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**TOWN OF BAR NUNN** 4820 N. Wardwell Industrial Ave., Bar Nunn, Wyoming  
**TOWN COUNCIL**

**MEETING MINUTES**  
**Tuesday, March 7, 2023 - 7:00 P.M.**

- 1) **Roll Call:** Mayor, Peter Boyer called the meeting to order Tuesday, March 7, 2023, at 7:00 p.m. Roll was called which determined the presence of a quorum.  
**Present:** Mayor Peter Boyer. Council Members: Tyler Martin and Tim Ficken.  
**Audio Conference:** Mary Sue Sorenson. **Excused:** Steven Clark.
- 2) **Pledge of Allegiance:** The Town Council and all those present stood in service to the United States Flag and pledged allegiance to the United States of America.
- 3) **Minutes of February 21, 2023:** Mary Sue Sorenson asked for a dollar amount correction to item #14 to read **\$112,000**. Moved by Tyler Martin, seconded by Tim Ficken, and carried without dissent to approve the Minutes of February 21, 2023.
- 4) **Payable List for February 2023:** Checks #31120-31168, Direct Deposit #2040-2074, ACH #65972680, ACH #84980150 & ACH #72659105. Moved by Tyler Martin, seconded by Tim Ficken, and carried without dissent to approve Payable List for February 2023.
- 5) **Public Hearing:** Mayor Boyer adjourned the regular council session and entered a Public Hearing.

***Rezoning and Reclassification of Bar Nunn Ranch Lot C-11 from Light Industrial to General Business B2- Petition by Outfitter Church.*** Attorney Holscher stated the application was reviewed and advertised correctly with the anticipated use according to law. Attorney Holscher stated that the rezoning and reclassification of lot C-11 in no way will impact the municipality's obligations to the lot owners. Town Engineer, Ray Catellier stated the rezoning will not impact the surrounding lots or the area's future use.

Mayor Boyer called thrice for those who wished to speak in favor of the Rezoning and Reclassification of Bar Nunn Ranch Lot C-11. Speaking in favor were Resident, Trent Fetherston, and Resident, Robert Hoover. Favorable comments from Tim Ficken, Tyler Martin, and Peter Boyer were heard. Mayor Boyer called thrice for those opposed. There were none.

- 6) **Reconvene Regular Council Meeting:** Mayor Boyer declared the Public Hearing closed and reconvened the regular council session.

**Roll Call:** Mayor Peter Boyer. Council Members Mary Sue Sorenson, Tyler Martin, and Tim Ficken.  
**Excused:** Steven Clark.

- 7) **Third Reading for Ordinance No. 2023-01:** "AN ORDINANCE GRANTING A FRANCHISE AGREEMENT TO VISIONARY COMMUNICATIONS, LLC "VISIONARY" TO OPERATE AND MAINTAIN A TELECOMMUNICATIONS SYSTEM ("THE SYSTEM") IN THE TOWN OF BAR NUNN, WYOMING ("THE TOWN"). Mary Sue Sorenson thanked Attorney Holscher for his detailed and adequate response to the number of questions raised. Moved by Tyler Martin, seconded by Tim Ficken, and carried without dissent to approve the Third and Final Reading for Ordinance No. 2023-01.
- 8) **Attorney Report:** Town Attorney, Patrick Holscher was present for questions or comments from the council. Attorney Holscher stated a written report was submitted to the Mayor and council. Mr. Holscher stated there were no other items to report. There were no questions or comments from the council.
- 9) **Engineer Report:** A written report was submitted. Town Engineer, Ray Catellier was present for questions or comments from the council. Mr. Catellier provided an update on the following items:

- **Community Center & Town Hall Project**
  - Site work continues and the project remains on schedule.
  - Color palettes should be available soon for selection.
- **In-fill infrastructure**
  - CEPI is evaluating the potential of adding water and sewer infrastructure to the following areas:
    - Bel Vista Area
    - South Palomino Area
- **Salt Creek Highway**
  - SCH may be shifting in the area between Shirks and Motor Power Equipment. This is based on observations from the maintenance department during snow plowing operations.
  - Mr. Hoover requested a budgetary number to have CEPI set a survey control and monitor the area over the course of the next few months.
  - A cost not exceeding \$5,000 would get the control points set, surveyed, and then monitored monthly through the spring wet season. Discussion regarding observations, geotechnical soil composition, and other factors that directly impact the Salt Creek Highway followed.

10) **Fire Department Report:** A written report was submitted. Fire Chief, Robert Hoover was available for questions or comments from the council. Mr. Hoover attended the preconstruction meetings for the Structure Engine and reported the meetings went well. Councilmember Tim Ficken inquired about the number of available slots for volunteer firefighters. Mr. Hoover stated there are currently 9 vacancies to fill.

11) **Zoning & Planning Report:** Chairman, Gary Geiger was present for questions or comments from the council. There was no meeting held for February 2023.

12) **Maintenance Report:** A written report was submitted. Maintenance Supervisor, Robert Hoover was present for questions or comments from the council. Mr. Hoover reported on the following items:

- Three hydrants have been recently tested. The hydrant locations included the Community Center/Town Hall site, Tonkawa Trail, and Wardwell Industrial Avenue at Red Deer Trail.
- Advertisement for snowplow bids has been placed. A 2018 or newer model was requested. The snowplow is budgeted with earmarked funds in the amount of \$100,000.
- The asphalt patcher is on order and is due to arrive in mid-April. Mr. Hoover stated 24+ areas with multiple potholes have been identified.
- Discussion regarding volunteer removal of snow and ice on walkways followed. It was not recommended that residents use equipment to remove snow on Town property due to the potential of accidental injury. Maintenance will open walking paths when temperatures warm and the snow and ice can be safely removed.
- Maintenance requested a reminder to residents regarding snow removal onto public streets or someone else's driveway or sidewalks be addressed in the monthly newsletter.

13) **Office Staff Report:** A written report was submitted. Town staff reported coordination with Senus software representatives for the integration of meter readings is in progress. Mary Sue Sorenson asked for clarification on the issuing of liquor licenses. Town staff reported liquor licenses are required to be purchased by March 31, 2023.

14) **Petitions and Public Comment:** Resident, Mike Schoolcraft asked if the council intended to address matters regarding rezoning or reclassification directly. Mr. Schoolcraft stated that as a member of the Zoning and Planning Commission, he was not aware of the potential for rezoning or reclassification of Lot C-11 as mentioned on the agenda. Mr. Schoolcraft clarified that he was not objecting to the rezoning, however, the matter of rezoning is typically presented to zoning and planning, and recommendations are then presented to the council. The matter should have gone through zoning and planning first for consideration. Attorney Holscher recommended Resolution No. 2023-09 discussion be taken up during the petitions and public comment discussion. Mayor Boyer moved item #20 of the agenda to item #14 Petitions and Public Comment. Discussion followed. Mayor Boyer and Councilmember Tyler Martin apologized for the failure to communicate the information to the Zoning and Planning Commission. In accordance with the Town's ordinance, a provision to take the matter directly to the council was one of two options available for application, therefore, the Attorney and Mayor decided to proceed with the best

option to avoid further delay. Mayor Boyer assured that all future rezoning matters will be pursued with input from the Zoning and Planning Commission.

- **Resolution No. 2023-09:** “A RESOLUTION APPROVING THE REZONING AND RECLASSIFICATION OF BAR NUNN RANCH LOT C-11 FROM LIGHT INDUSTRIAL TO GENERAL BUSINESS B2”. Moved by Tim Ficken, seconded by Mary Sue Sorenson. Tyler Martin was recused. The motion carried without dissent to approve Resolution No. 2023-09.

Gary Geiger stated the new construction for the storage of maintenance equipment and the snow removal efforts from the Town maintenance crew are appreciated for a job well done. Mr. Geiger stated he is encouraged to see the working progress of the Community Center/Town Hall Project.

Contractor, David Kelly with Ashby Construction stated he is currently completing the construction of three homes on Palomino Avenue. Mr. Kelly stated he has a real interest in the further development of Palomino Avenue and would like the council to consider working together toward a partnership in developing the southwest end of Palomino Avenue. The Town of Bar Nunn owns 10 lots in this area of Bar Nunn. Discussion followed. Attorney Holscher noted that municipalities do not develop infrastructure for development. Mr. Holscher recommended Mr. Kelly request an evaluation of the properties and submit a “request for proposal” consistent with a development plan. Mr. Holscher will contact Ray Catellier regarding a rough outline for evaluation.

Resident, Venus Childress stated she has concerns that items of business are being “left out” or “pushed on” by the council. Mayor Boyer inquired about the specific items that are of concern. Ms. Childress stated, “the matter regarding zoning and planning”. Ms. Childress stated the council should be “careful” and “slow down”. Mayor Boyer recognized Ms. Childress’s concern. Mayor Boyer stated that items such as infrastructure and rezoning are examples of issues that appear to be pushed forward, however, the council wants to prevent items from being overlooked and recognizes that it can be inconvenient for others. Mayor Boyer further expressed appreciation for the concerns mentioned and stated the Mayor and council are balancing matters as efficiently and expediently as possible.

15) **Council Miscellaneous:**

**A. Municipal Court- Outstanding Failure to Appear**

Mayor Boyer stated the Town Clerk reported the Sheriff’s Department has been unsuccessful in making contact with the resident related to the court matter. Attorney Holscher stated the legal record will remain open and no further action is required.

**B. Wage Scale Work Session**

Mary Sue Sorenson reminded the council of the need to address the wage scales. Mary Sue Sorenson requested the discussions be scheduled upon her return. Mayor Boyer concurred the topic will be addressed when Mary Sue Sorenson is available in person.

- 16) **Executive Session: Legal Matter-PFAS:** Mayor Boyer adjourned the regular council session and entered Executive Session at 8:10 p.m. Moved by Tyler Martin, seconded by Tim Ficken, and carried without dissent to enter the Executive Session.
- 17) **Reconvene regular council meeting:** Mayor Boyer reconvened the regular council meeting at 8:18 p.m.  
**Roll Call:** Mayor, Peter Boyer. Councilmembers Tyler Martin, Tim Ficken, and Mary Sue Sorenson. **Excused:** Steven Clark. No action was required.
- 18) **Executive Session: Legal Matter-Wardwell:** Mayor Boyer adjourned the regular council session and entered Executive Session at 8:19 p.m. Moved by Tyler Martin, seconded by Tim Ficken, and carried without dissent to enter the Executive Session.
- 19) **Reconvene Regular Council Meeting:** Mayor Boyer reconvened the regular council meeting at 8:40 p.m.  
**Roll Call:** Mayor, Peter Boyer. Councilmembers Tyler Martin, Tim Ficken, and Mary Sue Sorenson. **Excused:** Steven Clark.

- 20) **Resolution No. 2023-09:** “A RESOLUTION APPROVING THE REZONING AND RECLASSIFICATION OF BAR NUNN RANCH LOT C-11 FROM LIGHT INDUSTRIAL TO GENERAL BUSINESS B2”. Item #20 was moved to Petitions and Public Comment.
- 21) **Resolution No. 2023-10:** “A RESOLUTION APPROVING THE FIRST ADDENDUM TO MEMORANDUM OF UNDERSTANDING BETWEEN TOWN OF BAR NUNN, WYOMING, AND WARDWELL WATER & SEWER DISTRICT PERTAINING TO BILLING AND INVOICING FOR BAR NUNN’S INTERIM OPERATION OF THE DISTRICT”. Robert Hoover requested that his department work in conjunction with the Town administrative staff in the development of processes for billing and water meter readings. Moved by Tyler Martin, seconded by Tim Ficken, and carried without dissent to approve Resolution No. 2023-10.
- 22) **Adjournment:** Moved by Tyler Martin, seconded by Tim Ficken, and carried without dissent that there being no further business the meeting of March 7, 2023, be adjourned, at 8:45 p.m.

Respectfully Submitted by:  
Donna Damori, Administrative Assistant

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Peter Boyer, Mayor

ATTEST: (seal)

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Kalista Schwarzrock, Town Clerk-Treasurer