

## **TOWN OF BASIN**

Council Meeting – Regular Minutes

Thursday, August 13, 2020

Basin City Arts Center at 7:00 PM

Call to Order Regular Session

Pledge of Allegiance

A Regular Meeting of the Town of Basin Council was held at the Basin City Arts Center in Basin, Wyoming on Thursday, August 13, 2020 at 7:00 PM. The meeting was called to order at 7:00 PM.

Council Members Present: Mayor CJ Duncan, Brent Godfrey, Carl Olson, and Stuart DesRosier.

Absent: Joseph Keele.

Also present were Clerk/Treasurer Deaun Tigner, Public Works Steve VanderPloeg, Electric Department Stacey Leshner, Chief of Police Chris Kampbell, Water Department Mike Dellos, Town Attorney Kent Richins, Town Engineer Jesse Frisbee, Timothy Graham, Candice Whitt, John Hallcroft, and Barbara Greene.

### **Department Head Reports:**

Public Works: Steve VanderPloeg reviewed his DSR with the Council.

Electric Utility: Stacey Leshner reviewed his DSR with the Council.

Water Department: Mike Dellos reviewed his DSR with the Council. He has not started the hydrant testing yet, but it is on his list for this month.

Administrative: Deaun Tigner reviewed her DSR with the Council.

Municipal Court/Mount View Cemetery: Deaun Tigner reviewed the DSR with the Council.

Police Department: Chief Chris Kampbell reviewed his DSR with the council. The Basin Police Department will start CPR training in the next week in conjunction with the school.

**Public Comments:** Candy Whitt – North 8<sup>th</sup> Street: Wanted to thank the Town for the Flags in on main street and said they looked great. She is concerned about the milling process on North 8<sup>th</sup> street. She would like to see the road watered on a more regular basis and less traffic, perhaps putting up signs. There is a lot of traffic on the road and the dirt gets kicked up. She would like to know if there is a timeline for when the road will be completed. She was told that we do not have a definite timeline on the road. The Town will put more gravel on top of it before winter hits. Public Works Director Steve VanderPloeg said that they will get over to water the road on a regular basis. She also brought up that there are places for sale on that road and people are concerned about the value of their properties.

Timothy Graham: Mr. Graham came to discuss the AVI/sewer lagoon project and get some insight as to what is going on with the money we are spending on it and how we are going to do it. The Mayor explained the majority of the work will be done on 9<sup>th</sup>, Holdrege, and part of the main street.

**Committees/Commissions/Departments:**

The Council reviewed the Planning and Zoning Minutes.

Rec District: There has been some summer activities for the youth in town and they are wrapping that up. They did paint the buildings at the lion's field and that looks great.

**Building Permits:**

- Dale & Mitsie Brown – 512 Mrytle Avenue – Deck & Porch off modular, new Modular
- Johnathon & Vivian Fausett – 753 North 8<sup>th</sup> St – Storage Shed
- Ken & Evelyn LaMott – 510 North 5<sup>th</sup> – 10 x 32 Deck on north side

Councilman Godfrey made a motion to approve the building permits, Councilman DesRosier seconded, and the motion passed unanimously.

**Executive Session:** None requested at this time.

Approve Consent Agenda/Additions/Deletions: No changes.

Conduct of Business:

Minutes from the Special Meeting: Councilman Olson made a motion to approve the minutes from the special meeting on July 23, 2020, Councilman Godfrey seconded, and the motion approved unanimously.

Vouchers: Councilman Olson made a motion to approve the vouchers and payroll, Councilman DesRosier seconded, and the motion carried unanimously.

Delinquent/Aging: The delinquent/aging report has gone up. It was discussed that most of it was due to not shutting anyone off due to active cases of coronavirus COVID-19 in the county.

Swimming pool: The Council talked last month about the Town paying to do repairs and construction on the pool. Mayor Duncan met with the representative from Mystic Pools and Spas from Billings. Mystic Pools and Spas came up with a plan and gave multiple estimates to the Council. The Rec District has about \$35,000 that they have earmarked for pool upgrades, the School District gave the Rec District \$15,000 towards pool upgrades. It was discussed that we can do the pool repair in phases, but if we do it in phases the price will increase. The Rec District has

maintained the pool in the past. The Town actually owns the pool with a loose agreement with the Rec District that if they maintain the pool they can use it. Councilman Godfrey asked if the Rec District has looked into anything in a grant that can help with the cost. The Rec District is looking into different ways to get help. Mayor Duncan informed the Council that if the Rec District does not get the money soon, they will not be able to open the pool next year as they would have to repair it this fall. Councilman Godfrey stated that he would like to help, but he would like to see if we can get any grant money before the Town accepts to donate a large amount of money to help. Councilman Godfrey made a motion to table this discussion until the meeting next month to see if we get any better options on it, Councilman Olson seconded, and the motion passed unanimously.

SRO Agreement: The School District provided the Town with a template for the very first year they had an SRO contract with the county. Town Attorney Kent Richins did have some concerns about the contract. We have been operating without a formal contract at the school in the previous years. He does not recommend we approve the contract as it is. The Mayor expressed his concerns about this as well. Mayor Duncan directed Town Attorney Kent Richins to write an agreement that we are satisfied with and a job description to have ready for the next council meeting on August 27<sup>th</sup>. The Town will move forward with the continuation of the SRO at the school with the assumption that the contract will be signed. Councilman DesRosier made a motion to continue with the officer in good faith, Councilman Olson seconded, and the motion passed unanimously.

B-Street Rededication: Town Engineer Jesse Frisbee put in the packet two sketches, one from him and one from Mary Russell, to show what is existing on the road. Tom Gifford does not want to vacate the bottom one and does not want to get rid of it. Town Engineer Jesse Frisbee stated that we must at least rededicate B Street. To get to Mary Russell's there are two options, it would be up to the Town if they want to give her the two easements. Stoelks easement, the Town's easement to the gravel pit, starts at the edge of where Lot 11 used to be before the subdivision was vacated. Mary would like both easements. Lot 11 needs to be at least a public access down to Stoelks where his easement ties into. Mary was given the option of picking which road she would like. Mary Russell stated she was willing to pay for whatever she needed to pay for to get both easements. Lot 11 would be a public right away, the other easement would be maintained by Giffords. The Town will do Stoelks, leave Giffords the way it is, Mary Russell will get access for parcel 2, and Mary Russell will pay for any documentation to parcel 1. Councilman Godfrey made a motion to put in one of the parcels to Mary Russell, parcel 2, and the existing one she can pay the difference to operate, Councilman DesRosier seconded, and the motion passed unanimously.

AVI: Town Engineer Jesse Frisbee asked about getting an estimate for pipe bursting and removing the pipe, full replacement, etc. He presented the email from Bruce Perryman who is looking for a decision on moving forward. Town Engineer Jesse Frisbee agrees with everything in the email from Bruce Perryman. He thinks the majority will have to be pipe burst or replaced. The Council instructed Town Engineer Jesse Frisbee to move forward with what was in the email, Bruce will give us a price and Town Engineer Jesse Frisbee will have to do some additional surveys.

Town Engineer Jesse Frisbee has already suggested to the Council possibly going after SLIB grant or the state revolving fund, but we are so far into this we would lose the RUS grant that we have currently if we go after that. RUS is more reassuring because if we run over on budget on the project, including the sewer lagoon, they will ask for additional funding as a grant and not a loan. We are restricted in not applying for more grants if we use the RUS grant. He does recommend for future replacements that we go after SLIB, but not at the current time.

Covid-19 Wastewater Testing: There is a state agency that would like to assist the Town of Basin if we want to test our wastewater for COVID-19. They will reimburse us for labor, testing materials and testing costs. We would have to keep track of how many hours our operator tests and how many tests. If the Town decided to sign up we would have to do it for a year. It may give us some sort of a barometer on the healthiness of the community. Councilman Godfrey made a motion to not enter into this agreement for wastewater testing, Councilman DesRosier seconded, and the motion passed unanimously.

Annex Building Rent: Councilman Godfrey made a motion to give \$100.00 for rent for use of the Annex building for a month to Tom Neumann, Councilman DesRosier seconded, and the motion passed unanimously.

Loren Alberts De-Annexation: Kent Richins discussed the procedure with the Council. Mr. Alberts also filed with the Big Horn County Commissioners. The county has 60 days to respond and the Town is awaiting their response.

Eagles: The Town of Basin has received the request for release of funds for the project, but no funds cannot be expended until the grant agreement has been fully executed. The physical property owner of 105 S 4<sup>th</sup> Street approached the Town about doing a land swap for the building. He would trade the Town his property at 105 S 4<sup>th</sup> Street and the Town would give them the portion of the annex building by the Eagles building. Councilman DesRosier made a motion to accept the property swap, Councilman Godfrey seconded, Councilman Olson opposed, motion was passed. The Town does not own the Eagles building property until the building comes down, so we would have to wait until after that to trade properties.

Mosquito Control – 3<sup>rd</sup> reading: Councilman Olson made a motion to adopt ordinance 683, Councilman DesRosier seconded, and the motion passed unanimously.

Ordinance 684 – Cemetery price increase (1<sup>st</sup> reading): Councilman DesRosier made a motion to accept ordinance 684, Councilman Olson seconded, and the motion passed unanimously.

Title 11: Variances B1, 2 ,3, and 4 are straight out of the State Statutes. Town Attorney Kent Richins suggested going with 1, 2, and 4. The question was asked where 3 came from. Mayor Duncan answered when the Town redid their zoning map it came as a suggestion from Ken Markert, and it was adopted by Planning and Zoning at the time. Mayor Duncan stated that #3

makes it really restrictive for a landowner if they want to try to change the use of the land (rezoning or use it as a different application than what it was zoned for). Councilman Godfrey made a motion to take out #3, leaving only 1, 2 and 4, to reflect the State Statute, Councilman DesRosier seconded, after further discussion a vote was called for and the motion failed. Councilman Olson made a motion to rewrite 11-4-5-3a, to be reflected in H, that 3/5 must be met instead of all five and to change the wording around and remove Planning Commission, Councilman DesRosier seconded, discussion of H on page 26-27, wording should state that 3/5 are needed in order to grant a variance. The burden of proof should show that the criteria is met and the variance should be granted for use that is allowed under the terms of this ordinance, and the motion was passed unanimously.

Executive Session: None requested at this time.

There being no further business to discuss, the Regular Meeting was adjourned at 9:03 p.m.

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Town of Basin Mayor/CJ Duncan

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Deaun Tigner – Town Clerk