

MINUTES
ALTA TOWN COUNCIL MEETING
MARCH 11, 2010
10:00 AM
ALTA COMMUNITY CENTER
ALTA, UTAH

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

1. PUBLIC HEARING – To receive input regarding proposed Ordinance 2010-O-1 – A Flood Damage Prevention Ordinance.

The Mayor mentioned that the Town Council has talked about this proposed ordinance over the course of the last six months. The language of the ordinance is required and set forth by FEMA and to be in compliance with the Federal regulations, the Town must pass and approve this ordinance in the form presented today.

The proposed ordinance has been reviewed by the Alta Planning Commission. The Planning Commission also held a public hearing to receive input. The Planning Commission has recommended to the Town Council that they approve this ordinance.

The Mayor opened the floor to receive comments from the public.

Mark Haik opined that the Town Council should pass this ordinance but should also further assess other flood plain areas in the Town, mainly the transfer tow area, particularly in light of proposed Alta Ski Lift Company development in this area. The Town should also review the existing infrastructure in this area using the GIS data that was collected and created by the funding that the Town received from Friends of Alta.

John Guldner gave a brief history of how FEMA designated this small area in the Town of Alta as a floodplain. This area is on the western most border of the Town near Little Cottonwood Creek. In order to get FEMA money for any type of disaster, the Town must pass a Flood Damage Prevention Ordinance.

Hearing no comments on this proposed ordinance, the Mayor closed the public hearing.

2. Spruce Bark Beetle Update – Tracie Kirkham – Salt Lake City Department of Public Utilities, Watershed Division

Tracie explained that she is working with Steve Scheid from the U.S. Forest Service and Scott Zeidler from the Utah Department of Natural Resources. She went on to state that if private property owners decide that they have spruce trees that need to be sprayed with a non-watershed chemical called Carbaryl, Salt Lake City's watershed division needs to

be involved because it is a toxic chemical and must be applied by a licensed and approved vendor.

Claire, Tracie and Barbara Cameron (Big Cottonwood Community Council) have been working on a flier for the Little and Big Cottonwood Canyon communities that provide information on this matter. Tracie went over some of the regulations that will govern the application of this chemical should private property owners wish to spray trees on their property. A draft copy of this notice is available for review.

Tracie handed out information pertaining to the spruce bark beetle spraying program. She reviewed some of the alternatives that private property owners have when dealing with trees that may be infested. Tracie went over a timetable for addressing this issue. There is training available to the public at large on matters related to identification of trees to whether spraying will be recommended. Tracie mentioned that Special Use Permits will be necessary before private owners may start the process of spraying. This process through the Forest Service has been streamlined to expedite the permitting process. Property owners may not spray their trees one at a time. Owners must come together with a plan that is presented to Salt Lake City, get approval, and then obtain a Special Use Permit from the Forest Service as one entity.

Steve Gilman stated that the Ski Lifts have identified the trees that will be addressed on their private and Special Use Permit land. The only land left to survey is the private land.

Claire mentioned that there have been private landowners who want to address trees on their land and have contacted the Town. If the trees are infected with the Spruce Bark Beetle, they must follow an approved procedure to be removed. If landowners wish to spray, they must re-spray every two years using licensed and approved vendors.

3. MAYOR'S REPORT

The Mayor reported that because a quorum was not present at the February 11, 2010, Town Council meeting, an informational meeting was held and no official actions were taken.

The Mayor congratulated Ellen and Chris Rossi on the birth of their baby boy.

Tom Pollard reviewed news from the Utah State Legislative Session, more specifically the proposed legislation that would have allowed Sandy to annex the Snowbird Ski Resort. We received support from many of our partners in reviewing this piece of legislation and at the end of the day the legislation was put on hold and will be reviewed over the summer. The Mayor has met with Snowbird who will try to resolve some of the issues they have with the County that prompted them to move in this direction. The Town will be involved in any future proposals that could address any annexation legislation.

The Mayor also addressed the concept of creating a township for the Granite community. This proposal includes land all the way up to the Town's northern border. As a result, the Town will be watching this closely.

The Mayor reported on the monthly Little Cottonwood Road meeting held on March 2, 2010. The UDOT reported on their summer projects in the canyon which include the paving of the remainder of the canyon road. Also, the weapon on Peruvian Ridge will be changed out from the recoilless weapon to a pack howitzer. The operation of the AM530 radio at the bottom of the canyon was also discussed to make it a more effective tool for disseminating information to the public. The AM530 at the bottom of the canyon is controlled by the UDOT operation center and not the Town of Alta.

The Mayor announced that there would be a meeting of the budget committee at noon on March 17, 2010.

The Mayor reminded everyone to respond to the Census so the Town may get an accurate count.

There will be a public hearing at the April 8, 2010, Town Council meeting to allow comments and suggestions on the proposed use of the 2010-2011 program year CDBG funds. The Mayor also mentioned that the Town is conducting a salary survey at the request of HUD to verify that a majority of its residents fall into the low to moderate income bracket.

The Wasatch Canyons Tomorrow project will be launching another set of surveys and public open houses. The dates of those open houses are March 23rd and March 24th.

On February 19th, the Mayor and Claire met with Superintendent David Doty from the Canyons School District to discuss a District proposal to hold a special bond election. They would like to enter into an interlocal agreement to build a multi purpose building that would, among other uses, house a permanent home for the school, a Community Center for the Town, and a home for our non-profits. Claire will be putting a draft proposal together for this building to hand to the Superintendent and the school board.

The next meeting of the Town Council will be on Thursday, April 8, 2010, at 10:00 am.

4. TREASURER'S REPORT

Marc Dippo gave two treasurer's reports; one of the time period that ended on February 11, 2010 and one that included February 12th through March 11, 2010. Both reports are attached to these minutes.

There were some questions on the payment by the County and UDOT for assistance on the operation of Alta Central. Snowbird has yet to pay anything toward its operation as it has done it past years. The effectiveness of metering was also discussed.

Hearing no comments or questions, there was a motion by Dave Richards to approve the February 2010 and March 2010 treasurer's reports as submitted. There was a second by Paul Moxley and the motion was carried.

5. DEPARTMENTAL REPORTS

Town Administrator's Report: John Guldner reviewed the attempt to pass legislation that would have allowed Snowbird to annex into Sandy.

John attended and reported on the Cooperative County Plan committee meeting on February 23, 2010. They are trying to streamline the planning process throughout the county and between the cities and towns.

No building permits have been issued this year.

There are no real changes in the lawsuits. On March 23rd, and March 24th there will be depositions on the Melville case conducted by the Town's attorney for this case, Dave Richards.

John gave a brief history of the filing by the Shrontz Estate with the State Property Rights Ombudsman related to natural waterways on the Patsey Marley property. Correspondence has been going back and forth between the Ombudsman and the Estate and Town. The Town has requested that no more letters be exchanged and asked that the Ombudsman make his ruling.

John and Claire will be attending a land use law seminar next week.

John reported on the most recent Planning Commission meeting held on February 21st. Representatives from Envision Utah gave a presentation on the Wasatch Canyons Tomorrow Process. The Planning Commission also took a vote to move the Flood Damage Prevention Ordinance onto the Town Council. The next meeting of the Alta Planning Commission will be held on March 25th at the Market Street Grill. At this meeting the Commission will be addressing a proposed land use application ordinance.

John reported that the Town has turned in another request for federal funds for additional gaz-ex above Snowbird. The County has joined with the Town to request funds for additional gaz-ex as well.

Claire reported that on March 23rd at OLS, the Town of Alta, Friends of Alta and the Alta Environmental Center are hosting a green house gas inventory presentation. The Brendle Group will also be reporting on the green house gas inventory they conducted for the community of Alta.

Claire reported on the EECBG grant application that has been submitted by the Town. Our grant has been approved and the Town is now outlining projects in the Town buildings that will be covered by these funds.

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

UFA Report: A representative from UFA reported that the upcoming UFA Board meeting has been cancelled. UFA's intent was to get the command staff to the Council meeting but conflicts prevented that from happening. Battalion Chief Kelsey reported that he attended a Salt Lake County emergency planning meeting yesterday where the process of creating and/or assisting all the cities and town in writing emergency plans for their municipalities began. The Town of Alta is invited to attend these meetings. Mike Morey assured the Mayor, Town Council, and Mr. Kelsey that the Town of Alta will be in the loop on this process.

Alta Visitors Bureau: Sara Madsen reported that the AVB committee met on February 3rd to review the results of the Ski Utah White Sale Campaign. AVB is currently working on a Utah Department of Tourism Grant that will involve matching funds from different entities that will be focusing on out of state clientele.

Sara reviewed the ongoing youtube.com project that is being produced by Robert Price in cooperation with Alta and Snowbird Ski Resorts. Sara is also preparing a spreadsheet that details the activity from the AVB phones and web site hits for the last five years.

AVB is continuing to optimize the AVB website and an email will going out to all the business requesting that they send a paragraph that describes their business so AVB can update that information on its web site.

Sara reported that she is currently working on lowering the telephone bills for both the AVB and Post Office phones. She is projecting a savings of over \$1,000 a year.

6. DISCUSSION WITH POSSIBLE ACTION ON THE FOLLOWING:

a) Minutes – January 14, 2010 Town Council meeting.

There was a motion by Cliff Curry to approve the minutes of the January 14, 2010, Town Council meeting. There was a second by Steve Gilman and the motion was carried.

b) Meeting Summary Report of the February 11, 2010 Town Council meeting.

There was a motion by Dave Richards to approve the meeting summary of the February 11, 2010, Town Council meeting. There was a second by Tom Pollard and the motion was carried.

c) Authorized signers for Town of Alta bank accounts.

Hearing no comments or questions, there was a motion by Steve Gilman to approve the new list of signers for all the Town of Alta checking accounts as submitted. There was a second by Dave Richards and the motion was carried.

d) Appointment of Alta Planning Commission members.

The Mayor explained that he has received confirmation from Skip Branch and Jan Streifel that they would like to continue to serve on the Alta Planning Commission. The Mayor spoke with Scott Muir who expressed that he would like to step down from his membership on the Alta Planning Commission.

The Mayor went on to explain that given the new Planning Commission ordinance allowance for Alta residents to serve on the Planning Commission, the Town Council wished to appoint a Alta resident should a vacancy on the Planning Commission exist. With Mr. Muir stepping down, the Mayor recommended that Roger Bourke be appointed to the Alta Planning Commission.

The Mayor officially recommended to the Town Council that Skip Branch and Jan Streifel be re-appointed to the Alta Planning Commission, and that Roger Bourke be appointed to the Alta Planning Commission.

Steve Gilman made a motion approve the aforementioned re-appointments and appointment to the Alta Planning Commission. There was a second by Paul Moxley.

The Mayor called for discussion on this matter. Dave Richards asked if these appointments increased the number on the Town Planning Commission. The Mayor responded that with the resignation of Scott Muir, the number on the Planning Commission would remain at seven.

Any White understood that the Town of Alta purposefully had non-residents on its Planning Commission and wanted to know when and how that changed. The Mayor explained that last year, when the Town Council worked through some modifications in the Town's land use ordinances, it changed the language to allow for a residents to serve on the Planning Commission.

The Mayor called for a vote on the motion. The vote was unanimous with all members of the Town Council voting in favor of the motion.

The Mayor thanked Scott Muir for his many years of service on the Alta Planning Commission and to the community of Alta.

e) Ordinance 2010-O-1 – Flood Damage Prevention Ordinance

There was a motion by Steve Gilman to approve Ordinance 2010-0-1 as submitted. There was a second by Dave Richards.

Claire assured the Town Council that she would try to get the flood plains changed to reflect what is actually present on the ground. FEMA knows that the Town is interested in addressing this issue.

The Mayor called for a roll call vote on the motion.

Dave Richards – aye

Cliff Curry – aye

Paul Moxley – aye

Tom Pollard – aye

Steve Gilman – aye

The vote was unanimous and the motion was carried.

f) Resolution 2010-R-2 – A resolution authorizing the maximum number of dog licenses for 2010 and fees to be charged.

The Mayor explained that the maximum number of dogs is set by taking 12% of the 2000 Census population which would be 44 dog licenses. Last year the Town authorized the issuance of 44 dog licenses and as of today, 42 have renewed their licenses.

The Mayor made a motion that the Town of Alta issues the maximum number of licenses available which would be 44 licenses. That would mean that two (2) new licenses would be available in the drawing this year.

As it relates to section two, Cliff made a recommendation on language. He opined that the Town business owners would be on the equal footing with the permanent residents would own homes when it comes to the drawing. The rest of the Council agreed with Cliff's suggestion.

Cliff proposed the following language for Section 2 of the resolution:

“A total of two (2) licenses, either of which may be either a Class A or a Class B license, shall be issued to new applicants.”

The Mayor withdrew his original motion.

The Mayor made a motion that the total number of dog licenses issued shall be 44 licenses for 2010 with two (2) licenses being new, adopting the aforementioned language for Section 2 of the resolution proposed by Cliff Curry, leaving the fees the same, and Class E licenses shall be charged zero dollars. There was a second by Cliff Curry. Hearing no further discussion the Mayor called for a vote on the motion. Tom Pollard, Paul Moxley, Steve Gilman and Cliff Curry voted in favor of the motion and Dave Richards abstained. The motion was carried.

g) Resolution 2010-R-3 – A resolution establishing amounts charged for building permits and other inspections and fees.

John Guldner explained that he had looked at other resort areas and found that their building permit fees were much greater than the Town of Alta's. He went on to state that the Town has not changed the building permit fees since 1994 and not changed the amount charged per square foot since 1999.. During the time since 1994, there has been a 28% cost of living increase. Last year Forsgren, our building inspection company, increased their fees charged for their services to the Town by 5%.

John recommended that instead of raising the square footage fee, the Town of Alta should increase the building permit fee table by 20%. The state Uniform Building Code does give the Town the right to change the fees charged for building permits.

John explained that the Town would not be changing the fees charged for sewer and water on the building permit application.

Paul Moxley asked why we were not raising our fees by 28% to match the cost of living increase. John felt that was a big hit.

Steve Gilman asked if the Town would be covering the cost of running the building department by raising the fees by 20%. John felt that we would be covering the cost of administering the building inspection department. There are times that Clarence Kemp, the Town's building official, does do extra work for the Town and those fees are not factored into the 20% increase.

Paul would like to see the increase in fees match the inflation figure of 28%. Dave Richards would lean towards taking John's recommendation and go with a 20% increase. If we find that after an audit, the increase is not covering our cost of administering the department, then we should reevaluate those fees.

Cliff asked if the comparison between Brian Head, Park City, and the Town's fees are apples to apples. John affirmed that the comparison was an apple to apple comparison.

There was a motion by Steve Gilman to increase the building permit fee table by 20%. There was a second by Cliff Curry.

The Mayor asked for further comments. John stated that he would keep track of his time and Forsgren's time to see if the fees collected from building permits do in fact cover the cost of administering the building department.

The vote on the motion was unanimous and it was carried.

h) Resolution 2010-R-4 – Amending Unified Fire Authority's Cooperative Agreement.

John Guldner explained that the amendments to the UFA Agreement address real estate issues./fire stations.

Dave Richards asked how these amendments affect the station at Snowbird in the event Snowbird annexes into Sandy. John felt the building may be in a different situation in that the building that houses the fire station was not built by a municipality and is partially owned by Service Area #3. If Snowbird annexed to Sandy, the Town could continue to deal with UFA, or if Sandy took over the fire station, we would deal with Sandy as far as fire service to our community.

John explained that these amendments would not affect the Town directly because we did not have any real estate when we joined UFA, and it would be the same if we left UFA for some reason.

There was a motion by Steve Gilman to approve Resolution 2010-R-4 which would amend Unified Fire Authority's Agreement. There was a second by Dave Richards. Hearing no further discussion, a vote was called on the motion and the motion was carried.

Kate clarified that in Resolution 2010-R-3 in the second whereas, the word **have** should be changed to **has**.

i) Closed door meeting to discuss litigation matters.

There was a motion by Paul Moxley for the Town Council to go into a closed door meeting after the Council meeting to discussion litigation matters. There was a second by Dave Richards. The Mayor called for a roll call vote.

Dave Richards – aye

Cliff Curry – aye

Paul Moxley – aye

Tom Pollard – aye

Steve Gilman – aye

The vote was unanimous and the motion was carried.

7. CITIZEN INPUT

Andy White recommended that dogs that are licensed in the Town of Alta should wear a tag that is unique to the Town. Piper explained that the Town of Alta has a unique tag which is then stamped with the applicable year and each dog is required to wear a watershed tag as well.

Mr. White also asked about a building code requirement that requires that exit doors from commercial buildings swing out and not in. He noticed that at Watson Shelter and Albion Grill that the doors swing in. It was explained that doors swing in because of the

amount of snow which could block the door if it swung out. Therefore, it does meet code.

Mr. White asked if AVB distinguishes the individual lodges in the Town of Alta when marketing the Town of Alta. Sara Madsen stated the AVB staff markets each lodge and its uniqueness when speaking to people that wish to visit our community.

Mark Haik opined that the Town Council should consider what the Town favors in terms of the Envision Utah options and actively support one or more of those options. Mr. Haik also opined and requested that the Mayor share with the public what the Mayor has advocated for as a member of the steering committee of Envision Utah.

Mr. Haik commended the Council on their appointment of Roger Bourke as a member of the Alta Planning Commission.

Mr. Haik commented that the Mayor raised the point of the FCOZ (Foothill Canyon Overlay Zone) at the Planning Commission meeting and whether or not it affected the Town of Alta. Mr. Haik opined that if in fact the FCOZ does affect the Town of Alta, then it is his opinion that the Town failed to consider this in the past as it relates to various developments in the Town.

Hearing no further comments or questions before the Town Council, there was a motion by Cliff Curry to adjourn the meeting. There was a second by Paul Moxley and the motion was carried.

8. CLOSED DOOR MEETING TO DISCUSS LITIGATIONS MATTERS.

A closed door meeting of the Alta Town Council was called to order at 12:01 pm on Thursday, March 11, 2010 at the Alta Community Center in Alta, Utah. The following people were present: Mayor Tom Pollard, Council members Paul Moxley, Steven Gilman, and Cliff Curry; Marc Dippo, Treasurer; John Guldner, Kate Black, Piper Lever and Claire Runge, Town Staff and Kimberly Chytraus, Legal Counsel. Dave Richards was excused. Litigation matters were discussed and no actions were taken. The closed door meeting was officially adjourned at 12:36 pm.

TREASURER'S REPORT

11-Mar-10

MAJOR BILLS PAID

Payroll	\$33,175.54
Payroll Taxes	\$13,286.93
Attorneys	\$8,561.04
Health Dental and Life Insurance	\$10,694.04
Inspections/Plan Checks	\$1,004.15
Monthly Recycling Service	\$1,400.00
Traffic Metering	\$4,825.00

Other Town Bills	\$11,405.40
Total	\$84,352.10

MAJOR REVENUES RECEIVED

Sales Tax/Uniform - December Collections	\$34,660.77
Sales Tax/Resort - December Collections	\$92,755.48
Property Taxes	\$1,452.25
Court Fines	\$2,785.00
Dog Licenses	\$375.00
Post Office Contract	\$1,166.67
UPD/Alta Central Contract	\$13,407.44
Energy Taxes	\$6,514.32
Other Revenues	\$163.48
Total	\$153,280.41

General Fund Checking	\$13,742.78
General Fund Savings	\$224,587.00

Passed and approved this 8th day of April, 2010.

Katherine S.W. Black/S
Town Clerk