

Town of Encampment  
Regular Meeting  
July 10, 2014  
7:00 p.m.

The Town of Encampment met in regular session at the Encampment Town Hall on Thursday July 10, 2014 at 7:00 p.m. with Mayor Greg Salisbury presiding. Council members present were Cindy Hamilton, Kim Loftice, Mary Martin and Steve Reichert. Town personnel present were Doreen Harvey, Clerk/Treasurer; Grayling Wachsmuth, Chief of Police and Katrina Bergeson, Maintenance/Operator. Also present was Cory Nuhn, Fire Chief and Vicki Loftice of the Planning Commission. Public Guests were Sue Jones, Carbon County Commissioner; Gary White and Linda Sander. Others present were Maggie Kelley, Jeff and Sandra Streeter, Marie Williams, Dyancia Trease, Eddie Trease, Angela Lara, Leroy Stephenson and Erik Gantt of the Saratoga Sun.

The meeting was called to order by reciting the Pledge of Allegiance.

#### **AGENDA**

Hamilton moved to approve the agenda with the additions, Reichert seconded and the motion was passed.

#### **MINUTES**

Martin moved to approve the minutes of the June 12, 2014 regular meeting as corrected, Reichert seconded and the motion was passed.

#### **FINANCIAL STATEMENT/MONTHLY BILLS**

Hamilton moved to approve the June 2014 Financial Statement, ratify payment of late bills in the amount of \$5,965.38 and approve the payment of the regular monthly bills in the amount of \$56,554.42 including one additional bill from Circle S Aviation in the amount of \$3,129.80 and the June 2014 payroll and contracted liabilities in the amount of \$24,754.09, Reichert seconded and the motion was passed with Martin abstaining.

#### **PUBLIC GUESTS**

Sue Jones, Carbon County Commissioner-SCWEMS: Ms. Jones was present to update the council and answer any questions regarding the subject of Hanna becoming a member of the South Central Wyoming Emergency Medical Services Joint Powers Board. Jones gave a brief rundown of the history of the financial relationship between Hanna and SCWEMS. Jones stated that Lois Buchanan from Hanna has begun attending meetings as a non-voting member and due to her background in law enforcement and emergency medical services she should help work toward resolving communication issues between Hanna and the SCWEMS Board and work toward mending the relationship. Ms. Jones further stated that the conflict between Hanna and the Board was old and no one really seems to know what it was about. Once Hanna has completed one year as an ex-officio member they can make a formal request for membership. Upon approval of the board to accept them as a member an application to amend the SCWEMS Joint Powers Board agreement can be made to the Secretary of State's office. When asked about the likelihood of getting an amended agreement approved, Jones stated that the current agreement already allows for such amendments. The Council thanked Ms. Jones for the information and for taking the time to clarify the issue.

Gary White- Encampment Ditch: Mr. White thanked the Public Works Department and the council for their labors toward trying to resolve the issue with the Encampment Ditch. He read a summary about his historical use and the importance of the untreated water to those that live along the ditch. He invited the council to his property at any time to see the use of the water. He stated that while he understood that he had an allowance of 40,000 gallons for use of treated water in lieu of having an irrigation tap, the numerous trees and plants on his property respond better to the untreated water, including sixty five that are located on Town property that he takes care of.

Mr. White stated further that he was aware that there were complaints of flooding further down the ditch and that he knew that some options were being discussed for diverting the flow of the ditch. Concerns about permanently changing the flow were expressed. Mrs. Streeter stated that there were a number of trees on the lower end of the ditch that were probably watered sub-terrainially and that they would hate to see disruption of the flow become permanent. Maintenance/Operator Bergeson stated that those residents on the lower ditch have irrigation available.

Mayor Salisbury state that several solutions for the issue have been discussed. A gated diversion routing the flow back into Herring's ditch may be installed, leaving the Town the ability to open that gate and allow occasional controlled flow to those on the lower end of the ditch. The option seems the best solution to the issue. At the request of Maintenance/Operator Bergeson a letter will be sent to Jerry Dickinson asking him not to block the flow of the ditch and asking that if he does decide to install pipe for the water to flow through, that it be it be straight pipe only.

The Council thanked Mr. White for taking the time to attend and assured him that the Town is working on the issue.

Linda Sander: Ms. Sander was present to request a signature on a letter regarding satisfactory clean up of her property at 507 McCaffrey Avenue so that funds being held toward cleanup can be released to her. Mayor Salisbury stated that the while the Town was sorry for her loss and he could see she was making progress, the Town would not be signing anything toward the release of funds until the property was cleaned up. Ms. Sander reported that stuff setting on the property did not belong to her and stated that it would be cleaned up by the weekend. Mayor Salisbury stated that once everything was cleaned up and safe, the Town would sign the letter. Ms. Sander will tell the clerk when she is ready to have Mayor Salisbury look at the property.

### **UNFINISHED BUSINESS**

5<sup>th</sup> Penny Tax- Update: Clerk/Treasurer Harvey reported that banners promoting the tax were being purchased for use at area events. Saratoga, Encampment and Riverside will share a banner. Radio ads with a select group of officials would be done. The main educational campaign will begin in October.

Water Tank Mixing System- Update: Maintenance/Operator Bergeson reported that Ken from PMPC has completed the application to Wyoming DEQ for a permit for the mixing system. There will be costs under \$500.00 for his services.

Vyve Broadband Franchise Agreement- Termination Request / 1<sup>st</sup> Reading: Mayor Salisbury stated that the cable company had been removing the cable lines. Cory Nuhn, owner of C&D Fabrication stated that the dishes were now his responsibility and that he was waiting for Carbon Power and Light to pull the meter at the site before scrapping the items.

Clerk/Treasurer Harvey reported that the initial franchise ordinance had not been re-codified in the 1995 codification of the Town of Encampment ordinances. The codification was problematic and a number of ordinances were left out. The council could choose to go ahead and pass an ordinance disbanding the agreement or pass it as a resolution. Hamilton moved to pass the 1<sup>st</sup> Reading of Ordinance #1313 disbanding the cable franchise agreement, Reichert seconded and the motion was passed.

Winter Carnival Committee- Chair Person: Clerk/Treasurer Harvey reported that there have been no letters of interest submitted for Chair Person of the event. A decision on the future of the event would need to be made soon. It was agreed that the Town would continue to look for a chair for the event.

### **COMMITTEE REPORTS**

Police Department- Grayling Wachsmuth, Chief: Chief Wachsmuth reported that everything was going well and that preparations were underway for Whatfest and Rendezvous. He stated that he may need to spend money on repair of the Radar Trailer as it continues to have battery and electrical issues. While a new radar sign has been installed, the radar trailer is still used in certain areas of Town. Martin stated that it was also used at Winter Carnival.

Fire Department- Cory Nuhn, Chief: Chief Nuhn reported that it has been pretty quiet and that the department was waiting to see what Wildland fire season would bring. There are a lot of fuels beginning to dry out.

Planning Commission, Vicki Loftice: Mrs. Loftice reported that Building permits were issued to Lana Goolsby, Linda Sander, Peggy Huntley and an amendment was allowed to a permit previously issued to Willis Greenwood. A letter was written to Barry Gasdek regarding his fence line. The Planning Commission issued a permit to Mrs. Sanders to rebuild her home at 507 McCaffrey Avenue. She will be replacing the upper level and putting a deck on the back of the structure. Councilperson Hamilton stated that rebuilding to her meant to tear down the original structure. Mrs. Loftice stated that the Planning Commission carefully reviewed the application against the Zoning Ordinances and could find no reason to decline it. Electrical Inspection of the home was briefly discussed. Contractor Jerry Smith had informed the Planning Commission that the home was electric wiring was sound, but it was noted that he is not specifically an electrician. Discussion ensued as to whether the property would be insurable without an electrical inspection or where liability would lie should another fire occur due to electricity. Discussion also ensued about Fire Marshal review and it was noted that inspection and review is the responsibility of the home owner, not the Town of Encampment. She valued the project at \$20,000.00. The threshold for Fire Marshall Review is \$40,000.00. It was also noted that WYDOT had contacted the Town about the encroachment of the front porch into the right of way. Other concerns were expressed about dangerous chemical residues from fires and health and safety issues. It was reiterated that

the Planning Commission could find no reason existing in the Town ordinances to deny the application.

In other matters, it was noted that a licensed electrician that inspected Mrs. Goolsby's trailer had stated the trailer was electrically sound and made recommendations to the owner of the trailer, one of which was the installation of GFIC's in the kitchen. Mrs. Goolsby reported that she would comply with the recommendations once the trailer was placed.

Department of Public Works: Riverside Councilperson Leroy Stephenson extended his thanks to the Town of Encampment and the Public Works Department for their part in the tree project, stating that they were very good to work with. The trees were planted and are looking good. Mr. Stephenson reported that one of the trees had been purchased in memory of Jeff Goolsby.

Maintenance/Operator Bergeson reported that there were electrical problems with the mosquito fogger that they were trouble shooting. It appears to be a sensor or a switch in the computers black box. The unit is 12 years old. The City of Laramie has loaned a unit to the Town for the season. The cost of a new unit is between \$8,500.00 and \$10,000.00. The decision was made to look for the best deal on a back up unit and to either pass a Purchase Order around or address the purchase at a future council meeting. The purchase could result in a budget amendment.

Recreation/Cemetery/Parks-Mary Martin: Councilperson Martin reported that the Free Family Movie Night was held July 12<sup>th</sup> and that "the Lego Movie" was the feature. The Community BBQ and Music in the Park are on the agenda for discussion later in the meeting.

#### **ADDITIONS TO THE AGENDA**

WRS-VFD Pension- Anthony Jones: Clerk/Treasurer Harvey reported that another new member has joined the Fire Department. Hamilton moved to add Anthony Jones to the Wyoming Retirement Volunteer Fireman's Pension Fund, Martin seconded and the motion was passed.

Union Telephone Bills: Clerk/Treasurer Harvey reported that the Union Telephone bills had not all been received by meeting time. There were a number of issues with last month's bills and she was working with the company trying to get them corrected. Reichert moved to allow the clerk to pay the bills when they are received, Loftice seconded and the motion was passed.

Lions Club Malt Beverage Permit- Ranch Rodeo Event: Clerk/Treasurer Harvey reported that she had received an application from the Encampment Riverside Lions Club for a Malt Beverage permit for July 26<sup>th</sup> and 27<sup>th</sup> during the Ranch Rodeo Event. Reichert moved to approve the application as presented, Hamilton seconded and the motion was passed.

#### **NEW BUSINESS**

D's Bar and Grill, Inc.- Retail Liquor License #2: At 7:55 p.m. Mayor Salisbury opened a Public Hearing for comment regarding the application for a Retail Liquor License for D's Bar and Grill, Inc. Hearing no comment the Public Hearing was closed. The Council stated that they were thrilled to have a new business in Encampment. Martin moved to approve the application

and issue Retail Liquor License #2 to D's Bar and Grill, Inc., Loftice seconded and the motion was passed. The business is scheduled to open July 18<sup>th</sup>.

Department of Agriculture-EIMP Mosquito Grant Contract: Clerk/treasurer Harvey reported that the grant was in the amount of \$10,283.82. Hamilton moved to have Mayor Salisbury sign the contract as presented, Martin seconded and the motion was passed.

Community BBQ Supplies / Payment for Band: Martin reported that she was working with Deputy Clerk Munson on the event and that Munson had ordered the same amount of food for the event as last year. The BBQ and Dance will be held August 2<sup>nd</sup> with the picnic beginning at 4:00 p.m. and the Teka Brock Band playing from 6:00 p.m. to 10:00 p.m. Hamilton moved to approve the purchase of the supplies and to have payment for the band in the amount of \$1,500.00 ready for the event, Martin seconded and the motion was passed.

Proposed Fire District- Mayor Salisbury: Mayor Salisbury reported that he had attended a public meeting on the proposed Fire District July 2<sup>nd</sup>. At this time the proposed Fire District is just for the County areas. Due to timing, towns wishing to participate would need to have a Special Election in order to become a part of the district. The intent of the County is to try and get a Fire District on the ballot and assess 3 mils for operating expenses.

Sue Jones, Carbon County Commissioner offered input on the process and possible results of forming a Fire District. Benefits would include more funding for vehicle, training and possibly lower ISO rates. Because the Fire Service was also subject to rule changes pertaining to OSHA and training, any firefighters on a fire in the unincorporated county areas would be operating under Carbon County Standard Operating Procedures. She expressed that the forming of the District was necessary not only for funding but for liability reasons. By statute three directors are elected then those three directors would select two more members to form a five person board so that each corner of the county would be represented. The firemen can pass bylaws and build the district the way they want. It will be completely separate from the Carbon County Board of Commissioners. One of the ways to get a Fire District question on the ballot is by Resolution of the County Commissioners. Commissioner Jones noted that they will vote on the issue at the July 15<sup>th</sup> Board of County Commissioners meeting. The 25/25 method was also discussed. Support among the large landholders in Carbon County may be an issue.

Other items discussed included the fact that the Encampment residents would not be subject to the tax unless Encampment held a Special Election and the residents voted to pass the tax, that the Town of Encampment would need to contract with the Fire District and adopt their rules and procedures for when local fire personnel go on District Fires and some of the logistics for the entity itself. Council expressed that the issue seems like it is being rushed to the ballot without some of the preliminary education required so that residents understand the issue. Mayor Salisbury also expressed the concern that the issue could cause confusion with the 5<sup>th</sup> Penny Tax.

The Council thanked Commissioner Jones for her input on the issue.

Annual Service Contracts to Organizations: Martin moved to approve the Organizational Service Contracts in the amount of \$5,450.00, Reichert seconded and the motion was passed with Loftice abstaining. The contracts consist of \$500.00 for the Grand Encampment Cowboy Gathering; \$500.00 for the Sierra Madre Muzzleloaders Mountain Man Rendezvous; \$250.00 for the Encampment Library; \$1,250.00 for the Encampment Preschool; \$1,250.00 for the Encampment Sagebrush Senior Center; \$1,200.00 for the Grand Encampment Museum; \$250.00 for the Carbon County Economic Development Corporation and \$250.00 for the Encampment Community Choir.

MTP&C, LLC- Compilation Audit- \$3,700.00: Clerk/Treasurer Harvey reported that the annual Compilation is required until the State Revolving Fund Loans are paid off. Reichert moved to approve the contract in the amount of \$3,700.00, Loftice seconded and the motion was passed.

Resolution #2014-05 Discharge of Uncollectable Debt: Reichert moved to approve Resolution #2014-05 to discharge uncollectable debt in the amount of \$2,458.75 with an effective date of June 12, 2014, Hamilton seconded and the motion was passed.

Resolution #2014-06 Mission Life Line / SCWEMS: Clerk/Treasurer reported that the SCWEMS board had received funding for unit from a grant that requires each participating entity to pass a resolution of support. Martin moved to pass Resolution #2014-06 in support of Mission Life Line, Hamilton seconded and the motion was passed.

Grand Encampment Opera House: Clerk/Treasurer Harvey reported that there was no provision in the cleaning contract with Andrea Zeller for the laundering of the mop heads and dust mops. The cleaning contractor can do it for an additional \$10.00 when they need to be laundered. Also, cleaning of windows was not included in the regular cleaning contract. A quote for \$300.00 for the service was received. The screens will need to be removed on each window. Reichert moved to approve the additional \$10.00 for laundering and \$300.00 for cleaning the windows at the Opera House, Loftice seconded and the motion was passed.

Executive Session-Personnel: At 8:30 p.m. Loftice moved to enter into Executive Session for the purpose of discussing personnel, Reichert seconded and the motion was passed. Those in attendance were Greg Salisbury, Mayor; Cindy Hamilton, Kimberly Loftice, Mary Martin and Steve Reichert, Council.

At 8:55 p.m. Hamilton moved to return to regular session and to seal the minutes and place them in the safe, Loftice seconded and the motion was passed.

## **CORRESPONDENCE**

**State of Wyoming Office of Administrative Hearings- Choke Cherry/Sierra Madre Project  
CCEDC- Industry Round Table Notes**

**US Dept. of Agriculture/ USRDA Grant & Loan Programs**

**Judith Hobart- Irrigation Concerns**

**SCWEMS Minutes- via email**

07-10-2014toe.min  
P.7

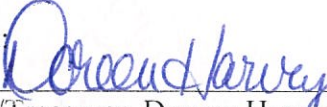
**Next Regular Council Meeting August 14, 2014 at 7:00 p.m.**  
**Next Planning Commission Meeting August 6, 2014 at 7:00 p.m.**

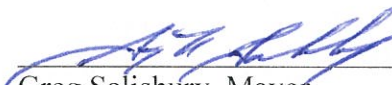
With no further business, Reichert moved to adjourn at 8:56 p.m., Hamilton seconded and the motion was passed.

Doreen Harvey, CMC  
Clerk/Treasurer

Approved: August 14, 2014

Attest:

  
\_\_\_\_\_  
Clerk/Treasurer, Doreen Harvey, CMC

  
\_\_\_\_\_  
Greg Salisbury, Mayor