

TOWN OF BASIN
Council Meeting – Regular Meeting Minutes
Thursday, October 8, 2020
Basin City Arts Center - 7:00 p.m.

Call to Order Regular Session
Pledge of Allegiance

A Regular Meeting of the Basin Town Council was held at the Basin City Arts Center in Basin, Wyoming on Thursday, October 8, 2020 at 7:00 p.m. The meeting was called to order at 7:00 p.m.

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

Also present were Deputy Clerk Tracy Harper, Public Works Steve VanderPloeg, Water Department Mike Dellos, Chief of Police Chris Kampbell, Town Attorney Kent Richins, Town Engineer Jesse Frisbee, Barbara Greene, Heath Overfield, Dave Kerby, Tammy Keele, Carmen Olson, Juanita Dellos, Kay Mowery, Loren Alberts, Bruce Bauer.

Poppy Day Proclamation: Juanita Dellos and Kay Mowery were present for Mayor Duncan to read the Poppy Proclamation. Mayor Duncan proclaimed Thursday, October 8th Poppy Day in the Town of Basin.

Department Head Reports:

Public Works: Steve VanderPloeg reviewed his submitted DSR with the council. The crew has been exercising the water valves so they will be in good working order for winter. They put up the ice-skating rink at the Fairgrounds arena. They will be starting to winterize the parks soon.

Electric Utility: Stacey Leshar was unable to attend the meeting and did not submit a DSR to the Council.

Water Department: Mike Dellos reviewed his submitted DSR with the Council. The fire hydrants have all been tested, and there was one that will be replaced soon. Some of the lights are up in the sewer lagoon building and the grinder has been installed. There was an electrical issue so it is not running yet, but it should be soon. Mayor Duncan asked about the paperwork for the fire hydrant testing, and Mike Dellos replied that a copy goes to the fire department, and that he keeps a copy as well.

Administrative: Tracy Harper reviewed the submitted DSR with the Council. Office personnel have been doing some online training. The annual reports to the State of Wyoming were submitted in September. New accounts seem to have increased and will now be tracked on the DSR reports.

Municipal Court: Tracy Harper reviewed the submitted DSR with the Council. The Paygov website volume seems to have increased for online payments with the Covid-19.

Police Department: Chief Chris Kampbell reviewed his submitted DSR with the Council. They are starting to see fewer tourists through town. Vacation time has made them short-handed but should be leveling out soon. Mayor Duncan asked about the training for the SRO Officer, and Chief Kampbell stated that Officer Bogardus had gotten registered for the academy for January of 2021.

Committees/Commissions/Departments:

Planning & Zoning: Councilman Olson spoke on behalf of the P&Z committee. He stated that they are working on Titles 8 and 9.

Recreation District: Mayor Duncan gave the report for the Rec District. He discussed the progress on the rehabilitation of the swimming pool. Becky Allred and Charlene Anderson have started a fundraising effort to make up some of the \$25,000 shortfall between what was budgeted and the final bid.

Home for the Holidays: Tammy Keele reported on the Home for the Holidays committee. The committee is trying to work with what is needed for the Covid-19 regulations. They have thought about having food trucks in attendance rather than serving the food themselves. They still plan on having Santa there for the kids and will have a live nativity. They need float entries for the parade. They would also like to see more people coming to the meetings, which are at Town Hall on Wednesdays at 6:30 p.m.

Scarecrow Contest: Mayor Duncan wanted to remind everyone of the Scarecrow Contest that the Town is putting on. Entry is free and open to anyone. Businesses can be asked if you would like to place your scarecrow in front of them. Entry forms can be submitted at Town Hall from October 12-16. Scarecrows are displayed from October 19-31, and winners will be announced November 4th.

Public Comments:

Carol Ebright was on the agenda but was unable to attend. She wanted to thank the Town and crew for the use of the Boat Dock area for the candlelight vigil that was held there.

Mayor Duncan made a comment on behalf of the Town regarding some vandalism that happened at the fishing pond. Thankfully, the crew workers noticed before any major damage was done. Mayor Duncan stated that the fishing pond would be closed until the individual(s) responsible came forward, or until he (Mayor Duncan) became nice again.

Chief Kampbell discussed the need to set a time limit on properties in the deconstruction or demolition process. There were several properties around town that have been in the demolition phase for some time and they were becoming a hazard.

Building permits: A building permit for Emory & Renee Naylor was resubmitted to the Council for review. The building permit had been presented at the September 24th meeting and the council members requested some additional information, which was provided. Councilman Godfrey made a motion to approve the building permit. Councilman Keele seconded, and the motion passed unanimously.

Executive Session: No Executive Session was requested at that time.

Consent Agenda: Councilman Olson made a motion to approve the agenda with the removal of the Poppy Day Proclamation, which was moved to the opening of the meeting. Councilman Godfrey seconded, and the motion passed unanimously.

Conduct of Business:

Minutes from the Special Meeting on September 24, 2020 were presented. Councilman Keele made a motion to accept the minutes. Councilman DesRosier seconded, and the motion passed unanimously.

Vouchers were presented for \$275,321.64 plus Payroll Net of \$45,182.00 = \$2320,503.64 Grand Total. Councilman Godfrey made a motion to approve the vouchers. Councilman Olson seconded, and motion passed unanimously.

Delinquent/Aging: 30 Days \$6,349.92, 60 Days \$25,852.22 as of October 8, 2020. The 30 days is up \$1,661.89 and the 60 days is also up \$957.60.

Eagles: Heath has contacted three companies out of Montana for a rough cost estimate and timeline for the asbestos abatement so he would know whether the amount was under the \$35,000 threshold for bid requirement. The estimates came in at a roughly 4-week time estimate, and there were two estimates in the \$20-25,000 range, and one at \$50,000. He is waiting for an additional bid out of Casper but advised that as soon as he had that information the Town should get on the schedule of one of those companies to start work. Heath has also started the draft specifications for the actual demolition of the building and is open for any recommendations or revisions. Mayor Duncan requested the estimates to be finalized and ready to look at during the October 22nd meeting.

SRO Agreement: A work session was held with members from both the School and the Town involved on October 7th to go over the agreement. A draft agreement was presented for approval. Attorney Kent Richins discussed whether the School would need to continue to pay if there was another shutdown similar to what happened for Covid. Superintendent Dave Kerby discussed the options for termination of the agreement, which would have to be done in the case of a shutdown. The amount of the contract has changed to \$50,000 to reflect more current costs. The amount provided does not cover overtime, so Attorney Richins clarified that the amount of time covered was for a 40-hour week. Superintendent verified that their intent was for the SRO Officer to work 40 hours per week and that any overtime would be due to the Town needing her in case of emergency. Mayor Duncan clarified that there would need to be communication between the School, the Town, and the SRO on how to flex the hours of the SRO to fit within the 40 hours per week. Councilman Olson made a motion to accept the agreement. Councilman Godfrey seconded. Councilman Godfrey asked Chief Kampbell if the SRO was currently fully-trained in case of a lockdown situation, and he verified that as the first responder she would be the incident commander and capable of handling that situation. Chief Kampbell requested a copy of the contract to review. There being no further discussion, the motion passed with Councilman DesRosier abstaining due to a conflict of interest. Mayor Duncan added that there was a School Board Meeting on October 13th if any of the council members wanted to attend.

Chickens in Town Limits: Mayor Duncan read a portion of a letter from Gene Grose requesting the Town Council to consider allowing chickens in town for people to have the ability to be more self-sufficient. Councilman Olson stated that the biggest thing that would need to happen would be for the Council to come up with some rules that would allow for the proper care of the chickens, as well as to protect neighbors from any potential negative issues. Councilman Godfrey asked who would enforce those rules, as the current dog ordinances were not enforced. He was concerned that there would be dogs getting into the chickens, chickens running loose, and potential health issues. There was some discussion on the other municipalities nearby who did or did not currently allow chickens. Mayor Duncan stated that in his opinion, a governing body should encourage its citizenry to be self-sufficient. Councilman Godfrey asked if we would start allowing goats, or cows. Mayor Duncan asked that those are already allowed in the proper zones in town. Councilman Godfrey stated that he currently has ducks, chickens, and geese that aren't currently allowed, so he questions the ability to enforce it as it is not currently being enforced. He wanted everyone to remember this conversation when dogs started killing chickens and everyone starts ranting and raving. Mayor Duncan requested a meeting to allow the public

to come and comment on the idea. Councilman Keele made a motion to have a Special Meeting on October 22nd at 6:30 p.m. for public comment on the issue, Councilman DesRosier seconded, and the motion passed unanimously.

Swimming Pool Bid: Town Engineer Jesse Frisbee stated that the bid opening had taken place the prior Thursday at 1:00 p.m., and that only one bid was presented. It was from Montana Oasis Pools in the amount of \$211,864.01. The bid was in order and was slightly higher than his original estimate due to costs from the bidding process. Mayor Duncan stated that between the School District, the Town of Basin, and the Recreation District, there is a budget for \$186,000 and are \$25,000 short. There is a current fundraising effort by Becky Allred and Charlene Anderson to help raise the difference. Town Engineer Frisbee stated that there might be some cost-cutting efforts on the part of the contractor that might help lower the shortfall. Mayor Duncan stated that he feels like they need to move forward to accept the bid. The Daniels Fund is no longer available for recreations purposes, but they are working on a Sykes Grant as well. Councilman DesRosier made a motion to accept the swimming pool bid, Councilman Godfrey seconded, and the motion passed unanimously.

AVI: Town Engineer Frisbee stated that AVI are currently working on determining if 4th Street is still eligible for pipe bursting. Some initial survey work has been done and is being put together.

North Antelope Drain: There has been some question regarding whether the Town has any drainage going into the North Antelope Drainage District around Big Horn and S 5th. Town Engineer Frisbee stated that there is a six-inch PVC line that has been capped for years. The only way to allow the drainage is to pull the plug off the drain and open the slide gate. Currently none of the town water goes into the North Antelope Drainage District. Mayor Duncan reiterated to Bruce Bauer, who is a resident in the area affected that none of the town's water goes into that drain and provided him copies of the map and photos that Town Engineer Frisbee gave to the Council.

Loren Alberts – De-Annexation: Town Attorney Kent Richins went over where they were at in the process for de-annexation. The County had sixty days to respond, and there was a letter from the County provided to the Council stating that they were neither for or against it. Town Attorney Richins suggested that there be wording drafted in the ordinance that if in the future, Town utilities are requested by the owner, the property be annexed back into the Town. Mayor Duncan asked about the cost of the lawyer's fees and engineering fees for the maps being paid by Loren Alberts. Mayor Duncan suggested that wording be in place that the cost for the fees be paid by Mr. Alberts. Councilman Godfrey made the motion for Attorney Richins to draw up the Ordinance for de-annexation with the stipulation that Mr. Alberts pay the fees. Mr. Alberts asked if utilities would be provided by the Town if he chooses not to de-annex. Mayor Duncan indicated that the original subdivider of the property should have made sure utilities were provided. Since that was not done, there are currently no utilities to the property. Councilman Godfrey amended his motion to state that if utilities are requested, the Town has the right to annex the property back in. Councilman Olson seconded the motion, and the motion passed unanimously. Mr. Alberts asked when the de-annexation would take place. Town Attorney Richins stated that it is generally effective January 1st due to taxing issues.

Council Meetings: Mayor Duncan stated that he would like to make the second council meeting of the month, which is on the fourth Thursday of the month, a Regular Meeting instead of a Special Meeting. Councilman Olson made a motion for Town Attorney Richins to draft an ordinance stating that the second and fourth Thursdays of the month be Regular Town Council Meetings. Councilman Keele seconded. Councilman DesRosier wanted to clarify that the meeting on the fourth Thursday be as

needed. Town Attorney Richins stated that if a meeting is not needed that it could be canceled. Upon vote, the motion passed unanimously.

Ordinance 685 – Title 11: The 1st reading of Ordinance 685, replacing Title 11 in full, was presented by Mayor Duncan. Councilman DesRosier made a motion to accept the first reading of the Ordinance. Councilman Olson seconded, and the motion passed unanimously.

Executive Session: An executive session was requested to discuss Personnel. Prior to the Council moving into Executive Session, Chief Chris Kampbell brought up some issues with the SRO contract that would need to be addressed prior to the School District approving the final draft. There was some concern by Chief Kampbell about clarifying the definition of a student to clarify if they are age eighteen or older. There were also some questions on when it was appropriate to call the parents in prior to interviewing the student. Following that discussion, Councilman DesRosier made a motion to adjourn from Regular Session and move into Executive Session. Councilman Keele seconded, and the motion passed unanimously.

Town of Basin Mayor / CJ Duncan

Town of Basin Clerk/Treasurer – Deaun Tigner