

Town of Upton  
Regular Town Council Meeting  
July 13, 2021

**THE REGULAR MEETING** of the Town Council of Upton, Wyoming was called to order at 7:00 p.m. on Tuesday, July 13, 2021 at the Upton City Hall located at 725 2<sup>nd</sup> Street in Upton, Wyoming.

Present: Council Members Justin Norman (Vice Mayor), Dennis Stirmel, Joe Watt and Nicholas Trandahl. Mayor Travis Beck was absent and appointed Vice Mayor Justin Norman as Mayor Pro Temp via email. Staff present included Attorney Mark Hughes, Clerk/Treasurer Kelley Millar, Superintendent Mark Lindstrom, Fire Chief John Strong and Police Chief Susan Bridge. Public attendance included Ann Barker with the *Weston County Gazette*, Rick Rothleutner with the Upton Gun Club, Roxanne Duarte with the Upton Golf Association, Clark Coberly, Superintendent with Weston County School District #7, Caleb Carter with the Weston County Natural Resource District and Lori Materi with the Upton Airport Board.

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve the items on the consent agenda that include the minutes of the June 8, 2021 regular meeting as published, claims for July to date, claims paid in June to include utility payments, payroll, approved grant expenses and final year end expenses. All ayes, MOTION CARRIED.

COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to approve a claim submitted by the Upton Golf Association via Farnsworth Services Co, Inc. in the amount of \$740.00 for cleaning of the septic at the golf course. After discussion with Roxanne Duarte from the Upton Golf Association, it was decided that a budget amendment would be prepared to account for the \$740.00 claim. Ms. Duarte also asked the Council to continue to think about work that is needed on the irrigation system at the golf course. All ayes, MOTION CARRIED.

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve the claim from the Upton CoOp with Council Member Joe Watt recusing himself due to a conflict of interest. All ayes, MOTION CARRIED.

COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve the claim from the Weston County Gazette with Council Member Trandahl recusing himself due to a conflict of interest. All ayes, MOTION CARRIED.

**CLAIMS PAID:**

Deposit Refund (refunds) \$17.95, \$27.95; Reimbursements: NONE; Transfer (reserves, debt service) \$500.00, \$600.00, \$670.00; Alpha Communications (lease) \$50.00; Arrow (fuel, materials) \$239.83, \$817.44; AT&T (phones) \$250.64; Bearcom (service) \$13,116.68; Big Iron Auctions (equipment) \$6,415.00; Black Hills Energy (utilities) \$6,674.60, \$232.60; Black Mountain Software (software suite) \$7,308.00; Blue Cross Blue Shield of WY (benefits) \$13,351.15; Cambria Supply (supplies) \$361.12; Chase Cardservices (parts, supplies, training, fuel, postage, equipment) \$5,328.97; City of Newcastle (dispatch) \$1,686.00; Collins Communications, Inc. (service) \$362.00; Contractor's Supply (parts) \$20.25, \$653.57; Crook County District Court (garnishment) \$666.20; CW Waste (contract) \$11,664.00; Dearborn National Life Insurance (benefits) \$107.51; Department of Treasury (taxes) \$11,150.81; Department of Workforce Services (benefits) \$3,444.59, \$407.10, \$541.60; EJ Construction (service) \$1,792.80, \$120.00; Emily Cork (service) \$330.00; Energy Laboratories (samples) \$600.00; FirstNet (phones) \$176.04; Fisher Sand & Gravel (supplies) \$109.12; Gillette Steel Center (parts) \$665.50; Great Western Tire Co. (supplies) \$1,305.80; Hughes Law Office (retainer) \$1,600.00; Inland Truck Parts Co. (parts) \$1,445.48; Joe's Food Center (supplies) \$54.89, \$208.63; JubJub (service) \$130.00; Office of State Lands & Investments (loans) \$3,295.68; One Call of WY (locates) \$5.25; Municipal Code Corp. (service) \$225.00; Northwest Pipefitting (supplies) \$740.57; Postmaster (postage) \$189.72; PRECorp (utility) \$586.99,  
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\$799.12; Range (phones) \$633.40; S&S Parts & Performance (service, parts, supplies) \$353.64; Savage Repair (service) \$130.00; Servall (mats) \$77.98; Summit Plumbing & Heating, LLC (service) \$507.50; Sundance Extinguisher (service) \$729.37; Top Office Products, Inc. (service/supplies) \$51.00; Town of Upton (utilities) \$208.35; Upton Co-op (fuel, parts, supplies) \$2,278.09; UVFD (reimburse) \$3,448.35; Verizon (phone) \$79.61; WAMCAT (dues) \$130.00; WARWS (fees) \$790.00; Weston County Clerk (fees) \$72.00, \$36.00; Weston County Gazette (publishing) \$616.00; WY Retirement (benefit) \$7,402.06, \$225.00.

The following invoices will be paid from grant and/or loan funds when received: Bearlodge Engineering (Willow Street Project, Lagoon #3 Project) NONE.

**SALARIES:** \$43,698.77

**CLAIMS DENIED:** NONE

At approximately 7:15 p.m., Vice Mayor Norman opened a budget amendment hearing and asked for public comment. Council Member Watt clarified that Greenwood Cemetery belongs to the Town of Upton, though lots sold are considered private property. There being no further comments, the hearing was closed at 7:16 p.m. COUNCIL MEMBER STIRMEL MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve a budget amendment in the following particulars:

- a. Increase the General Fund Budget by \$8,849.00 by budgeting \$8,849.00 from General Fund Cash Reserves. The monies will be used for unanticipated expenses in Maintenance & Repair-Buildings in the amount of \$2,893.00, Miscellaneous in the amount of \$1,789.00 for a net zero employee reimbursement, Loss to Cure Market Value for a recently matured CD in the amount of \$2,297.00, and Cemetery Maintenance & Repair in the amount of \$1,870.00.
- b. Increase the Sanitation & Landfill Budget by \$17,165.00 by budgeting \$17,165.00 from Sanitation & Landfill Cash Reserves. The monies will be used for unanticipated expenses in New Equipment related to the cardboard compactor.

All ayes, MOTION CARRIED.

Caleb Carter with the Weston County Natural Resource District presented options for hosting hazardous waste collection in Upton and will continue to explore suggestions from the Council.

Clark Coberly, Weston County School District #7 Superintendent, appeared before the Council requesting options for reducing the School District's garbage rate. After discussion, the topic will be included on the August agenda.

Lori Materi updated the Council on progress with the Upton Municipal Airport Master Plan and the upcoming Fly In for Fun Days that will be paid for by a WYDOT Aviation Encouragement Grant.

No additional information was available regarding disc golf. The item will be removed from the agenda.

Vice Mayor Norman asked for public comment regarding Ordinance No. 2, Series 2021, there being none, COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve Ordinance No. 2, Series 2021-Powder River Energy Corp. Franchise Agreement. Discussion included leaving the term at five years instead of changing it to ten years with the option to revisit the term upon renewal of the agreement. All ayes, MOTION CARRIED.

Vice Mayor Norman asked for public comment regarding Resolution No. 7, 2021. Clerk/Treasurer Millar explained that the resolution was a matter of policy for grants in the Town of Upton. COUNCIL MEMBER

WATT MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve RESOLUTION NO. 7, 2021 entitled: A RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO WYOMING DEPARTMENT OF TRANSPORTATION AERONAUTICS DIVISION FOR AN AVIATION ENCOURAGEMENT GRANT ON BEHALF OF THE GOVERNING BODY FOR TOWN OF UPTON FOR THE PURPOSE OF: 2021 FLY IN. All ayes, MOTION CARRIED.

Clerk/Treasurer Millar explained that Resolution No. 8, 2021-LWCF Gun Club Building Grant was not ready for review at this time. The item will be left in New Business for the August meeting.

Vice Mayor Norman asked for public comment regarding Ordinance No. 3, Series 2021. Attorney Hughes suggested that he would visit with Jason Hendricks with Range Communications regarding the terms of a proposed franchise agreement and advise the Council to pass the first reading of the ordinance with the discussed term changes that include a five-year term, instead of the proposed ten-year term, and a two percent (2%) franchise fee that would not be passed on to customers instead of a one percent (1%) fee. COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to approve the first reading of Ordinance No. 3, Series 2021-Range Communications Franchise Agreement. All ayes, MOTION CARRIED.

Vice Mayor Norman asked for public comment regarding moving the September 14, 2021, regular meeting to Tuesday, September 7, 2021, due to a scheduling conflict with Clerk/Treasurer Millar. Clerk/Treasurer Millar explained that the Wyoming Association of Municipal Clerks and Treasurers Fall Institute had been scheduled from Monday, September 13<sup>th</sup> through Wednesday, September 15<sup>th</sup>, 2021, as it was the only time frame available at Casper College. All ayes, MOTION CARRIED.

Vice Mayor Norman asked for public comment regarding concurrence of the Motorola CAD System bid in the amount of \$589,185.00 that was accepted by the Weston County Commissioners at the July 6, 2021, meeting. Clerk/Treasurer Millar, Chief of Police Bridge and Fire Chief Strong commented on the progress of dispatch discussions including the upcoming meeting on July 20<sup>th</sup> at 4:00 p.m. in Newcastle to further discuss a joint powers board agreement. The Weston County Commissioners included paying for Upton's share of the expense in their motion to accept the bid, with the City of Newcastle paying the other 50%. Discussion regarding any type of reimbursement from the Town of Upton to Weston County is on-going and will be added to the August agenda. COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to concur with the accepted bid. All ayes, MOTION CARRIED.

Vice Mayor Norman asked for public comment regarding a request to have, not sell, alcohol at the Upton Community Center for the Donner/Schlater wedding to be held on July 31, 2021. All ayes, MOTION CARRIED.

Clerk/Treasurer Millar had received a verbal request to be followed up by a written request to have, not sell, alcohol at the Upton Community Center for a baby shower hosted by Becky Garhart on August 7, 2021, and suggested an approval contingent upon the receipt of a written request. COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to approve the request contingent upon receipt of a written request. All ayes, MOTION CARRIED.

Chief Bridge gave her report and updated the Council on the status of the recently purchased police vehicle.

Chief Strong gave his report. Council Member Trandahl asked the Chief if Campbell County had reached out regarding ambulance services; they had not at this time.

Superintendent Lindstrom gave his report including an update about the kickoff meeting for the Wyoming Water Development Commission Level I Study of the Town of Upton's water system, the Willow Street project and the Lagoon Repair project.

Clerk/Treasurer Millar gave her report. She reviewed the Salaries Publication and Revenues & Expenditures Publication with the Council, as well as the Audit Follow Up information from the Wyoming Department of Audit. Clerk/Treasurer Millar also shared an update on ARPA Funding that was received June 25, 2021, in the amount of \$91,575.00. That funding has been transferred into an interest-bearing account with Wyoming Class and is awaiting further guidance for expenditure and reporting. She also shared some Thank You notes from Youth Hunter Education Challenge participants with the Council.

At 8:33 p.m. COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to retire into executive session as per Wyoming State Statute 16-4-405(a)(iii) potential litigation. All ayes, MOTION CARRIED.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to resume the regular meeting at 8:51 p.m. No action was taken.

There being no further business, COUNCIL MEMBER TRAND AHL MOVED, COUNCIL MEMBER STIRMEL SECONDED a motion to adjourn. All ayes, MOTION CARRIED. The meeting adjourned at 8:51 p.m.

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Justin Norman, Vice Mayor

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Attest Kelley Millar, Clerk-Treasurer