

March 6, 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, Randy Rossman, Lenard D. Seeley, Jerry Shepperson, and County Clerk, Mamie C. Krank. Commissioner Ertman was not present for the meeting.

Good of the Order

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

Sage Grouse Scoping Comments

The Commissioners discussed sending comments for the proposed Thunder Basin National Grassland Sage Grouse Plan Amendment. An official comment from the Weston County Board of Commissioners was read aloud by Chairman Bruce. A motion was made by Commissioner Seeley, seconded by Commissioner Shepperson, to accept, sign and mail the Sage Grouse Scoping Comment. Carried. Personal comment forms were distributed and filled out by Board Members and County Clerk, Mamie C. Krank, to be mailed separately.

Approve Minutes

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to approve the minutes of the regular meeting held February 21, 2012, as published. Carried. Discussion ensued, an amendment to the previous motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to correct the minutes of February 21, 2012, under the heading Mountain Pine Beetle to read "Chairman Bruce relayed that he had discussed specific funding for Weston County with Governor Mead's Office." Carried.

Accept Collections

A motion was made by Commissioner Shepperson, seconded by Commissioner Seeley, to accept the collections of the County Clerk in the amount of \$9,480.25 and the collections of the District Court in the amount of \$4,010.29. Carried.

Rebate of Taxes

Susan Overman, County Treasurer, presented a Rebate of Taxes #956 issued to Exxon Mobil Corp in the amount of \$1,235.36 for the Commissioners consideration. A motion was made by Commissioner Rossman, seconded by Commissioner Seeley, to accept and sign the Rebate of Taxes #956. Motion carried.

Cancellation of Taxes

Susan Overman, County Treasurer, presented twenty-four Cancellations of Taxes in the following particulars: #957 in the amount of (\$.07) to Helen Dexter, #958 in the amount of \$58.53 to Bryan McCartney, #959 in the amount of \$56.57 to Alfred & Patsy Bears, #960 in the amount of (\$33.68) to Jess Harris, #961 in the amount of \$33.68 to Jess Harris, #962 in the amount of (\$.08) to Charles & Judith Dabney, #963 in the amount of \$.08 to Charles & Judith Dabney, #964 in the amount of (\$.07) to HJ & Joanne Foertsch, #965 in the amount of \$.07 to HJ & Joanne Foertsch, #966 in the amount of (\$.07) to Sandra Wilson, #967 in the amount of \$10.61 to Ronald Marovets, #968 in the amount of \$3.75 to George Jahrig, #969 in the amount of (\$51.02) to Frank & Florence Mitzel, #970 in the amount of \$8.94 to Ronald Marovets, #971 in the amount of \$8.64 to Harold Hitshew, #972 in the amount of (\$.07) to Milton & Esley Holwell, #973 in the amount of \$22.38 to George Jahrig, #974 in the amount of \$11.60 to Jim McElhaney, #975 in the amount of (\$4.36) to Rhonda Oines, #976 in the amount of \$11.30 to John & Dora Van Sickel, #977 in the amount of (\$.08) to Lora Lee Bergstrom, #978 in the amount of (\$.08) to Ruth Loeb, #979 in the amount of (\$.08) to Lionell & Alice Tremelling, and #980 in the amount of \$21.92 to Vernon & Margaret Vogel. A letter of explanation was received from Mrs. Overman quoting Wyoming Statute 39-13-110(a) which states that all personal property taxes not collected within a ten year period shall be cancelled and thereafter uncollectible. A motion was made by Commissioner Rossman, seconded by Commissioner Seeley, to accept and sign the Cancellation of Taxes numbered 957 through 980. Carried.

FY2012 Congestion Mitigation Air Quality (CMAQ)

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to authorize Chairman Bruce's signature on a Resolution for the application of Fiscal Year 2012 Congestion Mitigation Air Quality (CMAQ) funding. Carried. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to authorize Chairman Bruce's signature on a grant application for Fiscal Year 2012 Congestion Mitigation Air Quality (CMAQ) funding. Carried.

County Road Easements

Fran Lehman, GIS Department, met with the Commissioners to discuss completing a priority list for gaining easements on county roads. The Commissioners suggested sending all easement forms out and discussing the priority levels with Rick Williams, Road and Bridge Foreman, to determine which roads have priority status. A motion was made by Commissioner Shepperson, seconded by Commissioner Seeley, to authorize Chairman Bruce's signature on all easement requests for 2012. Carried.

The meeting recessed at 9:50 a.m. and reconvened at 10:00 a.m. with all present.

Public Health Nursing Services

A contract between Weston County and the Wyoming Department of Health, for Public Health Nursing Services, was reviewed by the Commissioners. This contract has been reviewed and signed by the County Attorney, Don Hansen. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to authorize Chairman Bruce's signature on the Public Health Nursing Services contract for the term of July 1, 2012 through June 30, 2014. Carried.

Sage Grouse Management Plan

A motion was made by Commissioner Shepperson, seconded by Commissioner Seeley, to promulgate and adopt a resolution based on Governor Mead's Executive Order number 2011-5 as the Weston County Sage Grouse Management Plan. Discussion regarding the exceptions included in the Governor's Executive Order #2011-5 to also be included in Weston County's Resolution. Motion carried.

Local Government Liability Pool (LGLP) Renewal

A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to authorize Chairman Bruce's signature on an application for renewal with the Local Government Liability Pool (LGLP). Carried.

Wyoming County Commissioners Association (WCCA)

The Commissioners discussed the WCCA Spring Meeting to be held in Sheridan, Wyoming, on April 25-27, 2012. Commissioners Shepperson and Seeley committed to attending. No action was taken.

Prairie Dog Relocation

The Commissioners discussed a meeting with the Forest Service which is scheduled for March 13, 2012, at 10:00 a.m. in Douglas. The purpose of the meeting is to discuss prairie dog relocations on the Thunder Basin National Grasslands. Commissioner Shepperson committed to attending. No action was taken.

EPA Violation of Safe Drinking Water

The Commissioners received a notice from the United States Environmental Protection Agency regarding a violation of the Safe Drinking Water Act by Buckhorn Bar and Grill. A copy of the notice has been forwarded to Don Hansen, County Attorney. No action was taken.

The meeting recessed at 11:15 a.m. and reconvened at 11:30 a.m. with all present.

Sheriff's Department

Derek Thompson, Deputy Sheriff, met with the Commissioners in place of Sheriff Colvard, who was not present for the meeting. The Department's monthly Accounts Receivable and fees report was presented. Deputy Thompson discussed the Sheriff's Department door replacement project and quotes received. The project will include replacing the inner and outer doors of the facility and upgrading security as well as handicap accessibility. The quotes received to date ranged from \$18,291.00 to \$18,515.00. No action was taken.

The meeting recessed at 12:00 p.m. and reconvened at 1:28 p.m. with all present, Don Hansen, County Attorney and Jerry Hunt, Weston Engineering joined this portion of the meeting.

Executive Session

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to go into executive session to discuss possible litigation. Motion carried. The meeting went into executive session at 1:28 p.m. and returned to open session at 1:40 p.m. with all present.

Weston County Event Center

Kyle Gillette, Schutz Foss Architects, met with the Commissioners to discuss progress at the Weston County Event Center. Mr. Gillette updated the Commissioners on the scheduled repairs for the Weston County Event Center to be completed by the Contractor Paul Reed Construction. Mr. Gillette stated that Paul Reed Construction's engineer had substantiated the architect's recommendation to mud jack the entire building. Don Hansen, County Attorney, questioned the depth of mud jacking required for the Event Center. Mr. Gillette responded that the mud jacking depth would be decided by the engineers and insurance companies. No action was taken.

County Engineer

Jerry Hunt, Weston Engineering, met with the Commissioners at their request to discuss becoming a contract employee for Weston County. Mr. Hunt concurred that an agreement for a monthly retainage fee would be acceptable with the option to bill additional hours and expenses. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to request an agreement be drafted by Don Hansen, County Attorney, at the rate of \$1,000.00 per month for retainage, in return for ten (10) hours of service provided by Mr. Hunt or Weston Engineering; any hours over ten per month to be billed at \$100.00/hour. Carried. A document will be drafted by Mr. Hansen for review by the Commissioners and Mr. Hunt before execution.

The meeting recessed at 2:13 p.m. and reconvened at 2:21 p.m. with all present, Don Hansen, County Attorney and Tina Conklin, County Assessor, were also present for this portion of the meeting.

Special Assessment

Cliff Perkins, Osage Improvement & Service District (OISD) Secretary, met with the Commissioners to request Weston County collect a Special Assessment Tax or Mill Levy Tax for the OISD. Don Hansen, County Attorney, asked if there was a specific project which would be paid for with the special tax assessment. Mr. Perkins stated that the taxes collected would go towards the operation and maintenance of the district. Mr. Hansen explained the difference between a mill levy and a special assessment, stating that there is currently no statute which allows for an Improvement & Service District to levy mills. Mr. Hansen reasoned that a specific purpose project could qualify for a special assessment. Chairman Bruce quoted W.S. 18-12-117(a) stating that there were a list of requirements to be provided by the OISD before the County Clerk could advertise for the special assessment. Commissioner Seeley questioned why the OISD was having the county collect the assessment when the district has the power to do so. Mamie C. Krank, County Clerk, spoke about the differences between special assessments and mill levy, stating that a special assessment could be collected by the county for the OISD, and requested further information from the OISD in order to advertise. Mr. Perkins requested, and Mr. Hansen agreed, to draft a letter to the Department of Revenue addressing the concerns brought up on the issue. No action was taken, this issue will be revisited.

County Grounds

The Commissioners discussed the Courthouse grounds, specifically the trees on the Courthouse and Library lawn areas, with Cliff Perkins who is a Certified Arborist. Mr. Perkins agreed to submit a quote for trimming the trees on the County grounds. No action was taken.

The meeting recessed at 2:53 p.m. and reconvened at 3:00 p.m. with all present.

District Court Equipment

Sandra Walford, District Court Clerk and Connie Allen, Circuit Court Clerk, met with the Commissioners and discussed the need for new equipment in the District Courtroom which is

used by both courts. The PA (Public Address) system and court reporter headphones need to be replaced. Mrs. Walford provided an estimate of \$57.00 for the headphones. Ms. Allen provided an estimate of \$1,680.00, for a PA system which would allow the Court Clerk to hear what is said in the courtroom when she is in her office. After discussion and checking the budget for new equipment, a motion was made by Commissioner Seeley, seconded by Commissioner Shepperson, to approve the \$1,680.00 for a PA system upgrade in the District Courtroom, and allow the purchase of court reporter headphones at a cost of \$57.00. Carried.

Road & Bridge Department

Rick Williams, Road & Bridge Foreman, met with the Commissioners and gave the department report. Mr. Williams discussed several county roads, maintenance, and equipment. Mr. Williams discussed the need to fill two vacant positions at the Road & Bridge Department. The Commissioners agree that Mr. Williams should fill the positions. No action was taken.

FY2011 Congestion Mitigation Air Quality (CMAQ)

An Agreement for the Fiscal Year 2011 CMAQ funding between Wyoming Department of Transportation and Weston County was presented to the Commissioners for their consideration. The grant is in the amount of \$375,000.00, of which \$300,000.00 is CMAQ funding and \$75,000.00 is a local match. A motion was made by Commissioner Shepperson, seconded by Commissioner Seeley, to accept the agreement and authorize Chairman Bruce's signature. Carried.

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, \$256.00, AFLAC, payroll ded, \$1,852.72, Blue Cross Blue Shield, financial admin, \$49,372.85, Dept of Employment, financial admin, \$3,157.68, Office of Child Support, payroll ded, \$175.00, Orchard Trust, payroll ded, \$1,175.00, WEBT, financial admin, \$181.65, Weston County Clerk, financial admin, \$37,148.83, WY Child Support, payroll ded, \$514.00, WY Retirement System, financial admin, \$23,214.11, WY Retirement System, financial admin, \$581.87, ITC Electrical, retrofit mallo, \$1,897.37, Jeff Regan Trucking, reconst proj, \$21,550.00, Hermes Consolidated Inc, oil/gas, \$22,399.19, Hermes Consolidated Inc, oil/gas, \$25,336.09, A&B Welding Supply Co, repair/maint, \$116.07, Advanced Drug Testing Inc, misc, \$78.00, AFCPE Membership, ag mile/trvl, \$100.00, All Clear Windows, janitor supp, \$98.00, Alpha Communications, tower rent, \$55.00, AlSCO, janitor supp, \$100.72, Apex Technology Solutions, comp software, \$1,100.00, AT&T Mobility, comm, \$794.65, Black Hills Chemical & Janitorial, brd of prisoners, \$104.79, Black Hills Plumbing, repair/maint, \$226.00, Black Hills Power, util, \$2,676.05, Black Hills Truck & Trailer, repair/maint, \$199.55, Tom W. Bruce, mile/trvl, \$729.00, Byrand Streeter, contract wages, \$1,071.88, C&J Newcastle Hardware, repair/maint/supp/maj rep, \$483.49, Cambria Car Wash, veh maint/fuel, \$100.00, Cambria Supply, repair/maint/brd of prisoners/misc, \$328.66, Casey Thorson, janitor supp, \$760.00, City of Newcastle, util/dispatch/pub def/p-hlth exp, \$4,609.58, Culligan Water Conditioning, brd of prisoners/misc, \$834.50, Decker's Market, supp/janitor supp/ag exp, \$229.50, Dixon Bros Inc, oil/gas, \$344.27, DRB Contracting, bldg/equip, \$515.96, Drive Train Industries Inc, repair/maint, \$242.48, Fastenal Company, repair/maint, \$390.61, Fisher Sand & Gravel, grvl/rd mtrl, \$5,187.94, Fred's Welding Service, cntrct/equip/lbr, \$390.00, Gateway Auto Supply, repair/maint/oil/gas/sm tools, \$535.17, Godfrey's Brake Service, repair/maint, \$244.00, Hansen & Peck, office exp, \$3,901.37, Hemocue Inc, p-hlth exp, \$183.00, Hillyard/Sioux Falls, brd of prisoners, \$287.32, Home Inventory LLC, p-hlth exp, \$61.75, Industrial Supply Co Inc, repair/maint, \$910.95, Jenner Equipment, repair/maint, \$250.00, Jerry Shepperson, mile/trvl, \$454.00, KASL, p-hlth exp, \$706.80, Kone Inc, misc, \$468.39, Leads Online, shrff invstgtns, \$1,188.00, Lenard D. Seeley, mile/trvl, \$285.00, Lichen Research Center, comp software, \$1,000.00, Lori Bickford, p-hlth exp, \$346.94, Mamie C. Krank, school exp, \$229.00, Marco, Inc, ag exp, \$268.71, Martha L. Ertman, mile/trvl, \$575.00, MasterCard, school exp/mile/trvl/veh maint/fuel, \$1,016.53, Max Masters, gis land records, \$1,900.00, MG Oil Company, oil/gas, \$1,583.40, Michelle Sweet, p-hlth exp, \$10.03, Midwest Cancer Screening, p-hlth exp, \$31.60, Modern Cleaners, uniforms, \$33.00, Motorola, hmlnd sec exp, \$10,130.11, Nada Used Car Guide Co, misc, \$635.00, Natrona Co Attorney/Legal Dept, invol commit, \$476.25, Neves Uniforms Inc, uniforms, \$256.74, Newcastle Ambulance Service, ambInc, \$1,458.33, Newcastle Motors, equip prchs/repair/veh maint/fuel, \$59,843.40, NEWEDC, newedc, \$1,000.00, News Letter Journal, supp/print/publ/p-hlth exp, \$2,473.45, Noodle Soup of Weingart Design, p-hlth

exp, \$394.95, Oil City Operating Inc, repair/maint, \$85.49, Pamida, brd of prisoners/p-hlth exp/misc, \$440.58, Phil's Tire, veh maint/fuel, \$15.00, Pitney Bowes Inc, misc, \$794.67, Plainsman, supp, \$1,667.55, Postmaster c/o wic, p-hlth exp, \$343.00, Powder River Energy Corp, util, \$1,289.41, Pressure Services, new equip, \$5,677.00, Randy Rossman, mile/trvl, \$254.00, Reserve Acct-Pitney Bowes, post/frght, \$400.00, Ringer Law, PC, special attny, \$369.00, Roadrunner Disposal Service, util, \$55.00, Robert Kenney, coroner calls, \$50.00, RT Communications, comm, \$1,943.90, Sanofi Pasteur, p-hlth exp, \$2,810.23, SD Brand Board, officer equip, \$30.00, Securus, inmate prog, \$140.00, Servall Uniform/Linen Co, repair/maint, \$183.14, Shreds, p-hlth supp, \$79.00, Sirennnet.com, repair/maint, \$2,610.09, Source Gas, p-hlth exp, \$2,633.57, Stacy Madden, ag exp, \$331.35, Susan K. Overman, school exp, \$230.00, Thars Feed & Ranch, supp, \$18.25, Top Office Products, brd of prisoners/p-hlth exp/misc, \$891.92, Upton Coop Assn, repair/maint, \$411.93, Urbin & Patterson LLP, special attny, \$1,510.44, Vaisala Inc, awos, \$449.00, Verizon Wireless, p-hlth exp, \$51.22, Visa, school exp/p-hlth exp/ag exp, \$1,529.54, Voelker's Autobody, veh maint/fuel, \$50.00, WCS, comm/p-hlth exp/hmlnd sec exp, \$208.37, West Payment Center, law library, \$281.40, WC 4-H Council, ag exp, \$99.00, WC Gazette, print/publ, \$247.50, WC Health Services, misc, \$70.00, WC Peace Officer Assoc, misc, \$255.00, WC Road & Bridge, veh maint/fuel, \$3,390.30, WC Sheriff's Office, brd of prisoners/youth services, \$41.07, WC Sr Services, sr citizen, \$6,250.00, William Taylor, gas/oil/mile/trvl, \$28.02, WY Automotive Co, repair/maint/oil/gas, \$285.64, WY Dept of Agriculture, fuel tank maint, \$25.00, WY Dept of Transportation, supp, \$675.84, WY DEQ WQD, fuel tank maint, \$100.00, WY Health Council, p-hlth exp, \$753.16, WY Honor Conservation Camp, brd of prisoners, \$2,088.80, WY Network, financial admin, \$201.25, WY Public Health Laboratory, p-hlth exp, \$72.00, Zoll Medical Corp, hmlnd sec exp, \$14,989.38. Net Payroll, \$130,380.16.

There being no further business to come before the Commission the meeting adjourned at 4:40 p.m.

Attest: Mamie C. Krank
County Clerk

Tom W. Bruce
Chairman