



Town of Alpine COUNCIL MEETING MINUTES

DATE: December 15, 2020
TIME: 7:00 p.m.

PLACE: Town Council Chambers
TYPE: Regular Meeting

- 1. CALL TO ORDER:** Mayor Lutz called the meeting to order at 7:00 p.m. Mayor Lutz led the attendees in the Pledge of Allegiance.
- 2. ROLL CALL:** The roll call was conducted by Ms. Sharon Backus, Clerk/Treasurer. Council Present: Justin Fritz, Tammy Halstead, Robert LaPier, Jeremy Larsen, and Mayor W. Kennis Lutz. A quorum of the Council was established.

3. ADOPT THE AGENDA:

Councilman Larsen moved to adopt the agenda. Councilman Fritz seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

4. APPROVAL OF CONSENT AGENDA:

Town Council Meeting Minutes – November 17, 2020

Planning & Zoning Commission Minutes – October 27, 2020

Approval of Town Bills – See Attached Check Detail of Bill Payments

Approve and Authorize Mayor Lutz to Sign the Amended and Restated Joint Powers Agreement for Wyoming Association of Risk Management Property Insurance Joint Powers Board dated as of October 29, 2020

Approval of Catering Permit for Tavern on the Greys, LLC for Alpine Snow Cross January 16, 2021

Approval of Catering Permit for Tavern on the Greys, LLC for Winter Jubilee January 30, 2021

Approval of All-Nighter Liquor Permits for Bull Moose Saloon and Tavern on the Greys on March 20, 2021; July 3, 2021; October 30, 2021 and December 31, 2021

Approval of WYDOT TAP Project Reimbursement Request # 2 of \$1,875.52

Councilman Larsen moved to approve the Consent Agenda. Councilman Fritz seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

5. ACTION ITEMS/NEW BUSINESS:

- **Administer Oath of Office to Rex Doornbos of the Planning and Zoning Commission:** Ms. Sharon Backus, Clerk/Treasurer administered the Oath of Office to Mr.

Rex Doornbos serving on the Planning and Zoning Commission for a term to expire December 31, 2023. Mr. Doornbos was congratulated by all present.

- **WJW Holdings Development Agreement Update on Water and Sewer Facilities Transfer to Town-Dale Cottam:** Mr. Dale Cottam, Legal Counsel for WJW Holdings addressed the council stating that the parties now have a fully executed and recorded Development Agreement. The Town Clerk has the original recorded copy of the agreement. Now that that agreement is fully executed, the agreement calls for a Bill of Sale for all the water and sewer assets that were installed by Mr. Weimann and his company to be transferred to the town. Mr. Cottam stated that he had prepared a Bill of Sale which has been circulated to the council, town attorney and town engineer. Once the town gives approval either verbally or by actual signing the document things may proceed by Mr. Wiemann signing the Bill of Sale as well. Once signed, it will be delivered to the town along with the list of water and sewer assets at which time the assets belong to the Town of Alpine. This will please the regulatory agencies such as EPA, DEQ and Public Service Commission because the responsibility would then rest with the town alone. The current service areas were discussed and the only service outside the incorporated limits is the Gilbert property. Timber View Estates and Targhee Place are already within the incorporated boundaries of the Town of Alpine. Once the document is signed, the mutual benefit water company used for delivery of water will be dissolved.

Mayor Lutz asked Mr. Sanderson if he had reviewed the document and found it ready for signing. Mr. Sanderson said the document was ready to sign.

Mr. Cottam stated that the parties understand that the town will be billing them for water now and are prepared to accept service from the town. Mr. Cottam and Mr. Bob Ablondi had been discussing needed utility easement which would not be a problem. Also there is a warranty of one year from the date of transfer. Mr. Cottam is to produce a list of individual property owner addresses to facilitate the town's billing service. Mr. Cottam reiterated for the record that Mr. Wiemann used a Non-profit, Mutual Benefit Company to deliver water and this type of entity is exempt from Public Service Commission regulation. A meeting has been called for the North Alpine Water Company to ratify the decision made here.

Councilman Larsen moved to authorize Mayor Lutz to sign the Bill of Sale accepting the transfer of assets. Councilman Fritz seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.** Mayor Lutz executed the Bill of Sale. Ms. Sharon Backus, Clerk/Treasurer attested the same.

- **Alpine Flats Update on Sewer Extension and Easement – Dale Cottam**
Mr. Cottam reported that he had done the homework on what is needed to extend the sewer line from its current location to the project. Everyone benefits in this extension. Discussion continues regarding easements, confirming ownership and that only two landowners need to sign. This will be confirmed through the Title Company so everyone is protected. At that point we will present those easements to the landowners and after that, Lincoln County would need to grant a license for the sewer line to either cross or parallel the county road. We will conclude documents as they are ready to approve. It will be spring before any construction commences. As far as vertical development, it is uncertain when that will commence. Mr. Cottam thanked the town for approving the Master Plan and Will Serve

Letter, but this Planned Urban Development has not been presented to the County Planning and Zoning yet. The pace of this project has slowed but is still progressing. Lastly, the approaches with access to the north and south along U.S. Highway 26 have not been finalized. Senator Dockstader is going with us to approach the Wyoming Department of Transportation regarding the accesses. If there is an update by the January meeting, an update can be given at that time.

Mayor Lutz asked about the easements by the Refuge. The water line does not actually tie into the town water is approximately ten feet short. The need for a twenty-foot utility easement was then discussed with the possibility of it needing to cross the Refuge. A map of the area was consulted with the best path for the water line discussed.

- **Melvin Brewing Update – Frank Magazine:**

Mr. Frank Magazine, Chief Executive Officer of Melvin Brewing introduced himself and stated that it was his desire to institute a quarterly update for the council and public. Mr. Magazine stated that he recognized that in the past there had been a communication breakdown so it is hoped that these quarterly updates will allow for better communication. Mr. Magazine stated that Melvin Brewing is important to the community and the community is important to Melvin Brewing. Melvin Brewing wishes to be a stronger player in the community. Last year Melvin Brewing produced 19,000 barrels, this year it will be approximately 22,000 barrels and it is hoped that next year the production will increase to 35,000 barrels. There have been no layoffs and twelve new employees have been hired. It is hoped that one more shift can be added to the canning line. The Board has filled the gaps when located but you cannot run too lean and that was what was happening. A company needs a sound cash base. For five months in a row there was record production but then November came along with the second wave of COVID resulting in a huge drop in production. December looks as though it will be a repeat of November, but we are watching the cash base. Melvin Brewing should still be in the black for the year.

Melvin Brewing has a great pub operation, but you cannot, and we will not run a restaurant pub. Mr. Magazine stated that two of the three restaurant pubs have been shut down. Now all the emphasis is placed on Alpine for both brewing and the pub. Shannon has taken the pub, focused attention on it and it is wonderful. It has doubled in business. We are building a new kitchen which is our priority. It is anticipated that this will increase sales another fifty percent. In addition to improvements in the kitchen we have spent approximately \$250,000 for a new canning equipment, all getting ready for next year. Melvin Brewing recently won a silver medal at the largest craft brewing contest in the United States with the beer called "Ruckus". That means is that we are not just an IPA House. This is extremely helpful from a business standpoint. We have a potential expansion with a warehouse facility which in turn expands our storage and trucking capability. This step would add ten to twelve new jobs. A lot of good things lie ahead if we can keep pushing in 2021 like we plan.

Melvin Brewing's history started up in Jackson because of Thai Me Up and there is still a lot of residual Jackson influence. We need to stop running around the country and focus on Alpine. Melvin Brewing is in Alpine so Alpine needs to be the name synonymous with Melvin Brewing. We are reviewing all charitable giving and when things are finished in Jackson we can focus on Alpine and Star Valley. Our charitable events in and around Alpine include Star Valley Rotary, Thayne Fire, Alpine Foodbank, Thayne Foodbank, Alpine Fire, Alpine Medical Center, Alpine Snow Machine Club, Alpine Mountain Days and next year the Snow Cross.

These donations are either cash or in-kind with a lot of beer donations. Mr. Magazine stated that he had found a grant that the Library can apply for and he would share that with the library staff.

Mayor Lutz showed Mr. Magazine the Snow Cross flyer and map of the route that starts and ends at Melvin Brewing. The live streaming will be done upstairs at Melvin Brewing.

Mr. Travis Ladner told Mr. Magazine that he and his family moved here four years ago and has the property that borders Bureau of Land Management land so his view is of Melvin Brewing and no one can build to impede his view. Mr. Ladner stated that he was happy to hear Mr. Magazine speak. Mr. Magazine thanked Mr. Ladner and said that there are plans to improve the grounds and that Melvin Brewing would be purchasing a sign.

- **Planning & Zoning Update – Tim Hartnett**

Mr. Tim Hartnett of the Planning and Zoning Commission offered the following report. The Board of Adjustment met prior to the commission meeting to discuss the Bianchin variance application. This matter was tabled for a period of two months to allow the two parties to come to an agreement and proceed with a lot line adjustment.

Mr. Hartnett referenced the proposed amendment to 277 Ordinance No. 2020-06 which revises Table R302.13 "Fire Protection of Floors Exceptions Sub-Section 2 which will then read, "Floor assemblies located directly over a crawlspace not intended for storage or installation of electric-powered heating appliances." With this amendment you could have an electric water heater in the crawl space and not have to have a separate fireproof room.

The commission did not have a large agenda. A basement remodel was approved including the proper fire egress. A bathroom remodel was verbally approved. There was a recommendation to grant Mr. Rex Doornbos another term on the commission and he was sworn in earlier this evening.

Mr. Hartnett directed the council's attention to the recommendation from the commission to implement a "no-fee" building permit extension on permits already paid for and issued. This was due to the building delays experienced due to COVID-19. Mr. Hartnett read the commission's recommendation. This applies to extension fees only.

Councilman Fritz moved to resolve to adopt a "no-fee" building permit extension fee for a period of one year as recommended by the Planning and Zoning Commission.

Councilman Halstead seconded the motion. Discussion ensued.

Mr. James Sanderson, Town Counsel asked Mr. Hartnett how many permits were shut down due to COVID-19. Mr. Hartnett stated that some projects were shut down because of an inability to get building materials and cited an example of prefabricated duplexes. The others are in case there is some family issue, and they cannot complete their project on time. We need to have people feel safe in their projects.

Mr. Rex Doornbos of the commission stated that it was unclear what the numbers will be at this time. The commission was trying to be proactive.

Mayor Lutz suggested that the council handle these cases one at a time as needed. Councilman Larsen asked that the commission look at the number of outstanding permits that are due to expire by May 31st the date referenced in the commission's recommendation.

Mr. Sanderson stated that the problem of handling cases one at a time, is who gets one and who does not. Mr. Sanderson stated that the concept was sound, but the council needs numbers of the anticipated cash impact. Mr. Sanderson stated that he would not encourage the council to make a resolution to institute a "no-fee" extension fee without evidence which is chiefly the number of permits affected by the COVID-19 and lack of building supplies. The town needs numbers or something on the record that would support a resolution. Mr. Sanderson stated that he had had to write nasty letters to people who did not get an extension asking them for money. Mr. Sanderson stated again that he would like something on the record for instance there are fifty permits out and about to expire and we can see that due to COVID or whatever it appears as though nineteen cannot complete the project on time. The town needs something that is evidence based. The criticism is not that the commission is proactive but that there is no evidence to support this move at this time.

Mr. Doornbos was asked how the commission would determine this. Mr. Doornbos stated that the building industry is experiencing delays across the board. Mr. Sanderson stated the first thing is how many people are coming to the commission to say, "I am behind". Then the commission can determine what percentage of the people will need an extension. Mr. Sanderson said that he did not want the council making laws as a reaction to something that may happen. The commission is asking the council to adopt a resolution waving fees when there is no evidence that this is even an issue.

Councilman Larsen suggested that the commission perform a review of the permit schedule and come back with evidence in a few months.

Vote: 0 Yes, 5 No, 0 Abstain, 0 Absent. Motion Failed.

- **Motion to Take from the Table "Adopt on Third Reading 276 Ordinance No. 2020-05"**

Councilman Larsen moved take from the table the third reading of 276 Ordinance No. 2020-05 International Building Code 2018 Edition. Councilman Fritz seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

Councilman Larsen moved adopt on third reading 276 Ordinance No. 2020-05 International Building Code 2018 Edition. Councilman Fritz seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

The aforementioned ordinance may be viewed in the Town Office or on the website at alpinewy.org

- **Motion to Take from the Table "Adopt on Third Reading 277 Ordinance No. 2020-06"**

Councilman Larsen moved take from the table the third reading of 277 Ordinance No. 2020-06 International Residential Code 2018 Edition. Councilman LaPier seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

Councilman LaPier moved to adopt on third reading 277 Ordinance No. 2020-06 International Residential Code 2018 Edition as amended. Councilman Fritz seconded the motion. There was no discussion. Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried. The aforementioned ordinance may be viewed in the Town Office or on the website at alpinewy.org

- **Open sealed bids and Motion to Award Bid on the 2006 Dodge RAM 3500HD 5.7 L 345 CID V-8 Hemi Pickup, Per W. S. § 15-1-112(a).** Mayor Lutz stated that no sealed bids had been received for this surplus property. Mayor Lutz stated that for the time being, this vehicle will be retained by the town, equipped with the sander, and used during the winter for sanding. Mayor Lutz stated that the council will revisit this item in the spring.
- **Economic Development Update - Councilman Larsen**
Councilman Larsen gave the following Economic Development Report.
 - The Direct Distribution through the State is projected to decrease by \$67,000 for Lincoln County so will most likely decrease for towns as well. The county is estimating a \$4.2M decrease in revenue.
 - Economic Development approved on third reading the Voice with four commercial spots, two in south Lincoln County and two in north Lincoln County.
 - The Shriners moved their Cutter Races to Thayne last year and this year are requesting \$4,000. This passed on first reading. These are to be live streamed with an estimated 40,000 viewers.
 - The Chamber of Commerce has launched the "Shop at Home" initiative. Please drop by your local receipts for "Chamber Bucks".
 - A retired worker specializing in blogs and social media moved here a couple of years ago and is working with the Chamber. It is anticipated that there will be approximately one million viewers for the Winter Jubilee and Dog Sled Races taking place in Alpine. This is a great promotional endeavor for the Town of Alpine and showcase Star Valley winter activities.
 - As funding decreases around the State, there is a greater need for volunteers. Please ask how you may be of help.
- **Motion to move into Executive Session per Wyoming State Statute 16-4-405 (a)(iii) Legal Matters**

Councilman Larsen moved to move into Executive Session per Wyoming State Statute 16-4-405 (a)(iii) to discuss legal matters. Councilman Fritz seconded the motion. There was no discussion. Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.

Mayor Lutz called a brief recess to allow the public to leave the meeting. The council went into executive session at 7:57 p.m.

Mayor Lutz called the meeting back to order at 8:51 p.m. There was still a quorum of the council present.

- **Motion to ratify decisions made in executive session of December 15, 2020.**

Councilman Larsen moved to ratify decisions made in executive session on December 15, 2020. Councilman Fritz seconded the motion. There was no discussion. Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.

6. Tabled Item(s): None

TOWN OF ALPINE GENERAL FUND

CLAIMANT	ALLOWED
AFLAC	\$297.70
ALPINE AIRPARK THE REFUGE Install Ice Rink Liner (Community Support Fund)	\$10,000.00
ALPINE CROSS COUNTRY SKI ASSOC. (Community Support Fund)	\$4,500.00
ALPINE EXCAVATION LLC Power Washer, Lawn Sweeper	\$9,000.00
ALPINE EXCAVATION LLC Sewer Repair	\$270.00
BISCO Backhoe Chains	\$342.90
BLACK MOUNTAIN RENTAL	\$101.76
BLUE CROSS BLUE SHIELD OF WYOMING	\$6,031.06
BROULIMS ALPINE	\$252.19
CASELLE	\$56.77
COHEN-DAVIS LAW	\$550.00
DEPATCO	\$3,086.73
DRY CREEK ENTERPRISES	\$322.00
FDGL VISITOR CENTER CREDIT CARD LEASE	\$31.48
FIRST BANK	\$20.00
FIRST BANKCARD	\$3,158.36
GREAT WEST TRUST COMPANY LLC	\$7,900.00
GUFFEY, DAWN	\$1,296.00
HALSTEAD, DAN	\$41.99
JENKINS BUILDING SUPPLY	\$1,510.46
JENKINS, DAVID	\$50.00
KELLERSTRASS OIL COMPANY	\$411.08
KIRKWOOD, MIKE	\$50.00
LAPIER, KRISTA	\$568.94
LINCOLN COUNTY CLERK	\$15.00
LINCOLN COUNTY SHERIFF	\$606.50
LOWER VALLEY ENERGY	\$607.46
LUTZ, KENNIS	\$57.50
MERCHANT FEE	\$102.33
NAPA ALL STAR AUTO PARTS	\$374.39
OLIVER FLOORING	\$3,728.75
PAYROLL	\$33,643.04
PENNY, BELINDA Cleaning	\$810.00
PREVENT FIRE	\$516.00
PRINTSTAR	\$59.30
SANDERSON LAW OFFICE	\$2,137.05
SEELJACKSONHOLE	\$27.00

SILVER STAR COMMUNICATIONS	\$631.77
STAR VALLEY DISPOSAL	\$256.00
STAR VALLEY GLASS	\$225.00
STAR VALLEY INDEPENDENT	\$327.00
SUNRISE ENGINEERING	\$2,344.40
TAYLOR, BEAU	\$222.60
THAYNE TRUE VALUE	\$19.74
TOWN OF ALPINE DOG SLED RACE SPONSORSHIP	\$200.00
TOWN OF ALPINE WATER DEPT	\$962.60
TSYS	\$224.80
UNITED STATES TREASURY	\$6,731.46
VALLEY WIDE COOPERATIVE	\$2,663.31
WEATHER SPORT SHELTER	\$4,350.00
WESTERN STATES EQUIPMENT	\$5,148.05
WYOMING CHILD SUPPORT	\$464.56
WYOMING RETIREMENT SYSTEM	\$4,249.63
XEROX CORPORATION	\$497.30

TOWN OF ALPINE SEWER DEPARTMENT

CLAIMANT	ALLOWED
ALPINE EXCAVATION LLC Boat Ramp	\$2,751.77
CASELLE	\$56.78
CONRAD & BISCHOFF	\$61.51
DRY CREEK ENTERPRISES INC	\$5,645.00
ENERGY LABORATORIES	\$37.00
FALL RIVER RURAL ELECTRIC	\$6.33
FIRST BANKCARD	\$13.72
HUBER TECHNOLOGY	\$525.00
JENKINS	\$27.98
LOWER VALLEY ENERGY	\$3,367.71
SABOL & RICE	\$4,522.44
SILVERSTAR	\$264.38
TOWN OF ALPINE Payroll, postage	\$7,698.35
TOWN WATER DEPT Billing fees, usage	\$132.76
USA BLUEBOOK	\$134.33

TOWN OF ALPINE WATER DEPARTMENT

CLAIMANT	ALLOWED
ATWOOD, JEFF	\$24.00
CASELLE INC.	\$56.78
FERGUSON WATERWORKS	\$45.00
FIRST BANKCARD	\$63.48
LINCOLN COUNTY CLERK	\$12.00

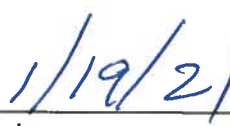
LINCOLN WATER QUALITY LAB Water testing	\$54.00
LOWER VALLEY ENERGY	\$1,304.58
MERCHANT FEES	\$1,379.92
ONE CALL OF WYOMING	\$4.50
SILVER STAR COMMUNICATIONS	\$369.96
TOWN OF ALPINE Payroll, postage	\$7,242.48
TOWN OF ALPINE SEWER Usage	\$34,539.78
USDA FOREST SERVICE EASEMENT PERMIT	\$249.36
VANDEBURG EXCAVATION	\$6,050.00
WARWS	\$599.00

7. Adjournment:

Councilman Fritz moved to adjourn the meeting. Councilman Halstead seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

Mayor Lutz adjourned the meeting at 8:52 p.m.


W. Kennis Lutz, Mayor


Date

Minutes taken and transcribed by:


Sharon Backus, Town Clerk/Treasurer


Date




Sharon Backus, Town Clerk/Treasurer


Date

**** Minutes are a brief summary of the taped recording of the meeting. ****