

**RECORD OF PROCEEDINGS**  
**Town of Medicine Bow Meeting**  
**February 8, 2010**

**OPENING:** Mayor Colman called the meeting to order at 7:04pm. Members present were Mayor Colman, Councilmembers Chace, Kahl and Marble. Councilmember Kahl was present by phone. Also present was Town Clerk/Treasurer Karen R. Heath, Utilities Commissioner George, and Assistant Fire Chief Colman.

**APPROVAL OF MINUTES:** A motion was made by Councilmember Chace and seconded by Councilmember Marble to approve the minutes of the regular meeting of December 14 and Special Meeting December 21, 2009. The motion carried with all members present voting aye.

**APPROVAL AND RATIFICATION OF BILLS:** A motion was made by Councilmember Chace and seconded by Councilmember Marble to approve the bills as amended, adding a Gases Plus bill and Carbon Power and Light bill that had arrived late. The motion carried with all members present voting aye.

**BUSINESS: Lee Browning Neptune Meters**—Lee Browning of Finish Line Systems spoke to the Council about Neptune Meters, which the city of Cheyenne was using. He said that he had spoken with Town Clerk/Treasurer Heath regarding all the problems the town was having with getting the Sensys metering system up and running. He said there were several options the Council could choose from if they chose to go with Neptune Meters, and that the most cost-effective option was to replace the Sensys transmitters with the Neptune transmitters, as well as replace the software and handheld unit. He said they had a 20 year battery life and a 20 year warranty on all the parts with a lifetime warranty on the casing. The other option the Council could choose was to replace the Sensys meters with Neptune's which would also detect leaks and log 96 days of usage. Mayor Colman asked how much everything cost. Lee Browning said for the handheld unit, software, and 300 transmitters, the cost would be \$45,000. For the handheld unit, software, and meter option, it would cost \$80,000. He said before they ever committed to buying the system, he would come down and make sure his system was compatible with the billing software the town already had. He said that Sensys was a good system and he was not there to bash them, only to give the Council information on Neptune systems. Mayor Colman asked what the tech support contract cost and Lee Browning said it would cost \$950 per year for the hand held unit only and just over \$1,000 per year with the software included. He said a third option the Council could consider was buying only the handheld and software for now and do manual reads, and that would cost \$12,000. Mayor Colman asked if the Council decided to do the transmitters now and replace the meters later when they wore out, would they be compatible with new systems. Lee Browning said Neptune did make changes but tried to make everything compatible backwards and forwards so that future replacements would fit with old systems. A motion was made by Councilmember Chace and seconded by Councilmember Colman to table the discussion until Lee Browning determined if the Neptune System was compatible with our billing software. The motion carried with all members present voting aye. At this point Mayor Colman welcomed the Boy Scouts to the meeting. He announced they were working on their merit badges.

**Chris Moon High Country Joint Powers Board**—Chris Moon addressed the Council and said she had tried to get the three communities together for a budget session but the Town of Hanna had posted notices that she was going to raise garbage rates by \$40. She said it was not her but the DEQ that had mandated the transfer station. She said her dilemma was that she did not know where she had to be with the situation and was coming to the town for advice. She said she could not realistically operate a plant that did not exist. Mayor Colman said his question was what the cost basis for the dollar per month figure. Chris Moon said she had to start somewhere and she started with \$5 per customer and the engineer had come back with \$2.60 per customer. She said if there were no raises this year the increase would be \$3.15 the next fiscal year. She said she could stick her head in the sand and not worry about it until the time comes or they could increase fees a little at a time now. Mayor Colman asked if she had used the current Census in figuring and she said she used what she had on file. Councilmember Colman said she had read an article on Sinclair which was in trouble with the DEQ. She said she did not want them to be out of compliance with the DEQ. She asked what the Town of Hanna was paying per customer now. Chris Moon said she was paying \$13.50 but was looking at a \$25 bill in 5 years. She said if something changed she could adjust for it. Councilmember Chace said she was not going to have her people paying more than Hanna's. Chris Moon said that according to Hanna's own figures, they should be collecting enough money. Councilmember Colman asked what would happen if one member out of three didn't agree to the increases. Chris Moon said the one that did not raise their rates would still be responsible for the debt incurred by 2015. Town Clerk/Treasurer Heath said the number of taps Chris Moon used to figure the increase was unrealistic and in fact, if she would use the number of taps that were actually live, the increase would more likely be \$30 for Medicine Bow and \$35 for Hanna. Utilities Commissioner George said he was concerned that if Hanna did not raise their rates history showed that Hanna seems to get out of things somehow and the other two towns would be stuck with the burden. Councilmember Kahl asked if some agreement could be signed by everyone. Utilities Commissioner George said that regardless of legalities Hanna seemed to get away with things and everyone else is left with the burden. He suggested that if rates were raised, the money is kept by Medicine Bow in a savings account and not turned over to the High Country Joint Powers Board until it was time to begin construction. Mayor Colman asked where Elk Mountain was in regard to the increase and Chris Moon said they were comfortable with it. Mayor Colman said his only fear is that right now Medicine Bow was a benefit to Casper when in 5 years it may not be. He said he wanted a guarantee that if he would drop off a washing machine to them, he would not have to pay any extra fee. Chris Moon said with the buy-in that would guarantee that the Board would get the same rates as Natrona County and they had a recycling program set up. She said she could bring in Cindy Langston of Casper to explain it. Mayor Colman said as long as the Board did not get kicked out. Lance Adams said one of the things he had noticed in the contract with Casper was that there was no way to get the \$92,000 buy-in fee back if Natrona County broke the contract. He said he would like to see a clause in there for that. Mayor Colman said there were more opportunities with Casper if they bought in quickly. He said if they planned ahead, the deal with Casper was doable. Town Clerk/Treasurer Heath asked if Casper had made any provisions for carcasses and Chris Moon said something else would have to be done with those. Councilmember Kahl suggested the three towns get together for a workshop. Mayor Colman said with the current rates quoted by the USDA for loans it might be more beneficial to build now. He said they might be able to lock in a 2% rate. Chris Moon said the Board had a regular meeting Thursday but would call for a budget session to be located in Medicine Bow. Councilmember Colman said she could have the idea that Medicine Bow was in support of the increase. Councilmember Chace restated that her people were not going to pay more than other communities.

**George Laughlin of Aspen-Banner Engineering**—updated the Council on various projects. He said they were working on the wind turbine project and that all the foundations had been dug and poured. He said they had to wait 28 days for the concrete to cure, and then the towers could be raised. The estimated completion date was April 15, 2010. Mayor Colman said a turbine could not be placed at the Red School because all the turbines had to be related to either clean or drinking water in order to receive funding. Councilmember Chace asked when the new Council desks were

coming and George Laughlin said they would be installed in about two weeks. He said Roger Strube would call for a convenient time to install the audio-visual systems.

**Ordinance 08-26-01**—An Ordinance Amending Chapter 8 Building Regulations and Codes, Section 26 Applications for Building Permits, and Repealing all Ordinances in Conflict Therewith was read by title. Mayor Colman said that in the paragraph mentioning the Board of Adjustment might need to be changed by the third reading by Attorney MacPherson suggested keeping it phrased that way for now. Councilmember Chace asked if the ordinance could be tabled and the Mayor said it could be changed by the third reading so there was no need to table it. Councilmember Chace mentioned building codes and Mayor Colman said it was a different issue. A motion was made by Councilmember Chace and seconded by Councilmember Kahl to approve the first reading of the ordinance. The motion carried with all members present voting aye.

**Resolution 2010-002**—A Resolution to Document the Town of Medicine Bow's Implementation of the Provisions of Section 414 (h)(2) of the Internal Revenue Code, Regarding Employer Pick-Up of Employee Contributions to the Wyoming Retirement System was read by title. Town Clerk/Treasurer Heath said the resolution was a requirement of the Internal Revenue Service confirming that the Town was not taxing employee contributions to the retirement system. A motion was made by Councilmember Chace and seconded by Councilmember Marble to approve the resolution as read. The motion carried by all members present voting aye.

**Resolution 2010-003**—A Resolution to Authorize the Town of Medicine Bow Representatives to Acquire Surplus Property From the State of Wyoming Surplus Property was read by title. Mayor Colman authorized Utilities Commissioner George, Clerk/Treasurer Heath, and Museum Director Smith to acquire surplus property. Councilmember Chace suggested Director Smith not be included because she was not able to travel because of her husband. A motion was made by Councilmember Colman and seconded by Councilmember Chace to approve Resolution 2010-003 and authorize Utilities Commissioner George and Clerk/Treasurer Karen R. Heath to acquire surplus property. The motion carried with all members present voting aye.

**Resolution 2010-004**—A Resolution Extending Jurisdiction of the Town of Medicine Bow Beyond Corporate Limits was read by title. A motion was made by Councilmember Chace and seconded by Councilmember Colman to approve Resolution 2010-004. The motion carried with all members present voting aye.

**Tracks Across Wyoming Membership**—Town Clerk/Treasurer Heath presented a membership renewal for Tracks Across Wyoming. She said there were no guarantees but perhaps they could help find a grant for the museum repairs. A motion was made by Councilmember Chace and seconded by Councilmember Colman to approve the renewal. The motion carried with all members present voting aye.

**Budget Amendment**—Town Clerk/Treasurer Heath said that at the bond requisition class she had attended the previous Friday she was told the Town's budget had to be amended to reflect the bond repayment monies going in and out even though it was being administered by the Carbon County Treasurer. A motion was made to amend the fiscal year 09-10 fiscal year budget to reflect the bond money repayment by Councilmember Kahl and seconded by Councilmember Chace. The motion carried with all members present voting aye.

## CITIZENS PARTICIPATION

**Sister Marie Bernard Martin**—addressed the Council regarding feral cats. She said she had been working with a group to bring a vet to Town to spay and neuter the feral cats. She asked the Council for a room in which to do the surgeries. Mayor Colman asked how much space was needed and Sister Marie said any large room that was heated, perhaps with running water would work. Mayor Colman asked how much recovery time was needed by the animals before releasing them and Sister Marie said she would find out. She said the vet would like to come soon before breeding season began. She said the organization was looking for a grant to help with the cost, and that they would come and help trap the feral cats. Mayor Colman asked what space could be used, then suggested the Red School shop before construction began. Jim Colman suggested the room with the concrete floor would be best because that floor was getting torn up. Mayor Colman said the group had to clean up after themselves.

**Cindy Chace**—suggested that the international building codes be repealed in favor of modified codes to fit the Town of Medicine Bow because Utilities Commissioner George would have to learn everything in all the code books in order to inspect buildings. Mayor Colman said if the international codes were kept then any contractor would know what standards to use. Utilities Commissioner George said he would try to learn the codes but that everyone needed to realize it would not just be a weekend class. Cindy Chace then spoke to the Council regarding the Community Hall. She said someone was needed to clean the building and that her and Sharon had cleaned it the last time. Mayor Colman said he would like to hire someone from Experience Works, which had to be someone 55 years or older, with a low income. He said it would be 18 hours per week. Councilmember Colman said they did need someone to clean. Councilmember Chace said if anyone was interested in Experience Works to let Town Clerk/Treasurer Heath know. Councilmember Kahl said she had made a checklist of things that had to be cleaned for Hall users and one for inspectors.

## STATUS REPORTS

**Utilities Commissioner George**—said the architect was meeting with him and the engineers for the Fire Hall, and should give a proposal for the renovation in a couple weeks. Mayor Colman suggested letting the Fire Department go over the proposal. Utilities Commissioner George said the locations of some of the wind turbines had been changed because of residential complaints. He reported that the media needed to be changed in some of the water treatment plant vessels and that he expected a quote to arrive this week which would include the cost of a technician coming to recalibrate the instruments. Mayor Colman asked for a rough cost and Utilities Commissioner George said it would cost \$8,000 to \$10,000. He said the plant would have to be shut down to change the media. He said there was \$19,000 in the old capital facilities tax account which could be put toward the meters. Councilmember Colman said someone had asked her if the water transmission lines were being blown out and Utilities Commissioner George said they were being done yearly. He reported that Jim Cavalli was still looking for money to replace the transmission lines.

**Town Attorney MacPherson**—no report

**Medicine Bow Volunteer Fire Department**—Town Clerk/Treasurer Heath read a letter of resignation from Fire Chief Todd Heward. A motion was made by Councilmember Chace and seconded by Councilmember Marble to accept the resignation with deep regrets. The motion carried with all members present voting aye, except for Councilmember Colman who abstained because she was on the Fire Department. Mayor Colman said it was apparent that the position of Fire Chief was no longer a one-person job. He suggested splitting the job into two, where one person was responsible for fundraising, paperwork, and the political aspects of the job and the other for on-site control and training. He recommended Jim Colman for the first job and Les French for the second job with 7 months probation. Councilmember Chace said she wanted to see Les French appointed chief. Mayor Colman said he recommended Les French do on-site mobilization and Jim Colman would be chief. Councilmember Kahl said as she understood it, the chief was the one to direct the crew. Mayor Colman said the chief also handled the political arena and paperwork. Councilmember Kahl asked

who would go out on a fire and Mayor Colman said the Operations Chief would go. Councilmember Kahl asked that if a disaster happened would Jim Colman relinquish command to Les French. Councilmember Chace said she had not wanted Todd Heward to leave. She said that Todd was right, in his letter, to state that this was an exciting time for Medicine Bow. She said he had recommended making Les French chief and getting some new blood in, like Jason Hunter and Ronald Mills. Councilmember Colman said her concern was that Todd Heward was in charge of the new building in that he had drawn up the plans. She said he should be made accountable until it was completed, but that he would not even talk to the Fire Department or return their calls. Mayor Colman said an Executive Session was needed at this point. A motion was made by Councilmember Chace and seconded by Councilmember Kahl to go into Executive Session to discuss personnel at 9:00pm. The motion carried with all members present voting aye. A motion was made to go into General Session at 9:27pm by Councilmember Chace and seconded by Councilmember Marble. The motion carried with all members present voting aye. A motion was made to accept the minutes of the Executive Session by Councilmember Chace and seconded by Councilmember Marble. The motion carried with all members present voting aye. A motion was made to accept the appointments of Jim Colman for the Liaison Fire Chief and Les French for the Operations Fire Chief by Councilmember Chace and seconded by Councilmember Kahl. The motion carried with all members present voting aye except for Councilmember Colman who abstained because she was on the Fire Department. Councilmember Chace said she had been told that the old fire truck was not to leave town for any reason. Councilmember Colman said that was because the pump was too weak and the truck was not 4WD. Councilmember Chace asked if the ordinance could be amended to allow the truck to leave town. Mayor Colman said they needed to set a radius of service and create a Memorandum of Understanding with the county. Les French said if the county used the truck, they could pay \$85 per hour. Councilmember Chace asked if there was a county truck to take care of the outlying areas. Mayor Colman said whenever the Medicine Bow unit ran, the Town assumed responsibility for anything that happened, for example, a traffic accident. He said the city and county needed a clean division of response areas for that reason. Councilmember Kahl asked who responded if the McGraw's or Terrell's house should catch on fire and Mayor Colman said the county trucks would be used. Jim Colman asked if those places had a fire hydrant. Utilities Commissioner George said that that was a concern; that the truck might run out of water before the fire is out. Mayor Colman said they could use the tender.

**South Central Wyoming EMS**—Representative Mary George said her term was up and said the next term would be 3 years long. Mayor Colman recommended Mary George be reappointed to the term and the Council approved the appointment unanimously. Mary George said there would be a Health Fair at the Hanna Clinic on March 19 from 7-9am. She said the EMS would have a table there.

**High Country Joint Powers Board**—Lance Adams said the Council had already discussed everything.

**Medicine Bow Planning and Zoning**—Chairman Jim Colman said that the Committee had met and denied a permit from Brian Upton because of space requirements. Mayor Colman asked if there was verification for the boundary survey never having been done. He asked if they could go out and look for a marker. He suggested the Committee make an appointment with the University of Wyoming Dean of Engineering to see if the students could survey the Town as an exercise. Chairman Colman said they were working on a checklist for building permit applications because the current permits did not list what the Committee needed in order to make approvals. He said they were working on the Strategic Planning Grant and there was a meeting with Pat Robbins on February 16, 2010 at 7pm. He said the Council had the goals in their packets and he requested written feedback from them. He said that the Conservation Resource Management District had requested a waiver of building permit fees for the addition to the building they were planning. Town Clerk/Treasurer Heath said the CRM had given the Town three free spray days the last three years. Councilmember Colman said that when the Town needed to use an organization with a non-profit status the CRM said they would do it but charge the Town 10% of the amount requested. She asked how much the building fee was. Chairman Colman said he did not have the fee list with him but the cost of the addition was \$150,000. Mayor Colman said if the Town waived the permit fee the CRM must provide documentation of certified inspections for the structural, electrical, plumbing and other inspections. Chairman Colman asked that the Council decide tonight since bids were being accepted on the project on February 16, 2010. Mayor Colman said the Town would waive the fees provided they give documentation of certified inspections. Utilities Commissioner George said to not just give away the permit but give them a break. Mayor Colman said if the Town accepted money it would have to use it for inspections. He said that the Town would waive the administrative fees but charge for the inspections and any money not used would be refunded. A motion was made by Councilmember Chace and seconded by Councilmember Marble to approve the waiving of the administrative fees and charge for inspections. The motion carried with all members present voting aye. Utilities Commissioner George said when placing the wind turbines he had some question as to the town's properties boundary lines and asked if the Planning and Zoning Commission could verify the lines and put all the properties on one map. Mayor Colman said that the properties listed boundary lines but those were on paper but if someone challenged them, they would have to hire a surveyor to prove where the line was. Councilmember Chace volunteered to go to the Land Office in Rawlins and get a map of the properties done.

**Medicine Bow Tree Board**—Chairman Colman reported the Town had lost 13 trees because of wind drying and drought stress. He said that 10 of those were grant trees and had to be replaced at a cost of \$1,500, which left \$20 in the budget. He requested the use of the fire truck to water the trees this spring and fall. Mayor Colman said yes, and that a rule of thumb for turning on the sprinklers was when the prairie dogs appeared above ground because that meant the ground was no longer frozen, and to turn them off in the fall when the prairie dogs disappeared. Councilmember Kahl said mulch was needed for the base of the trees. Utilities Commissioner George said grass clippings could be used as long as there were no lawn chemicals in there. Chairman Colman asked the Town to refund the Tree Board \$820.97 because of an invoice that arrived late from the previous fiscal year. Mayor Colman said that until the Tree Board had expenditures it should not ask for money. Chairman Colman said they needed to buy netting. Mayor Colman told Clerk/Treasurer Heath that in the future if an invoice was incurred the previous fiscal year but arrived this year it would be denied. Town Clerk/Treasurer Heath asked that no invoices be incurred past June 1 to allow all expenditures to clear and Mayor Colman said that was still in effect. Chairman Colman said Arbor Education Day was set for April 22 this year and work was planned for the Centennial Garden. He requested that the Mayor reappoint Mary Strauch and Lori Hunter since their terms were up and reported two vacancies on the Board because of a prior vacancy and Glen Culver asking to not be reappointed. Mayor Colman appointed Mary Strauch and Lori Hunter to the Tree Board and the Council approved the appointments. Councilmember Colman asked about the NIMS classes for elected officials and Mayor Colman explained that the elected officials had to attend to be compliant for grants. There being no further business to bring before the Council, a motion was made by Councilmember Chace and seconded by Councilmember Kahl to adjourn the meeting at 10:26pm. The motion carried with all members present voting aye.

**ATTEST:**

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

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Town Clerk/Treasurer Karen R. Heath

