



**TOWN OF ALPINE
COUNCIL MINUTES
SEPTEMBER 20TH, 2005**

Mayor David Lloyd, called the meeting to order at 7:05 p.m. and held the pledge of allegiance. A quorum was established by the clerk through a roll call. Council members present: D.R. Hutchinson, Steve Fusco, and Don Jorgensen. Kathy Swiston absent and excused. Also present Mayor David Lloyd. Others present: Kent and Marilyn Perkins, Don Sherman, Ashley Watkins, Melissa & Cort Watkins, Garren Stauffer, Jerry Vassar, Bob Ablondi, Chris Abernathy, Kaye Monson, Jan Monson, and Troy Johnson.

A. ACTION ITEMS AND NEW BUSINESS:

- **COUNCIL MINUTES:** Mayor Lloyd called for a motion to approve the September 6th, 2005 Minutes. **D.R. Hutchinson motioned to approve. Don Jorgensen seconded. VOTE: 4– Yes; 0 – No; 0- Abstain; 1- Absent (Kathy Swiston).**
- **Planning & Zoning Minutes:** August 23rd, 2005 (Don Sherman – Representative): Mr. Don Sherman asked council to find a replacement member for the P&Z Commission.
- **PROCEDURES FOR COUNCIL MEETINGS:** Mayor Lloyd advised new procedures will be put into writing regarding council meetings. If someone schedules to be on the Town's agenda through the Town clerk, they will not be limited in time. If someone walks into a council meeting they will be limited to 5 minutes. The meetings have become out of control and these written procedures will be available for the next meeting. Everyone desiring to be put on the council's agenda must schedule by calling the Town clerk, Tracy Matthews, at 654-7754.
- **UPDATE LEVEL II WATER STUDY---** Rendezvous Engineering, Bob Ablondi and Chris Abernathy, Project Manager, Wyoming Water Development Commission (agency funding 100% of this study): Mr. Ablondi gave a brief summary regarding the progress of the Level II Water Study of the Alpine Public Water System. A public meeting will be held later in October 2005 regarding the water study. Tonight's summary focused on data they have gained, with tremendous input from Val Jensen, on the status of the two wells and future options available to the town regarding findings from this study. Additional testing may be explored as well.

Mr. Ablondi presented a graph which details the water table level in the Palisades Reservoir in correlation to the Town's water well capacity. A water level measuring device was installed in well # 1 early on in the project and well #1 was the first well drilled for the Town of Alpine in the 1970's. When the project started the Palisades Reservoir was at a high level compared to years past. The focus was to determine the influence of the reservoir on area wells. The Palisades Reservoir has dropped sixty (60) ft. since the study began. The device on the well takes a reading every 10 minutes. Influence of well #2 can also be gleaned from the data. The wells do influence each other and the data suggests the two wells are on the same bed-rock, fractured aquifer. They did see other area wells draw down as the reservoir table dropped down, however, the Town's wells do not drop down in relation to the lowering of the Palisades Reservoir. On July 31st, 2005 a major water main broke which can also be detected on the data. What does this mean to the Town in the long run? It means these wells have a fair amount of capacity just on their own. Each well on their on are producing 300-330 gallons per minute. Based on preliminary data, the capacity of the wells can be increased by 50%. Just with the two wells currently, larger pumps could be installed to produce 400-450 gallons per minute for example. Additional testing will resume once the peak demand on water is finished and when Val Jensen is comfortable. At that time, well # 1 will be run on a continuous basis on its own without the interference of well #2. "Step

Testing" will occur which is pumping at different rates. These wells are some of the best wells in the general vicinity and the wells have the ability to produce a larger water capacity. Additionally, there is potential for other wells to be drilled in the area. The geologist will tour Alpine next week to determine possible site locations for future wells. There is some kind of fault which runs north/ south where these wells line up on and where the best wells are located. Possible future well sites will most likely run on this north/ south fault. The Water Development Commission (WDC) wants to look at not only the current Town's water needs but the fact that the north alpine developments can also be serviced by any project there agency funds. In regard to leak detection, the study has revealed, to date, approximately 15 leaks in the older part of the distribution system. Between 100,000 and 135,000 gallons per day may be lost to leakage based on the leaks found. There may be additional leaks in the system that are undetected. Fire Hydrants were also detected for leakages and findings will be submitted in the final report. The Water Development Commission has a fairly compressed schedule and the Town will have to make some decisions whether they want to move forward on any projects based on the results of the study. For example, one option they recommend is developing an exploratory well which may be ultimately turned into a production well under the Level II Study. There is a program in which the state pays to drill the exploratory well and take all of the risk and will only turn it over to the Town when it proves to be a good, production well. A third well makes good sense in the future. Another option is for the Town to proceed into the "Level III" area of the WDC which is construction of new facilities, major transmission lines, piping, etc. A lot of the leaks were determined to be on service lines/ private sides of the systems.

There are a lot of places where improvements will be made and plenty of areas to make the improvements. Developing potential well sites for water is the most, cost-effective way to develop water sources rather than surface water treatment facilities. It is a matter of deciding where to go with improvements. Mr. Ablondi is looking at the last week in October 2005 for the public meeting and notices will be made when the meeting date is set. The meeting will go over the findings from the study for the public.

Chris Abernathy, Water Development Commission, addressed council to say he still wants to do a lot more work for the Town through grant funded programs such as amending the existing contract to June 2005. If you chose to move to the "construction phase" in the year 2005 the deadline is November 2005, stated Abernathy. The Town also has the ability to mull it over and decide what they want to do. The date of the final report could be extended until the Spring 2005. Chris Abernathy stressed his desire to support development of regional water system development rather than many, separated wells scattered in the area. Once the exploratory well is developed it is tested, etc. the Town would be responsible to pay for ½ of the construction costs of the well, according to Abernathy. The formal timeframe imposed by the WDC sometimes doesn't work and pressures local administrations. If the Town is not in "dire straights" Abernathy suggests time should be spent on further testing and digestion of the testing results. They could ask for a larger budget for the exploratory well if the Town decides to pursue this. Mr. Abernathy needs to have an answer within one week's time. Mayor Lloyd voiced wanting to pursue all testing available to the Town and the council would discuss their options and get back with Mr. Abernathy.

- **ASHLEY WATKINS** – Cleaning Up the Grey's River Road: Ashley Watkins advised council she was doing a project called Hunting Heritage and doing community service work. She wants to organize a work party to clean up Grey's River Road. The Town will help obtain trash bags from WYDOT or other places for the drive. She wanted to do the drive on a Saturday. The Town council agreed to help her in any way they can.
- **KATHY SWISTON** – COUNCIL RESIGNATION LETTER: Mayor Lloyd read, with regret, Kathy Swiston's resignation letter as she is moving to California.
- **MILEAGE RATE INCREASE NOTICE FROM MAUREEN MEAGHER:** The federal government has raised their rate for mileage reimbursement for private/ personal vehicle use. **D.R. Hutchinson motioned to approve raising the Town's mileage reimbursement to \$ 48.5 cents per mile. Steve Fusco seconded: VOTE: 4-Yes; 0- No; 0- Abstain; 1- Absent (Kathy Swiston).**

- **CONCERNING ATV USE WITH CHILDREN---JERRY VASSAR, LOCAL RESIDENT AND CHIEF PHILLIPS:** Chief Phillips advised that there have been constant reports of concerns of reckless driving of minors on 4-wheelers/ATV's, motorcycles, etc. driving recklessly.

Jerry Vassar, local resident: Mr. Vassar expressed incidents in which he has come close to several near misses with kids and 4-wheelers. Approximately 2-3 weeks ago a close call occurred with a child on a 4-wheeler near the post office. The kids will continue the reckless behavior until they are told not to, according to Vassar, as "kids will be kids." After speaking with Chief Phillips and other law enforcement agencies in the valley, Mr. Vassar has learned Afton and Thayne are enforcing existing Wyoming State Statutes regarding ATV/ motorcycle use. On August 25th, 2005 a public announcement was published by the police chief in Afton. The announcement advises local residents, including parents, that persons must be 15 years of age to operate a motor vehicle of any kind. Any motorized vehicles on the public streets in the Town of Afton must be registered- this includes all motorcycles and 4-wheelers. If anyone is found to be operating a motor vehicle in violation of these laws the announcement warned violators they may be subject to fines and arrest.

In last week's S.V. Independent another local resident from Alpine expressed concerns over reckless ATV use by minors. Mr. Vassar expressed he is not against ATV use rather he is trying to prevent a child from getting hurt or worse yet killed in an accident. He feels it is only a matter of time due to the volume of traffic which occurs in the area during tourist seasons. There is a desire for freedom in Wyoming, however, the freedom diminishes when in a heavily trafficked, public area. If there is a state law which legislates action in this area and for us as a community to "look the other way" is the wrong way to protect our children and opens the Town for liability in Vassar's opinion for condoning the non-enforcement of an existing state statute. Mr. Vassar feels there are moral and monetary reasons to enforce this statutes and asked council to consider his concerns. He questioned council if there is any reason not to enforce this statute.

James Phillips recommended to council they hold an executive session with their legal representation to discuss the situation before making any decisions. Steve Fusco advised that at last night's Alpine Fire Department meeting these same concerns were raised as they were holding a defensible driving training. The Fire Department expressed concerns of having to respond to a call in which a child is hurt in an ATV accident. The Mayor stated he has witnessed reckless ATV behavior on Grey's River Road near his business. D.R. Hutchinson questioned James Phillips why they need to talk to legal representation if the state statutes cover this area and the Town has chosen to be more lenient in the past, however, it is now way out of hand and the policy should be amended. Mayor Lloyd advised parts of the law require these vehicles to be registered and he is not in favor of this—controlling the operators Mr. Lloyd is in agreement with enforcing. The council and public discussed it is not only ATV reckless behavior which is concerning but also snowmobiles in the winter months. Kent Perkins, local resident, advised he feels if you license and register one type of motorized vehicle you should license them all. Mr. Vassar advised the issue is a matter of enforcement as the statute is already written. Again, Vassar advised his concern is not with registering motorized vehicles but with preventing a serious accident or death with a child. Mr. Vassar also stated that local businesses selling ATVs will have a greater negative impact if a serious accident occurs rather than enforcing the existing statutes.

D.R. Hutchinson inquired whether a decision can be made which enforces the law regarding age for safety reasons and further research is held with the Town's attorney regarding registering ATVs, motorcycles, etc. Mayor Lloyd suggested the Town may be able to control behavior of ATV use through an ordinance. Cort Watkins, local resident, advised he has a local business in town and that most of the people driving past his business on ATV's are adults doing 40 mph. He feels they should be registered. For the most part he sees kids driving safely (looking both ways, etc.). He advised he would hate to see the local law enforcement using their time to track down 8-year old offenders vs. patrolling and issuing citations to the adults who are speeding through town which pose a threat to the children. The children need access across roads in order to get to the dirt tracks, according to Watkins. Mr. Vassar again expressed the secondary roads are not as concerning as much as the main Highway 89 corridor. Mr. Vassar suggested a local, community public education course be held through the local fire department for kids to learn safe ATV/ motorcycle use. Again, Vassar emphasized the message shouldn't just be toward the children but directed to parents as well who are ultimately responsible for their child's behavior. He

would like to see the Town do a public announcement similar to Afton explaining the law and asking for the public's help to enforce it.

Mr. Vassar explained he has been a safety supervisor in the oil fields which utilized ATVs regularly. The ATVs in the hands of the young and inexperienced can cause risks especially with excessive speeds on pavement, Vassar advised. He is not against ATV use at all. D.R. Hutchinson explained the Town should not be going just after children but also adults; "we need to enforce the law period", stated Hutchinson. The Mayor asked whether classes could be held for kids for safe, ATV use and a certificate can be issued. Mr. Phillips again deferred it to the Town's legal counsel as issuing any type of certification may be construed as issuing a "license". Mayor Lloyd and Phillips agreed that education is needed but in the form it would be delivered to the public wasn't agreed upon. Mr. Vassar suggested a designated crossing, approved by W.D.O.T., is created across Highway 89. Discussion included the fact walking the ATVs across the highway would also pose a safety risk rather driving slow across the highway might be a better choice. All agreed a designated ATV crossing is a good option to pursue with W.Y.D.O.T.

Mayor Lloyd agreed the Town's legal counsel should be contacted. According to Vassar, Afton and Thayne are going through growing pains and lessons can be learned from these other communities. D.R. Hutchinson advised that if the Sheriff's Dept. is enforcing the statute in Alpine, the law should be enforced irregardless of age and to leave the licensing of the vehicles out of it for now. Steve Fusco cautioned that we need to consider the fact that Alpine is a recreation based community and the negative impacts licensing can have on tourism and business. James Phillips feels the issue needs to be addressed in a broader perspective to determine designated trails. Phillips doesn't feel the issue will be easily solved and, therefore, advised the council and mayor to contact the Town's attorney as a beginning point. Mayor Lloyd feels the Town Council should not make a decision on the matter until Chief Phillips and the Town's attorney have been given an opportunity to give their total input as it is a policing issue.

Mr. Vassar also suggested the Town hold a group meeting with ATV users for them to create and, in turn, "buy into" solutions to the problems. D.R. Hutchinson suggested a public meeting be held prior to the council's decision. Steve Fusco suggested a special meeting not be held but rather it be included during a regular council session. Mayor Lloyd worried about a public meeting turning into a "fiasco" during a regular meeting and Vassar suggested he control the meeting and offered a solution of an advisory committee to resolve the issue. Mayor Lloyd advised the council would wait for Chief Phillips' input. Chief Phillips agreed with many of the concerns and solutions expressed tonight—both sides of the issue should be explored from the effect on businesses to safety concerns. Chief Phillips advised he also had two close calls this year in his black and white police truck.

B. DEPARTMENT UPDATES:

- **STREETS & ROADS:**
- **SEWER DEPARTMENT:**
- **WATER DEPARTMENT:**
- **PARKS & RECREATION DEPARTMENT:**
- **PLANNING & ZONING COMMISSION:**
- **POLICE DEPARTMENT/COURT:**
- **PERSONNEL/ ADMINISTRATIVE:**

C. ON-GOING BUSINESS/ INFORMATION:

D. INFORMATION DISTRIBUTED TO COUNCIL:

E. FINANCIALS/ UNPAID BILLS:

D.R. Hutchinson motioned to approve payment of the unpaid bills. Steve Fusco seconded. VOTE: 4-Yes; 0- No; 0- Abstain; 1- Absent (Kathy Swiston).

Meeting adjourned at 8:25 p.m.

David H. Lloyd, Mayor

Date

ATTEST:

Tracy Matthews, Clerk

Date