

**MINUTES
ALTA TOWN COUNCIL MEETING
THURSDAY, MARCH 9, 2017
10 AM
ALTA COMMUNITY CENTER
ALTA, UTAH**

1. Mayor Tom Pollard called the meeting to order at 10:00 am. All members of the Town Council were present.

2. Mayor's Report: 00:00:25

Mayor Tom Pollard reported and updated those in attendance on the following matters:

- Merrill Matzinger, a longtime member and contributor of the Alta community, passed away this week. Merrill was 101 years old.
- Thanks were expressed to all those involved with managing the road and interlodge closures over the last storm cycle.
- An overview of recent road meeting and matters related to the dissemination of information on all matters related to the road and interlodge closures.
- The completion of the installation of Gas Ex in the Blackjack area.
- Update on the Mountain Accord –nothing new to report. The question was asked about the budgeting of funds for the Mountain Accord project should the project continue.
- The transportation working group of Mountain Accord continues to meet.
- There was a report on the monthly UFA meeting.
- The first budget committee meeting was held where the 2017/2018 proposed budgets were discussed. The next meeting of the committee will be held on March 30th.
- There was an open house on Monday, March 6th at OLS where the Special Use Permit request by the Shrontz Estate was reviewed. The deadline to comment on this proposal is March 22, 2017.
- The Mayor and Kate attended a legislative committee hearing to address a bill that would eliminate the sunset of the hold harmless for sales tax.
- Ann Berumen will be the new postal clerk for the Alta Post Office.
- The next meeting of the Town Council will be April 13th.

2. Treasurer's Report: 00:09:55

Marc Dippo read the monthly treasurer report which has been attached to the minutes.

There was a motion by Paul Moxley to approve the treasurer's report as submitted. There was a second by Cliff Curry and the motion was carried.

3. Departmental Reports: 00:13:00

Town Administrator's Report –John Guldner reported on the following matters:

- The Alta Planning Commission meeting that was held on Monday, March 6th where the setbacks for the proposed Snowpine Lodge construction project were discussed. A follow up meeting of the Planning Commission to discuss this matter will be held on Monday, March 13th at 4:00 pm. John reviewed the details of this discussion.
- At the March 6th Planning Commission meeting representatives from UDOT were present to discuss the right of ways along Highway 210 – John reviewed the details of this discussion.

UFA Report: Rand Andrus reminded everyone to change their batteries in their Co2 and smoke detectors.

Town Marshal's Report: Mike Morey thanked everyone for their support during the recent and numerous road and interlodge closures.

4. Town Council Minutes – February 9, 2017 – 00:16:10

The Mayor noted that there were some edits received by Kate Black that were incorporated into the final draft of the minutes; that draft was before the Council.

There was a motion by Harris Sondak to approve the second draft of the February 9, 2017 Town Council minutes. There was a second by Cliff Curry and the motion was carried.

5. Interlocal Agreement between the Town of Alta and Salt Lake County on behalf of the County Clerk Elections Division for the purpose of assisting the Town in conducting the Town's 2017 primary and general municipal elections – Kate Black – 00:16:45

The Mayor explained that this matter was before the Council in the February meeting where it was tabled to address some possible changes in the agreement.

Rich Mrazik reviewed possible changes with the Salt Lake County Attorney that counsels the election's division and the county attorney was not willing, at this time, to entertain those changes . The Mayor noted the proposed agreement is one that has been signed by all municipalities in Salt Lake County that contract with the county to manage their local elections.

The big question was the lack of a "two way" indemnification in the agreement.

The Mayor reviewed a past election where there were problems that resulted in the election being held all over again.

Kate had reached out to other clerks and recorders in Salt Lake County whose cities also had issues with the interlocal agreement. They will be signing the agreement for this election cycle but plan on reaching out to the County Clerk early next year to review their concerns.

Cliff felt that we have to do the right and pragmatic thing for our community and appreciated the staff's efforts on this matter. Cliff felt that the indemnification issue should be addressed and supports the plan to meet with the appropriate representatives with Salt Lake County on these matters.

Harris Sondak asked what would happen if there was a problem with the Town's election; what would the status quo implication in that situation and would the Town pay to fix that problem. Rich Mrazik explained that the real risk to the Town is if a lawsuit is brought over some election irregularity involving the Town's municipal election, the Town would have to step in and expend money in an effort to defend the County.

Kate reminded the Council that much of the decision making for municipal elections is on individual municipalities and not on the County.

Hearing no further discussion on this matter, there was a motion by Paul Moxley to approve the interlocal agreement between the Town of Alta and Salt Lake County on behalf of the County Clerk Elections Division for the purpose of assisting the Town in conducting the Town's 2017 primary and general municipal elections. There was a second by Elise Morgan and the motion was carried.

7. 2017-R-3 – A resolution establishing a maximum number of dog licenses which may be issued for the year 2017 and fees to be charged for licenses – 00:22:55

The Mayor announced that there was a "full" renewal this year; all 57 license holders for dog permits renewed their licenses. Accordingly there will be no dog licenses available this year in the drawing.

Also in this resolution are the fees to be charged for those licenses: staff is proposing that the fees remain the same.

Cliff recommended that a working group be set up to revisit the dog ordinance for any adjustments that need to be made.

Kate relayed some of her observations on the summer road with dog owners letting their animals run during the day time hours; this situation has become problematic for many people using this area of town to recreate.

Hearing no further discussion on this matter, there was a motion by Elise Morgan to approve Resolution 2017-R-3, a resolution establishing a maximum number of dog license which may be issued for the year 2017 and fees to be charged for licenses. There was a second by Paul Moxley and the motion was carried.

8. Approval of authorized signers on all Town of Alta bank accounts – 00:29:35

The Mayor explained that when the Town of Alta filed its financial statements and audit with the State Auditor, there were two findings were noted. After review of this document, the State Auditor sent a letter to the town that requested that the two findings which have been reoccurring over the years be addressed. The auditor gave the town a 60 days deadline to respond to their concerns in the form of a corrective action plan.

In an effort to address those concerns, the Mayor and town staff met with Paul Skeen and Alawna Echols, the town's auditors, to come up with ways to address those findings. Because there are only four administrative staff in the office, addressing the "segregation of duties" finding becomes a challenge.

The town has come up with a draft set of new policies one of which is that Chris Cawley will be opening all the mail so the same person that receives the payments is not the person that deposits those payments; in Chris's absence John will be opening the mail. The other immediate change in the procedures was to remove Kate Black from all check signing abilities on all accounts; Chris Cawley will be added to those accounts.

A list of all checking accounts was prepared for the Council's review and approval. All accounts require two signatures on checks.

Harris asked if two signatures should be required on checks especially ones that are for a small amount. The auditors recommend that two signature be required; this provides a check and balance.

Harris asked if all payments for services go out using checks as opposed to sending or receiving money electronically. Kate explained that some payments for services are received electronically in the general fund and many sewer and water fees are received this way as well; many by credit card. Most of the town's payments for services are paid with checks.

Harris suggested that the Town find a way to receive electronic payments for things like dog licenses, court fines and sewer and water usage fees. It was noted that when a person pays for a service electronically, their bank will then send a check.

Chris had looked into setting up a method on our website for online payments; the method does charge a fee. The Town will look into this option again.

Hearing no further discussion on this matter, there was a motion by Paul Moxley to approve the list of authorized signers on all checking accounts for the Town of Alta. There was a second by Harris Sondak and the motion was carried.

9. New Business – 00:38:10

The Mayor explained that at the end of the town's fiscal year, June 30th, the town records the largest balance in the general fund. At that moment in time, the town may exceed the amount of money it is allowed to carry over as a fund balance; 75% of the total revenue in any given fiscal year. At the end of the last fiscal year, June 30 2016, the town came very close to exceeding that amount.

One of the recommendations to address this situation was to establish a Capital Projects Fund. The town would transfer funds out of its general fund into a designated Capital Projects Fund to address an approved set of long term capital improvement projects. Examples are replacement of a roof, carpets or major improvements to buildings. Not only would this address our fund balance issue but would be a fiscally prudent way to address major capital projects in the future.

A committee would be formed to bring recommendations to the Council to approve. The Council would accept public comment on this plan in a public meeting prior to the plan being approved. The Mayor

recommended that a member of the budget committee along with two staff members sit on the committee.

Harris asked what amount of money would be set aside and would this meet the statutory requirements on the fund balance. The Mayor suggested that the town set aside around \$100,000 for these projects which would bring the town's fund balance below that limit.

Cliff sees this as necessary to meet the future capital needs of the town along with addressing future projects in the commercial core.

10. Citizen Input – 00:43:40

Mark Haik commented on the following matters

- The easements and right of ways along Highway 210 and the visit by UDOT engineers to the most recent planning commission meeting. Mr. Haik reviewed what documents he had found that addressed easements in the central part of the canyon.
- The right of way near the Snowpine Lodge as it relates to the upcoming issuance of a building permit to that business.

John Guldner mentioned that UDOT agreed that at some point in time in the past there was a center line of the road but UDOT currently does not know where it is now: currently there are no established easements on the highway in parts of the canyon. UDOT is working on that matter.

John also explained that any business or person doing construction work that touches on or effects Highway 210 has to contact UDOT to obtain approval related to their project.

Cliff Curry opined that it is not very helpful in these matters to refer to one ancient document; the goal standard is a title policy. That policy would encompass all the ancient documents and put the title company on the line to back up what they said. To the extent that we are able to do that, Cliff feels the responsibility should be put on the property owner to provide a title insurance policy.

Karen Travis explained that her property deed shows that her property line is on the highway and believes the highway was originally 40 feet wide in this location. Karen does not want someone coming in and putting in a 66 foot wide easement and encroaching on her property. Karen would hope that the Town would go to bat for the residents who find themselves in this situation.

The Mayor mentioned that UDOT engineers have run into this problem with other property owners. UDOT engineers are currently in Big Cottonwood Canyon addressing the easement and right of way issues on that road and will then move to do the same in Little Cottonwood Canyon. The Mayor mentioned that engineers from UDOT will be using information from the land exchanges that took place in the 80's when the lodges took ownership of the land in and around their businesses.

Jen Clancy, having attended the USFS open house on the Patsy Marley, encouraged everyone to submit their comments to the Forest Service on this matter.

Jen Clancy updated the Council on the Bonanza Flat project and thanked everyone that had donated to this project.

Jen Clancy reviewed all the upcoming events in Alta.

Roger Bourke commented on the advantages to auto pay for your bills. Roger also commented on legislation that is being considered by the state legislature related to preference voting for entities in the state. This would allow the voter to rank the candidates and in his opinion would be a better reflection of the voting preferences of the voters and eliminates run-off elections.

Related to this issue, Harris felt one would have to look at the details of the way the voting procedure is constructed to understand what is being elicited.

Roger Bourke opined about the proposal for a parking garage by the Shrontz Estate; this facility is far more than a place to park 20 cars from this development. Roger felt that in reality it is a commercial enterprise; 1/3 of the parking spaces would be for the 10 homes in this area and 2/3 of the spaces would be sold or leased to other people. In Roger's opinion that was not what was intended in the Settlement Agreement.

The Town of Alta is currently drafting a response to the proposal which will be submitted to the USFS by the deadline which is March 22nd.

Elise opined that the Forest Service is not looking for comments on the parking structure but are looking for comments on the access to that parking structure.

Harris Sondak asked legal counsel if the Forest Service would be taking notice of what is being done on the private land that they are granting the access to. Rich opined that in this case the answer would be no.

In commenting on the access issue you could reference the parking structure.

Rich went on to explain that the Shrontz Estate is asking Forest Service permission to make changes to the federal land (the road) that will access their parking structure which is on private land. The public should comment on those proposed changes; how will these changes effect current uses, future uses and the character of the land.

Harris asked about the town zoning as it relates to the use of the private property for parking. Harris also asked if the proposed parking structure would be consistent or inconsistent with the Town's zoning.

John responded by stating that the current zoning in this area is FR-1. John went on to comment that in the Settlement Agreement with the Shrontz Estate there was a requirement that the Estate had to provide 20 onsite parking spots because they would not be able to get to the proposed 10 homes year round. The parking had to be provided on the Shrontz Estate property and could not interfere with existing uses. In John's opinion the entire proposal by the Estate to address parking has a huge impact on this area and is not in line with the Settlement Agreement. Also John opined that the proposed parking structure would probably be consistent under a conditional use permit but he has not completed a review of this matter.

Rich Mrazik opined that the Settlement Agreement does not have a notice or contemplation of a parking structure like this but it also bears repeating that the Shrontz Estate has not applied for any permits.

Harris understood that when a person builds a house, the town's zoning requires two spots for parking. Harris asked John his understanding of the two spot requirements related to this situation in that there would not be winter access to these 10 homes and those parking spots.

John explained the conversation and process the Shrontz Estate and the Town went through on this matter; because the Estate cannot get to their two spots in the subdivision, they were required to provide two spots that they can get to in the months where no access is available without further congestion at the beginning of the road.

Harris went on to ask if the two spots provided during the winter months were in addition to the two onsite spots at the 10 homes or did they replace those spots. John felt that the two spots provided in the proposed parking structure were in addition to the two spots at each proposed home.

Paul Moxley felt it came down to whether this issue was compatible with existing uses.

Onno Wieringa commented on the following matters:

- The situation on the beginning of the summer road is a mess and one of things that the Ski Lift Company had focused on is how the proposal from the Shrontz Estate effects their operation. In addition the Company has focused on how they can make it better than the current situation; he explained the interactions that take place with all the users of this area. Onno believes that this area is one of the highest density areas in the Ski Area.
- Mountain Accord is still funding a study on transportation options and this study should be done in June of this year.
- The Mountain Accord environmental dash board is still on going.
- The upcoming UDOT projects on the highway were discussion including work around entry 4 at Snowbird, the intersection at the LaCaille road and the paving of two small parking lots along 9400 south.
- The Alta Ski Lifts will be building a new ski lift this summer. The company will remove the Secret Lift and extend and replace sections of the Supreme Lift. The resort will close on the 16th of April and work on the summer projects will start on April 17th.
- Greg Bell has been named as the new Operational Manager for the Alta Ski Lift Company.
- The changes to the Mountain Collective pass were reviewed.
- There will be a backcountry event at the bottom of the Collins Lift this weekend in part to raise money for Wasatch Backcountry Rescue.
- There is a pile of empty wooden ammo boxes near the skier services building that are available to the public.

11. Motion to adjourn

Hearing no future business before the Town Council, there was a motion by Elise Morgan to adjourn the meeting. There was a second by Cliff Curry and the motion was carried.

Passed and approved this 13th day of April, 2017.

s/Katherine S.W. Black, Town Clerk