

MINUTES OF A REGULAR MEETING OF THE SARATOGA TOWN COUNCIL
HELD FEBRUARY 18, 2014, AT 6:00 P.M. IN THE COUNCIL CHAMBERS OF THE
SARATOGA TOWN HALL

Mayor John Zeiger called the meeting to order.

The Pledge of Allegiance was recited. Members present were Councilman Mike McWain, Councilman Steve Wilcoxson, Councilwoman Susan Howe, and Councilwoman Judy Welton.

APPROVAL OF AGENDA: Councilwoman Welton made a motion to approve the agenda as presented. Councilman Wilcoxson seconded and the motion carried unanimously.

APPROVAL OF THE MINUTES: Councilwoman Welton made a motion to approve the minutes of the February 4, 2014 meeting as presented. Councilman McWain seconded and the motion carried unanimously.

APPROVAL OF THE BILLS: Councilwoman Welton read the following bills for approval: Accounts Payable: \$92,524.95; Payroll and FICA for 2/10/14 in the amount of \$58,180.22; and manual checks in the amount of \$397.58, for a total of \$151,102.75.

Councilman Wilcoxson made a motion to pay Prairie Dog Electric the amount of \$331.48. Councilman McWain seconded the motion. Councilwoman Howe declared a conflict and abstained. The motion carried unanimously.

Councilwoman Welton made a motion to pay the remaining bills in the amount of \$150,771.27. Councilman McWain seconded and the motion carried unanimously.

EXECUTIVE SESSION: Councilwoman Welton made a motion to go into executive session at 6:02 p.m. to discuss personnel and matters of litigation in accordance with W.S. 16-4-405(a) (ii) and (iii). Councilwoman Howe seconded and the motion carried unanimously.

Town Attorney Tom Thompson and Police Chief Thomas Knickerbocker attended the executive session.

Councilman McWain made a motion to come out of executive session at 6:47 p.m. Councilwoman Howe seconded and the motion carried unanimously.

Councilwoman Welton made a motion to seal the minutes from the executive session. Councilman McWain seconded and the motion carried unanimously.

Mayor Zeiger reported there was no action taken.

COUNCIL CONCERNS: Councilman Wilcoxson addressed those present and read a letter he had addressed to Mrs. Glee Johnson, noting that a copy of the letter and minutes from January 21, 2014 were on the Clerk's table should Mrs. Johnson want a hard copy.

The letter indicated that Councilman Wilcoxson was responding to Mrs. Johnson's accusations that she was being singled out by her questions or concerns voiced at the January 21, 2014 council meeting.

The letter indicated that Chuck Bartlett had prepared a report for Councilman Wilcoxson on the feasibility of a ten acre evaporation pond at the waste water treatment facility. Councilman Wilcoxson had asked that it be prepared for the February 4th meeting so that they could provide answers to Mrs. Johnson's questions. It certainly was not done to single her out and Councilman Wilcoxson stated that her anger should have been directed to him rather than Mr. Bartlett.

Councilman Wilcoxson was dismayed that Mrs. Johnson chose to publicly berate Mr. Bartlett for doing nothing more than his job as requested. Councilman Wilcoxson went on to explain the proper protocol in place for any citizen to file a complaint about one of the Town's employees, which would include taking the complaint to the individual's supervisor or department head which would then be investigated and appropriate action would then be taken. Councilman Wilcoxson then indicated that as a past mayor of Sinclair he wondered if Mrs. Johnson would have allowed someone from the public to publicly verbally

abuse one of Sinclair's employees. The letter finished with Councilman Wilcoxson noting that his response to Mrs. Johnson concerning her behavior toward Mr. Bartlett would have been the same to anyone that had treated him that way.

Councilman Wilcoxson stated that it was a Joint Powers Board issue and the board had looked at all of the options and chose the plan that was the best way to address the issues.

REPORTS FROM DEPARTMENTS:

Town Hall: Chuck Bartlett explained that one bid had been received for the advertised sale of Lots 1 & 2 Block 25 Crawford Addition. The bid submitted was from Triple D Construction in the amount of \$33,000 with the following conditions: 1) a water and sewer tap available at the property line to be paid for by buyer; 2) a variance to be submitted and approved for a reduction in setbacks on Lot 1 (corner lot) to allow a single family residence to be built without having the required 75' corner lot; 3) buyer to obtain acceptable title insurance. Discussion followed and the council was cautioned by Attorney Thompson that the Ordinance requires that the property owner is the one that needs to apply for a variance.

Following a lengthy discussion, Councilman Wilcoxson made a motion to table until a later date. Councilman McWain seconded and the motion carried unanimously.

Mayor Zeiger reported that the auditor was present because there had been accusations of misappropriation of funds and that this council had been covering up those accusations of misappropriation of funds and therefore Mr. Dennis Tschacher had been asked to come and explain the results of the audit.

Dennis Tschacher of Madre, Tschacher, Peterson & Co, LLC addressed the council and reviewed the audit for fiscal year ending June 30, 2013. Mr. Tschacher explained the purpose of an audit and basis of accounting. Mr. Tschacher reported that the Town of Saratoga was compliant with the cash basis accounting with their financial recordings and internal control. Additionally Mr. Tschacher reviewed the schedule of findings and responses which included the following four deficiencies:

- Bank Reconciliation Outstanding Deposit: During the audit procedures there was noted that while the Town completed monthly bank reconciliations they failed to detect an erroneous \$143,503 outstanding deposit between November 2012 and June 2013.
 - The staff knew that the problem was that the money went into several different accounts and the staff with Caselle support who the town had been working with was not much help in tracking the different accounts. The staff did figure it out and working with Caselle did reverse that entry. It was not a misappropriation, it was an accounting error.
- Financial Statement Preparation: Relates to the financial statement preparation and every town with the same population has the same comment in their audit.
 - The staff does generate cash in, cash out statements, but they cannot generate them as a cash basis financial statement and that is why the auditors do that for them.
- Invoice Approval: Procedures for expenditures require an internal approval signature on all invoices or vouchers before payment is processed.
 - Several invoices selected did not contain an internal signature and that can be corrected by making sure that all department heads initial their invoices or vouchers prior to payment.
- Time Card Calculations: A departments payroll checks could not be calculated with the time cards to the pay rate.

- Steps have been take to make sure in the future that the department heads correct these discrepancies prior to processing of the payroll checks.
- Application of Vacation Policy: The auditors have noted the need to adjust the accrued and reduction in vacation of one of departments to meet the hour for hour calculations.

Mr. Tschacher noted that when the council reviews the findings they should know that they are not significant and are certainly not significant enough to jeopardize federal or state funding. During the next audit the issues will again be reviewed to make sure that practices have been implemented to correct these deficiencies.

Mayor Zeiger asked Dennis Tschacher if there was anything during the audit that indicated if the clerk had misappropriated funds.

Mr. Tschacher reported that when they do the audits they obviously do not look at every transaction but samples are selected and the supporting documentation is tested and that is where the findings come from. There was no indication of anything like that.

Mayor Zeiger then asked Mr. Tschacher if there was any indication that this council or any member of this council had covered up any misappropriation of funds.

Mr. Tschacher stated that not in any of the testing that was done did they find any indication of that.

The council thanked Dennis Tschacher for his assistance and for attending the council meeting to give his audit report. Mr. Tschacher reminded the council that they could call at any time with any questions or concerns.

Clerk Suzie Cox explained that the Franchise Agreement between the Town of Saratoga and Carbon Power and Light was in the council packets for their review. The current agreement expires on June 30, 2014.

Clerk Cox asked the council to review the budget workshop schedule that is in their packets and let her know if there were any dates that need to be changed.

Mayor Zeiger reported that Joe Elder, Town Treasurer has resigned his position to take the Administrative Director's position with the Community Center and the town has begun advertising for a new treasurer.

Fire Department: No Report

Police Department: Chief Knickerbocker requested council approval of two promotions:

1) Sgt. Bifano from the position of sergeant to Police Captain with a raise of \$1.00 per hour;

Councilman McWain made a motion to promote Sgt. Bifano to the position of Police Captain with an additional dollar per hour. Councilman Wilcoxson seconded and the motion carried unanimously;

2) Officer Lehr from patrolman to Sergeant with a raise of \$1.00 per hour.

Councilman McWain made a motion to promote Officer Lehr to the position of Sergeant with an additional dollar per hour. Councilman Wilcoxson seconded and the motion carried unanimously.

Chief Knickerbocker requested permission to cancel the service agreement that the police department currently has with Ryan Electronics for service of the police radios and console and initiate an agreement with Absolute Solutions. Chief Knickerbocker explained that Absolute Solutions will provide better coverage for the radios and console at a lower price than Ryan Electronic currently provides.

Attorney Tom Thompson requested permission to review the Ryan Electronic Agreement prior to cancellation. Discussion followed with the council asking that Chief Knickerbocker get additional information on prior billing and an additional price quote from Ryan Electronics.

Councilman Wilcoxson made a motion to table any decision to a later date. Councilwoman Welton seconded and the motion carried unanimously.

Chief Knickerbocker requested permission to purchase a Spillman module that would allow the police department to share information with other law enforcement agencies across the state. Chief Knickerbocker added that the parameters could be set to allow for specific information sharing only. It would also allow the police department to provide information to the county attorney on any cases sent to county court. The cost of the module would be \$6,730.00.

Councilman McWain made a motion to allow Chief Knickerbocker to purchase the additional Spillman module in the amount of \$6,730. Councilman Wilcoxson seconded and the motion carried unanimously.

Chief Knickerbocker reported that he and Councilwoman Welton met with Joyce Loeffel who had volunteered for Rescue Me Dog to help at the dog kennel by walking and feeding any animals sheltered in the kennel until their owners could be notified. Rescue Me Dog had also volunteered to assist with cleaning the holding kennel. The heaters have been replaced and there will be additional repairs made to the kennel including painting and placing different doors on the outside accesses. The volunteers will be granted access to the area so that they can walk the dogs.

Chief Knickerbocker reported that the TIPS classes are stacking up and he will be giving two classes as soon as his kits arrive. He indicated that he was very happy about the outstanding responses he had been getting and he looks forward to the upcoming classes.

Chief Knickerbocker reported that Officer Gamble will be entering the air guard soon and he will be bringing back Officer Stan Bragg as the resource officer to work in the schools for the next three or four months or until additional funding can be found to hire another officer.

Recreation Department: No report

Department of Public Works:

- Street Department: Chuck Bartlett reported that the storms on Sunday had taken down the well pumps. The electricians came in on Monday and worked all day Monday and into Tuesday and were finally able to get the pumps up and running. The water tanks were down around fifty-two feet but with three pumps running were expected to reach capacity by Wednesday.
- Water & Sewer: Chuck Bartlett reported that the water/sewer crew has been checking water meters and working in the shop.
- Weed and Pest: No report
- Hot Pool: Chuck Bartlett reported that they are planning on cleaning the hot pool on February 27, 2014.

REPORTS FROM BOARDS AND COMMISSIONS:

Airport Board: Mayor Zeiger read Request #15 for reimbursement of federal funds in the amount of \$5,997.00 for the Airport Master Plan and which would need permission for the Mayor to sign.

Councilman Wilcoxson made a motion to approve Request #15 for reimbursement of federal funds in the amount of \$5,997.00 with permission for the Mayor to sign. Councilwoman Welton seconded and the motion carried unanimously.

Mayor Zeiger read Request #2907 for reimbursement of state funds in the amount of \$400.00 for the Airport Master Plan which will also need permission for the Mayor to sign.

Councilwoman Welton made a motion to approve Request #2907 for reimbursement of state funds in the amount of \$400.00 with permission for the Mayor to sign. Councilman Wilcoxson seconded and the motion carried unanimously.

Clerk Cox noted that also attached was the Sage Engineering summary of work performed and billing in the amount of \$6,663.53 for work on the Master Plan which included reference to the town's portion of the project in the amount of \$266.53.

Clerk Suzie Cox requested permission to submit the Application for State Airport Aid with permission for the Mayor to sign the application.

Councilman Wilcoxson made a motion to approve the Application for State Airport Aid with permission for the Mayor to sign. Councilwoman Welton seconded and the motion carried unanimously.

Airport Board Member Jennifer Hamilton addressed the council and reported that at the last board meeting David Worthington has requested permission for his son to replace the sign at the airport with a new sign. The project is for his Eagle Scout project.

Councilman Wilcoxson made a motion to allow the young Eagle Scout to replace the sign at the airport for his eagle scout project. Councilman McWain seconded and the motion carried unanimously.

Community Center Joint Powers Board: Councilwoman Welton noted that the Community Center Board had received ten resumes and after interviews they had hired Joe Elder as the Executive Director of the Community Center to replace Stephanie Vines.

The next meeting will be held March 17, 2014 at 4:00 p.m.

Water and Sewer Joint Powers Board: Ken Schwerdt addressed the council with Change Order #7 which notes a decrease of \$14,536.83 along with the attached Application Payment No: 9 for Reiman Corp for the Water Meter Project noting a deduction of \$35,505.70.

Councilwoman Welton made a motion to approve Change Order #7 with a decrease of \$14,536.83. Councilman Wilcoxson seconded and the motion carried unanimously.

Ken Schwerdt explained that Application Payment No: 9 in the amount of \$35,505.70 was to clean up the contract and the funds would be deducted from the retainage.

Councilwoman Welton made a motion to approve Application Payment No: 9 in the amount of \$35,505.70. Councilman Wilcoxson seconded and the motion carried unanimously.

Chuck Bartlett reported that there will be a workshop on March 6, 2014 to discuss the lagoon outflow project.

The next meeting will be held March, 12, 2014 at 6:00 p.m.

Landfill Board: Richard Hodges addressed the council as a concerned citizen and explained that the ARC in Laramie is no longer accepting glass for recycling and the effect that will have on our landfill. Mr. Hodges added that Rawlins is accepting glass if anyone wants to take it to Rawlins.

The next meeting will be held March 5, 2014 at 7:00 p.m. in Encampment.

Medical Board: Councilwoman Welton reported that there had been a Corbett Medical Foundation Board meeting and they had reviewed the changes in the Affordable Health Care Act and how it will affect the clinic billing and patient care.

Planning Commission: Chuck Bartlett reported that the planning commission will be holding a workshop on February 27, 2014 at 5:00 in the council chambers.

The next Planning Commission meeting will be March 11, 2014 at 5:30 p.m.

Recreation Commission: The next meeting will be in March 10, 2014 at 5:00 p.m.

Community Garden Board: No report

South Central Emergency Services Board: no report

Items from the Public : There were no items from the public.

Adjournment: Being no further business to come before the meeting, Councilwoman Welton made a motion to adjourn, seconded by Councilwoman Howe and the meeting was adjourned at 7:50 p.m.

The next regular meeting of the Saratoga Town Council will be held March 4, 2014 at 6:00 p.m. in the Council Chambers of the Saratoga Town Hall.

Mayor John Zeiger

ATTEST:

Suzie Cox, Clerk