

Draft Minutes: Special Swearing in Meeting

December 10, 2025 – 6:00 PM

3744 West 12240 South
Spring Lake, Utah 84651

1. CALL THE MEETING TO ORDER: MAYOR WADE MENLOVE

Mayor Menlove: Welcome, I appreciate you being here. I've conducted lots of church meetings and none of them make me as nervous as this. And there's not even as many people here. But I'm extremely nervous so bear with me. Um, we would just like to get started with this short, relatively short, first official Town meeting. I've asked Sharon if she would lead us in the pledge.

2. OPENING CEREMONIES

a. PLEDGE OF ALLEGIANCE: SHARON BASCOM

Councilmember Bascom led meeting attendees in the Pledge of Allegiance.

b. PRAYER/MOMENT OF SILENCE: DAVID CHARLES

Councilmember Charles offered a prayer to begin the meeting.

****AGENDA ACTION ITEMS****

TOWN COUNCIL MAY TAKE ACTION ON THE FOLLOWING AGENDA ITEMS

Mayor Menlove: Thank you David. We don't have a whole bunch of stuff on the agenda for today. If you want to come to a really long meeting, come back tomorrow at 6 o'clock and we'll get into some business already. Today, the only thing we're here for is to do the swearing in so we will just get at it. Eric, Honorable Eric Jewell, who is the judge for Payson, Santaquin, Goshen, Genola, and several other small communities and more than likely he will be helping us out as far as those matters go. Um, he will come and do the swearing in. We could do this individually, but I think we've chosen to do it all together. So if the four Town Councilmembers will join me right up here in front of the flag, Judge Jewell will give us the oath.

3. SWEARING IN CEREMONY: THE HONORABLE JUDGE ERIC JEWELL

Judge Jewell: Can you all raise your right hand and repeat after me. I do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of the State of Utah, and the laws and ordinances of the Town of Spring Lake, and that I will discharge the duties of my office with fidelity.

All Councilmembers and Mayor: I do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of the State of Utah, and the laws and ordinances of the Town of Spring Lake and that I will discharge the duties of my office with fidelity.

Judge Jewell: All right, congratulations.

4. CLOSING REMARKS: MAYOR WADE MENLOVE

Mayor Menlove: Alright, and I will now invite the new Town Council to take there seats where they belong. I don't know if there's an order. No there's not. There's no rhyme or reason for who sits where then I'll just decide. Alright, so as long as you guys can verify we're making this official we'll give each of you your Oath of Office that you'll need to sign. Alright, Spencer how far can I deviate on the agenda?

Spencer Foster: It's your agenda. As long as you don't talk about anything that you need to make a decision on you're good.

Mayor Menlove: Ok. Before I say a few words, I just want to see if you guys want to say anything. I didn't ask them to do this before. Anything you want to say?

Councilmember Charles: Just ready to get started and look forward to hearing the input from the community. Mayor, I think that's going to be important just as we, uh, as we work together to form this Town and look forward to that.

Councilmember Judd: Yea I guess I've worked with everybody and want there to be, I guess I'm going to be the one that's stickler. I really want to follow the constitution so I'll try to hold our decisions as close as we can to our founding fathers.

Councilmember Bascom: I want to thank all of you for being here and for the effort you put into supporting us and the kindness you've shown and I actually want to urge ourselves that we better follow the constitution. Both the United States Constitution and Utah's Constitution and I'm hoping that you'll also dedicate yourself in supporting us in that we'll be able to do that.

Councilmember Marsh: Thank you. I echo the words of Sharon here. On Saturday, we went through some training in Salt Lake and there was a book about that thick that we're supposed to read. And uh, I don't think any of us knew what we were getting into. But I'm willing to plow forward and get the work done.

Mayor Menlove: I forget what that book is called. "The Basics of Running a Community" or something like that. On mine I've crossed it out and it says "Government for Dummies". Alright, so now the agenda says that I'm supposed to give a few remarks and you know what I, quite often when I give talks in church I'll write it all down but can pretty much get up and kind of say what I want. But if you bear with me I wrote it down as I just want to make sure I say what I wrote down so I won't forget and I'm nervous. So bear with me as I plan to read it.

Standing before you today I'm the first Mayor of this beautiful little community of Spring Lake. I'm a little bit in shock. Never in my craziest dreams did I ever see myself as Mayor of Spring Lake and I have some crazy dreams. On the other hand, my heart is full of pride and fully of humility even though it's not a position that I really aspire to or sought after. Out of obligation I do consider it an honor to serve you my friends and my neighbors. I consider all of you, even everyone in Spring Lake my neighbor and my friend. And it is for that very reason that I do not take being elected as Mayor lightly. I know that many of you were reluctant, maybe fearful, and some of you were even opposed to incorporation. Believe me, I had some of those very same thoughts. And I am still nervous, but more than being fearful or nervous of the challenge we now face of establishing a new town, I was more fearful of what would become of Spring Lake if we did not incorporate. I feared that we would lose our identity as Spring Lakers. Now there are worse things than being annexed by Payson or Santaquin. I do love our neighbors to the North and to the South but I'm convinced that not incorporating would have eventually led to being annexed into Payson or Santaquin and maybe that wouldn't have been such a bad thing. But for generations this community has been our home; it's been our way of life, our shared legacy. Angela Stafford said it best in the Spring Lake history book when she said, "Spring Lake born, Spring

Lake bred, and when I die, I'll be Spring Lake dead." Generations we've cherished our independence, our open spaces, and the strong community ties who define who we are. We are not a city of big business, or curb and gutters. We do not have libraries and golf clubs or grocery stores. We do not have stop lights or bad traffic or city lights that hide the view of the night sky. We do not have restaurants. We do not have subdivisions. Our goal does not lie in having any of those things, but it does lie in the fertile soil in a hayfield, the quiet of the night listening to the crops and crickets, the orchards and farms, the lake that might not be ours, but it still is the namesake of our community. It is in the mountains that surround us to the east like an embrace from a hug, the fields to the west that opens up like a welcome mat to visitors. Our strength comes from calloused hands of farmers, from a neighbor taking food over to someone in times of need, the resilience of our families, and the unbreakable bonds that tie us together as a community. This chapter is becoming our own town. It requires that we stand together, it calls upon our resilience, of our shared history, and the love of this community. We are not just a piece of land to be divided up between cities to the north and to the south, but we are a living breathing community with the spirit and determination that deserves preservation. We will face challenges there is no doubt. We will need to be problem solvers not problem creators. We will need to cooperate and practice tolerance and patience. We will need to balance a budget. We will need to be creative in making ends meet. The path ahead will be difficult sometimes, but most times it will be sweet. We must remember the residents of our community are our greatest asset. My leadership for our community is simple, to preserve the very essence of who we are while building a future that is sustainable and prosperous for everyone. That is not just a job for one person. It is a shared endeavor. That is why I thank those who ran for town council, whether you were elected or not. It is evident that so many people want this to work and they want to be involved. It does not end with the Mayor; it does not end with the Town Council. It will be reaching out to you as we look for people who are willing to serve on our Planning and Zoning Commission, as a Town Recorder, a Town Treasurer, and other Town positions. And it goes beyond that as we ask for all of you to share your thoughts and ideas, to be involved, to pray for us. It will require open dialogue, community engagement, and a commitment to working together. Respecting the wisdom of those who have been here for a very long time who are now in their 90s. And at the same time embracing the ideas of those who represent our future. Let me say that once again. Respecting the wisdom of our elders and embracing the ideas of our youth. As Mayor I promise to live up to the Oath that I just swore. To obey the Constitution of the United States and the Constitution of the State of Utah with fidelity. I needed to look that definition up in the dictionary just to make sure I was going to do that with "fidelity". The definition says of fidelity that it is: "faithfulness to a cause, a person, and a belief". I can do all three of those. I promise to be faithful to the cause for which I became involved in the beginning; the cause of saving our community and our way of life. Faithful to a person or people, the people of Spring Lake who I love and respect. And faithful to a belief, a belief in God and the two great commandments to love God and to love our neighbor. And if we can do that then I have a belief that this will work. I personally pledge to be a Mayor who listens, who advocates fiercely for our way of life and who will give my blood, sweat, and tears when needed to ensure that our community remains as a, there are so many adjectives: vibrant, peaceful, bright, beautiful, supportive, quiet, loving, engaging, and the list goes on and on. A place where we can call home. A place that we can call Spring Lake. Thank you for your trust, for your dedication, and for allowing me, seriously, the immense privilege of leading our community to its next chapter. Thank you.

5. ADJOURNMENT

Spencer Foster: So now you ask for a motion to adjourn.

Mayor Menlove: Asked for a motion to adjourn.

Councilmember Judd: I'll second it.

Mayor Menlove: We need a motion first.

Councilmember Marsh: I'll make the motion.

Councilmember Judd: I'll second it.

Spencer Foster: Now you vote. Now you vote to adjourn.

Mayor Menlove: All in favor.

Vote: Unanimous in favor of adjournment.

Spencer Foster: There ya go.

Draft Minutes: Council Meeting

December 11, 2025 – 6:00 PM

3744 West 12240 South
Spring Lake, Utah 84651

Councilmembers in Attendance:

Mayor Wade Menlove
Councilmember David Charles
Councilmember Robert Judd
Councilmember Robert Marsh
Temporary Recorder Spencer Foster

Excused:

Councilmember Sharon Bascom

Attendee Sign-In Sheet Provided for Citizens

1. CALL THE MEETING TO ORDER/ROLL CALL: MAYOR WADE MENLOVE

Mayor Menlove: Well, welcome to our first official Town Council meeting. Thank you for being with us. We got sworn in and appreciate those who were here last night. And those of you who are here today can watch us make fools of ourselves and stumble through a meeting. So uh, I think its appropriate that we start the meeting. It's Thursday, December 11 at the Knapp's, what do you call it, party barn, barn, shed, out-building.

Councilmember Marsh: It's a nice shed.

Mayor Menlove: That's why I hesitate to call it a shed. It's a very nice building and we appreciate you letting us use it. It's 6:01 pm so we're getting started. We appreciate you guys being here. We want you guys to know that we wanted to try and find a day in December that we could all be together and it was impossible. So, we had one meeting yesterday and maybe yesterday's meeting should have been today's meeting, but for some reason I felt it was more appropriate that meeting to be our swearing in and this meeting everyone could get together expect Sharon. So, we'll excuse councilwoman Sharon. Is that how we refer to her?

Spencer Foster: Last name.

Mayor Menlove: Councilmember Bascom. We'll excuse her for not being here. And we want to tell Councilmember Charles thanks for rearranging your schedule yesterday so we could make that happen. Cause we literally could did not have another day we could have done it. So, he rearranged his schedule and made it happen so he could be there. Ok it's time for the pledge of allegiance.

2. OPENING CEREMONIES

a. PLEDGE OF ALLEGIANCE: COUNCILMEMBER ROBERT JUDD

Councilmember Judd led meeting attendees in the Pledge of Allegiance.

b. PRAYER/MOMENT OF SILENCE: COUNCILMEMBER ROBERT MARSH

Councilmember Marsh offered a prayer to begin the meeting.

****AGENDA ACTION ITEMS****

TOWN COUNCIL MAY TAKE ACTION ON THE FOLLOWING AGENDA ITEMS

Mayor Menlove: So, I wasn't sure if we could begin our meetings with a prayer but Spencer, our consultant, said yes, most of the Towns do. And so, I thought that it would be appropriate to start our meeting with a prayer to get some divine guidance as we try to establish a sounding board like our founding fathers of the country.

Spencer Foster: So, I'll tell you that the rule is if you do have a prayer than you do open it up for any religion to pray before your meeting. If a different church, but not LDS church, wants to offer a prayer then you allow them to do that once in a while too. So, that's the only rule is you open it up to every religion to offer their prayer.

Mayor Menlove: Well, that is good. I don't want us to give the prayer and the pledge every time. So, if I know someone is going to be here, we'll invite them to participate. And even if you're not planning on being here you might be asked to participate. Alright, well we will just proceed with the agenda. I want to introduce Spencer, Spencer Foster. I'll have Spencer tell you a little bit about himself. What position he has and how he works with us. But just for my own, see if I remember right. There are two different organizations in the State of Utah. One is ULCT which is the Utah League of Cities and Towns and another one is called MAG which is Mountainland Association of Governments. Now there's AOG which are Organizations of Governments. But we belong to MAG which is pretty much in Utah County, all of the Cities in Utah County, Wasatch, and Summit County. Mountainland, that makes up MAG. Spencer works for, well he's part of the program called LAA, which is Local Administrative Advisors, so it's unique he can kind of explain to you because he tried to explain to me. He kind of works for ULCT and MAG at the same time. But I know one of his responsibilities as the Local Administrative Advisor is to help new towns and also to help small towns who don't have the resources to have all these positions that big cities do. So, we're going to be using Spencer. You'll see him at most of our meetings. I just gotta tell ya I appreciate him so much already because he comes with a lot of knowledge and he's telling us all what to do and not to do. So, I'm going to turn the time over to Spencer. First thing on the agenda is he's just going to do some training. And I'll let Spencer tell us a little bit more about yourself.

3. TRAINING BY SPENCER FOSTER, LAA FROM MOUNTAINLAND ASSOCIATION OF GOVERNMENTS (MAG) – HOW TO RUN A PUBLIC MEETING.

Spencer Foster: I'll stand over by this TV because this has the presentation on it and so that I can see what I'm talking about. But yes, like the mayor said, my name is Spencer Foster. I've worked for MAG for the past two years doing their Local Administrative Advisor Program. And like the Mayor said, yes, we are allowed to help small communities with all sorts of things. Because you're very limited on your staff, your budget, your bandwidth to do things. And the legislature continues to pass laws, and they expect all cities and towns to follow those laws. So, I'm here to help you do that. And so, with especially Spring Lake being a brand-new town you don't know a lot right now. That's why they have allowed me to come in and help get you up to speed do some training, uh, help you pass ordinances that need to be done for taxes and talk about the staff members that you need to appoint and a bunch of things that you need to do to get yourselves up and running. The mayor, even before he was elected, we were running around going to meeting with the County talking about who is going to do the services for Spring Lake and snow removal. How can we make all those things work and he's great to work with. I've been dragging him around to all these meetings and making him learn more. I'm excited to work with all of you because you will be involved. As citizens of Spring Lake, you're the ones who govern this town. You're the ones who tell the council and the mayor what you want and kind of how you want your town to look and what you want passed and what you don't. So, I'll see you all a lot especially at the very beginning of this. Today I just wanted to kind of do quick training on how to run a public meeting. This is mainly for your council and mayor. How do we run a meeting and how do we do this, so it runs smoothly and so that we won't be here for four hours doing a meeting. So, you can jump through things quicker. Ok so first of all congratulations on becoming the first governing of Spring Lake. That's a really great accomplishment. Even so much that Chuck Norris is proud of you.

Tonight's training is just to tell you how to legally and confidently run your town meeting, your public meeting. We'll cover what open and public meetings act requires of you as a council and mayor to do in your meeting. How to do an agenda and notice that agenda. How to conduct the meeting. How to do votes. And then how the record is supposed to do the minutes and submit those to the Utah Public Notice Website. And then how you can do public comments if you want the public to come in and be able to comment to you and let you know what they are thinking and the issues they want you to talk about. And then there are closed meetings you can do for specific purposes we'll quickly go through that. And then any common pitfalls for you that you should look out for. The open and public meetings act is a law that was passed by the legislature that tells you how to run a meeting and that it has to be open to the public. The reason for this law is that your citizens need to know what you're doing as a council because they voted for you and they want you to run your town how it should be run, how they want you to run it. That's the main purpose for the law is that you run your meetings transparently, that they have public access to what you're talking about, and that they can trust you. This applies to every meeting where you discuss something that an action can be taken at your meeting or a decision can be made about something that you want to do. Be that an ordinance, be that land use, if somebody comes in and gives you a permit and wants to build something in your community. Those are decisions that may be made at your council meeting. All of these meetings need to be open and public for your community to be able to see. We record those meetings. I'm recording this meeting right now on zoom. And so I'll upload that to the State website and so any of your public can go to that website and watch the meeting after it's done. Any questions about this so far.

Mayor Menlove: So where do they go to access this?

Spencer Foster: You'll go to the Utah Public Notice Website or your website, the Spring Lake website, which I think it's a good idea to post in both places. So, it makes it so they can go to either place and look at what happened in the meeting, look at the agenda, and look at the minutes.

Mayor Menlove: By doing this through Zoom who has the ability to record everything?

Spencer Foster: Yep.

Mayor Menlove: And then you just record and save the whole meeting.

Spencer Foster: I save the meeting and I upload that audio and video recording to the Utah Public Notice Website and then we'll have Jason do it on the Spring Lake website as well.

Mayor Menlove: Can you go on the Utah Public Notice Website and see where you can see agendas and meetings that are coming up? For all over the state? I mean that's a whole lot of stuff they're storing.

Spencer Foster: They are storing a lot of stuff yea. Each ordinance that you pass as a town, we will have to upload to that website as well so that your public can see that ordinance and see what our council just passed. That has to be uploaded to there so they can see so it's transparent for them.

Mayor Menlove: Does uh, sorry I'm full of questions. Does our website that Jason or Kerry or whoever has created for us, is it limited to the amount of storage you can have on there?

Spencer Foster: I'm not sure. Yea so it's the hosting is through GoDaddy so you might have some sort of a limit, but you'll be ok for a while. And then you can put the past minutes into a drive or something on Google and save those so. I'm not sure. That's a good question.

Mayor Menlove: I would think a three-hour meeting takes up a lot of storage.

Spencer Foster: Yea and that's why there is a retention schedules for how long you need to keep the audio and video recordings and that's a three-year period. And then you can start destroying those gradually. But your minutes, your document for your minutes is kept forever. It's a very small file and you need to keep them forever. We'll talk about those things a little bit more in this presentation.

Mayor Menlove: Because I had a question posed to me the other night and go looking into it. I went to Payson City's, and I pulled up their recordings of a specific meeting and got the answer to the question I needed. So, I thought, I'm glad that's there. Right? So, we'll have to have them available too.

Spencer Foster: Yea, and that's the reason for it. It's so you can find the answers to your questions. Especially if they've been talked about at the council meetings.

Mayor Menlove: So, if you go to the Utah Public Meeting Website, there's ways to filter by Zip Code. Otherwise, there's hundreds of meetings.

Spencer Foster: You can do it by Town as well. You filter it by county and then Spring Lake, and then what type of thing you want to look up if it's a minute, an ordinance, an agenda, those things are all listed.

Mayor Menlove: And I'd imagine there must be a tab for recordings.

Spencer Foster: Yep, audio and video recordings have a tab. So, what counts as a meeting for you, a public meeting. So, a meeting occurs when a quorum of your voting body, a majority of your council, is present. A quorum means that at least three of the five of you are in attendance. You have to have a quorum to make any decision and act on any decision you want to do for the town. If you don't have a quorum, you need to postpone that meeting because you only have two out of five or one out of five. So, you can't make a decision without a majority of the council there. The gathering is intended for a decision, not just to be together and talk socially. If it's a chance social gathering that does not count as a meeting and you don't need to worry about noticing that meeting. So, if you all the sudden are at the store and you see three of your council members there at the store even though you're all council members as long you don't talk about city business, then you are good. Examples of meeting include these things. If you have a social event then that doesn't count as a meeting, that's an event. As long as you don't talk about items that are going to be on your council agenda then you're safe and you can go to a social event with your council members. You heard some of these things at the presentation last week that you had to attend. Ok, any questions about meetings.

Councilmember Judd: Can we make mention that one of the things at our meeting they really discouraged was texting. And so just so the public know that we have been told to limit texting in an official capacity. Rather they would prefer that we make phone calls.

Because texts between multiple people even if we don't think it's something, it can be considered part of a meeting.

Spencer Foster: Yea and it's GRAMA-able. GRAMA law says that you can request information from your council members. If you have a text chain going between your council members that has to do with city business, the public can request that chain. It's best to not text during a meeting because that becomes a GRAMA-able record. You just talk about it.

Agendas and noticing requirements. So, we have an agenda for tonight. The items on that agenda were posted at least 24 hours in advance to Spring Lake's website and on the Utah Public Notice Website so that anybody wanted to attend wanted to look at that agenda can go to those websites and look at what's going to be talked about. And come prepared to ask questions to the council about those things. So that's the purpose for doing it 24 hours in advance so that people can prepare to come and attend and have it be a beneficial meeting for you. Generally, you will do a posting on the front of your building too. So, when you have a permanent location where you'll be having these meetings, what you'll do is you'll just put a paper copy on the front door of the building you be having the meeting on too. So you'll have it in three places. The Utah Public Notice Website, your Spring Lake Website, and then the physical copy on the front door of where you're meeting. Those are the rules for the posting of the agenda. The notice for the agenda has to have the date, the time, and the location of where you're going to have the meeting. And then the agenda items have to be on there as well. Anything that you're going to be talking about. If your item that you want to talk about isn't on the agenda. So, if you come to a meeting and you're like, "Oh we should talk about this". You need to save that for your next meeting. Because it's not on your agenda people aren't prepared to talk about it. The public hasn't been notified that you're going to be talking about that thing. So, you'll table that and then you'll talk about it at your next meeting. Any questions about that. That's where some town council get in trouble because they think, "oh we really really need to talk

about this thing." And then they start talking about it at the meeting and it's not on the agenda and it wasn't planned so just be careful about that cause it can get you in trouble.

Councilmember Marsh: So, as long as it's on the agenda at least 24 hours before we can add it even though it may not have been originally something that we wanted to discuss as long as it's there 24 hours before.

Spencer Foster: Yep, and what you'll do is you'll just be whoever is your recorder will be in charge of posting your agenda and getting your agendas ready. You'll say hey, we forgot to add this to the agenda. Add it really quick and re-post the agenda. As long as it's more than 24 hours in advance you can add anything to it that you want to talk about.

Mayor Menlove: I thought that meeting was interesting because what typically happens is that most action items that the town's going to come up with are going to take four to six weeks. If you're having public meetings every two weeks, right we can be in this meeting tonight and we could say, "I wanted to talk about this" it's not on the agenda. It goes on the next agenda which would typically be in two weeks. We have a discussion, won't we? And then you typically wouldn't vote then, but you'd give two weeks to gather information. So two weeks farther down the road. If you're only meeting once a month, I mean it could be two months before you take an action and vote.

Spencer Foster: That's why sometimes they say the wheels of government run slow. It's because it takes time to get it on the agenda and talk about it. Any other questions about any of that. Ok so building a legally strong agenda. Items must be listed clearly so that people can understand what you're going to be discussing. If you're going to be talking about an ordinance that you're going to be passing it should be explained. Like what is the ordinance we are going to be talking about so people will know what you're talking about. So it's clear for your public and for you as the council.

Councilmember Marsh: So, let's say that we wanted to talk about planning and zoning and we don't really have all that information together but we do want to talk about planning and zoning do we have to be more specific than, "Planning and Zoning" on the agenda.

Spencer Foster: If you're going to be doing an action item for something, then it has to be really clear what the decision you're going to be talking about is. If you want to simply have a discussion about Planning and Zoning, then that's fine. You're going to be having a discussion; you're not going to be making any decisions that are going to be binding to the city or the town. So that is ok if it's a discussion item only. If you're going to be making a decision and taking an action, then that needs to be pretty clear. What's the ordinance for, the topic is going to be and what action you're planning on doing. So, for example, on the agenda tonight, there's a discussion and potential action about an ordinance and documentation for the State Tax Commission allowing the collection of sales tax within the town. So that tells you that there's going to be a potential ordinance passed tonight that will allow the State Tax Commission to start letting sales tax be collected in the Town of Spring Lake. So, we'll talk about what that means and that's clear enough.

Mayor Menlove: If we just put, "A Discussion" on State Sales Tax all we would do is discuss it. We couldn't vote on it.

Spencer Foster: You'd need to clarify that it's an action item as well or possible action item. Does that make sense? And then you can't take final action on an item not on the agenda except if it's an emergency circumstance. That doesn't mean, "oh crud we forgot to pass an ordinance and the ordinance is due next week." That's not an emergency. An emergency would be, there is a act of God. Like an emergency situation with weather or your pipes break in the city and there's a fountain on water spraying. That wasn't a planned discussion item, but you need to make a decision on what you need to do on that. And if that was something like that could go on your agenda, you can make an emergency action on something like that. If it's something that should be done in the normal course of your duties like an ordinance or something that should be put on there that doesn't count as an emergency. That needs to be tabled to the next meeting so that you can have it clearly on there and have the time for your public to see it and everything.

Councilmember Charles: For emergency items do you still have to post 24 hours in advance?

Spencer Foster: If the emergency happened after the 24 hours, but it's an emergency then no that's not required. You can add that to your agenda on the spot because that is a true emergency. And then you'd just say, this is an emergency item, we added this after the 24 hours because of the situation. We need to take an action on this item to be able to satisfy the situation.

Mayor Menlove: So, you keep using the term action. And one of those actions might be to pass an ordinance. What are other actions.

Spencer Foster: To hire a staff member, to sign a contract/interlocal agreement with Utah County for services in Spring Lake. Anything that the council needs to vote on, and sign would be considered an action. We'll talk more about some of those things that could be actionable later on in future meetings as well.

This is the common agenda structure that you're going to be looking at. You're going to call the meeting to order. You'll do a roll call which that just says who is present on your council. So, you'd say ok we'll start the meeting at 6:02 pm on December 11th. We'll do a roll call now, council members if you can state your name for the record and then you go down the line. And then it tells you who's there and then the mayor you would say who is absent and you'd say they are excused. You did that to some level tonight, but that's generally how you'll do it. You'll go down the line and say, "This council member... here, this council member... here". And then you'll do the Pledge of Allegiance. You have a prayer, that's common. And then generally after that most towns will allow for a public comment period. And that allows your citizens from Spring Lake to come up and tell you what issues are important to them that they are facing and that they think you need to talk about and resolve or do better at or whatever. Now I recommend that you have a time limit on how long that public comment session goes. The normal rule is to allow each citizen to talk for two to three minutes. And so, if there's ten citizens that want to bring up anything to your attention that's 20-30 minutes of your meeting. I recommend having a limited time because there's other things that are on the agenda you need to get to. To be fair to both the public and to you, I recommend having a time limit. And then you'll talk about your action items and then after that any discussion items that you are just discussing. You'd discuss those. And then you would get updates from your staff, your council, your mayor, and then you'd adjourn. That is the common structure for an agenda and that's how

ours is set up tonight. If you would like to change anything on that agenda, it's your agenda. If your council wants your future order to do it in a different way, that's up to you guys. You would be able to change that however you feel comfortable. Any questions about this. Ok, let's keep going.

Running the meeting. Here are the different responsibilities for each different role. The first is you, Mayor. You are the chair of the meeting. You preside over the meeting; you keep the order. So, if there is a controversial issue that is being discussed, it is your role to keep the peace in the meeting and calm people down and just say, "hey, let's keep it civil let's get back on track". One of the big things that I see is the council and the public going back and forth talking to each other and arguing. That's not really a good thing to happen. The time for the public to talk to you is during public comment during the beginning of the meeting. Or if there is an action item that has a comment period during it, that's when they give you, their opinion. After that, the council should be discussing things toward each other and having a discussion with each other. You can use the comments from the public and you can say, "this citizen had a really good point, let's talk about this together". You don't address the person and say, "you had a really good point". You talk about that as a council. You will be talking to each other mainly. Does that make sense.

Mayor Menlove: We haven't specifically put in time for public comments on an action item, but yet I can see that they are there. Is it appropriate to say that we are going to open it up to public comment?

Spencer Foster: That's up to you. You are the chair.

Mayor Menlove: Even if it's not on the agenda? If we decide to open it up and say, "Ok, we're going to take 20 minutes".

Spencer Foster: You can do that, it's your agenda. And you're the chair. And if you do ask your council, what do they think and they are like, "yea, I think we should do this" that's a good thing to do as well. Involve your council in that decision. I think that is a good idea depending on the item. So, there are items that maybe you know what the public is going to say anyway. You already know what they are thinking. At those times you may want to just say to the public, "We know what your thoughts are, we have heard your comments through social media or texts to us or email, and we are taking those into consideration". That kind of thing. That's another option for you but yes, if you do want to open it up for public comment on the spot, you can do that.

Ok so and then as you, the mayor, of a five-councilmember form of government, you do not have veto power over a final decision. Because there's five of you and the vote could go 3-2 and that would be a passing vote. So, there's no need for a tie in this situation. If you have an absentee member of your council and you have a vote, come up, that person that is not here they count as a "no" vote. An "abstain" vote is basically a "no" vote. Say you have a quorum of three members and two people are not here. Your three members all would have to vote in favor of an action for it to pass because your two members who are not here abstain and basically have a "no" vote. Does that make sense?

Mayor Menlove: Not just a majority of who's here?

Spencer Foster: Yep, it has to be a majority of the council.

Councilmember Judd: I know that in another council that I've been on we also had remote meetings so that way you still could have voting members attending via remote. But that's something that we would have to vote on first and establish correct.

Spencer Foster: Yea, what you'd do is you'd do an electronic meeting ordinance. And we can work on doing something like that.

Councilmember Judd: As long as you have a place, home base, to meet, correct?

Spencer Foster: Yep, you have to have a place that anyone can go to for the meeting in person. It's like the home base of it like you said. But yes, you can do that. So, your councilmembers, you will be the people who debate, make motions, vote, and represent the public. That's your role. You'll be involved in every decision that's made, that is a legislative decision whether that's an ordinance or an agreement or whatever that your town needs to pass.

And then your recorder who you have not appointed yet, this role will be preparing your agendas and your notices and taking the minutes. I am actually currently taking the minutes as I do this through the recording. It's taking notes for me. So it's probably good to have something like that some sort of technology that will do that so it will do that for you in the future.

Mayor Menlove: Does Zoom do that?

Spencer Foster: Zoom's doing it for me.

Mayor Menlove: So is it just you'll do Zoom every meeting. It seems like a decent way to handle it and post it.

Spencer Foster: Yea if you have a paid Zoom account then that's something that we use to do stuff like this. And then the Recorder manages the audio recording and uploads it to the Utah Public Notice Website. They are the ones who ensure you are being legally compliant with the Open and Public Meetings Act. So, you're running the meeting correctly and they'll remind you, "Hey, don't text the other councilmember that's sitting next you, that's now becoming a record. So, stop texting each other". They'll be the ones to remind you to do certain things. Any questions about your roles.

Ok, meeting procedure motions and voting. So, this is what we had to talk about at the meeting last night. So, adjourning the meeting. If you want to take an action than this is the steps, you'll take. A member of the council recommended not you mayor, rather you would be the one seeking the motion. So, one of your four council members is who you want to make a motion. You could say, "I now looking for a motion on this action agenda item". You'd be looking for that motion from one of the other four members. One of the other members would make the motion, then they would need a second, then you as the chair Mayor, you would then open it for discussion. "We've had a motion, we have a second, do we need to have any discussion about this item before we vote?" And then you'd go through a discussion saying why you do agree or why you don't agree with taking the action that you're voting on. If that discussion has been held and you're ready, then you would call for the vote. You'd say, "ok let's do a roll call vote" and then you'd say your name. So, you'd go councilmember

what's your vote, yes or no, yes or no, yes or no, yes or no. Or they can abstain, they can abstain from the vote too. And then you would say ok the vote is unanimous, this motion passes. Or if it's 3-2, "this vote is 3-2, council member such and such and such and such voted in opposition of this action, the vote passes with a 3-2 vote". Or opposite, if it's 0-4, or 0-5, or 1-4, then you'd say this vote fails 1-4 these members of the council voted in opposition. That makes sense. And then the recorder would record the vote. It's important for the names of the council members who vote against or for the vote to be recorded because the recorder will be putting that in the vote. That's a requirement by OPMA.

Mayor Menlove: I may have missed this. Is it appropriate to do a roll call vote or is it appropriate to say, "all in favor". You can say all in favor. The hard thing is if you say all in favor and somebody is not in favor you just have to make sure that you point out that that person is not in favor and you name that person so the recorder can write that person's name down because they are going to be saying, "these four council members, by name, voted for this and one voted against". You can do that.

Councilmember Charles: And I've seen a roll call vote where you're voting on an ordinance where you'd just do all in favor.

All council members: Short back and forth regarding this to clarify.

Spencer Foster: That's a really excellent point.

Councilmember Marsh: My question to confirm what I'm thinking. A verbal from the mayor has to be stated on what the results were and a written recording. Is that right?

Spencer Foster: The recording will show who voted yes or no.

Councilmember Marsh: He verbally needs to say what took place or not?

Spencer Foster: You have to be able to, the recorder has to be able to tell who voted yes or no. So, if the mayor and recorder can tell by how you do the vote, who voted for what, then that's fine. It doesn't necessarily need to be a roll call vote or naming. The mayor doesn't necessarily have to name each person, if the recorder can tell who's voting. You just have to make sure that that's the case. That you can tell.

Mayor Menlove: I don't have to go back and re-state it if it was clear enough?

Spencer Foster: The reporter should be the one who tells you, "I didn't get who voted no, remind me who did that". You don't have to say each person's name if you don't need to. Ok, hopefully that clears that up. Ok, voting requirements now. Majority vote of the quorum present so you have to have a majority present to do a vote. You have to record the vote like we've been talking about. And then a roll call vote is required for closed meetings. If you go in a closed meeting, we'll talk about what that means in a little bit. But that is only thing that is required for a roll call. Other times like the council member here said it would be more appropriate to just do, "all in favor" or if you really want to show that everyone is in favor and you want to do a roll call then you could do it. It just is a situational kind of thing. You'll get the hand of that as time comes.

Mayor Menlove: What's the process if there's only three of us and it doesn't pass, but we think it would have passed if everyone had been here. Then you bring it up in the next meeting?

Spencer Foster: You table it and then you bring that back. I've seen that happen many times. You just talk about it with the whole council. Ideally you wouldn't put an item on there that you don't think is going to pass without the full council there. It's just smarter to have your whole council there. But there are emergencies that happen and council members aren't able to make it in certain times and they kind of throw you off a little bit. And you can ask your council if they are in favor of tabling an item for the whole council to be present. That's common. And then lastly, no secret ballots. You can't have a secret ballot. People need to know how you vote. They voted you in as council members to represent them. They need to know how you're voting on certain issues. So that's I think the purpose of that.

Ok, public participation. Like we talked about at the beginning OPMA does not require you to have a public comment period but most towns throughout the State have them. It's reasonable to have one if you want your citizens to let you know what their issues are and what they think you need to be talking about. That's a reasonable thing to do. But time limits is a good thing to have. Expect your public to treat you fairly and kindly and respectfully. There shouldn't be personal attacks behind any of the comments, and they have to address the council not any staff members that you've hired. They can't call your recorder out or your treasurer out. They need to be addressing you as the council and mayor. The most important thing is the public comment period isn't a debate so you shouldn't be going back and forth with the public saying, "no, no, no, no, no, that's not how it is". You listen, you take in what they have to say, and then you write those things down, and you discuss those as a council after or during your report period, or during the action item that you need to talk about. You're not going to be debating back and forth during the meeting. You shouldn't be engaging in back and forth.

Handling difficult public comment moments. You will have sometimes where you're dealing with a member of your community that maybe is talking about something and is not happy about it. You can ask, mayor, you are the chair, you're the one who's in charge of keeping the decorum of the meeting. So, you could ask people to stop talking if their comments are off topic. Like, if they are talking about something that has nothing to do with Spring Lake and they are just here to cause a problem. If they are abusive comments, destructive comments, if they are yelling and swearing and just causing a ruckus, you can ask them to be done and you can ask them to be escorted out. You as a council and your other members of the public don't have to listen to that. You have rights as a council and as a community to not have to listen to abusive and unrespectful behavior. Mayor, your role is to maintain dignity and order of your meetings and there's just some phrases that you can use to get them to be more respectful. I'm sure you've had to deal with those things in the past.

Mayor Menlove: Not the "s" word? "Shut up".

Spencer Foster: I've heard that one in meetings before. And it usually doesn't help. Ok, so minutes, recordings, and records. We'll go through this really quickly because we've already been talking about this stuff and we have some stuff to get to, action items and discussion items. Minutes, they are like the notices. They have to include the date, time, and place. They have to include who is present so that includes council, and that includes the public. So as the public all came in they signed in. That's why we have that sign-in sheet. Is so we can show who from the community has appeared at the meeting. All we do with that is just upload the sheet to the agendas and say that these people were in attendance. And that's because state law says that we need to show who was present at the meeting. Motions votes and outcomes of anything on the agenda has to be put in the minutes. And then any public comment summed up. So if you have a public comment period and somebody comes up and they give, they talk for three minutes, you can do a quick summary of what they talked about. And my AI is doing this for us. And then what time you adjourn. The meeting minutes have to be posted within 30 days of when the meeting happens. So, I will post these meeting minutes as a draft form before the 11th of January. I will post the audio on next Monday. So those are the rules. The audio recording has to be posted, because I don't change anything in there. I have to go through the minutes and make sure that the AI isn't messing things up and is saying things correctly and having the crux of the conversation we're having. The meeting audio and video recording, I'm not allowed to change any of that. So, I can upload it right away.

Mayor Menlove: Did you say three days or 30?

Spencer Foster: 30 days for the minutes, the written minutes. Three business days for the audio recording. So, the draft minutes, let me clarify this too. The draft minutes, that is the minutes after I've reviewed them. The approved minutes, that is after we bring you the minutes and you look at them and you say, "Ok, yep this is right". And then you will approve the minutes from the last council meeting. And those will be uploaded to the website after 3 days of doing that. A little bit confusing, but I'll be here to help clarify those things too. Ok closed meetings. These are only allowed for certain circumstances. Here is a list of the circumstances that you can hold a closed meeting for. Character competence, physical and mental health of an individual, that would include people in your staff and planning commission and your council members talking privately so that the public isn't learning about and giving somebody a bad name in a public meeting on your staff or in your council. If you have litigation coming, if you are going to purchase or sell real property and you don't want that to be known that is allowed to be in a closed meeting. Security issues for your building, you don't want random people to know where your security issues are. Criminal investigations, if something happens in Spring Lake, and that is private. And then collective bargaining strategies. Closed meetings are not to be used to avoid embarrassment about anything you've done as a council or trying to avoid talking in front of the public. You just can't do that. You have to make your decisions in front of the public. Sensitive issues or conflictary issues, people don't like to be in those situations to talk about hard things, but you can't go into a closed meeting to talk about those instead of talking about them in front of the public. To go into a closed meeting, it requires a 2/3 roll call vote to go into a closed meeting. So you have to have 3/5.. no 4/5.. so yea you'd have to have 4/5 to go into a closed meeting.

Councilmember Judd: No wouldn't it be 3/4 cause they are voting members unless it's a tie?

Spencer Foster: No because he's a voting member. Yea, your mayor is a voting member. You have a 5-member form of government. If it was a 5 council member form of government with a mayor, that would be different. It would be the mayor couldn't vote. And then there has to be a recording of the closed session. But that's a protected record and those things are only given out to the public if there's a judge that says yes, give that.

Ok, electronic meetings like you asked. The way that you do an electronic meeting or allow this to happen is to pass an ordinance allowing you to do an electronic meeting in certain circumstances. You just outline your procedures for having an electronic meeting. Say, "ok our council members can vote if they attend on Zoom." Is that allowed, yes or no. We will have this location be our anchor location for our meetings so that if anyone wants to attend, they can go to that anchor location. But other people, if they want to attend virtually from our council, can do that. That opens up a lot more options for you as a council, to have an electronic meeting policy. So if you have a council member that is on business in a different state and they still want to attend the meeting, and you need them to have a quorum for an action item then they can attend virtually. So, you can put something in place that will allow that and that will allow you to have more flexibility. Does that make sense?

Ok, common pitfalls. Discussing town business outside of a public meeting. Avoid doing that. You can do it one on one, otherwise you can't. If you want to talk about town business, make sure you're not talking about it in a group of three council members. If you have a citizen that wants to meet with you and talk to you about an issue you can talk to them with a group of two council members. If you get to three, you are not allowed to talk about it unless it's in a public meeting. You can talk with them one on one or two on one. Or however many public and two on however many. Does that make sense. As long as you don't go above that number two. Learn how to count to three really quick. Taking action on items not on the agenda just table to item. If you think of something that needs to be talked about and it's a normal item, not an emergency, table it until the next and just say, "hey, we really need to talk about this in our next meeting let's get it on the agenda. Let's put a note on it so that we make sure we get it on there". Just the other things are entering a closed meeting when you're not allowed to, forgetting to post your minutes, and conflicts of interest. This is probably a good one for the size of town that you are going to be operating in. We talked about this in our meeting with ULCT a couple weeks ago. If you have a business that comes to the town and wants to do some work for the business. Say it's Wades brother or uncle or somebody that's related to Wade. What should he do as a council member as a mayor for that. He should recuse himself from a vote on whether or not to use that person to do business for the town because they are related to him. He should let the other four decide whether or not to allow that person to do work for the town. Anytime there is a conflict of interest there could be one of your council members recusing themselves from the vote so that the other council members can make a good decision on what should happen. That is simply what a conflict of interest would be. If there's, if

you have any say in what a business can do for the community or decision that can be made based on personal interests. Any questions about this?

And then, I have a sample meeting script, we've already gone through this. And then any other questions about anything we've talked about so far?

Councilmember Marsh: I've got one question. This would never happen in Spring Lake, but what if someone who is posting the agenda for a future meeting thinks they've posted it but it didn't actually get posted. And the next day comes and is like, "Holy cow, it's not there". Are we better off canceling the meeting in that event or?

Spencer Foster: Um, I think you're better off tabling the meeting. Because the rule says that you're supposed to post it 24 hours before and your public can say, "Hey, we did not get a notice and that's against the rules". And they would be in the right. So, it would be better to table it if that's the situation, especially if you have really important decisions that need to be made that the public wants a say in. If you didn't post the agenda and give notice, then you should table it. That's my recommendation. You'll have an attorney eventually that will give you answers to things like this so that they will have their own opinion. And hopefully that's the same as mine. I don't know, yea that's my opinion. Yea, I think you should table that. Any other questions? If not, I took a long time. Hopefully that was helpful.

Mayor Menlove: That was, we had a lot of questions for you so.

Spencer Foster: And then I will send you the slide deck as well, so you can use it however you want. And with anything that I help you with I'll always send your way. Slides and training and any templates for ordinances and things.

Mayor Menlove: I just wanted to tell you guys that we're going to be talking about a few things now. We're not offended if you have to leave. This might be a little bit long winded. I don't know. Feel free to go if you need. We appreciate you being here. Alright, moving on to the next item on our agenda.

4. DISCUSSION AND POTENTIAL ACTION – ORDINANCE AND DOCUMENTATION FOR THE STATE TAX COMMISSION ALLOWING THE COLLECTION OF SALES TAXES WITHIN THE TOWN.

Mayor Menlove: So we need to have a discussion. This is one of the reasons why we needed to meet as soon as we could as soon as we were sworn in. I'll ask Spencer to help clarify some things here. As far as sales tax from what I understand. We may not get any sales tax; we don't have any business. What I understand though is that we do collect sales tax. From what I understand sales tax is paid to the state all those funds go to the state. 50% of that sales tax goes directly back to the location where it came from. So, all the sales tax goes to the state. 50% of whatever Payson's Walmart sells goes back to them. The other 50% gets divided out based on population. So, we will get a very very small portion. There's only 600 of us. So, we'll get a very very small portion of the 50% that is kept at the state of Walmart's sales tax. Right? There's also online or point of sales tax. The majority of anything that is purchased online on Amazon, and it comes from your address which is within Spring Lake's city limits that's point of sale and we get that 50% of that sales tax. Just as if there was a Walmart in our Town.

Spencer Foster: Any Amazon purchase.

Mayor Menlove: There's a point for doing Christmas shopping online. I was going to ask, Spencer, do we have any people online?

Spencer Foster: Yea we have an iPhone on here. Yep, we have somebody online.

Mayor Menlove: Anyway, Utah County has been collecting our portion of that sales tax. That sales tax I believe is paid out quarterly, but we have to submit documentation to the State Tax Commission as soon as possible, so we start getting our share of that sales tax as soon as possible. Now typically if you don't have that submitting to the state in the first part of January, we would not get our sales tax until June or July. We were thinking that we couldn't be sworn in until the first Monday in January, which was January 5th. And those documents have to be submitting to the state by January 7th for us to collect the first quarter sales tax. So, it was going to be close. So, we were thinking, how are we going to pull this off and get all of that done? Luckily, we found out that we could be sworn in. Typically, newly elected officials are sworn in the first Monday in January, but there's a provision for new municipalities to be sworn in as soon as the vote has been certified. So that vote was certified already in the middle part of November. And that allowed us to get sworn in. I kind of hope no one in the community felt like we did this before they thought it needed to happen. We didn't mean to do it without notice, but we needed to do it so we could get this done. So, the first thing we need to talk about is just getting those tax documents submitted and it's kind of complicated. It goes to the State Tax Commission and also needs to provide it to the county with a survey map of Spring Lake, so they know what they're not collecting taxes on and the state knows.

Spencer Foster: So that's for a different fund though. That's for B&C road funds. So, yea for sales tax all we really need to do is we need the ordinance to be passed allowing the sales tax to now be collected in Spring Lake rather than the county. So that's what this ordinance is before you, saying that Spring Lake will now implement this sales tax so that it can be collected by Spring Lake rather than the county. The County has already submitted their approval to the state tax commission saying that they are in favor of Spring Lake doing this, so that we don't have to start all over so that Spring Lake can now just as soon as you get these documents in the distributions will be transferred to Spring Lake rather than the County.

Mayor Menlove: Also, in order for that to happen we need to set up PTIF accounts with the state. Which is not necessarily a bank account but that money goes into a savings account, and they pay pretty good interest. That money will go into this PTIF account and will sit there. And then we can make transfers into our own bank account. We want to leave in the PTIF account as long as possible because it's earning a pretty good interest. Is it like 4%?

Spencer Foster: It's like a high-yield savings account.

Mayor Menlove: So, we need to get those documents signed and taken care of, so we start getting taxes. Now, is that right?

Spencer Foster: That's right. So that's what the ordinance is. I printed out a bunch of papers for all of you. The first document is the ordinance passing the sales tax.

Mayor Menlove: There is another part to this that we probably need to bring up. And Spencer I'm going to ask you to explain this to us. There's a local option of 1% sales tax.

Spencer Foster: That's what this is. That's what this ordinance is for.

Mayor Menlove: The ordinance is for the 1%. So, we just need to sign the documents to have the State start sending us our share, right? But we want to talk about passing an ordinance so we can collect what they call the local option. So maybe Spencer, do you want to kind of explain that this is an option that the state has provided for communities to collect this extra 1% of sales tax. But how does that work with a community that doesn't have businesses. So, I understand how.

Spencer Foster: It's solely on the purchases that would be taking place online and delivered to your home. So, any sale that actually happens in your community that's gonna be dropped off at your door.

Community Member: My wife just got a whole bunch of groceries dropped off.

Community Member: What about the Zip code being the same as Payson.

Spencer Foster: Yea, that would be sales tax. If you have a Walmart + account, the point of sale is your address. So that's something that we would have to work out as administrative and council to make sure that it's not going to Payson but that it's coming to you. That would be at the back end that we would have to make sure.

Community Member: Instead of going to the store we would need to change, would that require us to change our address/zip code?

Spencer Foster: Not necessarily. You would provide them with the maps, the boundary maps, and the GIS files and those things and then the state tax commission would be in charge of making sure that the distribution that they collect, cause all of the sales tax is distributed to the state, and then the state will send Spring Lake what their distribution is based on the maps and the zip codes and all of that, so it would be up to them to send you the correct amount.

Mayor Menlove: Is this why we submitted maps to. We've submitted maps already to them right.

Spencer Foster: This is one of the reasons we submitted one of those maps to the State Tax Commission.

Mayor Menlove: So, they do have them. So, it's based more specifically on the address in our city boundaries than on a zip code.

Spencer Foster: Yep, they should have a list of those addresses based on the parcel map data and the boundaries of Spring Lake.

Mayor Menlove: So, let's talk a little bit more about this 1%. We just need to be open about it. From what I've heard that there's not a community in the state that doesn't have it.

Spencer Foster: Every City and Town has this same tax.

Mayor Menlove: Can the county impose the 1% local tax. And has our county been collecting it.

Spencer Foster: The county has been collecting the sales tax. We're just trying to transfer that amount to Spring Lake. So that's kind of how this is working.

Mayor Menlove: So, has the county been collecting the extra 1% on it.

Spencer Foster: They have been collecting.

Mayor Menlove: So, if we pass an ordinance that says that we're going to do 1% it's not going to increase our taxes.

Spencer Foster: It shouldn't increase your taxes at all. It should be transferred from the county to Spring Lake. So, your general fund should get this funding. And you'll be able to do projects in your town as a result of the taxes that will then be coming.

Mayor Menlove: That just wasn't really clear. I knew it was local, but I didn't know if it was the County that had already been collecting other taxes. So, the county has already been collecting but they have also been collecting our sales tax. Am I making sense, I just wanted to make sure that the county was already doing this so if we pass an ordinance and say, "yea we want to continue with the 1% local, we're not adding another 1%. We have already been experiencing it and the town is good with it."

Spencer Foster: Yea so it transfers to you guys, to the Town.

Mayor Menlove: Questions, questions? If there's no discussion, is it appropriate to ask for a motion.

Spencer Foster: So, you'd ask for a motion, "Can I get a motion on ordinance No. 25-01.

Mayor Menlove: But we're at that point, can we do that.

Spencer Foster: Yea if you're ready to do that, that's how you'd do it. I'm ready for a motion on ordinance No. 25-01.

Mayor Menlove: Is it appropriate to ask if anyone out here has any questions?

Spencer Foster: It's up to you.

Mayor Menlove: Yes, we're small so I think it's fine.

Community Member: (Difficult to hear on the recording). Asked a question regarding shopping in person versus shopping online. The money we spend in person goes straight to the city that we spend that money in. If we shop online and have the item delivered, the sales tax will go to Spring Lake instead.

Spencer Foster: Yea that's a really good point. So can I make a comment based on his point. So right now, if you are shopping at a Walmart or at a store in a different town, your money is leaking to that town. They are getting your tax funds. If you shop for that item online through Amazon or Walmart delivery or Smith's or wherever and it gets delivered to you then that sales tax, then would come to

Spring Lake rather than Spanish Fork or Payson or wherever you would be shopping. Even Costco, if they deliver to your address then that sales tax is supposed to come to Spring Lake instead.

Community Member: Asked a question about pickup.

Spencer Foster: If you go pick it up at the location then it's like you're purchasing it there. If you go and you pick it up and it has your address at the purchase, I'm not sure, but I think because you're picking it up in person then it shows a pickup. So, I'm not sure exactly, but I would assume that it would be going to the city that you'd be picking it up from.

Mayor Menlove: So just to be clear then. You don't have to; there's two ways we get sales tax. One of them is online purchasing, which is the best way because we get automatically 50% of the sales tax. 50% comes back to us plus 1% if we want to do the local option. Now if you buy stuff wherever, we're still going to get our measly little 600 population based on the entire state of all the sales tax collected in the state not just Payson. So, all that sales tax goes into the tax pot. 50% of that is then distributed back to ours based on population. And that's not just a small amount; we get a pretty good chunk of money. But we get even more from doing online shopping.

Alright, do I have a motion on ordinance No. 25-01.

Councilmember Charles: I can make a motion that we approve ordinance No. 25-01.

Councilmember Judd: I'd like to second that motion.

Mayor Menlove: We have a motion; we have a second. We'll take a roll call vote.

Councilmember Judd: Yes

Councilmember Marsh: Yes

Councilmember Charles: Yes

Mayor Menlove: Yes

Spencer Foster: You would just say Councilwoman Bascom...

Mayor Menlove: Do I need to refer to myself as councilman or mayor.

Spencer Foster: You can do either one. You do need to make sure Councilwoman Bascom, so she is abstaining from the vote.

Mayor Menlove: Councilwoman Bascom is not present which is an automatic no vote. But the motion passes 4-1. And we just passed our very first ordinance.

Councilmember Marsh: I've got a question on ordinances. Do they get signed by anyone specifically?

Spencer Foster: Him and I will sign it.

Councilmember Judd: Do we all have to sign the document? But it's just you two?

Spencer Foster: I just put that document in so you'd have it to review. It's just the Mayor and I will sign the document. We needed your vote to be able to approve it. So yes, you did have a very important, you have the most important part of it. He just signed after.

Mayor Menlove: So how much of this is part of the ordinance? Is this part of it as well?

Spencer Foster: Yep, that's part of it. And then this notice is what we're going to send the state saying that you approved of the ordinance.

Mayor Menlove: Nice of Spencer to get all the paperwork for us.

Spencer Foster: This is called a council meeting packet. So generally, your recorder will give you a packet of stuff to look through before your meeting.

Mayor Menlove: Eventually we'll figure out how to do this.

Spencer Foster: Usually, you'll get it before the meeting, but we didn't really have a ton of time.

Mayor Menlove: So is this map also part of it.

Spencer Foster: So, this is for the B&C Road Funds. We can talk about that in the Report Section of the meeting. Because this isn't an action item because it's an administrative document. As the mayor you are allowed to sign an administrative document. And so, we'll talk about that and the PTIF form that's next after the map. Then we can go to the next item on your agenda.

Mayor Menlove: Which is?

Spencer Foster: Item number 5.

5. DISCUSSION AND POTENTIAL ACTION – DOCUMENTATION FOR THE GOVERNORS OFFICE AND UTAH COUNTY ALLOWING FINAL INCORPORATION TO BE APPROVED BY THE STATE OF UTAH.

Mayor Menlove: We didn't realize that this was kind of a complicated process. Several documents that have to be submitted. And we have a deadline when those need to be submitted.

Spencer Foster: Sometime next week.

Mayor Menlove: I was going to say, it's like 30 days.

Spencer Foster: It will probably be the end of next week that we have to submit them. Now do you want me to explain what this is?

Mayor Menlove: If you would.

Spencer Foster: Now there's some things that we need for the Office of the Lt. Governor to be able to finalize Spring Lake's incorporation. Some documents. The first one is.. we need the.. so if you look at this map right here that you have and there's another one underneath. These are plat maps that were given to us by a surveyor, Daryl Penrod from Ludlow Engineering for incorporation. So he gave us these plat maps, and they have to be approved by the county surveyor so they can Spring Lake's boundaries out of their county

boundaries for all the county services and things like that and put it into its own place basically so that Spring Lake's has its boundaries. So, we need these approved by Daryl and the county surveyor. We're working on that. All we need from the surveyor is his signature now. I've been going back and forth with him communicating and saying, what else do we need to do. And he basically said that we just need to change a few codes in the survey. Daryl is working on that and as soon as he gets that to him, he'll sign the document and we'll have that. Then the next item. Go ahead mayor.

Mayor Menlove: So, Daryl is with Ludlow. He's working to change a couple of codes using the original survey that was submitted as part of incorporation. Once he changes those codes then the survey will sign the map.

Spencer Foster: Yep, and Daryl said he would get in the signed, changed survey document next Monday. So, we should have that. I'll be checking in on him making sure that he fulfills what he is supposed to do. The second item is this item that is right here. The Utah Lt. Governor Diedre Hendersen on top. That is called the Notice of Impending Boundary Action. So that is basically the notice to the Lt. Governor's office saying that we are requesting to finalize the incorporation. It should have been on top of those maps.

Councilmember Judd: And are you a notary or do we have to have one.

Spencer Foster: I'm not a notary, unfortunately. So, we're going to have the mayor go and get this document signed with a notary.

Councilmember Judd: Dangit.

Councilmember Marsh: So is this something that only the mayor needs to worry about.

Spencer Foster: Yea, so you as the council, you don't need to worry about this. We just wanted to have a discussion about it with you and tell you what was going on. There is no action that is required for any of this process. We're just telling you about the four things that we need so that we can submit it to the State. Once the Mayor gets this signed with a notary then that will be fulfilled. That is basically the cover document of the four documents that we need to send. The third document that needs to be with this is a GIS shapefile that I have in my files that I can send up to the state with these other documents. So that has already been acquired. The last document is this URS form. A Utah Retirement Systems Eligibility Questionnaire. And that should in front of you right in front of these maps. And this is also for the mayor to sign. It basically says that if the town of Spring Lake were to hire employees, then they would have to offer retirement benefits to a full-time employee.

Councilmember Judd: Does it have to be through the Utah Retirement System.

Spencer Foster: Yea, Utah Retirement Systems is required by the state for a government employee. So yea this form, we send this with the other three documents or files and then they say, "ok, here you go, your incorporation is finalized". So really the only thing we're waiting on is a notary signature for the boundary action, which the mayor will take care of. And then we need the mayor to sign the very bottom of this URS eligibility questionnaire on the back. And once we get those two documents, then we just need the surveys from the county. I have a GIS map. You'll send all these things to me, and I will send them to the state. We'll talk about this more. And I'll remind you too. I'll bug you. I'm really good at that. And that really is where we are with this item, item number 5 on the documentation that we need.

Mayor Menlove: Ok. Is there any further discussion on this.

Spencer Foster: Did everything make sense? Do you have any questions about this process?

Councilmember Marsh: I do have a question. GIS, is that like a digital file?

Spencer Foster: It's a geospatial information system. It's a map. The geography maps. It's a system that the state will use for their mapping.

Mayor Menlove: Tell us how you came to have that type of file.

Spencer Foster: I have a department at MAG that does GIS. So, I told them that I need a GIS shapefile, can you provide it for this. And they said oh yea sure and they gave me the file. So, we have a lot of services from MAG that we can pull from. We can help you with a lot of things as a result.

Mayor Menlove: So, we've been getting services from MAG and from LAA, Utah Leagues of Cities and Towns for the last two years and we haven't paid anything. Eventually, we'll have to have a discussion on an agenda that says do we want to join them. And there's a small fee honestly.

Spencer Foster: But yea you'll have that discussion at a later council meeting.

Mayor Menlove: Yea, we'll have to have that discussion.

Councilmember Judd: That's dependent on your population.

Mayor Menlove: It is.

Spencer Foster: You'll have the minimum fee.

Mayor Menlove: We'll have that discussion on another night. I just wanted you to know you've already been a lot of help. Alright, we don't need to take a vote or anything on item number 5. It was just a discussion.

Spencer Foster: I think the rest of these will just be discussion.

6. DISCUSSION – TOWN SERVICES AND INTERLOCAL AGREEMENTS WITH OTHER AGENCIES.

Spencer Foster: You'll see that document that you have in front of you, that's the first thing you probably want to talk to your council about. That's the interlocal agreement with Utah County for services for snow removal and beginning funding for your community.

Mayor Menlove: Did they finally get this to you?

Spencer Foster: They got it to me yesterday. And they said the reason this isn't an action item on your agenda is because they said do not make a decision on this until after December 17. So, this should go on your next council meeting agenda for action.

Mayor Menlove: Why not?

Spencer Foster: Because they have to approve this in front of the Board of Commissioners or the county and if they don't approve it and need to make changes then there's no reason for us to pass anything.

Mayor Menlove: Oh, and it hasn't been approved?

Spencer Foster: It hasn't been approved by their commission yet. I wanted you to be able to have a copy of it and be able to review it. To see what you think and if this is a good idea then you can go forward with it.

Mayor Menlove: It might be important that we take some time.

Councilmember Marsh: So we need to read it and hope there's no snow before this gets approved.

Spencer Foster: Yes.

Councilmember Marsh: I mean, we've all been praying for snow.

Councilmember Judd: Technically, we have to become a town and we have until January 1st, correct. So, we're still ok. It's just after that.

Spencer Foster: Yea. You'll be ok. And this interlocal cooperation agreement as well is. It would be signed by. No, you would need to do a resolution to pass it. How they have it set you and the council will make the decision together whether or not to go through with this. I was going to say that it might be an administrative decision by the mayor, but no it's a council decision whether or not you want to do this agreement with the county.

Mayor Menlove: Is it appropriate that we take time to read through this together right now.

Spencer Foster: I think so.

Councilmember Judd: Would it be appropriate, Mayor, to actually read some of those things so that we can see what it is?

Mayor Menlove: Well, I was thinking that we could read it out loud and go through it like that.

Councilmember Judd: Ok.

Spencer Foster: It's not too long. It's front and back.

Mayor Menlove: Could you put it on the TV? So, we can have everyone look at it. Can we all see that on the TV?

Spencer Foster: Yea. It will also be shared in your agenda packet as a document that you can review after the meeting too. Generally, we would post it as part of the agenda, but we just were so limited on time that I printed out all these things today and brought them to you. But normally what we would do is we would post all these documents with the agenda when we post it so that your community can review them and see them at the same time as you do.

Councilmember Charles: I think in the interest of time, and we can't vote on it until after the 17th, why don't we have everyone review the agreement on their own. And then we'll come next time and discuss it and we can vote on it next time, is that correct?

Spencer Foster: Yep.

Mayor Menlove: So, you don't want to read it right now?

Councilmember Charles: No, I think we will review it on our own. Just in our own discretion because we'll have access to it.

Spencer Foster: That's a good idea. Yea, because what I will do is after this meeting when I post the draft minutes, I will post the packet of the items so anybody who would like to review anything that was brought before you today will have access to any of these items.

Mayor Menlove: Yea, is that something that would need to have a motion? Do we need to do that?

Spencer Foster: Nope, you can just table it. It's just a discussion item.

Mayor Menlove: Spencer would you talk to us a little bit more, I'm sure this is a part of this. Talk to us a little bit about service districts. Do you know much about that? Because this is something I did not understand. Do we need to know that in order to understand if they are talking about police and fire protection because there are those different service districts that they collect money specifically for specific services.

Spencer Foster: Yea, I can tell you some basics about it. So how the county operates is they have service districts for the places that they are going to serve that are not incorporated. They're county property and they have three service districts for your area of Spring Lake. One of them services police, one of them services planning, and then the other services fire.

Mayor Menlove: I thought that, like first I thought that a service district was an area. Don't confuse it because it's not a geographical area. It's a service.

Spencer Foster: Yea, so the services that they provided for Spring Lake until you incorporated, they collected taxes from your property taxes for them to be able to do those things. And you'll see on your property tax bills there will be SA-6, SA-7, and SA-8 and they collected a tax from you to be able to provide those services to you. Now part of incorporation as Spring Lake you will have to decide how you want services for those things. And you'll go through something called Truth in Taxation to set your first property tax rate. And you'll have to decide how much your property tax will be in order to provide services for those things for you. Police, Fire, Planning, Administration, that kind of stuff. And so that's kind of how that works and has worked up until this point. Does that make sense?

Mayor Menlove: It does. Will we also set it up in service districts or is that just the way the county does it.

Spencer Foster: That's the way the county does it. You will do it as your Town tax rate, your Town property tax. You'll have an overall rate.

Mayor Menlove: We'll just have a basic rate. Where they have broken it up into three different service districts. And then when we set the budget we'll say, "This much of our budget is going to go toward police protection, this much will go to fire. Right?"

Spencer Foster: Exactly. When you create your first budget you will decide how much money you need to do certain things and if that amount... if you say that amount your property tax rate will be set to be able to give you an amount to do that. Hopefully that made sense and wasn't too vague.

Mayor Menlove: So, come up with the budget first and then they decide what the tax rate will be.

Spencer Foster: Yes, and that will all be done through a process called Truth in Taxation.

Mayor Menlove: So, we don't set our tax rate and say we are going to generate this much money and now go out and spend it. We come up with a budget and then the state says, "well if you need this much of a budget, your tax rate's going to be this".

Spencer Foster: Yep.

Mayor Menlove: Backwards from what I think it would be.

Spencer Foster: Yea and so we'll go through that process with a lot of help from the state and from the Utah League of Cities and Towns. They'll help us do this for the first time. You'll have public hearings, public comments, your citizens will be able to say exactly what they think about this, and whether or not the tax rate is too high, too low. It's always too high no matter what. But yea, they'll be involved.

Mayor Menlove: And this is the fiscal year that runs from June 30th?

Spencer Foster: It will run from July 1st to next year June 30th.

Mayor Menlove: And so, we'll start this process in April/May. Is that right? Is it August or something that is when it has to be finalized?

Spencer Foster: Yep. That will be when you finalize it and have your budget set and your property tax rate will be clicked in. And then if you want, if you are like, "oh no, we didn't give ourselves enough of a budget to do certain things". Then you go through Truth in Taxation again and the property tax would be raised. But you'd have to go through the whole process again. A lot of cities and towns avoid doing that. You want to do it correctly the first time, so you don't have to go through it over and over. Unless you just want to get your citizens used to the process because inflation does happen too. So, if you needed to raise your budget because of inflation and that's all then maybe you'll see a slight property tax increase but it's better than not raising it for ten years and then going "boom" and having a massive property tax rate increase so you can continue to offer services for your community. But I know that one of the things you probably ran on was maintaining low property tax rates, so you probably don't want to do property tax increases for your citizens as well. Some food for thought.

Mayor Menlove: And from what I understand. Let's say we have a budget of \$300,000. The tax rate will vary every single year to continue to give us \$300,000. And when inflation kicks in and all the sudden, we have to pay more for police protection than whatever. Maybe say, well we can't run off \$300,000. I mean that's just the reality right. Then you go to the tax commission and say, "we need to increase our budget to \$350,000". And then they figure out what the tax rate is to meet your budget.

Spencer Foster: Yep. So, and another misconception is that people will say, "Well, city you raised our property taxes". That's not the case. Unless you go through Truth in Taxation the city will never raise your property tax. There are readjustments of your property tax based on the increase of your home value and if somebody else's home value didn't increase then maybe your property tax will go up a little bit to make it so that the city has the \$300,000 in property tax funds. The city will never raise property tax unless it goes through Truth in Taxation or if it has growth and then that will be added to the budget. But the city will never raise property taxes on you unless it goes through Truth in Taxation. I hope that makes sense. It's a little bit confusing because a lot of people will say you raised taxes on us, my tax bill is higher but that isn't always the case because your property value might have gone up and someone else's might have gone down and it might have readjusted so that you could get the same amount of money for the city. So, your property taxes might have gone up, but somebody else's went down. Yours went up, everyone else went down.

Mayor Menlove: The conversation we had with the county sheriff's department they said to us and it might be part of this agreement. In service district 6 there is money that we collected to provide police protection. If we're going to enter into an agreement with you we're just going to want that amount of money to provide the continued services for citizens that we're already providing. So, let's say that it was in front of us. When we become a town, when we do our first budget, now we're not collecting it by service district. They would still expect us to pay the amount that they had been collecting to service our area.

Spencer Foster: You'd basically be setting that as part of your budget and then your property tax rate would be set by your total budget and that would be part of it.

Councilmember Judd: Do we pay the same to the county or what?

Spencer Foster: That's what they want us to do. What they want to do is take the money that you would be paying the county in that service district tax and say, "We will continue offering you the same service level for the same amount that you were paying for that service district. The town would collect it and the town would send that amount to the County Sheriff. You have other options. You could talk to Santaquin and see if they would be willing to enter into an interlocal agreement with you. You can talk to Payson and see if the Payson Police Department would be willing to service your area. Or you can go through the County."

Councilmember Charles: So that's just all next year.

Councilmember Marsh: Since this is a discussion. I had a conversation with someone who approached me and say, "I've worked with the county. And the county has a lot more resources than the other two". So, I think that may be something we need to consider.

Mayor Menlove: I do know that we had a quote from Payson City for police protection. Payson City was a lot more than the Sheriff's Department. We haven't talked with Santaquin. We need to be willing to do that and see what Santaquin would do. The County has always contracted with Payson City for fire so we will no longer contract with the County. We'll just turn around and contract directly with

Payson. We've been in conversation with them. We could also go look at Santaquin to see what Santaquin would do. So, I'm anxious that we do that right.

Spencer Foster: One thing I will point out to you in this agreement is that as it reads right now, the beginning funding would be a grant instead of a loan. So, you would not be paying this back as it reads. This would be a gift to Spring Lake the opening funding.

Councilmember Judd: From whom?

Spencer Foster: From the county. So, the other option that they are considering that's why they said don't pass, like don't even consider passing this is because they have to go before their board next week and talk about whether they want it to stay as a grant or if they want to switch it to a loan. So that's something you'll have to consider based on what this could change to. If it's a grant, that is a good deal.

Mayor Menlove: It is definitely. In talking with the county, they did tell us. They said, "Well you will pretty much be operating a year in the hole". They are running a budget on the taxes that they are going to be collecting at the end of the year, right? And so, we have become a town now and the county says well, we'll give you some money to pay for your roads and to pay for whatever but just know that you'll have to pay us that money back cause that's basically what we're doing. We're running a year behind, right? I don't like the idea of running a town on money you're going to collect this coming year but that's the way you do it right? So that's why they told us, "Well, we might be able to give you \$80,000 to carry you through the first part of the year. But that money is going to have to be paid back to us."

Spencer Foster: How it reads now is that you would not have to pay that back. So, let's just keep hoping that it stays this way so that you can use these funds to create a six-month budget and not have to pay that back. It's way good news.

Councilmember Charles: Yea it says the grant would be for \$83,300.

Mayor Menlove: So that's what we were thinking about what they told us earlier.

Spencer Foster: The other thing I will point out is Ogden Valley who's currently incorporating as well, they don't have a relationship at all with Weber County. Weber County is not going to give them any money. There are no plans to give them any startup funds. So, the relationship that we have with Utah County that we have is a good thing. And where they're willing to do snow removal as part of this interlocal for the next couple years as well, that's a good thing. Cause we could be in a different situation, and we could be dealing with the same situation that Ogden Valley dealing with but we're not. We have a better situation.

Councilmember Charles: Yea and the cost for roads does seem very reasonable.

Mayor Menlove: Would it be a good idea for residents to send an email or something to the county and just tell them we appreciate what they are doing. I mean I thought it was way cool that the county came out and resurfaced all our roads this last summer even though they knew we were going to be a new town. They could have very well sat back and said, "that's their problem". But they came and resurfaced. I thought that was cool.

Spencer Foster: If you want to do something like that's up to you guys. That's a really kind thing to do back to say thank you. And you're welcome to do so.

Mayor Menlove: I would say any residents that would be willing to send a message I'm sure there's a way to do that. They all have email addresses, the commissioners, right?

Spencer Foster: Yep.

Councilmember Marsh: I just want to point out the fact that there's many things that arise over the years that we would like to broadcast to the residents of the Town. Are there limits or guidelines on what extent we can go to to accomplish that?

Spencer Foster: You can have social media accounts; you can have your websites. I don't think there's a limit on broadcasting as long as you do it through the right channels. And be careful, if you put somebody in charge of broadcasting out to your citizens and you have that person acting as a town representative then you need to be careful what they say and what they do, because that will come back on the town because that person will be a representative of the town and they need to represent it in a good way.

Mayor Menlove: I just want to tell councilmember Charles that that was a good idea to table this. We can post it and then I don't know if we want to have some time of public comment or something. But we'll make sure it's posted and we'll talk about this item at our next meeting.

Spencer Foster: Yea, we'll have it posted.

Mayor Menlove: Perfect.

7. DISCUSSION – DATE, TIMES, LOCATIONS, AND SCHEDULE FOR FUTURE COUNCIL MEETINGS.

Spencer Foster: So, if you look, this next document is an example of Saratoga Springs', their document and annual notice of regular meetings schedule. We'll have to come up with something like this. And then, we'll approve it at your next council meeting or the next couple of council meetings whenever you have your next one. It just basically says when you're meeting, the day of the week. Really what you should come to a conclusion of is which day of the week you want your council to be on and then if you want it to be on the first, second, third, or fourth Tuesday or Wednesday or Thursday. Or first and third Thursday of the month. At the very beginning, it might be a good idea to meet more often than less often because there's going to be a lot of things we need to get done. Unless you want to have really long meetings. Four-hour meetings instead of two, two-hour meetings.

Mayor Menlove: What do you all want to do? Do you want to meet more often?

Spencer Foster: And like we talked about earlier, we can set up a virtual meeting that will allow you to meet virtually too. If you can't appear in person here in this building, or wherever you decide to meet, then hop on Zoom and we can make sure that you have the right to vote, you are part of the quorum, you can voice your opinion, and do whatever you need to.

Councilmember Judd: We should ask the citizens, what's their preference. Would they like to see us meet more often, or would they like to see us meet once?

Mayor Menlove: Yea good idea. We haven't heard from these guys yet, what do you all think?

Citizen Comment: (Difficult to hear on the recording). The council has a lot of work to do, and we trust them to do a good job and meet as much as they need to. It's up to the council to know how often they want to meet. The people shouldn't determine what you need.

Mayor Menlove: I'll tell you what I think. I have a feeling we are going to need to meet more often. At least for this first year.

Councilmember Charles: I agree with that as well and that's probably my suggestion to start off and then we can adjust that frequency as we get things going. Going back looking at the schedule for the rest of the year, so the 17th is next Wednesday that they will vote on this agreement (with Utah County). So, and we need to have it in place by January 1st is that correct?

Mayor Menlove: That's what is contemplated yes sir.

Spencer Foster: If you want it to go into effect yes.

Councilmember Charles: And so, we probably need to meet one week from today on the 18th otherwise you have Christmas, you have New Years and we've got, if we are going to do this, which we need to to continue with services. We probably need to meet next week.

Councilmember Judd: Question. They're going to meet on the 17th will we have that information on the 18th?

Spencer Foster: I hope so, but I can't speak for them. But I will be checking in with them on the 17th to see if they make that decision.

Councilmember Charles: We would have to post an agenda.

Spencer Foster: Yea, we would have to post the agenda.

Councilmember Marsh: Well, what would be another option, if it doesn't work a week from today what would be the next best?

Councilmember Charles: It would be just right before Christmas.

Spencer Foster: It would be the Monday or Tuesday before Christmas.

Mayor Menlove: It would be like the 23rd. That meeting could be a very short meeting though. Because all we would really need to do in that meeting.

Spencer Foster: We would just talk about that interlocal agreement, yea.

Councilmember Charles: That's probably safer to do that.

Councilmember Marsh: Yea, I'm going to be out of town next week through the 18th.

Councilmember Charles: But you're in town the 23rd?

Councilmember Marsh: the 22nd and 23rd.

Councilmember Charles: We probably, and I'm actually out next week too. I would suggest that we do probably the 23rd to make sure we get that agreement signed before Christmas. Would you be available?

Spencer Foster: I'd be available. And I would attend.

Councilmember Judd: I can. The only one we don't have here is Sharon so we're kind of assuming that this would work for her too.

Councilmember Charles: We can do it short like Spencer said.

Mayor Menlove: We don't have to have anything else on the agenda.

Spencer Foster: And then, on that agenda, what I would do is I would have that agenda ready for you and this would be the only item that would go on there and I would send you the agreement hopefully at least the day before so you could review it the day before the meeting. So, it would be even quicker because you would already be able to review it. These guys would be able to review it, the public because we'd be posting it as part of the posting. And then you would show up and you'd say, "Ok, has everyone read the agreement? What do we think? Any discussion?". If you like how it reads, you would vote on it and then you'd be done. It could be a five-minute meeting.

Councilmember Charles: I mean we'll see what comes, but from my initial review it looks good.

Mayor Menlove: Let's plan a meeting on the 23rd at 6:00 pm.

Councilmember Charles: That way we can try to get this done so New Years Day we have services.

Mayor Menlove: Going back to next year's schedule. Twice a month or once a month?

Councilmember Judd: I would think initially, we're going to need twice a month. I think we need that.

Councilmember Marsh: I think it's important that we do this virtual thing, that ordinance so if I'm out of town I can attend. When I'm out of town Wednesday is the day, I can attend a meeting.

Spencer Foster: We'll have to do something like this, that says the exact day you're going to meet. We'll just have to line it up with what works for you guys to meet on.

Councilmember Charles: So, you Robert, are you out? Is it the second and...

Councilmember Marsh: Every other week it changes. If there is something that you needed to change for the Town Council, I would adjust things but then I would put things based on that schedule until the next meeting.

Councilmember Charles: But are Wednesdays the best?

Councilmember Marsh: Wednesdays, I'm out of town but it's the one evening that I can drop everything else that I normally do.

Spencer Foster: And you'd be able to do it virtually.

Councilmember Marsh: Yea.

Spencer Foster: So, at the first Town Council meeting we could talk about a virtual ordinance that we could pass.

Councilmember Charles: And that would be helpful for me too. Because I also am out of town for work.

Councilmember Judd: We might want to put that on the agenda for the 18th or the 23rd.

Spencer Foster: Do you want to have two items? We could talk about the virtual item and this agreement at the next council meeting. Ok.

Mayor Menlove: On the next agenda next items coming up in a week, but probably not on that one is the ordinance on virtual. Holding remote. I think we need to do that. And then, so this is only listed as a discussion item. We can't make a motion to do anything on it. So we just need to discuss what days are available.

Spencer Foster: We'd do an action next time.

Mayor Menlove: Next time we'd say, we propose that we are going to meet on Wednesdays at 6:00 pm on the 1st and 3rd Wednesdays or whatever. And then we'd vote on that and then it becomes.

Spencer Foster: And then I would have something ready for you with that. And then I will point out that if you decide that you're going to do two a month, that doesn't necessarily mean that you have to. If you don't have anything to do on one of those meetings, and you can load up another meeting and cancel the second one that is ok. You don't have to meet just because you said that you would meet on a day. You can say we don't have enough business; we're going to cancel the second Wednesday in March.

Councilmember Judd: As long as we post it 24 hours before correct?

Spencer Foster: What you would do is you would post a cancellation. You'd just say agenda cancelled for those dates.

Mayor Menlove: Wednesdays are probably not your best?

Councilmember Judd: They're not my best but I'll check on it.

Councilmember Marsh: Wednesdays are my best.

Councilmember Judd: I can probably make that happen at least for half the time. As of right now, if this is the best day then let's do that.

Councilmember Marsh: That's my only day that I can do it.

Mayor Menlove: Wednesdays, 6 o'clock, first and third.

Councilmember Charles: As long as Robert can be here and Sharon.

Mayor Menlove: The first Wednesday in January is the 7th. We are going to propose the first and third Wednesdays at 6 o'clock.

Councilmember Charles: We'll just need to get with Sharon and get her vote on this.

Councilmember Judd: The first Wednesday in January is the 7th.

Mayor Menlove: Yes, the first Wednesday in January is the 7th.

8. DISCUSSION – TOWN JOBS SUCH AS RECORDER, TREASURER, ATTORNEY, AND ANY OTHERS.

Mayor Menlove: We kind of need to have a recorder. We don't expect Spencer to fill that position forever.

Councilmember Marsh: It's great. He comes at no cost.

Spencer Foster: I'm free.

Mayor Menlove: If you're really applying, we can fill that right now.

Councilmember Charles: When do we get funds, when will we reasonably be able to pay for that position? We're still, it's in the first quarter, right? We're going to need to wait. I see the need is urgent, but we need money to pay for it.

Mayor Menlove: We kind of had some discussion, but we've never decided. But now that we're a council, we need to decide if we get paid or if it's voluntary. So, part of this is, do we throw that out there and say, "Hey, for the first year this is a volunteer position". Right? We're looking for somebody who's willing to volunteer. After a year, we figure it out. And if there's no volunteers and they don't want to volunteer for free then they don't? I don't know.

Councilmember Charles: No that's a very good point.

Mayor Menlove: We're in a small town we don't have to do some things. We'll just have Spencer do it because he's free.

Councilmember Charles: So, what do we need to do. Do we need to post that? Do we need to post it and have an application?

Spencer Foster: It's up to you, yea. So, the normal process would be to do a posting for the role, but to say volunteer position only if you're not wanting to pay somebody.

Councilmember Marsh: Would we also need to decide all the parameters as far as what their particular job is.

Spencer Foster: You'd explain what their role would be. Yep.

Councilmember Marsh: Would that be something or a job description that we would have to come up with?

Spencer Foster: It's more administrative.

Councilmember Charles: And do you have those descriptions?

Spencer Foster: I have a recorder job description I can provide. A template.

Councilmember Charles: And for the treasurer as well? Cause those are the two really that we need to fill.

Spencer Foster: Yep. Those are the only required positions that you have to have.

Councilmember Marsh: So, it is the recorder and the treasurer.

Mayor Menlove: Does the recorder also serve as a notary?

Spencer Foster: They need to serve as a notary. And they need to be bondable.

Mayor Menlove: And they need to be bondable.

Spencer Foster: So, yea both the recorder and the treasurer you want them to be bondable because that insures them for their duties. Generally, the recorder's bond will come with their notary. The treasurer you can go through a different company to get them bondable.

Mayor Menlove: A recorder in order to become a notary, does have to take a 3- or 4-hour course.

Spencer Foster: They've got to take a test.

Mayor Menlove: Which we would not expect them to pay that.

Spencer Foster: Yea, you would be probably footing the bill for their notary costs if you want them to be your recorder.

Mayor Menlove: And we would pay for the bond. Right, we'd be expected to do that.

Councilmember Judd: If we ask for a volunteer, under the state code as far as like retirement system? Because we called them a volunteer would that not fall under that?

Councilmember Marsh: That's only full-time.

Spencer Foster: So, retirement only comes when you start paying them wages and they become an employee.

Councilmember Charles: And full-time.

Spencer Foster: Yea, full-time not part-time. There are some things for part-time employees you do have to pay like social security and medicare, but as far as benefits that comes when you start employing somebody full-time. Which, I don't think you'll do that for a while.

Mayor Menlove: Yea, I don't see a recorder, treasurer being anywhere close to being full-time, right?

Spencer Foster: I'll tell you Fairfield has been a town since 2006, and they still do not have a full-time recorder. They have a part-time recorder who work 20-25 hours a week, so they are not benefited.

Councilmember Charles: And is it paid? And it's 2-25 hours?

Spencer Foster: It's a paid job. Yep, they don't receive benefits or retirement. And they've been a town for a couple decades.

Citizen Comment: The notary does take about 10-12 weeks to obtain and finish. The test itself doesn't take to long, but you'll want to get on that pretty quick.

Spencer Foster: Yea, I've become a notary in the past and there is a time constraint that you have to take into consideration.

Mayor Menlove: Now, that would be the recorder. So the process for finding somebody or appointing somebody. I think it would be best if we post.

Councilmember Charles: Yea, I think it would be best if we post and see if we get any volunteers. I would suggest that we work on that, but let's do that the first meeting in January and try to review the job descriptions and see if we can get those from Spencer. Just to get those for the January meeting and we could try to get those posted right after that. As long as Spencer's good to continue with us.

Spencer Foster: Yep, I can continue with you as long as you need.

Councilmember Judd: So when we were up at that training last week, I did talk to the Attorney who was addressing us. He did say that it's an option for small towns that they do offer as far as a legal option. And just in passing because I talked to him briefly, he mentioned something that there is a certain cost like \$500 a month and that would that attorney to service us multiple times during the year. Not a ton, but enough. And so that might be an option for us as we look into the attorney side of things.

Councilmember Charles: And we'll need to secure services there for sure.

Councilmember Marsh: Part of that is that this attorney is very specific with cities and towns and so that's all he deals with and that's what he good at as opposed to just and attorney who has a general knowledge.

Councilmember Judd: So, our cost would be about \$4,500 to \$5,000 a year. How many times that would get us, I'm not sure. But I think that might be something that's valuable to our city/town.

Mayor Menlove: I noticed on the email from Ogden City that came from a council member and signed it, Attorney – Pro Bono. So they have somebody that's willing to do it. Any of you guys able to do attorney services? If we knew somebody that might be willing to offer some services.

Spencer Foster: I will say that might put them in interesting situations sometimes because their attorney is on the council. You don't always want that to be the case. You want an outside voice sometimes to be your attorney. I could see them getting into some situations where it might be dicey.

Councilmember Charles: Does MAG have any attorneys on staff?

Spencer Foster: No, unfortunately.

Mayor Menlove: What about ULCT?

Spencer Foster: They use Godfrey.

Councilmember Judd: He also mentioned that there might be other attorneys that would work similarly that would be for a very minimal fee comparatively to what they normally do. He said there might be some others that are available too, but he did say that is an option that he would do, and he would look at.

Mayor Menlove: Ok, that's enough discussion on that. We'll look at specific job descriptions and posting. I think that's the best thing to do is to post it, ask for volunteers for the first year. We'll review them and see what happens.

Citizen Comment: I think you know that I'm willing to be treasurer at no cost.

Councilmember Charles: That would be great.

Mayor Menlove: I think we're good to say this first year see what we can do. But then the plan goes to, ok we set a budget and say we're going to pay the recorder or the treasurer and then next year's budget we have to raise, which then raises the taxes.

Spencer Foster: Depends on how you do it. If you give yourself some leeway. If you budget for a little bit more to account for the growth that they would receive in raises in things, then you would just set that up front. Knowing that five years down the road that they will grow into that amount then you don't have to raise property taxes to get to that point. You would raise property taxes after that point. Does that make sense. You would account for the raises upfront because you know it's going to be an ongoing cost if you start paying a recorder or a treasurer. You know it's not just going to be one time, you are going to be increasing.

9. DISCUSSION – PROCESS, CREATION, AND FORMATION OF THE TOWN PLANNING COMMISSION.

Mayor Menlove: Now it seems like I heard in some discussion that you're not required, that could be us. We can be the planning and zoning commission but most towns have a separate planning and zoning commission.

Spencer Foster: I wouldn't do it as you.

Mayor Menlove: I wouldn't either. I just wanted to point out that it could be, but I don't think that's the direction we should go. There's enough for us to do.

Councilmember Charles: I think we should get additional people involved.

Mayor Menlove: I think there's lots of good qualified people that we need to tap into.

Councilmember Marsh: I asked Spencer yesterday a question regarding this, is whether or not one of those individuals can be outside of Spring Lake boundaries that they could be completely neutral in there take on everything for you.

Spencer Foster: I found out more about that for you. So the state code does not say anything about your planning commission members being citizens of your town. However, best practice says that you should have it be your citizens. I went and I saw some others that do an advisory position. And they allow someone from outside of the town to be on the planning commission, but that's very uncommon. Most of the time you'll see in a town, they will appoint people that are citizens of their own town. But nowhere in the code does it say that they have to be residents. That's up to your judgement and how you want to setup your planning commission ordinance. But that's how you'd do it. You'd set up your ordinance to create your Planning and Zoning Commission and then as a part of that ordinance you would put the specifications on how they would qualify to be on there. If that means that you are going to allow one position on that planning commission to be outside of the town, that's up to you. That's up to the council to pass that ordinance but you can.

Councilmember Marsh: And the reason for asking it wasn't because I had any pre-conceived thoughts of how this should be. It's just a question.

Spencer Foster: Yep.

Councilmember Judd: Does the state mandate, or is there a mandate, as to the number of person that have to be on that commission.

Spencer Foster: No. But the most common amount is 5-7.

Councilmember Charles: With one being the chair.

Spencer Foster: Yes, one's the chair.

Councilmember Charles: In addition to that or?

Spencer Foster: No, one of those members is the chair. So 5-7 is the most common. You don't want to have, I don't recommend that you have any more than that because in a town of population 600-700 you're already going to have the job of finding those people that want to be on the planning commission. You don't want to pigeon hole specific people into being on that commission forever and using them up. I recommend 5-7 people. And I also see 5 voting members and 2 alternates so that just in case not all the members can show up then there's two other people that come when they know the other people can't come.

Councilmember Judd: And they would be able to vote?

Spencer Foster: It depends on how you set up your ordinance. If you want your alternates to vote then you can put that in your ordinance and say they are allowed to vote. If not, and you just want your five full-time member to vote then you would put that in your ordinance.

Councilmember Marsh: The question I have is that you mention from a previous item and discussion that the recorder and treasurer are the only required positions. So when it comes to the planning and zoning are there any cities or towns out there that you know of in the state of Utah that operate without a planning and zoning commission.

Spencer Foster: So, the planning and zoning commission is required. What I meant was two required kind of employee/staff positions. Your planning commission, you have to have one. Because they are going to see certain things like land use decisions, they are going to talk about your general plan. They are in charge of doing your subdivision ordinance and making those decisions. The council doesn't even get to see those. The planning commission get to do those. And you have to have one by state statute.

Mayor Menlove: They actually create those ordinances? Are they and advisory board?

Spencer Foster: They are an advisory board to you.

Mayor Menlove: If they want an ordinance they vote on it, but then it comes to us?

Spencer Foster: They would vote on it and then they would give you their recommendation. You don't even have to follow what their recommendation is. You would utilize their recommendation to make your final decision. But their vote is an advisory vote for you. Other than if you give them any powers. Which you're allowed to give them powers specifically so that certain decisions can be made at the

planning commission rather than having to come to council. You can give them power as the council, but you don't have to. If you want them to have power to do certain things, you can give them that power. But you don't have to.

Mayor Menlove: Does it make sense then that we would follow kind of the same steps or procedures that we are doing with the record and treasurer and post it as a volunteer? And post the position and do interviews.

Councilmember Charles: I think we need to address that and we can.

Spencer Foster: I can come up with a template commissioner kind of thing to post for you.

10. DISCUSSION – BUILDING PERMITS AND A POTENTIAL MORATORIUM ON BUILDING.

Mayor Menlove: Let me give you a little bit of background as far as I know. We don't have any ordinances as far as planning and zoning. We're a knew town and we don't have any ordinances. We've come to this meeting prepared to just say we're going to adopt current county ordinance as they are. But there is some sense in maybe saying that we want to put a moratorium on new building permits for maybe 6 months, maybe a year, maybe 4 months. Because I'm already a little bit nervous having received a few phone calls in the last week of people interested in certain pieces of property and they are wanting to do subdivisions, or wanting to build homes, or high-density stuff. And I thought, well, we'll give you time at a town council meeting to come and present your ideas. But we need to have something in place I think to give us some reasons to hold off for a bit if that makes sense.

Councilmember Charles: I totally agree with that. We need to get our planning commission established and just try to figure out some of these ordinances. I personally think, and maybe we open this up as a public comment, in January and address that in that meeting. I would suggest that we at least until we get our commission. Of course, we can change that or extend it if we need to but we've got to get our planning commission established. And I think it would be good to just hear some comments and stuff.

Councilmember Judd: So, the only concern that may be out there is those folks who may already have a building or permit right now. However, we do that we need to factor that in.

Spencer Foster: Those buildings would be grandfathered in because they already have a permit given to them. At least that's how I understand it. They've already been approved by the county, they're already going through the process for building and so if you did do a moratorium, you could have a stipulation in your moratorium that says if they have already been approved, they can continue on to protect them.

Citizen Comment: Asked a few question about water approving and how that works.

Mayor Menlove: I'm not sure about the legalities. We had an individual come buy a piece of property. A 7 acre piece that they want to develop. Well they don't have water, the town doesn't have water, the town doesn't have a sewer system, so how would they even propose putting in some kind of development. I don't know if that puts on the hook. You're a city you have to provide it? I don't know. I would hope that they couldn't get around the issue. But I do think that some type of a moratorium at least buys us some time.

Spencer Foster: It would help you figure out the details of all these things as well. Do some research on what the city is required to provide versus what a developer is required to do on there own property. If they are required to build a well for the water. If they need to go to the county health department to even get approved for some of this stuff. Septic systems like he's saying. A moratorium gives you some time to figure some things out.

Mayor Menlove: Now going back to existing permits. The county told me that any existing permits are turned over to the city. The county won't hold on to them, they say they won't have jurisdiction.

Councilmember Charles: Who will have the county permits.

Mayor Menlove: They give them to us.

Councilmember Charles: So we need to have a building inspector.

Mayor Menlove: And I don't know if the county is going to give us any of the money that they collected on those to pay for inspectors. But I think that you could go to anybody that's currently in the process and say, "Hey, we've got your building permit, you've got to pay for your inspector". I think that would be reasonable.

Councilmember Charles: Is there a way to get open permits from the county.

Mayor Menlove: What do you mean by open permits?

Councilmember Charles: Open permits that are under way.

Mayor Menlove: Oh, I'm sure they'll give us whatever they've got.

Councilmember Charles: Because we've got to know what's out there. Because that could give liability to the city.

Mayor Menlove: Yea and I even have questions about how far somebody is in the process. Like if they have their permit submitted to the county and the town is maybe going to be given it but maybe they haven't passed it yet. Or a permit that's actually open and a working permit. That hasn't been closed and hasn't had final inspections. I think if we write a moratorium I think we have to be very careful on how we word it. I spoke with a contractor and his advice was not a moratorium. His advice was to adopt the county building code exactly what it is. Which says, his point was, why would you want to limit a resident who has 5 acres, the county would allow that. And we're saying well, we're not going to let you do that for 5 or 6 or 10 months or whatever. The contractor point was that you can protect yourself by just saying you're going to adopt the county ordinance as are. I still think a moratorium is the safer way. You know we could even just say something like you put a moratorium until we have a planning commission that is established. And that might be in 4 months or it might be a year.

Councilmember Marsh: It would also be helpful to bring anyone who's in this position of having submitted something to the county and may not be in the act of building to post what our plan is the first part of January so they can connect with whoever they need to. So we're not upsetting someone's time and effort and money that they've already put into it.

Mayor Menlove: So, is a moratorium, it's at discussion, can we vote on that now? It would have to be next meeting.

Spencer Foster: It would have to be at your next meeting in January.

Mayor Menlove: In January, and that would be something that we would open up for public comment. Right? So that could be on the January 7th agenda.

Councilmember Judd: Are you asking for a motion?

Mayor Menlove: No.

Councilmember Charles: I think we could just probably try to understand more of what our responsibilities lie from the county to the city. Especially as we incorporate, what open building permits there are. What do we have. I can think any.

(Recording difficult to hear as many councilmembers talking at once): The idea of this part of the conversation was that the council wants to figure out which permits there currently are and what they should do to avoid causing those with ongoing permits problems.

Councilmember Charles: So yours is one that's ongoing?

Mayor Menlove: Yea.

Councilmember Judd: That's why I brought this up because I knew.

Mayor Menlove: If the county's not going to give us any money do we pay for inspections and now they turn that back to the city. I think I can speak for my partner in saying, "you don't have any money to pay for the inspections, I think we'll take that over ourselves". Right? The inspection isn't that much more. In the next few weeks, I can meet with the county and see if there's a list of permits that are open. Or even permits that are pending to get submitted. Because I think we need to get it figured out as well so we start the process. And for whatever reason if a permit hasn't been issued yet. Ok we'll put this on the agenda for the 7th. Any comments on that item that we are going to put on the 7th?

Citizen Comment: I just want to say don't shut somebody down cause maybe they've spend a lot of time and money on the process.

Mayor Menlove: I agree and I think you have to allow for that. I think it's just a matter of how we word that moratorium. Alright, anything else? Unless there are any reports and at this meeting there aren't any. Maybe at the next there will be.

REPORTS

11. MAYOR

Mayor Menlove: It says mayor, I've already given my speech. Town Council, any last items you want to bring up? Anything anyone else wants to make sure is on our agenda?

12. TOWN COUNCIL

13. STAFF MEMBERS

Spencer Foster: I have one last thing that wasn't on our action items. These are just administrative items that the mayor is going to sign or do paperwork for. This is the B&C road funds map that the county gave us. The roads that we'll get funding for B&C road funds we will submit this document, it's a UDOT submittal form, we'll submit it UDOT so that the town will get funding for the roads that are in Spring Lake.

Mayor Menlove: So, do we need to provide them with the mileage. Have they done that?

Spencer Foster: Utah County did it for us.

Mayor Menlove: I assumed that they would do that sometime.

Spencer Foster: Yea, so they removed these miles from their roads and they're your roads. So, this is something that I'll have you sign and we'll put the mileage on the document and then we'll send it to UDOT. And then the other one is the PTIF document that you will be in charge of signing. We just need to know who's going to have access to the accounts before you have a PTIF account. So, I don't know if you want that to be you and a councilmember. The hard thing is that you don't have a recorder or a treasurer. The treasurer who would be the one who you put on here.

Councilmember Charles: Can we go back and modify it?

Spencer Foster: We can modify it.

Mayor Menlove: I think you might want to get that set up sooner than later.

Spencer Foster: This would be a documents that you need to have a notary sign as well.

Mayor Menlove: Do we have to have a bank account set up before we get that?

Spencer Foster: Not to get this signed and sent into them. No.

Mayor Menlove: If we have one that would be good for us. How would someone make a donation to the Town. Could that go into the PTIF account?

Spencer Foster: You could put it in the PTIF.

Mayor Menlove: That's not just an account for state taxes that the state puts in there.

Spencer Foster: I'll check into it more, but I think you can put any funds given to the city into the PTIF, but I'll verify. And if only taxes are allowed in the PTIF, that might be the case, but I'll double check. I'm not 100% on that answer.

Mayor Menlove: We ought to get that set up now. And if we can change it later and have the treasurer. I'll be on it and at least one other of us should be on it.

Councilmember Charles: It does need to be notarized as well.

Spencer Foster: It needs to be notarized.

Councilmember Charles: I can do it and then you can just pull me off and replace me with the treasurer if you want.

Spencer Foster: That would be how you.. yea that'll be how you'd do it. The treasurer would replace the secondary and the mayor would stay.

Mayor Menlove: Yea, if you don't mind. I'll get with you tomorrow. And I have these others that I'll take with me and we can sign those.

Spencer Foster: And you should have a copy of this in your packet that I gave you.

Councilmember Charles: One other thing we need to discuss is that we didn't decide on a location. Is it ok if we come back here next week or at our next meeting? This works really well.

Citizen Comment: We can use the location for the next meeting and as long as needed.

Spencer Foster: At least for the 23rd and the 7th. That will let me post the location for the next two agendas.

Councilmember Charles: Yea if we can just do those and try and find a different meeting place.

Councilmember Judd: I know this isn't an action item on the agenda. But I really like the speech the mayor gave yesterday and I would like to see that as one of our first official documents. If we could do something like that going forward and that would have to be on an agenda in one of the coming meetings. Maybe on the 7th or something like that, but I thought that was a good. I really like how he presented it. I thought that might be good for an archive for later or 100 year down the road.

Mayor Menlove: Well, Jason who's been managing the website already asked for me to send him an electronic copy to post. I don't know if there's anything official we have to do with that.

Spencer Foster: I don't think so. No.

14. OTHER

CLOSED MEETING

POSSIBLE MOTION TO ENTER INTO CLOSED MEETING FOR THE PURCHASE, EXCHANGE, OR LEASE OF PROPERTY; PENDING OR REASONABLY IMMINENT LITIGATION; THE CHARACTER, PROFESSIONAL COMPETANCE, OR THE PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL; OR THE DEPLOYMENT OF SECURITY PERSONNEL, DEVICES, OR SYSTEMS.

ADJOURNMENT

Mayor Menlove: I will entertain a motion if someone wants to bring this meeting to a close.

Councilmember Charles: I would like to make a motion to close this meeting.

Councilmember Marsh: I'll second it.

Mayor Menlove: All in favor say, "I".

Vote is Unanimous – Meeting is adjourned at 8:43 pm.



Spencer Foster, Temporary Town Recorder

In compliance with the Americans with Disabilities Act, persons needing special accommodations, including auxiliary communicative aids and services, for this meeting should notify the Town at 801-310-9632 or by email at sfoster@magutah.gov at least 48 hours in advance of the meeting.

CERTIFICATE OF POSTING

The Town does hereby certify that the above notice and agenda has been posted at the designated meeting place, the springlake.utah.gov website, and the Utah Public Notice Website.

INTERLOCAL COOPERATION AGREEMENT
between
UTAH COUNTY AND THE TOWN OF SPRING LAKE
For
For a Municipal Services Grant and Road Maintenance

THIS AGREEMENT, made and entered into this _____ day of _____ 2026, by and between UTAH COUNTY, a body corporate and politic of the State of Utah, ("County") and the Town of SPRING LAKE, a municipality and political subdivision of the State of Utah ("Town").

WHEREAS, the Utah Interlocal Cooperation Act, Utah Code Title 11, Chapter 13, permits local governmental units including cities, counties, towns, and political subdivisions of the State of Utah to make the most efficient use of their powers by enabling them to cooperate with other public entities on the basis of mutual advantage and to exercise joint cooperative action for the benefit of their respective citizens; and

WHEREAS, The Parties are local governmental units under the Interlocal Cooperation Act; and

WHEREAS, Town is a newly incorporated town with an incorporation date of January 1, 2026; and

WHEREAS, County may, under Utah Code 10-2a-219, share with Town taxes levied and collected from the previously unincorporated area that is now within the newly incorporated area of Town in order to allow Town to provide services within the newly incorporated area of Town; and

WHEREAS, County is willing to appropriate funds and distribute to Town in the form of a grant for municipal services; and

WHEREAS, Town needs assistants with and County is willing to provide assistants with road maintenance, including road snow removal, throughout Town; and

WHEREAS, Town and County held duly noticed public meetings wherein this Agreement was considered and an Authorizing Resolution was presented for approval by the respective legislative bodies.

NOW THEREFORE, in consideration of the covenants and agreements contained herein and other valuable consideration, the sufficiency of which is hereby acknowledged, Town and County hereby agree as follows:

Section 1. PURPOSES.

This Agreement has been established and entered into between County and Town for the purpose of outlining the respective rights and responsibilities of Town and County in the transition of the newly incorporated municipality. Further, the County intends to share tax revenue with Town under Utah Code 10-2a-219.

Section 2. ADMINISTRATION OF AGREEMENT.

The parties to this Agreement do not contemplate nor intend to establish a separate legal entity under the terms of this Agreement. The parties hereto agree that pursuant to Utah Code Section 11-13-207, the Utah County Administrator, shall act as the administrator responsible for the administration of this Agreement. The parties further agree that this Agreement does not anticipate nor provide for any organizational changes in the parties. The administrator agrees to keep all books and records in such form and manner as the Utah County Auditor shall specify and further agrees that said books shall be open for examination by the parties hereto at all reasonable times. The parties agree that they will not acquire, hold nor dispose of real or personal property pursuant to this Agreement during this joint undertaking.

Section 3. EFFECTIVE DATE, DURATION.

This Agreement shall become effective and shall enter into force within the meaning of the Interlocal Cooperation Act, upon the submission of this Agreement to, and the approval and execution hereof by the governing bodies of the County and the Town. The term of this Agreement shall be from the date of execution hereof until the terms and obligations identified herein are completed, but in any event, this agreement shall terminate no later than December 31, 2027.

Section 4. NO SEPARATE LEGAL ENTITY.

The Parties do not contemplate nor intend to establish a separate legal or administrative entity under the terms of this Agreement.

Section 5. TERMS.

A. Municipal Services Grant: Under Utah Code 10-2a-219, and to assist Town in paying startup expenses and to pay for municipal services, County will provide Town with a Municipal Services Grant from taxes levied and collected from the previously unincorporated area that is now within the newly incorporated area of Town in the amount of \$ 83,320.00.

B. Road Maintenance: From January 1, 2026, through December 31, 2027, County will provide road maintenance to the roads within the Town of Spring Lake as identified in blue on the attached map.

1. The road maintenance will include snow removal, patching, maintenance of existing striping and road signage, and road-side mowing in the same manner and priority as the County historically performed for the identified roads. The agreed cost for this service is \$15,000 per year payable from Town to County on June 30 of 2026 and 2027.
2. Additional road maintenance, not identified above, such as but not limited to, road widening, additional road signage, overlays, etc. can be provided by County at Town's request and will be payable by Town at County's cost to provide additional road maintenance, including materials, equipment, and labor.
3. It is understood by the Parties that Town will either provide its own road maintenance or select another service provider to provide road maintenance after the term of this agreement.

B. Town's Obligation to Provide Services: Except as otherwise expressly stated herein, all expenses for the provision of municipal services of Town and all other financial obligations of Town shall be the sole responsibility of Town.

Section 6. FILING OF INTERLOCAL COOPERATION AGREEMENT.

Executed copies of this Agreement shall be placed on file with the official keeper of records of the County and the Town, and shall remain on file for public inspection during the term of this Agreement.

Section 7. AMENDMENTS.

This Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be: (a) approved by Resolution of the governing body of each of the parties, (b) executed by a duly authorized official of each of the parties, and (c) filed in the official records of each party.

Section 8. SEVERABILITY.

If any term or provision of this Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent permitted by applicable law, the parties hereby waive any provision of law, which would render any of the terms of this Agreement unenforceable.

Section 9. GOVERNING LAW.

All questions with respect to the construction of this Agreement, and the rights and liability

of the parties hereto, shall be governed by the laws of the State of Utah.

Section 10. INDEMNIFICATION.

The Town shall indemnify and hold County harmless from any and all claims of liability for any injury or damage to any person or property whatsoever occurring in, on or about the Highway or any part thereof. The Town shall further indemnify and hold County harmless from and against any and all claims arising from any breach or default in the performance of any obligation on Town's part to be performed under the terms of this Agreement, or arising from any act or negligence of Town, or any of Town's agents, employees, contractors, subcontractors, or invitees and from and against all costs, reasonable attorney's fees, expenses and liabilities incurred in the defense of any such claim or any action or proceeding brought thereon. Both the Town and the County agree that the terms of this Agreement are subject to, and not a waiver of, the protections, immunities and liability limits of the Governmental Immunity Act, U.C.A. 63G-1-101, et. seq. Town 's obligations under this provision shall survive the expiration or other termination of this Agreement.

IN WITNESS WHEREOF, the parties have signed and executed this Agreement, after resolutions duly and lawfully passed, on the dates listed below:

UTAH COUNTY

Authorized by Resolution No. 2026 - ___, authorized and passed on the _____ day of _____ 2026.

BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH

BRANDON B. GORDON, Chair

ATTEST:

AARON R. DAVIDSON
Utah County Clerk

By: _____
Deputy Utah County Clerk

REVIEWED AS TO FORM AND
COMPATIBILITY WITH APPLICABLE LAW:
JEFFREY S. GRAY
Utah County Attorney

By: _____

Deputy Utah County Attorney

TOWN OF SPRING LAKE

Authorized by Resolution No.____, authorized and passed on the _____ day of _____ 2026.

TOWN OF SPRING LAKE

Print name: _____
Its _____ (title)

ATTEST:

Print name: _____
Spring Lake Recorder

By: _____

REVIEWED AS TO FORM AND
COMPATIBILITY WITH APPLICABLE
LAW:

Print name: _____
Attorney for Town

By: _____

RESOLUTION NO. 25-01

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN
INTERLOCAL COOPERATION AGREEMENT BETWEEN
UTAH COUNTY AND THE TOWN OF SPRING LAKE FOR A
MUNICIPAL SERVICES GRANT AND ROAD
MAINTENANCE**

WHEREAS, the Town of Spring Lake is a newly incorporated municipality; and

WHEREAS, the Utah Interlocal Cooperation Act, Utah Code Title 11, Chapter 13, authorizes local governmental entities to enter into interlocal agreements for the efficient provision of services; and

WHEREAS, Utah County and the Town of Spring Lake are local governmental units authorized to enter into an interlocal cooperation agreement pursuant to state law; and

WHEREAS, Utah Code § 10-2a-219 authorizes a county to share taxes levied and collected from a previously unincorporated area with a newly incorporated municipality to assist with municipal services and startup costs; and

WHEREAS, Utah County has agreed to provide the Town of Spring Lake with a Municipal Services Grant in the amount of \$83,320.00 and to provide road maintenance services, including snow removal and routine maintenance, for certain roads within the Town through December 31, 2027; and

WHEREAS, the Town Council of the Town of Spring Lake has reviewed the proposed Interlocal Cooperation Agreement and finds that entering into the Agreement is in the best interest of the Town and its residents.

NOW THEREFORE, the Town Council of the Town of Spring Lake, Utah hereby ordains as follows:

1. – Approval of Agreement

The Interlocal Cooperation Agreement between Utah County and the Town of Spring Lake for a Municipal Services Grant and Road Maintenance is hereby approved.

2. – Authorization to Sign

The Mayor is hereby authorized and directed to execute the Interlocal Cooperation Agreement on behalf of the Town of Spring Lake, together with any non-substantive or administrative changes.

3. – Effective Date

This Resolution shall take effect immediately upon its adoption.

ADOPTED AND PASSED by the Town Council of the Town of Spring Lake, Utah, this __ of _____, 20__.

Signed: _____

Wade Menlove, Mayor

Attest: _____

Spencer Foster, Temporary Town Recorder

TOWN COUNCIL VOTE AS RECORDED

Councilmembers:	Yes	No	Abstain	Excused
Wade Menlove	_____	_____	_____	_____
Sharon Bascom	_____	_____	_____	_____
David Charles	_____	_____	_____	_____
Robert Judd	_____	_____	_____	_____
Robert Marsh	_____	_____	_____	_____

RESOLUTION NO. 25-02

**A RESOLUTION AUTHORIZING THE APPROVAL OF THE
2026 ANNUAL TOWN COUNCIL REGULAR MEETING
SCHEDULE**

WHEREAS, the Town Council of the Town of Spring Lake is required to establish and publicly notice its regular meeting schedule in accordance with the Utah Open and Public Meetings Act, Utah Code Title 52, Chapter 4; and

WHEREAS, the Utah Open and Public Meetings Act requires a public body to provide advance notice of its regular meeting schedule, including the dates, times, and locations of meetings; and

WHEREAS, Utah County and the Town of Spring Lake are local governmental units authorized to enter into an interlocal cooperation agreement pursuant to state law; and

WHEREAS, the Town Council desires to establish a regular meeting schedule for calendar year 2026 to ensure transparency, consistency, and public access to Town Council meetings; and

WHEREAS, the proposed 2026 Annual Town Council Regular Meeting Schedule provides that regular meetings will generally be held on the first and third Wednesdays of each month at 6:00 p.m., subject to holiday conflicts, cancellations, or rescheduling as properly noticed; and

WHEREAS, the Town Council has reviewed the proposed 2026 Annual Town Council Regular Meeting Schedule and finds it to be in the best interest of the Town and in compliance with applicable law.

NOW THEREFORE, the Town Council of the Town of Spring Lake, Utah hereby ordains as follows:

1. – Approval of Meeting Schedule

The 2026 Annual Town Council Regular Meeting Schedule, including the dates, times, and general meeting location as set forth in the attached schedule, is hereby approved.

2. – Posting and Notice

The Town Recorder is hereby directed to post the approved meeting schedule on the Utah Public Notice Website and the Town's official website, and to otherwise provide notice as required by the Utah Open and Public Meetings Act.

3. – Flexibility and Changes

The Town Council reserves the right to cancel, reschedule, or hold special meetings as necessary, provided such meetings are properly noticed in accordance with state law.

4. – Effective Date

This Resolution shall take effect immediately upon its adoption.

ADOPTED AND PASSED by the Town Council of the Town of Spring Lake, Utah, this of
 , 20 .

Signed: _____

Wade Menlove, Mayor

Attest: _____

Spencer Foster, Temporary Town Recorder

TOWN COUNCIL VOTE AS RECORDED

Councilmembers:	Yes	No	Abstain	Excused
Wade Menlove	_____	_____	_____	_____
Sharon Bascom	_____	_____	_____	_____
David Charles	_____	_____	_____	_____
Robert Judd	_____	_____	_____	_____
Robert Marsh	_____	_____	_____	_____

TOWN OF SPRING LAKE

TOWN COUNCIL

2026 ANNUAL NOTICE OF REGULAR MEETING SCHEDULE

Regular Town Council meetings are generally held on the First and Third Wednesdays of the month unless there is a conflict with a holiday or event. Meetings are being held at 6:00 p.m. at 3744 West 12240 South, Spring Lake, Utah 84651. The meeting location will change, and notice will be provided to the public when a more permanent meeting location is determined. A meeting may be cancelled or re-scheduled, and Special Meetings may be scheduled as publicly noticed. Please refer to the agenda and meeting packet material publicly noticed on the Utah Public Notice Website <https://www.utah.gov/pmn/> or the Town Website <https://springlakeutah.gov/>

Regular meetings will be held as follows:

January

Wednesday, January 7, 2026
Wednesday, January 21, 2026

July

Wednesday, July 1, 2026
Wednesday, July 15, 2026

February

Wednesday, February 4, 2026
Wednesday, February 18, 2026

August

Wednesday, August 5, 2026
Wednesday, August 19, 2026

March

Wednesday, March 4, 2026
Wednesday, March 18, 2026

September

Wednesday, September 2, 2026
Wednesday, September 16, 2026

April

Wednesday, April 1, 2026
Wednesday, April 15, 2026

October

Wednesday, October 7, 2026
Wednesday, October 21, 2026

May

Wednesday, May 6, 2026
Wednesday, May 20, 2026

November

Wednesday, November 4, 2026
Wednesday, November 18, 2026

June

Wednesday, June 3, 2026
Wednesday, June 17, 2026

December

Wednesday, December 2, 2026
Wednesday, December 16, 2026

Town Recorder

Approved by the Town Council on December 23, 2025

ORDINANCE NO. 25-02

**AN ORDINANCE OF THE TOWN OF SPRING LAKE, UTAH,
ADOPTING RULES GOVERNING ELECTRONIC
MEETINGS PURSUANT TO UTAH CODE §52-4-207**

WHEREAS, the Utah Open and Public Meetings Act, Utah Code Title 52, Chapter 4, requires that meetings of public bodies be conducted openly and with reasonable public access to deliberations and actions of the Town Council and other Town public bodies; and

WHEREAS, Utah Code § 52-4-207 authorizes a public body to hold an electronic meeting and to count members participating electronically toward a quorum, provided that the public body has first adopted an ordinance, resolution, or rule governing the use of electronic meetings; and

WHEREAS, as a newly incorporated Town with limited staff, facilities, and resources, the Town desires to provide flexibility for elected and appointed officials to participate in meetings when in-person attendance is impractical, while ensuring transparency, public access, and compliance with state law; and

WHEREAS, the Town Council finds that adopting clear rules governing electronic meetings will promote efficient governance, continuity of operations, and meaningful public participation while maintaining full compliance with the Utah Open and Public Meetings Act;

NOW THEREFORE, the Town Council of the Town of Spring Lake, Utah hereby ordains as follows:

SECTION I – PURPOSE

The Town adopts this ordinance to authorize and govern electronic meetings for the Town Council and other Town public bodies, consistent with the Utah Open and Public Meetings Act (“OPMA”). This ordinance is intended to ensure public transparency and meaningful public access when one or more members attend remotely.

SECTION II – AUTHORITY

This ordinance is adopted under Utah Code § 52-4-207, which requires a public body to adopt a resolution, rule, or ordinance governing electronic meetings before holding them.

SECTION III – APPLICABILITY

This ordinance applies to:

- The Town Council; and
- Any other Town “public body” (e.g., Planning Commission, Boards/Committees) as defined by OPMA.

SECTION IV – DEFINITIONS

For purposes of this ordinance, the following terms have the meanings set forth in OPMA or as used below:

1. **Anchor Location** – the physical location from which the electronic meeting originates or where the public may attend and monitor the meeting.
2. **Electronic Meeting** – a meeting where some or all members attend via electronic video, audio, or both.
3. **Remote Member** – a member participating electronically rather than physically at the anchor location.
4. **Monitor/Participate** – the ability of the public to hear/see the public statements and (when applicable) provide comment.

SECTION V – ELECTRONIC MEETINGS AUTHORIZED

Any Town public body may convene and conduct an electronic meeting only if:

1. The public body complies with OPMA notice and access requirements; and
2. The meeting is conducted in compliance with this ordinance.

Quorum/Counting Remote Members. A remote member may be included in calculating a quorum only under the conditions stated in this ordinance (as required by Utah Code § 52-4-207).

SECTION VI – WHEN ELECTRONIC PARTICIPATION IS ALLOWED

The presiding officer (or majority of the public body) may permit one or more members to participate remotely when it supports continuity of operations and member participation (travel, illness, emergencies, scheduling, etc.). The Town may limit electronic meetings based on budget, logistical capacity, or public policy considerations.

SECTION VII – ANCHOR LOCATION AND PUBLIC ACCESS

1. **Anchor Location Required.** Unless otherwise permitted by OPMA (e.g., emergencies as allowed by law), the Town shall provide an anchor location where the public may attend and monitor the open portions of the meeting.
2. **Default Anchor Location.** The default anchor location for Town public body meetings is: 3744 West 12240 South, Spring Lake, Utah 84651.
3. **Additional/Alternate Anchor Location.** If the anchor location changes, the Town shall state the address in the meeting notice.

SECTION VIII – NOTICE REQUIREMENTS FOR ELECTRONIC MEETINGS

For any electronic meeting, the Town shall:

1. Provide public notice as required by OPMA; and
2. Include in the public notice clear instructions on how the public may attend/monitor the meeting electronically (link, phone number, meeting ID, etc.); and
3. Provide public body members, at least 24 hours before the meeting (unless an emergency meeting), information needed to connect.

SECTION IX – CONDUCT OF THE MEETING

Same rules as in-person. Meeting procedures and decorum rules apply equally to electronic meetings.

Roll call and votes. If one or more members are remote:

1. The chair should conduct roll call for attendance and for motions/votes when needed to ensure clarity;
2. Votes should be taken in a manner that clearly records each member's vote (roll call is recommended by the Town when remote participation occurs)

Public hearings. If the meeting includes a public hearing, the Town will provide a reasonable opportunity for public comment consistent with OPMA and Town procedures (in-person at the anchor location and/or electronically).

SECTION X – MINUTES AND RECORDINGS

Minutes shall be kept in accordance with OPMA. Minutes shall note any member who participated remotely and the means of participation.

SECTION XI – TECHNICAL DIFFICULTIES AND LOSS OF QUORUM

If technical difficulties prevent the public body from maintaining real-time communication with a remote member, the chair may:

1. Pause briefly to attempt reconnection; or
2. Proceed only if a quorum remains present under this ordinance and OPMA; or
3. Continue the matter or adjourn and reschedule if a quorum cannot be maintained.

SECTION XII – CLOSED MEETINGS

If the public body enters a closed meeting, the Town will follow OPMA closed meeting procedures, and the electronic connection (if used) must be managed to preserve confidentiality and comply with OPMA requirements.

SECTION XIII – SEVERABILITY

If any provision of this ordinance is held invalid, the remainder shall remain in effect.

SECTION XIV – EFFECTIVE DATE

This ordinance is effective upon passage and publication/posting as required by law.

ADOPTED AND PASSED by the Town Council of the Town of Spring Lake, Utah, this of
 , 20 .

Signed: _____

Wade Menlove, Mayor

Attest: _____

Spencer Foster, Temporary Town Recorder

TOWN COUNCIL VOTE AS RECORDED

Councilmembers:	Yes	No	Abstain	Excused
Wade Menlove	_____	_____	_____	_____
Sharon Bascom	_____	_____	_____	_____
David Charles	_____	_____	_____	_____
Robert Judd	_____	_____	_____	_____
Robert Marsh	_____	_____	_____	_____