

July 17, 2012

The regular meeting of the Weston County Commissioners convened at 8:55 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 Rossman gave the Invocation and Chairman Bruce led the delegation in the Pledge of Allegiance.

Approve Minutes

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to approve the minutes of the regular meeting held July 3, 2012, as advertised. Carried.

Youth Services Agreement

The Commissioners reviewed a Youth Services joint agreement for Fiscal Year 2013 between Weston County, the City of Newcastle, and School District #1. The agreement was drafted by Don Hansen, County Attorney. A motion was made by Commissioner Rossman, seconded by Commissioner Seeley, to accept the Fiscal Year 2013 Youth Services Agreement and authorize Chairman Bruce's signature. Carried. The agreement was signed and will be sent to the City of Newcastle and School District #1 for signatures.

Weston County Fair

The Commissioners discussed the Commissioner Fun Night to be held at the Weston County Fair on August 2, 2012. The Commissioners agree that this year's events will include an egg toss, stick horse race, sack race, tug of war and greased pole contest. No action was taken.

Weston County Event Center

Kyle Gillette, Schutz Foss Architects, and Don Hansen, County Attorney, met with the Commissioners to discuss the Weston County Event Center. Mr. Gillette confirmed that the foundation at the Weston County Event Center building must be stabilized before further repairs can be assessed. Mr. Hansen discussed whose responsibility it is to hire Hayward Baker or another company to complete the stabilization of the foundation. Commissioner Ertman asked Mr. Gillette if a forensic engineer had examined the building for structural integrity. Mr. Gillette responded that as of February 2012 the building was viable. Mr. Gillette does not believe that litigation is the option the county should pursue and recommended limited releases be issued to the contractor as repairs are completed.

Executive Session

A motion was made by Commissioner Ertman, seconded by Commissioner Rossman, to enter executive session under Wyoming Statute 16-4-405 (iii) to discuss potential litigation. Carried. The meeting went into executive session at 9:40 a.m. with all Commissioners, County Clerk, and County Attorney present; and returned to open session at 10:00 a.m. with all present.

The Commissioners discussed the possible use of the Weston County Event Center for the week of Fair with Dean Kettley, Fairgrounds Manager. The Commissioners agreed with Don Hansen, County Attorney, who stated that the building should not be used. No action was taken.

Subdivision Rules & Regulations

The hour being 10:04 a.m. Chairman Bruce opened a public hearing to consider revising the Subdivision Rules and Regulations for Weston County, WY. The published notice of intent was read aloud by Chairman Bruce. Joe Sandrini, Planning & Zoning Board Member, met with the Commissioners and discussed making the Planned Unit Development (PUD), a portion of the current subdivision rules and regulations, voluntary and not limiting PUD's to seventy-four parcels or more as discussed in the past. Mike Pietschmann, Redland Group/Wyoming Club, stated that Wyoming Club had complied with the PUD portion of the subdivision rules and regulations. Discussion ensued. Chairman Bruce called for public comment, hearing none; the public comment period of the hearing was closed at 10:25 a.m. A motion was made by Commissioner Shepperson, seconded by Commissioner Seeley, to adopt the draft revisions of the Subdivision Rules and Regulations as revised and presented by the Planning & Zoning

Board. Carried. Recorded votes are as follows: Yea: Commissioners Shepperson, Rossman, and Seeley; Nay: Commissioner Ertman.

The meeting recessed at 10:30 a.m. and reconvened at 10:45 a.m. with all present.

Oil Creek Fire

The Commissioners discussed the Oil Creek Fire with Dan Mark, Landowner. Mr. Mark expressed concern with state and federal agencies involvement on private lands. Discussion ensued. The Commissioners directed Mr. Mark to address further concerns with the Weston County Fire Protection District or to contact Daniel Tysdal, Fire Warden. No action was taken.

Amended Fire Restrictions

The Commissioners reviewed a Resolution Amending Fire Restrictions in Weston County received from Daniel Tysdal, Fire Warden. If adopted, the new restrictions would take effect on July 27, 2012. After discussion, the Commissioners decided to add a provision for burning trash to the resolution. A motion was made by Commissioner Rossman, seconded by Commissioner Ertman, to approve the Fire Restrictions Resolution as amended. Carried.

Sheriff's Department

Bryan Colvard, Sheriff, met with the Commissioners and gave the department report including accounts receivable and monthly fees. Commissioner Shepperson discussed two accidents on Buffalo Creek Road over the last weekend and the need for speed limit signs. Sheriff Colvard stated that he was aware of the accidents and discussed posting livestock signage instead of speed limit signs on county roads. Doug Jorrey, Homeland Security Coordinator, and Sheriff Colvard presented a list of upgrades needed at the Emergency Operations Center (EOC). Because of the recent emergencies and fires in Weston County Mr. Jorrey listed items that would make the EOC more efficient. No action was taken.

Juvenile Justice Detention

Sheriff Colvard presented an agreement with Natrona County for Juvenile Justice Detention. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to accept the agreement between Weston and Natrona Counties for Juvenile Justice Detention, and authorize Chairman Bruce's signature on the document. Carried.

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

Wyoming Club/Phase I

Mike Pietschmann, Redland Group/Wyoming Club, presented Planned Unit Development (PUD) and supporting documentation for Phase I of the Wyoming Club Subdivision for the Commissioners consideration. Mr. Pietschmann also presented the final plat map for Phase I of the Wyoming Club Subdivision to be signed by the Commissioners in front of a notary. Chairman Bruce asked Mamie C. Krank, County Clerk, for a copy of the Planning & Zoning Board's letter approving the documents. After reviewing the letter from the Planning & Zoning Board and all materials relating to the subdivision, a motion was made by Commissioner Rossman, seconded by Commissioner Seeley, to accept the Wyoming Club Phase I final plat, PUD, and supporting documents. Discussion ensued. Carried. All documents were signed and notarized.

CLG Historic Preservation Grant

Two copies of a grant to renovate a cabin for an interpretative site at Mallo Camp were received from the Certified Local Government (CLG) Historic Preservation Board for the Commissioner's consideration. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to authorize Chairman Bruce to sign both copies of a grant to restore Cabin #3 at Mallo Camp. Carried.

Darlington Road Right of Way

Jim Darlington, Landowner, met with the Commissioners to discuss granting a Right of Way on the Darlington Road. Mr. Darlington would like Weston County to provide in-kind work to repair culverts and a cattle guard on the road. Mr. Darlington stated that he is willing to complete the repairs if the county can supply the materials. The Commissioners will consider the request. No action was taken.

Malt Beverage Permits

The Commissioners reviewed two applications for Malt Beverage Permits received from the Fountain Inn. The first is for a wedding to be held July 21, 2012, in the Fountain Inn Restaurant; the second is for a beer garden on August 7, 2012, on the Fountain Inn property. A motion was made by Commissioner Rossman, seconded by Commissioner Ertman, to approve both malt beverage permits requested by the Fountain Inn, and authorize Chairman Bruce's signature. Carried.

The Commissioners reviewed an application for Malt Beverage Permit received from the Buckhorn Bar & Grill. The application is for a beer garden with tent from August 5-12, 2012, in the parking lot of the Buckhorn Bar & Grill property. A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to approve the malt beverage permit requested by Buckhorn Bar & Grill, and authorize Chairman Bruce's signature. Carried.

Catering Permit

The Commissioners reviewed two applications for Catering Permits received from Cap-n-Bottle, along with a letter from the City of Newcastle stating the Liquor License held by the applicant was in good standing. The first is for a wedding to be held August 4, 2012; the second is for a wedding to be held August 18, 2012, at Mallo Camp. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to approve both catering permits requested by Cap-n-Bottle, and authorize Chairman Bruce's signature. Carried.

The meeting recessed at 3:05 p.m. and reconvened at 3:12 p.m. with all present; except Commissioner Rossman who re-joined the meeting at 3:16 p.m.

Flying V Trail Special Lease Agreement

The Commissioners discussed a special lease agreement for the Flying V Trail received from Linda Hunt, City Council Member. The Commissioners decided to table discussion until Ms. Hunt could be present for discussion. No action was taken.

The hour being 3:15 p.m. Rick Williams, Road & Bridge Foreman, called to cancel his meeting with the Commissioners, due to fires in the county.

Commissioner Rossman re-joined the meeting.

Employee Raise Schedule

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to authorize an employee pay raise of fifty cents per hour, excluding elected officials, and sign an Employee Raise Schedule. Carried. The Employee Raise Schedule was signed by all Commissioners.

Dispatch Agreement

A motion was made by Commissioner Ertman, seconded by Commissioner Shepperson, to authorize Chairman Bruce to sign an agreement between the City of Newcastle and Weston County for Fiscal Year 2013 dispatch services at a cost of \$4,000.00 per month. Carried.

Weston County Event Center

The Commissioners reviewed a voucher received from Schutz Foss Architects in the amount of \$3,174.91. The voucher was for services rendered for post occupancy work completed at the Weston County Event Center. A motion was made by Commissioner Rossman, seconded by Commissioner Seeley, to begin the mediation and litigation process for damages at the Weston County Event Center. Carried.

A motion was made by Commissioner Shepperson, seconded by Commissioner Ertman, to approve payment of \$3,174.91 to Schutz Foss Architects for post occupancy work completed at the Weston County Event Center. Failed.

Wyoming County Commissioners Association

The Commissioners discussed a letter drafted to the Wyoming County Commissioners Association (WCCA) addressing concerns with the organization. After discussion it was decided the letter should be mailed.

Drought Disaster

Commissioner Seeley reported on a drought disaster meeting he attended at the Forest Service Building in Newcastle. No action was taken.

Newcastle Landfill

Greg James, Newcastle Mayor, and Bob Hartley, Newcastle Engineer, met with the Commissioners to discuss the proposed budget cuts to the Newcastle Landfill for Fiscal Year 2013. Mayor James requested the County restore the \$8,000.00 proposed funding cut to the Newcastle Landfill provider of service agreement. The Commissioners explained that the requests received for one percent sales tax funding were well over \$50,000.00 more than last year and new requests were received from several service providers. Jerry Hunt, Weston County Contract Engineer, commented that the Upton Landfill would probably be closed by next year. Mr. Hartley stated that County residents may be cut off from the city landfill.

Commissioner Shepperson left the meeting at 4:35 p.m. due to a fire near Upton.

Chairman Bruce and Commissioner Seeley stated that county landfill users should be charged a higher rate to offset the budget deficit. No action was taken; Commissioner Rossman requested the issue be revisited at the budget hearing tonight at 7:00 p.m.

Thornton Road

Commissioner Seeley related that he was contacted by a constituent regarding dust and speed issues on the Thornton Road. Chairman Bruce stated that this information would be passed on to law enforcement. No action was taken.

Landfills

Jerry Hunt, Weston County Contract Engineer, and Hans Hunt, State Representative for House District #2, discussed landfills and the future need for a county-wide solid waste district. Representative Hunt discussed Department of Environmental Quality (DEQ) regulations and Environmental Protection Agency (EPA) regulations which may become more restrictive. Mr. Hunt and Representative Hunt were thanked for their input. No action was taken.

There being no further business to come before the Commission the meeting adjourned at 5:11 p.m.

Attest: Mamie C. Krank
County Clerk

Tom W. Bruce
Chairman