

May 1, 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 Seeley gave the Invocation and Commissioner Shepperson led the delegation in the Pledge of Allegiance.

Approve Minutes

A motion was made by Commissioner Seeley, seconded by Commissioner Shepperson, to approve the minutes of the regular meeting held April 17, 2012, as published. Carried.

Accept Collections

A motion was made by Commissioner Shepperson, seconded by Commissioner Ertman, to accept the collections of the District Court in the amount of \$4,281.97 and the County Clerk in the amount of \$8,397.00. Carried.

Wyoming County Commissioners Association (WCCA)

Commissioners Shepperson and Seeley attended the Wyoming County Commissioners Association (WCCA) meetings on April 25 and 26, 2012. Commissioner Shepperson attended the Board of Directors Meeting and briefed the Commission on a possible increase in fees paid to dues for the association. Commissioner Seeley attended a land committee meeting and discussed regulations for Forest Service and BLM controls. Discussion ensued regarding tax monies gained for pipe materials stored in Weston County and the possibility of using these monies toward the Upton Industrial Park upgrades. No action was taken.

Two Elks Impact Assistance

Chairman Bruce attended an Industrial Siting meeting on April 24, 2012, in Douglas. The meeting pertained to possible construction at the Two Elks Site. Construction at the Two Elks Site may lead to impact revenues for Weston County. The construction period for the Two Elks project has been extended through 2016. No action was taken.

MT Pisgah Tower Lease

Doug Jorrey, Homeland Security Coordinator, met with the Commissioners to discuss a 35 year lease for Mt. Pisgah through Powder River Energy Corporation. Powder River Energy would pay \$600.00 per year to Weston County, with a consumer price index (cpi) increase/cost adjustment every five years, for the tower lease option at Mt. Pisgah. This lease payment would offset costs of electricity for an existing Weston County tower on Raven Creek. A motion was made by Commissioner Seeley, seconded by Commissioner Shepperson, to accept the lease agreement between Weston County and Powder River Energy Corporation. Carried. Once the final lease paperwork is received by Mr. Jorrey it will be signed by Chairman Bruce.

Mr. Jorrey presented a second lease agreement between Weston County, as Lessor, Advanced Communications Systems and Alpha Communications, as Lessee, for the Commissioner's consideration. This lease is for a free standing tower at Mt. Pisgah. Mr. Jorrey explained that Weston County currently uses this tower for the Sheriff's Department emergency response repeater and the Road & Bridge repeater in return for the lease option. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to authorize Chairman Bruce's notarized signature on a tower lease to Alpha Communications and Advanced Communications Systems for a five year period at Mt. Pisgah. Carried.

The meeting recessed at 10:12 a.m. and reconvened at 10:23 a.m. with all present.

Consensus Projects

The Commissioners discussed possible consensus fund projects. Weston County will receive \$1,180,000.00 for the biennium funding. Those funds will be split between Weston County, City of Newcastle, Town of Upton, and possibly Special Districts who apply for funding. Weston County Consensus Primary Projects determined by the Commissioners include: energy efficient lighting upgrades for all county buildings, Law Enforcement

Complex/Emergency Operations Center upgrades, and gravel for various county roads. Alternate projects include: Four Seasons Arena/insulation, heating upgrade, various county road upgrades/gravel, and gravel/upgrade the Dunham Road.

Voter Precinct Boundaries- Public Hearing

The hour being 11:00 a.m. Chairman Bruce opened a Public Hearing to obtain public comment on the proposed voter precinct boundary changes for 2012. The proposed changes include a slight adjustment to Precinct 5-2 and 5-3, in order to more evenly distribute the voter population between those two precincts within the city limits of Newcastle, Wyoming. Chairman Bruce called for public comment. James Bunch, Republican Chairman, was present and asked Mamie C. Krank, County Clerk, how the proposed changes would affect the number of Precinct Committeemen and Precinct Committeewomen in those districts. Ms. Krank responded that currently Precinct 5-3 had approximately 600 registered voters, while Precinct 5-2 currently had approximately 290 registered voters. The proposed changes would move approximately one hundred forty to one hundred fifty, voters from Precinct 5-3 into Precinct 5-2. This change would most likely increase the Precinct Committeemen and Precinct Committeewomen positions by one in Precinct 5-2, although the positions in Precinct 5-3 should not be affected. Commissioner Shepperson asked if the proposed voter precinct changes would affect the costs of elections. Ms. Krank replied that the election costs would not change due to voters changing precincts. Chairman Bruce called for any further public comment, hearing none; the public comment portion of the hearing was closed at 11:07 a.m. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to approve the proposed voter precinct boundary changes as advertised. Carried.

Sage Grouse

The Commissioners discussed a Memorandum of Understanding (MOU) received from the Bureau of Land Management (BLM) between Weston County and the BLM for Sage-Grouse Management. A letter received from Don Hansen, County Attorney, advised amending verbiage in the MOU to recognize that Weston County must comply with the public records laws, specifically WS 16-4-201 through 16-4-205. A motion was made by Commissioner Seeley, seconded by Commissioner Ertman, to amend the MOU with regard to the public records laws, as per the County Attorney's letter dated April 30, 2012. Carried. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to authorize Chairman Bruce's signature on the Amended MOU between Weston County and the BLM. Carried.

Vacate Streets/Alleys in Osage

The Osage Improvement & Service District (OISD), previously filed a petition requesting the vacation of streets and alleys within or connected to the property known as the Kitty Moats School in Osage, Wyoming. As the next step in the process, Randy Rossman, appointed viewer, presented a written report to the Board of Commissioners for consideration. The Viewers Report stated that the streets and alleys in question were platted but never built and are situated where the Kitty Moats School building, playground area, and track, are currently located. Mr. Rossman's report supports the vacation of the streets and alleys in question. A motion was made by Commissioner Seeley, seconded by Commissioner Shepperson, to accept the viewers report with regard to the proposed vacation of streets and alleys in Osage, Wyoming, to begin advertisement of the proposed vacation, and to set a Public Hearing for June 5, 2012, at 10:00 a.m. Carried. The Commissioners discuss and agree that mileage charges incurred by Mr. Rossman, Viewer, will be charged to the OISD.

Sheriff's Department

Bryan Colvard, County Sheriff, met with the Commissioners and gave the department report including accounts receivable and monthly fees. Sheriff Colvard discussed the possibility of rearranging the pay scales in his department to allow for tiered positions. Sheriff Colvard discussed an Advancement Sergeant's Testing Board, which would consist of a County Commissioner, the Upton Chief of Police, Newcastle Chief of Police, and a member of the community. This board would interview Sheriff Deputies and determine advanced placement in the department. Commissioner Ertman volunteered for the position. A motion was made by Commissioner Rossman, seconded by Commissioner Seeley, to appoint Commissioner Marty Ertman to the oral Advancement Sergeant's Testing Board through the Sheriff's Department. Carried. Patrick Amend, Patrick Amend & Associates, Architect for the Law Enforcement Emergency Operations Center (EOC) remodel, met with the Commissioners to

discuss the project. Mr. Amend explained much of the work in the next phase of the project at the Law Enforcement EOC will be demolition. Discussion ensued regarding bid processes and grant monies. No action was taken.

The meeting recessed at 12:06 p.m. and reconvened at 1:26 p.m. with all present, Don Hansen, County Attorney, joined the session.

Executive Session

A motion was made by Commissioner Shepperson, seconded by Commissioner Seeley, to go into executive session to discuss possible litigation under WS 16-4-405 section (iii). Carried. The meeting went into executive session at 1:30 p.m. and returned to open session at 2:45 p.m. with all present.

North East Wyoming Economic Development Coalition (NEWEDC)

Linda Harris, NEWEDC Executive Director, and Brad Sutherland, NEWEDC Project Manager, met with the Commissioners to discuss upcoming NEWEDC projects. Ms. Harris discussed economic development opportunities and possible jobs gained locally associated with tourism. Ms. Harris stated that Rare Element Resources is working with NEWEDC to obtain low interest loans. Mr. Sutherland discussed a project in Newcastle, in which NEWEDC would purchase a building in the downtown area to fix up and lease out. Half of the lease payment would go toward NEWEDC expenses and the other half would be turned over into other low interest loan projects. The projects are concentrated on properties that would not normally be renovated by residents. Mr. Sutherland is researching the feasibility of manufacturing plastic pellets in our area. The raw materials needed to manufacture plastic, natural gas and oil, are plentiful in the area and plastic pellets are the building block for any product made of plastic. Ms. Harris and Mr. Sutherland were thanked for the informative presentation, no action was taken.

Newcastle Elementary School Park

Linda Hunt, Newcastle City Council Member, discussed an area of approximately ten acres of undeveloped property at the Newcastle Elementary School. A group of community members, in cooperation with the school district, would like to create a park with trails and educational learning areas on the property for public use. Ms. Hunt would like Weston County Road & Bridge Department to move a pile of top soil in the area as an in-kind match for the project. Ms. Hunt stated that the park's trail system will connect the existing bike route by the grade school to the south end of Gray Addition. Rick Williams, Road & Bridge Foreman, will visit the site and report back to the Commissioners. No action was taken.

Road & Bridge Department

Rick Williams, Road & Bridge Foreman, met with the Commissioners and gave the department report. Several county roads were discussed including the Dunham Rd, Soda Butte, Buffalo Creek Rd, and Beaver Creek Rd. Mr. Williams met with the Department of Transportation (DOT) regarding the Salt Creek Road upgrades which will include DOT placing flashing lights and stop signs at the roads' approach. Mr. Williams stated that cleanup is underway on the Musser Road and re-seeding is almost complete. An inmate crew from the WY Honor Camp will be utilized to cut trees for the Purvis Road. Mr. Williams discussed the purchase of a CAT Motor Grader at a cost of approximately \$280,000.00 with trade in. Discussion ensued. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to authorize the purchase of a Motor Grader for the Road & Bridge Department out of expenditure account number 100.00.20.0051000.0000. Carried. Recorded votes are as follows: Yea: Commissioners Shepperson, Seeley, and Rossman. Nay: Commissioner Ertman. The Commissioners discussed upgrading approximately seven miles of the Dunham Road as a possible Consensus Fund project with Mr. Williams. Mr. Williams will drive the section and return cost estimates to the Commissioners.

ARRA Mallo Camp Retrofit 2011-Water Heater Replacement

A motion was made by Commissioner Ertman, seconded by Commissioner Seeley, to set a bid opening for the ARRA Mallo Camp Retrofit Project 2011-Water Heater Replacement project for May 15, 2012, at 10:30 a.m. 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, \$3,060.95, 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, \$36,411.87, WY Child Support, payroll ded, \$650.00, WY Retirement System, financial admin, \$22,643.78, WY Retirement System, financial admin, \$581.87, Action Communications Inc, radio exp, \$4,830.00, Hermes Consolidated Inc, oil/gas, \$26,567.16, Morrison Maierle Inc, master airport plan, \$21,565.46, Morrison Maierle Inc, master airport plan, \$54,844.34, Fisher Sand & Gravel, grvl/rd mtrl, \$14,852.16, Jeff Regan Trucking, grvl/rd mtrl, \$18,750.00, GDA Engineers, master airport plan, \$2,300.00, Fisher Sand & Gravel, grvl/rd mtrl, \$13,123.92, Hermes Consolidated Inc, oil/gas, \$53,311.78, A&B Welding Supply Co, repair/maint/post/freight, \$28.21, Ad Pro, supp, \$1,807.81, Advanced Drug Testing Inc, misc, \$26.00, Alpha Communications, hmlnd sec exp, \$373.00, AlSCO, janitor supp, \$105.80, Apex Technology Solutions, comp/software/new equip, \$1,110.00, API Systems Integrators, repair/maint, \$60.89, AT&T Mobility, comm, \$846.17, Black Hills Chemical & Janitorial, brd of prisoners, \$660.89, Black Hills Plumbing, repair/maint, \$806.72, Black Hills Power, util, \$2,558.45, Black Hills Printing & Signs, officer equip, \$410.14, Tom W. Bruce, mile/trvl, \$152.00, Burnell Pond, officer equip, \$809.97, Business Communications Co Inc, repair/maint, \$932.85, Butler Machinery Co, repair/maint, \$666.13, Byrand Streeter, contract wages/mile/trvl/maint, \$1,226.88, C&J Newcastle Hardware, repair/maint, \$952.98, Cambria Car Wash, veh maint/fuel, \$50.00, Cambria Supply, repair/maint, \$349.44, Casey Thorson, janitor supp, \$420.00, Cedar Hills Family Clinic, p-hlth exp, \$150.00, City of Newcastle, util/dispatch/landfill/circ court/pub def/p-hlth exp, \$11,879.31, Civil Air Patrol Magazine, misc, \$245.00, Culligan Water Conditioning, misc, \$21.00, Decker's Market, p-hlth exp, \$103.86, Dixon Bros, oil/gas, \$183.31, Doug Jorrey, hmlnd exp, \$451.06, Dr. Wayne Erickson Family Dental, jail medical, \$178.00, Election Systems & Software Inc, repair/maint, \$4,673.00, Family Dollar Stores, supp, \$15.50, Fisher Sand & Gravel, grvl/rd mtrl, \$16,256.52, Flowers & Things, p-hlth exp, \$23.60, Fred's Welding Service, cntrt/equip/lbr, \$120.00, Gateway Auto Supply, supp, \$40.79, General Security Services Corp, youth services, \$128.00, Godfrey's Brake Service, repair/maint, \$193.96, Golden West Technologies, hmlnd sec exp, \$89.97, Grimm's Pump & Industrial Supply, tank maint, \$361.39, Hansen & Peck, office exp/comp rsrch, \$3,901.37, James R. Bryan, repair/maint, \$747.00, Jerry Shepperson, mile/trvl, \$349.00, John's Electric, bldg/equip upgrade, \$1,008.75, KASL, p-hlth exp, \$706.80, Laminator.com, hmlnd sec exp, \$106.83, Lawrence Emmert, repair/maint, \$95.00, Leighton Construction & Svc LLC, maj repairs, \$175.00, Lenard D. Seeley, mile/trvl, \$40.00, Lichen Research Center, comp software, \$1,000.00, Lori Bickford, p-hlth exp, \$152.88, Marco Inc, ag exp, \$268.71, MasterCard, school exp, \$1,640.05, Max Masters, gis land records, \$1,900.00, Midwest Cancer Screening, p-hlth exp, \$15.80, Moore Medical LLC, p-hlth exp, \$261.95, Neve's Uniforms Inc, uniforms, \$247.77, Newcastle Ambulance Service, ambulance, \$1,458.33, Newcastle High School, financial admin, \$400.00, Newcastle Motors, officer equip, \$300.00, News Letter Journal, print/publ/supp/p-hlth exp, \$4,399.57, Noble Medical Inc, youth srvc, \$357.79, Northern WY Mental Health/Newcastle, jail medical, \$24.00, Osage Ambulance, ambulance, \$4,375.00, Pamida, brd of prisoners/supp/jail medical, \$402.70, Positive Promotions, p-hlth exp, \$767.37, Powder River Energy Corp, util, \$1,075.33, Power Plan OIB, repair/maint, \$102.61, Pro Force, supp, \$1,104.00, Randy Rossman, mile/trvl, \$24.00, Reconyx, sheriff invstgtns, \$659.98, Reserve Acct-Pitney Bowes, post/freight, \$2,000.00, Ringer Law PC, special attny, \$102.00, Roadrunner Disposal Service, util, \$55.00, Roger Hespe, school exp, \$200.00, RT Communications, comm, \$1,947.15, Sanofi Pasteur, p-hlth exp, \$618.25, Securus, brd of prisoners, \$140.00, Servall Uniform/Linen Co, repair/maint, \$183.15, Source Gas, util, \$439.62, The Sundance Times, wic, \$24.00, Top Office Products, supp/p-hlth exp, \$1,660.58, Ultra Max, equip/ammo, \$1,299.00, Unemployment Tax Division, financial admin, \$5,772.00, Urbin & Patterson LLP, special attny, \$585.80, USDA Forest Service, ag exp, \$3,620.25, Vaisala Inc, awos, \$449.00, Verizon Wireless, p-hlth exp, \$51.22, Vicki Hayman, ag exp, \$226.49, VISA, p-hlth exp, \$37.37, WACO, school exp, \$300.00, WCS, comm, \$195.28, West End Water District, util, \$60.00, West Payment Center, law library, \$281.40, WC Predatory Management Dist, predator mngt, \$500.00, WC 4-H Council, ag exp, \$68.22, WC Fire Protection Dist, hmlnd sec exp, \$333.99, WC Gazette, print/publ, \$78.75, WC Health Services, in-home hlth, \$1,250.00, WC Humane Society, humane soc, \$750.00, WC Road & Bridge, veh maint/fuel, \$3,518.89, Whisler Bearing, repair/maint, \$493.02, Wireless Advanced Communications, new equip, \$3,823.23, Wood Stock Supply, repair/maint, \$783.15, WRS Group LTD, p-hlth exp, \$644.32, WY Automotive Co, repair/maint,

\$169.50, WY Dept of Health, p-hlth exp, \$549.00, WY Guardian Ad Litem, special attny, \$1,413.47, WY Health Council, p-hlth exp, \$708.25, WY Honor Conservation Camp, brd of prisoners, \$1,590.40, WY Law Enforcement Academy, school exp, \$675.00, WY Network, financial admin, \$201.25, WY State Historic Preservation Office, financial admin, \$500.00. Net Payroll, \$127,508.97.

There being no further business to come before the Commission the meeting adjourned at 4:20 p.m.

Attest: Mamie C. Krank
County Clerk

Tom W. Bruce
Chairman