

Wheatland, Wyoming
January 9, 2006

RECORD OF PROCEEDINGS FOR THE
GOVERNING BODY OF THE
TOWN OF WHEATLAND

A special meeting of the Town Council of the Town of Wheatland, County of Platte, State of Wyoming was held in the Council Room of the Town Hall, on January 9, 2006 at 7:00 P.M., for the purpose of discussion on the minutes of December 12, 2005, financial Report, department and agency reports, proposed Ordinance No. 720, proposed Ordinance No. 719, bids on dump truck, building inspector and fire chief appointments, Peak Wellness building permits and a damage claim.

The meeting was called to order and upon roll call it was found that the following were present; Councilman Wilson, Hensel & Wilhelm, Councilwoman Allen, Clerk/Treasurer, Cindy Kahler and Town Attorney, Doug Weaver.

The agenda was presented as advertised. A motion was made by Councilwoman Allen and seconded by Councilman Wilhelm to approve the agenda as presented. Motion carried 4-0.

The minutes of the regular meeting held on December 12, 2005 were presented. A motion was made by Councilman Hensel and seconded by Councilman Wilson to approve the minutes of the regular meeting held on December 12, 2005 as presented. Motion carried 4-0.

Clerk/Treasurer, Cindy Kahler presented the financial report. A motion was made by Councilman Wilhelm and seconded by Councilwoman Allen to approve the financial report as presented and place it on file. Motion carried 4-0.

Reports from the Public Works Depts., P.C. Chamber of Commerce, Centennial Committee, Planning Office, Ambulance Service, Fire Dept. and the Wyoming Municipal Power Agency were presented. Mayor Dingman stated that since there were no comments on the reports, they would be placed on file.

Proposed Ordinance No. 720 was introduced and read on second reading. Town Attorney, Doug Weaver stated that in "section b" of the proposed Ordinance had been amended to include the interest and principal amounts of the bonds. A motion was made by Councilman Wilhelm and seconded by Councilman Wilson to approve proposed Ordinance No. 720 on second reading. Motion carried 3-0. Councilwoman Allen abstained from the vote, due to conflict of interest. Proposed Ordinance No. 720 title being as follows:

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF A FIRST MORTGAGE REVENUE BOND (PEAK WELLNESS CENTER, INC. PROJECT), SERIES 2006, IN THE PRINCIPAL AMOUNT OF \$760,000.00, TO FINANCE A PORTION OF THE COSTS OF A PROJECT FOR PEAK WELLNESS CENTER, INC., A WYOMING NONPROFIT CORPORATION; AMENDING THE TOWN'S RESOLUTION OF MARCH 14, 2005 BY RAISING THE MAXIMUM PRINCIPAL AMOUNT OF THE BOND TO BE ISSUED; AND RATIFYING CERTAIN ACTION HERETOFORE TAKEN; ACKNOWLEDGING THE RECEIPT OF CERTAIN DOCUMENTS; AUTHORIZING THE EXECUTION AND DELIVERY BY THE TOWN OF A LOAN AGREEMENT, A TAX COMPLIANCE CERTIFICATE, SUCH BOND AND CLOSING DOCUMENTS IN CONNECTION THEREWITH; AND MAKING DETERMINATIONS AS TO THE SUFFICIENCY OF REVENUES AND TO OTHER MATTERS RELATED TO THE FINANCING OF THE PROJECT AND SUCH BOND.

Proposed Ordinance No. 719 was read on third and final reading. A motion was made by Councilman Wilson and seconded by Councilwoman Allen to approve proposed Ordinance No. 719 on third and final reading. Motion carried 4-0. Proposed Ordinance No. 719 follows in its entirety.

ORDINANCE NO. 719

AN ORDINANCE TO CHANGE THE PUBLIC USE OF A PUBLIC PARK TO A PUBLIC STREET IN ROCK CREEK ESTATES 1ST FILING.

WHEREAS, Rock Creek Estates is a subdivision located within the boundaries of the Town of Wheatland, Platte County, Wyoming, and
WHEREAS, Rock Creek Estates 1st Filing Subdivision Plat is recorded in Plat Cabinet No. 1, Page 111, Platte County Clerk's Office, Platte County, Wyoming, and
WHEREAS, "Outlot A" on the Rock Creek Estates 1st filing Subdivision Plat (hereinafter to as "Outlot A") was designated as a public park, and
WHEREAS, the Town filed a Special Permit to Vacate "Outlot A" as a Public Park and Designate "Outlot A" as a Public Street, and
WHEREAS, the Town's Special Permit to Vacate "Outlot A" as a Public Park and Designate "Outlot A" as a Public Street was approved by the Town Planning Commission on November 10, 2005, and
WHEREAS, "Outlot A" is relatively small and has never been used as a park, and

WHEREAS, "Outlot A" would better serve the public if it were re-designated as a public street. NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WHEATLAND, WYOMING:

1. The property described as "Outlot A" on Rock Creek Estates 1st filing subdivision plat recorded in Plat Cabinet No. 1, Page 111, in the office of the Platte County Clerk, Platte County, Wyoming, is hereby re-designated as a public street.
2. The Town Engineer is hereby authorized to take whatever steps are necessary to amend the plat to reflect the change of "Outlot A" from a public park to a public street.
3. The Town Clerk shall record this Ordinance in the Office of the Platte County Clerk, Platte County, Wyoming.

Passed and approved this 14th day of November, 2005 on first reading.

Passed and approved this 12th day of December, 2005 on second reading.

Passed and approved this 9th day of January, 2006 on third and final reading.

/s/ Joel Dingman, Mayor

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Clerk/Treasurer, Cindy Kahler reported that the bid for the 5 yard Dump Truck and Self Abrasive spreader that was accepted at the regular meeting on December 12, 2005 was withdrawn by the vendor. Ms. Kahler recommended that the Council accept the next low bid from Cheyenne Freightliners. A motion was made by Councilman Wilson and by Councilman Hensel to approve the low bid of Cheyenne Freightliner. Councilman Wilhelm stated that the amount of the bids on the report were incorrect and he amended the motion to include the correct amount of \$80,925.00. Motion carried 4-0.

Mayor Dingman stated that he would like to appoint Steve Snook as the official Building Inspector for the Town of Wheatland. A motion was made by Councilman Wilhelm and seconded by Councilwoman Allen to approve the appointment of Steve Snook to the position of Building Inspector for the Town of Wheatland. Motion carried 4-0.

Mayor Dingman stated that he would like to appoint Scott Scheller as Fire Chief for the Town of Wheatland. A motion was made by Councilman Wilson and seconded by Councilman Wilhelm to approve the appointment of Scott Scheller to the position of Fire Chief for the Town of Wheatland. Motion carried 4-0.

A resolution in support of a grant application to the Wyoming Farm Loan Board for the purchase of a Pumper Fire Truck for the Wheatland Volunteer Fire Department in the amount of \$155,000.00 was presented. Fire Chief, Scheller stated that the total cost of the truck would be approximately \$310,000.00 and the grant request is for fifty percent. A motion was made by Councilman Wilhelm and seconded by Councilwoman Allen to approve the Resolution in support of the grant application in the amount of \$155,000.00 To the Wyoming Farm Loan Board for consideration at their June meeting. Motion carried 4-0. The Resolution is as follows:

RESOLUTION

A RESOLUTION AUTHORIZING SUBMISSION OF A FEDERAL MINERAL ROYALTY CAPITOL CONSTRUCTION ACCOUNT GRANT APPLICATION TO THE STATE LANDS AND INVESTMENT BOARD ON BEHALF OF THE GOVERNING BODY FOR THE TOWN OF WHEATLAND FOR THE PURPOSE OF PURCHASING A PUMPER FIRE TRUCK FOR THE WHEATLAND FIRE DEPARTMENT.

WHEREAS, the Governing Body of the Town of Wheatland desires to participate in the Federal Mineral Royalty Capitol Construction Account Grant program to assist in financing this project, and

WHEREAS, the Governing Body of the Town of Wheatland recognizes the need for the project; and

WHEREAS, the Federal Mineral Royalty Capitol Construction Account Grant program requires that certain criteria be met, as described in the State Lands and Investment Board's Rules and Regulations governing the program, and to the best of our knowledge this application meets those criteria, and

WHEREAS, the governing body of the Town of Wheatland plans to match the requested Federal Mineral Royalty Capitol Construction Account Grant from the following source; Town of Wheatland.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF WHEATLAND, that a grant application in the amount of \$155,000.00 be submitted to the State Lands and Investments Board for consideration at the June 2006 meeting to assist in funding the purchase of a pumper fire truck for the Wheatland Volunteer Fire Department.

BE IT FURTHER RESOLVED, that Cindy Kahler, Town of Wheatland and Candy Wright Grant Administrator are hereby designated as the authorized representatives of the Town of Wheatland to act on behalf of the Governing Body on all matters relating to this grant application.

PASSED, APPROVED AND ADOPTED THIS 9TH day of January, 2006.

/s/ Joel Dingman, Mayor

/s/ Jeff Wilhelm, Councilman

/s/ Dean Hensel, Councilman

/s/ Kirby Wilson, Councilman

/s/ Brenda Allen, Councilwoman

Attest:

/s/ Cindy Kahler, Clerk/Treasurer

Peak Wellness Director, Steve Mincer was stated that the total building permit fees for the new facility are \$15,509.40 and they would request that all or part of the fees be waived. Town Attorney, Doug Weaver stated that for the first five years of the life of the facility the Town has an obligation to pay back the \$300,000.00 Community Dev. Block Grant in the event the facility were to fail. Clerk/Treasurer, Cindy Kahler stated that the Town had received a check in the amount of \$9,593.93 to cover a portion of the building permit fees and it was her recommendation that if the Council consider waiving the balance due

for the permit. A motion was made by Councilman Wilson and seconded by Councilman Wilhelm to waive the amount of the balance due of \$5,969.66 on the Peak Wellness Building Permit. Motion carried 3-0. Councilwoman Allen abstained due to a conflict of interest.

A damage claim from Glen Fitzgerald in the amount of \$582.30 was presented for damages incurred when a large trash container hit the side of his R.V. while it was parked in an R.V. Park in Wheatland. A motion was made by Councilman Wilhelm and seconded by Councilman Wilson to pay the claim submitted by Mr. Fitzgerald in the amount of \$582.30 for damages to his R.V.. Mayor Dingman called for the vote, vote was 2-2. Mayor Dingman voted no and declared the motion failed.

With no further business to come before the Governing Body, Mayor Dingman adjourned the special meeting at 7:16 P.M.. The next regular meeting of the Town Council will be held at the First State Bank Community Room, at 7:00 P.M., Monday, January 16, 2006 to commemorate Wheatland's 100th Birthday. The regular meeting of the Town Council for February, will be held on February 13, 2006 in the Town Council Room.

Mayor, Joel Dingman

Attest:

Town Clerk/Treasurer, Cindy Kahler