

**RECORD OF PROCEEDINGS**  
**Town of Medicine Bow Meeting**  
**August 9, 2010**

**OPENING:** Mayor Colman called the meeting to order at 7:00pm. Members present were Mayor Colman, and Councilmembers Colman, Chace, Kahl, and Marble. Also present was Town Clerk/Treasurer Karen R. Heath, Utilities Commissioner George, Attorney Bill MacPherson and Fire Chief Colman. The Pledge of Allegiance was recited.

**APPROVAL OF MINUTES:** A motion was made by Councilmember Chace and seconded by Councilmember Marble to approve the minutes of the regular meeting of July 12, Special Meeting minutes of July 19 and 30, and Public Hearing minutes of July 28, 2010. The motion carried with all members present voting aye.

**APPROVAL AND RATIFICATION OF BILLS:** The bills were read. Mayor Colman asked what Ice Melter was and Utilities Commissioner George said it was used for icy sidewalks. A motion was made by Councilmember Colman and seconded by Councilmember Chace to pay the bills as read. The motion carried with all members present voting aye.

**BUSINESS: Gary Smith and Cindy Wallace Business Proposal—**Cindy Wallace of the Carbon County Economic Development Corporation (CCEDC) introduced herself and Gary Smith, a businessman to the Council. She said that Gary Smith had been looking at several places for his next manufacturing plant and that Carbon County would like to have his business. She said that Gary Smith had toured the Red School and was interested in it.

Gary Smith said he lived in Monument, Colorado and had two manufacturing businesses, one being professional hair care products for high end beauty salons. He said the top 5% of beauty salons used his product which cost \$24 for a bottle of shampoo and \$28 for a bottle of conditioner. The second business was manufacturing ammunition, particularly .40-.45 caliber rounds for police practice. He said he loved the Red School building and was interested in Wyoming because there were business opportunities here and also financing opportunities. He said that it did not make a difference where his products were made since they were shipped nationwide. He said he had had meetings with Cindy Wallace today and went over different financing options. He said he made an A+ product that sold for big bucks and the name of Medicine Bow would go on all the bottles and boxes and be nationally known, but he said because of that Medicine Bow had to look like an oasis and clean up so that everything matches. He said he would start with 50 employees and eventually work up to a \$2 million dollar payroll. He said there were two areas of concern, the approaches to the town on route 30 and route 487. He thanked Mayor Colman and Utilities Commissioner George for showing him around the town and the Red School.

Cindy Wallace said the deciding factor was to clean up and beautify the town. She said this could be the reason he does not come, and the town could get grants and enforce the ordinances. Councilmember Chace said that needed to be said. Cindy Wallace said flowers and trees could be planted, stuff cleaned up and the weeds mowed down. She said there could be as many jobs as 70 eventually, and it could mean a way to bring families and kids back to the Bow.

Gary Smith said he would love for this to look like an oasis. He said it could put Medicine Bow on the map so that everyone knows where it is.

Councilmember Colman asked if the building was adequate for his needs and he said he would have to add 13,000 square feet to it. He said he also needed a 6" water line. He said he was sold on the people of Wyoming and their straight-forward mentality and that he did not like to play games.

Councilmember Colman asked how soon he would come there if he was to come. Gary Smith said in three months he could be here. Councilmember Chace said that for a thousand years the people of this town had heard that different businesses would come here and make things better but they did not come. She said the town should try things her way and clean up and get jobs in here. She said she wanted that for the Town. Councilmember Colman said the whole Council wanted that. Cindy Wallace said there was a lot of potential here, and that this could just be the beginning. She said new housing could be built. Gary Smith said that 10 of the 70 jobs would be professional, but the starting wage for an entry level position would be \$15 per hour.

Cindy Wallace said the Council had already given a lease price but asked if they had a purchase price in mind. She said Gary Smith would lease the property at first so he would be eligible for a business ready grant because a public entity had to sponsor the grant. Mayor Colman said the Town would sponsor it. Councilmember Chace said if they did not execute it and did the right thing the Town should back out of the CCEDC.

Gary Smith said the perceived value of his shampoo was very high when looking at the bottle but looking at the town it is low. He said it was their town but he would like it to look better. He said the perception one got of the town when driving through was that no one cared about it. He said he hoped he did not offend anyone by saying that. Cindy Wallace said that with all the hunting in the area, this would be a good place for ammunition manufacturing. Councilmember Colman pointed out there was a Fast Draw Competition here every year. Cindy Wallace said it was not often there was a company that wanted to come here and that Gary Smith had a unique product that fit in with Wyoming and that this guy was not a fly-by-night person.

Utilities Commissioner George asked what kind of commitment was needed from the Town in order to get a commitment from Gary Smith. Gary Smith said he would like to hear a plan for beautification. Councilmember Colman said that when she first moved here she said she would only stay a year but ended up staying many years because it is a great community and the people here make you love the place. She said she couldn't promise the Council could absolutely make it happen because it was up to individual property owners. Gary Smith said he had driven into Linden, Washington and there were flowers all over it seemed too perfect. He said he asked why and people said it was because they had an ordinance where you could only have grass no taller than 1 ½" and someone went around measuring and cutting it and billing the owner. He said that was the other extreme and he didn't particularly want that.

Councilmember Chace said she was on the Council for another two years and if she had her way the ordinances would be enforced and the community would be cleaned up. She said no one would come here if they were not. Gary Smith said there were some options. Cindy Wallace said there was one state grant for beautification. She said it was not just in Medicine Bow, but in other communities. She said the town has a very good history and it would help with grants to give the town more of a western theme. Gary Smith asked the Town put together a Master Plan and said if he had to pump some money into it he would. Councilmember Chace said the Town had passed a nuisance ordinance but had not enforced it.

Cindy Wallace said the Town had to want growth. Councilmember Kahl asked if she had done anything with urban renewal and she said she had not. She said she had worked on brown fields and block grants. She said a demolition grant might be obtained for abandoned houses but there was a legal process for that. Gary Smith said he knew a builder who could build houses on the lots west of town. He said the builder would do it for cost plus 15% for 20 homes. He said the homes would be 13,000 to 14,000 square feet and would be worth \$30,000 to \$40,000. Cindy Wallace asked if the town had available lots and Mayor Colman said they were all privately owned, although the First Interstate Bank in Laramie had some of them. Councilmember Chace said that she and Councilmember Kahl wanted to

force those landowners to take care of those lots. Cindy Wallace asked if the owners would sell those lots cheaply and Councilmember Colman said she did not know if they would, but if they heard something was coming in here the price would go up. She said it was wonderful that he wanted to come in here but everyone here has heard it many times and hopes built up only to be cut down again. She said the school was the heart of town and a lot of folks would rather see it used than torn down. Mayor Colman said what they could do was guarantee a beautification plan by August 23, 2010 because by then they would know what they could and could not do. Councilmember Chace asked if they did come would they sell memberships to use the gym. Gary Smith said he was thinking of having a tournament.

Troy Maddox said Gary Smith produced a liquid product and asked how much water was needed. Utilities Commissioner George said he did not have any figures on what was needed. Gary Smith said he would need 5,000 gallons per day. Utilities Commissioner George said the Water Treatment Plant was not set up for 5,000 people but the sewer system was. He said he did not see a problem providing that much water. Jim Cavalli of Aspen-Banner Engineering the Town's Engineer said he did not see a problem. Gary Smith thanked the Council for their time. Mayor Colman said he would have a plan by August 23. Councilmember Chace thanked Gary Smith and Cindy Wallace for coming. Cindy Wallace said Utilities Commissioner George had done a good job giving a tour of the Red School to them.

**Kelly Todd—Wyoming Fish & Game**—Kelly Todd introduced himself as the new Game Warden for Medicine Bow. He asked the Council if he could hold a Hunter Education Class this coming Friday, Saturday, and Sunday in the Community Hall. Mayor Colman said he could. Sister Marie Martin asked what his first impression was when he came to Town. Kelly Todd said there were a lot of houses not being taken care of and the town seemed dirty although there were some nice places. He said Pine Street was nice. He said Rock River also seemed dirty. Councilmember Kahl said they have cleaned up. Mayor Colman thanked him for coming to introduce himself.

**Jim Cavalli—Aspen-Banner Engineering**—reported that the State had accepted the payroll for the wind turbine project and that Town Clerk/Treasurer Heath had one more grant request before the project would be closed out. Jim Colman asked if the discrepancies in the output had been straightened out with High Plains Power and Utilities Commissioner George said he was working with their representative, Ozzie, on that.

**Ordinance 22-61-2 First Reading**—An Ordinance Amending Section 22-61 of the Medicine Bow Town Ordinances Reducing the Tree Board to No More Than Nine (9) Members was read by title. Steve Gisi asked why the amount of board members was being reduced when they were struggling to build up the members. Councilmember Kahl said it was so that there would be a quorum present with as few as three persons attending a meeting. Jim Colman explained that the old ordinance set the number of board members while this just set the maximum amount of members. A motion was made by Councilmember Colman and seconded by Councilmember Chace to approve the first reading of this ordinance. The motion carried with all members present voting aye.

**Ordinance 08-27-02 Third Reading**—An Ordinance Amending Section 08-27 of the Medicine Bow Town Ordinance Schedule of Fees for Erecting and/or Remodeling Buildings, Mobile Homes, Fences and Demolishing Any Building or Structure was read by title. A motion was made by Councilmember Chace and seconded by Councilmember Marble to approve the third reading of this ordinance. The motion carried with all members present voting aye.

**WAM-JPIC Amendment**—Town Clerk/Treasurer Heath informed the Council that the Town was a member of the Wyoming Association of Municipalities Health Insurance Board and that the by-laws had to be amended because they required a representative from four first class cities to sit on the Board and there were no longer four first class cities participating. A motion was made by Councilmember Chace and seconded by Councilmember Kahl to approve the amendment. The motion carried with all members present voting aye.

**Treasurer's Requests**—Town Clerk/Treasurer Heath said there was an Employer's Seminar in Rock River on August 19, 2010 with updates on the worker's compensation and unemployment systems. She said it would help her with those reports greatly, and it would cost only \$14 which included lunch, plus gas for her to attend. Mayor Colman approved her attendance at this seminar. Town Clerk/Treasurer Heath requested August 10-16 for her regular vacation. Mayor Colman approved the vacation time. Town Clerk/Treasurer Heath then requested to refund all outstanding credit on inactive accounts. Mayor Colman said he did not prefer this because there might have to be a maintenance fee applied to all inactive accounts. Councilmember Kahl suggested starting everyone at \$0 before billing and maintenance fees began. It was approved to refund inactive credit accounts.

## **CITIZENS PARTICIPATION**

**Steve Gisi** addressed the Council and said it seemed that the goal of beautification was a big concern. He said the people who cared wanted beautification but some would require code enforcement. He asked if an agreement could be made with a business to form a group to mow weeds or paint a house. Mayor Colman said there was a large grant from Home Depot for a non-profit agency for beautification. Councilmember Kahl said the group might meet with opposition because some people won't want others on their property. Steve Gisi said some people that live here are not interested in the goal of beautification. He said we all should help with this because some people don't have time or money to get a contractor out here. Councilmember Chace said that she and Councilmember Kahl wanted to be on the Beautification Board. Councilmember Colman said that they should start on the highway because that was the first thing people saw when coming to town. She said some companies here would not maintain their properties, and another big issue was abandonment. She said that Vernon Scott was making a move by renovating buildings like Scotty's Cedar Street Addition and the Virginian Motel. Councilmember Chace said that Vernon Scott ran a good ship when it comes to his realty.

**Debra Barton**—addressed the Council on behalf of the Bow Days Committee and asked for permission for the committee to use the Community Center for fundraisers and meeting space. She said the first fundraiser would be on August 28, a garage sale from 7am to 4pm. She said the committee was not asking for monetary donations, just for the use of the Community Hall. Mayor Colman said if the committee cleaned it they could use it.

**Steve Gisi**—asked on the vehicle issue if the town could get permission with Jim Hodgson to store vehicles at his place until the vehicles are sold. Councilmember Kahl said that would be something to take up with Jim Hodgson directly. Councilmember Chace said she was not against people having stuff but the people should put a fence up so others would not have to look at it. Councilmember Kahl said maybe someone could have a storage lot. Troy Maddox said that might be against the Nuisance Ordinance. Mayor Colman said a storage lot would have to be in a commercial zone, or a person could apply to the Planning and Zoning Board for a variance.

**Cindy Chace**—said that Marvin Cronberg was the contact person for Experience Works, which employed people 55 and over. She suggested someone could be hired to clean the Community Hall. Mayor Colman said he had a person in mind to do it and said he would talk to him. He said it was a waste of money to beautify this building and not take care of it.

**Cindy Chace**—said that a few months ago Town Clerk/Treasurer Heath had presented a business proposal from a company that would interface credit card payments and online payments with the Town's current system. Councilmember Kahl said bulk water sales needed to be done with credit cards. Town Clerk/Treasurer Heath said she

preferred the interface system to directly giving the Town's account numbers directly to customers for direct pay for security reasons

## STATUS REPORTS

**Utilities Commissioner George**—gave updates on various town projects. He said the summer employees were working on the cemetery fence. He also said that a month or so ago The Lion's Club said they were going to fix up the ball field but to date only had about four hours work into it. He said the grass is tall and the ball field is still unusable. He said if the Town was going to partner with someone for beautification to be sure it gets done. He said if someone volunteers to do something, he should do it. Councilmember Kahl said to call Wally Burnett and Marvin Cronberg on the phone and talk to them. Utilities Commissioner George said it was easy to come up with ideas but hard to get someone to do it. Troy Maddox asked who the Lion's Club asked and Mayor Colman said they had asked the Council. Troy Maddox said the Council should address the Lion's Club about it. Mayor Colman said he would do it. The Council thanked Utilities Commissioner George for overseeing the summer employees. Utilities Commissioner George said a walk-through on the Community Hall showed some ice damage to the foundations. He said three of the hoods had been put on the building vents and one hood was in the shop because he needed tall enough equipment to reach the where it needed to go. He said he was still having trouble with the Water Treatment Plant valves and Tonka did not answer their phone. He said the manufacturer was Aquatech and they could not figure out what the problem was. Mayor Colman asked for the phone number to Tonka and said he would call and have them replace them since they were purchased from Tonka. Mayor Colman asked Attorney MacPherson to write a letter requesting replacement valves. Attorney MacPherson said he could get the letter to the Mayor in a week. Utilities Commissioner George said he had not been updated on the Fire Hall. Mayor Colman said the building had been ordered and the Department was working with the Fire Marshal. Councilmember Chace asked what the status of the meters was and Utilities Commissioner George said that was on the bottom of the list. Utilities Commissioner George said the mowers have needed a lot of repairs this summer and if the Town was serious about beautification he needed bigger and better ones because the Town was talking about grooming, not just mowing weeds. He said right now they were mowing about 10 acres of grass. Troy Maddox said they had talked about spraying the ditches instead of mowing them. Councilmember Kahl asked why people did not weed-eat their ditches. Utilities Commissioner George said he was working with Ozzie from High Plains Power on the wind turbine issues. He then said that during the flood some people used their personal vehicles during the mitigation and that his personal vehicle had been damaged. The electric module on his truck would cost \$1,880 to replace. He said he had received a letter from John Zeiger, the Carbon County Emergency Management Coordinator, who had said there was no money from FEMA for repairs to personal vehicles. Jim Colman said many county vehicles had also been damaged and had to be repaired at the county's expense. Mayor Colman asked when he had discovered the damage and Utilities Commissioner George said he had noticed it two weeks ago that the module was full of water and had shorted out. Mayor Colman asked how much the labor would cost and Utilities Commissioner George said he would do the work. Mayor Colman said the cost of the flood mitigation had been tremendous but would have cost even more had nothing been done. Councilmember Chace said the Town should go ahead and replace the part. A motion was made by Councilmember Chace and seconded by Councilmember Kahl to replace the module on Utilities Commissioner George's personal truck at a cost of \$1,880. The motion carried with all members present voting aye. Mayor Colman said that the Council was aware the flood was going to happen every year now and directed Utilities Commissioner George to look for a winch to put on his work truck. He said to not use personal vehicles for Town work from now on. Utilities Commissioner George asked for August 16 and 17 off for vacation. Mayor Colman granted the request. Councilmember Colman said that at her house Jim Colman had placed a fence before the culvert work was done and when it was done, the backhoe operator had dragged the dirt away from the fence exposing the posts. She asked it be moved back and Utilities Commissioner George said there were several areas like that and said he would take care of them.

**Town Attorney MacPherson**—said he had no report. Councilmember Chace said she had no problem with people owning stuff but asked if the Town could tell someone who had so much stuff in their yard that if their house caught fire the Town would not send a fireman in to fight a fire if one occurred. Attorney MacPherson said the proper thing to do was to enforce the nuisance ordinance. Utilities Commissioner George said the Forest Service puts a red rock to properties that only have one egress and firefighters do not go in there. Mayor Colman asked if you can ask the property owner to clean up or sign a waiver. Attorney MacPherson said to set up clear ground rules and say under certain conditions, firemen will not go in there. He said the best way would be to enforce the nuisance ordinance. Troy Maddox said the Fire Chief has to make a decision at every fire.

**Medicine Bow Museum**—written report submitted.

**Medicine Bow Volunteer Fire Department & SCWEMS**—Fire Chief Colman said the engineers had met with McMurry and submitted a building permit for the Fire Hall. He said the Department had had 5 fire calls and 5 medical calls, and one eight hour training. He submitted the name of Aaron Kirlin for full time membership. A motion was made by Councilmember Chace and was seconded by Councilmember Kahl to approve Aaron Kirlin for full time membership in the Fire Department. The motion carried with all members present voting aye. The SCWEMS representative was absent.

**Medicine Bow Tree Board**—Sharon Kahl said 4 members showed up at the meeting and discussed beautification but they still needed to elect officers. She said the Board would come to the Council with ideas. She said one idea was to plant trees on the thoroughfare of Town, and also to mow and ask for donations of land or a lease from the Union Pacific Railroad for this purpose. Mayor Colman said Union Pacific might not be able to give land away because they had to keep so much for a right-of-way. Jim Colman said Union Pacific would not give land away and the Wyoming Highway Department wanted the south side of the road clear because of snow drifts. He said the Tree Board had already asked Union Pacific and was told no. Councilmember Chace asked that a letter be written to the Highway Department to replace reflector poles by the business driveways on Route 30. Councilmember Kahl asked that a letter be written to the Union Pacific regarding loud excessive train whistle blowing. Dawnstelle Gisi said she had been working on that and you have to email the Union Pacific with the train's number and the time it was heard. Troy Maddox suggested getting hold of the Mayor of Sheridan who had been able to impose a quiet zone in his town, but the Council would have to request it. Mayor Colman said he would get the information from Sheridan.

**Medicine Bow Planning and Zoning**—Chairman Colman said the Commission had received three building permits, one from McMurry for the Fire Hall, and one from the School District for the playground fence. He said both had been approved and the fees were waived. He said the third permit was from him for a fence which had been approved. He paid the appropriate fee. He then asked the Council to revoke the building permit submitted by "R" Addison because the Town's definition of "back yard," which meant the area between the living quarters and the alley and Mr. Addison's definition of "back yard" were different. He stated that the shed could not be located in what the Town defines as the "front yard," the area which Mr. Addison calls his back yard because the setbacks for that area do not allow it. Mayor Colman said according to the planning and zoning ordinances the egress listed is facing the street side. Councilmember Chace said the original permit stated the building would be temporary but now it is called a permanent structure. A motion was made to revoke the building permit based on the understanding the shed would be in the Town's definition of "back yard"

and not "front yard" by Councilmember Chace and seconded by Councilmember Kahl. Attorney MacPherson said he didn't think it was needed to revoke the building permit, but to enforce the permit that had been submitted. He said that if Mr. Addison stated he was building one thing and is building another, then the original permit only has to be enforced. Troy Maddox asked if there was a definition for "back yard." Mayor Colman suggested making it easy for Mr. Addison, saying he could come back and clarify what he is doing and redo the permit. Steve Gisi said he spoke to Mr. Addison who stated he is building the shed in his back yard. Chairman Colman said he had also spoken to Mr. Addison who had stated it was being built on the grassy section of the front yard. Councilmember Chace suggested going through the revocation and let him resubmit the permit. Mayor Colman called for the vote on the aforementioned motion. Councilmembers Chace, Kahl, and Marble voted aye, to revoke the permit. Councilmember Colman and Mayor Colman abstained because a family member was Chairman of Planning and Zoning.

Councilmember Chace asked who was going to be on the Beautification Committee and Mayor Colman said no committee was being formed, but that concerned citizens would get together and work. Dawnestelle Gisi said that Gary Smith wanted a Master Plan and that the Tree Board was going to get a map and section it off. She said she thought a committee was a good idea. Mayor Colman said they didn't have time. He said he agreed that later on there could be a committee. He said he would like to see if the Tree Board, Lion's Club and Council all get together and look at target areas and divvy up the work. He said there would be a meeting on August 16 at 7pm for all persons interested in beautifying Medicine Bow. Councilmember Kahl suggested sending out notices that Medicine Bow had a great opportunity for jobs and needed everyone to clean up. Councilmember Chace said she was dead serious and wanted to see this community grow and get nice. Debra Barton asked what the plan for abandoned property was. Mayor Colman said they would have to find out who owned the properties and that would take time. Councilmember Kahl said County Assessor Sheryl Snider had that information. There being no further business to bring before the Council, a motion was made to adjourn the meeting at 9:13pm by Councilmember Chace and seconded by Councilmember Marble. The motion carried with all members present voting aye.

BY: \_\_\_\_\_  
Kevin Colman, Mayor

ATTEST:

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Town Clerk/Treasurer Karen R. Heath