

**MINUTES OF THE MEETING
TOWN COUNCIL
BAR NUNN, WYOMING**

The regular meeting of the Town Council of Bar Nunn was held on Tuesday, September 20, 2016, 7:00 P.M., at 4820 N. Wardwell Industrial Avenue, Bar Nunn, Wyoming.

The meeting was called to order by Mayor Patrick Ford. The roll was taken by Carol Pendley, Clerk. Those present were Mayor Ford, Councilmembers Josh Brown, Steven Clark, Teri Kelly and Robert Hoover.

Mayor Ford led in the Pledge of Allegiance.

Councilman Clark made a motion seconded by Councilman Brown to approve the minutes of the September 6, 2016 Council Meeting. Motion was unanimous.

Mayor Ford stated the invoice and check #26409 for \$625.00 to DSWB he didn't approve of last meeting needs to be acknowledged as voided and the August Payable List reapproved. Councilmember Kelly withdrew her second to approve the August Payable List. Councilman Clark withdrew his original motion to approve the August Payable List. Mayor Ford called for a motion to reapprove the August Payable List with check #26409 acknowledged as voided. Councilman Brown asked how motions can be withdrawn when the listing had been approved at the time and with approval of the minutes for the September 6th meeting it was again approved. Mayor Ford indicated the matter of the void check has to be addressed.

The issue involves an invoice from DSWB and attached check which all council members approved (voucher initialed) as part of the August, 2016 Payable List. Mayor Ford, having been delayed in attending the meeting, said he did not agree with the payment of the invoice. Although having been approved the check was defaced and it had to be voided. The check probably should have been paid and a subsequent credit requested if there was a question of the billing since it had gone through the approval process. Mayor Ford had indicated he had verbal confirmation the invoice had been submitted in error. Clerk Pendley when asked, recommended tabling the issue until legal counsel could be present to advise how to proceed. Councilman Hoover made a motion seconded by Councilman Brown to table the August, 2016 Payable Listing Correction until Attorney Stedillie can legally advise of the proper process to follow. Motion was unanimous.

Financial Reports for August, 2016 were next on the agenda. Councilmember Kelly questioned whether the invoice and check at issue were included in the Financial Reports for August. Clerk Pendley verified the August, 2016 Financial Reports reflect the invoice and check as approved in the August Payable Listing and any subsequent change has to be reflected in the September, 2015 reports since that is when the change would be

made. Councilman Brown made a motion seconded by Councilman Hoover to accept the Balance Sheet, Budget Income Statement, and Year to Date Trial Balance for August, 2016 (August, 2016 Financial Reports). Motion was unanimous.

Attorney's Report was next on the agenda. Attorney Alaina Stedillie was unable to attend due to illness, but supplied a written report. The waterline easement is ready for signing and Attorney Stedillie is communicating with Kyle Ridgeway concerning the filing of it.

Engineer Johnston reported he is continuing with completion of the punch-list items, and will be conferring with Attorney Stedillie to address the actual requirements for the warrantee period to begin on the waterline. Mayor Ford said he would talk to Attorney Stedillie to confirm the easement is ready to process.

Engineer Johnston also reported results of his letter to DEQ (Karen Farley) stating Ms. Farley had additional positive comment on changing pipe to PVC and agrees the permitting for the fire line wouldn't be obtained until it is determined when and where it will be installed.

Mayor Ford asked the status of paperwork to be submitted to Attorney Stedillie to proceed with the Letter of Demand to EDA concerning the pathway lighting issue with light shields. There is an issue with locating the Town's signed contract. Following a brief discussion Engineer Johnston asked for a motion from Council to direct him to contact EDA. Councilman Hoover made a motion seconded by Councilman Clark to have Engineer Johnston contact EDA and diplomatically resolve the light shield issue. Motion was unanimous.

Mayor Ford clarified interviews for Code Enforcement Officer were conducted Friday, September 16th, not Thursday the 15th as stated in the Attorney's Report. There were originally 6 candidates but one did not respond to the interview invitation, so there were 5, of which there were 4 solid candidates.

Engineer's Report was next on the agenda. Engineer Clyde Dolan gave a progress report on the playground equipment for High Plains Park, having talked to Mr. Churchich. The Notice to Proceed has been submitted, expected delivery date is October 24th, 2016. As soon as the equipment is delivered installation will begin.

The projected Substantial Completion Date is October 15, 2016, so completion will be delayed. Processing of all the documents and selections slowed the process. Engineer Dolan plans to have a Preconstruction Meeting prior to unloading the equipment to address the subcontractors starting date, contract administration, submittal of pay applications, and scheduling. Engineer Dolan will ask for a schedule as soon as it is available. There will be 2 subcontractors handling equipment and 1 subcontractor for surface installation. The surface is temperature sensitive and some consideration of temps will be considered although there is accelerant that can be added to aid in the completion process. Installation will take approximately 10 days to 2 weeks. Engineer Dolan will inquire whether the delivery date can be expedited. Depending on weather and ability to complete the project, the playground equipment may not be accessible until next year.

Engineer Dolan is waiting for Unemployment and Workers Comp Certificates to be submitted prior to work being started.

Engineer Bill Johnston previously submitted a written report, parts having been discussed during the Attorney's Report.

Full Contact Concrete has substantially completed the Antelope Park Pathway; Certificate of Substantial Completion is ready to be signed. There is some cleanup to be done and some old asphalt to be removed prior to the retainage check being issued, but project is ready for advertising. Signage will be added next week. It looks good!

Engineer Johnston attended an MPO (Technical Committee) Meeting. There was again discussion of STPU fund distribution. Engineer Johnston stated if the WYDOT Supervisor allows, Bar Nunn has 7 years of MPO/STPU Funds to obligate to a chosen project. Engineer Johnston says a discussion about future funds can be made after that time or sometime within that period. Engineer Johnston is concerned about discussions surfacing now. It appears Kevin with WYDOT Planning is trying to "put a wrench into the works". Engineer Johnston thinks it may be worthwhile to have an informal meeting with some of the interested parties to discuss what is being planned and ascertain nothing is being changed. Mayor Ford will be contacting Lowell Fleenor/WYDOT District Engineer to discuss concerns.

Engineer Johnston provided an estimated cost for the proposed 744 feet of snow fencing at \$22,320. Mayor Ford will try to coordinate a meeting with Mr. McMurry the end of this week or the first of next week to view the proposed location. Engineer Johnston and Head of Maintenance Johnson will be notified of the meeting time. There was further discussion about proceeding with installation prices.

Engineer Johnston reported it was announced during the MPO meeting that CATC is having a special celebration of CATC tomorrow, Wednesday, September 21, 2016, and all rides ("The Bus") will be free for the day.

Parks and Recreation Report was next on the agenda. A brief report was submitted, no business conducted.

Petitions and Public Comment was next on the agenda. There were none.

Council Miscellaneous was next on the agenda. Mayor Ford reported he had not finished contacting all parties regarding the Wildland Fire information from last meeting.

Mayor Ford reported 5 well qualified people were interviewed for the Code Enforcement Officer position. Mayor Ford's personal preference is Marshall Wyatt having an extensive background as a highway patrolman and as a police officer in Hanna. He is a past resident of Bar Nunn. Councilmember Kelly agreed with the Mayor's choice. Following a brief discussion Councilman Hoover made a motion seconded by Councilman Clark to direct Mayor Ford to offer the Code Enforcement Officer contract to Marshall Wyatt. With contract, miscellaneous paperwork, and processing (drug test and background check), Mayor Ford expects a start date the beginning of October.

Councilman Hoover requested a Work Session be set for Mayor and Council to make a decision about the New Town Hall. Councilman Hoover stated there needs to be a determination of if and when it is going to be completed, discarded, delayed, and the contractors and architects need to be informed.

Councilman Hoover made a motion seconded by Councilman Clark to set a Work Session for Monday, October 24th, 2016, 6:00P.M., in Council Chambers, for the purpose

of Mayor and Council to discuss and solidify scheduling/status of the New Town Hall.
Motion was unanimous.

There being no further business to come before the Council at this time,
Councilman Hoover made a motion seconded by Councilmember Kelly to adjourn.
Motion was unanimous.

Meeting adjourned 7:55 P.M., September 20, 2016.

Patrick Ford, Mayor

ATTEST: (seal)

Carol Pendley, Clerk

ATTORNEY REPORT

To: Mayor Ford and Town Council

From: John Masterson and Alaina Stedillie

Date: October 3, 2016

Wardwell Water Easement

Code Enforcement Officer Contract



CONSULTING, LLC
ENGINEERING,
CONSULTING
& DESIGN

**TOWN OF BAR NUNN
HIGH PLAINS PARK PLAYGROUND EQUIPMENT and SURFACING PROJECT
PROJECT REPORT
September 30, 2015**

The construction contract for this project was awarded to Miracle Recreation Equipment Company, c/o Churchich Recreation LLC on August 2, 2016 for the amount on \$155,489.00.

The Notice to Proceed was issued on September 6, 2016 along with the final approval of the color selection for equipment and surfacing.

We have been informed by the Contractor that the playground equipment will be delivered to the site on October 24, 2016.

The Contractor has verbally provided us with the following construction schedule:

<u>Operation</u>	<u>Start Date</u>	<u>Finish Date</u>
Delivery of Playground Equipment	October 24, 2016	October 24, 2016
Erection of the Equipment	October 24, 2016	October 28, 2016
Preparation of Base	October 28, 2016	October 28, 2016
Placing of the Surfacing	November 1, 2016	November 4, 2016

Respectively submitted.

Clyde H. Dolan, P.E.
Resident Engineer

Bar Nunn Engineer Report October 4, 2016

Town Hall Utilities status

Treeto Construction installed the meter pit top Friday Sept. 15.

A preconstruction meeting is scheduled for 10-04-16 at 4:30 to organize construction of the power infrastructure for the new town hall.

Antelope Park pathway project status

Contractor needs to accomplish minor cleanup and haul the removed asphalt that is stored at the sod farm out of Town. Retainage is to be held until these items are done.

Snow Fence

The Mayor and Mr. McMurry will meet in order for the Town to obtain permission to install these snow fences. Town Maintenance and myself will endeavor to attend the meeting as well. The extent of the project consists of 62, 12 foot long panels. At WYDOT's estimated cost of \$30.00 per foot this amounts to \$22,320.

Miscellaneous

Rocky Mountain Power's contractor inquired of Town Personnel regarding the status of side lot easements on the Building Restriction lots. The building Restrictions documentation stated these are reserved to CDS Inc. (defunct) or it's assigns. We looked for paperwork indicating that these were assigned to the Town but came up short and therefore told said contractor they needed to find their own easements to use. This question will resurface so it's my opinion that it may be prudent to have The Attorney's opinion on this issue.