

**WESTON COUNTY BOARD OF COMMISSIONERS  
OFFICIAL MINUTES  
October 18, 2016**

The meeting of the Weston County Board of Commissioners was called to order by Chairman Bill Lambert at 9:00 a.m. at the Weston County Courthouse. Commissioners Bill Lambert, Tracy Hunt, Randy Rossman, Tony Barton and Marty Ertman, and County Clerk Jill Sellers and County Administrator Dan Blakeman. Commissioner Rossman opened the meeting with prayer, and Commissioner Barton led the Pledge of Allegiance.

**CONSENT AGENDA**

Commissioner Rossman moved to approve the agenda, amended to include Fair Board meeting under Old Business and RIP 002 to be presented by the Administrator; seconded by Commissioner Barton. Carried.

**APPROVAL OF MINUTES**

Commissioner Hunt moved to approve the minutes of October 4, 2016; seconded by Commissioner Barton. Discussion followed.

Commissioner Ertman moved to amend the motion to change the October 4, 2016 minutes, to state: "Commissioner Barton moved to approve the minutes of September 20, 2016 as amended;" seconded by Commissioner Barton. Approval of amendment carried.

A vote was called on the standing motion to approve the minutes of October 4, 2016 as amended. Carried.

Commissioner Ertman moved to approve the executive session minutes of October 4, 2016; seconded by Commissioner Rossman. Commissioner Hunt suggested to modify paragraph 7, by deleting the words "over three days" and adding the words "over two days;" Commissioners Ertman and Rossman agreed to the modification of the motion. Carried.

Break was called at 9:15 a.m.; reconvened at 9:30 a.m.

**INDIGENT BURIALS**

Mike Worden, Worden Funeral Home, presented the information regarding an indigent burial of an abandoned infant. Coroner has investigated the death. Mr. Worden presented a voucher for \$165, which will be included with the November 1<sup>st</sup> vouchers. Commissioner Ertman moved to approve payment of the voucher dated October 18, 2016 for \$165 to Worden Funeral Home; seconded by Commissioner Rossman. Carried.

Mr. Worden reported on a letter received from Department of Family Services stating that DFS service recipients' burial benefits have been reduced from \$1000 to \$500. Mr. Worden reported that he, and the Funeral Association, agree that they cannot afford to provide this service for \$500. If this benefit is completely eliminated, then the County will be responsible for all costs. Indigent burials vary from year to year, from one to as many as eight. Average retail cost of a burial is \$3127 for cremation and approximately \$6000 for burial services. Mr. Worden suggested that he and the Commissioners meet in the near future, to discuss the details and possibly create a policy to address the issue. The state is reducing its contribution, so the Commissioners will call it to the attention of state legislators. Marian

Orr is the funeral directors lobbyist; Commissioner Ertman will send a letter to Ms. Orr, as well as send correspondence to state legislators. The Commissioners commended Mr. Worden for his 43 years of service to the community.

### **PRAIRIE DOG UPDATE**

Bob and Jean Harshbarger and Jim Darlington presented an update on the prairie dog issue. Concerns continue about U.S. Forest Service fencing and barrier solutions that are making grazing lands inaccessible to cattle, but are not deterring prairie dog infestation. The U.S. Forest Service is failing to coordinate, as stated in their solicitation for contract, with landowners, grazing associations, county weed and pest, and other agencies. Mr. Harshbarger presented that the situation should be considered in crisis mode; he provided a detailed handout (a copy of which is available upon request in the Clerk's office). Mr. Harshbarger requested that the Commissioners, on his and the County's behalf, go before the appropriate court and seek an injunction against the Douglas District Ranger and the U.S. Forest Service. Commissioners directed Mr. Harshbarger to schedule a meeting with the County Attorney, as soon as possible, to determine a course of action for the injunction. Mr. Harshbarger has also asked Sheriff Bryan Colvard to be called should there ever be allegations by Federal agents against Mr. Harshbarger. His concerns about Federal aggression are serious enough that he no longer carries a firearm on his property. Mr. Harshbarger believes that the Commissioners can help. The coordination and informational meetings will be scheduled, to include WCCA and the Governor's Office. Commissioner Barton moved to allow the Chairman to set up a coordination meeting with the Forest Service and other pertinent agencies; seconded by Commissioner Rossman. County Administrator Blakeman retrieved the District Court schedule to determine availability of the courtroom for the meeting, and also submitted that Converse and Campbell Counties need to be invited to the meeting. Commissioner Barton amended the motion to include Thursday, November 17, 2016 at 1:00 p.m. as the date for the coordination meeting; Commissioner Rossman seconded the amended motion. Carried.

Break was called at 10:50 a.m.; reconvened at 10:54 a.m.

### **COUNTY ROADS**

Jim Darlington reported a concern about access by oil trucks on Darlington Road. Question of whether or not Mr. Darlington can redirect traffic to the east access. County Attorney Curley will review it, and respond to Mr. Darlington.

### **HANS HUNT**

House Representative Hans Hunt reported on the bleak budget discussions in the legislature; school meetings and Abandoned Mine Land (AML) money is drying up. The revenue committee did not make any moves to increase taxes or fees; all remain the same as in the beginning of 2016. Governor Mead has committed not to make any cuts through the end of the year. The Task Force on Special Districts has not made any proposals or policies.

### **OLD BUSINESS**

Clerk Sellers presented the following:

Fran Lehman has resigned her duties with the Planning Board, due to health concerns.

Greg James has officially withdrawn from the City Council race. Notice has been placed in the Courthouse, as well as in each polling booth, during absentee voting. The notice will also be posted in

polling places and polling booths on Election Day. The notice announces that Mr. James has officially withdrawn and no votes cast for him will be counted.

New Department of Labor overtime policy requires that all positions be identified as exempt or non-exempt by December 1, 2016. All departments have been notified of this requirement and its due date, as it can have extreme impact on the budget if not completed, as well as possible fines from the IRS.

Commissioner Ertman reported that the Mallo Board has narrowed the applicants for the Mallo Manager, but that there is a question of what the base salary is. John Prell started with a base salary of \$30,000. Commissioner Barton moved that the starting salary for the Mallo Manager position will be between \$30,000-32,000 per year; seconded by Commissioner Ertman. Carried.

Clerk Sellers presented a new resignation letter from John Prell, resigning effective 12/31/2016; this will allow for turnover with the new hire, as well as administratively provide for the use of accrued comp time. Commissioner Rossman moved to rescind his motion of September 6, 2016 (to accept John Prell's resignation, effective 11/30/2016; seconded by Barton), and to now approve Prell's new resignation which will be effective 12/31/2016; seconded by Commissioner Barton. Carried.

#### **FAIR BOARD**

Commissioner Ertman reported on meeting with the Fair Board, where Commissioners' Night (August 4, 2017) was discussed. They want a beer stand, but making beer available throughout the fairgrounds is of concern. The Fair Board also wants to have a rodeo (bull and bronc riding). Discussion included safety concerns because kids will be on the track, an open alcohol container permit in effect, and the rodeo happening concurrently. Question of liquor license will come back for Commissioners' approval, which will need to include the boundaries for dispensing areas.

#### **NEW BUSINESS**

Clerk Sellers notified the Commissioners that a letter was received from the Department of Audit regarding Notice to Special Districts for non-compliance on their annual reports. The Clerk sent letters to Cambria Improvement and Sewer District, West End Water District and Weston County Library requesting that they submit their annual reports as soon as possible.

Commissioner Barton moved to approve the Tax Roll Corrections (# 1176, 1177, and 1178) for Commissioners' signature; seconded by Commissioner Ertman. Carried.

Clerk reported that she will be on leave Friday, October 28 and Monday, October 31, 2016.

Break was called at 11:25 a.m.; reconvened at 11:31 a.m.

#### **SPECIAL ELECTION**

Commissioner Hunt suggested that the Department of Environmental Quality (DEQ) (Craig McOmie) should be invited to Weston County to answer questions from the voters on the solid waste district mill levy special election. A candidates' forum is scheduled in Upton on October 25, 2016; Commissioner Hunt will contact the Upton Chamber of Commerce to see if they would be interested in hosting the DEQ at their forum.

#### **PUBLIC COMMENT**

None.

Break was called at 11:55 a.m.; reconvened at 1:00 p.m.

### **ROAD AND BRIDGE**

Rick Williams presented a concern about two dump trucks that were gifted to Upton, and need to be transferred to Upton in order to get plates. Williams reported that another Kenworth truck is beyond repair, as it would cost \$20,000 or more to repair it. Williams recommended the replacement two other trucks which have more than a million miles on them. The mower also broke down; repairs totaled \$2500. Another pick up has a computer failure, which will be approximately \$1000 to replace. Road and Bridge is blading roads. Williams is researching building cattle guards for the County. The old shop needs the furnace restarted, as well as a window replaced.

### **ADMINISTRATOR**

County Administrator Blakeman presented Resolution 2016-17: Road Identification Project (RIP) 002. Commissioner Ertman moved to authorize the Chairman's signature on Resolution 2016-17, RIP 002, for roads in Township T46N R 68W; T45N R68W; T44N R 68W; and T43N R68W; seconded by Rossman. Carried.

Resolution for starting RIP 003 will likely be presented at the November 1, 2016 meeting.

Mandatory walk-through for fire alarm system will take place on October 19, 2016.

Youth building roof will be assessed October 19, 2016.

Regarding the County Annex building, Randy Hein (Bond Architects) is trying to expedite the fire marshal inspection, as they are allowed six weeks to conduct the inspection. Chris Kolstad will be present for the fire alarm system, and Blakeman will coordinate the inspection with him.

Blakeman presented an agreement to extend the lease for the Wyoming Extension Office. Their budget is exhausted, so it must come out of a different line item. Commissioner Rossman moved to approve the collection agreement with the U.S. Forest Service for \$4834 for the Wyoming Extension Office lease (to be paid from 100.00.20.0099000.0000); seconded by Commissioner Ertman. Carried.

### **SHERIFF**

Sheriff Bryan Colvard interviewed eight applicants for the Homeland Security deputy, and then narrowed the pool to three. A conditional offer has been made, pending background checks; results of which should be available by the week of October 21, 2016. With a pending start date between November 1-15, 2016.

The Commissioners previously approved the increase for dispatchers' pay, but the budget was not adjusted accordingly. The Sheriff will pay out of his line item until exhausted, then send a voucher for the remaining payment.

Code Red is tested at a minimum of once a year (calls, sirens, etc.). The new Homeland Security deputy will conduct these tests, as well as handle the Homeland Security grants and other duties supported by grants.

Sheriff Colvard was provided a copy of Mr. Harshbarger's handout. The Sheriff is fully aware and concerned about the plight of Mr. Harshbarger as a landowner.

Other investigations regarding the Coroner's Inquest and the death of Richard Campbell have been turned over to the federal authorities.

Commissioner Rossman moved to go into executive session under Wyoming Statute 16-4-405 (a)(ii); seconded by Commissioner Hunt. Carried.

Executive Session began at 1:44 p.m. Open session reconvened at 1:49 p.m.

With no further business, the meeting was adjourned at 1:54 p.m.

Bill Lambert  
Chairman

Attest:

Jill Sellers  
County Clerk