

The Town of
Star Valley Ranch, Wyoming

TOWN MEETING MINUTES

DRAFT

October 16, 2007

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

The twenty-third regular monthly meeting of the **Town of Star Valley Ranch Town Council** was held on October 16, 2007 at **Town Hall**. **Mayor Siddoway** called the meeting to order at 7:00 p.m., and declared the existence of a quorum. Thirty five people were present, including all members of the Town Council.

Also present were Town Attorney **Josh Smith** of **Bowers Law Firm, PC**, Town Clerk **Andy Moffett**, Town Public Works Director **Warren Webb**, Assistant to the Mayor **Gregg Wilkes** and Municipal Court Clerk – Appointee **Peggy Parker**.

Others in attendance included Lincoln County Treasurer **Jerry Greenfield** and homeowners association director **Jan Jonson**.

Local media was represented by **Sarah Hale** from the **Star Valley Independent**.

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 Wheeler seconded the motion. The motion carried unanimously.

Approval of the September 11, 2007 Town Meeting Minutes: Councilman Warren moved to approve the September 11, 2007 Town Meeting Minutes as written. Councilman Redlin seconded the motion. The motion carried unanimously.

Copies of the latest minutes are available at Town Hall. 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 all previous Town Meetings and other public hearings may be found on the town's website at www.starvalleyranchwy.org.

Correspondence:

Postal Correspondence Received – September 12 2007 – October 15 2007

Bank of Star Valley
Town of Thayne, Mayor Don Aullman
United States Department of Agriculture
U.S. Forest Service

United States Postal Service

Joint Custody Receipt at September 30, 2007
Letter regarding 1% local option tax issues
Special Use Permits Reauthorization Notification
Greys Rivers Ranger District
Notice of Plans for Draft Impact Statement
Upper Greys Vegetation Management Project
Letter regarding Zip Code request

United States Representative Barbara Cubin Letter regarding Zip Code request	
United States Senator John Barrasso	Letter regarding Zip Code request
United States Senator Michael Enzi	Letter regarding Zip Code request
Wyoming Arts Council	Wyoming Arts Summit 2007 flyers (5)
Wyoming Association of Municipalities (WAM)	<u>WAM News</u> October 2007 (8)
Wyoming Association of Rural Water Systems	Membership letter
Wyoming Department of Employment	<u>Safety Matters</u> , September 2007
Workers' Safety & Compensation Division	

Mayor Siddoway referenced the letters regarding a unique zip code for the Town of Star Valley Ranch. The Mayor indicated the U.S. Postal Service had denied the request "predicated on information that was not supplied by the Town, nor brought up by the Town, nor backed by the Town." The Mayor stated the Postal service would be re-approached. The Mayor also observed the zip code issue appeared to have no direct bearing on the discussions about mailboxes within the Town. Mayor Siddoway also said that the chances of the Town eventually having its own post office would be diminished if cluster boxes are installed within the municipality.

The Mayor also commented on a letter received from Thayne Mayor Don Aullman on the topic of the upcoming 1% local option tax reinstatement referendum. Later, in New Business, several 1% tax and general funding issues were discussed.

Accounts Payable and Payroll Disbursements: The checks issued by the Municipal Water Utility and the General Fund of the Town of Star Valley Ranch, dated September 13, 2007 through October 16, 2007 are as follow:

LIST OF CHECKS – MUNICIPAL WATER UTILITY

<u>PAYEE:</u>	<u>CHECK #:</u>	<u>ITEM:</u>	<u>AMOUNT:</u>
William A. Moffett, Jr.	2058	MWU envelopes	188.93
Municipal Water Utility	2059	Change bank increase	50.00
Hemming Family Trust	2060	A/R refund	30.00
Nilson, Jay & Rae Lynn	2061	A/R refund	6.00
Ling, Marjorie J.	2062	A/R refund	6.00
Odle, Scott G & Rebeka S	2063	A/R refund	30.00
Endres, Lila L	2064	A/R refund	78.00
Holdaway, Ronald M & Judith K	2065	A/R refund	30.00
Dutra, Ronald Steven	2066	A/R refund	30.00
Colley, Neal S & Judy L	2067	A/R refund	30.00
Postmaster - Thayne	2068	Billing postage	410.00
King, Randall W & Wendie R	2069	A/R refund	30.00
Chumley, James W & Sharon K	2070	A/R refund	24.00
All Star Auto Parts	2071	Parts	129.57
Energy Laboratories, Inc.	2072	Lab analyses	1,063.00
Jenkins Ace Home Center	2073	Public works	491.52
Lower Valley Energy	2074	Power	1,056.18
Outlaw T's of Star Valley	2075	Ordinance officer	88.21
Paperworks Plus	2076	Office Supplies	28.00
Silver Star Communications	2077	Phone/DSL	147.34
Star Valley Disposal	2078	Waste removal	180.00
Star Valley Ranch Association	2079	various – see file	512.69
Thayne True Value Hardware	2080	Parts	9.46
Town of Afton	2081	Lab analyses	30.00

Waterworks Industries, Inc. 2082 Parts 2,880.35

LIST OF CHECKS – GENERAL FUND

<u>PAYEE:</u>	<u>CHECK #:</u>	<u>ITEM:</u>	<u>AMOUNT:</u>
Freedom Star Construction & Properties	1904	Town Hall rent - Sept	2,000.00
Travelers	1906*	Insurance	768.00
Employee Paychecks	1907-1913	Net Pay	5,384.68
Mitchell Shapiro (1099)	1914	Tank	500.00
Wyoming Retirement System	1925*	Monthly Item	374.62
Employee Paychecks	1926-1941	Net Pay	17,299.75
Wyoming Department of Employment	1942	Qtr 3 UI/WC premiums	2,284.41
All-Star Auto Parts	1943	Parts	7,628.19
Bowers Law Firm, PC	1944	Legal Services	1,453.50
Brenda Bauer	1945	Expense report	251.92
Freedom Star Construction & Properties	1946	Town Hall rent/utilities	2,047.06
George A. Redlin	1947	Expense report	45.29
Hansen Oil Company	1948	Fuel	1,266.70
Intermountain Traffic Safety, Inc.	1949	Street Sign parts	303.00
J. Boyd Siddoway	1950	Expense Report	271.57
James D. Dubisz, CPA	1951	External Audit	2,000.00
Jenkins Ace Home Center	1952	Public works	267.78
Kendall Jenkins	1953	Roads	1,596.00
Kent B. Harker	1954	Expense Report	368.79
Kilroy, LLC	1955	Roads	76,790.48
Lampe Brothers Ready Mix, Inc.	1956	Roads	271.62
Lower Valley Energy	1957	Power – BLM parcel	15.00
Maverik Credit Card Services	1958	Gasoline	50.00
Nu-Tek Computers	1959	USB cords	30.90
Paperworks Plus	1960	Supplies	450.29
Pedersen Planning Consultants	1961	Town Master Plan	9,894.00
Scott Machinery	1962	Equipment	4,438.45
Silver Star Communications	1963	Telecommunication	325.48
Star Valley Independent	1964	Ads & Notices	183.75
Thayne True Value Hardware	1965	Supplies	86.34
Town of Thayne	1966	Emergency Services	30,000.00
Turf Power Products, LLC	1967	repairs	170.15
William A. Moffett, Jr.	1968	Expense Report	42.32

(*1905, 1915-1924 Void)

Total All Disbursements – September 14 – October 16: \$ 176,419.29

Councilman Redlin moved the Town of Star Valley Ranch pay all payroll and accounts payable obligations for both the Town of Star Valley Ranch and the Municipal Water Utility as listed. Councilman Harker seconded the motion. The motion carried unanimously.

Old Business:

FISC III: Jan Jonson reported that the SVRA’s FISC III Committee (in charge of gathering the consent of at least 2/3 of the property owners inside Town limits in order to qualify the homeowners association to sell the leased building and property (1.7 acres) at 251 Vista Drive to the Town) had received approximately 407 consent forms as of that evening, leaving 947 to go. “Another letter with a consent form will be going out with the Town newsletter,” Mrs. Jonson explained. “It costs at least \$1,000 for the association to send a letter and a consent form out, so that’s why it’s nice when we can put it in with something else.” Mrs.

Jonson observed she had heard little objection, and that SVRA members' apathy was the current challenge. **1% Local Option Tax (5th Penny) Referendum:** A.J. Morrell outlined a citizens group's efforts to promote the affirmative vote for the November 6 referendum on the 1% local option tax reinstatement question, including signs and media spots and interviews. The theme of the campaign is, "**This penny stays at home.**" Phone calls and canvassing were also planned for the time remaining before the election.

Lincoln County Treasurer **Jerry Greenfield** spoke about the referendum, sales and property taxes, and encouraged thought about tax issues in general. "**I urge all of you to really reconsider our optional 1% [local option tax],**" he said, "**and I encourage you to vote in favor of it.**"

Mayor Siddoway re-emphasized the importance of the question and the impact upon the municipality's fiscal health as well as its ability to both operate and save for future large-scale infrastructural projects involving culinary water and roads development.

WAM Funding Model Support: The issue of the **WAM** (Wyoming Association of Municipalities) "Funding Model" for municipalities for the next biennium, currently being debated among state and civic leaders around Wyoming, was discussed by the Town Council. There was statewide dissent among affected municipalities, and the Council expressed support for WAM and improvement to the funding model. **Councilman Redlin moved the Town of Star Valley Ranch initiate correspondence with WAM (Wyoming Association of Municipalities) that indicates that, although not pleased with the funding model, the Town Council supports WAM and offers to work with them in improving the funding model. Councilman Wheeler seconded the motion. The motion carried unanimously.**

Ordinance 2007-05 – Penalties – Town Ordinance Violations (Third Reading): Councilman Redlin conducted the third and final reading (*by name and title only*) of Ordinance 2007-05 outlining the penalties associated with violations of Town Ordinances.

ORDINANCE: 2007-05

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

TOWN OF STAR VALLEY RANCH CODE

Chapter 2 - Administration

Article 3 – Penalties – Violation of Town Ordinances

Section 3: Penalties – Violation of Town Ordinances

1PENALTY, WHERE NOT OTHERWISE PROVIDED: Whenever in any ordinance, resolution or regulation promulgated by any officer or agency of the Town under authority vested in him or it by law or ordinance, any act is prohibited or is declared to be unlawful or an offense or a misdemeanor, or the doing of any act is required, or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, and no specific penalty is provided therefore, the violation of any such provision of any such ordinance, resolution or regulation shall be punished by a fine of not more than **seven hundred fifty dollars (\$750.00)**. Provided however, that the imposition of any such fine shall not bar institution of appropriate legal actions or proceedings by the Town to restrain, correct or abate the violation, nor shall the institution of such legal actions or proceedings be deemed a bar to the imposition of such fine. Except as otherwise provided, each day that any violation of any ordinance, resolution or regulation continues shall constitute a separate offense.

Councilman Redlin moved the Town of Star Valley Ranch approve the third and final reading of Ordinance 2007-05 – Penalties – Violation of Town Ordinances as read. Councilman Harker seconded the motion. The motion carried unanimously.

Amendment of Ordinance 2006-04 - Planning & Zoning Board Organization (Second Reading): – Councilman Redlin conducted the second reading of Ordinance 2006-04 outlining the administration associated with the Planning and Zoning Board Organization. This action was to further modify the 2006 ordinance, and two additional changes had been made since the first reading on September 11th, 2007:

- Paragraph 6-1 now included the language, “...which shall consist of five members, at least four of which shall be qualified electors of Star Valley Ranch...”
- Paragraph 6-7 (A) now included the language, “The Planning and Zoning Board shall review requests for building permits for new structures, exterior building modifications, and structural modifications to existing structures, and take approval or disapproval action.”

ORDINANCE: 2006-04

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

TOWN OF STAR VALLEY RANCH CODE

Chapter 2 - Administration

Article 6 - Planning & Zoning Board Organization

Article 6-Planning and Zoning Board

Section 6-1. Created

There is hereby created a Planning and Zoning Board for the Town of Star Valley Ranch, which shall consist of five members, at least four of which shall be qualified electors of Star Valley Ranch and shall serve without compensation.

Section 6-2. Appointment.

The five members of the Planning & Zoning Board shall be appointed by the Mayor, with the consent and approval of the governing body for a term of three years, except that initially two members shall be appointed for one year, two members for two years and one member for three years. Members may be eligible for reappointment.

Section 6-3. Vacancies and Replacement

A vacancy in the Planning and Zoning Board will be deemed to exist if one or more of the following situations occur:

- A. A member voluntarily resigns.
- B. A member permanently moves outside the town limits and loses his “elector” status.
- C. A member becomes incapacitated due to health or accident.
- D. A member becomes mentally incompetent.
- E. A member dies.
- F. The Town Council may, by majority vote, remove any member of the Planning and Zoning Board whenever it appears such removal would be in the best interest of the Town.

The Mayor with the Council’s consent and approval shall fill any vacancy. The replacement shall serve out the term of the vacating member.

Section 6-4. Organization

The members of the Planning and Zoning Board shall elect from their number a chairman, designate their meeting times and meeting place and shall create their own rules of procedure. An administrative official shall provide secretarial services.

Section 6-5. Quorum

Three members of the Planning and Zoning Board present at a scheduled meeting shall constitute a quorum.

Section 6-6. Minutes/records

The board shall keep minutes of its proceedings, showing the vote, the absence or the failure to vote of each member upon each question. The board shall keep records of all examinations and of any other official actions, all of which shall be immediately filed in the office of the board and shall become a public record.

Section 6-7. Planning and Zoning Board Procedures

A. The Planning and Zoning Board shall review requests for building permits for new structures, exterior building modifications, and structural modifications to existing structures, and take approval or disapproval action.

B. The Planning and Zoning Board shall review plans, advise and make recommendations to the Town Council on land use studies, applications for developments, subdivisions, zone changes, variances and other planning and zoning issues. It shall coordinate and administer the Town's planning program to solve or prevent development-related problems that adversely affect the quality of life in the Town, through a proactive approach to both short and long term planning and perform such planning related tasks as requested by the Town Council.

C. The Planning and Zoning Board shall, after such review, make recommendations to the Town Council about the suitability of the said project or development and recommend such conditions as the board finds suitable to make the project or development conform to the Town's master plan, zoning ordinances, and/or building codes.

D. The Planning and Zoning Board shall review zoning questions or proposed zoning changes in the Town and shall, from time to time, prepare suggested revisions of the Town zoning. It shall conduct public meetings concerning requests for amendments to the zoning map.

Section 6-8. Flow process-Planning and Zoning

A. A completed building permit application or project or development application is placed on the calendar of the Planning and Zoning Board which then reviews the merits and deficiencies at that meeting. If the application is not tabled or sent back to the applicant for further work, it is voted upon with or without conditions and acted upon or sent to the Town Council.

B. A forwarded application goes on the next Council meeting agenda for approval or denial.

Section 6-9. Hearings

A. The Town Council shall hear and decide appeals from any Variance requirement, decision or determination made by an administrative official or officials charged with the enforcement of *any ordinance* pertaining to Planning and Zoning decisions.

B. Vote required: The vote of a majority of the members of the Town Council shall be necessary to reverse any requirement, decision or determination of any such administrative official or officials, or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter or to effect any variation of this chapter.

C. Appeals procedures:

1. Any applicant affected by a Variance decision of an administrative officer or officers may appeal the action to the Town Council.

2. The appeal must be taken within ten days of the act or failure to act. The appeal shall be filed with the action officer and a written notice specifying the grounds of the appeal shall be filed with the Town Council.

3. The applicant whose action is appealed shall transmit all papers constituting the record of the action to the Town Council.

4. The Town Council shall fix a reasonable time for the hearing of the appeal, give public notice thereof posted at the Star Valley Ranch Town Hall as well as due notice to the parties in interest, and decide the same within a reasonable time; provided that such hearing shall not be held earlier than seven days after the required notices have been given. The notices shall contain the name of the appellant, a statement of the nature of their request, and the time and place of the hearing.

5. At the hearing, a party may appeal in person or by agent or by attorney.

Section 6-10. Oaths and Witnesses

The Mayor, or in his absence, the Acting Mayor, may administer oaths and compel the attendance of witnesses.

Section 6-11. Open meetings

All meetings of the board shall be open to the public.

Councilman Redlin moved the Town of Star Valley Ranch approve the second reading of Ordinance 2006-04, Planning and Zoning Board Organization as amended. Councilman Wheeler seconded the motion. The motion carried unanimously.

Ordinance 2007-06 – Buildings (Second Reading): Councilman Redlin conducted the second reading of Ordinance 2007-06, noting several changes since the first reading:

- Section 11-2 added an implementation date of January 1, 2008.
- Section 11-3 changed the plan review/permit/construction fees for a new single-family residence to \$600.
- Section 11-4 added requirement that one set of approved plans be available for inspection at the construction site.
- Section 11-4 modified the timing and stages of the inspection process.
- Section 11-6 added requirement that construction be accomplished in accordance with the 2003 edition of the International Code Council (ICC) rather than the latest edition of the ICC.
- Section 11-8 contained language pertaining to potential requirements of a local homeowners association.

ORDINANCE 2007-06

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

Town of Star Valley Ranch Code

Chapter 11 –Buildings

Section 11-1 Building and Construction Permits.

This Section of Ordinance 2007-06 establishes the requirements, procedures, regulations and rules for building construction or modification within the Town of Star Valley Ranch.

Before the start of any residential or commercial construction, exterior building alteration, or structural modification to an existing structure, a Building Construction and Alteration Permit Application shall be submitted to the Planning and Zoning Board of the Town of Star Valley Ranch, be reviewed and approved by the Town, a building permit issued by the Town and the approved permit posted in a visible location at the job site.

Section 11-2 Effective Implementation Date.

The effective date for implementation of the requirements established by this ordinance is January 1, 2008.

Section 11-3 Fee Schedule.

The following fees will be charged for building plan review, issuance of building permits, construction inspections and construction deposits. The Plan Review, Permit & Construction Inspection Fees listed below will be increased by 100% if construction is started before a building permit is issued and posted at the job site. The construction deposits will be deposited and held by the Town to assure timely completion of construction in accordance with approved plans. Interest will not be paid by the Town on construction deposits. The construction deposits will be refunded, less any appropriate fines, upon completion of the project.

	Plan Review, Permit &	
Refundable		
	Construction	
Construction		
	<u>Inspection Fee</u>	<u>Deposit</u>
Exterior building alteration to existing structure	\$100	\$500
Structural modification to existing structure	\$200	\$500
Garage or similar sized structure	\$300	\$1,000
New single-family residence	\$600	\$2,000
Commercial building	(to be determined later)	

For water connection and service requirements and fees see Ordinance 2007-02

Section 11-4 Building Inspections.

The Town of Star Valley Ranch reserves the right to inspect the property at any time to assure that the quality of construction meets requirements and is in conformance with approved plans. The approved set of project plans is to be kept at the project site and made available to persons performing inspections for the Town. The Town may conduct inspections with its own staff or may hire consultants to assist. The cost of inspections required by the Town is included in the fee schedule and the Town will pay inspectors performing these inspections.

The property owners or contractors representing the property owners are responsible for notifying the Town when certain phases of construction (identified below) have been completed and allowing two workdays for the Town to make an inspection at that time if it so desires.

Footings: after footing is formed and reinforcing in place but before pouring concrete
Foundation: after foundation is formed and reinforcing in place but before pouring concrete
Framing: prior to covering walls, but if modular, prior to setting on foundation
Final Inspection: prior to occupancy

Section 11-5 Town Not Liable to Property Owners.

Property owners have ultimate responsibility and liability for assuring that the quality of construction meets their expectations and their requirements. The Town shall not be liable for any damages or injuries resulting from construction of any buildings or defects therein. Property owners shall be responsible to accomplish their own quality control or hire the services of others to do inspections or quality control services for them. It is the owner's responsibility to assure compliance with the ICC.

Section 11-6 Building, Construction, and Site Requirements.

General Requirements: All new building construction or building modifications shall meet the requirements of the State of Wyoming, Lincoln County, and the Town of Star Valley Ranch and shall be in accordance with the 2003 edition of the International Code Council (ICC).

Specific Requirements: Appendix 11-1 to this chapter lists specific building and construction site requirements for projects within the Town of Star Valley Ranch and is incorporated herein by reference.

Section 11-7 Fine Schedule.

Property owners or contractors will be subject to fines for infractions as listed in Appendix 11-2, Town of Star Valley Ranch, Building and Construction Fine Schedule. Appendix 11-2 is incorporated herein by reference.

Section 11-8 Building and Construction in Areas with Homeowners Associations.

The requirement to obtain a building permit from the Town of Star Valley Ranch does not eliminate the need to also obtain a permit from an association or other areas within the Town that may have a Homeowners Association and to abide by their regulations. Should there be a difference in the requirements of an association and the Town or a requirement by one that is not required by the other, the most restrictive requirement will apply. All structures for which a building permit has been issued by the Star Valley Ranch Association prior to implementation of this ordinance are governed by the permits and requirements of the Star Valley Ranch Association. Any exterior or structural modification to these structures subsequent to the effective date of this ordinance requires a Town permit and must meet Town regulations.

Councilman Redlin moved the Town of Star Valley Ranch approve the second reading of Ordinance 2007-06, Buildings as modified. Councilman Harker seconded the motion. The motion carried unanimously.

Ordinance 2007-06 – Appendix 11-1– Building and Construction Site Requirements (Second Reading): Councilman Redlin conducted the second reading of Ordinance 2007-06 – Appendix 11-1 outlining the Building and Construction Site Requirements associated with *new construction* and the Town Building and Construction program, noting several modifications since the first reading of September 11:

- First paragraph provides January 1, 2008 effective date rather than upon enactment.
- Second paragraph states requirements of a homeowners association must also be met.
- Section 3 allows for minor deviations from approved plans without submitting request for approval.

- Section 5 added requirement that construction be accomplished in accordance with the 2003 edition of the International Code Council (ICC) rather than the latest edition of the ICC.
- Section 6 was changed in regard to detached structures and area of impervious surfaces.
- Section 9 changed language “dwelled in” to “lived in.”
- Section 10 (B) modified the requirements for roof pitch for structures.
- Section 18 was reworded to require owners to locate or establish property corner survey markers.
- Section 21 changed language “deposition” to “deposits.”

ORDINANCE: 2007-06

APPENDIX 11-1 – BUILDING AND CONSTRUCTION SITE REQUIREMENTS

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

Town of Star Valley Ranch Code

Chapter 11 –Buildings

Article -

Any buildings or structures that now exist or for which a building permit has been issued prior January 1, 2008 are exempt from the requirements of this appendix. Any new building and construction site development and any exterior modifications or changes to an existing building or site which for which a permit is issued subsequent to January 1, 2008 are subject to the requirements of this appendix.

The need to meet the requirements of this Appendix does not eliminate the need to also meet the requirements of a homeowners association and abide by the regulations of this or other homeowners associations that exist or may come to exist within the Town. Should there be a difference in the requirements of a homeowners association and the Town or a requirement by one that is not required by the other, the most restrictive requirement will apply. All structures for which a building permit was issued by the Star Valley Ranch Association prior to January 1, 2008 are governed by the permits and requirements of that Association.

1. No building, fence, structural wall, or other structure shall be commenced, constructed, erected or moved upon any lot or parcel, nor shall any exterior structural addition or change be made until the plans and specifications showing the nature, kind, shape, heights, materials, colors and location of same shall have been submitted to, and approved, and a building permit issued by the Town of Star Valley Ranch. All buildings, structures or other items to be installed or placed on the property are to be in harmony of exterior design and location to the surrounding structures and topography.

2. Minimum residential building setback lines are hereby established. No building or building parts including decks, porches and roof overhangs shall be located any nearer than:

- 30 feet from the front property line
- 30 feet from a side property line if that property line adjoins a Town road or street right of way
- 10 feet from side property lines
- 30 feet from golf course or other common area recreational property
- 10 feet from rear property line unless the rear of the property adjoins golf course or other common area recreational property
- 25 feet from the high water mark of any stream
- 30 feet from any delineated wetland edge

3. Any change from the approved plans in location or footprint of a structure or any other change that

would violate any of the provisions of this appendix or this ordinance requires submission of a written request and Town approval prior to proceeding with the change. Minor changes such as a change in location or size of a window or a change in location of an interior wall will not require approval.

4. The Town of Star Valley Ranch Building Permit and the Lincoln County Wastewater Permit (if new construction) shall be displayed at the front of the lot before any site work or construction commences.

5. All new building construction or modification, change, or alteration thereto erected or placed on any lot or parcel shall meet or exceed the requirements of the State of Wyoming, Lincoln County, and Town of Star Valley Ranch and the 2003 edition of the International Code Council (ICC). The plans and/or specifications for any new construction shall display in a prominent location that "all construction will meet or exceed the requirements of the 2003 edition of the ICC".

6. Residential lots shall be used solely for private, single family residential purposes.

7. Buildings and impervious surfaces shall not cover more than 40% of the lot surface.

8. Construction activities that generate noise will be limited to the hours between 7:00 AM and 8:00 PM.

9. During the period of new construction, no part of the building under construction or structures of a temporary nature, trailers, basement, tent, shack, garage or other outbuildings shall be used at any time as a residence or sleeping quarters. The home shall not be lived in until an acceptable final construction inspection has been completed and the report furnished to the Town.

10. All new building construction or modification, change or alteration thereto erected or placed on any lot or parcel must meet the following architectural requirements.

A. The floor area (square feet) for all new residential structures shall be noted on the plans and shall not be less than 900 square feet of living space on the main floor.

B. The roof pitch of the main or core portion (excluding dormers and deck or patio covers) of any new residential structure shall be no less than (5) vertical inches for each (12) horizontal inches (5/12). Additions to existing buildings may continue the roof pitch of the original structure.

C. All roof overhangs on gable ends shall extend a minimum of 12 inches beyond the adjoining wall. All roof overhangs on eaves on pitch sides shall extend a minimum of 18 inches beyond the adjoining wall.

11. All exterior building materials shall be new and unused unless otherwise approved.

12. A minimum 100 pounds per square foot snow load design is required. It shall be the responsibility of the owner to assure that the snow load design is adequate for their specific building.

13. Spark arresters shall be placed on all chimneys except those used exclusively for venting propane or natural gas burners.

14. Every lot or parcel improved with a residential structure shall have thereon a frost-free hydrant installed on the water service line leading to the house. The location of the hydrant shall be shown on the plot plan.

15. A properly maintained portable toilet shall be in place prior to beginning excavation or construction unless prior arrangements have been approved by the Town.

16. Building sites shall be maintained, clean and free of debris. A vehicle or container dedicated to debris removal shall be maintained on site at all times during construction. Debris shall be disposed of by the owner to a location outside of the Town of Star Valley Ranch.

17. No open fires will be permitted to dispose of construction, demolition, or yard debris.

18. It is the owner's responsibility to establish all property boundaries. Survey markers shall be located or established at all corners of the property or parcel and the markers shall be further identified with a minimum three (3) foot high post or lath placed adjacent to the survey marker with the top one (1) foot of the post or lath painted with a bright color. The corners of the property shall be located and identified prior to applying for a building permit.

19. Construction materials, portable toilet, construction vehicles and equipment shall be confined to the construction site. Parking of construction vehicles or storage of construction materials or items on the road right of way or trespassing on or damage to neighboring properties will not be permitted.

20. The location of propane tanks shall be shown on the plot plan, shall comply with the minimum setback lines, and shall be a minimum of ten (10) feet from any residential structure. All propane tanks shall be buried or obscured from view from the street, common property, and adjacent properties by vegetation or an architectural screen.

21. Any changes to the grade of the land on a lot or parcel shall be maintained so as to prevent additional deposits of sediment upon adjacent streets, adjoining lots or common areas. Driveways must be constructed in a manner that does not impede existing drainage from the road surface. The owner is responsible for installing and maintaining any culverts or other devices necessary to assure that drainage water is not forced to move from ditches to the roadway because of the driveway installation.

22. All retaining walls or facings with a total projection in excess of (4) four feet shall be designed as structural members keyed into stable foundations capable of sustaining the design loads, and shall be designed by a professional engineer registered in the State of Wyoming.

23. Any building or structure shall be finished or prosecuted to completion within two (2) years of issuance of an approved building permit. Completion includes removal of construction debris, final grading of land, planting of ground cover on exposed soil, control of weeds and in the case of a new residence an approved final building inspection.

Requests for a variance to these restrictions or requirements will be considered when special circumstances or conditions exist. Variance means deviations from the terms of these regulations that would not be contrary to the public interest due to special circumstances or conditions, when the literal enforcement of the provisions of these regulations would result in undue and unnecessary hardship.

Procedure:

1. Review and Recommendation of Planning and Zoning Board. The Planning and Zoning Board shall place the variance request on the agenda for a regularly scheduled Planning and Zoning Board meeting. The Planning and Zoning Board will solicit public comments during the meeting on the application for a Variance. At the public meeting, the Planning and Zoning Board shall consider the application, the relevant support materials, and the public statements provided at the public meeting. The Planning and Zoning Board shall provide a recommendation to the Town Council either to approve or disapprove the application based upon the Variance Standards.

2. Action by Town Council. The Town Council shall place the variance request on the Agenda for a regularly scheduled Town Council meeting. The Town Council will solicit public comments during the Town meeting on the application for a Variance. At the public meeting, the Council shall consider the application, the relevant support materials, the public statements given at the public meeting, and the recommendation by the Planning and Zoning Board. The Town Council shall approve or disapprove the application based upon the Variance Standards.

Standards - In order to authorize a Variance, the Council must find that all of the following conditions are met:

1. Special conditions and circumstances exist. There are special circumstances or conditions which are peculiar to the land or building for which a variance is sought that do not apply generally to land or buildings in the neighborhood.

2. Not a result of applicant. The special circumstances and conditions have not resulted from any act of the applicant that was intended to circumvent these regulations.

3. Strict application is unreasonable. The special circumstances and conditions are such that the strict application of the regulations would either deprive the applicant of reasonable use of the land or building or create hardship on the landowner far greater than the protection afforded to the community by the regulation sought to be varied.

4. Minimum variance. The granting of the variance is the minimum necessary to make possible the reasonable use of the land or building.

5. Not injurious to neighborhood. The granting of the Variance will not be injurious to the neighborhood surrounding the land where the Variance is proposed, and is otherwise not detrimental to the public welfare.

6. Harmony with regulations. The granting of the Variance is consistent with the general purposes and intent of these regulations.

The Town of Star Valley Ranch shall have the right to enforce, by any proceeding at law or in equity, all provisions of these requirements and the International Code Council. In addition to enforce any of said provisions, including the defense of any said provisions, the Town shall be entitled to recover its legal fees and expenses in the event that a court shall determine that an Owner has committed one or more violations of said requirements, the International Code Council or to restrain a violation thereof.

Councilman Redlin moved the Town of Star Valley Ranch approve the second reading of Ordinance 2007-06, Appendix 11-1 – Building and Construction Site Requirements as modified. Councilman Wheeler seconded the motion.

A lengthy discussion ensued regarding paragraph 23 pertaining to control over watering and plants, and the maximum area of irrigation permitted. Councilman Harker moved paragraph 23 be eliminated from Appendix 11-1. Councilman Warren seconded the motion. The motion carried 4-1 with Councilman Redlin opposed.

After this, the motion carried unanimously.

Ordinance 2007-06 – Appendix 11-2– Building and Construction Fine Schedule (Second Reading): Councilman Redlin conducted the second reading of Ordinance 2007-06 – Appendix 11-2 outlining the Building and Construction Fine Schedule associated with *new construction* and the Town Building and Construction program, noting one modification since the first reading on September 11:

- The Fine Schedule was updated to reflect the foundation inspection notification requirements.

ORDINANCE: 2007-06

APPENDIX 11-2 – BUILDING AND CONSTRUCTION FINE SCHEDULE

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

Town of Star Valley Ranch Code

Chapter 11 –Buildings

Article -

The following infractions by owners, contractors, employees of owners or contractors or agents (such as delivery persons) of owners or contractors engaged in construction within the Town of Star Valley Ranch will result in fines. The Town of Star Valley Ranch will issue written notifications of violations resulting in fines. The written notification will be mailed to the property owner and a copy given to the site representative. The Town at its sole

discretion, may issue warnings instead of citations as it deems proper. Each day that an infraction exists shall constitute a separate violation.

<u>Violation/Infraction</u>	<u>Fine</u>
• Not having a Town of Star Valley Ranch Building Construction and Alteration Permit posted at the project site.	\$100 per infraction
• Not having Town of Star Valley Ranch and/or Lincoln Co. Wastewater permit (if applicable) posted.	\$100 per infraction
• Non-compliance with International Code Council (ICC).	up to \$750 per infraction
• Non-compliance with approved drawings and specifications.	up to \$750 per infraction
• Not notifying the Town when footings, foundation, framing or final construction are ready for inspection.	up to \$350 per infraction
• Notifying the Town that footings, foundations, framing or final construction are ready for inspection when they are not.	\$100 per infraction
• Construction generated noise outside of the hours between 7:00 AM and 8:00 PM.	\$50 per infraction
• Living on job site in a part of the building under construction, trailer, RV or tent.	up to \$750 per infraction
• Living in a structure before satisfactory final inspection	up to \$750 per infraction
• No portable toilet on site or approved arrangements	\$100 per infraction
• Construction site not properly maintained as outlined in Paragraph 15 of Appendix 11-1	\$100 per infraction
• Improper dumping or disposing of construction materials	up to \$400 per infraction plus cost – proper disposal
• Construction materials or debris blowing off project site	\$50 per infraction plus cost of cleanup
• Fires burning on construction site	up to \$750 per infraction
• Storage of materials or equipment on road right of way	up to \$750 per infraction
• Failure to complete project within two (2) years of date of permit unless an extension is requested and approved	up to \$750

Councilman Redlin moved the Town of Star Valley Ranch approve the second reading of Ordinance 2007-06, Appendix 11-2 – Building and Construction Fine Schedules as amended. Councilman Harker seconded the motion. The motion carried unanimously.

New Business:

Town Hall Business Hours: Councilman Harker moved The Town of Star Valley Ranch adopt as our “Normal Business Hours” 8:30 am to 4:30 pm, Monday through Friday, excluding recognized holidays. Councilman Redlin seconded the motion. The motion carried unanimously.

Appointment of Municipal Court Clerk – Mayor Siddoway: Mayor Siddoway announced that Peggy Parker had been appointed Municipal Court Clerk. Councilman Redlin moved the Town of Star Valley Ranch confirm the Mayor’s appointment of Peggy Parker as the Town of Star Valley Ranch’s Municipal Court Clerk. Councilman Wheeler seconded the motion. The motion carried unanimously. *The “Oath of Office Prescribed by the Constitution of Wyoming” was administered to Ms. Parker by the Clerk.*

Employee Retirement Plan (WRS) Resolution: Mayor’s Assistant Gregg Wilkes introduced Resolution No. 07-10-16-001 regarding municipal employee participation in the Wyoming Retirement System:

Resolution No. 07-10-16-001

RESOLUTION to adopt the Wyoming Retirement System Deferred Compensation Plan for the Benefit of Employees of the Town of Star Valley Ranch

WHEREAS, the individuals signing below have the legal authority to take the action set forth herein on behalf of the Town of Star Valley Ranch.

WHEREAS, the Town of Star Valley Ranch wishes to adopt the Wyoming Retirement System Deferred Compensation Plan, an eligible deferred compensation plan governed by Section 457 of the Internal Revenue Code, for its employees pursuant to enabling Wyoming Statute Article 5, Section 9-3-501 through 9-3-508.

NOW THEREFORE, BE IT RESOLVED, the Town of Star Valley Ranch does hereby adopt the Wyoming Retirement System Deferred Compensation Plan (Plan) effective October 1, 2007.

BE IT FURTHER RESOLVED, that the participation of the Town of Star Valley Ranch's employees in the State Plan shall be governed by the plan document, a copy of which is attached, the services agreement(s), and any and all rules and regulations promulgated by the Wyoming Retirement System Board.

BE IT FURTHER RESOLVED, that the Town of Star Valley Ranch agrees to be bound by and honor the decisions and action taken by the Wyoming Retirement System Board, the plan administrator, in connection with Plan management and administration, including but not limited to, amending or terminating the Plan, selecting investment options and service providers, and approving unforeseeable emergency request.

BE IT FURTHER RESOLVED, that the Town of Star Valley Ranch agrees that no employee shall be allowed to contribute more than the maximum annual contribution into the Plan. If the Town of Star Valley Ranch offers one or more other 457 plans, the Town of Star Valley Ranch shall coordinate the maximum annual contribution among all of the plans and agrees that any excess deferrals resulting from participation in multiple plans shall be attributable to and distribution from one of the other 457 plans, not the Wyoming Retirement System 457 Plan.

BE IT FURTHER RESOLVED, it is recommended that the Town of Star Valley Ranch facilitate educational programs developed for use with the Plan at least once a year, and, to the extent possible, to allow employees to attend during work hours.

BE IT FURTHER RESOLVED, the Town of Star Valley Ranch's chief payroll clerk is hereby authorized to provide all relevant information to Wyoming Retirement System 457 Plan Administrator as requested.

Councilman Harker moved the Town of Star Valley Ranch pass Resolution 10-16-07-001 to adopt the Wyoming Retirement System Deferred Compensation Plan for the benefit of the Town's employees. Councilman Wheeler seconded the motion. The motion carried unanimously.

Council Reports:

Communications – Councilman Carol Warren: Councilman Warren reported that the next edition of the Town newsletter, **The Ranch News**, Volume 2, Number 4 would be assembled and labeled later in the week, and asked for assembly volunteers. Councilman Warren also indicated that the Town website was under review and would be enhanced, and that visitor statistical information was being collected.

Councilman Warren encouraged everyone to visit the Town's website, www.starvalleyranchwy.org. Mayor Siddoway added that the Town's frequent practice of emailing information via attachments to those on the Town's email list would be phased out with emphasis on referring citizens to the website for information and downloadable documents instead.

Culinary Water – Mayor Siddoway: The Clerk relayed statistical accounts receivable information provided by Water Utility Billing Specialist **Brenda Bauer**, whom also reported 2nd quarter bills and statements had been sent. Mayor Siddoway asked for proposed collection procedures for delinquent accounts be recommended for legal review and Council action, and *some discussion ensued*

Mayor Siddoway reported on recent leak testing of the culinary water system, with 138 leaks detected, several considered “major.” Additionally, test wells were being considered and property owners were being notified and easements arranged as appropriate. Drilling was scheduled for the second quarter of 2008 after conclusion of regulatory and contract bidding processes. Once an exploratory well had been developed and identified, a WWDC (Wyoming Water Development Commission) Level III grant would be applied for to purchase the discovered well and develop storage tanks and transmission lines.

Councilman Harker reported that six of the afore-mentioned major leaks had been repaired by the Town Water Department. Three new water service connections had been made. Digital cameras had been acquired for Public Works' documentation purposes.

Facilities – Councilman Harker: Preparation of applications for a lease of the BLM parcel adjacent to the southern sections of the Town were continuing, contingent upon the outcome of the pending 1% local option tax reinstatement referendum on November 6.

Financial – Clerk Andy Moffett: Clerk Moffett stated that the Town's invested reserves totaled \$1,175,000. “This will likely be the high water mark for the Town's reserves for the foreseeable future,” the Clerk indicated. Clerk Moffett indicated the Town's general fund had received \$578,410 from the State of Wyoming since the start of the fiscal year. *The latest statement of the Town's cash position is available at Town Hall, and copies are also available by email attachment upon request.*

Financial Highlights Water Utility: Clerk Moffett reported total revenue for the water utility was \$227,900 since July 1. Payroll and related expenses totaled \$45,000, contract operator expense was \$4,100, electricity expense was \$5,000, lab analyses had cost \$1,200 (another \$1,700 of lab expenses for the period were discovered two weeks later), billing, invoicing and postage expenses had totaled \$3,400, parts and supplies had cost \$20,000 and \$2,600 had been spent on the shop (see general fund for other shop related expenses).

Financial Highlights General Fund: The Clerk reported total revenue for July through September of \$594,700. Expense highlights for the first quarter included \$1,400 for the first newsletter, \$3,300 for Town Attorney **Josh Smith's** services, Town Hall rent and utilities expense was \$7,643, Fire and Ambulance services expense was \$15,000, Roads Department payroll and related, not including the Public Works Director, stood at \$23,400, spring-fall road maintenance expenditures were \$235,000, with an additional \$7,000 for fuel, \$5,175 for leased property, \$10,300 for parts and hardware, \$4,400 for tools, \$8,700 for repairs and another \$2,600 on the shop. Two invoices for the CDBG grant-supported development of the Town's Master Plan had been received totaling about \$10,000.

A first quarter financial review session would be held with the Mayor & Council and interested department heads later in October, details TBA.

Grants – Councilman Warren: Councilman Warren reported about a Grants & Loans Seminar offered by the **Office of State Lands and Investments** that she had attended in Casper on October 10th. Both Grant Programs and Loan Programs were explored and compared as they pertained to a variety of topics.

The Mayor indicated that Gregg Wilkes and Carol Warren would attend a grant writing seminar in December as well.

Image – Councilman Wheeler: Councilman Wheeler reviewed a thank-you letter writing activity for servicewomen and servicemen returning from hard tours overseas. Mayor Siddoway said Founders Day would be observed on November 8, with details of events at Town Hall to be announced soon.

Planning – Councilman Redlin: Councilman Redlin observed that **Planning and Zoning** was working on drafting internal procedures necessary to support the pending final passage of the buildings and construction ordinances under current public readings. The Councilman indicated that a report from the Planning and Zoning Board would be a regular part of the monthly Town Meeting agenda starting with the November 13 Town Meeting. The Councilman also reported that work on the **Town Master Plan** was continuing by **Pederson Planning Consultants**, who were gathering data. Councilman Redlin stated he was confident that the draft of the report would be available “sometime in early 2008.”

Public Safety: Councilman Wheeler announced plans for development of an “**Animal Owners Ordinance**” and indicated that more information, including details for public involvement in formulating such a measure, would be announced at a future Town Meeting with the goal of presenting a draft of the proposed ordinance for a first reading at the January 2008 proceeding.

Mayor Siddoway reported that the Lincoln County Attorney and Lincoln County Sheriff had acknowledged and confirmed that the Town of Star Valley Ranch now has sufficient ordinances on the books to enable the Sheriff’s Department to issue citations for traffic violations within Town limits.

Roads – Councilman Harker: Councilman Harker reported the Town Roads Department had hauled away about 20 loads of materials from residences pursuant to the Fire Wise program in September and October. Other projects included re-grading and re-dust guarding Solitude Drive and Alta Drive, clearing corners to improve sight distances for street signs, and began installing anchors for the new street name signs (materials for project presently being received).

Activities Participated In:

- A. Planning & Zoning Board Meeting #5 – September 19**
- B. Town, SVRA, & P&Z Board Building Permit Procedures Workshop - October 2**
- C. Planning & Zoning Board Meeting #6 – October 3**
- D. Columbus Day (Town Hall Closure) – October 8**
- E. State of Wyoming, Grants & Loans Seminar - October 10**
- F. Builders and Contractors Meeting – October 10**
- G. Traffic Enforcement Meeting – October 12**
- H. Liquor License Renewal Hearing – October 16**

Upcoming Activities:

- A. Planning & Zoning Board Meeting #7 – October 17**
- B. 2010 US Census Workshop – Casper – October 25**
- C. 1st Quarter FY 07-08 Financial Review Meeting – TBA**
- D. Special Election – 1% Local Option Tax Referendum – November 6**

- E. Planning & Zoning Board Meeting #8 – November 7
- F. Founders Day – November 8
- G. Veterans Day (Town Hall Closed)– Observed November 12
- H. Town Meeting – November 13
- I. Planning & Zoning Board Meeting #9 – November 21
- J. Thanksgiving Holiday (Town Hall Closed) – November 22 & 23
- K. Planning & Zoning Board Meeting #10 – December 5
- L. December Town Meeting – December 11
- M. Planning & Zoning Board Meeting #11 – December 19

Adjournment: Councilman Redlin moved to adjourn the meeting. Councilman Harker seconded the motion. The motion carried unanimously.

The twenty-third regular Town Meeting was adjourned at 10:00 p.m.

Boyd Siddoway, Mayor	Date

ATTEST:

Andy Moffett, Clerk	Date