

WESTON COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
December 15, 2020

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

APPROVAL OF AGENDA

Commissioner Barton moved to approve the agenda with; seconded by Vice-Chairman Todd. Ayes: Wagoner, Hunt, Todd, Barton. Nays: Ertman. Carried.

APPROVAL OF CONSENT AGENDA

Commissioner Ertman requested to have Resolution 2020-22 pulled from the consent agenda. Commissioner Hunt moved to approve the consent agenda, which includes the Executive Session Minutes of December 1, 2020, Treasurer's Report, and Tax Roll Corrections #1405-#1429; seconded by Commissioner Barton. Carried.

RESOLUTION 2020-22

Commissioner Ertman moved to approve Resolution 2020-22 Official Holiday Schedule for Weston County 2021; seconded by Commissioner Barton. During discussion Commissioner Hunt stated this is a great benefit to the employees. Carried.

GRANT AWARD AGREEMENT BETWEEN WYOMING OFFICE OF HOMELAND SECURITY & WESTON COUNTY

Commissioner Ertman moved to authorize the Chairman's signature on the Grant Award Agreement between Wyoming Office of Homeland Security and Weston County; seconded by Commissioner Barton. Carried.

MINUTES

Commissioner Barton moved to approve the minutes of December 1, 2020 with changes; seconded by Vice-Chairman Todd. Carried.

SEARCH & RESCUE/FAIR BOARD AGREEMENT

Fair Board member David Kline, Search & Rescue member Lynn Busskohl and Sheriff Bryan Colvard came before the Board to explain an agreement that the Fair Board and Search & Rescue would like to enter into. Mr. Kline reported that Search and Rescue would like to upgrade and then use a building that is not being used by the Fairgrounds. Commissioner Ertman asked about the liability and Sheriff Colvard stated he would look into this. Commissioner Hunt asked what the long term plan would be for this building. Mr. Kline let the Board know that the Fairgrounds could not use this building and there would be nothing that would interfere with the Fairgrounds or cause any issues. Mr. Kline added that the building will still belong to the Fairgrounds, but Search & Rescue will have control over it. Commissioner Ertman moved to authorize the Fair Board to draw up an agreement with Search and Rescue to use the Youth Exhibit Hall; seconded by Vice-Chairman Todd. Carried.

RMA COMMENT PERIOD

Peggy Livingston, County Executive Director for Weston County Farm Service Agency, came before the Board to discuss the need for a Weather Station in the County. Director Livingston explained that the information that is being monitored for Weston County is not accurate and affects the rating Weston County receives which effects crop producers. Director Livingston would like the Board to submit a letter during the RMA – Risk Management Agency comment period indicating the problem discussed. Vice-Chairman Todd read a letter that he drafted stating the problems Director Livingston had brought to the Board's attention. Commissioner Ertman moved to have the Board draft a letter, with the Chairman's signature, to the USDA; seconded by Commissioner Barton. Carried.

BUDGET AMENDMENT HEARING

At 10:00 a.m., a budget amendment hearing was opened to receive unanticipated revenue from grant funds in the amount of \$11,722.74 for the SHSP 2020 Community Resilience for the Weston County Homeland Security Department and \$23,988.99 for the SHSP 2020 Inter-operable Emergency Communications for the Homeland Security Department. Chairman Wagoner asked for public comment three times. Commissioner Ertman explained to the public that was present why the Board has budget amendment hearings. Chairman Wagoner closed the budget amendment hearing. Commissioner Barton moved to approve the Budget Amendment; seconded by Commissioner Ertman. Carried.

OLD BUSINESS

VARIANCES

Commissioner Ertman explained that she and Clerk Hadlock had worked on adding a paragraph to the variance about closing establishments at 10:00 p.m. which causes patrons to go out of State to celebrate. Commissioner Ertman added that in the Variance this asks for our bars to stay open. Commissioner Ertman moved to submit Variance #4 – Countywide Variance to the Restrictions mandated in Statewide Public Health Order Regarding Bars, Restaurants, Theaters, Gymnasiums, Child Care Facilities, K-12 Schools, Colleges, Universities, and Trade Schools, Variance #5 – Countywide Variance to the Restrictions Mandated in Statewide Public Health Order #2 Regarding Gatherings of More than Ten (10) People, and Variance #6 – Countywide Variance to the Restrictions Mandated in Statewide Public Health Order #3 Regarding Nail Salons, Hair Salons, Barber Shops, Massage Therapy Services, Tattoo, Body Art and Piercing Shops, and Cosmetology, Electrology and Esthetic Services to County Health Officer Jording; seconded by Vice-Chairman Todd. During discussion Commissioner Barton wanted to wait and visit with Dr. Jording and ask him questions. Commissioner Ertman stated that Dr. Jording will pass the variances on to the State even if he chooses not to sign them. Chad Sears was present and asked Attorney Berger how the State can tell the public how many can be present on private property at one time. Attorney Berger answered that he cannot comment on that. Carried.

BILL FOR HIEN|BOND

Attorney Berger stated that he had Clerk Hadlock forward an e-mail from Randy Hien stating he admits that the bill he had submitted had dates that he didn't do work. Commissioner Ertman responded that Mr. Hien had not followed the process for the bill and he could come and pick up the chair that he mentioned in the e-mail. Attorney Berger will draw up a letter to send to Mr. Hien.

MASK MANDATE

Gillian Sears came before the Board to discuss the mask mandate and removing the County Health Officer. Ms. Sears gave the Board handouts of information that she had gathered on data pertaining to the mask mandates. Ms. Sears will have questions for Dr. Jording when he comes before the Board. Ms. Sears read the following: It's just two weeks, it's just six feet, it's just a mask, it's just non-essential

businesses, it's just non-essential workers, it's just a restaurant, it's just a bar, it's just to keep from overwhelming the hospitals, it's just until cases go down, it's just to keep people from being afraid, it's just a church. Pray at home, it's just contact tracing, it's just a vaccine, it's just vaccine papers to prove you were vaccinated, it's just so you can travel, it's just so you can participate in society, it's just a monument, it's just an anthem, it's just a flag, it's just Christmas, it's just OUR FREEDOM.

CONCERNED CITIZENS IN SUPPORT OF THE WC SHERIFF'S OFFICE – HEALTH OFFICER

Dan Fouch wanted to discuss the Board doing away with the County Health Officer. Mr. Fouch said he understood that there were two Counties that do not have one. Commissioner Hunt let Mr. Fouch know that it is State Statute that the County have a County Health Officer and if there is not one appointed by the County, the authority reverts to the State Health Officer. Commissioner Hunt asked Mr. Fouch if he thinks it would save the County money without him. Dan Bau said Sheriff Colvard does not uphold State Statutes, he upholds the Constitution. Commissioner Ertman let Dr. Jording know that the Board had approved to submit Variances to the State. Commissioner Ertman reported that the reason the Board would like to have bars and restaurants not close at 10:00 p.m. is in anticipation of the holiday festivities. Commissioner Ertman added that patrons will be driving to Deadwood instead to celebrate and the Board would like to encourage them to stay home. Dr. Jording will review them himself and make suggestions, then send them to the State Officer. Dr. Jording added that he doesn't think what the Board is asking is unreasonable. Dr. Jording asked that the Board draw up the request's and present them to him, he will look at them and then present them to the State Health Officer with a cover letter with each Variance. Vice-Chairman Todd handed Dr. Jording the Variances that the Board had already passed and signed. Commissioner Barton asked Dr. Jording to consider the variances keeping the overall cost to society in mind. The Board understood that the schools are under their own orders. Dr. Jording reiterated he would look at the Variances but wondered why the members present at the meeting did not have masks on. Ms. Sears stated that Governor Gordon had recently been photographed without his mask on. Commissioner Ertman stated it is about quantity of life vs quality. Commissioner Elect Don Taylor asked Dr. Jording why he himself was not putting in for the Variances to the State since Weston County is in the green. Vice-Chairman Todd asked Dr. Jording if he planned on staying on as the County Health Officer after he retires. Dr. Jording stated he was if the Board allowed him to.

MINOR SUBDIVISION – TANK TOP SUBDIVISION

Clay Anderson came before the Board to explain the minor subdivision that he is applying for. The Board appreciated Mr. Anderson coming in to answer their questions. Commissioner Barton moved to authorize the Chairman's Signature on Minor Subdivision Tank Top Subdivision Plat; seconded by Commissioner Ertman. Carried.

NATURAL RESOURCE DISTRICT

Caleb Carter, Weston County Natural Resource District Manager, provided the Board with the Annual Report from July 1, 2019 – June 30, 2020. Mr. Carter is really excited to be able to come in and introduce himself to the Board. Commissioner Ertman asked if Dru Palmer had gotten in contact with him and he stated that she had and he is going to be on the Steering Committee to help with Weston County's Natural Resource Plan. Commissioner Barton asked if it would be possible to get the Hazardous Waste day brought back to Upton. Mr. Carter stated that is one thing he is currently working on.

COURTHOUSE UPDATE

Maintenance Foreman Steve Price gave the Board the updated price to replace the East & South doors from Architectural Specialties as well as the cost from Golden West to rewire the doors to work with the FOB's. The Board gave Foreman Price the go ahead to get this project done. Commissioner Barton made

a motion to replace the front and east side door using the Courthouse Security Grant with a 90/10 match; seconded by Commissioner Ertman. Carried.

PUBLIC COMMENT

During public comment Chairman Wagoner reported that there was a pay app brought to Clerk Hadlock by Jerry Hunt that should have been taken to Road and Bridge for review first. Road and Bridge has now brought it to the Board for approval, but it is not correct. The Board would like this given back to Road and Bridge and will approve it once everything is done correctly.

Donnie Steveson came before the Board to discuss the CAD system that is still needed for Dispatch. Mr. Steveson stated that the City and the County tried to get a new CAD system through the CARES funding but were denied. Mr. Steveson stated the City was working on a two year interest/payment free agreement with Motorola. Mr. Steveson added that he and Homeland Security Coordinator Gilbert Nelson were working on applying for an MRG Grant that would help make the payments for this purchase however he has now learned that the Grant would not pay for something already purchased. Mr. Steveson feels now that it would be best for the City to wait and not sign the agreement with Motorola so that he can work on applying for the MRG. Commissioner Barton stated that he relies on Sheriff Colvard and Coordinator Nelson on what is needed vs what is wanted as it went from being around \$300,000 and now it is between \$750,000-\$800,000. Commissioner Barton added that we are all on the same team and we need to get something figured out.

With no further business, the meeting adjourned at 1:13 p.m.

Ed Wagoner
Chairman

Attest: Becky Hadlock
Weston County Clerk