

42 Mr. Brent Wetsel addressed the Town Council. He stated his home was built in the 1920's. It is on one
43 acre and has 143 feet of frontage. Mr. Wetsel said that his building permit was denied because it was
44 decided by the planning commission that it would be in violation of a code which falls under Chapter
45 2005 Development Standards Ordinance, which provides standards for new developments, such as
46 subdivisions, and includes such items as lights, and sewer systems. Since his home is not a new
47 development, this ordinance does not apply to him. Mr. Wetsel stated he had contacted a lawyer who
48 had looked at this ordinance and had interpreted it as Mr. Wetsel had. Mr. Wetsel stated that during
49 the first planning commission meeting in which this issue was discussed, he was told by Mrs. Nikki
50 Anderson that his lot was grandfathered in, this ordinance didn't apply to his property, and he could put
51 up his barn. Other commission members did not agree. Mr. Wetsel contacted Mrs. Anderson several
52 times in four months to resolve the issue but to no avail. He said he feels like he is being pushed around.
53 Mr. Wetsel stated his intention to send a letter to Bill Gephart about this situation. Mr. Wetsel also read
54 this letter to those present.

55

56 Mr. Michael Vail addressed the issue of payment on a contract with Mr. Dale Draper. He expressed his
57 wish that the town settle this debt.

58

59 BUSINESS

60

61 The Town Council discussed the contract payment for Mr. Dale Draper. This was an issue prior to those
62 newly elected. Mr. Draper was not present. Current council members received a letter from former
63 mayor Eric Hazelet, and former council members, Michael Vail, John Roberts and Stan Judd, in which
64 they recommended the town pay the bill.

65

66 Mayor Throckmorton gave each council member four minutes to present their views on the issue.

67

68 Councilman Ewell state that he originally voted against payment because he felt he had not had
69 opportunity to review all the tasks and activities Mr. Draper claimed he had performed. Since then, he
70 had requested information to support these claims. He still isn't comfortable with the information, and
71 wishes Mr. Draper would present his views in person. It was previously argued that the contract was not
72 legally binding. But he personally believes the contract is binding if Mr. Draper had done everything he
73 said he would do in it. Although he is not in a position to verify if everything was done, he believes the
74 town should honor its word and expect the same of Mr. Draper.

75

76 Councilman Davis said he was present at the November Town Council meeting in which this was
77 discussed. He listened and gathered information that led him to believe that the goal, which was to
78 develop the land and sell it, was achieved. He sees no reason to not pay Mr. Draper.

79

80 Councilman Coleman referred to the letter from the former mayor and council members. The men
81 indicated that the work was done. He trusts their judgment and supports payment.

82

83 Councilman Greenwood agreed that the town should honor its agreements. Mr. Draper is asking for
84 \$18,800. However, he had questions about the issue. In the Town Council meeting of December 16,
85 2009, the purchase of several lots for \$560,000 was approved. Mr. Draper was paid \$570,000. He hasn't
86 received an explanation as to why Mr. Draper was paid \$10,000 more than originally agreed upon.

87

88 Councilman Greenwood stated that in his examination of the town books he saw that the town incurred
89 several expenses in connection with this issue that were not approved in council. These included the
90 town paying for the power that was put in and the excavating on the property, and a surveying expense
91 of \$9,995.

92

93 Councilman Greenwood also referred to a dispute over \$5,000 collected from Mr. and Mrs. Brian Ewell.
94 Mr. Draper was to oversee removal of existing structures and to provide clean lots. It wasn't done to the
95 satisfaction of the Ewells and a compromise was made to return \$3,000 to the Ewells. The \$3,000 was a
96 damage to the town and Councilman Greenwood believes it should come out of Mr. Draper's contract
97 amount.

98

99 Councilman Greenwood stated that Mr. Draper filed a lien against the property. The lien was illegal, and
100 town incurred attorney fees from Mr. Brett Rich to remove it. He believes this expense should also come
101 out of the amount owed to Mr. Draper. Councilman Greenwood stated that until Mr. Draper answers
102 his questions, he doesn't have enough information to approve payment.

103

104 Motion by Councilman Coleman to pay the \$18,800 to Mr. Draper as stipulated in the contract.
105 Seconded by Councilman Davis.

106

107 Councilman Ewell said they should take into account Councilman Greenwood's concerns.

108

109 Motion by Councilman Ewell to amend the motion and deduct the attorney's fees incurred in removing
110 the lien. Seconded by Councilman Davis.

111

112 Motion by Councilman Greenwood to amend to also deduct the \$3,000 the town repaid to the Ewells.
113 No second. Motion died.

114

115 Mayor Throckmorton called for a roll call vote on the motion with the amendment.

116 Councilman Coleman: aye.

117 Councilman Davis: aye.

118 Councilman Greenwood: abstained, stating he doesn't have enough information.

119 Councilman Ewell: aye.

120 Mayor Throckmorton: aye.

121 Motion carried.

122

123 Mr. Brett Rich offered to provide the town the information on fees incurred in removing the lien. He did
124 not have it with him at the time.

125

126 Russell Olsen from the town's accounting firm, Larson and Rosenberger, presented their audit findings
127 for fiscal year 2009. In the report it stated they had audited the town's financial statements. The
128 statements themselves are the responsibility of the town and its management. The responsibility of the
129 auditors is to give opinion on those statements based on their audit. Their opinion is that the town's
130 financial statements are materially correct.

131

132 Genola does not have the resources to properly segregate duties to strengthen internal controls.
133 Because there is a limited number of staff, Mr. Olsen said they again recommend that the Council
134 provide oversight on the financial operations of the town.

135

136 With regards to budgetary compliance issues, the auditors found that three departments went over
137 budget. These were general government, highways and public safety, and parks and recreation. Mr.
138 Olsen said this could be due to expenses incurred before the year ends, but are not paid until
139 afterwards. This modified accrual method of accounting requires expenses to be accounted for when
140 they are incurred not paid. Budget amendments should anticipate expenses that will come in after the
141 budget is amended thus building a cushion.

142

143 Financial highlights of the town were as follows:

144 *Total net assets for the Town as a whole decreased by \$77,513

145 *Total unrestricted net assets for the Town as a whole decreased by \$226,448

146 *Total net assets for the governmental activities decrease by \$47,739

147 *Total net assets for business-type activities decreased by \$29,774

148

149 Mrs. Brooke Voran presented budget and donation information for Miss Genola. The total projected
150 expenses are \$1,665.00. Committed donations are \$585.00. Projected donations are an additional \$200.
151 Ticket sales could further reduce the difference. She suggested the prize for Miss Genola be a laptop
152 rather than a scholarship.

153

154 Councilman Ewell expressed his concerns over the financial deficit of the parks and recreation
155 department discussed by the auditors.

156

157 Councilman Coleman stated that if there is money in the budget allocate to Miss Genola, it should be
158 spent on the contest. The amount should be clarified with the town clerk. No decision should be made
159 until they know how much there is.

160

161 Councilman Ewell said he would consult with Mrs. Penny Thompson on what is budgeted for Miss
162 Genola.

163

164 Mayor Throckmorton presented to the Council names of individuals to fill vacant seats on the planning
165 commission. He would like to appoint Mrs. Beverly Thomas and Mr. Ronnie Crump to replace Mr. Mark
166 Davis and Mr. Rex Barney. Both have accepted appointment pending Council approval.

167
168 Councilman Coleman stated there is a recurring problem of not having enough members for a quorum
169 at the planning commission's regularly scheduled meetings and suggested having alternate members.

170
171 Mr. Mark Gheen asked if Mrs. Thomas and Mr. Crump would be finishing out the existing terms of Mr.
172 Davis and Mr. Barney, or if they would be starting a new term. It was stated that they would be finishing
173 the terms of the members they replaced.

174
175 Motion by Councilman Coleman to approve Beverly Thomas and Ronnie Crump as planning commission
176 members. Seconded by Councilman Ewell.

177
178 Councilman Greenwood asked Mayor Throckmorton if he had consulted with former mayor Eric Hazelet
179 on the names that were on a short list for consideration as future planning commission members.
180 Mayor Throckmorton stated he had not. His decision was based on where current commission members
181 lived, and felt that the center of town was not adequately represented.

182
183 To the motion, ayes Mayor Throckmorton and Councilman Davis. Councilman Greenwood abstained,
184 because there was an individual he thought should have been considered previously for an open seat on
185 the commission and was not. He had suggested this individual to Mr. Hazelet because of past experience
186 on a planning commission.

187
188 It was stated that they need Mr. Barney's resignation in writing.

189
190 Motion was clarified by Councilman Coleman to state that Mrs. Thomas will finish out the term of Mr.
191 Davis, and Mr. Crump will finish out the term of Mr. Barney. Ayes Mayor Throckmorton, Councilman
192 Davis and Councilman Ewell. Councilman Greenwood abstained. Motion carried.

193

194

195 REPORTS

196

197 PUBLIC WORKS

198 Mr. Phil Harold presented the public works report. He and Mayor Throckmorton attended the MAG
199 meeting. The Civil Science engineers presented the town's proposal for CDBG funding. He felt the
200 engineers were weak in their presentation. Information was received this week that the town was not
201 award CDBG funding.

202

203 Mr. Harold stated if a jobs stimulus bill passes in Congress they intend to apply for funding. He and
204 Councilman Coleman discussed using the money to install turnout lanes at three intersections that tie
205 into Highway 6 to make them less dangerous. They plan to consult with the town engineers to draw up
206 plans for their proposal.

207

208 Mayor Throckmorton and Councilman Davis stated that those in charge of the state roads should be the
209 ones to fix those intersections. Mr. Harold stated that it may be possible to apply for a grant with UDOT,
210 which may increase the town's chances of receiving funds.

211
212 Mr. Harold and Mr. Chris Steele went to the state surplus to look at one- ton dually dump trucks. They
213 put a one week hold on one costing \$13,600. The truck would be used for road repair and cemetery. The
214 truck the city currently has is too big for work at the cemetery. They planned to use impact fees to pay
215 for it. The breakdown would be 50% from roads, 25% from parks, and 25% from water. He provided the
216 amount of money that is currently those funds. The other option would be to rent a truck whenever
217 there is a funeral at a cost of \$400-\$500 a day.

218
219 Councilman Ewell suggested taking bids for opening and closing graves, as there are several people in
220 town with equipment to do it. Mr. Harold stated the town would still need to purchase planks to drive
221 on so they do not sink and damage the grass. As more headstones are placed, it will make it more
222 difficult to maneuver a trailer around them.

223
224 Councilman Greenwood asked Mr. Harold where he got his information on impact fees. Mr. Harold
225 stated from classes and training he has attended.

226
227 Councilman Coleman wanted more information on what impact fees can be used for.

228
229 Motion by Councilman Davis to table purchase of the truck for the time being. Seconded by Councilman
230 Coleman. Ayes Mayor Throckmorton and Councilman Ewell. Councilman Greenwood abstained. Motion
231 carried.

232
233 The regulations regarding the use of impact fees were found. It was noted that impact fees cannot be
234 used for salaries or nonpermanent items such as vehicles. They can only be used for the purpose for
235 which they are charged.

236
237 PARKS

238
239 Councilman Ewell reported on the parks and recreation. He met with the town employees to discuss the
240 town celebration. They are in the process of putting together committees. He is open for suggestion on
241 games, but expressed the opinion that the celebration needs to be scaled down to make it financially
242 feasible for both the town and its residents. Mr. Harold suggested replacing the town dinner with a
243 breakfast.

244
245 WATER

246
247 Councilman Davis gave the water report. There is an issue with delinquent water bills. He asked for
248 suggestions on what to do about it.

249

250 Councilman Ewell stated that the town should work with residents who are struggling financially to pay
251 their water bill.

252
253 Former council member Bryan Draper stated that when he was over the water department, the policy
254 was to first deliver a notice that asked the resident to come in and make arrangements to pay their bill.
255 The resident determined how they could do this. The only criteria the town had was that the debt could
256 not get bigger.

257
258 Councilman Davis noted Resolution 2008-4 which was adopted by the previous council. It includes a fee
259 schedule for water usage. He wants to enforce it. The council supports this action.

260
261 ROADS

262
263 Councilman Coleman gave the road report. He stated that there are five priority areas in town for 1-inch
264 overlays.

265
266 Councilman Coleman has also been asked by Mayor Throckmorton to take a position on the Utah Lake
267 Commission. He recently attended the commission's meeting at which they discussed the removal of
268 carp from the lake and also the bridge. He sent a short write up to the town clerk which will be put into
269 the next town newsletter. It asks for comments and suggestions from the town residents regarding the
270 lake.

271
272 EXPENDITURES:

273 ULGT: \$11,357
274 SANTAQUIN CITY POLICE: \$16,666.66 for January and February.

275 COURTS: \$1,538.00

276 LARSON & ROSENBERGER: \$1,875.00

277
278 Motion by Councilman Coleman to approve expenditures. Seconded by Councilman Greenwood. Ayes
279 all. Motion carried.

280
281 Motion by Councilman Coleman to adjourn. Seconded by Councilman Davis. Ayes all. Motion carried.

282
283 Meeting adjourned at 10:00 pm

284
285 Minutes were written and recorded by Brittany Carter.

286
287 Approved by: _____ Date: _____

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