

MINUTES
ALTA TOWN COUNCIL MEETING
THURSDAY, JUNE 16, 2011
10:00 AM
ALTA COMMUNITY CENTER
ALTA, UTAH

1. Call the meeting to order

The Mayor called the meeting to order. Mayor Tom Pollard and Council members Paul Moxley and Dave Richards were present. Steve Gilman and Cliff Curry were excused.

2. PUBLIC HEARINGS

- a) To receive comments and questions regarding the final amendments to the 2010-2011 Fiscal General Fund Budget.

The Mayor commented that the Town is required to amend the fiscal budget to make sure that each department does not exceed its budgeted amount.

Kate Black explained that the amended budget she prepared reflects increases in most departmental budgets and increases in revenues as well. By amending the revenue side of the budget, the Town Council can consider whether or not the Town will have to use some of its unreserved fund balance to balance the 2010/2011 budget. Kate went on to explain that she anticipates that the Town will be receiving more revenue than anticipated so it appears that the Town will not have to use any of its unreserved fund balance to balance the budget this year.

Kate explained that most of the departments were amended to reflect an increase in expenditures. The largest increase in expenditures was due to legal fees that were incurred by the Town on the Shrontz lawsuit. The expenditures for this lawsuit are reflected as a line item in the Planning Zoning Department.

The Mayor opened the floor to discussion on the proposed amended budget. Hearing no comments on this budget, the Mayor closed this public hearing.

- b) To receive comments and questions regarding the proposed 2011/2012 Fiscal Budgets (General Fund, Sewer and Water Enterprise Funds). The Certified Tax Rate will be discussed.

The Mayor reminded the public that the Town Council had passed a tentative budget in their May meeting and since then, the Mayor and Kate had made some small changes to reflect changes in our projected revenues.

Kate announced that the State Tax Commission has set the Town's Certified Tax Rate at .001184 which will generate \$293,641 in property tax. This amount is a less than what we

collected this year. Kate spoke to the biggest change that was made to the tentative budget passed in May: the URS contribution rate went up from 13.37% to 13.77%. The general fund budget does balance (\$1,517,001) using a projected sales tax revenue of \$910,000 and the use of \$72,520 of the unreserved fund balance. Kate also explained that the water enterprise fund budget now balances.

The Mayor opened the floor to discussion on the proposed 2011/2012 budgets. Hearing no comments, the Mayor closed the public hearing.

- c) To receive comments and questions regarding the proposed 2011-2012 Fiscal Budget for the Alta Special Service District and proposed Certified Tax Rate.

The Mayor announced that the proposed budget and tax rate for the District is -0-. The Mayor opened the floor for discussion.

Hearing no comments or questions, the Mayor closed the public hearing.

3. Mayor's Report

The Mayor announced that the 30th annual Little Cottonwood Canyon Clean Up Day will be held on June 28th.

The Mayor mentioned that on Friday, June 12th the community got together to fill sand bags on the Rustler mine dump. The Mayor thanked all that participated. If anyone needs to use the sandbags feel free to take some. The Town asks that you contact Alta Central to let them know you are taking some bags.

The Mayor reported on the monthly COG meeting. After the meeting the Mayor was approached by Mayor Corroon to ask for the Town's support in putting the public parks bond on the November ballot. The bond would be for 100,000,000 million which would translate into an increase of \$14.00 in taxes on a house valued at \$200,000. Twenty five percent of the bond proceeds would go toward renovation and maintenance on existing parks and 75% would go toward the development of new parks in Salt Lake County. The Mayor asked the Town Council for their input on this matter. If the Council supported this effort it would be support to put the issue on the ballot, not necessarily to support the actual bond issue.

Karen Travis would not support this issue. She felt the timing on this bond issue was way off especially with all aspects of government needing funding.

Dave Richards agrees with Karen on the timing but feels like the public ought to have a chance to vote on whether they want this to happen or not. Paul Moxley agreed that people should be given a chance to speak on this issue by going to the polls and voting on this issue. Based on the input from the Council, the Mayor will convey to Mayor Corroon that the Town supports putting the issue on the ballot in November.

The Mayor thanked UFA for their support of our community and their participation in our community affairs and programs.

The Mayor asked Frank Perkins to give an update on the progress with the newly formed Chamber and Visitors Bureau. Frank reported that the Board had a meeting last week and things are moving along very well. The Board has a proposed budget which the Council received as part of their packet for this meeting. Frank thanked Dave Richards for attending the Board meeting and offering suggestions on the proposed budget. Frank announced that the Chamber is requested \$86,200 from the Town of Alta in the form of a grant. The Chamber/Bureau has budgeted \$27,000 in membership dues to help with the operation of the organization and have collected over \$10,000 to date. Helen Reynolds will be sending out an invoice to all the businesses for membership dues. Laura Lee Church and Bradley Marshall are working together with BlueTent Marketing to collect content for the new web site. Frank felt that the new web site would go live by mid July. Frank went on to announce that the Chamber/Bureau is looking for new grants but will probably not be applying for the Office of Tourism Grant this year because the Alta Chamber/Bureau does not have a track record yet. Frank was very encouraged with the progress that the Board had made so far in putting together this new organization.

The Mayor spoke to his experience with his deposition on the Shrontz case.

The Mayor reported that the Town continues with the planning process on the two sewer line projects and the one water project. We should be going out to bid on those projects by the middle of July and are going through the approval process with all the applicable outside agencies.

4. Treasurer's Report

Marc Dippo read the treasurer's report which was for a two month period. It is attached to the minutes.

Hearing no comments or questions, there was a motion by Dave Richards to approve the report as read. There was a second by Paul Moxley and the motion was carried.

5. Departmental Reports

Town Administrator's Report: John Guldner reported on the training that he and Piper Lever attended at the Trust. General liability topics were discussed.

John gave an update on the three lawsuits: The View, Melville and Shrontz cases.

The Town has not issued any building permits this year.

John reported the Wasatch Watershed Legacy Partnership was scheduled to have a meeting in early June. As of today, that meeting has not taken place.

John reported that the next meeting of the Planning Commission will be on June 30th at the Market Street Grill at 12:00 noon. Updating the General Plan will be discussed with Meg Ryan facilitating the meeting.

WRR, the dust control company, is ready and willing to come to Alta when the road dries out.

John mentioned that Skip Branch, an Alta Planning Commissioner, was awarded the silver metal from the American Advertising Federation.

John received a call from Rich Giraud from the Utah Geological Survey who has visited the scarp where the landslide took place last year. They have found the stream that caused the slide is beginning to flow but a low level. They will be watching this area carefully as the weeks progress.

Assistant Town Administrator's Report: Claire Runge reported on the status of the projects funded by state EECBG funds . The Town had identified three projects which are now all complete: replacement of three of the Town's furnaces, the lighting project in two of the buildings, and an energy audit. Copies of the energy audit are available in the Town Office. There is \$5,000 left on this grant and Claire is putting together a list of possible projects that will qualify using these funds.

Claire reported that the Emergency Operation Plan (EOP) is now complete. The EOP has been emailed to the entire Town Council. She asked if the Council would address the EOP in their July meeting.

Claire thanked all the community members who showed up to fill sandbags.

Claire reported on the progress with the Waste Management Study. Two of the lead contacts from Lewis Young on the project have left the company and we are working on trying to establish what has been completed and where the project is headed next. So far the Town has collected and analyzed data from a survey that was sent to all the businesses and residences on waste management practices and needs in the Town. The Town has yet to do an alternative analysis.

As a result of this situation, Claire opined that there are two alternatives: the first is to continue with Lewis Young but start over with new project managers or second, terminate the contract with Lewis Young and do the alternative analysis in house. Claire would prefer to terminate the contract, as over half of the tasks have been completed and the information that has been compiled belongs to and is available to the Town. The Mayor supported Claire's recommendation to terminate the contract and move forward. Paul Moxley agreed with this approach. The Mayor plans on contacting Lewis Young and Dave would like to see how that conversation goes before giving his opinion on this matter. The Town will also have our legal counsel review the contract before moving ahead on this matter.

Marshal's Report: Mike Morey read his monthly report which is attached to the minutes.

6. Town Council Minutes: May 12, 2011

There was a motion by Paul Moxley to approve the minutes of the May 12, 2011 Town Council meeting. There was a second by Tom Pollard. Kate pointed out Onno mentioned a decision by the Utah Supreme Court on a water issue that involved Albion Basin. That decision involved water that is located in Glacial Park subdivision which is located at the bottom of the canyon. That correction was made to the minutes.

Paul withdrew his motion.

Tom Pollard made a motion to approve the minutes of the May 12, 2011 Town Council meeting with the aforementioned correction. Paul Moxley seconded the motion and it was carried.

7. Awarding of Town of Alta Insurance bid for the period July 1, 2011 – June 30, 2012 – Greg Baumgartner, Utah Local Government Trust

Greg thanked Kate and the Town staff for their cooperation in providing the necessary information to arrive at this quote. Greg provided the Council with a four page document that detailed the quote for the new fiscal year. Greg also mentioned that the Town now obtains its Workers Compensation Insurance from the Trust.

Greg went over some of the services the Trust provides its customers: a loss control grant which provides the equivalent of 5% of the Town's liability premium and a possible dividend at the end of the year.

Greg explained that this summer the Town will be getting a call from Asset Works who will provide the Town property appraisals to make sure that the Town is insuring its properties at the correct values. This service will be paid for by the Trust.

The Trust also provides free training to Town staff. Piper and John have attended some of those training sessions.

Greg explained that the cost of the Town's insurance is the same as last year: \$37,532. The Town's loss control grant this year is \$1,526.80. The Town will not have to purchase "nose" coverage this year but the coverage is still in place: that was a one time purchase last year.

Hearing no comments or questions, there was a motion by Dave Richards to award the Town of Alta's insurance for fiscal year 2011/2012 to the Utah Local Governments Trust. There was a second by Paul Moxley and the motion was carried.

8. Resolution 2011-R-3: A resolution to amend the 2010-2011 Fiscal General fund Budget by Departments

The Mayor mentioned again that the amendments to this budget are listed in Exhibit "A" which is attached to the resolution. This budget was discussed in the first public hearing today.

Hearing no further comments or questions, there was a motion by Paul Moxley to approved Resolution 2011-R-3 which amends the 2010/2011 budget by departments. There was a second by Dave Richards and the motion was carried.

9. Resolution 2011-R-4: A resolution adopting the final budgets and certified tax rate for the Town of Alta for fiscal year 2011-2012.

The Mayor made a motion to approve Resolution 2011-R-4 which adopts the final budgets and certified tax rate for the Town of Alta for fiscal year 2011-2012 and sets the certified tax rate at .001084 which will generate property tax revenue of \$293,641. There was a second by Paul Moxley. The Mayor opened the floor for further discussion.

Dave Richards asked if the budget included funding for the Alta Chamber and Visitors Bureau and AUNAC for \$2,000. The Mayor confirmed that it does and asked Dave to speak about AUNAC. Dave explained that this is the Artillery Users North America Committee (AUNAC) which is recognized by the US Army as the only civilian entity that is allowed to maintain or train on civilian use of artillery. Without this organization the artillery program in Little Cottonwood canyon would cease to exist. This organization is looking for other sources of funding due to radical increases in the cost of maintaining weapons and training on those weapons as well as administrative costs. This organization is a 501(c)(3) under the laws of the State of Utah. Although the Town of Alta is not a direct user of artillery, the organization asked the Town to assist with their funding needs. Dave reminded everyone that the Town relies on the artillery program to survive. The Mayor agreed to put \$2,000 in next year's budget for this expense. The Town would be the first non-user entity to stand up and support this effort. The Town hopes this will set an example for other municipalities and government entities to follow suit. Alta Ski Lifts and Snowbird are user members of this organization as well as UDOT.

The Mayor called for a vote on the motion. All members of the Town Council that were present voted in favor of the motion and the motion carried.

10. Resolution 2011-R-5: A resolution adopting the final budget and certified tax rate for the Alta Special Service District for fiscal year 2011-2012.

The Mayor announced that the budget and certified tax rate will be -0-.

There was a motion by Dave Richards to adopt Resolution 2011-R-5 with a certified tax rate of -0- and a budget of -0- for the Alta Special Service District. There was a second by Tom Pollard and the motion was carried.

11. Resolution 2011-R-6: A resolution authorizing the execution of a three year municipal lease with Zions First National Bank for the purchase of a 2011 Toyota Tacoma.

The Mayor explained that this action authorizes the actual leasing documents with Zions. The interest rate will be 2.66% with the first payment due on July 2012. Kimberly has reviewed the leasing documents and will be preparing her opinion for the bank.

Dave Richards made a motion to approve Resolution 2011-R-6 authorizing the three year municipal lease for the purchase of a new 2011 Toyota Tacoma for the Marshal's Department. There was a second by Paul Moxley and the motion was carried.

12. Discussion on proposed amended Purchasing Policy for the Town of Alta.

Kate explained that when Claire and Mike were working on the Emergency Operation Plan it came to their attention that our purchasing policy did not adequately address necessary purchases during emergencies. The proposed amendments address not only this type of purchase but addresses bidding procedures for improvements to our buildings and public works projects. The Utah State Legislature amended State Code in 2004 to reflect that a municipality must go out to bid if building improvements are estimated to exceed \$40,000 and public works projects are estimated to exceed \$125,000. Kimberly has reviewed the proposed changes to the purchasing policy and has made changes to a few code references in the policy.

There was a motion by Paul Moxley to approve the amended Purchasing Policy of the Town of Alta. There was a second by Tom Pollard and the motion was carried.

13. Authorize Mayor Tom Pollard to sign contract between Town of Alta and Alta Chamber Visitors Bureau (ACVB).

Kate explained that after meeting with Park City on how they handle the distribution of funds to the Park City Chamber Bureau, she is proposing contract between the Town of Alta and the newly formed ACVB. Kimberly and Kate are drafting this agreement in hopes of having in completed before the July Council meeting. This would allow the Town to release funds to the ACVB to assist in their marketing effort of the Alta community. This agreement will spell out how the funds are to be used and the reporting requirements of the ACVB to the Town Council.

The contract would be signed by the Mayor after July 1, 2011 which allows the Town to release 50% of the requested funds to ACVB. The remaining funds would be distributed

as follows: 25% at the beginning of the 2nd quarter of our fiscal year and 25% at the beginning of the 3rd quarter.

There was motion by Dave Richards to authorize the Mayor to sign a contract between the Town of Alta and the Alta Chamber Visitor Bureau. There was a second by Paul Moxley and the motion was carried.

14. Alta Town Meeting Schedule for fiscal year 2011-2012.

The Mayor explained that all meetings will be held the second Thursday of the month at 10:00 am at the Alta Community Center except the June meeting which will be held on the third Thursday of that month. The Town will notify the public if any changes to this schedule are warranted during the year.

The Mayor made a motion to approve the Town Council meeting schedule for the fiscal year 2011-2012 as submitted. There was a second by Dave Richards and the motion was carried.

15. Discussion on the proposed Land Use Application and Approval Ordinance.

After some discussion the Town Council and staff agreed to table the discussion on the proposed Land use Application and Approval Ordinance until July.

16. Closed door meeting to discuss litigation matters.

The Town Council agreed not to hold a closed door meeting.

17. Citizen Input

Mark Haik referred to a comment earlier in the minutes wherein Ms. Black noted a change to the minutes as it relates to the Supreme Court decision on water at the mouth of the canyon, and he opined that Onno's comment was about ownership of water. Mr. Haik opined that decision that was handed down was in regards to ownership of water and the people that won: that water is subject to a change application that has been pending for about six years before the State Engineer. The conclusion of the litigation, in Mr. Haik's opinion, allows that change application to go forward at the Division of Water Rights. Mr. Haik went on to say that the change applications of which there are six, will move water from the valley to Albion Basin. So in Mr. Haik's opinion Onno appropriately termed the water Albion Basin water.

Mr. Haik also opined that in the Town Administrator's depositions he was asked a variety of questions about Albion Basin water and prior decisions of the State Engineer to move water to Albion Basin that occurred in the 90's. Mr. Haik opined the Town Administrator lacked memory or testified that he had no knowledge of those decisions or the implications thereof despite having attending several years of meetings on the subject. Mr. Haik went on to opine that Mr. Guldner is possibly getting more forgetful in

his age and felt that Mr. Guldner could potentially be refreshed by his own minutes that he kept of those meetings. Mr. Haik encouraged the Town Council to read the depositions of Mr. Guldner and find out how much the Town Administrator does not know about decisions regarding water.

Jim Burr, property owner in the Albion Basin, went over the Forest Service decision on the possible issuance of a special use permit for a day time window for snowmobile access to the Albion Basin cabins. The Forest Service as indicated that they will issue a single permit to one entity and the homeowners in their discussions with the Town Council since January of this year hoped the Special Service District (SSD) to be that entity. Mr. Burr felt, after hearing the Town Council discuss this matter, there is a fair amount of skepticism on the Council's part as to the merits of a SSD. As a result, Mr. Burr commented that he has done a poll of many of the cabin owners as to whether they felt strongly about moving forward with the concept of the SSD or whether they would like to form another entity such as a non-profit Homeowners Association. Mr. Burr has heard back from approximately $\frac{3}{4}$ of the homeowners in the Albion Basin and there is unanimous support for the SSD proposition. Accordingly, Mr. Burr will be finalizing the formal petition in the next couple of days, getting the necessary signatures and filing it with the Town early next week.

There were no further comments at this time.

18. Motion to adjourn

There was a motion by Paul Moxley to adjourn the Town Council meeting. There was a second by Dave Richards and the motion was carried.

Passed and approved this _____ - day of _____, 2011.

Katherine S.W. Black
Town Clerk