

Town Council September 16, 2008

All Council and Mayor DeCora were present for the 6:00 pre-meeting as well as Leon Kjellgren and Town administrator Deb Wolfley this pre-meeting was taped no decisions were made.

Meeting called to order at 7:07 pm council persons present for regular session: Beau Taylor; Don Jorgensen; Donn Wooden; Shirley Brown and Mayor Victoria DeCora present establishing a quorum. Mayor DeCora led the pledge of allegiance.

No council minutes or P&Z minutes available for approval.

ACTION ITEMS & NEW BUSINESS:

Community Service Request: Miranda Schreiber, Daniel Esperson & Austin Lobner. Miranda: asks if she could be appointed to be a delegated volunteer for the town to serve community service so she can make Alpine a better community. Daniel Esperson: would also like to be delegated for community service to clean the mess created at the park. Deb Wolfley: anticipate service projects need to be delegated. Mayor DeCora asks for a motion to leave to the court what extent of service they may do. **Beau Taylor motions. Don Jorgensen seconds. VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.** The town thanks them for the service and appreciated them stepping forward to repair the park. Deb Wolfley asks if the 3rd person could be designated that is not here tonight. Council agrees to amend motion to include Austin Lobner. Beau Taylor motions. Don Jorgensen seconds. VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried. Austin Lobner arrived late and asked if he could help with community service to repair the graffiti he caused at park. He is playing football and available on Sundays. Mayor DeCora said there was a motion and will leave it to the court to decide when community service is served.

Kennis Lutz: Discussion on sewer bill this item was tabled from Sept. 2nd 2008 council meeting. Kennis Lutz: Last meeting spoke about sewer bill. Leon Kjellgren, Deb Wolfley, & Kennis Lutz discussed bill and Leon explained how he came out with eru's and: usage of 250 gallons a day average of eru and determination of discharge erus at 7.5 per month. Kennis says based on numbers at 250 gallons per day per eru that makes town usage an incorrect number it was to go with assumption of 12,000 gallons which is standard eru based on water bill. I have visited other communities and 12,500 gallons is not the normal, sunrise engineering sees it as 450 gallons per day and if you take those figures it brings 3.5 erus per month. I do not know how you got to the 250,000 gallons except to work backwards and figure out the money to pay for it, monthly allotment is 12,500 but per erus it is 7500. I feel the council did not do the calculations. Are the erus going to continue to go up, there is a debt to pay and the town has went after the businessman. Mayor DeCora says there is a workshop to discuss on the 25th of this month at 7:00 pm. Kennis ask what about the meantime you're saying I still need to pay the bill. I shut down in the winter and I should not have to pay for it. Mayor DeCora says this is in an ordinance and it is going to take more than a motion tonight. Beau Taylor says he has had same discussion with Leon the situation is if it is an average or max daily usage in my opinion this needs to be reevaluated on all water bills. Kennis

says he has a list of business's of fees going up from 150% to 600% there needs to be a better formula for the eru's. Beau Taylor says there is no logic and right now is the time to go over it. Kennis says he will have to close down and shut off car wash at end of the month fees has doubled in the last year and sewage has gone up 400%. We are driving business away and haven't even looked at hook-up rates we need to look at other avenues and we need to find other solutions. Donn Wooden: we are acutely aware that something needs to be done with fees it is going to take a collective effort at workshop. The 5000.00 is a base rate yet it was spread out over a time period we are past that point but there may be financing available if you sign an assessment on property. We have a 30-40% occupancy rate in motels here and retail business struggle to survive, the council is aware of this and need to keep sanity and get poison out of system if we self destruct and stop sewer system today the State will never be there again, we need to get comfortable with payment and get this type of situation in workshop for next week. We have an obligation to work for the people but a collective effort to get a positive note and suggest we use the 5000.00 for base rate and business would be more and everyone pay the 36.00 until all this is worked out. We need to keep this moving in a positive effort. Kennis ask if the sewer bills going back to old way. Donn Wooden says \$36.00 for everyone to pay for flat rate and then increments would be raised and then we could at least pay graduated sewer bill right now. Don Wooden says most of us doubled in fees I am for a gradual rate increase. Kennis ask what happens down the road the plant does need to be paid for what if we can't pay the debt. Donn Wooden says that is the reason we have the workshops. Mayor DeCora says the fees are an ordinance and cannot do anything at this point. There is a workshop next week and any resolutions needed could be looked at then. Kennis says it is going to cost him 10-12,000.00 for the hookup to the home there are many other fees involved in this cost. Mayor DeCora says there will be the USDA and Wyoming Rural Water coming in and using reserves to help possible financing these resources will be here on the 25th to visit with individuals to help our community.

Beau Taylor: Discussion on overage of water bill. (Went into audience as public citizen) Beau says he is here to complain about water bill. July reading was late and July bill had 32,000 gallons read and the next month was read on time it wouldn't have been an overage. Beau says he was 7500 gallons under of going over his allotment. Mayor DeCora ask for a motion to address Beaus water bill, Beau ask we should adjust everyone bills for the month of August he says he understands Val and Mac have been busy with construction in Town. Donn Wooden says in the old days meters were read June July August and September and took that reading and if you exceeded water use you had an overage bill, what happened to meter period reading we use to use? Donn Wooden would like to make a motion to review bills and adjust accordingly. Beau Taylor says his usage is average at 18,000 gallons I was overcharged the month of July of \$15.00 and every dollar counts. Don Jorgensen seconds. Mayor DeCora says there are 2 employees with legal pad and it takes a week to read meters and right now there is construction and breaking of mains. Maybe we need to say we put a date on legal pad. Speaker you should read meters twice a year. Beau Taylor: there would be a large bill at the second reading but if we leveled out the bill over time. Mayor DeCora says it will be something we can look into. Susan Attwood said she had a large water bill would like to have it reviewed maybe there is a bigger problem. Donn Wooden says he likes the leveled billing option. Tiphany Gayhardt says her mother in law sprinkler system was not

addressed and had a leak would like bill reviewed. **Donn Wooden motions to review bills. Beau Taylor seconds. VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**

Carl Scherbal: Discussion Margine Jensen Preliminary Plat Approval 308 Pallis Park Third addition on Greys River Rd. Carl Scherbal says he is here to represent Margine and She would like to create condominiums on the property there is one connection for water and the sewer and the Home Owners Association will take care of this which is in place. Mayor DeCora says P&Z recommended with no conditions. Donn Wooden makes motion to approve. Stefan Fodor says he has draft of CC&R's and they need to state that the Home Owners Association is responsible for the fees. **Donn wooden motions to include Attorney Fodor's recommendation of CC&R amendment. Don Jorgensen seconded. VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**

Ordinance 182-ORDINANCE No. 2008-38: Third reading to repeal 163-ORDINANCE No. 2007-19 Suspending the issuance of building permits that require connection to the Town's wastewater treatment facility. (Sewer moratorium.) **Shirley Brown motions to approve third reading. Donn Wooden seconded. VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**

Land Use & Development Code revisions to be addressed as per P&Z recommendation. This item was tabled from September 2nd meeting. Deb Wolfley says there are several suggestions and information from last packet. Jody Tibbets is here to answer questions P&Z also recommends the changes. Beau Taylor says the issue with minor permit needs to be thrown in trash. Windows, siding, sprinkler systems and roofing that do not need engineer trusses buyer beware! I don't need a permit to change my faucet. Don Jorgensen agrees with Beau about minor building permits people don't re-side there house to see it rot we don't need to police this over people. We are double inspecting and over burdening the people of Alpine and our codes are good we don't need to worry about reroofing and trusses. I do not believe we need to over burden the homeowner with improvements on their own home. Deb Wolfley says Alpine has put a lot of work into a new land use plan which was adopted this April the ordinance calls for a minor construction permit, this is not Jody's doing the council approved the codes and are developing permits that are in an ordinance maybe we should rethink this a bit. The minor construction permit was put on hold because of 3 things and this is why Jody is here. Donn Wooden says the 100lb snow load was incorporated in 1991 because of the manufactured homes so we set a standard which is the requirement. Jody Tibbets says most things I am looking at are safety issues getting calls on changing windows and doing home inspections and not seeing legal bedrooms in houses with proper windows. It's not just a broken window or replacing a door, there are codes in place if people are not at least checking in to see which codes reflect there are 3 types of people I don't care, I don't know and don't know what to do. In the interest of safety how many houses were built before 1995 here? Beau Taylor says exactly that is buyer beware, a roof permit is not a \$150 fee it's a five minute inspection. This is fundamentally the towns business. Jody says we are not over governing I am looking at people's safety. Don Jorgensen: there are different into major and minor construction. Angel Scott: says you gave a 30 day building permit and it was suppose to be up to a year Jody told them they needed to rip out all of structure, we are under a grandfather clause and now we are stuck ripping everything out what we got an engineer to approve I don't understand why we had to do that. Beau Taylor says that was a different situation than what is said here. Angel Scott says the town wants to force them to hook up to

sewer when they have 2 septic tanks a concrete septic tank does not deteriorate Don Jorgensen says the leach field fills up and septic fails. Beau Taylor asks Angel to get on Agenda for the Scotts next council meeting. Angel says you need a permit to fix your sink pipe. Donn Wooden makes motion to take to P&Z and take out some issues and re work the minor construction permit. Beau Taylor says he would like to suspend the minor construction permit. **Donn Wooden makes a motion to table the land use and development code to go back to P&Z board. Beau Taylor seconds. VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.** Deb Wolfley asks what the council needs is looking for direction on changes would like to see 2 council members at next P&Z meeting. Don Jorgensen and Beau Taylor said they would attend meeting next week.

Meeting recessed at 8:22 pm Meeting reconvened at 8:32 pm

Development Agreement, Exaction Fees & Affordable Housing. This item was not addressed from 9/2/08 meeting. Stefan Fodor says there have been many fees which the town has incurred with the developments going in town; the town has not received any of these fees back from the developers. A 100 unit development across the river involved a huge cost to the town and that cost needs to be shared by the developers; the council should consider implementing this in the land use code. Exaction fees are along similar lines increasing demands on the town, police, library and roads. Other towns are instituting these fees to absorb some cost, when you approve these developments the town is not seeing any money for the time of engineers, attorney and office. Affordable housing; the community of Driggs and Alpine are growing because the people can't afford to live in Jackson. You owe it to the policemen and the teachers. Tthe price of housing is going up you need to think of the people living here, sometime ago there was a couple of council members that went to the County Commissioners to learn more about affordable housing in Lincoln County, we need to consider this before it is too late, we need to look at the future developments. Mayor DeCora says regard to development of Targee Landing we should have applied 6 units to be deed restricted. Donn Wooden we are developed out as our town boundaries as they stand now, it doesn't appear annexation is in our sites any longer from what I hear from the people why should they incorporate. Stefan says if you were to put amendment in code in fees of lieu of land total value and include in the codes inside and outside of town. Mayor DeCora says we need to look into this and reviewing land use code at next P&Z meeting .Don Jorgensen says if it is in codes we can apply, we have spent a lot of money on developments and we need to have this to cover our cost. We have our parks, library, roads, and fire department we are not receiving any revenue. The town supports these departments and with the fees I believe can help with the cost. Mayor DeCora we need to include this in codes. Deb Wolfley says Afton and Thayne has their first reading in regard to this and will get copy of this and distribute to council.

Discussion: Sale of Alpine Police Vehicle. Mayor DeCora asks that chief police give vehicle out for public auction. **Donn Wooden motions to allow Chief Philips to put Alpine Truck out for public auction. Shirley Brown seconded. VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**

DEPARTMENT UPDATES:

Game & Fish Easement: Stefan Fodor asks if there have been any easements for fish and game. Deb Wolfley says it is still working on it.

Scotts: Jody Tibbets says things are moving along and engineer is working on wall and foundation. Date of completion the council gave till the end of September for completion. Ernie Scott says we are having problems getting brackets in for poles. Stefan asks if there is anything the town could do. Ernie said he had ordered the brackets last week. Carla Stone says she has been out there on numerous occasions and there are no volunteers over there. We need a weekend to get volunteers together to get some nails hammered.

Jim Blittersdorf: Stefan Fodor says the town received a letter from Jim Blittersdorf that needs to be on agenda concerning water bill. Deb Wolfley says Leon Kjellgren has called and received no response back.

WWTP: Stefan Fodor says one thing to consider with the WWTP; you can change the numbers, yet you need to figure out numbers work to pay for plant, I encourage the council, the public, and Bob Norton to show how this is going to work. This has to work with the financial plan because that is not changing. If this goes belly up you will be breach of contract, the State will look for financing and sue the town the State will bankrupt the town and call on all obligations.

Speaker: Bob Michell I have been involved with Salt River Cove, Alpine is my primary residence the perspective I would like to bring to you tonight. Reading from Jackson Hole Daily dated Tuesday September 16th 2008 "Meltdown rattles U.S. stock market." Here is the perspective as a developer the bottom line to all of this is to step back and look at the simple question have we bit off that is something more we can pay for and asking few people to pay for this and divide the community I'm asking we repeal the ordinance 178 and redo the numbers to be honest no council member is here to justify what we are doing with the sewer system, the fundamental problem with hook up cost and fees as in handout (flyer from unknown author of hook -up fees given to council)quotes a few numbers relevant. Why are these numbers so high this ensures breaking the town of Alpine? When Salt River Cove was built we paid water lines then sold lots and then the sewer. I went by phases so interest cost would not swamp me, the problem is so much capitol cost and then swamped by the interest. Phase 1 and the debt with the hookup are basically 20,000 per hook up. The numbers are haywire you're paying for a huge number. Mayor DeCora says until you understand the financing we need to move this to the 25th workshop. Bob Michell says he has another issue which he was asked to represent from the people. Bob says he has a petition asking Mayor DeCora and Shirley Brown to resign. He reads from petition dated September 12th 2008. (See attachment). Bob Mitchell says we the citizens of Alpine, WY formally request the town to look at the economics, and corporations go bankrupt because of bad decision. Donn Wooden: with all due respect I can not support your request this town is not falling apart it behooves us to get our act together and start to respect one another and pull our community together not recalling the Mayor this is not her fault that this has happened. If we want to help Alpine let's do something positive. Mayor DeCora says she will not resign and Shirley Brown says she will not resign and to do what you need to do. Attorney Stefan Fodor says he hears a lot of complaints but no suggestion, saying we are not going to have the plant is not realistic. You need to look at how to finance this plant with creative suggestions. Speaker can we increase sales tax bring in more revenue we need to band together

the people here tonight I have never seen but until now we are all in the same boat and all citizens of this community. Jeff Attwood all I hear is you have to pay, we can not afford I say no mandatory tie in. Carla Stone says there was a lift station meant to go in and now we are looking at 140,000 to tie in. Diggs Lewis let's have a vote for a bond system, get Halpin (NSU) and say the town can not afford. Stefan Fodor: and then how do we pay for what is already accrued NSU have already paid 1.8 million. Tiffany Gayhardt: we need to start a mill levy and spread out over the whole town so it affects everyone the same. Stefan Fodor wants to keep in mind that when phase 2 and phase 3 begin cost will increase over the years. (NSU) prepaid 376 ERUs. Beau Taylor says their fees are the same as ours, the ordinance seeks them equally. Tiffany asks if the tunnel is being prepared and who is paying for that. Mayor DeCora says the developer will pay for that. Mayor DeCora says this project started 5- 6 years ago. Bob Michell says lets rescind the ordinance and invite the public to figure out the numbers, you haven't sold us I want to see Alpine have a wonderful infrastructure. Beau Taylor we cannot create the special improvement district we got the cart in front of the horse and now we are at a point were we can't turn back. Donn Wooden we can make this work we went with our eyes wide open yet I am flabbergasted with this chart just handed out. The ordinance numbers say something different if we spread the fees over time it is valuable. Attorney Fodor says we cannot rescind ordinance we can amend and put in a new financial plan and we still need to repay with interest, let's get suggestions. Reviewing minutes all this was talked about. Speaker says I don't have to hook up until 2017 why do I have to pay now, Mayor DeCora says we are having a workshop on the 25th to give the people options all the fact are now readily available for tonight's meeting. Beau Taylor: there is an incentive to hookup at the \$5000.00. Speaker: what about the working class people why didn't the public come in for comment. Speaker says she is on disability she lives on \$838.00 a month house pmt \$905 this is without utilities I have talked to USDA you need a job to get loan. Speaker asks how many years to pay off debt. Mayor DeCora says 20 years 3.5 million owed, 5 million in grants the total plant is 10 million Leon says the loan is 3.1 million for the plant and 1 million due for the collection system. There may be money left over. Speaker: you are chasing the people out of Alpine, and then fine me if I can't come up with the money by a certain time. I can drill a well and keep my septic. We want answers, let the town go bankrupt where do you expect the people to come up with the money the banks are in bad situation and they are not loaning. Shirley Brown asks where you think the liquids go and your water you are polluting your water if we don't get sewer plant to take care and treat water we will pollute our community and the reservoir. Diggs Lewis: I would like to see data from engineer of nitrate levels have increased for sewer fields. Leon says there is no data and if there if there were it would be too late, you still have leach fields that are contributing to waste near street and possibility polluting water system. Bob Norton would like everyone to look at the big picture and aggress with Shirley Brown but we need a way that does not put everyone in a crisis mode. Speaker: believes town has made a bad decision with this project and own up to see the big picture and go bankrupt. Stefan Fodor says this issue has been advertised and this is constantly being discussed. Richard Jenkins says he appreciates all the efforts to seek solutions to this problem not bankruptcy.

Continuation of Department Updates:

Deb Wolfley: are working on sprinkler system on west side and putting new check valve. Also having someone coming in to do soil samples so what we need for fertilizing and water schedule.

Deb Wolfley: Funding on after school program, how would the town like to go about this. Mayor DeCora says last year there were donations from local business and residents for the after school program for the kids. Deb says received a letter from the Forest Service and will not be in Civic Center until it is again inoperable.

Deb Wolfley: Wyoming Business Council grant submitted for civic center went to WBC board 19 of the 20 people voted for. It will again be represented October 9th 2008 to the SLIB board with the recommendation to approve grant then we will start with bids for civic center. Donn Wooden believes it is critical that we keep this community together the SLIB board won't want to hear all this negativity we need our community together in all good things and bad.

Deb Wolfley: Bob Ablondi status also is included in report to council and mid October is ETA of finish date there is good progress.

Don Jorgensen says he appreciates the outcome of our community here tonight and as a council making the decisions we need the community here, 4 people are only usually in audience and that number does not represent Alpine and thank you for coming out.

Gloria Jorgensen: Elections will be Nov 4th and we have candidates for council seat there will be a forum on October 3rd at 7:00 pm at town hall refreshments will be served and everyone will have opportunity to ask the candidates questions. Please pass the word everyone is invited and ask the community to get involved and VOTE.

Update: James Philips says there seems to be a misunderstanding why there more officers here tonight there were some comments made late last week to do violence this is why there are extra officers here.

Don Jorgensen motions to pay bills. Beau Taylor seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**

Donn Wooden motions to adjourn Beau Taylor seconds all in favor.

Meeting adjourned at 10:05 pm



Victoria DeCora

Victoria DeCora, Mayor

ATTEST:

Whitney Heller