

WESTON COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
September 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, Tracy Hunt and Nathan Todd, and Clerk Becky Hadlock were present. Attorney Alex Berger joined the meeting via telephone. Executive Director of the Wyoming County Commissioner Association Jeremiah Rieman led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

APPROVAL OF CONSENT AGENDA

Commissioner Ertman moved to approve the consent agenda, which includes the Minutes of September 1, 2020, Tax Roll Corrections #1399-#1402, Vice-Chairman's Signature on Reimbursement Agreement Approval by E-mail, Chairman & Clerk's Signature on Clerk's Abstract Statement, Treasurer's Report, Approval of Insurance Renewal; seconded by Commissioner Hunt. Carried.

BRIDGER PIPELINE

Ken Dockweiler - Director of Land, Government & Compliance with Belle Fourche Pipeline let the Board know that everything is going well and the goal is to start pushing oil into the lines by mid-October. Commissioner Ertman asked if the stations in Osage would all be used and Mr. Dockweiler would get back to the Board with an answer. Mr. Dockweiler asked to be added to the agenda every four months instead of monthly.

CARES ACT

Director Rieman advised the Board that Weston County had been awarded \$1.2 million in CARES funds from the State. Clerk Hadlock asked if the \$700,000 that Weston County had already applied for would be subtracted from the \$1.2 million and Director Rieman stated that it would. Director Rieman added that the one thing that he knows would not be available out of these funds would be WYO-Link. Director Rieman will be sending Clerk Hadlock an e-mail that has a guideline on what the funds can be spent on.

WYOMING COOPERATIVE LIQUID ASSETS SECURITIES SYSTEM – WYOMING CLASS

Troy Hunsucker, Regional Director of Marketing for Peaks Investment Management, came before the Board to talk about another way for the County to invest the County funds. Chairman Wagoner feels that the County does not have a lot of funds to invest and added it is the Board's call.

BUDGET AMENDMENT HEARING

At 10:00 a.m., a budget amendment hearing was opened to move funds from the County Road Fund Reserve Fund to the County Road Fund Account 413.50.44.0078000.0000 in the amount of \$362,000. Chairman Wagoner asked for public comment three times. Chairman Wagoner closed the budget amendment hearing. Chairman Wagoner asked for discussion from the Board. Commissioner Ertman asked if the amount would be enough and Clerk Hadlock believed that it would. Commissioner Hunt moved to approve the Budget Amendment; seconded by Vice-Chairman Todd. Carried.

WYOMING CLASS – cont.

Mr. Hunsucker again advised the Board that this program was a cash account. Commissioner Hunt asked Mr. Hunsucker why the County should invest in this Company. Mr. Hunsucker advised this was a safety in yield program.

OLD BUSINESS

BLACK THUNDER BRIDGE

Engineer Jerry Hunt, with Weston Engineering, advised the Board that an easement agreement had been overlooked in the original agreement and the total would be between \$8,500 and \$9,000. Engineer Hunt also reported that he had addendum #2 for the Black Thunder Bridge and added that the landowner and contractor will need to come up with a plan for taking care of the old bridge. Chairman Wagoner asked how far back this was going to push the project and would it be able to be completed before winter? Engineer Hunt advised it would be. Commissioner Ertman asked if this amount for the easement agreement was included in the budget amendment that was just done and Clerk Hadlock advised that it was not. Chairman Wagoner asked if Attorney Berger had reviewed the agreement and Engineer Hunt stated that he had not but he will send it to Clerk Hadlock so that she can get it to Attorney Berger for review.

SARS-Cov-2 RESOLUTION – VARIANCE

Commissioner Ertman stated that the discussion at the previous meeting was to apply for a variance asking for relief from the restrictions set by the State. Commissioner Hunt recalled three different things that would be done, rescinding of the Chairman's signature on the Public Health order, consideration of the Goshen County Resolution and asking for a variance. Commissioner Hunt added that obviously we rescinded the Chairman's signature at the last meeting and he prepared the resolution adopting the Goshen County Resolution. Attorney Berger asked if he was to prepare a variance. The Board stated that they wanted him to. Commissioner Ertman stated that the Board could not dictate what the school or businesses are doing in the variance. Commissioner Hunt added that he feels that this happens by default when a variance is asked for. Attorney Berger will reach out to the school and then get back to the Board. Attorney Berger added he will look over the resolution that Commissioner Hunt wrote, make any corrections that so that Chairman Wagoner can sign it at the next meeting.

ANNEX PARKING LOT

Attorney Berger stated that a title insurance policy is needed before the purchase of the Annex Parking lot. Attorney Berger will work with Clerk Hadlock to get this taken care of.

NEW BUSINESS

BILL FROM HIEN | BOND – COUNTY ATTORNEY

Attorney Berger let the Board know that he has looked over the bill that was submitted from Hien | Bond and there are a few things that he has found. Attorney Berger reported that the bill is over a year later than the services on the invoice, final payment was advertised and Attorney Berger asked the Board if these services were ever approved. Commissioner Ertman let Attorney Berger that the Board does not owe for this bill. Commissioner Hunt moved to table the discussion of the bill until the next meeting and possibly go into executive session; seconded by Vice-Chairman Todd. During discussion Attorney Berger stated he will gather more information about this and report back to the Board. Commissioner Ertman feels the Board is just trying to pay a bill and does not feel the need to go into executive session is necessary. Carried.

ROAD & BRIDGE

Road & Bridge Forman Jim Hansen gave an update to the Board on the Road & Bridge Department. Commissioner Ertman asked that Foreman Hansen look at the budget line item again on the County Road fund item and see what the money can be spent on and what will come out of each account so the Board doesn't have to keep having budget amendment hearings. Foreman Hansen stated that the ONEOK account will be spent on the timbers that were purchased but he and Office Manager Brooke Weigel were working on trying to get the account fixed.

SARS-Cov-2 RESOLUTION – VARIANCE – cont.

Vice-Chairman asked Director Rieman if there would be ramification from the Board asking for a variance. Director Rieman stated that the Board would still be ok for the CARES funding but could not guarantee on the other funding. Attorney Berger phoned back in and stated he had made changes to the Resolution presented by Commissioner Hunt. Commissioner Hunt moved to approve the Chairman's signature on Resolution 2020-12; seconded by Vice-Chairman Todd. During discussion Commissioner Ertman asked for a full Board before a decision was made. Ayes: Wagoner, Hunt, Todd. Commissioner Ertman was still deciding when voting closed. Carried.

PUBLIC COMMENT

During public comment Commissioner Ertman stated if things are on the agenda she would like them to not be removed if it doesn't work out. Commissioner Ertman was referencing the residency issue that had been removed and Clerk Hadlock stated that she had discussed with the parties ahead of time and they were ok that it be moved to the next meeting.

Don Taylor stated he had visited with Commissioner Barton in length about the residency issue and that it's Commissioner Barton's choice to make, however he could have put this out for the people to know about. Commissioner Hunt asked Director Rieman what the law requires. Director Rieman answered that he had reviewed the State Statutes and there is no residency issue that requires Commissioner Barton to live in the County.

With no further business, the meeting adjourned at 11:31 a.m.

Ed Wagoner
Chairman

Attest: Becky Hadlock
Weston County Clerk