

TOWN OF ALPINE

Town Council July 1ST 2008

*Minutes are summary only of clerk's notes.

Meeting called to order at 7:00 PM. Mayor DeCora led the pledge of allegiance. Whitney Heller called roll call present: Donn Wooden, Shirley Brown, Mayor Victoria DeCora, Beau Taylor, and Don Jorgensen.

Approval of Town Council Minutes: June 17th 2008, September 4th 2007 and November 6th 2007. Donn Wooden motions. Beau Taylor seconds. **VOTE: 3 yes; 0 no; 0 abstain; 0 absent. Motion Carried**

Update Waste Water Treatment Plant: Ed Turner; says all concrete for head works has been poured and completed. Structure framing is done on head works as well as first portion of roof, stairway has been installed and it is worth taking a trip down there and sees the reinforced fiberglass on stairs. Next week will be installing the piping. We also have filled the building with 14 ft of water and there were no leaks. Also would like approval of payment #1 for Enviroquip and Moltz payment #6. Donn Wooden motions to pay the request. Beau Taylor seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion carried.**

Snake River Junction: 3rd Filing of Plat: Marlow Scherbal gives council handouts of map. He is speaking for developer this is a final plat this is the fourth plat of the third filing and to plat the whole property. There were 25 lots so they could be flexible and are fixing the size of lots in accordance to master plan. The lots do have conditions from P&Z and Leon Kjellgen, namely a commitment letter from NSU as to water and sewer service as well as the bond for infrastructure in the same format as required on previous plats. The county is waiting for final documents for landscaping. Also looking for final approval for Mayor to sign off on plat would like conditional approval according to P&Z recommendations. Mayor DeCora: read letter from P&Z. Carl Says he disagrees with P&Z recommendation in reference to the fire department and all they were calling for was the plans. And asking to change P&Z recommendation and have fire department review water plans and submit to DEQ. Pat Marolf: (from P&Z) believes condition clarified. Donn wooden motions to accept third filing of plat with conditions as stated from P&Z and Leon Kjellgren. Fire Department will review plans and SRJ will submit plans to DEQ. Beau Taylor seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion carried.**

Karns Office Building: Commercial building permits P&Z approves permit with no conditions. Mayor DeCora would like discussion of water fees that were prepaid. Since that time there has been no effort in building. As time went by fees have gone up. Donn Wooden would like to credit the payment made and will need the difference of money due at this time. Don Jorgensen agrees to credit what was paid and pay the difference of what is owed. Stefan Fodor: your fees will be dependent on the number of water lines and factor of ERUS. Mayor DeCora asks for a motion to pay difference of water fees. Steve Karn: we have paid fees when it was considered the connection fee and were to build at later time. Mayor DeCora reminds of Ordinance if no building permit has been applied for within a year building permit is null and void. Don Jorgensen motions to accept building permit subject with Leon Kjellgren

approval and pay difference of water fees. Beau Taylor seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent.**
Motion carried.

Abatement Hearing Ernie Scott: Mayor DeCora reads Pursuant to 177- Ordinance No 2008-33 the following is a hearing on the Scott property at 278 Saw Mill Road, Alpine, Wyoming. This hearing is being held to determine if there are violations of the Town Code and Ordinances and if such violations are found, whether or not an order to abate shall be issued and what that order shall be. All of the evidence introduced at today's hearing has been provided to the Scotts by certified mail dated June 18, 2008. If the Scotts are missing any piece of evidence discussed today and entered into the record, they have the right to ask for a recess and review any evidence they were not provided previously. Mayor DeCora then reads the Order of Proceedings from Page 5 section 2 a-f of the 177-Ordinance 2008-33 and reminds public of the council rules and the fact that they have to address their comments to the council and not each other, this is not a forum for debate between the public but a serious hearing on the Scott's property rights.

2. The chairperson conducting the hearing may exclude statements or information that the Chairperson finds to be irrelevant, immaterial, or unduly repetitious. The order of proceedings shall be as follows.

a Narrative and graphic description. The Inspector shall present a narrative and/or graphic description of the matter to be heard.

b Staff Report Presented. The Inspector shall present a staff report.

c Landowner presentation. The landowner shall be afforded the opportunity to present any information in deems appropriate.

d Public Statements. Public statements shall be heard, first in favor of the enforcement, then in opposition to it.

e Landowner Response. The landowner may respond to any statements or information presented by the public.

f Town Staff Response. The Inspector, or Planning and Zoning Commission, The Town Attorney, and any other Town Staff may respond to any statement made by the landowner or public comment.

Mayor DeCora reads to public section 115.1 of the IBC code: Unsafe Structures and Equipment. Structures or existing equipment that are or hereafter becomes unsafe, insanitary or deficient because if inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance , shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and is provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe. Mayor DeCora

asks for Building Inspector Jody Tibbitts comments; Jody Tibbitts: recently took over project taking over for previous building inspector Rob Wagner at that time was informed of property and followed up on residence. There is an agreement with Rob and I as to the unsafe condition of this dwelling, specifically with the collapsing of the roof, the flue pipe is in a dangerous situation also. There were items abandoned on property as far as the structure the additions make it a hazardous situation. Deb Wolfley: also involved in this project and would like to go through staff report to what has been done on this matter. This started back in 2007, when the Alpine Fire Chief raised concerns about property. Deb Wolfley reads from Staff report and time line of correspondence:

11/1/2007 Letter to town from Alpine Fire Chief raising issue of unsafe structure and code violations

11/14/2007 letter to Scotts from Town Attorney notifying landowner of code violations

12/18/2007 letter to Scotts from Town Attorney reiterating code violations and ramifications of not fixing problem

2/21/2008 Inspection Report to Scotts from Town Building Inspector to Scotts regarding violations of code and notice to remedy

3/17/08 letter from HRS Contractors to Town notifying Town of HRS's intent to remedy unsafe conditions of Scott residence

3/21/08 letter to HRS from Town Attorney re indicating necessity of building permit and plans necessary for work

3/26/08 mailing of permit applications to Scotts and Harold Sauer

4/28/08 letter to HRS from Town Administrator regarding need to see progress by early June and construction work by end of June.

6/4/08 Publication of zoning violation and date and time of hearing

6/6/08 second inspection by Town Building Inspector

6/10/08 Recommendation from P&Z board

Seven pictures of both winter and summer time conditions

Mayor DeCora: would like to give the Scott's opportunity to explain why nothing has been done. Ernie Scott says he has no money and is crippled. He is not able to do this. I am taking things to the dump and working 4 hours on this and what he is able to handle, preparing for when his son in law comes to town to help. Stefan Fodor: I would like to make sure the Scott's have received the packet information and certified letter dated June 18th 2008. Ernie Scott says he has but hasn't looked at nothing but his wife has. Ernie Scott provided a duplicate copy of the June 18, 2008 letter and all attachments in person by Town clerk. Ernie Scott asks for a continuation of hearing. Stefan Fodor says he is entitled to continuance pursuant to the Ordinance. Mayor DeCora: would like to add we as a Town cannot

appropriate funds for private individuals and your safety is our biggest concern. Ernie Scott: we are only looking at fixing the roof structure. Mayor DeCora says Jody Tibbitts has presented you with options and the possibility of you selling a portion of the property.. Ernie Scott says it is his retirement home that his father in law had built. Mayor DeCora says Ernie Scott is entitled to continuance. Donn Wooden motions to continue abatement hearing until next council July 15th 2008. Beau Taylor seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.** Julienne Christoferson asks which Ordinance council was referring to? Stefan Fodor stated to 177-Ordinance 2008-33. Ms Christoferson. Ask if this refers to applicant or landowner, the procedure that the Mayor had read under order of proceedings. Julienne says there is no specification in ordinance on how long continuance is for. Mayor DeCora says there was a motion to extend abatement for 2 weeks.

Sundberg & Associates: Bid proposal for CDC: Stefan Fodor states that he had just received the bid documentation this past Friday and has not been able to review. Will have comment next council July 15th

Department updates:

Town Administrator: Deb Wolfley, states at last P&Z board recommended the town have a minor construction permit it would be something the building inspector can take care and merits cause to have a better handle on things. Another issue last meeting in land use code certificate of placement for surveyor to be able to check that foundation and walls are where they need to be. There is a new form to be put in place. Would also like a Town newsletter to go out soon as to what permit is needed and not and to include new water and sewer rates as well as all the activities in town.

Update on well: since the time of last council this well is going to only produce 500 gallons pm and decide if we are going tot take this well or go for another. Not encouraged by what we were expecting.

Parks & Rec: Ball Park is coming along; Donn Wooden would like to say playground is getting torn up. I believe we do not need the portable toilets they are getting knocked over. Mayor DeCora asks to start a neighborhood watch program to protect our playgrounds and parks for our community, also to put in newsletter as well. Shirley Brown would like to let the public know 91 children signed up for the summer reading program at the library.

Water & Sewer: Don Jorgensen believes all was covered and in regard to lift station talking with Leon Kjellgren the owners were mistaken on the placement of lift station. It has to be where it is at. Tearing up the roads in regard to the collection system that is something the town will have to deal with. Donn Wooden would like to clarify motion earlier at last council was not moving lift station but to get together and make it more appealing to the eye. Deb Wolfley would like Mayor to clarify that some members of council will go to lift station and let Tavern on the Greys know that lift station will not be moved.

Planning & Zoning: Pat Marolf would like to reiterate what Deb Wolfley was discussing with the permits it would alleviate a lot of time from P&Z. Mayor DeCora having said that I would like to approve a minor building permit. Pat Marolf: P&Z will be discussing this at next meeting and will have a form for council approval.

Stefan Fodor would like to clarify in the minutes that Jody Tibbitts should be commended as an individual rather than town inspector in regard to Ernie Scott.

Unpaid Bills: Shirley Brown motions to pay unpaid bills Don Jorgensen seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried**

Donn Wooden motions to adjourn public meeting. Beau Taylor seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.** Meeting adjourned at 8:09 pm



Victoria DeCora

Mayor Victoria DeCora

ATTEST:

Whitney Heller

Whitney Heller, Town Clerk