

MINUTES OF THE REGULAR COUNCIL MEETING  
TOWN OF LUSK  
October 1, 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, October 1, 2024.

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

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  
Joyce Hammer, Pool Manager  
Brandie Collins, Lusk Herald

Randy Rose led everyone in the Pledge of Allegiance.

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

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

VOUCHERS FOR PAYMENT

14 County Tire	Sanitation Equip Repair	\$1,067.58
Aflac	Payroll Deduction	\$721.54
Allbright's True Value	Supplies	\$1,016.15
ALSCO	Mat Rental	\$96.90
Assman, Isaac	Youth Football Ref	\$30.00
AT&T Mobility	PD Phones/Tablets	\$445.75
Border State Industries Inc.	Electric Parts/Supplies	\$1,485.00
Brown Co.	Equip Repair	\$860.03
Caselle Inc.	Office Support & Maintenance	\$1,360.00
Century Link	Phone Services	\$1,214.25
CNA Surety	Notary/Insurance Bond	\$275.00
Communication Technologies	Siren Maintenance	\$1,294.00
Connecting Point	Copier Lease/Fees	\$100.00
Doyle J. Davies	Municipal Judge/Supplies	\$1,073.00
Decker's Food Center	Supplies	\$75.78
Delta Dental	Employee Dental Insurance	\$1,153.70

Diamond Vogel	Swimming Pool Paint	\$2,868.69
Double Y	Shop Parts/Supplies	\$296.00
Electro-Test & Maintenance, Inc	Electric Line Upgrade	\$1,375.00
Energy Laboratories, Inc	Water Samples	\$965.00
Ferguson Waterworks #1116	Golf Irrigation Repair	\$333.69
Franks Parts Company	Parts/Supplies/Repairs/Fuel/Oil	\$1,490.35
Grainger	Parts/Supplies	\$339.32
Great American Financial Services	Copier Lease	\$100.00
Hawkins, Inc	Chlorine	\$1,822.31
HDR, Inc	Consultant Fees	\$1,207.94
Hodge, Braxton	Youth Football Ref	\$60.00
Jergenson, Doug	Monthly Wage Animal Controls	\$1,540.00
Jirdon Agri Chemicals	Chemicals	\$1,693.85
Lacal Equipment, Inc	Parts/Supplies	\$904.22
Lawson Products, Inc	Tools/Supplies	\$94.42
LeLeux Enterprise, LLC	Golf Course Pro Shop	\$3,000.00
Lumen	Phone, Long Distance	\$21.65
Lusk Fire Dept	1/2 Retirement	\$543.75
Lusk Herald	Legal Advertising/Advertising	\$1,443.93
Lytle, Nic	Youth Football Ref	\$60.00
M.C. Schaff & Associates, Inc	Engineering Fees	\$9,742.00
Meier Building	Rent	\$800.00
Meier Law Office	Monthly Retainer	\$3,000.00
Midland Implement Co	Parts/Supplies	\$807.41
Miller, Nathan	Youth Football Ref	\$30.00
Niobrara Chamber of Commerce	Promotion	\$187.50
Niobrara Country Club	Golf New Equipment	\$2,000.00
Niobrara County Library	Internet Service	\$250.00
Niobrara County School Dist.	Youth Football Refs	\$240.00
Niobrara County Treasurer	Communication Contract	\$6,301.50
Niobrara Electric Association	Utilities	\$39.90
Northwest Pipe Fittings, Scottsbluff	Maintenance/Repairs	\$207.13
One-Call of Wyoming	Dig Tickets	\$39.75
Patrone's Landscaping & Tree Care	Tree Trimming	\$1,280.00
Pitney Bowes Global Financial	Leasing Charges	\$163.53
Pitney Bowes Purchase Power	Postage	\$537.50
Print Express	Supplies	\$802.88
Quality Carpet Care, Inc	Sewer Repairs	\$81.95
Ramkota Hotel	WAMCAT Training	\$348.00
Ranchers Feed and Supply	Irrigation Repairs	\$20.60
Silver Cliff Vet Clinic	K-9 Vaccinations	\$83.94

Sinclair, Pine Bluffs	Fuel Purchase	\$6,137.75
Smith, Jackson	Youth Football Ref	\$30.00
Straight Stripe Painting, Inc	Airport Project Contractor Payment	\$87,858.53
Summit Fire & Security	PD Extinguisher Services	\$677.50
Sun Ridge Systems, Inc	RIMS Yearly Service	\$7,153.00
Sunbelt Solomon Services, LLC	Electric New Equipment	\$61,860.00
TDS Trash Collection Serv.	Tipping Fees	\$5,711.66
Thompson Safety LLC	Fire Dept Training	\$75.00
Torrington Office Supplies	Supplies	\$66.96
Underground Enterprises	Transfer Station Fees/Tires	\$2,900.00
USA Blue Book	Water Supplies	\$348.40
Visa 0681	Subscriptions/Supplies/ New Equip/ Misc	\$2,515.67
Visa 0707	Training /K-9/Supplies/ Subscriptions/ Postage/ Repairs	\$1,400.16
Visa 0715	Ambulance Emergency Coverage/ Fuel	\$807.09
Visa 0731	Equip Repair/ Parts/Supplies/ Membership	\$959.45
Visionary Broadband	Internet Service	\$562.80
W.M.P.A.	Power Purchase	\$118,448.03
Western Medical Management	Ambulance Billing Fees	\$958.18
WY Dept of Transportation	Exempt Plates	\$560.00
WY Dept. of Workforce Services	Worker's Compensation	\$2,142.87
WY Educators Benefit Trust	Employee Insurance	\$35,856.00
Wyoming Machinery Corp	Equipment Repair	\$179.74
Yeager, Cody	Youth Football Ref	\$90.00
Yeager, Jessica	Reimbursement Rec Football	\$185.63
<b>Total Vouchers</b>		<b>\$396,876.81</b>

<b><u>Manual Checks, September 2024</u></b>		
Circuit Court of Niobrara County	Writ of Wages, Garnishment	\$ 368.01
Wyoming Child Support	Writ of Wages, Garnishment	\$ 307.84
Visa 0731	Golf Course Parts/Supplies	\$ 73.64
WEX Bank	Fuel	\$ 5,337.82
Wyoming Dept of Revenue	Sales Tax	\$ 6,635.48
Gordon, Jacob	Per Diem Training	\$ 354.00
Oftedal Construction, Inc	Contractor Payment	\$ 687,137.85
Kruse, Pete	Per Diem Meeting	\$ 20.00
Lashmett, Justin	Per Diem Meeting	\$ 20.00
Willis, Taylor	Per Diem/Mileage Training	\$ 352.04
Niobrara County Treasurer	ESRI GIS Maintenance	\$ 1,309.85
FR Wear	Electric Safety Uniforms	\$ 341.84
AVI PC Engineering	Engineering Fees	\$ 60,831.35

Black Hills Energy	Recycling New Equip	\$ 9,334.18
Norberg, Rory	Per Diem Water Samples	\$ 20.00
Baptist Church	Election facility rent	\$ 200.00
Circuit Court of Niobrara County	Writ of Wages, Garnishment	\$ 353.99
Wyoming Child Support	Writ of Wages, Garnishment	\$ 307.84
Postmaster	Utility Billing Mailings	\$ 341.04
Oftedal Construction, Inc	Contractor Payment	\$ 805,122.04
	<b>Total</b>	<b>\$ 1,578,768.81</b>

<b><u>ACH - September 2024</u></b>		
Lusk State Bank	Health Savings Account	\$ 6,125.07
Lusk State Bank	Health Savings Account	\$ 291.67
Elevon	Office Credit Card Fees	\$ 381.28
Wyoming Retirement System	Government Contribution	\$ 17,274.93
Xpress Bill Pay	Online Bill Pay Fees	\$ 119.00
Verizon Wireless	Ambulance Phones	\$ 89.71
Black Hills Energy	Shop Gas Utilities	\$ 46.93
Black Hills Energy	Warehouse Gas Utilities	\$ 52.26
Black Hills Energy	PD Gas Utilities	\$ 40.24
Black Hills Energy	Ambulance Gas Utilities	\$ 45.58
	<b>Total</b>	<b>\$ 24,466.67</b>

#### Visitors:

Mayor Lytle asked for public comment on the New Bar & Grill Liquor License for Legendary Ladies, LLC dba Legends Bar & Grill. He stated that they will have an outdoor seating area and can only serve within the area. No other public comment was given.

Sheila Boldon with the Lodging Tax Oversight Committee addressed the council with questions to understand what the role of the committee is. Mayor Lytle stated that the oversight committee of the Town Council was established to report back to the council. He reminded everyone that this is a municipal tax, and the town can have more oversight through an audit on the financials of the lodging tax board. The town has, however, asked for financial records from the lodging tax board. Sheila reserved her follow up questions for later in the meeting.

#### Department Updates:

Joyce Hammer reported that the pool is officially closed. She provided the council with stats of the season with comparison to last season. She discussed the grant that provided swimming lessons to the community. She addressed the complaints that were received throughout the season regarding not being open.

Trevor Barner reported on the successful tournaments for the month. He said it was a good move running all tournaments through the pro shop. The well issues have been worked out. Weather is

nice so they are going to continue maintaining the course. Going to start working on construction projects and winterize later this year.

Chief Gordon reported the Police Departments stats for the month. He and K-9 Xana were recertified, and another officer went through evidence training.

Mike Mayville reported the Ambulance Department stats for the month. He recertified the rigs at ALS level. He thanked the public works guys for their chip sealing efforts.

Desi LeLeux reported that she completed and submitted the Department of Audit F-66 report. The office is working on the audit and hoping to wrap that up this month. She is working with the bond council to close the Phase II Sewer Interim Financing Loan this month. There will be a couple special meetings this month to get that closed. She reported that at the Wyoming Community Gas board meeting last month they are encouraging member communities to spread the word about the Wyoming Community Gas Grant that is open to non-profit groups.

Taylor Willis reported that she attended the WAMCAT Training that will provide training credits for her certifications with IIMC.

Skrukrud reported they will start shutting down irrigation systems and prepping for snow removal. Waiting on estimates for the shop roof and getting more estimates on the HVAC system for town hall. Ranger alley is about finished and will be wrapping up at the end of the week. This was a major improvement. Phase II project is about ready to wrap up and completing asphalt this week. Phase III project is finished a segment of sewer and will do the water in the same street, then do storm drain and a couple alleys before shutting down until spring. Pool is in the process of painting. Todd will be attending the Wyoming Water Quality Pollution Control Conference in Casper this month.

Attorney Meier reported that he is working on the employee drug and alcohol policies. He has been working with Todd and Chief Gordon on property clean up and property liens. In city court he has been dealing with dog issues.

#### Old Business:

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER KREIN, to approve the Charter Ordinance 1-1004 FY 2025 Amendment, on second reading. Budget increase \$61,860.00. MOTION CARRIED. 5-0

#### New Business:

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER PFISTER, to approve the livestock permit renewals for Kenneth Durham – Chickens; Ty Thompson – Horses & Steers; and Carrie Olson – Ducks and Chickens, with amendment of no elephant or roosters. Chief Gordon made a comment regarding livestock permits not having a limit on the number of livestock in town limits. There was discussion on enforcing the ordinance. The council will take this under advisement. MOTION CARRIED. 5-0

COUNCIL MEMBER DOOPER MOVED, SECOND BY COUNCIL MEMBER FILENER, to approve the new Bar & Grill Liquor License #2 for Legendary Ladies, LLC dba Legends Bar & Grill with outdoor seating area and pending approved food service permit. MOTION CARRIED. 5-0

COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER DOOPER, to approve Ordinance No. 1-1010, An Ordinance Authorizing the Issuance and Sale by the Town of Lusk, Wyoming, of its Sewerage Revenue Bond, Series 2024, Dated October 23, in the Principal amount of \$747,000, for the Purpose (I) Refinancing the Town's Sewerage Revenue Bond Anticipation Note, Series 2023, Dates October 24, 2023, in the Principal amount of \$747,000, and (II) Paying Certain Incidental Costs Incurred in Connection with the Foregoing; Approving the Form, Terms and Provisions of the Bond, a Purchase Agreement and All Other Documents Related to the Issuance Thereof; Authorizing the Members of the Governing Body and Employees of the Town to Take any and all Actions Necessary to Effectuate the Issuance and Sale of Said Bond and the Consummation of Said Transactions, on first reading. MOTION CARRIED. 5-0

Council member Pfister discussed having a community gathering for Octoberfest with activities and a band, but there was a scheduling issue and a time constraint to get it put together. There will be other activities planned in the future. Chief Gordon said they are discussing planning "Hide & Seek from the Police" for Halloween. Mayor Lytle commented that he would love to see more activities in the town that will build character within the community and bring in more tourism.

Mayor Lytle explained the Lodging Tax Statute states there is a percentage split of 90/10 to what the lodging tax can be expended on, and up to the 10% shall be used in the general fund. He further explained the town funds parks, pool, airport and many other things with municipal fees. The town has historically been giving 100% of the lodging tax money received from the state to the lodging tax board. Mayor Lytle is asking for the council to decide on what percentage the town will keep for the general fund. There was further discussion regarding lodging tax, and the new chamber director Morgan Nolan, lodging tax board president Randy Rose and chamber board member Patti Miller were present and allowed to join the discussion. COUNCIL MEMBER FILENER MOVED, SECOND BY COUNCIL MEMBER PFISTER, to approve giving 100% of the lodging tax revenues received, to the lodging tax board. Mayor Lytle expressed keeping 1% for the use in administration as the town funds many things in the community and that is done by raising fees. Council member Pfister shared that by bringing in more tourism, it will increase the sales tax revenue to the town. A vote was taken. MOTION CARRIED. 5-0

Mayor Lytle shared that there had been much research done on a lodging tax board. State statute does not address such a board. He explained that because it is a local tax, the town can by ordinance create a board that is appointed and approved by the council. Attorney Meier confirmed this and explained that statute does address that any board will be established by the governing body issuing the local tax, and that being the town council. The oversight committee will continue and report financials back to the council. Chamber director Nolan will provide financials to the oversight committee. Ms. Boldon will report back to the council on those

financials. The current lodging tax board will run as is until an ordinance has established a lodging tax board.

Mayor Lytle received and accepted the resignation of council member Justin Bo Krein and thanked him for his time on the council and dedication to the town.

Mayor Lytle made a remark regarding limited residential zoning and stated the council will be looking into those zoned areas.

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

There being no further business to come before the Council, the meeting was adjourned at 6:27 p.m.

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Douglas E. Lytle, Mayor

ATTEST:

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Desirae Matthews-LeLeux, Clerk/Treasurer