

MINUTES OF THE REGULAR COUNCIL MEETING  
TOWN OF LUSK  
SEPTEMBER 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, September 5, 2023.

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

Also Present: Attorney Dennis Meier  
Desirae Matthews-LeLeux, Clerk/Treasurer  
Todd Skrukud, Director of Public Works  
Chief Bo Krein  
Linda Frye, Grant Manager  
Taylor Willis, Deputy Clerk/Treasurer  
Sheila Youngquist, Utility Billing Clerk  
Trevor Barner, Golf Course Superintendent  
Joyce Hammer, Swimming Pool Manager  
Mike Mayville, EMS Director  
Sgt. Jacob Gordon  
Doug Jergensen, Animal Control

Chief Krein led everyone in the Pledge of Allegiance.

MAYOR LYTLE called the meeting to order at 5:01 p.m.

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

VOUCHERS FOR PAYMENT

14 County Tire	Vehicle Repairs	\$201.54
AFLAC	Payroll Deduction	\$762.74
Allbright's True Value	Supplies	\$1,729.60
ALSCO/American Linen	Mat Rental	\$215.26
APT US&C	Membership Renewal Matthews	\$159.00
Aquaflow Int'l, Inc.	Water Metering System	\$1,598.00
ARS Flood & Fire Cleanup	Transfer Station Fire Cleanup	\$34,851.97
BankCard Center 2477	Parts & Supplies	\$702.65
BankCard Center 3814	Parts/Supplies/Equipment/Subscription/ Postage	\$2,212.67
BankCard Center 4389	Parts/Supplies	\$138.39
BankCard Center 7939	PD Parts/Supplies/Equipment/Training/ Postage/Subscriptions/Fuel/K-9	\$2,700.15
Benzel Pest Control, Inc.	Spraying Hahn Cabin	\$190.96
Black Hills Energy	Gas Service	\$1,546.79
Body Builders Body Shop	Golf Course Vehicle Repair	\$334.83

Boldon Diesel Services, LLC	Garbage Truck Repair	\$210.22
Boldon Welding & Repair LLC	Equipment Repair/Parts/Supplies	\$2,173.22
Border State Industries Inc.	Electric Line Upgrade	\$4,656.72
Caselle Inc.	Office Support & Maintenance	\$1,233.00
Century Link	Phone Services	\$959.64
CMIT Solutions of WYCenter	PD Firewall/Services	\$130.00
Connecting Point	Copier Lease	\$650.99
Doyle J. Davies	Municipal Judge	\$1,000.00
Decker's Food Center	Supplies	\$165.82
Delta Dental	Employee Dental Insurance	\$974.35
Double Y	Parts/Supplies	\$165.90
Douglas Embroidery	Electric Dept Uniforms	\$284.85
Emergency Medical Products Inc	Ambulance Supplies	\$2,240.60
Energy Laboratories INC.	Water Samples	\$566.00
Fairbanks Scales, Inc	Scale Maintenance	\$1,560.00
Fink, Jeremiah	Reimburse PD Postage	\$10.65
First Net	PD Phones/New Equipment	\$444.95
Franks Parts Company	Parts/Supplies/Repairs	\$1,817.65
Gas Fire Services	Vehicle Repairs	\$49.98
Grainger	Shop Maintenance	\$224.31
Great American Financial Services	Copier Lease	\$100.00
Hannah's Golf Cars LLC	Golf Course Equip Repair	\$3,417.34
Hawkins, Inc	Chemicals	\$109.56
HDR, Inc	Consultant Fees	\$5,149.93
Herren Bros. True Value	Parts/Supplies	\$18.30
Hometown Country	Sanitation Uniforms	\$399.00
Ideal Linen/Bluffs	Shop Parts/Supplies	\$281.35
Interstate Batteries	Sanitation Equipment Repairs	\$107.95
Jensen, Alexandra	Utility Deposit Refund	\$79.34
Jergenson, Doug	Monthly Wage Animal Control	\$1,400.00
Jirdon Agri Chemicals	Golf Course Fertilizer/Chemicals	\$4,825.46
Lawson Products, Inc.	Shop Tools/Supplies	\$273.73
LeLeux Enterpirse, LLC	Monthly Wage Pro Shop	\$2,600.00
Lexipol	PD Wellness App/Training	\$1,690.25
Lumen	Phone, Long Distance	\$25.54
Lusk Herald	Legal Advertising/Advertising	\$2,539.66
Lusk Lodging Tax Board	Tax Distribution	\$8,845.81
M.C. Schaff & Associates, Inc	Airport Improvement Project	\$10,472.00
Matheson Tri-Gas Inc.	Ambulance Oxygen	\$98.12
Meier Building	Rent	\$800.00
Meier Law Office	Monthly Retainer	\$3,000.00
Harberts, Mike	IT Services	\$2,375.00
Newman Traffic Signs	Signs	\$195.88
Nio. County Weed & Pest	Street Chemicals	\$60.00

Niobrara Chamber of Commerce	Promotion	\$187.50
Niobrara County Library	Internet Service	\$250.00
Niobrara County Treasurer	Communications Contract	\$6,301.50
Niobrara Electric Association	Utilities	\$49.96
Northwest Pip Fittings of Rapid City	Water Parts/Supplies	\$233.68
One-Call of Wyoming	Dig Tickets	\$21.75
Peaks & Prairies GCSA	Golf Course Annual Membership/Dues	\$140.00
Port-A-Pots By TDS, Inc	Transfer Station Equip Repair	\$702.04
QTPod	Airport New Equipment	\$332.17
Radar Shop, The	PD Recert Radios	\$113.50
Ranchers Feed & Supply	Animal Control/Golf Course Supplies	\$117.91
Serres, Sandra & McCart, Jerry	Utility Deposit Refund	\$26.02
Sinclair, Pine Bluffs	Golf Course/Airport Fuel	\$6,487.50
Stella-Jones Corporation	Electric Poles	\$14,530.00
Stinker Stores Inc	Fuel	\$5,942.03
Summit Fire & Security	Transfer Station Extinguisher	\$593.00
TDS Trash Collection	Tipping Fees Transfer Station	\$4,914.02
Tollman, Rhonda	Reimburse Postage	\$34.40
Torrington Office Supplies	Supplies	\$161.68
Turbo Diesel Service, Inc	Golf Course Equip Repair	\$290.15
Underground Enterprises	Transfer Station Fees	\$2,100.00
Visionary Communications Inc.	Internet Service	\$541.31
W.M.P.A.	Power Purchase	\$115,592.89
WAMCAT	Membership Dues	\$225.00
Western Medical Management	Ambulance Billing Fees	\$1,774.68
WY Dept of Revenue	Uniform Assessment	\$177.03
WY Dept. of Workforce Services	Worker's Compensation	\$2,324.40
WY Educators Benefit Trust	Employee Insurance	\$32,153.00
Wyoming Machinery Corp	Street Equip Repair	\$2,625.91
WY Retirement System	Government Contribution	\$16,559.77
Total Vouchers		\$331,230.42

<u>MANUAL CHECKS</u>	<u>August 2023</u>	
Gordon, Jacob	Per Diem/K-9 Training	\$ 914.50
K-9 Working Dogs International LLC	New K-9 Training and pickup	\$ 14,682.32
Circuit Court of Niobrara County	Writ of Wages, Garnishment	\$ 911.56
Clerk of District Court, Second Judicial	Writ of Wages, Garnishment	\$ 348.56
Wyoming Child Support	Writ of Wages, Garnishment	\$ 207.69
Wyoming Child Support	Writ of Wages, Garnishment	\$ 160.61
Wyoming Dept of Revenue	Wyoming Sales Tax	\$ 5,332.33
Postmaster	Utility Mailings	\$ 323.20
AVI PC Engineering	Engineering Fees	\$ 55,916.40

Oftedal Construction, Inc	Contractor Payment	\$ 838,983.64
Wyoming Dept of Transportation	Airport Fuel License Renewal	\$ 25.00
WY First Aid & Safety Supply	First Aid Supplies	\$ 804.01
Circuit Court of Niobrara County	Writ of Wages, Garnishment	\$ 871.26
Clerk of District Court, Second Judicial	Writ of Wages, Garnishment	\$ 348.56
Wyoming Child Support	Writ of Wages, Garnishment	\$ 368.30
	Total	\$ 920,197.94

Visitors:

Jim Hollon approached the council providing a map in preparation for a request in a zoning change for lots 1, 2, 3, and 4 south of the hospital between Mayes & Ballancee. They are currently limited residential and would like it changed to general residential to broaden the market and provide an opportunity for those moving to Lusk to make an investment. He will be requesting another two lots which are east of Ballancee, north of parcel D that will be brought to the assessor for a legal description, giving him six lots in total. He stated that a party recently purchased a location near the hospital to build a clinic. There was discussion on the location as well as clinics in limited residential zoning. The council is the zoning board and there is a process that will have to be followed for a change. Mr. Hollon thanked the council for their time and was happy to answer any questions and looks forward to working with them.

Department Updates:

Trevor Barner reported on the golf course. He shared that the entrance sign has been repainted and it was a bigger project than anticipated. All sprinkler heads have been replaced with the original heads. They have been spraying grubs and widening fairways. Started cleaning out the south shop so they can store equipment. Began the process of putting divot mix bottles on all the club and some member carts to help with divots in the fairways and tee boxes.

Linda Frye reported she submitted the application for the Mineral Royalties Grant for the ambulance. She has been checking on the safer grant and still has no response. Looking for street money with DOT. Going to listen to a webinar from the BIL & Federal requirements.

Mike Mayville reported statistics for the month. The department was very busy. Has a new EMT that moved here that lives in the County. Another EMT has certifications caught up and working on ALS certification with the State to get active. Has been checking into ambulances and answered a question from last month about time frame on a new ambulance. Some say about 6 months, but delivery date depends on the bid process. Asking other departments about chassis.

Joyce Hammer reported that the swimming pool is done, and they are closed. She gave a report on the season statistics. The PE teacher has inquired about swimming and brought kids to the pool for two days. He is a certified swim teacher and would like to discuss things for next year. She stated that the bottom of the pool needs refurbished, and she is still looking into the cost of sandblasting.

Chief Krein gave statistics for the month of August. Krein reported the new K-9 is back. Sgt Jacob Gordon introduced K-9 Xana and answered questions. Stated he went to a training with

her for two weeks in Ohio. He reported that Loki is near Vegas and is flourishing there. Xana is on the tamer side and wants to work all the time. She is trained in tracking and narcotics. Gordon stated he has applied and been awarded grants for the program to keep going. Krein stated that Gordon put in all the work for the grants. Certifications will also be paid with grant money. Krein finished reporting that Sgt. Gordon finished supervisor training and Officer Fink will be heading to training next month. Have extended an offer to a new officer.

Desi LeLeux reported those who attended the Public Officer Training on August 23rd, certificates will be emailed from the Department of Audit to the email you provided. The office has been busy and shorthanded at times. She has been working on the F-66 report that is due September 30th as well as continuing working on the audit. Started the process for interim financing for Phase 2 Sewer and have bonding ordinances that will need to be passed through special meetings. The town has a new website that is live. [www.townofluskwy.gov](http://www.townofluskwy.gov). Working with the IT department on getting everything moved over as quickly as possible. She is checking into trying to keep the domain name for [townoflusk.org](http://townoflusk.org). The reason for the switch is Gov Office raised their prices from \$660 per year to \$4000. And also, in the process of switching all gov office emails as they will expire at the end of the year. She reminded everyone of the power outage schedule for September 17<sup>th</sup> and it will be advertised in the paper.

Todd Skrukud reported that the loader is back up and running and the snowblower has been rebuilt. He touched base with Jim Pontarolo. Received two estimates on the buildings after the hailstorm. He will get those to the insurance company. There are painters coming on the 18<sup>th</sup> to finish painting at the transfer station. He gave an update on the project. Met with HDR last week and walked the project so they can start the process of getting that planned out. Meet with EPA tomorrow on phase 2. He reported they will start draining the pool. He will inspect and sandblast the pool, then crack seal and new paint. He will be looking into the sidewalk concern on 3<sup>rd</sup> street near the post office.

#### Old Business:

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve **Ordinance No. 11-20-740**, An Ordinance Amending Existing Ordinance 11-20-740 at Paragraph (G) to Change the Automatic Annual Rate Increase for Water from Two Percent (2%) to Five Percent (5%), on third reading. Mayor Lytle clarified that the purpose of the increase was because of our debt-to-income ratio to keep qualifying for loans for the infrastructure project. MOTION CARRIED.

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER FILENER, TO approve **Ordinance No. 11-15-410**, An Ordinance Amending Existing Ordinance 11-15-410 at Paragraph (5) to Change the Automatic Annual Rate Increase for Sewer from Two Percent (2%) to Five Percent (5%), on third reading. MOTION CARRIED.

#### New Business:

Livestock permit renewal for Carrie Olson was tabled.

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve the livestock permit renewals for Dean Nelson. COUNCIL MEMBER NELSON ABSTAINED. MOTION CARRIED.

Two proposals were received for interim financing for Phase 2 Sewer: Lusk State Bank and CoBank. LeLeux explained that to use the USDA funds obligated for sewer in the amount of \$747,000 we must go through interim financing, anything over \$500,000. COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER PFISTER, to approve the proposal from Lusk State Bank with a fixed rate of 3.45% with no fees or penalties. COUNCIL MEMBER DOOPER ABSTAINED. MOTION CARRIED.

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve moving the credit cards from Bank of the West to Banner Capital and allow the mayor to apply. COUNCIL MEMBER DOOPER ABSTAINED. MOTION CARRIED.

COUNCIL MEMBER NELSON MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve Resolution No. 23-23, a Resolution Authorizing a Change in Signatory for Bank Accounts and Credit Cards. MOTION CARRIED.

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve and implement the Capital Improvement Plan. MOTION CARRIED.

Ordinances 8-15-120, 8-15-130, and 8-15-150 were tabled to give the council time to research the ordinances.

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER FILENER, to move into executive session for contract and personnel at 6:03p.m. MOTION CARRIED.

The council reconvened into regular session at 6:49p.m.

COUNCIL MEMBER NELSON MOVED, SECOND BY COUNCIL MEMBER DOOPER, to approve Chief Krein to negotiate a contract for the use of the state fueling site and authorize the mayor to sign the contract. MOTION CARRIED.

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER DOOPER, to approve the animal control contract as amended with the increase of wage and sovereign immunity. MOTION CARRIED.

The council thanked Chief Krein and accepted his resignation. The mayor requested to appoint Sgt. Jacob Gordon as interim chief. COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve the mayor's request. MOTION CARRIED.

The next regular Council meeting will be Tuesday, October 3, 2023, at 5:00 p.m. There being no further business to come before the Council, the meeting adjourned at 6:53 p.m.

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Douglas E. Lytle, Mayor

ATTEST:

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Desirae Matthews-LeLeux, Clerk/Treasurer