

MINUTES OF THE REGULAR COUNCIL MEETING  
TOWN OF LUSK  
JUNE 6, 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, June 6, 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  
Todd Skrukud, Director of Public Works  
Linda Frye, Grant Manager  
Chief Bo Krein  
Sheila Youngquist, Deputy Clerk/Treasurer  
Taylor Willis, Utility Billing Clerk  
Trevor Barner, Golf Course Superintendent  
Joyce Hammer, Swimming Pool Manager  
Mike Mayville, Interim EMS Director  
Dr. Jolene Falkenburg, EMS Medical Director

Sheila Youngquist led everyone in the Pledge of Allegiance.

MAYOR LYTLE called the meeting to order at 4:59 p.m.

COUNCIL MEMBER FILENER 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	Repairs	\$25.00
AFLAC	Payroll Deduction	\$744.74
Allbright's True Value	Supplies	\$2,326.85
ALSCO/American Linen	Mat Rental	\$215.26
ArchiveSocial, Inc.	Support/Maintenance	\$2,988.00
Baker & Associates Inc.	Groundwater Monitoring	\$2,700.00
BankCard Center 2477	Subscriptions/Supplies	\$399.58
BankCard Center 4389	Subscriptions/Training	\$602.77
BankCard Center 9385	Golf Course & Ambulance Supplies	\$486.41
Barnsdale, Deborah	Utility Deposit Refund	\$7.57
Black Hills Energy	Gas Service	\$1,103.96
BoardTronics, Inc	Golf Course Equipment Repair	\$419.50
Bob Ruwart Motors	PD New Equipment	\$54,108.21
Border State Industries Inc.	Electric Equipment	\$2,297.64
Brown, Terra	Utility Deposit Refund	\$18.06
Caselle Inc.	Office Support & Maintenance	\$1,233.00
Century Link	Phones/Internet	\$942.41
CMIT Solutions of WYCenter	PD Firewall	\$130.00

CNA Surety	Insurance Bonds	\$378.29
Connecting Point	Copier Lease	\$100.00
Doyle J. Davies	Municipal Judge	\$1,000.00
Decker's Food Center	Supplies	\$93.78
Deeter, Daniel	Utility Deposit Refund	\$123.32
Delta Dental	Employee Paid Insurance	\$883.30
Emergency Medical Products	Ambulance Supplies	\$2,524.14
Energy Laboratories INC.	Water Samples	\$66.00
Ergon Asphalt & Emulsions	Streets Oil & Chips	\$8,091.60
Ferguson Waterworks	Yearly Base Station Fee	\$16,093.75
First Net	PD Phones	\$244.90
Franks Parts Company	Parts/Supplies/Repairs	\$3,025.37
Gasfire Services	FD Vehicle Maintenance	\$70.38
Grainger	Recycling Dept Supplies	\$317.90
Great American Financial Services	Copier Lease	\$311.00
Hawkins, Inc	Pool Maintenance & Operation	\$1,059.47
Herren Bros. True Value	Golf Course New Equipment	\$4,041.93
Hometown Country	Shop Uniforms	\$400.00
Ideal Linen/Bluffs	Parks, Shop & Pool Parts/Supplies	\$811.76
Interstate Batteries	Ambulance & Cemetery Parts & Supplies	\$110.91
Jergenson, Doug	Monthly Wage Animal Control	\$1,400.00
Jirdon Agri Chemicals	Parks/Cemetery Seed/Sod	\$1,143.00
Krein, Bo	Reimburse Fuel/Meals	\$56.67
Krein, Johnny	Reimburse Meals	\$41.89
Kurtzer's	Cemetery/Parks Equipment Repair	\$349.24
LeLeux Enterpirse, LLC	Golf Course Equipment/Monthly Wage Pro Shop	\$2,780.00
Lumen	Phone, Long Distance	\$32.77
Lusk Fire Dept	Retirement	\$478.12
Lusk Herald	Legal Advertising/Advertising	\$2,069.91
Lusk Lodging Tax Board	Tax Distribution	\$2,282.52
Matheson Tri-Gas Inc	Ambulance Oxygen	\$97.31
McKee, Dawn	Lifeguard Training	\$1,440.00
Meier Building	Rent	\$800.00
Meier Law Office	Monthly Retainer	\$3,000.00
Midland Implement Co	Parts & Supplies	\$686.64
Mike Harberts	Information Technology	\$4,487.12
Nio County Weed & Pest	Sewer Dept Chemicals	\$994.00
Niobrara Chamber of Commerce	Promotion	\$187.50
Nio Conservation District	Trees	\$500.00
Niobrara County Library	Internet Service	\$250.00
Niobrara County Treasurer	Communications Contract/Property Tax	\$6,301.50
Niobrara Electric	Utilities	\$39.97
Normont Equipment Company	Sweeper Parts	\$1,183.47
Northwest Pipe Fittings of Rapid City	Parts & Supplies	\$467.40
Northwest Pipe Fittings of Scottsbluff	Irrigation Repairs	\$1,077.84

NTP Small Engine Service	Equipment Repair	\$31.14
One-Call of Wyoming	Dig Tickets	\$42.00
Peggy Fitzwater Estate	Utility Deposit Refund	\$121.77
Peterson Construction	Phase 1 Work	\$4,710.00
Pitney Bowes Purchase Power	Postage	\$520.99
Print Express	Office Supplies	\$382.40
QTPod	Airport Subscription	\$1,425.00
Ranchers Feed & Supply	Parts/Supplies	\$143.33
Roetman, Brett	Animal Control Services	\$210.00
Serendipity Floral & Gifts	Funeral Flowers	\$64.00
Smylie Animal Clinic	Animal Medicine	\$130.00
Spic & Span Cleaners	Street Paint	\$585.00
Stinker Stores Inc	Fuel	\$6,725.14
TDS Trash Collection	Tipping Fees Transfer Station/Pump out	\$4,869.57
Terex Corporation	Electric Equipment Repair	\$642.38
Tip Inc	Golf Course Parts	\$99.36
Torrington Office Supplies	Supplies	\$43.99
Transwest Ford	Ambulance Vehicle Repair	\$1,701.30
Underground Enterprises	Transfer Station Haul	\$1,800.00
Visionary Communications Inc.	Internet Service	\$541.31
W.M.P.A.	Electrical Power Purchase	\$89,760.69
Wagner's Floral	Funeral Flowers	\$58.63
Western Medical Mng. Inc	Ambulance Billing Service	\$1,014.75
WEX Bank	Fuel	\$71.43
Wilcox, Cory	Uniform Reimbursement	\$345.73
Wilkens	Parts & Supplies	\$919.21
WY Dept. of Workforce Services	Worker's Compensation	\$1,972.98
WY Dept of Revenue	Sales Tax	\$5,308.61
WY Dept of Agriculture	Food Service License	\$100.00
WY Educators Benefit Trust	Employee Medical/Life Premiums	\$29,166.25
Wyoming Retirement	Government Contribution	\$15,465.77
Total Vouchers		\$311,616.36

<u>MANUAL CHECKS</u>	<u>May 2023</u>	
Circuit Court of Niobrara County	Writ of Wages, Garnishment	\$506.85
Clerk of District Court, Second Judicial	Writ of Wages, Garnishment	\$348.56
Wyoming Child Support	Writ of Wages, Garnishment	\$184.61
Void		\$0.00
Motorola Solutions, Inc	FD/PD New Equipment	\$59,969.06
AVI PC Engineering Inc	Engineering Fees	\$10,313.90
Oftedal Construction, Inc	Contractor Payment	\$297,141.73
Gordon, Jacob	K9 Supplies/ Reimbursement	\$57.88
Norberg, Rory	Per Diem/Water Samples	\$20.00
American Legion Post #1	Public Relations Advertisement	\$150.00
Bankcard Center 7939	PD Subscriptions/Equipment/Training	\$434.75

Hammer, Joyce	Per Diem/Lifeguard Training	\$269.00
Gordon, Jacob	Per Diem/K9 Unit	\$88.50
Motorola Solutions, Inc	Fire Dept Equipment	\$962.94
Cox, Carol	Pool Training	\$375.00
Circuit Court of Niobrara County	Writ of Wages, Garnishment	\$506.85
Clerk of District Court, Second Judicial	Writ of Wages, Garnishment	\$348.56
Wyoming Child Support	Writ of Wages, Garnishment	\$184.61
Postmaster	Utility Mailings	\$315.20
Bartschi, Taci	Per Diem/Training	\$118.00
Desenfans, Heidi	Per Diem/Training	\$118.00
Dickson, Aiden	Per Diem/Training	\$118.00
Hammer, Joyce	Per Diem/Training & Mileage	\$308.00
Himes, Cody	Per Diem/Training	\$118.00
Steenke, Jacob	Per Diem/Training	\$118.00
Void	Per Diem/Training	\$118.00
Widrick, Archer	Per Diem/Training	\$118.00
	Total	\$373,312.00

Visitors:

On behalf of Niobrara Electric Association, Shawna Glenda approached the council to ask for the use of the golf course for a tournament on July 14<sup>th</sup> and reduced green fees. The tournament is to raise money for the NEA Scholarship. COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve the tournament date of July 14<sup>th</sup> and reduced green fees of \$15 per golfer for 18 holes with closed course. MAYOR LYTLE ABSTAINED. MOTION CARRIED

Justin Collins with the Lusk Volunteer Fire Department approached the council to ask for the use of the golf course for a tournament on September 10<sup>th</sup> with reduced green fees and closed course during the tournament, to benefit the Fire Department. COUNCIL MEMBER DICKSON MOVED, SECOND BY COUNCIL MEMBER DOOPER, to approve the tournament date of September 10<sup>th</sup> and reduced green fees of \$15 per golfer for 18 holes and closed course during the tournament. COUNCIL MEMBER FILENER ABSTAINED. MOTION CARRIED

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve the Fall High School Golf Tournament on September 8<sup>th</sup> and 9<sup>th</sup>. MOTION CARRIED.

Colby Thurston with the Rural Fire District approached the council and stated he was there to answer any questions they may have about the proposal of the Rural Fire District taking over the EMS. He presented a letter to the council with EMT's in favor of the proposal. Council Member Dooper asked the Rural Fire District Board Members regarding the budget they presented if they were okay with taking on a losing project. Thurston stated that the vote that was taken, the majority said yes because it was something they feel is needed severely in the community. The Council will discuss this matter in executive session.

Department Updates:

Department updates were given by Mike Mayville, Linda Frye, Trevor Barner, Joyce Hammer, Bo Krein, Desi LeLeux, and Todd Skrukud.

Old Business:

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve the Golf Membership Reciprocity Program with Crawford Golf Course and share membership lists with Crawford. MOTION CARRIED.

COUNCIL MEMBER NELSON MOVED, SECOND BY COUNCIL MEMBER DOOPER, to approve Ordinance No. 9-10-100, An Ordinance Amending Existing Ordinance No. 9-10-100 at Paragraph (b)(5) from 300 feet to 100 feet in the requirements to obtain approval from surrounding residential landowners as a condition of obtaining a permit to keep livestock within the Town of Lusk, on third reading. COUNCIL MEMBERS NELSON, FILENER AND DOOPER VOTED AYE. MAYOR LYTLER AND COUNCIL MEMBER DICKSON VOTED NAY. MOTION CARRIED.

New Business:

COUNCIL MEMBER NELSON MOVED, SECOND BY COUNCIL MEMBER DOOPER, to approve all Temporary Open Container Permits for NEA, Bloomers, Adult Softball and Becky Redfield. COUNCIL MEMBERS NELSON, FILENER, DOOPER AND MAYOR LYTLER VOTED AYE. COUNCIL MEMBER DICKSON VOTED NAY. MOTION CARRIED.

COUNCIL MEMBER DICKSON MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve the livestock permit renewals for Royce Thompson and Randy & Cindy Starky. MOTION CARRIED.

COUNCIL MEMBER DICKSON MOVED, SECOND BY COUNCIL MEMBER DOOPER, to approve new livestock permits for Heather Goddard and Leslie Erwin. MOTION CARRIED.

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve the audit engagement letter with Carver Florek & James, CPA's. MOTION CARRIED.

COUNCIL MEMBER NELSON MOVED, SECOND BY COUNCIL MEMBER DOOPER, to approve Resolution No. 23-16. MOTION CARRIED.

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER DICKSON, to approve the consultant agreement for Lusk Safe Pathways TAP Project with HDR. Heath Turbiville with HDR was present and introduced himself. MOTION CARRIED.

COUNCIL MEMBER NELSON MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve the liquor license transfer for Lusk Liquor Store, upon approval from the Wyoming Liquor Division. MOTION CARRIED.

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER DOOPER, to approve together **Ordinance No. 6-5-260**, An Ordinance Amending Existing Ordinance 6-5-260 To Conform to Wyoming Statute and Retitling the Same as "Gambling – Definition";

**Ordinance No. 6-5-270**, An Ordinance Amending Existing Ordinance 6-5-270 To Conform to Wyoming Statute and Retitling the Same as “Gambling; Professional Gambling; Penalties”; and **Ordinance No. 6-5-280**, An Ordinance Amending Existing Ordinance 6-5-280 To Conform to Wyoming Statute and Retitling the Same as “Gambling Devices, Gambling Records, Gambling Proceeds Subject to Seizure; Disposition Thereof; Antique Gambling Devices Protected” on first reading. Attorney Meier and Chief Krein stated these ordinances were drafted in 1978 and are being redrafted to adhere to Wyoming Statutes on gambling. MOTION CARRIED.

COUNCIL MEMBER DICKSON MOVED, SECOND BY COUNCIL MEMBER DOOPER, to move into executive session for legal matters at 6:01pm. MOTION CARRIED.

The council reconvened into regular session at 6:38 p.m.

Mayor Lytle addressed the topic of the Rural Fire District taking over the Lusk EMS, and stated the council is not inclined to move forward with their proposal at this time and appreciates their interest in it. The Town will be advertising an EMS Director position. Colby Thurston shared his opinion stating it will be difficult with the current path to retain EMT’s with the compensation they are offered. Lytle stated the Town has taken care of the Service for over 50 years. The Town of Lusk funds EMS alone and gives \$76,000 per year to the county for 911 Dispatch. The Needs Assessment conducted on the service had findings that included new management as well as other outside funding sources. He shared that the council is dedicated to the safety of and providing a service to Niobrara County and the Town of Lusk and will continue to be invested in the service.

There will be a special meeting on June 16<sup>th</sup> at 9:00 a.m. for public comment and third reading of the 2023-2024 Fiscal Year Budget.

The next regular Council meeting will be Tuesday, July 11, 2023, at 5:00 p.m.

There being no further business to come before the Council, the meeting was adjourned at 6:50 p.m.

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Douglas E. Lytle, Mayor

ATTEST:

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Desirae Matthews-LeLeux, Clerk/Treasurer