Town Council Meeting

March 8, 2022

7:00p.m.

Attending: Mayor Rose Arndt, Council - Theresa Lewis, Colby Peck, Shane Viehweg, Demont Grandy, Attorney Dean Stout, Public Works – Justin Pope, Shane Pope, Mike Duran, Chief Eric Whitehead, Clerk Jody Harmon, Larry Lewis, Elbert Harmon, Stan Thompson, Savanah Hansel, Sassy Longmore, BranDee & Doug Prows Jr., Cody Millard, Doug & Janet Prows, Wayne Harmon, Ty Prows, Taylor Allred, Kelly Hoffman,

1. Call to Order Rose at 7:00p.m
2. Motion by Councilwoman Lewis to adopt the agenda seconded by Councilman Peck. Passed
3. Prayer by Councilman Peck
4. Pledge by Councilman Lewis
5. Mayor Arndt welcomed Eric Whitehead as the new Police Chief.
6. Consent Agenda

a). Motion Councilman Peck seconded by Councilman Viehweg to approve of Feb 8, 2022, Town Council Meeting minutes with corrections. Passed

b). Motion by Councilman Grandy to approve the accounts payable and payroll for February, 2022 second by Councilman Lewis. The Mayor called for discussion on the bills. The bill for the Cokeville Sr. center for grant writing on the HVAC System for the Town Hall was discussed, the Sr Center didn’t write the grant, there was no grant written as it was covid money and not a grant. Demont suggested that if a grant is written then the grant writer should bring that grant forward as written for the council to review. He also would like to be notified before a grant is written and the council needs to approve beforehand. Motion by Councilman Peck to amend the motion and withdraw the bill for the Cokeville Sr Center from the accounts payable. Motion passed. The bills are as follows:

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| All West Communications | $806.07 | Bear River Heating & Air | $1,592.50 |
| Blue Cross/Blue Shield | $2,612.00 | Caselle Inc.  | $950.00 |
| Chemtech Ford | $208.00 | Coca Cola | $105.00 |
| Cokeville Municipal Court | $126.00 | Delta Dental Plan | $148.00 |
| Dean Stout | $2,550.00 | Ellingford Bros | $2,281.04 |
| Executech | $36.50 | First Bankcard | $2,727.35 |
| Gundersen Ace Hardware | $196.17 | Hastings | $12.99 |
| IDAWY Solid Waste | $33.75 | Justin Pope | $2,000.00 |
| Kemmerer Gazette | $169.60 | Lincoln County | $842.00 |
| Napa Auto Parts | $98.94 | Quality Service | $942.27 |
| Rocky Mountain Comp Service | $28.75 | Rocky Mountain Power | $4,607.30 |
| Safety Supply & Sign | $5,648.00 | Sam Bennion | $300.00 |
| Shane Pope | $625.74 | Staples | $167.32 |
| SVI Media | $144.00 | Todd Brown | $750.00 |
| Town of Afton | $27.00 | Valley Auto Supply | $26.68 |
| Valley Wide Co-op | $8,396.97 | Verizon wireless | $362.20 |
| Waxie  | $814.58 | Windy Sage Kennel | $694.84 |
| WY Dept of Workforce service | $454.52 | WEBT | $13.50 |
| Xerox | $23.12 | Payroll | $12,284.50 |
| Retirement | $2,053.12 | EFTPS | $3,254.17 |

c). Motion by Councilman Grandy to approve Business Licenses seconded Councilwoman Lewis. The Business licenses are as follows.

Mindy Williamson Dance Exercise

Stewart Petersen Construction

Chamber of Commerce

Matthew Teichert Valley Hi

Kevin Crawford Pilot Travel Center

Buffy Dayton Salon

Anna Skinner Valley Auto Parts

Scott Scherbel Surveyor Scherbel

Kelsey Teichert Gold Buckle Grill

Craig Chadwick Construction

Clyda Teichert Clyda’s Greenhouse

Tamera Fisher Bear Lake Propane

Misty Lamoreaux Nicholas and Co.

Todd Hurd Forsgren and Associates

Wayne Petersen Rental Properties

Barb Eischen Osprey Beverages

Pam Grandy Candy Vending machine/sales

Pam Grandy Cokeville Farmers Market Co-op

Suburban Propane Propane

Amanda Bird Allison’s Pantry

Joy Hutchinson Chappel Creek Ent.

1. Recognitions - Mike Duran recognized for helping the new Chief of Police start his car CHS wresting team for taking 3rd at State Tournament. Stan Thompson recognized the CHS boys and girls’ basketball teams for their efforts this basketball season. Councilman Grandy recognized Sassy Longmore for her cleaning the building. She has done an excellent job.

1. Motion to appoint Eric Whitehead as Chief of Police by Councilman Peck seconded by Councilwoman Lewis. Motion Passed
2. Motion to have a Special Town council meeting on November 9, 2022 instead of a regular Town Council meeting on November 8 as it conflicts with the general election by Councilman Grandy seconded Councilwoman Lewis. Make a notice to cancel the regular meeting and announce a special meeting. Motion passed
3. Doug Prows Sr. addressed the Mayor that she owes the fire department an apology in writing for saying in the February meeting that the fire department missed calls because they were partying. The Mayor stated that she didn’t make that statement but will find out who said it and report back to Doug. At that time Doug turned the time over to Kelly. Elbert asked again for the name that person who told the mayor that the fire department missed calls. Kelly read the letter he had written to the Mayor and Council. Kelly’s letter as follows:

7 March 2022

To the members of the council of the Town of Cokeville and the town attorney;

I have stayed silent a long time about things I see transpiring within the governing body of the Town and more particularly with the actions and attitude of the mayor in relationship to the other members of the council and some questionable actions she has taken.

I mention just a few to give you something to think about in this letter. Let’s start with giving your town attorney a raise without a vote of the governing body. State statute 15-1-103 (a) The governing bodies of all cities and towns may: (viii) Appropriate money by ordinance only and pay all necessary expenses, including supplies, salaries of employees and debts.

It’s pretty clear that appropriating money for all necessary expenses, including wages, are to be done by the governing body by ordinance, not the mayor alone. The reason for this is pretty obvious as town expenditures are to be agreed upon by the majority of the body as part of a budget, not dictated by one member.

The mayor of a town in Wyoming has one vote on all matters before the council, and that vote is to break a tie. If the mayor chooses to override a vote of the council, the council may vote to override the veto and the mayor has no vote in that action.

The town council has passed several votes on matters that the mayor has ignored. This is clearly an afront to the laws and ordinances of the town. I’ve heard comments from the mayor that she has all control over employees. There is some truth to that statement, but the other half of the matter is that the council can vote to override those actions if they feel to do so is in the best interest of the town. Please reference Titles 15 and 16 in state statutes to see for yourself.

The mayor also works alone on important issues before the town that should be discussed with the members of the council and the town employees and even the public. The recent solar project funding meeting was an example where the mayor came up with all the numbers for that project and had no input from the council or employees that are affected by it and was in fact asked about it at that meeting.

In 35 years of living in this community I have never seen a mayor try to wrestle so much power from the rest of the governing body at the expense of employees and the public in general as this mayor has done. As a small town with limited resources it is always in the best interest of the town for everyone to work together to make the load lighter and have solutions the majority want. These are only a couple of examples of incidents and situations I have noticed the past few years.

Now I have tried to not make this a personal letter, just my observations about things I have noticed that I feel are wrong. But the mayor made a very personal attack on the members of our fire department in the last town council meeting that I do take personally and am very offended by. She made some unfounded and baseless claim that our department has not been responding to fire calls and that the members weren’t responding because they had been drinking. This is an afront to the good name of the members of our department and causes harm to our members and the good name of the department. Our firefighters are good, hard working and essential members of the community that give endless hours of service for the benefit of their fellow community members. The mayor owes an immediate apology to the members of the fire department for her unfounded, baseless remarks.

There were several calls received starting in January for several weeks that were not for the fire department but for the Kemmerer ems service that were wrongly paging Cokeville fire and ems along with Kemmerer to incidents within the Kemmerer ems service area. I have an email from the Lincoln County dispatch supervisor, Maryanne Christensen, to validate this. Making unfounded and baseless accusations against an entire group of people is reckless, liable, and slanderous. I have had numerous towns people ask me about this remark the mayor made and she did it while presiding over a regular council meeting in front of the public. That makes it all the more egregious and inexcusable.

I’m not sure why the mayor has done this, it seems as though she is lashing out at the department and district for some reason. The Bear River Fire District is a legal political subdivision of the State of Wyoming just as the Town of Cokeville is. State statute gives the district and the town the right to enter into fire protection agreements, and they have done so. This is legally done by town ordinance and is found in Town ordinance 5-603. Number 5 under this section states:

1. It is the intent of this section to grant to the Bear River Fire Protection District the rights, duties and responsibilities pertaining to the enforcement and prevention of fires and related matters within the Town of Cokeville. It is also the intent of this section to make members of the Town of Cokeville Volunteer Fire Department members of said Bear River Fire Protection District.

The mayor has no say in the day to day operations of the Bear River Fire District or the members of the Cokeville Fire Department as they are governed by the district board. I can only guess this has something to do with her remarks, she alone can answer that question.

The members of the Cokeville Fire Department have by-laws that require a certain code of conduct when they are in the service of the fire district and our members abide by these by-laws. Our members are also 100 percent volunteer, they receive no on-call pay or incident pay as the ems crew does. They respond to incidents if they are in town and available, and still do a remarkable job of responding and servicing this community.

There is one other irony to this situation, the fire department responds to ems calls as a courtesy to the local ems group that is severely understaffed, not out of any obligation, legal or otherwise. We care about the members of our local ems group and wanted to do what we could to ease some of their burden.

I call upon the good members of the town council to denounce the remarks of the mayor in this matter and again call for her apology for these very inappropriate remarks.

Thank you

Kelly Hoffman

 Doug stated the he will see the Mayor in court if she doesn’t apologize to the fire department. Mayor stated that she officially apologized to the fire department for sharing unsubstantiated information. Attorney Stout suggested to pass the information on to the chairman of the board in writing. Councilman Peck asked the mayor to apologize to the whole community because it caused distrust. He feels it damaged the firemen and families. Attorney Stout suggested that one letter to chairman of the board of fire department and South Lincoln medical. Doug Jr. asked the mayor if was trying to out of an apology to the fire. Mayor apologized again and said it will not happen in the future that she should have not stated that in the public meeting. She used the wrong venue. Elbert suggested that the council make a motion. Councilman Peck made a motion for Mayor to write an apology to the fire department and the community because it was egregious seconded by Councilman Lewis.

1. Councilman Grandy addressed the council regarding Lewis and Lewis a construction company purchasing bulk water. Lewis and Lewis want to purchased 3000 – 6000gal per day for the summer of 2022 for road construction. Mayor Arndt suggested to have a review weekly of the amount they are getting. Wayne suggested that they get a permit out of the canal. Mayor Arndt wants this agreement in writing and wants to be able to cancel getting water at any time. Motion by Councilman Peck, Councilman Grandy seconded to have Jody call Lewis and Lewis to report the council decision of 3000-6000 gallons of bulk water can be purchased per day at a price $100 per thousand gallons and the Town can cancel at any time, the Town would like to have a written agreement. Passed
2. Public Comment – Elbert thanked the council for hiring a police chief.

Old Business

Departments

Shane Viehweg - Economic Development, Planning & Zoning, Airport

The Town can apply for a grant though economic development for events on the 24th and also Christmas. Mayor Arndt stated that this money would come from the county. Councilman Peck suggested to ask for a specific amount for a specific event and then bring it back to the council for next month. Mayor Arndt shared that gateway west will go south of the existing line of Cokeville. Councilman Grandy stated that BLM says they are not aware of this.

Councilman Viehweg talked with Rob Harmon, he estimated it would be $200,000 to oil the runway of the airport.

DeMont Grandy- Water/Sewer

Councilman Grandy reported that we have 3 applicants for apprentice program and Riata Littlewalker would like to attend the interview process as well as Todd Brown. Councilman Grandy will contact Riata.

Motion to approve the Resolution 22-01 by Councilman Grandy seconded by Councilman Peck. Motion Passed.

**RESOLUTION 22-01**

**A RESOLUTION AUTHORIZING CONSTRUCTION OF A WATER WELL ON LOT 2, STONER ADDITION (TOWN SHOP) AS PART OF THE WYOMING WATER DEVELOPMENT COMMISSION’S GROUND WATER GRANT PROGRAM FOR A WATER SUPPLY WELL AND ASSOCIATED INFRASTRUCTURES ON BEHALF OF THE GOVERNING BODY FOR THE TOWN OF COKEVILLE, LINCOLN COUNTY, WYOMING, FOR THE PURPOSE OF DRILLING AND DEVELOPING A POTABLE WATER WELL FOR THE TOWN OF COKEVILLE.**

**WHEREAS**, the Governing Body for the Town of Cokeville, Lincoln County, Wyoming, owns and operates a water system to provide potable water and fire protection for the residents of the community; and,

**WHEREAS**, the Governing Body of the Town of Cokeville, Lincoln County, Wyoming, currently has two water wells to meet the potable water needs of the community; that have been deemed not suitable due to surface water influence by the EPA

**WHEREAS**, the Governing Body for the Town of Cokeville, Lincoln County, Wyoming, recognizes that a new water supply is needed to meet current water needs; and,

**WHEREAS**, the Governing Body for the Town of Cokeville, Lincoln, Wyoming, is participating in the Wyoming Water Development Commission (WWDC) Ground Water Grant Program, which purpose is to drill, construct and install infrastructure for a well on behalf of the Town of Cokeville; and,

**WHEREAS**, the well siting investigation prepared for the WWDC Ground Water Study Program has identified Lot 2 (Town Shop) as a suitable location for the construction of a well.

**NOW,THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF COKEVILLE, LINCOLN COUNTY, WYOMING**, that the Governing Body of the Town of Cokeville , Lincoln County, Wyoming, is supportive of drilling, constructing, and installing the infrastructure for a well on Lot 2 (Town Shop) and that the Town enters into an access agreement and easement with the Wyoming Water Development Commission for that purpose.

**BE IT FURTHER RESOLVED**, that Mayor Rose Arndt is hereby designated as the authorized representative of the Town of Cokeville, Lincoln County, Wyoming, to act on behalf of the Governing Body on all matters relating to this resolution.

**APPROVED, PASSED, AND ADOPTED** this 8th day of March, 2022.

Councilman Grandy reviewed information about the well. WWDC wants a contract with the town and the engineers. Councilman Grandy asked if the town wants to abandon the wells up by Lynn Dimond’s. It was suggested to maybe apply for more water rights. Councilman Grandy will keep working on the water rights and the permits with the engineers.

Councilman Grandy stated a waste water elimination permit is needed. The water waste from drilling the well will go into the grate on main street which flows into a private ditch. Councilman Grandy will talk to the owner about using his ditch.

Councilman Grandy recognized Ben Jorden for his work on the water well project.

Colby Peck- Streets, Buildings and Grounds

Councilman Peck reported 2 lights in police office that need replaced. He will contact Sam Bennion.

The 2 electronic speed signs purchased a few months ago have been received, public works will get them ready to go on the streets in a few days.

Councilman Peck made a motion to have windows cleaned inside and out for $750.00 by a professional window cleaner seconded by Councilman Viehweg. Motion passed

Councilman Peck is working on the lease for the rodeo grounds.

Mayor Arndt thanked the Public works department for snow plowing and sanding the roads.

Theresa - Parks/Rec., Community Events

Easter egg hunt will be April 16, 2022.

Councilwoman Lewis is working on liability insurance for the summer events.

Councilwoman Lewis will plan a meet and greet for the new Chief of Police and his wife.

Mayor - Personnel, Budgets, Public Relations, Police

Mayor Arndt would like to entertain the idea of a cost of living raise to employees or possibly an end of the fiscal year bonus.

Mayor Arndt discussed having an MOU with the South Lincoln EMS and the Town of Cokeville. Mayor Arndt will supply Attorney Stout with the legal representative from South Lincoln EMS to rewrite a MOU.

Motion to adjourn by Councilman Grandy at 9:33 seconded by Councilman Peck.

Mayor Rose Arndt

 Clerk Jody Harmon