

December 6, 2011

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

#### **Accept Collections**

A motion was made by Commissioner Seeley, seconded by Commissioner Ertman, to accept the collections of District Court in the amount of \$1,950.35 and the collections of the County Clerk in the amount of \$8,062.25. Carried.

#### **Approve Minutes**

A motion was made by Commissioner Shepperson, seconded by Commissioner Seeley, to approve the minutes of the regular meeting held on November 15, 2011, and the minutes of a Special Meeting held November 22, 2011. Carried.

#### **Rebate of Taxes**

Susan Overman, County Treasurer, presented a Rebate of Taxes #951 for Jeanette Berdahl in the amount of \$196.32. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to accept and sign the Rebate of Taxes numbered 951. Carried

#### **2012 Legislative Conference**

The Commissioners discussed the legislative conference scheduled for February 14-16, 2012, in Cheyenne, Wyoming. Registration forms were completed by all Commissioners and will be returned to the Wyoming County Commissioners Association (WCCA) by Mamie C. Krank, County Clerk. The Commissioners discussed the legislative dinner to be attended by Representative Hans Hunt, Representative Mark Semlek, and Senator Ogden Driskill, scheduled for February 15, 2012. No action was taken.

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

The Commissioners discussed an invoice submitted by ITC Electrical for extra work completed to install a three way switch at the Mallo Camp Motel. Chairman Bruce questioned if the Mallo Camp Board had paid the invoice. Mamie C. Krank, County Clerk, stated that she had not been contacted by the Board. The Commissioners decided to contact the Mallo Camp Board on the subject. No action was taken.

The hour being 9:17 a.m. County Attorney Donald Hansen joined the meeting. Also present for this portion of the meeting: Kyle Gillette, Schutz Foss Architects, Paul Reed and Tracy York, Paul Reed Construction, and Leo Miller, Miller Mechanical.

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

Chairman Bruce announced that this portion of the meeting would be audio recorded for future reference. Fran Lehman was present to audio record the session. Kyle Gillette, Schutz Foss Architects, began by requesting the Commissioners approval of additional investigative work to be completed outside of the Weston County Event Center, including the excavation of the water line. Mr. Gillette explained that different strategies were being explored to correct the deficiencies at the Weston County Event Center, and specialized consultants may be needed. The Commissioners agreed that the work discussed to excavate the water line is necessary and should be scheduled. Paul Reed, owner of Paul Reed Construction, stated that he has been in business for thirty years. Mr. Reed acknowledged that the issues which have developed at the Weston County Event Center are very unusual and his company is committed to determining the cause and correcting the problems. Mr. Reed concluded that the building is not beyond repair and his company will protect the uncompromised portions of the Event Center while completing the repairs. The Commissioners expressed their appreciation for the efforts already made and the willingness by Paul Reed to correct the issues at the Weston County Event Center. Don Hansen, County Attorney, questioned how long it would take to excavate the water line. Mr. Reed stated that timelines are dependent on the results of the

investigative work. Leo Miller, owner of Miller Mechanical, addressed the Commissioners stating that his company has been in business for thirty-one years and he is committed to fixing any problems relating to his work. Mr. Miller explained that his insurance company has been notified of the issues and has retained a civil engineer. Mr. Reed mentioned that "loss of business" claims including canceled rentals and utility expenses need to be documented by the county for reimbursement from the insurance company. Mr. Hansen thanked those in attendance for their willingness to address and correct the problems at the Weston County Event Center. Mr. Gillette stated a process will be developed and a timeline would be submitted to the Commissioners as the work progresses. Commissioner Shepperson questioned the one year warranty period for repair work at the Weston County Event Center. Mr. Gillette and Mr. Hansen agree that there is verbiage in the original contract that addresses the warranty period and extensions. Mr. Reed requested the Commissioners consider releasing the retention payment once they are confident that a good faith effort has been made and repairs are being completed. The Commissioners thanked everyone in attendance. No action was taken.

The meeting recessed at 9:45 a.m. and reconvened at 10:00 a.m. with all present.

#### **Budget Amendment Hearing**

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to set a Budget Hearing for December 20, 2011, at 10:00 a.m., to consider transferring monies in the general fund portion of the budget for Fran Lehman's payroll expenses in the amount of \$14,314.50. Motion carried.

#### **Budget Amendment Hearing**

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to set a Budget Hearing for December 20, 2011, at 10:15 a.m., to consider increasing the general fund portion of the budget for Countywide Consensus List Block Allocations received in the amount of \$300,019.00 with a county match of 39,581.00. Motion carried.

#### **Cambria Improvement & Service District**

The Commissioners received a notice from the State of Wyoming Department of Audit, stating that Cambria Improvement & Service District had failed to file an annual report required by statute 9-1-507. The special district is in danger of being dissolved due to failure to comply with the legal reporting requirements. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to authorize the public notice for Cambria Improvement & Service District. Carried.

#### **Wyoming State Forestry**

Bill Kohlbrand, WY State Forestry – District Forester, met with the Commissioners to discuss the Mountain Pine Beetle (MPB) infestation in our area. Mr. Kohlbrand stated that the Black Hills Forest is a closed canopy forest with trees of similar age which is contributing to the beetle infestation. Currently there are approximately 400,000 acres of beetle infested pine trees in the Black Hills, mostly in South Dakota. Projections given by Mr. Kohlbrand estimate three million dead/infested pine trees in the year 2012. Mr. Kohlbrand explained the differences between three main beetles in our area: Red Turpentine Beetle, which can kill trees but is not as aggressive as the MPB, IPS Beetle, which breed in slash piles and move to live trees but are not as aggressive as the MPB, and the Mountain Pine Beetle (MPB), which is very aggressive and causes the most damage to pine trees. The Mountain Pine Beetle also carries the blue stain fungus which prevents the tree from distributing water and obstructs the natural defenses of the pine tree to "pitch out" intruders. Because the Wyoming State Forestry's procurement procedures are being scrutinized, Mr. Kohlbrand asked if Weston County would become a sub-grantee for federal grant funds for the Mountain Pine Beetle grant award. Before making a decision, the Commissioners would like more information and request Mr. Kohlbrand attend the next meeting on December 20, 2011. No action was taken, this issue will be revisited.

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

Sheriff Bryan Colvard met with the Commissioners and gave the department report including accounts receivable revenues gained from the work release program. Sheriff Colvard discussed a petition entitled "Concerned Residents of Weston County", concerning Newcastle Police Officer Greg Locke, which had been posted on the Courthouse bulletin board. Sheriff

Colvard discussed price quotes received from Newcastle Motors and the WY Department of Corrections, for three new pickups and an emergency vehicle. One pickup is for the Road & Bridge Department, while two pickups and an SUV are for the Sheriff's Department. The bid from Newcastle Motors on the pickups was very competitive however; a considerable discount was offered by the WY Department of Corrections, through Spradley Barr Motors, for the emergency vehicle. A motion was made by Commissioner Rossman, seconded by Commissioner Ertman, to accept the bid from Newcastle Motors for the purchase of three new pickups at a cost of approximately \$28,200.00 each, and to accept the bid of \$29,250.00 from the WY Department of Corrections for the emergency vehicle. Carried.

The meeting recessed at 12:02 p.m. and reconvened at 1:26 p.m. with all present.

#### **Budget Amendment Hearing – Fair Board**

The hour being 1:30 p.m., Chairman Bruce opened a Budget Amendment Hearing to consider amending the Weston County Fair Board budget for the Fiscal Year 2012 because of unanticipated revenue in the amount of \$7,236.41 received from the State of Wyoming State Forestry Division for services rendered during the Whoop up/Barrel Springs Fire. A motion was made by Commissioner Shepperson, seconded by Commissioner Seeley, to accept the Budget Amendment as advertised. Carried.

#### **Statewide Redistricting**

A motion was made by Commissioner Ertman, seconded by Commissioner Rossman, to write a letter to Governor Mead in support of the Joint Corporations and Elections Committee proposed Plan #2 for Statewide Redistricting. Carried.

#### **Prairie Dogs/Coordination Process**

Resident Expert Bob Harshbarger, and Jean Harshbarger, met with the Commissioners to discuss ongoing efforts in the coordination process between Weston County and the United States Forest Service (USFS) concerning prairie dog management. Mr. Harshbarger discussed a coordination meeting he attended in Converse County on November 21, 2011. It was agreed that a letter regarding prairie dog management and the introduction of endangered species namely black footed ferrets should be drafted and sent to Regional Forester Jerome Thomas, Forest Supervisor Phil Cruz, and members of Congress. No action was taken.

#### **Historic Preservation Board – CLG**

Lucille Dumbrill, Historic Preservation Board Chair, met with the Commissioners to present the Historic Preservation Boards annual report. A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to authorize Chairman Bruce's signature on the report. Motion carried.

#### **Available Malt Beverage Permit**

A motion was made by Commissioner Shepperson, seconded by Commissioner Ertman, to advertise an available Malt Beverage Permit, in both the Weston County Gazette and the News Letter Journal, which was not renewed by Dampier Hunting Lodge. Carried.

#### **District Court**

Sandra Walford, District Court Clerk, met with the Commissioners to request the county mileage rate be increased to the federal rate of .555 cents per mile. Discussion ensued. The Commissioners acknowledged that Weston County has a rate of .50 cents per mile and District Court needs to conform to Weston County rates. Mrs. Walford requested a stool be purchased for use in the Law Library, quoted at approximately \$50.00. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to authorize the purchase of a stool for the Law Library not to exceed \$60.00. Carried.

#### **Newcastle Chamber of Commerce**

Norma Shelton, Chamber Director, reported to the Commissioners on the Newcastle Chamber of Commerce. Mrs. Shelton discussed past years' activities, promotions, beautification projects and gave information on tourism. Mrs. Shelton was thanked for her report. No action was taken.

The meeting recessed at 3:20 p.m. and reconvened at 3:30 p.m. with all present.

### **Road & Bridge Department**

Rick Williams, Road & Bridge Foreman, met with the Commissioners and gave the department report including equipment, roads, bridges, and snow removal. The Commissioners conveyed that a new pickup had been approved and ordered for the Road & Bridge Department. The possibility of letting bids on a portion of the work to be completed at Mallo Camp, for the Flood Hazard grant was discussed. The Commissioners invited Mr. Williams to attend a Special Commissioners Meeting scheduled for December 15, 2011, at 4:00 p.m. to discuss county easements on the Salt Creek Road. 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, \$1,852.72, Blue Cross Blue Shield, financial admin, \$48,644.55, Dept of Employment, financial admin, \$3,125.30, Office of Child Support, payroll ded, \$175.00, Orchard Trust, payroll ded, \$1,200.00, WEBT, financial admin, \$167.85, Weston County Clerk, financial admin, \$37,115.63, WY Child Support, payroll ded, \$514.00, WY Retirement System, financial admin, \$23,050.76, WY Retirement System, financial admin, \$581.87, Hermes Consolidated Inc, gas/oil, \$23,897.05, Black Hills Plumbing, retrofit Mallo, \$10,220.00, Leighton Construction & Srvs LLC, retrofit Mallo, \$33,982.20, Schutz Foss Architects PC, fair bldg, \$4,050.00, Thar's Feed & Ranch, major repairs, \$8,325.00, A&B Welding Supply Co, repair/maint, \$62.35, Ad Pro, supp/misc/p-hlth exp, \$670.57, All Clear Windows, repair/maint, \$60.00, Alpha Communications, hmlnd sec exp/tower rent, \$2,285.00, Also, janitor supp, \$100.72, American Tactical Advantage, officer equip, \$466.75, Apex Technology Solutions, comp software/new equip, \$2,011.32, AT&T Mobility, comm, \$826.41, Black Hills Chemical & Janitorial, brd of prisoners/repair/maint, \$672.94, Black Hills Plumbing, repair/maint/brd of prisoners, \$231.00, Black Hills Power, util, \$2,590.77, Black Hills Truck & Trailer, repair/maint, \$126.69, Brownells Inc, equip/ammo, \$27.96, Tom W. Bruce, mile/trvl, \$264.00, Byrand Streeter, contract wages, \$1,071.88, C&J Newcastle Hardware, repair/maint/supp, \$134.82, Cambria Supply, repair/maint, \$154.38, Casey Thorson, janitor supp, \$1,800.00, City of Newcastle, util/dispatch/pub def/p-hlth exp, \$4,593.55, Civic Research Institute, brd of prisoners, \$179.95, Collins Communications Inc, hmlnd sec exp, \$3,480.77, Culligan Water Conditioning, misc, \$92.00, Decker's Food Center, supp/ag exp, \$205.91, Diebold Inc, repair/maint, \$523.00, Drive Train Industries Inc, repair/maint, \$88.08, Drury Brothers Roofing, library maj repairs, \$13,604.89, Esri, hmlnd sec exp, \$1,850.00, Fisher Sand & Gravel, grvl/rd mtrl, \$71,679.69, Fred's Welding Service, brd of prisoners, \$382.42, Gateway Auto Supply, veh maint/supp, \$172.01, Godfrey's Brake Service, repair/maint, \$17.68, Great Western Tire Co, repair/maint, \$411.90, Grimm's Pump & Industrial Supply, fuel tank maint, \$414.10, Grizzly Services, cntrct/equip/lbr, \$230.00, Hansen & Peck, office exp/financial admin, \$3,903.28, IAAO, comm, \$175.00, Jeff Regan Trucking, grvl/rd mtrl, \$89,587.50, Jerry Shepperson, mile/trvl, \$84.00, Karl's, repair/maint, \$35.19, KASL, p-hlth exp, \$706.80, Law Office of Patrick Crow, spec attny, \$875.00, Lenard D. Seeley, mile/trvl, \$40.00, Lichen Research Center, comp software, \$1,000.00, Lyle Signs Inc, lbr/clvrts/brdg/repair/maint, \$396.10, Marco Inc, copier maint, \$268.71, MasterCard, brd of prisoners/veh maint/fuel, \$399.36, Max Masters, gis land records, \$1,900.00, Midwest Cancer Screening, p-hlth exp, \$39.50, Minuteman Lube Center, veh maint/fuel, \$70.00, NACDEP, mile/trvl, \$75.00, Newcastle Ambulance Service, amblnc, \$1,458.33, Newcastle Equipment Co Inc, repair/maint, \$5.75, Newcastle Motors, veh maint/fuel, \$55.58, NEWEDC, newedc, \$1,000.00, News Letter Journal, supp/print/publ, \$750.45, Pamida, brd of prisoners/janitor supp/misc, \$340.57, Phil's Tire, repair/maint, \$30.00, Porter Muirhead Cornia & Howard CPA, financial admin, \$15,000.00, Postmaster c/o Sheriff, post/freight, \$268.00, Powder River Energy Corp, util/hmlnd sec exp/p-hlth exp, \$813.82, Power Plan OIB, leased equip/freight/repair/maint, \$7,342.10, Quality Agg & Construction Inc, grvl/rd mtrl, \$21,052.97, Randy Rossman, mile/trvl, \$24.00, Rapid Delivery, post/freight, \$35.09, Reserve Acct-Pitney Bowes, post/freight, \$1,008.00, Roadrunner Disposal Service, util, \$55.00, RT Communications, util, \$2,162.92, Safety-Kleen Corp, repair/maint, \$433.34, Sanofi Pasteur, p-hlth exp, \$803.50, Servall Uniform/Linen Co, repair/maint, \$183.18, Shawnda Morrison, janitor supp, \$57.18, Source Gas, util, \$939.23, Top Office Products, supp/repair/maint/p-hlth exp, \$885.33, Vaisala Inc, awos, \$898.00, Verizon Wireless, p-hlth exp, \$51.02, VISA, school exp/gas/oil/p-hlth exp, \$2,018.30, WACDEP, mile/trvl, \$10.00, WCS, comm/p-hlth exp, \$198.72, WD Larson Co LTD Inc, repair/maint/post/freight, \$119.11, West End Water District, util, \$60.00, West River International, repair/maint/post/freight, \$209.15, WC 4-H Council, ag exp, \$159.15, WC

Gazette, print/publ/repair/maint, \$1,265.75, WC Natural Resource Dist, nat res garden, \$250.00, WC Road & Bridge, veh maint/fuel, \$4,590.91, WC Sr Services, sr citizen, \$6,250.00, Whitey's Small Engine, repair/maint, \$182.97, Woody's Food Center, ag exp/p-hlth exp, \$20.14, WPOA Secretary c/o Treasurer, pub rel, \$150.00, WY Automotive Co, repair/maint, \$857.18, WY Clerk of Dist Crt Assoc, fees/trans, \$125.00, WY Dept of Health, p-hlth exp, \$549.00, WY Dept of Transportation, srch&rescue, \$20.00, WY Health Council, p-hlth exp, \$1,111.83, WY Honor Conservation Camp, brd of prisoners, \$1,086.40, WY Network, financial admin, \$201.25, WY Public Health Laboratory, p-hlth exp, \$72.00, WY Taxpayers Association, financial admin, \$100.00, WY Technology Transfer Ctr, misc, \$95.00, WY Dept of Transportation, financial admin, \$1,594.53, Yearbook 120, pub rel, \$200.00, Net Payroll \$130,135.86.

There being no further business to come before the Commission, a motion was made by Commissioner Rossman, seconded by Commissioner Seeley, to adjourn the meeting at 4:42 p.m. Carried.

Attest: Mamie C. Krank  
County Clerk

Tom W. Bruce  
Chairman