

MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL OF UPTON, WYOMING
Held on January 12, 2016

THE REGULAR MEETING of the Town Council of Upton, Wyoming was held at 7:00 p.m. January 12, 2016 at the Upton Community Center located at 917 N HWY 116 in Upton, Wyoming. Present for the meeting were: Mayor Dustin Upton, Councilmen Nathan Todd, and Travis Beck. Also present were: Attorney Hughes, Mark Lindstrom, Brittany Trandahl, Judy Keller, Todd Bennington, Linda Tokarczyk, John Strong, Tiffany Riehemann, Mark Esquivel, Jason Pinter, Dan Hart, Neil and Victoria Schiller, Sam Haptonstall, Jory Hillman, Kelley Millar, and Rona Barker. Councilmen Mark Mitchell and David Watt were absent.

Mayor Upton opened the meeting by leading the group in the Pledge of Allegiance.

Councilman Beck made a motion to approve the minutes of the Workshop Meeting, and the Regular Meeting of the December 8, 2015 council meetings. Councilman Todd seconded the motion, all voted in favor. Motion carried.

The following bills presented for payment: Aflac, \$122.31; Alpha Communications, \$50.00; AT&T Mobility, \$402.54; Arrow Services, \$356.83; BHP, \$6,151.37; B-4 Automotive, \$20.79, \$272.58; ; Blakeman Propane, \$30.48; Chase Cardmember Services, \$446.62; City of Newcastle, \$1,622.00; CNA Surety, \$150.00; Collins Communications, \$28.00; Cummins Rocky Mountain LLC, \$40.62; CW Waste, \$5,964.15; Department of Workforce Services, \$381.29, \$1,261.52, \$61.07; Deposit/Overpayment Refunds, \$532.00; Energy Laboratories, \$40.00; First State Bank (transfer), \$5,000.00, \$670.00; Global Heat Transfer, \$204.00; Hughes Law Office, \$1,234.50; IRS, \$12,843.33; James Parks, \$800.00; Joe's Food Center, \$353.99, \$15.96; ; Kriz-Davis Company, \$1,066.00; L.N. Curtis, \$81.95; Mike Brewer, \$6,931.00; NCPERS, \$16.00; Pacific Steel, \$118.77; Postmaster, \$171.85; Powder River Energy, \$216.38, \$263.75; RT Communications, \$1,159.66; Servall, \$115.02; SourceGas, \$970.23; Storey Kenworthy, \$92.65; Titan Machinery, \$2,019.01; Tracy Motor Company, \$65.88; Upton Co-op, \$1,116.09, \$165.11; Upton Fire Department, \$569.72; Weston County Gazette, \$606.26; Weston County Senior Services, \$3,000.00; Wyoming Network, \$50.00; Wyoming Retirement, \$420.00, \$6,747.01. **SALARIES:** Rona Barker, \$2,849.54; Chris Brooks, \$376.78; David Brooks, \$1,776.71; Joseph Creamer, \$2,932.18; Patrick Crow, \$300.14; Michael Hobbs, \$2,755.69; Lynn Hofland, \$3,677.49; Virginia Jenkins, \$65.54; David Larson, \$3,739.47; Mark Lindstrom, \$4,749.78; Corina McPeters, \$148.17; Kelley Millar, \$2,292.81; Colleen Moneymaker, \$452.51; Connie Montgomery, \$265.49; William Palmer, \$3,242.93; Jason Pinter, \$2,043.71; Dustin Upton, \$153.92; Robert Willis, \$73.14. Councilman Beck made a motion to pay the bills. Councilman Todd seconded the motion, and all voted in favor. Motion carried.

Mayor Upton made the following appointments for January 1, 2016 through December 31, 2016: Vice Mayor – Travis Beck; Police & Fire Department Commissioner – Nathan Todd; Parks, Recreation, & Cemetery Commissioner–Travis Beck; Water & Sewer Commissioner – Mark Mitchell; Streets & Landfill Commissioner – David Watt; Fiduciary Banks

- First State Bank of Newcastle and First Tier Bank; and the Official Newspaper – Weston County Gazette. Mayor Upton appointed Patrick Crow as Municipal Judge. Councilman Todd made a motion to approve the appointment, and Councilman Beck seconded the motion. All voted in favor, and the motion passed. Mayor Upton then appointed Mark Hughes as Attorney. Councilman Beck made a motion to approve the appointment. Councilman Todd seconded the motion, and all voted “aye”. Motion carried.

Councilman Todd made a motion to approve the Upton Chamber of Commerce consuming alcohol at their annual Installation Banquet on Saturday, January 23, 2016, and during their annual Festival of Tables on Saturday, March 19, 2016 at the community center. Councilman Beck seconded the motion, and all voted in favor. Motion carried.

Tiffany Riehemann requested approval for Sunset Amigos to provide a cash bar at the Fireman’s Ball that will be held at the community center on February 6, 2016. Councilman Todd made a motion to approve the request. Councilman Beck seconded the motion, and all voted “aye”. Motion carried.

Mark Esquivel asked for approval to purchase a catering permit to sell alcohol at the Fireman’s Ball that will be held on February 6, 2016 at the community center. Mr. Esquivel told the Council that his insurance company requested clarification in naming the Town of Upton as Additional Insured for the event. Attorney Hughes explained why the Town of Upton would have to be named as Additional Insured. Councilman Todd made a motion to issue the catering permit as long as the Town is named as Additional Insured in the amount of \$1,000,000.00. Councilman Beck seconded the motion, and all voted in favor. Motion carried.

Linda Tokarczyk, representative for Rare Earth Resources, notified the Council that the Draft Environmental Impact Statement for the Bear Lodge Project has been completed and is available for review. Public open houses are scheduled for January 25, 2016 in Sundance, Wyoming and January 26, 2016 in Upton, Wyoming. Linda encouraged everyone to attend the meetings.

Judy Keller reported that all is very positive at the senior center. A Valentine’s Day Event is planned at the center for February 12, 2016. Judy was very appreciative of the new lights that Superintendent Lindstrom installed at the center.

The final draft of the golf course lease was given to the Council for their review. Neil Schiller was also provided with a copy of the lease. If all is in order, the lease will be signed in the near future.

Dan Hart asked the Council for permission to buy the 50’ x 130’ Lot adjoining his property at 621 2nd Street. There will be a hearing held on February 2, 2016 at 7:00 p.m. for the proposed sale. At that time, Mr. Hart will have to show that the sale of this property will be an economic benefit to the town.

Councilman Beck made a motion to hold the Liquor License hearing at 7:30 p.m. at the February 9, 2016 council meeting. Councilman Todd seconded the motion, and all voted in favor. Motion carried.

The Council was asked to approve holding a hearing to amend the Town Budget for the Fiscal Year 2015-2016 in the following particulars:

- a) Increase the General Fund Budget by \$ 5,500.00 by budgeting general fund cash reserves. The money will be used to purchase a Kubota tractor and mower deck that was not originally budgeted for.
- b) Increase the General Fund Budget by \$15,000.00 by budgeting general fund cash reserves. The money will be used to fix the Case Loader that was not originally budgeted for.
- c) Increase the General Fund Budget by \$500.00 by budgeting general fund cash reserves. The money will be used to pay for printing fees in the amount of \$500.00 for the Upton Emergency Plan that was not originally budgeted for.

Councilman Todd made a motion to approve holding a hearing for item a). Councilman Beck seconded the motion. Councilman Beck made a motion to approve holding a hearing for item b), and this motion was seconded by Councilman Todd. Councilman Beck made a motion to hold a hearing for item c), and this motion was seconded by Councilman Todd. All voted “aye, and the motions carried. This matter will be considered and acted upon by the Town Council of Upton, Wyoming at 7:40 p.m. at the regular meeting to be held at 7:00 p.m. at the Upton Community Center located at 917 North Highway 116, Upton, Wyoming.

Vice Mayor Beck called for a motion to pass on the second reading ORDINANCE No. 1, SERIES 2016 entitled: AN ORDINANCE VACATING AND ABANDONING PORTIONS OF CEDAR STREET AND 5TH AVENUE IN THE NEIMAN ADDITION, FIRST ENLARGEMENT TO THE TOWN OF UPTON, WESTON COUNTY, WYOMING. Mayor Upton recused himself from voting or commenting on this Ordinance due to personal involvement. Councilman Todd made a motion to pass the above captioned Ordinance on the second reading. The motion was seconded by Councilman Beck. All voted in favor, and the motion passed.

Councilman Beck made a motion to pass Resolution No. 1 for 2016. Councilman Todd seconded the motion, and all voted in favor. Motion carried. The Resolution is as follows:

Resolution No. 1

Entitled: A RESOLUTION AUTHORIZING SUBMISSION OF A FEDERAL MINERAL ROYALTY CAPITAL CONSTRUCTION ACCOUNT GRANT APPLICATION TO THE STATE LOAN AND INVESTMENT BOARD ON BEHALF OF THE GOVERNING BODY FOR THE TOWN OF UPTON FOR THE PURPOSE OF: PURCHASE OF A NEW CLASS A FIRE TRUCK. THIS UNIT IS FOR STURCTURE FIRES

WITNESSETH

WHEREAS, the Governing Body for the TOWN OF UPTON desires to participate in the FEDERAL MINERAL ROYALTY CAPITAL CONSTRUCTION ACCOUNT GRANT program to assist in financing this project; and

WHEREAS, the Governing Body of the TOWN OF UPTON recognizes the need for the project; and

WHEREAS; the Federal Mineral Royalty Capital Construction Account Grant program requires that certain criteria be met, as described in the State Loan and Investment Board’s Rules and

Regulations governing the program, and to the best of our knowledge this application meets those criteria; and

WHEREAS, the Governing Body of the TOWN OF UPTON plans to match the requested Federal Mineral Royalty Capital Construction Account Grant from the following source(s): (describe the source and status of all matching funds): COMMUNITY DONATIONS - \$20,000.00, LOCAL ECONOMIC BOARD - \$30,000.00, TOWN CASH MATCH - \$27,500.00.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF the Town of Upton, that a grant application in the amount of \$232,500.00 be submitted to the State Loan and Investment Board for consideration at the 07-June-2016 grant meeting to assist in funding the TOWN OF UPTON FIRE TRUCK REPLACEMENT Project.

BE IT FURTHER RESOLVED, that MARK LINDSTROM – SUPERINTENDENT are hereby designated as the authorized representatives of the TOWN OF UPTON to act on behalf of the Governing Body on all matters relating to this grant application.

PASSED, APPROVED AND ADOPTED THIS 12 day of JANUARY, 2016

A motion was made by Councilman Beck to approve submitting a grant application in the amount of \$2,500.00 to Wyoming Community Gas. The motion was seconded by Councilman Todd, and all voted in favor. Motion carried. If approved, the grant money will be used for the remodel of city hall.

It was noted during the meeting that the Upton Housing Authority has begun repayment of the Town monies used to remodel Antelope Heights Senior Housing. It was further stated that reimbursement will be forthcoming on a monthly basis.

The police department report was submitted by Officer Pinter. The fire department report was submitted by Fire Chief John Strong.

Superintendent Lindstrom related that the Kubota tractor was in immaculate shape, and had a mower, loader, and with new blades. Councilman Todd made a motion to notify the State of Wyoming to hold the tractor for the Town purchase. Councilman Beck seconded the motion, and all voted in favor. Motion Carried.

Councilman Todd made a motion to submit a notice to terminate the Water Well No. 6 project to the Wyoming Water Development Commission. Councilman Beck seconded the motion, and all voted in favor. Motion carried. Superintendent Lindstrom and Ken Rathbun will submit a termination letter to the WWDC.

Councilman Todd made a motion to adjourn into executive session for personnel reasons. Councilman Beck seconded the motion, and all voted in favor. At 7:40 p.m. Mayor Upton, along with Councilman Todd, Councilman Beck, and Attorney Hughes went into executive session. At 8:06 p.m. the Council resumed the regular council meeting with no decisions being made.

In other business, it was decided that Councilman Todd and Superintendent Lindstrom would do a walk through of city hall in order to combine the police department with city hall. A resignation letter from the Upton Housing Authority Board was received from Debra Helwig. The Barritt Hart subdivision was discussed. Upgrading the software at city hall was discussed

There being no further business before the Council, a motion was made to adjourn by Councilman Todd, and it was seconded by Councilman Beck. All voted in favor, and the motion carried. The meeting adjourned at 8:13 p.m.

Mayor

Attest Clerk