

## RECORD OF PROCEEDINGS

### THE REGULAR MEETING OF THE ELK MOUNTAIN TOWN COUNCIL WAS HELD TUESDAY, JUNE 12, 2012, IN THE TOWN HALL COMPLEX

- CALL TO ORDER:** Mayor Irene called the meeting to order at 6:34p.m. The Pledge of Allegiance was recited. Roll call was taken, Council Members present were:  
Cm. Morris Booth  
Cm. Ken Casner  
Cm. Janeen Jones  
Absent Cm. Angie Hobbs  
Also Present:  
Linda Crane, Clerk/Treasurer, Pat Eastman, Water Superintendent, John Larsen, Public Works Director, Bill Sherwood, Fire Chief
- CITIZEN/VISITORS:** Robert Meyer, Gary Steele, PMPC
- APPROVE AGENDA:** Mayor Irene amended the agenda to include WAM Delegate Approval and Approval of Consensus Funding for the County's project. **Cm. Casner made a motion to approve the agenda as amended;** Cm. Jones seconded the motion; Council Poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Mayor Irene Aye, Cm. Jones Aye, motion carried.
- APPROVE MINUTES:** Mayor Irene asked for approval of the May 14, 2012 Regular Meeting Minutes. **Cm. Casner made a motion to approve the minutes of the May 14, 2012 Regular Meeting;** Cm. Booth seconded the motion; Council Poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Mayor Irene Aye, Cm. Jones Aye, motion carried. Mayor Irene asked for approval of the May 11, 2012 Special Meeting and Budget Meeting. **Cm Jones made a motion to approve the minutes of the May 11, 2012 Special Meeting and Budget Meeting;** Cm. Casner seconded the motion; Council Poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Mayor Irene Aye, Cm. Jones Aye, motion carried. Mayor Irene asked for approval of the May 17, 2012 Special Budget Meeting. **Cm. Booth made a motion to approve the minutes of the May 17, 2012 Special Budget Meeting;** Cm. Casner seconded the motion; Council Poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Mayor Irene Aye, Cm. Jones Abstaining, motion carried.
- CITIZENS ADDRESSING THE COUNCIL:** None
- REPORTS:** Reports were given by PMPC, Fire Dept., SCWEMS, Water Dept., Zoning, Public Works Dept., HCJPB, Park Board, Historic Trails RC&D and Cemetery Board.
- PMPC: Gary Steele told the Council that all the paper work was complete on the Water Meter Procurement Project and that the final payment could be made to Ferguson. The status on the Tank and Transmission Line include the operators indicating the system is operating okay, the contractors have completed their portion and Gary will be addressing the surge questions. He presented a quote from Modern Electric for the Solar Bee Installation. **Cm. Jones made a motion to accept the quote from Modern Electric in the amount of \$3,682.00 to install the Solar Bees;** Cm. Casner seconded the motion; Council Poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Mayor Irene Aye, Cm. Jones Aye, motion carried. Gary said the 41 day advertisement was completed on May 1st. He has received all Lien Waivers and Surety Authorizations and recommended releasing the final \$10,000.00 retainage. **Cm. Jones made a motion to release the final \$10,000.00 of retainage to High Plains Construction;** Cm. Booth seconded the motion; Council Poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Mayor Irene Aye, Cm. Jones Aye, motion carried. Gary presented a plaque to the Town from Engineering America for the 2011 All American Project Award for the 2011 Tank and Transmission Project.
- Fire Dept.: Chief Sherwood told the Council that 4 members of the Fire Dept. attended the Hydrocarbon Class in Rawlins. There is more training planned. After a concern was reported about the Fire Dept. boom truck being uses on private

property outside of town Bill reported that the 1-Ton Chevrolet Bucket truck was a gift from Carbon Power and Light many years ago. The Department has used the truck as a fundraiser by allowing area residents to use the truck for a donation. Firemen drive the truck to the location for liability purposes. Cm. Casner ask if there were standard operating procedures for using the truck and Chief Sherwood said no. Cm. Casner asked the Chief if he was familiar with W.S. 15-1-103 and if there were rules and regulations that the Town dictates to the Fire Dept. The Chief responded that he was not familiar with W.S. 15-1-103 and there were not rules and regulations from the Town. Cm. Casner asked if anyone can use the truck and the Chief responded that they could if following their standard operating procedures and accessing the individual requests for safety and availability of personnel. Cm. Casner said he was aware of a property owner that had requested use of the truck and were refused. The Chief responded that the request was refused because of a safety concern. Cm. Casner discussed the Fire Dept. working with the Town to develop policies. Discussions on waivers to use the truck and checking with legal counsel to address any problems followed. The question was asked about a Contingence Plan for Fire in the community. Chief said the Carbon County Emergency Planner has a plan and the Town's flood plan could be rewritten to address fires. First there is no mention as to why Mr. Sherwood was questioned about the Boom Truck and the utilization on private property outside of town. Second I asked him if there was Standard operating procedures for the Department, on the boom truck he said no. When I question him on anyone else requesting the truck for private property usage he reply no one had been turned down, that was not true also, remember the tree discussion. I also asked him if he was familiar with W.S. 15-1-103 and he stated he was not, that led into my question of has town ever placed rules and regulations on the fire department, which are in the minute. I think in my opinion these are critical items which will lead to further discussions as already stated by the Mayor as to the draft ordinance, I would like them entered.

SCWEMS: Bill wanted to let the Council know that he may be stepping down as a Board Member of SCWEMS. His position as the Town's representative would be open and had recommended some members for consideration.

Water: Water Superintendent Eastman reported things are operating well at the new water facility. He still has some fluctuation in chlorine levels. He is running the pumps to meet demand. John took care of the system when Pat was on vacation.

Zoning: The Mayor asked Pat about the depth of the lots the Town Shop, IOOF Building and the Library set on. Because of the road way the front lot corners are hard to establish. Pat asked Bill Sherwood about Bill Hammond, the surveyor for WyDOT, and his ability to help with locates. Bill was going to check into it.

Public Works: Public Works Director Larsen said he has been talking to companies about the fencing project at the lagoon. Two have come to look and one has given a bid of \$3,000.00 labor with the town purchasing \$1,500.00 in materials. **Cm. Booth made a motion to award the bid to Charlie Smith to fence the sewer lagoon in the amount of \$4,500.00 for labor and materials;** Cm. Casner seconded motion; Council Poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Mayor Irene Aye, Cm. Jones Aye, motion carried. Modern Electric will give the Town a bid on the sewer lagoon electrical work when they are here installing the Solar Bees at the water tanks. Public Works Director Larsen has been tracking water usage through the Mosaic Software and the flow meter at the tanks looking for any inconsistencies with water leaving the tanks and water metered. He has been weighing the trash to get a better idea of how much the Town is actually putting in the landfill. The sewer lagoon is running at 12-13% higher than normal. This could be cause by infiltration from ground water or irrigation water. Mark Court with Wyoming Rural Water came and did a sludge judging on the lagoon. John received a quote of \$2,300.00 to repair the brake system on the dump truck. VDCI will be spraying larvacide on the 15<sup>th</sup> and adulticide on the 27<sup>th</sup>. His fogging schedule will be on Tuesday and Friday evening. John repaired the sprinkler system at the park after the meter was replaced. He reported on the cemetery clean-up and put the new safe in the Town Hall Office.

HCJPB: Morris Booth told the Council that Becky Dietrich with the EPA did a site review at the landfill and would be attending their next regular meeting.

Park Board: No one from the Park Board was present. Mayor Irene said he would be picking up electrical and maintenance supplies for the Park to complete the electrical project.

HTRC&D: Nothing to report

Cemetery Board: No one from the Cemetery Board was present. Mayor Irene updated the Council that the Board has had a meeting and Lonnie Briggs is the new Cemetery Commissioner. They cleaned up the cemetery prior to Memorial Day and removed brush.

**TREASURER'S REPORT:** Treasurer Crane recommended approval of the treasurer's report. **Cm. Booth motioned to approve the treasurer's report;** Cm. Jones seconded the motion, Council poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Mayor Irene Aye, Cm. Jones Aye, motion carried.

**BILLS TO BE PAID:** Treasurer Crane presented the bills to be ratified and paid in the amount of \$37,060.13. **Cm. Booth motioned to approve the bills to be ratified and paid in the amount of \$37,060.13;** Cm. Casner seconded the motion, Council poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Mayor Irene Aye, Cm. Jones aye, motion carried.

- **See attached list.**

**CORRESPONDENCE:** Correspondence was received from Specific Purpose Tax JPB, US Bank, CCEDC Minutes, HCJPB Minutes, Federal Reserve, SCWEMS Minutes, Scottsdale Indemnity Co., Medicine Bow Days Committee, State of Wyoming Unclaimed Property Division, Dorothy Booth, Reese Johnson and Department of Environmental Quality.

**OLD BUSINESS:** WAM Delegate and Resolutions: Cm. Jones is unable to attend the WAM business meeting as the Town's voting delegate. **Cm. Booth made a motion to designate Mayor Irene as the voting delegate at the WAM convention;** Cm. Jones seconded the motion; Council poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Cm. Jones aye, motion carried. The resolutions were brought back to the table and after discussion **Cm. Jones made a motion to give the voting delegate the discretion to vote on the resolution after hearing comments at the meeting;** Cm. Casner seconded motion; Council poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Mayor Irene Aye, Cm. Jones aye, motion carried.

Carbon County Economic Development Corp. Funding: The Council brought back to the table the funding request from CCEDC. **Cm. Jones made a motion to approve the 2012-13 investment for CCEDC in the amount of \$600.00;** Cm. Casner seconded the motion; Council poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Mayor Irene Aye, Cm. Jones aye, motion carried.

Utility Rate Discussion: The discussion on utility rates was brought back to the table. Clerk Crane told the Council that any rate increase should be addressed at a public hearing and to change the rate would have to be by ordinance. **Cm. Casner made a motion to hold a workshop on June 25<sup>th</sup> to discuss utility rates;** Cm. Booth seconded the motion; Council poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Mayor Irene Aye, Cm. Jones Aye, motion carried.

Highway Signage: Cm. Booth attended a signage workshop held by the WyDot on April 16-17<sup>th</sup>. Placing signs to direct people to the cemetery would be at a cost of \$165.37. The Cemetery Board is looking at having the school make some signs. The Council had discussed wanting the sign at the exits to read "Town of Elk Mountain" designating the town and not being misinterpreted as just the geological landmark. There was some resistance to the request so Cm. Booth in visiting with other attendee at the workshop wondered if by adopting a portion of I-80 on either side of the exit by the Town of Elk Mountain it would allow travelers to see that a community exists off the interstate. This was received as creative thinking but would also be a commitment by our residents to fulfill the obligation of the Adopt a Highway Program. Mayor Irene also made inquires with Pat Peerson, WyDot Supervisor about the exit signs and the bridge project. The Mayor received the contact information for the bridge project and asked that the WyDot contact is passed along to the contact person for the two subdivisions interested in the Bow River Bridge. He has also requested that the Town be

involved the design of the new bridge.

Employee Handbook: The employee handbook has been revised and is being sent to the attorney for review.

Internal Controls: The Internal Controls Manual is at the attorney's waiting for review.

3<sup>rd</sup> Reading Park Board Ordinance 12-04: **Cm. Jones moved to accept ORDINANCE 12-04 AN ORDINANCE ADOPTING THE CREATION OF THE TOWN OF ELK MOUNTAIN PARK AND RECREATION BOARD AND BY-LAWS on 3<sup>rd</sup> and final reading**; Cm. Casner seconded the motion; Council poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Mayor Irene Aye, Cm. Jones Aye, motion carried.

Recycling Update: Cm. Casner discussed the trash trailer furnished by the Town for items that can't be placed in the dumpsters. After an incident with a resident that was unaware of the trailers location the resident suggested better visibility and signage. Cm. Casner wanted the Council to consider using the old dumpsters in storage as recycling bins. The Mayor had visited with ARC about providing an enclosed trailer with bins inside to do recyclables. The Council decided to add the recycling issue to the Special Meeting/Workshop on June 25<sup>th</sup>.

2<sup>nd</sup> Reading of FY 2012-13 Budget Ordinance: **Cm. Casner made a motion to pass the FY 2012-13 Budget Ordinance on 2<sup>nd</sup> reading**; Cm. Booth seconded the motion; Council poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Mayor Irene Aye, Cm. Jones Aye, motion carried. The 3<sup>rd</sup> reading will be at the June 25<sup>th</sup> Special Meeting/Workshop.

NEW BUSINESS:

Consensus Funding: The County has requested that the members of CCCOG sign an application allowing them to request \$70,000.00 from the BFY 13-14 Funding to cover overages on the construction of the Carbon County Youth Crisis Center. After discussion no action was taken.

Advertising on HEM Sports Calendar: **Cm. Jones made a motion to renew the advertising on the HEM Sports Calendar**; Cm. Booth seconded the motion; Council poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Mayor Irene Aye, Cm. Jones Aye, motion carried.

Annual Town Clean-up Day: This year's clean-up day is set for June 23<sup>rd</sup>. Residents are ask to place the items they would like picked-up on the curb the night before.

Wheatland Co-op Propane Contact: **Cm. Booth made a motion to renew the contract for the Town's propane with Wheatland Co-op using this year's usage**; Cm. Jones seconded the motion; Council poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Absent, Mayor Irene Aye, Cm. Jones Aye, motion carried.

ADJOURNMENT:

There being no further business to come before the council, **Cm. Casner made a motion to adjourn the meeting at 9:05 P.M.**; Cm. Booth seconded motion, Council poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Aye, Mayor Irene Aye, Cm. Jones Aye motion carried.

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Clerk

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Mayor