

# LEGAL NOTICE

## UNOFFICIAL MINUTES OF THE REGULAR MEETING OF THE TOWN COUNCIL OF UPTON, WESTON COUNTY, WYOMING

May 14, 2024

**THE REGULAR MEETING** of the Town Council of Upton, Wyoming, was called to order at 7:00 p.m. on Tuesday, May 14, 2024, at the Upton City Hall located at 725 2nd Street in Upton, Wyoming.

Present: Mayor Nicholas Trandahl, Council Members Rick Rothleutner, Justin Norman, Tiffany McMillan and Joe Watt. Staff present included Clerk/Treasurer Kelley Millar, Superintendent Mark Lindstrom, Police Secretary Kami Erland and Attorney Mark Hughes. Public attendance included Brittany Trandahl with the *Weston County Gazette*, Weston County Sheriff Bryan Colvard, Deputy Dan Fields, Ken Mierose and Lynn Kendall with Black Hills Energy, Crystal Canfield and Justin McMillan with the Upton Golf Association, and Dwight and Paula Donner.

**COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER NORMAN SECONDED** a motion to approve the consent agenda which included the minutes from the April 16, 2024 regular meeting as published, claims paid for May to date, and claims paid in April (utility payments, payroll, approved grant/loan expenses). All ayes, **MOTION CARRIED.**

**COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER MCMILLAN SECONDED** a motion to approve the claims for the Upton Co-op and the Weston County Gazette with Council Member Joe Watt and Mayor Trandahl recused due to a conflict of interest. All ayes. **MOTION CARRIED.**

### CLAIMS PAID:

Deposit/Overpayment (refunds) \$52.78, \$150.00, \$50.00; Reimbursements: \$20.00; Alpha Communications (lease) \$50.00; Bailey Cracker (service) \$285.00; Big Horn Hydraulics (parts) \$112.00; Big Horn Tire (tires) \$185.40; Blue Cross Blue Shield (benefit) \$10,492.64; Cambria Supply \$17.22; Chase Cardservices (parts, supplies, training, fuel, postage, equipment) \$10,838.57; Collins Communications, Inc. (service) \$58.00; Combine Communications JPB (dispatch) \$8,915.83, \$8,915.83; Crook County District Court (garnishment) \$813.30; CW Waste (contract) \$14,335.60; Department of Treasury (taxes) \$625.14, \$11,554.67; Emily Cork (service) \$300.00; Engineering Associates (service) \$60.00, \$3,320.19; Energy Labs (testing) \$294.00; Fisher Sand & Gravel (supplies) \$67.45; Hawkins (supplies) \$2,264.00; Hughes Law Office (retainer) \$1,600.00; Joe's (supplies) \$45.49; Kyle Studie (service) \$825.00; McKaylia Stevenson (service) \$30.00; Norco (supplies, parts) \$55.28; Northwest Pipefitting (parts) \$227.10, \$105.46; One Call of WY (locates) \$24.00; Postmaster (postage) \$270.83; PRECorp (utility) \$587.30; Range (utilities) \$631.08; Rick's Electric (service) \$814.50; S & S Parts and Performance (supplies, service) \$684.56; Servall (service) \$103.48; Team Labs (supplies) \$355.50; Top Office Supply (service) \$313.89; Town of Upton (utilities) \$330.00; Upton Co-op (fuel, parts, supplies) \$1,864.88; Verizon (phone) \$75.10; Weston County Gazette (publishing) \$631.75; Weston County Clerk (fee) \$24.00, \$12.00; WY OSLI (principal debt payments) \$13,230.54, \$11,270.46; WY Retirement (benefit) \$6,580.75, \$187.50.

The following invoices will be paid from grant and/or loan funds when received: Engineering Associates (service) \$2,865.38, \$5,389.29, \$23,393.37, \$3,910.00 for the Montana Avenue, North Pine Transmission Line, Phase I Infrastructure, and Colorado Avenue projects.

**SALARIES:** \$37,790.58

**CLAIMS DENIED:** NONE

Crystal Canfield, Upton Golf Association President and Justin McMillan came before the council to present a request for reimbursement for emergency repairs needed on the mowers at the course in the amount of \$11,723.10. Repairs have already been made in an effort to open the course on time and prevent damage to greens and fairways. The council opted to address the matter in the upcoming budget and requested a monthly report of equipment maintenance to accompany the financials and updates currently expected from the UGA to the Town of Upton.

Weston County Sheriff Bryan Colvard addressed the council and answered questions for coverage options with cost estimates. The Sheriff shared that the "Cadillac" plan could include 24/7 coverage, require four new deputies, and would not include any local ordinance enforcement for a cost of \$500k-\$600k. He shared that in this scenario, a civilian Code Enforcement Officer would be necessary and would have back up from the WCSO if necessary. Sheriff Colvard was very clear that his department is happy to help as they are currently with coverage and taking on cases for Upton PD until the department recovers from recent turnover and injuries. No action was intended for the discussion and no action was taken. The Upton PD is currently seeking applicants and can be contacted at susan.bridge@townofupton.com for more information.

**COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED** a motion to approve the second reading of Ordinance No. 1, Series 2024 entitled: ANNUAL APPROPRIATIONS ORDINANCE FOR THE FISCAL YEAR ENDING JUNE 30, 2025. All ayes, **MOTION CARRIED.**

**COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER MCMILLAN SECONDED** a motion to approve a request for the Duarte party to HAVE, not sell, alcohol at a graduation celebration in the Upton Community Center on Sunday, May 19, 2024. All ayes, **MOTION CARRIED.**

**COUNCIL MEMBER ROTHLEUTNER MOVED, COUNCIL MEMBER WATT SECONDED** a motion to approve an asset purchase agreement between the Town of Upton and Black Hills Energy for the purchase of remaining infrastructure in the amount of \$211,252.50. Attorney Hughes brought concerns with W.S. 15-1-112(b) requirements for an appraisal of the property to be purchased, and warranty requirements within in the agreement. All nays, **MOTION FAILED.**

**COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER NORMAN SECONDED** a motion to table the agreement pending more valuation information and clarification from BHE's and the Town's attorneys regarding the agreement. All ayes, **MOTION CARRIED.**

**COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER MCMILLAN SECONDED** a motion to approve Resolution No. 5, 2024 entitled: A RESOLUTION OF THE TOWN COUNCIL OF UPTON, WESTON COUNTY, WYOMING ADOPTING UTILITY RATE AMOUNT INCREASES FOR THE FISCAL YEAR 2024-2025, contingent upon the passage of the proposed Annual Appropriations Ordinance No. 1, Series 2024. All ayes, **MOTION CARRIED.** A copy of the resolution can be found at www.townofupton.com, published in the Weston County Gazette and in person as City Hall.

**COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER WATT SECONDED** a motion to approve an agreement between the Town of Upton and the Upton Senior Center Board for use of the Upton Senior Center for meals and activities from July 1, 2024 to June 30, 2025. All ayes, **MOTION CARRIED.**

**COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER WATT SECONDED** a motion to approve updates to the Restrictive Covenants for the Bobcat Subdivision. Mayor Trandahl voted aye, Council Members McMillan, Watt, Norman and Rothleutner voted nay, **MOTION FAILED.**

**COUNCIL MEMBER MCMILLAN MOVED, COUNCIL MEMBER NORMAN SECONDED** a motion to table the matter of the Restrictive Covenants for the Bobcat Subdivision until the next meeting. All ayes, **MOTION CARRIED.**

**COUNCIL MEMBER NORMAN MOVED, COUNCIL MEMBER ROTHLEUTNER SECONDED** a motion to hold the Annual Appropriations Hearing at approximately 6:45 p.m. before the regular meeting on Tuesday, June 11, 2024. All ayes, **MOTION CARRIED.**

Chief Bridge had submitted her report before the meeting.  
Chief Riehemann had submitted his report before the meeting.  
Superintendent Lindstrom gave his report and an update on the progress of the Montana Avenue project.

Clerk/Treasurer Millar gave her report.  
There being no further business before the Council, **COUNCIL MEMBER WATT MOVED, COUNCIL MEMBER MCMILLAN SECONDED** A MOTION to adjourn. All ayes, **MOTION CARRIED.** The meeting adjourned at 9:10 p.m.

Nicholas Trandahl, Mayor

Attest: Kelley Millar, Clerk/Treasurer

Publish: May 23, 2023.