

Town of Upton  
Regular Town Council Meeting  
January 9, 2024

**THE REGULAR MEETING** of the Town Council of Upton, Wyoming, was called to order at 7:00 p.m. on Tuesday, January 9, 2024, at the Upton City Hall located at 725 2<sup>nd</sup> Street in Upton, Wyoming.

Present: Mayor Nicholas Trandahl, Council Members Joe Watt, Rick Rothleutner, and Tiffany McMillan. Council Member Justin Norman was absent. Staff present included Clerk/Treasurer Kelley Millar, Superintendent Mark Lindstrom, Police Chief Susan Bridge, Fire Chief Les Riehemann and Attorney Mark Hughes. Public attendance included Brittany Trandahl with the *Weston County Gazette*, Joey Danens, Georgina Ashby, Martin Ravine, Rick Donner, Rocky Donner, Tiffony Riehemann, Officer Allen, Officer Larson, Shane Kirsch with Campbell County Health, and Rusty Bell with the Office of Economic Transformation.

Mayor Trandahl made the following appointments:

Vice Mayor: Justin Norman

Attorney: Mark Hughes

Municipal Judge: Chris Ringer

Financial Institutions: FirsTier Bank, Wyoming CLASS, Wyoming Government Investment Fund, PEAKS Investments, First Northern Bank and Pinnacle Bank

Official Newspaper: Weston County Gazette

Commissioner:

General Government: Tiffany McMillan

Public Safety: Justin Norman

Water & Sewer: Joe Watt

Streets & Landfill: Rick Rothleutner

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve the Mayor's appointments. All ayes, MOTION CARRIED.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve the consent agenda which included the minutes from the December 12, 2023 regular meeting as published, claims paid for January to date with the claim to the Combined Communications JPB for dispatch contingent upon the service being provided by 2/15/2024 as a friendly amendment, and claims paid in December (utility payments, payroll, approved grant/loan expenses). All ayes, MOTION CARRIED.

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

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve the claim for the Weston County Gazette with Mayor Trandahl recused due to a conflict of interest. All ayes. MOTION CARRIED.

**CLAIMS PAID:**

Deposit/Overpayment (refunds) \$25.00, \$125.00, \$125.00; Reimbursements: NONE; Transfer (reserves, debt service) \$500.00, \$1,200.00, \$670.00; Bailey Crackel (service) \$270.00; Black Hills Energy (utilities) \$4,981.69, \$1,380.18; Blue Cross Blue Shield (benefit) \$12,414.03; Casper Star Tribune (ad) \$220.48; Chase Cardservices (parts, supplies, training, fuel, postage, equipment) \$7,837.14; City of Newcastle (dispatch) \$1,686.00; Collins Communications, Inc. (service) \$58.00; \*CC JPB (dispatch) \$8,915.83; Craig's Sales-Service Rental (equipment) \$1,297.49; Crook County (garnishment) \$874.76; CW Waste (contract) \$14,521.54;

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Dearborn Insurance (benefit) \$86.97; Department of Treasury (taxes) \$10,818.80; Department of Workforce Services (benefit) \$4,511.53; Emily Cork (service) \$285.00; Energy Labs (testing) \$66.00; Gillette Steel (parts) \$806.50; Great Western Tire (service) \$1,881.25; Howard White Construction (reimbursement) \$734.87; Hughes Law Office (retainer) \$1,600.00; Inland Parts (equipment) \$1,019.83; Joe's (supplies) \$244.50; Lynn Jespersen (easement) \$200.00; News Letter Journal (ad) \$100.00; Norco (parts) \$227.71; One Call of WY (locates) \$5.25; Postmaster (postage) \$258.57; PRECorp (utility) \$713.27; Range (utilities) \$631.61; Servall (service) \$98.78; Texas Refinery Corp (supplies) \$705.60; Top Office Supply (service, supplies) \$129.23; Town of Upton (utilities) \$441.55; Upton Co-op (fuel, parts, supplies) \$2,943.46; UVFD (supplies, equipment, utilities) \$1,273.02; Verizon (phone) \$75.06; WWQ & PCA (dues) \$60.00; Weston County Gazette (publishing) \$623.00; Weston County Senior Services (contribution) \$3,000.00; WY Retirement (benefit) \$6,790.88, \$168.75.

The following invoices will be paid from grant and/or loan funds when received: Engineering Associates (service) \$3,350.00, for the 6<sup>th</sup> Street Project.

**SALARIES:** \$40,099.69

**CLAIMS DENIED:** NONE

Georgina Ashby came before the council to propose providing local EMT classes with an incentive of the town paying for the class fees for each student. An estimated cost of \$300.00 per student was shared, this amount would not include the facilitator fee. She further proposed that each student would enter into a contract with the town stating if they did not complete the class or pass the licensing requirement that all fees paid on their behalf would be reimbursed to the town. It was discussed that anyone interested would be able to attend the class and the town would only pay for those with a physical address in Upton. Representatives from the Upton Volunteer Fire Department expressed support for the program as a stop gap while a more permanent solution is still being sought. This item will appear on the February agenda for follow-up. Contact the Upton Volunteer Fire Department for more information.

Rusty Bell with the Office of Economic Transformation presented information on economic development in northeast Wyoming. A copy of the presentation is available at [www.townofupton.com](http://www.townofupton.com).

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER MCMILLAN SECONDED a motion to approve the second reading of Ordinance No. 5, Series 2023 entitled: AN ORDINANCE VACATING ALL OF HALF STREET IN THE NEIMAN ADDITION, TOWN OF UPTON, WYOMING. There was no public comment. All ayes, MOTION CARRIED.

Mayor Trandahl opened the only bid received for the semi and trailer. COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER WATT SECONDED a motion to accept the bid from Iron Creek Services in the amount of \$6,001.00. There was no public comment. All ayes, MOTION CARRIED.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve Resolution No. 1, 2024 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 in the amount of \$409,422.00, for a total project cost of \$545,895.00 and a local match component of \$136,473.00. This project would replace and upsize the water transmission line in upper Pine Street. There was no public comment. All ayes, MOTION CARRIED.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve Resolution No. 2, 2024 entitled: A RESOLUTION AUTHORIZING THE SUBMISSION  
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OF AN APPLICATION TO THE WESTON COUNTY NATURAL RESOURCE DISTRICT COMMUNITY TREE PLANTING PROGRAM ON BEHALF OF TH GOVERNING BODY FOR THE TOWN OF UPTON in the amount of \$500.00. There was no public comment. All ayes, MOTION CARRIED.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER MCMILLAN SECONDED a motion to approve Resolution No. 3, 2024 entitled: A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE UPTON ECONOMIC DEVELOPMENT BOARD ON BEHALF OF THE TOWN OF UPTON in the amount of \$600.00. There was no public comment. All ayes, MOTION CARRIED.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve Change Order No. 1 from Hot Iron, Inc. for the Highway 16 Water Crossing project in the amount of \$4,701.47 for a manhole replacement to be charged against the Force Account line item resulting in no change to the original contract price. There was no public comment. All ayes, MOTION CARRIED.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to hold a liquor license renewal hearing at approximately 7:30 p.m. on Tuesday, February 13, 2024 to hear the following renewals and one new restaurant liquor license application:

- ITT Services, dba Irontown Tavern
- Oddette, Inc, dba Cowboy Bar
- Western Royalties, dba Sunset Amigos

The restaurant application was not received for this hearing request and may be presented as a hearing request at the February meeting with a hearing date in March 2024.

Clerk/Treasurer Millar shared that the renewal applications appeared complete, and all license holders are currently in compliance. All ayes, MOTION CARRIED.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve the design agreement between Engineering Associates for the Water Transmission Line project in the amount of \$54,590.00. There was no public comment. All ayes, MOTION CARRIED.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER WATT SECONDED a motion to approve the following policies, with a friendly amendment to have UPTON 042-Overweight Permitting Policy reviewed separately:

- UPTON 007-Investment Policy with FYE 2024 Acknowledgements
- UPTON 037-Conflict of Interest Policy with FYE 2024 Acknowledgements
- UPTON 043-Meeting Attendance by Electronic Means Policy

There was no public comment. All ayes, MOTION CARRIED.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED a motion to approve UPTON 042-Overweight Permit Policy with a friendly amendment to add “or their designee” after Town Superintendent in section 4.1 and 4.2. Joey Danens gave public comment and clarified that the Gross Vehicle Weight Rating threshold in the recently passed ordinance meant that he could not drive his bobtail tractor trailer on Upton streets. He stated that he had misunderstood the intent when the ordinance was passed in December. Superintendent Lindstrom and Chief Bridge further clarified the intent and outcome of the ordinance for Mr. Danens. All ayes, MOTION CARRIED.

Shane Kirsch with Campbell County Health addressed the council regarding progress he is making with EMS regionalization in our area. He will pass along more information and meeting dates for representatives from Upton to attend.

Chief Bridge gave her report. UPD had 67 calls for service and 112 agency contacts.

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Chief Riehemann gave his report. UVFD had 5 fire calls, 9 EMS calls and 3 of the 9 EMS calls were transported by NEMS.

Superintendent Lindstrom gave his report.

Clerk/Treasurer Millar gave her report.

Attorney Hughes will provide the council with the full statute related to conflict of interest.

Mayor Trandahl encouraged the department heads to have regular meetings.

COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER WATT SECONDED a motion to retire into executive session as per Wyoming State Statute 16-4-405 (a) (ii)-personnel. All ayes, MOTION CARRIED.

The regular meeting resumed at 10:21 p.m. No action was taken from the executive session.

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 10:22 p.m.

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Nicholas Trandahl, Mayor

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Attest: Kelley Millar, Clerk/Treasurer