UNAPPROVED AFTON TOWN COUNCIL MEETING
April 9, 2024
5:30 P.M.

Mayor Jeff Jensen called the regular meeting of the Afton Town Council to order at 5:30 p.m. and welcomed those in attendance.

Those present included Council Member Michael Butler, Council Member Abby Humes, Council Member Will Wilkes, and Council Member Dirk Hillyard. Others present included Town Attorney Brandon Taylor, Town Clerk Tina McGarvey, Utility Director Josh Peavler, Utility Board Chairman Josh Winder, Clay Kennington, Jody Kennington, Taylor Kennington, Dave Kennington, Matt Tillotson, Marlowe Scherbel, Elizabeth Alva Rosa, Mark Bergstrom, Amber Hyde, and Cody Myers. Town Administrator Violet Sanderson was excused from the meeting.

Mr. Josh Winder, Utility Board Chairman, led those present in the Pledge of Allegiance.

Mayor Jensen presented the agenda for the Afton Town Council Meeting on April 9, 2024. Council Member Wilkes asked the Council to consider adding a discussion regarding who may serve on a board to item 10E. Also, Mayor Jesen asked the Council to consider adding a malt beverage permit to item 6A. At the call of the Mayor, Council Member Humes made a motion to approve the agenda for the April 9, 2024, Afton Town Council meeting with the above-stated changes. Council Member Butler seconded the motion. The motion carried unanimously.

Mayor Jensen presented the consent agenda, which included the following:

Approval of the minutes from the Afton Town Council meeting held on March 12, 2024.

Approval of the bills against the Town of Afton for March 2024 is as follows:

IDEXX Distribution, Inc.- Supplies	$ 2,209.87
Star Valley Powersports- Services	3.45
Valley Auto- Supplies	108.59
CNA Surety- Bond	100.00
Local Government Liability Pool- Services	14,147.00
Energy Laboratories, Inc.- Services	125.00
Hastings Hardware- Parts & Supplies	929.89
Afton Point S- Fuel & Tire Repairs	277.61
Mountain Star Products- Supplies	853.15
Petty Cash- Supplies	7.50
Silver Star Telephone- Telephone & Cell Phone Exp	1,823.30
Caselle- Software Support	1,131.00
SVI Media- Services	3,862.50
Sunrise Engineering, Inc.- Services	11,347.75
Wyoming Workers Compensation – Workers Compensation	250.60
Diamond 2 Plumbing LLC- Services	240.00
NCPERS Group Life Insurance- Life Insurance	192.00
ODP Business Solutions, LLC- Supplies	496.14
High Country Linen- Services	582.93
JP’S Water & Sewer Services- Services	400.00
Alan Stauffer Digital Services- Services	720.00

R & R Products, Inc.- Supplies	10.40
Broulims- Supplies	19.80
Napa All-Star Auto Parts- Supplies	1,088.36
Riverside Greenhouse & Graphics- Supplies	989.50
Dorsett Controls, Inc.- Subscription	195.00
Desktop Design – Services	2,439.50
Tolman, Pam- Services	675.00
Fastenal Company- Supplies	54.02
Baily, Stock, Harmon, Cottam, Lopez, P.C.- Legal Services	2,675.30
Modern Marketing- Supplies	324.91
Wex Bank- Fuel	3,940.05
Ferguson Waterworks- Utility Supplies	5,785.80
Peak Alarm Co., Inc.- Services	266.28
U.S Bank Equipment Finance- Lease Payment	254.94
Zions Bank Card – Supplies	4,353.82
Great Basin Turf Product- Supplies	4,894.40
Bomgaars Corporate Office- Parts & Supplies	52.36
Core & Main LP- Parts	1,803.20
AT & T Mobility- Cellular Services	176.40
Sanderson, Abby- Services	50.00
Verizon Connect Fleet- Services	19.90
Grime Stoppers- Services	1,800.00
Kasondra Keehn- Services	262.00
Battleson Brothers Carpet One- Materials & Services	5,773.67
SC Painting LLC- Material & Services	29,791.00
The Lock Shop of Star Valley- Services	490.00
Leadership Wyoming- Training	1,000.00
Great-West Trust Company- Deferred Comp	360.00
Payroll	86,586.18

At the mayor's call, Council Member Wilkes motioned to approve the consent agenda as presented. Council Member Humes seconded the motion, which was carried unanimously.

Mr. Josh Peavler, Utility Director, thanked the Council for having the faith to invest so much time and money in fighting the EPA. Mr. Peavler also publicly thanked Mrs. Violet Sanderson, Town Administrator, for being such a great leader and for her time in this matter. Mr. Peavler stated that the Environmental Protection Agency's (EPA) decision to withdraw Their preliminary determination that the Intermittent Spring was ground water under the direct influence was a win for the Town. However, systems are assessed every 3-5 years through the Sanitary Survey process and 2024 would be year three out from the 2021 survey. The next survey has not been officially scheduled as of yet. Mr. Peavler updated the Council on the status of the sewer lagoon project and a capital project that would tie the North and South Afton water lines together, which would increase the PSI for residents. Mr. Peavler also reminded the Council of a decision that the Utility Board made regarding servicing the Swift Creek Subdivision properties up Swift Creek Canyon with Town water. The Council asked to have a further conversation about whether action should be taken. At the Call of the Mayor, Council Member

Hillyard motioned to add a discussion on serving the Swift Creek Subdivision properties with Town water to item 10F, seconded by Council Member Humes. The motion carried unanimously.

Council Member Butler reported on the Planning and Zoning Board and informed the remaining Council Members that Justin Day, the Planning and Zoning Chairman, had concerns with Twin Cliffs Road. The board is working on a proposal for a consultant to help update the Master Plan. Mayor Jensen requested that he be put on the agenda for their next meeting to discuss the Master Plan.

Mr. Josh Winder, chairman of the Utility Board, reported to the Council that the board is currently discussing servicing residents' water outside of town limits.

Mr. Mark Bergstrom asked that the Council consider approving a malt beverage permit for a rehearsal dinner to be held at Canyon View Park. He requested that the permit be valid on May 31, 2024, from 3 pm to 11 pm. Mr. Mark Bergstrom also asked the Council to consider approving a malt beverage permit for a wedding to be held at the Civic Center. He requested that the permit be valid on June 1, 2024, from 2 pm to 10:30 pm. At the call of the Mayor, Council Member Humes made a motion to approve both malt beverage permits. Council Member Butler seconded the motion. The motion carried unanimously.

Mayor Jensen presented the financial statements for the period ending March 31, 2024.

Mayor Jensen presented a simple subdivision application for J&B Harmon Addition boundary adjustment. The applicant requests to move a common boundary line between two tracts of land to create Lots 1 & 2 of the J&B Harmon Addition to the Town of Afton. The property is located on the south side of Twin Cliffs Road, approximately one-third of a mile east of the intersection of HWY 89 and Twin Cliffs Road. Both tracts of land are currently zoned ACR. Mayor Jensen presented the recommendations and conditions from the Afton Planning and Zoning Board. Mayor Jensen advised the Council that the Afton Planning & Zoning Board recommended approval of the Simple Subdivision. At the call of the Mayor, Council Member Wilkes motioned to approve the simple subdivision for J&B Harmon Addition with the suggested conditions set forth by the Planning & Zoning Board, seconded by Council Member Hillyard. The motion carried unanimously.

The town attorney, Mr. Brandon Taylor, presented Mayor Jensen with a framed article about the Environmental Protection Agency's (EPA) decision to withdraw from Afton's Water.

Mayor Jensen presented Ordinance 688 for first reading, AN ORDINANCE AMENDING TOWN CODE SECTION 8-3-01 LIMITING WATER SERVICE TO PROPERTIES WITHIN THE TOWN MUNICIPAL LIMITS OR PROPERTIES WHICH WILL ANNEX INTO THE TOWN IN THE FUTURE AND REPEALING ORDINANCE 679. Discussion was held. The Council wants to discuss section (d) with the Town Administrator to understand her wording. At the mayor's call, Council Member Humes motioned to approve Ordinance 688 on first reading, seconded by Council Member Butler. The motion carried unanimously.

Mayor Jensen presented Ordinance 689 for first reading, an ordinance for the Town of Afton, County of Lincoln, State of Wyoming, for the annual appropriation for fiscal year July 1, 2024, through June 30, 2025. Mayor Jensen informed the Council they would need to allocate One hundred twenty-three thousand and eighty-four dollars ($123,084.00) to balance the budget. Discussion was held. The Council allocated fifty thousand dollars ($50,000.00) to building maintenance for the Town Hall, twenty-five thousand dollars ($25,000.00) to repair the Elk Arch, and fifty-eight thousand eighty-four dollars (58,084.00) to repair the ninety-thousand-

gallon surge tank up Swift Creek Canyon. At the mayor's call, Council Member Hillyard motioned to approve the fiscal budget on first reading with the above allocations, seconded by Council Member Humes. The motion carried unanimously.

Mayor Jensen presented a rezone application for Twin Cliffs-Hillyard, Harmon & Harmon. The applicants seek to rezone each property from ACR to R-1. The current Zone ACR allows permitted use for valuable agricultural lands supported by at most (2) detached single-family dwelling units for each agricultural farm or ranch operation. This change aligns the zoning with the current usage of their properties, and two of the applicants intends to subdivide to create an additional lot. Mayor Jensen advised the Council that the Afton Planning & Zoning Board recommended approval of the rezoning application. A discussion was held. Following the discussion, Mayor Jensen called for a public hearing. At the call of the Mayor, Council Member Humes made a motion to close the regular meeting of the Afton Town Council at 8:07 p.m. and opened the public hearing to accept public comment and input on the proposed rezoning application Twin Cliffs-Hillyard, Harmon & Harmon. Council Member Wilkes seconded the motion. The motion carried unanimously.

No public comments were received. At the call of the Mayor, Council Member Butler made a motion to close the public hearing at 8:10 p.m. and reconvene the regular meeting of the Afton Town Council Meeting. Council Member Wilkes seconded the motion. The motion carried unanimously.

Mayor Jensen presented Ordinance 690 for the first reading: AN ORDINANCE RE-ZONING THE AREA DESCRIBED BELOW FROM ITS PRESENT ZONING (ACR) AGRICULTURAL, CONSERVATION, AND RECREATION TO (MCI) MIXED COMMERCIAL INDUSTRIAL DISTRICT WITHIN THE TOWN OF AFTON. At the mayor's call, Council Member Wilkes motioned to approve Ordinance 690 on the first reading, seconded by Council Member Butler. The motion passed. Council Member Dirk Hillyard recused himself from the vote because he is related to one of the applicants.

Mayor Jensen presented RESOLUTION NO. 2024-02, A RESOLUTION ESTABLISHING TRAIL FEES FOR THE 2024 GOLF SEASON. At the call of the Mayor, Council Member Humes motioned to pass Resolution 2024-02, seconded by Council Member Wilkes. The Motion carried unanimously.

Mayor Jensen began discussing serving the Swift Creek Subdivision properties with Town Water. Currently, the water available to these properties is unchlorinated. Mr. Josh Peavler, the Utility Director, presented a map showing his recommendation for tying into the current system up higher on Swift Creek Canyon. This would reduce the liability of having unchlorinated water in that section of the line and equalize the pressure throughout the Town of Afton. Discussion was held regarding who should absorb the cost, the timeframe of when this project should start, and the permits that will be needed to begin this project. Following a lengthy discussion, Mayor Jensen granted permission to Mr. Peavler to move forward and permit the project.

Council Member Wilkes inquired about the Council's thoughts on allowing employees to serve on boards that involve their employment. Mr. Brandon Taylor, Town Attorney, recommended that further discussion be held in executive sessions.

Mayor Jensen presented Ordinance 687 for second reading, AN ORDINANCE RE-ZONING THE AREA DESCRIBED BELOW FROM ITS PRESENT ZONING (ACR) AGRICULTURAL, CONSERVATION, AND RECREATION TO (MCI) MIXED COMMERCIAL

INDUSTRIAL DISTRICT WITHIN THE TOWN OF AFTON. At the mayor's call, Council Member Humes motioned to approve Ordinance 687 on second reading, seconded by Council Member Butler. The motion carried unanimously. Mayor Jensen requested that Mrs. McGarvey, the Town Clerk, advertise a public hearing for public comment on the rezone to be held at the next meeting.

Mayor Jensen reviewed the special purpose tax. The Council mentioned they would like to prioritize the pickleball courts and destination playground at Canyon View Park as the shovel-ready project to be put on the Resolution for Special Purpose Tax. The Council would like to discuss the cost estimates received from J-U-B Engineers.

At the mayor's call, Council Member Wilkes motioned at 9:20 p.m. to go into executive session to discuss legal matters, the purchase of real estate, and employment. Council Member Butler seconded the motion, which was carried unanimously.

At the mayor's call, Council Member Humes motioned to return to regular session at 10:29 p.m. with no action taken, seconded by Council Member Hillyard. The motion carried unanimously.

At the call of the Mayor, Council Member Wilkes motioned to adjourn the regular meeting of the Afton Town Council, seconded by Council Member Humes. The motion carried unanimously. The regular meeting adjourned at 10:30 p.m.

The next regular meeting of the Afton Town Council will be held on Tuesday, May 14, 2024, at 5:30 p.m. at the Afton Town Hall.

Jeff Jensen, Mayor
(ATTEST:)

/s/ Tina McGarvey, Afton Town Clerk

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