

**MINUTES
ALTA TOWN COUNCIL MEETING
LAND USE APPEAL AUTHORITY MEETING
PUBLIC HEARING**

Wednesday, August 9, 2023, 4:30 PM

Alta Community Center, 10351 E. Highway 210, Alta, Utah

PRESENT: Mayor Roger Bourke
Councilmember John Byrne
Councilmember Sheridan Davis
Councilmember Elise Morgan (virtually for Land Use Appeal Authority mgt)

STAFF PRESENT: Chris Cawley, Interim Town Administrator
Mike Morey, Town Marshal
Jen Clancy, Town Clerk
Molly Austin, Deputy Clerk

ALSO PRESENT: Cameron Platt, Legal Counsel
Craig Heimark, Treasurer

NOT PRESENT: Councilmember Carolyn Ancil

ALTA TOWN COUNCIL MEETING

1. **CALL THE REGULAR TOWN COUNCIL MEETING TO ORDER**

00:00:00

Mayor Bourke welcomed everyone and called the August 9, 2023 Alta Town Council meeting to order. He noted this was the first time since he's been Mayor that we have held this meeting in person.

2. **CITIZEN INPUT**

00:01:00

Molly Austin reported there was no written comment submitted.

3. **ALTA SKI AREA UPDATE, MIKE MAUGHAN**

00:01:45

Mike Maughan was not present, but Dave Richards was in the audience and offered to speak on behalf of the ski area. He reported the projects are going well despite the short summer season. They have recently been before the Planning Commission regarding application for conditional use permits for the Conex west trailer storage and new Gazex units on Mount Baldy. The water lines around the wildcat base area for snowmaking are being put back to bed and the supreme project is proceeding. Sheridan Davis asked if the blinking lights on the snowmaking devices could be turned off and Dave said he would ask.

4. **APPROVAL OF CONSENT AGENDA: JULY 12, 2023 MEETING MINUTES, STAFF AND FINANCE REPORTS**

00:04:50

MOTION: Sheridan Davis motioned to approve the consent agenda including the July 12, 2023 meeting minutes, the staff, and financial reports. John Byrne seconded.

John Byrne asked Chris Cawley about the generator project. Chris said the 34 year old generator has been failing, and that they have spent around \$8k on service trips and diagnostics and are now moving towards replacing the generator. He reported they have a bid they like and a certification from an electrical engineer, so all that's left is for the council to approve the project via the projects plan update and by passing the budget. Chris added that they are planning to hire a general contractor to install it via deconstruction of the deck and using a crane to lift it out. Mike Morey chimed in to thank the ski area and cat shop employees for their assistance troubleshooting the project over the last few weeks.

Jay Torgerson of Unified Fire Authority stated that in June fire station 13 added a 4th person. This allows them to do a lot more safely and maintain coverage if the crew takes a patient down to the valley.

John Byrne asked about the noise ordinance and if there had been any issues. Mike Morey reported they had been called to two different locations during the last reporting period, but that one came in as unfounded because the complaint came in before 11pm.

Chris Cawley added that chipper days would be September 12 -14, and residents just need to notify town staff they'd like to participate, and have their pile stacked by 7am on the 12th.

VOTE: All in favor. The consent agenda including the July 12, 2023 meeting minutes, and the staff and financial reports were unanimously approved.

5. **QUESTIONS REGARDING DEPARTMENTAL REPORTS**

00:17:20

(questions/ comments rolled into the previous agenda item)

6. **MAYOR'S REPORT**

00:17:20

Mayor Bourke reported on the following:

- The snow is finally retreating. Outside it looks like a typical June with tracks still on Gunsight. Some are dismissing our record 75 feet of snow as an anomaly never to be repeated. One does so at one's peril. Climate scientists have told us for decades that as the concentration of greenhouse gases increases, global atmospheric temperature rises and more frequent, more intense weather events are to be expected—precisely what is happening worldwide. This doesn't necessarily mean we will have ever increasing snowpack; it means to expect highly sometimes radically varying conditions. Standby for updates.

- The Record of Decision (ROD) for the LCC EIS reported last month has begun to sink in. Several groups have mounted protests about the inclusion of a gondola, even though it is delayed to phase 3. Several other entities are planning legal action. Much of this has been covered in the press, most recently an op-ed in the SL Tribune on August 5.
- Phase 1, enhanced bus service, mobility hubs and tolling is scheduled to start in the 2024-25 ski season. Possible toll exemptions for some classes of users, e.g. residents, employees and delivery vehicles are TBD. Tolls are expected to be \$25-30 for 50 days a year.
- The summer sound of Alta has changed from the creek flowing and birds chirping to the constant din of helicopters. It has been particularly intense this summer, and not confined to a small section of town—it is everywhere. One doesn't need an alarm clock or a 7 AM wakeup call—the chopper arrival suffices. I recognize that we have a short construction season and it all has to happen before snow flies. But it is very disturbing to our mountain community. Dave Richards told me that next summer the plan is to install RACS on Superior, and UDOT's plan is to close the main road. That can lead to the same kind of congestion we experience in winter, particularly during Oktoberfest.
 - Dave Richards acknowledged that he is not here on behalf of nor does he speak for the Utah Department of Public Transportation. He said at this point, the RACS installation program will move from the ski areas this summer to Mount Superior next summer to protect the main line. Dave added they will probably use the road under Mount Superior for staging equipment and the helicopters. Dave said that we are in a historic period for avalanche mitigation as we ween ourselves off of 75 years of shooting military artillery to using remote avalanche control devices. Dave said this summer they are installing 17 exploders, 3 of which are at Solitude. He also indicated that there was probably another summer's worth of installations after 2024 for the ski areas but it's not clear when that will happen.
- Twice a quarter the mayors of SL County get together. The venue varies and is generally in a city conference room. In July Alta hosted this group. In keeping with our uniqueness, we held ours at the town park. About 2 dozen mayors and staff showed up. I want to thank our staff, one volunteer who led an easy hike, and the perfect weather for making this event a real success showing off our beautiful surroundings.
- We are planning to conduct a community wide emergency planning exercise this fall.
- I will be out of town and out of touch for about 10 days starting this weekend. Our mayor pro tempore Elise Morgan will handle any matters requiring mayoral actions.
- Next TC meeting will be Wednesday, September 13th, 2023, 3 pm, expected to be hybrid again.

John Byrne encouraged the community to read UDOT's decision for highway 210 regarding the gondola. He said that he wasn't interested in having the gondola and was all for slowing the rate of change. He said he did think the decision was well structured, in that they committed to doing the phase one and two improvements, and would then decide whether the gondola is needed. He summarized himself as being against the gondola and for the decision.

7. **DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE 2023-O-6
INTERLODGE ORDINANCE**

00:39:00

Mike Morey said he saw this as a house keeping type of proposal. He said he had briefed the council on the changes last month. He added the ordinance hadn't seen much updating since 1980 and these changes would help the ordinance be in line with current practices.

MOTION: John Byrne motioned to adopt ordinance 2023-O-6, and Sheridan Davis seconded.

VOTE: All in favor. Ordinance 2023-O-6 was adopted unanimously.

8. **A CONTINUATION OF OPPORTUNITY HOUSE IDEAS FOR ALTA, SHERIDAN
DAVIS**

00:42:00

Sheridan Davis said this was continuing a discussion that was brought before the council and the town during a council meeting last year. To continue that discussion, she said she wanted to ask some open ended questions:

- Is Alta as robust as it could be in housing our community?
- Can we as a Town make things more sustainable, healthy, and vibrant in creating community housing ownership opportunities?
- Could those opportunities exist through property purchases, land trusts, and a community center that builds housing resilience?

Sheridan asked for an open conversation about these topics and asked that we predicate our responses on why we can't do these things and consider why we might want to and how we can do this. How we might integrate some of these ideas into actionable ideas.

John Byrne opened by stating the median home value in Alta was just listed as 1.9 million which explains the issue. He said he would like to tackle some affordable or deed restricted housing and that the challenging part continues to be the land acquisition. He suggested we consider what our asks will be if a gondola is built. John said he thought about land for a community center and possibly housing in exchange for policing the gondola structure.

Mayor Bourke said the link to the Mountain Town Planner's meeting slides in Sheridan's email were thought provoking and worth a read. He's not sure how to digest those slides in which the housing issue is just a subset. Mayor Bourke said it would be very interesting to have Jonathan Schechter come visit us. Sheridan responded he's a deep thinker and councilman for Jackson Hole.

(Elise Morgan joined the meeting)

Sheridan asked if anyone else in the room or online wanted to share ideas.

Chris Cawley reiterated that in a recent conversation with Sheridan he'd advised her to approach this as a long game, and to consider it against other planning projects. He'd also advised her to find examples of projects and programs in other rural communities that we could assess and compare ourselves to.

Josh Cattan introduced himself as being the caretaker of the wildcat chalet, living in a basement 400 square foot space. He said as he walks around this summer he sees 5 to 6 large 6,000 - 7,000 square foot homes being built and is wondering about the caretaker unit and where they went? Should that have been an opportunity.

Craig Heimark suggested the town promote the tax break when folks are building their homes as a way to incentivize caretaker unit. He also pointed out compounding interest and the benefits of saving for long term planning. Lastly, Craig said one of the things that Aspen and others have is incredibly good transportation, and encouraged us to get really involved in transportation planning efforts.

Elise Morgan pointed out that the ski area recently purchased two properties in the valley that filled quickly. She said it takes a certain type of employee to want to live where they work. The ski area has found that their employees like to live in the valley after working for a few years at Alta.

Sheridan commented that she felt there is a distinct difference between employee housing and community housing where real ownership of the property would be part of the picture. John Byrne asked if her enthusiasm for the ownership model would be tempered when you deed restrict it? Sheridan responded the models she thought were most attractive did allow owners to invest for generational wealth, so they would be able to sell and have a gain, but they wouldn't necessarily have a market gain. She offered that it might be a percentage benefit year over year, so they still would receive profit (assuming the property value goes up over time) but the property would remain in the pool of community housing due to that deed restriction.

Molly Hutsinpiller commented she was curious if we had considered supplying rental units or units for sale down valley since it's so outrageous up at Alta.

9. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION 2023-R-19 ADOPTING THE 2024 PROJECTS PLAN

01:11:20

Chris Cawley said the main change since the project plan adopted in June was due to the generator project. He said they'd like to consider a \$60,000 budget for the project. The generator itself went from \$25k to \$32k. He reported the deck project was removed because it's getting wrapped up in deconstructing the deck to remove the old generator and will be replaced after the new generator is installed and the enclosure is repaired. Chris said a \$5k project to install 5 new windows at Alta Central was removed but it's not urgent this year, and it's a nice way to pad the budget.

John Byrne wanted to note for the record that he feels the Tom Moore projects for \$25k and \$75k are ambitious and that we should move them into the category of conceptual projects we are not ready to propose but that can happen with the next update.

MOTION: Mayor Bourke motioned to adopt Resolution 2023-R-19, adopting the 2024 projects plan and Sheridan Davis seconded.

John Byrne commented that the account balance summary on page 7 of the consent agenda was the clearest presentation of our account fund balances he'd seen.

ROLL CALL VOTE BY JEN CLANCY: Mayor Bourke - Yes, Councilmember Byrne – yes, Councilmember Davis – Yes, Councilmember Morgan - Yes. The motion passed unanimously.

10. **NEW BUSINESS**

01:18:30

Sheridan Davis suggested we work on having a fall retreat.

11. **MOTION TO ADJOURN**

01:19:00

MOTION: Mayor Bourke motioned to adjourn, and John Byrne seconded.

VOTE: All in favor. The meeting was adjourned unanimously.

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LAND USE APPEAL AUTHORITY MEETING

1. **CALL THE LAND USE APPEAL AUTHORITY MEETING TO ORDER**

01:19:30

Mayor Bourke called the meeting of the land use appeal authority to order for August 9, 2023.

2. **DISCUSSION AND POSSIBLE ACTION: ALTA SKI AREA REQUEST FOR A VARIANCE TO INSTALL A BH EXPLODER REMOTE AVALANCHE CONTROL SYSTEM ON A SLOPE OVER 30 PERCENT ON MOUNT BALDY**

01:19:50

Chris Cawley said about 6 weeks ago Alta Ski Area approached the Town about their interest to do another remote avalanche control system (RACS) on Mount Baldy on their private property. Chris said the site was on East Baldy and faces the same land use regulation puzzle that the Wyssen Towers did last summer. Chris said all the RACS on Mount Baldy are on land zoned FR-50, and the only use permitted is a single-family home and accessory structures so the ski area would need a conditional use permit from the planning commission. That approval was granted by the planning commission on July 18, 2023 with the condition that the ski area use the smaller of the two tank farm options to minimize ridgeline impacts. With that approval in hand, the next step is for the land use appeal authority to consider a variance to the prohibition to building on a slope with a gradient of more than 30 percent steepness.

Dave Richards appreciates the time of the planning commission, town council, and staff in considering this request. He stated he felt that they had demonstrated their need for a variance in the application and that they'd met the burden of proof.

MOTION: Sheridan Davis moved to grant a variance to Alta Ski Area to install a remote avalanche control system on a slope over 30 percent on Mount Baldy as requested, and Mayor Bourke seconded.

ROLL CALL VOTE BY JEN CLANCY: Mayor Bourke - Yes, Councilmember Byrne – yes, Councilmember Davis – Yes, Councilmember Morgan - Yes. The motion passed unanimously and the variance was granted.

3. **MOTION TO ADJOURN**

01:29:30

MOTION: John Byrne motioned to adjourn, and Mayor Bourke seconded.

VOTE: All in favor. The meeting was adjourned unanimously.

(Elise Morgan left the meeting)

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PUBLIC HEARING

1. **CALL THE PUBLIC HEARING TO ORDER**

01:30:00

Promptly at 6pm, Mayor Bourke called the public hearing to order for August 9, 2023.

2. **PUBLIC HEARING TO ACCEPT PUBLIC COMMENT REGARDING THE PROPOSED FY 2024 BUDGETS AND PROPOSED TAX RATE OF .001043 AND ASSOCIATED REVENUE ESTIMATED AT \$400,165**

01:30:10

Mayor Bourke said he would like to make some opening remarks. He said property taxes are going up, partly because the Town of Alta is raising its tax rate. He added that Alta receives about 6% of the property taxes we property owners pay and if the proposed rate is approved then the town would receive about 10%. He pointed out that a few other entities have proposed to raise their rates, and the assessed value can also increase the total due. Mayor Bourke reminded people that as property values increase, the County ordinarily lowers our tax rate to keep the revenue to the Town constant. He said as our expenses go up, for instance adjusting salaries to the market or replacing aging equipment, or saving for a community center we fall behind unless we change our tax rates. He noted that in comparison to our nearest neighbors we have the lowest tax rate.

No public comment was made.

3. **DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION 2023-R-17
ADOPTING A FINAL TAX RATE OF .001043 WITH FORM PT-800**

01:39:00

MOTION: John Byrne motioned to adopt Resolution 2023-R-17 and tax rate .001043, and Mayor Bourke seconded.

ROLL CALL VOTE BY JEN CLANCY: Mayor Bourke - Yes, Councilmember Byrne – Yes, Councilmember Davis – Yes. The motion passed unanimously.

4. **DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION 2023-R-18
ADOPTING THE FY24 BUDGETS**

01:40:30

MOTION: Sheridan Davis motioned to adopt Resolution 2023-R-18, and John Byrne seconded.

ROLL CALL VOTE BY JEN CLANCY: Mayor Bourke - Yes, Councilmember Byrne – Yes, Councilmember Davis – Yes. The motion passed unanimously.

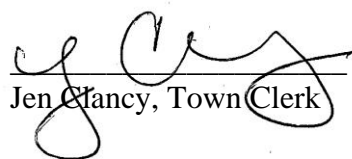
5. **MOTION TO ADJOURN**

01:42:20

MOTION: Mayor Bourke motioned to adjourn, and Sheridan Davis seconded.

VOTE: All in favor. The public hearing was adjourned unanimously.

Passed this 13th day of September, 2023


Jen Clancy, Town Clerk