

**MINUTES OF THE SPECIAL
TOWN COUNCIL MEETING
December 21, 2000
Eagle Mountain Community Center, 1668 East Heritage Drive
Eagle Mountain, Utah 84043**

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Mayor pro tempore Dave Albrecht called the meeting to order at 4:05 p.m.

1. **Roll Call:** Mayor pro tempore Dave Albrecht, Bert Ankrom, Greg Kehl and Brigham Morgan. Mayor Bond was excused.

Town Staff:

Town Administrator:	John Newman
Town Attorney:	Jerry Kinghorn
Town Engineer:	Korey Walker
Town Recorder:	Janet Valentine
Deputy Recorder:	Fionnuala Kofoed
Town Treasurer:	Stephan Gabrielson
Telecommunications:	Dan Valentine
Fire Chief:	Robert DeKorver

Others Present: Laura Lewis, Jalaire Taylor, and Mark Sovine.

2. **Pledge of Allegiance:**

Dan Valentine led the Pledge of Allegiance.

(The Council reviewed the Warrant Register While waiting for Laura Lewis to arrive.)

3. **Consideration and Approval of an Agreement with Intermountain Municipal Gas Agency and/or CIG Resources Company for pipeline capacity.**

John Newman addressed the issues regarding additional accesses to natural gas. All capacity was locked up with the Kern River pipeline and it was necessary to find an alternate access. Mr. Newman recommended the Council approve an agreement with Intermountain Municipal Gas Agency and CIG Resources Company for pipeline capacity. Questar had agreed to construct a new 1440 p.s.i.g. 24-inch pipeline. This would provide the Town with firm transportation capacity. Payment obligations would begin once the product was flowing. The line was expected to be completed by January 2002.

MOTION *Greg Kehl moved to authorize the Mayor pro tempore to execute a letter of intent with Intermountain Gas Agency for firm transportation capacity on M.L. 140 for natural gas. If Intermountain Gas Agency cannot execute the contract authorization is given to enter into an agreement with CIG Resources Company as an alternative. Approval is not to exceed 3000 decatherm on a take and pay basis. Bert Ankrom seconded the motion. Ayes: 4, Nays:0. Motion passed.*

4. Consideration for Approval of a Resolution of the Town of Eagle Mountain, Utah County, Utah authorizing the issuance and sale of its Water and Sewer Revenue Bonds, Series 2000 in a Total Principal Amount of \$ 8,700,000.00; authorizing the execution by the Town of a Water and Sewer General Indenture of Trust (The "General Indenture"), a First Supplemental Water and Sewer Indenture of Trust (The "First Supplemental Indenture"), a Bond Purchase Agreement, an Official Statement and other documents required in connection therewith; and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this Resolution, the General Indenture, the First Supplemental Indenture, the Bond Purchase Agreement and the Official Statement; providing a Severability clause; repealing Resolutions in conflict; providing an effective date; and related matters:

Laura Lewis and Jerry Kinghorn discussed the Bond Purchase Agreement and related items in connection with the Resolution. The Council considered Resolution #31-00.

MOTION *Greg Kehl moved to adopt resolution #31-00 a Resolution of the Town of Eagle Mountain, Utah County, Utah authorizing the issuance and sale of its Water and Sewer Revenue Bonds, Series 2000 in a Total Principal Amount of \$ 8,700,000.00; authorizing the execution by the Town of a Water and Sewer General Indenture of Trust (The "General Indenture"), a First Supplemental Water and Sewer Indenture of Trust (The "First Supplemental Indenture"), a Bond Purchase Agreement, an Official Statement and other documents required in connection therewith; and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this Resolution, the General Indenture, the First Supplemental Indenture, the Bond Purchase Agreement and the Official Statement; providing a Severability clause; repealing Resolutions in conflict; providing an effective date; and related matters. Brigham Morgan seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

5. Consideration for Approval of a Resolution authorizing the extension or the termination date of the Equipment-Lease Purchase Agreement dated as of September 1, 2000 between the Town of Eagle Mountain and First National Bank of Layton relating to certain electrical power equipment; and related matters:

The Council considered Resolution #32-00.

MOTION *Brigham Morgan moved to approve Resolution #32-00, a Resolution of the Town Council of the Town of Eagle Mountain, Utah County, Utah authorizing the execution and delivery of an Amendment of an Equipment Lease-Purchase Agreement (The "Agreement") with First National Bank of Layton for the purpose of extending the termination date of the agreement; and related matters. Bert Ankrom seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

6. Consideration for Approval of a Resolution authorizing the extension of the maturity date of the Town's \$348,348.00 Subordinated Electric Revenue Bond Anticipation Notes, Series, 2000:

The Council considered the Resolution #33-00.

MOTION *Bert Ankrom moved to approve Resolution # 33-00, a Resolution of the Town Council of the Town of Eagle Mountain, Utah County, Utah (The "Issuer") authorizing the extension of maturity of its Subordinated Electric Revenue Bond Anticipation Notes Series 2000, (The "Notes"); authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution; and related matters. Brigham Morgan seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

Item 10 was discussed next.

10. **Consideration and Ratification of Commitment to Issue a Bond Insurance Policy by American Capital Access Corporation in connection with the Water & Sewer Revenue Bonds:**

Jerry Kinghorn requested that the Council ratify the execution of the commitment to issue the Bond Insurance Policy that was signed by John Newman and sent to ACA.

MOTION *Brigham Morgan moved to ratify the execution of the commitment to issue the Bond Insurance Policy dated December 12, 2000 not to exceed \$8,965,000 for the Town of Eagle Mountain, Utah County, Utah Water and Sewer Revenue Bonds. Greg Kehl seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

Laura Lewis and Brigham Morgan were excused from the meeting @ 5:35 p.m.

7. **Motion to approve Agenda items as follows:**

a. Warrant Register

MOTION *Bert Ankrom moved to approve the Warrant Register. Greg Kehl seconded the motion. Ayes: 3, Nays: 0. Motion passed. Brigham Morgan was excused.*

b. Partial Bond Releases

1. Smith Ranch Sewer Lift Station, the Ranches, LC

MOTION *Greg Kehl moved to approve the Smith Ranch Sewer Lift Station Escrow Bond Release as submitted. Bert Ankrom seconded the motion. Ayes: 3, Nays: 0. Motion passed. Brigham Morgan was excused.*

c. Final Payment Requests

1. Wastewater Treatment Expansion 2000, R.A. McKell Excavating, Inc.

Brigham Morgan returned to the meeting.

MOTION *Bert Ankrom moved to approve the Final Payment request for the Wastewater Treatment Expansion 2000 to R.A. McKell Excavating, Inc. in the amount of \$16,896.00. Greg Kehl seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

8. **Telecom Accounting System:**

Dan Valentine discussed the current billing system used by the Telecommunications Department and the need to upgrade the accounting software. The Town received bids from Computer Technology, Inc. (CTI), Communications Data Group, Quintrex Data system and National Information Solutions Cooperative. Mr. Valentine recommended that the Council award the bid to CTI, based upon the relative value of the different proposals.

MOTION *Brigham Morgan moved to award the bid to Computer Technology Inc., for a total upfront cost of \$112,415.00 and any additional training costs or support costs, as necessary not to exceed the \$125,000 previously approved. Greg Kehl seconded the motion. Ayes: 4, Nays: 0. Motion passed.*

9. Purchase of 1100 kW Generator:

Korey Walker discussed the need to purchase an additional generator to provide the Town with sufficient power. Based upon the projected growth within the Town, the existing electrical sources would be deficient and the purchase of the 1100kW Generator would supply the necessary electrical capacity until the new transmission line is completed.

Mark Sovine, resident, commented on the current rates and demands for electricity.

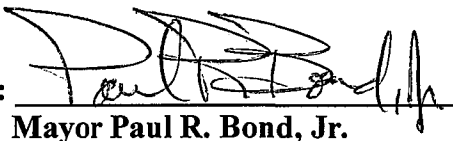
Discussion ensued.

MOTION Greg Kehl moved to approve the purchase of a second 1100kW Generator not to exceed \$390,000. Bert Ankrom seconded the motion. Ayes: 4, Nays: 0. Motion passed.

11. Adjournment:

MOTION Greg Kehl moved to adjourn the meeting @ 6:35 p.m.

APPROVAL: _____


Mayor Paul R. Bond, Jr.

DATE: _____

1/3/01

This certifies that the minutes of
12-21-00 are a true, full and
correct copy as approved by the
City Council on 01-02-01.

Signed: _____


City Recorder