

September 17, 2013

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, Jerry Shepperson, Randy Rossman, Marty Ertman, Tracy Hunt and County Clerk, Mamie C. Krank.

**Invocation and Pledge of Allegiance**

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

**Approve Minutes**

A motion was made by Commissioner Hunt, seconded by Commissioner Shepperson, to approve the minutes of the regular meeting held September 3, 2013, as published. Carried.

**Cancellation of Taxes**

A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to approve and sign six (6) cancellations of taxes in the following particulars: #1063 to James Parks in the amount of \$.07, #1064 to Billy Simmons III in the amount of \$.89, #1065 to United Rentals Northamerica Inc. in the amount of \$896.12, #1066 to Albert & Lois Perino Trust in the amount of \$40.48, #1067 to North Keeline Ranch LLC in the amount of \$196.72 and #1068 to RSC Equipment Rental in the amount of \$377.91. Carried.

**Buffalo Creek Traffic Study**

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to authorize Chairman Seeley's signature on a cooperative agreement between WY Department of Transportation and Weston County for the Buffalo Creek Traffic Study. The planning study is federally funded and will provide \$50,000.00 to address alignment and development activities on the Buffalo Creek Road within the Upton Logistics Center. Carried.

**Malt Beverage Permit**

A motion was made by Commissioner Hunt, seconded by Commissioner Shepperson, to approve and authorize Chairman Seeley's signature on a 24 Hour Malt Beverage Permit to the Osage Fire Department for September 28, 2013. Carried.

The meeting recessed at 9:25 a.m. and reconvened at 9:30 a.m. with all present.

**Courthouse Roof**

The Commissioners discussed the Courthouse roof and a proposal for repairs to the flat roof area received from Twin City Roofing and Sheet Metal Inc. at a cost of \$6,836.00. Commissioner Ertman shared photos of the Courthouse cupola and discussed needed repairs. A motion was made by Commissioner Shepperson, seconded by Commissioner Ertman, to accept the repair bid from Twin City Roofing and Sheet Metal Inc. for repairs to the Courthouse flat roof area and to request a quote for repairs to the Courthouse cupola. Carried.

**Parking Lot Repairs**

The Commissioners discussed two quotes for repairs to the Courthouse and Public Health parking lots. Professional Coatings quoted the Courthouse parking lot at \$14,250.00 and the Public Health parking lot at \$3,650.00; Golz Asphalt quoted the Courthouse parking lot at \$8,475.57 and the Public Health parking lot at \$3,275.84. A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to accept the Golz Asphalt quote for repairs to the County parking lots at a total cost of \$11,751.41. Discussion ensued, carried. The recorded votes are as follows: Yea: Commissioners Shepperson, Hunt and Rossman; Nay: Commissioner Ertman.

**Credit Cards**

Susan Overman, Treasurer; Shauna Oleson, Wells Fargo Bank and Kim Praeuner, First State Bank met with the Commissioners and discussed the possible implementation of credit card payment in county offices. Ms. Oleson discussed merchant services fees to the customer and county for credit card usage. The Commissioners raised questions regarding delinquent taxes,

County revenues, costs, and percentage rates. Ms. Olsen was thanked for the information, no action was taken.

The meeting recessed at 10:10 a.m. and reconvened at 10:17 a.m. with all present.

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

The Commissioners discussed a letter drafted by Don Hansen, County Attorney, to Kory George, Attorney for Paul Reed Construction, dated September 12, 2013. The letter inquired whether Paul Reed Construction would be interested in completing repairs to the Weston County Event Center once the geotechnical engineer develops a formal settlement mitigation and soil stabilization design. No action was taken, this matter will be re-visited.

#### **Budget Amendment Hearing – Library**

The hour being 10:30 a.m. Chairman Seeley opened a Budget Amendment Hearing to consider increasing the Library Cash Reserve from \$40,000.00 to \$60,000.00. Chairman Seeley called for public comment; hearing none, the public comment portion of the hearing was closed at 10:31 a.m. Lengthy discussion ensued including the possible part time closure of the Library. A motion was made by Commissioner Hunt, seconded by Commissioner Rossman, to approve a Budget Amendment to increase the Library cash reserve by \$20,000.00 for Fiscal Year 2014. Discussion ensued, carried. The recorded votes are as follows: Yea: Commissioners Shepperson, Rossman and Hunt; Nay: Commissioner Ertman.

#### **Budget Amendment Hearing - County Road Fund**

The hour being 10:50 a.m. Chairman Seeley opened a Budget Amendment Hearing to consider increasing the Fiscal Year 2014 Budget by transferring \$50,000.00 from the County Road Fund (CRF) to an expenditure line item. This budget amendment would allow road surveys to be completed on the Skull Creek, Materi, Raven Creek, Fiddler Creek and Cheyenne River roads. Chairman Seeley called for public comment; Ted Ertman questioned why there are two CRF accounts and how Weston County tracks those expenditures to ensure county road fund monies are being spent properly. Mamie C. Krank, Weston County Clerk, explained that there are not two separate funds for CRF monies. Ms. Krank stated that the purpose of the Budget Amendment was to give public notice that the County intends to increase the Fiscal Year 2014 Budget by the transfer of funds from the CRF cash held by the Treasurer into the CRF expenditure line item to be used for road surveys. Ms. Krank explained further that the expenditure line item is tracked to the penny in the County Road Fund Report completed annually. Hearing no further public comment; the public comment portion of the hearing was closed at 10:55 a.m. The Commissioners discussed completing Budget Amendments for each road survey for the exact amount of the survey. A motion was made by Commissioner Shepperson to deny the CRF Budget Amendment. Commissioner Shepperson withdrew his motion. The CRF Budget Amendment failed due to a lack of motion. Chairman Seeley closed the Budget Amendment Hearing at 11:05 a.m.

#### **Rare Element Resources**

Mike Finn, Rare Element Resources (RER), met with the Commissioners to update them on the progress of the mine. Mr. Finn stated that drilling has been extended through mid October and that RER is entering the NEPA process. There are planned scoping meetings with the US Forest Service scheduled for December 2013; Mr. Finn invited the Board of Commissioners to attend those meetings in support of RER production. The Commissioners discussed writing a letter of support for RER. No action was taken.

#### **Mallo Camp**

Ted Ertman, Mallo Camp Board Member, met with the Commissioners and discussed the Provider of Service Agreement for improvements at the Mallo Camp Motel in the amount of \$15,200.00. Mr. Ertman stated that the agreement falls short of the bid to complete the construction of two awnings at the Mallo Camp Motel by \$700.00. A motion was made by Commissioner Hunt, seconded by Commissioner Shepperson, to approve the additional \$700.00 for the completion of two awnings at the Mallo Camp Motel. Discussion ensued, carried. Commissioner Ertman abstained from voting. The additional funds will come out of the County budget for buildings and grounds major repair.

The meeting recessed at 11:25 a.m. and reconvened at 11:29 a.m. with all present.

### **Sheriff's Department**

Bryan Colvard, Sheriff, met with the Commissioners and discussed the Law Enforcement Emergency Operations Center and a timeline provided by the Architect Pat Amend. The Commissioners discussed an extension on the 2008 SLIB grant funding which was granted through September 2014. Sheriff Colvard discussed replacing two vehicles in the Sheriff's Department. No action was taken.

The meeting recessed at 11:50 a.m. and reconvened at 1:31 p.m. with all present, except Commissioner Hunt.

Commissioner Hunt joined the meeting at 1:33 p.m.

### **County Position Discussion**

The Commissioners began discussion on the need for a county employee to coordinate projects. The position title was discussed, it was decided the job title should be County Administrator. The Commissioners discussed various duties of the position including County infrastructure/building management and coordination with other County departments including the Fair, Library, Mallo Camp and Law Enforcement. The Commissioners agreed that the employee for this position would report to the Board of County Commissioners and must attend all Commission meetings and Planning and Zoning meetings. A job description will be drafted and reviewed at a later date. No action was taken; this issue will be re-visited on October 1, 2013 at 10:45 a.m.

The meeting recessed at 2:26 p.m. and reconvened at 2:34 p.m. with all present.

### **County Road Discussion**

The Commissioners discussed various County roads and the roads which are not maintained by the County. Doug Jorrey, Homeland Security Coordinator; Rick Williams, Road & Bridge Foreman and Fran Lehman, GIS Coordinator, met with the Commissioners. Mr. Jorrey distributed a Road Information Book which contained a listing of established County roads and the legal status of each road as well as the maintenance, level of usage and roads which are school bus routes.

The hour being 2:57 p.m. Don Hansen, County Attorney joined the meeting.

The group discussed a computer program that will map culverts and bridges in the County. The Commissioners thanked Mr. Jorrey for the information. No action was taken.

### **Weston County Event Center**

The Commissioners discussed drainage issues at the Weston County Event Center with Don Hansen, County Attorney. Mr. Hansen suggested that Paul Reed Construction could complete the needed repairs as specified by Dr. Kim Basham, KB Engineering, in the final report to Weston County. Commissioner Rossman stated that he would contact Paul Reed to inquire if they are interested in completing the drainage repairs at the Weston County Event Center. The Commissioners and Mr. Hansen agreed that the drainage repairs need to be completed prior to winter and if Paul Reed Construction declines, the repairs will be made by the Weston County Road and Bridge department. Mr. Hansen suggested that after the repairs are completed the County should have Dr. Basham or an engineer inspect the work. Mr. Hansen asked if the Commissioners had contacted a Geotechnical Engineer or Soils Analysis as recommended by Dr. Basham. Commissioner Ertman has contacted Dr. Basham regarding the soil stabilization and is waiting for a response. No action was taken.

### **Road & Bridge Department**

Rick Williams, Road & Bridge Foreman; Darrel Schlup, Tri Star Surveying and Fran Lehman, GIS Coordinator, met with the Commissioners and discussed the Raven Creek Road. Mr. Williams discussed the possibility of straightening a corner in Township 47, Range 66, Sections 20 and 29. After reviewing maps, Mr. Williams stated he would contact the land owners before making any changes. No action was taken.

### **Big Plum Creek Road**

Darrel Schlup, Tri Star Surveying, addressed issues concerning the Big Plum Creek Road. Mr. Schlup stated that after reviewing the County plat maps, he has concluded that the Big Plum

Creek Road is physically located one mile to the West of the platted road, the same error that was found in research done by the Commissioners. Mr. Schlup considers this anomaly to be a drafting error. The Commission's opinion as to the legality of the Big Plum Creek Road has not changed; it is not considered a county road. No action was taken.

Chairman Seeley and Commissioner Ertman left the meeting at 3:36 p.m. on personal business. Vice Chairman Shepperson presided over the remainder of the meeting.

**Road & Bridge Department**

Rick Williams, Road & Bridge Foreman, discussed the purchase of a vibratory roller for the Road & Bridge Department out of the FEMA grant at a cost of approximately \$62,000.00. A motion was made by Commissioner Rossman, seconded by Commissioner Hunt, to allow the purchase of a vibratory roller for the Road & Bridge Department out of the FEMA grant. Carried.

There being no further business to come before the Commission the meeting adjourned at 3:45 p.m.

Attest: Mamie C. Krank  
County Clerk

Lenard D. Seeley  
Chairman