

**MINUTES
ALTA TOWN COUNCIL MEETING
THURSDAY
SEPTEMBER 10, 2009
10:00 AM
ALTA COMMUNITY CENTER
ALTA, UTAH**

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

UPDATE ON ANTIMONY TREATMENT PROJECT –Keith Hanson

The Mayor announced that this should be a final report from Keith on this project. The Mayor reported on the official ribbon cutting ceremony and opening of the antimony treatment plant that was held on Wednesday, September 9, 2009. Those in attendance included the Division of Drinking Water Board, Drinking Water Staff members, former Senator Carlene Walker, former Mayor Bill Levitt, Service Area staff, the Town's engineer, Pureflow representatives, and the Town Council and staff. The Mayor, on behalf of the entire Town Council, commended Keith and his staff for a project incredibly well done and on a fantastic looking facility. Everyone agreed that the water tastes GREAT. He also thanked Keith for all his time and energy in finding the best and most cost effective method of removing antimony.

Keith thanked the Mayor and Council for their recognition and their attendance at what was a fabulous ceremony. All the members of the Board and those from the water industry in attendance were very impressed with the Town of Alta's project and efforts.

Keith explained that the State has issued the Town its operation permit for the plant. He suggested that he give the Town Council quarterly updates on the ongoing operation of the plant.

Keith reported on a couple of items of a positive nature. The Town will not have to PH adjust the water and therefore will not have use the sulfuric acid and caustic soda. As a result of this decision, the on site operational time that is required by the State of Utah will drop from 10 hours a week to about three (3) hours a week. This will reduced the overall operational costs for this plant. Town staff and Keith will put together an operation and maintenance budget for the Town Council.

Keith also reported that the final costs on the project will be over the estimated \$500,000 by about \$25,000. They spent more time then they anticipated but in the process were able to address all aspects of the system and upgrade areas that needed attention. Keith felt that in the long run this would save in operational costs.

The State Division of Drinking Water will require that the Town conduct a quarterly running annual average of monthly antimony samples. Therefore he will have to report

to the Division on quarterly bases. He suggested that he do the same to the Town Council. The next report will be given in January 2010.

Keith thanked the Town Council for their support of his efforts during this process. He also thanked the Alta Ski Lifts for their assistance.

Keith announced that he and his staff will be flushing hydrants and exercising valves throughout the distribution system in the Town of Alta.

The Mayor announced that the agenda will be adjusted to accommodate the late arrival of John Crofts.

MAYOR'S REPORT

The Mayor announced that yesterday was a big day in Alta with the opening of its Antimony Treatment Plant. He mentioned that DEQ and their staff complimented the staff that manage the Town's water system and also the Town staff for their effort and cooperation.

The Mayor reported on his meeting with UFA. The main issue was the interview with the proposed new Chief of the UFA, Mike Jensen. Chief Jensen would like to assign community liaisons to each city and town that contract with UFA. A representative was in attendance at this meeting from the UFA. Our regular liaison will be Mike Kelsey but Todd Caldwell was sitting in for Mr. Kelsey.

The Mayor reported the COG meeting that was recently held where they addressed the FEMA Natural Hazard Pre-Disaster Mitigation Plan resolution. The Mayor announced that the Town had already passed and approved this resolution in December 2008. He will be executing this agreement and will forward on to FEMA.

The Mayor reported on September 16th he and Town staff will be having a meeting with Gary Edwards from the Salt Lake Valley Health Department on the H1Ni virus. The Mayor and staff are working on a proposal to establish a Town wide vaccination program not only the low to moderate income residents and workers in the businesses but all residents. We will keep the community up to date on this issue.

The Mayor announced that tonight will be the meet the candidates' night at 5:30 pm at the Community Center/Library.

Kate went over some election issues. She explained that anyone wishing to register to vote may mail that registration to Salt Lake County. That form must be postmarked by October 5, 2009. The other option is register in person at the Salt Lake County Clerk Office at 2100 South State through the 19th of October. The registration forms are available on line through the Salt Lake County Clerk's website.

Kate also explained that absentee ballots have arrived. People who wish to vote absentee should complete an absentee ballot application. That application is available on the Town web site and Salt Lake County's web site. That application should then be mailed to the Town Office. People may also vote absentee in person at the Town Office during regular business hours. If a person votes in the Town Office in person, Kate or Piper will require identification (picture ID or two other forms of identification) This identification provides proof of who you are not necessarily where you reside. In the case of a person voting absentee by mail, identification will be verified through the Salt Lake County data base by comparing signatures on the affidavit to the original registration form. Early voting will take place in the Town Office 2 weeks prior to the election and those times will be announced to the public. Kate stated that the last day she can mail an absentee ballot to a voter is October 30th, 2009.

The Mayor reported that during the Tour of Utah and the Snowbird Hill Climb no graffiti showed up on our newly paved road. The Mayor thanked all the public safety departments for their efforts on this matter.

The Mayor thanked UDOT for paving the top of the canyon road.

The Mayor reported on the Town Council's first work session held on September 3rd regarding the proposed Patsey Marley Hill Subdivision. It was well attended and a lot was information was covered. Two additional meetings will be held on this issue: on September 23rd at 1:30 p.m. there will be a site visit to the proposed Patsey Marley Hill subdivision area and on September 30th starting at 3:00pm at Our Lady of the Snows there will be a public hearing on the same issue. The Estate will be making a presentation on September 30th before the public hearing starts.

DISCUSSION REGARDING TOWN'S COMPLIANCE WITH FEMA REQUIREMENTS – John Crofts, National Flood Insurance Program Coordinator for the State of Utah.

The Mayor introduced Mr. Crofts who addressed this issue. Mr. Crofts's department with the State of Utah deals with earthquakes, flooding, and natural disasters of all types.

He explained a bit of history of how people built in the flood plains throughout the country and as a result, their properties were repeatably flooded. There were continuous losses of property and eventually insurance companies stopped covering flood insurance. The insurance companies approached the U.S. Government and asked for assistance to resolve this issue. As a result, the federal government started the National Flood Insurance Program or NFIP. This program is a volunteer program of over 20,000 communities through the country. All Salt Lake County communities participate. If a municipality participates in this program, there are a lot of "carrots" that the federal government provides such as public assistance if there is a disaster unrelated to a flood. An earthquake is an example. There is not only Federal Assistance in times of a disaster but federal grants available if you participate in NFIP program.

To give this program teeth, the federal government tied NFIP to any federally regulated financial institution. Therefore, if you do not participate in NFIP it makes difficult for residents and businesses to get loans and mortgages on their property. Even if a property inside a community IS NOT in a flood plain, a lot of banks and lending institutions are not providing loans to people who wish to obtain a mortgage.

Mr. Crofts also explained that if you are in a flood plain inside your community, FEMA will require you to buy flood insurance. If the community does not participate in the program, the banks have nasty tricks and one of those is a tool of calling in the mortgage.

He reminded the Council that he is a resource to our community. The premium for flood insurance is based the 100 year flood plain determination found in any particular area inside the community.

If the Town agrees to join NFIP, they agree to enact a Flood Plain Ordinance with minimum qualifications that FEMA sets forth. He went over those qualifications.

The Mayor reviewed the small area in our community that FEMA has established as a flood plain area. He asked if this is the only area in the Town that FEMA is concerned about as it relates to building or are we opening up ourselves for FEMA to reevaluate the entire community as it relates to possible delineation of other flood plain areas. Mr. Crofts explained that there are communities that participate in this program that have no flood plains and by participating as a community, it provides the residents and the government other opportunities that would be denied them if they did not participate. He gave some examples of advantages for the Town and their residents if participate in this program.

Dave Richards opined that the flood plain maps for the Town are wrong and suggested that Mr. Crofts's office review our community in the near future as it relates to this issue. Claire assured the Town Council that she will be reviewing this with the state office.

The Mayor felt it was necessary to proceed with the resolution and ordinance in front of the Council today which could "grandfather" them in at a lower rate.

Mr. Crofts explained that if the Town of Alta does not adopt the ordinance before them by September 25, 2009, they will be sanctioned and taken out of NFIP. That is the date that the flood plain maps go effective. The State also allows an automatic renewal. There is no cost to the Town of Alta to join this program. There is a provision in the ordinance that the Town will manage flood plain development according to known risks.

TREASURER'S REPORT

Marr Dipppo read the two month treasurer's report which is attached to these minutes.

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

DEPARTMENTAL REPORTS

Town Administrator: John Guldner reported that after many years the Town of Alta got rid of one lawsuit: Tolton vs. The Town of Alta. Judge Hilder dismissed the case on August 26, 2009. The Town will begin the process of creating a schedule to destroy documents in accordance with the Utah State Records Retention Schedule. We will be reviewing our decisions with Greg Sanders, the attorney for the Town on this lawsuit. There will be a record of all records that the Town destroys and when they were destroyed.

John reported that it has been a very slow year for building permits. The Town has issued seven permits with a stated value of 2 million dollars. The Town has collected \$19,000 in building permit and plan check fees. There are three or four permits on deck.

John reviewed the process the Town has gone through so far as it relates to the review of the proposed Patsey Marley Hill Subdivision.

The Alta Planning Commission will be going on a tour hosted by the Alta ski Lift Company on September 22nd. There will be no actions taken by the Commission at this meeting.

John reported that Hellgate is still having problems with the avalanche wall. They will be addressing these problems before the winter season starts.

Kate announced that the Town will be receiving written comments on the proposed Patsey Marley Hill subdivision until Monday September 28, 2009.

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

Mike reminded everyone that we are in the middle of the archery season. There are specific areas of the Town where this activity can take place and new signs are in place along the summer road that delineate these areas.

The OSV registration stickers are being printed. Once the Town has them in house, it will send notices for OSV owners to come to the Town to re-register their OSVs.

Mike reported that the Town is having discussions with a few outside agencies on helping with the funding for the traffic metering system again this year.

AVB Report: Susan Ragsdale reported that they have received the new brochure. Twenty thousand will go out in a direct mailing. The cost was much less because of the design and we can use this brochure for future years. The new photos are from Robert

Price and we can use those same photos on our web site. Susan pointed out a mistake on the key that is attached to the trail map and apologized for this error.

She reported on the AVB's first retreat held at Karen Travis's home in Alta. Most of the businesses were represented and there was discussion on what AVB is and should be. There was also discussion how the businesses can communicate better and help each other in marketing themselves to the world. Eric Shmookler, web site manager for AVB, gave a presentation at the retreat and addressed web site management and ways to get our message out there. AVB will be updating their web site with text and photos and Google add words. Susan will also be putting the brochure on the web site.

Susan reported that the Alta/Snowbird campaign will be continuing but on a much smaller scale. She went into details about this campaign. She reported on the Ski Utah White Sale project. AVB did not receive any funds from the Office of Tourism this year for the Alta/Snowbird Campaign.

Susan will be sending out a by-weekly email to the committee members and she will prepare a report to go into the Town of Alta newsletter. She will also prepare a year end report for the Town Council and the public on all the programs and campaigns that have taken place throughout the year.

Assistant Town Administrator's Report: Claire Runge announced that if the public wishes to join the Planning Commission tour of the Alta Ski Lift area, they may but must provide their own transportation. Please RSVP with Claire in the Town Office if you will be bringing a private vehicle.

Claire provided more information about the spruce bark beetle infestation. Various agencies and private businesses have been working on a program of identifying trees and following through with either the removal of these trees or the spraying of susceptible trees. The private land situation as it relates to this problem is being discussed and Claire will be asking a representative from the State of Utah and possibly the Forest Service to attend the October Town Council meeting. Claire continued by saying that the State will not be able to help fund spraying on private lands but will help in training and Salt Lake City will not be allowing individual private property owners to spray. Salt Lake City will encourage people to work in groups. She will try to work as the liaison between the State of Utah and private property owners.

Claire explained that a draft application for the Energy Efficiency Conservation Block Grant program came out a few weeks ago. She is putting together some ideas for this grant.

Claire reported on the Utah League of Cities and Towns Convention that she attended last week and her attendance at the League's Policy Committee meeting.

DISCUSSION OF PROPOSED PATSEY MARLEY HILL SUBDIVISION

The Mayor stated that the Town did not have anything to add to this issue other than what was reported in the Mayor's report.

DISCUSSION WITH POSSIBLE APPROVAL/ADOPTION OF THE FOLLOWING:

a) **There was a motion by Steve Gilman to approve the minutes of the August 13, 2009 Town Council meeting. There was a second by Paul Moxley. Hearing no discussion, a vote was taken and the motion was carried.**

b) Resolution 2009-R-8 – Resolution recognizing the need to enact a Flood Damage Prevention Ordinance.

Claire explained that she initially thought the Town had until September 25, 2010 to review and adopt this resolution and ordinance. But that is not the case. We have to address this issue this year.

This ordinance before the Council is a land use ordinance and must go in front of the Planning Commission which will hold a public hearing and then it must to the Town Council where a public hearing would have to be held as well.

Claire feels that it is in the Town's best interest to pass this resolution and ordinance right away so the Town will be in compliance with FEMA regulations. This will allow the Town to join the National Flood Insurance Program.

Claire explained that Utah Code allows municipalities to pass a temporary land use regulation if it is in the public's interest. Having the availability of public assistance for non-flooding disasters, the effect of joining this program will have on grant funding, and the availability of flood insurance for the citizens in Alta is huge. Therefore she believes that it would be in the public's interest to pass this temporary land use resolution and ordinance now and then go through the process with the Planning Commission and Town Council in the near future. Hopefully by the time it gets back to the Council, some of the issues raised today will be resolved such as the conflict between what we say our boundaries are and what FEMA says our boundaries are. We will also look at Salt Lake County's Flood plain maps.

The Mayor opined that the financial implications of not passing this legislation are also very important to consider.

Claire mentioned that the Town cannot change the ordinance to be less restrictive but can make it more restrictive.

Hearing no further discussion on this matter, there was a motion by Cliff Curry to approve Resolution 2009-R-8. There was a second by Dave Richards and the motion was carried.

c) The Mayor announced that Ordinance #2009-O-4 in front of the Town Council is a temporary land use ordinance. He went on to explain that Utah Code allows the Town Council to approve this ordinance if it has a compelling countervailing public interest. From the discussion at this meeting, the Mayor felt it met those standards.

There was a motion by Steve Gilman to approve Ordinance 2009-O-4- The Flood Damage Prevention Ordinance. There was a second by Dave Richards. The Mayor asked for a roll call vote.

Dave Richards – Aye

Cliff Curry – Aye

Paul Moxley – Aye

Tom Pollard – Aye

Steve Gilman – Aye

The motion was carried by a unanimous vote of the Town Council.

d) Kate explained that the Town Council must approve the appointment of election judges for the November 3, 2009 municipal election. She recommended the following people be appointed to those positions: Sarah Evans, Claire Runge, Julie Willis, and Kent Jensen.

Hearing no comments or questions, there was a motion by Paul Moxley to approve the appointment of the aforementioned people as the Town's election judges for the November 3, 2009 election. There was a second by Steve Gilman and the motion was carried.

CITIZEN INPUT

Roger Bourke commented that, as it relates to the all the flu viruses, he recommended that there be hand sanitizers in each of the public restrooms including those in the Albion Basin. He also recommended that the Town strip the parking spots in the Grizzley overnight parking area. Mike Morey mentioned that there have been a number of calls about this subject. He stated that UDOT claims that their responsibility ends right past the Snowpine Lodge which begs that question as to who owns the road after the Snowpine and whose responsibility is it to maintain. Mike's department wants to maximum the parking in Grizzley overnight parking area and he will be increasing mobile signage as well. He will also be talking with Onno on this matter.

Jen Clancy asked if the site visit to the Patsey Marley area was open to the public. The Mayor stated that the public is invited to attend and welcomed anyone who would like to walk the area with the Town Council and the Estate's representatives. The meeting will start at the summer booth at 1:30 p.m..

Karen Travis asked about the management fee for HUB International. Marc Dippo explained that Hub International bills the Town separately for their yearly fee instead of incorporating that fee into the bill from Travelers Insurance. The insurance provided by Hub International covers all aspects of the operation of the town.

Maura Olivos from AEC commented that people should be careful using the word infestation when they talk about the Spruce Bark beetle in this area. The current situation in the canyon is not classified as an infestation and it is a natural occurrence. The reason we want to be diligent and spray in this canyon is because the adjacent canyons do have an infestation problem.

Mark Haik commented that on the 2nd of September, the Utah State Engineer approved a permanent change application to add additional points of diversion and addition uses of 133.8 acre feet of water in the Town of Alta. Mr. Haik also commented that the State Engineer approved eight additional points of diversion for snowmaking and domestic and culinary use at Watson's and Alfs in the amount of 11.05 acre feet. He went over the order from the State Engineer which required the applicant, which is Salt Lake City, to maintain measuring devices on all sources to measure the amount of water produced. He requested that the Town review the change applications as it relates to whether these points of diversion are on public or private ground.

Mr Haik referred to a report that was done in July 2004 on Albion Basin under the supervision of Lee Kapaloski. He referred to a response sent by the Town Clerk as it relates to this report. It appears that the report was not disseminated to either the Town Council or the Planning Commission but yet the Clerks response states that the report is not the opinion of any of the Council members or Commission members. He urged them to review the report and its findings as it relates to water development.

Mayor Pollard stated that he will review Mr. Haik's comments as it relates to this report and will have a response in the near future on this matter.

DISCUSSION WITH POSSIBLE ACTION ON CLOSED DOOR MEETING TO DISCUSS REASONABLY IMMINENT LITIGATION.

There was a motion by Paul Moxley to have a closed door meeting to discuss reasonably imminent litigation. There was a second by Steve Gilman. The Mayor asked for a roll call vote on this 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.

Hearing no further business before the Town Council, there was a motion by Dave Richards to adjourn the meeting. There was a second by Steve Gilman and the motion was carried.

CLOSED DOOR SESSION OF THE ALTA TOWN COUNCIL

A closed door meeting of the Alta Town Council was called to order at 11:57 a.m. on September 10, 2009 at the Alta Community Center/Library in Alta, Utah. The following people were present: Mayor Tom Pollard, Council members Paul Moxley, Steve Gilman, Dave Richards and Cliff Curry; Marc Dippo, Treasurer; John Guldner, Kate Black and Claire Runge, Town Staff; and Kimberly Chytraus and Katie Lewis, Town Counsel. Reasonably imminent litigation matters were discussed and no action was taken. The closed door meeting was officially adjourned at 1:07 p.m..

Passed and approved this _____ day of _____, 2009.

Katherine S.W. Black, Town Clerk

**TREASURER'S REPORT
2 MONTHS**

10-Sep-09

MAJOR BILLS PAID

Payroll - 2 months	\$72,028.26
Payroll Taxes - 2 months	\$27,103.86
URS Contributions	\$15,311.57
Summer Road Work	\$4,888.08
Inspections	\$5,800.35
Dust Control - Summer Road	\$6,000.00
Hub International - Management Fee	\$9,065.00
Lease Payment - Police Car	\$9,781.78
Plans Checks	\$880.00
Attorneys	\$8,012.23
Health, Dental and Life Insurance	\$19,671.00
Summer Shuttle Payments	\$11,675.00
Summer Brochures	\$1,067.60
Yearly Insurance Premium - Travelers	\$35,148.00
AVB Promotions	\$1,530.00
Alta Central new flooring	\$1,775.00
Clean Up Day Expenses	\$2,068.00
Other Town Bills	\$21,637.86

Total for 2 months \$253,443.59

MAJOR REVENUES RECEIVED

Sales Tax Uniform - May and June	\$6,036.20
----------------------------------	------------

Collections	
Sales Tax Resort - May and June	
Collections	\$9,913.76
Property Taxes	\$3,780.59
Energy Taxes	\$2,857.85
Post Office contract	\$1,166.67
Booth Donations	\$2,380.16
Other donations	\$4,000.00
Court Fines	\$1,156.00
Dog Licenses	\$150.00
Building Permits/Plan Checks	\$4,899.87
Other Revenue	\$73.58
Total for 2 months	\$36,414.68
General Fund Checking	\$29,554.41
General Fund Savings	\$281,957.12

