

Town of Encampment
Regular Meeting
September 14, 2023
7:00 p.m.

The Town of Encampment met in regular session at the Encampment Town Hall on Thursday September 14, 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 and Bill Acord, Public Works Supervisor. Public Guest was Penny Layman of SCWEMS. Audience members were Merle Van Orden, 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

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

MINUTES

McKinney moved to approve the minutes of the August 10, 2023 regular as distributed, Craig seconded and the motion was passed.

FINANCIAL STATEMENT/MONTHLY BILLS

Clerk/Treasurer Harvey advised that at 16.66% of the budget year, revenues were at about 15.35% of budget and expenses were at 11.32%. She noted that the sewer department was currently upside-down while waiting for a grant reimbursement. Craig moved to approve the August 2023 financial statement, the August 2023 payroll, and contracted liabilities in the amount of \$26,806.71, late monthly bills in the amount of \$1,578.26 and the regular monthly bills in the amount of \$65,397.07, Reichert seconded and the motion was passed.

Big Bale Company \$108.02
Blue-Cross/Blue-Shield of WY \$6,284.67
Carbon Power & Light \$2,907.03
Dearborn Life Ins. Co. \$49.50
Energy Laboratories Inc. \$2,604.00
Evergreen Disposal \$22.50
Ferguson Waterworks \$238.19
GH Anderson Enterprises \$75.00
Honnen Equipment \$82.43
McMaster-Carr \$131.26
North Fork Engineering \$33,532.83
ODP Business Solutions \$172.33
Olde Trading Post, LLC \$1,318.33
One-Call of Wyoming \$24.75
Perue Printing \$189.60
Posey Wagon Portable Toilet Svc.
\$120.00

Radwell International \$1,959.00
Rocky Mtn Air Solutions \$148.68
Shively Hardware Co. \$314.00
Thatcher Company \$4,515.02
Union Wireless \$578.43
UPRSWDD \$9,395.95
US Postal Service \$406.80
Valley Fire Extinguisher \$47.00
Visa \$50.00
Xerox Financial Services \$91.75
Xesi Document Solutions \$30.00
TOTAL \$65,397.07

**PAYROLL & CONTRACTED
LIABILITIES**
AFLAC \$76.72
Workers Compensation \$544.72

WY Retirement System \$2,996.89
WY Retirement- VFD \$337.50
US Treasury \$2,316.68
US Treasury \$2,434.18
Net Payroll \$18,100.02
TOTAL \$26,806.71

LATE MONTHLY BILLS
Corkle Oil \$471.20
KTGA/KBDY \$572.00
Lucky Dog Recreation \$235.55
Saratoga Sun \$82.00
Galls \$217.51
Total \$1,578.26

PUBLIC GUESTS

Penny Layman-South Central Wyoming E.M.S.: Ms. Layman was present to update council on the 3rd Amendment to the SCWEMS Joint Powers Board Agreement. A draft had been provided to the town council for review in advance of the meeting. Ms. Layman noted that SCWEMS would not vote on the agreement until they had feedback from all of the towns. She went through a bullet point list of changes. She noted the intent to add a second ex-officio non-voting member in this region; cleaning up language about attendance via conference call; changing the physical and mailing address; addressing voluntary withdrawal of a participating agency from SCWEMS

by entities, and adding language and dates covering SCWEMS in that event; amending and expanding the budget process; clarifying instances in which prior approval from an agency is required to make application for grants or loans; adding a process for when a participating entity fails or refuses to pay its contribution and amendment and clarification of the requirements for termination or dissolution and addressing the distribution of assets. Items were discussed with examples given. Under the budget process changes Ms. Layman noted that grants with no financial obligations could be made without council approval but that equipment, buildings or obligations over \$250,000.00 would be brought to council. Mayor Fagan asked about the failure to pay, asking if the ambulance would eventually stop running to a community in default. Ms. Layman indicated that it would. It requires a vote of 2/3 of the agencies and that the entity can stop the process at any time by paying in full. Some concern was expressed about the requirement of a 2/3 vote to allow an entity to leave the service. Litigation would likely result. Ms. Layman noted it was because of the impact it would have on the remaining entities. Ms. Layman noted that SCWEMS has new officers. Irene Archibald is now Chair; Morgan Irene is Vice Chair and she noted that she is now treasurer. She asked the council if they had any further questions. There was no additional feedback. Clerk/Treasurer Harvey noted that the council does not generally cast a vote on an agreement until it is in its final form, then it is passed by resolution. The council thanked Ms. Layman for the update.

UNFINISHED BUSINESS

Sewer Lagoon Improvement Project-Pay Application #2- \$461,886.67 / Change Order #4 \$19,209.65: Reallocate 2019 Specific Purpose Tax Last Priority to Cost Overrun: Mr. Nelson updated the council on recent activities stating that the buildings were up, they were working on the headworks, the force main was tied in and that cell #1 was 95% dredged noting that recent rain did not help. He noted that overall, the existing liner was in good condition but that the north end was a little soft. We now have 1.6 million gallons less sludge. The electricity for the UV Building is in the works and the concrete is nearly complete. He noted that he foresees plumbing installation and screening in the next few weeks.

Mr. Nelson presented contractor pay application #2 in the amount of \$461,886.67 with 5% retainage withheld. He noted that it only includes Change Orders through August. There will be action tonight for Change Orders active in September. Craig moved to approve the application. Reichert seconded and the motion was passed. Clerk/Treasurer Harvey noted that due to the size of the request she had contacted SLIB and would try to get reimbursement prior to having to move money from reserves to cover the draw, unless the council wanted to advise otherwise. Banach noted that the council should see if SLIB would reimburse as long as there was no delay or impact with contractor. Mr. Nelson noted that the contractor was aware of the issue.

In other matters, Mr. Nelson reviewed Change Orders so far; #1 was no cost/no time addressing panelboard acceptance; #2 was no cost/no time for the cast in place walls instead of masonry; #3 was passed in the Special Meeting when the council moved to go forward with the dredging at a cost of \$398,000.00. He presented change order #4 in the amount of \$19,209.65 to relocate the existing underdrain in conflict with the UV Building. It would add two days of time. He also

noted there was a change in pipe size for force main. Mayor Fagan noted that there was a breakdown on the last three pages of the Change Order. Craig moved to approve Change Order #4, Reichert seconded and the motion was passed.

Mr. Nelson noted that he had additional Change Orders that needed to be presented. Change Order #5 in the amount of \$39,000.00 was presented for an 8' precast effluent vault, two valves and a tee to control effluent coming in, control flow and prevent backup. He noted that the draft of the plan was shared at the weekly progress meeting. Banach noted that he and Reichert had seen it. Mayor Fagan asked if it was something missed in the bid process. Mr. Nelson advised that it was not included in the original design. Banach noted that it was to provide something more substantial than buried valves. Craig agreed it was a good idea. Craig moved to approve Change Order #5 in the amount of \$39,000.00, Banach seconded and the motion was passed.

Mr. Nelson reported that Change Order #6 was a credit of \$4,600.00. Painting of the interior was part of the initial specification when the structure was to have porous block. He noted that he has spoken with the architect and that painting is no longer required. This will one less maintenance item inside of the structure. Banach moved to approve Change Order #6 at a credit of \$4,600.00, McKinney seconded and the motion was passed.

Change Order #7 was also presented at zero additional cost eliminating scarifying and recompacting and eliminating the fabric need and rolling the savings into additional road base for use on the lagoon access roads. Craig moved to approve Change Order #7 reallocating cost savings to additional road base, McKinney seconded and the motion was passed.

In other matters, Mr. Nelson noted that EPA was on site with officials from Washington and the State DEQ. He noted that the visit went very well. They discussed and reviewed the American iron and steel requirements, AIS requirements and what SRF was paying for. Mayor Fagan noted that nothing but positive came up about the employees and the team.

Town Projects- Park Bathrooms and Town Hall Drainage: Public Works Supervisor Acord reported that the park bathrooms were complete. Clerk/Treasurer Harvey noted that she realized that the drainage project was not going to be completed this year, but she asked the council if something could be done about the gutters that sheet the water down the building a create black ice on the sidewalks. With the foyer settling the gutter is level. Public Works Supervisor Acord noted that the gutter goes underneath the meal on the building. She noted that the clerks can keep ice melt on it when they are here, but the foyer has activity on the weekend and someone could fall and get hurt. Banach noted that a drain could be added on the south end. Craig noted that there could be a temporary fix until we are able to complete a project for a complete fix. The council asked Acord to look into seeing if something can be done.

Property Insurance Renewal: Clerk/Treasurer Harvey note that there was no information yet. Banach expressed concern that the Town had done its due diligence in advance of the renewal and that we are approaching the deadline with still not options.

Damaged Mobile Home- 111 E. Eighth Street: A letter of intent to demolish has been received. Craig noted that he has an issue with all of the letters that the town sends to people that do not follow up on them. He suggested a minor nuisance ordinance, he does not want to fine, but we need input on how to get residents to follow the ordinances. He noted the issues with Bary Cole and Eric Russell's encroachment on public property. Fagan noted that we should stand behind our ordinances and that there should not be questions on that. Letters should be served initially. Clerk/Treasurer Harvey noted that she can review the ordinances and look into next steps with the attorney. Craig noted that he believes that any vehicle in the right of way needs to be licensed to set on public property. He too will look into it more. Deadlines were given in the letters. It was also noted that encroachments are everywhere, it is not a big deal if it is not in the way of access or snow removal. Banach agreed that letters need to be followed.

COMMITTEE REPORTS

Police Department- Kevin Shue, Chief: No report.

Planning Commission: Minutes of their previous meeting were submitted.

Department of Public Works: A written report was submitted.

Clerk/Treasurer- Doreen Harvey: A written report was submitted.

Carbon County Council of Governments: Mayor Fagan noted that their next meeting would be held next Wednesday in Hanna and noted that she was unable to attend if anyone else was able.

Watershed Protection Committee: Mayor Fagan noted that Justin Stern had advised there was nothing alarming in the testing. Department of Public Works Supervisor Acord noted that that the last batch of labs has a mistake in the reporting, but they had been re-reported correctly.

ADDITIONS TO THE AGENDA

There were no additions to the agenda.

NEW BUSINESS

Removal of Pole at Sixth Street & Freeman Avenue: It was noted that the pole is actually in the right of way not on private property. Visibility at the corner was discussed and that the pole is utilized to hang holiday lights. A small tree at the corner may inhibit visibility eventually and WYDOT will have it removed. There is no room for an additional tree. The council agreed that the pole will not be removed. A letter will be sent to the residents.

Request to Sever Mill Site Lease Effective May 31, 2023: A letter of request was received from the mill tenant. If the council did not want to collect the two months rent, Craig moved to sever the mill lease with an effective date of May 31, 2023, Reichert seconded and the motion was passed.

Grader/Snowplow Upgrades- Estimates Plus Freight: Options were discussed for the purchase of a used wing and a used lift kit. There was also an estimate on two different new plows. Reichert noted that he thought that the Town needed to buy a front-end loader with a box on it. Public Works Supervisor Acord noted that the Town needs to do something. Reichert agreed that a grader with a plow is not the most efficient way to remove snow. It was noted that the streets may not be wide enough for a grader with a wing and concern was expressed about the damage that could cause. With construction season ending the town might pick something up cheaper. Acord will look into further options.

Kepner-Meter Pits and Supplies- \$4,533.29 Plus Freight: Clerk/Treasurer Harvey noted that the estimate was over the \$3,300.00 line item in the budget and will need to be addressed in an amendment. Public Works Supervisor Acord noted that it was for one meter pit and or replacing and building up inventory, couplings and new pipe. Craig noted that the Town should always have one on hand. Reichert moved to approve the purchase in the amount of \$4,533.29 plus freight, Craig seconded and the motion was passed.

Winter Seasonal Employee-Discussion: Mayor Fagan noted that with Jacob Jumo still healing, a six-month position was needed from November through April to have seasonal help for the winter months. Craig moved to advertise for a seasonal employee, Banach seconded and the motion was passed.

Refund \$75.00- GH Anderson Enterprises- Mosquito Abatement: Clerk/Treasurer Harvey noted that Mr. Anderson had prepaid for two mosquito sprayings, but that only one had happened. Craig moved to issue a refund of \$75.00, Banach seconded and the motion was passed.

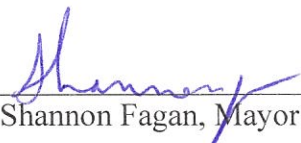
CORRESPONDENCE:

CCVC, CCEDC, CCSPTJPB, CCCOG, SCWEMS, SPVCC, SLIB, UPRSWDD, WAM, WAMCAT, WY
Flood Risk, info and newsletters via email.
Carbon County Planning & Zoning
USDA Forest Service- LaVA Projects- via email
WY Community Foundation
LGLP Board Nominations
QuickBooks Payroll Support Fee Increase

With no further business, Reichert moved to adjourn at 8:15 p.m., McKinney seconded and the motion was passed.

Doreen Harvey, CMC
Clerk/Treasurer

Approved: October 12, 2023


Shannon Fagan, Mayor

Attest: 
Doreen Harvey, CMC, Clerk/Treasurer