

Town of Encampment
Regular Meeting
September 9, 2021
7:00 p.m.

The Town of Encampment met in regular session at the Encampment Town Hall on Thursday September 09, 2021 at 7:00 p.m. with Mayor Greg Salisbury presiding. Council members present were Stas Banach, Bill Craig, Shannon Fagan-Craig and Gary Stull. Town personnel present were Doreen Harvey, Clerk/Treasurer; Kevin Shue, Police Chief and Bill Acord, Maintenance/Operator. Planning Commission members present were Steve Reichert and Ros Herring. Public Guests present were Lela Konecny and Catharine O'Neill of Meriwether Timber and Thomas James and Tyrone Konecny of TNT Forest Products. Audience members were Carbon County Commissioner Byron Barkhurst, Troy Vorn, Shelby Hiser, JoElla Vacher, Rachael Priegel, Ron Munson, Jon Nelson of North Fork Engineering and Micky Jones of the Saratoga Sun. There were also a few unidentified individuals that entered during the meeting.

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

AGENDA

Stull moved to approve the agenda with the additions, Fagan-Craig seconded and the motion was passed.

MINUTES

Fagan-Craig moved to approve the minutes of the August 12, 2021 regular meeting as distributed, Stull seconded and the motion was passed.

FINANCIAL STATEMENT/MONTHLY BILLS

Clerk/Treasurer Harvey advised that at 16.67% of the new budget year revenues were at about 10.71% and expenses were at about 6.37%. She advised that the interest on WYOSTAR accounts had not yet posted. Stull moved to approve the August 2021 financial statement, the August 2021 payroll and contracted liabilities in the amount of \$28,049.56; late monthly bills in the amount of \$21,749.90 and the regular monthly bills in the amount of \$31,945.11, Fagan-Craig seconded and the motion was passed.

Big Bale Company \$467.56
Blue-Cross/Blue-Shield \$5,395.52
Circle H Roofing \$11,750.00
Corkle Oil, LLC \$1,360.70
Encampment Petty Cash \$3.00
Evergreen Disposal \$22.50
Jackson County Star \$189.00
Norco \$39.06
Nuhn, Katrina \$24.54
Office Depot \$124.64
Olde Trading Post \$39.84
One-Call of Wyoming \$16.58
Posey Wagon Portable Toilet Svc \$320.00
Quill Corp \$207.08
Rawlins Times \$300.50
Riverside Garage & Cabins \$137.45

Rocky Mountain Air Solutions \$80.44
Saratoga Sun \$162.00
Shively Hardware Co. \$219.70
Union Wireless \$599.68
Union Wireless, Misc. \$300.00
UPRSWDD \$9,745.25
USA BlueBook \$156.32
Visa \$155.75
Xerox Financial Services \$93.65
Xesi Document Solutions \$34.35
TOTAL \$31,945.11

PAYROLL TAXES AND LIABILITIES
AFLAC \$76.72
Workers Compensation \$582.03
WY Retirement System \$2,790.77
WY Retirement- VFD \$337.50

Unemployment Insurance \$76.06
US Treasury \$2,852.60
US Treasury \$2,283.28
Net Payroll \$19,050.60
TOTAL \$28,049.56

LATE MONTHLY BILLS
Circle H Roofing \$11,750.00
Encampment Preschool \$1,250.00
Energy Laboratories \$906.00
Erickson & Roberts LLC \$75.00
Grand Enc. Museum \$1,200.00
North Fork Engineering \$3,130.90
Radar Shop \$63.00
SCWEMS \$3,375.00
TOTAL \$21,749.90

UNFINISHED BUSINESS

Sewer Lagoon Improvement Project: Mr. Nelson reported that the structural design was progressing and that they would need to make a selection on electrical controls and would likely be choosing between Brownsville and Timberline. He asked if there was a preference, noting that he believed the controls at the water plant were Brownsville. He noted that as long as the costs were in line, they would likely go with the company out of Denver. The mechanical, HVAC and Air exchange will be looked at in the next step of design. He noted that there will be an exchange, heating and ventilating the building at the same time. Another sludge sampling will be done in October.

Brush Creek Ranch Planned Unit Development- Watershed Protection Update: Mayor Salisbury and Jon Nelson reported having attended a meeting with the State Engineers Office on Friday to discuss the cumulative project. Mayor Salisbury noted they had also done the same thing with the DEQ a few weeks ago. They are trying to establish different criteria for watershed studies making sure that all development is considered. Councilman Craig expressed his appreciation to the mayor for taking the time he has to be involved, noting that it will really help out and make everyone more aware of what is going on. Mayor Salisbury noted that the impact of the development is very concerning and that he wants to make the decision makers aware. He noted that he wants to see no harm downstream. He also noted that there will be additional costs for professionals because things are not free. He noted that town engineer Nelson might need to be our representative at the upcoming meeting on the 14th if he cannot get away. He really just wants to ensure that the county follows the right procedures. County Commissioner Byron Barkhurst advised from the audience that he would like to have the information the council plans to present ahead of time so that he has time to put it into context. Mayor Salisbury reiterated that the county has the first control of the first thing happening. Commissioner Barkhurst noted that they want to make a good informed decision, they are not opposed to moving forward, but on their terms. He would like to see it done correctly. There are lots of red flags already. They would like to set benchmarks after the PUD is issued to make sure they are following protocols. He noted that this is a larger scale development than they have done before. Mayor Salisbury noted that he would like to see inspection before burial of things to make sure it is done correctly. Engineer Nelson noted his frustration objective to information not being at the same level in the process. The planning proposal is suitable, but does not provide for primary and secondary systems, vast areas of rocky slope. Proposing something verses proposing something that can't be built. Enough information was not given beforehand. Scrutiny has been less. Commissioner Barkhurst noted that there has been great frustration and emotion and the issue, great context with having the community help. He advised that he is available and that if the council has anything of benefit to offer, to contact him directly.

Mayor Salisbury noted that what was unique about the issue was that it is in the municipal watershed. He reiterated that he is all for private property rights, but the hydrology needs to be considered. He noted that the application has been fast tracked and is way open ended with nothing nailed down. Councilman Banach asked if the county had contacted DEQ and was told no. Commissioner Barkhurst noted that they rely heavily on their department heads. Mayor Salisbury noted that permits that need to go through DEQ need to be scrutinized. Our problem will go back to the county if they do not ensure the permits are sought.

PUBLIC GUESTS

(Moved to after Unfinished Business as guest was not present at meeting opening).

Lela Konecny & Catharine O'Neill- Meriwether Timber: Ms. Konecny was present to address the council again on the current lease situation at the mill site. She noted that she had provided the council with all of the information requested. She again requested a change in the lease to Meriwether Timber. She asked if the council had any questions on the information. Councilman Banach thanked her providing the plan and noted that he had called the references. The council had no additional questions.

COMMITTEE REPORTS

Police Department- Kevin Shue Chief: A written report was submitted.

Planning Commission: Minutes of their most recent meeting were submitted.

Department of Public Works: Mayor Salisbury noted that the third Maintenance/Operator had been hired and that everything was working out well. Maintenance/Operator Acord noted that the irrigation would be turned off at the end of September. Councilman Stull expressed his appreciation for the work done on the streets so far.

ADDITIONS TO THE AGENDA

Letter of Interest: Clerk/Treasurer Harvey noted that a letter of interest in representing the Town of Encampment on the Carbon County Economic Development Corporation Board had been received from Barry Cole. She noted that the seat has been vacant for quite a while. Councilmembers noted that Mr. Cole had not acted as he had promised in a personal issue involving an encroachment and agreed by consensus not to make the appointment. No action was taken.

NEW BUSINESS

Fire Prevention Week & Safety Educational Supplies- Up to \$750.00: Clerk/Treasurer and Fire Department Secretary Harvey advise that it was the time of year the department generally makes these purchases. She noted that she did not have a quote, but that in the past they have spent around \$500.00. She noted that with all things being more expensive she would like to ask that the council consider allowing up to \$750.00 for the purchases. Fagan-Craig moved to approve up to \$750.00 for the purchase of Fire Prevention and Safety Education Supplies, Stull seconded and the motion was passed.

Norco Tank Purchase Estimate-\$982.57: Mayor Salisbury noted that he thought it would be better to purchase than rent. Maintenance/Operator Acord noted that the tanks were used for oxygen, acetylene and argon. Craig moved to approve estimate for the purchase of the tanks, Stull seconded and the motion was passed.

Property Insurance Renewal: Clerk/Treasurer Harvey noted that she had reviewed the information and forwarded it to the council. She noted that there had been no major changes or purchases in the past year and asked if they had anything to add, stating that action will be taken on the renewal in October. Fagan-Craig noted that she had reviewed the information and had no changes. The council agreed.

Platte Valley Arts Council- MOU Regarding Art Ownership & Responsibilities: Clerk/Treasurer Harvey noted that it was the MOU that was referred to by Stacy Crimmins at the last meeting. Fagan-Craig moved to approve the MOU, Craig seconded and the motion was passed.

Ordinance 9.04.130 Noises Prohibited- Amendment – 2nd Reading- Set Public Hearing: Stull moved to approve the 2nd reading of ordinance 9.04.130 as presented and to hold the Public Hearing during the October 14th council meeting, Banach seconded and the motion was passed.

Grand Encampment Business Park Lease- TNT Forest Products: Thomas James and Tyrone Konecny were present to answer any questions the council might have. They had provided additional information to the council and letters of reference. They noted that the vandalism has inhibited their progress through the best opportunity in the lumber market. They have faith they can make it work. They have paid their lease payment on time and kept it insured. The power is what is taking so long and is the key component. Mr. Konecny noted that was also there to provide background and to note that Utah Lumber is the backer for the adventure. He had also provided financial information to the council. He noted that he has 22 years in the business network and an immediate market for product, experience in marketing, sales, transportation and that he has faith in Mr. James manufacturing ability and to do his part. The discussion turned to the power issue. Mr. James noted that Carbon Power & Light declared the project as finished and inspected it. He has been in contact with them but they have been busy and are saying the transformer may need to be changed out. They are waiting on Carbon Power & Light and electrician to be present at startup. Mayor Salisbury confirmed that they were just waiting on the power hook-up. Mr. James also noted that they had other setbacks with the theft of their tools and Covid delays with technicians.

Councilman Banach commented that the council is coming to a point where they have heard Meriwether's pitch and their pitch, it is frustrating. Mr. James and Mr. Konecny noted that the situation is frustrating for them too. Everyone wants the same thing. He was asked why they want to be in Encampment. Mr. Konecny noted that he would like to see Encampment continue to grow and it's a great opportunity. He likes small towns and this is a cornerstone area for new growth. Mr. James noted that he grew up here and wants to see the mill back to its glory days.

Ms. Konecny interjected comments from the audience, refuting what was being said. The council did not acknowledge them.

Mr. James noted that he is getting with Carbon Power & Light and that once the power is on things will begin to happen. He hoped to have a response within the week. Mr. Konecny added that he makes no excuses. There has been no vast investment with no timeline for the power. He believes they are within the 30-day mark. he has been paying to keep his foot in the door. Banach noted that he did not know how he could make the decision fairly.

Ms. O'Neill interjected that this is their 4th visit on the matter and she is concerned that there will be another three years committed that would be a waste of time and resources for Encampment. she noted she would like to see a public private partnership.

Mayor Salisbury noted that he would like to go into executive session to discuss the negotiation. He asked the council to proceed with the rest of the business on the agenda, then return to this item.

Carbon Power Fire District information & Discussion: A power point of Fire District information was distributed to the council. Clerk/Treasurer Harvey noted that the Fire Department believes this is the direction they are headed in. Councilman Craig noted that Carbon County is part of all fire

departments in the county. Most trucks are County owned. The Town also supports the local department and the local department supports the county as well. It has always been a partnership. Mayor Salisbury noted that his concern was that a district would require additional training and that our members are volunteers and questioned if they would up the level of training required then we would lose them. County Commissioner Barkhurst noted that volunteers are getting burned out. They are responsible for the safety and welfare of the citizens. Comment was made that it would further stress members. Barkhurst noted that the district would continue relationships they have in place, but some would become paid. He noted benefits of training, insurance ratings, grants that would help with equipment shelf life. He noted that he was originally against the district, but now he is in support. carbon County Council of Governments is continuing the discussion with the intent to place the matter on the ballot. It is a litigious society and they are looking at liability. Mayor Salisbury asked about the time line. He was advised the final decision would be made in April.

The council noted that they would like to hear from our fire department directly on the matter. Harvey will advise the Fire Department.

Department of Audit Annual F-66 Report- Review: Clerk/Treasurer Harvey advised that she had provided the documents to the council a few weeks ago. She noted that it is basically a report using the financial information given to the council put into categories the way the state would like to see the information. She asked the council if they had any questions or changes that they would like to make. Stull moved to approve the report and allow the clerk to submit it as is, Banach seconded and the motion was passed.

Water Dept.- Additional pH Probes: This item was postponed to the October meeting as there was no quote available.

Executive Session for the Purpose of Negotiation: At 7:50 p.m. Stull moved to go into Executive Session to discuss the mill site lease, Fagan-Craig seconded and the motion was passed. Those in attendance were Greg Salisbury Mayor; Stas Banach, Bill Craig, Shannon Fagan-Craig and Gary Stull, Council. At 8:38 p.m. Fagan-Craig moved to return to regular session and seal the minutes and place them in the safe, Stull seconded and the motion was passed.

Craig moved to extend the lease with TNT Forest Products at the same terms for one more year with a quarterly progress report to be provided and estimates of what will happen as the council would like to be informed, Fagan-Craig seconded and the motion was passed with Banach voting no. Banach noted his opinion that the town would be paying no more out on the mill site and that he voted no because he wanted more information.

CORRESPONDENCE:

WAM, WARWS, UPRSWDD, CCVC, CCSPTJPB, WYDOT, Wyoming Community Foundation info & newsletters.

Wyoming Retirement System- Annual Report

WY Dept. of Homeland Security- Request for Specialized Equipment and Training Listing

Local Government Liability Pool- Board Nominations

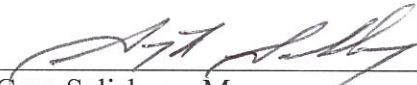
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With no further business, Fagan-Craig moved to adjourn at 8:40 p.m., Craig seconded and the motion was passed.

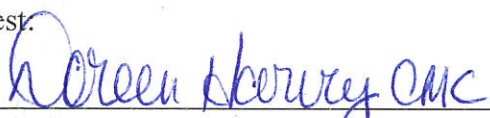
Doreen Harvey, CMC
Clerk/Treasurer

Approved: October 14, 2021



Greg Salisbury, Mayor

Attest.



Doreen Harvey, CMC, Clerk/Treasurer