STATE OF WYOMING July 13th, 2023

COUNTY OF SWEETWATER

TOWN OF SUPERIOR

Mayor D. Wolf called the meeting to order, and the pledge of allegiance was recited.

Council members present were Mayor D. Wolf, Councilor J. Ruby, Councilor J. Pasborg, Councilor N. Root and Councilor R. Niemiec.

APPROVAL OF AGENDA

Moved by Councilor J. Pasborg to approve the agenda for July 13th, 2023; seconded by Councilor N. Root. Motion carried unanimously.

APPROVAL OF MINUTES

Moved by Councilor J. Pasborg to approve the minutes for the June 22nd 2023 council meeting; seconded by Councilor N. Root. Motion carried unanimously.

APPROVAL OF BILLS

Moved by Councilor J. Pasborg to approve the bills against the town for July 13th 2023, and payroll for July 3rd 2023.

VISITORS

Mayor D. Wolf stated that there were quite a few visitors and the agenda may need to be moved around a little bit.

ORDINANCES AND RESOLUTIONS

Clerk A. Vaughn stated that she fixed everything that needed to be fixed with the chicken ordinance. Mayor D. Wolf stated that he went over it and it looked ok to him and asked council if they had any discussion about it. Theressea Wolf asked if they knew how many people in town currently had chickens and rabbits. Mayor D. Wolf stated that they were working on that but they were taking it slow and didn’t want to snoop in people’s yards. There was some general discussion on this. Councilor R. Niemiec made a motion to revise ORDINANCE 2018-1072 AN ORDINANCE FOR THE TOWN OF SUPERIOR WYOMING SWEETWATER COUNTY WYOMING ALLOWING THE KEEPING OF RABBITS AND CHICKENS; seconded by Councilor J. Ruby. Motion carried unanimously. The wrong ordinance was read so Council stated that it would need to be read again. Councilor R. Niemiec made a motion for ORDAINCE 2023-1086 to revise AN ORDANINCE FOR THE TOWN OF SUPERIOR WYOMING SWEETWATER COUNTY WYOMING ALLWOING THE KEEPING OF RABBITS AND CHICKENS; seconded by Councilor J. Ruby the motion carried unanimously. Mayor D. Wolf stated that the next one is for the Town accepting First bank as their bank. Mayor D. Wolf read the following. The town of Superior accepts First Bank to be their bank for the town and the town has petty cash in the amount of 400 to be used for postage, money orders etc. and has receipts for all transactions. Disclosure statements were turned in by all the council members. Clerk A. Vaughn stated the second page had to be read. Mayor D. Wolf read the following “I have received per Wyoming statute 6-5-118 a disclosure statement from Council members Nikki Root, James Pasborg, Jeremy Ruby, Rick Niemiec, Clerk/Treasurer Anita Vaughn and myself and the statements will be made part of the permanent minutes.”

OLD BUSINESS

1. Mayor D. Wolf asked council if they had a chance to look at the quote for the fencing around the sewer lagoons. He also stated that the total bid was for 47,028.69. Councilor J. Ruby asked if that was just for the fence. Mayor D. Wolf stated that it’s pricey but you have to think it’s around a lagoon so right now it has hardly any fence and it’s a real liability. There was some general discussion on this. Mayor D. Wolf stated that he is on the board with specific tax and they had a meeting and the question he asked was if the town has the money and it’s a small project if they could pay for it could they get reimbursed and the bond attorney said yes that’s fine they just have to fill out reimbursement forms. Mayor D. Wolf stated that they could go ahead and do some of the stuff they need to do. He stated that he asked for 240,000 dollars up front for the media and scata. Mayor D. Wolf stated that they should be fine until October to wait on that. Mayor D. Wolf stated that he is confident that they’re good as long as they keep up with the backwashes. Councilor N. Root asked if that would cover the media, scata and the sewer lagoon fence. Mayor D. Wolf stated that it would. Councilor J. Pasborg asked if it would be a substantial amount of time before they would get reimbursed. Mayor D. Wolf stated that the first deposit should hit the bank October 14th 2023. There was some more discussion on this. Mayor D. Wolf stated that they could think about it and then come up with a decision next meeting. Councilor N. Root stated that she would like to see where they could take it. Clerk A. Vaughn stated that this quote was good for 15 days. Mayor D. Wolf stated that he thinks that this guy wants their business so he thinks that they will be fine if it takes longer.
2. Rental house applications. Mayor D. Wolf asked council if they had a chance to go over the rental house applications. Councilor N. Root stated that she needed to recuse herself because she had a family member applying. Councilor J. Ruby stated that he had a family member applying also.
3. Ongoing projects update. Mayor D. Wolf asked the visitors if anyone had any questions or concerns. Theressea Wolf stated that the road had a lot of ruts after the last rain that they got and the culvert was blocked with mud and asked if there was anything the employees could do to help out with that and stated that she thought maybe if when they are doing the hydrants they could try to blast some water through there. Councilor J. Ruby stated that they should look at all the culverts. Mayor D. Wolf stated that was supposed to be one of the projects they worked on this summer but they had been tied up. Mayor D. Wolf stated that they were also down a guy and stated that Leroy the water guy put in his two weeks notice. Mayor D. Wolf stated that they had it out on indeed. There was some discussion on how much the pay should be and Council agreed they definitely didn’t want to lower it. Councilor J. Pasborg stated that they are having a problem with trying to compete with wages because the amount of work they have they could go somewhere else and make twice the money that they offer. Councilor J. Pasborg stated that he agreed with Dominic and if they find someone that is moving forward and making an effort to get all these licenses they shouldn’t give a restriction. There was a question about who was in charge of the water. Mayor D. Wolf stated that they are very fortunate because Candy Smith and Amber George keep their water license and Leroy was learning and going towards getting his. Mayor D. Wolf stated that they have to keep two water operators that are certified and luckily they have two that are local. Mayor D. Wolf stated that it’s unfortunate that they have to look out of town for people because most people don’t want to come out. Mayor D. Wolf also stated that Travis was working on his sewer license and would be working on getting his water license also. There was a guest that asked when they would be talking about the land that Ozzie was interested in and stated that they had been working on it for years. Mayor D. Wolf asked the guest to tell everyone who he is. The guest introduced himself to Darwin Merrit and stated that he moved to Superior last May. Councilor J. Ruby stated that he was unaware that this had been going on for multiple years and asked when the first discussion on this was. Councilor J. Pasborg stated that the first discussion was about B Hill. Councilor J. Ruby stated that the problem he could see with selling it outright and them offering money and them accepting it was they can’t just accept a deal from anybody. Councilor J. Ruby stated that because it’s town property there is a process and they have to decide whether they are going to split it up or put it up for bid as a whole. Councilor J. Ruby stated that either way the land has to go up for bid. Councilor J. Pasborg stated that it’s way harder to sell a piece of property that the town owns than if it’s an individual and stated that they have to put it up for bid in the paper for so many days. There was a guest that asked if when they received the bid did they put additional bids out on the street or if it went from decimating the bid and deciding to split it into lots. Councilor J. Pasborg stated that they had been discussing splitting the lots for a long time. The guest asked if that was before or after they asked him to submit a bid. Councilor J. Ruby stated that he didn’t think that they had ever asked him to submit a bid. Council stated that they told him the process. Lynn Young asked how much of the property was usable to put a home on and asked if they tried to subdivide from her understanding it’s all undermined and you can’t put any kind of housing on it. She also asked how the town is going to sell something and not have usable property on top of that they would have to take the water and sewer change the municipality and asked where the money would be coming from. Councilor J. Ruby stated that on the sewer part he was thinking that they wouldn’t do sewer if they divide it up. Lynn stated that it was her understanding that if they extended the municipality, they would be responsible for the sewer and water. Councilor J. Ruby stated that if they do make it part of Superior then they would have to. Councilor R. Niemiec stated that the only thing they have out there right now. Councilor J. Pasborg stated that he thought there was a misunderstanding between building a subdivision and dividing property and stated that he didn’t want the expense of building a subdivision. There was as question on how many acres they could do for each lot. Mayor D. Wolf stated that he mentioned at the last meeting that it had to be so many acres and then it gets turned into a subdivision. Councilor J. Ruby stated that it was 34 acres. Councilor J. Pasborg and Councilor N. Root missed that meeting. There was another question from a guest about how much of the land was usable. Mayor D. Wolf stated that he has an appraiser from Pinedale helping him out and they are getting land records with AML Mayor D. Wolf stated that a lot of the mines went straight back or straight another way so right there isn’t undermined too much, but they just want to make sure that it’s not and it’s going to be a process. Mayor D. Wolf stated that he spoke with AML two days prior, and it was going to take them a little bit to archive what is back where they are planning to do that. Lynn asked if they had an accurate map and Mayor D. Wolf stated that AML has one and they know where the tunnels were. Mayor D. Wolf stated that he would be getting the appraisal, but he doesn’t agree with subdividing he would want to sell it as a whole. Lynn stated that her husband and herself were in agreement with selling as a whole and her husband was working graves and couldn’t make it, but he had written a note for council. She stated that a lot of them have cars sitting in their yard and they swear they’re going to fix them up and 90% of the time they sit in the yard and rust right out and she feels the same about this property it’s an idea and she would love to see new people come to town but she would not love to see them come to town in that area and she would like to see them extend the municipality to property that is actually usable that is not undermined and would be property to build and raise families on and she doesn’t feel like that property is it and she thinks that it would be a money pit and it would be to costly to drag everything they need onto that property she doesn’t feel it would be worth it. Councilor J. Pasborg stated that they wouldn’t be the ones to fix it if there was undermining they would turn it into the AML and they would come out and there is money set aside for stuff like that. Councilor J. Pasborg stated that he knows how long the town has owned this property and this is the only city council that has stepped up to do anything with it. He also stated that it’s been over 25 years. There was some debate between Councilor J. Pasborg and Ozzie Sr. about who owned the property before the town. Ozzie Sr. Also stated that council claimed that this hadn’t been going on for years and asked Councilor J. Pasborg why he had a man up there a couple years ago showing him where he could put horse corrals and also stated that is illegal as part of the council. Councilor J. Pasborg stated that was a friend of his from out at work and the guy had his kids running around looking at old bottles and cans and he told Ozzie Sr. that it was not a business deal. Councilor J. Pasborg stated that Anselmni donated that property to the town for a tax right off. Ozzie stated that Jon Anselmni was a good friend of his and he would come to the house and talk to him. Councilor J. Pasborg stated that he was a good friend of his father also. Councilor J. Ruby stated that his thought process on it al was that he would like to see more families come into this town that’s it. He also stated that the population of the town of Superior has cut in half in the last five years. Clerk A. Vaughn stated that census was off and there were several communities in the state of Wyoming because people didn’t send in their forms. Councilor J. Ruby stated that even if it was off he would still like to see families come in and he would still like to see the land split up into about 4 lots and if nobody wants it the Knezovich family is more than welcome to bid on all 4 of them and he would just like to see it be an option. Lynn Young asked if they could expand the municipality in a different direction to something more useable. Councilor J. Ruby stated that they already own that land. Lynn stated that they did but that it would cost so much to run sewer out and all the other stuff. Mayor D. Wolf stated that he understands where Councilor J. Ruby is coming from but stated that the last meeting he mentioned if they want growth they need to do a trailer park. Councilor J. Ruby stated that he thinks that is a great idea too. Mayor D. Wolf stated that the town needs revenue. Mayor D. Wolf stated that they had discussed the cost they would have to get bigger pumps and all that. A guest mentioned that if they spend all that money some of those lots wouldn’t even be usable. Mayor D. Wolf stated that Jess Ozzie’s granddaughter is here and asked if she had anything. She stated that her dad Ozzie Jr. couldn’t be there tonight but he did have a letter for her to read in his place and she stated she would give it to the clerk and she stated that she would also address the Council herself. Jessica read the following. Mayor and Council after two years discussing the purchase of this land, on March 9th, 2023 I came before you and informed you I wanted to purchase the approx. 65 acres adjoining my father’s house. I will not go into all that was said in that meeting as they are o record other than these points. 1. I advised this council what my offer would be $100,00 which equates to $1,538.00 per acre. 2. According to the minutes of that meeting I stated: I know what property I am buying, and I know that 60% of it is unusable. The land is undermined, mostly hillside with drainage that cannot be changed without considerable work and permitting. 3. Councilor Pasborg acknowledged the fact that the land is heavily undermined: “Councilor J. Pasborg stated that when they go to build their house getting a building permit from the town of Superior is going to be easier than getting one from the county because otherwise you have to meet their standards and you would probably have to prove to them to make sure you’re not building over a void.” 4. This council assured us that the process for us to purchase the land would go through Council, I have taken your word concerning this purchase since these talks started in 2021. From the March 9th minutes “Ozzie stated that he understands the process that they have to go through and his request is hopefully they will get the hoops going. Councilor J. Pasborg told Ozzie that it would move forward. Councilor N. Root stated that she thinks the first step for them despite what they decide is a written offer. Ozzie’s daughter asked about the process and how long it would take. Councilor N. Root stated that she thought it would be about 6 months. Ozzie’s daughter asked why they had waited for a year already. 5. During this time we have offered to trade acreage and purchase the land in question. On 8/17/2021 my father informed this council that we would be willing to trade 8 acres we have downtown for a portion of the 65 acres. From the minutes: “Councilor J. Pasborg stated that if they were going to make some kind of swap the land would need to be something that they could use, so he would go check it out and see what he thought about it.” 6. During this time the price of the land has changed multiple times: 5/12/22 Minutes “There was some more discussion about where this property was and what the town owns. Councilor R. Niemiec stated that if they got a fair market price for it which he was thinking 1,000 an acre. Clerk A. Vaughn stated that the average cost of land in Wyoming right now is $660 dollars an acre undeveloped. 7. This experience has made something perfectly clear; this council doesn’t really know where the land they own is (Councilor R. Niemiec didn’t know where B Hill was nor the boundaries of the land in question are), what its terrain is, nor what the terrain of the 8 acres we offered in trade really consist of, which is the same terrain as the land we want to purchase). 5/12/22 meeting minutes: “Councilor J. Pasborg stated that he felt that he was giving them a hill and they were giving him flat property.” 8. On 7/14/2022 my daughter Jessica Knezovich approached this council about purchasing the 25 acres on B Hill. Councilman Pasborg assured her he would work to get this done. The council would change their mind the next meeting and decide to subdivide B Hill. 9. After telling us to put our bid in at the March 9th 2023 meeting, the council would do the same to me and my wife and break their word to us and decide to subdivide the North Superior property. According to what I have been to the reason for this change of heart being Councilman Pasborg stating that our offer was “no money at all”. I find this very disturbing due to the Councilman Pasborg knowing what our offer would be and telling us that Council would move forward on the process to purchase the land as a result of the March 9th council meeting. If our offer was “no money at all” why not just tell s that on March 9th? Why tell us that he would move this process forward? Why not just be honest with us? In closing I state at the April 13th, 2023 meeting this experience has deepened my lack of trust in elected officials. It reminds me of the untruthful liberal politics I had to deal with for nearly 17 years as Sheriff. Over the past two years my wife and I took this council at its word and made our retirement plans around the purchase of this property. Only to watch this council go back on its word multiple times, to watch this council take friends and family out and show them these properties, (something that is highly unethical if not illegal), to literally come to a coundil meeting in the same vehicle with a person, April 13th 2023, ( a person who I’ve been told was their sister), and to then prompt that individual to speak agains and belittle us for wanting to purchase land which has been part of our family’s experience for 75 years. Council, we have done as you requested, and we are willing to pay you more for this land than what it is worth. A point recently driven home to me by the title company researching the true boundaries of the property in question, and I quote: “Ozzie you’re crazy if you pay more that $650 and acre for that land”. Interesting on how the $650 mentioned here is similar to the $660 mentioned in the 5/12/22 minutes. I leave you with these questions: 1. How are you going to get around State law which states this land cannot be broken into plots less that 35 acres without proper fire protection and planning? 2. Are you going to fully disclose to would be buyers, (which it appears are your friends and family), this land is heavily undermined, basically hillside and drainage, and having boundaries which are incorrect and will be contested? 3. Where did this council get their authority to dictate how much land a person can purchase? Jessica stated again that this letter is from her father Ozzie Knezovich to this council. Jessica Knezovich stated that she did ask Council about purchasing some land on B Hill and it went to subdividing and there is a letter to them from her dad that said they want to purchase out North Superior. She stated that she knows her dad isn’t there but they want to be part of this community and they want to give back to this community. The recorder filled up at this point and did not continue to record so the remainder of these minutes will be completed using the notes of the Clerk. It was pointed out that the process of opening it up for bid doesn’t guarantee that the Knezovich family would be the highest bidder. There was a lot of discussion on this and there will need to be clarification on the whole process, especially before the next meeting. Councilor J. Ruby and Councilor J. Pasborg expressed that they are in no way trying to keep the Knezovich family from being a part of our community and they hope that in no way have they gotten that impression. Councilor J. Pasborg states that they need to hear from all the people who showed up. Visitors Tom McCune, Troy Smith, Bert McCune, Lynn Young, and Darwin and Sandra Merrit were all against the idea to subdivide the property. Mayor D. Wolf stated that on that note they need to focus on infrastructure. There was more discussion about population and the money that is received based on that. There was some more discussion on the 34 acres and Councilor R. Niemiec asked for clarification. Mayor D. Wolf explained. Theressea Wolf asked if there would be a cost for the dry campground. Mayor D. Wolf stated that it would be minimal. Mayor D. Wolf stated that the County Commissioners and Travel and Tourism want to see the dry campground happen so they are willing to help. Bert McCune asked about law enforcement presence and Mayor D. Wolf stated that all we have to do is ask for it. Councilor R. Niemiec asks if they can table it until they get a survey done. Councilor J. Ruby thanked the public for their input. Mayor D. Wolf states that they need to continue to move forward. Councilor J. Pasborg stated that they had been talking about it for a long time and kept hitting brick walls and also stated that now knowing about the 34 acres thing it does change his opinion and again told the Knezovich family that his intention was never to nor would he ever try to block them. Councilor J. Ruby stated that the people want to sell it as is a whole which changes his mind. Mayor D. Wolf asks for opinions on the trailer park. Mayor D. Wolf spoke about this to everyone. Councilor R. Niemiec stated that the trailer park would be nice. Terry Moe asked if the trees that were planted would be fenced. Mayor D. Wolf stated that yes they would. Mayor D. Wolf asked Jessica Knezovich if she was feeling better about this.

DEPARTMENT REPORTS

Moved by Councilor J. Pasborg; seconded by Councilor J. Ruby. Motion carried unanimously.

EXECUTIVE SESSION

ADJOURNMENT

Moved by Councilor J. Ruby; seconded by Councilor J. Pasborg the meeting was adjourned at 8:52 p.m.

**BILLS TO BE PAID:**

**CLAIMANT Amount Approved Goods/Services Provided & Purpose**

AMAZON $159.19 P & S

BLUE CROSS BLUE SHIELD $2,482.92 MONTHLY PREMIUM

CARD SERVICES/ DOMINIC $816.98 P & S

CARD SERVICES/ TOWN $1,895.24 P & S

CARD SERVICES/ LEROY $250.35 P & S

CENTURY LINK $111.79 UTILITY

CENTURY LINK $101.15 UTILITY

HOMAX OIL SALES, INC. $386.09 UTILITY

INTERNAL REVENUE SERVICE $4,098.06 MONTHLY PAYMENT

ROCKY MOUNTAIN POWER $3,140.16 UTILITY

ROCK SPRINGS ACE HARDWARE $562.27 P & S

ROCKY MOUNTAIN AIR SOLUTIONS $148.68 P & S

SAGE ELECTRICAL SOLUTIONS $585.00 C & P SERVICES

SHADOW MOUNTIAN WATER $30.50 P & S

SWEETWATER COUNTY HEALTH DEPT. $75.00 C & P SERVICES

TIMBERLINE ELECTRIC $815.00 C & P SERVICES

TOWN OF SUPERIOR EMPDED $946.32 MONTHLY DEPOSIT

TOWN OF SUPERIOR RESERVE $1,449.99 MONTHLY DEPOSIT

TOWN OF SUPERIOR WATER/SEWER $2,088.00 MONTHLY DEPOSIT

UNITED SITES SERVICES $313.65 C & P SERVICES

U.S. BANK $117.54 P & S

VERIZON $80.73 UTILITY

WATERS EDGE SERVICES $1,587.50 C & P SERVICES

WINSUPPLY $15.48 P & S

WYOMING WORKER’S COMP. $501.63 MONTHLY PAYMENT

WYOMING DEPT. OF AGRICULTURE $100.00 RENEW FOOD LICENSE TOWN HALL KITCHEN

WYOMING RENTS $3,695.00 P & S

WYOMING WASTE SERVICES $210.69 C & P SERVICES

PAYROLL: MARCH 13TH, 2023

Kage Keifer $736.00 Travis Wagner $1,730.40

Donna O’Banion Taebel $624.00 Amanda Souther $382.25

Ross Sheely $1,266.09 Anita Vaughn $1,387.41

Teresa Stolt $144.10 LeRoy Winters $1,812.80

ATTEST:

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Town Clerk Mayor