

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

The Francis Town Council convened in regular session on Tuesday, December 15, 2009 in the Francis Town Recreation Building. Mayor John Bergen called the meeting to order at 7:05 PM.

Present:	Mayor John Bergen
Council:	Tim Butikofer John Keyes Lorin Prescott Lee Snelgrove
Town Clerk:	Lynette Hallam
Others attending:	Kit Burton, Randy Butters, Kristi Major, Gio Melendez and Karl North

**Consent Agenda – Approval of Town Council minutes – 11/17/09 Council meeting**

Lee Snelgrove pointed out a correction on page 3 paragraph 6 where a phrase was repeated. The correction was made.

*Lee Snelgrove made the motion to approve the consent agenda. John Keyes seconded the motion. The motion passed with a unanimous vote.*

**Recognition Item – Recognition of Mayor Bergen – Lee Snelgrove**

Mayor-elect Lee Snelgrove voiced appreciation to Mayor Bergen for his desire to do positive things for Francis Town and for the things he has accomplished. Mr. Snelgrove also expressed appreciation to John Keyes and Tim Butikofer. Mr. Snelgrove stated he has become a lot more appreciative of Mayor Bergen as he gets closer to taking that post. Appreciation for the time and effort was again expressed.

Lee Snelgrove reported he had a couple letters to read concerning Mayor Bergen's service. The first letter was from the Summit County Council relaying thanks for the many years of service of the mayor to the Town and Summit County. The letter pointed out the mayor's diligence at the Eastern Summit County committee meetings where his fire fighting knowledge was invaluable. Mayor Bergen's continued support of the Council of Governments was much appreciated. The Council also mentioned the mayor's contributions to the IHC hospital at Quinn's Junction and wished him well on his future pursuits.

Utah State Governor Herbert, in his letter, congratulated Mayor Bergen on his many years of service. Francis has seen substantial growth in both of Mayor Bergen's terms. The mayor's contributions to the IHC Hospital Board were appreciated. The mayor and his wife have a great posterity.

## **State of the Town – Mayor Bergen**

Mayor Bergen addressed his tenure as mayor which began in January of 2006. Many of the things which have been accomplished are because of the good works of two different Councils. Soon after the mayor took office, there was a personnel problem in Public Works when the young man filling that position didn't show up to work. It was determined that he had moved on to another job. The position was advertised and three applicants were interviewed and Luke Thomas was selected to fill the position. Mr. Thomas came aboard and in short time got certified in both wastewater and drinking water. The Public Works department couldn't be doing better. Lance Jensen was added as the part-time summer employee stepped up and worked very well; he took care of the park under Luke Thomas' supervision which freed up Luke to take of the water and sewer needs.

Eric Averett continued for the Town as building inspector. During Mayor Bergen's term, Mr. Averett has taken retirement from the County, but agreed to continue to do building inspections for Francis Town.

In the first part of Mayor Bergen's administration due to litigation there was a lot of communication between him and the attorney. When issues could not be resolved, the attorney was released from his duties. Francis Town then went with the Tesch Law firm because of prior experience with Joe Tesch and the firm. A Memo of Understanding was drawn up for them to do the Town's legal work. Mr. Tesch introduced the mayor to Kraig Powell. Mayor Bergen elected to go with Joe Tesch's suggestion to use Kraig Powell, whose expertise is municipal law, for the bulk of Francis' legal needs and use Joe Tesch when necessary. Mr. Powell has done very well and has given very good advice.

In early months of the mayor's term there was a lot of growth, and the developers were going wild. The Planner at the time was really struggling and was not what the Town needed. Through the recommendation of Joe Tesch, Alison Weyher was introduced to the mayor. Mayor Bergen interviewed her but didn't think Francis Town could afford. Ms. Weyher had previously been a Planner in Salt Lake Valley for several years and had performed admirably. Her recommendations were very positive. An agreement was reached and Alison Weyher was brought on board with the Town. Ms. Weyher has done an excellent job and continues to serve.

The Treasurer elected to leave Francis Town during the first two years of Mayor Bergen's term. Susan Moses applied for the vacant position. It looked like the Town could work with her. Not only does Mrs. Moses work well in her assignments, but she works well with the Town Clerk. A bonus is her husband, Mark Moses, who has stepped up and is very supportive of his wife and has been very good to help with Frontier Days, the appreciation dinner, etc.

That leaves the positions of two other Town employees, the Town Clerk and the Engineer. Both Lynette Hallam and Scott Kettle have exceeded expectations in filling their positions. Mayor Bergen indicated he had interviewed over 1000 applicants for 380 physician spots at the IHC Hospital. Because of their good work, the mayor felt it best to keep both Mr. Kettle and Mrs. Hallam. They have served the citizens and the other Town employees very well.

Mayor Bergen added the Town Staff has worked together and served very well. The mayor said he is the envy of the Mountainland Association of Governments meetings because of the staff. Mayor Bergen expressed pride with the Staff and their contributions.

Mayor Bergen detailed that one of first infrastructure upgrades was of the waterline on SR35 with a CDBG grant and Town funds. Later the waterline from the signal light south on Springhollow Road was upgraded with a CDBG grant and Town funds. The pump station on Hallam Road has been upgraded and fixed. Lift stations have been a problem and the Town is endeavoring to eliminate the need for any additional lift stations. The existing lift station on Foothill Drive has been totally replaced with an emergency CDBG grant.

The mayor recounted that during his administration the Council has worked on upgrading and getting new equipment. A replacement pickup truck was purchased to replace the well-used one the Town previously had. A backhoe has been acquired on a yearly lease arrangement. It has been an asset to the Town and Luke Thomas is an excellent operator. The backhoe is kept up to date and the Town has an option of getting a new one every two years. It became apparent that more was needed than a pickup truck with snow blade for snow removal. Kamas City had a dump truck and snow plow combination which they were replacing, and it was acquired for a favorable price. A state-of-the-art Public Works building was built in two phases stretched over two budget years. The salt bay has kept from the salt getting clumped up in truck. Previously it was a real challenge to keep the salt dry and to get it loaded in the truck. The new building is a definite asset.

The mayor reported a short time back he received a call from Lee Snelgrove about a company who was showing equipment at a trade show. The company had some equipment left over from the show and the main office told them to go ahead and sell it rather than bringing it back. The Fish Hatchery, where they had contacted Mr. Snelgrove, couldn't come up with enough money, so Mr. Snelgrove called the mayor. Mayor Bergen enumerated the equipment which the Town purchased at a very good price.

New bucking chutes have been added to the rodeo grounds. John Keyes was very involved in getting that done. The chutes have worked very well.

About a year and a half ago Francis Town was able to obtain Evva Atkinson's property north of the town park. The mayor stated the road to the rodeo arena was widened and paved and a road put in to the public works building.

The mayor indicated the concession stand had some problems. A 100+ gallon propane tank was rented so refilling the small tanks would not be necessary. There were problems with the electricity; the equipment used kept blowing the circuits. Mayor Bergen worked with Rocky Mountain Power put in a new line with an upgraded transformer. A new line was put in which supplies 200 amp service. New electrical outlets were installed. Under the direction of Lee Snelgrove the size of the concession stand was expanded. The Town obtained two new freezers for the storage building and a fridge for the concession stand.

The Recreation/Community building has had some upgrades, repairs and improvements.

The mayor commented that every year the Town was able to live within the budget and move forward. Some debts have been paid off including the water shares from Burton.

Mayor Bergen declared he had been lucky to work with an outstanding staff and Town Council Members.

### **Discussion Item – Issues concerning road connecting Wild Willow and River Bluffs subdivisions**

Karl North stated he lives on Ash Court next to the road connecting the two subdivisions. The Planner at the time the plans for the road were made (Rick Whiting) had said the road would follow the natural grade and be a foot above ground. When the road went in, it was higher than that. Mr. North said he had worked on Midway City Council and was aware of how hard it is. When the road was being built, Mr. North indicated he had asked a couple Council members to come and look at the road and talk about his concerns; no one showed. The Town Engineer and the development's contactor said they would try to make a way to get off the road to access the back door of the garage. Mr. North indicated it was hard to get his trailer into the garage from the front of his house. Mr. North talked to the contractor who was building the road and they said it would be about 3.5 feet high.

Mr. North opined because of the height of the road he can't access his lot from the road in the back, it has devalued his property. Drainage will run on his property and will puddle in that area. When the snow is pushed, it will come over onto his property. The yard will be contaminated with salt, etc. and the snow melt will run in the garage door. Mr. North indicated he has taken soil samples before the road went in, this year and will do so every year. Mr. North said that the Town will be responsible for the contamination of the property. Karl North stated he would like to have an evaluation of the runoff of water and snow contamination done. He will need an access to pull out—it will need to have an off ramp and a retaining wall. Mr. North summarized he would like the Council to think about the issue and discuss a resolution and prepare a written response of what will be done. Mr. North indicated he would like to have the proposal by the first of April so that by the end of May he will know what his course of action will need to be. Karl North thanked the Council for their time.

Lee Snelgrove asked when a road is put in by a development is the Town obligated to provide access to rear of the property. Scott Kettle answered this road was planned as a future road but the developer, Wild Willow, was not required to construct it. Karl North reported he was told he could use the road. Mr. Snelgrove said it is a different matter if Mr. North wants to make the access or whether it is the Town's obligation to do it. Kraig Powell stated the matter will require further study.

Scott Kettle passed out copies of the road construction plans to the Council. There are two Chevron pipelines in the area. The dashed line on the plans is the existing grade. The dark line is the proposed grade of the road. The road had to go over the canal and Chevron requires at least four feet of cover the pipelines. In order to maintain the slope to Wild Willow Drive from

the canal crossing and have four feet of cover over the Chevron pipelines, the road has to be constructed at the proposed elevation shown on the plans. The road will be constructed with cut ditches to carry the storm water and run off to Wild Willow Drive. Mr. Kettle said he had talked to Karl North and told him the Town would try to work everything out. There is a sixty-foot right of way for the road. The snow will be stored in the ten feet on the side of the road. Storm water drainage will run down that road and tie into the ditch in Wild Willow Drive; this should keep the drainage off Mr. North's property. Karl North interjected that just putting gravel in there will not accomplish that; it needs to be contained to keep the flow running where it is supposed to go. The drainage ditch needs to be dug deeper. Coming out of garage he can't get onto the road and park fifth wheeler on north side because of slope. There was some discussion of where the ditch would be and if it should be clay lined.

Lee Snelgrove asked if the matter could be discussed with the new Council before come in with gravel grades and ditch going to be look at the options and costs. Scott Kettle indicated it will be the responsibility of the developer to make whatever changes that will need to be made.

Mayor Bergen asked both the attorney and engineer to mark their calendars and get a solution by April.

#### **Update – FEMA Updates, Alison Weyher**

Alison Weyher reported she had attended a FEMA meeting in Salt Lake City. The Main purpose of the meeting, to develop long term recovery plans following a disaster. Local governments need to work to clarify expectations of local residents. It is really important to let residents know what they need to be prepared for. Some of the things suggested were 72 hour kits and encouraging residents to check on their neighbors. The residents can be self-reliant; they need to be prepared and able to survive on their own. Ms. Weyher indicated she has submitted an updated disaster plan to Mountainlands. That plan will be combined with the other communities in the County and made into a master plan. If it is approved by the Town, the Town will qualify for funds for emergency preparedness.

Mayor Bergen expressed that sometimes we would like to tell FEMA to get out of the way; but the Town will have to step up to the plan and deal with them. Francis needs to update the emergency plan. There needs to be an inventory of equipment that is available in the Town and a working relationship with the three towns in the valley. We need to know the number of medical people who can be called on. In case of an emergency, the mayor starts off delegating. The Town can get reimbursements, but a record needs to be kept. A command post and plan for communications are essential.

Alison Weyher opined a mutual cooperation agreement with Kamas and Oakley will go a long way. Francis' mayor and the other mayors are agreeable to this aspect of it. Francis does have a special need because we could become landlocked during some emergencies.

## **Presentation of Financial Audit – Audit for Fiscal Year ended 6/30/09, Mike Ulrich – Ulrich & Associates**

Mike Ulrich apologized for arriving late to the meeting. Mr. Ulrich had to present an audit to another city before coming to this meeting. Mr. Ulrich then reviewed the report.

Page 1 includes the Independent Auditor's Report. It states that this audit fairly represents the financial status of Francis Town as of June 30, 2009.

Page 18 contains the Governmental Fund balance sheets. \$73,000 represents about 10% of budgeted revenue. When Francis becomes a city, they will only be able to retain 18%. If Francis becomes a city, there will be a smaller cushion that can be built. This year the acquisition of land and other projects brought the balance in the Capitol Projects Fund down. Francis is in compliance and that is good. The funds in the Capital Projects Fund were used to purchase the property north of the park. Funds in the Capital Projects Fund are only used as funds are accumulated and projects are done.

Page 42 shows the budget to actual. The General Fund is the operating fund of the Town. There are four columns on a page. The total revenues were close to what was budgeted; these funds are hard to control. Expenditures overall were under what was budgeted. When it is reviewed by departments, Parks and Recreation was slightly over budget. Overall, the results look good.

On page 19 the Capital Projects Funds account shows \$165,000 was spent to buy property. Francis was able to purchase the property without borrowing any money.

The Water and Sewer Funds are more business oriented. Users of services pay for operation and maintenance. There was a net operating loss of \$26,288. Non-operating income and expense brings the total to a profit of \$7,271. If Francis was a business that would be called a break even. The goal is to keep rates as low as possible. There are two types of funds. Impact fees must be used for growth by increasing capacities. Lee Snelgrove asked how the State would look at Francis' results. Mike Ulrich advised the State does not look at proprietary funds. However, the State would not want transfers from General Fund into the Enterprise Funds. It is easier to do little adjustments than big changes.

Page 22 is a Statement of Net Assets. Cash and equivalents are monies that can be used. Restricted cash and cash equivalents are funds such as impact fees which can only be used for increased capacity. Increasing sewer capacity is an example of what the funds can be used for. Kit Burton verified that the restricted funds are only available for sewer expansion and upgrades.

Page 36 shows a summary of the debt some of which is close to being paid off.

Councilmember Snelgrove asked where can we improve. Mike Ulrich stated that nothing stands out. The Towns Accounting system works well.

Mike Ulrich stated that he will turn into the State with a UT-2 form

*Don Keyes motion to accept the audit. Lee Snelgrove seconded the motion. Motioned passed unanimous.*

### **Department Reports**

Mayor Bergen talked about previous discussion which recommended establishing a committee to reviews the concept of a new building. Only two residents have submitted letters. He also stated the existing town board is responsible for departments until January meeting. Have to approve minutes and bills at next meeting. Then conduct swearing in.

Lee Snelgrove stated we have a water leak on Reed Atkinson's house. When repairs are made, they will connect to the 12-inch line on the south side rather than crossing the road. Lee Snelgrove asked about pulling out the abandoned lines. Scott Kettle responded this is not our responsibility. Mayor Bergen commented on previous State legislation relating to identification on every lateral. He worked with two other Mayors to defeat the bill.

The dirt road into church a lower priority for snow removal. Brian Betournay will be the backup operator. Tim Butikofer offered to help when he is availably.

### **Approve payment of bills and Adjourn**

*Lee Snelgrove made the motion to approve payment of the bills and adjourn the meeting. Tim Butikofer seconded the motion. The motion passed.*

The Francis Town Council meeting adjourned at 8:45 PM.

These minutes were approved at the January 19, 2010 meeting.

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Lee Snelgrove, Mayor

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Susan Cann, Town Clerk

**Francis Town Council Meeting**  
**January 19, 2010**  
**7:00 PM**  
**Francis Town Community Center**  
**Agenda**

1. Call Meeting to Order - John Bergen
2. Swearing In of New Mayor
3. Swearing In of New Council Members
4. Selection of New Council Member to Fill Vacancy
5. Swearing In of New Council Member
6. Appointment of Town Clerk
7. Swearing In of Town Clerk
8. Appointment of Town Treasurer
9. Swearing In of Town Treasurer
10. Approval of Town Council Minutes - December 15, 2009
11. Mayor's Remarks
12. CIB Updates
13. Council Assignments
14. Ordinance 2010-01 - Setting the Time and Place for the Regular Meetings of the Francis Town Council for the Calendar Year 2010
15. Discussion Item - Village at Lambert Lane - update and discussion – Town Planner
16. Public Works - comments and discussion - Luke Thomas
17. Department Reports
18. Approve Payment of Bills
19. Adjourn