



TOWN COUNCIL

MEETING MINUTES

Tuesday, August 20, 2024 - 7:00 P.M.

1500 Palomino Avenue,

Bar Nunn, Wyoming

- 1) **Roll Call:** Mayor Peter Boyer called the meeting to order on Tuesday, August 20, 2024, at 7:00 p.m. The roll was called which determined the presence of a quorum.
Present: Mayor, Peter Boyer. Councilmembers: Steven Clark, Tyler Martin, Tim Ficken, and 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 August 6, 2024:** Moved by Steven Clark, seconded by Tim Ficken, and carried without dissent to approve the minutes for August 6, 2024.
- 4) **Payables List for August 20th, 2024:** Moved by Tyler Martin, seconded by Tim Ficken, and carried without dissent to approve the payables list for August 20, 2024.
- 5) **Balance Sheet, Detailed Income Statement & Trial Balance (Financial Reports) for the period ending July 2024:** Moved by Steven Clark, seconded by Frank Schwarzrock, and carried without dissent to approve the Balance Sheet, Budget Income Statement & Trial Balance (Financial Reports) for the period ending July 2024.
- 6) **Resolution 2024-17:** "A RESOLUTION AUTHORIZING SUBMISSION OF A MINERAL ROYALTY GRANT REQUEST FOR THE TOWN OF BAR NUNN, WYOMING". Moved by Tim Ficken, seconded by Steven Clark, and carried without dissent to approve Resolution 2024-17.
- 7) **Second Reading for Ordinance No. 2024-05:** "AMENDMENT OF THE ANNUAL APPROPRIATION ORDINANCE (BUDGET) FOR THE FISCAL YEAR ENDING JUNE 30, 2025." Moved by Tyler Martin, seconded by Frank Schwarzrock, and carried without dissent to approve the second reading for Ordinance No. 2024-05.
- 8) **Attorney's Report:** A written report was submitted. Town Attorney, Pat Holscher was present for questions or comments from the council.
-Attorney Holscher stated that all of the code enforcement citations slated for court were taken care of, so there was no court held.
-Attorney Holscher informed the council that the juvenile who vandalized Antelope Park was being charged with a misdemeanor through the district attorney's office. He stated that it was unlikely we could pursue restitution through the district attorney. Holscher informed the council the case would be going through student court, which exists as a way to try to divert teenagers who are almost adults. He may receive a fine and some community service as a wakeup call. Mayor Boyer clarified that if the town wanted to seek any kind of restitution, it would have to be done separately through civil action.
- 9) **Engineer's Report:** Town Engineer, Ray Catellier, PE was present to deliver a verbal report and answer questions or comments from the council.
-Mr. Catellier presented the council with park recommendations and concept renderings from the Casper Parks and Recreation Master Plan Committee. The conceptual documents included suggested improvements for Antelope Park, Bar

Nunn Elementary, Heritage Park, Romie Nunn Park. Two conceptual designs were also presented for a potential Future Loop Pathway Park. Mr. Catellier discussed the recommendations with the council which included netting for foul balls around the ball field, a more prominent welcome sign, and improved drainage at the elementary school. Councilman Ficken inquired who would pay for the drainage at the elementary school. Mr. Catellier stated it would be the school district's responsibility. Mr. Catellier explained that there were no commitments made to these projects, however having an improvement plan in place with potential projects could help procure grant funding in the future if the town chooses to pursue them.

-Mr. Catellier reported that Sampson Construction and Long Technologies would be at the town hall the following day to troubleshoot the air system. They will be looking for a solution to the balancing issues so the temperatures will remain stable. He also reported that soil amendments would be arriving soon for the landscaping project, so people may notice a smell. Then planting would begin the following week. The project is expected to be completed at the end of September. Councilman Clark asked if the plants were going to be protected from the wildlife. Mr. Catellier responded that it was not part of the contract with the landscaper. Councilman Clark stated he would rather not spend the money on landscaping just have it eaten while it is being established because it will die. Temporary fencing was discussed as a possible solution.

10) **Preparedness Committee Report:** No meeting was held for the month of August. Committee member, Ken Hume, was not present to report to the council because he was attending the CERT class that evening.

11) **Maintenance and Water Report:** A written report was submitted. Director of Public Works, Robert Hoover, was present for questions or comments from the council.

-Mr. Hoover reported that the Automatic Meter Infrastructure system would be installed in the next few weeks and staff would begin training on the system in September.

-Mayor Boyer asked how the splash pad was doing. Mr. Hoover stated that splash pad operations will be ending in early September. Due to recent high temperatures, the pad has gone through a lot of chlorine. Mayor Boyer asked if it was mostly Bar Nunn residents utilizing it, or people from out of town as well. Mr. Hoover said it was a lot of people and not just Bar Nunn residents. The council commented they were happy it was being utilized.

12) **Code Enforcement Report:** A written report was submitted. Robert Hoover was present to discuss items with the council.

-Mr. Hoover reported that the six outstanding citations had been corrected. He thanked Councilman Schwarzrock for helping one of the residents who needed assistance with their property.

13) **Parks and Recreation Report:** A written report was submitted. Parks and Recreation Chairwoman, Virginia Wharton, was present for council questions or comments.

-Ms. Wharton reported that the August Garage Sale Day had lower participation than the one in June.

-Ms. Wharton stated that she had put a post on Facebook to gauge interest in a community pride/ curb appeal contest, but the post quickly turned into a debate about HOAs. She stated that people might have misunderstood the intent of the post.

14) **Petitions and Public Comment:** Resident Mike Schoolcraft stated he has a lot of respect for the town council and what they do and knows that they have the best interest of the town at heart when making decisions. He and Jan Schoolcraft have been regular attendees of the council meetings for the last 8 years. He stated he never really disagreed with a lot of what the council decides to do, but, unfortunately, he and Jan are pretty much the only citizens who show up for council meetings. He stated that kind of gives the council carte blanche to do whatever they want to do because nobody really challenges their decisions. He stated he is not putting it on the council, but wanted to make a clear statement that the only time the town people show up is when they want to complain about what the council may have done. They don't say anything until after the fact. Mr. Schoolcraft stated it would be tremendous if the town people showed up to the town meetings and then expressed their interest, desires, or concerns about what the town council is doing. He clarified that he has no concerns with what the council does, but he wanted it stated on record for the residents of Bar Nunn to see and urge attendance. Providing feedback only after something is done is too late.

Mayor Boyer stated that is a frustration he shares and he has thought about that issue a lot and does not know how to fix it. Councilman Ficken suggested maybe the gym could be left open so kids can play in the gym while their parents attend the

meetings. Councilman Clark stated that it can be arduous to attend the meetings and can probably get pretty boring to the average resident because it can take forever for things to get done. He suggested that the town make a list available of all of the plans for this upcoming fiscal year. Then residents could come comment on it with the knowledge that it's going to happen rather than after it happens. Councilman Clark stated that people don't realize what just one comment can do. A little girl came up to the mayor and said "I want swings in Antelope Park" and now we are going to put in swings. It doesn't take but one person commenting to add something to the plan or change budgeting because we will listen.

Resident, Mary Sue Sorenson commented on the earlier work session and asked what happened to the idea of the gym only being for Bar Nunn residents for the first year. Mayor Boyer stated that hadn't changed. Mrs. Sorenson stated she had noticed working on a recreation center document that stated, "and guest". Councilman Schwarzrock that he believed access would be much easier to control with the memberships, but for the open gym during business hours it would be difficult for office staff to enforce. With the memberships there would be paperwork, there has to be an address. She stated she also believed the town could have charged more for the gym prices. She also stated she was surprised there wasn't a longer contract for the community room rental. Attorney Holscher stated that there would be a contract, but he needed delineation on what would be allowed which he received in the earlier work session.

15) Council Business:

A. Zoning & Planning Fee Discussion: Zoning and Planning Chairman, Gary Geiger, stated that the committee became aware of the fee schedule after they met with the town planner. He expressed frustration over not being involved in setting the fees and stated he would like to sit down with the council and review some of them. Attorney Holscher noted that the fee schedule had been discussed in an open work session and passed by resolution in a regular council session. Committee member, Mike Schoolcraft mentioned the fee for a variance as an example and said he would like to know what it costs the town to justify that fee stating it felt high. Councilman Schwarzrock stated he didn't remember that specific fee, but there were conversations where the council was asking what value it would bring to the resident and what it actually cost the town. Because of that, the council had knocked off a handful of those fees during the review and stated they needed to continue the conversation going forward. Town engineer, Ray Catellier stated a preliminary platte review can trigger several meetings between himself, other engineers, and an owner. The fee charged could end up not even coming close to covering the expense to the town. Mr. Schoolcraft stated that the average person might not understand why those fees are set were they are and believed it should be clarified. The council scheduled a work session to discuss fees with the Zoning and Planning Committee.

B. Metro Contract Discussion: Attorney Holscher stated that the City of Casper was urging the acceptance of this contract with the other municipalities because the previous one had expired. He stated the county would not sign the contract presented to them because it was drafted for a municipality, not a county. Mr. Holscher stated that there needed to be some revisions for Bar Nunn. He stated he believed it should be revised and sent back. Mr. Holscher stated he believes the solution to having to do this every year would be to form a joint powers board and enter into a memorandum of understanding. Attorney Holscher discussed what that would mean for Bar Nunn with Casper holding a majority of the voting power.

C. Property Divestment Discussion: Mayor Boyer confirmed with the clerk that the summary received from the Jim Edgeworth Real Estate Agency was correct, and she confirmed they were. Attorney Holscher inquired how the council would like to delineate the request for proposal for the 11 vacant lots on Palomino. The council determined they wanted to sell the properties as a single package. Mr. Holscher stated he would draft the request for proposal and the town could advertise it. Moved by Tim Ficken, seconded by Steven Clark, and carried without dissent to approve the request for proposal for the lots identified as 335-345 on Palomino Avenue consisting of 9.976 acres. The council instructed the clerk to advertise the request for proposal on the town website and Facebook.

D. Settler Wind Farm Project: Commissioner Willox with Converse County organized a meeting with other municipalities to discuss decreasing their request for the energy impact funds from the Settler Wind Farm Project so that the total would fall below the max of \$4,200,000 before it was presented to the industrial siting committee. Bar Nunn requested \$500,000. Given the minimal amount Bar Nunn was initially requesting, Mayor Boyer was reluctant to lower

the town's request. He had stated through the town attorney that Bar Nunn would be willing to reduce our request by \$50k. Mr. Willox responded by inquiring how Bar Nunn felt justified in requesting even \$450,000 to aid in starting a police department. Mayor Boyer noted Bar Nunn was the only municipality questioned that way and felt it unnecessary. Attorney Holscher stated the town needed to present a number they could defend. The council determined they would drop their request to \$350,000 because Bar Nunn is not only putting the funds toward a police department but also a street striper.

E. Miscellaneous Council Business:

-Mayor Boyer rescheduled the Volunteer Appreciation Barbeque to September 14 from 11:30 a.m. to 1 p.m.

-Mayor Boyer announced that Councilman Schwarzrock was seated on the Central Regional Water Joint Powers Board at their meeting earlier that day. This marked the dissolution of Wardwell Water being finalized. Mayor Boyer thanked town staff for their hard work over the last year while the town worked towards the dissolution.

16) Adjournment: Moved by Steven Clark, seconded by Tyler Martin, and carried without dissent that there being no further business the meeting of August 20, 2024, be adjourned, at 9:04 P.M.



Peter Boyer, Mayor

ATTEST: (seal)



Kalista Schwarzrock, Town Clerk-Treasurer