchase by the Town. The Council is all in agreement with Councilmember Bowen.

AD HOC
COMMITTEE
REPORT

No action at this time.

TOWN HALL
PHONE SYSTEM

The decision needs to be made between leasing the phone system or purchasing it. The cost = \$4,785.04 + \$300 extra to tie in the Internet and the

Dialing system for the telemetry system.

To lease, it would be \$216.48 up front (first & last month).

The payment per month would be about \$106 + the monthly phone bill.

The Council was in agreement that the Town would lease the system.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MICHAEL MOTKO TO APPROVE LEASING THE PHONE SYSTEM FOR THE TOWN HALL FROM TRI-TEL COMMUNICATIONS

VOTE: YES (5)

NO (0)

TOWN COUNCIL
RETREAT

Mayor Ingram: The Mayor recommends a ½ day Retreat, when the Council discuss some of the issues at hand. When would this be feasible?

Cindi Ellis prefers a Friday morning. Michael Motko also prefers Fridays.

Kent Anderson would rather meet on a Saturday.

The Mayor asked that each Councilmember give him three dates (in writing) for the Retreat.

EXPENDITURES

General:

1. Work Release #4 - Engineering work by LEI Engineering

To determine where to locate a water storage tank for the lower pressure zone.

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO APPROVE THE PROPOSED ENGINEERING ON THE LOWER WATER SYSTEM, AS LISTED ON WORK RELEASE #4, NOT TO EXCEED \$3,100

VOTE: YES (5)

NO (0)

(Councilmember Bowen will set a time limit for the work to be done.)

ELK RIDGE TOWN COUNCIL MEETING - 9-12-00, CONT.

2. Hagen Consulting: A proposal was submitted to the Town for work on the computer system in the Town Hall. There are several existing problems. The rate quoted is \$80/hour. Mr. Hagen is unable to determine the amount of time needed to resolve the problems.

Michael Motko: Would like to seek other opinions for the work to be done. The Mayor assigned Councilmember Motko to review the proposal and bring a recommendation to the Council.

List of Expenditures for August, 2000:

There was a question on the \$75 spent on a shovel in the Parks Dept.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY KENT ANDERSON TO APPROVE THE WARRANT REGISTER FOR AUGUST, 2000

VOTE: YES (4) NO (0) ABSENT FROM VOTE (1)
MICHAEL MOTKO

MINUTES

1) Town Council Minutes of 7-18-00:

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY KENT ANDERSON TO APPROVE THE TOWN COUNCIL MINUTES OF 7-18-00

VOTE: YES (4) NO (0) ABSENT FROM VOTE (1)
MICHAEL MOTKO

2) Town Council Minutes of 8-8-00:

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MAYOR INGRAM TO APPROVE THE TOWN COUNCIL MINUTES OF 8-8-00

VOTE: YES (4) NO (0) ABSENT FROM VOTE (1)
MICHAEL MOTKO

3) Town Council Minutes of 8-15-00:

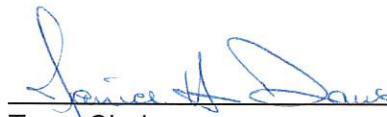
MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN TO APPROVE THE TOWN COUNCIL MINUTES OF 8-15-00

VOTE: YES (4) NO (0) ABSENT FROM VOTE (1)
MICHAEL MOTKO

ADJOURNMENT

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MAYOR INGRAM TO ADJOURN THE MEETING

VOTE: YES (4) NO (0) ABSENT FROM VOTE (1)
MICHAEL MOTKO



Town Clerk

AMENDED NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a regular Town Council Meeting on **Tuesday, September 26, 2000, at 7:00 PM**; it will be preceded by **two Public Hearings** for the purpose of hearing public comment on the following: The **first Public Hearing, at 6:00 PM**, will be regarding a proposed Ordinance amending the Elk Ridge Town Subdivision Ordinance, regulating Preliminary Plans; The **second Public Hearing, to be held at 6:15 PM**, will be on a proposed Ordinance amending the Elk Ridge Town Subdivision Ordinance, regulating Final Plats. The Public Hearings will be followed by the **Council Work Session at 6:20 PM and a Town Council Closed Session at 6:40**. The meetings will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 - PM **PUBLIC HEARING - ORDINANCE AMENDING THE ELK RIDGE TOWN SUBDIVISION ORDINANCE, REGULATING PRELIMINARY PLANS**

6:15 - PM **PUBLIC HEARING - ORDINANCE AMENDING THE ELK RIDGE TOWN SUBDIVISION ORDINANCE, REGULATING FINAL PLATS**

6:20 - PM **TOWN COUNCIL WORK SESSION**

Ad Hoc Committee Report - Michael Motko
Update-School Bus Turnarounds - Mayor Ingram
Update-Sewer Line/Salem Hills Water Line - Gary Bowen
Discussion-Saunders Development Right
Oak Bluff Estates, Plat B - Improvement Repairs/Durability Retainer

6:40 - PM **TOWN COUNCIL CLOSED SESSION**

Pending Litigation/Strategy

7:00 - PM **REGULAR COUNCIL MEETING AGENDA ITEMS:**

Invocation and Pledge of Allegiance

7:03 Approval of Agenda Time Frame

7:05 Haskell Subdivision, Plat D/Durability Retainer Release

7:10 Mecham Annexation/Protest-Council Decision (Deny or Proceed)

7:15 Loafer Ridge Annexation/Nelson - County Letter

7:20 Action on Public Hearing Ordinances:

Ordinance/Regulating Preliminary Plans

Ordinance/Regulating Final Plats

7:25 Resolution/Amending Chapters 02.04, Preliminary Plat, & Chapter 02.06, Final Plat & the Appendix of the Elk Ridge Town Development & Construction Standards, to repeal the existing Preliminary and Final Plat Application Forms and Checklists and adopt new Preliminary and Final Plat Applications and Checklists and establish an effective date

7:30 Greenview Estates, Plat A - Action

7:35 Action/Ad Hoc Committee Report

7:40 Expenditures: General

7:45 Approval of Minutes of Previous Meetings

7:50 Oak Bluff Estates, Plat B/Durability Retainer - Default

7:55 Haskell Subdivision, Plat G - Request for Extension for Construction

8:00 Adjournment

*Handicap Access, Upon Request. (48 Hours Notice)

Town Council meeting 9-26-00, Cont.

The times which appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.

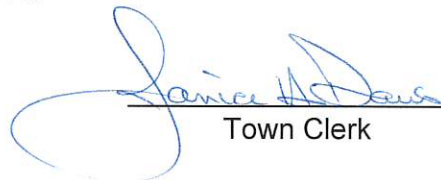
Dated this 25th Day of September, 2000.



Town Clerk

CERTIFICATION

I, the undersigned, duly appointed and acting Town Clerk for the municipality of Elk Ridge, hereby certify that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Governing Body on September 22, 2000. The foregoing Amended Notice of Agenda was faxed to the Payson Chronicle and was provided to the Town Council on the 25th of September, 2000.



Town Clerk

**ELK RIDGE
TOWN COUNCIL MEETING
September 26, 2000**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge Town Council was held on **Tuesday, September 26, 2000, at 7:00 PM**; it was preceded by the Council Work Session at 6:20 PM. There were also two Public Hearings: **the first, at 6:00 PM**, was concerned with an Ordinance amending the Elk Ridge Town Subdivision Ordinance, regulating Preliminary Plans; the **second Public Hearing, held at 6:15 PM**, was about a proposed Ordinance amending the Elk Ridge Town Subdivision Ordinance, regulating Final Plans. The Meetings were held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of these meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by mailing a copy to each on September 22, 2000. An Amended Agenda was faxed to the Payson Chronicle and provided to the Governing Body on September 25, 2000.

6:00 PM

PUBLIC HEARING/ORDINANCE-REGULATING PRELIMINARY PLANS

ROLL CALL

Mayor: Cregg Ingram; Town Council: Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson (Absent: Michael Motko); Planning Commission: Stewart Jolley; Public: Don Mecham; and Town Clerk: Janice H. Davis

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY KENT ANDERSON TO OPEN THE PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE TOWN SUBDIVISION ORDINANCE, REGULATING PRELIMINARY PLANS

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

The Planning Commission recommends adoption of this proposed Ordinance. There is a need to require additional information from applicants in the development process. The Preliminary Plan Checklist will be removed from the Subdivision Ordinance, itself, and will be located in the Construction Standards.

No further comment.

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN TO CLOSE THE PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE ELK RIDGE TOWN SUBDIVISION ORDINANCE, REGULATING PRELIMINARY PLANS

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

ELK RIDGE TOWN PUBLIC HEARING - 9-26-00, CONT.

6:15

PUBLIC HEARING/ORDINANCE-REGULATING FINAL PLATS

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson (*Absent:* Michael Motko); *Planning Commission:* Stewart Jolley; *Public:* Don Mecham; and *Town Clerk:* Janice H. Davis

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY KENT ANDERSON TO OPEN THE PUBLIC HEARING ON A PROPOSED ORDINANCE AMENDING THE ELK RIDGE TOWN SUBDIVISION ORDINANCE, REGULATING FINAL PLATS

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

This proposed ordinance also removes the checklist for Final Plats from the Subdivision Ordinance and places it in the Construction Standards. There were no comments.

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN TO CLOSE THE PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE TOWN SUBDIVISION ORDINANCE, REGULATING FINAL PLATS

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

ELK RIDGE TOWN COUNCIL WORK SESSION

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson (*Absent:* Michael Motko); *Planning Commission:* Stewart Jolley; *Public:* Don Mecham; and *Town Clerk:* Janice H. Davis

AD HOC
COMMITTEE
REPORT

(Michael Motko not present.)
Rough draft of the Report to go to the Planning Commission and a copy to the Town Council, as well (as per Council request).

SCHOOL BUS
TURN-AROUND
UPDATE

Mayor: Called the Superintendent of Nebo School District. He did not have any information, so the Mayor was referred to an assistant to discuss the possibility of utilizing the Golf Course parking lot as a turn-around for a school bus. This would allow the children in the Oak Bluff Estates area of Town to be picked up. He said that the State Director of Transportation for public schools was consulted for a recommendation and that he has a letter, which the Town is suppose to get a copy of. (The Town has not received a copy yet.) The letter states that it is not really feasible to use the parking lot, especially during the season when the Golf Course is in use; but, perhaps in the winter months. Andy Hall (Payson City Manager) was also contacted and he said he would be willing to work with Elk Ridge.

ELK RIDGE TOWN COUNCIL WORK SESSION - 9-26-00, CONT.

Gary Bowen: The police dept. does not really want the parking lot to be used because they would not want the road plowed to the Golf Course Club House. This could cause an increase in vandalism to the building. The Road Dept. does not want salt from plowing on that road.

If the Dept. Heads could agree, then there might be a possibility.

Mayor: Another option could be to install a temporary connecting road between West Salem Hills Drive and East Salem Hills Drive. The Mayor gathered together some preliminary costs and the estimate is about \$5,000 (This would be road base plus chip and seal). The Superintendent over buses said he would take a look at the area and consider a temporary road; then would get back to the Mayor with his opinion. (Perhaps donations could be collected from residents for this project.)

UPDATE:
SEWER LINE &
SALEM HILLS
WATER LINE

1. SEWER LINE (Loafer Canyon): Gary Bowen:

The Town Engineer will have the construction drawings for the sewer line by the 27th of October. The line will be extended 10 lots south of the southern boundary of Loafer Ridge Subdivision, almost to the Saunders' lot. Mr. Nelson is working from the main trunk line, south to Loafer Canyon Rd. The Ordinance, which was passed, states that any resident that ties onto the sewer line as it is installed past their property, will not have to pay the "hook-up" fee; otherwise, they still have to connect onto the line within one year from the time the main extends past their lot. Letters informing the residents in Loafer Canyon of this information will be sent out.

2. WATER: Gary Bowen:

Proposed Changes in the billing process for water usage:

- A. The late fee should be changed from \$5 for each month the payment is late, to \$5 for the first month and \$10 for the second month a payment is late.
- B. Bounced Check fee from \$15 to \$25
- C. \$25 "disconnect/re-connect" fee changed to \$30.

3. WATER RIGHTS: Gary Bowen:

Far West Bank was contacted about financing the purchase of the balance of Dallas Young's water rights for about \$120,000.00. The loan would be 2 points under prime rate, for a 15 year term; but, interest would only be paid monthly. Payments would be due after July 1 of the new fiscal years. Councilmember Bowen would also like to implement the policy that if a user exceeds their allotted amount of water for the assigned water right, they could have the option of purchasing the extra amount of right from the Town. He would like to see all existing lots brought to 1.3 acre feet. By 2002, the EPA will require that water pumped must match the water rights. All users would be notified that if more that the allotted amount of water is used (as per water right) for the year, then the charge would be the base rate plus \$2.50 per 1,000 gals.

ELK RIDGE TOWN COUNCIL MEETING - 9-26-00, CONT.

A running total would appear on the bills. The other option would be to purchase the additional rights for their property.

There should be restrictions, so that some would not be able to buy up more water rights than they need.

These ideas are not "cast in stone", they are just ideas.

Cindi Ellis: Cautions that this could be difficult if people are buying more rights than the Town has capacity to pump out of the ground.

Wouldn't this all have to be in the form of a resolution?

Gary Bowen: Yes, Councilmember Bowen just wanted everyone to know what is going on.

OAK BLUFF
ESTATES,
PLAT B/
DURABILITY
RETAINER

Don Mecham: to address the Town Council. There has been a long history with this Subdivision. It has been on the agenda for Town Meetings in the past for the release of the bond. Hall Engineering had inspected the repairs on Coley's Cove and had written a letter approving the release of the bond; however, the rest of the subdivision had not been inspected. This was pointed out to Mr. Hall and he was to re-inspect the entire subdivision and re-issue another letter. This was during the transition between Hall Engineering and LEI Engineering; a letter was not sent.

Mr. Mecham said that replacing the curbing in front of lot #37 is a simple process and that he will replace it and make the necessary repairs to the subdivision. He will work on the list from LEI.

6:40 PM

-

TOWN COUNCIL CLOSED SESSION

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO MOVE TO A CLOSED SESSION

VOTE: YES (4)

NO (0)

**ABSENT (1) MICHAEL
MOTKO**

ROLL CALL

Mayor: Cregg Ingram; Town Council: Cindi Ellis, Gary Bowen, Kent Anderson (Absent: Michael Motko); Town Clerk: Janice H. Davis

Pending Litigation/Strategy

**ELK RIDGE
TOWN COUNCIL MEETING
September 26, 2000**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge Town Council was held on **Tuesday, September 26, 2000, at 7:00 PM**; it was preceded by the Council Work Session at 6:20 PM. There were also two Public Hearings: **the first, at 6:00 PM**, was concerned with an Ordinance amending the Elk Ridge Town Subdivision Ordinance, regulating Preliminary Plans; the **second Public Hearing, held at 6:15 PM**, was about a proposed Ordinance amending the Elk Ridge Town Subdivision Ordinance, regulating Final Plans. The Meetings were held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

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ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson (*Absent:* Michael Motko); *Public:* Mike Ashton; and *Town Clerk:* Janice H. Davis

**INVOCATION
& PLEDGE OF
ALLEGIANCE**

Invocation was offered by Mayor Ingram.

**AGENDA TIME
FRAME**

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN TO APPROVE THE AGENDA TIME FRAME BY ADJUSTING THE TIME BY 15 MINUTES.

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

**HASKELL
SUBDIVISION,
PLAT D/
DURABILITY
RETAINER
RELEASE**

Brief History: \$800 of the Durability Retainer was still being held in escrow as per engineering letter from LEI Engineering, dated 12-14-99. It was to be held to:

1. Install a survey monument (Park Dr. & Oak Ridge Dr.)
2. Trench at south end of Lot #4 settled, trench was to be sealed and patched with hot mix
3. Trench across Park Dr. at south side of Oak Ridge Dr. had to be sealed and the cracked and patched area at the west end of the trench Had to be removed and new hot mix asphalt placed

The Subdivision was re-inspected by LEI Engineering and all requirements have been met. In a letter dated 9-14-00, the recommendation was made to release the remainder of the Durability Retainer.

ELK RIDGE TOWN COUNCIL MEETING - 9-26-00, CONT.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO ACCEPT THE IMPROVEMENTS AS COMPLETE, AS PER ENGINEERING RECOMMENDATION, AND TO RELEASE THE REMAINDER OF THE DURABILITY RETAINER FOR HASKELL SUBDIVISION, PLAT D

**VOTE: YES (3) NO (0) ABSENT (1) MICHAEL MOTKO
ABSTAIN (1) KENT ANDERSON (UNFAMILIAR WITH THE
SUBDIVISION AND SURROUNDING CIRCUMSTANCES)**

MECHAM
ANNEXATION/
PROTEST

There was a protest to the proposed Mecham Annexation. The protest was filed with Utah County by Donald B. Kaufer. He owns a parcel of land located on the south boundary of the area proposed for annexation. The County Engineer determined that the protest would not be considered by the Boundary Commission for the following reasons:

1. Mr. Kaufer was the only protestant; therefore, the number of parties protesting was not sufficient to meet the State requirements.
2. The annexation does not really form an island or a peninsula under the State statute.

They further suggested that Mr. Kaufer direct his protest to Elk Ridge Town to see if there is a way his concerns may be accommodated. The County also advised that one option might be to add his properties to the proposed annexation, so that he would be dealing with just one jurisdiction in the future. Mr. Kaufer has not approached the Council, yet.

Since there was a protest, the Town Council does have the option to reconsider the proposed annexation and to either deny it or to allow it to progress further. A Public Hearing will be set at the next Town Council Meeting. By not accommodating the protest, the Council is in no way committed to accepting the annexation.

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO ALLOW THE PROPOSED MECHAM ANNEXATION TO PROCEED

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

LOAFER RIDGE
ANNEXATION

The Utah County Engineer issued a letter declaring that all statutory requirements have been met for the annexation. Utah County had one contingency: Due to an overlap in boundaries, the proposed Loafer Ridge Annexation cannot proceed unless the West Woodland Hills annexation to Woodland Hills has been denied or withdrawn; so the proposed Loafer Ridge Subdivision is temporarily on hold.

Robert Nelson will be informed of the County's letter.

ELK RIDGE TOWN COUNCIL MEETING - 9-26-00, CONT.

ACTION ON
PUBLIC HEARING
ORDINANCES

1. Ordinance/Regulating Preliminary Plans:

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE AN ORDINANCE AMENDING THE ELK RIDGE SUBDIVISION ORDINANCE, REGULATING PRELIMINARY PLANS, PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

**VOTE: (POLL) KENT ANDERSON-AYE, GARY BOWEN-AYE, CINDI ELLIS-AYE AND MAYOR INGRAM-AYE (ABSENT-MICHAEL MOTKO)
MOTION PASSES 4-0**

2. Ordinance/Regulating Final Plats:

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY KENT ANDERSON TO APPROVE AN ORDINANCE AMENDING THE ELK RIDGE TOWN SUBDIVISION ORDINANCE, REGULATING FINAL PLATS, PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

**VOTE: (POLL) KENT ANDERSON-AYE, GARY BOWEN-AYE, CINDI ELLIS-AYE, MAYOR INGRAM-AYE (ABSENT-MICHAEL MOTKO)
MOTION PASSES 4-0**

RESOLUTION/
AMEND
CONSTRUCTION
STANDARDS-
PRELIM. & FINAL
PLAT
APPLICATION
FORMS

This amends the Construction Standards in conjunction with the two Ordinances just adopted.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO ADOPT A RESOLUTION AMENDING CHAPTERS 02.04, PRELIMINARY PLAT; AND CHAPTERS 02.06, FINAL PLAT AND THE APPENDIX OF THE ELK RIDGE TOWN DEVELOPMENT AND CONSTRUCTION STANDARDS TO REPEAL THE EXISTING PRELIMINARY AND FINAL PLAT APPLICATION FORMS AND CHECKLISTS AND ADOPT NEW PRELIMINARY AND FINAL PLAT APPLICATION FORMS AND CHECKLISTS AND ESTABLISH AN EFFECTIVE DATE

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

GREENVIEW
ESTATES, PLAT A

Postponed until the next Council Meeting.

AD HOC
COMMITTEE
REPORT

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED CINDI ELLIS TO RECOMMEND SENDING THE AD HOC COMMITTEE REPORT TO THE PLANNING COMMISSION, WITHIN SEVEN DAYS FROM THE DATE OF THE COUNCIL MEETING (9-26-00).

ELK RIDGE TOWN COUNCIL MEETING - 9-26-00, CONT.

EXPENDITURES

General: Gary Bowen:

1. The bill for the repair of the Lower Well came to over \$16,000. The Town paid over \$8,000 of that. Lee Haskell was to pay the other ½ (\$8,000). The agreement with Mr. Haskell came at the time Mr. Haskell approached the Council about the fees projected for engineering inspections. A donation of \$8,000 was committed by Mr. Haskell. Mr. Haskell does not have the money to pay for that right now. The Town contracted with Peterson Drilling and is liable for the total amount. Suggestion: To pay off Peterson Drilling and then attempt to collect from Lee Haskell.

Kent Anderson: In the future, the Town should have all agreements in writing.

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MAYOR INGRAM TO APPROVE PAYMENT OF THE BALANCE OF \$8,000 TO PETERSON DRILLING FOR REPAIRS DONE TO THE LOWER WELL

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

2. Tri Tel Communications (Phone System):

The Council needs to decide which of the lease options to participate in. The Council agreed upon the 60 month option.

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY KENT ANDERSON TO APPROVE A 60 MONTH TIME PERIOD FOR THE LEASE OF THE PHONE SYSTEM FROM TRI-TEL, FOR THE TOWN HALL

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

MINUTES

1) Town Council Minutes of 8-10-00:

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE TOWN COUNCIL MINUTES OF 8-10-00

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

OAK BLUFF
ESTATES, PLAT B
DURABILITY
RETAINER

Postponed until next Town Council Meeting.

HASKELL
SUBDIVISION,
PLAT G/
EXTENSION

Lee Haskell submitted a written request to extend the construction time to 6-1-2001.

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE CONSTRUCTION EXTENSION REQUEST FOR HASKELL SUBDIVISION, PLAT G, TO JUNE 1, 2001 (THE TIME WOULD BE UP IN OCTOBER, 2000)

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

* Robert Nelson needs to make the same request. Councilmember Bowen has already reminded Mr. Nelson and will remind him again.

ELK RIDGE TOWN COUNCIL MEETING - 9-26-00, CONT.

NON-AGENDA
ITEM

Kent Anderson: (Councilmember Anderson met with a representative from M & M Asphalt Services, to get some suggestions for the roads in Elk Ridge.)

Crack Seal ...this process fills the cracks in the asphalt so that the cracks will not open up wider during the winter months.

Slurry Coat is a tar-like mixture that is almost like crack-seal, combined and laid down on the surface. It cannot be driven on until it hardens in about 24 hours (not practical in Town).

Councilmember Anderson obtained bids on the repair of various roads in Town:

1. Elk Meadow Drive = which was about \$2,000 (to crack-seal).
2. High Sierra Dr. = \$875
3. Haley's Lookout = \$202
4. Coley's Cove = \$338
5. Goosenest Dr. (1600 West to west Town boundary) = \$621

Mayor Ingram: The main road should be considered...Park Dr. east to Loafer Canyon.

Kent Anderson: He was advised that Park Dr. in front of the LDS Chapel is so alligatored that crack seal would not do much good. The best thing for that area would be to overlay the road.

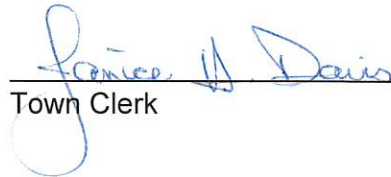
At 117 West Hudson, a 5 X 5 piece of asphalt has been cut out and gravel keeps washing out of the hole. That piece should be patched.

(It is planned for the middle of October.)

ADJOURNMENT

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MAYOR INGRAM TO ADJOURN THE MEETING

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO



Town Clerk

AMENDED NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, October 10, 2000 at 7:00 PM, preceded by the Town Council Work Session at 6:00 PM. The meetings will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 PM - **TOWN COUNCIL WORK SESSION**

1999/2000 Audit Presentation

Jones, Wright, Simkins & Associates

Sewer Line Easements/Discussion

Oak Bluff Estates. Plat B - Update

7:00 P.M. - **REGULAR COUNCIL MEETING AGENDA ITEMS:**

Invocation and Pledge of Allegiance

7:02 Approval of Agenda Time Frame

7:05 1999/2000 Audit Approval

7:10 Rick Sloan/Nuisance Violation Concern

7:20 Resolution/Transfer of Development Rights Fee

7:25 Transfer of Development Rights-Saunders

7:35 Greenview Estates, Plat A/Action

7:45 Set Public Hearing:

Ordinance Amending Elk Ridge Subdivision Ordinance,

Section 10-7-3.7, Regulating Preliminary Plan Approvals

8:55 Proposed Road Repair - Kent Anderson

8:05 Discussion/Amended Budget, 2000/2001 Fiscal Year

Asst. Public Work Superintendent

8:15 Water Dept. Update

8:30 Expenditures:

General:

List of Expenditures for September, 2000

8:40 Mecham Annexation/Set Public Hearing


8:45 Approval of Minutes of Previous Meetings

8:50 Adjournment

*Handicap Access, Upon Request. (48 Hours Notice)

The times which appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.

Dated this 9th Day of October, 2000.


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 Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and provided to each member of the Governing Body on October 6, 2000. An Amended Agenda was faxed to the Payson Chronicle and provided tp each member of the governing body on the 9th of October, 2000,



Town Clerk

**ELK RIDGE
TOWN COUNCIL MEETING
October 10, 2000**

**TIME & PLACE
MEETING**

A regular Elk Ridge Town Council Meeting was held on Tuesday, October 10, 2000, at 7:00 PM; The Town Council Meeting was preceded by the Council Work Session at 6:00 PM; The meetings were held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and provided to each member of the Governing Body by mailing a copy to each on October 6, 2000. An Amended Notice of Agenda was faxed to the Payson Chronicle and provided to each member of the Town Council on October 9, 2000.

ROLL CALL

TOWN COUNCIL WORK SESSION

Mayor: Cregg Ingram, *Town Council:* Cindi Ellis, Kent Anderson, Gary Bowen, Michael Motko; *Public:* Burke Cloward, Brad & Jana Saunders, Rick & Pam Sloan, Kim Jaspersen, *Scouts:* Curtis Deichman, David Simmons, Shaun Nicolet, Trevor Knight, C.J. Linford, John Gibson, Alan Colver, Gregg Sloan, Cameron Reece; *Auditors:* Michael Kidman, Curtis Roberts; and *Town Clerk:* Janice H. Davis

**1999/2000 AUDIT
PRESENTATION**

Michael Kidman and Curtis Roberts were present from Jones, Wright, Simkins and Associates (Logan, Utah) to present the Audit for the 1999/2000 fiscal year, to the Town Council.

Michael Kidman: introduced Curtis Roberts (Head of the Audit team that came to Elk Ridge). He said that he felt the Audit had been a success and complimented the staff for being helpful and for generating useful and, for the most part, correct information to the Audit team.

Curtis Roberts: Mr Roberts explained the purpose of the audit and the policies which have to be adhered to. They have spent much of the time educating the staff members. It has been beneficial for all.

Management Letter:

Required communication to the Town Council, covering some very specific areas:

1. The type of Audit received: A Government Audit differs from that of a business in that internal controls are examined, as well as compliance with laws and regulations (separate report). The service is more thorough than what would be provided for a business.

Accounting policies and audit adjustments are covered on the 2nd page. The Council is responsible for adopting policies which are followed and the Auditors check to see if these policies are sound. For the most part, there was not many problems encountered, with the exception of fixed assets, particularly in the Enterprise Funds. There were some depreciation issues which needed attention, some assets which do not exist any more were still being depreciated. These were eliminated.

Internal Control: The Auditors make suggestions and the Council should review these suggestions, periodically, to see if the suggestions are being implemented.

2. Segregation of Duties:

Due to the size of the Town, limited budget and the size of the staff, there is and will continue to be a lack of segregation of duties.

The Councilmembers were encouraged to understand the financial reports of the Town and to monitor expenditures as compared to budget amounts; in this way, any material discrepancy would be noticed. This is the only time the Audit team will mention this to the Council, until there is a significant change in the Council. They do not feel it needs to be reiterated, because it is impractical to correct the problem.

3) Impact Fees:

It is unclear what will actually take place in the future with impact fees. It is an issue with developers and every State Legislature. There is a time limit; impact fees must be used within 6 years. When the time limit is up, the developer will likely come through and challenge the use of the impact fees. The Auditors have studied the rules regulating the use of impact fees, they warn that Cities/Towns cannot be too cautious in how impact fees are handled. Careful tracking of these fees is the key. Use the General Ledger to track how much is received for the year and how much is spent. The money must be spent on something that was permitted under law. If it can be proven that more was spent, or the equivalent amount of what was collected and the money was spent on something identified in the Capital Facilities Plan, then the Town can back up use of impact fees. The Council should discuss the expenditures of impact fees in the Council Meetings and any decisions should be noted in the minutes. Council minutes are permanent records and will be kept over a period of time.

4) Back-up Information:

It has been suggested to store back-up information off site. Perhaps one of the staff could take the back-up tapes home. Fire-proof file cabinets are good to a point. Any tapes inside would melt in a fire.

5) State Compliance:

The budget will be over-shot in the Roads Dept. (Asphalt Repair) due to a last minute change in the scheduling of the overlays for the Town. They were scheduled for July of the next fiscal year; however, the Town is small and has to be "fit into" the schedules of the asphalt companies. The scheduled work was moved up into the prior fiscal year and the budget was amended to accommodate this change. The bill came in higher than anticipated and had to be paid. This will result in a letter from the State Auditor's Office reminding the Town to stay within the budgeted amounts. Mr. Roberts does not recommend putting too much of a "cushion" in the

expenditure accounts to avoid exceeding the budget. It is a "budget" and should reflect, as close as possible, the actual anticipated spending of the Town.

Audit Report:

The opinion on the financial statements: In summary form, the financial statements of the Town are presented in all material respects. The figures can be relied upon, their Firm's opinion is behind them. This is interpreted as a "clean opinion" or an "unqualified opinion".

Terminology...Assets = What you have, liabilities = What you owe, and Equity = What you're worth

Question: What is the Town "worth"? (How much can be spent?)

If some of the "net worth" is to be spent, it must be remembered that it is a one-time-shot. This is not to be considered regular income. There should be a reserve. Unreserved Fund Balance (General Fund) = \$412,006

For cash-flow and safety reasons, only a portion of that amount should be budgeted for spending. As a general rule, it is suggested to keep 3 to 6 months of expenditures available.

Take the total of what it costs to run the Town for one year and divide that in half (smaller cities should stay at about 6 months rather than 3 months). (About $\$429,000 \div 2 = \$214,500$) It is common for smaller municipalities to go above the 6 months for a "cushion".)

The same analysis needs to be applied to the Enterprise Funds and the Capital Projects Funds.

Water & Sewer Funds:

Water: \$292,978 (Unreserved)

Sewer: \$70,000 (Unreserved)

Advised: Enterprise Funds should be run just like a business. A business does not run very long on a GAP basis, with losses. Net income should be steadily increasing; rather than operating at a loss. There should also be additional income which is a return on assets, so that those same assets can be replaced at some time. (10% return on assets should be attained.) Prior Period Adjustments were the cause of having to lose about \$250,000 of fund balance (about 1/2 of the fund balance). That represents expenses that the Town should have recognized in the past; but, did not.

Attention was drawn to reports at the end of the Audit which have information on internal control & compliance. The Auditors declared that there were no "material weaknesses" with the current financial reporting practices. There were deficiencies in the past that have been corrected; so, going forward, they feel that the control structure is in place to continue generating decent financial information on a monthly basis.

Questions/comments:

Gary Bowen: Had already gone over much of the information with the Auditors during the actual audit.

ELK RIDGE TOWN COUNCIL WORK SESSION - 10-10-00, CONT.

Kent Anderson: Could spend much more time with the Auditors having the Town's finances explained. It was helpful.

Mayor: Perhaps there should be more time allotted to the Audit Presentation, in the future. If there are specific questions, the Councilmembers could call Mr. Roberts. There will also be more time spent with Mr. Roberts after the budget is amended or when the Town is ready to begin the new budget process for 2001/2002.

SEWER LINE
EASEMENTS

Mayor Ingram: The Town is installing the sewer line to connect the main trunk line to Loafer Canyon Rd. To do so, it is extending across property owned by others. Even though the Town has easements granted to them, on one piece of property, there exists a storage shed for farm equipment right in the middle of the easement. The building was in place prior to the granting of the easement and is used. Mr. Cloward and Mr. Christensen were invited to the Council Meeting to discuss possible solutions to this problem. The Town is going to have to negotiate with the owners to solve the problem. There does not seem to be a problem with going across the Armstrong's property. The Hansens (not in Elk Ridge's boundaries) have also granted an easement; but, Mr. Hansen would like some things from the Town, as well: Mr. Hansen would like the right to connect to the sewer line, and would like to have the connection fee and the impact fee waived, amounting to \$1,900... (\$1,700 = Sewer Impact Fee & \$200 = connection fee). The total of the land to be crossed is about 2,500'. To encourage these property owners to connect onto the sewer, the Mayor proposes that the Town be willing to provide one connection fee and one impact fee for each of the properties which the sewer line crosses. If the land is ever subdivided, then additional impact fees and connection fees would have to be provided.

Burke Cloward: Suggested that the line could go under the shed. In boring under, the shed could remain in place. The cost for replacing the shed would be about \$15,000. The shed is old, but useful. When the County puts in the road, the County will have to purchase the land and the building from the home-owner.

Gary Bowen: Boring under the building is possible, though it will add to the cost for the project.

The fence on Mr. Hansen's property will need to be moved.

Councilmember Bowen will try to get Mr. Hansen to allow the fence to be moved to the edge of the easement.

WATER LINE/
SALEM HILLS DR.

Gary Bowen: When the cost was estimated, Mr. Nelson forgot to include the pipe in the figure. Rather than Mr. Nelson doing the work on the line, the Town will do the work. Mr. Nelson will reimburse the Town and the Town will, in return, pay Mr. Nelson back as the impact fees come in (6 water impact fees from Loafer Ridge Subdivision).

ELK RIDGE TOWN COUNCIL MEETING - 10-10-00, CONT.

Impact Fees:

1. Two contracts with Robert Nelson are needed (Water line/Sewer line)
2. Impact fees should come to the Town, then the disbursements tracked.

NON-AGENDA
ITEM

Michael Motko: Was given the assignment to review the Computer upgrade proposal from Patrick Hagen. Councilmember Motko is to reconsider the proposed upgrades and have another computer consultant give another proposal. He is not sure that some of the suggestions are necessary. Councilmember Motko will come to the Town Council with a plan.

OAK BLUFF
ESTATES,
PLAT B

The Town Clerk spoke to Don Mecham. According to Mr. Mecham, he has had the necessary repairs looked at and said he will have people working on the Subdivision by the end of the week.

**ELK RIDGE
TOWN COUNCIL MEETING
October 10, 2000**

TIME & PLACE
MEETING

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ROLL CALL

Mayor: Cregg Ingram, *Town Council*: Cindi Ellis, Kent Anderson, Gary Bowen, Michael Motko; *Public*: Burke Cloward, Brad & Jana Saunders, Rick & Pam Sloan, Kim Jaspersen, *Scouts*: Curtis Deichman, David Simmons, Shaun Nicolet, Trevor Knight, C.J. Linford, John Gibson, Alan Colver, Gregg Sloan, Cameron Reece; *Auditors*: Michael Kidman, Curtis Roberts; and *Town Clerk*: Janice H. Davis

INVOCATION &
PLEDGE OF
ALLEGIANCE

The Invocation was offered by Kent Anderson, followed by the Pledge of Allegiance.

AGENDA TIME
FRAME

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY
MICHAEL MOTKO TO APPROVE THE AGENDA TIME FRAME,
ADJUSTING THE TIME FRAME BY 10 MINUTES
VOTE: YES (5) NO (0)**

ELK RIDGE TOWN COUNCIL MEETING - 10-10-00, CONT.

1999/2000 AUDIT
APPROVAL

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE THE ANNUAL AUDIT FOR THE FISCAL YEAR 1999/2000, AS PERFORMED BY JONES, WRIGHT, SIMKINS AND ASSOCIATES

VOTE: YES (5)

NO (0)

RICK SLOAN/
NUISANCE
VIOLATION

There was a letter sent to Rick Sloan (Elk Ridge resident) in regards to a complaint about the rocks surrounding his property at the corner of Escalante Dr. and Alpine Dr. The claim was that there was some tire damage due to the rocks as an individual turned the corner (they feel that the rocks are too large and should not be in the road).

Mr. Sloan asked to address the Council on the matter.

Rick Sloan:

There have been on-going problems with the corner he lives on. It was not placed in the correct place. It was fixed, to a point; but, still is not in the right position, according to the right of way. (Not the issue at hand.)

1. Mr. Sloan expressed his feelings of anger, upon receiving a letter from the Town Attorney, informing him he is in violation of the Town's Ordinances. He felt that several steps, as stated in the ordinance, were by-passed. The Building Inspector or the Fire Chief is suppose to conduct a thorough investigation of a matter complained about. The citizen thought to be in violation should be contacted directly and have the issue discussed with him/her. This did not take place. In fact, the week prior to receiving the letter, the Sloan's yard had just been voted Yard of the Week by the Town.

2. Complaint...there was only one complaint. Why does that kind of power lie with a citizen making one complaint? No investigation was made; then Mr. Sloan got a letter.

3. All over Elk Ridge, there are rocks in the roads. Residents all over Town use rocks to border their property. There are rocks in the road left from the Town doing chip and seal. He feels as if his family is being singled out. Were there other notices sent out for the same problem? Mr. Sloan took the time to take numerous photos around Town, of rock used on the sides of the roads.

4. What is the real problem? Rocks get into the road on the corners due to drivers cutting the corners. Where is the enforcement of the law on the real problem?

Wants a resolution to the problem this night.

Mayor Ingram:

1. Agreed that the ordinance needs to be followed.

2. Suggested a solution: place reflectors on the corner to keep drivers from cutting the corner at Escalante & Alpine. This was done on the corner of E. Park Drive & North Park Drive and the problem of rocks on the road has decreased almost completely.

ELK RIDGE TOWN COUNCIL MEETING - 10-10-00, CONT.

Gary Bowen:

1. Complaint about tire damage: In Town, many residents have assumed that the 9 foot road rights of way belong to them. The Town is suppose to approve any fill that is installed in those rights of way. That is not being followed in the areas where there are no curbs.
2. Form letters go out as a result of a complaint.

TRANSFER OF
DEVELOPMENT
RIGHTS

Resolution: Transfer of Development Right Fee

Gary Bowen: The Ordinance which was passed on the Transfer of Development Rights, requires administration at various levels: Town Council, Attorney, Town Staff, Town Planner, & Planning Commission. Where will the payment for these services come from? The suggestion is to have a Transfer of Development Rights Fee established by resolution. The fee for a Zone Change Application is \$500. A Development Rights Transfer would be about the same amount of administration as a zone change. Mayor Ingram will have Andrew Jackson draft a resolution and use the Zone Change Application Fee as a suggested fee.

TRANSFER OF
DEVELOPMENT
RIGHTS/
SAUNDERS

Memo from Andrew Jackson:

RE: Vacation & Re-Platting of 2 lots in Salem Hills Subdivision, Plat A, which became Murray Subdivision, Plat A. Brian Murray joined his two lots on Fremont Way into one. (Question on the development right associated to that extra lot; where is it and whose is it?)

When a landowner vacates an existing lot or lots, all development rights and privileges associated with the prior approval are returned to the Town. The procedure for vacating lots is established in the Utah Code Annotated (UCA), sections 10-9-808 and 10-9-810. When the Murrys vacated their lot and re-platted it to create a new lot, they gave up their rights to the two lots and now have one development right which is used for their existing home. The vacated development right is the Town's right, due to the vacation. The Town may sell that right, through the payment of an impact fee from the Saunders. It is my understanding that when Sunrise Engineering did their water study, they counted the Murray property as two lots instead of one. The Town Council must determine which is better for the Town, whether to sell the right to the Saunders, thus receiving a water impact fee and a monthly utility fee (which will go toward paying down the bond); or to reduce the number of approved lots in excess of the capacity in the tank.

Gary Bowen: He does not necessarily agree: the Town will still be in a deficit situation as far as water capacity and water rights.

Mayor: The Saunders, if allowed to build on the lot, have to provide 1.3 acre feet of water right.

Stewart Jolley: the Town is in a deficit as far as capacity and the Town would be giving away any cushion.

ELK RIDGE TOWN COUNCIL MEETING - 10-10-00, CONT.

Cindi Ellis: If this one transfer is granted, how will others be told no ?
Having the extra development right buys down the deficit a bit.

**MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY
KENT ANDERSON TO APPROVE THE TRANSFER OF
DEVELOPMENT RIGHTS TO THE SAUNDERS'**

**VOTE (POLL): YES (3)-KENT ANDERSON, MAYOR INGRAM,
MICHAEL MOTKO; NO (2)-GARY BOWEN, CINDI ELLIS
MOTION PASSES 3-2**

GREENVIEW
ESTATES,
PLAT A

Strike from agenda...no information from the Engineer.

SET PUBLIC
HEARINGS

1. Ordinance/Regulating Preliminary Plan Approvals

Memo from the Planning Commission to the Town Council:

The Planning Commission forwards the proposed ordinance to the Council with a recommendation for denial based on the following:

A. Section 10-7-3.7 (5) Upon approval of the preliminary plan, the Planning Commission shall be committed to grant approval of the final plat, subject to full compliance with any conditions attached, unless, in the opinion of the Planning Commission, preliminary approval was given based on inaccurate or incomplete representations or that changes have occurred in conditions relating to the property which were not known or present at the time approval was given, and which would result in a significant detrimental effect to the public if the project were carried out as initially presented. Pertains only to Planning Commission vesting of the preliminary plat and only if a compelling, countervailing public interest is not found to deny the project.

B. In the interest of preserving the integrity of a Town Council approval, the Planning Commission recommends that final approval of preliminary plans remain with the Planning Commission. A Town Council approval is significant. It is felt that the Town Council must thoroughly review all of the details related to every approval the Council gives. The Planning Commission spends two full meetings every month reviewing planning issues. Since the Planning Commission is charged with protecting the health, safety and welfare of the Town, and has set aside two meetings each month to thoroughly review plans, final approval of preliminary plans should remain with the Planning Commission. The Town Council should retain final approval of final plats.

C. With an administrative appeal process in place, the Town Council can hear appeals of Planning Commission decisions prior to an applicant going to District Court. However, if the Town Council is an approving body of preliminary plans, the Council is no longer an un-biased jury and would not be able to hear appeals. Maintaining the Council's appeal authority is more important to the Town than approval of preliminary plans

ELK RIDGE TOWN COUNCIL MEETING - 10-10-00, CONT.

Stewart Jolley: If the ordinance is passed, a resolution would be required to change the check-list in the Development Standards.

Michael Motko: Feels that more information on this matter should be gathered from the Utah League of Cities & Towns (David Church & Sidney Fannesbeck) and from the Town's Attorney. Mr. Motko is of the opinion that approvals should lie with the elected body and the Planning Commission should recommend to the Council.

Mayor Ingram: Asked that Stewart Jolley be present at the Public Hearing to present the Planning Commission's concerns...Mr. Jolley agreed.

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MICHAEL MOTKO TO SET THE PUBLIC HEARING ON NOVEMBER 14, 2000, AT 6:00 PM; TO CONSIDER AN ORDINANCE AMENDING ELK RIDGE TOWN SUBDIVISION ORDINANCE SECTION 10-7-3.7, REGULATING PRELIMINARY PLAN APPROVALS, PROVIDING FOR CODIFICATION, INCLUSION IN CODE AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

VOTE: YES (5)

NO (0)

PROPOSED ROAD
REPAIRS

Kent Anderson: (Seal Coat on Roads)

Contacted M & M (repair company) cost estimates:

1. Park Drive = \$1,130
2. Elk Meadow Drive = \$2,000

The budget would have to be amended to allow for these repairs.

Gary Bowen: Has certain reservations. He is concerned that road repair techniques do not always wear as well as the companies say they will. He cautions doing too much of the work until it is determined if it will hold up.

Kent Anderson: In defense of the process, he did speak to the road directors in both Utah County and Toole County (as well as other counties around St. George), and they recommend crack-seal as a good process to help in preserving roads from 5 to 8 years.

Michael Motko: Agrees with Councilmember Bowen, that the Town should try it out and monitor it to see if it works.

It will be taken from the fund balance in the General Fund.

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY MICHAEL MOTKO TO APPROVE THE EXPENDITURE OF \$3,500 FOR THE CRACK-SEAL PROCESS TO BE PERFORMED ON ELK MEADOW DRIVE AND PARK DRIVE

VOTE: YES (5)

NO (0)

AMENDED BUDGET
2000/2001

It was discussed that the Public Works Superintendent needs a full-time Assistant. The Assistant needs to be someone who could be trained and certified in the water and sewer departments, as well as plowing the roads and the other responsibilities involved with the job.

ELK RIDGE TOWN COUNCIL MEETING - 10-10-00, CONT.

Currently, it is difficult for Kent Haskell to even leave Town. The wage range is already set in the Administrative Ordinance. The whole package might be around \$30,000 to \$35,000. It could be difficult to find someone who would work for a lower wage and be willing to grow with the job. There is just too much around Town to be done for Mr. Haskell to handle it all.

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO PURSUE HIRING A FULL-TIME ASSISTANT PUBLIC WORKS SUPERINTENDENT AS SOON AS POSSIBLE

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

WATER DEPT.
UPDATE

Water Line/Salem Hills Drive:

Gary Bowen: There was a break in the line at Salem Hills and Maple Lane. Cast iron pipe snaps. The old line has no sand packing it, only dirt; this increases the chance of the pipe snapping. Councilmember Bowen is concerned that as the 10" line is going in above on Salem Hills Drive, the increased pressure on the remaining 6" line (north of the new line) will continue to cause problems. After the 10" line replaces the 6" line in the current project, there is still about 5,000 ft. more of the old, galvanized 6" line that needs to be replaced.

EXPENDITURES

General:

1. Waivers of Impact Fees:

Gary Bowen: Is concerned about authorizing Hansens to connect onto the sewer system, without them being annexed into the Town. Would this set a precedent?

Mayor: Spoke to John Fueston on this matter and he does not feel this would be a problem.

At some time Mr. Hansen may annex into the Town.

The Hansens have already expressed a desire to annex into Elk Ridge. They withdrew their petition due to the previous annexation fee (\$400/acre), which no longer exists.

Question: Would Salem City approve them hooking onto the sewer system since they are not part of Elk Ridge? Salem has been opposed to anyone outside of Salem or Elk Ridge hooking on.

Any agreement needs to be in writing.

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO GRANT WAIVERS FOR EACH OF THE THREE MAJOR PIECES OF PROPERTY BELONGING TO CLOWARDS, ARMSTRONGS AND HANSENS, TO THE REQUIREMENT OF PAYING SEWER IMPACT FEES; ONE WAIVER FOR EACH OF THE THREE PIECES OF PROPERTY.

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

ELK RIDGE TOWN COUNCIL MEETING - 10-10-00, CONT.

2. List of Expenditures for September, 2000:

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE WARRANT REGISTER FOR SEPTEMBER, 2000, FOR THE TOWN OF ELK RIDGE, UTAH

VOTE: YES (4) NO (0) ABSENT (1)

MECHAM
ANNEXATION/
SET PUBLIC
HEARING

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY KENT ANDERSON TO SET A PUBLIC HEARING FOR THE MECHAM ANNEXATION FOR NOVEMBER 14, 2000, AT 6:30 PM

VOTE: YES (5) NO (0)

MINUTES

1. Town Council Minutes of 6-29-00:

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE TOWN COUNCIL MINUTES OF 6-29-00, AS CONSTITUTED

VOTE: YES (4) NO (0)

2. Town Council Minutes of 8-22-00:

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE TOWN COUNCIL MINUTES OF 8-22-00, AS CONSTITUTED

VOTE: YES (4) NO (0)

ADJOURNMENT

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY MAYOR INGRAM TO ADJOURN THE MEETING.

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO


TOWN CLERK

AMENDED NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, October 24, 2000 at 7:00 PM, preceded by the Town Council Work Session at 6:30 PM and a Council Closed Session at 6:30 PM. The meetings will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 PM - **TOWN COUNCIL CLOSED SESSION**

Discussion of Strategy/LEI

6:30 PM - **TOWN COUNCIL WORK SESSION**

Mountainland Association of Governments/Presentation-Jim Bolser

Greenview Estates Subdivision-Ron Ririe

Approved Lots & Building Permits Report

Columbus Lane Update-Gary Bowen

High Sierra Parcels/Update-Gary Bowen

Loafer Canyon Sewer Line/Salem Hills Water Line/Update

7:00 P.M. - **REGULAR COUNCIL MEETING AGENDA ITEMS:**

Invocation and Pledge of Allegiance

7:02 Approval of Agenda Time Frame

7:05 Greenview Estates, Plat A/Action

7:10 Water Rights/Dallas Young-Gary Bowen

7:20 Resolution/Phone System Lease

7:25 Administrative Update

7:35 Discussion/Amended Budget, 2000/2001 Fiscal Year

7:45 Expenditures:

General:

7:55 Approval of Minutes of Previous Meetings

8:00 Oak Bluff Estates, Plat B/Default Declaration-Set Public Hearing

8:05 Adjournment

*Handicap Access, Upon Request. (48 Hours Notice)

The times which appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 20th Day of October, 2000.


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 Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and provided to each member of the Governing Body on October 20, 2000. An Amended Agenda was faxed to the Payson Chronicle and provided to each member of the governing body on the 23rd of October, 2000,


Town Clerk

**ELK RIDGE
TOWN COUNCIL MEETING
October 24, 2000**

TIME & PLACE A regular Elk Ridge Town Council Meeting was held on Tuesday, October 24, 2000, at 7:00 PM; The Town Council Meeting was preceded by the Council Work Session at 6:30 PM and a Council Closed Session at 6:00 PM; The meetings were held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of Time, Place and Agenda of this meeting was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and provided to each member of the Governing Body by mailing a copy to each on October 20, 2000. An Amended Notice of Agenda was faxed to the Payson Chronicle and provided to each member of the Town Council on October 23, 2000.

6:00 PM - **TOWN COUNCIL CLOSED SESSION**

ROLL CALL *Mayor: Cregg Ingram; Town Council: Gary Bowen, Michael Motko, Cindi Ellis (absent: Kent Anderson); Town Engineer: Greg Magleby (LEI Engineering)*
At 6:00 PM, the Mayor opened the Closed Session.

Discussion of Strategy

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO CLOSED THE COUNCIL CLOSED SESSION
VOTE: YES (4) NO (0) ABSENT (1) KENT ANDERSON

6:30 PM - **TOWN COUNCIL WORK SESSION**

Due to lack of time, the Work Session was canceled.

ELK RIDGE

**TOWN COUNCIL MEETING
October 24, 2000**

TIME & PLACE MEETING A regular Elk Ridge Town Council Meeting was held on Tuesday, October 24, 2000, at 7:00 PM; The Town Council Meeting was preceded by the Council Work Session at 6:30 PM and a Council Closed Session at 6:00 PM; The meetings were held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and provided to each member of the Governing Body by mailing a copy to each on October 20, 2000. An Amended Notice of Agenda was faxed to the Payson Chronicle and provided to each member of the Town Council on October 23, 2000.

ELK RIDGE TOWN COUNCIL MEETING - 10-24-00, CONT.

ROLL CALL	<i>Mayor:</i> Gregg Ingram; <i>Town Council:</i> Gary Bowen, Michael Motko, Cindi Ellis (absent: Kent Anderson); <i>Administrative Assistant:</i> Ernestine Folks; <i>Public:</i> Jim Bolser (Mountainland Association of Governments.. "MAG"), Ron Ririe; and <i>Town Clerk:</i> Janice H. Davis
INVOCATION & PLEDGE OF ALLEGIANCE	The Invocation was offered by Janice H. Davis, followed by the Pledge of Allegiance. _____
AGENDA TIME FRAME	MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE TIME FRAME TO INCLUDE THE "MAG" PRESENTATION, RON RIRIE AND ALL ELSE WILL BE UNDER THE HEADING OF "ADMINISTRATIVE UPDATE" VOTE: YES (4) NO (0) ABSENT (1) KENT ANDERSON
MOUNTAINLAND ASSOC. OF GOVERNMENTS	Presentation by Jim Bolser (Region Advisor for the 21 st Century Community Program). Mr. Bolser presented the "Bronze Puck Award" to the Council. This signifies that the Town has completed 3 of the 9 "Assessments". The Program helps the communities evaluate their plans for growing into the future and their ability to implement them. After all assessments are complete, each participating community will select a community "project". The project can be anything that fits community desires & capabilities, ranging from a community "enhancement" project (a park, trail or pavilion) to "planning" project (development or re-development of the General Plan). Once the project is selected, the community will write a plan to implement the project. MAG will be assisting Elk Ridge in the 21 st Century Program.
GREENVIEW ESTATES	_____ LEI Engineering has written a letter (dated 9-21-00) concerning the condition of the subdivision improvements for Greenview Estates, Plat A, As per letter: Items to be corrected, listed as 1 through 5...Mr. Ririe has no problem with the repairs. Those things are either done or committed to be done. Mr. Ririe wanted to address items 6 & 7, and get directions from the Council on how to proceed. Issue: Retention Basin... (There have been problems with the basin not holding storm water and flooding the golf course. LEI Engineering inspected the basin and says that it does not meet the specifications on the original plans.) To prevent the continued overflow, the Town has taken action to put in a trench across the property to the north, to drain the basin. This is probably not a final solution to the drainage problem.

ELK RIDGE TOWN COUNCIL MEETING - 10-24-00, CONT.

3 Options:

1. Do nothing..the water is draining through the trench and is dissipating
2. Install a sump in the bottom of the retention basin; however, the engineers (prior to the original installation of the basin) found clay-type soil, which is not effective for percolation.
3. Enlarge the basin
4. Combination of the above solutions

With a long range perspective, the trench to the north should be addressed, particularly when Burke Cloward decides to develop his property, which lies to the north of Greenview Estates.

Mr. Ririe is willing to make the repairs the Council should decide upon.

Issue: Road Settling

LEI stated that settling in the road is "widespread". Mr. Ririe disagrees with the term "widespread". When the road was originally installed, Earth-tech came out and did soil compaction tests and it passed and that was 2 ½ years ago. Mr. Ririe asked Geneva Rock to evaluate the road. He directed Geneva to replace the road, if it was necessary. Geneva reported that there is a slight amount of settling and that the road does not need to be dug up. They found a crack which needs a crack-seal job. It is located at the south end of the cul-de-sac. LEI said to get a letter from Geneva Rock indicating their recommendation. (Mr. Ririe submitted a copy of the letter to the Council.)

Mayor Ingram: Commented that the Council is agreeable to whatever is worked out between the Town Engineer and Mr. Ririe.

Ron Ririe: Greg Magleby (LEI) said that he suggests a sump be installed in the retention basin. Another perk test will be conducted. If the basin doesn't drain, then the only solution would be to enlarge the basin.

Mr. Magleby also suggested a separate bond be held in the amount of the repairs to be done, for an 18 month durability period of time.

A cost estimate needs to be submitted to the engineer for approval.

APPROVED
LOTS/BUILDING
PERMIT REPORT

The report was submitted to the Town Council in their packets, for review.

WATER RIGHTS/
DALLAS YOUNG

Gary Bowen: Has contacted Far West Bank for financing the purchase of the balance of the water rights from Dallas Young. The interest rate quoted to him was high. Councilmember Bowen will contact another bank as to the possibility of a lower rate. He is hoping to negotiate that down. The terms are for 15 years, with the principal only having to be paid on July 1 of each year. The payments could be monthly or quarterly (Town's choice). Every 5 years the terms are to be re-negotiated. Estimated cost...\$120,000 or less (\$1,500/acre foot, less the .05 reimbursement to the Town) with collateral (water shares), the interest rate should be lower.

ELK RIDGE TOWN COUNCIL MEETING - 10-24-00, CONT.

As the lots in Town are upgraded in water rights, where necessary; the rights purchased from Dallas Young can be a source. The .3 acre ft. of water could be purchased from the Town at a higher rate than Mr. Young charges. This would encourage people to purchase the rights elsewhere. It is not the intent of the Town to deplete the Town-owned water rights too much. Councilmember Bowen is also checking on the transferred rights owned by certain developers in Town. The Town entered into a joint transfer agreement with some of the developers to alleviate the developers' need to "prove-up" on those rights. Municipalities are now required to "prove-up" on water rights assigned to their wells. The agreements state that the Town has a "right of first refusal" to purchase the transferred rights from the developer. Would there be the opportunity to purchase some of these transferred rights for the Town's use? Over 60% of the water users in Town are using over their allotted amount for the size of their lots and for the rights assigned to their particular lots. If the existing lots with 1 acre ft. assigned to them were brought up to the current requirement of 1.3 acre ft, the percentage of "over-usage" would decrease to about 40%. At that point, the residents still using over the allotted amount, could be charged \$2.50/1,000 gals. For any "overage". People are not going to allow themselves to generate a \$2,000/month water bill.

ADMINISTRATION UPDATE

1. Loafer Canyon Sewer Line/Salem Hills Water Line:

A) Loafer Canyon Sewer Line...

The sewer line has turned the corner onto Loafer Canyon Rd. and is heading south on the road. The line was successfully taken under the shed on the Christensen's property.

1) Hansen Fence...

The fence on Hansen's property was torn down to get the sewer line in. It is going back in where it was. That is what Mr. Hansen wants.

B) Salem Hills Water Line...

The materials arrived and installation of the line was to begin the following week. Fremont Way will not be asphalted until summer, after July 1st.

All the galvanized pipe and lead bends are out of the road.

C) The house in the corner of Fremont Way has its water line coming out to a 2" line that's going through an easement in the middle of all the lots.

A new line was installed to their property. Their house will be tied in when they are ready to make the change over to the new 10" main.

1) All fire hydrant in the field will be gone and placed in the proper location.

2) The hydrants inside lot lines will be re-located.

3) All sewer lines are stubbed in.

4) The cast iron lines will be abandoned

2. Assistant Public Works Superintendent

Mayor Ingram: The Council has decided that an Assistant Public Works Superintendent is needed for the Town. The Mayor is gathering information for an advertisement to go out in the Payson Chronicle and in the town newsletter.

3. Set Public Hearing/Establishment & Operation of Board of Adjustment

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO SET A PUBLIC HEARING FOR NOVEMBER 28, 2000, AT 6:00 PM, TO CONSIDER AN ORDINANCE REVISING EXISTING PROVISIONS RELATING TO THE ESTABLISHMENT AND OPERATION OF THE BOARD OF ADJUSTMENTS OF THE TOWN OF ELK RIDGE, UTAH; SETTING FORTH THEIR DUTIES AND POWERS AND REPEALING ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE

VOTE: YES (4) NO (0) ABSENT (1) KENT ANDERSON

4. HANSENS/ARMSTRONGS - IMPACT FEES

Mayor: A motion was made in the last Town Council Meeting concerning the Hansens, Armstrongs and Clowards; to "waive" the Impact and Hook-up fees. The wording in that motion was incorrect. Actually, these people were given a "credit" against the Impact fees and the Hook-up fees, for granting the Town a sewer easement.

**AMENDED
BUDGET
DISCUSSION**

Discussion: Figures (cost estimates) are needed for the major projects and expenses which will yet be incurred in the current fiscal year. Examples: Roads - Columbus Lane extension, Fremont Way, Loafer Canyon Road; Upgrading the computer system; Hiring an Assistant Public Works Superintendent.

EXPENDITURES

General:

1. The old PRV station and part of the water line between the north Town boundary and Gary Hansen's property had to be replaced with ductile iron.
2. Kent Haskell's phone needs to be replaced. It was mentioned that he can use the one that the Mayor turned back in to the Town.

MINUTES

1. Town Council Minutes of 9-12-00:

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN TO APPROVE THE TOWN COUNCIL MINUTES OF 9-12-00

VOTE: YES (4) NO (0) ABSENT (1) KENT ANDERSON

ELK RIDGE TOWN COUNCIL MEETING - 10-24-00, CONT.

OAK BLUFF
ESTATES,
PLAT B

Gary Bowen: Reported that the repairs are being worked on. The asphalt in the road is cut. The improvements will be fixed by the end of the week. There are other problems in that area. There is a water line that is not stubbed out to a lot. Someone is building on the lot and they cannot get any water. Either the line was not tapped or the "corporation valve" was left off. Mr. Mecham was informed of the situation and he will make the necessary correction to be able to get water to that lot. The curb and gutter and the road will be replaced across lot #37 of Plat B. Mayor: If the work is not done, it will go into default.

RESOLUTION
PHONE SYSTEM

The agreement for the phone system lease must be in resolution form. The agreement is with Heartland.

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY
MICHAEL MOTKO TO APPROVE THE LEASE AGREEMENT WITH
HEARTLAND BUSINESS CREDIT FOR THE LEASE OF THE TOWN
PHONE SYSTEM**

VOTE: YES (4)

NO (0)

ABSENT (1) KENT
ANDERSON

ADJOURNMENT

**MOTION WAS MADE BY GARY BOWEN AND SECONDED BY
MICHAEL MOTKO TO ADJOURN THE MEETING.**

VOTE: YES (4)

NO (0)

ABSENT (1) KENT
ANDERSON


TOWN CLERK

NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a regular Town Council Meeting on **Tuesday, November 14, 2000, at 7:00 PM**; it will be preceded by a **Public Hearing** for the purpose of hearing public comment on the following: The **Public Hearing, at 6:30 PM**, will be regarding the proposed Mecham Annexation;

The Public Hearing will be preceded by the **Council Work Session at 6:00 PM and a Town Council Closed Session will follow the regular Town Council Meeting at 8:00 PM**. The meetings will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 - PM TOWN COUNCIL WORK SESSION

Dept. Heads/Updates

Planning/Zoning

Roads

Parks

Administration

Discussion/Second Class City-Mayor

Budget Discussion

Elk Ridge/Payson-Boundary Adjustment Letter-Mayor

Oak Bluff Estates, Plat B - Improvement Repairs/Durability Retainer-Status

Approved Lots/Building Permits Report

6:30 - PM PUBLIC HEARING - PROPOSED MECHAM ANNEXATION/ WHISPERING OAKS

7:00 - PM REGULAR COUNCIL MEETING AGENDA ITEMS:

Invocation and Pledge of Allegiance

7:03 Approval of Agenda Time Frame

7:05 Set Public Hearings:

Ordinance/Establishment & Operation of Board of Adjustments

Ordinance/Conveyance of Water Right

Ordinance/Regulating Accessory Buildings

Ordinance/Regulating Final Plat Expiration Period by Planning Commission

7:15 Loafer Ridge Subdivision Annexation/Set Public Hearing

7:20 Action/Mecham Annexation-Authorize Writing the Ordinance of Annexation

7:25 Caselle Upgrade to Windows

7:30 Expenditures: General

LEI Engineering/Work Release #5

List of Expenditures - October, 2000

7:40 Approval of Minutes of Previous Meetings

7:50 Oak Bluff Estates, Plat B/Durability Retainer - Action

8:00 Adjournment

8:00 - PM TOWN COUNCIL CLOSED SESSION

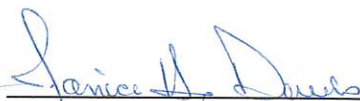
Acquisition of Property

*Handicap Access, Upon Request. (48 Hours Notice)

Elk Ridge Town Council Meeting
11-14-00

The times which appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.


Dated this 9th Day of November, 2000.



Town Clerk

CERTIFICATION

I, the undersigned, duly appointed and acting Town Clerk for the municipality of Elk Ridge, hereby certify that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and mailed to each member of the Governing Body on November 9, 2000.



Town Clerk

**ELK RIDGE
TOWN COUNCIL MEETING
November 14, 2000**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge Town Council was held on **Tuesday, November 14, 2000, at 7:00 PM**; it was preceded by the **Council Work Session at 6:00 PM**. There was also a **Public Hearing at 6:30 PM**, concerned with the proposed Mecham Annexation/ Whispering Oaks . The Meetings were held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.
Notice of time, place and Agenda of these meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by mailing a copy to each on November 9, 2000.

6:00 PM

-

TOWN COUNCIL WORK SESSION

ROLL CALL

Mayor: Gregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson (*Absent:* Michael Motko); *Planning Commission:* Stewart Jolley, Terie Righettini, Bruce Lindow, Robert Goodwin; *Administrative Assistant:* Ernestine Folks; *Engineers:* Greg Magleby, Jesse Conway; *Public:* Don Mecham, John Mecham, Cindy Mecham, Donna & Paul Eddy, Vernon Fritz, Jim Nicolet, Janis McGill, JoAnn & Dale Bigler, Brent & Dianne Martin, Joan Durfey, Ken Orton, Joe Marrott; and *Town Clerk:* Janice H. Davis

**DEPT. HEAD
UPDATES**

Roads:

Kent Anderson: Reported that the crack & seal project has been completed to the specified areas.

Administrative:

Mayor Ingram:

1. The Mayor has been notified from the State of Utah that Elk Ridge Town is now a Third Class City. The Mayor is not sure exactly what that means , administratively. Utah League is being consulted on this. The Council has the option to stay the way it is (5 Councilmembers, with the Mayor having a vote); or the current form of Government could be switched to a 6-member Council, with the Mayor not having a vote unless there were a tie vote. The Mayor suggests leaving the form of Government as it is, at least until the next municipal election.
2. Budget Discussion: There are costs to be incurred which are not available yet. The discussion was postponed.
3. Elk Ridge/Payson Boundary Adjustment:
Brent Martin lives on Haley's Lookout. He also owns a parcel directly behind his lot that is actually part of Payson City. He would like to do a lot combination. To adjust the boundary, Payson City would like a letter from Elk Ridge saying that Elk Ridge would accept the proposed adjustment.

ELK RIDGE TOWN COUNCIL MEETING - 11-14-00, CONT.

Another piece of property in question, also off of Haley's Lookout, belongs to Tom Tervort. He would like to include his property in the boundary adjustment. It is a larger parcel. Both parcels lie between the edge of the golf course and Elk Ridge's boundary.

The Mayor agrees that there should be a boundary adjustment which goes along the natural boundary of the golf course.

Vernon Fritz: Questioned what the motivation is to adjust the boundary.

Brent Martin: The parcel is contiguous with the lot their house is on and the Martins are being taxed on the parcel as if it were a building lot. If adjusted, the taxes officially go to Elk Ridge rather than Payson.

The Council agreed that the Mayor should write to Payson about Brent Martin's request, that the Council is willing to approve the proposed Martin boundary adjustment. Adjusting the boundary along the natural boundary of the golf course will also be discussed with Payson (This would include Mr. Tervort's property).

OAK BLUFF
ESTATES,
PLAT B/
DURABILITY
RETAINER

Even though Mr. Mecham feels that the bond has already gone through the release process, he is still willing to make the necessary repairs to the subdivision improvements. Mr. Mecham would like to have a separate bond for the corrections, then the original bond can be released. The Mayor is to get the estimates for the corrections from LEI Engineering.

APPROVED LOTS/
BUILDING
PERMITS
REPORT

Ernestine Folks:

Total homes in Elk Ridge = 474

Approved vacant lots = 194 (146 on the Elk Ridge Water System)

6:30 -

PUBLIC HEARING/PROPOSED MECHAM ANNEXATION
WHISPERING OAKS

ROLL CALL *Mayor*: Gregg Ingram; *Town Council*: Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson (*Absent*: Michael Motko); *Planning Commission*: Stewart Jolley, Terie Righettini, Bruce Lindow, Robert Goodwin, Marc Rugg; *Administrative Assistant*: Ernestine Folks; *Engineers*: Greg Magleby, Jesse Conway; *Public*: Don Mecham, John Mecham, Cindy Mecham, Donna & Paul Eddy, Vernon Fritz, Jim Nicolet, Janis McGill, JoAnn & Dale Bigler, Brent & Dianne Martin, Joan Durfey, Ken Orton, Joe Marrott, Mark Baird, Robert L. Siemer, Russell Wilson, Ryan & Dustin Magoffin, Larry Knudsen, Jared Clark, Bobby, Carol Righettini, Jordan Morris, Darren Balls, Trina & Val Brinkerhoff, Doug Pace, Richard White, Don Hopkins, William Berry, Dave Hendrickson, Stephen Clough, Hal Shuler, Alan Bornholdt, Brian G., Todd Norton, M. Christensen, Paul Cazier, Barry & Lisa Bradshaw, Kent O'Driscoll, Kevin Clark, Kristine Murray, Marci Durrant, Jeff & Judy Jarvis, Scott Young, Kim & Joy Jaspersen, Brent & Tammy Christensen, Dale & Beverly Christofferson, Brad & Wendy Dodenbier, Tom & Brenda Nelson, Lyle & Kathy Williams, Rhonda Salcido, J. Bevan Jones,

ELK RIDGE TOWN COUNCIL PUBLIC HEARING - 11-14-00, CONT.

Paul Jones, Carla Hansen, Kevin Johnson, Donell Voorhees, Chad Christensen, Dayna Hughs, Kathie Mower, Don & Rosalie Hooks, Rene' Motko, Nikki Johnson, Jerry Thun, LeaAnn Adams, Edward Nolton, Todd Jackson, Tony Searle, Cathie Ogden, Scot Bell, Blake Johnson, Jeff Wardle, Dick & Judy Swanson; and *Town Clerk*: Janice H. Davis

Introduction:

Mayor Ingram:

The Mayor opened the Public Hearing by informing those present that the Public Hearing scheduled for that night was, in reality, a Public Meeting wherein some of the public could be heard. If necessary, the Town Council will schedule an additional public meeting for the public to speak and to gather information. There would be a formal Public Hearing after the Ordinance or Agreement of Annexation is drafted. The public will be kept informed of the various meetings.

The Mayor set the parameters of the meeting: He would take about 10 - 15 minutes to disburse information, three persons had specifically requested to be heard (Don Mecham, Stephen Clough & Jim Nicolet). They would be allowed 2 minutes each for their presentations.

The remainder of the time would be turned over to the public for questions and comments, as time allowed.

There were only 30 minutes scheduled for the public meeting...(the Council did not expect the turn-out for the meeting when they scheduled it).

Mayor's Presentation:

The Mayor reviewed the Annexation process, in general:

He then went over the specific **Mecham Properties Request** for annexation into Elk Ridge.

- 1) Petition for annexation
- 2) Town Council approval/acceptance
- 3) Ad Hoc Committee reviewed the proposed annexation and generated a summary or report, to be considered by the Planning Commission and the Town Council.
- 4) An Annexation Ordinance or Agreement will be drafted, which will detail all of the terms of the annexation.
- 5) A Public Hearing will be held to consider the Annexation Agreement. (This Hearing is different than the Public Meetings being conducted prior to the Hearing, to generate information to the public and to gather input for the Council to consider.)
- 6) Town Council either accepts or denies the Annexation.

impact:

When development occurs, it will impact Elk Ridge!

The development could go in:

Payson, County, As a new community

The Council was willing to consider the annexation based on the following perspective: If the development is going to happen, why not have the ability to control the development to benefit Elk Ridge?

Petition for Annexation:

When a Petition to annex comes before the Council, the Council accepts or denies. Acceptance does not obligate the Council to actually approve the annexation, only to allow the process to proceed.

There is a publication/protest period...the Mecham Petition had one protestor, this did not qualify for a hearing at the County level. The protestor was given the option of approaching the Council with his concerns; he chose not to.

Refer to Planning Commission (it is currently being addressed by the Planning Commission).

Ad Hoc Committee:

Appoint Town Council Member

Committee representing all parties

Charge to Committee:

Come up with the Pros/Cons of the proposed annexation/development in the areas of:

Roads, Water, Sewer, Storm Drainage, Public Safety, Recreation, Parks, Trails, Habitat, Administration, Taxes and any other areas of concern

Then to prepare a report

(Reports were generated by each member of the Ad Hoc Committee.)

A Report Summary was then written for review.

Summary of Impact to Town:

Roads:

Increased traffic - wear & tear on roads with increased needs for repair

Increase equipment & facilities, with additional cost

Water, Sewer, Storm Drainage:

No annexation without water source & storage (1 million gal tank & new well)

Potential for secondary water

Sewer/Several options - Upgrade to current system with Salem

Possible connection with Payson (With/without annexation)

Storm Drainage system to accommodate entire Town

Public Safety:

Police & ambulance service access
Fire protection facility and equipment
This development would have its own facility & equipment
(Including a new fire truck)
There is a need to increase police & fire protection (this need exists with/without annexation)

Recreation:

Trails & parks development
Habitat maintenance/preservation (wild life corridors & public trails)
Proposed development addresses this.

Administration/Taxes:

Need - additional Town staff personnel (potentially 2 new staff members to accommodate growth)
The Plan is to add about 250 new homes with the development.
The Town Hall would have to be expanded.
Will the additional tax revenue be enough to handle maintenance, staff & facilities?

Next Steps:

Planning Commission reviews petition & Ad Hoc report, then recommends to the Council.
Preparation of Annexation Ordinance/Agreement
Public Hearing on the proposed Agreement
Town Council accepts or denies the annexation

The Mayor concluded by assuring those present that the Town Council is weighing the information carefully. There is no rush. The Council does not want to put the Town in a negative situation. Due to public interest, there will be another public meeting in a different place, to be able to accommodate more people.

Don Mecham had requested time to address the public.

Don Mecham: Mr. Mecham planned for about 250 homes or less. The development would be private and well planned. 300 acres are already in Elk Ridge, with 250 additional acres included in the proposed annexation. He plans approximately 150 acres as open space.

There would be advantages to Elk Ridge such as increased property taxes to the Town. The development would need a 400,000 to a 500,000 gal. storage tank...Mr. Mecham is willing to go to a million or 1 ½ million gal. tank. Mr. Mecham offered to answer any questions and gave out his phone number.

Jim Nicolet: Not for or against the proposed annexation. He has certain concerns:

1. He does not want his property taxes to go up.
2. He does not want his water rates to go up.

Mr. Nicolet sent out a flier to the residents of the Town and said that up to 400 homes would be possible. He says, this is not erroneous.

ELK RIDGE TOWN COUNCIL PUBLIC HEARING - 11-14-00, CONT.

If the zoning were changed to R-1-15,000 (3 lots per acre) more lots than 250 would be possible. The zoning has not been decided upon. That is not saying this will happen; but, there is the potential. He feels that everyone in the Town should be listened to.

Terie Righettini: (Member of the Planning Commission)

The Planning Commission cannot review this and consider all that must be considered in 2 months. (The Mayor mentioned that the annexation might take two months to complete.) The answers cannot be supplied in that amount of time.

Vernon Fritz: He is opposed to the proposed Annexation. He feels it would increase taxes, with no proportionate benefit. It is his opinion that the long-time residents of Elk Ridge should be reaping the benefits of their investment. He feels there should be a reduction in taxes. He cautioned that HUD would force the Town to put in low-income housing. Annexation does not produce income, it is a consumer of goods. He also does not feel that the Town would lose the opportunity to control what goes in, should the annexation take place.

Joan Durfey: Is in favor of the proposed annexation. She feels that it is a pro-active thing to do. She feels it is wise to be in control of future development in the area. There is plenty of time to look at all of the information. She feels there are many things to benefit the Town. She does not believe in scare tactics. People need to study the information themselves and form their own opinions.

Scot Young: Concerned about the quota of HUD-type housing which could be required of the Town, based on the new growth. Has the over-all impact been considered?

Alvin Harward: Sat on the Ad Hoc Committee as a resident of the Town. (He is also a former Planning Commission Chairman.) The Ad Hoc Committee was not a hurry-up deal. They spent about 5 or 6 months examining the situation. Most of the proposals are things offered by Don Meham, not requested by the Committee. He has had some high water bills and feels that a secondary water system would be of great value.

Stephen Clough: He rides the mountain behind the Town most every day. He sees the erosion which happens as a result of run-off and feels the Town needs a storm system. The Town needs secondary water. He sees, first-hand, the abuse which happens up in the forest land, such as: untended fires, trash, vandalism. A planned development would clean this up.

Mayor Ingram: Assured all present that there would be another meeting in January, 2000, so that all could be heard.

**ELK RIDGE
TOWN COUNCIL MEETING
November 14, 2000**

**TIME & PLACE
OF MEETING**

The regular Meeting of the Elk Ridge Town Council was held on **Tuesday, November 14, 2000, at 7:00 PM**; it was preceded by the **Council Work Session at 6:00 PM**. There was also a **Public Meeting at 6:30 PM**, concerned with the proposed Mecham Annexation/ Whispering Oaks . The Meetings were held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of these meetings was provided to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and to each member of the Governing Body by mailing a copy to each on November 9, 2000.

ROLL CALL

Mayor: Gregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson (*Absent:* Michael Motko); *Planning Commission:* Stewart Jolley, Bruce Lindow, Robert Goodwin, Marc Rugg; *Administrative Assistant:* Ernestine Folks; *Public:* Jim Nicolet, JoAnn & Dale Bigler, Mark Baird, Robert L. Siemer; and *Town Clerk:* Jan Davis

**INVOCATION
& PLEDGE OF
ALLEGIANCE**

Invocation was offered by Dale Bigler.

**AGENDA TIME
FRAME**

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY GARY BOWEN TO APPROVE THE AGENDA TIME FRAME BY ADJUSTING THE TIME BY 15 MINUTES.

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

**SET PUBLIC
HEARINGS**

1. Ordinance/Establishment & Operation of Board of Adjustments

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO SET A PUBLIC HEARING FOR DECEMBER 12, 2000, AT 6:00 PM, TO CONSIDER AN ORDINANCE REVISING EXISTING PROVISIONS RELATING TO THE ESTABLISHMENT AND OPERATION OF THE BOARD OF ADJUSTMENT OF THE TOWN OF ELK RIDGE, UTAH; SETTING FORTH THEIR DUTIES AND POWERS AND REPEALING ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

ELK RIDGE TOWN COUNCIL MEETING - 11-14-00, CONT.

2. Ordinance/Conveyance of Water Rights

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO SET A PUBLIC HEARING FOR DECEMBER 12, 2000, AT 6:10 PM, TO CONSIDER AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE DEVELOPMENT CODE OF ELK RIDGE, UTAH, RELATING TO THE CONVEYANCE OF WATER RIGHTS; AND PROVIDING FOR THE ADOPTION AND ADMINISTRATION OF THIS ORDINANCE

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

3. Ordinance/Regulating Accessory Buildings

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO SET A PUBLIC HEARING FOR DECEMBER 12, 2000, AT 6:15 PM, TO CONSIDER AN ORDINANCE AMENDING THE ELK RIDGE TOWN ZONING ORDINANCE, CHAPTER 10-5 AND SECTION 10-3-3.5, REGULATING ACCESSORY BUILDINGS, PROVIDING FOR CODIFICATION, INCLUSION IN CODE AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

4. Ordinance/Regulating Final Plat Expiration Period by Planning Commission

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY KENT ANDERSON TO SET A PUBLIC HEARING FOR DECEMBER 12, 2000, AT 6:20 PM, TO CONSIDER AN ORDINANCE AMENDING THE ELK RIDGE TOWN SUBDIVISION ORDINANCE, SECTION 10-7-3.7, REGULATING PRELIMINARY PLAN APPROVALS, PROVIDING FOR CODIFICATION, INCLUSION IN CODE AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

**LOAFER RIDGE
ANNEXATION/
SET PUBLIC
HEARING**

The Petition submitted by Robert Nelson has gone through the publication/protest period. There were no protests. The Petition has not been to the Planning Commission to review and make any recommendations. The proposed annexation, if approved would deepen (by 40') two of the existing lots (#3, #4) in the Loafer Ridge Subdivision, Plat A. Mr. Nelson is also in the process of Vacating and amending that Subdivision to create a three-lot subdivision out of lots #3 & #4 and a third lot. A Public Hearing to Vacate and Amend also needs to be set. The question is which Hearing should be first? Can they be held concurrently? The Public Hearings will be set at the next Planning Commission Meeting.

ELK RIDGE TOWN COUNCIL MEETING - 11-12-00, CONT.

The Mayor will contact Andrew Jackson for more information on the Public Hearings; Meanwhile, the Nelson Petition for Annexation will go to the Planning Commission for review and recommendation.

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO REMAND THE LOAFER RIDGE PETITION FOR ANNEXATION TO THE PLANNING COMMISSION FOR REVIEW AND RECOMMENDATION

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

MECHAM
ANNEXATION

Authorize Writing the Annexation Agreement:

MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO REMAND THE MECHAM PETITION OF ANNEXATION TO THE PLANNING COMMISSION AND CHARGE THE PLANNING COMMISSION TO REVIEW THE PETITION AND TO BEGIN WORKING ON THE TERMS OF THE ANNEXATION AGREEMENT.

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

SET TOWN MEETING:

The Town Council is going to set an additional meeting to hear public comment about the proposed Mecham Annexation. Three hours will be scheduled and if more time is needed, another meeting will be scheduled.

The place needs to be large enough to accommodate the number of interested people. The Mayor will check with Payson City. The tentative date will be January 16, 2001, from 7:00 - 10:00 PM.

Stewart Jolley: Wants to clarify some expectations; there is no way that the Planning Commission will have a recommendation in 60 days. It took the Ad Hoc Committee 5 or 6 months to consider the project.

Mayor Ingram: The 2 months was just an estimate. What the Mayor expects is that the Planning Commission reviews the Petition and gives the best recommendation possible, taking into consideration the best course for Elk Ridge. The opinions of the Town residents should be taken into advisement, as well. Those wishing to speak at the Hearing should contact the Mayor. After those people have spoken, the time will be turned over to the public for their comments and questions. Those sharing their comments will be held to a time limit. An announcement of the meeting will go out with the bills.

CASELLE
UPGRADE TO
WINDOWS

The Town will have to upgrade to Windows with Caselle, if we want their continued software support. The cost estimate from Caselle is \$7,550. The system needs to be evaluated to see what is needed to be able to sustain the upgrade.

Jim Nicolet is willing to analyze the system and give an opinion of what it will take to convert to Windows. Caselle needs to be consulted. The Town Council authorized Jim Nicolet to assist Michael Motko in presenting information to the Council.

ELK RIDGE TOWN COUNCIL MEETING - 11-14-00, CONT.

Jim Nicolet: Feels that, at some time, the Town may want to consider moving away from Caselle. A great deal of money goes into Caselle. Has the Town ever looked into other accounting software? (The new Auditors were asked if they could recommend any other government financial reporting software. They responded that for smaller cities and Towns, Caselle is about the best software available.)

EXPENDITURES

General: Gary Bowen:

1. The bill from N. R. Hiatt, to bore under the existing shed on the Christensen's property, came in at \$3,800. This was to install the sewer line going to Loafer Canyon Road. The payment will come out of Contract Labor in the Sewer Fund.

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE \$3,800, TO BE PAID TO N. R. HIATT FOR SERVICES IN BORING UNDER THE SHED ON CHRISTENSEN'S PROPERTY.

VOTE: YES (3) NO (1) ABSENT (1) MICHAEL MOTKO

2. LEI Engineering's Work Release #5:

Work Release #5/Project Description:

Elk Ridge Town is currently constructing Phase 1 of a sewer main in the Loafer Canyon roadway. During the next construction season, the Town wishes to extend the sewer to the intersection of Park Drive. Prior to construction of the sewer in the developed areas in Loafer Canyon, several design issues need to be resolved, including property boundary, right of way, storm drainage, existing underground utility issues and roadway design.

LEI will conduct a thorough investigation of these issues and prepare design and construction documents according to Town Standards. The road design will include a pavement design section, curb, and will incorporate the sewer main. LEI is aware that this section of roadway has been previously designed by Hall Engineering. Most of this design is un-useable, based on the proposed road alignments and right-of-way width changes, as previously discussed with the Town Council.

Proposed cost = \$7,600.00

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO APPROVE WORK RELEASE #5, IN THE AMOUNT OF \$7,600

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

OAK BLUFF
ESTATES, PLAT B/
DURABILITY
RETAINER

The repairs to Oak Bluff Estates, Plat B, will be done by Mr. Mecham. A new bond will be posted for the amount of the repairs. The old bond, held on Oak Bluff Estates, Plats B and E, will be released after the new bond is in place. A Performance Agreement for the new bond needs to be drafted by LEI Engineering. We also need a cost breakdown for the bond from LEI Engineering.

ELK RIDGE TOWN COUNCIL MEETING - 11-14-00, CONT.

MINUTES The minutes were not available.

ADJOURNMENT **MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY KENT ANDERSON TO ADJOURN THE MEETING AND MOVE TO A COUNCIL CLOSED SESSION**
VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

TOWN COUNCIL CLOSED SESSION

ROLL CALL *Mayor: Cregg Ingram; Town Council: Cindi Ellis, Kent Anderson, Gary Bowen (Absent: Michael Motko); and Town Clerk: Janice H. Davis*

Discussion of Acquisition of Property



Town Clerk

NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, November 28, 2000 at 7:00 PM, preceded by the Town Council Work Session at 6:45 PM and a Council Closed Session at 6:00 PM. The meetings will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 PM - **TOWN COUNCIL CLOSED SESSION**

Discussion of Personnel
Discussion of Strategy
Land Acquisition

6:45 PM - **TOWN COUNCIL WORK SESSION**


Computer Systems Upgrade - Jim Nicolet
Water Line Shut-Down - Gary Bowen
Storm Drainage Fee

7:00 P.M. - **REGULAR COUNCIL MEETING AGENDA ITEMS:**

Invocation and Pledge of Allegiance
7:02 Approval of Agenda Time Frame
7:05 Action on Closed Session Items
Personnel, Strategy, Land Acquisition
7:15 Water Rights/Dallas Young-Gary Bowen
7:25 Set Public Hearings:
Ordinance/Preliminary Plat Approvals
Loafer Ridge Annexation
Vacate & Amend Loafer Ridge Subdivision, Plat A
7:30 Dallas Young Water Rights
7:35 Set Special Public Meeting/Mecham Annexation
7:40 Expenditures:
General:
List of Expenditures for October, 2000
7:50 Approval of Minutes of Previous Meetings
8:00 Adjournment

*Handicap Access, Upon Request. (48 Hours Notice)

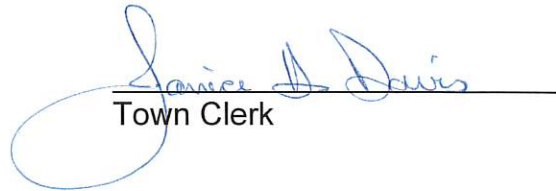
The times which appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting. Dated this 22nd Day of November, 2000.


Town Clerk

Town Council Meeting
11-28-00

CERTIFICATION

I, the undersigned, duly appointed and acting Town Clerk for the municipality of Elk Ridge hereby certifies that a copy of the Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and provided to each member of the Governing Body on November 22, 2000.


Town Clerk

**ELK RIDGE
TOWN COUNCIL MEETING
November 28, 2000**

**TIME & PLACE
OF MEETING**

A regular Elk Ridge Town Council Meeting was held on Tuesday, November 28, 2000, at 7:00 PM; The Town Council Meeting was preceded by the Council Work Session at 6:45 PM and a Council Closed Session at 6:00 PM; The meetings were held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and provided to each member of the Governing Body by mailing a copy to each on November 22, 2000.

6:00 PM -

TOWN COUNCIL CLOSED SESSION

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen, Michael Motko, Cindi Ellis, Kent Anderson; *Town Attorney:* John Fueston; *Town Clerk:* Janice H. Davis

At 6:00 PM, the Mayor opened the Closed Session.

Discussion of Personnel
Discussion of Strategy
Land Acquisition

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY
MICHAEL MOTKO TO CLOSE THE COUNCIL CLOSED SESSION
VOTE: YES (5) NO (0)**

6:45 PM -

TOWN COUNCIL WORK SESSION

ROLL CALL

Mayor: Cregg Ingram; *Town Council:* Gary Bowen, Michael Motko, Cindi Ellis, Kent Anderson; *Administrative Assistant:* Ernestine Folks; *Public:* Jim Nicolet; *Town Attorney:* John Fueston; *Town Clerk:* Janice H. Davis

COMPUTER
SYSTEMS
UPGRADE

Jim Nicolet: (Submitted a report to the Council)
The quotes listed in the report are at the government discount prices.
Mr. Nicolet contacted Caselle and there is no problem running their upgrade to Windows for accounting on Windows 98 or Windows Me.
Caselle still feels the Town's hardware level is too low to handle the conversion. It will run; but, not like it should.
Quotes were obtained from Dell and Gateway and a comparison was done to Compaq Deskpro (much higher in price).
Several options were listed in the report and reviewed by Mr. Nicolet, ranging in price from \$9,148.86 to \$10,035 (Dell Dimension);
from \$8,670 (Gateway Professional); to \$12,154 (Compaq Deskpro).

ELK RIDGE TOWN COUNCIL WORK SESSION - 11-28-00, CONT.

Councilmember Motko will gather together all the information submitted and make a recommendation to the Town Council.

Mr. Nicolet suggested:

1. A silent auction to try to sell off the old equipment
2. To obtain a web page for Elk Ridge

WATER LINE

SHUT-DOWN

Gary Bowen: There was a break in the water line at the corner of Salem Hills Drive and Maple Lane. Kent Haskell was out of Town. In an effort to shut the water off at the break, the Lower Well was shut down for a short period of time. The pressure built up in the lines below the break and damage was caused to two homes. These two homeowners filed claims with the Town's insurance company, Utah Local Governments Trust.

Councilmember Bowen cautioned that no one should shut down the wells who doesn't have an understanding of the water system. When the valve is shut down, it isolates the pump from the tank. This throws the full booster pump pressure against the line, driving the pressure up to as much as 350 psi.

STORM

DRAINAGE FEE

Gary Bowen: A Storm Drainage fee is needed. Councilmember Bowen suggested taking \$1.00 off of the current Sewer Charge (\$21 to \$20/month) and applying it to storm drainage. That would be a start; but he feels another \$2.00 could be charged to each citizen of Elk Ridge. Expenses are being incurred in creating a storm drainage system and money is needed to pay for them. Engineering is needed to plan the system.

Some citizens are not on the sewer system and the charge should go to all residents, since all will benefit from a storm drainage system.

Mayor Ingram: Does not want to increase any current charges. If some of the sewer charges could go to storm drainage, that would be fine for now.

Gary Bowen: At some point in time, an additional charge will be needed; but, for now, reallocating \$1.00 of the sewer charge would be helpful.

The current fee document will have to be amended. The Mayor will contact Andrew Jackson to draft a resolution to establish a storm drainage fee.

NON-AGENDA
ITEM

The regularly scheduled Town Council meeting on January 23, 2001, will be switched to January 16, 2001, for the purpose of holding a special Public Meeting to consider the Mecham Annexation, on January 23. It will be held at the Payson City building, in the Senior Citizen Banquet Hall, at 7:00 PM. The Meeting will be held at the Payson City Building to accommodate the number of people who may be in attendance.

TIME & PLACE OF MEETING

A regular Elk Ridge Town Council Meeting was held on Tuesday, November 28, 2000, at 7:00 PM; The Town Council Meeting was preceded by the Council Work Session at 6:45 PM and a Council Closed Session at 6:00 PM; The meetings were held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and provided to each member of the Governing Body by mailing a copy to each on November 22, 2000.

INVOCATION &
PLEDGE OF
ALLEGIANCE

The Invocation was offered by Cindi Ellis, followed by the Pledge of Allegiance.

AGENDA TIME FRAME

**MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY
MICHAEL MOTKO TO APPROVE THE AGENDA TIME FRAME,
ADJUSTING THE TIME FRAME BY 20 MINUTES
VOTE: YES (5) NO (0)**

ACTION ON CLOSED SESSION ITEMS

All information was submitted to the Town Attorney, John Fueston.

WATER RIGHTS/
DALLAS YOUNG

Gary Bowen: It has been approved to purchase the balance of the Dallas Young water rights from Mr. Young and to finance the purchase through Mr. Young, as well. He is offering a lower interest rate (7 1/2% rather than 8%). The contract will be worked out between the Town Attorney and Mr. Young.

NON-AGENDA
ITEM

Gary Bowen: (Dugway ...East Park Drive, leading to Loafer Canyon)
While Loafer Canyon Road is being upgraded, the Dugway also needs to be fixed. What is necessary to make that road functional and safe for school bus access? A preliminary engineering cost estimate is \$1,850.00, to produce a plan to fix that portion of Park Drive.

SET PUBLIC
HEARINGS/
SPECIAL
PUBLIC MEETING

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MICHAEL MOTKO TO SET A PUBLIC HEARING ON AN ORDINANCE AMENDING THE ELK RIDGE TOWN SUBDIVISION ORDINANCE, SECTION 10-7-3.7, REGULATING PRELIMINARY PLAN APPROVALS, PROVIDING FOR CODIFICATION, INCLUSION IN THE CODE AND PROVIDING FOR SCRIVENER'S ERRORS. THE PUBLIC HEARING IS SET FOR 1-16-01, AT 6:00 PM

VOTE: YES (5) NO (0)

Loafer Ridge Annexation/Vacation & Amendment:

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MICHAEL MOTKO TO SET THE DATE FOR A PUBLIC HEARING TO CONSIDER THE PROPOSED LOAFER RIDGE ANNEXATION, ON 1-16-01, AT 6:15 PM

VOTE: YES (5)

NO (0)

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO SET A PUBLIC HEARING TO VACATE AND AMEND THE LOAFER RIDGE SUBDIVISION, PLAT A, LOTS 3 & 4, FOR 1-16-01, AT 6:20 PM, WITH AN ALTERNATE DATE OF 1-23-01.

VOTE: YES (5)

NO (0)

Public Meeting/Mecham Annexation:

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY GARY BOWEN TO SET A SPECIAL PUBLIC MEETING ON 1-23-01, AT 7:00 PM, TO CONSIDER PUBLIC COMMENT ON THE PROPOSED MECHAM ANNEXATION; THE DATE IS CONDITIONAL UPON AVAILABILITY, AN ALTERNATE DATE FOR THE MEETING IS 1-16-01.

VOTE: YES (5)

NO (0)

EXPENDITURES

1. Work Order #6; in the amount of \$1,850 for the engineering to be done on East Park Drive/Loafer Canyon Road.

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY MICHAEL MOTKO TO APPROVE LEI'S ENGINEERING WORK ORDER #6, IN THE AMOUNT OF \$1,850, FOR ENGINEERING EAST PARK DRIVE AND LOAFER CANYON ROAD

VOTE: YES (5)

NO (0)

2. Wasatch Excavation:

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY GARY BOWEN TO APPROVE A BILL IN THE AMOUNT OF \$483.75, TO BE PAID TO WASATCH EXCAVATION, FOR WORK DONE ON THE WATER LINE BREAK ON SALEM HILLS DR. & MAPLE LANE

VOTE: YES (5)

NO (0)

3. Spanish Fork Diesel:

Gary Bowen: The big snowplow needed work done on the fan-switch; it, alone, was \$106.15 and \$360 labor. The truck was also serviced. Councilmember Bowen knew about the work; but, did not realize it would be for so much money. In the future, expenditures should be approved through the Dept. Head, if possible.

ELK RIDGE TOWN COUNCIL MEETING - 11-28-00, CONT.

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY GARY BOWEN TO APPROVE A BILL FROM SPANISH FORK DIESEL, FOR WORK DONE ON THE BIG SNOWPLOW, IN THE AMOUNT OF \$619.98.

Discussion: Perhaps the Purchasing Ordinance should be addressed to allow expenditures to take place within certain approved, budgeted amounts. Councilmember Motko also suggested the amount (over \$300) needing Council approval, may need to be raised.

No further discussion.

VOTE: YES (5)

NO (0)

(Mayor Ingram will review the Purchasing Ordinance.)

MINUTES

1. Town Council Minutes of 9-26-00:

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE TOWN COUNCIL MINUTES OF 9-26-00

VOTE: YES (5)

NO (0)

ADJOURNMENT

MOTION WAS MADE BY MICHAEL MOTKO AND SECONDED BY CINDI ELLIS TO ADJOURN THE MEETING.

VOTE: YES (5)

NO (0)


TOWN CLERK

NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, December 12, 2000, at 7:00 PM, preceded by the Town Council Work Session at 6:00 PM. The meetings will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 PM - TOWN COUNCIL WORK SESSION

Dept. Head Up-dates:

Administration - Mayor Ingram

Town Hall Computer System/Caselle Upgrade

Budget Amendment Discussion

Parks - Cindi Ellis

Roads - Kent Anderson

Water/Sewer - Gary Bowen

Water System: 10" water line/Salem Hills Drive

Accessory Apts. Resolution Amendment/Rate Change

Lee Haskell Subdivisions, Plats G & H - Gary Bowen

Shuler Development - Gary Bowen

Whispering Oaks - Gary Bowen

7:00 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:

Invocation and Pledge of Allegiance

7:02 Approval of Agenda Time Frame

7:05 Haskell Subdivisions. Plats G & H/Action

7:10 Set Public Hearings:

1. Ordinance/Establishment & Operation of Board of Adjustments

2. Ordinance/Conveyance of Water Rights

3. Ordinance/Regulating Accessory Buildings

4. Ordinance/Regulating Final Plat Expiration Period by
Planning Commission

7:20 Expenditures:

General:

List of Expenditures for October & November, 2000

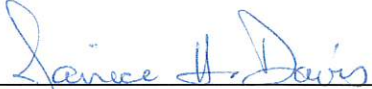
7:30 Approval of Minutes of Previous Meetings

7:35 Adjournment

*Handicap Access, Upon Request. (48 Hours Notice)

The times which appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.

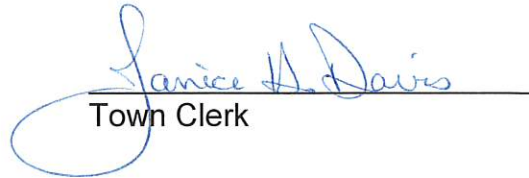
Dated this 8th Day of December, 2000.



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 Notice of Agenda was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and provided to each member of the Governing Body on December 8, 2000.


Town Clerk

**ELK RIDGE
TOWN COUNCIL MEETING
December 12, 2000**

**TIME & PLACE
OF MEETING**

A Regularly Scheduled Town Council Meeting was held on Tuesday, December 12, 2000, at 7:00 PM; preceded by the Council Work Session at 6:00 PM. The meetings were held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and provided to each member of the Governing Body on December 8, 2000.

ROLL CALL

Mayor: Gregg Ingram; *Town Council:* Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson (*Absent:* Michael Motko); *Administrative Assistant:* Ernestine Folks; *Deputy:* Tracy Jones; & *Town Clerk:* Janice H. Davis

6:00 PM -

TOWN COUNCIL WORK SESSION

**DEPT. HEADS
UP-DATES**

Administration:

Mayor Ingram: (Town Computer System)

Councilmember Motko obtained another bid for the Computer System Up-grade from Manning Information Systems. The estimate is \$22,614. A written recommendation from Councilmember Motko was attached to the proposal from Manning Info. Systems.
(Summary of Memo from Michael Motko)

3 proposals have been reviewed. The Councilmember's recommendation was not based on the least expensive, rather what he feels is the best value while meeting the needs of the Town.

Proposals:

- | | |
|--------------------------------|------------|
| 1. Hagen Consulting | \$24,985 |
| 2. Manning Information Systems | \$22,614 |
| 3. Jim Nicolet | \$9,148.86 |
- (Partial Upgrade)

Of the three, Councilmember Motko recommends Manning Information Systems.

He analyzed his reasons in the memo:

Hagen Consulting's proposal deals in inferior systems (Hewlett Packard). Most of Hagen's software is common shareware which may look attractive; but, has no support network behind for technical service/upgrades. His proposal is most costly.

He felt that Jim Nicolet's proposal does not meet the Town's needs. It is based on common home based desktop components and software. He proposes no support and this is a must. Councilmember Motko lists

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reasons why he feels the computers suggested by Mr. Nicolet are below the standard which the Town needs. He also feels that Windows ME and Windows 2000 are limited in security features.

Councilmember Motko has met with Manning Information Systems twice and feels they can meet all current and future needs of the Town.

The Council will review all of the proposals.

Caselle's bid for the upgrade to Windows is only good for 90 days, which will be over at the end of January.

Kent Anderson: The Town needs an expert to analyze the Town's needs and get bids on the same things, rather than comparing against different packages. All three proposals are based on different equipment; how will the Council make a decision?

Cindi Ellis: Suggested sending the upgrade suggestions to Jim Nicolet and to Hagen Consulting, without the prices and have them respond to the upgrades listed.

Mayor Ingram: It was decided to give Manning's analysis to Jim Nicolet and get an opinion on the system.

- 1) Is the system good?
- 2) Can he get the same equipment for a better price?
- 3) Which consultant would Mr. Nicolet recommend?

(Budget Amendment Discussion)

There are certain figures needed to finalize the Amended Budget:

Costs: Road Repair, Loafer Canyon Road, Columbus Lane

Assistant Public Superintendent...will cost about \$30,000 to 32,000/year.

(In the current fiscal year, about \$8,000 would need to be budgeted to cover the salary for an Asst. Public Work Superintendent.)

The amount of salary would be based on experience. The advertisement will offer \$9.00 to \$11.00/hour. The job search will take place no later than mid to the end of January. The position will be filled by April 1, 2001.

The Mayor will gather information for the advertisement & flier.

Parks:

Cindi Ellis: Councilmember Ellis is getting together estimates on new (additional) playground equipment. She is also considering installing bark rather than sand in the play area; but, needs more information on it.

Planning & Zoning:

1. Mayor Ingram: After listening to the tape of one particular Planning Commission Meeting, the Mayor spoke to Stewart Jolley about having a joint meeting with the Council and the Planning Commission. The Mayor is concerned about the Council and the Planning Commission coming to an understanding of certain pending issues. The Meeting would be on Thursday, January 18, 2001. It was suggested that the Councilmembers listen to the tape referred to by the Mayor before the Meeting.

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1. Mayor Ingram: is going to give the Planning Commission (from the Town Council), a formal charge in reference to the Annexation/Development Process set in the parameters of the : PRD (Planned Residential Development), PUD (Planned Unit Development) and the Urban Interface Ordinance; as well as section 10-5 of the Development Code and the Ad hoc Committee Report...to recommend to the Town Council acceptance or denial of the Mecham Annexation/Development request, by February 28, 2001; or, to provide at that time, a specific list of additional information needed to make that recommendation and anticipated time lines. This date is for the recommendation, not for the completion of the Annexation/Development Agreement. The Council agreed.

Roads:

Kent Anderson: Had a question at the last Council Meeting about the billing for the crack-seal job done on the roads. It was not determined if the bill had been received or paid. Councilmember Anderson contacted the company, M & M Asphalt Services, Inc., and was informed that the job had been paid for. The question remains, what account was it paid out of? (The invoice and copy of the check was located and had been coded to the correct account in the Roads Dept. The bill was paid in November.)

Water/Sewer:

Gary Bowen:

1. Reported that the 10" water line (Salem Hills Drive) is installed to the corner of Fremont Way. The fire hydrant has been set. The line will be tied into the line going down to Loafer Canyon. Once the line has been pressurized, the old 6" line can be shut down.

2. Accessory Apartment Charges: The rates charged for water for an Accessory Apt. were not changed to coincide with the current water rates. This could be done by a simple line-item change. Councilmember Bowen will review the current charges and see how best to make the change.

LEE HASKELL,
PLATS G & H

Gary Bowen: In attempting to extend Columbus Lane north into Haskell, Plat G, problems were discovered with the placement of the existing pavement on N. Columbus Ln. It is off 5½ ft. This needs to be fixed.

Mr. Haskell, in conjunction with the development of Plat H, will be required to place the sewer line for Plat H, as soon as the Engineering is worked out to satisfaction. Councilmember Bowen asked Mr. Haskell to submit a proposal of everything that is wrong with the area. The correction of Columbus Ln. and the installation of the sewer line, need to be in the same proposal. The total estimate was \$29,361. This was altered. He subtracted off the savings incurred by not having to install curb, gutter & sidewalk on the portion of Columbus Ln. which will be vacated (\$7,380).

\$4,200 is still owed to the Town from the \$8,000 he pledged to go toward the repair of the lower well. (\$3,800 = the upgrade to the 10" line to the project and the 10" valves were covered by Mr. Haskell.) \$4,200 was

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taken off of the total. Gary Bowen reviewed the proposal and everything the Town was charged for, for work having to do with the vacating of N. Columbus Ln. was removed. The Town did much of the preparatory work to save Mr. Haskell from having to excavate the ground in that area. This came out at \$6,934. After all of the credits, the total to be paid by the Town to Mr. Haskell = \$10,847.

The lots directly in the area of the corner of Columbus Ln. & Oak Ridge Ln. do not have curb & gutter. There is also a severe drainage problem in this area. Curb & gutter on these lots would channel the water and solve the flooding problem. Councilmember Bowen has contacted the property owners and all but two have agreed to pay for the curb & gutter for their lots. Mr. Haskell has also agreed to move the fence on either side of N. Columbus Ln. and to extend the fencing across the front of one of the lots. Cindi Ellis: Commented that there is already an easement for the existing road. Why vacate the entire easement? She would like to retain a portion of the easement for a trail to connect Mr. Haskell's subdivision to Oak Ridge Drive. This trail could be used by bikers as well as pedestrians.

(Councilmember Ellis is over the Trails Committee and is in the process of creating a Town-wide system of trails for use by the residents.) Columbus Lane is close to one of the LDS Chapels, on Oak Ridge Drive, and people could use the trail to access the Chapel, rather than have to drive all the way around to N. Park Drive.

Gary Bowen: Cautions against trails because of the on-going maintenance which would be the responsibility of the Town. He is against trails for this reason.

Cindi Ellis: The object of trails is to interconnect a community and to enhance the neighborly feeling. Trails are going to be throughout the Town. The curb & gutter can still be installed with a trail.

The Trails Committee can consider just this trail and Councilmember Ellis will contact Councilmember Bowen with the width required for the trail.

Mayor Ingram: Stressed that the information needs to be submitted to Councilmember Bowen as soon as possible, so the Columbus Lane project can go forward.

Cindi Ellis: Will make phone calls the next day to determine what the width of the trail should be. Perhaps the Parks/Trails Dept. could fund another fence for one of the property owners, if necessary.

SHULER
DEVELOPMENT

Gary Bowen:

Dennis Shuler is willing to give some land to the Town at the corner of Loafer Canyon Road and E. Park Drive, in return for the ability to develop part of the their land into 2 lots, along Loafer Canyon Road. The land going to the Town would be useful in realigning that corner.

WHISPERING
OAKS

No discussion at this time.

**ELK RIDGE
TOWN COUNCIL MEETING
December 12, 2000**

TIME & PLACE OF MEETING	<p>A Regularly Scheduled Town Council Meeting was held on Tuesday, December 12, 2000, at 7:00 PM; preceded by the Council Work Session at 6:00 PM. The meetings were held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.</p> <p>Notice of time, place and Agenda of this meeting was faxed to the Payson Chronicle, 145 E Utah Ave, Payson, UT, and provided to each member of the Governing Body on December 8, 2000.</p>
ROLL CALL	<p><i>Mayor:</i> Cregg Ingram; <i>Town Council:</i> Gary Bowen (Mayor Pro tem), Cindi Ellis, Kent Anderson (<i>Absent:</i> Michael Motko); <i>Administrative Assistant:</i> Ernestine Folks; <i>Deputy:</i> Tracy Jones; & <i>Town Clerk:</i> Janice H. Davis</p>
AGENDA TIME FRAME	<p>MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO APPROVE THE AGENDA TIME FRAME, ADJUSTING THE TIME BY 30 MINUTES</p> <p>VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO</p>
HASKELL SUBDIVISIONS, PLATS G & H	<p>MOTION WAS MADE BY MAYOR INGRAM AND SECONDED BY CINDI ELLIS TO ACCEPT THE PROPOSAL FROM LEE HASKELL, AS OUTLINED, WITH THE PROVISION OF A TRAIL TO BE PLACED OVER THE UTILITY EASEMENT, LOCATED IN THE AREA WHICH IS CURRENTLY CONSIDERED N. COLUMBUS LANE</p> <p>VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO</p>
SET PUBLIC HEARINGS	<p>1. Ordinance/Establishment & Operation of Board of Adjustment: MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO SET A PUBLIC HEARING FOR 1-9-01, AT 6:00 PM, ON AN ORDINANCE REVISING EXISTING PROVISIONS RELATING TO THE ESTABLISHMENT AND OPERATION OF THE BOARD OF ADJUSTMENTS OF THE TOWN OF ELK RIDGE, UTAH; SETTING FORTH THEIR DUTIES AND POWERS AND REPEALING ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE</p> <p>VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO</p>

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2. Ordinance/Conveyance of Water Rights:

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO SET A PUBLIC HEARING FOR 1-9-01, AT 6:10 PM, ON AN ORDINANCE AMENDING CERTAIN PROVISIONS IN THE DEVELOPMENT CODE OF ELK RIDGE TOWN, UTAH, RELATING TO THE CONVEYANCE OF WATER RIGHTS; AND PROVIDING FOR THE ADOPTION AND ADMINISTRATION OF THIS ORDINANCE

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

3. Ordinance/Regulating Accessory Buildings:

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO SET A PUBLIC HEARING FOR 1-9-01, AT 6:15 PM, ON AN ORDINANCE AMENDING ELK RIDGE TOWN ZONING ORDINANCE, CHAPTER 10-5 AND SECTION 10-3-3.5, REGULATING ACCESSORY BUILDINGS, PROVIDING FOR CODIFICATION, INCLUSION IN THE CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

4. Ordinance/Regulating Final Plat Expiration Period by Planning Commission:

MOTION WAS MADE BY GARY BOWEN AND SECONDED BY CINDI ELLIS TO SET A PUBLIC HEARING FOR 1-9-01, AT 6:20 PM, ON AN ORDINANCE AMENDING THE ELK RIDGE TOWN SUBDIVISION ORDINANCE, SECTION 10-7-3.9, REGULATING FINAL PLAT EXPIRATION PERIOD BY THE PLANNING COMMISSION, PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

NON-AGENDA
ITEMS

1. Saunders Development:

A) Development Agreement: A development agreement is needed for the Saunders, listing the terms of their particular development, such as bonding arrangements, connection onto the sewer system and any other expectations or requirements. Andrew Jackson should draft this agreement.

The terms of development could be included in the Performance Agreement:

(Road, Sewer, Water Issues; as well as a cost break-down)

B) Transfer Application Fee: A Resolution establishing a fee is needed. \$500 is the amount which has been discussed. It was suggested because there is about the same amount of administration involved as with a Zone Change Application (\$500 fee). Andrew Jackson is to draft this resolution.

ELK RIDGE TOWN COUNCIL MEETING - 12-12-00, CONT.

2. Town Council Minutes of 11-14-2000:

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO APPROVE THE TOWN COUNCIL MINUTES OF 11-14-2000, WITH THE CORRECTION OF PAGE #10: THE VOTE ON THE APPROVAL OF THE \$3,800 TO GO TO HIATT FOR BORING UNDER THE SHED IN CONJUNCTION WITH THE INSTALLATION OF THE SEWER LINE ON LAKOTA LANE...KENT ANDERSON VOTED NO RATHER THAN YES

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO

ADJOURNMENT

MOTION WAS MADE BY CINDI ELLIS AND SECONDED BY GARY BOWEN TO ADJOURN THE MEETING.

VOTE: YES (4) NO (0) ABSENT (1) MICHAEL MOTKO


TOWN CLERK