

Town of Encampment
Regular Meeting
July 13, 2023
7:00 p.m.

The Town of Encampment met in regular session at the Encampment Town Hall on Thursday July 13, 2023 at 7:00 p.m. with Mayor Shannon Fagan presiding. Council members present were Stas Banach, Bill Craig, Ashley McKinney and Steve Reichert. Town personnel present were Doreen Harvey, Clerk/Treasurer; Kevin Shue, Police Chief; Bill Acord, Public Works Supervisor and Martha Ralston, Deputy Clerk. Public guests were Penny Layman of SCWEMS and Heidi Sifford of The DiVide. Audience members were Lenny Layman, Jon Nelson of North Fork Engineering, Virginia Parker of the Saratoga Sun and Keith Schricker of the Carbon County Comet.

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

AGENDA

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

MINUTES

Reichert moved to approve the minutes of the June 8, 2023 regular as distributed, Banach seconded and the motion was passed.

FINANCIAL STATEMENT/MONTHLY BILLS

Clerk/Treasurer Harvey advised that at 100% of the budget as amended, revenues were at about 97.29% of budget and expenses were at 47.88%. Harvey noted that she thought there would be payment made on the project in June, but there was not. A list of reserves utilized throughout the year was given to the council. Craig moved to approve the June 2023 financial statement, the June 2023 payroll, and contracted liabilities in the amount of \$30,402.10, late monthly bills in the amount of \$28,446.20 and the regular monthly bills in the amount of \$38,780.49, Banach seconded and the motion was passed.

Big Bale Company \$45.00
Blue-Cross/Blue-Shield of WY \$6,284.67
Carbon Power & Light \$3,226.54
CNA Surety \$362.50
Cruz Contreras, LLC \$1,500.00
Energy Laboratories Inc. \$167.00
Evergreen Disposal \$22.50
McMaster-Carr \$244.44
North Fork Engineering \$2,760.00
North Park Propane \$208.10
ODP Business Solutions \$87.04
Olde Trading Post, LLC \$155.26
One-Call of Wyoming \$12.00
Posey Wagon Portable Toilet Svc \$120.00
Riverside Garage & Cabins \$184.08
Rocky Mountain Air Sol. \$148.68

SCWEMS \$3,842.00
Shively Hardware Co. \$523.27
Town of Saratoga \$7,500.00
Union Wireless \$580.12
UPRSWDD \$9,861.30
Visa \$117.75
WAM \$608.00
WAMCAT \$75.00
Xerox Financial Services \$91.75
Xesi Document Solutions \$53.49
TOTAL \$38,780.49

PAYROLL & CONTRACTED
LIABILITIES
AFLAC \$76.72
Dearborn Life Insurance \$49.50
Workers Compensation \$619.02

WY Retirement System \$2,841.51
WY Retirement- VFD \$337.50
US Treasury \$2,506.98
US Treasury \$2,858.44
Net Payroll \$21,112.43
TOTAL \$30,402.10

LATE MONTHLY BILLS
307 Pub & Grub \$ \$325.19
Comm. Technologies \$23,817.00
Corkle Oil \$1,579.90
Cruz Contreras, LLC \$2,000.00
Doug Russell \$150.00
Western States Fire \$550.00
Xesi Document Solutions \$24.11
Total \$28,446.20

PUBLIC GUESTS

Penny Layman-South Central Wyoming E.M.S.: Ms. Layman was present to update council on recent SCWEMS activities. She advised that locally Shawneka Sifford will be starting as a driver for the service and may attend an EMT class this fall. Class details will be provided if there are

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other interested parties. She noted that unit #267 was waiting for a backordered wiring harness and that as soon as it was received unit #269 will be back in Encampment. She noted that there was a workshop on June 27th on the amendment to the Joint Powers Board agreement and that once the county attorney reviews it, it would be sent to councils for review and action. She noted that the amendment added a process for the board for when a municipality does not pay; details addressing the process for dissolution and distribution of assets and that there will be the addition of a second ex-officio representative from this area. The amendment will also cleanup the requirements for the grant process. Ms. Layman also noted that SCWEMS was following up on the bonuses given with the ARPA money in December. She noted that employees and volunteers were asked to sign a retention agreement when the funds were distributed and that four of the individuals had not met the terms of the agreement. One in Encampment, two in Saratoga and one in Hanna. She also noted that there were 37 calls in Encampment in June and that there is a new paramedic that will be helping with Saratoga and Hanna coverage. She advised the council that there would be a meeting at the Encampment Library meeting room next Monday at 6:00 p.m. if anyone was interested in attending.

The council thanked her for taking the time to attend and provide the update.

Heidi Sifford-the DiVide: Ms. Sifford provided a last-minute letter to the council asking to speak with them about the special upcoming events and use of the stage. She noted that they would be having a band July 29th and would like permission to close the road between McCaffrey Avenue and the alley in their block for an event. The school might also sell water and soda at the event as a fund raiser. She is working with the state about the food license to see if they can serve food outside. They will be serving street tacos and pizza from 7:00 p.m. until 10:00 p.m. Mayor Fagan reminded them that the noise ordinance allowed the music only until 10:00 p.m.. Craig moved to allow the closure of the road and the use of the stage, Banach seconded and the motion was passed.

UNFINISHED BUSINESS

Sewer Lagoon Improvement Project- Change Order #2: Mr. Nelson advised that the mobilization began on the 10th. Excavation, compaction and backfill are underway with testing to be completed tomorrow. Pipe removal is 90% complete and the old contact structure and UVB building will be removed. The UVB Building will be moved to the cemetery. Concrete forms, rebar and materials and road base will also be delivered in anticipation of the first footer and the cast in place concrete walls. He noted that weekly progress meetings will be 2:00 p.m. each Wednesday at the town hall. At the first meeting safety issues were discussed such as hard hats and vests for visitors on the job site, safety signage and a shield for the overhead power line as a precaution. Administration matters were also discussed.

Mr. Nelson presented the council with Change Order #2. The change order is a no cost, no time change order for changes to building using pre-cast concrete rather than cinder block. The air handling unit will be adjusted to the R-Value of the building. The size could be reduced slightly which may reduce operational cost. Banach moved to approve Change Order #2 as presented, Reichert seconded and the motion was passed.

In other matters, Mr. Nelson brought up the optional dredging portion of American Wests bid. Their cost estimate was \$398,000.00, noting there is only \$250,000.00 in the budget for that portion of the project. He noted that it would be beneficial to do it now because he does not know if the costs will get any better if we wait. Clerk/Treasurer Harvey clarified that the an additional \$148,000.00 was needed. Mr. Nelson also noted that it has to be done before the aeration for cell #2. In addition to the expanded cost. It will also add an additional 30 days to the timeline moving substantial completion to

October 31st. He noted that that SLIB loan needs to be fully expenses by January 15th. Closing the project out and final advertising will be what we are up against. Mayor Fagan noted that there will not be an answer today as the council needs more time to review the matter. Doing the dredging would reduce the finding for phase #2 of the project. The council decided to hold a special meeting July 20th at 5:30 p.m. to further discuss the dredging portion of the project. The clerk was instruction to contact the town attorney about reallocating the use of the park improvement money from the 2019 Specific Purpose Tax. Mr. Nelson offered to tour any council members through the project if they were interested.

PUBLIC HEARING- Ordinance #2023-01- Title 06.08.070-Dogs “Running at Large Prohibited” / 3rd Reading of Amendment: At 7:32 p.m. Mayor Fagan opened a public hearing for the purpose of taking comment on Ordinance #2023-01 amending Title 06.08.070 “Running at Large Prohibited”. Councilman Craig confirmed that the ordinance was drafted by the town attorney and that it says what it needs to. Hearing no comment, the Public Hearing was closed at 7:34 p.m. Craig moved to approve the 3rd and final reading of the ordinance as presented, Banach seconded and the motion was passed with Reichert voting no.

Town Projects- Electrical at Park; Park Pavilion Damage; Leach Field at Water Plant; Town Hall Drainage- Updates, if any: Public Works Supervisor Acord advised that the doors for the Grandview Park bathroom project have been delivered. He noted that the project may need to wait until fall due to the number of events.

COMMITTEE REPORTS

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

Planning Commission: Minutes of their previous meeting were submitted. Banach noted that the Planning Commission had discussed the topic of developing guidelines or an ordinance regarding the use of shopping containers. Reichert noted that he was against banning them all together, because they are useful. Craig noted that he has no issue with them at all, but that if the planning commission would like to draft information and submit it to the council for consideration, he would be okay with they. He also stated that he appreciated everything that the Planning Commission does for the town.

Department of Public Works: Public Works Supervisor Bill Acord advised the council that the gazebo in Kay Ellie Park is rotted at the bottom and is dangerous. He asked what the council

would like to be done about it. The suggestion was made to barricade it off to avoid injury. Clerk/Treasurer Harvey noted that it has been used in the past for weddings. The clerk was instructed to contact either the Andy Herring family or Richard Sartin to discuss the matter.

Acord also noted that the water plant had taken another lightening hit. He noted he has contacted Timberline Electric and Control to try and remedy the issue. Banach noted that the town may need a serious lightening arrestor to correct the issue. Acord noted that he thinks it is a connection between the plant and the water towers. Crain noted that the town may need to look into a different type of communication, perhaps radio transmitter. The council will be notified when there is more information about the issue.

In other matters, Acord noted that he would like to move the UV building to the cemetery and that he has a cement slab he would like to move to set it on with the council's permission. He advised that he had already discussed the matter with the Planning Commission. Banach noted that the contractor would move the building and that we would grade and level the spot. Banach moved to approve moving the building to the cemetery, McKinney seconded and the motion was passed.

Clerk/Treasurer- Doreen Harvey: Harvey advised that she needed permission to transfer Impact funding for the SCWEMS payment and the semi-annual dispatch payment and \$1,948.20 from 2009 Specific Purpose Tax for Project Match. Reichert moved to allow the clerk to make the transfers as presented, McKinney seconded and the motion was passed.

Carbon County Council of Governments: Mayor Fagan noted that their next meeting would be held next Wednesday in Baggs.

Watershed Protection Committee: Mayor Fagan noted that the town received a thank you for help with purchasing the equipment. It was noted that the first batch of samples had already been done. Samples will be done initially on a monthly basis, then once a year for three years.

ADDITIONS TO THE AGENDA

This item was handled under public guests.

NEW BUSINESS

Mayoral Appointments- Clerk/Treasurer / Clerk of Court / Police Chief: Mayor Fagan noted that she was happy with the current administration. Banach moved to reappoint Doreen Harvey as the Clerk/Treasurer and Clerk of Court and Kevin Shue as Police Chief, Craig seconded and the motion was passed.

Upper Platte River Solid Waste Disposal District Contract: Clerk/Treasurer Harvey noted that the contract has an effective date of July 1st. There were no changes in terms. Craig moved to approve the contract as presented, Banach seconded and the motion was passed.

Gazebo at Kay Ellie Park: This item was handled under committee reports.

Reserve Transfer Recommendations: Clerk/Treasurer Harvey advised the council that she had calculated the excess revenue for the enterprise funds and had made reserve recommendations based on prior year practices. She recommended transfers to the Water Fund \$53,936.82; Sewer Fund \$33,495.35; Mosquito Abatement Fund \$248.86; ERVFD Fund \$4,462.82; Truck Fund \$10,000.00; Equipment Replacement Fund \$10,000.00; Fire Department Equipment Fund \$25,000.00; Grand Encampment Opera House Fund \$10,000.00; Park Safety Fund \$4,000.00; Cemetery Fund \$5,000.00 and \$2,720.40 to the EDC Loan fund for debt service. Banach moved to approve the transfers as suggested, Reichert seconded and the motion was passed.

White Dog Liquors- Catering Permit for August 11th & 12th event at Opera House: The permit is for Aspen and Sage Market Days. McKinney moved to approve the catering permit for the event, Banach seconded and the motion was passed.

SMLI the Divide- Planning for Events with Possible Street Closure & Use of Stage: This item was handled under public guests.

17th Annual Music in the Park/ Community BBQ- Balance Due to Band / Food for BBQ/ Radio Ads \$572.00: Mayor Fagan noted that balance due to Cruz Contreras and The Black Lillies is \$1,500.00 and will be paid to them when they perform. Clerk/Treasurer Harvey noted that the food was likely to be about \$1,800.00. The meat has gone up about 15%. The radio ads will cost \$572.00 and are covered by grant proceeds. Reichert moved to approve the final payment to the band, purchase of the food and radio ads, Craig seconded and the motion was passed. Discussion ensued about who was going to be present at the BBQ and equipment needed. Clerk/Treasurer Harvey noted that the Lions Club had approved the use of one of their large grills and freezer space for storage of the food. Audience member Heidi Sifford offered a turkey cooker and noted that the Divide as a couple of roasting pans that they would be willing to lend. Reichert noted that he would see if Gary Stull would be willing to do snow cones. Clerk/Treasurer Harvey noted that the BBQ begins at 4:00 p.m. and that the music will start at 6:00 p.m. Those helping out should be there around 1:00 p.m. to prepare.

Property Insurance Renewal Update: Banach advised the council that he has some thoughts about over insurance, but was pen to input. He gave the example that if the current town hall building were destroyed, he would figure a smaller building would work without all of the retail space and useless apartment. In his opinion the current structure was not a \$370.00 per square foot structure. It was noted that quotes were likely based on industry standards. We are dealing with a broker. We will get information to her and she will obtain the quotes. Craig noted that he had concerns about being underinsured if a portion of a building were destroyed, would we find out we were not property covered. Decision was made to have the broker quote the insurance both ways. One as the policy stands and one with adjustments, insuring for functional replacement.

Damaged Mobile Home at 111 E. Eight Street: Public Works Supervisor Acord reported that he saw the property owner hauling stuff out of the building. The council agreed to wait another month to see if the issue is taken care of.

In other matters, Banach asked to return to the Clerk/Treasurers report to the question from a property owner asking about vacation of a street. It was noted that the town does not do that arbitrarily. Councilman Craig noted that anytime there has been an abandonment it has caused issues for the town later on. Clerk/Treasurer Harvey noted that it was just a comment made to her and that she wanted to council to be aware of it in case it came up.

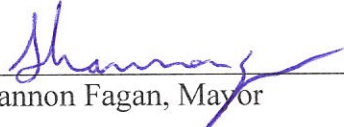
CORRESPONDENCE:

**CCVC, CCEDC, CCSPTJPB, CCCOG, SCWEMS, SPVCC, SLIB, UPRSWDD, WAM,
Carbon County Planning & Zoning info & newsletters via email
Carbon County Emergency Management- Saratoga Flood Summit information-emails
George Hooker- Thank You
Saratoga Encampment Riverside Conservation District- Thank you
State Land Investment Board- Intent to Adopt Rules-via email
Wyoming Community Foundation Annual Report**

With no further business, Banach moved to adjourn at 8:08 p.m., Reichert seconded and the motion was passed.

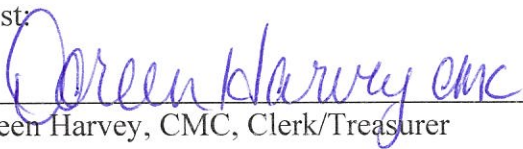
Doreen Harvey, CMC
Clerk/Treasurer

Approved: August 10, 2023



Shannon Fagan, Mayor

Attest:



Doreen Harvey, CMC, Clerk/Treasurer