



TOWN OF ALPINE  
**COUNCIL MEETING**  
**MINUTES**

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*Minutes are a summary only of a tape recorded meeting*

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**DATE: April 21, 2009**  
**TIME: 7:00 p.m.**

**PLACE: Town Hall**  
**TYPE: Regular Meeting**

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Call to Order: Mayor Victoria DeCora called the meeting to order at 7:08 p.m.

Pledge of Allegiance: Mayor DeCora led attendees in the Pledge of Allegiance

Roll Call: Office Assistant Christine Wagner conducted roll call: Present: Troy Johnson, Shirley Brown, Mayor Victoria DeCora, Beau Taylor and Don Jorgensen. A quorum was established. Also in attendance were Attorney Stefan Fodor and Deb Wolfley.

Minutes:

- (a) Town Council - Approval of Town Council Minutes for meetings on March 17, 2009 and April 7, 2009. **Beau Taylor motioned to approve minutes of both meetings. Don Jorgensen seconded the motion. Vote: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**
- (b) Approval of P&Z Minutes for meetings on March 24, 2009 and March 30, 2009 (Special Meeting). **Don Jorgensen motioned to approve minutes of March 24, 2009 and Special meeting of March 30, 2009. Beau Taylor seconded the motion. Vote: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

New Business:

- (a) Sarah Hale – Star Valley Independent, Summer Guide Presentation: The Star Valley Independent will have the summer guide out for distribution in time for the weekend of Memorial Day. This year’s theme will be “What to do in Alpine”, things you can’t miss while you are in Alpine, featuring events and activities while you are here. She has requested a letter from Alpine, “Welcoming everyone to the Community”. It will be a four page insert, including panoramic view of Alpine, welcome letter, ect. Great opportunity for anyone who wants to advertise in the summer guide, contact Josh Henderson for more information and details.
- (b) Sarge Rumbaugh – Alpine American Legion Post #46 Presentation – The Alpine American Legion Post #46 presented their plans for a “Barbeque and Picnic Area” to be constructed near the Alpine ball diamond. The Legion requests the Town/Council’s acceptance and support for the project. Plans were submitted for Council’s review and final action and/or approval. Mayor DeCora thanked him for his presentation and work on this, she would like to sit down with the Legion and work on this project together. Review what the Town has done for funding and what they can contribute, come together with a wonderful project.
- (c) 189 – Ordinance No. 2009 - 45: Land Use & Development 1<sup>st</sup> Reading – Mayor DeCora has several questions and comments and with this many changes, she feels that we need to thinking about the future and the citizens of Alpine, so she would like to propose a workshop. Mayor DeCora knows

the amount of time and appreciates all their efforts and work that the Planning & Zoning Commission has put into this. Mayor DeCora would like to propose a workshop. A workshop was scheduled for Thursday, May 7, 2009 at 7:00 p.m. Mayor DeCora asked for a motion to table this issue, until the workshop scheduled on May 7, 2009. **Councilman Taylor so motioned, Council woman Brown seconded the motion. Vote: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

- (d) Jeff Atwood – Water Shut-Off Fees/Ordinance & Sewer – Mr. Jeff Atwood stated that they would like to go over the water bill he has been trying to straighten out for months now. Mr. Atwood stated, “Last summer the town gave us a credit of – they over charged us and gave us a credit of six hundred (600) or seven hundred (700) dollars on our monthly billing. On November 26th, we called the town and asked for a courtesy shut off on one line (we have two meters, a one inch line and  $\frac{3}{4}$  line). Val came out on the 26<sup>th</sup> and shut off our one inch line. Mr. Atwood noticed in January a credit; the town charged us for the one inch that we were running, which is approximately sixty (60) dollars a month. So Ms. Atwood caught this and came into the town to discuss this, she was told that this is one hundred fifty (150) dollars disconnect/reconnect fee. She said what, so she came back Kennis pointed out that it was thirty (30) dollars. (Mr. Atwood was referring to the old ordinance (156) a delinquent charge is on hundred fifty (150) dollars, if you don't pay your bill. A service of thirty (30) dollars will be charged, just for a shut off fee). Mr. Atwood said someone could have told us originally, but every time Sue came down, or when he went to pay it, they were told to take their questions to Council. So here he is... Since then they have not paid their last water bill at all. They have been charged sixty (60) dollars per month, for five months, he feel the town owes them back. He said, they will pay the thirty (30) dollars, but now you got a new ordinance in place, enacted on February 17, 2009, it's a whole new ball game, now we will have no shut off, because there is no advantage to shutting it off. Now you charge us about one hundred eighty (180) dollars. He stated according to the old ordinance, they need to be reimbursed for five month, for that one inch meter. He stated we will pay the thirty (30) dollars – we have tried to pay it, but it's just been mass confusion on his bill, he stated just read the ordinance. Mr. Atwood stated we are not going to pay any water bill, until he gets his credit back for five months. If anyone wants to pull the ordinance up, and look at it, it looks pretty cut and dry to me. Council man Taylor, stated basically the way I understand it , between switching ordinances you should have been charged the thirty (30) dollars for the shut off under the old ordinance and then when you turned it on, it was under the new ordinance, so that would be one hundred fifty (150) dollars. Attorney Fodor explained the date and passing of the shut off/turn on fees under the old ordinance vs. the new ordinance. His water shut off was under the old ordinance and the turn on under the new ordinance. The new ordinance has turn on fee of three months. So that's three months, at sixty (60) dollars a month, total one hundred eighty (180), under the old ordinance, that's he is looking through now. The shut off is under the old ordinance, Section 4 service fee of thirty (30) dollars for turning on or off at the meter. Service provides for customer to work on system. Mayor DeCora stated that is a service for working on their system. Mr. Atwood stated that it does not even pay to shut it off at all, they would lose money. They charge a shut off of one hundred eight (180) dollars and a turn on of one hundred eighty (180) dollars costing us three hundred sixty (360) dollars. Fodor, stated that is really only worthwhile if you are going to be shutting it off for more than six months. Mr. Atwood stated he feels like they are targeted on purpose on this, because they were shut off for six months, the RV Park is shut down. Councilman Taylor stated, by no means was this targeted at him, and there was plenty of discussions about this at those meetings. Mayor DeCora said, if you shut it off for the winter you pay for six month basically, Councilman Johnson said, because we have a system to pay for, it's not water that the base rate is charged for. Mr. Atwood stated, so, let me get this, we will be charged whatever it is to turn back on, one hundred eight (180) dollars - so when we get ready to turn back on, that's what we will have to pay right? Various discussions ensued – Attorney Fodor read old ordinance in its entirety, he stated it was not clear, it is not that well worded, you could

reasonable readings out of it, you could say the disconnect fee of one hundred fifty (150) would be assessed if the service was disconnected. You could take that separate or whole from delinquent payment, or read as one hundred fifty (150) dollars if delinquent payments. Attorney Fodor suggested that since there are two readings of this, and both are reasonable, the council has the discretion to pick one or the other, or somewhere in the middle, out of fairness. The re-connect is under separate rules. Just deal with this. Fees of thirty (30) dollars, one hundred fifty (150) dollars or somewhere in-between those two. **Councilman Taylor made a motion to return the November billing, deduct three time's base, plus thirty (30) dollars off your credit. Councilman Johnson seconded the motion.**

Public comment was given by Ms. Tiphany Gayhart.

**Vote: 4 yes, 0 no, 1 abstain, 0 absent. Motion carried.**

**Mr. Atwood was going to speak on the sewer and water, but he state, he was not going to, "I'm just going to say, it ain't going to work, it will be a class action lawsuit".**

(e) 188 – Ordinance No. 2009 – 44: Business License 2<sup>nd</sup> Reading – Mayor DeCora asked if everyone had a chance to review the new ordinance. Attorney Fodor commented on some of the questions that he had in reference to the proposed changes, which are outlined in red. Much discussion was made on all the proposed changes. Councilman Johnson commented on the application section of the ordinance, he feels that we do not need to police this section. **Councilman Jorgensen made a motion to pass, 188 Ordinance 2009-44: Business License Codes, with all the edits done on the second reading. Councilman Johnson seconded the motion.**

**Vote: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

(f) 187 – Ordinance No. 2009 – 43: Amended 08/09 General Budget 1<sup>st</sup> Reading– Mayor DeCora asked if there were any questions from the council. **Councilman Taylor motioned to accept the ordinance #187 No. 2009-43. Councilman Johnson seconded the motion.**

Public comments were given by Ms. Tiphany Gayhart, Ms. Gloria Jorgensen, Mr. Steve Dwyer and Robert Meikle, with interactive discussions with Councilman Johnson, Mayor DeCora, Councilman Jorgensen and Councilman Taylor.

**Vote: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

Tabled Items – On Going Business:

Child Development Center  
Civic Center  
Maintenance Shop  
Continued discussion with Lincoln County Sheriff Shane Johnson  
Impact Fees

Department Updates:

Legal/Attorney: Stefan Fodor –would like to address, the allegations that the town meets behind closed doors, since June 2007; He has been the town attorney, he can say without any hesitation, reservation or fear of successful contraction, there has not been any decisions outside of any council meetings. Rules for executive

session are very clear. Decisions are made in public forum. He has reviewed the contract for the Town - Maintenance Building – he has no changes. At the special meeting held on the sewer ordinance, discussion and directed by the council to negotiate with Northstar Utilities on the budget issues of the pre-purchase 42 eru's. Met with Mr. Mike Halpin, much discussion ensued, about the hook-ups and the period of time for those hook-ups. The council has given him the authority to negotiate, so his question to the council is, how low we can go in these cash reserves. Councilman Taylor stated that he would not like to see it go under \$100; that would be cutting it pretty thin, if something were to go wrong. There is room to work this out, so that neither party feels there were hit too bad. Mayor DeCora agreed with Councilman Taylor at \$100 limit. He will try and work out the numbers on that.

Town Administrator: Deb Wolfley – Gave a summary on the proposal for the Maintenance Shop. A letter from Nelson Engineering was received to complete the plans, on site inspections and advertise for the bid, but they need a contract from the town that states they agree to paid for the construction work and all the necessary items that need to done. Councilman Jorgensen feels that this decision should be made by council at a meeting. Mayor DeCora stated that they will put this on the next council meeting for discussion and finalize decisions. In discussions with Steve Ashworth, who works for the Teton County Parks & Recreation Department in Jackson? Steve is willing to work with the Town on a master plan for the ball field as far as coming up with proposal that would work down there for us, what the council and the public would like to see. Town Administrator Wolfley would like to see if the council has any interest for him to pursue getting some ideas and costs for the future development. Councilman Taylor asked what a rough estimate for his services, would be of costs. Mr. Wolfley stated around \$3000, for this service.

Public comment was given by Ms. Tiphany Gayhart – Mayor DeCora stated that only one bid was required if the costs were under thirty five (3500) hundred dollars, it does not have to go out to bid.

Parks & Recreation: Shirley Brown & Mayor Victoria DeCora - No report given

Water & Sewer: Don Jorgensen & Mayor Victoria DeCora - Council man Taylor – has an abundance of information for the council on the eru's of the area businesses, that he would like to discuss with the council. Mayor DeCora suggested that everyone get a copy of the material, so that way they have time to review it and then they can discuss it at the next council meeting.

Streets & Roads: Don Jorgensen - No report given

Planning & Zoning: Designated Board Member & Victoria DeCora - No report given

Alpine Fire Department & EMT: Beau Taylor - No report given

Police Dept. / Court: James Phillips – Would like to publically thank the Lincoln County Sheriff office, for covering for him, while he was on vacation. He is working on two grant applications for law enforcement. The CHRP grant is very narrow in scope of what you can do. Have met with Councilman Taylor on the sign project appreciate his willingness and input. He met with Councilman Taylor, Councilman Johnson, Lincoln County Sherriff and Town Administrator Wolfley in regards to our other officer. He needs to communicate with his candidate, to let him know where things are! He reviewed his citations graph with the Council. There is so much that needs to be done and taken care, but the calls for service and cases take priority. When time allows, citations can be done! It is in the best interest of the town to hire on another officer. Much discussion was held with council in reference to the Town of Alpine sign project.

Public comments were given by Mr. Shawn Ghareman, which he addressed to both the Council and Officer Phillips. Public comments were also received by Ms. Marilyn Perkins, Ms. Gloria Jorgensen.

With much discussion by the council, a motion was made by Councilman Jorgensen, to hire the second officer, if we have to cut the budget elsewhere in order to come up with the monies to afford him, with a salary of Forty Two Thousand (42,000) with the gentleman's qualification and experience. Mayor DeCora stated would like to amend the motion with a lower salary and a rent incentive. Councilman Taylor agreed to make the salary less and the stipend large enough to cover if he lives in town. More discussion what made; Councilman Jorgensen amended his motion to offer our candidate the position, leave options open with the County, Star Valley Ranch, Town of Thayne Police Department with a salary offer of thirty-eight thousand (38,000) dollars with a four hundred (400) dollar housing allowance to live within five (5) miles of Alpine, and/or a housing allowance of two hundred (200) dollars to live within seven (7) miles of Alpine. Councilman Taylor seconded the motion. Councilman Jorgensen motioned to amend the housing allowance to four hundred (400) dollars for WITHIN three (3) miles of the Town of Alpine, and two hundred (200) dollars for WITHIN ten (10) miles of the Town of Alpine. Councilman Johnson seconded the motion.

**Vote: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

Clerk/Treasurer: Brenda Bennett - No report given

Councilman Johnson would like to see the Sunrise Engineer billing, broken down as to the work that has been done. Councilman Johnson made a motion to pay the bills. Councilwoman Brown seconded the motion.

**VOTE: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

Councilman Johnson made a motion to adjourn the meeting. Councilwoman Brown seconded the motion.

**VOTE: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

The meeting was adjourned at 9:45 p.m.



Victoria DeCora      5-5-09  
Mayor Victoria DeCora      Date

ATTEST:

Brenda Bennett      5-6-09  
Brenda Bennett, Treasurer      Date

