



## TOWN COUNCIL REGULAR MEETING DECEMBER 06, 2022 at 6:00 PM

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Saratoga Town Hall, 110 E Spring Ave, Saratoga, WY 82331

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### MINUTES

#### CALL TO ORDER

- 1) Opening Ceremony
- 2) Roll Call: \_\_Mayor Creed James \_\_Councilman Nelson \_\_Councilwoman Beck  
\_\_Councilwoman Campbell \_\_Councilman Hutchins

#### PRESENT

Mayor Creed James  
Councilman Jon Nelson  
Councilwoman Kathy Beck  
Councilwoman D'Ron Campbell  
Councilman Ron Hutchins

#### APPROVAL OF THE AGENDA

Motion made by Councilman Nelson, Seconded by Councilwoman Campbell. Motion carried.

#### APPROVAL OF THE MINUTES

- 3) Approval of the public hearing minutes of November 15, 2022  
Motion made by Councilwoman Campbell, Seconded by Councilman Hutchins. Motion carried.
- 4) Approval of the regular minutes of November 15, 2022  
Motion made by Councilwoman Campbell, Seconded by Councilman Hutchins. Motion carried.

#### APPROVAL OF THE BILLS

- 5) Deposits - \$320,895.42  
Motion made by Councilman Nelson, Seconded by Councilman Hutchins. Motion carried.

- 6) Accounts Payable - \$503,484.98  
Motion made by Councilwoman Campbell, Seconded by Councilman Hutchins. Motion carried.
- 7) Payroll - \$36,825.05  
Motion made by Councilman Nelson, Seconded by Councilwoman Campbell. Motion carried.
- 8) Transmittals - \$11,570.03  
Motion made by Councilman Nelson, Seconded by Councilman Hutchins. Motion carried.

## **CORRESPONDENCE**

- 9) Status of Rail Union Negotiations and Potential Chemical Shortages  
Councilman Hutchins stated that we are good on chemicals for several months, but we will stockpile what we can so that it does not affect us in the near future.
- 10) EPA Region 8 Notice of Noncompliance  
The Town was supposed to collect the samples and send them in. They were not sent in at a timely manner and that is why we received a notice. This noncompliance does not affect water quality.
- 11) Bank Of Commerce - Letter of Interest for 2023 Depository

## **ITEMS FROM THE PUBLIC**

No items from the public.

## **COUNCIL COMMENTS**

Mayor James stated that under the Spring Avenue Shutdown, they will stop at 6:30pm on the agenda and speak with the attorneys on the phone over this subject.

## **REPORTS FROM DEPARTMENTS**

### **Town Hall**

- 12) Carbon County Senior Services Agreement  
Motion made by Councilman Nelson to table the agreement, Seconded by Councilman Hutchins. Motion carried.
- 13) Bank Reconciliations  
Mayor James stated that Stuart Webster will be wrapping up fiscal year 2022 is almost done. Councilman Nelson asked where Stuart was on hours that he has worked. Mayor James stated that he will ask him.
- 14) Valley Village Childcare  
Ellie Dana stated that Valley Village proposed that Excel and Valley Village will purchase the property for \$1 and increase the number of children to 80 for childcare with the larger facility

per the master plan and for the benefit of the community. Corbett Medical Foundation has signed off to allow the Town to sell the property to Valley Village. Ellie is present to see if Valley Village can move forward with the purchase of Town's property for \$1. Mayor James stated that he had forwarded that document to the attorney for review and the property would need an appraisal and public hearing. Ellie stated that the Valley Village board has approved \$2,500 for an appraisal for the clinic if the Town has not budgeted that amount. Councilman Nelson stated that on the lease, if the building is not used for childcare in the future, the building ownership would revert back to the town. Councilman Nelson made the motion to allow the Mayor to engage an appraisal up to \$2000 to the town. Councilman Hutchins seconded. Motion carried.

- 15) TAP Project Agreement  
Motion made by Councilman Nelson to allow the Mayor to sign the agreement and accept the process, Seconded by Councilman Hutchins. Motion carried.
- 16) PVCC Agreement  
Motion made by Councilman Nelson to send to the Community Center Board, Seconded by Councilwoman Campbell. Motion carried.
- 17) Platte Valley Aquatic Center  
Councilman Nelson stated the Council can draft an MOU if the aquatic center route is viable to prevent the project from stalling. Councilman Nelson asked Mayor James if he could bring it up to the attorney and he stated he could the next day.
- 18) Work Order for Stevens Project  
Motion made by Councilman Hutchins to approve the \$1500 for work order to TO Engineering, Seconded by Councilman Nelson. Motion carried.
- 19) Liquor License Renewal Approval - Bella's Bistro  
Motion made by Councilman Nelson, Seconded by Councilwoman Beck. Motion carried.
- 20) Liquor License Renewal Approval - Valley Liquor  
Motion made by Councilman Nelson, Seconded by Councilman Hutchins. Motion carried.
- 21) Liquor License Renewal Approval - Lazy River Cantina  
Motion made by Councilman Hutchins, Seconded by Councilman Nelson. Motion carried.
- 22) Liquor License Renewal Approval - Saratoga Resort and Spa  
Motion made by Councilman Hutchins, Seconded by Councilman Nelson. Motion carried.
- 23) Liquor License Renewal Approval - Rustic Bar  
Motion made by Councilman Hutchins, Seconded by Councilman Nelson. Motion carried.
- 24) Liquor License Renewal Approval - Hotel Wolf  
Motion made by Councilman Nelson, and Councilwoman Campbell abstained. Seconded by Councilman Hutchins. Motion carried.
- 25) Liquor License Renewal Approval - JW Hugus Co

Motion made by Councilman Nelson, Seconded by Councilman Hutchins. Motion carried.

- 26) Liquor License Renewal Approval - American Legion Post #54  
Motion made by Councilman Nelson, Seconded by Councilwoman Beck. Motion carried.
- 27) Liquor License Renewal Approval - Firewater  
Motion made by Councilman Hutchins, Seconded by Councilman Nelson. Motion carried.
- 28) Liquor License Renewal Approval - Snowy Mountain Brewery  
Submitted \$1,500 for microbrewery permit and we need to submit a \$1,500 reimbursement to International Resort Properties LLC because the microbrewery permit is held in conjunction with the retail liquor license. Per W.S. 12-4-415(b)(iv), only the retail license fee shall be assessed. Motion made by Councilman Hutchins with permission for the reimbursement to Snowy Mountain Brewery, Seconded by Councilman Nelson. Motion carried.

### **Police Department**

- 29) Radio Upgrade to close out 2020 SHSP Grant  
Motion made by Councilwoman Campbell to approve the invoices and close out the grant, Seconded by Councilman Nelson. Motion carried.

There was a gas leak and Fire Department Chief Waliser and Chief Ken Lehr stated that they had concerns because all they can do is sit and wait. Councilman Nelson stated that there have been issues with Black Hills Energy responding efficiently. Councilman Nelson would like to make a motion that the Mayor, Chief of Police and Chief of the Fire Department to write a letter to the public service commission on Black Hills Energy for better response times and to get back to us with a resolution. Councilwoman Beck seconded. Motion carried.

### **Fire Department**

No new updates.

### **Recreation Department / Commission**

Next meeting is January 9, 2022 at 6:00 PM at the Town Hall Council Chambers

- 30) Department Report  
Director Sarah Laughlin would like Mayor James to sign 2 personnel action forms for 2 employees to switch from the pool department to the open gym position.  
Motion made by Councilwoman Beck, Seconded by Councilman Nelson. Motion carried.  
Fitness classes the first week of January will be free. There will be discounts for early signups for annual memberships.
- 31) Gym Equipment  
Director Sarah Laughlin would like to replace 2 treadmills and a rowing machine for \$5,372 which includes shipping and installation with a 1-year warranty. Colorado Cardio was the only company that responded back with a quote. Motion made by Councilwoman Beck, Seconded by Councilman Nelson. Motion carried.

### **Department of Public Works**

There were communication issues with the computer and the wells. Councilman Hutchins made a motion to troubleshoot and proceed as necessary to call Timberline. Councilman Nelson seconded. Motion carried.

- 32) Approval to Purchase Gravel & Road Base  
Motion made by Councilman Hutchins to purchase 100 tons of road base and 100 tons of gravel. Seconded by Councilwoman Beck. Motion carried.

### **REPORTS FROM BOARDS AND COMMISSIONS**

#### **Community Center Joint Powers Board**

Next meeting is December 12, 2022 at 4:30 PM at the PVCC

Mayor James asked Councilwoman Beck to deliver the operating agreement to the board for their review.

#### **Water and Sewer Joint Power Board**

Next meeting is December 14, 2022 at 6:00 PM at the PVCC

- 33) Spring Ave Shutdown  
Caleb and Josh from Lewis and Lewis were present and proposed 3 options. They would like the Town to give Lewis and Lewis an option to not assess liquidated damages against them during the Winter months and grant them a Winter shutdown. Lewis and Lewis will also reimburse the Town for any water line break damages during this time. Attorney Jane France and Attorney Ray Martin gave their recommendations to the Council. Attorney Ray Martin stated that the Town is still protected if the Town does not assess liquidated damages over the Winter and this will serve the Town's best interest in the long run with the Town's reputation with fairness. Councilman Nelson stated that the contractor did not have any unforeseen conditions. Caleb with Lewis and Lewis stated that their main goal is to get this project done no matter what. Councilwoman Campbell made a motion to go with option #1 and not to assess liquidated damages during the Winter shutdown. Councilman Hutchins seconded the motion and stated that he would like to agree with what the attorney stated during the meeting. Councilman Nelson stated that he does not agree and thinks it may not be the most principled position. He would like to follow the contract.

Mayor James asked to poll the Council.

Voting Yea: Councilwoman Campbell, Councilman Hutchins

Voting Nay: Mayor James, Councilman Nelson, Councilwoman Beck

Motion failed.

#### **Planning Commission**

Next meeting is December 13, 2022 at 5:30 PM at the Town Hall Council Chambers

### **Saratoga Airport Advisory Board**

Next meeting is December 12, 2022 at 3:30 PM at the Town Hall Council Chambers

#### 34) SAA Ent Rd L&L Pay Request 3

Motion made by Councilman Hutchins to pay \$24,143.30, Seconded by Councilman Nelson.  
Motion carried.

Motion from Councilman Nelson to sign the RFR for Straight Stripe Painting. Councilwoman Campbell seconded. Motion carried.

### **South Central Wyoming Emergency Medical Services Board**

Next meeting is December 19, 2022 at 6:00 PM at Saratoga Ambulance Barn

#### 35) Wyoming Hospital Association

Clerk Marie Christen stated that on October 31, 2022, SCWEMS received a notice from the Wyoming Hospital Association that stated the Wyoming Legislature was issuing sustainability funds through ARPA to stabilize EMS. SCWEMS is eligible for \$154,179.00. The sustainability funding is only for staff that provide frontline patient care and not for payroll taxes and must be spent by the end of the year, 12/31/2022. Due to the unforeseen payroll tax expense, the joint powers board elected to only use \$112,000 and use money budgeted for incentive bonuses that normally occur at the end of our fiscal year to cover payroll taxes. SCWEMS anticipates returning over \$40,000 back to the State. Any staff member who elected to receive their portion of the bonus was asked to sign an agreement stating that they would continue to volunteer for at least one year, maintain at least 30 hours on call or complete one transport per month and have an active participation in community events and training.

### **NEW BUSINESS**

No new business.

### **EXECUTIVE SESSION**

To discuss personnel and matters of litigation in accordance with W.S. 16-4-405(a) (ii) and (iii)

Motion made by Councilwoman Campbell to enter executive session at 8:46pm, Seconded by Councilman Hutchins. Motion carried.

Motion made by Councilman Nelson to exit executive session at 9:43pm noting no action was taken, Seconded by Councilwoman Beck. Motion carried.

### **FURTHER BUSINESS**

A workshop with the new council will be planned to discuss the Department of Public Works job description and the Planning & Zoning job description. The workshop will be scheduled Thursday, December 15, 2022 at 10am.

**ADJOURNMENT**

Motion made by Councilman Nelson to adjourn at 9:45pm, Seconded by Councilman Hutchins. Motion carried.

**THE NEXT TOWN COUNCIL MEETING WILL BE ON  
TUESDAY, DECEMBER 20, 2022 AT 6:00 PM.**



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Mayor Creed James



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Marie Christen, Town Clerk