

TOWN COUNCIL

Council Minutes November 6th 2007

*Clerks notes are a summary only of meeting.

Meeting called to order at 7:00 p.m. Mayor DeCora led the Pledge of Allegiance. Present: Donn Wooden; Shirley Brown; Mayor Victoria DeCora; Jon Jorgensen.

Colt Rauterkus: Eagle Scout Badge; he is with Troop 112 of Alpine and would like to thank the Alpine Fire Department and Alpine Mountain days. He is a life scout presently and he is considering his Eagle Project for Alpine. He had planted trees at the library with fellow scouts of his troops. His project was to supervise the troops with leadership. He would like to attend West Point Military Academy. All council commends him and his outstanding work. Colt says Alpine is the best town in the Valley and all he needs to do is to get his paperwork done and signed by the Mayor. He will then be an Eagle Scout.

Don Jorgensen makes a motion to recess public meeting to make decision on new Council member to fill Tom Turner's seat and to go into executive session as per Wyoming State Statute 16-4-105. Donn Wooden seconds. **VOTE: 4 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**

Meeting called to order at 7:12 p.m. Don Jorgensen motions to ratify actions in executive session. Donn Wooden seconds. **Vote: 3 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**

Attorney Stefan Fodor: Pursuant to Wyoming State Statute 15-1-107 concerning vacancy of office the governing body is entitled to appoint a knowledgeable person to serve on council until successor is elected until next general municipal election. Donn Wooden motions to nominate Beau Taylor to fill the unexpired term of Tom Turner until next general election. Don Jorgensen seconds. **Vote 3 yes; 0 no; 1 abstain; 0 absent. Motion carried.** Mayor DeCora asks Beau Taylor to stand and recite the Oath of Office. Mayor DeCora congratulates him and Beau Taylor seats at Council Chair.

Approval of Planning & Zoning Minutes 9/11/2007 & Town Council Minutes for 10/2/07 & 10/16/07: Donn Wooden motions to approve. Don Jorgensen seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**

Approval of Liquor Licenses for Bull Moose Saloon, Tavern on the Greys, Yankee Doodles, Gunnar's Pizza, & Alpine Market. Donn Wooden ask for comments from public and advertisements have been satisfactory published. Whitney Heller: there also has been satisfactory correspondence between Wyoming Liquor Division. Donn Wooden motions to approve renewal of liquor licenses because there has been no objection to said licenses. Don Jorgensen seconds. **VOTE: 4 yes; 1 no; 0 abstain; 0 abstain. Motion Carried.**

Lakeview Estates Tract A-F 5 foot setbacks: Jamie DeCora went to Planning & Zoning October 16th 2007 in regard to getting approval on replat. One of the questions was asked if 2 of the lots were confirmed at

10 foot setbacks after review 2 of the lots were at 5 ft setback. P&Z recommended approval to board and needed letters from property owners that if there were any improvements it would need to go back to 10 ft setback. Mayor DeCora: ask question if current owners decide to sell property will the property be properly represented as to conform to town setback? Carl Scherbal: because it is a replat the lot lines are changing and the clerk's office will have that note on map when buyers do buy property and also a building permit would be required. Donn Wooden: says it is between the buyer and the seller also the real estate company. There is an encroachment finally getting resolved and now there will be a clear title. Stefan Fodor: the letter from Jamie DeCora dated October 25th states that the involuntary construction that the buyer has knowledge of this because it is a public record. The representation was inadvertent with 5 ft setback and the people are here to correct situation. The problem with approving non conforming lot without variance is that you could run into situation where someone else comes along and would like to create a non conforming lot and council says no not based on zoning ordinance that could be deemed as an arbitrary decision you as a council are making a decision without a zoning variance. The applicant has another option to seek variance. P&Z has recommended to do this, yet I advise you against this. The precedent is larger than this issue and you are being asked as a council to approve lot that does not meet zoning laws and this is a potential risk. Carl Scherbal: we are here to do what council decides. Paula Stevens: Boundary adjustments are not uncommon in situations where you have a non conformity and the intent is to lessen the nonconforming situation which is why I am comfortable approving boundary adjustment under limited circumstances. This is specific to the building there now and circumstances to location and site. Paula Stevens is not concerned it will go beyond that. Donn Jorgensen: motions to approve Lakeview estates Tract A-F 5 ft setback yet if building is destroyed or altered to existing building in any way the lot is to conform to 10 ft setbacks. Don Wooden seconds. **Vote: 3 yes; 1 no; 1 abstain; 0 absent.**

275-Resolution No. 11-06-07-2007: A RESOLUTION TO ADOPT A REPLAT OF LOTS 303, 304, 305, 306, 307 AND 308 OF LAKEVIEW ESTATES TWELFTH ADDITION BEING PART OF LAKEVIEW ESTATES INCORPORATED TRACKS A-F, IN THE TOWN OF ALPINE WITHIN THE S1/2 SECTION 29 T37N R118W LINCOLN COUNTY, WYOMING, dated September 13, 2005, as revised. Mayor DeCora read resolution in its entirety and asks for a motion. Don Jorgensen motions to approve. Donn Wooden seconds. **VOTE: 4 yes; 0 no; 1 abstain; 0 absent. Motion carried.**

Mayor DeCora: wants to update the public that the one % optional sales tax passed. Don Jorgensen states that is close to \$210,000.00 for Alpine.

276- Resolution No. 11-06-07-2007: A RESOLUTION TO ADOPT THE FINAL PLAT OF THE TWIN PINES ADDITION TO THE TOWN OF ALPINE PART OF LAKEVIEW ESTATES INCORPORATED TRACT F WITHIN THE INCORPORATED LIMITS OF THE TOWN OF ALPINE WITHIN SECTION 29 T37N R118W LINCOLN COUNTY, WYOMING. Mayor DeCora read resolution in its entirety and asks for a motion. Don Jorgensen motions to approve. Donn Wooden seconds. **VOTE: 4 yes; 0 no; 1 abstain; 0 absent. Motion Carried.**

Scott Reid request of approval of replat with no conditions: Scott Reid states he is here on behalf of his property on corner of Sunset and Terrace Lakeview Estates 12th addition that now is to be Lakeview

Estates 15th addition lot 818. The pins have been found on 3 corners and having it resurveyed there has never been a pin on the inside corner of road, also there was a finding that on the plat there is a 16 ft corner and it is designated at 25 ft at corner of Pine crest. Originally wanted to survey for next owner, yet going to P&Z found inconsistencies with the newest plat which was done in 2004, lot 812, lot 1 & Lot 2 were done in 2006. We felt the road should be 24th width and would like to change the property shape from a straight line to an angle. On the plat there is a line that does not designate the property line and there is a 4ft difference. Carl Scherbal: when there are lot lines changed there needs to be a replat our recommendation to council would be to approve replat. Paula Stevens: states that P&Z is also recommending replat. Donn Wooden motions to approve. Don Jorgensen seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion carried.** Scott Reid will need to make an application for final plat approval which will go to P&Z back to council and Resolution will be prepared for council approval. Whitney Heller: advertisement requirements have been met for the replat.

Impact Fee: Paula Stevens states she is making a recommendation from the commissioner of P&Z to move forward with an Impact Fee study and development of necessary Ordinance. I have contacted Jim Pedersen and had prepared a proposal in December 2005 which was \$34,829.00. The cost now may have increased because of the time lapse. I will be meeting with Jim Pedersen tomorrow, I am asking council if you would like me to move forward with this and ask if fees have changed. Donn Wooden: ask where money would be in budget, and also annexation is not yet in process. Mayor DeCora: Franchise agreement with North Star Utilities is still a work in progress and feels the study should be on hold for now. Donn Wooden motions to table Impact fee until annexation is resolved. Shirley Brown seconds. **Vote: 5 yes; 0 no; 0 abstain; 0 absent. Motion carried.**

Department Updates:

Stefan Fodor: Has received draft of franchise agreement from North Star Utility a week ago. There are some issues I would like the council to consider. First Brenda and Leon are working on how billing will be done with ERU's. How much latitude are we going to give North Star in regard to the rules regulations and changes in fees from their collection system? The agreement as it is drafted now has a provision if the agreement is terminated we have to pay a value for that in regard to depreciation. North Star would like an employee at the facility overseeing the waste water operation and asking for the town to pay ½ of that salary. Also there needs to be a decision of who will be the operator of plant and what level. We currently have a 10 year term of agreement; would council like an automatic renewal of agreement. As I understand the WWTP is on schedule. Yet concerned if it is not on schedule we as a town have obligation to the people and North Star I would like that also in the agreement. Also will we have a consultant at the plant? I am also asking council on an unrelated issue what the town would like to do with the Alpine Meadows roads will the town assume maintenance. Donn Wooden: Alpine Meadows home owners group was to take care of their own roads including snow removal. Don Jorgensen: says it was in the plat that they were to maintain their own roads. Stefan Fodor: returning to North Star are they going to be able to charge what they want on their collection services, what sort of limits need to be in agreement. In regard to annexation, North Star will provide Alpine with a list of owners for the annexation. Grease Trap Ordinance will also be included in Alpine Meadows design and review committee and homeowners association rules and design committee for Snake River Junction.

Stefan Fodor: the sewer agreement and the water agreement are the imperative issues that we are working on and this needs to be resolved and would like the council input so this is kept moving forward.

Stefan Fodor: says to council he has received letter in regard to property damage from HK paving the road, I am requesting Don Jorgensen take a look into this if indeed HK is responsible I feel this should be held from retain age for HK. Don Jorgensen agreed to do so.

Leon Kjellgren: Each council member has received preliminary report for collection system. On September 27th the council held a special meeting on which alternative and streets we are putting the sewer in. I have written another chapter to go into report which explains final decision council had made to where the sewer was to go and why. There is also an exhibit in back based on council decision the first phase of project. Added was Trail Dr. as requested we took out Forest Meadows and majority of 3 Rivers meadows and Greys River Village 1 it is all explained in the new chapter. Also would like to note we may not have to use all monies from grants and loans which give us the opportunity for phase 2.

Leon Kjellgren: second item I have, I have received 2 copies of easement agreements from Bureau of Reclamation for the corridor. The corridor is the area we are putting the trunk sewer along the North Side and the East Side of the town. In order to place lift stations and force mains everything flows to that point. This is Bureau of reclamation land and we needed a easement to utilize this property and what this gives us is a 100 ft corridor along the North and East side of town for a temporary easement to build the sewer line and able to put a permanent easement inside of this which varies in width developing what we need for the permanent installation. This has taken 9 months to get easement and there is no charge to the town. If this requires a resolution to enter into agreement or takes a vote for Mayor to sign contract of easement agreement between the Bureau of Reclamation this is an important step of the process. Another issue we would like to open bids soon for collection system so we can start in April there is about 24,000 feet of sewer in this project and expect to have the town streets torn up for the summer.

Memorial to George Bartlett: Joy Bartlett; says she had received a call from Colt Watkins to build a memorial for George he has passed away 8 months ago. Shirley Brown says he had a strong heart for the children and a library is consideration yet would have to take that to the county. Joy Bartlett: she would like to see a memorial yet not sure where or what type of memorial. Donn Wooden: the town is supportive of memorial to go into library, we do own the land and the county owns the library. Whichever makes Joy feels the best on which direction to go the town will support?

Update on Third Well: Tom Colletti would like to update council on the water project it is moving ahead. Since being town liaison for project I have had several appointments with Bob Ablondi. We have decided to incorporate both projects that have grants for into one project so we can get responsive bids on both reconditioning of pump station and line as well as test well ,new well pump # 3, generators and escape system which essentially guards system and tells us water levels. Bob has agreed to combine project. We also have a schedule for well drilling and will see who gets the bid within the next week. The State of Wyoming is paying for this, if the well is unproductive the State assumes the money out, if it is

productive the town assumes the money paid out. Bob Ablondi is seeking an additional \$85,000.00 for project. The project will hopefully be June through August of next year.

Police Department: Chief James Philips; as per your request I have written updates for council with activities going on with police department. It is vague as it pertains to open cases if you have any questions I will address that in executive session. Will give update at each council.

Unpaid Bills: Brenda Bennett: with exception to North Star bill, Don Jorgensen needs to sign off form for snow removal contract certificate of compliance before that can be paid. Don Wooden motions to pay unpaid bills exception to North Star. Shirley Brown seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent.**
Motion Carried.

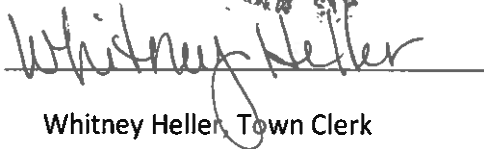
Mayor DeCora asks for a motion to recess public meeting and to go into executive session as to Wyoming State Statute 16-4-105. Don Wooden seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent.** **Motion Carried.**

Don Wooden motions to ratify actions discussed in executive session. Beau Taylor seconds. VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.

Shirley Brown motions to adjourn public meeting. Don Jorgensen seconds. VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried. Meeting adjourned at 9:15 pm.



ATTEST:


Whitney Heller, Town Clerk



Mayor Victoria DeCora