

MINUTES OF THE REGULAR COUNCIL MEETING
TOWN OF LUSK
FEBRUARY 7, 2023, 5:00 P.M.

The Town Council of the Town of Lusk met in regular session at 5:00 p.m. in the Council Chambers of Town Hall on Tuesday, February 7, 2023.

Council Members Present: Mayor Doug Lytle, Council Members Dean Nelson, Tom Dooper, Chantry Filener, Adam Dickson

Also Present: Attorney Dennis Meier
Desirae Matthews-LeLeux, Clerk/Treasurer
Sheila Youngquist, Deputy Clerk/Treasurer
Todd Skrukud, Director of Public Works
Chief Bo Krein
Officer Jacob Gordon

Brian Clark led everyone in the Pledge of Allegiance.

MAYOR LYTLE called the meeting to order at 5:00 p.m.

COUNCIL MEMBER NELSON MOVED, SECOND BY COUNCIL MEMBER DOOPER, to approve a consent agenda for item numbers three (3) through six (6). MOTION CARRIED.

VOUCHERS FOR PAYMENT

14 County Tire	Ambulance Tires	\$1,417.72
AFLAC	Payroll Deduction	\$744.74
All Traffic Solutions	PD New Equipment	\$3,998.00
Allbright's True Value	Supplies	\$1,223.44
ALSCO/American Linen	Mat Rental	\$206.98
ARS Flood & Fire Cleanup	Transfer Station Equipment Repair	\$24,538.42
BankCard Center 0344	Postage/Subscriptions/K-9 Unit	\$333.19
BankCard Center 4359	PD Subscriptions/Supplies/New Equipment	\$2,495.04
BankCard Center 9385	Snow Removal	\$131.23
Black Hills Energy	Gas Service	\$3,407.56
Bloomers	Funeral Flowers	\$48.95
Border State Industries	Electric Parts and Supplies	\$1,443.24
Caselle Inc.	Office Support & Maintenance	\$1,233.00
CenturyLink	Phones/Internet	\$947.47
CMIT Solutions of WY	PD IT	\$459.00
Connecting Point	Copier Lease	\$100.00
Doyle J. Davies	Municipal Judge/Postage	\$1,000.00
Decker's Food Center	Supplies	\$67.93
Delta Dental Plan	Employee Paid Insurance	\$1,550.90
Emergency Medical Products	Ambulance Supplies	\$438.09

Empower Trust Company	WRS 457 Plan Deferred	\$200.00
Energy Laboratories Inc	Water Samples	\$622.00
Farwest Line Specialties	Electric Parts/Supplies	\$106.69
First Net	PD Phones	\$247.51
Franks Parts Company	Parts/Supplies/Repairs	\$3,200.30
Global Propane	Waste Treatment Plant	\$120.00
Gordon, Jacob	Reimbursement K-9 Vaccinations	\$79.00
GovOffice LLC	Domain Renewal	\$55.00
Great American Financial Services	Copier Lease	\$311.00
Honnen Equipment	Street Equipment Repair	\$222.53
Ideal Linen/Bluffs	Parks & Shop Supplies	\$102.00
Inland Truck Parts & Repair	Snow Removal	\$1,437.56
Interstate Batteries	Sanitation Equipment Repair	\$136.95
Jergenson, Doug	Monthly Wage Animal Control	\$1,400.00
Kurtzer's	Cemetery/Parks Equipment Repair	\$692.48
Lumen	Phone, Long Distance	\$23.82
Lusk Fire Department	Fire School, IRA	\$17,705.54
Lusk Herald	Legal Advertising/Advertising	\$1,973.54
Lusk Lodging Tax Board	Tax Distribution	\$2,056.27
MARC	Supplies	\$565.75
Matheson Tri-Gas Inc.	Ambulance Oxygen	\$49.06
Meier Building	Rent	\$800.00
Meier Law Office	Monthly Retainer	\$3,000.00
Midland Implement Co	Equipment Repair	\$802.01
Mike Ellicott	Utility Deposit Refund	\$85.97
Mike Harberts	IT Security/Maintenance	\$3,497.00
Niobrara Chamber of Commerce	Promotion	\$187.50
Niobrara County Library	Internet Service	\$250.00
Niobrara County Treasurer	Communications Contract	\$6,301.50
Niobrara Electric Assoc.	Utilities	\$43.04
Northwest Pipe Fittings of Rapid City	Parts & Supplies	\$755.82
One Stop Safety Solutions	Consortium	\$1,200.00
Peggy Fitzwater Estate	Utility Overpayment	\$99.40
Pitney Bowes Inc	Office Supplies	\$91.29
Postmaster	Permit Renewal	\$290.00
Prairie View Enterprises	Propane	\$51.94
Print Express	Office Supplies	\$384.70
Ranchers Feed & Supply	Supplies	\$538.39
Stinker Stores Inc	Fuel	\$8,760.03
TDS Trash Collection	Tipping Fees Transfer Station/Pump out	\$3,960.42
Terex Corporation	Equipment Repair	\$2,544.12
Titan Machinery-Rapid City	Vehicle Repair	\$115.90

Torrington Office Supplies	Supplies	\$64.22
Underground Enterprises	Transfer Station Haul	\$1,800.00
USA Blue Book	New Equipment	\$389.20
Valley Motor Supply	Parts & Supplies	\$325.45
Visionary Communications Inc.	Internet Service	\$373.49
W.M.P.A.	Electrical Power Purchase	\$132,044.09
WAM/WCCA	Lease Payment	\$786.55
Western Medical Mng. Inc	Ambulance Billing Service	\$153.47
WY Dept of Revenue	Sales Tax	\$7,149.07
WY Dept. of Workforce Services	Worker's Compensation	\$1,891.13
WY Educators Benefit Trust	Employee Medical/Life Premiums	\$27,040.25
Wyoming Machinery Corp	Supplies/Equipment Repair	\$2,856.61
Wyoming Public Health Lab	Water Samples	\$16.00
Wyoming Retirement	Government Contribution	\$8,826.96
Total Vouchers		\$294,567.42

<u>MANUAL CHECKS</u>	<u>January 2023</u>	
Frisinger, Kole	Utility Deposit Refund	\$58.89
International Institute of Municipal Clerks	Dues & Fees	\$200.00
Wyoming Retirement	Government contribution	\$22,711.06
AVI PC Engineering, Inc	Engineering Fees	\$25,332.26
Oftedal Construction, Inc	Contractor Payment	\$411,031.69
Circuit Court of Niobrara County	Writ of Wages, Garnishment	\$321.74
Clerk of District Court, Second Judicial	Writ of Wages, Garnishment	\$348.56
Wyoming Child Support	Writ of Wages, Garnishment	\$319.37
Bob Ruwart Motors	PD Vehicle Repair	\$1,482.91
Carver, Florek, & James	Audit Expenses	\$28,000.00
Pro-ware, LLC	Maintenance & Software	\$429.00
Norberg, Rory	Per Diem- Water Samples	\$20.00
Postmaster	Utility Mailings	\$300.21
AVI PC Engineering, Inc	Engineering Fees	\$43,936.34
Oftedal Construction, Inc	Contractor Payment	\$80,071.22
Lytle, Doug	Per Diem- WAM Convention	\$332.50
Matthews-LeLeux, Desirae	Per Diem- WAM Convention	\$332.50
Circuit Court of Niobrara County	Writ of Wages, Garnishment	\$321.74

Clerk of District Court, Second Judicial	Writ of Wages, Garnishment	\$348.56
Wyoming Child Support	Writ of Wages, Garnishment	\$319.37
AVI PC Engineering Inc	Engineering Fees	\$26,304.28
Oftedal Construction, Inc	Contractor Payment	\$849,989.02
	Total	\$1,492,511.22

Visitors:

No visitors.

Department Updates:

- Chief Krein gave a report on Police Department statistics for November. Article in the paper thanking the Sheriff's office, it was actually the PD that assisted. Appreciation letter to the PD and a donation of \$1,000 from Brett Kingston. Last month had a compliance issue with a permit for the Silver Dollar Bar and was issued a citation for violation of TIPS Training. Updated cameras. Employee evaluations coming up. Discussion on TIPS Training and changes needing made to the permit.
- Desirae LeLeux reported all the W-2s and 1099s have been sent out. Town's insurance company will be completing the 1095s and filing the Towns with the IRS on their behalf. The Ambulance Dept received a donation from the EMS Benefit in the amount of \$18,366.25 for the purpose of whatever the department needs. The Police Department receive a donation for \$1000.00. Putting together the RFP for our TAP Grant and will be advertising once approved by WYDOT. Finalizing documentation with the Town Bond Council to close out Phase I loans as well as working with USDA to buy out the Phase I State loans and Interim Financing loans. Advertising for the Utility Billing Clerk position and will be doing interviews soon. Doug and Desirae went to the winter WAM Convention and Doug was able to visit with State Auditor, Kristi Racines. Todd, Linda, Doug and Desirae will be going to the SLIB meeting on February 27th & 28th for the Local Government ARPA applications that were submitted. Brenda Allen with USDA has requested that the Town be present at this meeting to advocate on behalf of the Town. A new transceiver was installed for the metering system but continues to have issues. Sensus could not configure the transceiver because the internet connection is too slow. Fiber conduit is being ran today and a router installed on the hill. Mike with IT is working with Visionary and Sensus to get that up and going.
- Todd Skrukrud reported they have been moving snow and ice. Recycling load was shipped and still worth nothing.
- Mayor Lytle reported that at the WAM Convention, there is a Fiscal Responsibility Training required by State Statute. This affects everyone that sets budgets and receives public funds. WAM will provide a training.

Old Business:

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve the extension of Airport & Business Park Haying Contract - Louis Hammer. MOTION CARRIED.

COUNCIL MEMBER NELSON MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve both **Ordinance No. 1-1007**, AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE TOWN OF LUSK, WYOMING, OF ITS WATER REVENUE BOND, SERIES 2023A, DATED _____, 2023, IN THE PRINCIPAL AMOUNT OF \$1,657,000 AND WATER REVENUE BOND, SERIES 2023B, DATED _____, 2023, IN THE PRINCIPAL AMOUNT OF \$1,372,223, FOR THE PURPOSE (I) REFINANCING THE TOWN'S WATER REVENUE BOND ANTICIPATION NOTE, SERIES 2022, DATED AUGUST 31, 2022, IN THE PRINCIPAL AMOUNT OF \$1,657,000, (II) REFINANCING AN OUTSTANDING OBLIGATION RELATED TO THE MUNICIPAL WATERWORKS SYSTEM OF THE TOWN, AND (III) PAYING CERTAIN INCIDENTAL COSTS INCURRED IN CONNECTION WITH THE FOREGOING; APPROVING THE FORM, TERMS AND PROVISIONS OF THE BONDS, A PURCHASE AGREEMENT AND ALL OTHER DOCUMENTS RELATED TO THE ISSUANCE THEREOF; AUTHORIZING THE MEMBERS OF THE GOVERNING BODY AND EMPLOYEES OF THE TOWN TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE ISSUANCE AND SALE OF SAID BONDS AND THE CONSUMMATION OF SAID TRANSACTIONS; and **Ordinance No. 1-1008**, AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE TOWN OF LUSK, WYOMING, OF ITS SEWERAGE REVENUE BOND, SERIES 2023A, DATED _____, 2023, IN THE PRINCIPAL AMOUNT OF \$1,362,000 AND SEWERAGE REVENUE BOND, SERIES 2023B, DATED _____, 2023, IN THE PRINCIPAL AMOUNT OF \$1,062,319, FOR THE PURPOSE (I) REFINANCING THE TOWN'S SEWERAGE REVENUE BOND ANTICIPATION NOTE, SERIES 2022, DATED AUGUST 31, 2022, IN THE PRINCIPAL AMOUNT OF \$1,362,000, (II) PAYING CERTAIN OUTSTANDING INDEBTEDNESS OF THE TOWN RELATED TO THE SEWERAGE FACILITY, AND (III) PAYING CERTAIN INCIDENTAL COSTS INCURRED IN CONNECTION WITH THE FOREGOING; APPROVING THE FORM, TERMS AND PROVISIONS OF THE BONDS, A PURCHASE AGREEMENT AND ALL OTHER DOCUMENTS RELATED TO THE ISSUANCE THEREOF; AUTHORIZING THE MEMBERS OF THE GOVERNING BODY AND EMPLOYEES OF THE TOWN TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE ISSUANCE AND SALE OF SAID BONDS AND THE CONSUMMATION OF SAID TRANSACTIONS on second reading. MOTION CARRIED.

New Business:

COUNCIL MEMBER DICKSON MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve Niobrara Country Club's request for Golf Tournament Schedule with course closure if needed, for the following dates. MOTION CARRIED.

1. Saturday, May 6th- High School Tournament – Close Course
2. Friday, June 9th- Woodeye – Close Course
3. Saturday June 17th- 2-person Scramble – Close Course
4. Saturday August 5th- 2-person Best Ball – Close Course
5. Saturday & Sunday, August 19th & 20th – Niobrara Country Club Championship – Open course

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve the amended Livestock Permit Renewal to include No Roosters per ordinance- Brytne Greenough. MOTION CARRIED.

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER DICKSON, to approve the extension of the Solid Waste Transport Contract- Underground Enterprises, LLC. MOTION CARRIED.

COUNCIL MEMBER DICKSON MOVED, to approve the New Bar & Grill Liquor License for Young Ducks, LLC. Failed for lack of a second. There was discussion on details of the application with the Liquor Division and the Restaurant Food License, as well as the lay out of the remodel of the premises and where the bar would be located inside the establishment.

COUNCIL MEMBER FILENER MOVED, to amend his motion, to bring this back to the floor, SECOND BY COUNCIL MEMBER DOOPER. MOTION CARRIED. COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER DOOPER, to approve the New Bar & Grill Liquor License for Young Ducks, LLC upon approval from the Wyoming Liquor Division. MOTION CARRIED.

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve Resolution No. 23-09, Resolution No. 23-10, Resolution No. 23-11, and Resolution No. 23-12, all Resolutions of the Town Council of the Town of Lusk Authorizing and Providing for the Incurrence of Indebtedness for the purpose of Providing a Portion of the Cost of Acquiring, Constructing, Enlarging, Improving, and/or Extending its Provider of Municipal Services Facility to Serve an Area Lawfully Within its Jurisdiction to Serve. MOTION CARRIED.

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER DICKSON, to move into executive session for personnel at 6:16 p.m. MOTION CARRIED.

The Council reconvened into regular session at 7:02 p.m.

The next regular Council meeting will be Tuesday, March 7, 2023, at 5:00 p.m.

There being no further business to come before the Council, the meeting was adjourned at 7:03p.m.

ATTEST:

Douglas E. Lytle, Mayor

Desirae Matthews-LeLeux, Clerk/Treasurer