



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: July 7, 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 7:07 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, Beau Taylor, Don Jorgensen, and Mayor Victoria DeCora. A quorum was established. Also in attendance were Attorney Stefan Fodor and Town Administrator Deb Wolfley.

Minutes:

- (a) Approval of Town Council Minutes for meetings for June 16, 2009 and Approval Planning & Zoning Minutes for June 9, 2009. **Councilwoman Brown motioned to approve minutes of the Town Council Minutes for meeting for June 16, 2009 and P&Z Minutes for June 9, 2009. Councilman Taylor seconded the motion.**

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

- (b) Planning & Zoning Report: Mr. Pat Marolf, Chairman of the P&Z commission gave a brief report, from the June 23<sup>rd</sup> meeting. Child Development Center has been reviewed and is approved pending some changes requested by the town inspector. Review and approved, pending a few changes the inspector on the Civic Center, have not had a chance to review the new maintenance shop building. Everything else is on schedule.

New Business:

- (a) Ferry Peak Park Contest Winners – Ms. Carissa Post (1<sup>st</sup> place winner) and Ms. Cassidy Post (3<sup>rd</sup> place winner) and family were present to accept their certificate and award from the “Name the Park” contest. Mayor DeCora congratulated the girls and thanked them for their participation.
- (b) Swearing in of New Planning & Zoning Member (David Jenkins) – Mayor DeCora asked for a motion to approve the new nominee David Jenkins. **Councilman Taylor motion to accepted P&Z member Dave Jenkins. Councilman Johnson seconded the motion.**

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

Mayor DeCora led the swearing in of the appointed seat of Planning & Zoning member David Jenkins. Mr. Jenkins is filling the unexpired term of Kennis Lutz, term expiring December 31, 2009.

- (c) Myers-Anderson Architects – Update on Alpine Civic Center – Mr. Jerry Myers gave an update on the Civic Center Project. The State Fire Marshal review has been sent back, there are a few minor things that need to be addressed, such as: door swings, hand rails and the kitchen area. He also discussed with the Council the idea of putting in some of the items that were deleted from the original plans, some of the requests there by citizens of Alpine, the architect and items the Town might want to add back in. A handout a sheet with seventeen (17) items and rough budget numbers was given. Items also discussed there tile for bathrooms, flooring, kitchen area, north area offices and police holding cell/area. Councilman Johnson would like to see the exact break down of what we are getting for these costs. Council members along with Mayor DeCora agreed that they would like to see a little more in-depth detail and budget numbers, and these items can be discussed in more detail at the next workshop meeting.

Public questions/comments were made by Mr. Kent Sawdy in regards to a temporary police holding cell.

Mr. Myers asked for a continuance to get the plan so that council can review them. Mayor DeCora stated that they will move on with the agenda items and when Mr. Myers is ready we will return to this item.

- (d) 189 – Ordinance No. 2009-45: Land Use & Development Codes – 3<sup>rd</sup> & Final Reading - Council reviewed the ordinance; Council discussed the changes made from the previous meeting, Council further reviewed the number for non-conforming use and structures, discussion of changing from 10% to 20%, it was decided to change to 20%, this decision was made at the 2<sup>nd</sup> reading of the Ordinance. Council asked P&Z member Mr. Josh Floyd, for comments. He stated he would like to see 25% but would be happy with 20%. **Councilman Jorgensen motioned to approve Ordinance No. 189 2009-45 with the change made to Section 3-302 (a) & (b) for nonconforming structures to 20%. Councilman Taylor seconded the motion.**

Open to public comment - none was given.

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

- (e) 192– Ordinance No. 2009 - 48: Repeal/Replace Ordinance #188 No. 2009-44 Business License – 1<sup>st</sup> Reading – Council reviewed the ordinance. **Councilman Jorgensen motioned to approve the 1<sup>st</sup> reading. Councilman Taylor seconded the motion.**

Council comments were made by Councilman Taylor in regards to questions on the application for license and if it really necessary for the Town to have it on the applications. It was decided to direct the staff to make the changes in the application. There was no public comment given.

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

Mayor DeCora called for a recess at 8:28 pm. Mayor DeCora re-convened the meeting at 8:36 pm.

Mayor DeCora motioned to suspend council rules in order to hear comments from Mr. David Dobler a Lakeview Estates (Terrace Lane) property owner – Mr. Dobler thanked the Council for their time and patience on this issue; he wants to address a specific issue and/or request to the Council. His request is a verbatim transcript pertaining to the history as presented at the June 2<sup>nd</sup> Council meeting, relative to the summary history of the Terrance Lane issue as presented by Mr. Stefan Fodor and Mr. Marlow Scherbel to be included in the June 2<sup>nd</sup> approved council minutes that is currently on the website, in draft form.

Mayor DeCora stated that the information is in tape form. Councilman Johnson asked about the procedures for this type of request. Councilman Jorgensen commented that this has been a long history, talked about at council meetings on and off for years and there would be tapes and/or minutes going back for sometime on this issue. Mr. Dobler stated that he has reviewed minutes from previous meeting, some of them are very informative and verbatim states are quoted, there is very specific verbiage in those minutes, and in this particular instance there is a very short paragraph to the history, he believes that this issue which is long and complicated one constitutes and/or warrants more than just a very short summary. Attorney Fodor stated that the minutes are a summary of what transpires at the public hearing and the actual tapes are part of that public record. Mr. Dobler stated that a copy of the tape would be sufficient.

Mayor DeCora asked for a motion to go back to council rules, Councilman Johnson motioned to returned to council rules, Councilman Jorgensen seconded the motion. **Vote: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

(Continuation of Discussion with Myers-Anderson Architects) Mr. Meyers showed a copy of the plans to the council and the public for their reference. They talked about the north offices.

**Councilman Taylor motion to accept remodel of the north office area, (Civic Center Project) back to the original specifications per Myers-Anderson Architects suggestions, with a detailed bid to follow. Councilman Jorgensen seconded the motion.**

Mr. Meyers stated that he is an advocate for the town by giving information and/or suggestions, his role is to give opinions to the council, the council's roll is to make the decisions, it is your project. The recommendations that he is giving is a level of maintaining quality, if you were to go to outside individuals to rent available space you can be on equal footing with everyone else.

Council decided that they would talk about any further items related to the Civic Center at the next workshop meeting on the 21<sup>st</sup>.

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

- (f) 194– Ordinance No. 2009 - 50: Repeal/Replace Ordinance #185 No. 2008-41 Sewer Connection fees, Sewer Usage Rates & Sewer Billing & Collection Policy – 1<sup>st</sup> Reading – Attorney Stefan Fodor commented on the changes that were made at the last Council meeting, the biggest one being the ERU determination. Section 10 & 11 as well as the exceptions for non profits, which are not defined. Entered into the record a letter from him to the Town stating his objections with the proposed action with the abandonment of the ERU table and also the changes of 501-C-3. Mayor DeCora asked about the three year connection time for everyone, if the life of the septic is over fifteen years. Councilman Johnson said if they sign up they have the three years to hook on, if the system fails then they have to hook on to it right then. Three years give them time to save for the construction fees. Attorney Fodor encouraged all Council to review all the changes. Mayor DeCora asked about the properties that need lift stations. Attorney Fodor commented on section ten (Exemptions) Council further reviewed that section of the ordinance. Mayor DeCora asked what determines a subsequent need for a lift station, what needs to be done. Attorney Fodor commented the ordinance states that they have to show that they can't meet the IPC. Council further discussed the ten year time frame. Attorney Fodor asked for Council's opinion on connection requirements for each building, using the example of a building that has three separate businesses. What do you want to do one for the building that has three separate businesses in it and who is in charge of that? Council further discussed this item, some of the business and the amount of ERU's that they are

being charged. Councilman Taylor reiterated his position with using the chart and what the actual usage is. Councilman Jorgensen commented that they are not changing the 250 average flow vs. 375 max daily flow just using as a base line and going forward. It closes the open end. Attorney Fodor addressed connections fees. Councilman Taylor stated in the end you come back to what is used. Mayor DeCora thinks that this part of the ordinance needs to be better defined. Attorney Fodor asked do you want to charge per building or per business. Councilman Johnson stated he thinks one building one charge, now down the road they are using more then they will be charged for more. Councilman Taylor commented on charging for what they are using. Attorney Fodor asked Council what happens if they condominiumize the building. Councilman Johnson said that then they would be separate, they are separate units and will be charged separately. Attorney Fodor asked if they were going to ask the owners to dig up and put in separate connections. Councilman Johnson stated that they will be paying for their own ERUS, they will be not paying more capacity fees but they will be paying their own ERU. The only time it would be different if it was separated buildings on a single parcel. Attorney Fodor asked Council about non profits organization, who would get an exemption. Councilman Johnson stated entities such as a governmental benefit or a community benefit as well. Attorney Fodor stated that this needs to be defined, such as a non-profit organization with community benefit. It has to have some type of governmental link.

The number of the readings was discussed, Attorney Fodor commented that the 1<sup>st</sup> reading was at the special meeting, held on June 25<sup>th</sup> and then this would be the second reading.

**Councilman Taylor motion to approve 2<sup>nd</sup> Reading of 194– Ordinance No. 2009 - 50: Repeal/Replace Ordinance #185 No. 2008-41 Sewer Connection Fees, Sewer Usage Rates & Sewer Billing & Collection Policy, Councilman Johnson seconded the motion.**

Public comment: Kent Sawdy asked about the questions and concerns he has for this property. He has the need for a lift station and the costs are estimated at Twenty Thousand Dollars not to mention the costs for a contractor to come out and install. And it would still not meet code with the angles needed. What is in it for him, pay the fees for something that he is not using, for what! What is going to happened to the next person that comes along, when a lift station is need and the sewage backs up into their house. He is not in a position to pay the fees. Councilman Taylor stated he does not know if any lift station that costs twenty thousand dollars and they do not back up often. A good discussion was had by these two gentlemen. Attorney Fodor commented on a letter sent by the Town Engineer (Sunrise Engineering) dated May 5<sup>th</sup> of this year with revisions to the general requirements one of which is homeowners is required to install a back flow prevention devise, clean outs the amount of them and the pipe sizing requirements.

**VOTE: 4 yes, 1 no (DeCora), 0 abstain, 0 absent. Motion carried.**

(g) Bid Award for the Town Maintenance Shop – Town Administrator spoke to Council regarding the bids received. They only received three bids on the maintenance shop. The lowest bid was received from Steel Vision Construction from Rigby, Idaho. Mayor DeCora asked how many doors it included. Town Administrator responded four doors - so the bid come in at \$169,454. The grant budget is \$141,142 (approximately) talking with the bidder (Steel Vision) there is some things that they think that they can do to decrease the price. One would be using the doors from the civic center at the new shop, taking out the roughed in office, with Council's permission. Town Administrator asked council to allow Greg (Nelson Engineering) and himself to work with the low bidder (Steel Vision) to get the costs down. Alternate number two included the fourth bay, remove a bay and look at it both ways at next meeting. Try to get down to the bid money we have in the grant. Councilman Jorgensen stated we need to look into cutting down the bay on the shop. If we cut one bay out we

have cut ¼ of the project out. Look at the square footage of the project Councilman Johnson stated we need to be under \$140 thousand. Attorney Fodor suggest that the Council give the Town Administrator a range as to what you will accept. Councilman Johnson stated a figure that is acceptable keeping in mind 10% for contingencies, so that would be fourteen (14) thousand dollars, so you are really looking at about \$126. Councilman Taylor even suggested at 12% contingency. Mayor DeCora called for a motion.

**Councilman Johnson motioned to give the Town Administration the leeway to work with Steel Vision Construction to see what they can do to get the bid down to \$125 thousand dollars. Come back to the next council meeting for review to see what the final price is going to be, before any bid is awarded.**

Public comment was given by Mr. Jeff Atwood. He stated that he is against the project!

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

(h) Jeff Atwood and/or – Town Concerns & Sewer Issues – Mr. Atwood stated that they wanted to talk about the de-annexation of their property. He further stated that Ms. Carla Stone will discuss this in more detail. Ms. Stone provided council with a letter she further stated that this is the letter that was submitted at the Special Meeting on June 25<sup>th</sup>. Ms. Stone read the letter in its entirety. The referenced letter stated that they are again requesting an ordinance be passed immediately to allow the property of SALL, LLC to be removed from the town boundaries of the town of Alpine. As per Statue the allotted 120 days for you to deliberate and responds started March 2, 2009. You have received the report from the County Commissioners and the town of Alpine’s response date was July 3, 2009. All of the owners have approved a petition and signed this letter for their property to be removed from the boundaries of the City of Alpine and put into the county. The letter went on to state their reasons for wanting to de-annex. In concluding her comments, she stated that we would appreciate the specific findings of the reasons why the town will not make the Ordinance, if the town does not de-annex out property. This would include specific citations to data/evidence that the town has used to deny it.

Mayor DeCora asked if the council had any comments. Council did not have any questions for Ms. Stone. Attorney Fodor stated that per statute 15-1-142, Section C - reads the governing body of the city or town **MAY** by ordinance provide for this de-annexation in regard the boundaries provided that, with a list of requirements, even if all the requirements are met it is discretionary for the Town Council, there is no obligation to approve it, even if it meets those requirements, it is completely up to the discretion of the town to allow or disallow de-annexation based on State Statute 15-1-142. Mayor DeCora again asked if there was any discussion on de-annexation. There were no comments on this issue. Mayor DeCora said it looks like Council does not wish to entertain de-annexation this at the time. Ms. Stone asked for clarification on discussion vs. entertaining the idea? Mayor DeCora said that – that is what she is interpreting from the council. Ms. Stone asked if they were motioning to not pass an ordinance to not de-annex their property from the Town of Alpine. Councilman Taylor stated that you would not make a motion to not pass an ordinance. Ms. Stone rephrased her question. She would appreciate some specific findings of the reasons why the town does not to want to de-annex their property. Mayor DeCora reiterated on what the attorney commented on earlier in regards to the statute that they may or may not decide on de-annexation.

Mr. Attwood informed the Council and their lawyer informed them that you must have a reason that you just cannot say no. Attorney Fodor asked Mr. Attwood if their attorney gave them a specific section in the statute where that it stated. Mr. Atwood stated that a well permit was issued to them however the permit is messed up and needs to be changed. Comments on water sampling/testing from the well was held by Mr. Diggs Lewis,

Ms. Yvonne Lewis, Councilman Taylor and Councilman Johnson. Mr. Atwood responded that sampling was taken for the de-annexation and dealing with the DEQ if they need that information. Mayor DeCora directed the staff to correct the well permit.

Mr. Atwood also commented on the old sewer plant, which if we had it would still be operating quite well, it would be operating under capacity, previous administration made terrible mistakes and instigating through the advice of Nelson Engineering the new sewer plant, seems like water under the bridge to the new administration, but the previous town administration screwed up therefore the present town administration is now responsible and he does not see. You are still trying to get the numbers to work, and they do not work for us. He is here to tell you that they will not do a mandatory tie in, will not! Because they are not going to let the town put them out of business. If they have a failure next year, they will have to shut down. It is cheaper for them to fix their leach field or whatever then for them to tie in. That is not their fault; it is the administration's fault. You are not going to bankrupt us, I'll see the town bankrupted first. We will not pay the readiness to serve fee, will not!

- (i) Ms. Marilyn Perkins – Enforcement of Town Ordinances – Ms. Perkins brought in a letter and read the letter in its entirety to the Council, regarding the newly passed Land Use & Development Ordinance. She further stated she has brought this to the attention of the Council last fall and to-date nothing has been done. She further stated the width of the road on Mountain Drive is not wide enough for two cars to pass and it is again the Fire Code as stated by the fire chief and the town engineer.

Councilman Taylor commented on the rocks and posts have not been removed. Mayor DeCora stated that we need to send the Chief of Police up there to look at the situation. Ms. Perkins responded that the dirt designates the street, the street should be 24 feet, but is only 15 feet. Right of way is the green part next to the graded part. Mayor DeCora said the right of way could be graded to 24 feet it is not anyone's property. Ms. Perkins stated it is not wide enough to do anything. Attorney Fodor suggested that you have a health safety and welfare issue that you starting enforcing it. If it gets to an issue of other complaints, give us addresses and we will enforce that too. The Town cannot have items in the right of way for safety issues and also out of fairness to the other residents. Councilman Taylor stated there are many people who manicure the right of way in front of their houses, but if it is an obstruction, then it should be moved. Attorney Fodor suggest the Town direct the Chief to issue a fair warning, give them a month to take care of it, and proceed from there.

Summer Youth Recreations Program – Town Administrator reviewed a previous discussion earlier this year to have a part time recreational planner. As per the Council instructions we were to apply for the Daniels Grant Program for equipment. The grant program responded that they could not fund the equipment but might be able to fund for a part time recreation person. Conversation was held with grant coordinator for an after school program, unfortunately the Town has no place to have the program. Council previously mentioned a summer recreation program. The application was changed and sent in Daniels Fund coordinator. The Town was notified that the Daniels Fund had approved some money. The Town received approval for fifty-six thousand dollars, the grant starts the end of June of this year and runs through the end of June next year. The question is we too late in the year to start a program. Can we use it as an after school program this year or wait and use the bulk of it next summer. The grant funds are available until June of 2010. Councilman Taylor stated that he feels it is late in the summer to try and get a recreation program going. Mayor DeCora said that they have spoken to the grant coordinator and if we need a month or two added onto the end of the grant program that should not be a problem. Her thought was that if they started planning in February, send out letters, as to what type of programs would interest children in various age groups, get feedback, do all this before snow melts, we can have a plan in place. Councilman Jorgensen agreed that it is not work while at this point in the summer, but keep it to where we have the funds for next spring, and then we can use it to its full potential. Would the

Council like to proceed with some type of summer program? Councilman Taylor thinks it would be best to get things going in the spring with soccer, baseball leagues and that sort of activities. Councilwoman Brown suggested looking into working with the library on summer craft programs.

Corey Blackburn addressed the council on his background, qualifications and on doing the pre-planning for the future; some ground work will need to be done ahead of time. He is definitely interested in the position, if it were to become available. Working on goals and have some pre-planning.

**Councilman Taylor motioned to put this on hold until January/February of next year, to also seek an extension from the Daniels Grant Fund for that \$5600 grant that has been allotted. Councilman Jorgensen seconded the motion.**

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

Terrace Lane Retaining Wall – Council discussed the retaining wall up on Terrace Lane. In the mean time having some work done, by Ryan Erickson (Sunrise Engineering) give us input. Councilman Johnson has some information to share with the Council on this particular issue. Councilman Johnson stated he has been working with a gentleman that has worked for the state, regarding retaining walls. He provided Councilman Johnson with a list of nine possibilities. Councilman Johnson said he suggested that H-pile walls with wood plank would be our best suited style. It would be the most beneficial way for the Town to go. Councilman Johnson suggested having the Town Engineer review this proposal. Attorney Fodor commented on the road problem we need to get the health safety issue taken care of. Council discussed the road on how to take care of the road that would be beneficial to all residents. Mr. John Jennings stated at the workshop meeting that he has some equipment that he will donate to help in alleviate the issue however he will not pay for transport or equipment operator. Attorney Fodor suggested that we getting the landowners together to get this sorted out. Attorney Fodor further asked to have Ryan (Sunrise Engineering) which is the best way to do this, even if we pay the ½ the mobilization costs. Get this problem solved and get it in the process. He will write a letter and we need to have Surveyor Scherbel write a letter to the town as to how he came to his conclusions. Councilman Taylor stated let's make the best foot forward and work with these people. Councilman Jorgensen agreed that we need to move forward on this. Attorney Fodor stated that we need to have come to some type of agreement with these homeowners, if we can. Affidavits need to be draft and signatures obtained by the homeowners.

Councilwoman Brown asked about the Breach of Peace Ordinance and where exactly do we stand on that. Councilman Johnson stated that he has not seen any drafts on the revised Breach of Peace Ordinance. Attorney Fodor, Chief Phillips and Councilman Johnson will get together and discuss the ordinance a little more in detail, before bringing it back to the Council.

Tabled Items – On Going Business:

- 190 – Ordinance No. 2009 - 46: Breach of Peace
- Steve Ashworth – Teton County Parks & Recreation
- American Legion Meeting/Discussion – Project meeting on picnic area
- Child Development Center
- Impact Fees

Department Updates:

Legal/Attorney: Mr. Stefan Fodor – Held a brief discussion on activities, he also requested an executive session to be held after department updates.

- (1) Northstar Utility rejected the Town's counter proposal. They have made an offer to buy ten ERUS over the next five fiscal years at five thousand dollars per ERU or do you want to go to arbitration. Council discussed the issue and it was decided to move forward.

**Councilman Taylor motioned to accept the offer from Northstar Utility of ten EURS per year over the next five fiscal years for five thousand dollars. The remaining ERUS will be purchased at the going rate at 7.7 until their allocation is exhausted. Councilman Jorgensen seconded the motion.**

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

- (2) Discussion on the Table "A" with Nortstar Utility and the proposed abandonment of table "A" - Does the Council have any problems or objections with that. Councilman Taylor talked about the construction use agreement table. Attorney Fodor asked about allowing them to use/charge according the exhibit "A".
- (3) Civic Center –The Civic Center Building currently sits on two lots that are zoned public and community facilities. The Town Park sits on the adjacent lot (Lot #600), which is currently zoned recreational and conservation. With the building remodel the building will extend over onto the adjacent Park lot, in addition some of that area will need to be used for public parking. The Town needs to request for a rezone from the RC (recreational and conservation) zone to a PCF (public and community facilities) zone for lot #600 of Lakeview Estates C within the incorporated limits of the Town of Alpine, Lincoln County, Wyoming. He spoke with Surveyor Scherbel and he suggests combining those lots, in which an affidavit would need to be done. He did not realize that they were zoned differently. This will take some advertising and remember it is after the fact. Councilman Johnson asked what it takes to do a zone change. Attorney Fodor stated advertising and public meeting he further stated he was unaware there was different zonings on those particular lots, the subdivision rules state lot adjustments cannot be done until property rezones have taken place. Councilman Taylor would like to keep some of the park lot zoned as park; but perhaps we can do both at the same time. Advertise the town proposing a lot adjustment, but would like to do the zone change first. The portion of the building that is going on the park area might need to be vacated. Attorney Fodor suggested just be on the safe side and do them together, they are both the same advertising requirements. He went on to discuss what the statutes require and what the zoning code calls for. Best course of action is to do a zone change on the lots and then adjust the boundaries.

Town Administrator: Deb Wolfley – A brief overview of the activities:

- 1) 306 Resolution No. 07-07-2009 authorizing the submission to the Wyoming Department of Transportation Office of local government coordination for the transportation enhancement activities local grant for the Town of Alpine for the purpose of construction of a paved bicycle/walk pathway

**Councilwoman Brown motion to approve resolution #306 Resolution No. 07-07-2009. Councilman Jorgensen seconded the motion.**

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

- 2) Lift Station – A carport company was contacted, carport would be open on three sides. If Council would like to move forward, he can get costs and present them at the next meeting.
- 3) JL Hardy – They are looking into hiring someone on a temporary basis to do clean-up work.

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

Water & Sewer: Don Jorgensen & Mayor Victoria DeCora – No report given

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 – Officer Phillips presented a written report. He further went on to say that a case coming before the court, would be a conflict of interest. Attorney Fodor suggested hiring a special prosecuting attorney to do this case, since there is a conflict.

**Councilman Johnson motioned to direct the staff to hire a special prosecuting attorney for the case in which the Alpine Town prosecuting attorney has a conflict of interest in. Councilman Jorgensen seconded the motion.**

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

Clerk/Treasurer: - The Council briefly discussed the Nelson Engineering bill for the Town Maintenance Shop, it was stated that the costs were part of the grant monies. **Councilman Taylor made a motion to pay the bills. Councilwoman Brown seconded the motion.**

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

Mayor DeCora recessed the public meeting at 10:55 pm.

Mayor DeCora moved to executive session at 10:55 pm. Regular Council session resumed at 11:10 pm.

**Councilman Jorgensen motion to ratify action taken in executive session. Councilman Johnson seconded the motion.**

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

**Councilman Jorgensen made a motion to adjourn the public meeting. Councilman Johnson seconded the motion.**

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

**The Meeting was adjourned at 11:11 pm.**



*Victoria DeCora*  
\_\_\_\_\_  
Mayor Victoria DeCora

Date

ATTEST:

*B. Bennett*  
\_\_\_\_\_  
Brenda Bennett, Treasurer

8/7/09  
\_\_\_\_\_  
Date

