

**OFFICIAL RECORD OF PROCEEDINGS
REGULAR MEETING OF THE ELK MOUNTAIN TOWN COUNCIL
MONDAY, SEPTEMBER 13, 2021, IN THE TOWN HALL COMPLEX**

CALL TO ORDER: Mayor Irene called the meeting to order at 6:30PM.

ROLL CALL: Council Members present at roll call:

Cm. Angie Hobbs
Cm. Tammy Page
Cm. Bryson Kennedy
Cm. Craig Mustard

Also, Present: Linda Crane, Clerk/Treasurer, John Page, Water Superintendent and Public Works

CITIZEN/VISITORS: Jon Nelson, Northfork Engineering, Bob Meyer, Fire Department, Chris Olsen, STC, Ken Campbell, Steven Priest, Ken Casner, Phyllis Davis

APPROVE AGENDA: **Cm. Kennedy motioned to approve the agenda;** Cm. Mustard seconded the motion; Council Poll; Cm. Hobbs Aye, Cm. Page Aye, Mayor Irene Aye, Cm. Kennedy Aye, Cm. Mustard Aye, motion carries.

APPROVE MINUTES: **Cm. Page made a motion to approve the August 9, 2021, Regular Meeting Minutes;** Cm. Hobbs seconded the motion; Council Poll; Cm. Hobbs Aye, Cm. Page Aye, Mayor Irene Aye, Cm. Kennedy Aye, Cm. Mustard Aye, motion carries.

CITIZEN ADDRESSING THE COUNCIL: Jon Nelson, North Fork Engineering told the Council that he had meet with Chris Olson, STC to discuss the pay out of the Street Project. He recommended the Council approve Pay Application #2 in the amount of \$237,744. **Cm. Hobbs made a motion to pay, Pay Application #2 in the amount of \$237.744 to STC;** Cm. Kennedy seconded the motion; Council Poll; Cm. Hobbs Aye, Cm. Page Aye, Mayor Irene Aye, Cm. Kennedy Aye, Cm. Mustard Aye, motion carries. Nelson said he would advertise for final payment in the Rawlins Times with a release date of October 29th. Olson addressed the Council with some concerns with the project. He said since he came in under budget, he would like them to consider some value engineering. Value engineering is when the project comes in under budget the client and contractor split the difference. The Council wasn't interested in taking that under consideration. Olson had concerns on the purchase of fabric and the damage done to the milling machine. The milling machine was damaged by a buried pipe in the roadway that no one was aware of. The pipe did over \$10,600 worth of damage in parts to the machine. The mayor recommended paying the damages to the machine but not reimbursing for the fabric. **Cm. Kennedy motion to pay for the mill repairs;** Cm. Page seconded the motion; Council Poll; Cm. Hobbs Aye, Cm. Page Aye, Mayor Irene Aye, Cm. Kennedy Aye, Cm. Mustard Aye, motion carries. Olson told the Council that didn't include the labor to repair the machine. The Mayor told him to present a bill on labor at a later date. Nelson told the Council he would prepare Change Order 2 to repair the mill. **Cm. Kennedy motion to prepare Change order #2 for mill repair;** Cm. Page seconded the motion; Council Poll; Cm. Hobbs Aye, Cm. Page Aye, Mayor Irene Aye, Cm. Kennedy Aye, Cm. Mustard Aye, motion carries. Nelson said on the 1st phase on Spruce Street there was a minimum density issue and wanted to know if the Council want to pursue a one-year warranty on the work done. During the project the town purchase risers and they purchased more than needed, Nelson said if they wanted to sell the remainder back to him, he was agreeable. Public Works Director Page said he would like to keep them in the towns stock.

REPORTS:

Fire Dept: Assistant Chief Meyer told the Council they had 10 responses in August. Engine #1 has new tires and FC406 hit a deer; the county it is repairing it.

SCWEMS: SCWEMS Ambulance Director resigned, and the board is setting up advertising for the position. Heidi Sifford is the P/T Station Manager on the south side. She and Shanna Romero have been

working at recruiting volunteers for the service. The service had an appreciation picnic for the volunteers. They are looking into SLIB grants for new ambulances.

Public Works: Director Page reported on Public Works:

- Covid test shows there are still cases in the town as of 9/8/21
- Water plant had a voltage conditioner for the SCADA unit start to go bad and has been replaced
- Sewer plant continues to do well (still applying “bugs” to keep it happy).
- Contractor has delivered supplies for cold storage project with plans to complete the job this weekend
- Snow fence project proposal with company out of Laramie. Page explained he would like to replace the old fence that was in Cobb and Ljungblad meadows outside of town. The company he contacted would build the fence and maintain at no cost to be able to harvest the wood for resale. He is looking at 2-100ft fences. The company has forms they would need filled out.
- WYDOT has asked about putting dumpsters at the truck parking by Conoco. After a discussion of the request the Mayor said that there is a State Statute that prohibits municipalities from competing with private industry. Two trash companies are now serving the area. **Cm. Kennedy made a motion to no longer support trash pickup at the Conoco Station or the WyDot truck parking;** Cm Mustard seconded the motion; Council Poll; Cm. Hobbs Aye, Cm. Page Aye, Mayor Irene Aye, Cm. Kennedy Aye, Cm. Mustard Aye, motion carries. The town will send a letter with this decision and extend time for the Conoco to get another provider in place.
- Have paperwork from Dave Hammond for the land swap at the park
- Paving project Finished (I repaired the sprinkler at the new parking area).
- Have hauled approximately 80 yds of fill for museum and plan to haul more this week
- Power company coming tomorrow to move electric at museum
- Ordered 12 barrels of sodium hypochlorite for water plant due to shortage and rising cost again.
- Garrett and I attended water training and should have plenty of hours of training to keep licenses renewed in December.

HCJPB: The Board had their semi-annual meeting.

Park Board: The Clerk read a letter of resignation from Sheri Johnson resigning from the Park Board. The Mayor accepted her resignation and will be sending a letter of thanks for all her service.

Cemetery Board: No Report

Museum Board: Director Hobbs said she is closing out the season at the museum. It was a pretty good year for visitors since Covid restriction had been lifted. She presented the Council with options to complete the museum auxiliary building. The cost of the building is \$90,990. The museum has secured private donations, grants and funds from the museum board fundraisers and retail sales totaling \$73,978. To complete the building, she is asking the town to forgive the \$9,842 it fronted for the final purchase of the structure and cover the remaining balance of \$2,170. She asks that the museum get the remaining balance from the basketball court in the amount of \$3,500 and to use the line item 416.023 Museum Building Other to cover the balance. Hobbs pointed out that this building although used by the museum is a town owned building that the museum has raised 85% of the cost from outside sources. The private donors and grantors gave generously with the hopes we could complete the goal. **Cm. Page motioned to accept option 2;** Cm. Kennedy seconded the motion; Council Poll; Cm. Hobbs Abstain, Cm. Page Aye, Mayor Irene Aye, Cm. Kennedy Aye, Cm. Mustard Aye, motion carries. **Cm. Mustard motioned to sign agreements with Pioneer Mills to do concrete for \$27,000 and building construction for \$20,000 and Asay Electrical \$4,500 to do the initial electricity;** Cm Page seconded the motion; Council Poll; Cm. Hobbs Abstain, Cm. Page Aye, Mayor Irene Aye, Cm. Kennedy Aye, Cm. Mustard Aye, motion carries.

CCVC: Received minutes from their meetings.

CCCOG: The September meeting is scheduled for Elk Mountain on the 15th.

LEPC: Bob Meyer updated the Council on LEPC items. The siren is getting a new board but with the chip shortage it is taking much longer; so there is no timeframe for repairs to be completed. When functional the plan is to be able to activate from radio or dispatch with different tones to signal citizens of emergency etc. I-70 is going to have a hard closure for 9 months and traffic will be diverted around causing I-80 to have an increase in traffic. Meyer told the Council LEPC is looking for things the town needs and there was discussion on the Proposed Fire District. Search and Rescue will be doing a final search for a hunter that has been missing for 2 years. LEPC will be doing an evacuation exercise in the Fall.

Treasurer Report: Cm. Hobbs made a motion to approve the August Treasurers Report as presented; Cm. Mustard seconded the motion; Council Poll; Cm. Hobbs Aye, Cm. Page Aye, Mayor Irene Aye, Cm. Kennedy Aye, Cm. Mustard Aye, motion carries.

Bills to Ratify and Paid: Cm. Page made a motion to pay the bills from August 10, 2021, thru September 13, 2021, in the amount of \$52,279.84; Cm. Hobbs seconded the motion; Council Poll; Cm. Hobbs Aye, Cm. Page Aye, Mayor Irene Aye, Cm. Kennedy Aye, Cm. Mustard Aye, motion carries.

WIND IMPACT REPORT: The Impact report was included in the packet.

CORRESPONDENCE: LGLP, Various emails and board minutes

OLD BUSINESS:

Habel Land Exchange-TABLED: Cm. Hobbs made a motion to take the Land Exchange off the table; Cm. Kennedy seconded the motion; Council Poll; Cm. Hobbs Aye, Cm. Page Aye, Mayor Irene Aye, Cm. Kennedy Aye, Cm. Mustard Aye, motion carries. Crane told the Council the Quick Claim Deeds had been received from the attorney. **Cm. Page motioned to sign the Quick Claim Deeds for the Town of Elk Mountain and Joy Kennedy for the Park property;** Cm. Mustard seconded the motion; Council Poll; Cm. Hobbs Aye, Cm. Page Aye, Mayor Irene Aye, Cm. Kennedy Aye, Cm. Mustard Aye, motion carries. They need notarized and filed with the courthouse.

Natural Gas Update-The Mayor told the Council that the conversation with Southern Star had turned into a ridiculous amount of money the residents would have to endure. Black Hills has been contacted to see if we could tap into the reg station on Sand Hill. They also came back with a \$4M fee to get the gas to town. This also being a ridiculous amount to spend. Crane is now looking into SLIB grants that could help with a tap fee but for considerably less moneys.

NEW BUSINESS:

Petition for Annexation-Steven and Courtney Priest:

Clerk Crane told the Council that Steven and Courtney Priest filed a petition for annexation with the Town Clerk. Their petition contained the legal description of the area to be annexed, a request for the area described to be annexed, gave a statement that each signer is a landowner of the area to be annexed and a map of the area. **Cm. Hobbs made a motion to accept the annexation petition for 700 Aspen Ct.;** Cm. Page seconded the motion; Council Poll; Cm. Hobbs Aye, Cm. Page Aye, Mayor Irene Aye, Cm. Kennedy Aye, Cm. Mustard Aye, motion carries. Crane presented a resolution certifying compliance with annexation procedures. **Cm. Kennedy made a motion to pass RESOLUTION 21-9-9, A RESOLUTION TO ANNEX STEVEN AND COURTNEY PRIEST'S PROPERTY INTO THE TOWN OF ELK MOUNTAIN;** Cm. Mustard seconded the motion; Council Poll; Cm. Hobbs Aye, Cm. Page Aye, Mayor Irene Aye, Cm. Kennedy Aye, Cm. Mustard Aye, motion carries.

Crane said they need to set a hearing date stating time and place for the public hearing on annexation. After discussion **Cm. Page made a motion to set the hearing date to October 14, 2021, at 6:15 in the**

Town Hall Complex and first reading of Annexation Ordinance #21-02 and reschedule the regular council meeting to October 14, 2021 at 6:30 in the Town Hall Complex; Cm. Hobbs second the motion; Council Poll; Cm. Hobbs Aye, Cm. Page Aye, Mayor Irene Aye, Cm. Kennedy Aye, Cm. Mustard Aye, motion carries.

RESOLUTION 21-9-13, A RESOLUTION AMENDING BUDGET ORDINANCE #20-01 FOR THE TOWN OF ELK MOUNTAIN, WYOMING FOR THE FISCAL YEAR OF JULY 1, 2020, THROUGH JUNE 30, 2021:

Cm. Kennedy made a motion to pass RESOLUTION 21-9-13, A RESOLUTION AMENDING BUDGET ORDINANCE #20-01 FOR THE TOWN OF ELK MOUNTAIN, WYOMING FOR THE FISCAL YEAR OF JULY 1, 2020, THROUGH JUNE 30, 2021; Cm. Mustard seconded the motion; Council Poll; Cm. Hobbs Aye, Cm. Page Aye, Mayor Irene Aye, Cm. Kennedy Aye, Cm. Mustard Aye, motion carries.

Crane told the Council that the printing of Ordinance #21-01 Annual Appropriation Ordinance for the Fiscal Year ending June 30, 2022, was complete and would be sent to the Department of Audit and the County.

Zoning Code Information and Hearing Date: A hearing on the zoning code changes and the first reading of Ordinance #21-03 pertaining to the zoning code changes will be October 14, 2021 at 6:00 prior to the annexation hearing and the rescheduled council meeting. The changes proposed will be posted on the town website for review.

LGLP Nomination Form for Municipality Position: The Council took no action.

EXECUTIVE SESSION: None needed

AJOURNMENT: There being no further business to come before the Council, **Cm Page motioned to adjourn at 8:15 PM;** Cm. Hobbs seconded the motion; all Council Members present voting Aye none Opposed.

CLERK

MAYOR