



**TOWN OF ALPINE
COUNCIL MINUTES
FEBRUARY 6TH, 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 Victoria DeCora 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, Don Jorgensen and Tom Turner. Mayor DeCora was also present.

Staff Present: Tracy Matthews, Clerk; Elizabeth Koeckeritz, Town of Alpine Attorney; James Phillips, Alpine Police Department; Val Jensen, Head of Maintenance; Kimberlee Jansen, Secretary and Brenda Bennett, Treasurer.

Others present: See attached list.

A. ACTION ITEMS AND NEW BUSINESS:

- **COUNCIL MINUTES:** Mayor DeCora called for a motion to approve the January 2nd, 2007 Council minutes. **Donn Wooden motioned to approve minutes. Shirley Brown seconded. VOTE: 5-Yes; 0- No; 0- Abstain; 0- Absent. Motion carried.**
- **Planning & Zoning Minutes:** Mayor DeCora called for a motion to approve the December 12th, 2006 and January 9th, 2007 Planning & Zoning minutes. **Don Jorgensen motioned to approve minutes. Tom Turner Seconded. VOTE: 5-Yes; 0- No; 0- Abstain; 0- Absent. Motion carried.**
- **Accept Tracy Matthews, Town Clerk's Resignation filed January 9th, 2007** (last date will be February 7th, 2007.) Mayor DeCora called for a motion to accept Tracy Matthews's resignation. **Donn Wooden so moved. Don Jorgensen seconded. Vote: 4- Yes; 1- No; 0- Abstain; 0- Absent. Motion carried.**
- **Executive Session: To discuss Personnel Issues- Proposed Appointment of Kimberlee Jansen, Town Clerk.** Mayor DeCora asked Elizabeth Koeckeritz to help with this. Elizabeth Koeckeritz had referred to the ordinances on appointed positions, positions that are appointed by the Mayor, and three out of five members need to agree on it. She further explained that when appointing a position it should be done in an executive session, because it is a personnel matter, so the council can discuss without concerns of who will hear or find out. Elizabeth Koeckeritz suggested that this is the procedure that should be followed in the future. **Don Jorgensen motioned to go into an executive session to discuss the appointment of Kimberlee Jansen to the Town Clerk position. Shirley Brown seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion carried. Mayor DeCora noted that the executive session started at 7:09 P.M. Mayor DeCora noted that the meeting resumed at 7:27 P.M.**
- **Complete appointment by motioning to approve and conduct the Oath for Kimberlee Jansen.** Mayor DeCora called for a motion to approve the appointment. **Don Jorgensen motioned to approve appointment. Tom Turner seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motioned carried.** Mayor DeCora swore in Kimberlee Jansen as the new Town Clerk.
- **PUBLIC HEARING: Rezoning application – REZ-01-07 – American National Park Adventures – 266 Sawmill Road, Lot 1, Louis Strout Subdivision:** Applicant seeks to rezone property from an R-2 to B-1 prior to the completion of the Master Plan Rezoning Project which is underway. Mayor DeCora stated that everybody should be familiar with the issue, she inquired if this was a recommendation from P&Z to accept the rezoning. Kennis Lutz

stated that yes P&Z has recommended the property be rezoned. Tracy Matthews requested that everybody be on the microphone so that it can be heard on the tape for the record.

Mayor DeCora inquired if all the neighbors had been notified and if it had been published, Tracy Matthews stated yes this has been done. A mass mailer was sent out to property owners in 360 degree radius, there is a list included in the packet on who received the mailer. To her knowledge no written complaints have been received. Mayor DeCora questioned the process of approving a rezoning. Tracy Matthews explained that if they approve it tonight they would pass a motion, and then it would have to be solidified by an ordinance and three readings. To her knowledge it would then be effective at the passage of the third reading.

Steve Dicenso stated that he had some concerns about the property and the business; he felt there could be some changes in the way the business is being operated. He is also addressing the concerns of neighbor Rob Green as well; Mr. Green was unable to attend due to work. Mr. Dicenso explained the location of the business and the neighboring residences, the business is surrounded by six residences. He commented that Steve Potvin, the business representative, has approached him in regards to any concerns he might have about the business. Steve D. stated that it might be an aggressive business for the area; he is concerned the business will devalue his property. There are a lot of snowmobiles going in and out the area, and they cut through about six parcels of private property when they come and go. They run about 10-12 machines from there twice a day seven days a week; he is also concerned about the noise and smoke caused by the machines. Also every other snowmobile tour business that runs the Grey's River load and unload at the parking area, instead of running them through the neighborhood. Mr. Dicenso stated that maybe they could reach a compromise about the business; he suggested that they use the house as a changing area and still trailer the sleds to and from the parking lot. Mr. Dicenso stated that Rob Green was very upset about the business and its location. He knows they are in a somewhat light business area, he doesn't understand why this lot/house was sold under the intentions of running snowmobile tour business from this small neighborhood. Who ever sold this to them made some promises and never took into concern that there are five houses surrounding the business. He felt the property would have been better suited for a quieter business. He also feels he was not properly notified of the rezoning.

Don Jorgensen noted that the area in question had at one time a saw mill and logging trucks coming in and out of the area. He also commented that Kilroy's has been there for a long time. The area does have an industrial business; the Master Plan suggested that the area be used for business/residential. Mr. Dicenso commented that he purchased a lot in the subdivision and was told it was an R-2 lot, multi family residential.

Mayor DeCora Commented that the Master Plan is not "set in stone" it is a vision, and she believes this is where the misunderstanding came about. Mr. Dicenso commented that if the Master Plan is just a vision, what if that vision is never followed through. Then this one lot has been "up zoned", he commented that then others should have the option to do so also. He commented that if the plan does take place then it affects what he does with his lot; he bought the lot to build a residence on.

Steve Potvin wanted people to know that they are always open to suggestions and do not want to burden the neighbors. He has checked into having a trail groomed straight down to the Grey's so they can avoid going by homes. They keep the sleds in the garage which is heated, this way they don't have to let the sleds warm up and smoke up the neighborhood. They move the sleds outside and give their safety speech and then head for the trail. They are not allowed to be on the trail until 10:00 A.M., they are not starting the sleds until 9:30 A.M. and are generally back by 3:30 P.M., unless something goes wrong out on the trail. The business is limited to trail use on the weekends, they do not run every weekend. They want to be respectful to the neighbors and Alpine has been patient and respectful with them they want to do the same. They do not want to be a burden on the community, they run a small company. He explained the reason behind purchasing a house in Alpine to run the company from, they do not wish to be a company that sits up in Jackson and loads machine on a trailer everyday, brings them to the trailhead use the land here and then goes home to Jackson. The idea of having the property in Alpine is a better experience for their clients and brings revenue to the town, they have spent thousands of dollars at Alpine Market where they fuel their sleds and purchase groceries. Don Jorgensen inquired about the sleds; they are a combination of the 2-cycle and 4- cycle. Steve Fusco inquired how many people they are allowed to run up the Grey's through the course

of the season, Steve Potvin replied that it varies year to year and could be anywhere between 200 to 600 people. Elizabeth Koeckeritz reminded everyone that these types of things can be included with the business license; tonight's issue is the zoning. **Mayor DeCora called for a motion to approve the zoning application. Don Jorgensen made motion to approve the zoning application. Tom Turner seconded. VOTE: 3- Yes; 1- No; 1- Abstain; 0- Absent. Motion passed.**

- **Review of Draft 145- Ordinance No. 2007-01- NEW WASTEWATER DISCHARGE AND CONNECTION REQUIREMENTS.** The first reading of this ordinance is set for February 20th, 2007. Leon Kjellgren explained the draft ordinance and what it does and doesn't do. He stated that it is tailored after a working ordinance from Green River that he and Elizabeth Koeckeritz put together. They made it more specific for Alpine, he encouraged the council to read it. He commented that it defines what is an allowable discharge into a municipal sewer line, it is an ordinance that is needed for the current sewer plant as well as when the new plant comes online in 2008. The ordinance protects against contaminants that upset the operation, even if they were not considering a new sewage plant this ordinance should still be on the books. The ordinance has enforcement provisions that allow the Town to fine and assess costs against an individual that puts a contaminant in the sewer system that perhaps causes the Town to violate the discharge permit with the US EPA. Even more important is the addition that starts on page 5, section 3 titled "Private Sewage Disposal Connection to Public System When it is Available". Along with grants and loans that have been received from the State Loan and Investment Board there is also a grant/loan mix that has been obtained for the collection system. At some point in time the collection system will be expanded with these monies and people will have to make some decision about hooking into it and the ordinance sets up some criteria of how they make the determination of how and when people will be required to hook in to it. Leon Kjellgren read from item A, which discusses the requirements for hooking into the sewer system for new homes. Next he discussed item B, which discusses the requirements for hooking into the sewer system for existing homes. Leon Kjellgren stated that this item requires the home owner to hook up when the sewer is available; he explained that you will always have someone who has just installed a septic system. In this case they are waived from tying in immediately, they will have until the septic system is 15 years old or the system fails at which time they will be required to hook into the sewer system. Leon Kjellgren encouraged public involvement at the Public Hearing which is scheduled for the February 20, 2007 Council meeting. Tracy Matthews explained the advertising process and that there were draft copies available for the public. Leon Kjellgren also informed the council about a grant/loan program that he and Brenda Bennett had researched. He stated that the water/sewer hook up fees have not been included in the ordinance, this will be determined by a separate ordinance. Shirley Brown inquired about the fee for hooking up to the sewer system compared to replacing a septic system and leech field, Leon Kjellgren replied that hooking into the sewer system would be less. However the replacement of the septic system does not usually include the septic tank, it is the leech field that typically fails.

Elizabeth Koeckeritz, Town Attorney had a few comments to make regarding the ordinance, first it will affect the businesses in Town. They will be required to install grease interceptor to control what is dumped down the drains from restaurants, car washes or other businesses. Inspection provisions are also part of this ordinance but there are inspections that will have to be done. If you require them to install the interceptors then they need to be inspected. Tracy Matthews had a question for Leon Kjellgren; since this is somewhat of a new ordinance does he feel that it is being done correctly if anybody puts in a new business use that will be dispensed into the sewer system should they look into it. And whether they will and what will be dispensed into the system. For example the micro-brewery, that is why she suggested the letter so the owner knows what to expect and that the Town has looked into the use and approved it to dispense into the sewer. Leon Kjellgren agreed, he suggested that each application be reviewed for a new business and review if there is a possibility that the affluent discharge through the sewer line can be detrimental to the system. The burden is not on the Town except being responsible for the inspections; the burden is on the individual business. She suggested that if a business has a new use then they need to apply for a new business license. Leon Kjellgren stated that the business is required to do what ever it takes to pretreat the sewage so that it meets the standards. Don Jorgensen inquired about the cost of the inspection and the cost to clean out the lift station, Brenda Bennett stated that it cost \$3000.00 the last time. Val Jensen commented that in Jackson they have to hire an independent place like Macy's to do the inspections, if you don't hire an independent place then the business will have a grease trap that they won't take care of. Leon Kjellgren suggested that the Town can require regular maintenance of the grease traps but the Town needs to make sure the maintenance is being done. There

was some additional public comment and suggestions regarding options for disposing of hazardous waste, the location of the facility, above or below ground facility and how much of the cost will be passed onto the residents. Leon Kjellgren explained the location, that it would be enclosed above ground; the costs will be reflected in the water/sewer fees. Tracy Matthews interjected and noted that the public hearing was scheduled for February 20, 2007 and at this time is when the questions can be answered.

- **Buffalo Sage Townhomes – Steve Chichinsky:** Steve Chichinsky explained his project to the council and the P&Z process. He intends to build a portion of the development and when they sell he will begin the next phase. He also showed copies of letters from P&Z, DEQ and engineering information. He needs to get his infrastructure in place so he can proceed. Mayor DeCora questioned what was holding him up to get the infrastructure in place for the development, Steve Chichinsky stated when the snow is gone the surveyor will lay out the building envelope and where the water and sewer lines will go. Mayor DeCora asked what he wanted from the council she did not see anything that the council was doing that was holding him up from developing his infrastructure. Steve Chichinsky then stated he could not proceed with out paying for all the water and sewer connection fees. Don Jorgensen asked Leon Kjellgren if he could go ahead and put the sewer and water lines in and pay the hook up fees as they come online, Leon Kjellgren stated that he can do that with the sewer. All of the sewer collections system is integral inside the units with only one tie in at the manhole. He can buy sewer hookups as he is ready for them.

Steve Chichinsky is planning to develop the units on River Circle first, since the water is on the same side of the street it would be easy to tie into. Leon Kjellgren stated that Steve Chichinsky wanted to go in and buy all of his water/sewer fees at the going rate, Steve Chichinsky confirmed this. Leon Kjellgren has concerns with that; he does not believe that the Town can allow a developer to prepay for hookups for a development that will occur down the road. If this is allowed for one person then tomorrow you will have ten more coming into prepay and so on. Donn Wooden commented that Riverview Meadows is the reason there is a sewer system, the money was put up by the developer to put in the plant and deposited \$80,000.00 with the Town of Alpine to be used for the second plant. The money was however used for the first plant; he also commented that the original connection fee was \$750.00 for RVM. This is the last multi-family lot in RVM and there should be some type of entitlement the property owners in RVM at the going rate. Donn Wooden believes to ignore those commitments would be wrong; Mayor DeCora asked if those commitments were in writing. He believes that it is. Donn Wooden commented that the developer is not trying to hook into the new system but the existing one. Leon Kjellgren doesn't agree with these comments. The day that RVM decided to turn the plant over to the Town and the Town accepted it then the plant ceased to be a RVM plant but a Town of Alpine plant. Then the Town entered into a special improvement district to allow additional hook ups outside the RVM subdivision and nobody questioned it at that time. Leon Kjellgren stated that RVM has no greater rights to the sewer plant than anybody else does, they gave that up and the Town accepted that responsibility.

Donn Wooden stated that the Special Improvement District had to pass a bond to put their money in along with the money given by the RVM developer, with the intent that there was sufficient capacity in the plant as it stands today to take care of the rest of the RVM development and the main street of Alpine. He stated that no one else in the town has paid towards this plant; there is a moral responsibility to take care of the RVM development and to the business district. Leon Kjellgren stated that the current plant has a capacity of 65,000 gallons a day and right now 68,000 gallons are running through the plant on most days. The previous information about the capacity of the plant is an error because it is at capacity now and RVM is not completely developed. Steve Chichinsky inquired how long the plant has been at capacity; Leon Kjellgren stated that they ran a flow test this past summer. Elizabeth Koeckeritz commented that she has a box of information that she can go through that has some old Town of Alpine information that she was given when she took over as the Town of Alpine attorney. She would like to research the box and look for the agreement everybody keeps referring to. Steve Chichinsky commented that the whole issue about cost and the Town of Alpine accruing millions of dollars in debt are a result of not collecting enough money from the developers across the river who need the new sewer plant. He again stated that not enough money was collected, now they are coming to him self and other land owners in the Town of Alpine and telling people that they need to abort their septic systems. The Town of Alpine is going into debt because of the developers across the river; he made comparisons to other communities. The developers who made 20 million dollars on the real estate should pay their own way. Steve Chichinsky stated that "He is not paying the extra hundred thousand dollars because they short changed the guy across the river." Mayor DeCora asked Elizabeth Koeckeritz to address this at the next meeting.

Don Jorgensen motioned to table this until the next meeting. Shirley Brown seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion passed.

Mayor DeCora called for a 15 minute recess at 9:02 and the meeting will resume at 9:17.

(Clerk's Note: Tape 2 of 2 starts here.)

- **264 Resolution No. 01-02-06-2007:** 2007 Official Appointments. Mayor DeCora put together the draft of the resolution. Don Jorgensen had a question about the police department appointment, due to the fact that there is a current litigation with the Bullmoose the appointment of Tom Turner is a conflict of interest since he is employed at the Bullmoose. Mayor DeCora agrees and the resolution was prepared before the lawsuit. Mayor DeCora also recommended that each council member is responsible for the budget of each department they have been assigned. Mayor DeCora asked for an opportunity to revise the resolution for the next meeting. **Donn Wooden so moved, Don Jorgensen seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion passed.**
- **265 Resolution No. 02-02-06-2007: Lakeview Estates 10th Addition (Re-plat/Owners: Watson/Elliot)** This final plat was reviewed and approved on by a unanimous vote on 11/2/2004; however the resolution and Mylar will be completed in 2007. The Mylar should be ready for signature by the next meeting. This resolution solidifies this re-plat. Tracy Matthews clarified the issue, in 2004 this was approved but the Mylar was never received for a final signature. This resolution accepts the re-plat and the Mylar will be signed at a later meeting. Mayor DeCora read the resolution. **Donn Wooden so motioned to approve the re-plat. Don Jorgensen seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion passed.**
- **1st Reading: 146- Ordinance No. 2007-12-** Amending the IBC Code Ordinance adopted 10-17-2006. Mayor DeCora read the ordinance. **Don Jorgensen motioned to approve. Shirley Brown seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion passed.**
- **1st Reading: 147- Ordinance No. 2007-13-** Amending the IRC Code Ordinance adopted 10-3-2006. Mayor DeCora read the ordinance. **Donn Wooden so moved. Don Jorgensen seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion passed.**
- **Lincoln County Public Health-** Pandemic Influenza Planning. Mayor DeCora explained the FYI given by the public health office. Brenda Bennett explained that she had spoken with Nancy Fox and they want to start having meetings here in Alpine to inform the public about current happenings. They would like to use the civic center for these meetings. Donn Wooden and Mayor DeCora think that it is a great idea.
- **Department of Transportation-** Mayor DeCora explained that this was also an FYI. Shirley Brown explained that in the WAM Magazine had information about federal funding for a safe route to school for kids at 100%, she felt it is something that should be pursued for Alpine. Brenda Bennett also commented that she had spoken with WYDOT and he will be at the After School Program that will give away bicycle helmets and teach bicycle safety. Shirley Brown would like to pursue the grant for lighting at bus stops; the council agreed that it was a good idea.
- **Deb Wolf ley's proposal to assist Alpine Government-** Letter dated 12-28-2006 to Mayor DeCora. Mayor DeCora explained that this is another FYI and spoke about the letter she had received and responded to.
- **Dubbe Molder Architects-** Faxed proposal for engineering costs for Alpine Child Development Center dated 1-16-2007. Mayor DeCora explained that the engineer bid didn't include all engineer costs. Tracy Matthews explained that Kay Gogal has supplied a time line regarding the problems with the architecture costs, at the end of this is the request to go and solicit further quotes from other architects. Mayor DeCora inquired if she has the blessing of the Wyoming Business Council. At this time Kay Gogal is only requesting permission to look at proposals from other architects. **Mayor DeCora calls for a motion to explore other architecture quotes, Shirley Brown so moved. Donn Wooden seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion passed.**

- **Architect Activity Report** – Kay Gogal, LUDCA dated 1/23/2007. Mayor DeCora explained that this shows the bid process and then when no sealed bids were received they next contacted everybody on the list and Dubbe Moulder was the only one who responded.

B. DEPARTMENT UPDATES:

- Legal/ Town Attorney:

Draft Legislation – Water Franchising: Prepared by Elizabeth Koeckeritz and sent to Monte Olson (e-mail correspondence dated January 9th, 2007. Elizabeth Koeckeritz drafted legislation; spoke with the Mayor and Tracy about the possible solutions for the inability to annex areas north of town because of the problem with water franchises. The simplest solution was to remove the clause in the statute that requires a Town vote. She explained the situation to Monte Olson, George Parks and Keith Gingrey and they understood the problem and were concerned it could affect other parts of the state in the future. It has passed all three readings in the house and will next go to the senate. They also added that if it passes it will become effective immediately instead of waiting until July 1st, 2007. Donn Wooden commended her for her work on this issue.

He did have a question about the annexation, the only party anticipating selling water that we would have to franchise is Alpine Meadows where there is already an agreement, if others apply aren't they seeking just to bring customers to the water system rather than resell it? Elizabeth Koeckeritz explained that under the statute the Town has to provide water, currently there is not in place a way to supply water. Donn Wooden inquired if the other side of the river will pay for the cost to connect to the Town and pay for the infrastructure and run the line across the bridge and not be franchised to sell the water and that should not impede that process. Elizabeth Koeckeritz stated that they had been trying to get a hold of Bob Ablondi about a grant, Damien Mavis would ask us to work towards it for him, and it is a business ready grant. Tracy Matthews reminded the council about the business ready community grant and the match of 5% to 10%. Mayor DeCora has started to research the grant and would like to contact the Wyoming Business Council in regards to it, Donn Wooden agreed. Brenda Bennett confirmed that we have been approved for water to go to this side of the bridge only. Tracy Matthews stated that the town has to lead the grant and file it; it can not be in the developer's name.

Library Lease Agreement: Elizabeth Koeckeritz explained the lease agreement and that the county wants the property at the end of the lease in 2012. Elizabeth Koeckeritz asked Donn Wooden if he had more information, he had received a call from Claudia Baker. She was concerned that Alpine would reject the Library plan because they did not want to give up the land at the end of the lease agreement; he informed her that he did not think that was the case. He explained to her that Alpine had an agreement with Wyoming Game and Fish when they purchased the land that for 20 years the deed could not be transferred from the Town of Alpine. Elizabeth Koeckeritz suggested adding a restrictive covenants on the deed that state that the land always be used for a library and if the use changes then the Town and the County must agree on the use. **Shirley Brown motioned to accept the lease agreement with the adjustments that Elizabeth Koeckeritz just mentioned. Donn Wooden seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion passed.**

Terrace Lane: Elizabeth Koeckeritz noted that she has received copies of the plat form Surveyor Scherbel and as soon as the owners sign the affidavits of ownership it will be done. Once they are all received then the Town can sign and this issue will be finished. Tracy Matthews reminded the council that when they accept the final review of terrace lane it must be advertised prior to the meeting and have it listed as a public hearing and then do an ordinance that accepts the plat.

Mavis Annexation update: Elizabeth Koeckeritz explained the annexation process and that they had asked Damien Mavis to withdraw his petition until the water franchise issue and the impact fee study has been completed. Tracy Matthews commented that the Town needs to take the lead and tell the developer when they can file an annexation request.

- Water:

Val Jensen: There was a situation with Jim Hood; since his pipes froze he believes the Town should reimburse him for his costs for a plumber, hoses, channel locks and extension cords. There is about 7 or 8 other homes with the same problem in Town, the cause is from neglect from not leaving water running. Val Jensen suggested that next year it would be wise to educate people about why it is important to leave water dripping. This year there have been both water and sewer freezing. Mayor DeCora noted the letter from the LGLP about not getting involved when pipes are freezing. Brenda Bennett explained that in the past Tracy & Val sent out letters informing the residents about this issue, certain council members didn't approve and took the notices down. She suggested that we go back to that process of informing the residents. Donn Wooden noted that this is an issue that has been happening through out the valley; he noted that they used to suspend the meter rate. Brenda Bennett explained that there are two end of the lines that they have requested that they leave there water dripping, in the spring she does adjust these bills because they have to leave their water running. **Donn Wooden motioned to reject the claim. Don Jorgensen seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion passed.**

- Streets & Roads:

- Sewer:

- Planning & Zoning:

Draft Ordinance prepared by Jim Pedersen: Mayor DeCora Commented that this ordinance was presented at the last P&Z meeting and Mr. Pedersen would like some feed back from the council and P&Z.

- Parks & Recreation:

- Personnel Dept:

- Police Dept./ Court:

- Clerk/ Treasurer:

Court Information: Tracy Matthews explained that this was an FYI for the council.

C. ON-GOING BUSINESS: Tracy Matthews explained that this item was tabled from the January 2nd, 2007 meeting. She does not remove an item from the agenda unless she is told to by the council. **Don Jorgensen motioned to remove from agenda since the item has been resolved. Shirley Brown seconded. VOTE: 4- Yes; 0- No; 1- Abstain; 0- Absent. Motion passed.**

D. ANNOUNCEMENTS & INFORMATION FOR COUNCIL:

- *LINCOLN COUNTY PLANNING – MINOR SUBDIVISION APPLICATION – HEARING NOTIFICATION (Three Rivers Construction, Inc. File #219 MS 06
- *WAM Newsletter Dated January 5th, 2007
- *Lincoln Cty. Planning & Development – Applicant, Broken Ski Pole, LLC –FILE #424-SS-05 (1 mile Town radius)
- *W.A.M. "Top Health" January 2007 Flyer
- Lincoln County Juvenile Committee – Letter from January 16th, 2007 (Not in previous two packets given to council)

Mayor DeCora has a question for the council, Tracy Matthews has offered to be available for the Town and assist in ongoing issues. Mayor DeCora stated that when she helps out she will need to be compensated for her time. Donn Wooden agreed with this. **Donn Wooden motioned to approve at her current pay rate. Tom Turner seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion passed.**

E. FINANCIALS: Unpaid Bills

Don Jorgensen motioned to pay the bills. Mayor DeCora questioned some of the expenses and it was explained to her. Mayor DeCora also requested that all costs accrued due to this litigation be accounted for separately, Don Jorgensen agreed. Brenda Bennett noted that the only area we will have paperwork will be from the attorney. The Town pays the LGLP for their coverage. There has been countless hours spent by the office staff on this issue. Mayor DeCora noted that those hours and copies can be estimated. Shirley Brown seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion passed.

Don Jorgensen motioned that the Town Council go into an executive session for an update with the council on the status on the litigation with the Bullmoose. He also requested that Tom Turner excuse himself from that executive session due to conflict of interest. Elizabeth Koeckeritz commented that she

was going to give a general update for the whole council and then ask that Tom Turner excuse himself so they can continue the discussion. Donn Wooden seconded. 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion passed.

Executive Session started at 10:17.

Victoria DeCora, Mayor

Date

ATTEST:

Kimberlee Jansen, Clerk

Date