

**MINUTES
ALTA TOWN COUNCIL MEETING
THURSDAY
AUGUST 12, 2010
10:00 AM
ALTA COMMUNITY CENTER
ALTA, UTAH**

The Mayor called the meeting to order. All members of the Town Council were present.

Mayor's Report

The Mayor reminded people that the General Election will be held on November 2, 2010. The last day to register by mail is October 4th and the last day to register in person with Salt Lake County is October 18th. There will be early voting locations in valley.

The Mayor reported on the memorial that was held for Mayor Bill Levitt. There were about 200 people in attendance and everyone spoke highly of Bill.

On Tuesday, the 3rd of August there was a truth and taxation public hearing for the proposed increase in the Town's property tax rate (CTR) and the approval of the budget. There was good discussion among those that attended. After the public hearing, a meeting of the Town Council was held, where the final budget for the fiscal year 2010/2011 was approved.

The Mayor attended last Thursday's COG meeting where one of the main topics was transportation planning. The new director of the Wasatch Front Regional Council was introduced: Andy Gruber. The Mayor explained that the inclusion of the Little Cottonwood transportations projects in future transportation plans is critical because if our projects are not included in these plans then they will not be funded. The Mayor explained that of the four projects that could effect Little Cottonwood Canyon there was no consistency among inclusion within the four transportation scenarios. He asked staff to work with this agency to make sure that we correct this situation. The Mayor pointed out some of the projects including widening Wasatch Blvd. by the mouth of the canyon, expanding park and ride lots, and avalanche sheds.

At this meeting it was also mentioned that there will a mock emergency disaster plan exercise with the Mayors in the valley in late October and early November.

The Mayor commented on all the work that is being done on the canyon road this summer.

Questar Gas will be digging up and replacing the gas line from the Goldminers Daughter entrance up to the Rustler Lodge because it is undersized.

The Mayor mentioned that the Albion Basin Road has seen a huge number of visitors so far this summer. The Mayor has contacted the Forest Service and Salt Lake City to ask for help in managing the number of visitors on the weekends. The Cottonwood Canyon Foundation has offered some of their volunteers to assist with disseminating information in the Albion Basin. We are thankful for their assistance. The Town will do everything it can to manage the situation for the rest of the summer by increasing personnel at the booth on the weekends. The Town anticipates that the Forest Service will release the Albion Basin Transportation Study by the end of 2010. At that point, the Town will work with the Forest Service on alternatives for managing the summer road for next year.

The Mayor mentioned the Wild Flower Festival which was held on July 16-18th. It was a very successful event.

The Mayor provided an update on the proposed Wilderness Bill. The Mayor opined that one of the big concerns with this bill comes from the Forest Service as it relates to the proposed land exchanges. The Town is still concerned about the impact of the bill on the area above our community as it relates to future avalanche protection options.

The Mayor reported that AVB is going through some changes and has asked Wikstrom Economic & Planning Consultants to assist the Town in conducting a review of the last five years. Ms. Wikstrom will be hosting a Business Summit on August 30th to review some of her findings and to try to get a sense from the Alta business community as to where they would like to see AVB go in the future.

Sterling Codifiers is nearing the final stages of the codification of the Town's code.

There was a meeting the Greater Salt Lake County Clerks Association in Alta where Lincoln Shurtz (Utah League of Cities and Towns) was asked to address some of the clerks and recorders concerns. The meeting was well attended.

Starting next Monday, the Utah League of Cities and Towns (ULCT) will hold their monthly Legislative Policy Committee meetings. Members of the Town staff attend those meeting and will provide updates to the Town Council.

The ULCT annual convention will be held in September. Any member of the Council, Planning Commission or Town staff that wishes to attend should contact either John or Claire.

The Mayor announced that the Town will begin to look at drafting an anti-bias ordinance that models the ordinances that have been recently adopted by Salt Lake City and Park City. The Mayor has asked Cliff to work on this matter. Cliff opined that this is the right thing to do and gives credit to Salt Lake City for taking the lead on the issue. Cliff will try to prepare a draft for discussion for the September Town Council meeting.

The Mayor asked Paul Moxley for an update on the July 22nd hearing on the Shrontz lawsuit in front of Judge Kennedy. Paul reported that Judge Kennedy heard arguments

for about an hour to an hour and a half and took the case under advisement which means that the Judge is considering the legal submissions and arguments.

2. Treasurer's Report

Marc Dippo read a two month report which is attached to the minutes.

Hearing no comments or questions, there was a motion by Cliff Curry to approve the treasurer's report as submitted. There was a second by Steve Gilman and the motion was carried.

3. Departmental Reports

Town Administrator's Report: John Guldner gave an update on the View/MSI/Town of Alta lawsuit. All parties are starting to talk about mediation.

John reported that the structure going up on the top of Peruvian Ridge is the avalanche artillery building. UDOT/State of Utah is doing the engineering, design, and permitting of this structure, which is a State of Utah owned building. UDOT will be following through with all the inspections.

John reported that there have been 11 permits issued with a stated value of two million dollars. The Town has collected \$39,000 worth of building and plan check fees. There has been one complaint on a building permit site related to the burying of construction materials on the site. As part of the LEED certification process, this site is allowed to bury most of the non-toxic construction material on site.

John spoke to the question that came up during the truth and taxation hearing on the Town's infrastructure. John used the most recent flood as an example. John clarified that the flood started with a mud slide outside the Town of Alta on Forest Service and private land. The mud and water flowed down a gully and plugged a UDOT culvert and overflowed the state owned road and eventually flooded some homes. This event did not involve any Town of Alta owned infrastructure(s). Since then the culvert has been replaced by UDOT and the road has been repaired.

John also commented that the Town does do maintenance and dust control on the summer road but reminded everyone that the road does not belong to the Town of Alta. The Town allocates funds from the sewer and water enterprise funds to conduct improvements on the sewer and water systems as needed. The sewer and water enterprise funds are funded by usage fees and there are no property taxes used to fund these systems.

Assistant Town Administrator's report: Claire reported that she has been asked to attend a conference in Boston in September held by the Institute for Sustainable Communities. It is a leadership academy on climate adaptation and resilience. Salt Lake City applied to attend and asked Salt Lake County and the Town of Alta to attend as part of their team.

Claire gave an update on the progress she has made with the Energy Efficiency Conservation Block Grant funding that the Town has received. It has been a very laborious process but Claire reported that she is close to jumping through all the hoops and starting the approved projects. We are waiting for the “release to work order” from the State of Utah. Our first project will be the replacement of some of the furnaces in the Town owned buildings. The Town will also use the funds to conduct a comprehensive energy audit of all the Town buildings and will also change all the lighting in Alta Central and the Community Center.

Claire attended the Cottonwood Canyons Foundation fund raiser and commented that this organization does a great job in Big and Little Cottonwood Canyons educating the public on the importance of the canyon resources.

Claire and Mike have met with Beck Disaster Recovery who is helping Salt Lake County facilitate updating emergency operations plans. Claire and Mike are working on the Town’s emergency operation plan and hope to have it in final form by the middle of November. The County wide plan should be completed by the middle of 2011. Mike Kelsey from UFA commented that the County is at stage 3 of 5 and this process was funded by a County wide 2008 grant.

Mike Kelsey from UFA reported that things are starting to dry out in the wild land sectors of the County. Mr. Kelsey reported that the Alta flooding event kicked off additional flooding in the valley, not necessarily from this event. The flooding in the valley lasted about a week and UFA has compiled all the County wide time and effort for these events to try and receive FEMA reimbursement money. The County did not receive any FEMA money because they did not reach the three million dollar threshold. Mike reported that there are a lot of emergency operations and management courses available for Town staff and elected officials. If anyone is interested they should contact UFA.

Marshal’s Report: Mike Morey reported that most of his department’s time has been spent on the summer road and in Albion Basin. Mike read his monthly report which is attached to the minutes.

4. Discussion with possible action/adoption of the following:

- a) Minutes – June 17, 2010 Alta Town Council meeting.

There was a motion by Steve Gilman to approve the minutes of the June 17, 2010 Town Council meeting. There was a second by Dave Richards and the motion was carried. Cliff curry abstained from voting as he did not attend the June 17, 2010 meeting.

- b) Minutes – June 24, 2010 Alta Town Council meeting.

There was a motion by Cliff Curry to approve the minutes of the June 24, 2010 Town Council meeting. There was a second by Steve Gilman and the motion was carried. All members of the Town Council voted in the affirmative.

c) Minutes – July 8, 2010 Alta Town Council meeting.

There was a motion by Paul Moxley to approve the minutes of the July 8, 2010 Town Council meeting as submitted. There was a second by Dave Richards and the motion was carried. Cliff Curry abstained from voting as he had not attended the July 8, 2010 meeting.

d) Closed door meeting to discuss litigation matters.

There was a motion by Tom Pollard to hold a closed door meeting to follow the regular meeting to discuss litigation matters. There was a second by Steve Gilman. A roll call vote was taken.

Dave Richards – aye

Cliff Curry – aye

Paul Moxley – aye

Tom Pollard – aye

Steve Gilman – aye

The vote was unanimous with all members of the Town Council voting in the affirmative. The motion was carried.

5. Citizen Input

Sheridan Davis, a resident of the Town of Alta, raised the issue of forming an Alta Bike Club. She went on to say that many mountain bikers in Alta are concerned about the Forest Service talking about closing some of the trails. By forming this club, they hope to address the sustainability of the current single track that is in Alta and work with the Town of Alta, the Alta Lift Company, and the Forest Service to create the kind of trails that should be built and protected. Sheridan opined that the discussion should also include how this process would dovetail with the mission of the Town and Alta Lift Company with quiet travel and sustainable business that would bring in revenue for the community, create positive jobs and also create the green identity that Alta is known for. Sheridan went on to say that the bike club is in its early stages of formation and will try to work under the umbrella of the International Mountain Biking Association (IMBA). The proposed Alta Bike club will try to use the IMBA's precepts in building good trails and supporting the trails that exist.

The Mayor recommended that the Town approach the mountain biking community in Alta to find out exactly what they are trying to do and also bring to the table the Forest Service and Alta Lift Company to discuss the same. The Mayor asked Claire to represent the Town in this matter. Claire has talked to the Forest Service on this subject and would

suggest that the mountain biking community sit down and clarify their goals. She is happy to facilitate this discussion. The priority for the mountain biking community is to try and save the trails that are already in existence in the Alta area.

Roger Bourke would like to see the Town do something to encourage the re-establishment of a facility similar to the Kickstand which he felt was a de-facto community center in many ways.

Roger commented that he attended the Water Symposium last week and mentioned a presentation by Gabe Epperson. The topic was “Are we loving our canyons to death?”. Roger agreed that we are and every year the impact grows. He recommended that the entire Town Council visit the Albion Basin on a weekend to experience this impact. In his opinion it is really time to take action on the management of this area.

Steve Gilman visited the Basin last weekend and ran into Carol Majeske from the Forest Service. They discussed the Albion Basin Transportation Plan that is being finalized by the Forest Service. Steve recommended that we wait until the Plan comes out which should provide a foundation that the Town and Forest Service can use to move forward. This plan will also provide us with a foundation to eventually apply for funds that could help address solutions.

John commented that the Town could not close the summer road even if it wanted to. The only circumstance that would allow the Town to close the road would be for a public safety emergency situation.

The Mayor felt that the Forest Service does have a greater understanding of what the Town is doing and the resources we are putting into the management of the summer road and Albion Basin. Forest Service management have visited the area in the last two weeks to experience the effort the Town is putting in to the management of this area and the impact this area is experiencing.

Mark Haik opined that the hearing in front of Judge Kennedy was very interesting and in general gave a pretty fair overview of some of the disputes and some issues that are going to be in front of the Town and Salt Lake City. Mark voiced his opinion on one of the issues and that was the enlargement of the Town of Alta Service Area that was authorized by Mayor Levitt and notarized by Ms. Black. Mr. Haik also opined that the hearing brought out that there is a difference in the amount of water in the 1976 water contract: is it 265,000 gallons or is it 150,000 gallons. He asked if the Town Council had an opinion on which amount was correct.

Mark Haik went on to opine that Salt Lake City treats various people in various canyons differently in some respects. Mark asked the Town of Alta not to aid and abet Salt Lake City in disparate treatment of parties regarding public utilities.

Mark Haik again opined that for more than 30 years the summer road has designated as State Road 210 and believes that this fact is born out in records that can be found at the

Town of Alta, the County, UDOT, as well as the documents at the Forest Service Region 4 Land Status office. Mark Haik asked the Council to instruct the Town administrator to prepare a report on the status of the summer road. Mr. Haik also opined that at the hearing in front of Judge Kennedy it was stated by the Town of Alta and Salt Lake City that neither one of them objected to hooking up the Quincy Water system to the Town of Alta culinary water system.

Mike Morey mentioned that the archery deer season starts on August 21, 2010. The Town ordinance does prescribe for a hunting and a no-hunting zone. If private property owners do not want hunters on their land, state law requires that the owners adequately post no trespassing signs on their property.

Onno Wieringa opined on the value of the Cottonwood Canyons Foundation. He asked the Town not to overwork their members.

Onno gave an update on the Sugarloaf snowmaking project and thanked everyone for their patience with this project.

Onno updated that Council on the Peruvian Ridge Rifle project which went through the public scoping process with the Forest Service.

Onno opined that the issues relating to trails, the summer road, biking and the Kickstand to name a few, should be addressed in the Albion Basin Transportation Study that is being managed by Carol Majeske. Onno also opined that he hoped that the issue of capacity be addressed as part of this study.

Creighton Hart commented that the flood event in June took out the fen adjacent to the Peruvian. This fen filtered out the heavy metals coming out of the mine on the north side of the highway. There is no water flowing through this fen anymore. Onno commented that the fen project has expired and the County is trying to research the next generation of that type of system.

There was a motion by Steve Gilman to adjourn the Town Council meeting and to move into a closed door session to discuss litigation matters. There was a second by Dave Richards and the motion was carried.

6. Closed door meeting to discuss litigation matters.

A closed door meeting of the Alta Town Council was called to order at approximately 11:15 a.m. on August 12, 2010. The following people were present: Mayor Tom Pollard and Council members Paul Moxley, Steve Gilman, Dave Richards and Cliff Curry; Marc Dippo, Town Treasurer; John Guldner, Kate Black and Claire Runge, Town Staff; Cate Brabson, Legal Counsel and Kimberly Chytraus, Town Counsel. Current litigation matters were discussed and no action was taken.

There was a motion by Cliff Curry to adjourn the closed door meeting and Dave Richards seconded this motion. A roll call vote was taken and all members of the Town Council voted in favor of the motion. The meeting was adjourned at 12:05 p.m..

Passed and approved this 9th day of September, 2010

s/Katherine S.W. Black
Town Clerk

TREASURER'S REPORT

12-Aug-10

MAJOR BILLS PAID

<u>Payroll - 2 months</u>	<u>\$90,979.13</u>
<u>Payroll Taxes - 2 months</u>	<u>\$34,310.93</u>
<u>Utah Retirement System - Contributions</u>	<u>\$10,426.42</u>
<u>Attorneys</u>	<u>\$4,795.85</u>
<u>Health, Dental & Life Insurance</u>	<u>\$12,317.88</u>
<u>Inspectors</u>	<u>\$2,094.90</u>
<u>Plan Checks</u>	<u>\$2,530.00</u>
<u>Work on summer road & dust control</u>	<u>\$9,853.87</u>
<u>UFA quarterly payment</u>	<u>\$24,619.25</u>
<u>Town Insurance - Utah Local Gov't Trust</u>	<u>\$39,200.74</u>
<u>Zions First National Bank-Lease Payment/2009</u>	
<u>Toyota</u>	<u>\$9,781.79</u>
<u>Tony Divino Toyota - 2011 Toytoa Tacoma</u>	<u>\$26,882.00</u>
<u>Surety Bonds</u>	<u>\$652.00</u>
<u>Promotions - AVB</u>	<u>\$2,500.00</u>
<u>Workers Compensation Insurance</u>	<u>\$1,765.14</u>
<u>Reprinting - Summer Brochure</u>	<u>\$1,398.80</u>
<u>Pacific Corp - Return of Solar Array Grant Funds</u>	<u>\$15,000.00</u>
<u>Other Town Bills</u>	<u>\$24,341.37</u>
<u>Total</u>	<u>\$313,450.07</u>

MAJOR REVENUES RECEIVED

<u>Sales Tax - April Collections/ Resort</u>	<u>\$44,215.70</u>
<u>Sales Tax - April Collections/Uniform</u>	<u>\$107,522.79</u>
<u>Sales Tax - May Collections/Resort</u>	<u>\$2,520.21</u>
<u>Sales Tax - May Collections/Uniform</u>	<u>\$1,536.43</u>
<u>Telephone Taxes</u>	<u>\$1,181.06</u>
<u>Property Taxes</u>	<u>\$8,796.96</u>
<u>C Road Fund Transfer/Summer Road Work</u>	<u>\$9,853.87</u>
<u>Sales of 2006 Chev. Police Vehicle</u>	<u>\$13,700.00</u>
<u>Transfer from Solar Array Account</u>	<u>\$14,471.88</u>

<u>Court Fines</u>	<u>\$1,279.00</u>
<u>Booth Donations</u>	<u>\$1,443.36</u>
<u>Post Office Contract - 2 months</u>	<u>\$2,333.34</u>
<u>Energy Taxes</u>	<u>\$4,007.54</u>
<u>Building Permits & Plan Checks Fees</u>	<u>\$25,538.09</u>
<u>Dog Licenses</u>	<u>\$200.00</u>
<u>White Sales Reimbursements</u>	<u>\$2,250.00</u>
<u>Other Town Revenue</u>	<u>\$591.50</u>
<u>Total</u>	<u>\$241,441.73</u>
<u>General Fund Checking</u>	<u>\$19,794.52</u>
<u>General Fund Savings</u>	<u>\$411,089.32</u>