

The Town of
Star Valley Ranch, Wyoming

SPECIAL TOWN MEETING MINUTES

FINAL

August 23, 2011

Present: **Boyd Siddoway, Mayor**
Kent Harker, Councilman
George "Al" Redlin, Councilman
Edwin Koch, Councilman
Carol Warren, Councilman

Call to Order, Roll Call of Councilmen, and Statement of Quorum: A Special Town Council meeting of the **Town of Star Valley Ranch Town Council** was held August 23, 2011 at **Town Hall**. **Mayor Siddoway** called the meeting to order at 7:00 PM, and declared the existence of a quorum. Also present were Town Administrator Gregg Wilkes, Town Attorney Spencer Allred and Town Clerk Brenda Bauer.

A list of attendees (sign-in sheet) is on file and available for inspection at the Town Clerk's Office

Pledge of Allegiance: After welcoming everyone **Mayor Siddoway** lead the recitation of ***The Pledge of Allegiance***

Recognition: **Mayor Siddoway** recognized SVRA Directors Kathy Daulton & Mike Blackman.

Statement of Rules for Special Town Meeting:

Any meeting that is not a regularly scheduled meeting is a special meeting. Special meetings may be called by the presiding officer of the governing body by giving notice of the meeting to each member of the governing body and to each newspaper of general circulation, radio or television station requesting the notice. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at a special meeting. Notice of a special meeting is not required to be published in any newspaper; however, it must be provided to any newspaper of general circulation, radio or television stations requesting the notice.

The WOML does not specify a minimum time in advance of a special meeting in which notice must be provided. However, because there is a special provision for emergency meetings, the law implies that special meetings would provide more notice than an emergency meeting and at a minimum, notice of special meetings should be given at least 24 hours prior to the special meeting.

Adopt Agenda:

Councilman Redlin moved that **The Town of Star Valley Ranch** adopt the agenda as published. **Councilman Warren** seconded the motion. The motion carried unanimously.

Community Center Grant Application:

Councilman Koch moved that The Town of Star Valley Ranch take from the table the Resolution No. 11-08-09-002 “Rehabilitation of the Barn and Silo complex into a year round Community Center.” Councilman Harker seconded the motion. The motion carried unanimously.

Resolution No. 11-08-09-002

A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION TO THE WYOMING BUSINESS COUNCIL FOR GRANTS AND A LOAN THROUGH THE STATE REVOLVING FUND ON BEHALF OF THE GOVERNING BODY FOR THE Town of Star Valley Ranch, Wyoming FOR THE PURPOSE OF Rehabilitating the Barn & Silo complex into a year-round Community Center.

WHEREAS, the Governing Body of the Town of Star Valley Ranch, Wyoming desires to participate in the STATE REVOLVING FUND program to assist in financing this project; and

WHEREAS, the Governing Body of the Town of Star Valley Ranch, Wyoming recognizes the need for the project; and

WHEREAS, the Governing Body of the Town of Star Valley Ranch, Wyoming recognizes that this project will provide a gathering place for residents valley wide, a wellness hub and a year-round facility for recreation, education and social activities, and

WHEREAS, the Governing Body of the Town of Star Valley Ranch, Wyoming recognizes that this project will not compete with any existing businesses or governmental organizations, and

WHEREAS, the Governing Body of the Town of Star Valley Ranch, Wyoming recognizes that this project will contribute to enhance the Town’s overall economic development strategies, and

WHEREAS, the STATE REVOLVING FUND program requires that certain criteria be met, as described in the Wyoming Business Council Rules and Regulations governing the program, and to the best of our knowledge this application meets those criteria; and

WHEREAS, the WYOMING ECONOMIC DEVELOPMENT AGENCY (WEDA) BRC Revenue Recapture Rules requires that certain criteria be met, as described in the Wyoming Business Council Rules and Regulations governing the program, and to the best of our knowledge this application meets those criteria; and

WHEREAS, the Governing Body of the Town of Star Valley Ranch, Wyoming plans to repay the requested STATE REVOLVING FUND LOAN and fund a REVENUE RECAPTURE PLAN from the following source(s): LEASE PAYMENTS

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE Town of Star Valley Ranch, Wyoming that Grants and loan applications totaling an amount of approximately \$3,500.000 be submitted to the Wyoming Business Council for consideration at the State Loan and Investment Board meeting to assist in funding the Town of Star Valley Ranch Community Center Project.

BE IT FURTHER RESOLVED, That Mayor Boyd Siddoway is hereby designated as the authorized representative of the Town of Star Valley Ranch, Wyoming to act and sign documents on behalf of the Governing Body on all matters relating to these applications. Passed and adopted this 23rd day of August, 2011.

Mike Blackman stated the Community Center Project Team had been running at full speed over the last couple weeks trying to get the ready community grant and loan application ready for a September 1st submittal. We prepared a slide presentation for a Public Hearing on August 9th, and then we were putting the application on the final form when we received a notice from the Wyoming Business Council that the Attorney General Office had changed their opinion on our lease back arrangement. The Association was going to lease the Barn & the Silo to the Town, the Town was going to turn around and lease it back to us so that we could apply as the Town for the grants and loans. The Attorney General's Office initially had indicated the preliminary approval of this about a month ago. The Wyoming Business Council had said yes they had done similar things. The Business Council was notified now that the Attorneys General Office understands the lease –lease back they thought the Town owned the buildings and were leasing to the Association. They provided three alternatives, two of them are: a Community Development Board or a Joint Powers Board. The Association is looking into those and speaking with their attorney while the Town does the same. An e-mail has been sent to the Wyoming Business Council to find out more details about the Joint Powers Board. Insight of the September 1st deadline the Community Project Team has been placed on hold, until the Town and the Association can get back together. There is another submittal for these grants in March with a December 1st submittal deadline that we are still working towards for the Community facilities. Some of the write up will have to be changed as the lease agreement was the foundation for the submittal and the monetary value to be able to pay the loans back. If this cannot be worked out with the Town the Association is looking at the whole cart to see how it could be done in smaller phases with what they have and the ability to raise money.

Town Attorney Allred confirmed that Town is not against the Association we just have to find a way to work together legally.

Councilman Koch moved that **The Town of Star Valley Ranch reject Resolution No. 11-08-09-002 for the application for the rehabilitation of the Barn and Silo complex into a year round Community Center due to the State's declaration of the Town's ineligibility for the grant. Councilman Redlin** seconded the motion. **The motion carried unanimously.**

Future Town Complex Development Fund:

Resolution No. 11-08-23-001

RESOLUTION TO create a fund for the future development of a Town Complex located on the Northeast corner of Vista Drive and Vista West Drive and to commit Five Hundred Thousand Dollars (\$500,000.00) for this purpose.

WHEREAS the Town of Star Valley Ranch, in planning for the future development of the Town Complex desires to establish a fund in preparation of the event, and

WHEREAS the Town of Star Valley Ranch, in planning for the future development of the Town Complex desires to set aside certain funds in preparation of the event, and

WHEREAS the Town of Star Valley Ranch has a sufficient balance of unencumbered funds at this time, and

WHEREAS the Town of Star Valley Ranch wishes to “commit” these funds for the exclusive use in the development of the future Town Complex.

NOW THEREFORE, BE IT RESOLVED, the Town of Star Valley Ranch does hereby authorize the Town Treasurer to modify Five Hundred Thousand Dollars (\$500,000.00) of existing unencumbered Certificates of Deposit and designate them as the “Town of Star Valley Ranch, ‘Committed Funds’, Town Complex Development Account”.

Passed and adopted this 23rd day of August, 2011.

Councilman Harker moved that The Town of Star Valley Ranch approve Resolution No. 11-08-23-001 “Creation of a fund for the development of the Town Complex” and to commit five hundred thousand dollars (\$500,000.00) of CDs for this purpose. Councilman Redlin seconded the motion. The motion carried unanimously.

Kathy Daulton asked if the funds can be uncommitted. **Mayor Siddoway** explained that a new resolution could be made to reverse the commitment of the funds if needed.

Jim Vandel asked if it was intentional that it was site specific. **Mayor Siddoway** explained the Town invested a lot of money on that lot with the intent to build a Town complex and we don’t want to throw it away.

Carl Brown asked if the Town has unencumbered funds it seems like as the same time we owe a lot of money with the water system, should the Town be paying off some of that. **Mayor Siddoway** explained state law requires us to have the water department completely separate from the Town and the Town can lend money to the Water but the Water Department cannot provide to the Town. That is where the Town is heading with the water department to make it self-sustained.

Prater Canyon Flood Damage:

Pictures of the damage were shown.

The Town will be able to get a 75% assistance and a 25% match. It is only applicable to public owned facilities. Individuals will have to do their own repairs.

The engineers have designed a system for us and the contractor is ready to go. FEMA had waived the bidding process because we have a water main contractor on sight and was low bid of 5 bids and would not charge us mobilization.

If any dirt is moved it will negate our eligibility. So we have to wait until the contracts are signed and the approval given.

Councilman Redlin moved that The Town of Star Valley Ranch authorize Mayor Siddoway to sign all documents related to the Prater Flood Damage Restoration and Rehabilitation Project provided: A) Work on the project would be delayed if not signed and B) all documents are to be reviewed and ratified in the next regularly scheduled Town Meeting. Councilman Koch seconded the motion. The motion carried unanimously.

Carl Brown asked if it was only the street damage or also the water main. **Mayor Siddoway** explained that FEMA money can only be used to replace what was there before. It cannot be used to improve anything. They also have a fund called Hazardous litigation and that would allow us to improve something. Our plans at this time are to move the water to the North side of the road and will put in a new water main that will be the right size, right depth and two new fire hydrants. Will be restored in the same stream bed, it will be a gently slopped but wider and lined with a material to help slow the water down and prevent the fast water concentration which caused this issue. The Town does not own the property where it needs to be diverted back into the ditch. The Town has talked with the owner and his intent at this time is to do nothing that means that water will continue to run down that road into our area and somehow we have it get it diverted back into the main stream bed.

Craig Adler asked what the plan is for all the rock that came down. **Mayor Siddoway** explained the more we can slow this water down and the wider the channel the less rock it will bring. The Town will do the best we can on our side and hope the other residents join hands and assist as well.

Allen Winans commented he has a little experience with Federal Money and has seen a clause in the contract about required maintenance facilities, does the Town have this. **Mayor Siddoway** replied that the Town has not seen the contract yet but will have attorney check the contract when it arrives.

Jody Beckett wants to make sure that as private land owners the solution for some does not make an additional problem for others. If the flow is slowed up how will that effect the land owners above. Would like to urge that the land owners work with the Town to correct this issue. **Mayor Siddoway** explained he agreed that the Town should work with the land owners on this issue. **Jody Beckett** commented she walked up to the end of the road towards the canyon and and saw extra water flowing into the creek out of this large pipe. **Mayor Siddoway** explained that is overflow from the Prater Canyon Water Tank. When the Town installs the SCADA system there should no longer be overflow. When the plans are received in the office the Town Clerk will contact Jody to review.

Jim Rice asked if the Core of Engineers been contacted in conjunction with FEMA on these matters of the upper flow. **Mayor Siddoway** explained Tom Johnson out of Cheyenne sent information on the Flood of 1997 and explained as long as we maintained or went back into the existing stream bed we did not have to contact him. If the Town wanted to divert water outside the stream bed or into a new channel than we needed them to get involved. Jim Rice stated that there was some water diverted. Mayor Siddoway asked Jim to meet with him at 11:00 am on Wednesday to look at that location and then the engineers will be informed on Thursday.

Lincoln County Economic Development Grant Application:

Below are some figures that I came up with showing how much each town would pay for the proposed Economic Development Planning Grant that we talked about at our last meeting....

.....wanted to get these out to you before you have your council meeting this month.

Towns paying match portion of planning ED Grant.

Grant Match = \$12,500

<u>Towns</u>	<u>%</u>	<u>Amount</u>
Kemmerer	25	\$ 3,125.00
Afton	19	\$ 2,375.00
T of SVR	18	\$ 2,250.00
Alpine	10	\$ 1,250.00
Diamondville	9	\$ 1,125.00
LaBarge	7	\$ 875.00
Cokeville	6	\$ 750.00
Thayne	4	\$ 500.00
Opal	<u>2</u>	<u>\$ 250.00</u>
		\$12,500.00

Councilman Redlin moved that The Town of Star Valley Ranch authorize Lincoln County’s Economic Development request for Two Thousand Two Hundred and fifty dollars (\$2,250.00) in support of the project. **Councilman Warren** seconded the motion. The motion was approved by 1 member and opposed by 4 members, **Councilman Harker, Councilman Warren, Councilman Koch and Mayor Siddoway.**

Town Administrator Wilkes informed the council that the budget does not include this request.

Susie Johansson asked for clarification as to what they want the money for. **Mayor Siddoway** explained this for a grant to do some Economic Development planning. The grant is a 25% match and this would go toward the match.

Ron Thacker request more information on this grant. **Mayor Siddoway** explained the project would be to hire a firm to do three things: inventory of our county (assets that Towns have), recommend an organization of the county and the Town to manage this economic development project and third to put together a recommendation of individual that we should have running this. **Ron Thacker** commented that he thought most of this information was readily available from the County Assessors office. **Mayor Siddoway** explained it does not have the depth of details available that is needed.

Lincoln County Economic Development Letter of Support:

Commissioners,

The Town of Star Valley Ranch wishes it to be known that our Council and Town support the efforts to create jobs and bolster our economy through the effective growth of our County. The

plan to expand the overall economic base of Lincoln County and to enhance the individual earning opportunities of area residents by:

- 1) Attracting desirable new employers consistent with the area's quality of life and
- 2) Growing existing businesses and industry, work force skills & job training.

The Town of Star Valley Ranch in a special meeting voted unanimously (1 to 4) in support of the CD/ED Planning Grant and subsequent action to:

1. Establish a county-wide inventory of assets
2. Seek professional guidance
 - a. on a recommended marketing plan,
 - b. on an organizational structure, and
 - c. on a recommended staff.

Councilman Warren moved that The Town of Star Valley Ranch approve Lincoln County's request for a letter of support for their application of a Community Development/Economic Development grant from the Wyoming Business Council. Councilman Koch seconded the motion. The motion carried unanimously.

Recess Special Town Meeting for Hearing: 7:50 PM

Reconvene Special Town Meeting: 8:02 PM

Steel Pipe Replacement Phase II SLIB Application:

Resolution No. 11-08-23-002

A RESOLUTION AUTHORIZING SUBMISSION OF A PRE-APPLICATION FORM TO THE STATE LOAN AND INVESTMENT BOARD FOR A LOAN THROUGH THE STATE REVOLVING FUND ON THE BEHALF OF THE GOVERNING BODY FOR THE TOWN OF STAR VALLEY RANCH FOR THE PURPOSE OF REPLACEMENT OF THE DETERIORATED STEEL PIPE LINE IN OUR CULINARY WATER SYSTEM LOCATED WITHIN THE TOWN'S DISTRIBUTION SYSTEM, DESIGNATED AS PHASE II.

W I T N E S S E T H

WHEREAS, the Governing Body for the Town of Star Valley Ranch desires to participate in the State Revolving fund program to assist in financing this project; and

WHEREAS, the Governing Body of the Town of Star Valley Ranch recognizes the need for the project; and

WHEREAS, the STATE REVOLVING FUND program requires that certain criteria be met, as described in the State Loan and Investment Board's Rules and Regulations governing the program, and to the best of our knowledge this application meets those criteria; and

WHEREAS, the Governing Body of the Town of Star Valley Ranch plans to repay the requested STATE REVOLVING FUND LOAN from the following source(s):

- A Base Fee increase of \$4.00 per month per tap
- Short fall (if any) will be covered by the General Fund

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE Town of Star Valley Ranch, Wyoming, that a loan application in the amount of \$2,098,600 with 50% principle forgiveness be submitted to the State Loan and Investment Board for consideration at the October 6, 2011 meeting to assist in funding the Star Valley Ranch Steel Waterline Replacement Project - Phase 2

BE IT FURTHER RESOLVED, that Mayor Boyd Siddoway is hereby designated as the authorized representative of the Town of Star Valley Ranch, Wyoming to act in behalf of the Governing Body on all matters relating to this grant application.

Passed and adopted this 23rd day of August 2011.

Councilman Redlin moved that The Town of Star Valley Ranch approve Resolution No. 11-08-23-002 supporting the application for a 0.0% loan with a 50% principle forgiveness for the Phase II Steel Pipe Replacement Project. Councilman Koch seconded the motion. The motion carried unanimously

Ron Thacker stated that in the resolution it states a \$4.00 increase per meter but if SLIB Board rejects our 50% is the \$4.00 out of the picture and do we start all over again. **Mayor Siddoway** explained if we are not approved we will come back to the Council and the Resolution will become obsolete.

Councilman Redlin explained we are working right now on a first reading of adjusted water rates for our September reading to become effective with the January 2012 billing.

Adjournment: Councilman Harker moved that The Town of Star Valley Ranch adjourn the Special Town Meeting. Councilman Warren seconded the motion. The motion carried unanimously.

The Special Meeting was adjourned at 8:10 PM

Boyd Siddoway, Mayor

Date

Attest: _____
Brenda Bauer, Clerk

Date