

Town of Encampment
Regular Meeting
January 11, 2024
7:00 p.m.

The Town of Encampment met in regular session at the Encampment Town Hall on Thursday January 11, 2024 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 and Trevor Vorn, Maintenance/Operator. Public Guest was Dallas Fields, PE teacher from the Encampment School. Audience members were Susan Munson, Cindy Hamilton, Ted Benedict, Bob & Ros Herring, Helen Weiland, Jon Nelson of North Fork Engineering. Jeremy Hemenway 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, Banach seconded and the motion was passed.

MINUTES

Reichert moved to approve the minutes of the December 14, 2023 regular meeting as distributed, McKinney seconded and the motion was passed.

FINANCIAL STATEMENT/MONTHLY BILLS

Clerk/Treasurer Harvey advised that at 50% of the budget year, revenues were at about 91.46% of budget and expenses were at 73.86%. She advised that the YTD budget numbers were inflated due to the sewer project, but would be leveling out. She also noted that interest had not posted to accounts and that there would likely be late bills. McKinney moved to approve the December 2023 financial statement, the December 2023 payroll, and contracted liabilities in the amount of \$26,200.50, late monthly bills in the amount of \$931,875.18, which includes previously approved contractor payments, and the regular monthly bills in the amount of \$52,164.14, Reichert seconded and the motion was passed.

Blue-Cross/Blue-Shield WY \$6,284.67
Bridger Fabrication, LLC \$290.92
Carbon Power & Light \$5,515.20
Town of Encampment-Cash \$2,945.00
Encampment Petty Cash \$9.00
Fairbanks Scales, Inc \$2,464.00
Grainger, Inc \$252.37
HACH \$392.62
Karl's Auto Repair- \$480.00
Martin, Joy \$40.50
Noreco \$285.03
North Park Propane \$1,953.00
Northwest CO Auto & Truck \$313.51
One-Call of Wyoming \$1.50
Platte Valley Arts Council \$200.00
Riverside Garage & Cabins \$189.58
Rocky Mtn Air Solutions \$1,656.78

Saratoga P. Valley Chamber \$250.00
SCWEMS \$3,842.00
Shively Hardware Co. \$664.60
Thatcher Company \$5,527.72
Town of Saratoga \$7,500.00
Union Wireless \$511.09
UPRSWDD \$9,150.80
US Postal Service \$381.00
Visa \$519.99
Vorn, Trevor \$421.51
Xerox Financial Services \$91.75
Xesi Document Solutions \$30.00
TOTAL \$52,164.14

**PAYROLL & CONTRACTED
LIABILITIES**
AFLAC \$76.72

Workers Compensation \$512.16
WY Retirement System \$2,760.00
WY Retirement- VFD \$318.75
US Treasury \$2,391.60
US Treasury \$2,066.36
Net Payroll \$18,074.91
TOTAL \$26,200.50

LATE BILLS

American West Const. \$617,744.62
American West Const. \$188,271.00
Benedict, Ted \$100.00
Javernick, David & Joan \$75.00
Schneider, John \$50.00
WY office of State Lands \$125,634.56
TOTAL \$931,875.18

PUBLIC GUESTS

Dallas Fields, PE Teacher- Encampment School: Mr. Fields introduced himself and informed the council about the various coaching roles he plays as the PE teacher for the school. He advised them that he lived abroad for five years, stating that community football was a thing they had in

Europe and that he was wanting to see if he could get something started here. He noted that there was a Facebook page with samples of what he was talking about if the council was interested. He noted it would be amateur tackle football and perhaps flag football for kids. He asked the council about the use of the baseball field, for help with the costs for the kids of 15 helmets, pads and pant sets. The helmets cost about \$180.00 each and would need to be recertified every couple of years at a cost of \$45.00 each. It would be full equipment, but non-contact for kids. Grades 3-5 would play modified tackle rules. There would be no special teams due to the size of the field. Participants would need to have insurance and parents would need to sign a release to play. Adults would be responsible for the cost of their own equipment. He asked about room to store equipment and was advised that the dugout was basically full. He noted he might be able to store it at the school. Discussion ensued about other key aspects of the program. McKinney asked if the field would need lines and if there would be a signup fee. Mr. Fields noted that they would just be using down markers and that there may need to be a reasonable fee to sign up. Mayor Fagan confirmed that he was looking for use of the field when the little league was not using it and for financial support. Banach asked about the level of interest. Mr. Fields noted that he loves to play and wants to offer the opportunity to others. The council asked him for a more complete request with numbers, equipment costs and expense projections with a dollar amount. Perhaps pricing both new and used equipment. The council suggested more information by February 5th for consideration at the February 8th council meeting. The council thanked him for attending.

UNFINISHED BUSINESS

Sewer Lagoon Improvement Project- Pay Application #6, \$122,293.01-Release of Retention when waiting period is up: Mr. Nelson noted that all punch list items were done and that there was just one warranty item having to do with a thermostat that was still in the works. He reminded the council that there is a one-year warranty that can be utilized if needed. He noted that the retainage was 5% of the project and that the advertisements have been placed seeking any claims from sub-contractors. The funds will be eligible for release on January 31st. Council asked Public Works Supervisor Acord if they were happy with its operation. Acord noted that he was happy so far. Mr. Nelson encouraged that if things were not functioning properly not to have any reservations or to hold back on contacting the contractor for warranty work. Banach moved to approve the release of \$122,293.01 in retainage January 31st if all conditions are met, McKinney seconded and the motion was passed.

Sewer Lagoon Improvement Project- North Fork Engineering Task Order Amendment #2- Cost Overrun \$34,150.00 / Payment of Related Invoices: Mr. Nelson noted that there was information distributed at the last meeting that showed the cost overrun associated with the added duration of the project for construction and oversite. He offered to entertain any questions the council might have. Mayor Fagan clarified that the matter was tabled at the last meeting so that council would have time to review the information. Mr. Nelson noted that his extra time was over contractor changes and extensions that were approved by council, with time and cost noted on each one. Banach noted that that he did not grasp the scope and fees involved in October and that is why he awaited the exact tabulation. Two invoices were presented for consideration in addition to the

additional cost overrun information. Reichert noted that the engineer was on the job due to the stuff that happened. Mayor Fagan noted that she thought it was a reasonable amount. Mr. Nelson advised that 11.6% of total project was really low for the engineering and that most funding agencies allowed up to 20%. The overrun is a direct result of multiple years of project delays and added work. He believes that it is fair. Banach noted that he hates cost overrun, but as long as it is reasonable, he has done his job in making sure it is accurate. Reichert moved to approve the task order amendment and payments totaling \$34,150.00, McKinney seconded and the motion was passed.

In other matters, Mr. Nelson noted that there was still substantial funding left for the lagoon portion. He noted that Phase 2 would be treatment and aeration and that 9-12 months of data collection will allow preparation for treatment options.

PUBLIC HEARING Ordinance #2023-02- An Ordinance Adopting Section 17.44.025 Shipping Containers / 3rd & Final Reading: At 7:32 p.m. Mayor Fagan opened a Public Hearing for the Purpose of taking comment on Ordinance #2023-02- An ordinance adoption section 17.44.025 Shipping Containers. Audience member Bob Herring asked the mayor to read the entire ordinance, as they had been out of town. Mayor Fagan read the entire ordinance for the audience. Upon completion, Ros Herring asked about how many containers would be allowed on property in the business district. Mayor Fagan noted that it would be up to the Planning Commission to review and make that decision based on the application. Other districts were allowed two for every six lots. Banach noted that the Planning Commission would have the right to restrict them if the property was going to be wall to wall containers. Mr. Herring noted that the back half of the block where he resides is still zoned business and asked a hypothetical question of if he would be allowed to have four containers. It was noted that two for every six lots would be allowed hypothetically, but that the matter would have to be reviewed by the Planning Commission. It was noted that if the Planning Commission made a decision that an applicant was not comfortable with, they have the right to appeal to the Town Council. Mayor Fagan noted that they need to discuss their plans with the Planning Commission. Banach noted that he believed that the wording in the ordinance was reasonable. Audience member Jeremy Hemenway asked how it would work as he recently placed a storage container at his property. It was noted that those containers already in place were grandfathered and that new applications would be subject to the new ordinance. Ros Herring noted that the decision the Planning Commission made would be setting precedence. Hearing no further comment, the Public Hearing was closed at 7: 45 p.m.

Banach moved to approve the 3rd and Final reading of Ordinance #2023-02 Adopting Section 17.44.025 Shipping Containers as presented, Reichert 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- 2nd Reading/Set Public Hearing: Mayor Fagan read the ordinance for the audience noting that there would also be a Public Hearing on the ordinance at the next council meeting. Ros Herring noted that she thought the word “utility’ should be defined.

Clerk/Treasurer Harvey noted that utilities were defined elsewhere in the ordinance as being water, sewer, landfill, mosquito abatement and irrigation. Reichert moved to approve the 2nd Reading of ordinance #2023-03 An Ordinance Amending Section 13.16.080-Rates for Utility Services- Section 1 and Section 2 as presented and set the Public Hearing for the February 8th council meeting, McKinney seconded and the motion was passed.

Additional Section of Desk for Council Chamber: Clerk/Treasurer Harvey noted that she spoke with Jade Blake about the section of desk. He noted that he had a few projects going at the moment and advised that it would be hard to estimate the cost of the desk because the materials constantly fluctuated. Harvey noted that his costs for the custom work done for the town had been very fair. Banach noted that he was not comfortable giving permission for someone to do something without having a hard quote. Clerk/Treasurer Harvey noted that Jade Blake had been very fair with the Town in the past and that he would be watching for a deal on the materials. It was also noted that the entire existing council desk was about \$2,700.00. Discussion continued with McKinney finally authorizing up to \$3,500.00 for the custom work, Banach seconded and the motion was passed.

COMMITTEE REPORTS

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

Fire Department: Clerk/Treasurer and Fire Department Secretary Harvey noted that Easter was at the end of March this year. She asked the council for permission for up to \$1,000.00 from the ERVFD fund to purchase supplies for the event. McKinney moved to approve up to \$1,000.00 from the ERVFD Fund for the ERVFD Easter Egg Hunt, Banach seconded and the motion was passed.

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 noted that the dog vaccination clinic would be February 3rd from 9:00 a.m. to noon at the Town Hall foyer. She asked the council for permission to transfer \$156,443.01 from the 2019 Specific Purpose Tax account to cover the engineering and contractor payments approved earlier. McKinney moved to transfer \$156,443.01 from the 2019 Specific Purpose Tax fund to cover the expense, Banach seconded and the motion was passed.

Carbon County Council of Governments: Mayor Fagan noted that there would be a meeting on January 17th in Rawlins if anyone was able to attend.

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

ADDITIONS TO THE AGENDA

There were no additions to the agenda.

NEW BUSINESS

Designation of Depositories and Newspaper / Financial Disclosure Forms: Clerk/Treasurer Harvey noted advised that she distributed a list of the current designations. Banach moved to designate RNB State Bank, Wyoming Government Investment Fund and WYOSTAR as depositories and the Saratoga Sun as the official newspaper and the Town Hall, Post Office and Library as official posting places, McKinney seconded and the motion was passed. Council signed their Financial Disclosure Forms and passed them to the clerk.

37th Annual Sierra Madre Winter Carnival KTGA/KBDY \$528.00: Clerk/Treasurer Harvey advised that the ads would be covered by the Carbon County Visitor Council grant funding. McKinney moved to approve \$528.00 for the advertising, Banach seconded and the motion was passed.

37th Annual Sierra Madre Winter Carnival- Prize Money \$2,945.00: Clerk/Treasurer Harvey advised that \$420.00 would be covered by Carbon County Visitor Council grant funding and the remainder by donations. Reichert moved to approve \$2,945.00 in prize money for the event, McKinney seconded and the motion was passed.

37th Annual Seirra Madre Winter Carnival- Catering Permit for Casino Night- Mangy Moose: Banach moved to approve the application for the catering permit for the event held at the Opera House, McKinney seconded and the motion was passed.

Resolutions #2024-01 and #2024-02 Closure of Streets for Winter Carnival Events. Clerk/Treasurer Harvey noted that the closures at Eighth and Winchell would be Friday the 26th from 1:00 p.m. to 5:00 p.m. for Human Saucer Bowling and Saturday the 27th from 8:00 a.m. to 2:00 p.m. for the Sled Races and that the Sixth Street closure would be from 11:00 a.m. to 3:00 p.m. for the Sixth Street Sprint by the park. Reichert moved to approve Resolutions #2024-01 and #2024-02, McKinney seconded and the motion was passed.

Placement of Continental Divide Trail Gateway Community Signs: Clerk/Treasurer Harvey advised that the signs had been dropped off at the office when she was not there and it was noted that the town could decide where to place them. She noted that she was unaware of how the signs were funded or if there were notations on placement if grant funding were involved. Mayor Fagan noted that if placement were along the highway, WYDOT would need to be involved. Mayor Fagan tabled the decision in order to think about it and until more information is known.

Organizational Service Contacts-Grand Encampment Museum \$1,200.00; Preschool \$1,250.00; Sagebrush Senior Center \$1,250.00; Grand Encampment Cowboy Gathering \$500.00: Clerk/Treasurer Harvey noted that contracts represented part of what was in the budget. Reichert

moved to approve the service contracts as presented, Banach seconded and the motion was passed.

Meter Pit and Supplies- Northwest Contractor Supply- Estimate \$1,831.51: Public Works Supervisor Acord noted that the purchase was to replace depleted stock. Reichert asked if one meter pit was enough. Acord noted that any more would put them over budget, but that it was not an item with long lead time. Reichert moved to approve the purchase of a meter pit and supplies at an estimated cost of \$1,831.51, Banach seconded and the motion was passed.

Fire Department- Rescue 2- Possibility of Repairs: Clerk/Treasurer and Fire Department Secretary Harvey noted that the unit was at Big Bale getting the tires rotated. There was a noise in the front end that needed to be evaluated. She noted that she had not heard from the mechanic by meeting time, but that she would update the council if more extensive repairs were necessary. No action was needed.

WYDOT- Highway 70 Project- Requestion any Concerns by Council: The pavement project would be taking place in the next few years. It was noted that perhaps the Town could request in-pavement rumble strips above town to slow down traffic entering town. Mayor Fagan noted that it takes a long time to plan a project and if the council thinks of anything else, the Town can let WYDOT know.

Music in the Park -August 3rd- Taylor Scott Band- \$3,000.00 plus Lodging: Mayor Fagan noted that the band specialized in blues and jazz. Taylor was part of the band called *Another Kind of Magic* out of Cheyenne. She advised that she could provide the council with a sample of their music if interested. Clerk/Treasurer Harvey advised that the lodging would be about \$375.00. Banach moved to approve \$3,375.00 for the band and lodging for the Music in the Park event, McKinney seconded and the motion was passed.

CCSD#2 Rec Board Grant Ideas: Mayor Fagan noted that in addition to the usual requests that she had spoken with public works about improvements to the exercise path. The possibility of a fence around the loop to create a dog park area was also discussed. Mayor Fagan distributed a map of the park area, noting that it might help mitigate some dog issues. It was noted that the fence would be time consuming for weed eating and that some of the area was used for parking. Other concerns were expressed about cleaning up after the dogs. It was noted that if cleanup supplies were provided that most people would likely be respectful. Banach asked if there had been a request for a dog park. Mayor Fagan noted that she had a couple in the past few years. Chief Shue noted that he had some inquiries as well. Mayor Fagan noted that it is the beginning of an idea. Banach noted that he was not opposed, but he did not want it to be a burden and that the police department would not be monitoring it. The matter will continue to be looked into.

Retail Space- Water Damage to Bathroom Floor- Possible need to Replace Flooring: Public Works Supervisor Acord noted that water had gotten under the wall into the retail space bathroom causing the floor to get a bit squishy. Another leak a few years ago had contributed to

the matter. The floor currently has carpeting on it. The decision was made to seek an estimate to fix the subfloor and install linoleum.

Hach Service Contract- Annual Renewal \$5,117.00: Public Works Supervisor Acord noted that the contract was for critical plant instrumentation devices that measure water. McKinney moved to approve the renewal of the contract at a cost of \$5,117.00, Banach seconded and the motion was passed.

Vacancy- Letters of Interest in Council Term Expiring 12-31-2024: Mayor Fagan advised the council of the ballot process suggesting that the council cast a vote to see if they agree on a selection. Clerk/Treasurer Harvey noted that there were four interested parties and that the letters of interest had been given to the council in their packet. Ted Benedict; Clay Frederick; Cindy Hamilton and Susan Munson. She distributed a ballot to the council members. After the vote was cast, she read the results to the council indicating that Ted Benedict had one vote and that there were three votes for Susan Munson. Mayor Fagan noted that there was a majority for Susan Munson and asked if the council would like to make a motion on the appointment. McKinney moved to appoint Susan Munson for the remainder of the term expiring December 31, 2024, Reichert seconded and the motion was passed with all casting a positive vote. The Oath of Office will be administered at the next Council Meeting.

CORRESPONDENCE:

**CCEDC, CCSPTJPB, CCCOG, DCCWY; SCWEMS, SPVCC, UPRSWDD, WAM,
WARWS info and news letters**

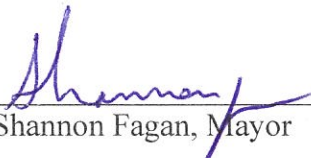
USFS-LaVa Information-via email

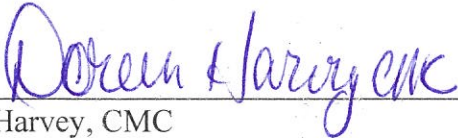
Candy Moulton- Encampment School 50 Year Class

With no further business, McKinney moved to adjourn at 8:25 p.m., Banach seconded and the motion was passed.

Doreen Harvey, CMC
Clerk/Treasurer

Approved: February 08, 2024


Shannon Fagan, Mayor

Attest: 
Doreen Harvey, CMC
Clerk/Treasurer