

TOWN OF BASIN

Regular Council Meeting – Minutes

Thursday, August 22, 2024

Town Hall at 7:00 PM

Call to Order Regular Session

Pledge of Allegiance

A Regular Meeting of the Town of Basin Council was held at Town Hall in Basin, Wyoming on Thursday, August 22, 2024 at 7:00 PM. The meeting was called to order at 7:00 PM.

Council Members Present: CJ Duncan, Carl Olson, Stuart DesRosier, and Chuck Hopkin. Absent: Brent Godfrey

Also present were Town Administrator Deaun Tigner, Chief McClure, Tony Harrison, Wyatt Harrison, Kenneth Lynch, Linda Weeks, Gene Grose, Barbara Green, Clerk Tracy Harper, Kent Richins, Mike Dellos, John Joyce, Mary Russell, Linda Goller.

Public Comment: Gene Grose had questions on the weed ordinance. Town Attorney Kent Richins gave the definition of a weed, saying that if the property owner does not cut/trim them within three days of notice, the town can charge and cut them themselves, and if they do not pay, we will charge on their utility bill. Chief McClure indicated that he thought it was a 15-day notice. Mr. Grose is dissatisfied with the current situation about the weed ordinance. The weed ordinance's goal is to keep it looking good in town. He added that Torrington and Rawlins have what is called a fix-it ticket with a 10-day time frame to resolve it, otherwise they get a ticket. He believes that not enforcing it creates a negative impression on people.

Building/Demolition Permits:

Kathy Smith-Stephens: 611 Hart Ave: Pulling furnace from crawl space and bringing into new room, new siding on house; Russell Burden: 814 South 6th St: Replacing old rotten wood porch, putting a concrete porch with steps; Goose Creek, LLC: Lots on north side of West E Street: Installing road extension with underground utilities; water, raw water and sewer installation with asphalt road and cutters; Marsha Aynes: 710 South 8th St: Replace existing wood deck, extend roof line on front of house.; Ann Sweeny/Bill Dahlke: 702 South 3rd St: Install portable storage shed on back of lot. Building on 6 x 6 skids; Big Horn County School District #4: 1212 West B St: Erecting bleachers.

Councilman DesRosier made a motion to accept the building permits as presented as a whole, Councilman Olson seconded, and the motion passed. Councilman Hopkin was opposed.

Chicken Permits: None.

Executive Session: Not at this time.

Approve Consent Agenda:

Councilman Olson made a motion to accept the consent agenda with the addition of an electric easement after Loren Alberts, Councilman Hopkin seconded, and the motion passed unanimously.

Conduct of Business:

District Water – Mary Russell: Mary Russell said as of the last meeting she requested to allow the Water District to tap into the Town of Basin water line and to use her road easement as a utility easement. In doing so, it would not negatively affect any future infrastructure as the letter had stated previously. Mary did ask the Council why they were so adamant that she annex into the Town of Basin as she would not be able to receive electric or sewer service if she did annex in. Mayor Duncan said if she were to be annexed into the Town of Basin, she would also receive other amenities like garbage, mosquito control, and raw water. There was a discussion on who would be liable to fix the line if there was an issue. John Joyce, the manager of the Water District, said they have other taps around town and do not have a formal agreement in the town, and if the town would like a more formal agreement they would be happy to do that. He also stated the Water District does not have the equipment or crew to do this and would have to hire a contractor or if the town wants to install the service they would pay the town back. Councilman Olson made a motion to allow the tap with the sole understanding that, as the Town of Basin does not receive any benefit from this tap, the responsibilities and liabilities would fall back on the Water District as it will be listed as their tap. The motion died for lack of a second. Kent Richins said there is potential for a middle ground. Kent asked if she would agree to sign an annexation agreement that, should the town feel that it could provide the services at a later date, then they would annex the property in town limits. Mary said if the town could provide those services, then maybe.

Town Property Access – Loren Alberts: Loren Alberts was not able to attend the meeting. Mr. Alberts would like verification that there is access to the property as someone wants to buy the property and they will not buy it without an easement. Councilman DesRosier made a motion to table this until Loren Alberts can attend a meeting, Councilman Hopkin seconded, and the motion passed unanimously.

Electric Easement: Mr. Bertagnole is doing the required extension of the road so he can fulfill the requirements. The next process would be to draft the legal easement that would have the survey as an attachment. Councilman DesRosier made a motion to grant the easement at Bertagnole's expense, Councilman Olson seconded, and the motion passed unanimously. Councilman Olson asked if the easement could be tied to the building permit and the Mayor said the building permits had already been approved as is. Jesse made it clear that the easement would be granted to the town.

Big Horn Avenue - Speed Limit Signs: Chief McClure discussed ordering four 25 mph signs, two on Big Horn Ave and two on 9th street. Councilman Hopkin and Chief McClure discussed putting one around the football field around the last stop sign. Chief McClure will work with Mike to get the signs ordered.

SRO Contract: Councilman Hopkin made a motion to approve the contract based on 38% employee average at 2080 hours, Councilman Olson seconded, and the motion passed unanimously.

Special Events Permit – Homecoming Parade: Chief McClure has no issues with this parade permit. They might provide traffic control a little differently, but the route will stay the same. Councilman DesRosier made a motion to approve the special events permit for the homecoming parade, Councilman Olson seconded, and the motion passed unanimously.

Purchase Agreement: 311 W C: The Town of Basin would like to enter into a purchase agreement with South Big Horn County Water District. The Water District intends to purchase the property at 311 W C Street, which is known as the Eagles Annex building. Kent Richins stated the Town would be able to sell the entire Eagles property for the sum of 105k. The market analysis came in at 115k. The Town is not asking for earnest money, just for the full sum at the day of closing. Kent asked John Joyce, Water District Manager, if they wanted to take possession before the sale was complete and John said yes, he would like to take possession before the sale to get things set up. Kent Richins did state that he would prefer that it sells before they take possession. Councilman Olson made a motion to accept the purchase agreement with the option to physically move in before they purchase it as long as they take care of the liability insurance, Councilman DesRosier seconded, and the motion passed unanimously. Councilman DesRosier made a motion to advertise in the paper for three weeks and then for a public hearing on September 26th, Councilman Hopkin seconded, and the motion passed unanimously. Kent Richins will make adjustments and send it to Virgil, the Water District Attorney.

Basin Community Complex/School District – Prior Use Agreement: Before the rec district took over the management and operation of the gym area, the Town of Basin had signed an agreement with the school so that any time there was a school function not every parent would have to sign a liability waiver for every kid for every school function. Councilman Olson made that motion to have the school go to the rec district and not the Town of Basin for a use agreement, Councilman Hopkin seconded, and the motion passed unanimously. It was clarified that the school would still be able to use the gym for emergencies with walking through town hall. Kent will draft a letter stating that the Town of Basin is not in control of the gym and the Recreation District would be more appropriate for the use agreement.

AVI – Sewer: Mayor Duncan mentioned that he and the Town Administrator participated in a zoom meeting with Rural Development and Bruce Perryman. Because of the timing of the sewer upgrade, there is insufficient funding due to construction inflation. We are roughly 1.5 million short. The meeting was to check with RD to see if there was a potential to increase some funding, which is not possible. We do have enough funding for Bruce to get us to 90% completion, once we get 100% completion on the plans, then we will then approach Rural Development and any other agency to make up that shortfall. Councilman Olson asked about the funding that they have already given us that has a due date on it. The state would like to close that out as soon as possible. Since we had to wait for testing data to come in they understand there are timing issues that need to be taken into consideration. There was some discussion that this project was signed in 2018, but we didn't start until 2022, and we don't know what they will say yet. Worst

case scenario we get 100% designed, all approvals from the EPA, sit on it, close out the account, and go back to someone for the completion of the sewer lagoon.

Raw Water Building Roof Repair: Mike Dellos received some clarification on the estimates. Jesse thought probably replacing the foam would be the best option. He did look at it with Mike. It is pretty much a rubber membrane already with rocks pushing down on the foam. Councilman Hopkin asked Mike if he had any recommendations on the estimates. Mike stated they could check the viability of the company by looking at their work in Thermopolis and around the area for 4 Elements. He also said it would be hard to tell what the foam will look like underneath the rubber once we remove that and there could be some damage there, so it might be a better option to replace it. Councilman Hopkin asked if there was a place to get the extra 8k. Councilman Olson suggested we make an amendment for the building out of the raw water reserve account since there is around 200k in the reserve. Mike thought 4 Elements could do the job quickly and try to get it done before fall. Councilman Olson made a motion to accept the 18k bid from 4 Elements for the roof at the raw water building, Councilman Hopkin seconded, and the motion passed unanimously. Mayor Duncan asked Mike if the pump was operational, and Mike replied that he received the new actuator, which is different, and that there are wires going into the old one but not into the new one, so he phoned Keystone, and they would try to lead him through the process to see if it will function. Mike is opening and closing the pumps to keep the water going. Mayor Duncan told Mike that he could call someone to help him if needed.

Sale of Bucket Truck: Bill has requested we sell the 1994 ford bucket truck in the sum of 10k to Big Horn County. Councilman Olson made a motion to advertise for a public hearing at the same time we are advertising for the sale of the Eagles Annex building, Councilman DesRosier seconded, and the motion passed unanimously.

3rd Street Water Project: Jesse stated that this is on the agenda because 3rd Street is a project for which we received an ARPA SLIB award in 2023, and we must account for the funding by the end of October. Jesse has had to scale back the plans slightly to fit our budget and what the town is prepared to match. The initial funding included sewer replacement, but there is no way we can install sewer with the funds we have. He intends to propose that we just stick with water all the way through there since that is the most crucial issue. He'd like to publicize this for September 5th and reward it at the conclusion. He spoke with SLIB about the money, and they said as long as we have everything completed by the end of October, they will continue with it. For the project itself, we have until 2026 to complete it, therefore he will recommend setting a completion date of next spring for the construction in the summer/spring, giving the bidding contractors some flexibility. He would start it early and have completion in the spring to pave it in the spring. If there is any additional funding that we could use we would just extend the water line south further, which would be phase 2. Jesse has the plans ready and will send them via email next week. Councilman DesRosier made a motion to allow Jesse to move forward with 3rd Street Water Project, Councilman Olson seconded, and the motion passed unanimously.

Resolution 08.22.2024: Close out the ARPA funding. Councilman Olson made a motion to approve Resolution 08.22.2024 to close out the ARPA funding, with the change of the account number to 37-30-999, Councilman DesRosier seconded, and the motion passed unanimously.

Ordinance 713 – Animals in Public Buildings (3rd reading): Councilman Olson made a motion to accept ordinance 713 on the third and final reading, Councilman Hopkin seconded, and the motion passed unanimously.

Public Comment: Kenny Lynch discussed with the Council Mary Russell's property and annexing in town or staying out of town.

Executive Session: Councilman Olson made a motion to have an executive session for contract negotiations and personnel, Councilman DesRosier seconded, and the motion passed unanimously at 8:34 p.m. Councilman DesRosier made a motion to come out of executive session and go back into regular session at 9:00 p.m., Councilman Olson seconded, and the motion passed unanimously.

There being no further business to discuss, the meeting was adjourned at 9:01 p.m.

Town of Basin Mayor/CJ Duncan

Town Clerk/Tracy Harper