

**WESTON COUNTY BOARD OF COMMISSIONERS**  
**OFFICIAL MINUTES**  
**August 17, 2021**

The regular meeting of the Weston County Board of Commissioners was called to order by Chairwoman Marty Ertman at 9:00 a.m. at the Weston County Courthouse. Commissioners Marty Ertman, Nathan Todd, Tony Barton and Don Taylor, Attorney Michael Stulken and Clerk Becky Hadlock were present. Attorney Michael Stulken led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Commissioner Barton asked to have the Law Enforcement Ramp added under Old Business and Chairwoman Ertman asked to have Computer Security added under New Business. Commissioner Barton moved to approve the agenda with changes; seconded by Commissioner Taylor. Carried.

**APPROVAL OF CONSENT AGENDA**

Commissioner Barton moved to approve the consent agenda less the Executive Session Minutes of August 3, 2021, which included the Minutes of August 3, 2021, Treasurer's Report, 24 Hour Permit for Cambria Inn, DBA Flying V: 8/28/21 – 8/29/21, 24 Hour Permit for Cambria Inn, DBA Flying V: 9/11/21 – 9/12/21, 24 Hour Permit for Cambria Inn, DBA Flying V: 9/18/21 – 9/19/21, Chairman's Signature on Reiman Corp. Payment No. 5 – Final Payment, Board's Signature on County Road Fund Project Eligibility Certificate Form; seconded by Vice-Chairman Todd. Carried.

Commissioner Barton moved to approve the Executive Session Minutes of August 3, 2021 as amended; seconded by Commissioner Taylor. Carried.

**APPOINTMENT OF COUNTY ATTORNEY**

Chairwoman Ertman read the letter from the Republican Party forwarding Attorney Stulken's name for appointment as Weston County Attorney. Vice-Chairman Todd moved to appoint Michael Stulken per Statute 22-18-111 (a)(i) as the Weston County/Prosecuting Attorney to fill the term left vacant by Alex Berger; seconded by Commissioner Taylor. Commissioner Barton feels that with Weston County being a small County, it limited the number of names submitted. Chairwoman Ertman added that the Republican Party did their due diligence and did do their best. Carried.

**WYDOT – STIP**

Scott Taylor, District Engineer, Isaac Finkle, District Construction Engineer, Michelle Edwards, District Traffic Engineer and John Leahy, Resident Engineer were all present to give the annual STIP presentation. Chairwoman Ertman asked about the program at WYDOT that makes signs. Ms. Edwards suggested contacting LTAP at the University of Wyoming about this and also suggesting getting in on an ARS agreement when the State upgrades their signs. Vice-Chairman Todd asked if a traffic study had been done on the Barton Road. Ms. Edwards let him know that the State did not do traffic studies, that this was done by T<sup>2</sup> which was the UW.

**OLD BUSINESS**

**BARTON ROAD**

Concerned citizens that live on Barton Road came before the Board to get an update on issues that were discussed at the July 20<sup>th</sup> meeting about the speed limit and dust suppression. Ms. Kennedy asked Road and Bridge Superintendent Marty Habeck about the traffic study. Superintendent Habeck stated that

maybe the end of August. Ms. Kennedy asked for a number so she could call them to see when they would be doing the study. Commissioner Taylor asked about the cattle guard that was to be replaced. Superintendent Habeck stated he was waiting on guidance from the Board on this. The Board advised Superintendent Habeck to replace the cattle guard. Ms. Kennedy asked if there was a price for the Mag-Chloride. Superintendent Habeck will get this to her.

#### **LAW ENFORCEMENT RAMP**

Commissioner Barton let the Board know that Nick White, with White's Construction, never received the answers to his questions so Commissioner Barton sent them to him again. Commissioner Barton would like to have this added under Old Business.

#### **NEW BUSINESS**

##### **COMPUTER SECURITY**

Chairwoman Ertman stated that computer security needed to be looked into as somehow the Commissioners' contacts had been hacked. Clerk Hadlock will reach out to either Golden West or Jub Jub to see what can be done to fix the problem.

##### **ROAD & BRIDGE SUPERVISOR – EXECUTIVE SESSION**

Commissioner Barton moved to go into Executive Session per W.S. 16-4-405(a)(ii); seconded by Vice-Chairman Taylor. Carried. Executive Session began at 10:59 a.m.; regular meeting reconvened at 11:16 a.m. Matters concerning the Road & Bridge Supervisor were discussed in Executive Session; no action was taken.

##### **CAD SYSTEM UPDATE**

Deputy Attorney Jeanie Stone joined the meeting via phone. Chairwoman Ertman reported that there has been a new development with the CAD. Chairwoman Ertman stated the County had been waiting on a check from the City of Newcastle to pay for their ½ of the CAD so that the contract with Motorola could be signed. The City had a special meeting that was in executive session and the County has now learned that the City is going down a different route. Chairwoman Ertman stated the City had been invited to attend this meeting but could only attend at 10:00 a.m., which conflicted with the STIP meeting. Deputy Stone spoke with the Mayor and learned that they rescinded their motion to join in the contract for the CAD System. Chairwoman Ertman asked if the Board wanted to go into executive session to discuss possible litigation or remain in open session. Commissioner Barton wanted to remain in open session so the press could report on the new development. Commissioner Barton asked Sheriff Bryan Colvard and Upton Police Chief Susan Bridge if they had been invited to the demonstration of the CIS upgrade and neither of them had. Chief Bridge feels it could possibly meet basic ability but it won't help with investigatory, does not tie one component to the other, leaves them with a constant lack of information, and does not catalog the evidence like it should. Commissioner Taylor asked Sheriff Colvard his thoughts on the update. Sheriff Colvard had concerns with the updates being available for free and one entity making a decision for multiple entities. Commissioner Taylor had concerns about one entity making decisions for multiple entities and this is the same entity that got everyone into this trouble. Vice-Chairman Todd added this was where his concern was eight months ago with an elected Mayor and City Council making all the decisions and 3500 people having no say. Upton Town Council member Dennis Stirmel added the update might work for now, but we will still need to replace the CAD system one year from now and we have had these conversations for a reason. Councilman Stirmel asked why the Town of Upton and the County of Weston were not invited to the demonstration of the free upgrade. Deputy Attorney Stone suggested having one more meeting as a group with the City of

Newcastle and see what they are doing. Homeland Security Coordinator Gilbert Nelson added that all First Responders, Law Enforcement, Dispatch and the citizens will suffer because the City of Newcastle wants to save money by stalling until the Joint Powers Board is formed. Coordinator Nelson added that the Ambulance Service purchased equipment because they were relying on the purchase of this new equipment. Chairwoman Ertman added she is speechless and everyone is going to suffer. Upton Town Clerk Kelley Millar asked if there was a nuclear option that says "that's great, but this is what we are going to do". Clerk Millar asked Deputy Attorney Stone who would make that decision, as all of the dispatch contracts are expired and are a month to month payment. Vice-Chairman Todd agreed this should have been done eight months ago and the dispatch should be under Bryan Colvard's control. Councilman Stirmel asked what it would take to take the control away from Newcastle and make someone responsible to make the decisions that everyone else agrees on. Chairwoman Ertman stated that's where we were with the Joint Powers Board but when someone stomps their foot and says they aren't getting good representation, that is a weird thing where someone has more control than someone else. Chairwoman Ertman added the thought process behind a Joint Powers Board is that we would all have an equal arm in this and the conversation would always be able to go with them and away from this. Sheriff Colvard stated the idea was to hopefully eliminate the prospect of a future Chief or future Sheriff that couldn't put us in the same spot we are in now. Chairwoman Ertman stated she thought we were doing a pretty good job getting to that point. Upton Town Councilman Nicholas Trandahl stated he doesn't think it's a coincidence this is coming immediately after them saying they have a stomach ache over not having equal representation. Commissioner Taylor stated we can talk about 12 more meetings, one more meeting whatever, but ultimately, someone is going to get hurt if we don't get the problem solved. Chairwoman Ertman stated if the City does not want to join the club, they can vacate the building. Sheriff Colvard stated this same thing happened in 2004 and, he had the correspondence that was done under the table and behind the scenes. Sheriff Colvard added that after the County paid ½, after the CAD system was paid for in 2004, there was correspondence between an individual at CIS and a City official stating "per your request" we will remove the E-911, we will remove mobile, we will remove computing and we will remove the enhanced. Sheriff Colvard stated this was after the County paid for it. Chairwoman Ertman said after this, the Dispatch Agreement and Rental Agreement split apart it and was an interesting dynamic that it split. Vice-Chairman Todd wondered why the City of Newcastle wants control of Dispatch and why would they be upset if the County took it over. Coordinator Nelson stated they were upset that the County was paying for Upton's share. Clerk Hadlock added that she had received an e-mail stating they thought it was unfair the County was paying for Upton's portion. Councilman Trandahl stated it was none of the City's business. Chairwoman Ertman moved to go into Executive Session per W.S. 16-4-405(a)(iii); seconded by Commissioner Barton. Carried. Executive Session began at 11:50 a.m.; regular meeting reconvened at 12:06 p.m. Matters concerning litigation were discussed in Executive Session; no action was taken.

Commissioner Barton moved to have a special meeting on Thursday August 19<sup>th</sup> at 12:30 p.m.; seconded by Commissioner Taylor. Carried.

#### **PUBLIC COMMENT**

During public comment Clerk Millar thanked the Commissioners for including Upton.

With no further business, the meeting was adjourned at 12:12 p.m.

Marty Ertman  
Chairwoman

Attest: Becky Hadlock

Weston County Clerk