

Town of Encampment  
Regular Meeting  
March 09, 2023  
7:00 p.m.

The Town of Encampment met in regular session at the Encampment Town Hall on Thursday March 09, 2023 at 7:00 p.m. with Mayor Shannon Fagan presiding. Council members present were Stas Banach and Steve Reichert. Town personnel present were Doreen Harvey, Clerk/Treasurer; Kevin Shue, Police Chief; Bill Acord, Public Works Supervisor and Martha Ralston, Deputy Clerk. Public guests were Wyatt Craig and Jacob Munson of Mother Mountain Anglers and Dan Jago of the Sierra Madre Water & Sewer Joint Powers Board. Audience members were Ted Benedict, Jeb Seward, Jon Nelson of North Fork Engineering and Virginia Parker of the Saratoga Sun.

**AGENDA**

Clerk/Treasurer Harvey advised that item #5 under new business should be listed as ‘grader’ and not ‘backhoe’. Banach moved to approve the agenda with the additions, Reichert seconded and the motion was passed.

**MINUTES**

Reichert moved to approve the minutes of the February 09, 2023 regular meeting as distributed, Banach seconded and the motion was passed.

**FINANCIAL STATEMENT/MONTHLY BILLS**

Clerk/Treasurer Harvey advised the council that WYOSTAR interest had not posted. She advised that at 66.64% of the budget year revenues were at about 47.87% of projections and expenses were at 21.63%, largely due to project delays. Banach moved to approve the February 2023 financial statement, the February 2023 payroll and contracted liabilities in the amount of \$19,387.20, late monthly bills in the amount of \$16,507.09 including the Hach service contract and tap equipment ordered last fall, and the regular monthly bills in the amount of \$29,679.97, Reichert seconded and the motion was passed.

Blue-Cross/Blue-Shield of WY.  
\$5,888.61  
Carbon Power & Light \$4,314.58  
CNA Surety \$100.00  
Corkle Oil, LLC \$729.42  
Dearborn Life Ins. Co. \$49.50  
Galls, LLC \$142.71  
North Fork Engineering \$5,720.60  
North Park Propane \$1,787.75  
ODP Business Solutions \$68.38  
Olde Trading Post \$39.97  
One-Call of Wyoming \$1.80  
Rocky Mountain Air Solutions \$145.68  
Saratoga Platte Valley Chamber \$250.00

Union Wireless \$632.72  
UPRSWDD \$8,512.10  
US Postal Service \$25.40  
Visa \$1,089.00  
Wyoming Secretary of State \$60.00  
Xerox Financial Services \$91.75  
Xesi Document Solutions \$30.00  
TOTAL \$29,679.97

**PAYROLL & CONTRACTED  
LIABILITIES**  
AFLAC \$76.72  
Workers Compensation \$399.26  
WY Retirement System \$2,673.53

WY Retirement- VFD \$300.00  
US Treasury \$1,717.14  
US Treasury \$1,616.16  
Net Payroll \$12,604.39  
TOTAL \$19,387.20

**LATE MONTHLY BILLS**  
Carbon County Fair Board \$65.00  
Erickson & Roberts \$15.00  
Ferguson Waterworks \$6,067.07  
Hach \$4,481.54  
Jones Simkins \$4,700.00  
Barkhurst Collision Center \$1,178.48  
TOTAL \$16,507.09

**PUBLIC GUESTS**

Mother Mountain Anglers- Wyatt Craig & Jacob Munson: Mr. Craig thanked the council for allowing time for them to talk to them. He advised that he was present to ask for use of the Grand View Park and the stage for the Tale of Two Cities disc golf tournament. He also asked the council to consider continuing their sponsorship of the event with the purchase of a flag for \$100.00. Mr. Craig also advised the council that last year they had worked with Doug Russell to put on the fireworks display and that it was their understanding that the town spent at least \$1,500.00 toward the event. He

indicated that Mother Mountain Anglers would like to have a fundraiser event at the Opera House on May 6<sup>th</sup> to help with the cost of the fireworks. He noted that Jason Swedlund would be providing the music and 307 Pub & Grub would sell liquor. There would be a simple fee at the door and the proceeds would go for the fireworks. The council thanked the club for stepping up to help with the event, noting that above all they wanted the fireworks display to be safe. Banach moved to approve the requests as presented, Reichert seconded and the motion was passed.

Sierra Madre Water & Sewer Joint Powers Board-Dan Jago: Mr. Jago reported to the council that there was a substantial water leak in Riverside and that they have been working with their engineer on the repair that will hopefully take place the first week in April. He noted that their water system could serve the outlying areas, but that Riverside water would be down during the repair. He asked if the council would allow the use of the emergency water connection for approximately two weeks during the repair. He estimated about 60,000 gallons of water. Discussion ensued about the use. Mr. Jago advised that they had a narrow window for the repair before one of the ditches was in use. Public Works Supervisor Acord was questioned about the impacts, which would likely be minimal. No extra work, little water and little wear and tear on the plant. Engineer Jon Nelson advised that the leak was in a short section of system that had no way to loop the lines. The project would be completed as an emergency repair that that it would loop a part of the water system and that valves and tees would be installed. Mayor Fagan noted that the concept of the emergency water connection was to help out as with the tank repair this past summer. Banach moved to approve the use of the emergency water connection with a charge based on the standard rate paid by Encampment residents, Reichert seconded and the motion was passed. Mr. Jago thanked the council.

### **UNFINISHED BUSINESS**

Sewer Lagoon Improvement Project: Mr. Nelson Reported that the bid opening had taken place last Thursday. With the road closures a provision for electronic bids was allowed with the follow-up of the hard copy. He noted that the bids were accepted by the clerk and were opened at the scheduled time. He noted that two bids were missing documents that with SLIB's permission he was allowed to obtain them. He noted that there were three bids and all were deemed complete and acceptable. He presented the bid tabulation to the council. Jr Civil base bid was \$3,184,988.00; Aslan Construction base bid was \$2,657,233.00 and American West Construction base bid was \$1,994,250.50. He noted that there was an addendum removing the dredging from the base bid to an alternate after one of the contractors reported that the dredging sub-contractor had reported that the identified disposal site had changed their mind. Mr. Nelson noted that the bids were over budget and that the numbers were all over the place. He could not keep up with what they are doing. He noted that initially the dredging had been a part of phase one, but it would not be needed until the aeration is done. The advantage would be to do it now so that it would be of meaningful benefit to design phase two. Submerged aeration requires that it be gone. He noted that American West Construction was the apparent low bidder. He noted that he had contacted them and had a conference call about the numbers and value engineering to see if cost could be reduced. Discussion ensued about the project and the possibility that the instrumentation in the building may be the are causing the additional expense. They will analyze the project and see if there is anything that we can live without. He noted that he believed that American West would be willing to work with us and credit back what they can with a deductive change order. The matter of the dredging contractor pulling out will also be reviewed. If something can be done, it can be added as a change order.

Mr. Nelson noted that he did not believe that the costs were going to get any cheaper. He recommended that the council consider awarding the project to the lowest bidder and work on the issue in the next 30 days before we sign contracts. He noted that the council would execute the contracts and the notice to proceed in April to stay on the timeline. With phase one complete the town would be able to measure inflow and see what goes into the lagoon and devise formulas for treatment. The contractor may be asked to price dredging out to bring a number in and incorporate it into the contract as a change order. Mr. Nelson advised the council that he has prior relationship with the contractor because he used to work for them. He noted that he had no pecuniary benefit with the contractor. Reichert expressed concerns about dredging companies holding the town hostage because they know it is needed. Nelson noted that there are a handful of contractors that specialize in dredging and there should be options. He will contact as many as he can, the town will have the option of choice. Cost will depend on the site of disposal.

Mr. Nelson reiterated that he would like to see the council approve the Notice to Award so that the timeline could be met. The contract will be presented in April and the effective start day will be May 1<sup>st</sup> with 150 days to complete the project. Banach moved to accept the bid from American West Construction in the amount of \$1,994,250.50, Reichert seconded and the motion was passed. Nelson noted that he would send out the Notice of Award, get the contracts on bonds and prepare the Notice to Proceed. He also noted that he would have a change order for funding for engineering services for the revised architectural and redesign going through the process and extending the timeline.

Repair of Scale at Mill Site: Public Works Supervisor Acord advised that he had been trouble shooting the steps and that it is likely a load cell has failed. . He has been speaking with a tech our of Gillette and that it may be a month or more before they can get under the scale due to the snow. Banach asked to clarify that Allen Logging needed the scale and Reichert noted that there needed to be some welding done at the end of the scale where a piece of metal was sticking up. Acord noted he could take care of that.

Town Projects- Electrical at Park; Park Pavilion Damage; Restroom Upgrade; Leach Field at Water Plant- Updates, if any: Clerk/Treasurer Harvey noted that Anthony Rakness from Green Mountain Customs had been in contact and had gone down to the restrooms to measure the doors. He would get together an estimate for the changes. Public Works Supervisor Acord advised that the meter had been installed at the Japanese Garden. Comment was made about whether or not power was needed at that location. It was noted that the Garden Club advised that they would like to see it and that there were weddings that would use it. Acord noted that he also hoped to expend the irrigation system and that it would be used for the timer.

## **COMMITTEE REPORTS**

Police Department- Kevin Shue, Chief: A written report was submitted.

Department of Public Works: A written report was submitted. Mayor Fagan commended the job that the public works personnel has been doing with snow removal, stating that she had lots of positive public comments.

Planning Commission: No meeting was held.

Carbon County Council of Governments: Mayor Fagan advised that the last meeting was a quiet meeting via Zoom, due to roads. The next meeting will be held in Sinclair.

Watershed Protection Committee: Mayor Fagan advised that there was not another meeting until the grant was approved. Acord also noted that SERCD had also submitted a sample monitoring plan to DEQ for review.

Clerk/Treasurer- Doreen Harvey: Harvey noted that there was a possibility that Jake Clayton would be available for the Music in the Park event on August 5<sup>th</sup> because he may be touring in the area. The cost would likely be \$3,500.00 or less, which was less than in the past. He should let us know soon.

### **ADDITIONS TO THE AGENDA**

Handled under the Public Guests portion of agenda.

### **NEW BUSINESS**

Cody Fire School- May 5-7, 2023- Up to 10 members- 5 Rooms 7 Expenses: Clerk/Treasurer and Fire Department Secretary Harvey advised that the rooms were estimated at \$109.00 a night and that the tuition is generally covered by the state. The fire department likes to send as many as they can safely to formal training. Reichert moved to approve the request as presented, Banach seconded and the motion was passed.

SHSP Police Grant Award- Purchase of Equipment: Chief Shue advised that the funding was made available as part of WYDOT ARPA funding for Wyolink capabilities. He noted that the funding would mainly be used for Fire Department portable radios that are water proof and have mobile access to Wyolink for wildland and forest service use. Cost includes programming and 3 years maintenance. It is 100% grant funded. Banach moved to approve the purchases, Reichert seconded and the motion was passed. Mayor Fagan congratulated the chief on the amazing grant, stating that it was nice work.

WARWS- Spring Conference April 18-21<sup>st</sup>: Clerk/Treasurer Harvey advised that Maintenance/Operator Vorn expressed interest in attending the conference. Tuition is \$395.00 if registered by the 15<sup>th</sup> plus three nights of lodging, perhaps four depending on weather. Reichert moved to approve attendance to the conference and cover expenses, Banach seconded and the motion was passed.

Dirt Diggers Garden Club- Blue Star Memorial Request: Mayor Fagan noted that a written request had been received from the Garden Club asking for permission to place a 4' x 4' Blue Star Memorial on the museum grounds on the west side by the Doc Culleton Memorial Building. It was noted that there was no comment on whether the sign was standing or flat on the ground, but that the memorial was available to be seen at Vonda Wieberg's house. Council discussed the lack of information but were advised that the museum board had already approved its placement. Reichert moved to approve the placement of the Blue Star Memorial, Banach seconded and the motion was passed.

Grader Disposition: Public Works Supervisor Acord noted that the former mayor had suggested keeping the grader as a backup, but that he did not see the need. There are potential bidders if the town is interested in selling it. Clerk/Treasurer Harvey noted that it would have to go through the bid process, but that any interested parties could also be contacted. The Town will reserve the right to

refuse any or all bids. Reichert moved to go out to bid for the sale of the surplus grader, Banach seconded and the motion was passed. The deadline will be set in May so that there is time to get the information together.

Local Government Liability Pool- Renewal Worksheet: Clerk/Treasurer Harvey advised that she completed the worksheet as it has been done in the past and asked the council if they had any questions or input. The council agreed with the content of the worksheet. Banach moved to approve the renewal worksheet for the Local Government Liability Pool, Reichert seconded and the motion was passed.

Executive Session- Possible Litigation: At 8:00 p.m. Reichert moved to enter into executive session for the purpose of discussing possible litigation, Banach seconded and the motion was passed. Those in attendance were Shannon Fagan, Mayor; Stas Banach and Steve Reichert, Council and Jeb Steward. At 8:45 p.m. Reichert moved to return to regular session and seal the minutes and place them in the safe, Banach seconded and the motion was passed.

Banach moved to spend up to \$15,000.00 on licensed engineer grade maps of the water right conveyance areas, Reichert seconded and the motion was passed. It was noted that if the cost estimate were to be exceeded the council would revisit the matter for further authorization.

**CORRESPONDENCE:**

**CCVC, CCEDC, CCSPTJPB, SCWEMS, SPVCC, UPRSWDD, WAM, USFS LaVA Project info & newsletters via email**

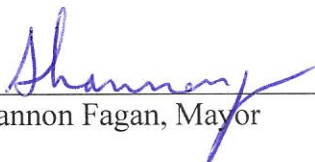
**Wyoming Community Foundation-GEOH Endowment Fund**

**Carbon County Emergency Management- Saratoga Flood Summit information-email**

With no further business, Reichert moved to adjourn at 8:47 p.m., Banach seconded and the motion was passed.

Doreen Harvey, CMC  
Clerk/Treasurer

Approved: April 13, 2023

  
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Shannon Fagan, Mayor

Attest:

  
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Doreen Harvey, CMC, Clerk/Treasurer