

Town of Upton
Regular Town Council Meeting
February 14, 2023

THE REGULAR MEETING of the Town Council of Upton, Wyoming, was called to order at 7:00 p.m. on Tuesday, February 14, 2023, at the Upton City Hall located at 725 2nd Street in Upton, Wyoming.

Present: Mayor Nicholas Trandahl, Council Members Joe Watt, Justin Norman, Rick Rothleutner and Tiffany McMillan. Staff present included Clerk/Treasurer Kelley Millar, Superintendent Mark Lindstrom, Police Chief Susan Bridge, Fire Chief Les Riehemann and Attorney Mark Hughes. Public attendance Kade McMillan with the *Weston County Gazette*, Nicholas White with the Upton Gun Club and Kelly Wozney.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER MCMILLAN SECONDED a motion to approve the consent agenda which included the minutes from the January 10, 2023 regular meeting as published, minutes from the January 30, 2023 special meeting as published, claims paid for February to date, and claims paid in January (utility payments, payroll, and approved grant/loan expenses). All ayes, MOTION CARRIED.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve the claim for the Upton CoOp with Council Member Watt recused due to a conflict of interest. All ayes. MOTION CARRIED.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER WATT SECONDED a motion to pay the claim for the Weston County Gazette with Council Member Trandahl recused due to a conflict of interest. All ayes, MOTION CARRIED.

CLAIMS PAID:

Deposit/Overpayment (refunds) \$136.00; Reimbursements Tiffany Riehemann (mileage) \$381.17; Nicholas Trandahl (mileage) \$409.38; Transfer (reserves, debt service) \$500.00, \$1,200.00, \$670.00; Alpha Communications (tower lease) \$100.00; AT&T Mobility (phones) \$207.67, \$207.67; Bailey Crackel (service) \$150.00; Bearlodge Engineering (service) \$18,440.00, \$810.00; Big Horn Hydraulics (parts) \$256.20; Black Hills Ammunition (supplies) \$358.50; Black Hills Energy (utilities) \$2,256.10, \$1655.78, \$5,214.65; Blue Cross Blue Shield (benefit) \$12,276.74; Cambria Supply (parts) \$105.61; Chase Cardservices (parts, supplies, training, fuel, postage, equipment) \$3,317.92; City of Newcastle (dispatch) \$1,686.00; Civic Plus (service) \$1,673.73; ClingerHagerman (audit) \$1,950.00; CNA Surety (bonds) \$2,650.00; Collins Communications, Inc. (service) \$58.00; Crook County District Court (garnishment) \$707.42; CW Waste (contract) \$14,189.72; Department of Treasury (taxes) \$10,219.25; Emily Cork (service) \$315.00; Energy Labs (testing) \$197.00; Environmental Products (parts) \$490.47; FirstNet (utility) \$200.20, \$175.96; Honnen Equipment (parts) \$254.02; Hughes Law Office (retainer) \$1,600.00; Joe's (supplies) \$299.15; Lynn Jespersen (easement) \$200.00; Maguire Iron, Inc. (parts) \$2,949.75; Northwest Pipefitting (parts) \$185.88; One Call of WY (dues, locates) \$26.50; Postmaster (postage) \$246.72; PRECorp (utility) \$770.78; Range (phones) \$630.48; Rick's Electric (service, equipment) \$7,101.27; Servall (service) \$140.19; Top Office Supply (service) \$355.26; Town of Upton (utilities) \$377.55; Upton Co-op (fuel, parts, supplies) \$1,966.42; UVFD (reimbursement) \$3,337.27; Verizon (phone) \$85.38; Weston County Gazette (publishing) \$435.00; WWQ & PCA (dues) \$90.00; Wyoming Machinery (service) \$3,000.74; WY Assn. of Rural Water (training fee) \$790.00; WY Retirement (benefit) \$6,5118.61, \$168.75.

The following invoices will be paid from grant and/or loan funds when received: Bearlodge Engineering (service) \$7,783.75, \$1,435.00 for the Willow Street Project and Pearl Street Project Phase II.

SALARIES: \$30,516.22

Unofficial Minutes of the Regular Meeting February 15, 2023

CLAIMS DENIED: NONE

Mayor Trandahl read a proclamation designating the week of February 5th through 11th, 2023 as National FBLA Week.

Mayor Trandahl read a proclamation designating the week of February 14th through 20th, 2023 as Random Acts of Kindness Week and further more designating February 17th, 2023 as Random Acts of Kindness Day.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve Addendum A to the Upton Municipal Gun Club Lease that will clean up language regarding property and liability insurance coverages. Mayor Trandahl asked for public comment. Clerk/Treasurer Millar explained the changes to the lease and insurance coverages. All ayes, MOTION CARRIED.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve Resolution No. 5, 2023 entitled A RESOLUTION OF THE TOWN OF UPTON DESIGNATING THE AUTHORIZED SIGNERS FOR THE TOWN OF UPTON MUNICIPAL COURT ACCOUNT. Clerk/Treasurer Millar explained that the resolution was a clean up to ensure that the correct signatories were in place on the municipal court account. All ayes, MOTION CARRIED.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve an agreement for construction with Hot Iron, Inc. for the 6th Street Water & Sewer project in the amount of \$902,325.26. All ayes, MOTION CARRIED.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve a materials testing agreement with Dakota Testing & Engineering, LLC (DTE) for the 6th Street Water & Sewer Project in the estimated amount of \$8,723.00. Kenny Rathbun indicated that he spoke with all potential contractors about the need to invoice in accordance with grant and loan guidelines and is confident that this is understood. All ayes, MOTION CARRIED.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve an agreement for materials testing with DTE for the Emergency Lagoon Repair project in the estimated amount of \$5,620.00. Kenny Rathbun indicated that a proposal was received from Inberg-Miller for the same project, and it was his recommendation to use Inberg-Miller as they have less travel costs due to location. All nays, MOTION FAILED.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER MCMILLAN SECONDED a motion to approve an agreement for materials testing with Inberg-Miller for the Emergency Lagoon Repair project in the estimated amount of \$4,200.00. All ayes, MOTION CARRIED.

Clerk/Treasurer Millar contacted ClingerHagerman auditor, Abbey Hagerman, to give the council a review of the Town's financial statements and audit for the fiscal year ending June 30, 2022. Ms. Hagerman explained the favorable opinion from the audit and the single finding of a lack of segregation of duties. She explained that the Town's management and governing body are taking active measures to further delineate duties of the financial team and that the finding is quite common in municipalities similar in size to Upton. COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER MCMILLAN SECONDED a motion to accept the audit report and findings from ClingerHagerman. All ayes, MOTION CARRIED.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve a request for ITT Services, Inc. dba Irontown Tavern sell alcoholic beverages at the Upton Community Center for

the Upton Gun Club Banquet on April 1, 2023. Clerk/Treasurer Millar confirmed that the licensee is currently compliant. All ayes, MOTION CARRIED.

Clerk/Treasurer Millar presented UPTON 016-Agenda Policy and UPTON 021-Special Events Policy for review with no changes.

At approximately 7:28 p.m. Mayor Trandahl opened the hearing for liquor license renewals. Clerk/Treasurer Millar confirmed that each licensee is currently compliant with Wyoming Statutes and Upton Municipal Code. There being no further public comment, the hearing was closed at 7:28 p.m.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER MCMILLAN SECONDED a motion to approve the presented liquor license renewals. All ayes, MOTION CARRIED.

Chief Bridge gave her report and updated the council about plans to look at adding more language to municipal ordinances in order to have the ability to write more citations into Municipal Court. She also updated the council about progress on development of neighborhood watch wards.

Chief Riehemann gave his report.

Superintendent Lindstrom gave his report.

Clerk/Treasurer Millar gave her report and asked the council to nominate herself, Mike Todd (with Local Government Liability Pool) and Tony Cross (with the Jackson Hole Airport) for re-election to the WAM-JPIC board. She gave a brief legislative update as well.

Attorney Hughes let the council know that he was working on an ordinance to address vacancies in office for the Town. He should have the ordinance first reading ready at the March meeting.

Council Member McMillan expressed that there should be no worry about the fiscal training requirements from the Department of Audit as the Town will do everything possible to facilitate the trainings for anyone affected by the statute.

There being no further business before the Council, COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER NORMAN SECONDED A MOTION to adjourn. All ayes, MOTION CARRIED. The meeting adjourned at 8:06 p.m.

Nicholas Trandahl, Mayor

Attest: Kelley Millar, Clerk/Treasurer