

July 19, 2011

The regular meeting of the Weston County Commissioners convened at 8:55 a.m. with Chairman Tom W. Bruce presiding. Present for the meeting were Commissioners: Tom W. Bruce, Marty Ertman, Randy Rossman, Lenard D. Seeley, Jerry Shepperson, and County Clerk, Mamie C. Krank.

**Good of the Order**

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

**1% Sales Tax**

The Commissioners discussed the public hearing on the proposed Fiscal Year 2012 Budget which was held July 18, 2011. A motion was made by Commissioner Seeley, seconded by Commissioner Shepperson, to distribute the ambulance portion of the one percent sales tax equally between the three entities, giving Newcastle Ambulance, Upton Ambulance, and Osage Ambulance \$17,500.00 each for the Fiscal Year 2012. Carried.

**Adopt FY2012 Budget**

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to adopt the Fiscal Year 2012 Budget with the changes to the Ambulance providers. Carried. A motion was made by Commissioner Shepperson, seconded by Commissioner Ertman, to sign the employee raise schedule, allowing an increase of fifty cents per hour to all full time employees, excluding elected officials. Carried.

**Catering Permit**

The Commissioners received an application for a catering permit from Buckhorn Bar & Grill to host a beer garden with tent on Buckhorn premises for the period of August 6 to August 15, 2011. A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to approve the catering permit applied for by Buckhorn Bar & Grill. Motion carried.

**State Public Defender's Office Rental Agreement**

The Commissioners discussed an agreement received from the City of Newcastle for rent on the Public Defender's Office effective July 1, 2011, through June 30, 2012. This agreement is for \$600.00 per month, half is paid by Weston County and half is paid by Crook County. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to sign the agreement between the City of Newcastle, Weston County, and Crook County for the Public Defender's Office Rental Agreement. Carried.

**Osage Volunteer Ambulance**

Cynthia Crabtree, Osage Volunteer Ambulance, requested a letter of support from the Commissioners in order to obtain grant funding for a new ambulance. The Osage Volunteer Ambulance is applying for \$159,110.00, through the State Lands & Investments Board (SLIB). Commissioner Seeley will request financial information from the Osage Volunteer Ambulance before a letter of support is written. No action was taken.

**Approve Minutes**

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to approve the minutes of the last regular meeting held July 5, 2011. Carried.

**Northern Wyoming Mental Health**

Weston County has a provider of service agreement with Northern Wyoming Mental Health which is funded through the one percent sales tax monies. A request was received for confirmation of amounts paid by Weston County to Northern Wyoming Mental Health for the period July 1, 2010 to June 30, 2011 for audit purposes. A letter was drafted to Lovelett, Skogen & Associates, PC, auditors for Northern Wyoming Mental Health. A motion was made by Commissioner Ertman, seconded by Commissioner Shepperson, to sign and mail the letter as drafted. Carried.

Commissioner Seeley left the meeting at 9:30 a.m. to make phone calls to the USFS and USFWS and Cynthia Crabtree (Osage Ambulance) for County business.

#### **Weston County Health Service (WCHS)**

Don Stover, concerned citizen, and Jennifer Wiegel, former WCHS employee, met with the Commissioners to discuss issues of concern regarding the employee turnover and negative work environment at Weston County Health Services.

Commissioner Seeley returned to the meeting at 9:36 a.m.

Mr. Stover addressed issues with the management style of the CEO of WCHS, Kay Garcia. The Commissioners stated the issues being discussed were WCHS Board issues rather than Board of County Commissioners issues, and should be addressed to that Board. Mr. Stover related that his goal was community awareness and that he would meet with the WCHS Board as well. No action was taken.

#### **Contract Equipment Rental Bids**

The hour being 10:02 a.m. the Commissioners opened the Equipment Rental Bid packets for review. The intent of the Equipment Rental agreement is to obtain firm hourly costs for using outside contractors to supplement the Road & Bridge Department in distributing stockpiled gravel on various County roads. A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to accept the low bid presented by Jeff Regan Trucking. Motion carried.

The meeting recessed at 10:30 a.m. and reconvened at 10:40 a.m. with all present.

#### **ARRA Mallo Bid**

The Commissioners opened and reviewed additional information which was requested and received from the four contractors on the Mallo Camp Retrofit Project. After review, a motion was made by Commissioner Rossman, seconded by Commissioner Seeley, to accept the following bids: Black Hills Plumbing for the replacement of the heat/air conditioning units, Leighton Construction for the replacement of windows, and ITC Electrical Technologies for the lighting portion of the project. Carried.

#### **Fire Update**

Doug Jorrey, Homeland Security Coordinator, and Daniel Tysdal, Weston County Fire Warden, met with the Commissioners to give updates on the Whoopup Canyon fire in Weston County. The goals of the incident team are to protect life, structures, private property, and range lands. The burn likely started due to a lightning strike on July 18, 2011, and burned into Ferguson Canyon. The initial incident command center was set up in the basement of the Courthouse by Sheriff Colvard and Doug Jorrey, Homeland Security Coordinator on July 18, 2011. Twenty-one addresses in Ferguson Canyon area were evacuated, two were unoccupied, and two were in South Dakota. To date there have been three injuries reported, two were heat related, both were treated and released from the local hospital and one was a broken bone, this fireman is still hospitalized. No homes have been lost to the fire but one outbuilding was lost in the Ferguson Canyon area. Firefighting teams from surrounding states have been called in to help contain the fires. Large tankers and helicopters are being utilized to haul water and slurry for containment. The Commissioners asked if fire suppression funds will be available. Mr. Tysdal stated this resource will be requested. Daily planning meetings are being held at the Fairgrounds at 9:30 a.m. and nightly planning meetings are being held at 2:00 p.m. until the fires are contained. The Commissioners thanked Mr. Jorrey and Mr. Tysdal for the information and update. No action was taken.

The meeting recessed at 12:00 p.m. and reconvened at 1:25 p.m. with all present.

#### **Catering Permit**

The Commissioners received an application for a catering permit from Bruce Perkins, owner of Perkins Tavern, to host a beer pit at the Fairgrounds on August 3-5, 2011. A letter of good standing for the liquor license was received from the City of Newcastle. A motion was made

by Commissioner Shepperson, seconded by Commissioner Ertman, to approve the catering permit applied for by Perkins Tavern. Motion carried.

Commissioner Seeley left the meeting at 1:40 p.m. because a fire arose near his home outside of Osage.

#### **2010 Congestion Mitigation Air Quality (CMAQ)**

A letter requesting the 2010 CMAQ funds be dedicated solely to the Southern five miles of the Lynch Road was drafted at the request of Rick Williams, Road & Bridge Foreman. The poor condition of the Southern portion of the Lynch Road and the capability of improving the air quality in the Southwest portion of the County were the major factors in Mr. Williams' decision. A motion was made by Commissioner Shepperson, seconded by Commissioner Ertman, to sign the letter amending the 2010 CMAQ project list and mail to Mark Gillett, District Engineer for WY Department of Transportation. Motion carried.

#### **CLG Historic Preservation**

The final report for the Historic Preservation Residential District survey was presented to the Commissioners for approval and signature. A motion was made by Commissioner Ertman, seconded by Commissioner Rossman, to sign the Residential District survey report. Carried.

#### **Musser Road**

Commissioners discussed the progress of the Musser Road project. Weston County is in the process of obtaining easements from landowners in the Sunset Subdivision. If easements are not obtained, an option for adverse possession and prescriptive easements may be considered. No action was taken.

The meeting recessed at 2:18 p.m. and reconvened at 2:28 p.m. with all present, except Commissioner Seeley who was absent for the remainder of the meeting.

#### **Statewide Redistricting**

Representative Hans Hunt, House District 2, met with the Commissioners to present his statewide redistricting plan and ask for support. Representative Hunt's plan is now on the Wyoming Legislative Services Office website, and can be viewed by going to 2011 Legislative Redistricting, County by County Statewide Plan, under "Proposed Redistricting Plans". After discussion, the Commissioners thanked Representative Hunt for his presentation and effort in the redistricting process. No action was taken.

The meeting recessed at 3:24 p.m. and reconvened at 3:34 p.m. with all present.

#### **Road & Bridge Department**

Rick Williams, Road & Bridge Department, presented the Road and Bridge Department report. Surveys on the Morrissey Road, Roxon Road, and Cheyenne River Road were discussed. The Commissioners confirmed that the bid from Jeff Regan Trucking was accepted for the County's gravel hauling projects. Ray Pacheco, Growth & Development Coordinator, discussed project changes for the 2011 Congestion Mitigation Air Quality (CMAQ) funding. Because the County received less money than requested, it was decided that only two of the four proposed projects could be completed. A letter addressed to Taylor Rosetti of the WY Department of Transportation was drafted explaining the County's request to keep the Green Mountain Road and Old Highway 85 on the project list, and remove Clay Spur Road and Skull Creek Road projects. The Upton Fairview Road project was discussed; Cris Gillett requested more information from Mr. Pacheco concerning the Chapter 3 emergency funding and a new resolution once approved by the Board of County Commissioners.

Commissioner Shepperson left the meeting at 4:05 p.m. on personal business.

The Commissioners request easements on the Upton Fairview Road be checked by Mr. Pacheco and Fran Lehman before re-applying for grant funding from the State Lands and Investments Board (SLIB).

Commissioner Shepperson returned to the meeting at 4:25 p.m.

Discussion ensued regarding the High Risk Rural Road (HRRR) funding available through WY Department of Transportation. A list of roads which may qualify for this funding because of dangerous conditions was compiled and given to Mr. Pacheco.

**City and County Dispatch Agreement**

Mayor Greg James met with the Commissioners to discuss the agreement for dispatch services between the City of Newcastle and Weston County. The Commissioners questioned the 20% increase in fees, from \$4,000.00 per month to \$5,000.00 per month billed to the County. Mayor James explained that based on a percent of use it was calculated that the County's use had increased and this caused the increase of \$12,000.00 per year to the County. The Commissioners explained that they were unaware of the proposed increase and that it had not been budgeted for. Mayor James agreed that if the County had not budgeted for the increase the agreement could be modified for this year, although the increase should be anticipated in the next fiscal year. Upon the Commissioners request, Mayor James agreed to provide a balance sheet of the County's current dispatch costs. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to amend the City and County Dispatch Agreement to \$4,000.00 per month for Fiscal Year 2012, and have both Chairman Bruce and Mayor James initial the changes before signing. Motion carried.

**Newcastle Landfill**

The Commissioners requested an accounting detail for the Newcastle Landfill costs of operation from Mayor Greg James. Weston County currently participates in a provider of service agreement which allocates \$20,000.00 annually to the City of Newcastle for landfill usage. This funding comes from the 1% sales tax monies collected by the County. Mayor James agreed to provide the Newcastle Landfill accounting detail. The Commissioners asked if the City is considering any type of recycling program at the landfill. Mayor James responded that the City is currently investigating options for recycling programs, however costs are a concern. Mayor James was thanked for his time. No action was taken.

**Special Meeting**

The Commissioners discussed a special meeting to be held on August 9, 2011, with the United States Forest Service (USFS) and United States Fish & Wildlife Service (USFWS). Chairman Bruce will be unable to attend, Vice Chairman Shepperson will preside. No action was taken.

There being no further business to come before the Commissioners, the meeting adjourned at 5:28 p.m.

Attest: County Clerk  
Mamie C. Krank

Tom W. Bruce  
Chairman