

MINUTES OF THE REGULAR COUNCIL MEETING
TOWN OF LUSK
DECEMBER 5, 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, December 5, 2023.

Council Members Present: Mayor Doug Lytle, Council Members Dean Nelson, Tom Dooper, Chantry Filener, Ron Pfister

Also Present: Attorney Dennis Meier
Todd Skrukud, Public Works Director
Desirae Matthews-LeLeux, Clerk/Treasurer
Taylor Willis, Deputy Clerk/Treasurer
Interim Police Chief, Jacob Gordon
Trevor Barner, Golf Course Superintendent
Mike Mayville, EMS Director
Royce Thompson, Electric Supervisor & Airport Manager
Linda Frye, Grant Writer

Council Member Nelson led everyone in the Pledge of Allegiance.

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

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

VOUCHERS FOR PAYMENT

14 County Tire	Vehicle Repairs	\$81.72
AFLAC	Payroll Deduction	\$848.20
AGC Construction LLC	Shop New Equipment	\$815.00
Allbright's True Value	Supplies	\$1,447.83
ALSCO/American Linen	Mat Rental	\$322.89
Angry Irishman BBQ, LLC	Employee Appreciation Gathering	\$1,867.50
BankCard Center 2477	Recycling Parts/Supplies	\$85.60
BankCard Center 7939	PD Supplies	\$71.98
Black Hills Energy	Gas Service	\$665.23
Bloomers, LLC	Funeral Flowers/Plant	\$122.90
Border State Industries Inc.	Electric Line Upgrade/Parts/Supplies	\$1,680.90
Brown Co	Airport Parts/Supplies	\$504.71
Caselle Inc.	Office Support & Maintenance	\$1,233.00
Century Link	Phone Services	\$996.27
Century Lumber Center	Golf Course Supplies	\$371.29
CMIT Solutions of WYCenter	PD Firewall	\$130.00
Connecting Point	Copier Lease	\$100.00
Doyle J. Davies	Municipal Judge	\$1,000.00
Decker's Food Center	Supplies	\$51.14

Delta Dental	Employee Dental Insurance	\$1021.50
Douglas Embroidery	Uniforms- Lashmett	\$370.95
Energy Laboratories INC.	Water Samples	\$6,084.00
First Net	PD Phones	\$445.50
Franks Parts Company	Parts/Supplies/Repairs/Fuel/Oil	\$1,380.01
Gasfire Services	Sanitation Vehicle Repairs	\$1,796.00
Gordon, Kristen	PD Cleaning	\$140.00
Grainger	Street Supplies	\$1,893.60
Great American Financial Services	Copier Lease	\$100.00
Harberts, Michael	IT Support	\$980.00
HDR, Inc	Consultant Fees	\$2,731.83
Heritage Landscape Supply Group	Golf Course Irrigation Repairs	\$3,550.00
Hotel Laminates	Golf Course Hotel Ad	\$300.00
Ideal Linen/Bluffs	Park/Cemetery Supplies	\$139.50
Jergenson, Doug	Monthly Wage Animal Control	\$1,540.00
Lumen	Phone, Long Distance	\$19.06
Lusk Fire Dept	SCBA Testing ½	\$1,339.60
Lusk Herald	Legal Advertising/Advertising	\$1,051.34
Lusk Lodging Tax Board	Tax Distribution	\$9,828.10
Mayville, Mike	Reimburse Hotel	\$735.77
Meier Building	Rent	\$800.00
Meier Law Office	Monthly Retainer	\$3,000.00
Melkay	Transfer Station Repairs	\$23,827.00
Mullen, Matt	Utility Deposit Refund	\$128.47
Niobrara Chamber of Commerce	Promotion	\$187.50
Niobrara County Library	Internet Service	\$250.00
Niobrara County Treasurer	Communication Contract	\$6,301.50
Niobrara Electric Association	Utilities	\$46.00
One-Call of Wyoming	Dig Tickets	\$42.00
Ranchers Feed and Supply	Supplies	\$303.69
Richardson, Isaiah	Reimburse Meals	\$64.40
Stinker Stores Inc	Fuel	\$5,724.22
TDS Trash Collection Serv.	Tipping Fees	\$5,190.72
Torrington Office Supplies	Supplies	\$21.09
Underground Enterprises	Transfer Station Fees	\$2,100.00
Visa 0681	Subscriptions/Supplies/Training/Postage /Fees	\$1,037.60
Visa 0707	PD Subscription/Supplies/K-9 Food/Uniforms/Fuel/Oil	\$411.21
Visionary Broadband	Internet Service	\$562.80
W.M.P.A.	Power Purchase	\$93,113.01
Western Medical Management	Ambulance Billing Fees	\$354.20
WEX Bank	Fleet Fuel	\$1,017.46

Wildwood Tree Service LLC	Cemetery Tree Removal	\$4,500.00
Wyo Assoc. of Rural Water Sys	Membership dues/fees	\$694.00
WY Dept of Revenue	Sales Tax	\$5,737.79
WY Dept. of Workforce Services	Worker's Compensation	\$2,836.25
WY Educators Benefit Trust	Employee Insurance	\$25,893.50
Wyoming Machinery Corp	Street Equipment Repair	\$253.50
WY Office of Emergency Med Services	Ambulance Business License	\$20.00
Total Vouchers		\$232,260.83

<u>MANUAL CHECKS</u>	<u>November 2023</u>	
Kruse, Pete	Per Diem/ Safety Meeting	\$20.00
Lashmett, Justin	Per Diem/ Safety Meeting	\$20.00
AVI PC Engineering	Engineering Fees	\$24,948.56
Frye, Linda	Per Diem/Mileage Meeting	\$83.25
Matthews-LeLeux, Desirae	Per Diem/ Meeting	\$33.00
Oftedal Construction, Inc	Contractor Payment	\$178,200.75
White, Jeff	Golf Course Tree Removal	\$1,300.00
HDR, Inc	Consultant Fees	\$1,838.43
Norberg, Rory	Per Diem/Water Samples	\$20.00
Circuit Court of Niobrara County	Writ of Wages, Garnishment	\$330.76
Wyoming Child Support	Writ of Wages, Garnishment	\$345.22
Postmaster	Utility Mailings	\$317.95
USA Blue Book	Water Samples	\$34.53
AVI PC Engineering	Engineering Fees	\$18,715.43
Oftedal Construction, Inc	Contractor Payment	\$75,518.91
AVI PC Engineering	Engineering Fees	\$18,267.00
Oftedal Construction, Inc	Contractor Payment	\$38,752.25
STC Construction Inc	Contractor Payment	\$165,024.98
	Total	\$ 523,771.02

Visitors:

Allen Hineman addressed the council about his concern over the snow removal on the sidewalks by the post office. He discovered there is not an ordinance regarding snow removal and would like to know when the snow and ice is going to get cleaned up and suggested an ordinance be put in place. Mayor Lytle stated that it is the homeowner's responsibility and referred to counsel to clarify. Attorney Meier stated that we don't have an ordinance. Case law says that with natural accumulation there is no liability, but once you touch it and move it, then you are liable. As a municipality we have sovereign immunity unless there is negligence by a city employee. There was further discussion about the town's portion of sidewalk being clean but another business not cleaning the sidewalk. The council agreed to look into a possible ordinance but it takes three readings. Mayor Lytle reiterated they are here to work with him. Mr. Meier further stated that with an ordinance there is liability. The Public Works Director will contact the business owners about snow removal.

Department Updates:

Linda Frye reported that the Raise Grant opened which is an infrastructure grant from \$1 - \$25 million. The grant is due in February. She applied for a grant with Basin Electric for \$50,000 for the Ambulance and USDA is working on a grant for \$50,000, as well.

Royce Thompson reported that they completed the line going to the sale barn and will move over to the line on radium hopefully by the end of the year. Justin has been doing well. He reported on the airport stating we are moving forward with the crack seal and seal coat for 2024. The Fly-In is scheduled for July 20, 2024.

Trevor Barner reported that the snow is good. They had time to fire up the pumper truck to water greens. The truck will stay at the course, and they will continue to use it during the winter.

Mike Mayville gave Ambulance department statistics for November. He met with Air Methods because of a bankruptcy letter that was received because we are a creditor. We have changed how we bill them, and we should be receiving the money that is owed by them. He reported that the Legend of Rawhide Board donated \$10,000 to the ambulance as well as the NEA of \$10,000. He has reached out for hard quotes on a new ambulance and will reach out to others and work on the specifics of what he wants.

Sgt. Gordon gave department statistics for November. He reported that the FTO process is going well and should be completed in January. He is going to talk to the school administration about the SRO position. There was some discussion about the SRO position.

Desirae LeLeux reported that she spoke with Brian at Benchmark with Torrington on the Zoning Change request, and he is still going through the process of getting a legal description and is a lengthy process. He will contact her when he has more information and is ready to move forward with the zoning change. They will be closing out the CCL loan for phase 1 this month. Final completion was reached on Phase 1 and will be releasing retainage. A portion of the street retainage will come from the 1% money. Still waiting for our Final Audit Report to come back for review. The auditor said they are working hard on completing the audit and should have the draft to her the week of the 18th. They are gearing up for the end of year and had to purchase a piece of software because new federal mandates requiring electronic filing with the IRS and Social Security Administration. She shared that in 2022 there was a phone line not in use at the fire department, so the line was disconnected in July of 2022. Sherriff Starkey had approached her and said that dispatch isn't able to transfer calls because the fourth line was disconnected. She called Century Link, and they confirmed the address to the line that was disconnected in 2022 was for the old jail. Century Link was here last Thursday and reconnected the line. She obtained all the Public Officer Training certificates and distributed them to the attendees. WAM Winter Workshop is February 21-23. If you are interested in attending, please let her know.

Todd Skrukrud reported on cleaning up ice and snow. Rob with WARM was on site and the transfer station fire claim will be closed out and we should be reimbursed. Rob looked at the hail damage and the damage on the Town Office roof was not from hail. From Todd's understanding they will cover 20% of replacing the roof. He reported on the project stating there was a water line hit but it was fixed. They will be pouring concrete and will landscape in the spring. AVI is

planning for phase three with two priorities. We talked to USDA, and they committed to storm curb/gutter. We signed off on phase one warrantee work.

Old Business:

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve the Wyoming Community Gas Designation of \$5,829.49 for kennels at the animal shelter (\$2,000) and repairs at Town Hall (remainder). There was discussion about air conditioning in the council chambers, the roof needing repaired at town hall and new kennels at the animal shelter. MOTION CARRIED.

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve the changes to the Permit to Provide Food Services to Minors. There was discussion on TIPS training and specific intent. Mayor Lytle, Council Members Nelson, Filener and Dooper voted aye. MOTION CARRIED.

New Business:

COUNCIL MEMBER NELSON MOVED, SECOND BY COUNCIL MEMBER PFISTER, to approve the Airport Hanger Lease Renewals for Travis Bruegger and Leonard Pullis. MOTION CARRIED.

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER FILENER, to move into executive session at 5:50 p.m. MOTION CARRIED.

The council reconvened into regular session at 6:41 p.m.

Old Business (Continued):

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve the Golf Course Pro-Shop Management Contract renewal for Coe J. LeLeux at \$15,000. MOTION CARRIED.

New Business (Continued):

COUNCIL MEMBER NELSON MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve the Blue Cross Blue Shield Medicare Advantage Provider Agreement. MOTION CARRIED.

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER PFISTER, to direct Mr. Meier to draw up a contract for the Airport Management. Mayor Lytle shared that our current Airport Manager, Royce Thompson, is retiring. MOTION CARRIED.

Mayor Lytle reminded everyone of the gathering on Friday at the Country Club. He welcomed Brandi Collins back at the Lusk Herald.

The next regular council meeting will be held January 2, 2024 at 5:00 p.m.

There being no further business to come before the Council, the meeting adjourned at 6:46 p.m.

Douglas E. Lytle, Mayor

ATTEST:
Desirae Matthews-LeLeux, Clerk/Treasurer