

MINUTES OF THE REGULAR COUNCIL MEETING  
TOWN OF LUSK  
September 3, 2024, 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 3, 2024.

Council Members Present: Mayor Pro Tempore Tom Dooper, Council Members Chantry Filener, Ron Pfister, and Justin Bo Krein

Absent Members: Mayor Douglas Lytle

Also Present: Attorney Dennis Meier  
Todd Skrukrud, Public Works Director  
Desirae Matthews-LeLeux, Clerk/Treasurer  
Jacob Gordon, Police Chief  
Taylor Willis, Deputy Clerk/Treasurer  
Trevor Barner, Golf Course Superintendent  
Mike Mayville, EMS Director  
Doug Jergensen, Animal Control  
Bruce Perryman and Dave Bumann, AVI Engineering  
Dale Canepa, Oftedal Construction  
Brandie Collins, Lusk Herald

Desirae LeLeux led everyone in the Pledge of Allegiance.

MAYOR PRO TEM DOOPER called the meeting to order at 5:00 p.m.

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER KREIN, to approve a consent agenda for item numbers three (3) through six (6). Items on consent agenda: Agenda, Bills, Payroll, Treasurers report, Minutes. MOTION CARRIED.

VOUCHERS FOR PAYMENT

14 County Tire	Street Vehicle Repair	\$25.01
Aflac	Payroll Deduction	\$848.20
AG Flyers	Mosquito Spraying	\$5,000.40
Allbright's True Value	Supplies	\$1,692.49
ALSCO	Mat Rental	\$96.90
APT US &C	Membership Renewal	\$259.00
Aquaflow Int'l, Inc	Yearly Maintenance and Software	\$1,598.00
AT&T Mobility	PD Phones/Tablets	\$445.75
Bartschi, Felicia	Utility Deposit Refund	\$35.79
Bauerkemper's Inc	Cemetery Equip Repair	\$89.06
Benzel Pest Control, Inc	Spraying Hahn Cabin	\$190.96
Border State Industries Inc.	Electric Parts/Supplies/Line Upgrade	\$1,411.64
Caselle Inc.	Office Support & Maintenance	\$1,360.00
Century Link	Phone Services	\$1,214.25

CNA Surety	Insurance Bond	\$350.00
Connecting Point	Copier Lease/Fees	\$650.99
Doyle J. Davies	Municipal Judge/Bond	\$1,000.00
Decker's Food Center	Supplies	\$370.47
Dell Marketing L.P.	Ambulance/PD Cyber Security	\$19,595.86
Delta Dental	Employee Dental Insurance	\$1,021.50
Ferguson Waterworks #1116	Water parts/Supplies	\$6,330.00
Fisher Roofing & Restoration	General Building Upkeep	\$27,641.00
Franks Parts Company	Parts/Supplies/Repairs/Fuel/Oil	\$1,932.91
Great American Financial Services	Copier Lease	\$100.00
Harberts, Michael	IT Services	\$980.00
Herren Bros. True Value	Golf Course New Equip	\$48.15
Ideal Linen/Bluffs	Parts/Supplies	\$592.20
IRBY	Electric Parts/Supplies	\$1,567.50
Jergenson, Doug	Monthly Wage Animal Controls/Supply Reimbursement	\$1,565.00
K-9 Working Dogs International LLC	K-9 Training	\$3,295.00
LeLeux Enterprise, LLC	Golf Course Pro Shop	\$3,000.00
Lumen	Phone, Long Distance	\$21.77
Lusk Herald	Legal Advertising/Advertising	\$1,219.76
Lusk Lodging Tax Board	Tax Distribution	\$8,679.01
M.C. Schaff & Associates, Inc	Airport Flyers	\$250.00
Matheson Tri-Gas Inc	Ambulance Supplies	\$55.73
Meier Building	Rent	\$800.00
Meier Law Office	Monthly Retainer	\$3,000.00
Midkiff Water Well Service	Golf Course Repairs	\$2,048.38
Newman Traffic Signs	Street Signs	\$456.88
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	\$48.89
Normont Equipment Company	Cemetery/Parks Parts/Supplies	\$279.28
Northwest Pipe Fittings, Scottsbluff	Parks Irrigation Repairs	\$119.80
One-Call of Wyoming	Dig Tickets	\$32.25
Prestige Flag	Golf Course Parts/Supplies	\$202.74
Ranchers Feed and Supply	Parts/Supplies	\$272.23
Sinclair, Pine Bluffs	Airport Fuel	\$5,226.00
Stotz Equipment	Golf Course Equip Repair	\$1,417.00

Stryker Sales, LLC	PD New Equip	\$900.00
TDS Trash Collection Serv.	Tipping Fees	\$4,561.59
Terex USA, LLC	Electric Equip Repair	\$619.55
Timber Line Electric & Control	Water Maintenance/Repairs	\$1,895.00
Tollman, Rhonda	Notary Renewal Reimbursement	\$271.95
Torrington Office Supplies	Supplies	\$2.89
Underground Enterprises	Transfer Station Fees	\$2,625.00
USA Blue Book	Water Supplies	\$317.95
Visa 0681	Subscriptions/Supplies/ New Equip/ Training	\$3,344.05
Visa 0707	Uniforms/K-9/Supplies/ Subscriptions/ Postage/ Fees	\$187.40
Visa 0715	Ambulance Emergency Coverage	\$850.00
Visionary Broadband	Internet Service	\$562.80
W.M.P.A.	Power Purchase	\$114,854.40
West, Brett	Utility Overpayment Reimbursement	\$38.91
Western Medical Management	Ambulance Billing Fees	\$1,047.32
WY Dept of Revenue	Uniform Assesment	\$183.00
WY Dept of Transportation	Fuel Purchase/ Airport Project	\$3,132.27
WY Dept. of Workforce Services	Worker's Compensation	\$2,374.24
WY Educators Benefit Trust	Employee Insurance	\$32,743.00
WY Secretary of State	Notary Renewal- LeLeux	\$60.00
Total Vouchers		\$285,748.07

<b><u>Manual Checks, August 2024</u></b>		
Circuit Court of Niobrara County	Writ of Wages, Garnishment	\$ 372.02
Circuit Court of Niobrara County	Writ of Wages, Garnishment	\$ 626.23
Wyoming Child Support	Writ of Wages, Garnishment	\$ 307.84
Lashmett, Justin	Cody Hotline School- Per Diem	\$ 414.00
AVI PC Engineering	Engineering Fees	\$ 65,578.84
Oftedal Construction, Inc	Contractor Payment	\$ 293,767.56
R&R Products Inc	Golf Course New Equip/Equip Repair	\$ 325.85
Century Link	Phone Service	\$ 118.35
Chevallier, Patricia	Ambulance Overpayment Refund	\$ 106.69
Norberg, Rory	Per Diem Water Samples	\$ 20.00
Postmaster	Utility Billings	\$ 353.66
United Healthcare Insurance	Ambulance Overpayment Refund	\$ 334.28
Circuit Court of Niobrara County	Writ of Wages, Garnishment	\$ 353.99
Wyoming Child Support	Writ of Wages, Garnishment	\$ 307.84
	<b>Total</b>	<b>\$ 362,987.15</b>

<b><u>ACH - August 2024</u></b>		
Lusk State Bank	Health Savings Account	\$ 6,125.07
Elevon	Office Credit Card Fees	\$ 334.74
Wyoming Retirement System	Government Contribution	\$ 17,102.89
Xpress Bill Pay	Online Bill Pay Fees	\$ 119.00
Verizon Wireless	Ambulance Phones	\$ 89.62
Deluxe Check Order	Deposit Books	\$ 149.40
Black Hills Energy	Shop Gas Utilities	\$ 44.53
Black Hills Energy	PD Gas Utilities	\$ 40.24
Black Hills Energy	Warehouse Gas Utilities	\$ 53.11
Black Hills Energy	Ambulance Gas Utilities	\$ 48.80
	<b>Total</b>	<b>\$ 24,107.40</b>

<b><u>Manual Checks, August 2024</u></b>		
Circuit Court of Niobrara County	Writ of Wages, Garnishment	\$ 347.93
Circuit Court of Niobrara County	Writ of Wages, Garnishment	\$ 575.42
Wyoming Child Support	Writ of Wages, Garnishment	\$ 307.84
Aflac	Payroll Deduction	\$ 848.20
Blue Cross Blue Shield of Wyo	Ambulance Overpayment Refund	\$ 49.49
Datapilot, Inc	PD New Equipment	\$ 2,445.00
Void		\$ -
Terex USA, LLC	Electric Equipment Repair & Parts	\$ 1,119.33
Norberg, Rory	Per Diem Water Samples	\$ 20.00
AVI PC Engineering	Engineering Fees	\$ 90,659.33
Postmaster	Utility Billing Mailings	\$ 346.26
Silver Cliff Vet Clinic	Animal Control Vet Expenses	\$ 665.00
Circuit Court of Niobrara County	Writ of Wages, Garnishment	\$ 386.04
Circuit Court of Niobrara County	Writ of Wages, Garnishment	\$ 565.26
Wyoming Child Support	Writ of Wages, Garnishment	\$ 307.84
	<b>Total</b>	<b>\$ 98,642.94</b>

Visitors:

Stan Rutherford approached the council about an issue he has with the way the ordinance is written on “disturbing the peace” as it can be manipulated. He is asking for a possible change to the town’s ordinance. He said that he has not been issued a citation. Town attorney Meier stated that the ordinance follows State Statute and is subjective. The council asked that Rutherford work with law enforcement on the matter.

Tom Wasserburger, owner of the Best Western Motel, approached the council about concerns with the drainage at the back of his property. The council had before pictures of his property and Wasserburger provided them with pictures of after the construction, illustrating his concern. He stated that the street was raised during the construction project creating this drainage issue. The

Town's project Engineer Bruce Perryman provided the council and Wasserburger with engineering survey documents of the street showing that the street is at existing grade or slightly below and the project never touched the areas on his property that he is concerned about. There was discussion on the curb that was replaced, as well as Wasserburger draining his pool. It was suggested he put an extension on his hose to drain his pool in the streets curblin to help himself. Perryman said that he would be happy to discuss things further and come up with a resolution to the matter.

Ron Buckowski approached the council about his concern on paying garbage at his second property he just acquired because he doesn't need that service on that property at this time. There was discussion about the garbage ordinance and the history behind this ordinance. Buckowski asked that the council consider changing the ordinance. The council will take it under advisement.

#### Department Updates:

Mayville reported that the Ambulance Department received the new AEDs and they will be training on them. The bid request for the new ambulance is moving forward and will be advertised soon. And he is working on other grants for the ambulance department.

Chief Gordon reported that the Police Department had taser training, and he will be attending K-9 training.

Barner reported on the Golf Course's recent tournaments and tournaments coming up as well as some course vandalism. They will be inspected by the state next week on their pesticide license. He asked for permission from the Pro Shop to have a 2-person 18-hole golf tournament on September 21<sup>st</sup> that will begin at 8:00am with closed course until early afternoon. He requested reduced green fees and would like the reduced amount to be used to replace the course layout sign located at hole #1. COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER PFISTER, to approve the golf tournament on September 21<sup>st</sup> with closed course and reduced green fees of \$15 and the remaining for the new sign. MOTION CARRIED. 4-0

LeLeux reported that the Office received a match donation for the new ambulance from the Muriel E. Spacht Trust in the amount of \$100,000. Another donation of \$8,800 from the Niobrara Medical Foundation was used to purchase new AEDs for the ambulance service. She reported that the meter deposit and perpetual care CDs were moved to new CDs at 5.15% for 12 months.

Skrukrud reported that the airport was temporarily closed last week for seal coat and painting. Every three years EPA requires a sanitary survey, and they were here last week. The pool will close Sunday September 8<sup>th</sup>. They will begin painting the pool after it closes. Shipped out metal pile and received approximately \$10,000. Will use that money to get rid of tires. Roof was completed on town hall. He is waiting on an estimate for the shop roof. He reported on the phase II project stating they will be wrapping up water services then asphalt patching. Phase III construction meeting today, they will kick off as soon as phase II is wrapped up.

#### Old Business:

COUNCIL MEMBER PFISTER MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve the new livestock permit for Roger Spurgeon-hens, no roosters. MOTION CARRIED. 3-0

There was discussion on putting a sign at north side park addressing foul language and alcoholic beverages by permit only. Todd will work on getting a sign.

New Business:

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER KREIN, to approve the livestock permit renewal for Dean Nelson - horses. MOTION CARRIED. 4-0

COUNCIL MEMBER KREIN MOVED, SECOND BY COUNCIL MEMBER PFISTER, to approve the Charter Ordinance 1-1004 FY 2025 Amendment, on first reading. Budget increase \$61,860.00. MOTION CARRIED. 4-0

COUNCIL MEMBER PFISTER MOVED, SECOND BY COUNCIL MEMBER FILENER, to move into executive session at 5:46 p.m. MOTION CARRIED. 4-0

The council reconvened into regular session at 6:11 p.m.

COUNCIL MEMBER KREIN MOVED, SECOND BY COUNCIL MEMBER PFISTER, to approve the SRO MOU with the county and school district for the 2024-2025 SY. MOTION CARRIED. 4-0

COUNCIL MEMBER PFISTER MOVED, SECOND BY COUNCIL MEMBER KREIN, to approve an executive oversight committee for the Lodging Tax that consists of Tom Wasserburger, Sheila Boldon and Twila Barnett to help with the rehab and transition of the Lodging Board. MOTION CARRIED. 4-0

COUNCIL MEMBER PFISTER MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve the Animal Control Contract renewal with Doug Jergensen. MOTION CARRIED. 4-0

The next regular council meeting will be Tuesday, October 1, 2024, 5:00 p.m.

There being no further business to come before the Council, the meeting was adjourned at 6:14 p.m.

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Thomas Dooper, Mayor Pro Tempore

ATTEST:

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Desirae Matthews-LeLeux, Clerk/Treasurer