



**TOWN OF ALPINE
COUNCIL MINUTES
JANUARY 2ND, 2007**

CLERK'S NOTE: "*" = INFORMATION MAILED PRIOR TO COUNCIL/ MAYOR

Clerk's Note: Tape # 1 of 2 starts here. The council minutes are a summary only of a tape-recorded meeting.

Mayor Don Jorgensen called the meeting to order at 7:00 p.m. and held the pledge of allegiance. A quorum was established by the clerk through a roll call.

Council members/ Mayor: Council: Shirley Brown, Donn Wooden, and D.R. Hutchinson. Don Jorgensen also present.

Staff Present: Tracy Matthews, Clerk; Elizabeth Koeckeritz, Town of Alpine Attorney; James Phillips, Alpine Police Department; and Brenda Bennett, Treasurer.

Others present: See attached list

A. ACTION ITEMS AND NEW BUSINESS:

- **COUNCIL MINUTES:** Don Jorgensen called for a motion to approve the December 19th, 2006 and December 21st, 2006 Council Minutes. **D.R. Hutchinson so moved. Shirley Brown seconded. Victoria Jorgensen called for further discussion. VOTE: 4- Yes; 0- No; 0- Abstain; 0- Absent. Motion carried.**
- **Planning & Zoning Minutes:** None
- **Elected Oaths for Victoria DeCora, Mayor; Tom Turner, Council; and Shirley Brown, Council** (All Terms from 01-01-2007 to 12-31-2010). The clerk completed the oaths for the new mayor and council members. Following these oaths, Mayor DeCora and Tom Turner, council person, took their new seats. The clerk completed a new roll call with the new administration.

Council Present: Donn Wooden, Don Jorgensen, Tom Turner, and Shirley Brown. Mayor DeCora present as well.

- **Discussion w/ Monte Olsen, State Representative**—Mr. Olsen could not attend the meeting due to a family emergency and will reschedule.
- **Kathy Jenkins- Park City, Utah –2007 IPSSDR Dog Race---** **Alpine Representative:** Kathy Jenkins, Chairman for the Alpine IPSSDR (International Pedigree Stage Stop Sled Dog Race) for the last two years provided an update for this year's race and explained an Alpine Representative is needed for the Park City, Utah staging of the race.

SLED DOG BANQUET INFORMATION:

The website for this year's race is www.wyomingstagestop.org for race information, sponsors, etc. The Alpine community has a section for business and community information on this website. **The potluck dinner/ banquet will be held January 30th, 2007 at 6:00 p.m. at the Alpine Civic Center located at 121 Highway 89, Alpine. There will be no charge for the dinner and a band will play at the event.**

On January 31st, 2007, Wednesday, the race will begin at the end of the Grey's River Road. Event workers will put up tents and serve hot chocolate that morning and there should be no charge. Mushers will arrive at 7:30 a.m. and leave and then come back to this same parking lot.

PARK CITY, UTAH – END OF SLED DOG RACE- ALPINE BOOTH:

The last leg of the race takes place in Park City, Utah and Ms. Jenkins asked for the Mayor to pick a community representative, Town Staff or resident, who will attend the event and pass out community information. A room,

display table, and two banquet tickets are provided for the volunteers. This is a great opportunity for the Alpine Community to be represented. Anyone interested in volunteering for Park City needs to speak to Mayor DeCora. Brenda Bennett advised she would like to be considered. Any business is welcome to send materials with the Park City representative.

Host families will be assigned mushers very soon by Kathy Jenkins. There are two women in the race this year from Star Valley, Wyoming.

Event organizers need volunteers to help with event planning such as setting up tents at the start line, bringing a dish for the potluck, etc. Anyone interested in volunteering can call Kathy Jenkins at 654-7710 or Moe at 654-0700.

- **American National Park Adventures – Operating Business at 266 Sawmill Road, Lot # 11, Louis Strout Subdivision-** Letter from Rob Green, neighbor.

Clerk's Note: A Business License was issued on 12-27-06 to "American National Park Adventures" – Steve (employee) was advised the snow machines must be moved to 287 Sawmill until the rezoning of this property is completed as identified in the Master Plan. The Master Plan indicates the entire Louis Strout Subdivision will be rezoned a Mixed Use Zoning – business and residential use.

Rob Green, Resident in the Area: Mr. Green advised that everyone should be on a level playing field. The business owners are parking in the road and stated the property already has a variance for a 17' setback from the road. The issues of snow removal, parking have not been addressed by the business owner, in his opinion, in order to conduct a business. He feels the business is going to be problematic.

Vickie DeCora, Mayor: The mayor advised she has been watching this operation for sometime in the last week prior to Mr. Green bringing it to her attention. Under the current zoning map Mr. Wooden advised the property is zoned R-2 (multi-family residential).

Steve Potrin, Business Representative: Mr. Potrin advised there is no one residing in the home currently and when they first purchased the property they were advised the property was going to be rezoned to commercial use. He advised they did not realize the lot is only for residential use currently. Mr. Potrin advised they are willing to work with the Town until such time as the property is properly rezoned and would move the snow machines onto a different lot in the area already zoned for business use. The snowmobile tours leave between 9:30 am and 10:00 a.m. and arrive back to the business/ home at 3:30 p.m. and they are gone by 4:00 p.m. He advised they are not trying to create a nuisance and they were under the impression it was legal to run a business from that address.

Donn Wooden, Council: Mr. Wooden advised in the new master plan all of Strout Subdivision is slated for rezoning to mix use zoning (combination residential and mixed use). The master plan was passed and adopted on December 19th, 2006 and the new zoning map must be in place before it becomes effective. Mr. Wooden apologized for his lack of communication on his part to the business owners during the sale of the property in September 2006. He advised his clients the property would be rezoned when the master plan was adopted. At the present time, he is working with the owners to remedy the situation in the interim until the property is officially rezoned through a new zoning map.

Mr. Wooden advised he had no knowledge of sewage problems on this property as referenced in Mr. Green's letter to the Town. Apparently, the septic problems were corrected and he does not know how many people are using the toilet facilities. Mr. Wooden believes the master plan ordinance has a misnomer in that the ordinance states the plan becomes effective "immediately" when in fact additional changes are needed such as a new zoning map. The business started at the Red Baron and if they unload at the parking lot in Alpine, there is no Town business license needed. The money for tours is collected in Jackson. Mr. Wooden apologized for his miscommunication in the matter and asked for everyone's forbearance until the zoning is officially completed. By the end of this week, the operation may be able to move in the interim across the street. Mr. Wooden offered his own business as an interim site until the issue is resolved. Mr.

Wooden advised the lot adjacent to Mr. Green's home is currently zoned for business use; they are contacting the business owner of that lot and the Sand's Rafting Business owns a business zoned lot down the street. Mr. Wooden's intent is to see businesses thrive and hospitality should be shown to the new businesses. The Town of Alpine is a snowmobile Town.

Steve Potrin, Business Representative: Mr. Potrin advised there are two driveways in which the vans can be parked off the street.

Vickie DeCora, Mayor: Mayor DeCora acknowledged the snowmobile businesses' needs; however, advised the fact remains a business is being run from a residential lot and to her understanding the business doesn't even have a business license. The clerk clarified the fact a license is in place and was issued with the understanding the snow machines would be temporarily moved to another site until such time as the zoning is finished. The clerk clarified that two public hearings were conducted before the master plan was approved and became effective in December 2006. During the August 2006 Public Hearing for the Master Plan the council approved "Option 3" for Recommended Land Use which identifies the entire Louis Strout Subdivision to change from residential to mixed use zoning. The first step is to update the zoning map with the proposed zoning and land use.

Steve Potin, Business Representative: Mr. Potin apologized for not obtaining a business license sooner as he thought since all fees for the tours were paid for in Jackson their Jackson business license was sufficient. Don Jorgensen asked whether the business would consider operating an office in Alpine once the property is rezoned as all the taxes generated from the tours will stay in Lincoln County, Wyoming. Mr. Jorgensen likened his business to the float trips which exchange money in Teton County and conduct their float trips in Lincoln County. This county has to respond with their search and rescue teams, etc. when the float trips experience trouble and receive no revenue as the tours are booked in Teton County, Wyoming.

Vickie DeCora, Mayor: Mayor DeCora advised the owner that a citation could be issued according to the new emergency ordinance and it is to their benefit to keep the vehicles and trailers off the road and out of the right-of-way. Also, the vans can be towed and impounded at the owner's expense.

Mayor DeCora thanked Mr. Potin for his time and the issue was **TABLED**.

- **Game & Fish Department Lease Agreement – 17 acres Sewer Land:** Elizabeth Koeckeritz reviewed the agreement as a final review. This agreement is a special use agreement for the Town to lease 17 acres for 50 years at \$1,800.00 per year (\$90,000.00 lease price for 50 years). The land is owned by the Game & Fish; this land contains the Town's existing and proposed new wastewater treatment plants. Any money paid through the lease can be deducted from the purchase price if the Town is able to purchase the property in the future. In addition to the new wastewater facility the Town can put other municipal facilities on the land as well with permission. The lease allows only for the wastewater treatment plant to be built at this time.

The Game & Fish must follow state statutes for selling property as well as their own rules and regulations. This means the Town cannot purchase the property outright from the Game & Fish and the land must be sold through a public auction process rather than a bid process. By auctioning the land, the Town would be aware of any competitor's offers. The land has to be sold at a current, fair market value according to State Statutes.

If for some reason a competitor is able to purchase this land and not the Town, the new owner must follow the terms of this 50 year lease. The yearly lease price cannot be raised in 50 years as well if a new owner purchases the property. The Town agrees to comply with ADA laws and regulations as well as equal opportunity employment laws. Ms. Koeckeritz asked for final approval of this lease agreement and allows the Mayor to sign on the Town's behalf.

Tiphany Gayhart, local resident: Ms. Gayhart questioned the mayor and council why they want to lease/purchase land that they don't own when nearby the Town owns 80 acres of land near the reservoir. Donn Wooden advised the Town does not own 80 acres of land near the reservoir and the 17 acres has been under lease from the Game & Fish since the Town purchased the 36 acres of land. The clerk obtained the plat map for the Alpine West

Subdivision which Mr. Wooden presented and explained the plat map to the public including Ms. Gayhart. The 36 acres takes into account the existing Fire Department, Medical Clinic, and land behind these structures including the ball diamond on the lower bench and toward the existing sewer plant.

The 17 acres being discussed tonight begins at the Town's boundary and extends to other government owned land. There is a 300 ft. setback from the high water line all around the reservoir. The original lease has expired and there was "holes" in the original lease which needs to be corrected. Now the U.S. Fish & Wildlife is also involved with the Game & Fish with the renewal of the lease. The 36 acres was purchased from the Wyoming Game & Fish Department when they determined the land was surplus to their needs with the help of Governor Sullivan. The Town had enough money at the time to pay for 36 acres at \$1,200.00 per acre. This extra acreage has been earmarked for municipal and recreation development; therefore, the 17 acres was leased and designed for wastewater treatment needs.

The plat map to Alpine West Subdivision was given to the public for review. Donn Wooden advised it is essential that the lease be renewed to allow expansion of our wastewater facilities. The need has been voiced for a new wastewater plant as the existing plant is at capacity. The Town cannot afford to not renew this lease.

Dave Lloyd, former mayor: Dave Lloyd advised the land has appraised for \$400,000.00 which was in June of 2005. The Town has already appropriated the \$400,000.00 to purchase the land through the SLIB (State Loan and Investment Board). The requirement it must go to public auction is still open for discussion; it may be allowed to be conveyed directly to the Town by the Game & Fish Department. Mr. Lloyd advised the lease should be entered into and the money be kept until such time as the Town can purchase the land.

(Clerk's note: Tape #1 of 1 – Side B Starts Here)

Shirley Brown, Council: Shirley Brown inquired whether the land will be appraised at a higher value if the Town doesn't pursue purchasing the property in the near future to which Mr. Lloyd consented to the fact that the market value of the land will increase. However, Mr. Lloyd advised that if anyone were to purchase the land away from the Town in the future they would have to pay the Town for the wastewater infrastructure that sits on the property which is worth millions of dollars with the new plant. He doesn't feel it will benefit anyone to purchase the property except for the Town of Alpine as a result; and, therefore, competition will be scarce.

Victoria DeCora, Mayor: Mayor DeCora advised according to the lease the Town is responsible for the wastewater infrastructure on the property and if someone else purchases the property would the Town be responsible for removing the wastewater plant. Elizabeth Koeckeritz advised the Town would be able to use the wastewater treatment plant for fifty (50) years according to the lease no matter what. This issue was clarified in paragraph 10 (b) which states: "Successful bidders shall be required to honor PERMITTEE's right to the remaining term left on this Permit." The Game & Fish has to honor the lease term with any prospective buyer. Currently, neither the Town nor the Game & Fish pay any property tax on the property; if the property were sold to a private owner the property tax costs would also become a significant factor.

Bryant Brown, local resident: Mr. Brown questioned whether the Town would have "first rights" for purchasing the land if another party was interested in buying the land to which Elizabeth Koeckeritz advised the Town does not have "first rights" as the Game & Fish would not do a first right of refusal. Statutorily, the "first rights" is not allowed according to the Game & Fish; however, the sale of the property went from a closed bid process to an open auction process which affords the Town the ability to know the competitor's bidding and raise their bid accordingly.

Also, he inquired whether the \$400,000.00 that has been secured is by grant, loan or mix of the two purchase options. Mayor Lloyd advised there is a 65% grant for the purchase of the property. Which means the Town would need to find 35% of the cost of \$ 400,000.00 which could be obtained through a loan with a 2 1/2% interest rate. Mr. Brown strongly encouraged the Town administration to diligently pursue purchasing the property as soon as possible as the funds have been secured at a current market value of \$400,000.00 and knowing the land will only increase in value and cost. This would allow unrestricted use of the land as well. The prior administration's intent

was to purchase the land as soon as possible according to Ms. Koeckeritz; however, without the ability to purchase the land immediately, in the interim a 50 year lease must be secured. Of course this is the council's decision to pursue purchasing the property.

Don Jorgensen motioned to enter into the Special Use Permit Wastewater Treatment Facilities – Town of Alpine with the Game & Fish. Donn Wooden seconded. Mayor DeCora asked for further discussion. VOTE: 5-Yes; 0- No; 0- Abstain; 0- Absent. Motion carried.

- **Agreement between LUCDA and the Town of Alpine- CDBG Grant for Child Development Center:** Elizabeth Koeckeritz reviewed the need for this agreement between LUCDA (Lincoln-Uinta Child Development Association) and the Town of Alpine. The Town received a CDBG (Community Development Block Grant) funds from the Wyoming Business Council to build a child development center in Alpine. LUCDA needs to be kept involved in the process as a “sub-grantee” along with the Town as the “grantee.” Essentially, the Town is responsible for federal and state grant compliance issues and this responsibility must be shared with LUCDA.

As the LUCDA will be operating the child development center, they need to be responsible for designing, helping to finish the grant requirements, etc. The Wyoming Business Council has advised that during the course of construction and for 3-5 years following completion of the building there must be 51% attendance in the CDC program of low-to-moderate income students. The Town will have to pay back any monies, once they are received, if we cannot meet the low-to-moderate income guidelines for attendance. However, LUCDA feels the Town will have no problem meeting this standard but cannot guarantee numbers due to the housing market, growth patterns, etc. They cannot be responsible for the reimbursement of funds; however, they have agreed to help with reporting requirements. Ms. Koeckeritz agreed to provide the current, federal standard for low-to-moderate income families to the council. It is important to note the CDC will service children not only in the existing Town but also south of Alpine to Etna, Wyoming.

The Mayor questioned the clerk whether there is enough cooperation from LUCDA to accomplish the center and grant requirements to which the clerk advised LUCDA is very cooperative. The clerk summarized the history of the CDC project to date for the mayor and council. The original grant didn't cover the costs for architectural fees. As a result the grant was modified to take playground and fencing funds and use this \$9,000.00 toward architectural fees. LUCDA also found another \$ 9,000.00 for a total of \$ 18,000.00 to cover architecture costs. The Town completed an architectural, sealed bid process in which initially no firms submitted bids. The Town and LUCDA contacted area architectural firms and Dubbe Moulder Architects of Jackson, Wyoming submitted a bid of \$18,000.00 for the project (the only firm to respond to the phone inquiry). The Council approved and passed a motion to hire Dubbe Moulder Architects for the project in August 2006.

The issue at hand is that the Town and LUCDA learned there are extra and hidden fees with the design costs for the center. Elizabeth Koeckeritz, Tracy Matthews, and Kay Gogol (LUCDA) met with Dubbe Moulder Architects in Jackson in December 2006 to begin design work on the project. At that time Dubbe Moulder Architects advised in addition to their fees of \$18,000.00, additional costs would be charged for structural and mechanical engineering. These extra engineering costs were not known until December 2006. The clerk advised no money has exchanged hands at this time as far as the grant. The Town and LUCDA have requested exact quotes as to all hidden costs for all types of engineering, add-on fees, etc. from the architects. The architecture firm was advised that both the Town and LUCDA are non-profit agencies and, therefore, extra costs have to be covered by new grants.

Donn Wooden motioned to adopt the agreement with LUCDA. Don Jorgensen seconded. Mayor DeCora called for further discussion. Mayor DeCora expressed some reluctance in that she wished she was more educated on the grant process. Elizabeth Koeckeritz advised that this proposed agreement shares that responsibility and work load for meeting the grant. VOTE: 5- Yes; 0- No; 0-Abstain; 0- Absent. Motion carried.

Mayor DeCora called for a 5- minute recess at 8:05 p.m. and reconvened the meeting at 8:11 p.m.

(Clerk's Note: Tape 2 of 2- Side A- Starts here—new tape started to ensure it didn't record over first part of the meeting)

- **Annexation Project- Annex North-bound land of Highway 89 near Town Hall:** Elizabeth Koeckeritz advised this particular annexation will be easier than larger project annexations. The North-bound lane is currently not within the Town's boundaries and creates problems. For example, the Alpine Police Department cannot issue citations for speeding in this lane. A resolution has to be passed prior to the annexation. Elizabeth Koeckeritz reviewed 263- Resolution No. 01-01-02-2007 which states this annexation meets statutory requirements according to W.S. 15-1-402. With this annexation the petitioner will be the Town and the affected landowner the State of Wyoming, Department of Transportation who actually owns the north-bound lane.

Elizabeth Koeckeritz advised she has designed an annexation checklist for another client which she will share with the Town of Alpine. Essentially, she feels this annexation meets the statutory requirements to annex. After this resolution is passed, an annexation report will be prepared and sent certified to WYDOT. After this meeting and at least twenty (20) days prior to the next meeting the Town will need another resolution at that point in time which gives permission to prepare an annexation ordinance. A Public Hearing is held and at this hearing the Town must determine all statutory requirements have been met with the annexation. Another resolution is then needed to prepare an annexation ordinance. Public comment is received throughout the process.

Ms. Koeckeritz advised 263- Resolution should read "not less than thirty (30) days nor more than one hundred twenty (12) days" in paragraph six. The clerk so noted the correction.

- **263- Resolution No. 01-01-02-2007: Resolution to Proceed to Annex Highway 89 (North bound lane)** Mayor DeCora read the resolution in its entirety and called for a motion. **Donn Wooden motioned to pass 263- Resolution No. 01-01-02-2007. Shirley Brown seconded.** Victoria DeCora asked for further discussion to which Jerome Stockey, resident, inquired whether the Town would then be responsible for pothole repair. Essentially, the highway is being annexed into the Town but WYDOT will retain ownership of the land and, therefore, retain responsibility for repairs. This effort is to clean up the Town's boundaries and will allow the Police Department to issue citations in the north-bound lane which currently lies outside the Town's boundaries. **VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion carried.**
- **Jim Lubing's Resignation Letter (Co-Town of Alpine Attorney)**— The council reviewed Mr. Lubing's letter. **Donn Wooden motioned to accept Jim Lubing's resignation letter with a note of gratitude and thanks for his past help and hope to keep him in mind for future use. Don Jorgensen seconded. Mayor DeCora asked for further discussion. Elizabeth Koeckeritz advised on Mr. Lubing's behalf his reasoning for resigning is the fact he doesn't really know what is going on with the Town. Mr. Lubing can be hired on a case-to-case basis in the future. Mr. Koeckeritz asked that if there is any litigation that Mr. Lubing is hired. Mayor DeCora made a special note to the fact Mr. Lubing feels Elizabeth Koeckeritz is more than capable of the task of Town Attorney. VOTE: 5- Yes; 0- No; 0- Abstain; 0 – Absent. Motion carried.**
- **PUBLIC NOTICE: January 16th, 2007 Council Meeting Cancelled to allow Mayor and Council's attendance at the W.A.M. Winter Workshop** – * Council meetings will resume, as scheduled, February 6th, 2007 at 7:00 p.m. – 250 River Circle- Alpine Town Hall- Council Chambers

B. DEPARTMENT UPDATES:

- Legal/ Town Attorney: UPDATES: 1) Terrace Lane—the clerk read an e-mail received from Jamie DeCora of Surveyor Scherbel which stated the title reports are being worked on and that a print of the plat will be delivered to Elizabeth Koeckeritz on January 5th, 2007. Ms. Koeckeritz will review the plat prior to the owners being sent the plat and affidavit of signature.
2) Library Lease: The County has a copy of the library lease and is reviewing the document.

- Water:
- Streets & Roads:
- Sewer: Update: Brenda Bennett, Treasurer, advised due to current water and sewer costs rising fees need to be raised to accurately recoup the costs necessary to run the systems. Lower Valley Energy raised power costs by 7%, propane costs have increased, and chlorine costs have increased. Raising water and sewer rates does not need to start immediately and she suggested after the new wastewater/ grease trap ordinance is finalized. The water and sewer ordinances both need to be repealed and changed. She suggests a 10% increase in water and sewer rates to cover costs of power, chlorination, and propane expenses.

Ms. Bennett also suggests raising the rent on the daycare next door and civic center rental costs. Costs to heat these buildings are also increasing. Mr. Wooden questioned whether the raising of the rates requires the PSC's (Public Service Commission) approval to raise the rates to which Ms. Bennett advised to her knowledge the late fee cannot be raised above \$5.00 per month and she wasn't sure of the guidelines regarding regular fees. Sewer rates need to be raised in order to afford the new sewer plant as well. The Town has not raised water and sewer rates since 2004. Ms. Bennett asked for permission from the council to begin researching the project. Adequate notice will be given to the public prior to any meetings. Additionally, state statutes require municipalities to have adequate reserve accounts for both the water and sewer.

- Planning & Zoning:
- Parks & Recreation:
- Personnel Dept:
- Police Dept./ Court:
- Clerk/ Treasurer:

TREASURER:

2007-2008 Fiscal Budget: Ms. Bennett asked for active involvement from the mayor and council to review the past budget thoroughly and create the new budget. Each council member will be assigned a department or two to be responsible for that portion of the budget.

Appointment Resolution: Victoria DeCora reviewed the appointment resolution for the Town and inquired about the sewer board. When contacting area board members each water and sewer board indicated they would be willing to help the Town. When the Town raised the rates, according to Brenda Bennett, the water board members quit when the idea of raising the rates came about. Ms. Bennett feels the board needs to start again and the clerk suggested the board be created to effectively use the Town's time in that board members are hand-selected to actively contribute to the running of the water and sewer departments. Leon Kjellgren's involvement is essential to the success of the board.

The council and mayor agreed to actively participate in the budget this year and the Treasurer will provide the new budget packets during their WAM training this year. The council agreed to have the budget ready for a first reading by April 17th, 2007 Council Meeting. This would allow the budget to be read and in place by June 1st, 2007.

(clerk's note: Tape #2 of 2 – Side B begins here)

CLERK:

Microbrewery Operation- Update from Kelly Hunt State Liquor Division. Mr. Wooden suggested the Town Clerk contact Kelly Hunt as to whether the State Health Department will inspect. According to Kelly Hunt there is nothing that requires the State Liquor Division or the State Health Department to inspect the microbrewery before it operates. The Town council can request the State Liquor Division's inspection prior to operation; however, the state liquor division will inspect at least yearly and possibly twice a year whether the microbrewery is in compliance with minimum and maximum gallons of brew production. The clerk questioned whether the governing body wants to request the State Liquor Division's inspection.

Elizabeth Koeckeritz advised the use of microbrewery is not allowed through the Planning & Zoning Codes currently, and the microbrewery could, in essence, not be permitted as a result. However, that is not the Town's intent at this time and there are questions regarding to what extent the building will be remodeled which need to be answered. The Planning & Zoning needs some type of direction on how to proceed which necessitates the owner submitting some type of written information. The new cell phone tower proposed in the Town will be covered under a conditional use permit; however, the microbrewery does not fall into this conditional use permit category. By creating a list of requirements for the owner it will lessen confusion on the owner's and Town's parts.

The clerk and attorney asked for permission for the council to create a letter to create a list for the owner to complete before operation covering capacity, building plans, wastewater installation schematics, changes structurally, changes electrically, etc.

The clerk felt the place to begin was to first determine if any structural or electrical changes are necessary. If there are then a Town remodeling permit would be necessary. If there are not remodeling changes then the next step would be for the Town's Inspector, Rob Wagner, to review and approve the written information as it may or may not pertain to the International Building Codes adopted and effective November 1st, 2006. Also, the Town's engineer, Leon Kjellgren, will need to review the written information for compliance with the wastewater treatment plant. Mr. Blittersdorf at a prior council meeting agreed to supply specs and schematics to the microbrewery in which the Town's engineer could review the plans to determine what, if any, the impact will be from the microbrewery on the sewer system.

Donn Wooden, Council: Mr. Wooden believes there is still part of the Planning & Zoning Codes which may apply to the project such as the \$5,000.00 requirement for remodeling requires a building permit. If the state statutes do not require health inspections Mr. Wooden believes the question is whether it should be done. It is the council's call whether to require this inspection according to Elizabeth Koeckeritz. Discussions around extra inspections beyond Planning & Zoning inspections will also occur during the new wastewater/ "grease trap" ordinance as well.

Jim Blittersdorf, Owner: Mr. Blittersdorf advised he has talked to microbrewery operators in Cheyenne, Pinedale, and various breweries around the state. These operators advised the health inspection issue is no different than a restaurant health inspection. To his understanding, Wayne Cook (State Health Inspector) would inspect the microbrewery equipment for cleanliness. Mr. Cook advised he is not there to inspect hamburgers that are served by a restaurant rather the kitchen in which it is prepared. The State of Wyoming does not require the beer product and simply the equipment would be inspected. Mr. Blittersdorf advised there will be no structural changes to the building and simply a piece of equipment will be installed which has a capacity of 210 gallons. The microbrewery is capable of meeting the 3,100 gallons of microbrew yearly. A barrel of beer is 31 gallons and a ½ barrel is 15.5 gallons. A keg of beer is 15.5 gallon container. To meet minimum requirements for a microbrewery an operator must brew 100 barrels of beer yearly to meet the minimum standard. The "Bottoms Up Brewery" is larger like the "Snake River Brewery."

As far as discharge into the Town's sewer system, Mr. Blittersdorf states a business owner in Cheyenne advised their dishwasher dispenses more "stuff" into the sewer system than a microbrewery. The effects of water, yeast, and barley to make the beer and the discharge are non-existent. The clerk advised to her recollection at a past council meeting Mr. Blittersdorf agreed to file a set of specs on the microbrewery with the Town in order for the Town's engineer to review for impacts to the sewer system. The clerk advised while researching information for the Town on the new grease trap/ wastewater ordinance, she learned that the sewer system can also be impacted by cleaners used to clean microbrewery equipment such as lye based products. The clerk also offered that to her recollection Mr. Blittersdorf advised he had talked to the Fire Marshal's Office who had approved his project and written documentation is needed that the Fire Marshal has approved the project.

The letter would also be helpful for the business owner to have a checklist of what is expected and Mr. Blittersdorf agreed to letter/ checklist. Mr. Blittersdorf advised the microbrewery he was looking at has sold and he will try and purchase another microbrewery {specs cannot be produced yet}. He advised the owners will not violate any local, state regulations and rules. Mr. Blittersdorf again reiterated all the microbreweries he talked to advise car washes put a 1,000 times more discharge or effluent in the system and that he wasn't going to operate a "meth lab" to which the clerk again

stated the goal is to issue a letter which summarizes the items he needs to complete prior to operation which will only benefit himself and the Town.

Elizabeth Koeckeritz, Town Attorney: Ms. Koeckeritz advised most of the information would be submitted to Planning and Zoning who would have 30 to 45 days to respond to which Victoria DeCora stated she felt the anticipated review time was too long. The clerk advised the Town's Engineer also needs to review. The clerk asked whether May 2007 was still his target for operating the brewery to which Mr. Blittersdorf agreed.

Again, Mr. Wooden feels Wayne Cook, Health Inspector, still needs to inspect the equipment before operation and this provision should be included in the checklist letter. Mr. Wooden suggested the yeast discharge helps the sewer plant operate; therefore, drastic impacts to the Town's sewer system shouldn't occur. The new wastewater/ grease trap ordinance will cover all businesses on the business district that discharge in the sewer system not just a microbrewery. The council and mayor agreed for a letter to be drafted for the review and signature by the mayor.

Treasurer: 2) Aerial Maps from Leon Kjellgren, Nelson Engineering—Brenda Bennett reviewed the aerial maps on Mr. Kjellgren's behalf. The maps show elevations and another set will follow.

• **PETITION FOR ANNEXATION FILED DECEMBER 29TH, 2006- BY DAMIEN MAVIS – SNAKE RIVER JUNCTION PROJECT**

The clerk has to certify the petition as complete within 10 days of receipt and Elizabeth Koeckeritz will review the petition to ensure it meets all statutory requirements. A timeline will be created to follow the annexation through the process. Don Jorgensen advised Clarence Reinhardt will also be petitioning the Town for annexation according to Dave Lloyd. If Damien Mavis' project cannot be annexed for some reason then Clarence Reinhardt cannot be annexed as the land must be contiguous according to State Statutes. Ms. Elizabeth Koeckeritz also stated if things go well the annexations should proceed almost together. Dave Lloyd is to meet with Ted Smith, Ph.D. regarding the Impact Fee Project for the Alpine Meadows Annexation.

C. ON-GOING BUSINESS:

D. ANNOUNCEMENTS & INFORMATION FOR COUNCIL:

E. FINANCIALS: Unpaid Bills

Don Jorgensen motioned to pay the bills. Donn Wooden seconded. Victoria DeCora questioned several bills for the general fund, payroll allocation, etc. VOTE: 5- Yes; 0- No; 0- Absent; 0- Abstain. Motion carried.

Victoria DeCora, Mayor, adjourned the meeting 9:25 p.m.

Victoria DeCora, Mayor

Date

ATTEST:

Tracy Matthews, Clerk

Date