

Index Town Council
Monthly Meeting Minutes
November 3, 2008

The regularly scheduled meeting of the Index Town Council was called to order at 7:00 PM by Mayor Bruce Albert.

COUNCILMEMBERS AND ADMINISTRATIVE PERSONNEL PRESENT

Bruce Albert	Karen Sample	Bill Cross, Maintenance Supervisor
Bob Hubbard	Patrick Woods	Lisa Stowe, Clerk Treasurer
Dean Johnson	Kim Peterson, WDM	Bob Foster, Animal Control Officer

Horst's absence was excused.

Minutes from the October meeting were read. Stowe asked for review as she transcribed them from a tape that was hard to understand. There were two amendments to the draft. Johnson moved to accept the minutes as amended and with a second by Hubbard the motion carried.

Stowe read the October warrants, numbered 2464 through 2482. Payroll and tax warrants totaled \$4231.97 and all others were \$6171.70 for a grand total of \$10403.67. Hubbard moved to pay the warrants as presented and with a second by Sample the motion carried.

There were no public comments.

During Council comments, Sample reported on her calls to Municipal Research regarding vendor food carts, asking if the Town could be held liable if someone got food poisoning. The County Health department is responsible, unless the Town knowingly allowed someone to sell food at risk. She was told lemonade stands are commonly ignored, but that ordinances can have a clause exempting carts by people under a certain age. Albert has researched this, too, and said vendors are approved for specific locations only, and then only with the agreement of all abutting neighbors. He feels this is something Index can regulate through the business application without having to go through the ordinance process.

Sample clarified that the Town could require the Health Department compliance through the business application rather than through ordinance. Albert said people always have to comply with regulations. We make applicants aware of the requirements.

The Planning Commission continues to review the Comprehensive Plan draft. There is still an open position.

Cross is talking to the sergeant from Department of Corrections about having inmates fill sandbags prior to a flood event. He will also be cleaning out ditches that are now full of leaves.

Kim Peterson updated the Council on recent water samples that tested positive for Coliform. There is nothing wrong with Coliform, but the Town posted results and will be doing repeat tests. The positive results are coming from the spigot at the Old Fire Hall, which will be removed from the testing system. The Town has never tested positive for anything other than Coliform, and when there has been positive tests, it has always been this same time of year. Tests will be taken again this week and any non-conforming results will be posted, but Peterson does not expect new problems. This summer she and Cross may dig up the OFH spigot to see what's going on.

Albert is waiting on an answer from Evergreen District Court before proceeding with the animal control ordinance. He received a response from the lawyer regarding the land use title in the municipal code, and will be working on that version. Peterson is working with Burlington Railroad on a bill the Town received for leasing land the water main runs on. In previous years the lease has cost Index between \$70 and \$80, but this year the price jumped to \$750. The Railroad seems to be under the impression that a long section of the water main runs on their land when it's actually County right of way. Albert went backhoe shopping with Cross and is waiting on information, but it looks like the backhoe may cost a little more than what was budgeted for so Albert may be coming to the Council. And finally, Albert met with people from DEM to go over last year's flood and what worked and what didn't.

Albert introduced Bob Foster, the new animal control officer. The Town is working on getting him some formal training, but he has a background in law enforcement.

Stowe asked the Council for permission to send a letter of support to the Grizzly Bear Outreach Program. These are the people who did the black bear training for Index, and they are seeking letters of support to assist in getting funding for further trainings. She also asked the Council for permission to send a letter of support for Hazard Mitigation planning.

Ordinance #401 relating to salaries for 2009 was presented for a first reading. Stowe will be adding a section providing a salary for an on-call clerk position.

Ordinance #402 relating to the budget for 2009 was presented for a first reading. A big concern for the coming year is the garbage fund, which has been consistently losing money over the past year. Part of the problem was Allied over-charging the Town, and that problem has been solved. But the rates from Allied are rising higher than the revenue can handle, and Stowe asked the Council to give serious thought to another rate increase. No one wants to do that, but with the costs from Allied getting so high, it appears inevitable. The last increase was two years ago and at that time it was thought the increase was high enough the rates would not have to be increased for some time, but that hasn't worked. One alternative would be to cut down on the service, but then that creates its own set of problems. Stowe pointed out that the annual spring clean up also causes problems as donations do not cover the cost.

Sample asked if a rate increase could be done through ordinance prior to the budget being adopted, but it cannot. The budget has to be adopted at the December meeting in order to be able to operate for the year. Allied will be increasing their charges by over \$150 a month starting in January, but the Town will be able to go a few months before it becomes a serious problem, giving the Town time to come up with an ordinance.

Resolution #08-03 relating to property taxes and the valuation of Index was presented for action. Sample moved to accept the resolution as presented and with a second by Hubbard the motion carried.

Resolution #08-04 relating to property taxes and levy increases was presented. Two versions were available, one with the allowed 1% increase and one reflecting 0% increase, which the Council has elected to do over the past few years. Sample asked if the Town could only raise the levy by 1%. Anything higher than that would require a vote from residents. Hubbard doesn't like raising taxes, but if costs keep going up sooner or later the Town may have to. Property taxes would not help out the garbage fund, as tax revenue goes into the general and street funds. Sample moved to adopt the version with the 0% increase, and with a second by Johnson the motion carried.

Resolution #08-05 relating to the Six Year Transportation Improvement Plan was presented. Normally this resolution is done in July of each year, but Stowe missed it this year, and is hoping to

pass it before receiving a letter that Index is out of compliance. Sample moved to adopt the resolution as presented and with a second by Johnson the motion carried.

Sample asked if anyone would be interested in pursuing hydro-electric power for the town, since there is so much flow in the system, thinking it might be a way to bring in revenue. She asked if it might be worthwhile to budget for a study. Albert said there is a penstock already installed. Hubbard questioned whether it would affect town water pressure and Albert said the whole idea might not be feasible, but the place to start would be to see if anyone had pulled permits to do that on Deer Creek or Cold Creek.

As there was no further business Sample moved to adjourn. Johnson seconded the motion, and the meeting was adjourned at 8:06 pm.

Adopted by the Index Town Council this 1st day of December, 2008.

Signed: _____
Bruce Albert, Mayor

Attest: _____
Lisa Stowe, Clerk/Treasurer