

**MINUTES**  
**ALTA TOWN COUNCIL MEETING**  
**Wednesday, January 13 2021, 3:00 PM**  
Alta Community Center, 10351 E. Highway 210, Alta, Utah

**PRESENT:** Mayor Harris Sondak  
Council Member Margaret Bourke  
Council Member Cliff Curry  
Council Member Sheridan Davis  
Council Member Elise Morgan

**STAFF PRESENT:** John Guldner, Town Administrator  
Chris Cawley, Assistant Town Administrator  
Piper Lever, Town Clerk  
Jen Clancy, Deputy Town Clerk  
Mike Morey, Town Marshal  
Polly McLean, Town Attorney  
Jay Torgersen, UFA

**WORK SESSION**

• **RANKED CHOICE VOTING**

00:00:01

Mayor Sondak called the work session to order at 3:00 PM and read the Letter of Determination regarding conducting the Town of Alta public meetings without an anchor location, which applies to this work session and the regular session directly following.

*I, Mayor Sondak, hereby determine that conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at an anchor location, Pursuant to Utah Code Section 52-4-207(4), and [Alta] Resolution 2020-R-12. The facts upon which this determination is based, include the percentage number of positive COVID-19 cases in Utah has been significantly higher since May 27, 2020. The seven-day average of cases has been over 2,288 since December 30, 2020. The COVID-19 patients in Utah hospitals have increased during the same period. Over half the State cases are in Salt Lake County. As of December 30, 2020, there have been 1,269 deaths in Utah due to COVID-19. This meeting will not have a physical anchor location. All attendees will connect remotely. Attendees may join the webinar by registering for the meeting through the Town website: [www.townofalta.com](http://www.townofalta.com), or the meeting can be watched on YouTube. Additionally, comments may be emailed to the Town Clerk at [plever@townofalta.com](mailto:plever@townofalta.com). This determination will expire in 30 days on January 29, 2021.*

00:02:28

Mayor Sondak suggested that they move the discussion regarding Ranked Choice Voting to the end of the work session. The Council agreed.

- **DISCUSSION OF PROPOSED BUDGET AMENDMENT FY 2021**

00:04:37

Mayor Sondak stated that the Council should have received a copy of the proposed budget amendment prior to the meeting for review. It was common for the Town to do a budget amendment halfway through the fiscal year as an attempt to recalibrate with actual revenues and expenditures. The two substantive items in the proposed amendment were the acquisition of a police Records Management System, and the other related to CARES Act Funds. A list of all proposed changes was provided. Mayor Sondak noted that a portion of the CARES Act Funds were used to lower the sales tax assumption by \$100,000.

00:13:09

Mike Morey, Town Marshal, provided a background on the need for a Records Management System (RMS), the cost of which had been a concern for some time. The current system used by the department was not compliant. Recently, the State mandated that the recording system change from Uniform Crime Reporting to National Incident Based Reporting System (NIBRS), which was much more robust. The deadline for being compliant with this change was January 1, 2021, which had already passed. Staff was working with the State to come into compliance. One of the technical requirements of the NIBRS was to have an RMS that was capable of an electronic upload into the state system. Mr. Morey had explored many options, and he felt that an E-Force system was the most appropriate product.

00:22:44

Council Member Bourke said there was a federal program called the Edward Byrne Memorial Justice Assistance Grant program, which specifically provided assistance for municipal justice systems, including technology improvements. She suggested looking into that program for additional funds. Mr. Morey said that he had looked into the grant, but they were not eligible because of their non-compliance.

Council Member Bourke suggested that the Town Council consider doubling the bonuses awarded to staff this year, including the sewer manager. Mayor Sondak said that he was willing to consider bonuses closer to the end of the fiscal year to ensure that the funds were available.

- **PARKING DISCUSSION** – *Mike Maughan, Alta Ski Area*

00:26:45

Mayor Sondak explained that Mike Maughan had requested a discussion regarding the potential for increasing parking spaces by roughly 15% (220 spaces) and was seeking the Town's endorsement.

Mike Maughan, Alta Ski Area, presented a document called A Path Forward, which outlined future plans created by those involved in the Mountain Accord. The plan focused on three areas: parking, potential land trades, and public access to the ridgeline. Mr. Maughan explained that interest in and use of the back country, as well as the expansion of local businesses, had resulted in more vehicles coming to the Town of Alta that were not patrons of the Alta Ski Area. These vehicles had been consuming the parking that was part of the Alta Ski Area Special Use Permit with the

USFS, and they were losing as many as 200 stalls in a day. They were hoping for a long-term transportation improvement to help with the parking problems, but in the meantime, they had considered three or four options. The first was to shut down the private lands on the north side and restrict parking to ski area patrons. This is controversial and a big change for users and probably not the right thing to do. Second option could be to designate the north side of the canyon as a back country ski area, with additional parking and restrooms, and charge individuals using it; however, there were challenges of land ownership. Another option was to create a new parking lot above the highway and create a back country trailhead; but it would be up to another entity to develop it. ASL would contribute by plowing that lot. The preferred alternative considered was to expand parking within the existing special permit area, (most likely between the Alta Lodge and Rustler) which could offset some of the parking that was being used by non-ski area patrons. The back country skiers seemed to be in favor of the last option, and Mr. Maughan had received a positive response from the Town Council at the June meeting. He described other areas that could be expanded and adjusted to accommodate additional parking.

00:41:37

Council Member Davis asked about the parking that was added during the summer in the Albion lots near the base and up the summer road in Albion Basin. Mr. Maughan didn't have the exact numbers in front of him, but he could pass those onto the Council. He recalled roughly 15 parking spots by Secret Lake, and 100 parking spots at the Albion base to replace those that were lost to public transportation improvements over the years.

00:42:38

Council Member Bourke questioned the numbers presented by Mr. Maughan. She wasn't sure that they were actually losing 200 spots to non-Ski Area patrons. Mr. Maughan described how the calculations were made to determine how many non-Ski Area patrons were using the parking. He reiterated that this would be a short-term solution to the overall transportation and parking concerns in the Town of Alta.

Council Member Morgan commented that expanding some of these parking areas would also provide parking for summertime activities in the canyon.

Council Member Davis expressed concerns about destroying the environment to create more parking. If they continue to increase the capacity for vehicles, they could end up destroying the very thing that brings people to Alta in the first place.

Mayor Sondak stated the topic would have further discussions, but that he would take staff's written comments with their opinions.

- **RANKED CHOICE VOTING**

00:57:40

In the interest of time, despite having prepared a detailed presentation, Mayor Sondak stated that Ranked Choice Voting would allow voters to rank order the candidates running for office, and it would negate the need for a primary election. There were some appealing aspects to Ranked

Choice Voting, but there could also be some unintended outcomes. He would be willing to write a memo describing the process in detail.

01:00:00

Council Member Morgan said that she wasn't in favor of this process, and questioned if they should continue discussing it. Mayor Sondak said that Council Member Curry had expressed a desire to know more, and there had been some enthusiasm throughout the state for this type of voting.

The work session was adjourned at 4:01 PM.

## **PUBLIC HEARING**

### **1. TO RECEIVE COMMENTS REGARDING PROPOSED FY 2021 BUDGET AMENDMENT**

00:01:05

**MOTION:** Council Member Davis moved to open the Public Hearing regarding the proposed FY 2021 Budget amendment. Council Member Morgan seconded the motion. The motion carried with unanimous consent of the Council.

There were no public comments.

01:04:10

**MOTION:** Mayor Sondak moved to close the Public Hearing. Council Member Morgan seconded the motion. The motion carried with unanimous consent of the Council.

## **REGULAR SESSION**

### **1. CALL THE MEETING TO ORDER AND DETERMINATION LETTER READING REGARDING NO ANCHOR LOCATION**

01:04:40

Mayor Sondak called the meeting to order 4:04 PM and stated that he had read the Letter of Determination at the beginning of the Work Session.

### **2. CITIZEN INPUT**

01:04:50

Karen Travis, a resident, stated that the governor's proposed budget included money for infrastructure improvements for rural areas. She suggested that they follow up on this and see if the Town qualifies for funding.

### **3. 2020 AUDIT – Gilbert & Stewart**

01:07:40

Ron Stewart, with Gilbert & Stewart, briefly described the role of an auditor. First, the auditor examined the financial statements to ensure they were materially correct. The auditor also makes sure that the internal controls are designed, implemented, and working effectively. The auditor also ensures that the municipality is following State Law. Mr. Stewart then explained the process of testing the correctness of the financial statements. Included in the audit report was the auditors' opinion of the financial statements, which they found to be accurate. They did not provide an opinion regarding internal controls, but they would inform the municipality if anything was amiss. Based on this audit, Mr. Stewart was satisfied that the Town of Alta was in compliance.

01:16:00

Mayor Sondak noted that the Town of Alta was highly reliant on sales tax, which was largely dependent on the ski season. He asked Mr. Stewart if he saw more volatility in a resort town than a typical municipality. Mr. Stewart replied that he didn't see anything that would raise concerns. It was interesting to see that most municipalities did not see the decline in sales tax they expected with the pandemic. Records showed that residents just bought things from home.

01:17:25

Mr. Stewart continued his presentation by listing some of the items required by State Law. He found two items of non-compliance. The first item was that the fund balance exceeded the limits imposed by State Law. He recommended moving the excess funds from the General Fund to the Capital Projects fund, with an idea of how that money will be spent. He also recommended that they monitor the fund throughout the year so they don't end up with excess again next year. The second item of non-compliance was the Fraud Risk Assessment, which was newly implemented this year. That assessment was supposed to be completed by June 30<sup>th</sup> and submitted to the State by December 31<sup>st</sup>. This was not completed by the June 30 deadline, but it had since been submitted by staff.

01:20:30

Council Member Bourke asked for clarification about the difference between government activity and business-type activity in the financial statements. Mr. Stewart explained that if a revenue was being used like a charge for services provided, it was treated as an enterprise fund or business-type activity. Government activity was normally things that generated some revenue, such as a recreation center, but not enough to sustain itself.

01:24:05

**MOTION:** Council Member Morgan moved to accept the 2020 Audit, as presented. Council Member Davis seconded the motion. The motion carried with unanimous consent of the Council.

#### **4. SKI AREA UPDATE – Mike Maughan**

01:25:33

Mike Maughan said that the Alta Ski Area has been open for 49 days, and they were one-third of the way through the season. He expressed gratitude for Mike Morey and his team for helping to manage traffic and crowds. They had anticipated the greatest challenge to be with indoor spaces

and restaurants, but that was not the case. Only 10% to 15% were choosing to go inside every day, and some days they didn't fill tables in the restaurants. There were no known outbreaks of COVID-19 within the Ski Area operations. Nineteen employees had tested positive, none living in Alta; most of those cases were traced to the valley; 72 had quarantined in the last few months. They had experienced four days where the parking lot was filled and they turned patrons away. Regarding the weather, Mr. Maughan reported that they were at 70% of the normal snowfall, and most of the skiing was happening on man-made snow. He spoke briefly about long-term plans for snowmaking in the Supreme area, increased 10 million gallon allotment for additional water this season, and an update to the Master Plan. That plan will be provided to the Town. Plans also include a new 10 million gallon, open water reservoir, plus a one million gallon underground reservoir, somewhere. Visitation was about 80% of what they experienced last year.

Mr. Maughan asked for an update on the zoning changes.

01:35:47

Town Administrator John Guldner said that they had a productive work session a few weeks ago, and there was still one paragraph that they needed to make a decision on. The Council would continue to discuss language regarding exemptions.

01:37:08

Council Member Davis asked if any of the Ski Area employees had been vaccinated, and Mr. Maughan said that the ski patrol had all had their first shots.

01:37:40

In response to a question from Council Member Bourke, Mr. Maughan briefly described the situation with the Shrontz Estate.

## 5. **UNIFIED FIRE AUTHORITY** – *Jay Torgersen*

01:40:13

Fire Chief Jay Torgersen reported that 84 employees had tested positive for COVID-19 since the beginning of the pandemic, and many more have been isolated. They had not experienced a staffing problem yet, but they had plans in place to address possible shortages. The UFA had started their vaccination process. Vaccinations were not mandatory, but most of the employees have elected to be vaccinated. He reported the fourth quarter call numbers for the Town of Alta; 23 total calls, consisting of 4 fire, 17 medical, 1 hazmat and 1 "good intention".

## 6. **APPROVAL OF CONSENT AGENDA**

- Treasurers Report for December 2020
- Town Council Meeting minutes for December 9, 2020
- Staff Report

01:46:30

**MOTION:** Council Member Bourke moved that the Town Council APPROVE the Consent Agenda. Mayor Sondak seconded the motion. The motion carried with unanimous consent of the Council.

**7. QUESTIONS REGARDING DEPARTMENTAL REPORTS**

01:47:20

Council Member Bourke asked for clarification of an email sent by Administrator Guldner regarding the zoning changes, and he explained that the 11 remaining items were issues that he had received comments or questions on by at least one Council Member.

**8. MAYOR'S REPORT**

01:48:27

Mayor Sondak briefly commented on the election results, the attempted coup of the Capital, and the second impeachment of President Trump. He expressed a hope that members of the Alta community would continue to be civil and refrain from participating in destructive behavior. As an elected official, he felt a great responsibility to respect the outcome of elections, whether the outcome matched his preferences or not. Mayor Sondak reported that they recently lost two people with deep ties to Alta. Elfriede Shane passed away on December 3<sup>rd</sup>, and Lois Swick passed away on December 21<sup>st</sup>. The Town of Alta and the Alta Clinic had acquired a small number of rapid antigen tests, so that some testing could be done locally. Mayor Sondak then reported on the meetings he had attended since the last Town Council meeting, including the Council of Mayors, the Central Wasatch Commission retreat and board meeting, the UFA/UFSA meeting, and the Town Council Work Session held on January 5<sup>th</sup>. He then reported on the dog licenses that had been granted since the last Town Council meeting, as follows:

- Bodhi Jhamb for Ruby 30 days 12/13
- Kathy Moore for Charlie 8 days 12/19
- Mariana Abelson for Lori 8 days 12/19
- Evan Unger for Clover 3 days 12/20
- Sophie Danforth for Poppins 14 days 12/23
- Justin Witcoff for Winston 9 days 12/26
- Dan Monahan for Emma 15 days 12/27
- Hugh Ferguson for Biscuit 3 days 12/27
- David Schuss for Presley 14 days 12/27
- Bruce Hotaling for Weston 30 days 12/28
- Kevin MacDonald for Brownie 6 days 12/28
- Kenzie Woods for Archie 3 days 12/30
- Virginia Gowski for Ziggy 30 days 12/31
- James Laughlin for Seamus 8 days 1/6

**9. DISCUSSION AND POSSIBLE ACTION ON 2021-R-1 A RESOLUTION EXTENDING 1990 ILA SERVICE AGREEMENT WITH SL COUNTY SERVICE AREA #3 TO OPERATE ALTA'S WATER SYSTEM – Keith Hanson**

02:11:10

Keith Hanson said that they had been operating the Town of Alta's water system under contract for a little over 30 years now. It had been a good relationship so far. The resolution before the Council was a standard extension of the agreement, which they did every two years. The Service Area #3 Board would be approving the same resolution the following Tuesday.

02:14:40

**MOTION:** Council Member Davis moved to adopt 2021-R-1, a resolution extending the 1990 ILA Service Agreement with Salt Lake County Service Area #3 to operate Alta's water system. Council Member Morgan seconded the motion.

Town Attorney Polly McLean said that interlocal agreements could last up to 50 years, and she questioned why the agreement was drafted in a way that required extensions every two years. Mr. Hanson said that it was set up that way to allow for fee increases. They briefly discussed how the agreement could be amended to allow for increases automatically.

02:17:10

Mayor Sondak called the question. A voice vote was taken, and the motion carried with unanimous consent of the Council.

Mr. Hanson took the opportunity to provide a report on the Bureau of Reclamation Grant, new "smart" meters for water conservation monitoring, and upgrades to the water system. He believed, despite being a cloud-based system, it would be safe from cyber security concerns.

**10. C-PACE RESOLUTION 2021-R-3 AND AUTHORIZATION TO ENTER INTO AGREEMENTS**

02:33:51

Mayor Sondak said that Council Member Curry had posed two questions regarding the C-PACE Program that should be addressed. The questions were "Who does this benefit?" and "How would it benefit the Town of Alta?" The mayor explained that the program would benefit the Snowpine Lodge by lowering their borrowing costs. This would benefit the Town of Alta because they wanted the business to succeed. The whole program promoted environmental sustainability.

Attorney McLean noted that Snowpine was requesting this to financially assist with construction that had already been done. It wasn't a retrofit, but it was a retroactive attempt to fund their project. Administrator Guldner added that the project ended up being larger than what was approved, which is why they were seeking additional funding.

Theddi Chappell read a written statement describing the history of the C-PACE program, what funding is available, and what requirements must be met to be eligible.

02:46:41

Mayor Sondak said that the resolution was sent to the Town Council during the meeting, and staff confirmed that it had been posted to the website. Attorney McLean said that she had researched



this option extensively, and she opined that there was no exposure to the Town by entering into this agreement.

02:48:30

**MOTION:** Council Member Morgan moved to adopt Resolution 2021-R-3 authorizing the Town of Alta entering into the agreement. Mayor Sondak seconded.

The Council briefly discussed the potential agreement. Council Member Bourke wasn't prepared to sign off on a resolution that she hadn't had time to review, and the program still seemed unclear to her. Mayor Sondak said that he was willing to rely on the advice of the Town Attorney and move forward with this resolution. Council Member Curry was in favor of the agreement as well, although he would have liked a more organized and concise presentation.

03:01:10

Mayor Sondak called the question. A voice vote was taken, with Mayor Sondak, Council Member Morgan and Council Member Curry voting "aye", and Council Member Bourke and Council Member Davis abstaining. The resolution was approved by a majority vote.

**11. DISCUSSION AND POSSIBLE ACTION ON 2021-R-2 A RESOLUTION ADOPTING AMENDED FY 2021 BUDGET**

03:02:05

Mayor Sondak noted that this item was discussed in the work session, and a public hearing was held. There were no public comments offered.

**MOTION:** Council Member Curry moved to adopt 2021-R-2, a resolution adopting the amended Fiscal Year 2021 Budget. Council Member Morgan seconded the motion.

Council Member Bourke proposed taking some of the money set aside for ACVB and assigning it to other endeavors, such as an updated business license study and employee bonuses. Mayor Sondak said that the Town would be amending the budget again in May, and by that time they would have a better idea of actual revenue. He was hesitant to add expenses at this time. There was some discussion. Council Member Davis wasn't comfortable with so much money being designated for ACVB, given the recent changes. She agreed that this needed to be examined and discussed by the Council. Council Member Curry agreed that this needed to be discussed, but it should be done formally at a future meeting. Council Member Morgan agreed and added that they should continue to be cautious with the budget.

03:14:24

**MOTION:** Council Member Bourke moved to amend the motion, requesting that the proposed budget be further modified to reduce the contribution to ACVB to \$25,000, and having \$8,500 put toward a business license study and \$8,500 put toward employee bonuses. Council Member Davis seconded the motion.

Mayor Sondak spoke against the changes, opining that this was not the time to make new fund commitments. He advised waiting until May.

A voice vote was taken, with Council Member Bourke and Council Member Davis voting “aye”, and Mayor Sondak, Council Member Curry, and Council Member Morgan voting “nay”. The amended motion was denied.

03:18:15

Mayor Sondak called the question on the original motion. A voice vote was taken, and the motion carried with unanimous consent of the Council. Mayor Sondak said he hopes for a good year so that the Town can spend money later in the year on a business license study and reward the staff with bonuses.

**12. DISCUSSION AND POSSIBLE ACTION TO APPROVE CAPITAL PROJECTS PLAN**

03: 19:47

Town Clerk Piper Lever presented the proposed Capital Projects Plan. Currently, the Town didn’t have an approved Capital Projects Plan. It was necessary to have a plan in place so that funds could be assigned to those projects. As stated previously in the meeting, there was an excess in the fund balance, and they needed to move the excess funds from the General Fund to a separate Capital Projects account. She noted that this plan could be amended and updated at any time. There was a brief discussion.

**MOTION:** Council Member Morgan moved to APPROVE the Capital Projects Plan. Council Member Bourke seconded the motion. The motion carried with unanimous consent of the Council.

**13. NEW BUSINESS**

03:28:53

Mayor Sondak confirmed Council Member Bourke’s interest to have a discussion regarding a business license study on next month’s agenda.

**14. MOTION TO ADJOURN**

03:29:20

**MOTION:** Council Member Bourke moved to ADJOURN at 6:30 PM. Mayor Sondak seconded the motion. The motion carried with unanimous consent of the Council.

APPROVED by the Town Council on February 10, 2021



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Piper Lever, Town Clerk