

December 4, 2012

The regular meeting of the Weston County Commissioners convened at 9:00 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 Shepperson gave the invocation and Commissioner Ertman led the Delegation in the Pledge of Allegiance.

Upton Industrial Park – Traffic Study

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to authorize Chairman Bruce's signature on a Business Ready Community (BRC) Planning Grant Application for a traffic study to be completed in the Upton Industrial Park. The application requested \$25,000.00 in funding with a local match of \$5,000.00. Carried.

Rare Element Resources

Mike Finn, Rare Element Resources (RER), met with the Commissioners to discuss progress of the mine located outside of Sundance, WY. Mr. Finn invited the Commissioners and public to attend an RER open house at 504 Pine, Upton on December 14, 2012, from 1:00 p.m. to 5:00 p.m. or the Sundance Office on December 13, 2012, from 1:00 p.m. to 5:00 p.m.

Commissioner Rossman left the meeting at 9:18 a.m. and returned at 9:23 a.m.

Accept Collections

A motion was made by Commissioner Rossman, seconded by Commissioner Ertman, to accept the collections of the District Court in the amount of \$1,958.60 and the collections of the County Clerk in the amount of \$8,012.75. Carried.

Rescinded Motion

Commissioner Shepperson made a motion regarding shock collars, and then rescinded the motion. No action was taken.

Budget Hearing – Homeland Security

A motion was made by Commissioner Seeley, seconded by Commissioner Shepperson, to set a Budget Amendment Hearing for December 18, 2012, at 10:00 a.m., to consider increasing the General Fund because of unanticipated revenues for four (4) Homeland Security Grants. Carried.

Approve Minutes

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to approve the minutes of November 15, 2012, as published. Carried.

WyoLink Agreement

A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to approve and authorize Chairman Bruce's signature on a WyoLink Membership Agreement between Weston County Homeland Security and the State of Wyoming for a public safety wireless communications system. Carried.

CLG Historic Preservation Board

A motion was made by Commissioner Shepperson, seconded by Commissioner Ertman, to re-affirm action to allow Chairman Bruce to sign the annual report for the CLG Historic Preservation Board. Carried.

Prairie Dogs

The Commissioners discussed a letter received from Robert Harshbarger concerning a Joint Subcommittee on Federal Natural Resources Meeting to be held on December 11, 2012, in Douglas. Commissioner Seeley committed his attendance; Commissioner Ertman stated that she would contact Commissioner Elect Tracy Hunt and request his attendance. No action was taken.

USFS

The Commissioners discussed a letter received from the United States Forest Service, Regional Forester, regarding mine and cave abandonment, due to a bat disease. There is a thirty day comment period; the Commissioners decided to write a letter within the comment period. No action was taken.

Budget Amendment Hearing – Homeland Security HMEP

The hour being 10:00 a.m. Chairman Bruce opened a Budget Amendment Hearing to consider increasing the Fiscal Year 2013 Budget because of unanticipated revenue in the amount of \$2,250.09 for Homeland Security Grant HMEP. Chairman Bruce called for public comment, hearing none; the public comment portion of the hearing was closed at 10:02 a.m. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to accept the Budget Amendment for Homeland Security/HMEP in the amount of \$2,250.09. Carried. Chairman Bruce closed the Budget Amendment Hearing at 10:03 a.m.

The meeting recessed at 10:04 a.m. and reconvened at 10:13 a.m. with all present.

Board Appointment Hearing – Weston County Fair Board

The hour being 10:15 a.m. Chairman Bruce opened a Board Appointment Hearing to consider appointment for the unexpired term on the Weston County Fair Board. Weston County received one letter of interest for the position from Craig Deveraux. Chairman Bruce called for public comment. Robert Bonnar spoke on behalf of appointing Craig Deveraux to the Fair Board. The public comment portion of the hearing was closed at 10:17 a.m. The Commissioners and Mr. Deveraux discussed many concerns including personal conflicts, ethics and board training. A motion was made by Commissioner Ertman, seconded by Commissioner Shepperson, to appoint Craig Deveraux to the unexpired five-year term on the Weston County Fair Board. This term will expire in January 2014. Carried. The Board Appointment Hearing was closed at 10:41 a.m. The Commissioners congratulated Mr. Deveraux on his appointment to the Weston County Fair Board.

Board Appointment Hearing - Weston County Solid Waste Board

The hour being 10:42 a.m. Chairman Bruce opened a Board Appointment Hearing to consider appointment for the unexpired term on the Weston County Solid Waste Board. Weston County received one letter of interest for the position from Bert Sutherland Sr. Chairman Bruce called for public comment, hearing none; the public comment portion of the hearing was closed at 10:44 a.m. A motion was made by Commissioner Rossman, seconded by Commissioner Ertman, to appoint Bert Sutherland Sr. to the unexpired four-year term on the Weston County Solid Waste Board (Osage Dump). This term will expire in January 2015. Carried. The Board Appointment Hearing was closed at 10:45 a.m.

Homeland Security Grant – Coroner

A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to accept and authorize Chairman Bruce's signature on a Homeland Security Grant for the Coroner in the amount of \$2,505.00. Carried.

Homeland Security Grant – Sheriff

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to accept and authorize Chairman Bruce's signature on a Homeland Security Grant for the Sheriff in the amount of \$4,660.91. Carried.

Homeland Security Grant – Weston County Allocation

A motion was made by Commissioner Ertman, seconded by Commissioner Rossman, to accept and authorize Chairman Bruce's signature on a Homeland Security Grant for the Weston County Allocation in the amount of \$22,848.44. Carried.

Homeland Security Grant – EMPG

A motion was made by Commissioner Shepperson, seconded by Commissioner Ertman, to accept and authorize Chairman Bruce's signature on the Homeland Security EMPG Grant in the amount of \$30,000.00. Discussion ensued, carried.

Public Health

A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to accept and authorize Chairman Bruce's signature on an Emergency Preparedness Grant for Public Health in the amount of \$24,000.00. Carried.

Wyoming Wolf Coalition

The Commissioners discussed correspondence from Harriet Hageman, Hageman & Brighton; Bryce Reece, Wyoming Wool Association; and Robert Wharff which discussed a complaint filed in the U.S. District Court challenging Wyoming's wolf management plan.

Commissioner Rossman left the meeting at 10:17 a.m. and returned at 10:20 a.m.

The Commissioners discussed sending \$190.00 to the Wyoming Wolf Coalition as requested in the correspondence. The Commissioners agreed to request a listing of the members and current dues. No action was taken. Commissioner Rossman returned to the meeting.

The meeting recessed at 11:20 a.m. and reconvened at 11:26 a.m. with all present.

Sheriff's Department

Sheriff Colvard met with the Commissioners and gave the department report including monthly fees and accounts receivable for October and November 2012. The Youth Services reports for September through November 2012 were reviewed by the Commissioners. Sheriff Colvard informed the Commissioners that Deputy Joe Creamer had resigned. Sheriff Colvard discussed an accident involving livestock on the highway. Sheriff Colvard also conveyed that there is possible legislation being introduced concerning state owned fences and how to protect the landowners or livestock owners from litigation. No action was taken.

The meeting recessed at 11:55 a.m. and reconvened at 1:25 p.m. with all present.

Farm School Program

Stacey Madden, Youth Development Educator and Vicki Hayman, Ag Director, met with the Commissioners to discuss the success of the newly implemented Farm School Program. The educational opportunities of the Farm School Program will again be offered to youth participants next year. Vicki Hayman discussed the need for additional funds in the travel budget because of Ms. Madden's required travel. The Commissioners requested Mrs. Hayman compile and present an estimate before the budget amendment is authorized. No action was taken.

Wyoming Water

Ed Kiesling, concerned citizen, met with the Commissioners to discuss concerns regarding water issues. Mr. Kiesling is part of a group called the "Clean Water Alliance" and discussed a proposed uranium mine in South Dakota which would use approximately nine-thousand gallons of water per minute. Mr. Kiesling voiced concerns about the contamination of Wyoming ground water and requested a Resolution be drafted by the Commissioners to oppose the project. The Commissioners requested Mr. Kiesling keep them informed and stated that they appreciated the information. No action was taken.

Courthouse Furniture

Susan Overman, Treasurer and Tina Conklin, Assessor, met with the Commissioners to discuss the purchase of office chairs.

Commissioner Ertman left the meeting at 2:05 p.m. and returned at 2:29 p.m.

Mrs. Overman stated that office chairs had been priced in both Rapid City and locally. Ad Pro Office Supplies offered a quantity discount for the purchase of eight chairs. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to authorize the purchase of eight office chairs for the Treasurer and Assessor's Offices at an approximate cost of \$3,000.00. Carried.

The meeting recessed at 2:13 p.m. and reconvened at 2:29 p.m. with all present.

Upton Fairview Road

Fran Lehman, GIS Coordinator, met with the Commissioners to discuss progress on gaining easements for the Upton Fairview Road. Mrs. Lehman stated she has been unable to obtain an easement from Glennis G. Kuemmerle after repeated attempts. A motion was made by Commissioner Rossman, seconded by Commissioner Ertman, to begin the prescriptive easement process on a portion of the Upton Fairview Road owned by Glennis G. Kuemmerle. Discussion ensued, carried. The recorded votes are as follows: Yea: Commissioners Shepperson, Rossman and Ertman; Nay: Commissioner Seeley. Mrs. Lehman stated she would

contact Don Hansen, Weston County Attorney, to request the process for prescriptive easement be started on this property.

The meeting recessed at 2:55 p.m. and reconvened at 3:05 p.m. with all present.

Fairgrounds Road

Fran Lehman, GIS Coordinator, met with the Commissioners and presented two Right of Way consent forms to establish a County Road for the Fairgrounds Road. A motion was made by Commissioner Seeley, seconded by Commissioner Rossman, to accept both Right of Way's for the Fairgrounds Road and authorize Chairman Bruce's signature. Carried. Chairman Bruce signed the documents in front of a notary. Both documents will be recorded in the Weston County Clerk's Office.

Gravel Crushing

Joni Kachelhoffer, WY DOT, met with the Commissioners to discuss a gravel crushing and stockpiling agreement. A motion was made by Commissioner Ertman, seconded by Commissioner Shepperson, to authorize Chairman Bruce's signature on a Cooperative Agreement between Weston County and WY DOT for gravel crushing and stockpiling in the amount of \$300,000.00. Discussion ensued. Carried.

Road & Bridge Department

Rick Williams, Road & Bridge Foreman, met with the Commissioners and gave the department report. Mr. Williams discussed the D-8 dozer which the Commissioners had previously authorized him to purchase. Mr. Williams stated that this dozer is too large for Road & Bridge to haul, and he will look for a smaller piece of equipment. Darrell Schlup, Tri-Star Surveying, presented a preliminary survey for a portion of the Salt Creek Road. Commissioner Rossman volunteered to meet with the Ackerman's to discuss the preliminary survey. Fran Lehman and Rick Williams discussed adjustments on the Raven Creek Road. Mr. Williams related to the Commissioners that he had been contacted by Daniel Bau concerning repairing a cattle guard on the Clay Spur Road. The Commissioners stated that the cattle guard in question on the Clay Spur Road is the responsibility of WY DOT, not Weston County. No action was taken.

Approve Vouchers

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

066 NCPERS, financial admin, \$272.00, AFLAC, payroll ded, \$1,772.30, Blue Cross Blue Shield, financial admin, \$51,738.14, Office of Child Support, payroll ded, \$175.00, Orchard Trust, payroll ded, \$1,295.00, WEBT, financial admin, \$179.45, Weston County Clerk, financial admin, \$38,082.94, WY Child Support, payroll ded, \$625.00, WY Dept of Workforce Services, financial admin, \$3,017.70, WY Retirement System, financial admin, \$23,454.57, WY Retirement System, financial admin, \$596.78, Black Hills Plumbing, repair/maint, \$1,307.15, Hermes Consolidated Inc, oil/gas, \$26,250.28, Blue Tarp Financial, hmlnd sec exp, \$209.22, Motorola, hmlnd sec exp, \$3,629.40, Wireless Advanced Communications, hmlnd sec exp, \$2,440.55, Jorgensen Log Homes Inc, hist pres mallo cabin, \$4,975.00, A&B Welding Supply Co, repair/maint, \$204.82, ADI Insurance Agency, insurance, \$149.00, Advanced Communications, officer equip, \$20.00, Air Delights Inc, p-hlth exp, \$228.83, Alinea Coy, election exp, \$116.50, Alpha Communications, tower rent, \$55.00, AlSCO, janitor supp, \$158.70, Ann Wehri, election exp, \$114.50, Apex Technology Solutions, comp software, \$1,100.00, AT&T Mobility, comm, \$636.11, Barbara Crow, election exp, \$120.38, Barbara Hansen, election exp, \$124.00, Barbara J. Lebsack, election exp, \$133.07, Barbara Munger, election exp, \$39.88, Barnes Distribution, repair/maint, \$85.96, Black Hills Plumbing, repair/maint, \$157.00, Black Hills Power, util, \$2,550.85, Brenda Busskohl, srch&rscue, \$251.85, Tom W. Bruce, mile/trvl, \$76.00, Butler Machinery, repair/maint, \$3,106.18, Byrand Streeter, contract wages, \$1,071.82, C&J Newcastle Hardware, repair/maint, \$292.88, Cambria Supply, repair/maint/oil/gas, \$384.44, Carolyn Peterson, election exp, \$135.63, Casey Thorson, janitor supp, \$1,140.00, Catherine Beck, election exp, \$131.25, Charlotte Daigh, election exp, \$39.88, Christine French, election exp, \$54.38, City of Newcastle, util/dispatch/pub def/p-hlth exp, \$5,020.03, CNA Surety, misc, \$440.00, Connie Tooman, election exp, \$167.63, Contractors Supply, repair/maint, \$110.40, Crook Co Public Health, p-hlth exp, \$275.76, Culligan Water Conditioning, misc, \$15.00, Dawnyell M. Anderson, election exp, \$7.25, Deanna Beck, election exp, \$109.50, Debbi Piper, election exp, \$120.38, Debra Smith, election exp, \$134.88, Decker's Market, supp, \$52.35, Denise Thompson, election exp, \$109.50, Dixon Bros Inc, oil/gas, \$185.96, Dorothy Walker Brown, election exp, \$114.94, Drive Train Industries Inc, oil/gas, \$351.63, Eddie's Truck Center,

repair/maint, \$317.24, Ellen Butts, election exp, \$116.75, Employee Data Forms, financial admin, \$27.25, ESRI, hmlnd sec exp, \$1,850.00, Fastenal Company, repair/maint, \$147.43, Fisher Sand & Gravel, grvl/rd mtrl, \$147.36, Francie Goode, election exp, \$111.31, Fred's Welding Service, brd of prisoners, \$1,350.00, Gary Lebsack, election exp, \$122.19, Gary Lebsack Photography, misc, \$120.00, Gateway Auto Supply, inmate program, \$156.74, Gloria Riehemann, election exp, \$191.25, Godfrey's Brake Service, repair/maint, \$67.50, Grace Davis, election exp, \$124.00, Great Western Tire Co, repair/maint, \$898.90, Grimms Pump & Industrial Supply, airport exp, \$595.40, Grizzly Services, misc, \$300.00, Hansen & Peck, office exp, \$4,250.00, Hansen Equipment Co, repair/maint, \$10.50, Helen Keeler, election exp, \$116.75, Helen Weyrich, election exp, \$116.75, Hemocue Inc, wic, \$183.00, Herb French, election exp, \$116.75, Hillside Pharmacy, jail medical, \$159.75, James Michael Tooman, election exp, \$167.63, Jeanette Berdahl, election exp, \$109.50, Jerry Shepperson, mile/trvl, \$84.00, Joann Fassbender, election exp, \$134.88, John W. Lambert II, repair/maint, \$242.00, John's Electric, repair/maint, \$105.00, Karen Carter, election exp, \$127.63, KASL, p-hlth exp, \$706.80, Larinda Spencer, election exp, \$109.50, Laura Bock, election exp, \$175.75, Lenard D. Seeley, mile/trvl, \$40.00, Lichen Research Center, comp software, \$1,000.00, Linda Engle, election exp, \$54.38, Lisa Foster, election exp, \$59.88, Lori Bickford, p-hlth exp, \$253.78, Mamie C. Krank, mile/trvl, \$75.00, Marlene Dixon, election exp, \$124.00, Marlys Mitchell, election exp, \$157.63, Mary Robertson, election exp, \$120.38, Max Masters, gis land rec, \$1,900.00, Midwest Cancer Screening, p-hlth exp, \$35.60, Minuteman Lube Center, veh maint/fuel, \$55.20, Newcastle Ambulance Service, ambInc, \$2,203.33, Newcastle Extinguisher, repair/maint, \$161.78, Newcastle Motors, repair/maint, \$194.76, News Letter Journal, supp/print/publ/hmlnd sec exp, \$6,098.58, Patricia Townsend, election exp, \$131.26, Paula Arnold, election exp, \$134.88, Phyllis Sundstrom, election exp, \$25.38, Plainsman, supp/misc, \$1,423.10, Porter, Muirhead, Cornia & Howard CPAS, financial admin, \$15,000.00, Powder River Energy Corp, util, \$974.34, Power Plan OIB, repair/maint, \$1,084.40, Public Safety Center, brd of prisoners, \$131.20, Questyme USA Inc, ag exp, \$127.00, Randy Rossman, mile/trvl, \$24.00, Recreation Station Inc, srch&rscue, \$91.04, Rich's Automotive, veh maint/fuel, \$330.46, Ringer Law PC, spec attny, \$557.00, Roadrunner Disposal Service, util, \$55.00, RT Communications, comm, \$2,868.23, Sandra Bulawa, election exp, \$149.63, Sanofi Pasteur, p-hlth exp, \$636.62, School Outfitters, hmlnd sec exp, \$563.69, Servall Uniform/Linen Co, repair/maint, \$456.06, Shari Frederick, election exp, \$116.75, Shopko, p-hlth exp, \$265.72, Shred's, p-hlth exp, \$111.00, Source Gas, util, \$1,003.79, Stacy Madden, ag exp, \$543.90, Tammy Cleverdon, election exp, \$39.88, Team Lab Chemical Corp, oil/gas, \$223.00, Top Office Products, supp/repair/maint/p-hlth exp, \$1,663.16, Town of Upton, community cntr/landfill, \$2,750.00, Ultra Max, equip/ammo, \$1,688.00, Upton Senior Center, sr citizens, \$625.00, Urbin & Patterson LLP, spec attny, \$629.70, Vaisala Inc, awos, \$449.00, Vanita Epperson, election exp, \$136.82, Verizon Wireless, p-hlth exp, \$49.64, VISA, school exp/ag exp, \$1,386.18, WC&PAA, dues, \$200.00, WCS, comm, \$193.87, WEAFCs, ag exp, \$120.00, West End Water District, util, \$60.00, West Payment Center, law library, \$844.20, Western States Fire Prot Co, p-hlth exp, \$345.00, WC Predatory Mngmnt Dist, predator mngmnt, \$500.00, WC 4-H Council, ag exp, \$378.93, WC Gazette, print/publ, \$325.00, WC Humane Society, humane soc, \$750.00, WC Road & Bridge, veh maint/fuel, \$4,364.44, WC Sr Services, sr citizens, \$6,250.00, WC True Value, repair/maint, \$126.25, William Taylor, ag exp, \$6.18, Woody's Food Center, brd of prisoners/p-hlth exp, \$166.50, WY Automotive Co, repair/maint/oil/gas, \$175.54, WY Dept of Health, p-hlth exp, \$632.00, WY Honor Conservation Camp, brd of prisoners, \$1,672.65, WY Machinery Co, repair/maint/leased equip/freight, \$7,287.20, WY Network, financial admin, \$201.25, WY Peace Officers Assoc, pub rel/pre emplmnt, \$150.00, WY Taxpayers Association, financial admin, \$100.00, Wyoma M. Jungck, election exp, \$127.63. Net Payroll, \$132,172.36.

There being no further business to come before the Commission the meeting adjourned at 4:10 p.m.

Attest: Mamie C. Krank
County Clerk

Tom W. Bruce
Chairman