



Town of Alpine COUNCIL MEETING MINUTES

***DATE: July 21, 2020
TIME: 7:00 p.m.***

***PLACE: Town Council Chambers
TYPE: Regular Meeting***

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- 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 Sharon Backus, Clerk/Treasurer. Council Present: Justin Fritz, Tammy Halstead, Jeremy Larsen, Robert LaPier 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 – June 16, 2020

Planning & Zoning Minutes – June 9, 2020; June 23, 2020

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

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:

Mike Vogt, Fire Chief stated that the record from the June meeting should be corrected as he believed that Councilman Larsen had misspoken when relaying the notion that EMS could come under the jurisdiction of the Alpine Fire District. Discussion ensued regarding this and a contract from 2014. Chief Vogt requested that in the future, Councilman Larsen recuse himself from any vote regarding the EMS due to his involvement with the EMS in the past, specifically in 2014.

Councilman Larsen then defended his decisions made in 2014 as presented by Chief Vogt by reminding the council of the state of Alpine's EMS at that time. It was a difficult time for Alpine EMS. The EMS has since recovered but tough decisions had to be made during the time referenced. Mayor Lutz concurred and stated that the council had supported Alpine EMS throughout this difficult period.

Mr. Kenneth Jones of Alpine Emergency Medical Services (EMS), addressed the council to again express his disappointment at having the EMS budget cut for the Fiscal Year 2021 when other items in the budget had been increased such as police and the "Business and Community Development" (account 6180). (The increase in account 6180 was necessitated by the singular oddity of having two Mountain Days events in one Fiscal Year; account 6180 being the accounting offset for this and similar town events.)

Mayor Lutz reminded Mr. Jones that the council had promised to pursue other avenues of private financing for the EMS and stated that the EMS will be pleasantly surprised in August when the council's promise to pursue these alternative funding sources is revealed. Mayor Lutz assured the Mr. Jones that the town has always supported the EMS and will continue to do so, but the budget ordinance has been adopted now and cannot be changed at this time.

- **Enforcement of Noise Ordinance Regarding Compression Brakes – Gerald Dolph**

Mr. Gerald Dolph residing on Meadow Loop Drive addressed the council expressing his annoyance at the seemingly continual use of compression brakes not by commercial carriers but by smaller cattle, logger and local dirt/gravel trucks coming into town from either end or the junction. There is an ordinance prohibiting the use of compression brakes, but it is not enforced. MR. Dolph had called the Lincoln County Sheriff's Department (LCSO) and had been told that the LCSO enforces town ordinances. Mr. Dolph said he thought that larger signs at either end of town and at the junction and fines as provided for in the noise ordinance would help deter the use of compression brakes. Mr. Dolph thought the signs should be at least 36" by 48" and 8 feet high as they are in Swan Valley.

Mayor Lutz reported that the LCSO has misspoken because they do not enforce town ordinances. Mayor Lutz stated that he had spoken to the company whose drivers are the most frequent violators of the ordinance and so far, the use of compression brakes has diminished. Mayor Lutz agreed that larger signs placed at the three entrances to Alpine would help and will investigate if there are funds in the budget to purchase the signs

- **Petition to Restrict Vehicular Access to FS10413 via Forest Meadow Subdivision- David Kemper**

Mr. David Kemper addressed the council stating that he resides at 540 Forest Circle Drive. Over the past few years there has been an increase in traffic through the Forest Meadows Subdivision especially this year because of the high level of the lake eliminating the normally traveled route (FS10413) to the access the Forest Service land surrounding the town. Mr. Kemper referenced a map of the area. There have been several access points created throughout the town and private property with the usage increasing daily. "Because of the town's pump station which is outside the town limits I propose working with the town to place a few buck and rail fences to stop vehicles from accessing this but with an opening to allow ATV, dirt bikes, snowmobiles and pedestrian access and to post as private property."

Mayor Lutz stated that the town has no authority on the federal land. Mayor Lutz said he had spoken with District Ranger Justin Laycock who stated that what needs to be done in the forest will be done by the Forest Service. Forest Meadows Subdivision along with all the other subdivisions on that side of the Greys River allowed accesses in their subdivision. When the subdivisions donated their roads to the town, the roads became public roads. Those roads can be used by anyone, it cannot be closed to the public. The place to make this argument is with the Forest Service and what they can do within their enforcement division.

Mr. Kemper stated that people do not have a right to drive through private property to enter the forest because there is no easement through the private property for access. Mr. Kemper said that in his telephone call to the Forest Service he was led to believe Mr. Laycock agrees that private property owners are enabling access to the forest and is in favor of these owners fencing their property. When asked if Mr. Kemper was in favor of owners fencing their private property, he said, "No, I just want to curtail traffic". Discussion then ensued with Councilmen Fritz and Halstead who use this access point each explaining what they use the access for and that they want to continue to do so.

Mr. James Sanderson, Town Counsel stated that he cannot give Mr. Kemper legal advice, but you cannot block off the town's easement.

Mr. Kemper referenced the map and asked for agreement that access point numbered three is not a legal access point.

Mayor Lutz requested Mr. Kemper produce the support from his subdivision and then he would talk to Ranger Laycock about this problem.

Councilman Larsen then segued into Mr. Kemper's second point. In summary, Mr. Kemper has no problem with motorized or non-motorized ATVs, dirt bikes, snowmobiles and pedestrians, just vehicles coming back and forth. Mr. Kemper concurred. Councilman Larsen asked if only vehicles are using this as long-term camping or is all traffic using this as overnight camping? Councilman Larsen then asked if it was Mr. Kemper's desire that the town write a letter to the entities for Palisades and Greys River to request limitation of the long-term camping in those areas. This implies that changing the use to day-use only will curtail the amount of traffic. Mr. Kemper stated that he did not think this would decrease traffic.

Councilman LaPier stated that as a town we can all agree that this is crucial access point and it is our duty as a town to work with the Forest Service and the town needs to remain involved and communicating partners with the Forest Service.

- **Petition Forest Service to Change Regarding the Town of Alpine Zoning Map: Zoning around Alpine Incorporated Boundaries as Day Use Only – David Kemper**
Mr. Kemper explained that his request was to alter the Town of Alpine Zoning map which shows the Forest Service land in the same green as the Recreational and Conservation areas within the town limits. This led him to assume that the forest surrounding Alpine was day-use only and started this confusion.

Mayor Lutz directed Mr. Bob Ablondi, Town Engineer to amend the zoning map to remove future confusion.

- **Planning & Zoning Update – Rex Doornbos**

Mr. Rex Doornbos of the Planning and Zoning Commission addressed the council offering the following report. The commission has been busy with a steady trickle of permits. Projecting forward, the commission predicts an increase in building over the next year considering the brisk real estate sales. Mr. Doornbos state that he had three talking points to address two of which streamline the permitting process.

- First, the commission is reconsidering the “string and stake” requirement as the permits require a Certificate of Placement from a licensed surveyor. If the “string and stake” requirement is removed, this then takes the liability off the town and places it on the surveyor and property owner.
- Second, the commission is considering making the re-roof project approval an affidavit process provided the similar material is used. If different material is used or the engineering changes, the commission will have to look that situation.
- Third, the commission would like the council to consider adopting an ordinance to require all real estate sales/transfers within the town limits to verify all lot corner have a plaque, the fee for which would be dealt with in the closing documents. The fact that this is the Title Company’s responsibility was discussed. Mr. Doornbos stated that there have been two cases that the commission has had to deal with this year and another two that he has heard of. This will require a process to be established by the town.

Mayor Lutz thanked Mr. Doornbos for his report.

- **Update on New Development (Alpine Flats) with Approval of a Master Plan, Prior to Applying for a PUD at the County - Dale Cottam**

Mr. Cottam introduced Mr. Drew Hale of Sunrise Engineering to present the draft Master Plan PUD for the Alpine Flats project located at 303 U.S. Highway 26. The council had been given packet with renderings and maps included. The parcel is an approximately twenty-acre parcel owned by Mr. Shane Law. The project features the following:

- The project us a 160-unit multi-family complex, ten 16-plex buildings with eight one-bedroom and eight two-bedroom options per building for a total of 240 bedrooms.
- The front part of the property is being reserved for commercial development.
- All units feature a washer and dryer and forced air heating/cooling.
- There are 400 covered parking spots for 160 units, one for each one-bedroom unit and two for each two-bedroom units as well as additional spaces.
- The project will have a rustic, yet modern feel, built from quality materials
- All buildings will be identical with the one-bedrooms units to the inside; the two building units to the outside and all stairways are covered.
- The purpose of the project is to address the housing shortage in Alpine but there is no low-income housing in this project and all residents must pre-qualify.
- The project will be built in phases, with phase one being four units closest to the highway.

Mr. Hale then addressed questions from the council including the target market and snow storage needed, ingress/egress from Highway 26. The Wyoming Department of Transportation will absolutely need to add a turn lane to accommodate an additional 160 plus people accessing Highway 26.

Mr. Hale stated that while the original intent was to ask for pre-approval of the Master Plan at this meeting but now Mr. Law is now interested in pursuing annexation into the Town of Alpine. A chart of potential tax revenue to the town generated through the resident expenditures was presented to the council. Mr. Hale said they were looking for some leniency should they choose to make minor changes to the original plan concept. Mr. Hale stated that there are considerable up-front costs such as sewer/water connections and asked the council to consider negotiations for leeway on these utility connections and building permit costs. It is believed this project will be a great benefit to the town. The project will cover a period of three to five years.

Mayor Lutz stated that he would approach the Wyoming Business Council to see if any funds may be available to provide partial relief for the fees required of a project of this nature. There could be great economic potential for the town. Mayor Lutz said this is the first avenue that should be pursued.

- **Alpine Meadows Sewer Problems – Mayor Lutz**

Mayor Lutz stated that two new homes built last year in Alpine Meadows subdivision had encountered sewer problems. The utility system was purchased from North Star Utility in December 2015. When these sewer problems were investigated by the town, it was discovered that there were several four-foot sections of sewer main that had never been installed by North Star Utility. This has been extremely expensive to the town with the first incident costing more than \$6,000. The expenses for the second incident have not yet been received in full. The town is uncertain of the extent of the missing sections of sewer main.

Mr. Bob Ablondi stated that the town is unaware of the extent to the deficiencies in the sewer collection system in Alpine Meadows. Each future connection will need to be investigated before the connection is made. Mr. Ablondi is to send Mr. Sanderson pictures and a narrative of the problems encountered with these sewer deficiencies.

Mayor Lutz asked Mr. James Sanderson, Town Counsel, to investigate what can be done and write a letter to North Star Utility requesting redress on this unacceptable situation.

- **Discussion Regarding Amending 152 Ordinance No. 2007-08 to Allow Backyard Laying Hens in the Town of Alpine – Councilman LaPier**

Councilman LaPier stated that he had been approached by some residents asking him to address the possibility of having chickens in town. Councilman LaPier stated that he had read the historical information on this and now has enough information to report back to the citizens who want chickens to be allowed in town.

A list of citizens who have stated opposition to allowing chickens in the town was presented to the council.

- **Economic Development Update – Councilmen Jeremy Larsen**

Councilman Larsen gave the following report:

- There was not a quorum at the last meeting, so no decisions were made.
- As of 7/6/20, 119 local businesses had availed themselves of the COVID Funding Act and their requests were approved.
- The next round of COVID funding is open for larger businesses.
- Simplot in Idaho is hiring and taking several Westmorland people. So far, the people are staying in Star Valley.
- The Lincoln County Fair is proceeding as planned.
- There is a building boom in Star Valley. The number of relocation packets requested of the Chamber of Commerce has tripled. There is talk of a lot of people leaving the cities and moving to rural areas.
- As of 7/6/20 there has been no response from the Forest Service regarding dust guard application on Greys River Road.
- Star Valley Ranch is putting in a request for COVID Relief reimbursement.
- Big Springs Scenic Backway is set in steps.
- The website should soon be done for the Alpine Caribou Loop Trail. This is an ATV trail that starts and finishes here in Alpine. It goes out through McCoy, down to Greys Lake area, pops out around the Fairview area, over to resupply in Afton, then heads south again over Salt Pass and then up Greys River and finishing in Alpine.

- **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 LaPier 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 8:22 p.m.

Mayor Lutz called the meeting back to order at 9:15 p.m. There was still a quorum of the council present.

- **Motion to ratify decisions made in executive sessions on July 21, 2020.** Mayor Lutz stated that no decisions were made in the Executive Session.

6. Tabled Item(s): None

TOWN OF ALPINE GENERAL FUND

CLAIMANT	ALLOWED
AFLAC	\$297.70
ALPINE MOUNTAIN DAYS	\$120.00
BLACK MOUNTAIN RENTAL	\$306.00
BLUE CROSS BLUE SHIELD OF WYOMING	\$6,892.69
BOYD, JS AMD refund	\$140.00

BROULIMS ALPINE	\$272.63
CASELLE	\$56.77
DEARBORN LIFE INSURANCE	\$57.21
DRY CREEK ENTERPRISES	\$340.00
FDGL VISITOR CENTER CREDIT CARD LEASE	\$31.48
FIRST BANKCARD	\$2,505.09
FLYING PHOENIX INTERSTATE DISPLAY	\$5,000.00
FP MAILING SOLUTION	\$1,000.00
GREAT WEST TRUST COMPANY LLC	\$4,800.00
GREEN TURF LANDSCAPING	\$1,709.00
GUFFEY, DAWN	\$1,512.00
HARLAND CLARKE	\$24.70
JENKINS BUILDING SUPPLY	\$530.95
LAVA NY DESIGN	\$240.00
LGLP	\$2,718.00
LINCOLN COUNTY SHERIFF	\$15,606.50
LOWER VALLEY ENERGY	\$412.10
LUTZ, KENNIS	\$40.25
MERCHANT FEES	\$123.34
NAPA ALL STAR AUTO PARTS	\$117.93
RUIZ, ALEJANDRINA	\$500.00
PAYROLL	\$22,108.62
PENNY, BELINDA Cleaning	\$510.00
SANDERSON LAW OFFICE	\$2,765.60
SEEJACKSONHOLE LLC	\$55.00
SILVER STAR COMMUNICATIONS	\$631.25
STAR VALLEY CHAMBER OF COMMERCE	\$1,500.00
STAR VALLEY DISPOSAL	\$256.00
STAR VALLEY INDEPENDENT	\$267.01
THAYNE SENIOR CENTER	\$3,000.00
THAYNE TRUE VALUE	\$11.99
TOWN OF ALPINE FROM AMD	\$473.05
TOWN OF ALPINE WATER DEPT	\$1,286.30
TSYS	\$157.44
UNITED STATES TREASURY	\$6,565.88
VALLEY TECH LLC	\$444.00
VANDEBURG EXCAVATION	\$1,344.50
W.A.R.M.	\$10,203.29
WAMCAT	\$65.00
WYOMING ASSOCIATION OF MUNICIPALITIES	\$1,063.85
WYOMING CHILD SUPPORT	\$464.56
WYOMING RETIREMENT SYSTEM	\$3,172.41
XEROX CORPORATION	\$588.93

TOWN OF ALPINE SEWER DEPARTMENT

CLAIMANT

ALLOWED

ALPINE EXCAVATION LLC	\$1,603.77
BROULIMS	\$14.28
CASELLE	\$56.78
DRY CREEK ENTERPRISES INC	\$9,725.00
FALL RIVER RURAL ELECTRIC	\$5.00
FIRS TBANKCARD	\$968.03
H-K CONTRACTORS INC	\$1,117.75
JENKINS	\$158.41
LOWER VALLEY ENERGY	\$2,124.75
OFFICE OF STATE LAND & INVESTMENT	\$15,549.58
RAVITZ, RACHEL	\$620.00
SILVERSTAR	\$264.05
TOWN OF ALPINE Payroll, postage	\$7,464.60
TOWN WATER DEPT Billing fees, usage	\$144.18
USA BLUEBOOK	\$100.60
VALLEY TECH LLC	\$42.00
W.A.R.M.	\$12,000.00

TOWN OF ALPINE WATER DEPARTMENT

CLAIMANT

ALLOWED

ALOTA SAND & GRAVEL	\$254.93
BRENNTAG PACIFIC INC	\$1,806.40
CASELLE INC.	\$56.78
CONRAD & BISCHOFF	\$69.74
CORE & MAIN	\$3,125.60
JENKINS	\$29.99
LINCOLN WATER QUALITY LAB Water testing	\$145.00
LOWER VALLEY ENERGY	\$2,201.85
MERCHANT FEES	\$1,286.19
MTN VALLEY MOTOR AND PUMP	\$16,525.00
OFFICE OF STATE LAND & INVESTMENT	\$13,956.79
ONE CALL OF WYOMING	\$20.25
SALT RIVER MOTORS	\$121.89
SILVER STAR COMMUNICATIONS	\$289.75
TOWN OF ALPINE Payroll, postage	\$6,623.22
TOWN OF ALPINE SEWER Usage	\$33,047.47
TROUTMAN, BAXTER	\$106.00

7. Adjournment:

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

Mayor Lutz adjourned the meeting at 9:16 p.m.

 8/18/20
W. Kennis Lutz, Mayor Date

Minutes taken and transcribed by:

 8/18/20
Sharon Backus, Town Clerk/Treasurer Date

Attest:



 8/18/20
Sharon Backus, Town Clerk/Treasurer Date

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