

January 3, 2012

The regular meeting of the Weston County Commissioners convened at 8:58 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**

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

#### **Elect Commission Chairman and Vice Chairman**

Commissioner Shepperson nominated Tom Bruce for Chairman of the Commission. Commissioner Ertman nominated Randy Rossman for Chairman of the Commission. Commissioner Rossman declined the nomination. Commissioner Rossman nominated Marty Ertman for Chairman of the Commission. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to cease nominations for Chairman at 9:01 a.m. Carried. The Commissioners voted by paper ballot. Shawnda Morrison, Deputy County Clerk, was present to tally the ballots. Tom W. Bruce received three votes and Marty Ertman received two votes. Tom W. Bruce was officially retained as Chairman of the Board of County Commissioners for calendar year 2012. Commissioner Rossman nominated Jerry Shepperson for Vice Chairman of the Commission. A motion was made by Commissioner Rossman, seconded by Commissioner Seeley, to cease nomination for Vice Chairman. Carried. The Commissioners voted by paper ballot. Shawnda Morrison, Deputy County Clerk, was present to tally the ballots. Jerry Shepperson received three votes, Randy Rossman received two votes. Commissioner Shepperson was officially retained as Vice Chairman of the Board of County Commissioners for the calendar year 2012. The officers were congratulated.

#### **Depository of Public Funds**

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to approve the applications for Deposit of Public Funds as received from Pinnacle Bank of Newcastle, and Firstier Bank of Upton, and authorized the Chairman to sign each application. Carried. First State Bank of Newcastle will send an application for Deposit of Public Funds after their first January meeting.

#### **2011 Legislative Redistricting**

The Commissioners discussed at length the 2011 Legislative Redistricting process and its potential effects on Weston County. A meeting of the Joint Corporations, Elections and Political Subdivisions Interim Committee to be held on January 19, 2012, in Cheyenne was discussed. The meeting will be attended by Commissioners Ertman, Seeley, Bruce, County Clerk, Mamie Krank, and County Assessor, Tina Conklin. A motion was made by Commissioner Ertman, seconded by Commissioner Shepperson, to draft a letter to Representative Pete Illoway regarding a previous letter sent to Governor Mead concerning the 2011 Redistricting Process. Carried.

The meeting recessed at 9:55 a.m. and reconvened at 10:02 a.m. with all present.

#### **Board Appointments**

**Planning Commission:** A motion was made by Commissioner Seeley, seconded by Commissioner Ertman, to appoint Michael Chad Sears, and to reappoint Donley Darnell to the Planning Commission for five-year terms. Carried.

**Recreation (Mallo) Board:** A motion was made by Commissioner Rossman, seconded by Commissioner Ertman, to reappoint Betty Jean Lewis to the Recreation (Mallo Camp) Board for a four-year term. Carried.

**Solid Waste (Osage Dump) Board:** A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to reappoint Cynthia Crabtree to the Solid Waste (Osage Dump) Board for a four-year term. Carried.

**Fair Board:** A motion was made by Commissioner Rossman to appoint Craig Deveraux to the Fair Board for a five-year term. Motion failed due to a lack of a second.

**Predatory Animal Control Board:** A motion was made by Commissioner Seeley, seconded by Commissioner Rossman, to appoint Gary Barnes to the Predatory Animal Control Board, as a Sportsman's Representative, for the remainder of a three-year term expiring in January 2014. Carried. A motion was made by Commissioner Rossman, seconded by Commissioner Ertman, to appoint Sam Haptonstall, as a Sportsman's Representative, and Dave Manzer, as a Public Representative, to the Predatory Animal Control Board for three-year terms. Carried. No further appointments to be considered, Chairman Bruce closed the Board Appointment Hearing at 10:30 a.m. A motion was made by Commissioner Shepperson, seconded by Commissioner Seeley, to re-advertise one unfilled position on the Fair Board and one unfilled position on the Solid Waste (Osage Dump) Board. Carried.

#### **2012 Legal Newspaper**

The designation of Weston County's legal newspaper was discussed. Price quotes were requested from the two newspapers that are published in Weston County. A specific set of minutes was given to each business and they were asked to submit a cost per column inch and to include a total cost for publishing that set of minutes. A quote was received from the News Letter Journal in the amount of \$11.00 per column inch with a total cost to publish the sample of \$1,276.00. A quote was received from the Weston County Gazette in the amount of \$5.00 per column inch with a total cost to publish the sample of \$385.00. Discussion ensued; a telephone conference was made with Lisa LeVasseur at the Weston County Gazette. An offer was made to Ms. LeVasseur, Weston County Gazette, by Mr. Bob Bonnar, News Letter Journal, to sub-contract all legal advertisements to the Weston County Gazette at the bid price submitted to Weston County, if the News Letter Journal was chosen as Weston County's legal newspaper. No action was taken, this issue will be revisited.

The meeting recessed at 11:25 a.m. and reconvened at 11:34 a.m. with all present.

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

Sheriff Bryan Colvard met with the Commissioners and gave the department report including accounts receivable and Sheriff's Department fees. No action was taken.

#### **2011 Legislative Redistricting**

Representative Hans Hunt, House District 2, joined the meeting and visited with the Commissioners about the scheduled Redistricting Meeting in Cheyenne on January 19, 2012. No action was taken.

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

#### **Musser Road Resolution #12-01**

The Commissioners received a Resolution to establish the Musser Road, also known as County Road 46, as a county road. The resolution was drafted by Don Hansen, County Attorney, and read aloud by Chairman Bruce. A motion was made by Commissioner Rossman, seconded by Commissioner Ertman, to adopt the Resolution establishing the Musser Road as a county road and authorize Chairman Bruce's signature. Carried.

#### **2012 Legal Newspaper**

The designation of the county's legal newspaper for the calendar year 2012 was discussed further by the Commissioners. Lisa LeVasseur, Weston County Gazette, joined the meeting via conference call. Topics of discussion included the ability to increase circulation from 1,000 readers to approximately 3,150 readers by having all legal notices published in both Weston County newspapers. A motion was made by Commissioner Rossman, seconded by Commissioner Seeley, to designate the News Letter Journal as Weston County's official legal newspaper for the calendar year 2012. Carried. Commissioner Ertman requested votes be recorded, they were as follows: Commissioners Rossman, Seeley, and Shepperson voted yea, Commissioner Ertman voted nay.

#### **Approve Minutes**

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to approve the minutes of the regular meeting held December 20, 2011. Carried.

### **Accept Collections**

A motion was made by Commissioner Rossman, seconded by Commissioner Ertman, to accept the collections of the County Clerk in the amount of \$7,463.00. Carried. A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to accept the collections of the District Court in the amount of \$1,559.05. Carried.

The meeting recessed at 1:57 p.m. and reconvened at 2:00 p.m. with all present. Don Hansen, County Attorney, joined the meeting.

### **Wyoming State Forestry**

Bill Kohlbrand, District Forester, and Nick Williams, Fire Resource Forester, Wyoming State Forestry, met with the Commissioners to discuss the possibility of Weston County administering three federal grants to combat the Mountain Pine Beetle (MPB) infestation in the Black Hills National Forest. Mr. Williams distributed new grant documents for the Commissioners to review. The Commissioners discussed signing a Resolution requesting assistance from Governor Mead to mitigate the devastation caused by the MPB. Don Hansen, County Attorney, questioned why it was necessary for Weston County to administer the federal grants, noting that it was not a common practice for the county. Mr. Williams explained that the Fire Protection District in Teton County had administered a similar grant and were unable to meet the requirements of the federal grant. Because of that incident, the Wyoming State Forestry is attempting to find entities capable of meeting federal requirements to administer the MPB grants. Mr. Hansen raised concerns regarding verbiage in the proposed grant documents with respect to Weston Counties' responsibilities. Mr. Williams stated Big Horn County and Fremont County have agreements in place to administer these grants and there are pending agreements in Albany County and Sheridan County. The majority of the administrative burden would be on the County Clerk's Office, therefore; Mamie C. Krank, Weston County Clerk, requested additional time to review the new documents with Don Hansen, County Attorney, before a decision is made. The Commissioners agreed that review was necessary. No action was taken, this issue will be revisited.

### **Weston County Event Center**

Kyle Gillette, Schutz Foss Architects, met with the Commissioners to give preliminary recommendations for the stabilization and repair of the Weston County Event Center. Mr. Gillette explained that multiple alternatives were explored, however, "compaction grouting" or "mud jacking" was the alternative advocated by Schutz Foss Architects. Mr. Gillette went on to state that some excavation would be necessary in order to determine if the water, sewer, and thrust block connections under the Event Center are still in place. Because there is a continued drop in water pressure since the pressure testing done in November 2011, Mr. Gillette also believes there is an active water leak somewhere under the building. Commissioner Seeley raised concerns regarding the stabilization of the plumbing, sewer, and joints, after the building has been re-leveled. Mr. Gillette assured the Commissioners that Paul Reed Construction was standing behind the promise to correct the issues at the Event Center. The Commissioners accepted the recommendation of "compaction grouting" as the best option for the Weston County Event Center and recommended the work proceed. Mr. Gillette was thanked for his report. No action was taken, this issue will be revisited.

### **Subdivision Improvement Agreement (SIA)**

Joe Sandrini, Planning & Zoning Board Member, met with the Commissioners to review proposed changes in the Subdivision Improvement Agreement. Mr. Sandrini presented a time line for the SIA revisions and discussed the progress of the Wyoming Club Subdivision. Mr. Sandrini also raised concerns related to verbiage in the current SIA adopted by the Commissioners in October 2011.

The meeting recessed at 3:40 p.m. and reconvened at 3:49 p.m. with all present.

### **Subdivision Improvement Agreement (SIA) continued**

Discussion continued regarding the Subdivision Improvement Agreement (SIA) adopted by the Commissioners in October, 2011. A consensus of the Board of County Commissioners was reached, that the Wyoming Club Project must comply with Weston County's adopted rules. The Commissioners thanked Mr. Sandrini for the updates, no action was taken.

### **Road & Bridge Department**

Rick Williams, Road & Bridge Foreman, met with the Commissioners and gave the department report. Mr. Williams discussed moving a portion of the Breakneck Road which is currently on private property to county property because of safety concerns. The Commissioners discussed a gravel stockpile agreement with Mr. Williams. The agreement was signed in 1997 between Weston County and Alan and Rebecca Todd. The agreement expired in 1999. The Commissioners discussed completing minor maintenance and spot graveling on the Raven Creek Road. A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to approve an upgrade to a pickup being purchased for the Road and Bridge Department in the amount of \$2,700.00. Carried.

### **County Board of Equalization**

Weston County's rules of practice and procedure for appeals before the County Board of Equalization have expired, and there is not sufficient time to adopt these rules prior to the Board of Equalization hearings in June 2012. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to adopt rules for the County Board of Equalization and a Declaration of Emergency for the Board of Equalization Rules, and authorize the Chairman's signature on each document. Carried.

### **Investment of Public Funds Disclosure Statement**

Each Member of the Board of County Commissioners completed disclosure statements for Investment of Public Funds. The Commissioners also received statements from each member of the County Treasurer's Office and the County Clerk's Office. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to accept the Investments of Public Funds Disclosure Statements. Carried.

### **Possible Subdivision Violations**

The Commissioners discussed a letter received from Tina Conklin, County Assessor, discussing possible subdivision violations in Weston County. A copy of the letter has been forwarded to Don Hansen, County Attorney. No action was taken.

### **Mallo Camp Motel**

The Commissioners discussed a letter received from Jay Darrow, ITC Electrical, explaining additional work completed at the Mallo Camp Motel. The Commissioners decided to forward a copy of the letter to the Mallo Camp Board. No action was taken.

### **Approve Vouchers**

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

066 NCPERS, financial admin, \$256.00, AFLAC, payroll ded, \$1,852.72, Blue Cross Blue Shield, financial admin, \$48,644.55, Dept of Employment, financial admin, \$3,366.33, Office of Child Support, payroll ded, \$175.00, Orchard Trust, payroll ded, \$1,175.00, WEBT, financial admin, \$167.85, Weston County Clerk, financial admin, \$39,873.25, WY Child Support, payroll ded, \$514.00, WY Retirement System, financial admin, \$24,397.25, WY Retirement System, financial admin, \$581.87, Fisher Sand & Gravel, cong-mit, \$18,011.04, Jeff Regan Trucking, cong-mit, \$3,337.50, Dixon Bros Inc, gas/oil, \$357.16, Hermes Consolidated Inc, gas/oil, \$26,453.25, Hermes Consolidated Inc, gas/oil, \$20,170.12, ITC Electrical, retrofit mallo, \$21,819.63, First State Bank, financial admin, \$21.00, Black Hills Plumbing, retrofit mallo, \$1,326.00, Leighton Construction & Srvc LLC, retrofit mallo, \$3,775.80, A&B Welding Supply Co, repair/maint, \$161.51, Ad Pro, ag supp, \$70.00, Alpha Communications, hmlnd sec exp/tower rent, \$1,874.20, Alsco, janitor supp, \$151.08, American Red Cross of WY, jailor school, \$152.00, American Solutions for Business, supp, \$60.39, Apex Technology, comp software, \$1,100.00, AT&T Mobility, comm, \$736.05, Best Business Products, copier maint, \$268.71, Black Hills Plumbing, repair/maint, \$1,122.00, Black Hills Power, util, \$2,654.08, Black Hills Printing & Signs, misc/srch & rscue, \$649.10, Blackboard Connect Inc, hmlnd sec exp, \$3,234.50, Bob Hartley, repair/maint, \$203.00, Bobcat Service, janitor supp, \$483.75, Tom W. Bruce, mile/trvl, \$426.00, Business Communications Co Inc, repair/maint, \$480.25, Butler Machinery Co, repair/maint/contrct/equip/lbr/post/freight, \$1,434.45, Byrand Streeter, contract wages, \$1,071.88, C&J Newcastle Hardware, repair/maint/supp, \$304.74, Cambria Supply, repair/maint/sm tools, \$398.26, Carmen Simon, mile/trvl, \$18.00, Casey Thorson, janitor supp, \$580.00, Cedar Hills Family Clinic, p-hlth exp, \$1,500.00, Celia Easton, mile/trvl/juror/witness

fee, \$280.00, City of Newcastle, util/dispatch/pub def/p-hlth exp, \$4,603.14, CLT Flooring Covering, supp, \$19.90, Collins Communications Inc, hmlnd sec exp, \$505.00, Comtronix, misc/p-hlth exp, \$366.00, Crook County Public Health, p-hlth exp, \$90.00, Culligan Water Conditioning, misc, \$70.00, Decker's Food Center, supp/p-hlth exp, \$103.11, Dixon Bros Inc, gas/oil, \$356.11, Drive Train Industries Inc, gas/oil/repair/maint, \$167.90, Esri, gis land records/supp, \$1,634.70, Fastenal Company, repair/maint, \$549.20, Fisher Sand & Gravel, grvl/rd mtrl, \$28,173.30, Focus, focus, \$1,125.00, Globalstar USA, hmlnd sec exp, \$463.04, Godfrey's Brake Service, repair/maint/sm tools, \$964.31, Golden West Technologies, hmlnd sec exp, \$330.67, Hansen & Peck, office exp/financial admin, \$3,903.28, Jeff Regan Trucking, grvl/rd mtrl, \$60,900.00, Jerry Shepperson, mile/trvl, \$84.00, KASL, p-hlth exp, \$684.00, Lawrence Emmert, juror/witness fee, \$32.70, Lenard D. Seeley, mile/trvl, \$233.50, LexisNexis Matthew Bender, law library, \$35.47, Lichen Research Center, comp software, \$1,000.00, Linstad's Alignment & Brake Service, cntrct/equip/lbr/repair/maint, \$286.00, Lori Bickford, mile/trvl/p-hlth exp, \$55.05, Louann Coyle, mile/trvl/juror/witness fee, \$92.00, MasterCard, mile/trvl/school exp/veh maint, \$537.69, Max Masters, gis land records, \$1,900.00, Medical Arts Press, p-hlth supp, \$55.99, Midwest Cancer Screening, p-hlth exp, \$47.40, Newcastle Ambulance Service, amblnc/invol commit, \$2,023.33, Newcastle Chamber of Commerce, chmbr, \$875.00, Newcastle Extinguisher, officer equip/repair/maint, \$198.56, Newcastle Motors, repair/maint/veh maint, \$512.20, News Letter Journal, supp/print/publ, \$867.56, Northern WY Mental Health, mental hlth, \$2,500.00, Pamida, brd of prisoners/janitor supp/p-hlth exp, \$417.91, Phil's Tire, veh maint/fuel, \$125.28, Pitney Bowes Inc, supp/misc, \$969.75, Plainsman, supp, \$229.63, Powder River Energy Corp, util/hmlnd sec exp/p-hlth exp, \$980.27, Power Plan OIB, leased equip/repair/maint, \$4,552.00, Randy Rossman, mile/trvl, \$36.00, Rapid Delivery, post/freight, \$10.93, Roadrunner Disposal Service, util, \$55.00, RT Communications, comm, \$2,025.82, Servall Uniform/Linen Co, repair/maint, \$258.15, Source Gas, util, \$1,909.74, Top Office Products, wic/misc, \$80.92, Town of Upton, landfill, \$2,500.00, Tri Star Surveying, rd constr, \$12,500.00, Upton Ambulance, amblnc, \$4,375.00, Upton Co-op Assn, equip repair, \$749.92, Vaisala Inc, awos, \$449.00, Verizon Wireless, p-hlth exp, \$50.92, Visa, juror/witness fee, \$734.04, WCS, comm, \$206.11, WD Larson Co LTD Inc, repair/maint, \$45.54, Wesco Gas, util, \$2,664.50, West End Water District, util, \$60.00, West Payment Center, law library, \$281.40, Western States Fire Prot Co, p-hlth exp, \$415.00, WC Predatory Management Dist, predator mngt, \$500.00, Weston County, airport prop ins, \$565.00, WC Gazette, print/publ, \$904.25, WC Health Services, jail medical, \$20.00, WC Road & Bridge, veh maint/fuel/hmlnd sec exp, \$3,724.90, WC Treasurer, juror/witness fee/mile/trvl/bailiff, \$1,655.00, WY Automotive Co, repair/maint, \$21.90, WY DEQ Admin, tank maint, \$400.00, WY Health Council, p-hlth exp, \$295.65, WY Honor Conservation Camp, brd of prisoners, \$1,629.60, WY Machinery Co, repair/maint, \$462.09, WY Network, financial admin, \$201.25, WY Sheriffs Assoc, pub rel, \$300.00, WY Technology Transfer Ctr, misc, \$45.00. Net Payroll \$135,537.65.

There being no further business to come before the Commission the meeting adjourned at 4:50 p.m.

Attest: Mamie C. Krank  
County Clerk

Tom W. Bruce  
Chairman