

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

The Town of Encampment met in regular session at the Encampment Town Hall on Thursday December 14, 2023 at 7:00 p.m. with Mayor Shannon Fagan presiding. Council members present were Ashley McKinney and Steve Reichert. Town personnel present were Doreen Harvey, Clerk/Treasurer; Kevin Shue, Police Chief; Bill Acord, Public Works Supervisor and Trevor Vorn, Maintenance/Operator. Planning Commission member present was Dale Davis. Public Guests were Jim and Patty Ramirez and Penny Layman of SCWEMS. Audience members were Jake Hubbs, Ted Benedict, Dean Webb and Jon Nelson of North Fork Engineering.

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

AGENDA

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

MINUTES

Reichert moved to approve the minutes of the November 9, 2023 regular meeting as distributed, McKinney seconded and the motion was passed.

FINANCIAL STATEMENT/MONTHLY BILLS

Clerk/Treasurer Harvey advised that at 41.65% of the budget year, revenues were at about 67.76% of budget and expenses were at 49.06%. McKinney moved to approve the November 2023 financial statement, the November 2023 payroll, and contracted liabilities in the amount of \$23,751.01, late monthly bills in the amount of \$5,557.67 and the regular monthly bills in the amount of \$24918.03, Reichert seconded and the motion was passed.

307 Pub & Grub, LLC \$750.00
Blue-Cross/Blue-Shield of WY
\$6,284.67
Carbon County Fair Board \$65.00
Carbon Power & Light \$4,252.54
CCCOG \$50.00
CNA Surety \$200.00
Craig, Bill \$75.00
Dearborn Life Ins. Co. \$49.50
Encampment FFA \$180.00
McMaster-Carr \$238.89
North Park Propane \$334.80
Northwest Colo. Auto & Truck Parts
\$64.91
ODP Business Solutions \$59.15
One-Call of Wyoming \$1.50

Quill Corp \$125.14
Riverside Garage & Cabins \$410.80
Rocky Mtn Air Solutions \$148.68
Shively Hardware Co. \$325.90
Union Wireless \$508.33
UPRSWDD \$9,359.75
US Postal Service \$357.00
Visa \$373.72
WARWS \$475.00
Wyoming Artisan Art, LLC \$106.00
Xerox Financial Services \$91.75
Xesi Document Solutions \$30.00
TOTAL \$24,918.03

**PAYROLL & CONTRACTED
LIABILITIES**

AFLAC \$76.72
Workers Compensation \$489.00
WY Retirement System \$2,821.97
WY Retirement- VFD \$337.50
US Treasury \$2,036.84
US Treasury \$2,120.10
Net Payroll \$15,868.88
TOTAL \$23,751.01

LATE MONTHLY BILLS
WY Office of SLIB \$3,878.85
307 Pub & Grub \$750.00
Corkle Oil \$657.00
Industrial Chem Labs \$228.88
McMaster Carr \$42.94
TOTAL \$5,557.67

PUBLIC GUESTS

James and Patty Ramirez- Mr. Ramirez advised that he was present to seek an answer on a building permit application that was denied by the Planning Commission. He noted that the application was not file before the work began, but that he filled out the paperwork, but not properly. He advised that he was seeking permission to cover the doorway at the Block 11 Apartment Building in order to keep the ice from sliding off the roof and hurting someone. He noted he was trying to keep his property owners safe. Mayor Fagan noted that she did review the application and that 100% of the application was outside of the property boundary. Mr. Ramirez

noted that the other existing encroachments were further out than what he was asking to do and had been there since the 1970's. He was allowed to replace the deck when it was in bad shape and the current request would be placed 4 ½ feet within the other encroachments. McKinney advised that if it was allowed, they would be setting the bar for other encroachments. Mayor Fagan noted that the Planning Commission is trying to do better and not allow those things that happened in the past. Reichert noted that the way the slope was on the part that they started to build would ensure that the ice would still dump at the door of the building. Mayor Fagan asked if they had considered other options, Public Works Supervisor Acord noted that they could consider ice dams or roof cleats. Patty Ramirez noted that it would build up too much snow on the roof. Acord noted that it would not affect public works if it were allowed. She noted that it was recommended by their insurance carrier. Mayor Fagan advised that she would like to see the council stand with the decision made by the Planning Commission. At this point the application would not be approved. She advised the applicant to get with the Planning Commission and see if they could come up with another option and discuss the matter further next meeting.

Penny Layman- SCWEMS: Ms. Layman advised that the Medicine Bow Mayor had slowed down, so Medicine bow has not passed the 3rd amendment of the South Central Wyoming EMS Joint Powers Board Agreement yet. Mayor Fagan advised that she is comfortable with the agreement as presented since the Carbon County Attorney has reviewed it. She noted that she thinks it would be okay if a municipality wants to step out of the agreement, before all municipalities had to approve, now they could do it on their own. McKinney moved to approve the 3rd amendment of the SCWEMS Joint Powers Board Agreement, Reichert seconded and the motion was passed.

UNFINISHED BUSINESS

Sewer Lagoon Improvement Project- Pay Application #5 \$188,271.00 / Certificate of Final Completion: Mr. Nelson noted that he was presenting the last pay application, but that there would be one more for the release of the project retention. He noted that the final completion advertising would be published December 21st, 28th and January 4th. Ha also reported that the final punch list items were mostly completed except for the replacement of a thermostat, which has been ordered but not received. He also mentioned a plug valve that has been back ordered, but has shipped. He suspects that it will be completed the week after Christmas. He anticipates being able to release the retention in January. There will be a valve in the UV building will be changes out with and an American Steel valve will be installed as part of the warranty work. McKinney also moved to approve the Certificate of Final Completion, Reichert seconded and the motion was passed. McKinney moved to approve pay application #5 in the amount of \$188,271.00, Reichert seconded and the motion was passed.

Sewer Lagoon Improvement Project- Engineering Cost overrun \$24,782.62: Mr. Nelson noted that he had compiled information on cost overrun from October 8th through the end of November is estimated at \$24,782.62 and further estimated cost overrun through the end of the project would be an additional \$9,300.00 for a total of \$34,150.00 for which a breakdown of information was given to the council for consideration. Mr. Nelson noted that the original task order had been before the ARPA grant and the change orders for the dredging, the vault and the added time delay of 35 days. Mayor Fagan noted that she would like to table the discussion of the overrun and have the full council review it. Mr. Nelson noted that he would have the full amount by the

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January meeting. He provided a breakdown of costs noting that engineering costs are at 11.61% and that they are typically 20%, 10% of design and 10% for oversight and administration. He also provided a further breakdown of actual costs. The council thanked him for all of his hard work.

Sewer Lagoon Improvement Project- CWSRF#178 Principal Forgiveness Loan- Pay Off \$125,634.56 or Execute Promissory Note at \$8.56 per Diem: Clerk/Treasurer Harvey advised the council that the original loan term was for 16 years, which was the projected to be the life of the 2019 Specific Purpose Tax collection. She noted with the loan being at a rate of 2.5% and with there being sufficient tax already collected to make the payoff without putting the future projects in jeopardy, she would suggest that the council considering paying it off. Reichert moved to pay off CWSRF#178 in the amount of \$125,634.56, McKinney seconded and the motion was passed.

Disposition of Logs at Sawmill: This item was moved to the end of the meeting.

Ordinance #2023-02- An Ordinance Adopting Section 17.44.025 Shipping Containers- 2nd Reading/ Set Public Hearing: Clerk/Treasurer Harvey advised that the attorney had suggested a couple of changes to the document to provide consistency. Reichert moved to approve the 2nd Reading of the ordinances including the changes suggested by the attorney, McKinney seconded and the motion was passed. The Public Hearing will be held during the January 11th council meeting.

COMMITTEE REPORTS

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

Planning Commission: Minutes of their previous meeting were submitted.

Department of Public Works: A written report was submitted.

Clerk/Treasurer- Doreen Harvey: Clerk/Treasurer Harvey asked for permission to transfer \$188,271.00 from the 2019 Specific Purpose Tax Fund to cover the pay application presented earlier in the meeting. McKinney moved to authorize the transfer, Reichert seconded and the motion was passed.

Carbon County Council of Governments: Mayor Fagan noted that there was no update.

Watershed Protection Committee: Mayor Fagan noted that there was no update.

ADDITIONS TO THE AGENDA

There were no additions to the agenda.

NEW BUSINESS

Declare Vacancy for Council Seat Expiring 12-31-2024 / Advertise for Letters of Interest from Qualified Electors: McKinney moved to declare a vacancy for the council seat and advertise for letters of interest from qualified electors, Reichert seconded and the motion was passed.

Clerk/Treasurer Harvey noted that she would set a deadline for January 8th for the letters of interest so that the council would have time to review them before the next meeting.

WAM Winter Workshop February 21-23, 2024: Clerk/Treasurer Harvey noted that she had made a reservation for one room at \$129.00 per night for the WAM Winter Workshop and that if no one else wanted to attend she would be willing to attend on behalf of the town. Mayor Fagan noted that she would need to check her schedule and suggested that the clerk reserve a second room.

Town Hall Computer Replacement: Clerk/Treasurer Harvey advised the council that the secondary computer in the office is Windows 7. She asked the council to consider allowing her to purchase a new computer to replace the primary computer and allowing that computer to become the secondary computer. The last purchase in 2018 was about \$1,200.00, so it would likely be significantly more than that. She noted that she would also like to utilize Cindy Hamilton to help set it up as she has prior knowledge of the systems and is very reasonable in cost. Reichert moved to allow the clerk to update the computer in the office, McKinney seconded and the motion was passed.

Ordinance #2023-03 An Ordinance Amending Section 13.16.080 Rates for Utility Services- Section 1 and Section 2- 1st Reading: Clerk/Treasurer Harvey noted that in reviewing the practice of late fees in the ordinance she noticed that there is a one-day discrepancy in the billing date. The ordinance states billing is on the first day of the month following the month the services are in, but the town has always billed on the last day of the month the services are in due to the water meters. It would make sense to change the ordinance. She also noted that she has been getting complaints about the due date being the 10th of the month and the late fee date on the 20th of the month with the mail being so slow. She asked the council to consider moving those dates to a due date of the 15th of the month with late fees being applied on the 25th. A draft of a 1st reading of an ordinance reflecting those changes was presented. The council agreed that the changes made sense. Reicher moved to approve the first reading of ordinance \$2023-03 amending section 3.16.080 as presented, McKinney seconded and the motion was passed.

Additional Compensation- Regular Employees/Judge: Discussion for this item was moved to executive session.

Mid-Winter Fire School- Riverton: Clerk/Treasurer and Fire Department Secretary Harvey advised the council that she has reserved three rooms at a rate of \$129.00 and would like to send up to six members to the training. Some of the tuition might be covered by grant. McKinney moved to authorize tuition and expenses for up to six members to attend mid-winter fire school, Reichert seconded and the motion was passed.

Additional Section of Desk for Council Chamber: Clerk/Treasurer Harvey noted that councilman Craig had mentioned getting an additional section of desk to complete the council chambers a few months back and asked the council if they would like her to talk to Jade Blake about it. Reichert noted that more might also be needed in the office. The council gave the clerk permission to look into the matter.

Executive Session for the purposes of Negotiation and Personnel: At 7:40 p.m. Reichert moved to go into executive session for the purpose of negotiation and to discuss personnel, McKinney seconded and the motion was passed. Those in attendance were Mayor Shannon Fagan and Council members Ashley McKinney and Steve Reichert. At 7:55 p.m. Jake Hubbs was asked to join the session. At 8:07 p.m. Mr. Hubbs exited the session. At 8:10 p.m. McKinney moved to return to regular session and seal the minutes and place them in the safe, Reichert seconded and the motion was passed.

Reichert moved to award additional compensation to regular employees in the amount of \$400.00 to Doreen Harvey, Kevin Shue, Bill Acord and Trevor Vorn; in the amount of \$300.00 to Martha Ralston and in the amount of \$200.00 to judge Novak, McKinney seconded and the motion was passed.

Reichert moved to enter into a one-year contract with Jake Hubbs to lease the mill site at a rate of \$500.00 a month with the first payment due February 1st and allowing him to take possession immediately to have time for cleanup, McKinney seconded and the motion was passed. Clerk/Treasurer Harvey noted that she would get a contract together with the same terms used for the prior tenant. Mr. Hubbs thanked the council for the opportunity.

Disposition of Logs at Sawmill: With the leasing of the sawmill the council agreed by consensus that the logs at the sawmill will remain with the lessee.

CORRESPONDENCE:

CCEDC, CCSPTJPB, CCCOG, Discover Carbon County WY; SCWEMS, SPVCC, SLIB, UPRSWDD, WAM, WARWS info and news letters

USFS-LaVa Information-via email

Wyoming Pathways-Via email

Valley Village Child Care

WY Community Foundation

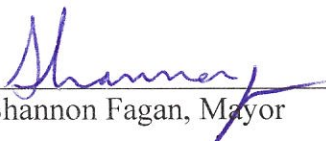
Bank of Commerce Application for Public Funds

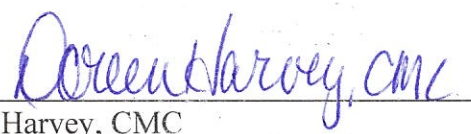
RNB State Bank Application for Public Funds-Clerk/Treasurer Harvey noted that Bank of Commerce was opening their branch in Saratoga. She advised the council that they would be choosing their depositories in January if they wanted to diversify.

With no further business, McKinney moved to adjourn at 8:17 p.m., Reichert seconded and the motion was passed.

Doreen Harvey, CMC
Clerk/Treasurer

Approved: January 11, 2024


Shannon Fagan, Mayor

Attest: 
Doreen Harvey, CMC
Clerk/Treasurer