

# TOWN COUNCIL PROCEEDINGS

The regular meeting of the Town Council of the Town of Cowley in the County of Big Horn and State of Wyoming was held on Tuesday, September 8, 2009 at 7:00 PM in the Administration building pursuant to due notice and call.

The meeting was called to order and upon roll call, it was found that the following were present, constituting a quorum:

Mayor	Roland Simmons
Council	Carolyn Barnes
	David Banks
	Tim Jones
	Dexter Woodis, Jr.
Public Works Director	Nick Sponsel
Clerk	Judy Johnson
Assistant Clerk	Lisa Woodis, absent
Guests	John Hyde, Emergency Management Coordinator
	Dan Anderson, Police Chief
	Willie Bridges, Pryor Mountain Engineering

Mayor Simmons led the Council in the Pledge of Allegiance and Carolyn Barnes gave the invocation. Mayor Simmons welcomed the guests to the meeting. He then asked for any additions to the agenda. David requested to add a discussion regarding W. 4th N. and gravel on street right of ways. Motion was made by Carolyn, seconded by Dexter, to accept the additions to the agenda. Motion carried.

John Hyde appeared before council to request funding to update the pre-disaster mitigation plan. John stated the plan expired in 2008 and must be updated every five years for the county to be eligible to receive grant funds. The cost to update would be somewhere between \$15-20,000. The county will contribute \$10,000. He is asking all incorporated cities and towns in Big Horn County to contribute based on a per capita formula. It would cost Cowley 6% of \$10,000 or \$600. to participate. Motion was made by Carolyn, seconded by Dexter, to contribute 6% of \$10,000 or up to \$600 for the pre-disaster mitigation plan update. Motion carried.

John also discussed the emergency siren test system. He stated he is hoping to provide magnetic stick ups with information to all citizens. He also endorsed the NORA radio for citizens to monitor severe weather conditions.

Paul Roth was unable to attend the meeting but emailed website information to the town hall. Council requested that Judy forward the email to their personal email addresses. The website review was tabled until the next meeting.

Frank Hinckley submitted a letter to council requesting an oversized tap west of town. He would like to incorporate this with the construction of the new West End Water

line. Council suggested this may be feasible but they need additional information from Frank before making any decision.

Motion was made by Tim, seconded by Dexter, to approve the minutes of the regular monthly Council meeting held August 11. Motion carried.

Motion was made by Dexter, seconded by David, to approve the minutes of the Public Hearing held August 27. Motion carried.

The financial report for August was read and discussed.

Motion was made by Carolyn, seconded by David, to approve the bills to be paid. Motion carried.

### **Reports to Council:**

Dan Anderson, Police Chief reported that he would be working the evening shift during the asphalt phase of Main Street construction. Dan also brought in the night vision binoculars he purchased with Homeland Security grant funds.

Council discussed the Planning & Zoning Commission report. Carolyn asked if council was technically responsible for approving commercial permits. Dexter stated that some time ago Roland had requested commercial permits come to council for final approval. Judy will check prior minutes to see if the change was documented.

David Banks request for annexation was also included in the Planning & Zoning Commission report. It was recommended by the commission to accept the annexation of David Banks property with the following stipulations: 1) western boundary to be extended to 231' from right of way of original Town of Cowley, 2) right of way must be granted in accordance with all dimensions of Town of Cowley zoning map. David stated he was not interested in annexing unless the town accepted his original proposal, then the town could just purchase the section of street and utilities on his property from him. Carolyn asked about the easement requirements for property owners in the 3rd Street East annexation. Willie stated there were none. Following a thorough discussion, motion was made by Tim, seconded by Carolyn, to approve David's original proposal for annexation and that the town purchase the street with utilities from David, offering to pay \$6,000. If the offer is accepted by David Banks he could decide to give future right of way if any development of the land occurs. The only stipulation is that no structure would be constructed in the 60' potential right of way going west from the intersection of W. 2nd S. and N. 2nd W. Motion carried. David abstained.

David countered the \$6,000. offer to include two in town water taps. He stated that he calculated the property value at \$8,800. Unless accepted he would need to discuss the offer with Michelle. A motion was made by Tim, seconded by Carolyn, to amend the previous motion to include two in town water taps and to add a covenant to the annexation that it be the property owners responsibility to provide and maintain a lift station to connect to the Town of Cowley sewer system. Motion carried. David abstained.

Nick reported that the town was responsible for damages to Kenny Banks lawn. The cost to replace the sod is approximately \$800.

Nick stated that Richard Thiel resigned on September 3, Nick requested to keep Pat Hoffman until the end of October. Council approved.

Nick reminded everyone that the WYDOT appreciation Bar-B-Q would be held Thursday from 11:30 AM until 1:00 PM. Nick stated he is almost finished installing the landscape meters.

Nick reported emergency repairs were necessary to water leaks on Cannery Road and at Sage Creek.

Nick reported that Nielson Energy may be requesting a permit to discharge waste water into the Madison near the Town of Cowley wellhead. He has been in contact with DEQ, EPA and the Oil & Gas Commission regarding this request and he will continue to stay advised of this situation.

Willie Bridges, Pryor Mountain Engineering, reported on ongoing projects. Willie stated that asphalt paving should begin by Friday. He asked council to approve the design plan change for the façade in front of Bob Rael's building. He stated Bob has agreed on the design. Motion was made by Carolyn, seconded by David, to approve the engineered design plan change for the façade in front of Bob Rael's building. Motion carried. Carolyn asked about the sidewalk slope from the Waterhole #1 to FLIP. Willie stated that WYDOT would change the slope to a step, and that was our only option.

Willie stated that Wyoming Water Commission is requiring a consulting agreement between Pryor Mountain Engineering and the Town of Cowley for design and engineering of the West End Water Line. Motion was made by Carolyn, seconded by Tim, approving the mayor to sign a consulting agreement between Pryor Mountain Engineering and the Town of Cowley. Motion carried. Dexter opposed.

**Council Reports:**

Roland read Ordinance 275, an ordinance providing for the annexation of 3rd Street East addition to the Town of Cowley and for an effective date. Motion was made by Carolyn, seconded by Dexter, to pass and approve Ordinance #275 on the second reading. Motion carried.

David stated Tim Townsend ask him to discuss with council the feasibility of paving W 4th N and providing water and sewer. Tim does not feel he can develop or sell his property without this infrastructure. Carolyn asked about grant funds for this project and the Randy Watts project. Willie stated that grant submission for County Consensus funds is February and that may be a way to fund these projects.

David stated he would like to see gravel in the town right of ways before winter sets in. He would like to get with Nick to determines areas of high priority. Dexter suggested they hold off until spring as road construction would be near completion. Dexter stated we should not do any band-aid repairs, it should be done right. David agreed, it needs to be done right so he will work on a plan to get our streets into shape.

Carolyn said the Corn Cookout was a success. She felt less people attended this year and that lead to less food contributed. Carolyn did comment that donations were good. She reported that soccer is finished and football has begun.

Carolyn stated that the tennis courts have turned into a skateboard area. She has noticed ramps and jumps are being built in the courts. She suggested that we should place signs in the court area that state play at your own risk or no skateboarding if that is what the council desires. Nick suggested he talk to the parents about the skateboard ramps first.

Carolyn recommended that council table the review of the utility ordinances prepared by the town attorney until the next meeting.

Tim requested that the scoreboard at the new baseball field be covered for the winter. Nick stated he could probably tarp it.

Dexter requested that the irrigation box at Kim Wilson's corner be lowered and if the concrete pad where the stop sign was located at S. Division and Main could be removed. Nick will follow up with these requests.

David asked about the cost of annexation. Willie said the cost was the responsibility of the petitioner. David asked if the town would pay for the survey of the street. There was no response.

There being no further business a motion was made by Carolyn, seconded by David, to adjourn the meeting at 10:59 PM. Motion carried.

These minutes have been approved by Council.