

The Town of
Star Valley Ranch, Wyoming

TOWN MEETING MINUTES

May 22, 2007

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

The eighteenth regular monthly meeting of the **Town of Star Valley Ranch Town Council** was held on Tuesday, May 22nd, 2007 at **Town Hall**. **Mayor Siddoway** called the meeting to order at 7:00 p.m., and declared the existence of a quorum. Sixty people were present, including all members of the Town Council.

Also present were Town Treasurer **Seyed Yadegari**, Town Road Superintendent **Warren Webb**, and Clerk **Andy Moffett**.

Town Attorney **Josh Smith** of **Bowers Law Firm, PC** and Town Auditor **Jim Dubisz, CPA** were also in attendance.

Others present at the meeting included homeowners association board members **Joe Angelovic, Larry Watt, John Daulton, Kathy Dietz** and **Carl Brown**.

Local media was represented by the **Star Valley Independent's Garren Stauffer**.

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

After welcoming everyone, Mayor Siddoway led the recitation of *The Pledge of Allegiance*.

Adoption of the Agenda: Councilman Harker moved to adopt the agenda as amended. Councilman Redlin seconded the motion. The motion carried unanimously.

Approval of the April 17, 2007 Town Meeting Minutes: Councilman Redlin moved to approve the April 17, 2007 Town Meeting Minutes as written. Councilman Warren seconded the motion. The motion carried unanimously.

Approval of the May 8, 2007 Special Town Meeting Minutes: Councilman Harker moved to approve the May 8, 2007 Special Town Meeting Minutes as written. Councilman Wheeler seconded the motion. The motion carried unanimously.

Copies of the latest minutes are always available at Town Hall in the box outside the Clerk's Office. The minutes are also emailed, as a courtesy, to all interested parties on the Town's email distribution list. Archived agendas, minutes and highlights from previous Town Council Meetings may be found on the town's website at www.starvalleyranchwy.org.

Old Business:

Prior Year External Audit Management Report: Mayor Siddoway introduced Town Auditor Jim Dubisz. The Mayor indicated that each year's audit is followed by a formal Management Report completed by the auditor. Mr. Dubisz reviewed the audit completed for Fiscal Year 2005-2006. He explained that his audit for the Town of Star Valley Ranch was to review the basic financial statements of the Town. He had issued a draft report, to be reviewed by the Mayor and Council. Once reviewed, it will be bound and available for public viewing. Mr. Dubisz discussed his meeting with the Council. During that meeting, internal controls over financial reporting and operations, which is the bedrock of an audit, were reviewed. Mr. Dubisz was pleased to say that the foundation of internal controls and control consciousness were thoroughly being executed by the Town of Star Valley Ranch. Auditor Dubisz added that the Town has been "fiscally conservative and has sought to keep overhead expenses to a minimum while maximizing earnings in cash reserves." Mr. Dubisz said the Town had done a "tremendous job of being fiscally responsible as reflected in the financial statements." He closed by saying he had made suggestions for opportunities in the future to the Mayor, Council and Town Clerk.

Mayor Siddoway said it was the appropriate time for the Council to recognize **Andy Moffett**, Town Clerk. The Mayor said, "It makes it very easy for us, as a Council and a Mayor, to live up to these expectations because of his controls, delightful nagging and that he makes sure we follow the rules." "As the Mayor, I'd like to thank Andy Moffett, one more time." *Round of applause ensued.*

New Business:

Barry Kendall, spokesman for the SVRA July 4th Committee, explained that Independence Day activities had been scheduled for Saturday, June 30, 2007. He addressed the Council to request permission to close Cedar Creek Road along the pool, permission to close the road to Cedar Creek Pro Shop for 20 minutes at 10:30 for the golf cart parade, and permission to use the road that crosses the ninth fairway for the mule team and wagon rides from 12 until 3 in the afternoon.

Councilman Wheeler moved the Town of Star Valley Ranch authorize the road closures requested by the Fourth of July Committee for June 30, 2007 at the locations and times specified. Councilman Redlin seconded the motion. The motion carried unanimously.

Mr. Kendall requested the Mayor and Council consider a proposal for the Town to purchase flags to be used on patriotic holidays. The flags and parts are assembled by Scouts at a cost of \$16.95 each. Mr. Kendall provided an explanation on how the flags should be placed in the ground with 3 foot rebar. He had the actual flag with him for display and discussion. Mayor Siddoway asked Mr. Kendall how he envisioned the flags being utilized for the July 4th holiday celebration. Councilman Wheeler agreed with the Mayor and Mr. Kendall that flags should be placed at the Town entrance to enhance the Town image. Discussion ensued with Roads Superintendent Webb about any possible complications with the rebar required for the flags.

Councilman Redlin moved the Town of Star Valley Ranch purchase 50 American Flags with display hardware for the Town, for a total expenditure not to exceed \$900.00. Councilman Wheeler seconded the motion. Motion carried unanimously.

Subdivision Approval Request – Stonefly Ranch Phase II: **Jamie DeCora** of Surveyor Scherbel, accompanied by developer **Jason Lowder**, requested the Mayor and Council approve a subdivision Request for **Stonefly Ranch Phase II**. The Mayor explained that new subdivisions or changes made to an existing subdivision within one mile of the Town must have a representative approach the Town with the request to ensure for future annexation purposes that the subdivision is approved by the Town. Mayor Siddoway explained that until the Town has planning and zoning ordinances, the Town Council's policy would be to review each subdivision based upon its infrastructure (road construction requirements, water, sewer/septic requirements and any other utilities they may have). *A short presentation ensued.*

Mayor Siddoway recognized the surveyor needed the approval of the Town and **Lincoln County**, but not necessarily in that sequence. Based upon the fact that the Council had not completely reviewed this topic, the Mayor asked her if she would return to the June 12th Town Meeting for final approval.

Council Reports:

Communications – Councilman Carol Warren: Councilman Warren announced that the **The Ranch News (Vol. 2, No 2)** had been placed in the US Mail on April 26th. Newsletters sent utilizing the Town’s bulk mail permit are not forwarded by the post office if addresses have changed or are incorrect. The newsletter can also be found on the Town’s website (**www.starvalleyranchwy.org**). Councilman Warren thanked newsletter editors **Kelly and Carl Brown**, as well as all the volunteers for their help this time with assembly. The cost of printing was \$420.00 and 1627 newsletters were sent out. \$461.37 was spent for postage. Total cost of producing and mailing the newsletter, to include addresses outside the US: \$930.00.

Councilman Warren encouraged everyone to continue to visit the Town website, and added that many changes had taken place. Special thanks to **Town Webmaster Angela Aitken** who volunteers her time each month. The Councilman said that “back-up” web-site software has been purchased with the intent to train volunteers so there would be multiple people who could assist with website management.

USPS Mail Delivery Options Meeting – Councilman Warren: Councilman Warren reported on a meeting held on May 3rd at Town Hall regarding USPS mail delivery options for the Town of Star Valley Ranch. The purpose of the meeting was to ensure that everyone present understood the current postal issues and how they affect the residents of the Town. Options on mail service were discussed as follows:

- Cluster Boxes within the Town
- Community Service Station or Central Location at a designated site
- Expansion of the boxes currently housed in the maintenance shed on Vista Drive
- Constructing a building to house mail boxes

The Councilman reported that the Mayor stated the Town will support the options and that a committee should be established to study them. A survey asking residents which option they would prefer would be developed by the committee. The next scheduled meeting regarding this topic is scheduled for July 16th, 2007 at 2:00 at Town Hall.

The Mayor requested of **Joe Angelovic** that the fourth member of the committee be a member of the homeowners association, and explained, “The reason we are involved is because the USPS refused to talk to anyone but the Mayor. The objective of this committee is to get information that is factual, to discover what options there really are, and to disseminate those options.

Councilman Warren moved the Town of Star Valley Ranch approve a citizens’ committee co-chaired by Councilman Warren and Mayor Siddoway for the purpose of gathering and disseminating information about USPS mail delivery in and around the Town; as well, approve the following committee members: Ron Mueller, Rolf Burmeister, Howard Johnston and additional members as required. Councilman Harker seconded the motion. The motion carried unanimously.

Culinary Water Transfer – Mayor Boyd Siddoway: Mayor Siddoway regrettably informed the residents that if they had come to the evening’s Town Meeting to hear final conclusions regarding the Culinary Water Transfer purchase amount, situations had arisen that had prevented the Town from presenting the information. The Mayor said he knew many people had stayed up the evening prior, well past midnight, trying to get more information. The Mayor himself had continued to gather information as late as two minutes before the meeting had begun. He asked those who had been in attendance at the meeting the previous evening to recall that the Town and the Association had agreed to get an outside, independent assessment of the value of certain components of the assets to be transferred. It had been hoped that such

impartial input would give the two entities common ground upon which to debate and/or negotiate. Mayor Siddoway explained that the information the Town had received at about 6:30 p.m. was incomplete, and it offered no basis for a mutually beneficial decision. Mayor Siddoway called for a **Special Town Meeting** for the purpose of discussing the **Culinary Water Transfer** on Thursday evening, **May 24th** at 7PM in Town Hall. Mayor Siddoway apologized to everyone and added that “we are as disappointed as all of you.”

Ordinance 2007-02: Utilities – Culinary Water - Councilman Redlin: Councilman Redlin presented the **second reading** of Ordinance 2007-02 Chapter 4 Utilities – Culinary Water. He advised the residents that only changes made since the first reading need to be read and reviewed for the second. Councilman Redlin said the only change to the ordinance had been the **elimination of paragraph d in section 4-9**. The Councilman reviewed the topic of the paragraph that had been eliminated, which said that the Town was stating it could exercise authority over water that was not part of the Town’s culinary water system. He again stated it had been removed. *Ordinance as follows:*

ORDINANCE: 2007-02

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF STAR VALLEY RANCH, WYOMING

Chapter 4 – Utilities – Culinary Water

Section 4-1 Management and Control.

The Town (Municipality) shall have exclusive control and management of the Town’s culinary water system, and shall have exclusive management and control of the supply and distribution of water to all users within the corporate limits and to those that receive water from the Town that are outside of the corporate limits. The Town shall from time to time make such rules and regulations as are necessary for the complete management, control, expansion, improvement, distribution, and supplying of culinary water to the users.

Section 4-2 Definitions.

Water Service Line. The line running from the Municipal water main to the structure or property to be served.

Water Utility. All water and water rights, waterworks and appurtenances thereto, machinery, equipment and supplies used by the Municipality to supply consumers with water; provided, that the water service line from the meter or curb stop to the structure or property served shall be regarded the property of the owner of such structure or property owned.

Section 4-3 Reservation of Rights by Municipality.

The use of water under the provisions of this chapter shall not constitute or be deemed to be a relinquishment of any water or water right by the Municipality, and the Municipality reserves the full right to determine all matters in connection with the control and use of such water.

Section 4-4 Agreement to Rules and Regulations Prerequisite to Commencement of Services.

No person may be served with water from the water utility unless they agree to all the rules and regulations of the Municipality pertaining to the use of such water.

Section 4-5 Town Not Liable for Damages.

The Town shall not be liable to the users for any damages caused by interruptions of water supply, scarcity of water, water quality, accidents to works or mains, or during time of alterations, additions, or repairs, or for any other unavoidable causes.

Section 4-6 Inspection of Premises.

Free access shall at all reasonable hours be allowed to the Municipality to all places supplied with water from the municipal water utility to examine the apparatus, the amount of water used, and the manner of its use; and to ascertain any violation of the rules and regulations controlling the supply of water and the charges made therefore.

Section 4-7 Damaging Utilities Property or Equipment.

No person shall in any way damage any property, equipment or appliance constituting or being a part of the water utility.

Section 4-8 Trespass or Interference with Water Utility's Property.

No person, other than those authorized by the Municipality shall trespass upon the property of the Water Utility or tap any water mains or make connections therewith or in any way interfere with the Water Utility or the property, equipment, pipes, valves or other appliances of the Water Utility or change or alter the position of any valve or appliance regulating the flow of water in any pipeline.

Section 4-9 Water Conservation, Waste Prohibited and Restrictions on Use.

- (a) All water users shall keep their service pipes, connections, and other apparatus in good repair at their own expense and in such condition that they will not waste or permit the waste of water.
- (b) No person will use water from their water service on property not connected to the Municipal Water Utility.
- (c) In time of scarcity or when the Municipality is unable to furnish a sufficient supply of water for all purposes, the Mayor shall, by proclamation, place restrictions on the use of water to such an extent as may be necessary for the public good. The most common restrictions to be placed on the use of water and the penalty for abuse of the water restrictions will be found in Appendix 4-1, Water Conservation Plan.

Section 4-10 Discontinuance of Service-Failure to Comply with Regulations or Pay Charges.

- (a) If any water user fails to comply with the provisions of this ordinance, the Municipality may discontinue water service until the water user is in compliance and has paid any and all costs incurred because of the noncompliance.
- (b) In case any water user shall fail to pay all charges as prescribed by this ordinance, the Municipality shall shut off water to the premises, building, house or lot, and water shall not be turned on again until all charges have been paid, together with the charge for shutting off and turning on the water; provided, that the Municipality shall not shut off the water until the owner shall have been given ten (10) calendar days' notice in writing, by first class mail to the mailing address as shown on the records of the Water Utility.

Section 4-11 Water Service Connections.

- (a) Any person desiring a water service connection shall make written request to the Municipality to provide the connection.
- (b) The fee charged by the Municipality to provide the connection shall accompany a request for a water service connection. The amount of the fee for providing a water service connection will be found in appendix 4-2 and shall include the connection, water service line from the main to the Municipality's water meter.
- (c) Except in case of an emergency, no person other than those authorized by the Municipality shall turn on or off water to any premises. Water will not be turned on to a residence unless the occupant or the occupant's authorized representative is present.

Section 4-12 Maintenance.

The owner of any property connecting to the Water Utility shall be responsible for the maintenance of the water service line from the meter or stop and waste valve to the structure being served and shall keep his line in good condition at his expense so as to prevent waste of water. All Water Utility water meters and stop and waste valves will be maintained by the water utility. The cost of repairs resulting from neglect or abuse by the water user shall be paid for by the user.

Section 4-13 Disconnecting Service from Premises.

When a water user desires to disconnect his premises from the Water Utility, he shall not be permitted to take up that portion of the line between the main and the meter and all appliances from the water main to and including the meter and stop waste valve shall remain in the ground and in undisturbed condition.

Section 4-14 Tampering or Interfering.

It shall be unlawful for any water user or for any other person to tamper or interfere with any meter or meter seal or to so arrange his water service or piping so that the use of water will not actuate the meter.

Section 4-15 Shutting Water off at Street Mains.

Water may be shut off from any street main when necessary to make repairs or to make connections or extensions of the mains or to perform any other work necessary to maintain the water utility.

Section 4-16 Water Service Fees.

An annual, quarterly or monthly water service fee will be charged for each water connection. The water service fee charged for use outside of the corporate limits will be 1 1/4 times the rate charged within the corporate limits. The fee schedule will be found in Appendix 4-2.

Section 4-17 Billing and Payment.

- (a) An account shall be established for each water connection. All accounts shall be carried in the names and addresses of the property owner, agent, tenant, purchaser or lessee of each such parcel having the water connection.
- (b) No less frequently than once each year nor more frequently than once each month, a statement of each account, shall be prepared and sent to the name and mailing address appearing on the account. Nothing shall prevent accounts from being divided into groups with different billing dates for the purpose of establishing convenient billing cycles.
- (c) Statements shall be due and payable at the office of the Municipality (Town Hall) immediately upon receipt of the statement, and shall be delinquent if not paid in accordance with the fee schedule found in Appendix 4-2. Payments may be made in person or by U.S. mail, and may be tendered in the form of cash, cashier's check, money order, personal check. Payments may also be made via the online bill-pay function of a water user's checking account.
- (d) Property owners or the owner, agent, tenant, purchaser, or lessee of each property for which the water connection is made shall, each and all, be jointly and severally liable for each payment of charges and fees. Failure to pay any charges when due shall constitute a violation of the provisions of this ordinance. Collection of charges and fees under this ordinance when delinquent may be enforced by civil action brought by the Municipality for the Municipality in any court of competent jurisdiction, and this remedy is cumulative and not exclusive and shall be in addition to all penalties provided by the ordinance for any violation of any provisions hereof. No change of ownership or occupation shall affect the application of this section.

Section 4-18 Appointment of Special Municipal Officers.

The Mayor may appoint special Municipal officers, who are not certified peace officers, acting under the terms of their appointment under W.S. 15-1-103 (a) (1) with authority to issue citations to individuals for the purpose of enforcing this ordinance.

Councilman Redlin moved the Town of Star Valley Ranch approve the second reading of Ordinance 207-02 for Utilities – Culinary Water. Councilman Wheeler seconded the motion. The motion carried unanimously.

Ordinance 2007-02: Utilities – Culinary Water: Appendix 4-1 - Councilman Redlin: Councilman Redlin presented the **second reading** of Ordinance 2007-02 Utilities-Culinary Water: Appendix 4-1 - Water Conservation Plan. The Councilman stated no changes had been made since the first reading. *Ordinance as follows:*

ORDINANCE: 2007-02

APPENDIX 4-1 – WATER CONSERVATION PLAN

While the Town of Star Valley Ranch does not want to be accused of crying “wolf”, we do feel the need to be prepared in case of an emergency or water shortage. This Water Conservation Plan is designed to provide the assistance and support necessary for the Town to exercise proper stewardship over the community's water resources.

Although water conservation can be imposed on the public, it must be voluntarily and willingly accepted as

a shared responsibility between the water providers and the water users of the Town to be truly effective. The Town can succeed in meeting its long-term water conservation and supply goals and its commitment to maintaining Star Valley Ranch's status as a desirable place to live only if water users are willing to embrace and practice a conservation life style.

This Water Conservation Plan will remain in effect for at least the time period required for the Town to develop and implement additional water sources and storage to meet the Town water user's demand, successfully install meters on all services, and establish and bill for water usage based on a metered usage. While the Town believes this will take approximately three years, many of the factors critical to meeting this time period are not under the control of the Town.

1. Educational Programs –

- Emails
- Website Articles
- Flyers
- Membership Mailing of Water Ordinances and Resolutions
- Newsletter Articles
- Newspaper Articles
- Town Hall Conservation Awareness Meeting / Classes
- Town Entrance / Speed Sign Poles – Top Flagged
 - Yellow – Level I
 - Orange – Level II
 - Red – Level III
- Possible “Incentive” Program (Conservation Citizen of the Year)

2. Town Preparedness –

- Community Water Advisory Committee
 - (Recommendations of Water Emergency Classification to the Mayor)
 - Chaired by the Councilman assigned the Utilities Department
 - The Town Council recommends individuals with input from the SVRA Board of Directors
 - Selected by Mayor
 - Confirmed by the Council

Ordinances

- Mayor's Authority to Declare Water Emergency
- Excessive “water use” regulations and fines (All water users)
 - First Offense of the water year (April thru March): Written Warning
 - Second Offense of the water year: \$100.00 Fine
 - Third Offense of the water year: \$750.00 Fine per incident
 - Fourth Offense of the water year Maximum allowed by law (Potentially, the inclusion of water “cut-offs”)

Resolutions

- Creation and Appointment of “Special Municipal Officer”
- Creation and Appointment of a Municipal Court with Judge

Inspect and test water wells to produce maximum capacity

Contract “Leak Test” Project

3. Water Shortage Classifications –

The following “Levels” are guidelines, set and based upon the advice of the Community Water Advisory Committee, however, the Mayor may increase the declared “Level” based on a perceived pending public health and safety issue.

“On Going Conservation”

Education
No water hookups without a building permit
Request
Drought resistant landscaping projects.
Repair home leaks
Install water saving devices

“Level I – Moderate” YELLOW

(Storage tanks are not refilling in a 24 hour period, but have a high level mark of at least 50% of capacity during that period)

On going conservation measures plus:
Initiate alternate day home lawn irrigation based on street address
Daily watering period limited to 7:00 PM thru 7:00 AM
No open end hose watering, must use a sprinkling device
Maximum of one hour per sprinkler setting (location or area)
No watering on weekends or evening before federal and state holidays
- outside watering limited to Sunday 7:00 PM thru Friday 7:00 AM
No washing of vehicles, driveways or any outside cleaning with water
No recharging of yard fountains or artificial streams
Request
Golf Course and irrigation of “non-golf common property” watering limited to 7:00 PM thru 7:00 AM, Sunday 7:00 PM thru Friday 7:00 AM
Limit indoor water use

“Level II – High” ORANGE

(Following a minimum of three (3) straight days of “Moderate Condition” OR tanks are less than 10% of capacity)

Level I measures plus:
No landscape irrigation
Deferral of new water service connections
Request:
Limit toilet flushing
Collect warm-up water for use on plants
Full load washing machine only
Full load dish washing only
Reduce bath water level and shower time by ½

“Level III – Extremely High” RED

(Negative supply to demand or a minimum of three (3) days of Level II)

Level II measures plus:
No outside watering.
Request:
Drink or wash with “warm-up” / “cool down” water
Limit domestic use
1 bath / week / person
No washing machines (clothes or dishes)

A brief discussion regarding penalties ensued.

Councilman Redlin moved the Town of Star Valley Ranch approve the second reading of Ordinance 2007-02, Appendix 4-1 for the Water Conservation Plan. Councilman Harker seconded the motion. The motion carried unanimously.

Ordinance 2007-02: Utilities – Culinary Water: Appendix 4-2 - Councilman Redlin: Councilman Redlin presented the second reading of Ordinance 2007-02 Appendix 4-2 - **Water Service Fees**. The Councilman stated there had been no changes since the first reading. *Ordinance as follows:*

ORDINANCE: 2007-02

APPENDIX 4-2 – WATER SERVICE FEES

The Town of Star Valley Ranch will implement collection of fees for culinary water services on July 1, 2007. Fees are due and payable at the beginning of the billing cycle and shall be delinquent if not paid before the expiration of one month and ten (10) days after the date the statement was prepared for mailing or before the expiration of one month and ten (10) after the beginning of the billing cycle, whichever is later. It is incumbent upon property owners having water connections where the water is currently in a turned off status to notify the Municipality so that they will not be billed for the Water Service Fee.

Water Service Connection Fee: The fee to be charged by the Municipality for providing a new culinary water service connection, inclusive of the connection to the water main line, meter and stop waste valve will be based on service size in accordance with the following schedule. The Water Utility will provide meters or other upgrades as necessary to properties that currently have water connections at the Towns actual cost of providing the meters or upgrades.

<u>Service size</u>	<u>Fee</u>
¾ inch	\$4,700.00
1 inch	\$8,000.00
1 ½ inch	\$18,000.00
2 inch	\$30,000.00

Base Fee and Water Service Fee: Quarterly fees, based on standard calendar quarters, will be charged by the Municipality. The Municipality will charge a uniform quarterly base fee, based on service size, to all properties within the corporate limits of the Municipality that have been provided a water service connection. The Municipality will charge a uniform quarterly water service fee, based on service size, on all connections where the water service is turned on, until such time as water meters are available on all such connections. The quarterly fee will be charged for each quarter or portion of a quarter that the water service connection has been available. A quarterly billing statement will be issued by the Municipality to the property owner or designated recipient of record. It is incumbent upon property owners to advise the Municipality in writing if the billing statement is to be directed elsewhere.

<u>Service Size</u>	<u>Quarterly base Fee</u>	<u>Quarterly Water Service Fee</u>
¾ inch	\$15.00	\$60.00
1 inch	\$25.00	\$100.00
1 ½ inch	\$55.00	\$225.00
2 inch	\$90.00	\$375.00

A ten (10) percent discount will be provided to customers who pay for a full year of water service in the first month of the Municipal fiscal year which begins July 1 of each year.

Turn On/Turn Off Fee: The Municipality will charge a fee to turn water off or to turn water on to a property.

Turn On/Turn Off Fee	\$15.00 (during normal working hours)
	\$30.00 (outside of normal working hours)
authorized	\$250.00 (turn on or off by other than
case of emergency)	person, except in

Fees Outside of the Town Corporate Limits: Water users outside of the Municipal corporate limit will be charged fees that are 1 ¼ times the rates shown above.

Penalties: A penalty of 5% will be assessed on payments that are delinquent.

Interest: Interest will be charged on delinquent payments at the rate of 1½% for each full month or portion of a month that the payment is delinquent.

Discussion ensued as follows: A Town resident brought up for discussion his perception of the possible impact the Town's fee of \$4,700, for an initial water hook-up, verses the \$6,000 some have already paid to the Association may present problems. Mayor Siddoway responded that the Town and Association are two different organizations with two different sets of rules. A Town and/or Municipality operating a water system can only charge fees for recovery of operating costs or investments into the system. A municipality must adhere to three fee generating areas, including: initial investment, actual cost and anticipated investments needed for future growth. Mayor Siddoway advised that the \$4,700 figure was derived from the one dollar (initial investment), and that a **WWDC (Wyoming Water Development Commission)** engineer had come up with fees associated with actual cost and anticipated investments. Mayor Siddoway emphasized, **"Every penny collected in the water environment must be used exclusively for water."**

Councilman Redlin moved the Town of Star Valley Ranch approve the second reading of Ordinance 2007-02, Appendix 4-2 for the Fee Schedule. Councilman Wheeler seconded the motion. The motion carried unanimously.

Councilman Harker moved that the Town of Star Valley Ranch recess to Executive Session to discuss the potential legal action regarding the BLM Right-of Way-Grant. Councilman Redlin seconded the motion. The motion carried unanimously.

Council recessed to Executive Session at 8:15 PM

Council reconvened from Executive Session at 8:42PM

Upon reconvening, Mayor Siddoway explained that the reason for the executive session had been because the Town had received a letter from a resident's attorney questioning the *validity* of the **BLM Right-of-Way Grant** the Town had received in late October 2006. The letter challenged the procedure the Town had followed in reviewing and negotiating the grant and signing the papers. The Mayor stated, "The Town does not believe it has made any mistakes or errors in the process that it followed." He advised everyone of discussions he had had with the BLM, and he said, "They believe we have followed the rules to the nth degree." The Mayor explained that in order to make sure everyone who wants to have a say on the BLM Grant has that opportunity, the Council would publicly ratify the October 27th 2006 signing of the Right-of-Way Grant, and he called for a motion *as follows:*

Councilman Harker moved the Town of Star Valley Ranch confirm and ratify Mayor Siddoway's

signature of October 27, 2006 on the BLM Right-of-Way Grant. Councilman Redlin seconded the motion. The motion carried unanimously.

Discussion ensued as follows:

Resident **Robin Barnes** who stated that the basis for the complaint was her contention that the Town had not retired to Executive Session properly in the fall 2006, and therefore the validity of the signatures was being questioned.

Facilities – Councilman Harker: Councilman Harker reported that the BLM had made two field inspections of the Right-of-Way Grant area and that there were two items the agency had problems with. The bladders that hold dust guard did not have containment vessels sufficient to satisfy their requirements where they were currently stored. The Town had agreed to empty the bladders and correct the situation. The other problem was in allowing school buses to park on this land. Councilman Harker advised that the grant only allowed right of way for Town equipment.

Councilman Harker briefly touched on the **BLM Public Fact Finding Meeting** held on **May 17th** for the purpose of determining possible uses for the entire 40 acres of the BLM parcel. Twenty people attended and the Councilman said the group was beginning to discuss alternate and long range plans for development. There would be another Open House Meeting on **June 2nd**, time to be determined. Councilman Harker concluded by saying the Town could not apply for lease of the parcel until it had a good plan to present to the BLM.

Financial – Clerk Andy Moffett:

Town Cash Position Report at May 22, 2007: Clerk Moffett discussed the Town Cash Position Report, and indicated that after the evening's approved disbursements (*pending*) the balance in the Town's operating account (Bank of Star Valley) was \$4; the balance in the Town's reserve CD #20610 (Bank of Star Valley) was \$17,500 (4.13% APY); the balance in the Town's reserve CD #20642 (Bank of Star Valley) was \$120,476 (5.0% APY); the balance in the Town's reserve CD #20644 (Bank of Star Valley) was \$512,800 (5.13% APY); the balance in the Town's reserve CD # 20700 (Bank of Star Valley) was \$125,000 (5.25% APY); the balance in the Town's reserve CD #778001727 (1st Bank) was \$111,625 (6.13% APY). The Clerk stated that during business that day, May 22, the Town had opened its newest CD at the Jackson State Bank and Trust, one of the Town's five designated depositories, as a result of competitive blind bidding. \$300,000 was invested in a 3 month CD (5.19% APY.). **The Town's invested reserves totaled \$1,187,366.**

The latest statement of the Town's cash position is always posted in Town Hall, and copies are available for pick-up or by email attachment upon request.

Draft March Financial Statements: The Clerk reviewed the Town's financial statements at ten months (April 30, 2007). Mr. Moffett discussed aspects of the Balance Sheet, again noting that the Town carried no debt other than conventional accounts payable, and the Statement of Income and Expenses, noting that a net contribution to the Town's invested reserves of \$868,859.00 had been made since July 1, 2006. He also noted that there had not been a lot of notable expense for the month of April.

The Town's Financial Statements are always available for public examination (and explanations as necessary by the Clerk) at Town Hall during normal business hours. The Clerk encouraged anyone wishing to discuss any aspect(s) of the Town's financial statements in depth to contact him for more details and information.

Ordinance 2007-01: Appropriations for Fiscal Year 2007-2008 – Clerk Moffett: Clerk Moffett addressed the Town regarding the Budget Process for fiscal year 2007-2008, and presented the **second reading** of the “budget” Ordinance 2007-01 *as follows*:

ORDINANCE: 2007-01

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF STAR VALLEY RANCH, WYOMING:

Appropriations for Fiscal Year 2007-2008:

WHEREAS on the 17th day of April, 2007, Town Clerk Andy Moffett, the budget making authority for the Town of Star Valley Ranch, prepared and submitted to the Council a budget for fiscal year ending June 30th, 2008, and

WHEREAS such a budget was duly entered at large upon the records of this Council and a copy thereof was made available for public inspection at the office of the Town Clerk, and

WHEREAS the budget was recited during the Town Council Meeting at which time all interested parties were given the opportunity to be heard, and

WHEREAS following such public recitation certain alterations and revisions were made in such proposed budget, all of which more fully appear in the minutes of the Council.

NOW THEREFORE, BE IT RESOLVED, by the Council that the Town budget, as so revised and altered, be adopted as the official town budget for the fiscal year ending June 30th, 2008.

BE IT FURTHER RESOLVED, that the following appropriations as provided for in Ordinance No. 2007-01 be made for the fiscal year ending June 30th, 2008, and that the expenditures of each officer, department or spending agency be limited to the amount herein appropriated.

Clerk Moffett stated that he would ask the Mayor to read a more formal “budget message” on the third and final reading scheduled for June 12th. He offered that the information presented tonight was a preview to the third and final reading. The Budget Message for second reading: *Austerity*, which the Clerk said was largely due to the loss of the 1% local option tax, which would likely translate to as much as a \$600,000 impact, or a **40% reduction in state shared revenues**. Clerk Moffett clarified for the audience that the proposed Town budget numbers about to be discussed did not take into consideration the possibility of a new Municipal Water Utility, which would, if created in June, exist as an individual entity. Mr. Moffett offered the following *Proposed Budget for Fiscal Year 2007-2008 as follows*:

General Fund

Revenue:	\$1,069,590
Expenses:	
Administration	205,975
Communications	8,440
Master Plan	9,183
Professional Fees	75,000
Public Safety	84,100
Roads	427,600
Total Expenses	810,292
Operating Proceeds	259,292
Capital Requirements	193,000
Contribution to Reserve	66,292

Clerk Moffett again expressed the need for *austerity* after he explained that in the coming year chances are the Town would be drawing on its reserves, rather than contributing to them and building them as it had been doing since shortly after incorporation.

The Clerk offered more detail on revenues, and he pointed out that the line item for the local option tax was at zero. Clerk Moffett moved ahead to review Payroll and Related costs. He noted that the salary for the position advertised as Assistant to the Mayor had been eliminated; however, will reappear under Professional Fees. Clerk Moffett forecast total Payroll and Related costs would be \$197,280.

Clerk Moffett indicated there were approximately 35 line items in the rest of General Expenses all of which were incorporated into the several major category breakdowns discussed earlier. Mr. Moffett estimated the total expenses would be \$613,018, leaving a contribution to reserve of \$259,292 before capital requirements for fiscal year 2007-2008.

The Clerk introduced the next area of the budget which dealt with the Municipal Water Utility (the existence of which was believed to be pending at the time of the meeting). He mentioned this area was one that required the most work primarily due to the lack of historical data. Mr. Moffett described the calculation the Town used to derive an accurate revenue forecast for property taxes. After consultations with Lincoln County Assessor Debbie Larson, he said the 8 mil levy should translate to about \$151,000 in revenue for the water utility.

Mayor Siddoway interjected to expound on the 8 mil levy. He advised everyone who had received their estimated tax bill that they should expect the final bill to include the 8 mil levy. The Mayor said that everyone was seeing significant general increases in their property taxes; however, "it had nothing to do with the Town or Town taxes." He recommended that everyone take their actual tax bills and subtract the estimated amount from it to get the 8 mil difference.

Clerk Moffett asked Councilman Redlin if he would describe the revenue forecast the Councilman had developed for the pending water utility's first fiscal year. Mr. Redlin reminded everyone that several months before, by resolution, the Council had voted in favor of "dedicating" the money collected from the 8 mil levy toward the reduction of water fees. He described the dollar amounts associated with each revenue generating area of the water utility with and without the contribution of the monies collected from the 8 mil levy. Councilman Redlin anticipated the Municipal Water Utility would receive approximately \$517,800 in total revenue in Year 1, and made clear the possibility that Town residents would have been expected to be paying more for water if the commitment to apply the 8 mils to the water utility had not been made.

Clerk Moffett outlined forecasted Payroll and Related costs for the Water Utility. The Clerk outlined the proposed positions and salaries and estimated that the total for all payroll and related costs would be approximately \$107,000. Mr. Moffett reviewed individual line items and current budget allocations as they relate to the operation of the water utility. The Clerk estimated the total proposed water utility operations expense to be \$360,000. He also indicated that \$50,000 would be directed to a “sinking fund” and went on to describe this fund as “**the only place excess revenues for water will go.**” Clerk Moffett asked for a motion to approve the second reading of the ordinance *as follows*:

Councilman Harker moved the Town of Star Valley Ranch approve the second reading of Appropriations Ordinance #2007-01 to establish a budget for Fiscal Year 2007-2008. Councilman Wheeler seconded the motion. The motion carried unanimously.

Grants – Councilman Warren: Councilman Warren reported on a meeting she had on May 1st with Richard Hawley, U.S. Senator Enzi’s contact and liaison for grant, appropriations and economic development needs. The Councilman gave Mr. Hawley a brief history of the Town and made suggestions to him regarding where the Town could use assistance. Mr. Hawley told Councilman Warren he would share the information she provided with “several individuals”, who would be in contact with the Town.

Councilman Warren discussed her findings regarding **mosquito abatement** after several residents had asked whether or not the Town would spray for mosquitoes. The Councilman found that there is no assistance for a program like this in Lincoln County. She subsequently contacted **Lincoln County Weed and Pest Control** and also found that there was no assistance from this agency either. However, she did find that there had never been any documented cases of mosquitoes with West Nile Virus in Lincoln County. The only option for the Town at this time seemed to be the purchase of a fogger at a cost of \$7400 plus freight, and Councilman Warren went on to explain the other requirements the Town would have if a fogger was purchased. She recommended that the Town not purchase the fogger and called for a motion *as follows*:

Councilman Warren moved the Town not approve expenditures of a mosquito fogger and for development of a mosquito abatement plan. Councilman Harker seconded the motion. The motion carried unanimously.

Image – Councilman Wheeler: Councilman Wheeler defined plans for a **Town-wide clean up** effort using the Town’s front end loader/tractor. On **July 9** wood products and brush would be picked up and on **July 16** metal products would be picked up, with the help of the Town Road Department. No paint/petroleum or other hazardous materials nor anything the County Landfill will not accept would be accepted. Pick-up would be at the road side of each lot.

Mayor Siddoway discussed the status of the **US Flag** that will fly outside Town Hall, as well as several challenges that had arisen. The Mayor said he was working with the landlord of the building to get this done quickly, but correctly.

Planning – Councilman Redlin: Councilman Redlin informed the audience that the contract for **Pederson Planning Consultants**, the firm selected to develop a **Master Plan** for the Town, was in the final stages. The proposed contract requested work to begin in August 2007 and be completed in early 2008.

Councilman Redlin reported on the topic of **Planning and Zoning** and announced that two workshops had been held by the committee since it had been selected at the last Town Meeting (April 17, 2007). The Councilman noted that the Committee agreed to meet twice a month and on July 18 the first full P&Z Board meeting would be held. Councilman Redlin stressed that all workshops and meetings would be open to the public and that schedules of all planning and zoning events would be on the Town website, in the newsletter and posted on the Town bulletin board. Councilman Redlin recognized **Steve Ashworth** and the other members of the committee and commented on how pleased he was with the diversity of knowledge of those who had been selected.

Public Safety – Public Safety Advisor David Ward: Mr. Ward discussed a letter the Town received from the Mayor of Thayne requesting \$100,000 for Fire/EMT services for fiscal year 2007-2008. He cited the areas of increase and advised he had done additional research to substantiate this increase and determined it was a high estimate. Mr. Ward advised he thought a 10% increase would be something he would be willing to support. He also mentioned that as an option, the Town may want to approach the Town of Thayne to develop a fee schedule for services and bill us monthly. Mayor Siddoway called for a motion *as follows*:

Councilman Harker moved the Town of Star Valley Ranch formally appoint Town Public Safety Advisor David Ward to meet with and negotiate the renewal of the agreement with the Town of Thayne for the annual cost of the Thayne Rural and Volunteer Fire Department and Thayne Ambulance Service for services to be performed for the citizens of the Town of Star Valley Ranch and officially authorize David Ward to negotiate a price within 10% of the 2006/2007 costs for similar services. Councilman Wheeler seconded the motion. The motion carried unanimously.

Mayor Siddoway thanked Mr. Ward and asked him to continue to utilize his expertise during further negotiations and to report back to the Town’s people during the June 12th Town Meeting.

Street Sign Project – Public Safety Advisor David Ward: Mr. Ward reported he had just learned that *green* signs would be used on all County roads. The *blue* color had a higher fade rate than others, and Mr. Ward added that he preferred the *brown* design and found it more appropriate with our landscape and surroundings. Mr. Ward said he had 46 responses to his questionnaire. Out of those responses, the preferred color for both the sign and post was **brown**; **no logo** was preferred; **all capital letters** were preferred and the **post shape** would be **round** with a **plain metal cap**.

Mayor Siddoway asked Mr. Ward to contact the manufacturers to investigate the rate of “fade factor” of both the sign and pole before the Town were to make a final decision.

Street Re-Naming Project – Public Safety Advisor David Ward: David Ward described a meeting with a GIS professional previously in the day. They had reviewed every street name in the Town and looked for duplications. Mr. Ward advised they arrived at only five (5) necessary changes as follows: *Cedar Circle* and *Cedar Court* would have to be renamed. *Elkhorn Circle* was renamed **West Elkhorn Circle**. *North Branch Court* had no homes on it, but would need to be renamed. Mr. Ward said there are currently two streets named *Solitude Circle* in the Town and one would have to be renamed. Public Safety Advisor Ward reviewed his procedure with the Mayor and Council to contact the homeowners in the five areas listed.

Roads – Mayor Siddoway: The Mayor excitedly presented a notarized document that had been signed by both himself and Joe Angelovic concerning the **settlement of the eminent domain action taken by the Town against the homeowners association** for the acquisition of the roads within our Town. The Mayor is quoted as follows: “signed, sealed and delivered!” Mayor Siddoway handed the document to **Town Attorney Josh Smith** to be filed with the courts. The Mayor added that the Town was now legally qualified for grants to put street sign posts in, rename the streets, etc.

Resident **Ron Mueller** asked about any associated cost to the Town for the acquisition of the roads. The Mayor responded and said that the Town had expended over \$621,000 in the 14 months since assuming financial responsibility for the roads on March 15, 2006. No money was exchanged for acquisition.

Councilman Harker reported that the Town’s snow removal contract with **Kilroy, LLC** had a short time frame designated at the end of the contract that dealt with examination of potential damage to utilities caused by snow removal operations. That time period had ended with no registered complaints. Councilman Harker remarked, “The snow removal people did a nice job.”

Councilman Harker moved that the Town of Star Valley Ranch approve the completion

documentation and authorize the payment of the final installment per the Kilroy LLC 2006-2007 snow removal contract, and express sincere thanks to Kilroy LLC for successfully fulfilling its contractual snow removal obligations to the Town. Councilman Warren seconded the motion. The motion carried unanimously.

Septic Systems – Mayor Boyd Siddoway: Mayor Siddoway reported that the Town continued to gather data and facts, and for the present time there was no formal update on Septic Systems.

Activities Participated In:

- A. Ranch News Assembly & Distribution – April 23**
- B. SV Chamber of Commerce/SV Rotary Legislative Recap – Thayne - April 24**
- C. Meeting with Richard Hawley, Senator Enzi’s Grants Liaison – May 1**
- D. Planning & Zoning Board Workshop #1 – May 2**
- E. Postal Services Review Conference – Town Hall - May 3**
- F. Budget for Fiscal Year 2007-2008 - Workshop #1 – Town Hall – May 4**
- G. Special Town Meeting - Culinary Water Transfer – May 8**
- H. WWDC Level II “Orals” – Cheyenne – May 10**
- I. Culinary Water Transfer – SVRA/Town Discussion – Barn – May 11**
- J. LUAG Quarterly Board Meeting – Kemmerer – May 16**
- K. Planning & Zoning Board Workshop #2 – May 16**
- L. Open House – BLM Public Use “Fact Finding Meeting #1” – Town Hall – May 17**
- M. Budget for Fiscal Year 2007-2008 - Workshop #2 – Town Hall – May 21**
- N. Special Town Meeting – with SVRA – Culinary Water Transfer – Barn – May 21**
- O. Town Auditor’s Meeting with Town Council & Audit Report to Town Meeting – May 22**

Upcoming Activities:

- A. Memorial Day Holiday (Town Hall Closure) – May 28**
- B. Open House – BLM Public Use “Fact Finding Meeting #2” – June 2**
- C. Planning & Zoning Board Workshop #3 – June 6**
- D. June Town Meeting – June 12**
- E. Appropriations Ordinance 2007-01 for FY 2007-2008 – Final (Third) Reading – June 12**
- F. Ordinance 2007-02 – Utilities – Culinary Water - Final (Third) Reading – June 12**
- G. WAM Convention – Rock Springs – June 13-16**
- H. Planning & Zoning Board Workshop #4 – June 20**
- I. Independence Day Celebration – June 30**
- J. New Fiscal Year Begins – July 1, 2007**
- K. Independence Day (Town Hall Closure) – July 4**
- L. Master Plan for BLM Land – Steve Ashworth Presentation – July 10**
- M. Postal Services Review Conference #2 – Town Hall – July 16**
- N. July Town Meeting – July 17**
- O. Planning & Zoning Board Meeting #1 – July 18**

Correspondence:

All correspondence is available for review at Town Hall during regular business hours.

Postal Correspondence Received – April 17th 2007 – May 18th 2007

Bank of Star Valley	FFIEC 041 at March 31, 2007 Joint Custody Receipt, May 2, 2007
Caribou Clean Water Partnership	Invitations to Open House re Selenium Issues – Simplot Mine
Federal Home Loan Bank – Seattle	Joint Custody Receipt (1st Bank CDs), April 25, 2007 Joint Custody Receipt (1st Bank CDs), May 9, 2007
1st Bank (Evanston)	Maturity/Rollover Advice, CD #778001628 Maturing 5/16/07
Fourth of July Committee	Request for Road Closures for June 30th Independence Day Celebrations

Friends of the Alpine Library	Donation request
Lincoln County Landfills	Household Hazardous Waste Disposal Day, Thayne, May 19th
Lincoln County Planning & Development	Notice of Hearing, Stonefly Ranch Phase II – Cokeville May 30th
Lincoln Uinta Association of Govts	LUAG Board Meeting Package – May 16th, 2007
James K. Lubing Law Office	Legal Challenge: Barnes Complaint /BLM Right of Way Grant
Star Valley Medical Center Foundation	Meeting Notice and Minutes
Star Valley Middle School	Invitation to Mayor Siddoway for Statue Ceremony, May 18
Star Valley Ranch Association	SVRA Offer to Sell Culinary Water System for \$1 (received May 1) Edited Emergency Services Draft with \$900,000 from Town (May 3) Letter Claiming Road Digs Under SVRA’s Control retro to April 1
State of Wyoming Military Department Office of the Adjutant General	Wyoming National Guard C-130 (Hercules) Naming Contest
Surveyor Scherbel, Ltd. Jamie DeCora	Advance plat “Stonefly Ranch Phase II” /request for May 22 agenda
Thayne Senior Center	Donation request
Town of Thayne	Notification that 2007-2008 Fire/EMS Funding from Town \$100,000
The Turning Point	Donation request
United States Department of Commerce Bureau of the Census	Decennial Census Preparation Workshop – Jackson, May 29
United States Department of Interior Bureau of Land Management	Letter regarding BLM Parcel/Town Yard Bladder Containment, Etc.
U.S. Postal Service	Brochures re: CPU (Contract Postal Unit)
Wyoming Association of Municipalities	Memo/Schedule: Updated Special Fuel/Gas Tax Revenue Bulletins, FY 07-08 Memo: 2007 Resolutions for Rock Springs WAM Convention Letter to Councilman Redlin; Moderating Meetings
WY Assn Municipal Clerks & Treasurers	<u>WAMCAT Report</u> May 2007 issue
Wyoming Department of Environmental Quality	Industrial Siting Division impact assistance calculation changes
Wyoming Retirement System	<u>Retirement Update</u> Spring/Summer issue
Wyoming State Forestry Division	Emerald Ash Borer Information and Firewood Flyer
Wyoming State Parks/Cultural Resources	State Historic Preservation Office input sessions
Wyoming Water Quality/Pollution Control Assn	<u>Wyoming Waters</u> Spring 2007 issue

Reading of Bills and Signing of Checks – Town Clerk Moffett: The Clerk read the list of disbursements for accounts payable and payroll. The checks issued by the Town of Star Valley Ranch, dated April 20 through May 22, 2007 are as follow:

**TOWN MEETING
May 22, 2007**

LIST OF CHECKS

<u>PAYEE:</u>	<u>CHECK #:</u>	<u>ITEM:</u>	<u>AMOUNT:</u>
Payroll	1701-1708	Payroll	8,469.33
Wyoming Retirement Systems	1709	April 07 Contributions	337.50
Colorado Tractor Corporation	1710	Equipment	20,510.58
Olenlager's Repair	1711	Repairs	1,524.50
Payroll	1712	Payroll	832.99
Payroll	1714*	Payroll	599.07
Giles Transportation, Inc.	1715	Freight	1,960.00
All-Star Auto Parts	1716	Town Vehicles Parts	12,267.20
Anything Business	1717	Website	50.00
Bowers & Associates Law Offices PC	1718	Legal Services	2,416.00
Carol Warren	1719	Expense Report	572.32
Dustbusters, Inc.	1720	Bladders/Dustguard	10,097.08
Freedom Star Construction & Properties	1721	Rent & Electricity	2,025.64
Hansen Oil Company	1722	Fuel	1,213.04
Hebdon Construction	1723	Roads	4,860.00
Holdings Little America	1724	Lodging	180.46
Intermountain Traffic Safety, Inc	1725	Freight	34.40
J. Boyd Siddoway	1726	Expense Report	147.00
Jenkins Ace Home Center	1727	Town Yard	547.15
Kent B. Harker	1728	Expense Report	179.95
Kilroy, LLC	1729	Snow Removal	19,458.35
Lower Valley Energy	1730	Yard Electricity	159.65
Maverik Credit Card Services	1731	Gasoline	269.17
Paperworks Plus	1732	Supplies/TC Binders	144.27
Printstar	1733	Newsletter	420.00
Silver Star Communications	1734	Telecommunication	479.60
Star Valley Independent	1735	Ads & Notices	459.00
Star Valley Ranch Association	1736	Labels	60.00
Star Valley Storage #1	1737	Storage Facility	70.00
State of Wyoming – Surplus Property	1738	Partitions	225.00
Warren Webb	1739	Expense Report	110.98
Wyoming Association of Municipalities	1740	Clerk 07 Handbook	45.00

Total Checks – April 20th – May 22nd:	\$ 90,725.23
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*1713 – void

Councilman Harker moved the Town of Star Valley Ranch pay all bills as attested to by the Town Clerk, and as read. Councilman Wheeler seconded the motion. The motion carried unanimously.

