Town of Upton
Regular Town Council Meeting
August 9, 2022

THE REGULAR MEETING of the Town Council of Upton, Wyoming, was called to order at 7:00 p.m. on Tuesday, August 9, 2022, at the Upton City Hall located at 725 2nd Street in Upton, Wyoming.

Present: Mayor Travis Beck, Council Members, Joe Watt, Justin Norman, and Nicholas Trandahl. Council Member Dennis Stirmel was absent. Staff present included Attorney Mark Hughes, Clerk/Treasurer Kelley Millar, Superintendent Mark Lindstrom, Police Chief Susan Bridge and Fire Chief Mike Hiatt. Public attendance included Kelly Wozney, Robyn Honey, Rick Rothleutner, Tiffony and Les Riehemann with the Upton Fire Department, and Kade McMillan with the *Weston County Gazette*.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve the consent agenda including minutes from the July 12, 2022 regular meeting and the July 19, 2022 special meeting as published. All ayes, MOTION CARRIED.

COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to pay August claims to date. All ayes, MOTION CARRIED.

COUNCIL MEMBER TRANDAHL MOVED, COUNCIL MEMBER WATT SECONDED a motion to pay claims paid in July for utilities, payroll and approved grant expenses, and end of year expenditures. All ayes, MOTION CARRIED.

COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER TRANDAHL 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 Refund (refunds) $125.00, $9.39, $11.00, $44.65, $125.00; Reimbursements: Upton Golf Assn. (equipment) $443.60, June Shell (cemetery flowers) $18.86; Transfer (reserves, debt service) $500.00, $1,200.00, $670.00; Alpha Communications (tower lease) $50.00; Arrow Service (fuel) $172.93; AT&T Mobility (phones) $207.19; Bailey Crackel (service) $105.00; Bearlodge Engineering (service) $65.00, $260.00; Black Hills Energy (utilities) $7,292.39, $158.46; Black Mountain Software (software) $712.50; Blue Cross Blue Shield (benefit) $14,290.37; Cambria Supply (supplies) $10.13; Chase Cardservices (parts, supplies, training, fuel, postage, equipment) $10,583.71; City of Newcastle (dispatch) $1,686.00; CivicPlus (service) $2,160.00; Collins Communications, Inc. (service) $58.00; Crook County District Court (garnishment) $713.32; CW Waste (contract) $12,528.00; Department of Treasury (taxes) $11,254.95, $87.22; Emily Cork (service) $285.00; Energy Laboratories (samples) $420.00; FirstNet (phones) $351.36; Fisher Sand & Gravel (supplies) $824.99; Hughes Law Office (retainer) $1,600.00; Joe's Food Center (supplies) $80.08; Jub Jub (website) $360.00; Kepner (parts, supplies) $56.00, $3,482.18; Midwest Assistance Program (GIS software ARPA) $450.00; Norco (part, supplies) $645.30; Norm Engle (access) $350.00; Postmaster (postage) $231.00; PRECorp (utility) $994.92; One Call of WY (locates) $12.75; Range (phones) $638.81; Servall (service) $90.96; Team Labs (supplies) $110.50, $296.50; Top Office Supply (service) $51.00, $120.89; Torgerson's (service) $2,521.93; Town of Upton (utilities) $365.00; Upton Co-op (fuel, parts, supplies) $4,929.10; UVFD (reimburse) $266.46; Van Diest Supply Co. (supplies) $362.50; Verizon (phone) $79.49; Weston County Gazette (publishing) $504.00; Weston County Clerk (fees) $24.00; Weston County Children's Center

(contribution) $3,000.00; WY Network (website design, updates) $300.00; WY Retirement (benefit) $7,270.15, $168.75; Wyoming State Treasurer's Office (unclaimed property) $99.37, $6.00.

The following invoices will be paid from grant and/or loan funds when received: Bearlodge Engineering (service) $4,905.00, $3,901.27 for the Emergency Lagoon Repair and Pearl Street Phase Project Phase II.

SALARIES: $33,928.04

CLAIMS DENIED: NONE

Kade McMillan, representing the Upton Chamber of Commerce and the Think Upton First 2.0 initiative, came before the Council to discuss a Chamber sponsored clean up at the Greenwood Cemetery in Upton, and to ask about legal ramifications that may arise from the effort. Robyn Honey shared her thoughts on condition of the cemetery as well. Chief Bridge shared that the cemetery plots are private property so that in any clean-up effort, no items should be removed from headstones. The Council was in consensus for the Chamber to go ahead with the effort and will have the group follow up at a later meeting.

Attorney Hughes advised the Council that an amending clause would be appropriate to add to the current restrictive covenants for the Country Club Estates subdivision, and action could be taken as an agenda item during a regular meeting. It was also noted that the amending clause could be added through a simple majority vote of the landowners and any further changes could go through the same process. Mayor Beck will contact the current landowners.

Clerk/Treasurer Millar updated the Council on the progress for the contract between the Town and Bearlodge Engineering. A meeting is scheduled for Wednesday morning to discuss the contract further with WYDOT and Bearlodge.

Mayor Beck opened the budget amendment hearing at 7:27 p.m. Clerk/Treasurer Millar explained a change to the advertised amendment increasing the total to $46,985.39, with $25,684.75 coming from General Fund Cash Reserves. The increase is an "on paper" adjustment to the Town's investments in CDs. There are four $100,000 CDs with Peaks Investments, each of those CDs must be "marked to market value" at least once per fiscal year. This process is completed in June each year to reflect the market value most accurately for the next fiscal year. The loss is unrealized and would only be realized if the Town were to cash in one of the instruments before it matured. There was no other public comment. The hearing was closed at 7:29 p.m.

COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER NORMAN SECONDED a motion to approve amending the FYE 2022 budget in the following particulars:

> Increase the General Fund Budget by $46,985.39 by budgeting $25,684.75 from general fund reserves and $21,300.64 from the ARPA Fund Reserve, having received the second tranche in FYE 2022. The funds will be used to cure end of the year expenditures for general government salaries in the amount of $3,562.99, loss to cure market value of Certificates of Deposit in the amount of $21,803.70, court salaries in the amount of $78.01, cemetery salaries in the amount of $240.05, that are above and beyond anticipated expenditures; and ARPA expenditures in the amount of $21,300.64.
>
> Increase the Sanitation Fund Budget by $6,330.00 by budgeting $6,330.00 from sanitation/landfill fund reserves. The funds will be used to cure end of year expenditures for contract garbage hauling in the amount of $6,330.00 due to additional carboard trailer tips.

All ayes, MOTION CARRIED.

Mayor Beck asked for public comment regarding Resolution No. 10, 2022- Wyoming Outdoor Recreation Grant Program. Clerk/Treasurer Millar and Superintendent Lindstrom explained a proposed project for replacement of the pathways within the City Park and an addition of a pathway for Veteran's Row that would be applied for through the Wyoming Outdoor Recreation Grant Program recently opened for pre-applications. The grant information was also shared with the Upton Golf Association and the Upton Gun Club, as non-profit organizations are allowed to apply for funding through the program. Council Member Norman had reached out to the program's coordinator about funding for a golf course well and repairs or replacement of the irrigation system, but those expenditures are not eligible for this grant funding opportunity. There being no further comments, COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER TRANDAHL SECONDED a motion to approve Resolution No. 10, 2022 entitled: A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE WYOMING OUTDOOR RECREATION GRANT PROGRAM ON BEHALF OF THE GOVERNING BODY FOR THE TOWN OF UPTON. The resolution authorized a grant application in the amount of $200,000.00 for the proposed project with an anticipated match of 10% or $22,000. All ayes, MOTION CARRIED.

A brief discussion regarding UPTON 017-Cemetery Policy concluded with any changes being held until after the Chamber's community clean up efforts.

Chief Bridge gave her report.

Chief Hiatt gave his report.

Superintendent Lindstrom gave his report and answered questions about vandalism at the water dock.

Clerk/Treasurer Millar gave her report.

Attorney Hughes offered that the City of Sundance had previously budgeted $1,000.00 for cemetery clean up that was donated to a school group who performed the clean-up and used the monies to fund an annual trip, as another possible solution to issues at the Greenwood Cemetery in Upton.

There being no further business before the Council, COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER TRANDAHL SECONDED A MOTION to adjourn. All ayes, MOTION CARRIED. The meeting adjourned at 7:46 p.m.

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Travis Beck, Mayor

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Attest: Kelley Millar, Clerk/Treasurer