



TOWN OF ALPINE
COUNCIL MEETING
MINUTES

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

DATE: August 4, 2009

PLACE: Town Hall

TIME: 7:00 p.m.

TYPE: Regular Meeting

Call to Order: Mayor Victoria DeCora called the meeting to order at 7:06 p.m.

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

Roll Call: Office Assistant Christine Wagner conducted roll call: Present: Shirley Brown, Beau Taylor, Troy Johnson, 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 Special Meeting Minutes of June 25, 2009, Town Council Meeting Minutes of July 7, 2009, Town Council Meeting Minutes of July 21, 2009 and Approval of Town Planning & Zoning Minutes for July 14, 2009.

Councilman Jorgensen motioned to approve Town Council Meeting Minutes of June 25th subject to edits and language changes, Town Council Meeting Minutes of July 7th subject to edits and language changes, to table Town Council Meeting Minutes of July 21st (as they are not complete) and to Approve Town P&Z Minutes for July 14, 2009. Councilwoman Brown seconded the motion.

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

- (b) Planning & Zoning Report: Josh Floyd of the P&Z commission gave a brief report, from the July 28th meeting. Welcomed new member David Jenkins to the board. Town is in the process of advertising for an additional P&Z member. They have forward on a letter received from Mr. William Axford in regards to a property dispute with the Town, also has a plat map available to show property dispute and has given Council the P & Z recommendations. Approve a remodel permit and taking actions on a written complaint filed against Wilderness Roofing, as soon as they get some information from the Town Attorney will be able to move forward on that.

Attorney Fodor asked about a property owner in Phase 2, the property owner is being allowed to install a septic system because the ordinance allows him, but there are some restrictions on the leach field. Mr. Floyd responded that the owner does not have enough room on his property to put a replacement field. A stipulation for approval was to have a signed statement from the property owner that as soon as the sewer system is available he has ninety days to hook into the system. Attorney Fodor commented so

basically you are allowing him not put in a replacement leach field when the code requires it. Mr. Floyd said that was correct. Attorney Fodor asked that the information be forwarded to him for review.

New Business:

- (a) Letter from William Axford with Recommendations from the Planning & Zoning Commission. Mr. Floyd discussed the road situation with Council and as a result of overgrown trees; the road has slowly veered off onto Mr. Axford's property. Mr. Axford has asked the town to take some steps to remedy the situation. Mr. Floyd stated on the plat map it clearly shows room for the road to go back to its original position. The Town Administrator presented Council with plat map and everyone reviewed the road area in addition to the photos provided by Mr. Axford. Mayor DeCora feels his request is reasonable. Councilman Taylor suggested contacting the property owners across the street to take care of the encroaching tree. Councilman Johnson questioned the grading of the road and if it has already been done this year. He further stated that the property owner is not concerned about it for two year, as he stated in his letter. So we can have it grading next year, no point in paying extra this year when it is not an immediate concern. Councilman Johnson further suggested getting this on the calendar, with Surveyor Scherbel, for as soon as the snow melts and then getting the markers in the road and moving forward. Mr. Floyd stated that the pins should already be there. Attorney Fodor suggested letting the property owner know what the Council is proposing to do.

Councilman Johnson motioned to move forward soon as the snow melts, for the town to put markers in the ground before grading is done on Stoor Drive in the spring of 2010, the road will be marked and graded in the proper location. Councilman Jorgensen seconded the motion.

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

- (b) Town Maintenance Shop Plans – Councilman Johnson would like a little more discussion on the plans and asked that Jason Riley from Steel Vision go back and figure amounts for the two garage bays. Council discussed full load on the outside and possible expansion in the future, with the original drawings that Nelson Engineering has already done, there would be minimal work to go back to the Fire Marshall. Council also discussed a little more overhang on the back of the building and/or a higher stem wall on the back side. Mr. Riley stated that he can increase the stem wall height and that would be a better option than putting on a roof extension. If more sheeting is done, a roof extension has to be factored into the building and it would double the snow load and would have to be re-engineered. Mr. Riley asked about the size of the building. Councilman Johnson stated a forty by forty-four or forty-six, whatever the frame line would work out efficiently. Mr. Riley and council discussed the current IBC codes and the proposed codes out for public review. The Town of Alpine currently has adopted the 2006 IBC codes. Mr. Riley asked about a full load frame that would allow for expansion. Council went on to discuss the roof pitch, what it was bid out for and what the current codes allows for. There is some discrepancy as to when the building permit was submitted and the change in the land use and development codes that have recently been adopted, in regards to the roof pitch. It was decided that the Town Administrator would look into the town codes and consult with the engineer and get back to the Council on this matter. It was further discussed as to the time frame that the contractor bid the project, the contractor further stated that steel prices are going up and we are getting later in the season, so there could be some additional costs as to the timing of this project. Such as concrete additives needed for freezing ground, he has also had two other price increases on this project. After the town makes their decision on the amount of bays and the roof styling, his prices will reflect any price increases, he is working closely with his sub-contractors to get those prices down. Councilman Johnson expressed

his desire to get the facts and figures from Steel Vision back to the Town Administrator as soon as possible. Councilman Johnson also expressed his concern with the uncertainty of entering a motion to move forward with this project. Mayor DeCora stated that at this time council is not willing to make a motion. Council went on to discuss the original design of gable end doors and scaling the building back to three bays. Councilman Taylor stated he is not opposed to the gable end doors and Councilman Jorgensen also stated the same, that he is not opposed to the gables, but we need to stick by the codes, he feels we could add on to the building later so we should go with the gable ends. Councilwoman Brown agreed with both Councilmen and to forfeit the driveway to bring the costs down.

Councilman Jorgensen motioned to go ahead with the three bays and a gable roof building and to forfeit the driveway to bring the costs down. Councilman Taylor seconded the motion.

Public comment was given by Ms. Tiphany Gayhart in regards to waiting until the spring, when it is not so expensive, further commenting how labor costs are down and there are a lot of people who might need the work. Councilman responded that this project had just gone out to bid, and these are the lowest right now. If it is postponed, it will increase our costs. Ms. Gayhart asked how much is in the bid for costs overruns. Councilman Johnson responded right now it is five percent. Mr. Kennis Lutz asked about the roof pitch, the architects already have drawn the building plans and as per the Town codes and ordinances anything less other than a four and twelve pitch would need to apply for a variance. Councilman Johnson stated that if we go with a gable roof that would meet the requirement. Councilman Taylor stated that the gable roof would be a two and twelve pitch roof. Mr. Lutz reiterated that is why the P & Z went with the four and twelve pitch, so that there would be no flat roofs and to keep the aesthetics of the mountain region. Mr. Greg Buchko (Nelson Engineering) commented that the plan was presented to the P & Z Commission in order to proceed with final design plans, then the new land use and development code was adopted. So he is unsure where it stands now. Town Administrator stated that the plans were submitted with the two and twelve initiation of the application. He will be checking into this and get back to the Council. Mr. Monte Davis asked if this bid was put out to the public bid and where Steel Vision was located. Mr. Riley stated he was from Rexburg ID and Councilman Johnson state that this was put out for public bid and that no local contractors came in anywhere near the five percent given for local contractors. Mr. Davis stated his business focuses on using local contractors and he hopes to be doing projects in Alpine, Jackson, Teton County and Lincoln County areas. He does not understand why we cannot have more of a concentration of Wyoming contractors building Wyoming projects. Because the money does not stay here in Wyoming it leaves the state. Councilman Johnson stated there were a total of three bids received, two others were Wyoming contractors. Councilman Taylor stated that it was not very competitive.

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

Town Administrator asked for clarification from the council as far as the Town Attorney reviewing the contract and proceeding forward. Councilman Johnson stated that there was one thing that the Council requested and it was the excavation from Sierra Excavators to have that in writing for the removal of the driveway costs. It was further discussed that the general contractor would need that in writing not the Town. Mr. Riley stated that the items that they talked about deducting from the bid would have to be approved by the council and any of the deductions that are being made would be subject to Council and State Fire Marshall approval. Councilman Johnson said we will have to see what the state says, because we only have the one hundred forty thousand dollars for the grant. Council agreed that we would like to wait and see the final plans.

(c) Ms. Tiphany Gayhart – Discussion on Town Audit – Ms. Gayhart addressed the council as to if we were getting an audit on the town finances and where all the funds are going. We the citizens would like an independent audit done on the town expenditures. Grant monies keep being applied for with match monies for these grants and the citizens feel we do not have any more match money. So we would like to know where the funds are coming from. When Mr. Wolfley puts the grants into the state, with the pretense that match monies of surveyor donating their time, she feels that has to be in writing and documented for that percentage before we can move forward and the citizens get charged for these charges that were not expected. Funds that we do not have. Ms. Gayhart asked council to think about that and see if it can be done, put it out to the public and let the public know where the funds are going. Ms. Gayhart discussed how much the water department is bringing in and what it costs; the sewer department cost and bringing in and what it is costing to run this town; how much we are spending on legal fees? How much the town administrator is costing, the public would like to see Mr. Wolfley's business license and liability insurance.

Councilman Johnson commented that they have discussed the business license issue, in previous council meetings. Councilman Johnson also stated that there has only been one grant submitted with matching funds. Mayor DeCora stated that grant would be for the walk-way down Greys River Road, for public safety, we have had an engineer and a surveyor who will volunteer their time, which has to be documented in the grant, before the Town can submit the grant to the State. Councilman Johnson wanted to clarify, so that we are all talking about the same thing, this is for bike/walking path. If we have engineers and surveyors donating their free time and it is documented, he does not see the problem with that. Ms. Gayhart wanted to also clarify that the full twenty-five percent would be matching, so that it will not be an assessment or an increase to the public through a mill levy, water or sewer rate increases. Councilman Taylor responded that if they cannot increase the mill levy and you cannot charge water or sewer for a walkway (capital improvement). Ms. Gayhart said these things are all done with intentions but the town can only afford to do certain things, you cannot do them all at once, with this economy with everyone struggling just to survive. The Town going out to get all this grant money, with matching funds under the fictitious census done in the year 2000, which has never lived up to any of those projections. Every feasibility study or grant applied for is using that fictitious feasibility study that from day one has not lived up to the census, getting grant money from it is lying to the State. Councilman Johnson commented that the Town has only one grant that has matching funds right now, just want to clarify that is all they are applying for right now and it has been documented for matching funds. He reminded Ms. Gayhart that this town is twenty years old and he feels that we deserve a place for our kids to walk and bike in safety. Ms. Gayhart does agree - that is why people moved here so that their kids can get out and take advantage of the surroundings, it is good, but it also has to be affordable to the public.

Ms. Gayhart further asked about the level three grant for well number three. She further stated she is worried about this grant will increase our water fees and who know what else. Councilman Taylor stated that grant money was granted to the Town before most of us were in this administration. Ms. Gayhart commented when you move to level three, we take over that well, that's when we have to start paying for what's going on and she feels that the Town is getting pushed into it, by the Engineering Company. Councilman Johnson stated his understanding is that the grant monies were approved by the previous Mayor. They have gone back to the engineering company and stated we are not going to go that high. He further stated I do not want to raise the water bill! He also feels that no one on this Council wants to raise the billing either. They have been fighting this for a while, they have also been fighting this issue from the public (newspaper articles) that we have all this money that is supposed to go

with this grant, and we have not used it yet! Right now we are still in that progress. Ms. Gayhart responded she understood that it has not been given yet, because you are not at level three but the engineering company wants to take it to a level three, get the grant money to get those holding tanks and the pumps and then that's when we have to come in with the match funds. Mayor DeCora stated that we need those pumps. Councilman Johnson stated that the pumps are to update well one and well two and bring well three on line, which was started under the previous administration. Ms. Gayhart stated that was all on speculation, they were allowed to do that, at no cost to the Town until we decided to take it to level three. Then we go and get that grant money and we are responsible to pay that 33 to 37 percent, whatever it is, that's what they are trying to sell you on. Councilman Johnson stated that is the issue we are trying to work on. Just so you know I'm on your side I do not want to raise the billing. Mr. Lutz asked about the transmission line. Councilman Johnson said it not just the transmission line, it is the line to the pumps, it's the monitoring system and it is not all a one lump sum, there are seven different things that go into that grant. That is what they are negotiating; we know what the public is going through. We do need those pumps that are part of that grant, but we do not need to use that entire grant. We can pick and choose the line items, and that is what they are working on right now. What they feel is most important and what the town needs the most. Ms. Gayhart is glad to hear that the Town is not going after all the grant monies. Mayor DeCora suggested we get back on track with her agenda item. Ms. Gayhart felt that this is part for the town audit to see where the funds are coming from, she stated she is not challenging every grant the town has received, and she is just asking questions. That is why they want an audit for to see what kind of money we have to match these funds. Mayor DeCora stated she can assure Ms. Gayhart that an audit had started today. Ms. Gayhart stated they would like to have an independent audit done by the State. Mayor DeCora stated she is welcome to call the State audit department and request one. Ms. Gayhart commented that is already being done and that is her biggest concern, she is happy to hear that the Council is aware that we do not need to use all the grant monies that are out there just because we have to match it. The Town Administrator commented that Ms. Gayhart brought up a good point on the grant for the sidewalk and that if the State approves the grant, we would sit down and come up with a very fine detailed budget as to what it is going to cost based upon several factors, such as the labor and volunteer help; at the end we bring back to the Council and if it looks like we can do it, great. If not then we scrape the project. Ms. Gayhart's last comment was it would be nice to have everything done in the proper order, such as the paperwork that everyone is required to do; that way we are not trying to play catch up and get things rezoned and such. We (the public) would like to be more informed and that is all we are trying to do. If the pathway is no cost to the citizens, she thinks it is great! Mr. Lutz stated that they might be able to help with the project.

- (d) De-Annexation – Forest Meadows Subdivision – Council Discussion – Mayor DeCora made comments on the proposed de-annexation of the Forest Meadows Subdivision, Mayor DeCora went on to say, that no de-annexation shall create an area which is located entirely within the town, but is not a part of the town. Lots 1, 10, 22, 25, 26, 28, 31, 36, 39, 41 and 43 are therefore ineligible for de-annexation as if the town decided to de-annex them; they would be entirely within the Town, but not part of the Town in violation of the statute (15-1-421). Only lots 12 and 32 are eligible for consideration for de-annexation. Mayor DeCora asked if those property owners were in attendance tonight. Both lot owners were in attendance.

Ms. Tiphany Gayhart stated that they have been working on this and have several more signatures that have been added to the petition. Mayor DeCora asked if those signatures have been submitted to the County. Ms. Gayhart stated that it did not matter at the time, that they only needed a percentage of the signatures to get the process started. She further commented that they have put it in the paper for public notice, had a hearing in front of the Lincoln County Commissioners, and they are all for it. Their subdivision is the lowest density area in the Town of Alpine and they meet all the standards.

Attorney Fodor commented on the email received from Mr. Gavin in reference to some confusion as to what was actually filed. Mr. Fodor referred the Wyoming State Statutes, that say a landowner within the subdivision may petition the government for de-annexation, but it seems that the premises of the petition was that the subdivision has filed for de-annexation. State Statutes requires individual landowners are those are that can be considered. Ms. Gayhart stated that is his opinion! Ms. Gayhart went on to say that the March petition did not require everyone to sign and there have been several signatures since then. Ms. Gayhart and Mr. Fodor stated their opinions for the record. Mr. Fodor asked Ms. Gayhart if they have someone who, has a different opinion and would like to send him a letter for his consideration, that would be great, but he does not feel the need to continue to debate on State Statues with her. Mr. Kennis Lutz asked that Mr. Fodor continue with the State Statute (15-1-421) and the distinction of eligible landowners vs. subdivision filing. Ms Gayhart requested from the Town (in writing) why they are denying the de-annexation. She further stated the county wants us! The whole subdivision is boarded on three sides of Bureau of Land Management property. Mr. Lutz, Ms. Gayhart and Attorney Fodor further discussed property owners signing the petition, under the forest meadow subdivision. Mr. Fodor again commented that the subdivision itself cannot ask for the de-annexation. Ms. Gayhart reiterated that this was a petition filed under Forest Meadows Subdivision, a petition for de-annexation in which was reviewed by a lawyer very carefully. Mr. Fodor commented on his interpretation of the State Statute. Mr. Lutz commented that these lot owners, we have had 42 lot owners signatures, are all contiguous. Is this the property method or does each one have to file this petition individually? Attorney Fodor commented that if you get one hundred percent of the people and they are all asking the same thing, you should be able to file together. But the subdivision cannot the petition and that is why the petition failed. However there is a couple of lots, that can be considered individually, but the majority of them cannot. With all the signatures then the subdivision, can be interpreted as a whole for everyone wanting to do this. Mr. Lutz stated that he needs to get the rest of those signatures in. Mr. Bert McNeel commented to the Town Council, asking who works for the town, who is running the town and who makes the judgments here. Further stating times are tough and getting tougher, he has been on this council, they use to listen to the people and make their own decisions. He is asking to be de-annexed because he will not put up with the town nonsense, he is very unhappy with what is going on and "We are not going to take it anymore!" He does not understand that when Tiphany tries to say something, it goes on deaf ears, they are tired of it.

Councilman Taylor motion to table the consideration for the Forest Meadows, eligible lots, de-annexation, until all the landowners re-file their petitions. Councilman Jorgensen seconded the motion.

Vote: 4 yes, 0 no, 1 (Brown) abstain, 0 absent. Motion carried.

- (e) 195– Ordinance No. 2009 - 51: EMERGENCY Ordinance Governing Rights-of-Way in Alpine - Council reviewed the ordinance. Councilman Johnson asked why this was an emergency ordinance. Mayor DeCora stated that this pertains to a couple of issues in town and in order for our Police to enforce this; we need to have some laws or ordinance to enforce violations. Councilman Johnson asked about the time limits and suggested that it be for a longer period of time.

Public Comment by Mr. Kent Perkins discussed citizens parking on the town right of ways. Councilman Johnson also commented on the properties that have one car garages and that there is only a limited amount of space for parking. He just wants to be fair with all residents.

Councilman Jorgensen motioned to pass Ordinance #195 – No. 2009-51 – Emergency Ordinance Governing Rights-of-Way with the change from 24 hours to 48 hours. Councilman Johnson seconded the motion.

Public Comment was given by Mr. Monte Davis he stated for the Council that for most of us here, this is a destination home, what happens if your car breaks down, what happens if you have different issues or emergencies. I understand abandon vehicles is one thing, but we are a resort community. I would hate to come back from a trip and have tickets on vehicles parked in front of their homes. The ordinance needs to state specifically an abandon vehicle, needs to be taken care of; law enforcement has more important things to do. Councilman Johnson asked if others could drive by, while these vehicles were parked on the road. Councilman Taylor commented on not impeding the roadways. Office Phillips clarified for the public as the person who is to actively enforce and/or passively enforce Town ordinances. This issue is not something that the Town really wants them out there taking up valuable time, but when there is problems; they need to have a way of dealing with it. Looking at vehicular traffic, it is important, if there is not a complaint about it, it will probably not be actively enforced.

Vote: 4 yes, 0 no, 1 (Taylor) abstain, 0 absent. Motion carried.

Mayor DeCora commented on following up with a permanent ordinance for the next meeting. Attorney Fodor asked about encroachment in the right of way and what the council would like to include in the permanent ordinance.

Public comment made by Mr. Monte Davis regarding discretionary enforcement, charging fees to the public when certain things fall under passive enforcement, just communicate with the citizens, no need for a permit and more fees. It is communication, we just need to talk with each other and we do not need more fees and permits for everything we do in this town. Attorney Fodor commented that would be at the discretion of the Council in regards to any fees and permits. Mayor DeCora stated the number one thing for a permit requirement is communication and not everyone will communicate with us, they will just go on and do it. Mr. Davis commented law enforcement travels these roads many times in the course of a day; that is what they do, they look and observe -- the fees are out of hand. Law enforcement can do this passively, they are there anyway, no reason to charge people more money. Councilman Johnson would agree with Mr. Davis. Councilwoman Brown commented on some barricades where they are currently taking care of some road issues, all they are asking is that you come to the town and let them know what you are doing, so that we communicate and stay informed as to what is going on in the town, there are safety measures for the town. When they come into the town for a permit, that does not mean that there will always be fees involved. It is also to make sure that the maintenance department knows what is going on in the Town. Councilman Johnson stated it does not have to have a special permit for that, but on the permit filing if anyone is going to put dirt in the right of way it needs to be properly barricaded and marked, especially if it is in a travel lane, the town would be liable if it is not properly barricaded. However, the Town does need notification that you are doing it and it needs to be a very minimal time frame, especially if it is in a travel lane. Councilman Taylor suggested clarifying this, there should be some wording basically stating that the town would be notified. If you need an exception to this use, you need to notify the town with 24 hours prior to digging, you will be instructed on what sort of reflectors and/or markers that you will need to use and the encroachment cannot exceed a 72 hours period of time or possible as long as a week. Councilman Johnson suggested a pile of dirt on the roadway will not exceed a twelve hour period of time or a reasonable time frame will be determined upon individual application. Attorney Fodor will work on it and present at the next meeting for review and council can precede with the readings on this ordinance. Mr. Kennis Lutz final comment was to take into consideration the issues with the sewer line hook ups going on in the Town right now.

Mayor DeCora recessed the meeting at 8:30 pm. Mayor DeCora reconvened the meeting at 8:37 pm.

- (f) 192– Ordinance No. 2009 - 48: Repeal/Replace Ordinance #188 No. 2009-44 Business License – 2nd Reading. Council reviewed and discussed the ordinance and what constitutes doing business in the Town of Alpine. Mayor DeCora commented on businesses based in the Town of Alpine and working in other locations, other areas, which the exception of Jackson, do not make people buy business licenses. Much discussion was held on a business providing a service vs. a business selling a product and whether or not they are based out of the Town of Alpine. Council further discussed home based business/occupations and what standards are set for those businesses in their zoning districts. Councilman Taylor suggested let's make this easy, anyone who does any business out of Alpine, needs a business license. More discussion was held on area zoning codes. Attorney Fodor asked for clarification from the Council, if a home based business is in that zoning, they be granted a business license, as long as it is allowed in that zoning. Council discussed if someone is selling a product they need a license and if they provide service they do not need a license; unless your business is based out of Alpine. Each of the Council members expressed their opinions on business licenses. Councilman Taylor again expressed his view that if you do business in Alpine, then you need a business license. It takes away those who get one and those who do not; people who do business and make money, regardless if they live here or not should have a business license. The fee is to promote business in this Town. The money we collect is one of the few things that are ear marked to be re-distributed into promoting the town image. Those people benefit from selling in this town, besides a wholesale distributor/business. Councilman Johnson's opinion is people who are delivering goods to business in the Town of Alpine -- the business owns the business license. He has a business license, if you are based out of Alpine you need a business license, the building trades (sub-contractors) the general contractor should have one, if they do not, the individual sub-contractor would need to have a business license. The zoning would require where you need a business licenses, sidewalk sales would need a one or two day business licenses, any door to door sales would need a business license. Professional services he does not agree with, they already have a license where they based out of. The delivery of products and/or goods he believes does not need a license. Mayor DeCora agrees with Councilman Johnson's statement and Councilman Taylor also agrees except for the professional services.

Public comment by Ms. Tiphany Gayhart she feels that if someone is coming here from Jackson, and is working under someone who is already licensed then they should not need a license. Professional services, each of the entities have already gone out and bought a business license, such as hair salons, real estate offices etc., these people already have other licenses to do their business. They do not get paid directly from the business their companies issue checks to them. They are all under the same tax identification numbers. Attorney Fodor stated that it sounds like a majority of the Council agrees that selling retail product whether it is permanent, temporary or door to door would require a business license. The services would not require a business license; the businesses operated from the Town of Alpine would require licenses. The building trades would require a business licenses unless they are under a general contractor, which is licensed in the Town of Alpine. That's what the majority of the council is leaning towards. Attorney Fodor asked with the Councils permission he would like to revise most of what is in the current ordinance and make it as simple as possible.

Councilman Johnson motioned to approve the 2nd reading of Ordinance #192 No. 2009-48 Business License, with the changes and/or language as discussed in tonight meeting. Councilman Jorgensen seconded the motion.

Town Administrator commented that he has contacted some other cities and they pretty much go by what has been suggested here tonight. Some are based on gross income, but that is a hassle to deal with. Ms. Gayhart asked about any sub-contractors that are not licensed in this town, would they be required to get a business license? Councilman Johnson stated that not unless they are under a general contractor. So her question to the

Council is what the town administrator is. Mayor DeCora responded that would fall under the professional services category. Ms. Gayhart further asked if that would require a business license. Council responded no because of the professional services and they are based out of a different area.

Vote: 4 yes, 0 no, 1 (Taylor) abstain, 0 absent. Motion carried.

(g) Web Site Agreement – Town Administrator spoke about saving money in the Town budget. He is looking into revamping and/or redoing the town web site. He found a company named IGOV out of Orem, Utah, their pitch is for a small community and it would cost forty nine dollars a month to host a website. This website has so much more capability, to add pages, change pages, create searches Attorney Fodor as reviewed the contract. Once it is set up, it will be easy to navigate the Town information and asking for your consideration on this change.

Councilman Taylor made the motion that we accept the website agreement as presented here tonight. Councilman Jorgensen seconded the motion.

Public comment was made by Ms. Tiphany Gayhart, she feels that this is the best form of public information you have out there. With the majority of the public using this form technology it is a great way to the public informed.

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

(h) Amendment to Snow Removal Contract – Town Administrator discussed the amendments with the Council on the additional costs. The council discussed the road issues in that area and the blocking off of the construction road on the Bureau of Land Management property.

Public comment was made by Ms. Tiphany Gayhart about the road in that area and the public utility easement. Councilman Johnson stated that if we reduce the road, it will reduce the snow removal contract. Councilman Taylor suggested solidifying an access to the boat dock. The Town Administrator will check into that and get back with the Council.

Councilman Jorgensen motioned to table the amendment to the snow removal contract pending further road information and the inflationary factor. Councilman Taylor seconded the motion.

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

Tabled Items – On Going Business:

190 – Ordinance No. 2009 - 46: Breach of Peace
Impact Fees

Department Updates:

Legal/Attorney: Mr. Stefan Fodor – Reviewed the email on the individuals that elected not to participate in the rebate and/or amortization program. He suggests that the Town send out a letter to let them know that those individual have one hundred twenty days to hook onto the system. Councilman Johnson agreed with that.

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

Retaining Wall (Terrace Lane) has had conversations with Ryan Erickson (Sunrise Engineering) about the H pile system that was proposed. He has talked with other engineering companies about the costs of the wall. Council briefly discussed the retaining wall issue. They also discussed the snow removal easement and it was suggested to remove the easement. Other citizen concerns were trees and bushes that sit inside their property line approximately three inches. The property owner would like to see that the property line be moved about six inches, so that the trees and bushes on their property will not be disturbed, they asked this request it be brought to the Council. It was decided that the Town will not consider moving the road three inches they will be going with the road as marked. The Council recommended going with the keystone block retaining wall. Council also discussed the water line.

Councilwoman Brown motion to proceed with Nelson Engineering on the retaining wall on Terrace Lane, Nelson Engineering costs not to exceed Ninety-Five Hundred Dollars for design and stake out to be included, Mayor to sign the agreement upon review by Town Attorney. Councilman Taylor seconded the motion.

Public comment made by Ms. Tiphany Gayhart in regards to requiring a bond on this project for any up charges. Councilman Johnson responded that all this agreement is for the design, engineering and the stake out of the retaining wall. The bidding and construction of it we can decide to take that part on once we have the plans etc., then we can require a bond from the company that is awarded the bid.

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

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.

Clerk/Treasurer: **Councilman Taylor made a motion to pay the bills. Councilman Jorgensen seconded the motion.**

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

Mayor DeCora requested an executive session to be held pursuant to Section 16-4-405 a (ii) Wyoming Statutes.

Mayor DeCora recessed the public meeting at 9:53 pm. **Councilwoman Brown motioned to move into executive session pursuant to State Statute #16-4-405 a (ii) Councilman Johnson seconded the motion.**

Regular Council session reconvened at 10:47 pm.

Councilman Jorgensen made a motion to move forward with action taken in executive session. Councilman Taylor seconded the motion.