

MINUTES OF THE REGULAR COUNCIL MEETING
TOWN OF LUSK
JUNE 7, 2022 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 7, 2022.

Council Members Present: Mayor Doug Lytle, Council Members Dean Nelson, Becky Blackburn, Chantry Filener, and Tom Dooper, Council Member Elect Adam Dickson

Also Present: Linda Frye, Clerk/Treasurer
Desirae Matthews-LeLeux, Deputy Clerk/Treasurer
Todd Skrukud, Director of Public Works
Taylor Gaukel, Pool Manager
Royce Thompson, Electric Superintendent/Airport Manager
Attorney Dennis Meier
Chief Bo Krein

Dennis Meier led everyone in the Pledge of Allegiance.

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

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

VOUCHERS FOR PAYMENT

AFLAC	Payroll Deduction	\$764.72
Allbright's True Value	Supplies	\$1,077.21
ALSCO/American Linen	Mat Rental	\$179.34
Baker & Associates Inc.	Groundwater Monitoring	\$2,700.00
BankCard Center 0344	Supplies/Subscriptions/Postage/Election	\$333.44
BankCard Center 2477	Airport Fly-in/Parts & Supplies	\$331.83
BankCard Center 4359	Training/Postage	\$106.10
Bellwood Tree Service	Tree Removal Cemetery	\$825.00
Black Hills Energy	Gas Service	\$962.00
Boldon Diesel Services	Sanitation Dept. Equipment Repair	\$218.48
Boldon Welding & Repair Services	Streets Parts & Supplies	\$57.40
Border State Industries	Electric Parts and Supplies/Line Upgrade	\$5,482.35
Caselle Inc.	Office Support & Maintenance	\$1,100.00
CenturyLink	Phones/Internet	\$1,146.23
Communication Technologies	Police Dept. Radios	\$190.00
Connecting Point	Copier Lease	\$100.00
Barbara Cushman	Lifeguard Training	\$1,100.00

Doyle J. Davies	Municipal Judge/Bond	\$1,170.00
Decker's Food Center	Supplies	\$65.08
Delta Dental Plan	Employee Paid Insurance	\$714.75
Emergency Medical Products Inc.	Ambulance Supplies	\$385.67
Energy Laboratories	Water Samples/Landfill Monitoring	\$3,452.00
Ergon Asphalt & Emulsions Inc.	Streets Sealing Oil & Chips	\$7,055.00
Farwest Line Specialties	Electric Dept. Parts & Supplies	\$150.35
Ferguson Waterworks #1701	Parts and Supplies	\$692.55
Chantry Filener	Fire Dept. New Equipment	\$1,347.10
Franks Parks Company	Parts/Supplies/Repairs	\$3,460.73
Jacob Gordon	Police Dept. K-9 Supplies, New Door	\$124.95
Grainger	Recycling Supplies	\$366.78
Great American Financial Services	Copier Lease	\$311.00
Great West Trust Co	WRS 457 Plan Deferred	\$200.00
Hamilton Associates Inc.	Electric Meters & Equipment	\$275.00
Hawkins, Inc.	Pool Chemicals & Maintenance	\$4,989.72
Bruce Himes	Uniform Reimbursement	\$388.47
Hometown Country	Uniforms	\$95.00
Honnen Equipment	Equipment Repair	\$218.32
Jergenson, Doug	Monthly Wage Animal Control	\$1,400.00
Jerry's Electric	Electric Line Upgrade	\$1,685.00
Jirdon Agri Chemicals	Cemetery Seed/Sod	\$571.50
Caleb Kremers	Ambulance Barn Repair	\$1,214.84
Kurtzer's	Parks Parts & Supplies	\$409.58
Lawson Products, Inc.	Shop Tools & Supplies	\$170.77
Lumen	Phone, Long Distance	\$22.40
Lusk Fire Department	Retirement 4 months	\$600.00
Lusk Herald	Legal Advertising/Advertising	\$2,581.49
Lusk Lodging Tax Board	Tax Distribution	\$2,127.00
LuskWyoming.Com	Public Relations Advertising	\$100.00
Matheson Tri-Gas Inc.	Ambulance Supplies	\$285.44
Meier Building	Rent	\$800.00
Meier Law Office	Monthly Retainer	\$3,000.00
Motorola Solutions Inc.	Fire Dept. New Equipment	\$870.45
Newman Traffic Signs	Street Signs	\$1,228.43
Niobrara Chamber of Commerce	Promotion	\$187.50
Niobrara County Library	Internet Service	\$250.00
Niobrara Co. School District	Rec. Dept. Transportation	\$1,630.61

Niobrara County Treasurer	Communications Contract	\$6,301.50
Niobrara Electric Assoc.	Utilities	\$41.13
Normont Equipment	Street Dept. Equipment Repair	\$1,096.39
Northwest Pipe Fittings of Rapid City	Water Dept. Parts & Supplies	\$3,748.13
One-Call of Wyoming	Tickets	\$27.75
Dick Penfield	Uniform Reimbursement	\$144.96
Peterson Construction	Airport New Concrete	\$2,500.00
QTPod	Airport Annual Fuel Subscription	\$1,425.00
Quill LLC	Office Supplies	\$41.99
R&R Products Inc.	Equipment Repairs	\$368.30
Ranchers Feed & Supply	Supplies	\$228.31
Brett Roetman	Animal Control Ground Spraying	\$210.00
Simplet Turf & Horticulture	Fertilizer	\$930.60
Sinclair, Pine Bluffs	Airport Fuel	\$3,770.00
Kiara Smith	Utility Deposit Refund	\$46.03
TDS Trash Collection	Tipping Fees Transfer Station	\$5,882.69
Torrington Office Supplies	Supplies	\$200.98
Underground Enterprises	Transfer Station Haul	\$1,800.00
USA Blue Book	Street Dept. New Equipment	\$3,327.71
Valley Motor Supply	Parts & Supplies	\$580.34
Visionary Communications Inc.	Internet Service	\$363.48
WAM	Summer Convention 2022	\$460.00
W.M.P.A.	Electrical Power Purchase	\$99,591.94
Robert Wendling	Utility Deposit Refund	\$7.98
Western Medical Management, Inc.	Ambulance Billing Service	\$378.95
Whitaker Oil, Inc.	Fuel & Oil	\$6,608.10
WY Assoc. of Rural Water System	Water Conference	\$179.00
WY Dept. of Revenue	WY Sales Tax	\$5,442.21
WY Dept. of Transportation	Fuel License	\$25.00
WY Dept. of Workforce Services	Worker's Compensation	\$2,037.80
Wyoming Retirement	Government Contribution	\$15,024.87
WY Rural Electric Assoc	WREA Conference	\$83.50
Total Vouchers		\$224,146.22

<u>MANUAL CHECKS</u>	<u>May 2022</u>	
Clerk of District Court, Second Judicial	Garnishment, Writ of Assignment	\$348.56
WY Child Support	Garnishment, Writ of Assignment	\$319.37
Pete Kruse	Per Diem	\$20.00
Royce Thompson	Per Diem	\$20.00
WY Dept. of Workforce Services	Under Reporting since December	\$23.96
PostMaster	Utility Billing	\$270.68
Clerk of District Court	Garnishment, Writ of Assignment	\$348.56
WY Child Support	Garnishment, Writ of Assignment	\$319.37
Rory Norberg	Per Diem	\$20.00
Stuart Coxhead	Per Diem Training in Fort Collins	\$294.75
Royce Thompson	Mileage	\$121.68
Taylor Gaukel	Mileage & Per Diem Pool Manager Certification	\$290.70
	Total	\$2,397.63

Visitors:

Mayor Lytle asked for Public Comment on the 2022-2023 Fiscal Year Budget.

There was none.

Department Updates:

- Taylor Gaukel reported that the pool is open and everything is going well. There are seven lifeguards and there are a couple more applications.
- Royce Thompson – Reported on the Airport Fly-In, which was a great success. There were approximately 30 Airplanes and 20 plus Cars. Electric Department will schedule a pole change out sometime in October, and will be doing some pole testing prior to the change out.
- Chief Krein – He gave a report on the incidents for May. The speed sign will be moved off the overpass and possibly be placed on the southside of Town. The first round of clean-up letters has been mailed. Clean up week will be June 17th through the 25th. K-9 Loki participated in the 2023 USPCA regulations. He received the Trophy for top dog tracking. Ambulance is looking for a “skid” for the side by side, which is a cot and seat to transport patients.
- Linda Frye – The Town office has been working on the budget, with Desirae doing most of the work. We have hired Samantha Eddy for the Deputy Clerk position and she will be starting Monday the 13th. The applications for the Phase III infrastructure project are due and will be delivered to the Office of State Lands & Investment tomorrow.
- Todd Skrukud – Director of Public Works informed the Council on the cemetery, parks, streets and water projects. The State did some painting of strips and did not do the lanes on main street. Todd will look into getting this done. The infrastructure project is moving forward with streets south of 5th street should be paved by Friday, Linn, Barrett & Pine Streets should be getting pavement next week. Diamond Street is receiving curb & gutter. There was a discussion on the condition of the golf course. Mayor Lytle instructed Todd

to find someone to look at the board for the irrigation system. Todd stated he would talk to Sean Duffy tomorrow and will call around to see if they can get someone here to look at the board.

Visitors Kate Duffy, Carrie Olson and Etta Patterson joined the meeting. They were at the meeting to request the Homemakers be allowed to use the community garden. The purpose would be to serve the community. There was a discussion on how it would be handled, and in the past water was the issue. Ms. Duffy stated that they would have to approach the Homemakers Council for help with this. Mayor Lytle stated that the community garden was removed, but it does have water and a couple of raised gardens. Ms. Duffy stated that the Homemakers purpose is to serve the community. Council Member Dooper asked if the property could be leased? Attorney Meier gave a brief history on the property and how the Town came to acquire it. Mayor Lytle told the Node Homemakers to come back to the Council with a complete proposal.

Old Business:

The Third Reading of the fiscal year budget 2022-2023 was presented to the Council. The Third Reading has a revenue of \$26,741,834 and expenditures of \$26,741,837, making a balanced budget. COUNCIL MEMBER BLACKBURN MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve the third reading of the 2022-2023 fiscal year budget. MOTION CARRIED.

COUNCIL MEMBER NELSON MOVED, SECOND BY COUNCIL MEMBER BLACKBURN, to approve Ordinance No. 11-5-120, An Ordinance amending existing Ordinance No. 11-2-120 to Clarify Container Type, Placement and Usage for Garbage and Refuse. Second Reading. MOTION CARRIED.

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve Ordinance No. 11-5-150, An Ordinance Amending Existing Ordinance No. 11-2-150 to Include Flooring Materials and Shingles to the List of Refuse Which is Not Allowed in Garbage Containers and Requiring Same to be Taken to the Solid Waste Transfer Station. Second Reading. MOTION CARRIED.

COUNCIL MEMBER BLACKBURN MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve Ordinance No. 11-15-410, An Ordinance Amending Existing Ordinance No. 11-15-410, Which Establishes Amended Sewer Rates to Consumers Utilizing the Sewer System of the Town of Lusk. Second Reading. MOTION CARRIED.

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve Ordinance No. 11-20-740, An Ordinance Amending Existing Ordinance No. 11-20-740 to Increase the Minimum Water Usage Rates for Each Category. Second Reading. MOTION CARRIED.

COUNCIL MEMBER NELSON MOVED, SECOND BY COUNCIL MEMBER BLACKBURN, to approve the Vistabeam Agreement as amended, to take out the word exclusively in paragraph two and allow the Mayor to sign the agreement when this is done. MOTION CARRIED.

There was a discussion on the interim financing for the infrastructure project Phase I. Four banks submitted proposals for the Council's consideration, which are Points West Community Bank, Live Oak Bank, Cobank, and Banner Capital Bank. COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve the proposal presented by CoBank of Greeley, Colorado for interim financing for Phase I of the infrastructure project. MOTION CARRIED.

Town Attorney Dennis Meier administered the Oath of Office to Mayor Elect Douglas Lytle, Council Member Elect Chantry Filener and Council Member Elect Adam Dickson.

There will be cake for Becky Blackburn after the meeting thanking her for her time on the Council.

New Business:

Mayor Lytle requested the Town Council approve the following appointments:

Director of Public Works Todd Skrukurd
Town Clerk/Treasurer Linda Frye until June 17th and Desirae Matthews-LeLeux at the end of the day on June 17th, 2022
Chief of Police Bo Krein
Town Attorney Meier Law Office & Associates
Municipal Judge Doyle Davies

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve the Mayor's appointments. MOTION CARRIED.

Mayor Lytle asked for nominations for Mayor Pro-Tem. COUNCIL MEMBER FILENER moved to nominate COUNCIL MEMBER TOM DOOPER as Mayor Pro-Tem, SECOND BY COUNCIL MEMBER NELSON. There were no other nominations. COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER DICKSON, that nominations cease. COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve the nomination of COUNCIL MEMBER DOOPER for Mayor Pro-Tem. Mayor Lytle abstained. MOTION CARRIED.

COUNCIL MEMBER NELSON MOVED, SECOND BY COUNCIL MEMBER DOOPER, to approve the Pasture Lease Renewals for J.V. Boldon and Willis Stallman. MOTION CARRIED.

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve the Commercial Building Lease for Dennis C. Meier, d/b/a Meier Building. MOTION CARRIED.

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER DOOPER, to approve the Livestock Permit Renewal for Royce Thompson and new Livestock Permit for Randy & Cindy Starkey. MOTION CARRIED.

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER NELSON, to approve the Open Container Permits for Niobrara Electric Association at Northside Park, Adult Softball at Northside Park, & Todd Skrukud at Washington Park. Mayor Lytle abstained. MOTION CARRIED.

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER DICKSON, to approve the Engagement Letter from Carver, Florek, & James, CPA's to audit the financials of the governmental activities for fiscal year ending June 30, 2022. MOTION CARRIED.

COUNCIL MEMBER NELSON MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve Resolution No. 22-5 CCL Application, Resolution No. 22-6 CWSRF Application, & Resolution No. 22-7 DWSRF for Phase III of the infrastructure project. MOTION CARRIED.

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER DOOPER, to approve Resolution No. 22-09, A Resolution Authorizing Transfers in the 2021-2022 Fiscal Year Budget to Comply with Wyoming State Statute 16-4-108, Limitation on Expenditures or Encumbrances, Documentation of Expenditures; and Revenues Collected not Foreseen. MOTION CARRIED.

COUNCIL MEMBER NELSON MOVED, SECOND BY COUNCIL MEMBER DICKSON, to approve Resolution No. 10, A Resolution Authorizing a Change In Signatory for Bank Accounts at Bank of the West, Lusk State Bank and Wyoming Government Investment Fund, effective June 17th, 2022. MOTION CARRIED.

COUNCIL MEMBER NELSON MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve the Archive Social Annual Renewal for the coming year. MOTION CARRIED.

The Town received one bid for the property on S. Pine Street in the amount of \$6,500 from Ty Thompson. COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER NELSON, to accept the bid for the S. Pine Street property from Ty Thompson in the amount of \$6,500. MOTION CARRIED. COUNCIL MEMBER DICKSON MOVED, SECOND BY COUNCIL MEMBER FILENER, to authorize Mayor Lytle to sign the deed for the sale of S. Pine Street Property on behalf of the Town. Mayor Lytle abstains. MOTION CARRIED.

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER DICKSON, to move into executive session for contracts and personnel matters at 6:00 p.m. Mayor Lytle, Council Members Dickson, Filener, & Dooper voted aye. Council Member Nelson voted nay. MOTION CARRIED.

The Council reconvened into regular session at 6:45 p.m.

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER NELSON, to rescind the Town's counter offer to Gregg & Danny Matney for lot #3 in the Business Park in the amount of \$30,000.00. MOTION CARRIED.

COUNCIL MEMBER FILENER MOVED, COUNCIL MEMBER DOOPER SECOND, to authorize the Mayor to sign a contract with HirstApplegate Wyoming Attorneys & pay the bill forth coming. MOTION CARRIED.

COUNCIL MEMBER DICKSON MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve for the Police Department to put two vehicles on Big Iron Auction. MOTION CARRIED.

The next regular Council meeting will be Tuesday July 5, 2022 at 5:00 p.m.

There being no further business to come before the Council, the meeting was adjourned at 6:48 p.m.

Douglas E. Lytle, Mayor

ATTEST:

Desirae Matthews-LeLeux, Clerk/Treasurer