

Mayor Kennis Lutz read a written letter from Gerald Goulding, the letter read as follows:

“Dear Kennis,

This letter responds to concerns raised by members of Town Council as to whether I have any conflict of interest in serving for the Town of Alpine. In summary, I have no conflict and believe these allegations are based on assumptions which as simply not true.

The first item of alleged conflict you mentioned involves a business entity that owns the “Tavern on the Greys”. You informed me that one of the owners of the entity is Diggs Lewis and that the business is involved in litigation with the Town. Confirming our conversation, I have never represented this business entity, do not even know its correct legal name, have never consulted with anyone about its business including any litigation with the Town, and have never visited the Tavern. Therefore, I do not have any conflict of interest as defined in Rule 1.7 of the Rules of Professional Conduct for Attorneys at Law.

The second item of alleged conflict you mentioned involved a former client of mine, the Alpine Area Business Alliance. Some time ago members of the Alliance, including Diggs Lewis, approached me with a request to see if I could help the Alliance develop a plan of action to help the Town pay for its sewer and water utilities. Based in other prior experience, I researched a possible solution, presented my proposal to the Alliance, and appeared with the Alliance at a Town Council meeting to assist in presenting this proposal. This entire effort was in no way adverse to the interests of the Town, but on the contrary was an attempt to help the Town solve a very difficult problem. Thus, this prior representation of a former client is not a conflict of interest as defined in Rules 1.7 and 1.9.

Finally, for me to determine if I should represent someone is not limited alone to the technical rules that govern my profession. I have had a personal or professional contact with various people residing or doing business in Alpine for 33 years, good hard-working people like Monte and Gwenna Nelson, Ted and Blane Jorgensen, Richard Jenkins, Brian Parks, Jim Sanders, Bob Meikle and Tiphany Gayhart. I will never put myself in a position in which I cannot give diligent and undivided attention to the interest of the Town and such citizens or business owners as these. I fully support your efforts to solve problems including reducing expenses and have agreed to work with you in that endeavor including a substantial reduction in the Town’s legal expense. As we continue through this year and you receive my invoices and compare them to those received in the recent past, the Council and you might ask yourselves, “who has the real conflict of interest?”

There will be no charge to the Town for this response.

Sincerely,

Gerald Goulding”

Mayor Kennis Lutz stated that he made these decisions and cannot discuss this in further detail.

Councilman Dave Jenkins stated that he was curious about what Josh mentioned about an Employee Handbook and would like a copy of that. He also stated that he would like to see a job description for our employees.

Councilman Don Jorgensen stated that he has always wanted to have a meeting with the City Council and the employees so they understand what we expect from them. The Town Employees work for the Town Council as a whole. Councilman Don Jorgensen stated that he would like to see the Town have a workshop with the Town Council and the Employees of the Town so that there is no question on what is expected of them.

Councilwoman Marietta Lanphear suggested that we do a little research on other town, approximately the same size as ours, and see what they have in place.

Citizen Correspondence – Greg Fisher, Gary Wilding, & Dale Bess

Mayor Kennis Lutz stated that these are some of these complaint letters that we received regarding Phase II collection. He also stated that the letters have some valid points and that he knows that this has to be addressed. Councilman Don Jorgensen stated that everyone that he has spoken with are upset they are being charged now when they can’t connect but would be willing to start paying in June.

Councilman Don Jorgensen made a motion on the Citizen Correspondence to table until the next meeting. Councilman Dave Jenkins seconded the motion.

Vote: 4 yes, 0 no, 0 abstain. Motioned carried.

Tabled Items:

Impact fee – Will remain tabled.

Start Bus – Mayor Kennis Lutz stated that he believed that the Start Bus should be responsible for their snow removal but in the mean time we have volunteers including myself that will take care of the snow removal. This is something that the Town of Alpine and Start Bus will have to work together on. Mayor Kennis Lutz stated that we will keep this tabled.

Department Updates:

Police Department / Court. – Chief James Phillips presented the Council with a written report.

Clerk/Treasure – No report was given.

Utilities /Maintenance Manager – A Letter from Val Jensen was presented to the Council.

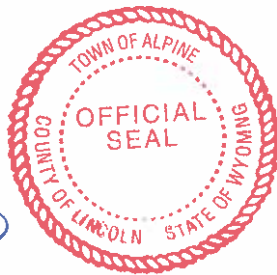
Street and Roads – No report was given.

Councilwoman Marietta Lanphear motioned to adjourn the meeting. Councilman Dave Jenkins seconded the motion.

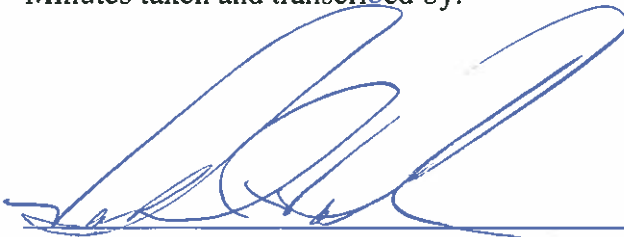
Vote: 4 yes, 0 no, 0 abstain. Motion carried.

Mayor Kennis Lutz adjourned the public meeting at 10:10pm


Kennis Lutz, Mayor 3/3/11
Date



Minutes taken and transcribed by:


Pamela D. Poston, Town Clerk Treasure 3-3-11

Pamela D. Poston, Town Clerk Treasure

Date