

WESTON COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
September 17, 2019

The meeting of the Weston County Board of Commissioners was called to order by Chairman Tony Barton at 9:00 a.m. at the Weston County Courthouse. Commissioners Tony Barton, Marty Ertman, Tracy Hunt, and Nathan Todd, Attorney Alex Berger and Clerk Becky Hadlock were present. Commissioner Hunt led the Pledge of Allegiance.

APPROVAL OF AGENDA

Commissioner Hunt moved to approve the agenda; seconded by Commissioner Todd. Carried.

CONSENT AGENDA

Vice-Chairman Ertman asked to pull the minutes from the September 3, 2019 meeting for discussion. Vice-Chairman Ertman moved to approve the consent agenda, which includes the Treasurer's Report, Tax Roll Corrections #1309, #1310, #1311, #1312, Chairman's signature on Grant MRG-19039 WE, Temporary Liquor License – Goose Landing; seconded by Commissioner Hunt. Carried.

Vice-Chairman Ertman moved to approve the September 3, 2019 minutes with changes; seconded by Commissioner Todd. Carried.

2019 ABSTRACT STATEMENTS

Commissioner Todd moved to authorize the Chairman's signature on the Treasurer's 2019 Abstract Statement; seconded by Vice-Chairman Ertman. Carried. Vice-Chairman Ertman moved to authorize the Chairman's signature on the Clerk's 2019 Abstract Statement; seconded by Commissioner Todd. Carried.

OLD BUSINESS

LAW ENFORCEMENT RAMP

Chairman Barton reported that he has received an updated letter from Structural Dynamics stating that the Law Enforcement Ramp project can wait until spring. Commissioner Todd wondered how the Board could have a letter that says that the ramp should be shut down and now the Board has a letter stating it's ok to wait until spring. Attorney Berger acknowledged there is still liability but now there is a letter that states the ramp is stable through the spring. Commissioner Hunt commented that the Board was on notice that Maintenance Foreman Steve Price was concerned and said the ramp was not in good shape. Commissioner Hunt noted that this letter now provides the Board the opportunity to go to the SLIB Board and postpone the project to a later date. Vice-Chairman Ertman would still like to see the ramp closed regardless of what the letter states as per recommendation from Bill Miller with the Local Government Liability Pool. Mr. Miller suggests that even if we wait, as the letter allows, the County is still liable. Vice-Chairman Ertman reported that the due date to apply for the SLIB Grant is September 19th. Commissioner Todd wondered if there was an option to reinforce the bottom of the ramp for now. Vice-Chairman Ertman commented that she didn't have a problem with this, either way the window keeps shrinking on getting something done. Commissioner Hunt stated this is a legal issue and an engineering issue and that the engineer now states that it is a low probability of something happening to the ramp. Commissioner Hunt stated that another alternative is closing the jail until it gets fixed. Commissioner Hunt would like to visit with Structural Dynamics about the inconsistency in their opinions, see if the Board in fact can wait and then move forward with the SLIB Grant. Vice-Chairman

Ertman stated the application had to be in by September 19th and she would like to see an RFP put out for the engineering on the project.

Commissioner Hunt moved to apply for a SLIB Grant for the Law Enforcement Ramp; seconded by Vice-Chairman Ertman. During discussion it was decided that the Board would apply for \$250,000 and Clerk Hadlock and Deputy Clerk Mona Wineteer would apply for the Grant. Carried.

Vice-Chairman Ertman moved to put out an RFP for engineer service on the Law Enforcement Ramp; seconded by Commissioner Todd. During discussion Commissioner Hunt wondered if this had already been done and Chairman Barton stated that it had not, he had just contacted Structural Dynamics. Commissioner Hunt asked Chairman Barton if he would visit with Structural Dynamic about their discrepancies and Chairman Barton stated he would not but would see if they would attend a meeting so that the Board could discuss this with them. Ayes: Ertman, Hunt, Todd. Nays: Barton. Carried.

NEW BUSINESS

OISD VOUCHER

Commissioner Hunt moved to deny the voucher from the OISD for the CWCSWDD rent from August 2, 2019; seconded by Vice-Chairman Ertman. Carried.

PARKING LOT EAST OF THE COURTHOUSE

Vice-Chairman Ertman moved to purchase the parking lot east of the Courthouse from Townsend Company for \$500; seconded by Commissioner Todd. During discussion Commissioner Todd asked where the liability lies with the hill and Attorney Berger stated normally it's the lower lots responsibility. Carried.

ATTORNEY

Attorney Berger reported that he has not sat down with anyone regarding the purchase of the parking lot at the Annex Building. He stated that there isn't any hurry from Pinnacle Bank to get this taken care of. Clerk Hadlock stated that there actually was an urgency as Justin Tystad, from Pinnacle Bank had stopped by her office wondering what the Board had decided about the purchase of the parking lot, as they are needing to get the ATM removed from the lot as soon as they can. Clerk Hadlock had advised Mr. Tystad that the Board had made a motion to purchase the lot at the August 20th meeting and Attorney Berger was to reach out to him about making arrangements to getting this done. Attorney Berger stated he would get into contact with Mr. Tystad about the lot.

Attorney Berger updated the Board that the grant for the IRP was back on track and would be addressed later in the meeting. Sean Brown will be the new part time Deputy Attorney and will be joining Mr. Berger's Office soon.

Vice-Chairman Ertman wondered what the status was as far as Michael's Construction paying for the panic buttons and wiring in the Courtroom that they damaged while working. Attorney Berger had to leave the meeting and stated he would answer this when he returned.

FAIRGROUNDS

Kara Fladstol came before the Board asking for permission to sell the tractor at the Fairgrounds. Ms. Fladstol stated the Fair Board would then use this money to put towards the purchase of a new tractor. Vice-Chairman Ertman told Ms. Fladstol that if the tractor is sold, the money would have to be put back

into the General Fund and then it can be asked to be put into their budget next year. Vice-Chairman Ertman thought that the Fair Board had already planned to use the money in their Reserves account to purchase the tractor. Commissioner Todd made a motion for the Fair Board to sell their tractor; Vice-Chairman Ertman seconded the motion. During discussion Chairman Barton advised Ms. Fladstol that the Fair Board must advertise when they decide to sell the tractor. Carried.

BRIDGER PIPELINE

Ken Dockweiler, Director Land, Government & Compliance with Belle Fourche Pipeline, came before the Board to discuss the new pipeline that is going to pass through Weston County. Mr. Dockweiler stated that this proposed pipeline will mirror the current Butte Pipeline that runs through the County. As of right now, they are in the process of purchasing the ROW's from the landowners. Vice-Chairman Ertman would like Mr. Dockweiler to contact the Road and Bridge Department about crossing any of the County Roads. Vice-Chairman Ertman requested that a Fire and Weed Mitigation Plan be filed with the County. Vice-Chairman Ertman asked about a pump station and Mr. Dockweiler reported that it would be located in Osage. Chairman Barton let Mr. Dockweiler know that there was a pipe unloading station located in Upton and Mr. Dockweiler stated that they do have plans to have their yard located here in Weston County. Mr. Dockweiler stated that the plan is to start on the South end of the pipeline and work their way North at the end of the year, if the ROW negotiations go as planned, which would put work in Weston County starting the first of the year. Mr. Dockweiler would like to attend each meeting until the project is complete so that he can update the Board with the progress of the project.

HALLIBURTON – IRP

The status of the IRP, for the Cheyenne River Road, was discussed. Road and Bridge started the grant process when a Resolution was signed on December 4, 2018. Road and Bridge received clarification from former County Attorney William Curley that all easements had been obtained by the County, but now are seeking the opinion of Attorney Alex Berger on this. Attorney Berger reported he will make sure all easements have been obtained and that the Cheyenne River Road is in fact a County Road by the following Thursday and prepare a viewer title packet as well. Road and Bridge Superintendent Rick Williams will get ahold of Morgan Elsberry and Ted Ertman to do the viewer's report. Office Manager Brooke Weigel will contact the State to see how much money is left. Clerk Hadlock will put the IRP on the next agenda so that it can be discussed again.

ROAD AND BRIDGE

Superintendent Williams asked the Board if anyone had talked with Engineer Jerry Hunt. Superintendent Williams is getting nervous about the Black Thunder Bridge as he is waiting on Engineer Hunt to get things going. Vice-Chairman Ertman asked the status of the temporary bridge and Superintendent Williams replied that it would only last until March and the new bridge has not been ordered yet. Superintendent Williams has not called Engineer Hunt's main office. Commissioner Todd stated that he would try to stop by his office and Vice-Chairman Ertman commented that she would try to e-mail him. Vice-Chairman Ertman suggested Office Manager Weigel type up what was needed of Engineer Hunt and e-mail it to everyone and everyone can help to get ahold of him. Superintendent Williams reported that it would take 8 weeks for the bridge to be delivered once it is ordered from Big-R. As of the meeting date, Superintendent Williams stated that ½ of the County has been mowed. Vice-Chairman Ertman would like to have Road and Bridge added to Old Business at the next meeting.

ATTORNEY – CONT.

Attorney Berger reported that as soon as he tests the panic buttons and confirms that they are working again, the bill for Golden West can be sent to Michael's Construction.

Attorney Berger explained that the vouchers that were denied, were to build a gun case for the courtroom. Attorney Berger stated that Lieutenant Dean Emmert would come before the Board to explain this better if they needed him to. The Board would like Lieutenant Emmert to be added under New Business for the next meeting.

PUBLIC COMMENT

Upton Police Chief Susan Bridge let the Board know that the gun case that was discussed is standard court equipment and is usually located just outside of the courtroom door. Chief Bridge stated that she was surprised that there was not already one of these located in the Courthouse.

With no further business, the meeting was adjourned at 10:51 a.m.

Tony Barton
Chairman

Attest: Becky Hadlock
Weston County Clerk