

**MINUTES OF FRANCIS TOWN COUNCIL MEETING**  
**MEETING HELD AT FRANCIS TOWN RECREATION BUILDING FEBRUARY 17, 2009**

The Francis Town Council convened in regular session on Tuesday, February 17, 2009 in the Francis Town Recreation Building. Mayor John Bergen called the meeting to order at 7:00 PM.

Present:	Mayor:	John Bergen
	Council:	Tim Butikofer
		John Keyes
		Lorin Prescott
		Lee Snelgrove
	Town Clerk:	Lynette Hallam
	Attorney:	Kraig Powell
	Engineer:	Scott Kettle
	Planner:	Alison Weyher
	Others attending:	Randy Butters

**Consent Agenda – Approval of 1/20/09 Town Council minutes**

*John Keyes made the motion to approve the consent agenda. Tim Butikofer seconded the motion. The motion passed unanimously. Voting in favor: Mayor Bergen, Tim Butikofer, John Keyes and Lorin Prescott. (Lee Snelgrove had not yet arrived at the meeting.)*

**Discussion Item – Discuss budget with possibility of opening budget and making adjustments at future public hearing**

Mayor Bergen detailed the Town is having quite a financial year in some ways. Over the years through prudent budgeting, it will be possible to make it through this year. Purchasing the neighboring property has involved a sizable amount of money. Through the grant/loan application for the new city hall, \$100,000 has been committed as a contribution to the cost which will come from present reserves. These items will require that the budget be somewhat tightened. The mayor reminded the Council that the insurance increase given to Luke Thomas has been added to their expenditures in their departments and to allow for that. Next month there will be a public hearing at which the budget will be opened and money added from reserves to meet the increased expenditures.

Lynette Hallam reviewed the state of the budget. Revenues are down somewhat, but the Town is in pretty good shape. In the expenditures, the cost of the property is listed under administrative expenses. Of the amount paid for the ground, \$165,000 came out of the Capital Projects Fund, which was money that had been saved towards a new office. The amount that came out of the General Fund was \$93,000. The administrative expenditures are the only place in the budget that is very close to being 100 percent expended at the present time, due to the purchase of the property. The Town Clerk advised that some of the costs of legal, engineering and planning would be reimbursed by the developers. Mrs. Hallam gave a quick overview of the rest of the budget. The Council was asked to submit their budgets for the 2009-2010 fiscal year by the end of April.

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Summarizing, Lynette Hallam stated that if \$60,000 is added to the budget from reserved funds she felt the budget would be balanced for the 2008-2009 fiscal year. The Clerk said that the past history has been that funds were not appropriated from the reserves but instead added to the reserves.

Lee Snelgrove arrived at the meeting during the prior discussion.

Lee Snelgrove questioned if the revenues were down. Lynette Hallam again detailed the property taxes are up but sales tax and building permits will be down. The clerk indicated she had decreased the budgeted amount from last year, but revenues were down a little more than anticipated. Mr. Snelgrove expressed concern if there was enough to meet the expenditures with the revenues down. Mayor Bergen expressed his opinion that the Town was in a pretty good place because of the reserved funds.

**Information Items – Mosquito Abatement appointee, Eagle Scout project**

Mayor Bergen informed the Council that he had appointed Greg Averett to the Mosquito Abatement Board.

The Mayor indicated he had been approached by Travis Cann concerning his desire to do an Eagle Scout project. For his project, Mr. Cann has expressed a desire to make a plaque in memory of the Atkinson family and place it somewhere on the property acquired by the Town. The scout has pledged to work with the Town as to the type of plaque. The plaque would detail the original Atkinson and subsequent owners. John Keyes pointed out the building the Council was meeting in was originally part of the Atkinson property. Mr. Cann has stated he will get together with Evva Atkinson's daughter to work up something for the plaque then it will be on the building after Council approval. The mayor indicated this will potentially be done at the Atkinson family reunion. The Town Council expressed approval of the project.

**Department Reports**

Mayor Bergen reported the County Mayors got an assignment to submit names for a committee which will be recommending the selection of the new judge. The mayor reported the mayors would likely be recommending Ken Woolstenhulme or a lawyer on the Upper Loop Road whose name the mayor could not recall.

The mayor reported the Summit County Commission is not off to a good start. The Commission has only passed two things so far. Mayor Bergen added if the mayors go back to the Council of Governments (COG), the mayors will insist that each municipality have one vote and the County Commission have only one vote or there will be no COG. Road funds are an issue that is being faced.

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Mayor Bergen informed the Council that a letter had been sent to Kelly Lloyd by Town Attorney, Kraig Powell. The mayor read the letter to the Council. Mr. Lloyd has a Conditional Use Permit (CUP) for operation of his gravel pit. Part of that CUP is a license fee of \$50,000 to be paid each year. Mr. Lloyd approached the Town and indicated he was unable to pay the fee; the CUP and the business license have been revoked. Mr. Lloyd still must reclaim the pit. No mining can take place and Staff will monitor the pit. There is to be no commercial activity during the suspension. Kraig Powell opined that Staff still needs to keep track of the operation. There is still an open question as to disposition if Mr. Lloyd comes back and wants to reinstate the CUP and business license; that bridge will have to be crossed at that time. Mayor Bergen indicated if Mr. Lloyd doesn't do the reclamation, the Town has the option to use the bond. Tim Butikofer asked what happens if he comes back within a year. Kraig Powell said he just wanted to let Mr. Lloyd know that if this is the end of the Town's relationship for the gravel pit; it does not mean he is off the hook for reclamation. Lee Snelgrove questioned how long the Town would wait for reclamation. Kraig Powell opined this is a seasonal business; if Mr. Lloyd doesn't reapply or pay by the first or middle of summer, Staff should give him reclamation instructions. Mayor Bergen stated the bond likely has an expiration date. Alison Weyher stated the business license was due in November 2008 under the CUP; the fee is paid in arrears so Mr. Lloyd still has \$50,000 due even if he does not operate again.

Mayor Bergen asked Kraig Powell if he had written up the transfer agreement on Country Lane. Mr. Powell answered he had started on it. Alison Weyher indicated they are waiting for the title company to give a legal description of Country Lane. The mayor expressed there are time lines involved and Staff will need to know when the Town takes over the road and when it is to be recorded. Scott Kettle reported Nella Longacre has still not turned in some things Staff is waiting for.

Mayor Bergen announced the UDOT annual meeting will be held April, 21, 2009 at the Sheldon Richins Building.

Lee Snelgrove reported there had been an agreement on the equipment shed/salt bay building. There was one brace added that that will bump the amount of the winning bid to \$49,000. The contractor will give each invoice to the Town, and the Town will pay the suppliers directly. The contractor will receive the first progress payment when the concrete work is done. Second payout will be upon completion of framing. The third and final payment will be upon completion of the salt bay.

Lee Snelgrove asked about the progress of the telemetry system. Scott Kettle reported it is about 80 per cent done.

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John Keyes questioned if the concrete subcontractor on the equipment shed knew calcium chloride cannot be added to the cement. Mayor Bergen stated Eric Averett had said the concrete contractor was very good at his craft.

John Keyes indicated he had been contacted by a resident about the street lights at the entrances of Wild Willow and Uinta Shadows. Scott Kettle offered that when River Bluffs is going to do their street lights, the Wild Willow and Uinta Shadows lights will be done at the same time. Each Development will pay for their respective street lights.

Lee Snelgrove reported he had talked to Kip Bigelow regarding the temporary road east of the Church. Mr. Snelgrove felt that Mr. Bigelow had given the indication there are no plans to do much with that road. Scott Kettle stated the Church will have to bring the road up to Town requirements, or the Town will not give occupancy.

John Keyes asked for approval to use some of the road funds to pave the road to the equipment shed. The Council gave the approval.

Alison Weyher reported that the Woodland Hills trustees' meeting would probably be mid to late March. Ms. Weyher indicated she was meeting with Joe Tesch soon; later Lee Snelgrove, Ms. Weyher and Mr. Tesch will meet.

Alison Weyher also indicated that a property rezone needs to be done on the property where the shed is being built. This will be considered at Planning Commission next week and will likely be on the Town Council agenda next month.

Kraig Powell expressed appreciation for the cooperation of the Staff and mayor during the legislature session and his being away.

Scott Kettle discussed water rights. Water Resources sent a memo concerning the change application submitted for River Bluffs. Francis Town will be required to submit more water to put an acre foot in the well. Prior to this change application, the State hadn't been looking at the fact the sewer ponds were in the Weber River Basin drainage. Since it is in the Weber River drainage area, the State is saying all the water used in homes in Francis is going out of the Provo River so it is 100% depleted. Previously the Town turned in 1.6 shares of South Kamas to get one acre foot in the well. Now Water Resources is going to require 2.25 acre feet be turned in to get one acre foot in a well. Mr. Kettle reported he met once with John Mann, the engineer over the Provo area, to get verification of the decision. The memorandum of decision is really wishy-washy. Basically it says you are taking a ding, but you're not really taking a ding. Long Acres won't be affected because the subdivision is on septic and that will be returned to the

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Provo River drainage. Scott Kettle said the direction the Town will be taking concerning sewer updates is to look at a means of bringing the water back over to the Provo River drainage.

Alison Weyher reported she attended the Washington/South Kamas board meeting last week. Those of the Board who were at meeting asked for a policy concerning return flow from Stan Roberts. Mr. Roberts promised by the end of March to do that. The mayor asked for a statement from Staff to Council when this is done to let them know shares and costs. Scott Kettle brought up the fees charged by the irrigation companies.

Mayor Bergen indicated he had a pamphlet detailing the new plan for the M & I water which is available for Council checkout. The mayor informed the Council Francis needs to decide if the Town is going to be a member in this venture. The mayor shared some more details concerning the operations of the possible umbrella company.

Scott Kettle reported he has submitted the application for CIB loan and/or grant for the new Francis office. Mr. Kettle stated we are now waiting for the meeting addressing said application.

Scott Kettle commented that the lift station for Foothill Drive has been ordered. It will be at least another 4-6 weeks after submittal before CDBG funds will be available for the project. Mr. Kettle also added the SCADA system should be up and running in the next couple weeks.

Lee Snelgrove asked if a work session could be held with the Planning Commission. Mr. Snelgrove felt this would let the Commission be aware of the direction the Council wants Francis to go along with giving them the support of the Council. Mayor Bergen stated he doesn't want to micro-manage the Planning Commission. The mayor added if the request for a meeting comes from the Planning Commission, he would be willing to have such a meeting. Alison Weyher interjected there are two items which relate to this topic. The Town is required to have a future zoning map with conceptual zoning. The Planning Commission has had three public hearings concerning this map and will have another this month. Ms. Weyher suggested possibly there could be a combined work meeting about the map.

Alison Weyher related that about a year ago the Uinta Willows annexation petition was accepted. The Applicants have been working with Staff and the Planning Commission and the Planning Commission is getting close to making recommendations. One of the components of annexations is that at some point there needs to be a discussion of annexation fees. The annexation fee is a negotiated fee. Ms. Weyher asked for some direction as to if the annexation fees are something Staff needs to start working on or if it

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is something that should wait until they present their plan to the Council. These are two matters the Planning Commission and Council can work on together.

John Keyes contended before the Town can come up with an annexation fee, a decision needs to be made concerning the sewer solution. Mayor Bergen suggested the number of lots would be the basic unit on which to structure fees. John Keyes added the size of lots will influence fees because of potential water use. Mayor Bergen stressed the Town doesn't want to let anyone come in without a fee.

**Approve payment of bills and Adjourn**

*Lee Snelgrove made the motion to approve payment of the bills and adjourn. Lorin Prescott seconded the motion. The motion passed.*

The Francis Town Council meeting adjourned at 8:05 PM.

These minutes were approved at the March 17, 2009 Council meeting.

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John Bergen, Mayor

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Lynette Hallam, Town Clerk