

April 1, 2014

The regular meeting of the Weston County Commissioners convened at 9:00 a.m. with Chairman Seeley presiding. Present for the meeting were Commissioners: Lenard D. Seeley, Randy Rossman, Tracy Hunt, Marty Ertman and County Clerk, Mamie C. Krank. Commissioner Jerry Shepperson was not present.

#### **Invocation and Pledge of Allegiance**

Chairman Seeley gave the Invocation and Commissioner Rossman led the delegation in the Pledge of Allegiance.

Commissioner Shepperson joined the meeting at 9:05 a.m.

#### **Approve Minutes**

A motion was made by Commissioner Rossman, seconded by Commissioner Ertman, to approve the minutes of the regular meeting held March 18, 2014, as published. Carried.

A motion was made by Commissioner Rossman, seconded by Commissioner Seeley, to approve the minutes of a Special Tri-County meeting held March 20, 2014. Discussion ensued regarding the fact that Commissioner Rossman and Chairman Seeley were the only Weston County Board Members to attend the Tri-County Meeting. Because a majority of the Board Members were not in attendance this is not considered a Commission meeting. Carried. The recorded votes were as follows: Yea: Commissioners: Seeley, Rossman and Hunt; Abstained: Commissioners Shepperson and Ertman.

A motion was made by Commissioner Rossman, seconded by Commissioner Ertman, to approve the minutes of a Special Budget Meeting held March 25, 2014, with a correction to the verbiage of the seventh line under the heading FY2015 Budget to read, "... and a 4 percent increase based on 2014 salaries for the years 2016, 2017 and 2018.", instead of, "... and a 4 percent increase for the years 2016, 2017 and 2018." Carried.

#### **Candles in Courthouse**

Tina Conklin, Assessor and Susan Overman, Treasurer, met with the Commissioners and discussed an issue of candles being lit in the Treasurer's Office. The latest problem occurred when Mrs. Overman heated a candle in the Courthouse microwave. The scent disturbed the Assessor's Office employees and irritated allergies of the employees. Mrs. Conklin stated that after several discussions between herself and Mrs. Overman, the problem has been resolved. Mrs. Conklin does not believe that there will be any further issues. The Commissioners requested that an informational document on workplace safety/fire safety be distributed to each department head. No action was taken.

#### **Buffalo Creek Traffic Study (BCTS)**

A motion was made by Commissioner Shepperson, seconded by Commissioner Hunt, to authorize Chairman Seeley's signature on a letter requesting an extension of grant funding through the Wyoming Business Council for the BCTS Project until February 28, 2015. Discussion ensued, carried.

The meeting recessed at 9:43 a.m. and reconvened at 9:49 a.m. with all present.

#### **Liquor License Renewal**

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to set a Public Hearing for May 20, 2014, at 10:00 a.m. to consider applications for renewal of County liquor licenses. Carried.

#### **National Public Safety Telecommunications Week**

A motion was made by Commissioner Ertman, seconded by Commissioner Rossman, to sign a Proclamation designating April 13 through April 19, 2014, as National Public Safety Telecommunication Week. Carried.

#### **National 9-1-1 Education Month**

A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to sign a Proclamation designating April 2014 as National 9-1-1 Education Month. Carried. The

recorded votes were as follows: Yea: Commissioners Shepperson, Rossman and Ertman; Nay: Commissioner Hunt.

#### **Accept Collections**

A motion was made by Commissioner Hunt, seconded by Commissioner Rossman, to accept the collections of the District Court Clerk in the amount of \$1,442.64. Carried.

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to accept the collections of the County Clerk in the amount of \$10,955.50. Carried.

#### **Month of the Military Child**

Stacy Madden, 4-H Youth Development Educator and Mark Hanson, Military Recruiter, met with the Commissioners and discussed several events throughout the State in honor of the Month of the Military Child. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to sign a Proclamation designating April 2014 as the Month of the Military Child. Discussion ensued, carried. Mr. Hanson was thanked for his military service by the Board of County Commissioners.

#### **Ag Department/Extension Office**

Vicki Hayman, Extension Educator; Stacy Madden, 4-H Youth Development Educator; and Duane Williams, Associate Extension Director, met with the Commissioners and discussed the FY2015 Budget. Mrs. Hayman stated that if Weston County wanted to keep the position of Community Development Educator at the Newcastle Extension Office, Weston County would have to budget additional expenses. Mr. Williams stated that the UW Extension Office would not pay the additional expenses for the position, and suggested that the position could be housed in another County. The Community Development Educator covers a five County region including: Sheridan, Johnson, Campbell, Crook and Weston. After discussion, the Commissioners agreed that the position should be located in another County. No action was taken.

The meeting recessed at 10:58 a.m. and reconvened at 11:02 a.m. with all present.

#### **Legislative Constitutional Districting**

Dan Bau, Danny Fouch, Tom Wing and William Curley, concerned citizens, met with the Commissioners and discussed a revised Resolution on Legislative Constitutional Districting distributed by Mr. Curley. A motion was made by Commissioner Shepperson, seconded by Commissioner Hunt, to adopt the Resolution on Legislative Constitutional Districting. Discussion ensued; Commissioner Ertman moved to amend the resolution as follows: on line 12, add, ", including all aspects of Art. 3, Sec. 3, such as ..." after the words Constitutional Legislative Districting, Commissioner Rossman seconded. Commissioner Shepperson, bringer of the original motion and Commissioner Hunt, second for the original motion, agreed with the amendment. Carried. The Resolution was signed and numbered 14-03.

#### **Sheriff's Department**

Bryan Colvard, Sheriff, met with the Commissioners and discussed the accounts receivable and fees for his Department. Sheriff Colvard related that the plans for the Emergency Operations Center in the Law Enforcement Center were complete and Architect Patrick Amend would meet with the Board next meeting April 15, 2014, to answer any questions. Sheriff Colvard discussed the need to install a water softener for the Law Enforcement Center to mitigate lime damage to the brass and stainless steel fixtures of the jail. No action was taken.

The meeting recessed at 11:46 a.m. and reconvened at 1:30 p.m. with all present; except Commissioner Hunt who joined the meeting at 1:31 p.m.

#### **Contract Engineer**

Jerry Hunt, Contract Engineer, met with the Commissioners. Commissioner Shepperson discussed a preliminary meeting held March 26, 2014, for the Buffalo Creek Traffic Study Project. Truck traffic in the Upton Logistics Center was discussed. The possibility of the Upton Airport being used for a solid waste transfer station was discussed.

Don Hansen, County Attorney, joined the meeting at 1:53 p.m.

#### **Courthouse A/C Replacement Project**

Mr. Hunt discussed the Courthouse Air Conditioning Replacement Project, and stated that when the request for bids went out they did not include the full scope of work for the project. Mr. Hansen suggested that all bids should be rejected and the project re-advertised to include additional work. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to re-bid the Courthouse A/C Replacement Project and to reject the three bids received. Discussion ensued, Commissioner Shepperson withdrew his motion. A motion was made by Commissioner Shepperson, seconded by Commissioner Hunt, to reject all bids received for the Courthouse A/C Replacement Project. Carried. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to re-bid the Courthouse A/C Replacement Project with the expanded project specifications. Carried. Mr. McKinley Wood, Powder River Heating was present and his bid package was returned in person. The other bid packages will be returned to the respective bidders.

The meeting recessed at 2:09 p.m. and reconvened at 2:11 p.m. with all present.

#### **Wyoming County Commissioners Association**

Gregory Cowen, Wyoming County Commissioners Association (WCCA), met with the Commissioners and discussed cooperating agency status. Mr. Cowen gave the Board handouts entitled "Cooperating Agency Status" and "A Citizens Guide to the NEPA". Mr. Cowen stated that cooperation is project specific and coordination is an ongoing process between governmental entities. The Commission stressed socioeconomics as well as health and human safety as major concerns in the Prairie Dog Management Cooperating Agency Memorandum of Understanding (MOU). Mr. Cowen stated that the MOU is currently being re-written and he is confident that these concerns will be considered. Mr. Cowen was thanked for his visit and information. No action was taken.

#### **Weston County Event Center**

Don Hansen, County Attorney, met with the Commissioners and discussed a contract between Weston County and Wiss, Janney, Elstner Associates (WJE) for remediation of the Weston County Event Center. Mr. Hansen raised concerns regarding the indemnification language in the contract as well as the limits of liability. The Commissioners requested that Mr. Hansen communicate the concerns to Ray Hunkins, Hunkins Newton Law Firm, and WJE, in an effort to come to an agreement. No action was taken, this issue will be re-visited.

#### **Solid Waste Transfer Station/Upton**

Mark Lindstrom, Upton Superintendent, met with the Commissioners and discussed a possible solid waste transfer station to be located in Upton. Mr. Lindstrom requested funding assistance from Weston County and related that a SLIB Grant in the amount of \$798,000.00 had been applied for by the Town of Upton. If approved, the grant would require a twenty-five percent match of approximately \$199,500.00. Mr. Lindstrom discussed the possibility of locating the transfer station on the North East corner of a forty acre plot near the Upton Airport on lands owned by the Town of Upton. The Commissioners stated that although it is early in the budget session, Weston County is willing to support the Town of Upton in the effort to construct a solid waste transfer station. No action was taken.

The meeting recessed at 3:18 p.m. and reconvened at 3:24 p.m. with all present.

#### **Wyoming Department of Transportation (WYDOT)**

##### **Breakneck Road**

Joni Kachelhoffer, WYDOT, met with the Commissioners and discussed excess land parcels near the Flying V, located on State lands. Mrs. Kachelhoffer explained that Weston County would need to request a roadway easement to claim a small portion of abandoned highway from the State of Wyoming in order to access Breakneck Road. Mrs. Kachelhoffer supplied many of the forms and information needed to complete this process. Mamie C. Krank, County Clerk, stated that she would complete the necessary paperwork.

##### **Gravel**

Mrs. Kachelhoffer related that a cooperative agreement between Weston County and WYDOT could be applied for which would allow the County to purchase reject materials at .60 cents a ton from the State Project, East of Newcastle. Mrs. Kachelhoffer stated that the County would need to deposit monies in a WYDOT account which would be debited as the materials were used. The Commissioners thanked Mrs. Kachelhoffer for her research and information. No action was taken.

### **Road & Bridge Department**

Rick Williams, Road & Bridge Foreman, met with the Commissioners and discussed an issue on the Skull Creek Road. Beavers in the area are packing material into the four culverts on the road and plugging them off. Mr. Williams requested that Jerry Hunt, Contract Engineer, be allowed to review the problem to help determine a solution. The Commissioners agreed that Mr. Williams should contact Mr. Hunt regarding the Skull Creek Road culverts. Mr. Williams stated that the Road & Bridge equipment had been removed from the old shop building in preparation of the Roof Replacement Project. No action was taken.

### **Rare Element Resources (RER)**

Mike Finn, RER, met with the Commissioners to remind them of upcoming Scoping Meetings and ask for their attendance. The Scoping Meetings will be held from 6:30 p.m. to 8:30 p.m.; the first on April 14, 2014, at the Sundance Courthouse and the second on April 15, 2014, at the Upton Community Center. No action was taken.

### **Weston County Event Center/Approve Payments**

A motion was made by Commissioner Shepperson, seconded by Commissioner Hunt, to approve three previously denied vouchers to Schutz Foss Architects for post occupancy concerns and investigation totaling \$20,310.77. Carried. The recorded votes were as follows: Yea: Commissioners Hunt, Shepperson and Rossman; Nay: Commissioner Ertman.

### **Approve Vouchers**

A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to approve the vouchers as presented. Carried. They are as follows:

066 NCPERS, financial admin, \$304.00, AFLAC, payroll ded, \$1,678.58, Blue Cross Blue Shield, financial admin, \$57,124.80, Office of Child Support, payroll ded, \$175.00, Orchard Trust, payroll ded, \$1,120.00, WEBT, financial admin, \$185.10, Weston County Clerk, financial admin, \$41,657.73, WY Child Support, payroll ded, \$1,175.00, WY Dept of Workforce Services, financial admin, \$2,881.22, WY Retirement System, financial admin, \$24,351.01, WY Retirement System, financial admin, \$613.98, Internal Revenue Service, financial admin, \$963.11, Powder River Heating & AC, fair/library repairs, \$222.45, Pickup Specialties, repair/maint, \$614.90, Cleveland Wood Products, hmlnd sec exp, \$754.00, Great Western Tire Co, veh maint/fuel, \$709.48, Hermes Consolidated Inc, oil/gas, \$27,289.70, Hermes Consolidated Inc, oil/gas, \$26,932.55, ECN LLC, hmlnd sec exp, \$7,500.00, A&M Service Supply, repair/maint, \$94.25, Ad Pro, new equip/repair/maint/supp, \$3,395.54, ADI Insurance Agency, insurance, \$535.00, Alpha Communications, tower rent, \$55.00, AlSCO, janitor supp, \$13.00, American Welding & Gas Inc, repair/maint, \$484.29, Arrow Printing, misc, \$102.14, AT&T Mobility, comm, \$939.39, Black Hills Chemical & Janitorial, brd of prisoners, \$517.92, Black Hills Plumbing, repair/maint, \$595.00, Black Hills Power, util, \$2,599.16, Bob Barker Co, brd of prisoners, \$274.99, Byrand Streeter, contract wages/supp, \$1,093.86, C&J Newcastle Hardware, repair/maint, \$425.24, Cambria Car Wash, veh maint/fuel, \$100.00, Cambria Supply, repair/maint, \$340.19, Campbell Co Sheriff's Office, brd of prisoners, \$150.00, Casey Thorson, janitor supp, \$550.00, CDW Government Inc, officer equip/p-hlth exp, \$639.21, CFD Meth Conference, school exp, \$125.00, Chemical Testing Program, youth services, \$203.00, City of Newcastle, util/dispatch/pub def/p-hlth exp, \$4,900.02, CLT Flooring & Furnishings, janitor supp, \$18.99, Comtronix, misc/p-hlth exp, \$156.00, Culligan Water Conditioning, misc, \$40.00, Decker's Market, supp, \$78.59, Diebold Inc, repair/maint, \$556.00, Dixon Bros Inc, oil/gas, \$351.83, Double D Obsolete Parts, repair/maint, \$745.78, Fisher Sand & Gravel, grvl/rd mtrl, \$3,237.19, Frontier Home Ranch & Hardware, repair/maint, \$582.37, Gateway Auto Supply, repair/maint, \$172.03, Godfrey's Brake Service, repair/maint, \$673.31, Golden West Technologies, new equip/comp software, \$2,110.00, Grimm's Pump & Industrial Supply, repair/maint, \$39.95, Grizzly Services, new equip, \$2,500.00, Hansen & Peck, attny exp, \$4,250.00, Health Education Associates, p-hlth exp, \$100.75, Hemocue America, wic, \$183.00, John W. Lambert III, supp/brd of prisoners, \$38.69, KASL, p-hlth exp/hmlnd sec exp, \$728.40, Kone Inc, repair/maint, \$525.96, L3 Communications Mobile-Vision, new equip, \$1,871.20, Lenard D. Seeley, mile/trvl, \$307.50, Lichen Research Center, comp software, \$1,000.00, Local Govt Liability Pool, insurance, \$25,053.00, Lori Bickford, p-hlth exp, \$139.85, MasterCard, mile/trvl, \$243.02, Max Masters, gis land records, \$1,900.00, MG Oil Company, oil/gas, \$325.33, Minuteman Lube Center, veh maint/fuel/trvl, \$115.64, Neve's Uniforms Inc, uniforms, \$13.45, Newcastle Ambulance Service, amblnc, \$1,458.33, Newcastle Motors, hmlnd

sec exp/veh maint/fuel, \$251.50, News Letter Journal, print/publ/supp/p-hlth exp, \$2,020.89, Oil City Operating Inc, repair/maint, \$59.22, Phonetically Speaking & ASL, brd of prisoners, \$80.00, Pitney Bowes Inc, misc, \$774.00, Powder River Energy Corp, util, \$1,272.00, Power Plan OIB, repair/maint, \$1,282.99, Preventive Health & Safety Division, p-hlth exp, \$14.00, Randy Rossman, mile/trvl, \$103.00, Reserve Acct-Pitney Bowes, post/freight, \$600.00, Roadrunner Disposal Service, util, \$60.00, Round Up Feed & Ranch Supply, repair/maint, \$9.50, RT Communications, comm, \$1,959.18, Securus, inmate prog, \$319.32, Servall Uniform/Linen Co, repair/maint, \$225.44, Smilemakers, p-hlth exp, \$133.24, Source Gas, util, \$2,503.65, Span Publishing Inc, misc, \$144.00, Stacy Madden, ag exp, \$60.00, Timberline Services, grvl/rd mtrl, \$12,371.69, Top Office Products, misc/brd of prisoners/p-hlth exp, \$1,967.61, Town of Upton, community ctr/landfill, \$2,875.00, Tri-Star Surveying, rd constr, \$71,190.00, Uber Geek Computers, ag exp, \$75.00, Upton Ambulance, ambInc, \$4,375.00, Urbin Law Office LLC, special attny, \$142.83, USDA Forest Service, ag exp, \$3,969.06, Verizon Wireless, p-hlth exp, \$130.33, VISA, school exp/misc/ag exp, \$2,205.28, WC Natural Resource Dist, nat res garden, \$125.00, WCS, comm, \$176.13, WCTA, misc, \$100.00, West End Water District, util, \$60.00, West Payment Center, law library, \$301.43, WC Children's Center, chld ctr, \$3,750.00, WC 4-H Council, ag exp, \$233.75, WC Gazette, p-hlth exp, \$90.00, WC Health Services, misc/jail medical, \$125.00, WC Road & Bridge, veh maint/fuel, \$3,196.74, WC Sheriff's Office, post/freight/brd of prisoners, \$44.11, Weston Engineering Inc, engineer srvs, \$1,000.00, Whirlwind Services, janitor supp, \$345.00, Woody's Food Center, brd of prisoners/ag exp/supp, \$286.90, WY Assoc of Sheriffs & Chiefs, mile/trvl, \$185.00, WY Automotive Co, repair/maint/oil/gas, \$1,006.63, WY Dept of Health, p-hlth exp, \$632.00, WY Guardian Ad Litem, special attny, \$1,050.27, WY Honor Conservation Camp, brd of prisoners, \$1,194.75, WY Machinery Co, repair/maint/post/freight, \$12,962.74, WY Network, financial admin, \$208.05. Net Payroll, \$131,531.26.

There being no further business to come before the Commission the meeting adjourned at 4:30 p.m.

Attest: Mamie C. Krank  
County Clerk

Lenard D. Seeley  
Chairman