

**WESTON COUNTY BOARD OF COMMISSIONERS**  
**OFFICIAL MINUTES**  
**February 19, 2019**

The meeting of the Weston County Board of Commissioners was called to order by Chairman Tony Barton at 9:00 a.m. at the Weston County Courthouse. Commissioners Tony Barton, Marty Ertman, Tracy Hunt, Ed Wagoner, and Nathan Todd, Deputy Attorney Saige Smith and Clerk Becky Hadlock were present. Commissioner Wagoner led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Chairman Barton stated that Clerk Hadlock had requested to add the Request for Proposal for the Cupola under Old Business and a payment to Michael's Construction under New Business. Commissioner Wagoner moved to approve the agenda as discussed; seconded by Commissioner Todd. Ayes: Barton, Hunt, Wagoner and Todd. Nays: Ertman. Carried.

**APPROVAL OF CONSENT AGENDA**

Commissioner Hunt moved to approve the consent agenda, which included the minutes of February 5, 2019 and changes to the executive session minutes of February 5, 2019 as discussed; seconded by Vice-Chairman Ertman. Carried.

**AUDITOR'S REPORT**

Vikki Nunn with Porter, Muirhead, Cornia and Howard (PMCH), phoned in to give an Auditor's report to the Board. Ms. Nunn stated that the financial statements are not ready for the Audit, therefore the County's audit is not complete. On January 16<sup>th</sup>, the Auditor's received the last two parts from the Central Weston County Solid Waste District (CWCSWD) and the Friends of Fair (FOF). The audit is taking longer than normal because PMCH is having a lot of employees quit. They are not able to find employees to replace the ones they have lost, therefore they are not going to be able to continue as the County's auditors. They will help to make the transition as smooth as they can for whoever the County finds to replace them. Chairman Barton wanted clarification on specifically who they were waiting for to complete the audit. Ms. Nunn reported the CWCSWD and FOF. Chairman Barton stated that they seem to struggle every year to get their information to the auditors, maybe we should start charging the department that is causing the audit to be late. Ms. Nunn said they could do that, but it would cost the individual departments more money. Chairman Barton stated that if each department was having to pay for their own audit, maybe they would get the information handed in by the deadline. Vice-Chairman Ertman asked for Ms. Nunn to send the e-mail conversations between the CWCSWD and FOF to Clerk Hadlock. Ms. Nunn stated that she had been in contact with the CWCSWD and former Clerk Jill Sellers had been working with the FOF. Ms. Nunn would forward the information that she had pertaining to the CWCSWD. Ms. Nunn stated that she wished the update for the Board was better, but as of today they cannot commit to continuing as the County's Auditors as they are not meeting the commitments to the Board. Vice-Chairman Ertman asked if there was a contract between the County and Porter, Muirhead, Cornia and Howard and Ms. Nunn stated that there was and Ms. Nunn guaranteed that the Counties audit would be fulfilled to reflect this agreement. Vice-Chairman Ertman moved to put out a Request for Proposal for a new auditing firm; seconded by Commissioner Wagoner. During discussion Vice-Chairman Ertman stated there should already be something created for this and it should be advertised in the official paper as well as the *Casper Star Tribune*. Carried.

### **BUDGET AMENDMENT HEARING**

At 10:00 a.m., a budget amendment hearing was opened to move funds from the General Miscellaneous Financial Admin in the amount of \$2,400 for General Circuit Court Rent; to move funds from the Attorney Secretary Salary in the amount of \$8,659.98 for the Deputy Attorney's salary; to increase the General Fund portion of the budget because of unanticipated revenue in the amount of \$177,350 received from ONEOK and allocate the monies to Road and Bridge Congestion Mitigation Morrissey Fund; to increase the General Fund portion of the budget because of unanticipated revenue in the amount of \$382,650 received from ONEOK and allocate the monies to Road Agreements. Chairman Barton asked for public comment three times. Hearing none, Chairman Barton closed the public part of the hearing. Chairman Barton asked if there were any comments from the Board, no comment was heard. Vice-Chairman moved to approve the Budget Amendment; seconded by Commissioner Wagoner. Carried.

### **TREASURER'S REPORT**

Treasurer Susie Overman presented the current Treasurer report to the Board. She asked for them to sign the January cash revenue and investment sheets. Treasurer Overman requested the Board to approve the Chairman's signature on the Depositories for First State Bank and FirstTier Bank. Commissioner Wagoner moved to authorize the Chairman's signature on the Depositories for both banks; seconded by Vice-Chairman Ertman. Carried.

### **OPENING OF IT RFP'S**

Jon Iglehart, president of Pro River, presented the Request for Proposal that was submitted to the Board on behalf of Pro River Tech. Chairman Barton stated the Board would like a few minutes to review the RFP. Mark Parette, account manager for Golden West, then presented the RFP that was submitted by Golden West Technologies. The Board then had a series of questions that was asked of both companies. Assessor Tina Conklin stated that she has good rapport with Golden West. Assessor Conklin stated that Golden West has been blamed for a lot of problems in the past that were not their fault. Commissioner Todd moved to table the discussion on the RFP's until the March 5<sup>th</sup> meeting; seconded by Commissioner Ertman. Carried.

### **ROAD and BRIDGE**

Superintendent Rick Williams and Administrative Assistant Brooke Weigel reported that the CMAQ agreement has been sent to WYDOT and as soon as it is received back, advertisements for bids can be put into the paper. Ms. Weigel reported that Allison Strube, a University of Law Student, will have the completed draft of the 2017 established county roads book done next month. Superintendent Williams reported that there is a program through WYDOT called ARP, which will help to fix ten miles of the Cheyenne River Road. This will be in conjunction with the six miles of Cheyenne River Road located in Niobrara County. Vice-Chairman Ertman asked if this would be for the West side of the Cheyenne River or just the east side and Superintendent Williams stated that he believed it was just for the west side. Chairman Barton asked what the match would be on this and Superintendent Williams stated that this would be a 50/50 match, Vice-Chairman Ertman stated it must be an IRP not an ARP. Superintendent Williams stated he figured it would cost around \$60,000 per mile, so a total of \$600,000 total for the ten miles, which would be \$300,000 for the County's match. Commissioner Wagoner stated this was definitely something to look into. Superintendent Williams asked the Board if there were any complaints about the snow and Chairman Barton stated he had only a couple on Buffalo Creek Road. Chairman Barton asked Superintendent Williams if he had money in his budget for a new snow blower and Superintendent Williams stated he did. Vice-Chairman Ertman said thank you for what you have done

and Commissioner Wagoner also thanked Superintendent Williams and asked to pass thanks along to his hands.

Chairman Barton asked for any public comments.

Kara Fladstol, Weston County Fairgrounds Manager, stated that she had come to the Commissioners with ideas to help them have more of a presence at this year's fair at the February 19<sup>th</sup> meeting, but not all of the Commissioners were present. Ms. Fladstol wanted to present her ideas to the Board members that were not present and make sure they were okay with what she has in mind for Fair. Ms. Fladstol talked about Messy Mania, Commissioner Cookie Jar, and the Commissioner Awards. Commissioner Hunt asked if Ms. Fladstol would explain more about the Messy Mania. Ms. Fladstol stated this was education projects for the kids to play with.

### **BROADBAND/RT COMMUNICATIONS**

Tobi Johansen, Linda Weeks and Levi Buck, with RT Communications (RT), gave a presentation to the Board on broadband in Newcastle. Ms. Weeks talked about how RT has invested over \$5.5 million in the town of Newcastle since 2011 and over \$35.7 million in Weston County since 1995, with future plans of investing another \$7.5 million in the future in Weston County. Mr. Johansen talked about the different plans offered by RT for not only businesses, but also the residences. Mr. Johansen showed a map of what areas of Newcastle currently have fiber to the home and what areas are only offered copper service. Deb Piana, Newcastle's Mayor, asked if the areas of downtown Newcastle would eventually have fiber service or if they would stay on the data only. Mr. Johansen stated not right now, they would still be required to have a land line. Commissioner Wagoner asked if he was on fiber and Mr. Buck told him that he was. Vice-Chairman Ertman stated that she believed her residence would always be copper due to the fact that her line was ran under the railroad. Mr. Johansen stated that having access to a tower would help with the wireless service, but he had reached out to Dick Klinker, about using his tower on Kenwood Drive, and had not heard back from him. Ms. Piana asked if the downtown area could see the fiber within the next couple of years and Mr. Buck told her that RT's budget is always changing and there is no way to predict any further than one year from now and as of right now, no it is not in the plan. Mr. Johansen explained that Russ Elliott, with the State of Wyoming, is trying to get Broadband in every rural area in the State. Chairman Barton asked Mr. Johansen if there were grants available at the State level to help in getting this done and Mr. Johansen told him that RT would partner with anyone with this issue on finding grants, but most of the time they are loans and not grants. Mr. Buck stated there are a lot of catches to the requirements when applying for these. Ms. Weeks said to please always look to them first as they want to be a partner anyway that they can. Commissioner Hunt stated that if there was anywhere in the County that needed to have service, it was the Cheyenne River area. Mr. Buck stated that the Board could help with getting fiber to more areas by getting the right-of-way easements and legalization of the County Roads clarified.

### **ADMINISTRATIVE ASSISTANT**

Ms. Weigel had an email from Randy Hein explaining the questions the Board had for him regarding Change Order #4 and the extra carpet for the Second Floor Remodel Project. Commissioner Hunt made a motion to authorize payment of Change Order #4; seconded by Commissioner Wagoner. During discussion Vice-Chairman stated that even though she read the e-mail, she feels Hein|Bond should have come to the Board beforehand. Commissioner Hunt asked what Vice-Chairman's objection was. Vice-Chairman Ertman stated we shouldn't pay it. Commissioner Wagoner stated he agrees Hein|Bond should have handled it differently. Commissioner Todd agrees with Vice-Chairman Ertman as well. Vice-Chairman Ertman stated the bid had specs in it and wondered why Hein|Bond didn't follow the bid.

Commissioner Hunt wanted to know who actually screwed up, if it was former Administrator Dan Blakeman. Chairman Barton stated that he thought it was Mr. Blakeman and the architect both. Vice-Chairman Ertman stated it is out of hand what we have spent on the change orders and also stated why it was put in the bid if it wasn't good enough. Commissioner Wagoner stated they know the overages are in there so they are banking on it. Vice-Chairman Ertman asked why the contingencies aren't being tracked and stated the public is going to be flabbergasted when they see how much is being spent. Commissioner Hunt stated Mr. Blakeman thought he had the authority to do this. Vice-Chairman Ertman stated it was in the bid, if the company wanted to change it, they needed to come to the Board first. Commissioner Hunt stated that it must have had to do with the quality of the product and what happens if the Board does not pay the Change Order, since Hein|Bond had Mr. Blakeman's authority to do the work. Ayes: Wagoner, Hunt, and Barton. Nays: Todd and Ertman. Carried

Ms. Weigel reported on a cost analysis that Commissioner Hunt had asked her to do on the Annex Building and has one more thing to add as soon as she gets it from the Clerk's office.

Maintenance Foreman Steve Price and Ms. Weigel are working on the cleaning RFP and as soon as they get this finished, Ms. Weigel will get this to the Board.

Commissioner Hunt stated that the Weed and Pest Board was wondering about the clause in the agreement first right of refusal with the old Renew Building. Vice-Chairman Ertman stated that the land was the County's but Renew built the building.

#### **OLD BUSINESS**

Clerk Hadlock reported that the County currently pays \$5,241.59 to Mountain States Employers Council for membership dues. The Board would like to have Clerk Hadlock as the Point of Contact, Deputy Clerk Mona Wineteer, Chairman Barton, Vice-Chairman Ertman, Attorney Alex Berger, Deputy Attorney Smith and another Department Head.

Clerk Hadlock presented the RFP for the Cupola that she has prepared for the newspaper. Deputy Attorney Smith asked how this process was going to be done. Clerk Hadlock explained that there would be a time decided on and any individual or company, wishing to present an RFP, would do a walk through with Mr. Price and Vice-Chairman Ertman.

#### **NEW BUSINESS**

Clerk Hadlock reported that Justin Stevenson has requested that he be switched from a public member of the Weston County Predator Board to a sportsman member. Commissioner Todd stated that he should first resign from his current position and reapply for the other position. Commissioner Todd also stated that he may want to look into doing this it may limit his term to serve. Vice-Chairman Ertman thinks he already filled a vacant position. Commissioner Wagoner asked if he resigns, does this all start over. Commissioner Hunt stated this doesn't have to be answered today. Deputy Attorney Smith stated no appointed member can serve more than six years. Commissioner Todd stated he will reach out to the Wyoming Animal Damage Management Board for clarification on this. The Board is requesting a written letter of explanation from Mr. Stevenson as to why he is wanting to become a sportsman member instead of a public member on the Board.

Clerk Hadlock has the 2019-2020 Weston County Commissioners Scholarship Applications ready and will be sending them to both schools.

The Grant App for Michaels Construction was presented to the Board by Clerk Hadlock and Deputy Clerk Wineteer. Deputy Wineteer explained that the Grant Match reserve has ran out of money and she needs direction as to where to get the money to keep going. Clerk Hadlock and Deputy Wineteer also explained that Resolution 2018-04 that was created was not done correctly. Ms. Weigel agreed that when the Resolution was done, the amount of money that put into the accounts was not the correct amount. Vice-Chairman Ertman stated that she had tried to explain this when the resolution was being done, but was not listened to. Ms. Weigel stated that she also knew there was a problem with the grants. Deputy Wineteer stated that payments should have been taken out of the Courthouse Security Grant instead they were taken out of the Courthouse Remodel Grant and because of this, there is now \$173,882.86 left in Courthouse Security Account and only \$19,771.03 left in the Misc. Grant Match Account. Ms. Weigel stated that she had contacted Sheila Palmer with the SLIB office about possibly going back and taking payments out of the correct grant. Ms. Weigel stated that Sheila had told her that this was ok at the time, but she doesn't know if this is still an option. Clerk Hadlock will contact Ms. Palmer and see if SLIB would allow the County to proceed with this. Commissioner Wagoner moved to have a budget amendment hearing set for March 19, 2019 at 10:00 a.m. allowing \$110,474 from the Cash Reserves to go into the budgeted grant match account; seconded by Commissioner Todd. Carried.

#### **PRAIRIE DOG/COUNTY USE PLAN/FOREST SERVICE**

Bob and Jean Harshbarger came before the Board to discuss the Prairie Dogs, County Use Plan and the Forest Service. Mr. Harshbarger talked about old paperwork that he had been going through and found that 25 years ago two resolutions were passed by the Planning Board and asked if Resolution 94-10 had been sent to the Forest Service. Clerk Hadlock stated it had not been sent, but she would get it sent out right away. Mr. Harshbarger asked if the Forest Service had been before the Board this year and the Board reported that they had not. Mr. Harshbarger explained that he has been working on the issues of the prairie dog for many years and will continue to do this if the Board wishes for him to continue as the advisor. Mr. Harshbarger feels that he knows more on this issue than anyone else, but thinks that there are some issues that the County Attorney can assist him on. Vice-Chairman Ertman asked Mr. Harshbarger to write these concerns down and the dates that they happened so that the Board can take them to the Forest Service meeting. The Board thanked Mr. and Ms. Harshbarger for coming and addressing the Board on these issues.

At the budget amendment hearing on March 19, 2019 at 10:00 a.m. will be adding of funds to the Commissioners Mileage and Travel account.

With no further business, the meeting was adjourned at 4:34 p.m.

Tony Barton  
Chairman

Attest: Becky Hadlock  
Weston County Clerk