

Town of Encampment
Regular Meeting
June 08, 2023
7:00 p.m.

The Town of Encampment met in regular session at the Encampment Town Hall on Thursday June 08, 2023 at 7:00 p.m. with Mayor Shannon Fagan presiding. Council members present were Stas Banach, Ashley McKinney and Steve Reichert. Town personnel present were Doreen Harvey, Clerk/Treasurer; Kevin Shue, Police Chief; Bill Acord, Public Works Supervisor; Trevor Vorn, Maintenance Operator and Martha Ralston, Deputy Clerk. Public guests were Alex Bakken, Carbon County Sheriff and Peggy Huntley. Audience members were Gary Stull, Lenny & Penny Layman, Sandy Martin, Sue Christensen, Merle VanOrden, LeAnn Stephenson, Yvonne Johnson, Carbon County Economic Development Corporation, Jon Nelson of North Fork Engineering and Kaitlynn Campbell of the Saratoga Sun.

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

AGENDA

Banach moved to approve the agenda with the addition, Reichert seconded and the motion was passed.

MINUTES

Reichert moved to approve the minutes of the May 11, 2023 regular meeting as distributed, McKinney seconded and the motion was passed.

FINANCIAL STATEMENT/MONTHLY BILLS

Clerk/Treasurer Harvey advised the council that WYOSTAR interest had not posted. She advised that at 91.63% of the budget year revenues were at about 64.83% of projections and expenses were at 30.50% largely due to project delays. She reminded the council that the budget amendment was not yet final. Banach moved to approve the May 2023 financial statement, the May 2023 payroll, and contracted liabilities in the amount of \$22,852.41, late monthly bills in the amount of \$24,614.60, including payments for fire helmets and mosquito chemical, and to pay the regular monthly bills in the amount of \$52,005.02, Reichert seconded and the motion was passed. Harvey noted there will likely be late bills since the meeting is so early in the month.

Bandit Fireworks \$4,000.00
Blue-Cross/Blue-Shield of WY \$6,284.67
Carbon Power & Light \$3,300.36
Dearborn Life Ins. Co. \$49.50
Doggett Greenhouse \$105.99
Econo Signs, Llc. \$363.45
Encampment FFA \$200.00
Erickson and Roberts, LLC \$48.13
Evergreen Disposal \$22.50
Ferguson Waterworks \$1,050.06
Galls, LLC \$678.15
Jackson County Sign Shop \$876.98
Karl's Auto Repair \$575.00
McMaster-Carr \$180.11
North Fork Engineering \$6,932.82
Northwest Colo. Auto & Truck Parts \$246.76
Nuhn, Katrina \$56.61
ODP Business Solutions \$442.03
One-Call of Wyoming \$23.40
Perue Printing \$106.95

Plattoga Holdings, LLC \$7,499.73
Posey Wagon Portable Toilet Svc \$120.00
Riverside Garage & Cabins \$317.48
Rocky Mountain Air Solutions \$141.40
Saratoga Sun \$356.13
SCWEMS \$150.00
SER Conservation District \$6,000.00
Shively Hardware Co. \$1,689.18
Town of Saratoga \$210.00
Union Wireless \$580.15
UPRSWDD \$8,592.00
USA BlueBook \$187.00
Visa \$49.98
Xerox Financial Services \$91.75
Xesi Document Solutions \$30.00
ZEP Sales & Service \$446.75
TOTAL \$52,005.02
PAYROLL & CONTRACTED LIABILITIES
AFLAC \$76.72

Workers Compensation \$464.90
WY Retirement System \$2,933.60
WY Retirement- VFD \$318.75
US Treasury \$1,675.00
US Treasury \$2,329.18
Net Payroll \$15,054.26
TOTAL \$22,852.41

LATE MONTHLY BILLS
Adapco \$9,414.18
Energy Management Corp. \$1,342.59
LN Curtis & Sons \$9,759.19
Mother Mtn Anglers \$100.00
North Park Propane \$1,414.48
Power Service, Inc \$1,539.34
Saratoga Sun \$471.75
Trojan Technologies \$573.07
TOTAL \$24,614.60

PUBLIC GUESTS

Carbon County Sheriff- Alex Bakken: Sheriff Bakken advised that was present to give the council an update on the items he has been working on and to take any questions they might have. He advised that CCSD#1 has added another school resource officer that serves from Rawlins to Baggs and that they are looking to add one for CCSD#2 that will serve from Medicine bow to Encampment. He also noted that Carbon County Search and Rescue was being restructured. He noted that they had lost their non-profit status, but will be reinstated as a 501(c) (3) which should relieve the stress on the budget. He also noted that most vacant positions had been filled and that if all goes well four other spots will be filled. Mayor Fagan questioned why there was one school resource officer for our district. Sheriff Bakken noted that it is a geographic challenge, but it is due to a disparity in population. It was noted that they were being funded with Federal Title IV funding and that it is an indefinite funding source. The council thanked Sheriff Bakken for everything that he is doing.

Peggy Huntley: Ms. Huntly was present to continue the discussion on pickleball. She thanked the public works department for the cleanup done at the site. She also noted that the posts for the pickleball nets could be permanently installed by drilling a hole through the concrete, then refilling around them with concrete, based on a conversation she had with a retired contractor. She also noted that she had put out a communication through Facebook to see who was interested in it and she had 14 likes, 31 interested and stated that she has a petition of 26 people. A copy of the petition was not presented to council. She advised that she believed she had answered all questions. She also stated that she did not know the result of her grant request for funding of the equipment. McKinney asked if they an alternate plan to purchase the equipment if their grant was not approved. Ms. Huntly advised that she did not. Banach noted that if they need funds, a group or committee could hold a fundraiser. Ms. Huntley also noted that Carbon County Economic Development Director Yvonne Johnson was instrumental in getting a letter of support from the Rawlins Rec Director. Ms. Johnson who was in the audience, noted that the Jay Graybow and seniors did the court in Rawlins and that there could be tournaments if Encampment had one. She also cited the importance of the seniors intermingling and the economic benefits if people came to Encampment and spent the day for a tournament.

Mayor Fagan noted that a development plan and a maintenance plan was needed. Individuals would need to buy their own paddles and equipment. She suggested that they get some net information from the Rawlins Rec Board and move forward from there. She also expressed concerns about damage by animals if left up permanently. It was noted that the court is still fenced in. Ms. Hunley asked if the council would be willing to buy nets for two courts at a cost totaling \$800 to \$1000. Ms. Johnson interjected that Rawlins Rec Director may be willing to help find the right nets. The installation would be permanent, but the net could be removed seasonally. Mayor Fagan noted that she still thought portable nets would be the best way. If the nets are destroyed the town will not pay to replace them. McKinney move to allow up to \$1,000.00 for the purchase of two pickleball nets, Banach seconded and the motion was passed with Reichert voting no. A link with purchase information will be sent to the town clerk.

UNFINISHED BUSINESS

Sewer Lagoon Improvement Project-Jon Nelson, Engineer: Mr. Nelson noted that nothing has happened yet causing the project to be behind schedule already. He noted that change order #1 discussed last month has been fully executed. He also advised that work was being done on submittals, approval of materials and that surveying and staking was complete. We have done everything we can do to stay ahead of the project. The contractor has conveyed that they will

be mobilizing after the July 4th week. The delay was caused by crew availability and challenges with sub-contractors and mechanical components. There may be a need to come at the construction with different technologies, such as cast in place concrete if there is trouble finding a mason. They will review alternative construction methods if there is no cost to the town. As long as it will work and all non-corrosive requirements are met.

Mr. Nelson noted that while the schedule is slipping, a lot of the work is inside the structure once it is built it can be completed despite the weather. He is not asking to extend the time line and that infrastructure should still be 90% complete by August. Some things may not be operable until Final Completion. There has been no request for extension yet. Mr. Nelson advised the council that he used to work for the contractor, but has no contractual relationship with them now. He reiterated that he is our advocate as an engineer of the Town. In other matters, Mr. Nelson noted that since the dredging was not awarded, he is still looking for proposals and that he might have information as early as next week or certainly by the July meeting.

Banach asked if it would be reasonable to have the contractor write a letter to the town stating what they will do to close the gap on the issue and help to hit the goal. McKinney agreed that the request sounded fair. Mayor Fagan asked if there were any other questions. Hearing none, she thanked Mr. Nelson for the updates.

PUBLIC HEARING-FY22/23 Budget Amendment-3rd & Final Reading-Revenue/Expenses

\$1,822,821.01: At 7:40 p.m. Mayor Fagan opened a public hearing for the purpose of taking comment on the FY22/23 budget amendment. Hearing no comment, the hearing was closed. Clerk/Treasurer Harvey advised that the only changes in the final reading were between line items, the budget amount had not changed. McKinney moved to approve the 3rd & Final reading of the FY22/23 budget amendment in the amount of \$1,822,821.01, Banach seconded and the motion was passed.

PUBLIC HEARING- FY23/24 Budget- 3rd & Final Reading-Revenue/Expenses \$3,957,067.78:

At 7:42 p.m. Mayor Fagan opened a public hearing for the purpose of taking public comment on the FY23/24 budget. Hearing no comment, the hearing was closed. Clerk/Treasurer Harvey advised that that the only changes in the final reading were between line items, the budget amount had not changed. Reichert moved to approve the 3rd & Final reading of the FY23/24 budget in the amount of \$3,957,067.78, McKinney seconded and the motion was passed.

Town Projects- Electrical at Parks; Park Pavilion Damage; Leach Field at Water Plant; Town Hall Drainage-Updates, if any: Public Works Supervisor Acord advised that everything electrical in the Japanese Garden was working properly. Former councilman Gary Stull advised that he has gotten a hold of Ryan Graybow and they should be meeting about Grandview Park to see what should be done. Banach thanked Mr. Stull for staying involved.

Planning Commission Vacancies-Letters of Interest: Seated members Dawna Martin, Bill Acord and Steve Reichert submitted letters of interest in serving another term. Banach moved to reappoint the members to serve another term, McKinney seconded and the motion was passed with Reichert abstaining.

Carbon County Visitors Council Vacancy- Letter of Interest- Josh Craig: It was noted that a second letter had been received from LeAnn Stephenson after the packets had gone out. Ms. Stephenson

Addressed the council and noted her qualifications, stating that she does not reside in Encampment, but that she is a resident of Carbon County. Banach noted that he has confidence in her ability, but that Josh Craig has done well with Mother Mountain Anglers. McKinney noted that he has also done well with fundraisers. Mayor Fagan asked the council if they had a preference. McKinney moved to appoint Josh Craig as the Town of Encampment representative to the Carbon County Visitors Council, Reichert seconded and the motion was passed.

COMMITTEE REPORTS

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

Planning Commission: Minutes of their last meeting were presented. Clerk/Treasurer Harvey noted that the July Planning Commission meeting was moved to July 12th due to the holiday.

Department of Public Works: A written report was submitted. Public Works Supervisor Acord advised the council that the Town of Riverside would like help with their sewer mains. He noted that there is no agreement or anything between towns addressing liability. It was noted that at least the operators time should be covered. Mayor Fagan noted that our personnel will operate our equipment. Banach advised that they should reciprocate and help us out if we have a need. Banach moved to allow our operator and equipment to work with the Town of Riverside on their sewer system, McKinney seconded and the motion was passed.

Carbon County Council of Governments- Shannon Fagan, Mayor: Mayor Fagan advised that she and Councilman Banach had attended the CCCOG meeting at the opera house. There were three speakers and discussion about broadband and a presentation from Power Company of Wyoming. The meeting was well attended.

ADDITIONS TO THE AGENDA

Catering Permit- White Dog Liquors: Clerk/Treasurer Harvey reported receiving an application for a catering permit for a private wedding event being held June 24th. Banach asked for clarification on what a catering permit was for. Clerk/Treasurer Harvey advised that as the license issuer, the Town needs to provide permission for the license holder to sell liquor outside of their licensed premises. Banach moved to issue the catering permit White Dog Liquors as requested, McKinney seconded and the motion was passed.

NEW BUSINESS

Ratify Purchase of Fireworks- Bandit Fireworks \$4,000.00: It was noted that the fireworks were delivered earlier in the day. Reichert moved to ratify the purchase of the fireworks from Bandit Fireworks in the amount of \$4,000.00, McKinney seconded and the motion was passed.

Oversight of Fireworks-Doug Russell-Contract Labor \$150.00: Mayor Fagan noted that Doug Russell has been providing oversight for the fireworks for years. Banach noted that the show seemed slow last year. Mayor Fagan noted that Mr. Russell's help was new last year and that they should do better this year. Reichert moved to approve \$150.00 to Doug Russell for oversight of the fireworks display, McKinney seconded and the motion was passed.

Carbon County Visitors Council Grant Contract- Advertising Music in the Park \$907.75: McKinney moved to approve the contract with the Carbon County Visitors Council for the advertising for the Music in the Park event in the amount of \$907.75, Reichert seconded and the motion was passed.

Ordinance #2023-01 Title 0-08-070 Dogs 'Running at Large Prohibited' 2nd Reading:

Clerk/Treasurer Harvey reported that there were no changes from the first reading and that there was a statement from the Police Chief in their council packet. There would be one more reading and a public hearing on the ordinance before it was passed. Banach noted that the ordinance made sense and it was not prepared to go too far. Audience member Lenny Layman asked to add his insight and suggested changing language from 'chasing' to 'following' believing that it leaves a gray area in the term 'at large'. Banach noted that it was his understanding that the ordinance was formulated for Chief Shue by the town attorney. Discussion ensued about control, and it was noted that an unattended dog is still in violation. Also discussed was the term 'at-large' and the term 'vicious. Mr. Layman read a definition from Websters Dictionary. Reichert commented that no one was going to admit their dog was vicious. He also expressed concern for several dogs at large doing their business on his property on a regular basis, noting that something has to be done. Chief Shue noted that that particular issue would be part of the nuisance ordinance, which is a separate ordinance. He also noted that 'vicious' is a label for what a dog does. A leash law or trespass law would be a separate issue. Chief Shue stated that it would be the council's job to write law. It was also noted that photo or video proof would come into play if an officer was not present to witness dog behavior. It was noted that this was the second reading and that the matter could be looked into further and that there was still opportunity to amend. Banach moved to approve the second reading of ordinance 2023-01 as presented, McKinney seconded and the motion was passed with Reichert voting no.

ER Lions Club- Malt Beverage Permit-Woodchoppers Jamboree & Rodeo- June 17th & 18th:

McKinney moved to approve the Malt Beverage Permit for the event, Reichert seconded and the motion was passed with Banach abstaining.

17th Annual Music in the Park/Community BBQ: Mayor Fagan reported that she had contact the band Black Lillies who will provide the music and all equipment and sound for \$3,500.00. A deposit of \$2,000.00 and lodging will be required as needed. Mayor Fagan noted that it is a country style band that is family friendly. Clerk/Treasurer Harvey noted that hopefully there will be some rec board grant funding to help with the cost. McKinney approved the selection of the band including the \$2,000.00 deposit and lodging as necessary, Reichert seconded and the motion was passed.

Community Yard Sale- Saturday August 5th- Advertising for Interest: Clerk/Treasurer Harvey advised that there is generally good participation in the event. Addresses are listed in an advertisement at to charge to the participants. The advertisement is usually in the Saratoga Sun, the Times and locally. Reichert moved to advertise for interest in the event, McKinney seconded and the motion was passed.

Property Insurance Renewal-Update: Clerk/Treasurer Harvey advised that she and councilman Banach met with the insurance carrier. They were gathering information to shop the policy and that there would be more information in July. Banach advised the council that he was looking at replacement cost for functional. For example, if the town hall building were destroyed it would likely not be rebuilt the same. He noted that hopefully we can figure a way to save the Town some money.

Harvey noted that the policy had jumped 20% last year and that market is indicating a 25% jump this year.

Fire Department Pancake Breakfast-RVFD Fund Expense up to \$1,000.00: Clerk/Treasurer and Fire Department Secretary Harvey advised the council that the cost and reimbursements would likely be less than \$1,000.00. She noted that the ERVFD fund is used for the expense and that the proceeds are returned to the fund. Banach moved to approve up to \$1,000.00 for the event and reimbursement as needed, Reichert seconded and the motion was passed.

Executive Session-Personnel: At 8:15 p.m. McKinney moved to enter into executive session for the purpose of discussing personnel, Reichert seconded and the motion was passed. Those in attendance were Mayor Shannon Fagan and councilmembers Steve Banach, Ashley McKinney and Steve Reichert.

At 8:37 p.m. Banach moved to return to regular session, McKinney seconded and the motion was passed. McKinney moved to give employee Martha Ralston a \$1.00 an hour raise and for the town to assume a percentage of Kevin Shue's Wyoming Retirement System employee contribution calculating as close to the equivalent of \$1.00 an hour raise that the clerk can get, with going over a little being okay, Banach seconded and the motion was passed. The raise will be effective with the next payroll.


CORRESPONDENCE:

**CCVC, CCEDC, CCSPTJPB, CCCOG, SCWEMS, SPVCC, UPRSWDD, WAM, USFS LaVA
Project info & newsletters via email
Carbon County Emergency Management- Saratoga Flood Summit information-email
Wyoming Community Foundation- GEOH Endowment Fund Update
Wyoming Class- Investment Solicitation-via email
Midwest Assistance Program-via email
Dirt Diggers Garden Club- Blue Star Memorial Dedication- June 24th 11:00 a.m.**

With no further business, Reichert moved to adjourn at 8:39 p.m., McKinney seconded and the motion was passed.

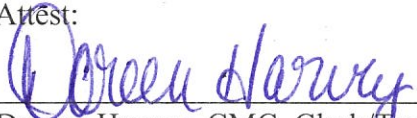
Doreen Harvey, CMC
Clerk/Treasurer

Approved: July 13, 2023



Shannon Fagan, Mayor

Attest:



Doreen Harvey, CMC, Clerk/Treasurer