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**TOWN OF ALPINE  
COUNCIL MINUTES  
JANUARY 3RD, 2006**

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Mayor David Lloyd, called the meeting to order at 7:07 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 and Shirley Brown. Steve Fusco initially absent and arrived late. Don Jorgensen absent and excused. Also present Mayor David Lloyd. Others present: see attached list.

A. ACTION ITEMS AND NEW BUSINESS:

- **COUNCIL MINUTES:** Mayor Lloyd called for a motion to approve the December 2nd, 2005 Council Minutes. **D.R. Hutchinson motioned to approve. Shirley Brown seconded. VOTE: 3– Yes; 0 – No; 0- Abstain; 2- Absent (Don Jorgensen and Steve Fusco)**
- **Planning & Zoning Minutes:** December 27th, 2005 – Cancelled
- **Tammy Archibald-** R.A.D. High School Group and Star Valley Prevention Coalition- Keg Registration Proposed Law and Raising the Alcohol Excise Tax: R.A.D. stands for *Rise Above Drugs, Respect All Differences, and Reach All Dreams* and is a youth organization that believes in creating opportunities and meaningful involvement for youth. A PowerPoint presentation presented by Star Valley High School Seniors covered the problem of underage drinking and one possible solution to this problem – a bill to require keg registration. Keg registration requires liquor stores affix a permanent I.D., stamp or mark which is approved by the local police department. Customers renting a keg must show proper I.D. and sign an I.D. release form which includes the purchaser's name, D.O.B., age, driver's license, keg ID #, date of sale, and the physical location of where the keg will be dispensed. Providing false information will be a prosecutable offense. The keg buyer will be required to sign a waiver stating they are aware of the consequences should a minor be in possession of alcohol from the keg. Removing or altering the stamp will be punishable by law. According to the 2004 Lincoln County Prevention Needs Assessment for the Lincoln County School District #2: 10% of the 6th grade students tried alcohol, 40% of high-school seniors have tried alcohol, and 14% of high-school seniors have participated in binge-drinking. Effects of alcohol abuse on the body were covered by the students. The students encouraged and asked the town administration to support this bill for keg registration.

Regarding another proposed bill which increases alcohol excise tax, the students state the extra income generated from raising the excise tax would be used for prevention, treatment, and to help law enforcement. The 2004 Lincoln County Prevention Needs Assessment for the entire Lincoln County area indicate 26% of all 6th grade students have tried alcohol, 82% of all high-school students have tried alcohol, and 34 % of high-school seniors have participated in binge-drinking. In 2001 underage drinkers consumed 23.1 % of all alcohol sales in Wyoming totaling \$46,000,000.00 in sales. The State of Wyoming is first in the nation for minors drinking alcohol, other than a few sips, before the age of 13. Wyoming is also rated 4th in the nation for binge drinking. According to the students, in Wyoming the excise tax of 533.3 six packs is equal to the tax on one carton of cigarettes which is \$6.00. The sub-costs of underage drinking range from \$51.2 Million (youth violence), \$42.2 million (youth crashes), \$11.1 Million (high sex rate), \$4.6 million (youth property crimes) and \$6.1 million (youth injuries). The tax on beer per gallon in Wyoming is only \$ .02 which is the number one lowest excise tax in the nation and the State of Wyoming hasn't raised their excise tax since 1935. By raising the excise tax to the national average, a six-pack of beer would be raised only \$ . 15. Taxes help pay for highways and hospitals, therefore, the alcohol excise tax could be used for the issues and problems alcohol use creates, drunk driving, court impacts, treatment, etc. The youth indicate raising the excise tax, approximately

\$ 7 million dollars of new revenue would be generated. Attempts to raise the excise tax in Wyoming have been futile in the past and, therefore, this law would allow the excise tax to be levied by communities and not at the state level. The keg registration bill is a youth-led initiative and the excise tax bill is a grassroots initiative.

**Monty Olsen, State Representative:** Mr. Olson indicated the legislature hasn't allowed communities too many options which is frustrating. In regard to the keg registration bill, he suggested the youth go to the beer distributors and gain their support for the bill. He also added that parents and guardians address this issue of underage drinking and feels nothing the government will do will make a bit of difference until parents first take the initiative- it begins at home. Until the State of Wyoming changes its long-standing view regarding alcohol the laws may not be change. He raised issues with law enforcement enforcing underage drinking laws. He applauded the work the youth is doing regarding this new bill for keg registration. Monty Olsen advised he is all for communities doing for themselves at the local level. Mr. Olson indicated the bill would be a county-option if approved and the excise tax would be levied at the county level and funds would be dispersed that way as well. The fear of accountability of the revenue that will be generated has to be addressed for the legislators. He encouraged the group to keep going forward with their initiative.

The group asked the Town Mayor and Council to support the proposed bills by writing letters and voicing their opinions directly to every legislator.

- **Monty Olsen State Representative - Roundtable Discussion with the Mayor and Council:** Mr. Olson updated the council and mayor regarding issues in his district that may affect Alpine. For example the impact needs of new developments and insuring the Business Ready Communities Grant and SLIB grants are fully funded. Money is needed for each community and their unique impacts. The SLIB (State Loan and Investment Board) does fund infrastructure monies for water and sewer. He asked for help from the mayor and council to articulate the needs of the Alpine community with the legislature. Not ever community is seeing rapid growth like Alpine and, therefore, Alpine's issue may not be a top priority for the legislators. Mr. Olsen contacted by written letter the Game & Fish regarding the "Tract D Land" in which the current wastewater plant is located. He offered his help to keep the momentum on resolving the issue with Game & Fish. Mr. Olsen indicated he would look into interim censuses and the calibrating of the revenue streams and census population. He feels W.A.M. will need to become an active partner in this issue. W.A.M. has asked Alpine to answer a questionnaire which they will compile from various communities for the legislature regarding impact needs.

Mr. Olson feels communities and counties which benefit from natural gas impacts, should not be eligible and compete for Business Ready Communities and SLIB monies. Mr. Hutchinson asked that the point be made with the legislature that the new population our area is receiving isn't relocating somewhere else; they are staying in the community. Again, Mr. Olson agreed and stated Laramie and Natrona counties have the voting members to do things that we cannot do and educating the legislators as to the true facts and not emotions will be essential. Not all of Wyoming is growing and booming and isn't a concern in other area. He feels our area needs to prove its worth to the remaining areas of the state and discuss what we can bring to the table rather than what we are taking away. The Mayor feels the county should partnership with local municipalities to form a joint-powers board to affect change at the state level. Mr. Olsen offered to help with any discussions which need to occur with county and state officials.

Mr. Hutchinson brought up the issue of how Alpine is being "run over" by a local school district in the placement of a school in Alpine and the community has been promised for the last 20 (twenty) years. The Mayor feels the state has to take over local school districts decision making in the placement of schools. Shirley Brown feels the excessive bus times for the younger students is awful and affects their ability to learn. Mr. Hutchinson reviewed the fact that many people wanted to go back to the K-6 systems rather than pod systems, yet the school district arrogantly voted to keep the pod system. Mr. Fusco advised he has discussed similar issues that Grover/ Bedford students face; he would advocate for these children as well. The group reviewed the fact bussing costs are paid by the state and not the local school district. Mr. Olsen advised the state is charged with building schools and is not responsible to chose the site locations of these schools which is left up to local school district. He feels there are two alternatives: 1) replace the school board members and 2) state-wide school board with no local control.

Mr. Olsen is personally against state-wide school board control and understands Alpine's unique situation. Mr. Olson has talked with Bubba Shivler at length about this issue. He expressed concern that a state agency would be dictating to local school boards. The solution in Mr. Olsen's opinion is to sit down and have a reasonable conversation with the school board and discuss the larger picture to which the Mayor replied, "You know Monty it is Alpine." Mr. Olsen agreed and that it shouldn't be this way, however, asked the council and Mayor what the legislature could do to help the situation without taking local control away. Again, Mr. Olsen advised the state cannot dictate where schools are placed and agrees the topic of schools are popular wherever he goes. Mr. Olsen asked how receptive the board of trustees is toward the mayor and council. The mayor feels they are not receptive and the school board wants it their way. Mr. Fusco advised the school board may not agree with everything they have to say, however, they are still constituents of the school board. Mr. Lloyd feels that if Alpine had an LDS Church in Alpine then they would have a school. Mr. Olsen feels it would open a pandora's box if the state were to intervene. Because it is a local issue Mr. Olsen feels a discussion with the school board is in order and he offered to air their opinions on their behalf. He doesn't feel it is right to offer these opinions on behalf of the Wyoming legislature. He doesn't feel as an elected official he should go to another elected official and dictate anything to them. Something will have to happen with education in this community in the next 5-10 years. The clerk added that the town administration may want to discuss the fact no land is being purchased now by the district for an Alpine school. The Town has set aside a site which the school district doesn't like, yet the district isn't securing any land for the future in an explosive real estate market. All throughout the valley land is secured for future use.

- **Yellowstone Journal Corporation** – Advertising – Update from Clerk:  
The Yellowstone Journal Corporation contacted the Wyoming Business Council, at the Town clerk's suggestion, for grant assistance/ matching monies needed for the county-wide advertising which also includes Evanston, Wyoming. The Business Council and Lincoln County Commissioners have agreed to fund the balance needed which will enable the Alpine ad to benefit all businesses. Initially, the balance was going to be paid by local and area businesses. The ad now can focus on the amenities of the entire community rather than a select, few businesses, which benefits the entire business district in the long run. The Wyoming Business Council may continue to fund this joint advertising in the year's to come. The clerk asked for the mayor and council's opinion regarding the ad, as it should be a group effort to design and create the ad not just one person. The ad area will be limited for the Town and the company asks for two icons which best represent our area, i.e., an elk, snowmobile, fisherman, etc. If we advertise the URL connections in this advertising the Alpine Confluence Information Center can keep track of each phone call and visitor resulting from this ad. The visitor tracking systems at the CIC also are used to, in turn, seek funding to keep this center opened. The money spent on this ad may be used as a match on future grants to secure funding for the CIC. They ask for 5 major attractions and 2 icons are agreed upon for the ad. The clerk asked the council and mayor to create a thank you letter for the Wyoming Business Council and Lincoln County Commissioners.
- **Jim Pederson Quote for Impact Fee Report:** Brenda Bennett reviewed page 5 of 5, "Task 5" of Mr. Pederson's quote for impact fees for the various proposed annexations. Mr. Pederson will meet with the Town's engineers next week who have already compiled tremendous amount of information regarding impacts. Task 5 of this quote may be erased as the engineers are covering this expense. Dan Hesse is assisting the Town as he has experienced annexations and impact fees. The only way an impact fee will be assessed is if they are annexed "before they get all their stuff in" according to Bennett. The Mayor would like to create a joint-powers board in order to assess these impact fees. Ms. Bennett suggested the item is tabled until Mr. Pederson is able to meet with the engineers. Mr. Pederson has offered this expense could be paid out of next years budget and he suggested the 4 major developers desiring annexation should be contacted to see if they would like to put up \$5,000.00 start-up fee. The meeting with Mr. Pederson and the two engineers will be held January 12th, 2005.

Mr. Fusco stated he didn't feel the town got the most out of their money in the annexation report. According to Bennett the annexation report did contain an impact study on the Alpine Meadows project. Mr. Pederson's proposal is to create an impact report on all the proposed developments including Alpine Meadows and beyond this development to the Idaho border. The clerk advised Wyoming State Statutes require, at a minimum, infrastructure impact fees are included in any annexation report which was not included in BBC's annexation

report, to her knowledge; the Wyoming State Statutes may not have been shared with this Colorado research firm.

Ms. Bennett dispensed the draft version of Chapter 3 "Community Demographics and Economic Trends" for the community master plan and asked the mayor and council review the information.

- **Building Better Boards Training:** January 11th, 6:00 p.m. – 9:00 p.m. at the Holdaway School.
- **131-Ordinance No. 2006-01 – Emergency Reading 1st Reading – Snow Removal:** The council and mayor discussed the proposed ordinance. D.R. Hutchinson would like to add "with permission" of the owners to move snow to their property as some homeowners allow snow to be moved onto their property. James Phillips advised the ordinance should contain a clause for property owners to grant permission. The council and mayor agreed to add "without written permission of the owner" to the end of the first sentence of paragraph two of Section III. Mayor Lloyd read the proposed ordinance through the first two paragraphs. **D.R. Hutchinson motioned to approve 131-Ordinance No. 2006-01 with said addition as a first reading. Steve Fusco seconded. VOTE: 4- Yes; 0- No; 0- Abstain; 1 – Absent (Don Jorgensen)**
- **131-Ordinance No. 2006-01 – Emergency Reading 2nd Reading -** D.R. Hutchinson read the ordinance through the first two paragraphs. **Steve Fusco motioned to approve 131-Ordinance NO. 2006 -01 (as a second reading). Shirley Brown seconded. VOTE: 4- Yes; 0- No; 0- Abstain; 1- Absent (Don Jorgensen)**
- **131-Ordinance No. 2006-01 – Emergency Reading 3rd Reading –** Shirley Brown read the proposed ordinance through the first two paragraphs. **D.R. Hutchinson motioned to approve 131-Ordinance No. 2006- 01 as a third reading. Steve Fusco seconded. VOTE: 4- Yes; 0- No; 0- Abstain; 1 – Absent (Don Jorgensen)**

B. DEPARTMENT UPDATES:

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

**James Phillips, Police Chief:** Mr. Phillips advised Officer Brian Gardner resigned from the Alpine Police Department and has taken a position with the Jackson Police Department. The new opening will be left open through January 31st, 2006. Only one applicant has applied to date and this extra time will allow for additional applicants. Mr. Phillips asked for review and approval of the possibility of setting up a reserve officer program for the Alpine Police Department. The reserves are not paid, accrue no vacation or sick leave, and have no benefits; however, social security and workmen's compensation will be paid. A retired police officer from back east now residing in Alpine is interested in the position. The retired officer would need to be a Wyoming Certified Peace Officer. She would pay for the course herself according to Phillips. Two other officers are also interested. The position is a voluntary position to cover shifts and work when two officers are needed. Also, Judge Hesse will be resigning due to the fact he has been hired by the Lincoln County Prosecutor's office and this new position will create a conflict of interest on cases as defendants can be in both courts in which he is prosecuting the defendant in one court and expected to be the judge

in another court. Mr. Hesse offered to find a replacement and Mr. Phillips reminded everyone that Municipal Judges do not have to be an attorney. The Town's emergency operations plan is pending for a complete evacuation of the town in the event of a large-scale disaster. The Federal Government because of Katrina mandated each state to complete an evacuation plan. An assessment report was completed with Jay Hokanson. Mr. Phillips plans to hold trainings with area banks for county-wide plans for bank alarms and stage fake robberies for training purposes.

**D.R. Hutchinson motioned to approve Chief Phillips proceeding with the reserve officer program as he described. Steve Fusco seconded. VOTE: 4- yes; 0- No; 0- Abstain; 1- Absent (Don Jorgensen)**

Ms. Bennett asked that the proposal be reviewed with the Local Government Liability Pool.

- **PERSONNEL/ ADMINISTRATIVE:** D.R. Hutchinson advised the fleece jackets for the Town employees have been purchased from the mayor's fund. Some extra jackets will be sold to replenish the money. Additionally, hats will be sold at the Confluence Center which will help for replacement costs. After discussion it was agreed a poster would be put in the Confluence Center advertising the extra additional fleece jackets to be sold at the town hall. The hats and jackets contain the Alpine Town logo in patch form. **Steve Fusco motioned to proceed with the purchase of the hats and additional fleece jackets. Shirley Brown seconded. 4- Yes; 0-No; 0- Abstain; 1 – Absent (Don Jorgensen)**

C. ON-GOING BUSINESS/ INFORMATION:

D. INFORMATION DISTRIBUTED TO COUNCIL:

- Letter Dated 12-30-05 from Randall Luthi to Carter Wilkinson- RE: D&R Excavation Contract

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 (Don Jorgensen)**

Steve Fusco questioned whether a work session or executive session is needed to review the letter from Randall Luthi regarding the D&R Excavation contract. The mayor advised he handled the situation today and a work session would be fine and an executive session wasn't needed.

Meeting adjourned at 9:10 p.m.

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David H. Lloyd, Mayor

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Date

ATTEST:

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Tracy Matthews, Clerk

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Date