

**Minutes of the Interlaken Town Council  
Monday, 16 November, 2015, 6:30 p.m.  
Interlaken Pump House**

**1. Call to Order**

Mayor Headley called the meeting to order at 6:40 p.m.

**2. Roll Call: Members Present**

Larry Headley, Mayor

Greg Harrigan, Council Member

Sue O’Nan, Council Member

Lisa Simpkins, Council Member

Council Member Herb Bowen was absent.

**3. Presentations**

There are no guests or presentations scheduled for tonight’s meeting.

**4. Call to the Public:**

Bart Smith was the only member present.

**5. Consent Agenda**

None

**6. Approval of Agenda or Changes**

The agenda was amended and approved.

**7. Approval of Town Council Meeting Minutes**

**Motion:** Council Member Harrigan moved to approve the minutes from the 10/05/2015 Town Council Meeting.

**Second:** Council Member Simpkins seconded the motion.

**Discussion:** There was no discussion.

**Vote:** The motion was approved with the Mayor and Council Members unanimously voting Aye.

**8. Appointments of Town Clerk and Deputy Town Clerk.**

**a.** Mayor Headley posted an ad in the Wasatch Wave for the position of Town Clerk. He also sent an email to the Town which announced the Town Clerk position.

**b.** He received two applications for the position. One applicant did not fully address the requirements for the job as described. Kristine Olsen expressed interest in the position but was uncertain that she wanted to take the position at this time. The remaining “stellar” applicant was Bart Smith.

**c.** Mayor Headley wishes to appoint Bart Smith as Town Clerk pending consent of the Town Council.

**Motion:** Council Member O’Nan moved to approve the appointment of Bart Smith for the position of Town Clerk.

**Second:** Council Member Simpkins seconded the motion.

**Discussion:** Floor was opened for discussion of the pending appointment. It was agreed that the Town Clerk would be paid \$25 per hour. It was also suggested that the Town Clerk should purchase a file cabinet to be kept at the Pump House in order to keep all the Town’s physical records.

**Roll Call Vote:**

Those voting YEA: Susan O’Nan  
Lisa Simpkins  
Lawrence Headley  
Greg Harrigan

Those voting NAY: none

Those Abstaining: Herb Bowen (Absent)

The Motion Passed.

**d.** Mayor Headley proposed appointing Kristine Olsen Deputy Town Clerk, pending consent of the Town Council. She has been acting in this role de facto, as she has been bookkeeper for the Town.

**Motion:** Council Member Harrigan moved to approve the appointment of Kristine Olsen for the position of Deputy Town Clerk.

**Second:** Council Member O’Nan seconded the motion.

**Discussion:** Floor was opened for discussion of the pending appointment. There was no discussion.

**Roll Call Vote:**

Those voting YEA: Susan O’Nan  
Lisa Simpkins  
Lawrence Headley  
Greg Harrigan

Those voting NAY: none

Those Abstaining: Herb Bowen (Absent)

The Motion Passed.

**9. Adoption of Amended Town Budget Fiscal Year Ending 6/30/16.**

Mayor Headley pointed out that this budget was presented at the Public Hearing held November 2 but was not adopted by the Council at the close of the Hearing. The current amendment was required by the State Drinking Water Board to demonstrate that the Town has the funds to operate and maintain a municipal water system. The budget will be amended again as needed pending the completion of the transfer of IMWC's assets and liabilities, as we will not be certain of the funds available until that time. No public hearing on a further amending of the budget will be required unless the changes to the budget exceed 20%, according to Jeremy Walker from the state Auditor's office. We needed the November 2 Public Hearing because the budget increased by considerably more than 20%.

Mayor Headley requested a motion to adopt the proposed amended Town budget for fiscal year ending 6/30/2016.

**Motion:** Council Member Simpkins moved to approve the amended Town budget for fiscal year ending 6/30/2016.

**Second:** Council Member O'Nan seconded the motion.

**Discussion:** None.

**Roll Call Vote:**

Those voting YEA: Susan O'Nan  
Lisa Simpkins  
Lawrence Headley  
Greg Harrigan

Those voting NAY: none

Those Abstaining: Herb Bowen (Absent)

The Motion Passed.

**10. Approval of Legal Representation for IMWC-Town Transfer Agreement.**

Mayor Headley brought up the issue of having the same lawyer represent both Interlaken Town and IMWC for the transfer of assets from IMWC to the Town. This is not typical; normally both entities would have their own legal representation. In our case, since both entities have agreed to the transfer of assets, it would be convenient and expedient for both to engage Eric Johnson. There being no conflict of

interest in this transfer. Mayor Headley therefore requested a motion to engage Eric Johnson to represent Interlaken Town in the transfer of assets from the IMWC to the Town.

**Motion:** Council Member Simpkins moved to approve the engagement of Eric Johnson as the lawyer for the Town, knowing that he is also representing the IMWC.

**Second:** Council Member Harrigan seconded the motion.

**Discussion:** None.

**Vote:** The motion was approved, with the Mayor and Council Members present unanimously voting Aye. Council member Herb Bowen was absent.

Mayor Headley discussed the meeting with the Water Board regarding the bonding for the town. The meeting went well. Council Member O’Nan brought up her concern that the Water Board could take away our rights to the water, since we don’t use them all. It was brought to her attention that as a Town, we have 50 years before rights to water could be challenged as a result of under-utilizing that resource.

## **11. Owner’s Requests for Approval for Furnace Replacement and New Siding.**

Mayor Headley was approached by two owners with building projects and they wanted to know how the current moratorium would affect them.

The first owner (Steve Kroser) wanted to replace his failed electric furnace with a new gas furnace. Questar Gas handles the permitting for the service to the house. The remainder of the project is classified as an improvement to the interior of the house, and is therefore exempted from the building moratorium. However, Questar requires an inspection of the connections within the house to the furnace. Robert MacDonald, an inspector for Wasatch County, requested that the County Attorney’s office develop an agreement between the County and the Town to do these types of inspections. He hasn’t seen the agreement yet. He suggested that he could cause the inspection to happen while we are waiting for the agreement. Mayor Headley gave him approval for this process and asked to be kept informed about the timing and progress of the inspection.

Council Member Simpkins raised the issue of who will do our inspections. It was decided to table that discussion.

Another owner (Pete, 258 Interlaken Drive) who wants new siding also contacted Mayor Headley, and the Mayor approved the project and agreed to send an email saying “go ahead.”

## **12. Financial Matters: Review and Approval of Expenditures**

The following expenditures were approved:

- Reimbursement to Greg Harrigan for public hearing signs for \$104.
- Bill from Jeremy Walker from the Utah State Auditor’s Office for assisting in putting together our budget for the last public hearing for \$309.
- Bill for October from our bookkeeper Kristine Olsen for sorting through the IMWC financial records for \$437.50.
- Printing expense for the last public hearing for \$20.08 reimbursed to Larry Headley.
- Bill from Eric Johnson, our Town attorney, for \$440.
- Bill from SuperDave, for the cost of the salt for clearing the roads, for \$2822.
- Bill from the Wasatch Wave for 2 weeks of public hearing notices for \$342.26.
- Bill from Kristine Olsen for stamps for \$49.

In addition it was decided that Mayor Headley would have the authority to have checks drawn up for previously budgeted items without approval of the Town council. In this way some of our contracted providers, (e.g. SuperDave, Eric Johnson), could be paid in a timely fashion, without having to wait for the next Town council meeting. Specifically Mayor Headley will have a check drafted for SuperDave for payment of ½ month services to cover his initial startup costs.

It was also decided that our Treasurer, Council Member Simpkins, would present the monthly financial report from our bookkeeper at the Council meetings.

Treasurer Simpkins pointed out that any correspondence that comes to the Town’s mailbox will be electronically scanned and sent to Town Clerk Bart Smith and Deputy Town Clerk Kristine Olsen.

**13. Status of 2015 Road Maintenance/Repair.**

It is hoped that Brian Meyers will complete the road maintenance in the next few days. This will be discussed at a future Town Council Meeting.

**14. Progress on Codes and Ordinances. Review of timetable, strategy, and commitment for completion of codes and ordinances.**

Mayor Headley voiced his concern that we would have usable codes in place by January. Most importantly, that we would complete the Land use codes by the time the building moratorium expires on January 13, 2016. Bart Smith presented a list of questions and issues that arose from the Land Use committee meetings regarding the first two titles: General Provisions and Municipal Government. Both titles have been cleaned up and formatted and can be viewed from the Dropbox. The same was done for Title 11 Land Use. Bart requested that everyone look at these questions and work towards an agreement on the open issues so that these three titles could be completed. This would lay the foundation for the critical issues that affect new construction and other projects that are currently restrained by the building moratorium.

There was some discussion about the Town Council's involvement in the granting of variances for future building projects. There is concern that until we complete our codes, it will be difficult for future projects to complete plans, e.g. because we have not established setbacks. The setback issue was discussed as it applies to lots which are constrained by their proximity to the roads. There are approximately 45 remaining buildable lots, some of which are affected by setback restrictions as they apply to proximity to the roads. The question was raised whether the use of variances is an adequate way to handle these constrained properties, or if we should write something into the codes that grants exceptions to these specific properties. It was also noted that according to Greg Cropper the Town Council could act as the Planning Commission. This should be discussed with our lawyer.

## **15. Public Comment**

Bart Smith spoke about the current condition of the municipal code files - for example, the formatting errors, missing sections, contradictory comments, and other aspects of the documents that need attention. He suggested that he could continue to work on these documents in the role of Town Clerk in order to expedite progress. The group discussed this and other aspects of how the group could work towards completion of the codes.

## **16. Council Comments**

The council discussed options on how to complete the codes.

**Motion:** Mayor Headley moved that the Town pay Bart Smith as Town Clerk to work towards completion of the Municipal Codes and Ordinances Titles 1, 2, 9, and 11.

**Second:** Council Member O’Nan seconded the motion.

**Discussion:** No discussion was made.

**Vote:** The motion was approved with the Mayor and Council Members unanimously voting Aye.

Mayor Headley suggested that we need to move ahead with finding a replacement for Council Member Herb Bowen. Herb will officially resign when the IMWC dissolves. There was some discussion on how to proceed with the steps necessary to find a new council member.

Mayor Headley suggested that we clean up our contact list. Some of the email addresses are out of date and some houses have been sold and the new owners are not on the list. It was suggested that the Town Clerk take charge of the new contact list and keep it updated. Currently Kristine Olsen is working on this update and it was decided that the Town Clerk would oversee progress.

## **17. Adjournment**

Council Member O’Nan moved to adjourn the meeting. Council Member Simpkins seconded the motion. The motion passed unanimously.

The meeting was adjourned at 8:06 PM.