

RECORD OF PROCEEDINGS
Town of Medicine Bow Meeting
June 14, 2010

OPENING: Mayor Colman called the meeting to order at 7:06pm. 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 Brandon Snyder and Fire Chief Colman. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES: A motion was made by Councilmember Chace and seconded by Councilmember Kahl to approve the minutes of the regular meeting of May 10 and Special Meeting May 24, 2010 and Public Hearing June 7, 2010. The motion carried with all members present voting aye.

APPROVAL AND RATIFICATION OF BILLS: The bills were read. A motion was made by Councilmember Chace and seconded by Councilmember Marble to pay the bills and hold back the check for H & H Excavation until the grant reimbursed the Town for the expense. The motion carried with all members present voting aye.

BUSINESS: Jim Cavalli updated the Town on the various projects. He said that the Community Hall lacked a few items to finish the A/V system, but Roger Strube donated a DVD player which was a high end player to the Town. The system still needed a mixer, a set of cables, and a remote microphone to make everything operational. A motion was made by Councilmember Colman and seconded by Councilmember Marble to purchase the remaining items to finish the system. The motion carried with all members voting aye. Mayor Colman said he might have a microphone that could be used and would check on it. Jim Cavalli said the Fire Hall pre-bid was scheduled for June 22, and he requested a meeting on June 24, 2010 to award the bid. Mayor Colman directed Town Clerk/Treasurer Heath to advertise the meeting for 6pm. Jim Cavalli said the wind turbines were all running and recommended that the Town accept the project as substantially complete so they could begin that advertisement. A motion was made by Councilmember Colman and seconded by Councilmember Marble to accept the wind turbine project as substantially complete. The motion carried with all members present voting aye.

Ordinance 08-26-01—An Ordinance Amending Chapter 8—Building Regulations and Codes, Section 8-26 Necessity of and Applications for Building Permits, and Repealing all Ordinances in Conflict Therewith was read by title for the third time. A motion was made by Councilmember Chace and seconded by Councilmember Colman to approve and adopt the ordinance on the third reading. The motion carried with all members present voting aye.

Ordinance 08-27-02—An Ordinance Amending Section 8-27 of the Medicine Bow Town Ordinance Schedule of Fees For Erecting and/or Remodeling Buildings, Mobile Homes, Fences and Demolishing and Building or Structure was read by title for the first time. A motion was made by Councilmember Chace and seconded by Councilmember Marble to approve the first reading of the ordinance. The motion carried with all members present voting aye.

Ordinance B-47—Annual Appropriations Ordinance for Fiscal Year Ending June 30, 2011 was read for the third time by title. A motion was made by Councilmember Colman and seconded by Councilmember Marble to approve and adopt Ordinance B-47 on third reading. The motion carried with all members present voting aye.

Resolution 2010-11—A Resolution Authorizing Submission of a Wyoming Travel and Tourism Grant Application For the Purpose of Obtaining Directional and Informational Signs For the Town of Medicine Bow, Wyoming was read by title. A motion was made by Councilmember Chace and seconded by Councilmember Marble to approve Resolution 2010-11. The motion carried with all members present voting aye.

Resolution 2010-12—A Resolution Authorizing Submission of a Wyoming Transportation Department Transportation Enhancement Activities Local Grant was read by title. Town Clerk/Treasurer Heath said this grant was for getting some money to start the restoration of the museum and said it would not finish the job but would at least get it started and the project could be done in phases. A motion was made by Councilmember Chace and seconded by Councilmember Colman to approve Resolution 2010-12. The motion carried with all members present voting aye.

Resolution 2010-13-- A Resolution Authorizing Submission of a Planning Grant to the Wyoming Business Council was read by title. A motion was made by Councilmember Colman and seconded by Councilmember Chace to approve Resolution 2010-13. The motion carried with all members present voting aye.

Traffic Study—Utilities Commissioner George said the draft copy of the traffic study did suggest where stop signs should be either placed or removed, and confirmed that a 20 mph speed limit was needed in the Town. A motion was made by Councilmember Colman and seconded by Councilmember Marble to approve the study and pay A. Shepp for his work on it. The motion carried with all members present voting aye.

Historic Trails Medicine Bow Beautification Project—Utilities Commissioner George said the Historic Trails RC&D was planning a project in the Town of Medicine Bow for a walking trail and they were working on a grant. The project would be located by the ball field.

CITIZENS PARTICIPATION—None

STATUS REPORTS

Utilities Commissioner George—reported that the material for the water treatment plant media replacement would start arriving tomorrow. Councilmember Chace asked what the status of the meter interrogator was and Town Clerk/Treasurer Heath said she had sent the Town's unit back for diagnosis and repairs, while Sensys had sent another to use as a backup. She said the replacement had not arrived in time to read the meters and Utilities Commissioner George said he hoped to read them at the end of the month. Councilmember Chace asked if the street grant money had been spent and Town Clerk/Treasurer Heath said there had not been enough in the grant to resurface the whole town and if only part of the town was done, some people might be upset that their part of town had not been done. She said the money was being spent on drainage since that was one of the original purposes the grant could be used for. Councilmember Chace asked if the water transmission lines would last a little longer and Utilities Commissioner George said they would last a few more years as long as the blow-off valves didn't break. Councilmember Chace asked what the status of the sewer lift was that was in danger of being flooded out and Utilities Commissioner George said that it had been sandbagged and was dry for now. He said he was trying to find money for aerial spraying for mosquitoes because the stagnant water around town would cause greater numbers of mosquitoes than usual. Mayor Colman said money could be taken from the surplus impact money to spray. Councilmember Colman said she had been in favor of aerial spraying all along. Utilities Commissioner George said he would try to coordinate with Elk Mountain on the spraying so it would be cheaper. Councilmember Colman asked if sprayers would be available because of the grasshoppers and Utilities Commissioner George said the sprayers had indicated their schedule might be full but he had to wait until the water receded for it to do any good. Mayor Colman asked how many sprayings would be needed and Utilities

Commissioner George said 2, one for the larvacide and one for the adulticide. He said \$6,100 was needed for one spraying. Town Clerk/Treasurer Heath said she had thought the bill was higher, around \$8,000 for one spraying. Mayor Colman said the chemicals could be reimbursed through Carbon County Weed and Pest. Councilmember Chace asked if one spraying could be done this fiscal year and one the next fiscal year and Town Clerk/Treasurer Heath said it would not matter since it was to be taken out of the surplus impact money which was in the savings account. Jim Colman said it would take at least a week until the water went down. Utilities Commissioner George said there would actually have to be 3 sprayings, 2 adulticide and one larvacide. Mayor Colman asked the members of the public in the audience if they wanted the aerial spraying. Steve Gisi asked what the pros and cons were. Mayor Colman said that the fogging that the Town does by truck can only reach areas near the roads and would not get any of the ¾ square miles of stagnant water. Steve Gisi said if the aerial spraying was effective he was for it. Mayor Colman said in his opinion it was effective to do both. He said with the amount of water laying around it would be tough to control the mosquitoes because the larva can lay dormant for up to 10 years. Dawnstelle Gisi asked if there was a difference in the chemical used in last year and the year before, because she thought the chemical used last year was not as effective. Mayor Colman said the chemical had been changed last year. Jim Colman said last year was not as good because the sprayer had broken down just after the Centennial. Councilmember Colman said it was wasting money to only fog in town and not on the water where the problem was. Steve Gisi said there was a chemical used in ponds in the South to kill mosquitoes. Mayor said those pellets did not treat large areas of water. He said if it was up to him he would do the aerial spraying even though the flood would cost the Town. Councilmember Chace asked if he had asked for money and Mayor Colman said he had talked to the NCRD which would not help, and the State which would not help and Public Health said they were broke. He said Weed and Pest would pay for the chemicals but not the application. Steve Gisi asked how much it cost to fog per season and Mayor Colman said it cost \$30,000 for chemicals and an additional \$14,000 to aerial spray. A motion was made by Councilmember Colman and seconded by Councilmember Chace to allow the aerial spraying. The motion carried with all members present voting aye. Utilities Commissioner George asked what the Council's plan for paying for the flood was. Councilmember Chace said the cost would have to come out of the same place, the surplus impact money that was in savings. He said they were looking at a cost of \$8-9 per ton for the sand used in the sandbagging. Town Clerk/Treasurer Heath asked how much had been delivered and he said 6 or 7 belly dumps had been delivered, about 150 tons. Mayor Colman said the sewer lift had to be sandbagged and saved at all costs because people did not realize that if it was flooded and failed, the Town would not only lose all its sewer capabilities but also potable water because the water treatment plant had to cycle and back wash, sending water through the sewer system. He said that sewer lift failing would mean the Town would lose everything necessary for human survival. Councilmember Chace asked who would check it at night and Jim Colman said the Fire Department would, as they had been doing all along. Town Clerk/Treasurer Heath said she had been posting on Facebook thanking all the Fire Department and all other volunteers. Steve Gisi asked if there was any potential funding to cover the sandbagging and Mayor Colman said no one would help until the Town had spent all its money. Jim Colman said the Town was in a state of emergency. Mayor Colman said we can either pull the money out of savings or just do nothing, which would not be acceptable. Councilmember Chace said that the Town should keep track of the payments so that if it happened again they would know what it costs. Mayor Colman said some preventative measures could be taken, such as cementing a bunker-like structure around the sewer lift to protect it. Councilmember Chace said in the 53 years she had lived here she had not seen the water as high. Mayor Colman said in 1983 it was higher, and Jim Colman said in 1986 the street had flooded. Councilmember Chace said that after the water receded the Town should make a dam to keep the flood away from housing.

Town Attorney MacPherson, Kelly, and Thompson, LLC Representative Brandon Snyder—Attorney Snyder said that Attorney MacPherson had emailed a right of way agreement with Union Telephone to place a mobile cell tower for \$3,600 per year on a parcel described in the lease belonging to the Town. A motion was made by Councilmember Chace and seconded by Councilmember Marble to approve the lease. The motion carried with all members present voting aye. Councilmember Chace asked if the nonprofit paperwork was finished and Mayor Colman said there were two nonprofits and both sets of papers were being worked on.

Medicine Bow Museum—no report

Medicine Bow Volunteer Fire Department—Fire Chief Colman said the hose had come in and they will use it soon. He said the fire personnel and other volunteers were working hard on the flood.

High Country Joint Powers Board—Councilmember Chace said she had given everyone a copy of the 2nd amendment to the by-laws of the Board that had been drawn up by the Town of Hanna's attorney. She said the Town of Hanna had the idea they should have two votes because of their greater population. She said they suggested cutting the Board down from 7 to 5 people, which actually would give them 3 votes. She said there was a special meeting in Hanna this week at 6pm to discuss it. She said the Board would go to the meeting, sit and listen, but they were not in agreement with the amendment. She reported that Ken Casner was trying to find out about trash districts and what the difference was between them and joint powers boards. She said he was trying to find out if it would cut down on the price of trash disposal. She said that Towns did not have the manpower to monitor every household's weight or volume of trash, and that Ken Casner liked the Pay-As-You-Throw program.

Medicine Bow Planning and Zoning—Chairman Jim Colman said the Council should have the minutes from the last meeting and they had already dealt with the two ordinances.

Medicine Bow Tree Board—Town Clerk/Treasurer Heath reported that the Tree Board was pretty much non-functional as she had received resignation letters from Malea Heward, Sarah Babbitt and Mary Strauch. A motion was made by Councilmember Chace and seconded by Councilmember Colman to accept the resignations of Malea Heward, Sarah Babbitt and Mary Strauch. The motion carried with all members present voting aye. Town Clerk/Treasurer Heath said that "R" Addison had requested to be appointed to the Board. Councilmember Chace said it was time to let go of the Tree Board because if people wanted to plant trees the CRM personnel would give advice and the Board was taking money the Town did not have. Mayor Colman asked what the requirements were and Jim Colman said \$2.50 per capita and a Board that functions, as well as holding an Education Day. Town Clerk/Treasurer Heath said the grant was finished and had been reimbursed. Jim Colman said there was one planting grant that had been awarded 3 years ago and there was one year left in the commitment to maintain and replace the trees. Councilmember Chace suggested cutting the judge retainer as well because we weren't using him, but Mayor Colman said it would cost more than the retainer to get a judge in if there was a case. Councilmember Chace asked why small claims court could not be used and Attorney Snyder said that local cases had to go through a municipal court. Mayor Colman asked what to do about the Tree Board and Attorney Snyder said the by-laws of the Board might state what to do. A motion was made by Councilmember Chace and seconded by Councilmember Marble to table any further decisions on the Board pending further information. The motion carried with all members present voting aye. Councilmember Colman said the Tree Board also submitted a list of things that needed to be done. Mayor Colman said Utilities Commissioner George would work on them when the water receded. Steve Gisi said he was interested in being on the Tree Board. Jim Colman said he had heard the comment that no Town except Hanna had ever thanked them for the weed spraying. A motion was made by Councilmember Chace and seconded by Councilmember Kahl to send a letter to Carbon County Weed and Pest and the CRM thanking them. The motion carried with all members present voting aye. There being no further business to bring before the Council, a motion

was made by Councilmember Chace and seconded by Councilmember Marble to adjourn the meeting at 8:15pm. The motion carried with all members present voting aye.

BY: _____
Kevin Colman, Mayor

ATTEST:

Town Clerk/Treasurer Karen R. Heath