

August 16, 2011

The regular meeting of the Weston County Commissioners convened at 9:07 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 Seeley gave the Invocation and Commissioner Rossman led the delegation in the Pledge of Allegiance.

**Approve Minutes**

A motion was made by Commissioner Shepperson, seconded by Commissioner Ertman, to approve the minutes of the last regular meeting held on August 2, 2011. Motion carried.

**Crown Jewels**

A letter drafted by Commissioner Ertman to Donald Simpson, State Director, regarding Secretary Salazar's request for "crown jewels" on the wild lands issue was read aloud by Chairman Bruce. A motion was made by Commissioner Seeley, seconded by Commissioner Rossman, to have each Commissioner sign the letter in favor of multiple-use and against the designation of "crown jewels" in Weston County. Motion carried unanimously.

**Title 25 Agreement**

The Title 25 agreement was brought forward under old business for further discussion. Discussion included possibly offering a Title 25 service agreement to another ambulance service or the Sheriff's Department. The Commissioners decide to discuss the issue with Sheriff Colvard. No action was taken.

**Establish County Roads**

Fran Lehman, GIS Department, presented the Commissioners with three Resolutions to establish portions of the Boyd Road, Purvis Road, and Purvis Road Extension. The Resolutions have been reviewed and approved by Don Hansen, County Attorney, and Tina Conklin, County Assessor. Chairman Bruce read the proposed Resolutions aloud. A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to approve and sign a resolution to establish a portion of the Boyd Road, also known as Weston County Road #66. Motion carried. A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to approve and sign a resolution to establish a portion of the Purvis Road, also known as Weston County Road #79. Motion carried. A motion was made by Commissioner Rossman, seconded by Commissioner Ertman, to approve and sign a resolution to establish a portion of the Purvis Road Extension, also known as Weston County Road #79. Motion carried. The three resolutions were signed and recorded in the Weston County Clerk's Office.

**Musser Road**

Commissioner Rossman gave the Board an update on the Musser Road. Discussion ensued. Weston County is still trying to obtain easements on portions of the road. No action was taken.

**Tax Rebate #938**

A tax rebate numbered 938 in the name of Maxim Drilling & Exploration, was presented for consideration by the Commissioners. This tax rebate is for overpayment in the amount of \$291.32, for the 2009 tax year. A motion was made by Commissioner Seeley, seconded by Commissioner Rossman, to sign and authorize payment of the tax rebate #938 to Maxim Drilling & Exploration. Motion carried.

**Rescission of Transaction**

A motion was made by Commissioner Rossman, seconded by Commissioner Ertman, to approve the Weston County Treasurer's request for a rescission of transaction on Al Brackett, in the amount of \$208.36, for license plates. Carried. The transaction was made with a non sufficient funds check.

### **American Stewards of Liberty**

Margaret and Dan Byfield, American Stewards of Liberty, spoke with the Commissioners by telephone regarding an impromptu meeting request from the US Forest Service for August 19, 2011, scheduled by Congressman Lummis. It was decided that a letter would be drafted in response to the invitation, although the Commissioners are unable to attend the August 19, 2011 meeting.

### **Board Appointment Hearing**

The hour being 10:00 a.m., Chairman Bruce opened a Board Appointment Hearing to consider filling an unexpired term on the Weston County Planning Commission. There were no letters of interest received; however, the Commissioners spoke with Donley Darnell who agreed to fill the position. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to appoint Donley Darnell to an unexpired term on the Planning Commission, ending January 2012. Carried. Chairman Bruce closed the Board Appointment Hearing at 10:06 a.m.

### **Weston County Weed & Pest**

Hale Redding, Weston County Weed & Pest Board, met with the Commissioners to give an update on weed control and grasshopper treatments within Weston County. Mr. Redding provided aerial maps of the treated areas and stated that grant funding was utilized to cover the costs of providing protection against the spread of noxious weeds within the county. The Commissioners discussed the possibility of a future agreement between Weston County and Weed & Pest to treat County Road Right-of-Ways. Mr. Redding listed leafy spurge, hoary cress (also known as "white top") and Canadian thistle as the top concerns in Weston County. The Commissioners requested a listing of areas of concern and an approximate cost of treatment for this fiscal year. No action taken.

The meeting recessed at 10:36 a.m. and reconvened at 10:48 a.m. with all present.

### **Establish County Road**

Fran Lehman, GIS Department, presented the Commissioners with a Resolution to establish a portion of the Green Mountain Road. The Resolution was reviewed and approved by Don Hansen, County Attorney, and Tina Conklin, County Assessor. Chairman Bruce read the proposed Resolution aloud. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to approve and sign a resolution to establish a portion of the Green Mountain Road, also known as Weston County Road #11. Carried. The resolution was signed and recorded in the Weston County Clerk's Office.

### **County Health Officer Grant Funding**

The Commissioners discussed a contract received from the Wyoming Department of Health. The funding is through the Emergency Preparedness Grant to supplement the wages of the County Health Officer, Mike Jording, in the amount of \$12,000.00. A motion was made by Commissioner Seeley, seconded by Commissioner Shepperson, to approve and sign the contract between the US Department of Health and Human Services and Weston County for the Weston County Health Officer. Motion carried.

### **Mountain Pine Beetle**

The Commissioners received a Scoping Notice from the Black Hills National Forest Supervisor, Craig Bobzien. The Commissioners decided to send a response to the scoping notice stating concerns such as the possible restriction of multiple-use in affected areas, as well as the need for logging to prevent future problems. The Commissioners' comments and concerns will be compiled by Mamie Krank, Weston County Clerk, and forwarded to Craig Bobzien, Black Hills National Forest Supervisor.

### **Title 25 Agreement**

The Commissioners discussed the Title 25 Agreement with Sheriff Colvard. Sheriff Colvard agreed to transport Title 25 patients to the Wyoming Behavioral Institute. The transport of a patient in need of medical treatment would be arranged by the medical institution. Sheriff Colvard discussed the Emergency Operations Center funding. Sheriff Colvard had been contacted by Ray Pacheco, Growth & Development Coordinator, regarding two possible grants to complete the Emergency Operations Center project. The Commissioners decided to contact Mr. Pacheco to discuss the issue further. Circuit Court security issues were discussed. Doug

Jorrey, Homeland Security Coordinator, is currently working on obtaining radios for use by Circuit Court. No action was taken.

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

#### **US Forest Service (USFS) Meeting**

A letter drafted by Mamie Krank, County Clerk, regarding an impromptu meeting request from the US Forest Service on August 19, 2011, scheduled by Congressman Lummis' Office, was read aloud by Chairman Bruce. A motion was made by Commissioner Shepperson, seconded by Commissioner Seeley, to sign the letter addressed to Jackie King, Field Representative for Congressman Lummis, which stated the Commissioners would be unable to attend. Motion carried.

#### **Subdivision Improvement Agreement**

Ray Pacheco, Growth & Development Coordinator, and Don Hansen, County Attorney, met with the Commissioners to discuss and review two documents: Exhibit C, the revised version of the Subdivision Improvement Agreement (SIA) and Exhibit B, Definitions of Subdivision Rules and Regulations. Proposed revisions to the SIA received from Mike Pietschmann, Project Engineer for the Wyoming Club, were reviewed and discussed. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to set a public hearing for October 18, 2011, at 10:00 a.m., to consider adopting Exhibit B, Definitions of Subdivision Rules and Regulations, and Exhibit C, Subdivision Improvement Agreement. Motion carried.

#### **(SIA) Emergency Rules Adopted**

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to adopt Exhibit C, the Subdivision Improvement Agreement (SIA), as proposed, under the Emergency Provisions set forth by Wyoming Statute 16-3-103(b), effective immediately. Motion carried, with Commissioners Shepperson, Rossman, Ertman, and Bruce voting Yea, Commissioner Seeley voted Nay. Discussion ensued; Commissioner Seeley voiced concerns regarding the "County Engineer" verbiage in the SIA. Ray Pacheco, Growth & Development Coordinator, presented Exhibit B, Definitions of Subdivision Rules and Regulations, for review by the Commissioners, pointing out the definition of "County Engineer" on page 2. A motion was made by Commissioner Rossman, seconded by Commissioner Ertman, to adopt Exhibit B, Definitions of Subdivision Rules and Regulations, as proposed, under the Emergency Provisions set forth by Wyoming Statute 16-3-103(b), effective immediately. Motion carried. Both documents were recorded in the Weston County Clerk's Office.

#### **Weston County Weed & Pest**

Hale Redding, Weston County Weed & Pest Board, contacted the Commissioners regarding the issues of concern and costs associated with noxious weed control on County Right-of-Ways for the current fiscal year. A motion was made by Commissioner Rossman, seconded by Commissioner Seeley, to allocate the amount of \$2,500.00 to the Weston County Weed & Pest Control for noxious weed control on Weston County Right-of-Ways. Carried.

#### **Upton Fairview Road**

Ray Pacheco, Growth & Development Coordinator, and Fran Lehman, GIS Department, met with the Commissioners to discuss progress on the Upton Fairview Road Project. This road was platted almost 100 years ago, and since that time the road has shifted. Portions of the Upton Fairview Road now lay outside of the platted Right-of-Ways. Mr. Hansen, County Attorney, agreed that the best thing to do in this case is to have the road re-surveyed. The re-surveying of the Upton Fairview Road has begun and a new plat map will be filed in the County Clerk's Office once completed. No action was taken, this matter will be revisited.

#### **ARRA Mallo Camp Retrofit Project**

Ray Pacheco, Growth & Development Coordinator, discussed possible funds remaining in the ARRA Mallo Camp Retrofit Grant after the project is completed. The Commissioners suggested that Mr. Pacheco discuss this issue with the Mallo Camp Board to determine if there are additional projects which may qualify for the remaining funds. No action was taken, this issue will be revisited.

**Munitions Testing at Mallo Camp**

A recent article in the News Letter Journal regarding munitions testing at the Mallo Camp site was discussed. The Weston County Commissioners previously responded to a request by the Army Corps of Engineers, stating Weston County had no interest in having the Army Corps of Engineers perform munitions testing at the Mallo Camp site. The Commissioners agreed that a second letter reiterating Weston County's stance on the matter should be drafted. No action was taken.

The meeting recessed at 3:02 p.m. and reconvened at 3:30 p.m. with all present.

**Road & Bridge Department**

Rick Williams, Road & Bridge Foreman, gave the department report, along with mowing and fire updates. Mr. Williams discussed improvements to the abandoned vehicle lot for the Sheriff's Department. The addition of a chain link fence approximately 150 feet square, and additional gravel for the lot were discussed. The Commissioners agreed that an approximate cost of \$20,000.00 for gravel and fencing should be authorized.

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

A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to sign Amendment #1 to the 2010 Congestion Mitigation Air Quality (CMAQ) grant, removing the Grieves, Elliott, Morrissey, and Mush Creek Roads, and allowing for the concentration of funding to the Lynch Road. Motion carried.

**Statewide Redistricting**

Commissioner Ertman gave an update on the redistricting meeting she attended in Torrington on August 15, 2011. Mrs. Ertman stated that Representative Hans Hunt's Statewide Redistricting Plan was discussed and received generous support. The Wyoming County Clerk's Association has also come up with a Statewide Redistricting Plan, which draws the actual House District boundaries; this plan was reviewed and well received at the same meeting. No action was taken.

**2011 Congestion Mitigation Air Quality (CMAQ)**

Rick Williams, Road & Bridge Foreman, informed the Commissioners that two cattle guards previously approved as part of the 2011 CMAQ project on Old Hwy 85 are now considered ineligible under the grant, and would need to be paid for by the County at a cost of \$21,000.00. Also, a public interest finding needs to be completed on this portion of the Old Hwy 85 Project because contract labor and equipment will not be utilized. No action was taken. This issue will be revisited.

There being no further business to come before the Commission, the meeting adjourned at 4:27 p.m.

Attest: Mamie C. Krank  
County Clerk

Tom W. Bruce  
Chairman