

## RECORD OF PROCEEDINGS

### THE REGULAR MEETING OF THE ELK MOUNTAIN TOWN COUNCIL WAS HELD MONDAY, MAY 14, 2012, IN THE TOWN HALL COMPLEX

- CALL TO ORDER:** Mayor Irene called the meeting to order at 6:32p.m. The Pledge of Allegiance was recited. Roll call was taken, Council Members present were:  
Cm. Morris Booth  
Cm. Ken Casner  
Cm. Angie Hobbs  
Cm. Janeen Jones  
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, Bill Nation, Carbon County Road and Bridge, Colton Irene, Paul Kissinger, Cindy Wallace, CCEDB, Pat Robbins, WBC, Stacy Strick, Peg Bruce
- APPROVE AGENDA:** Mayor Irene amended the agenda to include discussion of the zone change request from the Carbon County Planning and Development Department and a correction of the Budget Amendment Ordinance Title. **Cm. Casner made a motion to approve the agenda as amended;** Cm. Hobbs seconded the motion; Council Poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Aye, Mayor Irene Aye, Cm. Jones Not present, motion carried.
- APPROVE MINUTES:** Mayor Irene asked for approval of the April 16, 2012 Regular Meeting Minutes. **Cm Casner made a motion to approval the minutes of the April 16, 2012 Regular Meeting;** Cm. Hobbs seconded the motion; Council Poll; Cm. Booth Abstaining, Cm. Casner Aye, Cm. Hobbs Aye, Mayor Irene Aye, Cm. Jones Not present, motion carried. Mayor Irene asked for approval of the April 3, 2012 Special Budget Meeting and the April 24, 2012 Special Meeting and Budget Meeting. Cm. Hobbs noted a correction in the April 24<sup>th</sup> minutes that the date for the next Budget Meeting should say May 11<sup>th</sup>. **Cm. Booth made a motion to approval the minutes of the April 3, 2012 Special Budget Meeting and the amended April 24, 2012 Special Meeting and Budget Meeting;** Cm. Hobbs seconded the motion; Council Poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Aye, Mayor Irene Aye, Cm. Jones Not present, motion carried.
- Cm. Jones joined the meeting at 6:40pm.
- CITIZENS ADDRESSING THE COUNCIL:** Bill Nation addressed the Council about a citizen's request he had receive on repairs to the river channel. He stated the county stands ready to help the community in any way but is not responsible for the repairs. He felt the Town should look at a long term solution and had come before the Council 13 years ago with the same suggestions. He mentioned John Zeiger could speak to the problem and a solution as the Carbon County Emergency Manager and also as the Mayor of Saratoga. The Town of Saratoga is in the process of looking at grants with the Army Corp of Engineers and we could possibly model something after their work to go to permitting and grant writing. He wanted the Council to know that the County is willing to be a partner to a solution.
- REPORTS:** Reports were given by PMPC, Fire Dept., SCWEMS, Water Dept., Zoning, Public Works Dept., HCJPB, Park Board and Historic Trails RC&D.
- PMPC: Not present at time of reports.
- Fire Dept.: Chief Sherwood told the Council that the Fire Dept. burnt the burn pile at the fire department. They have the pager system antenna assembled but not totally installed. A work detail serviced all the departments' equipment. There is an extrication class coming up and an EVOC course scheduled for July 21<sup>st</sup>.
- SCWEMS: Bill reported the ambulance has had 35 calls YTD.
- Water: Water Superintendent Eastman reported things are doing better at the new water facility. He still has some fluctuation in chlorine levels. The system has been running on artisan flow. There is still some learning to do on the system. SCADA still has some hang-ups.

Zoning: Pat has issued one building permit this month. He had questions on the height of the wooden fences being constructed at the WyDot houses. Ordinance states a wooden fence cannot be higher than 8 foot and after talking to WyDot they plan on trimming the fence to 6 foot so there is no problem in compliance. He needs to fill out elevation certificates for resident in the flood zone. Pat wanted to comment on record that the situations that John has encountering on the sewer are caused by the incompetence of the contractor.

Public Works: Public Works Director Larsen told the Council that he continues to place larvacide briquettes in the standing water surrounding town. He has finished the entry addition at the Fire Department. The sewer pumps are running at 28% at the lift station. This is caused by infiltration from a manhole. He and Pat dig up and pumped out the manhole to repair the leaks. Bill Sherwood gave the Town some high strength grout to fill leaks.

HCJPB: Morris Booth updated the Council on the monthly meeting he attended for the HCJPB. They discussed new storm windows for the trailer; Becky Dietrich will be touring the landfill sometime before the 14<sup>th</sup> of June, the towns of Medicine Bow and Elk Mountain have been weighting their trash truck to get an idea of the tonage each town is dumping and there was talk about the waste to fuel process. He told the Council Mayor Irene has volunteered to help with a self audit of the HCJPB sometime in June. Bob Patton has been hired as the new bookkeeper for the JPB. The Council discussed the trash trailer. Cm. Casner stated that he has watched the trash service provided by the town over the last year. During this time numerous items have been deposited upon the trailer, from hazards materials to bed post, the problem is that some items at the HCJPB landfill cost to be dumped, the reason is so the landfill can recover cost to dispose those items such items are tires, refrigerators, and T.V.s. Why are they charged because they cannot be buried or placed into the ground at the landfill for they contaminate the ground water. However when a person just dumps on the trailer and pays no fee it cost everyone in Elk Mountain. In last year alone we have as community paid out \$189.00 for some else's trash that is why I don't support the honor program. The fees are almost a dollar a household for this trailer, when that individual could come around the corner and pay, so where is the honor. Next the fees could be collected with a prescribed trailer day and the public works director monitors that process. The Mayor stated that the trash trailer is intended for the convenience of the residents and so that items that shouldn't be placed in the dumpster can be disposed of properly. Before trying to monitor the trailer the Mayor suggested he write a letter to all the residents explaining these costs and include a landfill rate chart so residents who place these types of items on the trailer use the honor system to pay for the disposal. **Cm. Jones made a motion to have Mayor Irene write a letter concerning the trash trailer using the honor system and include a rate chart;** Cm. Booth seconded the motion; ; Council Poll; Cm. Booth Aye, Cm. Casner Nay, Cm. Hobbs Aye, Mayor Irene Aye, Cm. Jones Aye, motion carried.

Park Board: Colton Irene updated the Council on the Park Board. They had their budget meeting and are requesting \$900.00 for the Park Maintenance line item. This would cover mowing, maintenance and supplies. The Park Board requested \$300.00 to hire music for the June 16<sup>th</sup> Spring Fling. The Park Board will be having a table at the Spring Fling and asked the Council to places some of our promotional items on the table as a fund raiser for the Park Board. **Cm. Hobbs made a motion to place the promo items at the Spring Fling as a fund raiser;** Cm. Booth seconded motion; Council Poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Aye, Mayor Irene Aye, Cm. Jones Aye, motion carried.

HTRC&D: Nothing to report

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

**BILLS TO BE PAID:** Moved to after PMPC report.

**CORRESPONDENCE:** Correspondence was received from CCCOG, Town of Hanna, HCJPB Landfill Agreement, Carbon County Senior Services, Inc. Specific Purpose Tax JPB, Cm. Casner, CCEDB, Scottsdale Indemnity Co., Carbon County Planning and Development, US Bank, CCEDC, Federal Reserve, SCWEMS and Carbon

County Clerk's Office.

The Clerk explained the request for comment from the CC Planning and Development Department. A zone change is being requested from RAM to FPSR at one of the tracts of land in the Overlook Retreat Subdivision and the deadline to respond is May 18, 2012. The Council took no action on commenting.

#### OLD BUSINESS:

IIOF Building: Pat Robbins, WBC and Cindy Wallace, CCEDB discussed the possibility of acquiring a Community Facilities Grant for the IOOF building. Clerk Crane explained the survey the Council sent out to the community for input on what they wanted to see in a possible community center. She reported the survey results showed strong support in favor of establishing a community center and also explained what the public preferences were for uses of such a facility. Pat explained the timelines to submitting the grant and the match required from the community. The grant funding is up to one million dollars with a 15% match that can be in-kind, property value and volunteer hours. The deadline for next year's funding is December 1<sup>st</sup>; approval is in March with a possible June 1<sup>st</sup> go ahead if approved.

Fiber Optics: The Wyoming Business Council and CCEDB are looking at a Community Ready Grant to bring fiber optics to the area.

PMPC: Gary Steele told the Council he has not received the necessary paperwork from Ferguson and is not recommending release of their final payment. He updated the Council on the status of the Tank and Transmission Project. They have been working on the chlorination system with the manufacturer and making adjustments to the solution. System Operation has been working in automatic mode for a couple of days. There are some adjustments on the settings for pumps and artesian flow. The project is complete from the construction status but items to be addressed are to apply weather stripping to the large door, work on the SCADA readings at the town shop and correct a power surge issue in the water building. Cm. Casner asked Gary if they had checked on the warranty issue with the Act-Pac flow meters. He said he would look into. Gary recommended paying Pay Request #6 in the amount of \$8,074.00 to High Plains Construction and to release \$136,953.03 of the \$146,953.03 from the retainage account contingent on PMPC receiving proper paperwork and all Lien Waivers and Surety Authorizations. Retaining the \$10,000.00 from retainage makes sure incomplete items are taken care of. **Cm. Hobbs made a motion to pay, Pay Application #6 to High Plains in the amount of \$8,074.00 and to release \$136,953.03 of the \$146,953.03 from the retainage account contingent on PMPC receiving proper paperwork and all Lien Waivers and Surety Authorizations;** Cm. Jones seconded the motion; Council Poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Aye, Mayor Irene Aye, Cm. Jones Aye, motion carried. After a discussion on tank mixers **Cm. Jones made a motion to purchase two (2) Solar Bee Tank Mixers with the grid options for \$26,000.00;** Cm. Casner seconded the motion; Council Poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Aye, Mayor Irene Aye, Cm. Jones Aye, motion carried.

#### BILLS TO BE PAID:

After Gary Steele's recommendation to not release the payment to Ferguson Enterprises, Check # 8169 for \$7,207.25 was deducted from the total. Treasurer Crane presented the bills to be ratified and paid in the amended amount of \$134,610.13. **Cm. Casner motioned to approve the bills to be ratified and paid in the amount of \$134,610.13;** Cm. Jones seconded the motion, Council poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Aye, Mayor Irene Aye, Cm. Jones aye, motion carried.

- See attached list.

WAM Resolution: The resolutions were tabled until next meeting giving the Council more time to review them.

#### NEW BUSINESS:

Delegate to the WAM Convention: Cm. Booth is unable to attend the WAM Convention as the voting delegate so Cm. Jones will be the voting delegate.

3<sup>rd</sup> Reading Ordinance 12-05: After an amendment to line item #423.025 and #424 in the FY 2011-12 Budget **Cm. Jones made a motion to accept on 3<sup>rd</sup> and final reading the amended Ordinance 12-05, An Ordinance Amending the Revenue and Expenditures for the Town of Elk Mountain, Wyoming for the Fiscal Year of July 1, 2011 Through June 30, 2012;** Cm. Casner seconded the motion; Council poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Aye, Mayor Irene Aye, Cm. Jones Aye motion carried.

2009 Specific Purpose Tax JPB Resolution: **Cm. Booth made a motion to sign the 2009 Specific Purpose Tax JPB Resolution;** Cm. Hobbs seconded the motion; Council poll; Cm. Booth Aye, Cm. Casner Aye, Cm. Hobbs Aye, Mayor Irene Aye, Cm. Jones Aye motion carried.

Carbon County Economic Development Corp. Funding: The Council tabled the request until next meeting.

Medicine Bow Days Committee: The Town received a request from the Bow Days Committee to donate or participate in their celebration. The Council decided not to donate.

HCJPB Budget: Cm. Booth requested the Council approve the HCJPB FY2012-13 Budget. **Cm. Jones made a motion to approve the HCJPB Budget as presented;** Cm. Hobbs seconded the motion; Council poll; Cm. Booth Abstaining, Cm. Casner Aye, Cm. Hobbs Aye, Mayor Irene Aye, Cm. Jones Aye motion carried.

Utility Rate Discussion: The Mayor discussed the need to look at rate increases on the Landfill and Garbage Enterprise Fund to make the fund self sustaining. The item was tabled so that proper procedures by statute are followed as to this type of increase.

ADJOURNMENT:

There being no further business to come before the council, **Cm. Jones made a motion to adjourn the meeting at 8:30 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