



Town of Alpine

COUNCIL MEETING MINUTES

DATE: March 15, 2022
TIME: 7:00 p.m.

PLACE: Town Council Chambers
TYPE: Regular Meeting

- 1. CALL TO ORDER:** Mayor Lutz called the meeting to order at 7:00 p.m. Mayor Lutz led the attendees in the Pledge of Allegiance.
- 2. ROLL CALL:** The roll call was conducted by Ms. Sharon Backus, Clerk/Treasurer. Council Present: Andrea Burchard, Frank Dickerson, Justin Fritz, Jeremy Larsen (via telephone) and Mayor Lutz. A quorum of the Council was established.

3. ADOPT THE AGENDA:

Councilman Fritz moved to adopt the agenda. Councilman Burchard seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

4. APPROVAL OF CONSENT AGENDA:

Town Council Meeting Minutes – February 15, 2022

Payment of Town Bills – See Attached Check Detail of Bill Payments

Approval to Adopt on Second Reading 283 Ordinance No. 2022-01 "Regulating Supplemental Feeding of Animals Prohibited"

Approval of WYDOT TAP Project Reimbursement Request # 8 of \$1,688.80

Councilman Fritz moved to approve the Consent Agenda. Councilman Dickerson seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

The aforementioned Ordinance may be viewed in the Town Office or on the website at alpinewy.org

5. ACTION ITEMS/NEW BUSINESS:

- **Motion to Ratify Acceptance of the Bid and Purchase of Caterpillar 906M Compact Wheel Loader and Attachments for \$146,208.75 from ARPA Funds**

Councilman Fritz moved to ratify the acceptance of the bid and purchase of the Caterpillar 906M Compact Wheel Loader and attachments for \$146,208.75 from ARPA Funds. Councilman Dickerson seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

- **Motion to Adopt on First Reading 284 Ordinance No. 2022-02 "Annexation of Elkhorn Meadow to the Town of Alpine"**

Ms. Sharon Backus, Clerk/Treasurer read 284 Ordinance No. 2022-02 into the record.

Town Council Meeting Minutes

March 15, 2022

Page 1 of 8

Councilman Fritz moved to adopt on first reading 284 Ordinance No. 2022-02 "Annexation of Elkhorn Meadow to the Town of Alpine". Councilman Dickerson seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

The aforementioned Ordinance may be viewed in the Town Office or on the website at alpinewy.org

- **Motion to Adopt on First Reading 285 Ordinance No. 2022-03 "Adopting International Building Code 2021 Edition"**

Ms. Sharon Backus, Clerk/Treasurer read 285 Ordinance No. 2022-03 into the record.

Councilman Fritz moved to adopt on first reading 285 Ordinance No. 2022-03 "Adopting the International Building Code 2021 Edition". Councilman Dickerson seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

The aforementioned Ordinance may be viewed in the Town Office or on the website at alpinewy.org

- **Motion to Adopt on First Reading 286 Ordinance No. 2022-04 "Adopting International Residential Code 2021 Edition"**

Ms. Sharon Backus, Clerk/Treasurer read 286 Ordinance No. 2022-04 into the record.

Councilman Fritz moved to adopt on first reading 286 Ordinance No. 2022-04 "Adopting the International Residential Code 2021 Edition". Councilman Dickerson seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

The aforementioned Ordinance may be viewed in the Town Office or on the website at alpinewy.org

- **Motion to Adopt on First Reading 287 Ordinance No. 2022-05 "Adopting International Mechanical Code 2021 Edition"**

Ms. Sharon Backus, Clerk/Treasurer read 287 Ordinance No. 2022-05 into the record.

Councilman Fritz moved to adopt on first reading 287 Ordinance No. 2022-05 "Adopting International Mechanical Code 2021 Edition". Councilman Dickerson seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

The aforementioned Ordinance may be viewed in the Town Office or on the website at alpinewy.org

- **Motion to Adopt on First Reading 288 Ordinance No. 2022-06 "Adopting International Fuel Gas Code 2021 Edition"**

Ms. Sharon Backus, Clerk/Treasurer read 288 Ordinance No. 2022-06 into the record.

Councilman Fritz moved to adopt on first reading 288 Ordinance No. 2022-06 "Adopting International Fuel Gas Code 2021 Edition". Councilman Dickerson seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

The aforementioned Ordinance may be viewed in the Town Office or on the website at alpinewy.org

- **Motion to Adopt on First Reading 289 Ordinance No. 2022-07 "Adopting International Plumbing Code 2021 Edition"**

Ms. Sharon Backus, Clerk/Treasurer read 289 Ordinance No. 2022-07 into the record.

Councilman Fritz moved to adopt on first reading 289 Ordinance No. 2022-07 "Adopting International Plumbing Code 2021 Edition". Councilman Dickerson seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

The aforementioned Ordinance may be viewed in the Town Office or on the website at alpinewy.org

- **Motion to Adopt on First Reading 290 Ordinance No. 2022-08 "Adopting International Fire Code 2021 Edition"**

Ms. Sharon Backus, Clerk/Treasurer read 290 Ordinance No. 2022-09 into the record.

Councilman Fritz moved to adopt on first reading 290 Ordinance No. 2022-08 "Adopting International Fire Code 2021 Edition". Councilman Dickerson seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

The aforementioned Ordinance may be viewed in the Town Office or on the website at alpinewy.org

- **Motion to Approve 486 No. 03-15-2022 "A Resolution Certifying the Compliance with the Conditions and Procedures for Annexation in Accordance with W.S. § 15-1-403 (2019); Lot 12 Lazy B Subdivision Annexation to the Town of Alpine" and Authorizing Mayor Lutz to Sign on Behalf of the Town of Alpine**

Ms. Sharon Backus, Clerk/Treasurer read 486 Resolution No. 03-15-2022 into the record.

Councilman Fritz moved to approve 486 No. 03-15-2022 "A Resolution Certifying the Compliance with the Conditions and Procedures for Annexation in Accordance with W.S. § 15-1-403 (2019); Lot 12 Lazy B Subdivision Annexation to the Town of Alpine" and to authorize Mayor Lutz to sign on behalf of the Town of Alpine. Councilman Dickerson seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

The aforementioned Resolution may be viewed in the Town Office or on the website at alpinewy.org

Ms. Backus stated that the Public Hearing for this proposed annexation will be April 19, 2022 at 6:30 p.m.

- **Planning and Zoning Commission Update**

Ms. Sharon Backus, Clerk/Treasurer read the following report prepared by Ms. Christine Wagner into the record.

"As you are already aware; the Planning & Zoning Commission had to cancel their regularly scheduled March meeting, due to the fact that there was not a quorum available for attendance. Not only was the regular meeting cancelled, but the Alpine Board of Adjustments meeting was also cancelled, due to not having a quorum. The P&Z Commission sits with a board of three (3) and the Board of Adjustments sits with a board of five (5).

Subsequently, the Planning and Zoning Commission will have a special meeting on Thursday, March 24th at 7 PM; to review, discuss and subsequently approved the scheduled permits for the meeting. The eight (8) permit applications will be the only items that are scheduled for consideration.

The variance application that was schedule for the Board of Adjustments meeting has been rescheduled to Tuesday, April 12th at 6:30; this variance application is for Star Valley Health/Medical for an increased cap of their business signage.

*Due to the overwhelming increase in building projects; **effective immediately** the Town of Alpine (Planning & Zoning) will be processing applications on a first come first served basis. Applications will be placed in a queue and processed in chronological order from the date they are received. Applicants will be informed as to when their project is scheduled for permit consideration, applicants will be made aware that this process could take up to 30 days or more, depending upon the project. To help facilitate planning, pre-planning appointments can be made by appointment on Wednesdays, from 1PM to 4PM.*

P&Z currently has forty (40) active permits on the books, some of which were recently completed and will be removed from the active list; there are currently three (3) non-compliant projects that are still being worked."

Mayor Lutz stated that he had initiated this policy as the town is overwhelmed right now with building permit applications and this building is not conducive to hiring additional staff. This spurt will subside and we will be back to normal.

- **Code Enforcement, Policing and Penalties, Direction the Town Would Like to Take – Jim Sanderson, Town Attorney**

Mr. James Sanderson stated that the council decides how things are policed in Alpine. Mr. Sanderson stated that he should have read or did not recall reading the Supreme Court case that came out five years ago that ruled you cannot put people on probation unless you have a jail sentence that is attached to the penalty. The Town of Alpine does not have jail sentences attached to penalties because we do not want to pay the jail fees. One option is we can have jail sentences and pay people to house people when we send them to jail. The other option is to add the cost of confinement to the person's bill they have to pay. Right now, Lincoln County's fees are between \$60-\$100/day plus transport. So as we are doing the re-codification process this year we need to decide if we want jailable offences. If you do not, for example the citizen we dealt with last fall needed time to pay her fines, that was why she was on probation. With this second option, you cannot do that, the fine is due that day. We could work around and have payment and then go through a Contempt of Court process, but there again, we do not have a way to jail someone. This needs to be addressed as we go through the re-codification process. Discussion ensued regarding nature of the criminal charges. Mr. Sanderson suggested that the Mayor and Council meet with the Lincoln County Sheriff to get his input and to find out exactly which criminal offenses the county handles.

Mayor Lutz stated that by 2030, Alpine will need a police department. Mayor Lutz stated that he would invite Sheriff Johnson to the April 19, 2022 meeting to discuss his budget and these criminal circumstances. Mr. Dale Cottam from Afton recounted policies they had used and public discussion ensued.

- **Revision of 245 Ordinance No. 2016-08 Regulating Utility Fees**

Mayor Lutz stated that next month the council begins the Fiscal Year 2023 budget so please be aware that we need to increase our connection fees which have not been adjusted for six years and at that time they were reduced to entice building. The sewer connection was \$8,600/ERU which was lowered to \$5,000/ERU. We need to start building up our coffers again in both the sewer and water departments. Please be giving some thought to the fees so we can consider this during the budget discussion.

- **Motion to Appoint Lodging Tax Board - Councilman Larsen**

Mr. Jeremy Larsen addressed the council stating that there is currently have a 5% lodging tax which goes to the state which in turn then sends 2% to the county. Lincoln County is looking to form a Joint Powers Board consisting of five or more people. Once that is in place, the county can control this 2% which is to be used mostly on marketing however the definition of marketing is becoming laxer. If the Town of Alpine adopts a lodging tax which may be either 1% or 2% lodging tax, the first year it is enacted, the State would collect 2% and the town would collect 4% or 5%. Year two and beyond, the State will collect 1% and the town would collect 5% or 6%. If a business does not want to support the Alpine lodging tax, they would be reminded that they are already paying 5% this would be 1% or 2% more only. The town would need to form a board to control the lodging tax which would still need to be spent on marketing. Councilman Larsen gave an example of the Friends of the Bridger Teton and how they are spending funds received from the Jackson Board of Tourism on ambassadors, vehicle rental and payroll for ambassadors. The goal is not to attract more visitors but rather educate the visitors we already have.

Councilman Larsen stated that for Alpine these funds would help fund the visitor center. You cannot use these funds for capital projects; however you may use them for maintenance, operation of existing structures so this could be used for the visitor center operations. Councilman Larsen asked if the council would like to peruse the formation of a Lodging Tax Board. The Lodging Tax initiative would still need to go before the voters. Discussion ensued between the council discussing the percentages of lodging tax that would come back to the town. Mr. Marlowe Scherbel stated he had been on the Afton Tourism Board and relayed how the lodging tax worked in Afton. Councilman Fritz stated he was in favor of forming the board. Mayor Lutz concurred.

Mr. Sanderson stated that this board would need an ordinance to create. Mr. Sanderson is to have an ordinance prepared for the April 19, 2022 meeting. After the ordinance is adopted, you may appoint a board. Then if the town decided to move forward, this must be on the November 2022 ballot.

- **Economic Development Update – Councilman Larsen**

There was no report.

- **Announcement:**

Mr. Dale Cottam invited all present to the Star Valley Health “hard hat tour” on March 24, 2022 at 5:00 p.m.

- **Motion to move into Executive Session per Wyoming State Statute 16-4-405 (a)(x) Employee Matters**

Councilman Fritz moved to into Executive Session per Wyoming State Statute 16-4-405 (a)(x) employee matters. Councilman Dickerson seconded the motion. There was no discussion. Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.

Mayor Lutz excused the public. The council went into executive session at 7:46 p.m.

Mayor Lutz called the meeting back to order at 8:11 p.m. There was still a quorum of the council present.

- **Motion to ratify decisions made in executive session of March 15, 2022.**

Councilman Fritz moved to ratify decisions made in executive session on March 15, 2022. Councilman Dickerson seconded the motion. There was no discussion. Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.

6. Tabled Items: None

TOWN OF ALPINE GENERAL FUND

CLAIMANT

AFLAC

ALPINE ACE HARDWARE

BLACK MOUNTAIN RENTAL

BLUE CROSS BLUE SHIELD

ALLOWED

\$297.70

\$271.86

\$199.95

\$6,395.22

BROULIMS ALPINE	\$137.25
CASELLE	\$56.77
CONRAD & BISCHOFF	\$637.33
DRY CREEK ENTERPRISES	\$80.00
FDMS VISITOR CENTER CREDIT CARD LEASE	\$31.48
FIRST BANKCARD	\$5,971.40
GREAT WEST TRUST COMPANY LLC	\$7,350.00
JENKINS BUILDING SUPPLY	\$419.08
LINCOLN COUNTY SHERIFF	\$606.50
LOWER VALLEY ENERGY	\$562.62
LUTZ, KENNIS	\$40.95
MERCHANT FEE	\$120.50
MOUNTAINLAND COMMUNICATIONS	\$1,600.00
NAPA ALL STAR AUTO PARTS	\$353.68
RHINEHART OIL CO LLC	\$701.65
PAYROLL	\$47,814.07
PENNY, BELINDA Cleaning	\$940.00
ROCKY MOUNTAIN COMPETATIVE SOLUTIONS	\$202.39
SANDERSON LAW OFFICE	\$2,000.00
SILVER STAR COMMUNICATIONS	\$852.22
STAR VALLEY DISPOSAL	\$285.00
STAR VALLEY INDEPENDENT	\$1,634.01
SUNRISE ENGINEERING	\$2,111.00
TOWN OF ALPINE WATER DEPT	\$1,478.60
TSYS	\$134.59
UNITED STATES TREASURY	\$9,129.80
VALLEY TECH LLC	\$204.00
WESTERN STATES EQUIPMENT	\$146,636.92
WYOMING CHILD SUPPORT	\$464.56
WYOMING RETIREMENT	\$6,017.41
XEROX FINANCIAL SERVICES	\$272.64

TOWN OF ALPINE SEWER DEPARTMENT

CLAIMANT

ALLOWED

BRENNTAG PACIFIC INC	\$780.00
CASELLE	\$56.78
DRY CREEK ENTERPRISES INC	\$10,975.00
ENERGY LABORATORIES	\$826.00
FALCON ENVIRONMENTAL COMPANY	\$3,771.24
FALL RIVER RURAL ELECTRIC	\$2.16
FIRST BANKCARD	\$19.28
JENKINS BUILDING SUPPLY	\$110.74
KUBWATER RESOURCES INC	\$2,039.54

LESEBERG, CRAIG	\$130.00
LOWER VALLEY ENERGY	\$3,319.75
SERVANT ELECTRIC PC	\$2,446.25
SILVERSTAR	\$265.32
TOWN OF ALPINE Payroll, postage	\$12,615.10
TOWN OF ALPINE WATER DEPT Billing fees, usage	\$132.53
TOWN OF PINEDALE	\$4,385.83

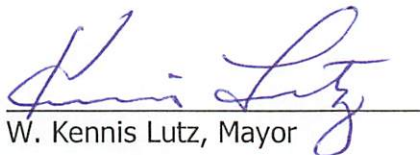
TOWN OF ALPINE WATER DEPARTMENT

CLAIMANT	ALLOWED
ALPINE EXCAVATION LLC	\$493.14
CASELLE INC.	\$56.78
CONRAD & BISCHOFF	\$136.38
CORE AND MAIN	\$888.24
DIVAN, RANDY & MARY	\$47.00
FIRST BANKCARD	\$425.16
JENKINS BUILDING SUPPLY	\$196.06
LINCOLN WATER QUALITY LAB Water testing	\$81.00
LOWER VALLEY ENERGY	\$2,724.52
MERCHANT FEES	\$1,564.74
OLSZAK, THOMAS	\$1,056.00
ONE CALL OF WYOMING	\$3.75
SILVER STAR COMMUNICATIONS	\$440.78
TOWN OF ALPINE Payroll, postage	\$11,862.09
TOWN OF ALPINE SEWER Usage	\$37,416.82

7. Adjournment:

Councilman Dickerson moved to adjourn the meeting. Councilman Fritz seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

Mayor Lutz adjourned the meeting at 8:14 p.m.


W. Kennis Lutz, Mayor


Date

Minutes taken and transcribed by:

Sharon Backus

Sharon Backus, Town Clerk/Treasurer

4-19-2022

Date

Attest:



Sharon Backus

Sharon Backus, Town Clerk/Treasurer

4-19-2022

Date

** The minutes are a brief summary of a taped recording of this meeting. **