

**MINUTES OF FRANCIS TOWN COUNCIL MEETING  
MEETING HELD AT FRANCIS TOWN RECREATION BUILDING MAY 19, 2009**

The Francis Town Council convened in regular session on Tuesday, May 19, 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: Brian Baker (Zions Bank Public Finance), Parker Baldwin,  
Terri Baldwin, Tom Flinders (Wild Willow LC) and Luke  
Thomas

**Consent Agenda – Approval of Town Council minutes – 4/21/09 Council meeting**

*Lee Snelgrove made the motion to approve the minutes of the April 21, 2009 Council meeting. Lorin Prescott seconded the motion. Motion approved unanimously. Voting in favor: Mayor Bergen, John Keyes, Lorin Prescott and Lee Snelgrove.*

**Public Hearing – Regarding setting cost of living and merit raise guidelines for CY 2009.**

Mayor Bergen explained the cost of living (COLA) raise is dictated by the Council and the merit raise is subject to the mayor's discretion. In review for the COLA, there is a wide spectrum of amounts from Social Security being 5.8% down to two communities at 2%. The two communities at 2% also give Christmas bonuses, which Francis Town does not do. Mayor Bergen recommended to the Council to consider a 3% COLA and up to 3% on the merit raise.

The mayor explained his reasons for the proposal. As far as employees, Francis Town has been bare bones in the number of employees. There are excellent people in every position. Even though the wages of employees have been raised to be comparable to other government employees in close proximity, Francis is still not the leader in the rate of compensation. Mayor Bergen felt employees should be assured they are appreciated and compensation is one way to do that. Town employees are earning the money they are getting.

Lee Snelgrove asked if the Town can afford it. Lynette Hallam explained after conversations with the mayor she had figured a 6% raise when drawing up the budget.

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Mayor Bergen opened the hearing to public comment. There being no public comment, the hearing was closed.

The mayor recognized the scout who was at the meeting working on a merit badge.

*Lee Snelgrove made the motion to approve a 3% cost of living adjustment. John Keyes seconded the motion. Mayor Bergen, John Keyes and Lee Snelgrove voted yea. Lorin Prescott voted nay.*

Mr. Prescott felt that 3% was not enough. When it was explained that was the COLA and the mayor had the option of giving up to 3% for a merit raise, *Lorin Prescott changed his vote to yea and the motion passed unanimously.*

**Adjourn to reconvene as Local Building Authority**

*Lee Snelgrove made the motion to adjourn as the Francis Town Council and reconvene as the Local Building Authority. John Keyes seconded the motion. The motion passed unanimously. Voting in favor: Mayor Bergen, John Keyes, Lorin Prescott and Lee Snelgrove.*

The meeting was adjourned to the Local Building Authority.

**Reconvene as Town Council**

The Town Council was reconvened in regular session.

Mayor Bergen read the resolution, which had been passed by the Local Building Authority. The mayor commented the parameters were set a little higher on the amount of the loan, the maximum number of years of repayment and the maximum interest rate to allow any changes by the CIB in issuing the loan. The mayor advised the Council the payback will be \$28,600 per year, which will fit into the budget because the Town has been setting aside \$35,000 per year towards the office building. Mayor Bergen explained that sometimes CIB is generous and forgives the first year's payment.

Tim asked for clarification to Brian Baker's comments in the LBA meeting. Mr. Baker said basically the CIB board wants to make sure the \$639,000 is actually raised and that bonds are not sold at an unreasonable discount. Basically a floor is put in place where the person who buys the bonds has to give at least 98% of the value. Mayor Bergen indicated that won't be done in this case. Brian Baker clarified the payments will be \$21,300 per year. The Town is welcome to pay more if wanted. Mr. Baker pointed out a bank would charge 5.5% to 6% for a loan, which would more than double the cost of the building.

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John Keyes reported the CIB was not giving grants to hardly anyone. Scott Kettle added that Mr. Keyes had pled well, but the board would not budge. Mayor Bergen opined this is a pretty good deal.

**A Resolution #2009-2 Approving the Adoption by the Local Building Authority of Francis Town, Utah of a Parameters Resolution Authorizing the Issuance and Sale of not more than \$700,000 Taxable Lease Revenue Bonds and Related Matters.**

*Lee Snelgrove made the motion to approve the adoption by the Francis Local Building Authority of a Parameters Resolution authorizing the issuance and sale of not more than \$700,000 Taxable Lease Revenue Bonds. Lorin Prescott seconded the motion. There was a unanimous vote in favor. Voting in favor: Mayor Bergen, Tim Butikofer, John Keyes, Lorin Prescott and Lee Snelgrove.*

**Tentative Budget – Discussion and possible approval of the tentative budget for fiscal year 2009-2010**

Lynette Hallam explained the budget had been downsized from what it was last year because of the state of the economy. The number of building permits was forecast at five, the gravel pit license fee was reduced to reflect the closure of one pit. Mrs. Hallam explained the miscellaneous permits and fees included application fees, demolition and excavation fees, subdivision fees, etc. John Keyes asked about the interest. Mrs. Hallam indicated the Town will probably get about \$9,000 this year and it was bumped up to \$10,000 in hopes of some rebound in the economy.

Moving on to the general government expenditures, Lynette Hallam indicated the \$100,000 that will be paid on the office is reflected in the administrative portion. The rest is based on what costs are this year and includes the possibility of the 6% raise.

Mayor Bergen indicated that the B&C money would be reduced next year.

Lynette Hallam indicated \$20,000 was put into each budget for the completion of the public works building. Mrs. Hallam indicated the amount appropriated from the excess fund will probably be less than reflected on the tentative budget.

Regarding the enterprise fund, Lynette Hallam indicated she took the numbers submitted for sewer and water and added labor and other incidental costs to come up with the figures shown.

John Keyes asked if the sewer budget would change if a discharge permit is required. Scott Kettle stated the budget is just based on general maintenance. If a discharge permit is obtained

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and it is decided to bring the water back over to discharge back over to the Provo River drainage or to put in a processing plant, the sewer budget will definitely change. Mrs. Hallam indicated that the money in sewer impact fees could be brought in for those actions. Those kinds of things will be capitalized and depreciation will be taken out each year.

*Tim Butikofer made the motion to approve the tentative budget for fiscal year 2009-2010. John Keyes seconded the motion. The motion passed unanimously. Voting in favor: Mayor Bergen, Tim Butikofer, John Keyes, Lorin Prescott and Lee Snelgrove.*

### **Department Reports**

Lorin Prescott asked Lee Snelgrove to have the scouts finish the projects they have started in the park. Mr. Snelgrove agreed to follow up.

Lee Snelgrove reported there was a water problem two weeks ago on 1000 East at Barr's house. There is a two-inch line that goes to the trailer behind the house (Kevin Anderson). There is a meter at each of those locations. In the process of finding the leak, Mr. Snelgrove stated they had to dig in the back yard; they had to move junk to get back into the location. Mr. Snelgrove asked what the options there were to get the residents to clean up. Kraig Powell stated most municipalities have a zoning enforcement officer. As zoning administrator, Alison Weyher can write a letter informing the residents what the law is. This letter would put the residents on notice of what sections of the statute they are not in compliance with. Lee Snelgrove was asked to supply Ms. Weyher with information and a letter will be sent. If they do not clean it up after the letter, further action will be taken.

Francis had to repair a water line to the back house. The break in the line was not the resident's responsibility as the meter went off the two-inch line. In order to get the meters in front at the road another line will have to go back. One of the lines will probably be able to be run by putting a three fourths-inch line through the two-inch line. Mayor Bergen suggested setting the meter in front and the owner would have to run the line back to the residence. Lee Snelgrove pointed out that the current set-up was apparently approved by the Town for the original owner. Kraig Powell opined it would be difficult to support that it was now the owner's responsibility to run the line. It was established that both meters need to be on the street. Mr. Powell stated he would have to do some research. Lee Snelgrove asked if there should be something in place that would make the water and sewer a property line issue – i.e. anything past the property line is the responsibility of the property owner.

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John Keyes reported he is working to get the road paved into the park back past the baseball field and also pave in front of existing pavilion at the concession stand. Mr. Keyes added the costs look pretty good. The pavement will be widened on the present road back to the ball diamond to 20 feet out of the road budget. The pavement will be extended at twelve feet wide back to the pavilion and an eighteen-foot slab to the concession stand. There will be nine inches of material taken out and replaced with asphalt and gravel. Into the public works building, there will be a 14 foot wide road back to the building and 20 feet in front of the building and tie into the concrete that comes out 5 feet in front of building. That road will be excavated down about a foot and then material put in. John Keyes indicated he wants to do it right so it will last a long time. Mr. Keyes indicated the asphalt will be able to be put on the material that is there by the ball field.

John Keyes discussed how far the irrigation water should be brought down. Mr. Keyes wanted to come across where the ditch ties in to the ditch where the fence jogs. That would allow for irrigation of the piece between the shed and the parking lot for the office thus saving on culinary water use. Mayor Bergen asked the Council for their preference. Mr. Keyes stated he wanted to put the ditch on the west side of shed. The Council members agreed to that plan of action.

John Keyes informed the Council he had ordered material for the salt shed that will seal and protect the concrete. This will be applied before the salt is put in. Mr. Keyes also stated he would like to buy a 12" bucket for the backhoe. The Council agreed to that purchase.

Tim Butikofer reported the pumps are in at the sewer ponds and are pumping.

Alison Weyher reported the agenda item for the Planning Commission was cancelled. Ms. Weyher suggested next Wednesday would be a good night to have a work session with the Planning Commission and the Town Council. This will be an informal meeting to explain the conceptual plan. It was decided the meeting would be held Wednesday, May 27 at 7:00 PM. Tim Butikofer and Lee Snelgrove indicated they would not be able to attend.

Kraig Powell mentioned the survey was done and also the legal description on the road for Nella Longacre in the Naylor Springs subdivision so that the deed can be recorded in the Town's name. There was some discussion concerning the Mylar for the Long Acres subdivision.

**Approve payment of bills and Adjourn**

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

The Francis Town Council meeting adjourned at 8:15 PM.

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These minutes were approved at the June 16, 2009 Council meeting.

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John Bergen, Mayor

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Lynette Hallam, Town Clerk