

MINUTES
ALTA TOWN COUNCIL MEETING
THURSDAY, OCTOBER 11, 2007
10:00 AM
ALTA COMMUNITY CENTER
ALTA, UTAH

The Mayor called the meeting to order. Council members Steve Gilman, Paul Moxley and Dave Richards were present. Bill Levitt was excused.

The Mayor announced that he will adjust the agenda to accommodate Judge Balmforth's schedule.

DISCUSSION WITH POSSIBLE ACTION ON A REQUEST TO RECERTIFY THE ALTA JUSTICE COURT

The Mayor reminded the Council that at their last meeting, discussion was held on the requirements for the Town to recertify the Alta Justice Court. Since that time staff has been working with the Judge and our legal counsel to meet those requirements. The Judge has reviewed the recertification form with Town staff and feels that we are in compliance. The Town will not be requesting any waivers. Paul Thompson has also written a letter stating the same.

Judge Balmforth commented that he feels the Alta Justice Court is running well and that Piper, the Court Clerk, is doing a great job of running the Court. People are treated with respect and courteous as they should be. We have created a separate room for witnesses and a jury if one is necessary. The Judge also reminded the Council that if called upon, defendants can and do appear before him in his South Jordan Justice Court with Piper in attendance. He stated that it is a pleasure to serve as the Town's Justice Court Judge.

Hearing no further comments, there was a motion by Paul Moxley to approve Resolution 2007-R-11 requesting the re-certification of the Alta Justice Court. There was a second by Steve Gilman and the motion was carried.

The Mayor called for a vote on Resolution 2007-R-12 – A resolution confirming Clinton E. Balmforth as Justice Court Judge for the Town of Alta Municipal Justice Court.

There was a motion by Paul Moxley to approve Resolution 2007-R-12 confirming Clinton Balmforth as the Alta Justice Court Judge. There was a second by Dave Richards. Hearing no comments or questions, the motion was carried by a unanimous vote of the Town Council.

MAYOR'S REPORT

The Mayor congratulated Laura and Andy on the birth of their baby boy, Alexander Merritt Briefer. The Mayor also passed on his condolences to Steve McIntosh whose father passed away last week.

The Mayor brought the Council up to date on the replacement of the information sign at the mouth of the canyon. There were some mixed signals during this process but the end result is that the old sign that is owned by the Town of Alta will be coming down and as part of the UDOT Smart Highway Program, a new electronic sign will go up in its place. We have requested that the Town of Alta, through Alta Central, be the primary public agency that controls the sign with the Traffic Operation Center (TOC) backing Central up when necessary.

We are also working with the UDOT on the operation of the AM530 radio station. Plans are in the working to replace and upgrade the mechanics of that system. The FCC license is through the Town of Alta.

The Mayor stated that both the electronic sign and the AM530 radio station are vital tools for this canyon and we are working closely with all agencies to make these transitions as smooth as possible.

The Mayor reported on the recent meetings of the Community Center committee. Different locations for the proposed Center have been discussed.

The monthly Council of Mayors' meeting was held at the Rustler Lodge.

The Mayor also attended the monthly COG meeting, where there was discussion on water conservation issues.

At the monthly UFA meeting the Mayor discussed the Town's fire rating. It was determined that the fire rating in the main part of our Town was "4" and the West Grizzly, Grizzly and Albion Basin areas of the Town had a rating of "9".

We have hired Doris Oberlander as our new dispatcher, replacing Annie Crowley.

In mid September the US Army had an onsite visit in the Town of Alta to review the procedure of firing over occupied buildings within the Town. We have not had official word on their final ruling but it appears they will let us continue this procedure.

The Mayor reported that the vote on the school district split which will be on the ballot. The Mayor also reported to the Council that he chose not to sign the Pro statement on the publication put out by the League of Women Voters on this issue.

November 6th is the date of the General Election. The Town's polling location is the Albion Grill and the polls are open from 7:00 am to 8:00 pm. The count will be done electronically by Salt Lake County Election office and we have yet to determine how

soon the results will be available. In office and early voting sites throughout the County are listed on the Town's web site.

The final Candidates Forum night will be November 1, 2007 at 6:00 pm at the Alta Community Center/Library.

There was another OSV meeting hosted by the Forest Service in Alta. The decision by the Forest Service is final and enforceable for the winter unless it goes in front of a Judge who rules differently.

The Mayor announced that we have finalized our contract with Parsons Behle & Latimer the Town's new legal counsel. Paul Thompson has taken on full time duties as the Justice Court Judge for Midvale City.

Due to some changes in the Sandy Post Office, the Town of Alta Contract Post Office hours will be changing on October 22nd. The new hours will be from 9:00 am to 1:00 pm Monday through Saturday except for holidays.

The Mayor explained that there has been a move at the Salt lake County Community Development department to centralize the appeal process for non-profits who are submitting applications from federal grants through the cities and town. Currently each organization appears before each city and town council asking for portions of their grants. After much discussion among the participating cities and town, the County agreed to keep that process in place and have asked each city and town to submit names of the organizations they wish to have on an application list.

The summer road will stay open when it is passable and will close when there is too much snow and it is not safe.

The Mayor announced that there will be an Alta Planning Commission meeting on November 13th: time and place yet to be announced. Skip Branch, Chair, has expressed to the Mayor his desire to become more involved with the Town of Alta by meeting on a more regular basis.

The Mayor expressed his desire to put citizen input back on the agenda. He proposed some guidelines: limiting the input to three minutes and requesting that the subject be something new or informative rather than something that is repetitive in nature. He would like a trial run at the end of this meeting.

Our next Council meeting will be Thursday, November 8th at 10:00 am.

The Mayor's son is conducting a food drive for the Utah Food Bank. He has placed cartons at the Post Office and the Alta School and would welcome food donations from our community.

TREASURER'S REPORT

Marc Dippo read the monthly report which is attached for the record.

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

DEPARTMENTAL BUDGETS

Town Administrator's Report: John reported that we have issued 14 building permits worth a stated value of 14.7 million dollars. That translates into \$46,500 in fees to the Town of Alta.

John reported to the Council on the lawsuits including recent submittals by MSI to the Court on this lawsuit.

John reported on his recent experience with a day of training at the Unified Fire Authority training center.

The avalanche wall in front of the Hellgate is going up as we speak.

Marshal's Report: Mike Morey gave his monthly report which is attached for the record.

ARA Report: Susan Ragsdale reported that 45,000 brochures have been mailed out by a local mailing house in Salt Lake City. Call volume, as a result is starting to rise. She is talking about circulating additional brochures to local hotels and businesses in the Salt Lake Valley through a distribution company. She also reported on some finished projects one of which is a new add in the *Wasatch Journal*. The artwork for the coffee sleeve has been approved and we are the resort of the week on Skitown.com. There is discussion with staff and the Ski Lift Company about using their snowflake on ARA's publications, as it is a very recognizable logo.

We are anticipating starting ARA's winter hours around the 1st of November. Sara Madsen will be coming back to ARA as a full time seasonal employee this winter. Susan also reminded everyone of the Fat Flake Festival on Nov. 3rd which is Ski Utah's kick off event. Ski Utah would like one of the resorts to donate two dump trucks full of snow.

APPOINTMENT OF MIKE MOREY AS ALTA TOWN MARSHAL: SWEARING IN/OATH OF OFFICE TO FOLLOW.

The Mayor announced that the Council must approve Mike Morey as Alta Town Marshal, as he is an appointed official of the Town of Alta

Hearing no comments or questions, there was a motion by Steve Gilman to approve the appointment of Mike Morey as Alta Town Marshal. There was a second by

Dave Richards and the motion was carried by a unanimous vote of the Town Council.

Kate Black was asked to swear Mike in by having him repeat and take the Oath Of Office. Lisa Morey, Mike wife, pinned on his new Marshal badge.

DISCUSSION WITH POSSIBLE ACTION ON THE FOLLOW ITEMS:

- 1. There was a motion by Dave Richards to approve the minutes of the July 12, 2007 Town Council meeting. There was a second by Steve Gilman. Hearing no comments or questions, the motion was carried.**
- 2. There was a motion by Steve Gilman to approve the minutes of the August 9, 2007 Town Council meeting. There was a second by Tom Pollard. Hearing no comments or questions, the motion was carried.**
- 3. There was a motion by Paul Moxley to approve the minutes of the September 13, 2007 Town Council meeting. There was a second by Steve Gilman. Hearing no comments or questions, the motion was carried.**
4. Antimony Treatment Technology – The Mayor commented that we have been dealing with the issue of antimony in our water since 1996. He introduced Keith Hanson, the Town's Water Operator and Manager and Bob Hart, an engineer from the State Division of Drinking Water who were asked to give an overview of where we stood at this moment in time with this situation.

Keith reported that he taken the Mayor into the Bay City mine where they reviewed the system and talked about the Town's options with regard to the antimony situation. The Bay City water currently exceeds the antimony standard set by the EPA by approximately twice. The Town is currently working under a two year variance that was granted by the Board of the Division of Drinking Water. That variance expires in March of 2008. Therefore the Town must go in front of the Board again starting in January of 2008 requesting another variance.

After the last variance was granted, the Town entered into an agreement with Service Area #3 to take water from their Peruvian Source and blend it with our water to reduce the level of antimony in the Town's water. The Peruvians source does not exceed the antimony standard. We were able to get down to 9.3 parts per billion about three (3) parts per billion over the standard of six (6) parts per billion.

Keith reported that there is a long history of pilot technologies that the Town has tried. Also, during the EPA's six year review process in 2002, the Town sent over 220 pages to the EPA requesting that they review the standard set for antimony. The EPA is scheduled to review this again in 2008.

Keith feels that we need to be showing progress toward a solution in treating the antimony level in the Town's water during the next two years. He commented that we have had success in treating for the removal of antimony by using absorptive iron

based media based technologies and we also looked at a point of use system using individual filters in homes. This later type of treatment, in the opinion of the EPA, would be a system of last resort and is used mostly in trailer parks. In our situation the point of use treatment would be problematic as we would have to place a filter at the point of entry to each hotel and point of use at homes. This type of technology might be more expensive than we think.

If the Town is going to move toward a final solution to the antimony removal in its water system, Keith feels that we should approach the Drinking Water Board for a planning grant to hire an engineering firm to do the following: review the data from the numerous pilot studies conducted by the Service Area on behalf of the Town, make suggestions on other treatments we might have overlooked and make recommendations to the Town Council on full scale treatment options for our water system.

The Mayor stated that we were hoping that the EPA would take a second look at their standard for antimony and possibly adjust the level but he does not think that is possible. Therefore it is his opinion that we have to move forward and address full scale treatment on this issue.

Bob and Keith both commented that if the Board gives a planning grant/ advance to the Town for this purpose that advance would be rolled over into a future possible loan for treatment. In other words, the grant is not free money but money that becomes part of the Town's overall loan for this project.

Keith reminded the Town Council that he, representing the Town, will have to go in front of the Board no matter what and ask for an extension on the Town's variance because the Town cannot come into compliance on antimony before March of 2008.

The Council asked about the estimated costs of the treatment for the removal of antimony. Keith stated that in 2004 costs it would be around \$550,000 to treat the flow from the Bay City Tunnel plus annual operating costs of around \$30,000.

There was discussion on other whether we had the time to put together a proposal for the Board's November meeting or whether the Town should wait until January for our presentation which would include a request for funds for a planning grant/advance and another variance.

Bob Hart recommended that the Town put together an RFP for an engineering firm and have a firm in place before the January meeting.

Dave Richards asked about other improvements in our water system that we would like to address such as the looping of our system. Keith felt that antimony treatment was our first priority.

There was a motion by Steve Gilman to authorize the Mayor, after a careful review of the facts, to issue an RFP for engineering services to address the presence of antimony in its water system and then proceeding to the January Board meeting of the Division of Drinking Water for a variance and funds for a planning advance to hire said engineering firm. There was a second by Paul Moxley and the motion was carried.

TOWN OF ALTA JOINING STATE RETIREMENT SYSTEM

The Mayor explained that when it comes to retirement programs, state, local and other public employees can only join the State Retirement System. The percentage contribution to that system is determined by the State Retirement System and the Town would be required to contribute that percentage for each participating employee. It would take four years for an employee to become vested in the system and for every year that you contribute the employee would receive 2% of their highest three year average salary upon retirement.

A majority of the Town employees are in favor of joining this system.

The Mayor went over his proposal with the Council. The Town would buy one year of eligibility for each qualified employee: 2006-2007. We would then proceed forward from that point on. He explained that he would like to continue what has been called the "funds in lieu of" program in addition to joining the state system in the following way: the first year (2007-2008) the Town would give each qualifying employee 7% of their annual gross, the next year (2008-2009) 6% and the third year (2009-2010) 5%. He reminded the Council that they cannot commit future Council's to this these additional funds. Each year the sitting Council would have to approve the expenditure of funds necessary to meet this obligation. After this three year cycle, the staff would be fully vested in the State Retirement System. His proposal would continue the allocation in the budget of the "funds in lieu of" at a rate of 5%

The State Retirement System does allow for one employee in a group of our size to opt out of that system. At this point in time, we do not know who or if anyone will choose to do that. Although there is a separate retirement system for public safety, the Town public safety personnel will only be offered the regular retirement system plan.

Paul Moxley reviewed the system and proposal and felt that the Town of Alta should offer this benefit to its employees as it promotes long term service to the Town and community. He is in favor of the program.

Steve Gilman stated that although it is a significant commitment for the Town initially and it not going to be so in future years.

By joining the State Retirement System, other options such as 401's or 403's are open for Town employees.

The members of the Town Council that were present at this meeting agreed to let staff proceed with putting the final numbers together for the November meeting.

CITIZEN INPUT:

Dawn Page, a homeowner in the Grizzly Gulch area, thanked the Town of Alta for paying for and operating the Shuttle Service all summer to the Albion Basin. It made a huge difference in the traffic on the summer road. She would like to know how many people rode the shuttle. Staff should have those numbers by the next meeting. The cost of the shuttle for this summer was around \$20,000. We ran the service for any additional month. Some of the cost of that service was off set with the donations collected at the donation box at the summer booth.

Mike agreed that the Shuttle service is a great management tool for the Town. He also commented that by having this van service in place it's like having a citizen patrol; another set of eyes. The incidents of crime and nuisance calls have dropped dramatically.

Hearing no further business before the Town Council, the meeting was adjourned.

Passed and approved this _____ day of _____, 2007

Katherine S.W. Black
Town Clerk

TREASURER'S REPORT
11-Oct-07

MAJOR BILLS PAID

| | |
|-----------------------------------|--------------|
| Payroll | \$44,284.85 |
| Payroll taxes | \$20,480.67 |
| Attorneys | \$14,337.85 |
| Albion Basin Shuttle Services | \$9,437.50 |
| Workers Comp Insurance | \$691.71 |
| Winter Brochure Mailing Costs | \$12,816.39 |
| Forsgren - Inspectors | \$4,502.50 |
| Health, Dental and Life Insurance | \$10,097.62 |
| Fire House Painting | \$4,300.00 |
| UFA Quarterly Payment | \$23,862.00 |
| Road Work to Water Reservoir | \$1,027.27 |
| Other Town Bills | \$14,619.92 |
| Total | \$160,458.28 |

MAJOR REVENUE RECEIVED

| | |
|---|--------------|
| Sales Tax Uniform | \$2,250.63 |
| Sales Tax Resort | \$0.00 |
| Property Tax | \$1,152.67 |
| Dog Licenses | \$75.00 |
| Business and Liquor Licenses | \$952.00 |
| Court fines | \$689.00 |
| Post Office Contract Payment | \$1,166.67 |
| Office of Tourism Grant - partial payment | \$18,250.00 |
| Building Permits | \$795.16 |
| Energy Taxes | \$1,035.89 |
| Reimbursement - Homeland Security Grant | \$10,895.45 |
| Total | \$37,262.47 |
| General Fund Checking | \$12,027.89 |
| General Fund Savings | \$316,555.88 |