



TOWN COUNCIL

MEETING MINUTES

Tuesday, February 4, 2025- 7:00 P.M.

1500 Palomino Avenue,

Bar Nunn, Wyoming

- 1) **Roll Call:** Mayor Peter Boyer called the meeting to order on Tuesday, February 4, 2025, at 7:00 p.m. The roll was called which determined the presence of a quorum.  
**Present:** Mayor, Peter Boyer. Councilmembers: Steven Clark, Tim Ficken, and Dan Sabrosky.
- 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 21, 2025:** Moved by Dan Sabrosky, seconded by Steven Clark, and carried without dissent to approve the minutes for January 21, 2025.
- 4) **Payables List for February 4, 2025:** Moved by Steven Clark, seconded by Tyler Martin, and carried without dissent to approve the payables list of February 4, 2025.
- 5) **Payable List for January 2025 & The 24-25 Year-to-Date Budget Report:**  
Checks #32856 – #32925, Direct Deposit #2898 – #2929, ACH #22447429 & ACH #161025966. Moved by Tyler Martin, seconded by Dan Sabrosky, and carried without dissent to approve the Payables List for January 2025 & the 24-25 Year-to-Date Budget Report.
- 6) **Attorney's Report:** Town Attorney, Patrick Holscher, was present for questions or comments from the council.  
-Mayor Boyer entertained a motion to approve the fire chief to begin surplussing excess fire department vehicles as designated in his report. Moved by Steven Clark, seconded by Tim Ficken, and carried without dissent to approve the motion as stated by Mayor Boyer.

-Attorney Holscher stated he provided a draft of a resolution regarding the newspaper and publishing. He stated he needed approval from the council regarding which direction they would like to go. He stated it was based on one passed by the City of Mills, but Bar Nunn does not have to do exactly what Mills did. Councilman Ficken inquired if the publishing provisions in the resolution are legally required. Attorney Holscher stated that he took those provisions from the town's ordinances, so they would be legally required for the town, but not by state statute. Legal notice requirements were to publish and maintain daily, distribute news concerning the town on a daily basis free of charge and available to everyone, link in and post to the town's Facebook page, provide such notices to the Oil City News, post a physical copy at the Town Hall, and to email or mail the notice to any requesting party. Councilman Ficken stated that was a lot of info to put together on a daily basis to provide to a digital newspaper service. Mr. Holscher stated that it would not be every day and would only be for things which the town is required to provide notice for such as legal notices.

The council discussed costs associated with print publishing legal notices. Mr. Holscher stated that legal notices in the past had been a large expense, especially for replatting a property. Those notices get very expensive. He stated those occurrences do not happen very often. Councilman Clark asked the town clerk, Kalista Schwarzrock what her thoughts on the matter were and if it would be more work. Mrs. Schwarzrock stated that it would be more work than the current process, but legal notices happen so rarely it would not be a big deal.

Councilman Ficken inquired about advertising for bid proposals. He inquired if people interested in putting in proposals would know to look at the town's website for those notices. Councilman Sabrosky stated that nobody looks at the newspaper anymore. He stated that contractors, landscapers, etc. subscribe to Wyoming Plan Service. Wyoming Plan Service aggregates all the public notices for bidding. If the town changes how notices are published, Wyoming Plan Services would only need to be notified to look at the town's website. Mr. Holscher noted that if the municipalities could get the Wyoming Secretary of State's office to have a centralized notice database, it would be much to our advantage.

Councilman Sabrosky stated he spoke with Secretary of State, Chuck Gray who stated he was on board. He stated that

Secretary Gray would like to see that happen.

- 7) **Engineer's Report:** A written report was submitted. Town Engineer, Ray Catellier, PE was present for council questions or comments from the council.
- Mr. Catellier presented the council with a quote for the second option for the Antelope playground equipment. He stated it is approximately \$20,000 more expensive than the smaller option that was presented at a previous meeting. The more expensive option is tight to the overall project budget, but had spoken with Head of Public Works, Dustin Smart, who stated that town personnel could complete the demolition and removal of the old playground equipment. Mr. Catellier noted that the issue with scaling the project back this way makes it less attractive of a project to bigger contractors. He said he was starting to reach out to smaller strictly concrete contractors because now what's needed is just installing 270 linear feet of curb that becomes the nailing strip for fall protection. The challenge is finding a contractor willing to take on a smaller job so the town can complete the project within budget. The larger equipment option would be \$173,864.10 and the smaller option would be \$154,250.86.
- Since the project was planned before Mr. Sabrosky was on the council, he inquired if the new equipment would be replacing what was in place or adding to it. Mr. Catellier stated that the wooden equipment that is on the left side of the park is as old as the town itself, and the slide was removed a year or so ago and boarded up because parts were no longer available to fix it. With the changes in safety standards over the years, it was beyond its useful life. This new equipment would replace the old equipment and add some additional swings that younger residents requested from the town. The new fall protection will be faux turf that will wrap around the splash pad. Over the years of operating the splash pad, we have learned that grass clippings get into the filters and clog it, so maintenance spends a lot of time cleaning grass clippings out of the filter to prevent the pump from failing. Also, with high winds, the water blows off the pad creating giant mud spots near the splash pad. The current fall protection is a rubber pad that kids pick at and it is a lot of time and expense to keep repairing. Then there will be a 3-inch pad under the turf around the playground for additional fall protection.
- Resident, Venus Childress inquired if the council had considered the toxicity of the artificial turf. Mr. Catellier stated that this turf does not have the crumb rubber infill, which is a big cancer-causing concern, but he believed it had sand for weight instead.
- Tyler Martin moved to approve the quote for the Appalachia equipment with swings through the purchasing co-op and that the mayor and office staff choose the color. Tim Ficken seconded, and the motion carried without dissent.
- 8) **Public Works Report:** A written report was submitted. Public Works Supervisor, James Diekemper, was present for questions or comments from the council.
- Councilman Ficken noted that Public Works had submitted an intended use plan for a SLIB (State Lands and Investments Board) grant in the amount of \$700,000 to be used toward the lead service line inventory project.
- Attorney Holscher noted a violation from the EPA. Mayor Boyer informed those in attendance that public works completes routine chlorine and bacteria testing on the water supply. Samples are sent to a lab to be tested, and then those results are sent to the EPA. In December 2024 after the routine sampling and testing, the results were sent to the EPA, but there was an error on the paperwork where an item was not marked. Even though the test was completed and everything was verified safe, the town received a violation from the EPA for not completing one line in the paperwork. He stated he would be speaking with the EPA to see if the town would be required to provide public notice since the lab completed the testing and it was a minor paperwork error that led to the violation. He did not wish to cause alarm over a minor paperwork error when the water had been deemed safe by the lab. Mr. Diekemper reiterated that the testing had been completed, but the chlorine residual portion had not been filled in on the paperwork. Mayor Boyer assured everyone that the water is safe.
- 9) **Office Staff Report:** A written report was submitted. Town Clerk, Kalista Schwarzrock, was present for questions or comments from the council.
- Mayor Boyer noted that Mrs. Schwarzrock requested that the hydrant meter deposit be increased from \$2,000 to \$2,500. Mrs. Schwarzrock stated a recent incident showed that repair/replacement costs would exceed what the town currently holds for a deposit.
- Steven Clark moved for the council to adjust the fee schedule for the hydrant meter deposit from \$2,000 to \$2,500. Tyler Martin seconded, and the motion carried without dissent.
- Councilman Ficken inquired about the letter of support for Vistabeam noted in Mrs. Schwarzrock's report. She stated that the internet service provider had contacted the town hall to request letters of support to expand services to Bar Nunn. Mayor Boyer noted that it would be fiber internet. Councilman Clark inquired if fiber companies share where the previous company drilled, or if they would end up drilling and installing their own conduit. Mr. Catellier stated that each company would drill and install its own conduit. Councilman Clark inquired if the council approves the letter of support, does this allow them to come and install? Mrs. Schwarzrock stated that she believed it was just to show support from the community for them to apply for a funding program to be able to expand into Bar Nunn. She stated she had a contact that could be reached out to with questions. Councilman Ficken clarified they would still have to receive approval from the council to place lines and would need a franchise

agreement. Councilman Clark stated it is good to have multiple vendors. The council approved submitting a letter of support.

- 10) **Petitions & Public Comment:** Jerry Ressler, a realtor with Remax was present to discuss a previously mentioned proposal regarding the 3.5-acre lot adjacent to the town hall with the council. Jerry's sons Greg Ressler and Brad Ressler were also in attendance. Greg Ressler spoke on Jerry's behalf. He stated that his father was interested in divesting that property through sale, lease, or trade. He stated he can appreciate that the town does not have any interest in real estate transactions, but they just wanted to start the discussion in case the town had a partner or an idea or if they wanted to help direct what the facility could be. He stated that his father wanted to do his due diligence in case the council had any ideas so that the lot does not become a problem area down the road. Jerry Ressler also proposed that the town consider paving or finishing the overlay of the rest of Palomino and donate your 11 lots to me, I would donate my 3.5 acres to you. Mr. Ressler stated that he had developed 10 or so houses on Palomino and likes to think they are probably the nicest houses in Bar Nunn. He stated he would like to finish the rest of Palomino. Greg Ressler stated that they could always come back in a few months to revisit the idea. He stated the property does have limitations because of the utility right of way through it, so whatever was done would need to be a surface structure of some sort. Jerry Ressler thanked the council for their time. Councilman Sabrosky stated for full disclosure that he and Jerry had worked together over the years to develop Antelope and Palomino, but that he was not involved in this current proposal.

-Resident Mike Schoolcraft, referencing the earlier work session inquired if the interim chief took the online certification testing just to see how long it would take the guys on probation to complete them. Interim Fire Chief Zahara stated that he had all of the certifications that are required, but wanted to see what his guys have to go through because he hadn't been in the Wyoming Fire Service. He had been working with the state Fire Academy and he wanted to see how their system was set up because they are using an online platform he was not familiar with. Mr. Schoolcraft, referencing the background checks discussed during the work session, stated that when he was in the military, background checks had to check every city, town, county, and state the individual ever lived, worked, or went to school. He asked if it would be the same. Interim Chief Zahara stated that it probably would not be that in-depth depending on age.

11) **Council Business:**

**A. Discussion: Sanitation rates with Jason Schierkolk**

Mr. Schierkolk stated that he provided the clerk with the letter he had received from the City of Casper regarding the solid waste rate increase. Councilman Sabrosky clarified that it was the City of Casper's letter triggering Shirks to come to the council to discuss an increase. Mr. Schierkolk stated that was correct. He stated that rates had increased 52% over the last two years. He stated he had analyzed everything through the last 12 months and had averaged everything he could when considering the rate. Mr. Schierkolk proposed a \$3 increase, which would still be \$2.40 cheaper than Casper. The reason Mr. Schierkolk was given by Casper for their increase was the cost of equipment. Councilman Ficken clarified it is essentially going for Casper's new garbage trucks. Shirks purchases the same equipment out of pocket.

Mayor Boyer stated he did not believe there was an option but to increase the rate. Mr. Schierkolk inquired if the council thought the price was fair. Councilman Ficken stated as a resident of Bar Nunn, he was ok paying \$3 more a month because Shirks provides a great service to Bar Nunn. They wrangle dumpsters that blow away and provide dependable service. He stated that the council just needs to be very clear to the public because people just see the increase on their bill and think we are using the funds to pay for Town Hall. He stated the town does not make any money from sanitation at all. This is an increase to Shirks that we are just the middleman that is billing for it.

Attorney Holscher stated they would need to do an addendum to the service contract with Shirks as well, but they could approve the change.

Mayor Boyer entertained a motion to approve the new price per resident for trash collection at \$29. Moved by Tyler Martin, seconded by Steven Clark, and carried without dissent to approve the new price for trash collection at \$29.

Councilman Martin stated he was very grateful for Mr. Schierkolk and recognized that the cost was just being passed to him who in turn needed to pass it to the town. He stated he was glad to have a local company doing a great job.

**B. Discussion: Inflationary Increase Schedule**

Mrs. Schwarzrock inquired if the council would consider holding an annual work session to plan service rates for the year and doing any increases at once, rather than scattering multiple increases throughout the year. She stated it can be upsetting to residents to feel like their rates are always increasing when we make adjustments multiple times a year to keep pace with our vendors. She stated maybe they could consider using the federal inflationary index as a guideline. She stated the difficult part about doing rate adjustments annually is because, for instance, 201 Sewer adjusts their rates at the beginning of the fiscal year, whereas we just saw Casper Regional Solid Waste adjust their rates on January 1<sup>st</sup>. Councilman Sabrosky inquired if she was suggesting going off of the rates passed to the town, or getting ahead of that and using whatever the inflation rate is. Mrs. Schwarzrock stated she didn't know what would be better, just that she was hoping the council would weigh in on it and that it would be nice to just do any increases at the same time rather than upsetting residents with multiple increases throughout the year. Attorney Holscher stated the same increase couldn't be applied to everything and each rate would have to be considered

individually. Mrs. Schwarzrock stated that the goal was just to do any increases there may be to rates just once annually. Mayor Boyer inquired if during budget would work. Mrs. Schwarzrock stated that she believed 201 Sewer and Central Wyoming Regional generally does their increases around that time and those two of Bar Nunn's main rates. Mr. Catellier confirmed that 201 does their rate adjustments during the City of Casper's budget. Mayor Boyer stated the council could line up the budget to address the fee schedules at the end of the budget close to when the other entities do theirs as well so we can make the best-educated decision regarding those rates.

**C. Discussion: Radiant Nuclear Manufacturing Facility**

Mayor Boyer, Councilman Sabrosky, and Councilman Martin attended a lunch meeting with Radiant Nuclear to hear more information regarding the manufacturing facility they are considering building north of Bar Nunn. Mayor Boyer informed those in attendance that the company sounded serious about their plans to bring that facility to Wyoming. He stated his concern was what impact the facility could potentially have on home prices in our area. He understands that people get nervous about nuclear because they think of things like Chernobyl. He stated that they would only be manufacturing the 6"x13" reactors at the facility and it has the potential to be a good thing for the town. They would transport the components in, manufacture the microreactors, and then ship those out. One concern was waste storage. The waste would be stored in casks, and Councilman Sabrosky asked if they would be willing to store those casks off-site and far away from Bar Nunn. Radiant Nuclear said they would be willing to look into that. Councilman Sabrosky stated the reactors have all sorts of applications. For example, military bases and mining sites can use them and they are basically a glorified generator.

Interim Fire Chief Zahara inquired if the property they are planning to build the facility on was already part of the town. Mayor Boyer stated no, but it is within our northern growth boundary. Mr. Zahara stated it would be a lot of tax-based revenue for the town if the town could annex that property before they start production. Mayor Boyer stated he did not believe the county would be willing to let the town annex that property. Mr. Catellier stated the property is not part of the municipality, so the town is not required to provide utility services. They would need to request services, but the town can choose to approve or deny the request. Attorney Holscher stated generally if a municipality provides water outside of its municipal boundaries, it requires that area to agree in advance that it can be annexed if the municipality chooses to do so.

Councilman Martin stated at the meeting, Radiant Nuclear estimated it would create 70 jobs by 2028, then over ten years, it would scale the number of jobs to 250. They stated they would primarily be hiring locally. He stated the exciting thing is that this is the first new nuclear technology in 50 years, and if it goes well they stated they would not be the last company to try and come to Wyoming and they would like to set a good template. Councilman Martin stated it was a cool demonstration of bringing a new economy to the state of Wyoming. Councilman Sabrosky stated that once Radiant knows for sure, they are going to get very active in being involved with the community to come talk, host forums... wherever they can get involved and come talk to the public. They are going to be very accessible. The other great thing is they are not dependent on government subsidies.

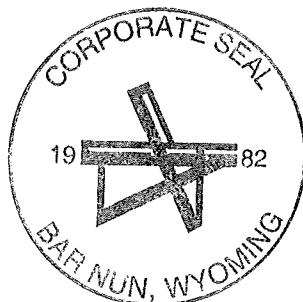
Councilman Clark stated that if they are going to bring the facility in, the town can't really say no since it is private property, but there would be benefits to the town. Attorney Holscher stated the town can't say no, but if the town determines they can't or won't provide water and sewer services to the facility, it would kill the project. Mayor Boyer stated he was not interested in killing the project and believes the idea of pulling that inside of our boundary is a great idea.


**D. EPA Public Announcement:** This agenda item was discussed earlier in the meeting.

12) **Executive Session:** Mayor Boyer canceled the executive session.

13) **Adjournment:** Moved by Steven Clark, seconded by Tim Ficken, and carried without dissent that there being no further business the meeting of February 4, 2025, be adjourned at 8:31 p.m.

ATTEST: (seal)



  
Peter Boyer, Mayor

  
Kalista Schwarzrock, Town Clerk-Treasurer