

**TOWN OF ALPINE
COUNCIL MINUTES
MARCH 15TH, 2005**

Mayor Dave Lloyd called the meeting to order at 7:03 p.m. and held the pledge of allegiance. A quorum was established by the treasurer through a roll call. Council members present: Steve Fusco, D.R. Hutchinson, Don Jorgensen, Kathy Swiston. Clerk Tracy Matthews was absent and excused. Others present: Brenda Bennett, Treasurer; James Phillips, Police Chief; Carter Wilkinson, Town Attorney; Paula Stevens, Planning & Zoning; Garren Stauffer, Star Valley Independent; many others (see attached list).

A. ACTION ITEMS AND NEW BUSINESS:

- **COUNCIL MINUTES:** Mayor Lloyd called for a motion to approve the minutes. **D.R. Hutchinson motioned to approve the March 15th, 2005 Council Minutes. Kathy Swiston seconded. VOTE: 5 – Yes; 0 – No; 0- Abstain; 0- Absent**

- **PLANNING & ZONING MINUTES:** Kathy Swiston stated at the last meeting it was brought up about planning & zoning members and when they should appear at council meetings. She informed all that she did infact look up the minutes and found that a member need be present only for variances, commercial permits, or board of adjustment issues. Mr. Hutchinson wanted to know if that was voted on and Miss Swiston said it was. Mr. Fusco had a question with Steve Dicenso wanting to know if he was moving forward with any thing. Paula Stevens stated that she had not heard any thing more. Carter Wilkinson has not heard any thing either. Mayor Lloyd stated he was supposed to have a meeting with Mr. Dicenso but he had cancelled that. Paula Stevens stated the planning & zoning was moving forward with a letter to him reiterating what the violations are and what their recommendations are going to be to the town council. Violations include construction of a residential unit within a commercial zoning district and construction with out a building permit. Paula is finalizing the letter to be sent to Mr. Dicenso. **Kathy Swiston motioned to approve all the Planning & Zoning Minutes. Don Jorgensen seconded. VOTE: 5 – Yes; 0 – No; 0- Abstain; 0- Absent**

- **COMMERCIAL BUILDING PERMITS: C-03-05** – Don Goetz, Mr. Goetz was not required to be here. Planning & zoning approved this permit with the condition that Mr. Goetz will not get a certificate of occupancy until his landscaping is in place. Mr. Goetz has agreed with this. The project has been downsized which will allow for better snow removal and parking. Planning & zoning will make sure the landscaping is done. **Steve Fusco motioned to approve commercial building permit C-03-05. Kathy Swiston seconded. VOTE: 5 – Yes; 0 – No; 0- Abstain; 0- Absent**

- **C-06-04 & C-07-04** – Peter Karns, Jeff Dupont were present along with their builder Rex Doornbos. Main questions were the over hang and roof pitch. Treasurer Bennett said there were also some questions brought up with Fiona’s Daycare next door in regards to the fence issue. The fence can be temporarily moved while they are building to keep the children safe, but there is no guarantee that her fence will be put back and kept there. If the Daycare does not have a fenced playground it will have to close its doors according to state law. A petition was presented on behalf of the parents whose children attend the pre school and daycare center along with letters supporting the need for the playground. There are 49 children that use the facility. There is a fence permit that was issued and approved by the town along with the previous owner’s permission in a letter. Miss Swiston asked if her fence was encroaching on the property line. Treasurer Bennett said it was not

according to the fence permit that was given. Mr. Doornbos stated according to the site plan it was. It was explained that the common area was to be ruled over by the owners of the lots. Mr. Doornbos feels it was obvious that during construction the fence has to be moved for the safety of the children. Fiona stated she was more than willing to move the fence on temporary bases and or the children during the construction faze to keep them safe. Her biggest concern was being allowed to keep the fence in it's place after the construction was finished hence she would like something in writing to give her peace of mind knowing all will be as is now. If she does not have a guarantee to move the play ground back there will be no daycare center or pre school which will not be good for the community and the people. Mayor Lloyd asked Mr. Karns & Mr. Dupont if there was a problem moving the fence back to its original spot. Mr. Karns doesn't think the town can grandfather in the fence as it is a CC & R issue. Up until this point there hasn't been a management committee to oversee common areas. The fact that the fence had gone in even with a permit was done under the radar so he is not sure how to approach the issue. He feels the way to go about solving this issue is to go through from the management committee level. Now that we've got a committee formed we can take the proper steps to amend the CC & R's so that you will be guaranteed a fence. Both Jeff and I understand what needs to happen and we are all for it, it's just that we need to make sure it goes through on the level it needs to happen on properly and finally. To the council Mr. Karns point of view is to let them know that they all want to fix this they don't want to cause any problems. Mayor Lloyd stated as one of the members of the CC & R committee he had absolutely no problem with having the fence where it is now and he does not want to see the day care lose this playground. Mr. Karns said they didn't want to see that either. He feels that if we sit down together we can get this figured out. Other issues in regards to landscaping, snow removal, privacy fencing, garbage removal, and signage were mentioned as things that also need to be discussed in a CC & R meeting. Fiona wanted to know if she could get this in writing. Mayor Lloyd stated that it would be in writing when they amended the CC & R's. A meeting will be set up with the three land owners, town attorney and Fiona to discuss this issue and to get the amendments drawn up. It was also decided that no building would be done on this lot by the playground until after the CC & R meeting. Who would be responsible for the cost of moving the fence and where it would be put temporarily will be discussed at the CC & R meeting as this is not a town council issue.

Steve Fusco motioned to approve commercial building permit C-06-04 & C-07-04. Kathy Swiston seconded. VOTE: 4 – Yes; 1 – No; 0- Abstain; 0- Absent (Mr. Hutchinson voted against this as he feels there should be a guarantee on the fence issue before these are passed.)

- **HUNSAKER DEVELOPMENT LLC** – 11TH edition final plat for the Alpine Market / 1ST National Bank lot. WYDOT has approved use of the right of way, so has Mr. Blittersdorf which takes care of planning and zoning issues. Mr. Hutchinson brought up sewer and water issues with the split of this lot. Water and sewer would not be a problem where the new bank will sit. This was mentioned as we have had problems in the past with splitting lots. This is just for the splitting of the lot, nothing to do with building permits yet. **Kathy Swiston motioned to approve the final plat for the Hunsaker development. D.R. Hutchinson seconded. VOTE: 5 – Yes; 0 – No; 0- Abstain; 0- Absent**
- **BBC CONTRACT** – After trying to go local at least with some one in the state to do the financial aspect of the annexation report it turned out that that wasn't going to prove to be fruitful so Paula Stevens contacted BBC who is a very well respected firm that does this kind of work from Denver Colorado. At this point we have a draft contract and draft scope of services with BBC Research to do the financial portion of the annexation report. That is what the town will really be focused on for the benefits and costs for the community. Carter Wilkinson put together a draft contract which he has given to council to study. Paula is really happy with the draft contract and draft scope of services. She is comfortable with

BBC doing the research for the town. The contract will have to be signed by the council, the Meridian group and the managing director of BBC in order to move this along. Treasurer Bennett stated that the town has received a check from the Meridian group for \$7500.00, \$2500.00 to pay for Paula Stevens planning & zoning work done on this project, and \$5000.00 to BBC to seal the contract and to start work on it. Mr. Halpin is responsible for all annexation costs, this includes engineering and lawyer fees which the treasurer has billed and received monies for.

- **D.R. Hutchinson motioned to allow the Mayor to sign this contract after BBC and Mike Halpin have signed and agreed to the contract. Don Jorgensen seconded. VOTE: 5 – Yes; 0 – No; 0- Abstain; 0- Absent**

B. DEPARTMENT UPDATES:

- **STREETS & ROADS:** Maintenance department has started to fill some of the worst pot holes. Do to temperature; they will have to wait before they are able to use asphalt. There are a few sections in town that will have to be completely removed and redone. Mr. Hutchinson asked if the hill could have some of the sand removed. This has already been discussed with the contract people and maintenance department. It will be done as soon as allowable. Mr. Fusco brought up some problem areas with slick roads, trees in the way, and not seeing house numbers. The electric company will be called to come and trim trees around the wires. It was also mentioned to have a work session to get going on house numbers again to make sure they are visible at night for fire and EMT personal. Treasurer Bennett mention to motion to get no parking signs on the left side of Grey's River Road for the winter to keep the road open for emergency vehicles. Officer Phillips agreed that this needs to be done for the safety and welfare for the public. The North side of the road would be the best side to put the signs on as that is were most of the housing is. This would also keep that side of the street open for the home owners. Officer Phillips also mentioned that snow piles will have to be looked into in next years snow removal contract as they get too high and move out into the road making it very dangerous when trying to leave drive ways. All of these issues will be looked into when the next contract is drawn up.
- **SEWER DEPARTMENT:**
- **WATER DEPARTMENT:** Mayor Lloyd informed all that one of the wells pumps is not working. The pump needs to be replaced along with all the wiring and two check valves. The pump has already been brought out of the ground and a new one ordered. This will cost up to \$10,000.00 to have it repaired properly. Mr. Hutchinson and others said we have no choice as we need the water so it was agreed to get it done as soon as possible. Town attendees agreed. Treasurer Bennett brought quotes for the cleaning and repairing of both water tanks. This needs to be done every five years. Quotes were from Liquivision, Liquid Engineering, and Inland Marine Service. Quotes were looked at and Liquid Engineering came in with the lowest. They are also the group that cleaned the tank last time so they are familiar with the system. **D.R. Hutchinson motioned to allow Liquid Engineering to clean the water tanks. Kathy Swiston seconded. VOTE: 5 – Yes; 0 – No; 0- Abstain; 0- Absent**
- **PARKS & RECREATION DEPARTMENT:** A letter was sent to LCRC asking for grant monies to help with the July 4th fireworks show along with storage sheds to house out door parks and rec. equipment. Treasurer Bennett informed the commission that no one from the town would be there as it is a council night. Mr. Fusco asked if any thing had been done as far as hiring a parks and rec. person. It was decided that a work session needs to be formed to decide exactly what the town wants.

• **PLANNING & ZONING COMMISSION:**

• **POLICE DEPARTMENT/COURT:** Office Phillips has accepted the position to be the official Town of Alpine spokesperson for homeland security. Ron Dean and Terri Potter will be the spokespeople for the county addressing issue.

• **PERSONNEL/ ADMINISTRATIVE:**

C. ON-GOING BUSINESS/ INFORMATION:

• **TABLED 5/06/04:** Terrace Lane Surveying Issues--- This will no longer be tabled! Attorney Wilkinson is going to write a letter to all involved in this issue stating that there is nothing the town can do about moving the road due to the court order issued in 1998. The 1998 agreement will stand.

D. INFORMATION DISTRIBUTED TO COUNCIL:

- Quotes from tank cleaning people
- WAM newsletter
- Fire hydrant grant letter – Treasure Bennett brought every one up to date with this grant. Mr. Miskimins has received all that is needed to have this grant go before the committee. He also feels that the town water department brought in enough money to pay for this project on its own. Do to recent developments with the pump going out and the fact it can cost up to \$10,000.00 to have this repaired, Treasurer Bennett will write back and inform the committee that this still is a needed grant.
- Treasurer Bennett reminded council that they need to get with their department heads and get to work on the budget.

E. FINANCIALS/ UNPAID BILLS:

D.R. Hutchinson motioned to approve payment of the unpaid bills. Kathy Swiston seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent

Mayor Dave Lloyd adjourned meeting at 8:40p.m. to then go into a work session.

Dave Lloyd, Mayor

Date

ATTEST:

Brenda Bennett, Treasurer

Date