

MINUTES OF A WORKSHOP OF THE TOWN OF SINCLAIR, WYOMING HELD AT 5:30 P.M. ON THURSDAY, MARCH 23, 2023, IN THE CONFERENCE ROOM OF THE SINCLAIR TOWN HALL OFFICE BUILDING.

SINCLAIR COUNCIL MEMBERS PRESENT: Mayor Cullen Meeks, Council members Brennan Dunlap, Michelle Serres, and Forest Ortiz.

RAWLINS COUNCIL MEMBERS PRESENT: Mayor Terry Weickum, Council members Tonya Lewman, and Bruce Seilaff

TOWN EMPLOYEES PRESENT: Clerk/Treasurer Ashley Masselink, Maintenance employees Roger Chizek and Jon Nelson with North Fork Engineering.

RAWLINS CITY EMPLOYEES: Attorney Gwendolyn Wade, Clerk Lynn Shearer, and interim City Manager Thomas Sarvey.

GUESTS: Phil Stump with HDR Engineering, Sinclair Water Attorney Rex Johnson,

SINCLAIR RESIDENTS: Leigh Nation, Richard and Jennifer Schanck

Sinclair Water Attorney Rex Johnson started the workshop at 5:33 p.m. to discuss the 50-year water agreement between Town of Sinclair and City of Rawlins. Johnson shared that the agreement was effective November 18, 2002, and that currently 21 years into the agreement. Johnson shared the purpose of the agreement was to meet both Sinclair and Rawlins needs. Sinclair's needs were to obtain a supply of potable water and Rawlins needs were to obtain additional raw water with a senior priority date from the North Platte River. Sinclair owned water rights that to be diverted by Rawlins from the North Platte River (from the leased Territorial Water Right).

Johnson stated Rawlins obligations to Sinclair are to deliver potable water to Sinclair. This includes a certain rate of flow even during Rawlins maximum day consumption periods (even when/if Rawlins had infrastructure problems). Rawlins is to provide 543 gallons of clean water per minute per 24-hour periods to Sinclair. Along with monthly report of diverted water and supplied water that is given to Sinclair, Rawlins shall own/control/maintain all systems from the North Platte River to Sinclair delivery point (water tank). Rawlins may reduce delivery only for malfunction or treatment/delivery system failures that are beyond the reasonable control of Rawlins. Sinclair retains its 1.21 cubic feet per second (cfs) of the Territorial Water Right and Rawlins receives 1.00 CFS of Sinclair's Territorial Right.

Sinclair's responsibility is to supply Rawlins with the water from the North Platte to be treated and sent back to the Sinclair water tank.

Johnson shared that at the end of the contract if no material default on the part of Rawlins then Sinclair will convey to Rawlins 1.00 cfs 1907 and 1885 priority water rights and if contract ends before the 50 years and no material default then the 1.00 cfs is prorated over the 50 year term.

Johnson stated the time is now to start planning as 30 years is not far away. Examples were does Sinclair get their own water treatment facility? Do Sinclair and Rawlins continue to just use Rawlins treatment facility? Johnson shared that this is why he is sharing this agreement information so that both communities can come together and start communicating and figuring out the future and the needs of water.

Johnson stated Sinclair is to have rates at 60% of that of a Rawlins resident per the agreement. Also, he stated that Sinclair is to get a certified 30-day notice of water rate increases then not go into effect for 60 days. Johnson shared the money paid by Sinclair shall be used only for operations, maintenance, repairs, replacement, improvements, and extension of the Rawlins system.

Johnson shared that a breach in agreement could go to court but during the time it was in court, the agreement would continue as it supposed to and neither party can withhold performance. Johnson stated there must be a handle on the situations that arose during the March 2022 waterline failure and summer of 2022 water restrictions. The first and easiest way is to communicate and address everything together as both communities are involved.

Sinclair resident Richard Schanck asked if after the 50-year water agreement is completed, that Rawlins will receive the water right and Sinclair will not have a water treatment facility and will be without potable water and there is nothing holding Rawlins responsible to continue to treat Sinclair water. Johnson stated that yes, that Rawlins will get the water they need, and Sinclair will still be needing potable water and that is why this meeting is being held is to start moving forward. Mayor Cullen Meeks with Sinclair asked what the cost of a water treatment plant is and Phil Stump with HDR shared that the planning phase is 10 years just itself as someone else shared that even the cost to keep Rawlins facility going is a lot of money. Mayor Terry Weickum with Rawlins shared it is a new council and that when he received the letter that Rawlins didn't give the proper notice to Sinclair that he was embarrassed, but it was truly an oversight. Weickum shared going forward he believes that with both communities working together, a plan and solution will be more economical. Johnson shared it could possibly be better in receiving funding if the two communities apply for funding, rather than just one community. Jon Nelson with North Fork Engineering shared that WWDC and SLIB like to help communities that are close together because it benefits more people.

Schanck asked what the time frame for the Rawlins facility is to be up and running smoothly. Weickum shared hopefully pretreatment will be up and running this summer. Weickum shared that Rawlins has received some funding to help with the big projects added. Weickum shared how the water treatment plant works and that the water rates were a necessary thing that Rawlins had to do.

The meeting concluded with the plans for the Mayor of Rawlins and the Mayor of Sinclair to get together and set a meeting when the two communities could meet and talk about future plans and concerns. The mayor agreed that a quarterly meeting would be good to start with and that maybe only two council members attend from each community, so it won't need to be advertising. Sinclair Clerk/Treasurer shared it would be a good recommendation to have both clerks be at the meetings as clerks are the people who stay when all the council members are changing. The clerk's responsibility is to keep fluidity between the changing of the people.

Johnson wrapped the meeting up with restating the agreement that the two mayors would get together and figure out a meeting date and start having quarterly meetings. As well as the two attorneys would draft up a memorandum of understanding.

Workshop adjourned at 6:45 p.m.

Cullen Meeks, Mayor
TOWN OF SINCLAIR

ATTEST: CLERK/TREASURER