

MINUTES OF A REGULAR MEETING OF THE SARATOGA TOWN COUNCIL  
HELD NOVEMBER 20, 2012, 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 Judy Welton and Councilwoman Susan Howe.

APPROVAL OF AGENDA: Councilwoman Welton made a motion to approve the agenda with the addition of #4) Permission to transfer 140,000.00 from WYO STAR Water account for payment of Well Loan and cover current charges to water line project and # 5) BC/BS Premium Holiday under Town Hall reports, seconded by Councilman Wilcoxson. The motion carried unanimously.

APPROVAL OF THE MINUTES: Councilwoman Howe made a motion to approve the minutes of the November 6, 2012 meeting as presented, seconded by Councilwoman Welton. The motion carried unanimously.

APPROVAL OF THE BILLS: Councilwoman Welton read the following bills for approval: Accounts Payable: \$365,189.69; Payroll and FICA for 11/19/2012 in the amount of \$57,794.37; and manual checks in the amount of \$134.77 for a total of \$423,118.83.

Councilman Wilcoxson made a motion to pay the bills as presented, seconded by Councilwoman Howe. The motion carried unanimously.

COUNCIL COMMENTS:

ITEMS FROM THE PUBLIC: Dr. Dean Bartholomew addressed the council with an update on the changes taking place at the medical clinic. Dr. Bartholomew explained that the medical clinic is in the process of becoming a Patient Centered Medical Home (PCMH) Model which will allow the clinic to become proactive rather than reactive.

The changes will include installing Conna McGuire as a patient care coordinator who will help facilitate patient care and encourage patients to be more active participations in managing their health.

Preventative care will be a priority and it will enable the clinic staff to track patient care and scheduling and updating patient testing and follow up procedures through their electronic medical record.

Chris Shannon offered his congratulations to Councilwoman Welton and Councilwoman Howe for their successful campaigns for reelection.

CORRESPONDENCE:

REPORTS FROM DEPARTMENTS:

Town Hall: Mayor Zeiger reported that the public hearing on the liquor license renewal applications had been held at 5:30 prior to the council meeting with no public comment or concern noted.

Councilwoman Welton made a motion to approve the renewal of a limited retail (club) liquor license for the American Legion, seconded by Councilman McWain. Councilman Wilcoxson declared a conflict and abstained. The motion carried unanimously.

Councilman McWain made a motion to approve the renewal of a bar & grill liquor license for Bella's Bistro, seconded by Councilman Wilcoxson. The motion carried unanimously.

Councilwoman Howe made a motion to approve the renewal of a restaurant liquor license for Del Rio, LLC, seconded by Councilwoman Welton. The motion carried unanimously.

Councilwoman Welton made a motion to approve the renewal of a retail liquor license for the Duke's Bar and Grill, seconded by Councilman McWain. The motion carried unanimously.

Councilman Wilcoxson made a motion to approve the renewal of a restaurant liquor license for Hugus & Co, Inc., seconded by Councilman McWain. The motion carried unanimously.

Councilman Wilcoxson made a motion to approve the renewal of a retail liquor license for the Rustic Bar, Inc., seconded by Councilman McWain. Councilwoman Welton declared a conflict and abstained. The motion carried unanimously.

Councilwoman Welton made a motion to approve the renewal of a retail liquor license for the Saratoga Inn Resort and Spa, seconded by Councilman McWain. The motion carried unanimously.

Councilman Wilcoxson made a motion to approve the renewal of a micro brewery license for the Snowy Mountain Brewery Corp., seconded by Councilman McWain. The motion carried unanimously.

Councilman Wilcoxson made a motion to approve the renewal of a retail liquor license for the Valley Liquor, LLC, seconded by Councilwoman Howe. The motion carried unanimously.

Councilman Wilcoxson made a motion to approve the renewal of a retail liquor license for the Wolf Hotel, Inc., seconded by Councilwoman Welton. The motion carried unanimously.

Clerk Suzie Cox reviewed a letter from CP&L addressing the letter sent to their customers noting the components in the proposed rate change. Information was also provided to the council that listed the number and types of street lights that are currently billed to the town. The increase will raise the amount paid by the town from \$3,370.30 to \$4,044.30 per month. Attorney Tom Thompson was asked to review the franchise agreement between CP&L and the town as it applies to rate increases.

Clerk Suzie Cox requested the council review the LGLP (Local Government Liability Pool) Board Nomination form that had been placed in the council packets to be addressed at the next council meeting. There are two positions on the ballot; one being a three year municipal-elected position and the other being a 3 year term special district position.

Clerk Suzie Cox requested permission from the council to transfer \$140,000.00 from the WyoStar water investment account for the purpose of paying the yearly water well payment and the town's portion of the current water project costs.

Councilwoman Welton made a motion to allow Clerk Cox transfer \$140,000.00 from the WyoStar water investment account to pay the yearly water well payment and the town's portion of the current water project costs, seconded by Councilman Wilcoxson. The motion carried unanimously.

Clerk Cox reported that the town had received notification from Blue Cross/Blue Shield of Wyoming that the town would have a Premium Holiday and there would not be a premium charge for January 2013.

Fire Department: no report

Police Department: no report

Recreation Department: Recreation Director Lisa Burton provided the council with a recreation update of events as follows:

- The Hank Troy presentation on November 10, 2012 had approximately sixty-five in attendance and generated \$220.00 in donations
- Ladies Night Out – will be held on November 29, 2012 at the PVCC Gym from 6:30 to 9:00 p.m. and has fourteen direct sales vendors registered who will display their products for sale and they will take orders. There will be a \$10.00 cover charge to cover wine, beer and hors d'oeuvres.
- The Colcannon Christmas Concert will be presented on December 2, 2012 at 6:00 p.m. in the PVCC Theater. Advance tickets are –Adults \$12.00 – Students/Seniors \$5.00 and at the door the tickets will be – Adults \$15.00 and Students/Seniors \$5.00.

Department of Public Works

- Street Department: Chuck Bartlett reported that the fence around the not-so-hot Hot Pool has been completed.

Councilwoman Welton shared pictures of the pool showing the new fence and told Mr. Bartlett to let the crew know what a good job they had done.

- Water and Sewer: The crew has been working to fix water meter leaks and they will continue to work on the sewer project between Walnut and Maple Street by pushing pipe through the casing installed under the highway.
- Weed and Pest: No report
- Hot Pool: Chuck Bartlett reported that they had met with Delta and reviewed the areas of concern. Delta will begin to work on resolving the problems as discussed.

**REPORTS FROM BOARDS AND COMMISSIONS:**

Airport Board: Clerk Suzie Cox requested permission to submit NAVAID invoices and Payment Request RF#3 in the amount of \$6,180.00 with permission for the Mayor to sign. Clerk Cox explained that it covers from January 2011 through October 2012 invoices paid by the town for the NAVAID agreement.

Councilwoman Welton made a motion to allow Clerk Cox to submit the invoices for the NAVAID Agreement for reimbursement with permission for the Mayor to sign, seconded by Councilman Wilcoxson. The motion carried unanimously.

Councilman Wilcoxson reported that at the last airport board meeting he had discussed the proposed business park and his desire to see the council consider utilizing the improvements to establish a drag strip to help promote the area which could be used for both drag races and snowmobile races. Councilman Wilcoxson believes it would become a viable business enterprise as well as a financially beneficial undertaking.

The next meeting of the Airport Board will be November 14, 2012.

Community Center Joint Powers Board:

The next meeting will be held Monday, December 17, 2012 at 4:30 p.m.

Water and Sewer Joint Powers Board:

Gary Steele of PMPC addressed the council and reviewed the following documents remaining for the 2011 water and sewer improvement projects:

- The Certificate of Substantial Completion will start the forty-one day advertising for anyone that feels they have a claim against the project and will require permission for the Mayor to sign
- Pay request #4 in the amount of \$126,439.31 is for Simon Contractors and will require permission for the Mayor to sign
- Change Order No. 1 with increase of \$56,233.29 includes valve box collars, additional pavement removal and restoration, mobilization time and materials for boring with additional materials and supplies and will require permission for the Mayor to sign
- SPT Reimbursement Request # 2012-34 in the amount of \$145,344.87 with permission for the Mayor to sign

Councilwoman Welton made a motion to accept the Certificate of Substantial Completion with permission for the mayor to sign the motion, seconded by Councilman Wilcoxson. The motion carried unanimously.

Councilman Wilcoxson made a motion to approve the Pay request #4 in the amount of \$126,439.31 with permission for the mayor to sign, seconded by Councilman McWain. The motion carried.

Councilman Wilcoxson made a motion to approve the Change Order No. 1 with increase of \$56,233.29 with permission for the mayor to sign, seconded by Councilwoman Welton. The motion carried.

Councilwoman Welton made a motion to approve the SPT Reimbursement request # 2012-34 in the amount of \$145,344.87 with permission for the mayor to sign. Councilman Wilcoxson seconded and the motion carried unanimously.

The next meeting of the Water and Sewer JPB will be Wednesday, December 14, 2012 at 6:00 p.m.

Landfill Board:

Richard Hodges reported that the fourth recycling trailer had been filled and they are working on the fifth trailer. Currently, the recycling efforts have prevented seventy-five tons of trash from being dumped in the landfill.

Medical Board: No report

Planning Commission:

Mayor Zeiger noted that the public hearing for the McDowell Variance was held at 5:30 prior to the council meeting and no public comments had been noted.

Councilman Wilcoxson made a motion to approve the Variance application submitted by Gene and Ronette McDowell to build a porch with less than the required setbacks, seconded by Councilwoman Welton. The motion carried unanimously.

The next meeting of the Planning Commission will be Tuesday, December 13, 2012 at 5:30 p.m.

Recreation Commission:

The next meeting of the Recreation Commission will be Monday, December 3, 2012 at 5:30 p.m.

Community Garden Board:

The next meeting of the Community Garden Board will not be held until February.

South Central Emergency Services Board: No report

**BUSINESS:** Mayor Zeiger asked to address BUSINEES reports prior to the EXECUTIVE SESSION to get it out of the way and the total council agreed. As stated on the agenda BUSINESS: Planning Commission Recommendation on Orion Appeal.

Mayor Zeiger noted that a public hearing had been held at 4:00 prior to the council meeting for the purpose of hearing public comments on the Zone Change recommended by the Planning Commission.

Councilwoman Welton made a motion to approve the planning commission's recommendation on the Orion Appeal, seconded by Councilwoman Howe.

Discussion was directed to Councilman McWain having been absent from the public hearing prior to the council meeting. It was Attorney Tom Thompson's recommendation that since Councilman McWain was absent from the public hearing that he abstain from voting.

Roll call vote taken: Councilman Wilcoxson voted yes, Councilwoman Howe voted yes, Councilwoman Welton voted yes, Mayor Zeiger voted yes. The motion passed.

**EXECUTIVE SESSION:** Mayor Zeiger asked for a motion to go into executive session to discuss personnel and matters of litigation in accordance with W.S. 16-4-405(a) (ii) and (iii).

Councilwoman Welton made a motion to go into executive session to discuss personnel and matters of litigation in accordance with W.S. 16-4-405(a) (ii) and (iii), seconded by Councilman Wilcoxson. The motion carried unanimously.

Councilwoman Welton made a motion to come out of executive session, seconded by Councilman Wilcoxson. The motion carried unanimously.

Councilwoman Welton made a motion to approve the minutes of the executive session and to put the minutes of the executive session in a sealed envelope in accordance with State Statute § 16-4-405(b), seconded by Councilman McWain. The motion carried unanimously.

Mayor Zeiger reported that no action was taken.

**As a Point of Clarification:**

Attorney Tom Thompson requested the council dispel any misunderstanding about the motion made by the council to approve the Planning Commission's recommendation.

The item stated on the Agenda was the planning commission's recommendation on the Orion Appeal and he believes the intended motion was for the council to approve planning commission's recommendation of the zone change and had nothing to do with the Orion appeal. This clarification request was made by both Chuck Bartlett and Clerk Cox.

Councilman Wilcoxson made a point of clarification on the previous motion that they were approving the recommendation of the Planning Commission concerning the application for zone change submitted by International Resort Properties/Saratoga Resort & Spa, seconded by Councilwoman Welton. The motion passed.

Richard Hodges addressed the council with issues concerning the enforcement of the nuisance ordinance, Mr. Hodges asked the council to consider offering assistance from the town for those individuals that are unable, physically or financially, to clean up their property that may have been targeted to be addressed as a nuisance.

The council assured Mr. Hodges that the committee does not target property but addresses properties if complaints have been received.

Councilman Wilcoxson noted that there are resources that will assist people with clean-up of their property if they will contact those service agencies. Councilman Wilcoxson also encouraged Mr. Hodges to become involved with the committee to help address these issues. Mr. Hodges declined the offer to work with the committee.

Mayor Zeiger added that the town is moving forward with plans for helping with clean-up of properties and have contacted individuals that have properties that the town hall has received complaints about. If property owners need time to work on these issues the town is more than willing to give them extensions because of weather or other hardships.

Most everyone has been very cooperative in making arrangements to clean up the properties and the town will work to assist as possible.

Adjournment: Being no further business to come before the meeting Councilwoman Welton made a motion to adjourn, seconded by Councilwoman Howe.

The next regular meeting of the Saratoga Town Council will be held on December 4, 2012 at 6:00 p.m. in the Council Chambers of the Saratoga Town Hall.

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Mayor John Zeiger

ATTEST:

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Suzie Cox, Clerk