

Town Council

November 18, 2008

Pre meeting held at 5:30 for informational workshop. Don Jorgensen, Shirley Brown, Beau Taylor, Mayor DeCora, Whitney Heller, Deb Wolfley and Attorney Stefan Fodor present.

Regular session convened at 7:02 pm. Mayor DeCora led the Pledge of Allegiance. Clerk Whitney Heller called roll call. All present.

Approval of town council minutes for November 6th 2008. Mayor DeCora asks for a motion. **Donn Wooden motions to approve. Don Jorgensen seconds. All favor**

Mayor DeCora led the swearing in of Carla Stone (2 years) appointed seat for Planning & Zoning.

Bob Ablondi: Discussion and update third water well. Mr. Ablondi says he is here to deliver copies of draft on well report, will be presenting final version at a later date. Recommendations are still on track to update 2 existing wells. Bringing third well online each well is producing 6- 7 hundred gallons per minute. Transmission upgrades are also online, upgrading line to tank to increase capacity. Developmental funding has been secured. The report goes more into details. (See minute book). Recommendation is to cross line over bridge, funding has not been secured for the cross over. Water development funds does not provide distribution improvements. Cost would be about \$ 7.00 per tap for improvement for each customer. Final report is being worked on, will provide in digital form. The permits are still in progress, will take one well out of service to do up grades while demand is low. (Discussion and question of public audience). Mr. Ablondi goes on to say that North Star Utilities is not affiliated with these wells or improvement. This project is highest priority for Alpine. Deb Wolfley says he has talked to SLIB Board for emergency funding and grant application is an option for water line improvements.

Steve Chichinsky: Discussion of extension of building application. Hands out information. Donn Wooden leaves for conflict of interest. Steve says he was at Nov 6th meeting with proposal of donation of land. He was advised of permits needed at the meeting. Was requested to write letter for extension and is confused. May 14th Steve came to council and was told to file for extension to file for plat extension. He has no record in file for building permit. Extension came to his attention of email from attorney Stefan Fodor in regard to building application extension. He states Buffalo Sage is not abandoned. Mayor DeCora says email has nothing to do with project. Email was in reference to building application. Stefan Fodor reads from International Residential Code. Steve says there was discussion on prepayment with the moratorium. The town decided to accept money but did not cash check for 6 months. Steve says he has been in good faith; he has paid \$70,000 in fees. Stefan says in regard to building permit in last council meeting he says Steve is confused on the filing of recording. Don Jorgensen says there is good faith that he is re-platting and will make argument to vote yes for extension. Steve asks will his fees be toward his fees. Stefan Fodor explains the basis of the erus. And what he has paid for will be applied and any extra erus will be charged at current price. Mayor DeCora asks to put together a written request for

an extension for building permit application for next council meeting. Steve Chichinski says it is a reasonable request.

Meeting recessed at 8:20 Meeting reconvened at 8:32

Tiphany Gayhart: Discussion and questions of ERU's, Ordinance and North Star Utility: Would like council to explain ERU's. Mayor DeCora says the town is looking at ready to serve fees. Stefan Fodor says NSU has paid fees in advance. Mayor DeCora says erus are based on plant capacity. The fee structure was changed to design of plant of 400,000 gallon flow- 1 eru is maxed at 375 gallons per day you cannot bill on max because sometimes used less or more, the average is 250 gallons a day. Mayor DeCora says car wash has used 2,761,988.00 gallons over a 4 year period 97% went down drain typically. We have not even billed enough for the reserve over the years. Mayor DeCora says erus are based on capacity of plant. Kennis says why with only 67,000 gallons of water going to sewer we are paying for capacity of 400,000. Leon Kjellgren says he has answered same question 300 times and will do once more. Wyoming Requirements Chapter 11 of Design Treatment Plants. Flow in absence should be based on per average daily use. Leon says obligated under new plant if do not have average daily flow you use 100 gallon a day as per capita standard. Ten state standards. If you look at Lincoln County website on average there are 2.1 persons per household as of 2006 in Sweetwater County 2.4 per household on alpine website in 2000 says there are 2.5 people per latest census. 100 gallons based on 2.5 is the 250 gallons. On average Leon says the statistics show 2000 census data. Leon says 3 Rivers Motel was adjusted. There are anomalies, Bull Moose did not fit in category and utilized meter reading. Adjustments were made. Leon says it is not his job to go to business, and he said if he had complaint to come and see me, the problem is you do not like the answer. Leon said they have met with Kennis and Tiphany and the answer is not what they wanted to hear. Leon says he will not vary the water level meter readings, will not tell council to lower when you had usage at historical data. Mayor DeCora asks to move on. Leon says to clear things up, the sewer fees were set as a basis and those were rates that are being charged, I would like to see if there is a mistake in you using less than what information was given if so, then will change. If not than historical data stays the same. I will not manipulate figure as they are record. Mayor DeCora says the numbers have been to many accountants to State level.

Discussion: Proposed change to sewer ordinance 1st Reading 185-Ordinance No. 2008-41: Beau Taylor questions 2nd paragraph prior to CFO. Leon Kjellgren says there was thought to this and the paragraph needs to be in there at least the first 2 sentences. When town has a budget it is anticipated revenue. (Discussion of Ordinance between council and public). Leon says the refund should be just given back, he expected discussion on this item. Mayor DeCora says if it isn't used they shouldn't have to pay for it, and suggest pay for one hook up until more is needed. Leon says this is why building permit process is so important. Stefan Fodor ask what to do with readiness to serve fees, will those fees be refunded as well? Leon Kjellgren says if that is the case than needs to do for both. Don Jorgensen says this is based on certificate of occupancy. Beau Taylor believes it should be non refundable because the service is available. (Discussion) of either 2 years or certificate of occupancy. Stefan Fodor says refundable by either 2 years or CFO will be refundable if not used. Leon says this is essentially same financial plan with acceptance of amortization and urges council to look at details. There are many ways to go and could be different criteria for elderly and low income, there is no formula and don't want to make it liberal for

everyone. Stefan Fodor says you can go to Lincoln County website to look at figures of poverty levels. (Discussion). Stefan says the average salary was \$50,000-75,000 average estimated was \$65,663 medium \$53,000. Poverty level different statistics, what you need for essential goods with no disposable income. HHA, Health and Human Services, Wyoming Public Health and Federal data gives definition of poverty level the number of policy may change reduction fee. The town needs to look at what percent would like to help lower income people. Leon Kjellgren says there are times sensitive's per the section because of the required connection July 31st 2009 and could be altered. The council needs to take time between now and July and give thought how senior and disabled persons is set up and there is application process with their tax return. Leon recommends to passing ordinance- 185, and the majority of the people in committee felt this ordinance is the best language and best end result. Mayor DeCora says this can be amended and is at its 1st reading. This should be passed and gives a foundation toward a step forward. Stefan Fodor says this is a discussion item. And this is a work in progress, given to council last week and it's ok to agree to disagree. Mayor DeCora says next week is Thanksgiving and could have December 4th workshop of committee proposals. (Discussion). Mayor DeCora asks for 1st reading. Beau Taylor says late notices should be to 60 days and agrees with suggestion of getting rid of 150 fee shut off and reconnection fee. Stefan Fodor takes note to such and makes changes. Mayor DeCora asks for 1st reading with changes. **Mayor DeCora reads 185-Ordinance No. 2008-41 and asks for a motion to approve. Beau Taylor motions to approve. Don Jorgensen seconds. VOTE: 4 yes; 0 no; 1 abstain; 0 absent. Motion carried. Mayor DeCora asks for motion for workshop on Dec 4th 2008. Beau Taylor motions. Don Jorgensen seconds. All favor.**

Contract with Nelson Engineering for design of Town Maintenance Shop: Leon Kjellgren says money received is from consensus grant monies. In order to get bids the town needs engineer to help with the plans, Nelson Engineering has done some work such as surveys and such so if town went with them, it would save the town money. There is a contract in draft and need to get to Attorney Fodor. Leon claims in discussion with Stefan Fodor he had only 1 problem with contract (limitation of liabilities) in Wyoming law cannot contract out of negligence. Leon Kjellgren says this is analysis of building an estimate and what options there are for the town. This is a pre conceptual fees availability study. **Mayor DeCora asks to table and would like to wait for Stefan Fodor to review. Donn Wooden motions to table until next meeting. Beau Taylor seconds. All favor.**

Approval of payment No. 3 Enviroquip (waste water treatment plant). **Donn Wooden motions to approve payment # 3 Enviroquip. Don Jorgensen seconds. All favor.** Stefan Fodor suggests to council that it is not appropriate to approve at short notice, Bob Norton gave to council today at 3:30.

Renewal of 2009 liquor license: Alpine Market, Bull Moose Saloon, Gunnar's Pizza, Tavern on the Greys, and Yankee Doodles. Mayor asks for motion to approve. Whitney Heller says there are no complaints and all applications are in order. **Beau Taylor motions to approve. Don Jorgensen seconds.** Bryant Brown discussion would like to consider experiences and observations of the Alpine community and opposes to renewals (see handout in minute book from Bryant Brown). Shirley Brown also comments on opposing (see handout). **VOTE: 4 yes; 1 no; 0 abstain; 0 absent. Motion Carried.**

Department Updates:

Deb Wolfley: hands out letter from WYDOT with hwy improvement plan. **Donn Wooden makes motion to support the proposed improvements from WYDOT. Shirley Brown seconds. All favor.**

Deb Wolfley: Recommends property insurance carrier changed to WARM Deb says there are 36 entities insured by group, deductible is high, but there are many savings. **Beau Taylor motions to change property insurance to WARM. Don Jorgensen seconds. All favor**

Deb Wolfley would like Jerry Myers to be present at next pre- meeting workshop. Has talked with county offices and asked them about putting offices in new civic center.

Deb Wolfley says a resident Danny Schwab owns five acres across river would like meeting and input what to do with land.

Deb Wolfley update Ernie Scott: council gave Nov 15th deadline for abatement, he is making progress but still not done. Donn Wooden would donate money to hire crane to set trusses. Beau says he will donate time.

Chief James Philips: gave handout of police activities, and says there has been a string of auto burglary's going on in town. LED sign pole and sign can be paid for completely by grant money from homeland security yet the concrete and power is not in budget. There may be donations and could raise money for concrete and power, ask if council would like to move forward with purchase of LED Sign Pole and sign. **Shirley Brown motions to approve. Don Jorgensen seconds. All Favor.**

Chief James Philips would like an executive session as to 16-4-405 Don Jorgensen motions. Beau Taylor seconds. **VOTE: 4 yes; 1 no; 0 abstain; 0 absent. Motion Carried.**

Meeting recessed at 10:35 pm

Shirley Brown motions to ratify action discussed in executive session. Don Jorgensen seconds. All Favor.

Don Jorgensen motions to adjourn meeting. Beau Taylor seconds. All Favor.



Mayor, Victoria DeCora

ATTEST:

Town Clerk, Whitney Heller