

**MINUTES
ALTA TOWN COUNCIL MEETING
SEPTEMBER 11, 2008
9:30 A.M.
ALTA COMMUNITY CENTER
ALTA, UTAH**

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

Mayor's Report

Mayor Pollard reminded everyone that today was the 7th anniversary of the 9-11 attacks.

The Mayor reported on the recent death of Scott Zenko while hiking in Alta. There will be a memorial service in Alta.

On August 20th there was a Water Symposium sponsored the Friends of Alta. There were many state officials in attendance including Governor Huntsman, Mayor Peter Corroon, State Attorney General and former Mayor Bill Levitt. There were well over 100 people in attendance.

The Mayor reported on a meeting held on August 26th with the new east side school district board and the transitions teams. The new superintendent was introduced: Dr. Dave Doty.

The Mayor announced that there is a contest to name the new school district. A flyer was handed out explaining the contest in more detail.

The Mayor and staff members met with representatives of the South Salt Lake Mosquito Abatement District to talk about their program in the canyon. They have isolated certain areas in the Town where they spray in the spring for mosquitoes. Salt Lake City Public Utilities was represented at the meeting to review any possible impact the spraying might have on water and watershed quality. The Mayor and Mark Pollish walked the base area of the Town and ski lifts with the staff of the District to look at other possible areas of concern which the District might address next spring.

The Mayor reported on the recent meetings of the Council of Mayors, Council of Governments and the meeting with Onno, Bob Bonar and Mayor Corroon on transportation issues in the canyons. As a result of all three meetings, efforts are being taken to get the transportation issues in the canyons on the agenda for transportation projects. One of the problems with the canyon roads are they do not fall into the definition of a rural road or an urban road and therefore are not recognized in the valley when transportation planning is discussed. A legislative and funding strategy for gaz-ex was also discussed.

The proposed wilderness change was also discussed in these meetings.

Mayor Pollard gave an update on the new sign at the mouth of the canyon. Alta Central has purchased a new computer and with software from the Traffic Operation Center, should be able to operate the sign independent of the TOC in various situations.

The Town has received three bids to design and construct the entry signs. Next week we should know if we can move forward on this project before the winter season hits.

It was reported that the Albion Basin Campground is now closed for the season. It is illegal to camp there from this point on because the Forest Service will be shutting down the water and will be taking out the garbage receptacle.

The information booth will be open on Friday, Saturdays and Sundays only through the month of September. The shuttle will run through September as well but will operate on Saturday and Sunday only.

The Mayor thanked Piper for her efforts in selling the old recycling trailer. We will be doing some "cleaning up" of the old Tom Moore toilets now that they are more visible.

Treasurer's Report

Marc Dippo read the monthly report which is attached to these minutes.

Hearing no comments or questions, there was a motion by Dave Richards to approve the treasurer's report as read. There was a second by Steve Gilman and the motion was carried.

Departmental Reports

Town Administrator's Report: John Guldner announced that Sara Evans completed the Wasatch 100 mile run. Also, Paul Moxley completed the Logan to Jackson bike ride. He congratulated both individuals.

John commented that the three lawsuits are still continuing.

John reported on two excavation and construction projects. Both projects started without a permit because neither one realized they had to have one.. They both came into compliance, one the same day by obtaining and paying for permits. Erosion control has been completed on both projects. Also, one has already completed the necessary revegetation.

The Town has issued ten building permits this year with a stated value of \$997,970. We have collected \$13,700 worth of fees associated with those ten permits.

John gave a history and update on the Hellgate project.

John and Clair have been attending countywide cooperative Master Plan meetings. Those involved with these meetings would like to give a presentation to each city/town council on their progress and efforts.

John updated the Council on the zip code problem in Alta. Cliff and Kate will get together with the Sandy Postmaster to try and get to the bottom of this problem.

John also reported that UFA holds a fire school for elected officials and one should be coming up soon. He will keep the Council posted on that date.

Marshal's Report:

Mike Morey gave his monthly report which is attached for the record.

Mike reported that his deputies will be updating their map book by taking pictures of all the buildings to locate, among other things, the natural gas shut offs.

He also reported that there is a mountain lion roaming Alta. Please Be Aware!

Alta Visitors Bureau (AVB) Report: Susan Ragsdale reported that the "Alta/Snowbird" campaign through the Office of Tourism was awarded its full grant of \$37,500. Those funds will be matched by various partners in this campaign for a total of \$76,000. One half of the \$37,500 has already been received by the Town of Alta. Susan reviewed the components of this campaign.

The final report on the 07/08 Office of Tourism Grant was presented and handed in by AVB. The final check for that campaign will be arriving shortly.

This year's brochure should be arriving by the first of next week. The direct mailing list is provided as a courtesy from the Alta Ski Lift Company.

AVB also will also have a video attached to its website soon, produced by a company called Flying Sensors.

Another campaign paid by AVB is with the Salt Lake Magazine which should be out as part of the November issue of the magazine. Another add campaign will be appearing in the Wasatch Journal.

Susan has also expanded AVB's presence on the Ski Utah web site with a Global Banner.

Update on Antimony Treatment Project: Keith Hanson

The Mayor stated that Keith Hanson from Service Area #3 has been working closely with Bowen and Collins, the engineer on the Antimony Treatment Project. Phase I of this project is almost complete and we will be ready to move to Phase II which will address

the design of the treatment facility and bidding out of the project. We have had meetings with representatives of the Division of Drinking Water during this process as well.

The Mayor asked Keith to bring the Council up to date on this project.

Keith reported that a draft pilot testing report prepared by Bowen and Collins has been completed. This report went into a great amount of detail on the testing procedures and the results of those tests. It also addressed the Keith's opinion on the pilot study results. The engineers have come up with their probably costs associated with the treatment plant and the O & M costs for operating the plant on an annual bases, which are estimated to be between \$41,000 - \$62,000. There is a legislative set aside to assist with the capital costs of the plant but the Town will have to address the ongoing costs associated with the operation. These costs are covered by the water users in their annual water fees paid to the Town of Alta.

Keith reviewed the three types of media that have been tested over the last three months. A media called GTO is also being tested but the testing was not started until May. It shows great promise.

Bowen and Collins was conservative when addressing the life of the media but Keith feels that the media life can be extended by various management techniques including side streaming.

Keith went over his estimates including the number of cylinders, the costs for the operators and the length of time the media would last (bed volumes) before it had to be replaced. He also explained the concept of the running annual average as it relates to the EPA required level of antimony which is .0006 ppb or below.

The engineers have estimated that the treatment plant itself, delivered to the front of the mine building, will be between \$150,000 and \$250,000. That does not include the cost of installing the plant inside the water building. Installation costs are estimated to be around \$75,000. Both of those costs would be covered by the appropriation from the legislature. The O &M costs will not be covered by the state allocation. Keith feels that the Town can optimize the media life and therefore lower the O & M costs to make it more affordable for the Town.

Keith is recommending that the Town commence with Phase II of the project which includes the preliminary design of the treatment plant.. He also recommends that we run these pilot plants to their exhaustion including the cylinder that contains the GTO media.

The plant will not be designed to a specific media and if down the road another better and less expensive media is found, it can be used in this plant. We will not pick an actual media until next spring. The plant will be designed to fit into the existing water building.

Keith also explained that the operation labor could be less than what is estimated.

The Mayor explained that the Town raised its water rates by 25% this year and Keith's estimate on O & M costs are pretty close to the amount of revenue generated by this 25% increase. . We would have to create some very specific operational guidelines which would have to be monitored and administered carefully. The Mayor feels very comfortable with Keith's estimate for O & M costs and his ability to complete this project and maintain the plant.

Keith emphasized that Steve and he would develop an operational protocol for the plant so any certified operator could run this treatment plant.

There was a question as to whether the treatment process would affect the hardness of the Town's water. It will not and the water will remain moderately hard.

When the Town signed a contract with Bowen & Collins, the Mayor and staff agreed to present updates to the Council on the project. Keith recommends that the Town proceed with Phase II. Phase II will take the Town through the design and bidding stage of the project. The actual construction of the plant and installation of the same will be a part of Phase III.

Keith reminded the Council that the Town plans on being the owner/contractor for the installation of the plant.

Discussion with possible action on the following Town Council meeting minutes:

- 1. There was a motion by Dave Richards to approve the minutes of the June 3, 2008 Public Hearing held by the Town Council to receive input on the proposed additions and amendments to the Town of Alta's Land Use Ordinance. There was a second by Steve Gilman. Hearing no comments or questions, the Mayor called for a vote on the motion and the motion was carried.**
- 2. There was a motion by Cliff Curry to approve the minutes of the June 9, 2008 work session of the Alta Town Council that discussed proposed land use ordinances and amendments. There was a second by Dave Richards. Hearing no comments or questions, the Mayor called for a vote on the motion and the motion was carried.**
- 3. There was a motion by Steve Gilman to approve the minutes of the August 14, 2008 Town Council meeting. There was a second by Paul Moxley. Hearing no comments or questions, the Mayor called for a vote on the motion and the motion was carried.**

Discussion with possible action on Resolution 2008-R-7 – A resolution in support of opening and maintaining the Oxbow Jail.

The Mayor reminded the Council that Sheriff Winder gave a report in the August meeting where he asked for the Town's support in opening and maintaining the Oxbow Jail in Salt Lake County.

Kate pointed out that the copy of this resolution received by the Council in their packets had an error in the last paragraph: words were repeated. The resolution before the Council today is the corrected version of that resolution.

There was a motion by Paul Moxley to approve Resolution 2008-R-7 that supports the opening and maintaining of the Oxbow Jail. There was a second by Dave Richards. Hearing no comments or questions, the Mayor called for a vote on the motion. The motion was carried.

Discussion about the Town of Alta Animal Control Ordinance

The Mayor announced that the Town Council received some proposed changes in the language in the dog ordinance along with research that has been done with regard to animals' effects on watersheds.

The Mayor opened it up for discussion. Dave Richards thanked Claire for her excellent research on animals' effects on watershed and water quality. He also recognized the work that Cliff and Piper had done on proposed language changes and possible policy changes in the animal control ordinance.

Dave mentioned that he is in favor of the concept of a priority selection process if in fact it is based on priority. Cliff addressed his proposed changes to the ordinance.

Dave has an exception to the proposal as it refers to 13-231 where it is proposed that dogs would not be allowed at any time on Highway 210 unless they are in a vehicle. He read the proposed changes. He does not like this proposal and feels like dog owners should be allowed to walk their dog on leash on the main highway through the Town.

The Mayor agreed that this language goes a bit to far but he also recognizes that there are times that dog owners should not be walking their dogs on leash on the highway: when there is a long line of traffic entering or leaving the Town.. He suggested that the language should read that no dogs are allowed on the highway except by town permit.

Dave feels that this paragraph should be struck from this ordinance.

The Mayor feels there should be more of an educational effort on the dog issue.

Cliff feels that there should be better signage. He also mentioned that he might have a conflict of interest in that he is a dog owner and a dog lover. He feels like the original

intent of the dog ordinance was to facilitate our citizens that are dog owners. Cliff suggested that he would put together proposed language for the Town Council to work on at the next meeting in October. He asked Katie Lewis, Town counsel, to email him some standard language for a resolution.

Piper emphasized that her recommendations were more talking points for the Town Council. These suggestions have been made over the years and she put them all together in one proposal. She gave some examples of suggestions that have been made over the years that she noted in her written comments to the Council. One suggestion was changing the times that a dog owner can walk their dog on the summer road off leash.

Mike Morey reminded the Council that by default his department is the enforcement agency for dogs in the Town and mentioned that historically there are two reasons why dog regulations exist: Number one is public health and number two is to prevent attacks on wildlife, other animals, and of course humans. He is a bit resistant to dogs off leash because historically that is where his department has had problems in the past. He is not in favor of language that would allow dogs off leash particular in the congested areas of the Town. Also, in terms of dog licensing and dog drawing issues, he asked the Town Council to take baby steps if they allow more dogs in the Town.

The Mayor expressed to the Council that is content working within the current system that allows him the right to issue temporary dog licenses if there is an extenuating circumstance even though, at times, he receives many requests for such a license.

Cliff reiterated that it appears that the Council would like to maintain the status quo with respect to the number of licenses issued in any given year. He thanked Clair for bringing to his attention the effect that dogs can have on stream contamination. No matter how diligent dog owners are in picking up dog feces, more dogs means more feces which means more stream contamination. He also mentioned that appears the Council wants to maintain the current regulations that apply to the base facility zone in town. The main change in the ordinance would be to revisit the permit priority process. He suggested that a person who applies in a given number of consecutive years always has priority over someone who applies in a lesser number of consecutive years.

Dave announced that he would be willing to back off his desire to increase the number of permanent licenses but he does so reluctantly and is not happy about it.

The Mayor commented that there might be a little wiggle room in the total number of permanent licenses by the Town on a yearly bases but he would not like to see it opened up much more than that.

The issue of doing away with the Class C licenses was discussed. The Mayor felt that he could not see, in the future, any Class C licenses being issued and by leaving it in, then the decision is left to the Town Council on an annual bases. Cliff does not see a problem with the concept of the Class C license and feels that he should be left in the ordinance.

Dave commented that he has no problem with eliminating the Class C category in the Town's ordinance. It cleans the ordinance up a bit.

Creighton Hart suggested that all dogs that are licensed wear a vest.

Dave commented that as a handler of a rescue dog, the Town does not want to get in the business of putting vests on every dog in town.

Dave stated that we need good leash laws within the base facilities zone and would be willing to suggest that if an avalanche dog is not actively training, that those dogs should be on a leash as well in the base areas of town. He also wanted to make sure that dogs could walk, on leash, on the main highway. Finally he would like to not change the time period in which a dog can walk off leash in certain areas in the Town .

Cliff will draft and incorporate suggestions made at this meeting and circulate them as part of the council packet for the October meeting.

Discussion about enacting an Anti-Idling Ordinance

The Mayor asked if Dave Richards would speak to this issue. He does not believe we can pass an anti-idling ordinance in the Town of Alta. He explained that we are a very specialized locale due to heavy snowfall and extreme temperature fluctuations and also due to the number of visitors in our community. As a result, both gas and diesel vehicles are forced into idling situation. It takes a long time to warm snow cats up before the equipment can be used. Also, owners are forced to warm their cars up after a long day of winter conditions. He mentioned that Mike Morey suggestion about giving him a tool to approach drivers by addressing this situation in the parking ordinance. The language would state that idling automobiles must not be left unattended or would not be allowed to park and idle for a certain period of time. This would give the Marshals a tool to approach a delivery truck and ask them to shut down their vehicle if they plan on parking for a certain period of time.

Max Lund suggested when the exhaust from idling vehicles effects buildings, the vehicles should be addressed as a nuisance vehicle and the Town should be able to ask them to shut the vehicle down.

Steve Gilman wanted to know what we are trying to accomplish by enacting this ordinance. What are we are trying to stop: the tour bus that is idling all day and the delivery truck that idles for 15 minutes while they are unloading. What Max is proposing is far more reasonable.

Mr. Haik pointed out that if the issue is particulate emission, the Town ought to look at all sources such as unregulated wood burning fire places.

The Council agreed that we should look at language addressing idling and make it part of the Town's parking regulations.

Citizen Input

The Mayor introduced Jaren Davis a candidate of the State House of Representative in District 46. Mr. Davis was introduced by his brother Jim Davis, who was the former Mayor of South Salt Lake City and very involved in issues that faced the canyons in the past.

Jaren Davis thanked the Mayor and Council for their time and enjoyed listening to the issues facing our community. Mr. Davis will be available to the Town's Mayor and Council and is very fond of Little Cottonwood Canyon. He has been involved with the Quality Growth Commission and feels that our natural resources should be protected and enjoyed by everyone in our state and for those that visit our great state. He addressed concerns from the public regarding property tax issues.

The Mayor reminded anyone that wished to speak to keep their comments to three minutes and to please address something new.

The Mayor recognized Charles Livsey.

Mr. Livsey, a representative of the Shrontz Estate, stated that he stands in front of the Town Council today with an ordinance issue and asked for guidance. In connection with the Estate's subdivision application, he has been working with the Alta Planning Commission. Town staff report has recommended that the Estate do soil suitability tests on Patsy Marley, which would include approximately four holes, 15 feet in depth. Mr. Livsey believes that the Town counsel has given the Estate verbal guidance on this issue that he believes trumps the staff report. Mr. Livsey opined that soil suitability tests are not part of the subdivision process but rather part of the actual building permit process. He believes that the Estate is in a "catch twenty two" position where in a future point in time the ordinance might be interpreted differently, but the Estate will be snowed out for nine months and will not be able to do the soil stability testing. Mr. Livsey believes that without some form of assurance, the Estate is in a position where it will have to just go ahead with soil suitability testing. Mr. Livsey commented that there will probably be four sizable holes on Patsy Marley and they would rather not do that because he believes that this is not part of the subdivision process or necessary. Mr. Livsey stated that he knows that this subject has not been noticed as part of the Town Council meeting today and he knows that it would be inappropriate to ask for a vote of the Town Council on this matter. Mr. Livsey believes that it would be appropriate to ask for the Town Council's general opinion on whether or not they would like the Estate to dig so they are not locked out for another nine months or whether the Town Council would encourage the Estate not to proceed as he believes that this is not a subdivision ordinance requirement therefore not necessary.

The Mayor stated that he would like to defer commenting on this matter until he has had time to review this matter with the Town's counsel. The Town will get back to Mr. Livsey in a timely manner.

Katie Lewis, Town counsel, spoke to Mr. Livsey's request and comments. The Town attorneys and the Town Administrator have sent an updated report to both the Estate and the Alta Planning Commission and that updated report stated that soil stability tests which are, in Town administration's perspective and reading the ordinances, part of the subdivision process because it is a determination of net-developable acreage. The definition of net developable acreage does include soil stability tests. However, the Town Administration and the Town Council have recommended to the Planning Commission that the soil stability tests could be done as part of the building permit process and that what the Estate has done up to this point is in compliance with the Town ordinances.

Ms. Lewis stated that from the land use approval process, the Planning Commission will be reviewing all the information and will be making a recommendation to the Town Council as to the subdivision application. Therefore it is not appropriate for the Town Council, at this point, to weigh in on this issue because part of the land use application process is that the application must go through the Planning Commission first.

Mark Haik commented that a recent discovery request by Dave Richards, who represents the Town of Alta on the Melville case, to Salt Lake City Water Department produced an agreement between Salt Lake City and the Town of Alta. Mr. Haik believes that, in that agreement, Salt Lake City consented to the Town of Alta providing water to the Albion Basin annexation. Mr. Haik stated that this agreement was executed by then Mayor Levitt and notarized by Ms. Black. Mr. Haik also mentioned that he believes that the Town currently has less water than is stated in the 1976 contract because the Shrontz Estate claims it has 150,000 gallons of water under the Quincy Mine contract. Ultimately, he felt this would mean the Town would have less water to treat. He questioned whether the Town can permit development without water. He requested that legal counsel investigate this situation.

Mr. Haik also believes that Mr. Kapaloski is an attorney of record on water issues with the Town of Alta, therefore he has a conflict of interest and should step aside from the Alta Planning Commission. Haik believes that the Town should undertake a review of how much water it actually has and review the Town's ability to provide water to Albion Basin.

Onno Wieringa reported that the DOT has built a down hill passing lane in the area of the Tanners Flat Campground and will re-stripe the area very soon. He also commented that UDOT and Snowbird are studying whether traffic signals at certain entry points near Snowbird would be beneficial.

Mr. Wieringa informed the Town Council that the swamp lot will continue to be used as a park and ride this winter and there are plans to re-vegetate the area with the help of volunteers from both communities in the canyon.

Mr. Wieringa brought the Town Council up to date on the progress with obtaining funding to place more gaz-exs in the canyon. He also commented on the placement of these units in the canyon as it relates to the current wilderness area and future possible wilderness areas.

Mr. Wieringa announced that Loren Kronke is leaving as District Ranger. His temporary replacement is Melissa Hurst and the permanent replacement will be Kathy Kalow, who will take her position in January of 2009. The new name of the forest is Unita-Wasatch-Cashe National Forest.

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

Passed and approve this _____ day of _____, 2008.

Katherine S.W. Black
Town Clerk

TREASURER'S REPORT	
11-Sep-08	
MAJOR BILLS PAID	
Payroll	\$35,227.91
Payroll Taxes	\$14,335.98
Health, Dental and Life Insurance	\$9,270.65
Attorneys	\$16,604.53
Albion Basin Shuttle for July	\$8,512.50
Plan Checks	\$660.00
Inspectors	\$4,494.21
Workers Compensation Insurance	\$557.02
URS Contributions	\$8,298.99
Refund - Revegetation Bond	\$2,000.00
Other Town Bills	\$16,565.38
Total	\$116,527.17
MAJOR REVENUES RECEIVED	
Sales Tax - Resort	\$329.65

Sales Tax - Uniform	\$2,261.26
Court Fines	\$876.00
Homeland Security Grant Funds	\$3,414.11
Post Office Contract	\$1,166.67
Building Permits	\$2,126.69
Booth Donations	\$706.57
Energy Taxes	\$424.19
Dog Licenses	\$75.00
Other Revenue	\$965.13
Total	\$12,345.27
General Fund Checking	\$19,160.78
General Fund Savings	\$351,051.39

There were three (3) mini cassette tapes used at the September 11, 2008 Town Council meeting. For the record, the third tape was found to be blank. Therefore, the Town Clerk used her personally notes to compose part of the Citizen Input of the September 11, 2008 minutes. The notes to this section of the meeting comprised of two hand written pages, will be kept as part of the back up to the approved minutes.

Katherine S.W. Black
Town Clerk