

**MINUTES
ALTA TOWN COUNCIL MEETING
THURSDAY
AUGUST 13, 2009
10:00 AM
ALTA COMMUNITY CENTER
ALTA, UTAH**

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

The Mayor introduced Susan Edwards from the Canyons School District. Susan thanked the Mayor, Town Council and the entire community for their support of the newly formed Canyons School District. She read into the record a card sent to the Town which is attached to the official minutes. She presented the Town with a framed picture commemorating the events surrounding the kick off of the new district.

UPDATE ON ANTIMONY TREATMENT PROJECT

Keith Hanson reported on the upcoming Drinking Water Board meeting that will be held in Alta on Wednesday, September 9, 2009, at Our Lady of the Snows Center. Prior to the Board meeting, the Town will have a “ribbon cutting” ceremony at the Bay City Mine building to officially start the new treatment plant.

Keith reported that the new plant is completely plumbed in and staff has been testing all aspects of the operation. The new media will be loaded into the vessels next week. There was some discussion about what color the doors should be painted.

Keith reported that the Town is a bit over budget on the labor costs to install the plant.

The Mayor mentioned that he was pleased with the work that the Service Area staff had done on this new plant and thanked them for all their efforts.

MAYOR’S REPORT

The Mayor reported that the following people have signed up to run for the Mayor and Town Council: Barbara Jordan and Tom Pollard for Mayor; Roger Bourke, Paul Moxley and Cliff Curry for the two available Town Council seats.

The Mayor announced that there would be a candidate’s night sponsored by ACE on Thursday, September 10th at the Alta Community Center at 5:30 pm.

The paving of the canyon road has started. Due to budget constraints, the road paving will start at Tanners and continue through the Town of Alta.

The Mayor reported that next Saturday, August 22 will be a big day in the canyon. Snowbird will be holding their annual Snowbird hill climb as well as the professional

bike race called the Tour of Utah. Both races will end at Snowbird entry #1. There will a rolling road closure for the Snowbird hill climb and a total road closure for a period of 45 minutes for the Tour of Utah event.

On Saturday, August 29th the Alta Peruvian will hold their annual Down Hill Dash running race.

The Mayor has been attending the Canyons Master Plan meetings. The meetings have focused on transportation, land use, resort expansion, and interconnect to name a few.

The Mayor reported that Chief Berry from UFA will be retiring and was instrumental in organizing and creating this organization. Chief Berry has recommended that Michael Jensen be his replacement and at the last UFA board meeting, Mr. Jensen was appointed as the new chief of the UFA.

The Mayor, along with Alan Orr and Bob Bonar attended the Salt Lake County's Canyon Transportation Committee meeting to discuss how to best spend money that was set aside to assist with transportation issues in the canyon. Last year those funds paid for the program at the mouth of the canyon managed by the Salt Lake County Sheriff's Office. The committee reviewed the effectiveness of the program. The traffic metering program paid for by the Town, Alta Ski Lifts and Snowbird was also discussed. The Mayor will be preparing a budget for the upcoming winter to see if this program can be funded again.

Last Monday six bids were opened in response to the RFP for the Solar Array Project that would be placed on the Town Office building. The bids ranged from \$27,000 - \$54,000. We have grant money for about \$15,000. The Town will be reviewing whether or not it can proceed with this project.

The Mayor announced that the Town will be putting a link on their web site for information relating to the CHIP assistance program (low cost health insurance) through the State of Utah.

The Mayor congratulated Paul Moxley for being recognized by the Utah State Bar as the attorney of the year.

The Town has been approached by the Alta Ski Lifts and the Forest Service about a spruce bark beetle infestation issue that is showing up in the canyon. Steve Gilman reported that the Ski Lifts has cut 10 – 15 trees in their ski area that have showed signs of being infested with this beetle. The trees are cut down and then burned. The Forest Service has identified high value trees on their property in the ski area that they will be spraying. The State of Utah is also involved in this program on private land and the Forest Service will be holding a meeting in November to bring everyone up to date on this problem. There are private vendors that do provide spraying services but their spray must be approved to be used in the watershed.

The Mayor reported that on the original tax notice sent out to property owners, the Canyons School District (the “CSD”) was proposing a tax rate increase. The reason they were forced to increase their tax rate was because they had no tax rate to begin with because they are a new taxing entity. The proposed tax rate increase was to cover some of the debt service that they are obligated to help pay when they split from the Jordan School District. Since the notices went out, the CSD has been able to re-work their budget and the CSD will not be imposing a new tax rate.

TREASURER’S REPORT

The Mayor announced that there will be no report this month and a two month report will be provided in the September Council meeting.

DEPARTMENTAL REPORTS

Town Administrator’s Report: John reported that the Town has issued seven (7) building permits thus far worth a stated value of 1.9 million dollars which translates into about \$19,000 worth of building permit fees.

There has been activity in two of the four lawsuits but there are no changes.

John and Claire attended the County Cooperative Plan meeting. The plan is to have a seamless plan that everyone can look at to find out what is going to happen in the future in the Salt Lake Valley. It will also provide the people with a single source to find all the zoning regulations in the County. The committee is also talking about building constraints and build outs. The committee plans on having a final document by October 5th which will be unveiled at the monthly COG meeting. The Town Council will be invited to this meeting.

John reported that we are continuing our work with the 2010 Census in filling out surveys. The Town’s biggest issue is the group quarters that are found in all the businesses. The Mayor reminded everyone of how important it is for the Town to get an accurate count.

John reported that there is a request into Senator Bennett’s Office for more funds for additional Gaz-X’s. We have a call into his office to see if the money was appropriated.

John reported that on July 21, 2009, the Planning Commission moved to forward the Patsey Marley subdivision request onto the Town Council. Staff is currently putting together a packet of information on this matter for the Council.

Marshal’s Report: Mike Morey read his monthly report which is attached for the record. Mike announced that this Saturday, August 15th starts the bow hunting season. Signs will be posted along the summer road with information on the areas in Town that are archery only hunting zones. Mike went over those areas and a brief history of how those zones were established. Mike would like to review the Town’s current hunting ordinance and

make suggestions to the Town Council on areas that might want to be addressed. Mike also reviewed some other concerns and some rules that govern bow hunting in the canyon areas including the inside the Town boundaries.

Alta Visitors Bureau: Susan announced that based on the AVB budget this year, she has reevaluated and prioritized some of her marketing efforts for the coming season. The top priority will be the AVB's annual brochure. The brochure is smaller and is not dated so it can be used in future years. The direct mailing of the brochure will be cut back from about 40,000 to 20,000 and targeting people who visited Alta last year and those that visited Alta in the past but missed last year. The other priority is the Office of Tourism Co-Op Grant. Susan also reported that AVB might print a postcard again this year that is distributed for free to the lodges for their quests. The Ski Lifts is also allowing AVB to piggy back on some of their print ads. Also, on the Alta.Com web site, AVB will be the only contact for lodging information and reservations referrals.

Susan went over the Ski Utah promotion called the "Winter White Sale".

At the request of the AVB committee, a retreat will be held at Karen Travis's home on August 27th at 8:00 am. Discussion will focus on maximizing marketing efforts with the current AVB budget, ways to maximize web site exposure and discussion of AVB's role and how to strengthen that role in the community. Susan invited the community to email her with any suggestions, comments, or topics for this meeting.

DISCUSSION OF ALTA PLANNING COMMISSION RECOMMENDATION ON PROPOSED PATSEY MARLEY NILL SUBDIVISION.

The Mayor, after speaking with the Town Council, has recommended that this topic be put on the agenda every month so the Council is able to discuss this issue.

The Mayor announced that the Town Council has not received a formal recommendation from the Alta Planning Commission on their decision therefore there will be no formal discussion about this issue today.

There was one item the Mayor did discuss and that is setting a time where the Town Council can meet with staff and attorneys to be brought up to speed once the formal recommendation from the Planning Commission has been received. Everyone agreed that there would be work session on September 3, 2009 at 3:30 pm at the Alta Community Center.

DISCUSSION WITH POSSIBLE APPROVAL/ADOPTION OF THE FOLLOWING:

a) There was a motion by Steve Gilman to approve the July 9, 2009 minutes as submitted. There was a second by Dave Richards. Hearing no discussion, the Mayor called for a vote on the motion and it was carried.

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

The Mayor explained that the Town has been approached by FEMA with regard to a flood plain adoption plan. The intent of this plan is to create a cooperative plan throughout the County. FEMA has identified a section of the Town of Alta that is approximately 1200 sq ft near the creek on our most western border that fits the description of a flood plain. FEMA describes this area as a special flood hazard area.

Claire explained that after looking at this area carefully, she has determined that the Town boundaries on the FEMA map do not meet the legal boundaries of the Town. She is working with FEMA to clarify this issue and she would feel more comfortable clarifying this boundary issue before the Town Council approves this legislation. As a result, she recommends that the Town Council table this resolution and the following ordinance # 2009-O-4. Legal counsel also opined that this is a land use ordinance. Therefore we will have to go through the Planning Commission and public hearing process. Claire pointed out that FEMA has given us specific language that must appear in the ordinance.

The Mayor pointed out that the Town should be involved in the issue because if there is an issue of a flood or any disaster in the Town, we need to participate in the FEMA program completely so we can request their assistance in the future. Also, if the Town does not participate in this program, those properties wishing to obtain flood insurance would not be able to.

Claire explained that the area in question is west of Hellgate Condos and south of the creek below the Superior Point Condos.

Claire explained that the map before the Council that describe the flood plain area in the Town become effective in a month and then the Town has one year to come into compliance.

There was a motion by Tom Pollard to table items 7(b) and 7(c) on the agenda to a future meeting. There was a second by Paul Moxley and the motion was carried.

CITIZEN INPUT

The Mayor recognized Alan Sullivan, an attorney for the Shrontz Estate. He introduced his project team: Herb Livsey, Charles Livsey, John Baker, and Eric Erlingsson. Mr. Sullivan opined that this team is very proud of this project. He explained that it involves 26 acres of physical area that will involve no more than 10 lots. The project will be environmentally responsible and sensitive development that will result in 90% of the property remaining untouched. Mr. Sullivan went on to say that this project has been in the mill for quite some time and they appreciate the opportunity to talk with the Town Council on September 3rd. In Mr. Sullivan's opinion, the central issue now is the delivery

of water to the project. The project is the owner of sufficient quantity of clean water that is ample for this project they have in mine. Delivery of the water to the project is the big issue. Mr. Sullivan went on to say that the Town of Alta water line traverses the property in question and he thought the ideal situation was for the project to simply tie into the Town of Alta water system. In the Estate's view this solution would be the least intrusive and most cost effective solution to the water delivery problem. So far the Estate has not been able to persuade either the Town or Salt Lake City that hooking onto the Town system is the way to go. Mr. Sullivan stated that regardless, the water will be delivered from the water source at the Quincy Mine to the project. The Estate is engaged with the Forest Service in obtaining a special use permit to traverse property in order to get the water delivered through a private delivery system to the property in question. He thanked the Council for their time.

Roger Bourke gave kudos to Keith and his team and the Alta Ski Lifts for the way the Bay City Mine Building turned out. Roger asked how the Town will be communicating information from the State on the tree spraying project. Steve explained that the Forest Service and the State will have a public meeting in the near future to disseminate the information on this issue. The Town will post the notice of that meeting on its web site.

Roger followed up on the taxing issue with the Canyons School District and explained his interpretation of that issue. He attended the truth and taxation hearing. In general a lot depended on how much a property value went up or down.

The Mayor asked legal counsel to advise the Town Council of the rules of procedure for the September 3, 2009 work session on the Patsy Marley Hill Subdivision application.

Paul Moxley asked as it applies to the next stage, will the new Town ordinance apply to the Patsy Marley Hill Subdivision application. Kate Lewis, counsel for the town, stated that the application is vested as to the ordinances that were in place at the time that the Estate applied which is the old set of Town ordinances. Paul then asked for counsel to explain the difference. Katie thought it would be easier for the Council to understand the difference once they get the packet of information that will be forwarded on to them from the Planning Commission.

Cliff Curry asked if legal counsel could describe the process the Council will have to go through as it relates to the Patsy Marley Hill Subdivision application. He also wanted to discuss a time table. Understanding that there is a lot of information that the Council must review and consider thoroughly, Cliff envisions that the Council would have a working meeting on September 3, 2009, have another work session if it is needed and then hold a public hearing per state law. At the end of that process they could make a decision. He would like to see that decision made two months from today's meeting or the Council's October meeting.

The Mayor recommended that we do not set a time table. The key issue is that we make a thorough and complete evaluation of the application and that may take more than two months.

Paul Moxley asked the question as to whether the Council should make a decision on this issue before the end of the year because the Town could have new council members that have not been part of these proceedings. Paul also asked what the level of proof should be as it relates to what Alan Sullivan said in this meeting that the Estate could delivery water privately to their land.

Katie Lewis strongly recommended that before the Town Council gets into those levels of discussion , the Council should wait until they have heard and read the recommendation from the Planning Commission, all the application materials, and all the ordinance requirements that the Estate has to fulfill. At that point, these types of questions should and will be discussed by the Town Council. Katie Lewis also recommended that there be no time table set at this time due to the fact that there are so many issues to be discussed and ordinance based requirements to think about.

Mark Haik advocated that in addition to whatever counsel provides the Town of Alta and the Mayor in preparation for the Sept. 3rd meeting, that a number of items may also be considered because of the Town's fundamental relationship with Salt Lake City. Those items should include Salt Lake County Service Area #3's contract with Salt Lake City and the geographic and quantity expansions that have taken place in the Salt Lake County Service Area #3's contract. Mr. Haik commented that both the Town and Service Area #3 have contracts with Salt Lake City for water. He also opined that the Town Council should consider the January 1983 Council action to approve an agreement with Salt Lake City to allow water service to Albion Basin and authorized the then Mayor Levitt to execute this agreement. They should also consider the consideration given to John Cahill in exchange for the grant of easement as well as the September 1977 letter to Mr. Cahill which would allow him to hook up to the Town's water system. Mr. Haik asked why the Town staff has not itemized these issues such that they could be discussed.

Mr. Haik referred to the discussion earlier in this meeting on the flood plain issue and asked if the Council would like him to provide an analysis done by Salt Lake County that resulted in a flood plain map.

Since the Town of Alta has taken over the AVB, Mr. Haik advocated that the Town create some objective measurement to determine whether the tax payers are gaining value in terms of their funds expended by this department.

Creighton Hart asked if it were possible to involve the University of Utah students to help install the solar panel on the top of the Town Office building.

Barbara Jordan commented that she considers SR 210 to be one of her neighborhood streets and asked if the various police departments could patrol from midnight to eight in the morning before the bike races on Saturday August 22nd to make sure that graffiti does not appear on the road.

Barbara Jordan commented on the effect the decrease in their property tax evaluations are having on their tax increases or decreases. Most of the property owners at Powder Ridge have seen a property tax increase. She suggested that we go back to the tax assessor and say that these are properties in a resort area because many resort areas in the country are seeing decreases in property values.

Hearing no further business before the Town council, there was a motion by Dave Richards to adjourn the meeting. Steve Gilman seconded the motion and it was carried.

Passed and approve this _____ day of _____, 2009.

Katherine S.W. Black
Town Clerk
Town of Alta