



**TOWN OF ALPINE
COUNCIL MEETING
Minutes
July 17th, 2007**

**Clerk's Note: Minutes are a summary only of a tape recorded meeting.*

Mayor DeCora called the meeting to order at 7:02, and held the pledge of allegiance.

A quorum was established by the clerk through a roll call. Council members present: Don Wooden, Tom Turner, and Don Jorgensen. Mayor DeCora was also present. Other staff in attendance: Treasurer – Brenda Bennett, Clerk – Kimberlee Jansen, Town Attorney – Stefan Fodor, Town Planning & Zoning – Pat Marolf.

Council Minutes: July 3rd, 2007. Don Jorgensen motioned to approve. Tom Turner seconded. VOTE: 4-Yes; 0- No; 0- Abstain; 1- Absent. Motioned carried.

Planning & Zoning Minutes: June 13, 2007; June 26, 2007 & June 28, 2007. Don Jorgensen motioned to approve. Tom Turner seconded. Donn Wooden asked for further discussion, he inquired why P&Z had the second meeting and how they went about posting it. In other words was the meeting was adjourned or recessed to accommodate the additional meeting? Mayor DeCora asked if the P&Z were required to publish a special meeting. Kimberlee Jansen informed them of the circumstances regarding the extra meeting, the extra meeting was held in regards to a sign permit and the applicant not showing up at the regularly scheduled meeting. **VOTE: 4-Yes; 0- No; 0- Abstain; 1- Absent. Motioned carried.**

Mike Hackett, Wyoming Water Development Office- He came here tonight to talk about funding that was authorized by the 2007 legislature for the Town of Alpine in the amount \$688,090.00 and it represents 67% of the estimated project costs. He explained it was for the completion of the new well, this funding would be used to complete the well once it is drilled. As well as replace two transmission lines, one on Grey's River Road with a 10" line this would replace an 8" line that has caused troubles for the town. There is also another transmission line that goes from the wells to the main storage tank, it is currently an undersized 8" line and is proposed as a 14" line. MR. Hackett also informed the council that they needed to secure the remainder 33% of the funding. He understands it has been proposed to get the remainder funding from the state drinking water revolving loan fund. Basically would be 33% of the project costs and the loan terms are two and one half percent interest for 20 years. There will also be an origination fee. He stated it would take 6 months to have the application approved; there will be an environmental review process. Mayor DeCora stated that this has already been done; Mr. Hackett stated that it may have been done for the drilling of the new well, but not the transmission line. Mr. Hackett explained that the project is multi faceted, in 2006 they received and signed an agreement and grant from water development for 67% of the eligible costs to make improvements to the two existing wells. That would include new pumps and an emergency generator. He commented that the project should start at the updating of the existing wells and then the drilling of the third well. Mr. Hackett has the draft project agreement and for the next phase of the project which covers the transmission lines and the drilling of the new well. He handed out copies of the agreement to the council and the attorney. Mr. Hackett explained the agreement and the key points. They like to have one person from the town be a coordinator for the project along with the engineer. Mayor DeCora suggested that the council take time to review the agreement and asked Mr. Hackett for a card and then they will get in touch with him in the next week or two. He explained that there is no rush other than getting in the application and the match monies. Donn Wooden questioned if there was a time frame they needed to adhere to, Mr. Hackett explained that the

funds were secured until 2012. Mr. Hackett also hit on some of the key issues within the agreement. Mr. Hackett reminded the council that they needed to get written authorization from his office, once the bid has been received they also need written authorization for the chosen bid. On July 1st, 2012 the funds revert back to the state if they have not been expended by this date.

Nik Fiore, Snake River Junction 2nd Filing- Nik Fiore explained that Lincoln County has approved and signed the plat map; he is here to get the required signatures from the Town of Alpine. **Donn Wooden motioned to approve the signing of the plat map. Tom Turner seconded. VOTE: 4-Yes; 0- No; 0- Abstain; 1- Absent. Motioned carried.**

2007/2008 Snow Removal Bids Review- Mayor DeCora questioned if anybody had received the sealed bid packet, clerk explained they needed review the information at the meeting and approve what it says. Stefan Fodor has reviewed the contract and thought some of his changes had not been made. (It was later confirmed the copy presented at the meeting did in fact contain the requested changes made by Stefan Fodor. **Donn Wooden motioned to table until the next meeting. Tom Turner seconded. VOTE: 4-Yes; 0- No; 0- Abstain; 1- Absent. Motioned carried.**

2nd Reading 161-Ordinance No. 2007-17 - Ordinance to amend 145 Ordinance regarding grease traps. Mayor DeCora read the ordinance. **Don Jorgensen motioned to pass ordinance. Donn Wooden seconded. VOTE: 4-Yes; 0- No; 0- Abstain; 1- Absent. Motioned carried.**

3rd Reading 158-Ordinance No. 2007-14 - Irrigation wells & permits. Mayor DeCora read ordinance. **Donn Wooden motioned to approve. Don Jorgensen seconded. VOTE: 4-Yes; 0- No; 0- Abstain; 1- Absent. Motioned carried.**

273- Resolution No. 07-17-07-2007 – A resolution initiating a fire ban for the Town of Alpine in conjunction with the county and forest service fire bans. Mayor DeCora read the resolution. **Donn Wooden motioned to approve. Don Jorgensen seconded. VOTE: 4-Yes; 0- No; 0- Abstain; 1- Absent. Motioned carried.**

Updates from Stefan Fodor:

1. **Annexation of Alpine Meadows -** Tabled pending further information. Stefan Fodor exchanged reports with the attorney and is currently waiting to hear back. There are some outstanding questions and he has passed those onto the attorney for Alpine Meadows.
2. **Zoning –** Stefan has sent the information to Pedersen Planning for review.
3. **Bullmoose Certificate of Occupancy –** Issue has been resolved.
4. **Highway 89 –** Office staff is gathering information needed to proceed.
5. **Executive Session –** Stefan Fodor requested the council call an executive session pursuant to 15-1-105 when appropriate.

Don Jorgensen brought up the current water issue. He has been informed that around a million gallons of water a day is being pumped. Mayor DeCora has spoken with Val Jensen and he has recommended not putting restrictions on watering. This avoids more over usage. Steve Chichinsky suggested sending a notice or issuing a citation to solve the problem Donn Wooden believes there is an Ordinance to alternate watering days, and he thinks most people will adhere to this and be respectful. Don Jorgensen explained that when there is the excess in watering then tanks would be empty if there should be a fire emergency. They recommended that a mailing be done to inform residents of the issue. Mayor DeCora called for a motion. **Donn Wooden motioned to restrict water effective immediately. Tom Turner seconded. VOTE: 4-Yes; 0- No; 0- Abstain; 1- Absent. Motioned carried.**

Sewer: Stefan Fodor received a contract from Leon Kjellgren regarding getting power to the new wastewater treatment plant. He has reviewed and approved the form but the numbers are not back from LVE. The item will be on the August 7th, 2007 agenda.

Streets and Roads: Donn Wooden questioned this issue. Mayor DeCora explained that no bids were received for the prior process. Stefan Fodor stated that it needed to go back out for bids since the maintenance portion of the project was so small then it was not considered maintenance. Stefan Fodor recommended that the Contractors that picked up bid packets were approached about why they did not submit bids and if they had some suggestions for changes to the bid. Brenda Bennett stated that she had spoke with the three contractors who picked up the bid packets as well as taking it a step further and approached two others. She has spoke with the Mayor as well as Shirley Brown about what they told her about the bid. They informed her that the bid was to tedious and time consuming and not cost effective. The contractors stated that if changes were made they would be happy to re-bid. The bids have been revised and will go out on Thursday for re-bidding; Stefan Fodor will review and approve the packet prior to this.

FINANCIALS: Unpaid Bills – July 17th, 2007. **Don Jorgensen motioned to pay the bills. Tom Turner seconded. VOTE: 4-Yes; 0- No; 0- Abstain; 1- Absent. Motioned carried.**

Mayor DeCora called for a recess at 7:56. Meeting resumed at 8:07.

Jeff Atwood asked to address the council regarding the sewer moratorium. He has lived here for the last 14 years and he moved here because he loved the area. He has invested heavily within the Town limits. He owns three pieces of commercial property in town; he wants to explain his situation and is not here to blame anybody. Mr. Atwood continued that he is financial dire straights right now. He is trying to sell a piece of commercial property he has behind the Bullmoose. A few months ago he had some buyers want to make an offer on the ½ acre lot; they were advised about the moratorium on the sewer system. Needless to say there was not an offer on the property. He has recently had another offer a few weeks ago; the buyers were again informed of the sewer moratorium. This also resulted in no offer. Mr. Atwood explained that he is a partner in the tavern on the Grey's; he has three bank loans to pay. He is asking the Town to find a solution to assist property owners that are grandfathered in. He stated that the moratorium has devalued his property. He would like the council to consider some type temporary solution so he doesn't have to wait a year and a half. Mayor DeCora explained that the moratorium expired in the middle of June; however there are two issues with the sewer plant. She explained that the temporary solution was to bring the smaller plant back into operation, although it is in full operation. The two issues they have is first the capacity and two the process, the chemical balance of what is being dumped into the river. The capacity at this point they are certain is not an issue. The process is what they haven't been able to get under control. If the discharge permit is not in compliance, then they can not legally let them hook onto the sewer. Tom Turner questioned if there was some sort of temporary septic system that could be used as an alternative. Donn Wooden stated that Alpine Meadows is using an alternative holding system until the new plant is up and running. He suggested that there should be alternative options to allow building to continue within the sewer district area. Stefan Fodor stated this was a compelling argument and if the town council felt it was a health, safety and welfare issue then the town council can consider alternate options. The welfare of the town could be harmed due to the lack of development. Pat Marolf suggested it could be addressed by a case by case basis. Jeff Atwood suggested the holding tank would be useful in some cases but why can't they have septic tanks and leech fields. Stefan Fodor explained that he can't give them options only his legal opinion. Stefan Fodor agreed the moratorium has run out and there is no guarantee that one will not be re-issued. He also suggested the case by case basis could be a touchy subject. Stefan Fodor recommended reinstating the moratorium and considering alternate options Brenda Bennett asked what we were supposed to tell people when they came in or called the office and asked questions in regards to the moratorium. Mayor DeCora stated just what she told this gentleman here tonight. Stefan Fodor stated that we need to be clear the moratorium has been lifted but there is no guarantee that a new one will not be reinstated. **Donn Wooden motioned to reinstate the moratorium until the compliance issue has been resolved to the satisfaction of the DEQ, Town of Alpine and the operator. In the interim offer alternate options of an enhanced septic system to prospective builders within the sewer district and waive the requirement that would exclude this. This is effective until we are in compliance or the new WWTP is operating. Tom Turner seconded. VOTE: 4-Yes; 0- No; 0- Abstain; 1- Absent. Motioned carried.** Stefan Fodor stated he would draw up the documents for the next meeting.

Building Permit issue: Brenda Bennett explained that there was issue with a building permit; the applicants wish to withdraw their application. The problem is that the permit has already gone through the process and been approved by not only the P&Z but also the town council since it was a commercial building permit and the permit has been issued. They wish to get their money refunded as a result of withdrawing their permit application. Brenda Bennett explained that our Ordinances clearly state that there are no refunds, but there is health issues involved. She informed the council that there has been nothing done in regards to the water and sewer. The building permit fees and water fees have been deposited due to the permit being issued. The sewer fees have not been deposited due to the moratorium. Since this was a health issue Brenda Bennett requested that we refund the water and sewer fees since nothing was done in those areas. The building fees though should not be refunded due to the building permit application going through the complete process already. **Donn Wooden motioned to refund the water and sewer fees but not the building fees. Brenda Bennett questioned if we should have the applicant sign a waiver forfeiting the build permit sue to the fact that it has already been issued. Don Jorgensen seconded. VOTE: 4-Yes; 0- No; 0- Abstain; 1- Absent. Motioned carried.**

Tom Turner motioned to adjourn the meeting at 8:45. Don Jorgensen seconded. VOTE: 4-Yes; 0- No; 0- Abstain; 1- Absent. Motioned carried.

Victoria DeCora, Mayor

Date

ATTEST:

Kimberlee Jansen, Clerk

Date