



**TOWN OF ALPINE
COUNCIL MINUTES
SEPTEMBER 19TH, 2006**

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

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

Mayor David Lloyd called the meeting to order at 7:02 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, D.R. Hutchinson, and Don Jorgensen. Mayor Lloyd also present.

Staff Present: Brenda Bennett, Treasurer; Tracy Matthews, Clerk; Dave Gustafson, P&Z; and James Phillips, Police.

Others present: Betty Lloyd, Gloria Jorgensen, Elizabeth Koeckeritz, Tom Coletti, Garren Stauffer, Tom Turner, Victoria DeCora, Dave Gustafson, and Christine Wagner.

A. ACTION ITEMS AND NEW BUSINESS:

- **COUNCIL MINUTES:** Mayor Lloyd called for a motion to approve the September 5th, 2006 and August 24th, 2006 Council Minutes. **D.R. Hutchinson so moved. Don Jorgensen seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0-Absent. Motion carried.**
- **Planning & Zoning Minutes:** Mayor Lloyd called for any questions and then for a motion to approve the July 25th, 2006 minutes. **TABLED.**
- **MASTER PLAN UPDATE:** The clerk advised Jim Pedersen is finishing the master plan in its final, written form the beginning of October 2006. Once the final version can be uploaded to the internet and ready for the public's review, the three readings for the ordinance adopting the plan will be advertised.
- **Yellowstone Journal Corporation –** Travis Barney (Referencing information given at the last mtg.) Mr. Barney did not attend tonight's meeting as scheduled. **TABLED.**
- **Mayor Lloyd's resignation from Office:** Mayor Lloyd read his September 19th, 2006 letter of resignation. Mayor Lloyd advised he is moving out of Town and that state statute 22-23-102 requires his resignation from his position. He has sold his home and business to the Bank of Star Valley and will reside in Thayne; however, his business will be relocated to a new location in Alpine. Costs to relocate his home are cost prohibitive. Mayor Lloyd reviewed his accomplishments while in office such as starting a new police department, computerizing all accounting records, adding medical and retirement benefits for employees, a child development center, a library, completion of a master plan, etc. He intends to continue working for the Town of Alpine in some capacity such as upholding the rapport with the state government officials in regard to all State Loan and Investment Board loans and grants pending completion. Mayor Lloyd thanked employees and council for all they've done over the years.
- **APPOINTING DON JORGENSEN AS MAYOR TO FINISH DAVE LLOYD'S TERM:** Mayor Lloyd asked for a motion to appoint Don Jorgensen as Mayor to finish his term which expires December 31st, 2006. **D.R. Hutchinson so moved. Donn Wooden seconded. VOTE: 4-Yes; 0- No; 0- Abstain ; 0- Absent. Motion carried. (Please note: Former Mayor, Dave Lloyd, did not vote).**
- **APPOINTING MARIETTA LANPHEAR AS COUNCIL MEMBER TO FILL-IN FOR DON JORGENSEN UNTIL DECEMBER 31ST, 2006:** Dave Lloyd advised he has asked Marietta Lanphear to fill Don Jorgensen's vacant

position and she has accepted. Mayor Lloyd asked for a motion to appoint Marietta Lanphear on the council to fill-in for Don Jorgensen until December 31st, 2006 at which time Don Jorgensen will resume his position on the council finishing his term for 2007 and 2008. **D.R. Hutchinson so moved. Don Jorgensen seconded. Mayor Lloyd called for any further discussion. VOTE: 4-Yes; 0- No; 0- Abstain; 0- Absent. Motion carried. (Please note Former Mayor, Dave Lloyd, did not vote).**

- **APPOINTING DONN WOODEN TO FINISH STEVE FUSCO'S COUNCIL APPOINTMENT THROUGH 2007 AND 2008:** Mayor Lloyd asked for a motion to appoint Donn Wooden to finish Steve Fusco's council term through 2007 and 2008. **Don Jorgensen so moved. D.R. Hutchinson seconded. VOTE: 3-Yes; 0- No; 1- Abstain (Donn Wooden); 0- Absent. Motion Carried. (Please note: Former Mayor, Dave Lloyd, did not vote).**
- **UPDATE – LEASE AGREEMENT WITH WYOMING GAME & FISH- 17 ACRES FOR SEWER TREATMENT PLANT:** Dave Lloyd advised an agreement should be completed within 2 weeks that will come before the council. The agreement went before the commission for the Game & Fish in early September 2006 for their approval. It was approved to remove U.S. Fish & Wildlife out of this project which would allow for a long-term lease to be negotiated between the Game & Fish and the Town of Alpine.

Dave Lloyd turned the meeting over to Mayor Don Jorgensen. In order to swear in Marietta Lanphear and Don Jorgensen in their newly appointed seats, Don Jorgensen recessed the meeting at 7:20 p.m. and reconvened at 7:29 p.m. to allow for Ms. Lanphear to be contacted.

Clerk's note: the recorder was not turned on following the short recess until later in the meeting. The following information is obtained from the clerk's notes from the meeting:

- **SWEARING IN FOR MARIETTA LANPHEAR, COUNCIL AND DON JORGENSEN, MAYOR:** The clerk completed the swearing in for both Marietta Lanphear and Don Jorgensen.
- **RETAINING/ HIRING DAVE LLOYD AS CONSULTANT:** The new mayor and council discussed retaining former Mayor Lloyd as a consultant in order to continue the rapport with the State Loan and Investment Board as the Town has pending grants and loans before the board. **D.R. Hutchinson motioned to approve keeping Dave Lloyd as a consultant for the Town of Alpine until January 1st, 2007 at his present pay rate and Don Jorgensen will be paid at his current council pay rate while acting as mayor. Marietta Lanphear will be paid for her council position at the current pay rate; however, she may wish to return the pay to the Town. Shirley Brown seconded. VOTE: 5-Yes; 0- No; 0- Abstain; 0- Absent. Motion carried.**
- ***3rd and Final Reading - 133 Ordinance No. 2006-03: Rezoning Lot # 327, 326 and 325 of Lakeview Estates Tract C (Eugene Davis, Owner)-** Don Jorgensen read the ordinance through the title. **Donn Wooden motioned to approve the 3rd Reading of 134-Ordinance No. 2006-04. D.R. Hutchinson seconded. Don Jorgensen called for further discussion. VOTE: 5-Yes; 0- No; 0- Abstain; 0- Absent. Motion carried.**
- ***2nd Reading - 134 Ordinance No. 2006-04: Adopting Solid Fuel Burning Devices-** Don Jorgensen read the ordinance through the title and first two paragraphs. **D.R. Hutchinson motioned to approve the 2nd Reading 134-Ordinance No. 2006-04. Shirley Brown seconded. Don Jorgensen called for further discussion. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion carried.**
- ***2nd Reading - 135 Ordinance No. 2006-05: Adopting International Mechanical Code-** Don Jorgensen read the ordinance through title and first two paragraphs. **Donn Wooden motioned to approve as a 2nd Reading 135 Ordinance No. 2006-05. D.R. Hutchinson seconded. VOTE: 5- Yes; 0- No; 0- Astain; 0- Absent. Motion carried.**
- ***2nd Reading - 136 Ordinance No. 2006-06: Adopting International Residential Code –** Don Jorgensen read the ordinance through the title and first few paragraphs. **Shirley Brown motioned to approve as a 2nd**

Reading 136 Ordinance No. 2006-06. D.R. Hutchinson seconded. Don Jorgensen called for further discussion. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion carried.

- ***2nd Reading - 137 Ordinance No. 2006-07: Annexation of Alpine Meadows –** Don Jorgensen read the ordinance through the title and first two paragraphs. **D.R. Hutchinson motioned to approve as a 2nd Reading 137 Ordinance No. 2006-07. Donn Wooden seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion carried.**
- ***1st Reading - 138 Ordinance No. 2006-08: Adoption of the International Building Code-** D.R. Hutchinson read the ordinance through the title and first two paragraphs. **Donn Wooden motioned to approve as a 1st Reading 138-Ordinance No. 2006-08. Shirley Brown seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion carried.**
- ***1st Reading - 139 Ordinance No. 2006-09: Adoption of the International Fuel Gas Code-** Don Jorgensen Hutchinson read the ordinance through the title and first few paragraphs. **D.R. Hutchinson motioned to approve as a 1st Reading 139 Ordinance No. 2006-09. Shirley Brown seconded. Don Jorgensen asked for further discussion. VOTE: 5- Yes; 0-No; 0- Abstain; 0- Absent. Motion carried.**
- ***1st Reading - 140 Ordinance No. 2006-10: Adoption of the International Plumbing Code-** Don Jorgensen read the ordinance through the title and first paragraphs. **Donn Wooden motioned to approve as a 1st Reading 140-Ordinance No. 2006-10. D.R. Hutchinson seconded. Don Jorgensen called for further discussion. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion carried.**
- **Special Council Meeting Notice – *Special Mtg./ Workshop scheduled for Thursday, Sept. 28th, 2006 at 7:00 p.m.*** to discuss water development issues on the North Side of the Snake River/ Town of Alpine who may want to participate in area-wide water development.

(clerk's note: Tape resumes at this point with Elizabeth Koeckeritz, Town of Alpine co-legal counsel speaking).

- **TERRACE LANE UPDATE:** Elizabeth Koeckeritz advised she received the final plat from Surveyor Scherbel's office today, September 19th, 2006. The next steps to finalize the plat are to obtain affidavits of ownership by every owner affected by the plat. The plat must have affidavits from every owner or the plat is not valid. Ms. Koeckeritz will arrange meetings with all owners in the next two weeks to draw up the affidavits of ownership. Who owns the "bridle path" is not entirely clear at this point. The new plat goes onto the "bridle path"; the Town must determine who the owner is to the bridle path and seek their approval or file some type of quiet title action. The truth would be without the bridle path owner's consent or a quiet title action, the plat isn't valid. Ms. Koeckeritz stressed the important of ensuring the plat is completed correctly. Jamie DeCorra, Surveyor Scherbel, will contact Southwest Title to research the background for the bridle path. Additionally, each owner must submit a warranty deed showing how they own property today as well as to ensure their signatures on their affidavit.
- **ALPINE MEADOWS ANNEXATION:** Ms. Koeckeritz advised the second draft for the Alpine Meadows Project/ Alpine Junction LLC Agreement is pending completion. She obtained Paula Stevens' notes regarding the annexation agreement today at 5:00 p.m. The largest issue surrounding the annexation of Alpine Meadows pertains to the franchising of water within the Town's incorporated boundaries. Ms. Koeckeritz distributed copies of W.S.S. 15-7-701 for the council's review. Preliminary discussions from the past have indicated the Town of Alpine will grant North Star Utility a franchise to offer potable water services in the newly annexed area known as the Alpine Meadows Subdivision.

According to Ms. Koeckeritz, offering wastewater franchises in the newly annexed area poses no difficulties for the Town. However, special requirements govern water franchises; according to W.S.S. 15-7-701 after the Town annexes a property and water services are offered by someone else other than the Town, a franchise agreement must be entered into. The only way to enter into a water franchise agreement is to put the agreement to the vote by all the Town residents. In researching this requirement with several other attorneys knowledgeable in this area,

she has learned the franchise must be brought to a vote. Originally, it was thought the franchise could be offered prior to the annexation of the land; however, in that case the Town would have no jurisdiction over the land. We can enter into an agreement to sell water to North Star Utility, but once water is being sold to newly annexed, Town residents a franchise agreement is required. This franchise agreement has to be brought to the voters.

In the most recent draft of the annexation agreement being discussed with Kathy Ellsworth, a section was added which states, "the continuation of this annexation shall be expressly contingent upon the voter's of the Town of Alpine approving a franchise agreement in the next election." If the voters fail to grant the franchise agreement through a voting process, essentially the land can be "de-annexed" according to Ms. Koeckeritz. She has left a message with Jeanne Wagner to see if the ballots have been printed yet.

Donn Wooden advised he feels the issue may be too late to add on the ballot; however, he suggested she research the idea of a joint powers board between the TOA and North Star Utility. In the past the Wyoming Water Development Commission held the Town's funds in abeyance until such time as a proper resolution or agreement was established to regionalize water to include the north side of the river. He feels North Star Utility may have to acquiesce to a joint powers board rather than having total domain. Ms. Koeckeritz agreed to research the joint powers board concept immediately. Ms. Koeckeritz is also awaiting a return phone call from Kathy Hunt, Attorney for W.A.M.

The clerk advised, at this point, that when the tape was paused for a recess, it was not started again until Elizabeth Koeckeritz' gives her updates. The council agreed to reiterate their motion to hire former mayor Dave Lloyd as a consultant (see above). The clerk's notes accurately covered the passage of the draft ordinances tonight.

B. DEPARTMENT UPDATES:

• **WATER DEPARTMENT:**

• **STREETS & ROADS:**

• **SEWER DEPARTMENT:**

- **PARKS & RECREATION DEPARTMENT:** Brenda Bennett advised the Town's after school program is being revamped and offered on Tuesdays and Thursdays from 3:00 -6:30 p.m. Specific days of the week will be discussed and decided. The program would start in early October 2006. Wendy VanValkenburg of the Alpine Confluence Center will be offering the program titled "Alpine After School Adventures" in conjunction with the Town of Alpine which will be an educational, learning program centered around the Forest Service educational programs. If the Town will fund this after-school program it will help the confluence obtain additional grant funding. If for some reason the Alpine staff cannot run the program, Forest Service staff from Afton would run the program. Brenda Bennett requested \$4,000.00 to pay for Wendy VanValkenburg's salary, and supplies. There is additional Parks & Recreation money available due to the fact some council members have turned over their council paychecks back to the Town's P&R budget. Essentially, she is asking for an additional \$2,000.00, beyond the current after school program budget line item.

Donn Wooden motioned to approve, provided the money needed is in the Parks & Recreation and that it is spelled out in time and wages, and supplies and not just a "lump" sum. D.R. Hutchinson seconded. Don Jorgensen called for further discussion. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent. Motion carried.

• **PLANNING & ZONING DEPARTMENT:**

• **POLICE DEPARTMENT/COURT:**

• **TREASURER/ CLERK:**

C. ON-GOING BUSINESS/ INFORMATION:

- **SOUTHWESTERN COALITION:** D.R. Hutchinson and Brenda Bennett attended the Southwester Coalition meeting recently in Green River, Wyoming. Essentially, the coalition formed to affect change with legislators,

commissioners, etc. The coalition of several communities met to discuss and prioritize three goals. The most important goal identified is infrastructure. Many of the communities in attendance are being affected by the gas and oil industry where Star Valley is being affected by rapid growth from tourism and residential growth. The second priority discussed at the meeting centered on housing, and the third to stabilize the funding process through the SLIB Board which is a very uncertain process. The coalition would try to affect change through the SLIB to have a different system for approving funds on a set income status each year. Also, to affect change to the Wyoming Constitution which requires a U.S. Census; this is costly and the census are soon outdated. They want to strike this requirement and replace it with the ability to have local censuses which could be completed every two years. At the next meeting on November 11th, 2006, either the county commissioners or state representatives or both will be invited. Also, every member of the Towns' councils are encouraged to attend and participate.

The council discussed the importance and need for continuous dialogue with the county commissioners, senators, and representatives.

- **TABLED FROM EARLIER IN THE MEETING: July 25th, 2006 - Planning & Zoning Minutes- Don Jorgensen called for a motion to approve the Planning & Zoning Minutes for July 25th, 2006. Donn Wooden so moved. D.R. Hutchinson seconded. VOTE: 5-Yes; 0- No; 0- Abstain; 0- Absent. Motion carried.**

D. INFORMATION DISTRIBUTED TO COUNCIL/ ANNOUNCEMENTS:

- **W.A.M.** Heads Up Newsletter dtd. September 8th, 2006
- **W.A.M.** Heads Up Newsletter dtd. September 15th, 2006
- **"Citizens' Advisory Group on Solid Waste Management"**- From W.A.M.

E. FINANCIALS/ UNPAID BILLS:

Don Jorgensen asked for a motion to pay the unpaid bills. D.R. Hutchinson motioned to pay the bills. Donn Wooden seconded and questioned the attorney billing which was clarified by Treasurer Bennett. VOTE: 5-Yes; 0- No; 0- Abstain; 0- Absent. Motion carried.

The meeting adjourned at approximately 8:25 p.m.

Don Jorgensen, Mayor

Date

ATTEST:

Tracy Matthews, Clerk

Date