



TOWN COUNCIL

MEETING MINUTES

Tuesday, January 16, 2024 - 7:00 P.M.

4820 N. Wardwell Industrial Avenue,

Bar Nunn, Wyoming

- 1) **Roll Call:** Mayor Peter Boyer called the meeting to order on Tuesday, January 16, 2024, at 6:58 p.m. The roll was called which determined the presence of a quorum.
Present: Mayor, Peter Boyer. Councilmembers: Tyler Martin & Tim Ficken.
Excused: Steven Clark & Frank Schwarzrock
- 2) **Pledge of Allegiance:** The Town Council and all present stood in service to the United States Flag and pledged allegiance to the United States of America.
- 3) **Minutes of January 2, 2024:** Moved by Tim Ficken, seconded by Tyler Martin. Tyler Martin and carried without dissent to approve the minutes of January 2, 2024.
- 4) **Current Payables List:** Moved by Tyler Martin, seconded by Tim Ficken, and carried without dissent to approve the current payables list of January 16, 2024.
- 5) **Balance Sheet, Detailed Income Statement & Trial Balance (Financial Reports) for the period ending December 2023:** Moved by Tim Ficken, seconded by Tyler Martin, and carried without dissent to approve the Financial Reports for the period ending December 2023.
- 6) **Sanitation Rate Addendum:** Jason Schierkolk was present with a rate increase proposal. After much consideration, Mr. Schierkolk determined that a \$3 per unit increase would be fair to both the town and Shirks Sanitation. In consideration of the projected increase from the regional waste facility for 2025, Mr. Schierkolk also proposed a \$1.50 per unit increase for 2025. Councilman Ficken stated he knew this year's increase was 40%. He inquired what the percent increase will be for 2025. Mr. Schierkolk stated the projected increase will be 13%. Councilman Ficken confirmed that the two increases would be enough for Shirks to cover their cost of operations.
Mayor Boyer asked Attorney Holscher if the council could go back and rescind the 2025 increase if the regional waste facility did not raise the rate again. Attorney Holscher stated that the town could review and adjust as necessary. He also suggested that the town could strike the 2025 rate increase on the current resolution on the evening's agenda and approve the 2024 rate increase while waiting to see if there is another increase in 2025. Councilman Ficken commented that was a great idea because then it can be discussed further during the budget sessions and the council can check back in with Mr. Schierkolk at a later date to see if he has an update regarding 2025 rates. He suspects the rate increase may be more than what is expected currently.
- 7) **Resolution No. 2024-08:** "A RESOLUTION APPROVING SANITATION CONTRACT ADDENDUM". Moved by Tim Ficken to approve the addendum to the contract as amended, seconded by Tyler Martin, and carried without dissent to approve Resolution No. 2024-08 as amended.
- 8) **Attorney's Report:** A written report was submitted. Attorney, Patrick Holscher was present for questions or comments from the council.
-Mayor Boyer noted that the council was going to discuss the Blair Lane Improvement Project with Attorney Holscher, but with two members of the council absent he wanted the discussion rescheduled for the next council meeting. He summarized that the Blair Lane Improvement Project was a road improvement project that was started by Wardwell. The town has been receiving payments for the project. The council needs to discuss how the town wants to manage it moving forward because the contract ends at the beginning of 2025.
-Attorney Holscher reminded the council that the MOU with Wardwell states that the rates that are charged to the customers that are outside of Bar Nunn have to remain the same as the rates for the residents of Bar Nunn. The question was raised whether or not it was possible to increase rates if Central Regional Water increased their rates. As the rates are tied to Regional's, Attorney Holscher confirmed that the town can raise rates. If Regional raises the town's rates, the town can and probably has to raise them for the customers of the entire system, but they should all be the same for both Bar Nunn residents and those outside of Bar Nunn. Mayor Boyer stated the reason for this discussion is because there is a likelihood of Central Regional Water raising rates and the town needed to prepare for how to handle the increased cost. Councilman Ficken inquired if there was a date the increase would take place. Mayor Boyer stated that Councilman Schwarzrock had attended the Regional Board meeting earlier that day and would touch base with him to find out what was discussed.

-Attorney Holscher noted that Wardwell's Attorney had informed him that the topic of Wardwell withdrawing from the Regional Board and Bar Nunn coming on to the Regional Board came up at the Central Regional Water meeting. The Regional Board tabled that discussion because they wanted everything to go through the Board of Control first, which will be meeting in February. Regional would like a formal request from Bar Nunn to be put on their board as well. Attorney Holscher stated he would like to draft that if the council so moved. Tyler Martin moved to authorize the attorney to draft a letter to the Regional Water Board, Tim Ficken seconded, and the motion carried.

9) **Engineer's Report:** A written report was submitted. Town Engineer, Ray Catellier, PE was present for council questions or comments. Mr. Catellier introduced Ben Hauser to discuss Advanced Geotechnical Solutions report on Salt Creek Highway.

- **Salt Creek Highway Rehabilitation Discussion**

Mr. Hauser stated he would provide the council with some highlights from the preliminary geotechnical report and answer any questions. He stated this is regarding the section of Salt Creek Highway between Antelope Drive and the turnoff to Motor Power. The state did a 6-inch overlay before turning the highway over to the town. There is about 10-11 inches of asphalt on that roadway and a real minimal aggregate base thickness of 2 inches. Mayor Boyer inquired what would be considered normal. Mr. Hauser said normal would be something like 6 inches of asphalt on 12 inches of aggregate. He stated that 10 inches is a healthy section of asphalt, however, based on the traffic counts and an estimation of about 5% truck traffic, it is a bit shy of what it should be. That is why there is the degradation of that stretch in the short term since it was repaved. He stated that 10 inches of asphalt if laid down today would have a certain strength, but in 10 years it just naturally does not have the same strength anymore even though it's the same thickness.

The other issue is the groundwater seeping out on the west and east sides of the roadway, generally seeping to the south. That's noted in the subgrade strengths tests as well. They were a little stronger at the north end and less at the south as that soil is changing composition and becoming wetter.

Councilman Ficken inquired if Mr. Hauser believed they couldn't do a thicker road base at the time the road was completed because of the clay in the soil composition, or if it just wasn't intended for heavy traffic at the time. Mr. Hauser stated that his interpretation of the situation is that there was more base originally, and just through time and the fact that you're loading that pavement and unloading it, the mud just squished in, and the base essentially became mud. It is degraded from the mud from underneath coming in.

Mr. Hauser discussed a few options that were in his report for mitigation from the water damage, such as a French drain or a blanket drain. Options would depend on a few factors, such as whether the council would pursue the parcel between Antelope and Salt Creek Highway for development. In that situation, a blanket drain would be appropriate to try to collect that water in one spot and get it out of there.

Mr. Hauser noted that as Mr. Catellier had drawn up on the exhibit, there is a French drain, a dewatering system that would be put in on the west side of Salt Creek and run up to the north, and then we would probably suggest extending that to the east a little bit too to cut off some water coming from the north to prevent it from getting to the east side of the highway once it's rebuilt. Mr. Catellier stated there are a myriad of options the town could pursue and discussed some of the more complicated options with the council. Mr. Catellier stated that currently, the easiest band-aid would be a two-inch overlay on the existing highway itself just to get it to a point that it could handle the existing truck traffic. Mr. Hauser stated that option would buy 10-15 years, possibly more with good maintenance.

The council discussed with Mr. Catellier the impact of the clogged drain running under Salt Creek Highway and how to go about getting it cleared and making it a priority for WYDOT. Once the drain is cleared, the council can pursue an overlay on Salt Creek and install a French drain. Mr. Hauser stated that would likely extend the life of the road past the 10-year estimate.

Mr. Hauser stated there needs to be a better traffic study conducted on that section, specifically one that says what the truck traffic is since the truck traffic does drive the pavement design. He believed their estimate was close, but if the estimate is off by a couple percent it would make a big difference in their calculations for the pavement design.

- **Community Center & Town Hall Project**

Mr. Catellier stated things are really starting to come together. The ceiling has been hung, paint is finished, the carpeting is going in, the sports floor is out and acclimating to the environment before being installed, and they are working on the council desk. It will be done and sitting idle for months waiting for the air handling unit.

Mayor Boyer instructed Councilman Ficken to follow up with the exercise equipment vendor and confirm delivery for mid-late April.

10) **Preparedness Committee:** A written report was submitted.

11) **Maintenance Report:** A written report was submitted. Maintenance Supervisor, James Diekemper was present for questions or comments from the council.

- Mayor Boyer inquired what the details were on an install for a main break that he had seen while reviewing the payables. Mr. Diekemper stated that was from the main break on Harvey from a month before. He stated that Badger had to come help keep the water cleared out while they got everything repaired.
- Mr. Diekemper noted to the council that the maintenance team has been noticing water meter pits that people have been accessing. They aren't getting lids put back on correctly or damaging the pit. He inquired if the council would be willing to implement the

tampering fee that Wardwell had to deter individuals from tampering and damaging the pits. Attorney Holscher stated that the town could always bill for the cost of repairs, but the town itself does not have a fee set for tampering. He stated the town would need a resolution to set a tampering fee. Mayor Boyer instructed office staff to publish a notice in the newsletter regarding tampering with the meter pits to let customers know they would be liable for any damage they caused.

12) **Code Enforcement Report:** A written report was submitted.

13) **Parks and Recreation:** Interim Parks and Recreation representative, Tyler Martin was present for questions or comments from the council.

- Mr. Martin stated there is not much on the agenda for the Parks and Rec at this time with the holidays over. He stated that he did receive some feedback from residents that they did not like igloo contest name. He suggested that maybe next year it's just called a Christmas Light Competition. He stated that the next events will not be until Arbor Day in April and the grand opening of the recreation center which is tentatively planned for May 11, 2024. Resident, Jan Schoolcraft, reminded Mr. Martin that he also has the Easter egg hunt.

14) **Petitions & Public Comment:** Resident, Mike Schoolcraft, noted that Evansville's police chief provided the council with a very extensive book of information and he inquired if the council would still be interested in meeting with the individual he had mentioned previously. Mayor Boyer stated that yes, they would still like to meet with him. Mr. Schoolcraft asked if he should let his acquaintance know to plan on attending a meeting in February or March. Mayor Boyer stated he wanted to confirm council's availability because all members needed to attend that discussion.

Mr. Schoolcraft inquired if the new council chambers will be wired so that council meetings can be live-streamed. Mr. Catellier said no, but it could be done. Attorney Holscher stated that there is a bill in the legislation where within five year, the town will be required to live-stream their meetings.

15) **Council Business:**

A. Letter of Support for Shooting Complex

Mayor Boyer stated he was contacted by Dave North because the county is trying to build a shooting complex. Mr. North requested a letter of support from Mayor Boyer in favor of the complex. Mayor Boyer wanted input and approval from the council before sending the letter.

B. Wyostar Investment Accounts

Mayor Boyer stated that he would like to reschedule this discussion for the next meeting when all members of the council and the town clerk can be present.

C. Business Licenses No. 2024-19 Through 2024-23

Moved by Tyler Martin, seconded by Tim Ficken, and carried without dissent to pass Business Licenses No. 2024-19 through 2024-23.

16) **Miscellaneous Business:**

Tyler Martin- Does the council want to do a video announcement of the sanitation rate increase? Mayor Boyer stated he was going to have town staff make a post on the town page.

17) **Executive Session:** Rescheduled from February 2, 2024

18) **Adjournment:** Moved by Tim Ficken, seconded by Tyler Martin, and carried without dissent that there being no further business the meeting of January 16th, 2023, be adjourned at 8:16 p.m.

Peter Boyer, Mayor

ATTEST: (seal)

Kalista Schwarzrock, Town Clerk-Treasurer