

August 2, 2011

The regular meeting of the Weston County Commissioners convened at 9:00 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**

Chairman Bruce gave the Invocation and Commissioner Ertman led the delegation in the Pledge of Allegiance.

**Approve Minutes**

A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to approve the minutes of a special meeting held July 18, 2011 as well as the minutes of the last regular meeting held on July 19, 2011. Motion carried.

**Accept Collections**

A motion was made by Commissioner Shepperson, seconded by Commissioner Ertman to accept the collections of the County Clerk in the amount of \$8,977.50 and the District Court in the amount of \$1,818.31. Carried.

**ARRA Mallo Camp Retrofit Project**

A motion was made by Commissioner Rossman, seconded by Commissioner Seeley, to reaffirm the action taken on July 29, 2011, to sign both Notices of Award and Contracts for the American Recovery Reinvestment Act for Mallo Camp. The Notices of Award and Contracts were signed with Black Hills Plumbing, to install air units, at a cost of \$25,626.00, Leighton Construction, to install windows, at a cost of \$37,758.00, and ITC Electrical, to install lights, at a cost of \$23,717.00. Motion carried.

**Weston County Fair**

The Commissioners discussed events for the Weston County Fair and Commissioners fun night which starts at 7:00 p.m. on Thursday, August 4, 2011. No action was taken.

**Mill Levy Distribution for 2011**

Tina Conklin, County Assessor, met with the Commissioners to discuss the Mill Levy distribution for the year 2011. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman to approve the Mill Levy distribution list for the year 2011 as presented. Motion carried.

**Assessor's Office**

Tina Conklin, County Assessor, updated the Commissioners on a lawsuit being brought against the Wyoming Department of Revenue. Wyoming County Assessors are supporting the Wyoming Department of Revenue's defense in a law suit brought by Sage Information Services. The argument is whether or not the Wyoming Department of Revenue has the authority to distribute non-confidential property assessment records to private companies, currently only statistical analysis information is distributed by the Wyoming Department of Revenue with the approval of Wyoming County Assessors. No action was taken.

**Assessor Fee Addendum**

Tina Conklin, County Assessor, explained to the Commissioners that fees for the Request of Weston County Property Assessment Information had been left off the fee chart previously approved by the Commissioners on February 15, 2011, and needed to be added as an addendum. A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to approve the Addendum for the Weston County Property Assessment Information fees. Carried.

**State Lands & Investments Board (SLIB)**

The Commissioners discussed a SLIB meeting to be held on Thursday, August 4, 2011, in Cheyenne, WY. Commissioner Ertman will attend and provide an update at the next Commissioners Meeting. No action was taken.

The meeting recessed at 9:48 a.m. and reconvened at 10:02 a.m. with all present.

#### **2011 Flood Damage Emergency Funding**

Doug Jorrey, Homeland Security Coordinator, and Rick Williams, Road & Bridge Foreman, updated the Commissioners on a meeting they attended on August 1, 2011, in Sundance, WY, for the Flood Damage Emergency Funding. A Request for Public Assistance was submitted at the August 1 meeting and FEMA personnel will be on site in Weston County within a two week period to obtain details on site work. The grant funding will be 75% with a 25% County match, estimates for Weston County's share are approximately \$150,000.00. The 25% County match requirement will be made up of in-kind services, administrative costs incurred, donations, and cash match. The project on Skull Creek (Site #2) was discussed. This site involves a waterway, and may be excluded from the Federal grant due to permitting processes and required hydrologist studies. Weston County qualifies under the State of Wyoming's Hazard Mitigation Plan, qualifying roads will be considered for mitigation. A motion was made by Commissioner Ertman, seconded by Commissioner Seeley, to sign a form designating Doug Jorrey, Homeland Security Coordinator, as Weston County's Agent to execute and file an application for the purpose of obtaining federal financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Motion carried.

#### **Weston County Event Center Tourism Signs**

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to sign a contract ending on June 30, 2013, between Weston County and the Office of Wyoming Tourism for promotion of the Weston County Event Center through signage. Carried.

#### **Resolution #11-13 Prairie Dog translocation**

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to sign and adopt a Resolution numbered 11-13, to restrict any colony of Prairie Dogs being translocated within Weston County to be no closer than 4.35 miles to private land. Motion carried.

#### **West End Water District**

The Commissioners were notified by the US Environmental Protection Agency of non-compliance of the safe drinking water of West End Water District. No action was taken.

#### **2011 Consensus Funding**

Ray Pacheco, Growth & Development Coordinator, presented a letter from the State Lands and Investment Board (SLIB) regarding the 2011 Consensus Funding. SLIB approved Weston County's project lists and awarded funding in the amount of \$300,019.00. Also approved were the City of Newcastle projects in the amount of \$300,019.00, the Town of Upton projects in the amount of \$100,019.00, the Weston County Health Services project in the amount of \$14,519.00, the Weston County Fire Protection District project in the amount of \$30,000.00, and the Osage Improvement and Service District project in the amount of \$34,519.00. No action was taken.

#### **Circuit Court Security**

A letter regarding the status of security issues in the Circuit Court Room was received from Circuit Court Judge Dollison, and read aloud by Chairman Bruce. After discussion, it was decided to discuss the issue further with Sheriff Colvard later in the meeting. No action was taken.

#### **Subdivision Improvement Agreement (SIA)**

Progress of the revised SIA was discussed with Ray Pacheco, Growth & Development Coordinator, who will provide the final revision to the Board of Commissioners at the August 16, 2011, meeting. No action was taken.

#### **Weston County Planning Commission**

Chairman Bruce read aloud a letter of resignation received from Jim Varner, Planning Board Member. A motion was made by Commissioner Shepperson, seconded by Commissioner Ertman, to set a Board Appointment Hearing for August 16, 2011, at 10:00 a.m. as advertised, to fill an unexpired term ending in January 2012 for the Weston County Planning Commission. Carried.

### **Upton Fairview Road**

The Commissioners discussed the Upton Industrial Park and Upton Fairview Road project. Although funding is an issue for the Upton Fairview Road project, a joint effort between Weston County, City of Upton, City of Newcastle, Wyoming Business Council and the Upton Industrial Park was discussed. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to have the metes and bounds of those portions of the Upton Fairview Road which are currently outside of the right-of-way completed. Carried.

### **Sheriff's Department**

Sheriff Bryan Colvard met with the Commissioners and gave the monthly Sheriff's Department report including the accounts receivable and the Sheriff's fees collected. Sheriff Colvard discussed the need for security lighting on the abandoned vehicle lot, Doug Jorrey, Homeland Security Coordinator, will be consulted regarding possible funding for the lighting. The Commissioners discussed security concerns raised by Circuit Court Judge Dollison with Sheriff Colvard. Sheriff Colvard suggested that Doug Jorrey, Homeland Security Coordinator, should respond to Judge Dollison's concerns. The Commissioners will contact Mr. Jorrey, this issue will be revisited. Sheriff Colvard also extended a thank you to the Commissioners from his employees for the raise in pay and continued payment of insurance premiums by the County for Fiscal Year 2012. No action was taken.

The meeting recessed at 12:06 p.m. and reconvened at 1:30 p.m. with all present.

### **Newcastle Ambulance**

Roger Hespe, Owner of Newcastle Ambulance Service, and twelve Newcastle Ambulance Service employees, met with the Commissioners to discuss the service Newcastle Ambulance provides to Weston County and concerns over the recent funding cuts by the Commissioners. Mr. Hespe related that his ambulance service has mutual aid agreements with twelve neighboring communities and has not missed a call in the prior ten year period. Mr. Hespe also stated that Newcastle Ambulance Service provides an intercept service when another ambulance service may not have the equipment or training to deal with an emergency. Mr. Hespe presented a letter discontinuing an agreement to provide Title 25 transports at a reduced cost to Weston County, effective August 2, 2011. The Commissioners acknowledged receipt of the disbanded Title 25 agreement, and explained that the decision to cut the 1% sales tax funding to Newcastle Ambulance Service, and equalize the funding between the three ambulance providers in the County, was largely due to public comment received at a budget hearing held July 18, 2011. Concerns from citizens regarding Weston County's subsidization of a private business were conveyed to Mr. Hespe. Mr. Hespe related that he believes call volume should be considered when determining the amount of funding to distribute to each entity. The Commissioners thanked Mr. Hespe for his comments and service provided to the community. No action was taken.

The meeting recessed at 2:21 p.m. and reconvened at 2:23 p.m. with all present.

### **Payroll**

Susan Overman, County Treasurer, and Shawnda Morrison, Deputy Clerk, met with the Commissioners to discuss an issue with the payroll line item for Fran Lehman, GIS Department. The current line item used for Mrs. Lehman's payroll requires adjusting entries to be made before balancing each month. Mrs. Overman and Mrs. Morrison requested the Commissioners consider moving Mrs. Lehman's payroll line item to the Assessor's Department to alleviate issues in the accounting system. The Commissioners requested Mamie C. Krank, County Clerk, research a viable alternative and report back. No action was taken.

### **US Forest Service & US Fish & Wildlife Service Coordination Meeting**

Commissioner Seeley updated the Board on telephone conversations he had with Misty Hays, USFS, and Mark Sattleberg, USFWS, regarding a Coordination Meeting to be held on August 9, 2011. The Coordination Meeting was requested by the Weston County Board of Commissioners and pertains to possible prairie dog trans-locations in Weston County. Commissioner Seeley related that both parties now state the meeting date is not agreeable although a letter of confirmation was received from Mr. Phil Cruz, Forest Supervisor USFS. Commissioner Seeley also reported on a telephone conversation he had with Ed Mignery,

Chair of the Game & Fish Department, in which Mr. Mignery stated that the Game & Fish Department is the lead agency for prairie dog relocation. The Commissioners thanked Commissioner Seeley for his efforts in contacting said agencies and agreed to attend the scheduled meeting on August 9, 2011. No action was taken.

#### **Wyoming County Commissioners Association (WCCA)**

Cindy Delancey, Executive Director for the WCCA, met with the Commissioners to give an update on the Association. Ms. Delancey began by stating that she was interested in the topic of coordination meetings with the US Forest Service and US Fish & Wildlife Service. Being present for partial discussion on the topic, Ms. Delancey suggested including Ron Opsahl, WCCA Natural Resource Attorney, who may be able to help in the plight facing Weston County regarding coordination with Federal Agencies. Ms. Delancey also recommended the Commissioners utilize trainings provided by the WCCA. Ms. Delancey was thanked for her input. No action was taken.

The meeting recessed at 3:27 p.m. and reconvened at 3:34 p.m. with all present.

#### **Road & Bridge Department**

Rick Williams, Road & Bridge Foreman, gave the department report. County roads and equipment were discussed. Mr. Williams updated the Commissioners on the skid steer approved for purchase from RDO Equipment. RDO Equipment had quoted a price for a 2005 skid steer with air conditioning at a price of \$27,368.00. Mr. Williams explained to the Commissioners that when the equipment arrived it did not have air conditioning and RDO Equipment was unable to deliver a comparable skid steer with the correct options. Mr. Williams requested the purchase of a 2008 Caterpillar with bucket attachment, auger, and forklift for approximately \$33,000.00 and voiding the check to RDO Equipment. A motion was made by Commissioner Rossman, seconded by Commissioner Shepperson, to authorize the purchase of a 2008 Caterpillar Skid Steer with attachments at the price of \$32,636.00. Motion carried.

#### **2010 Congestion Mitigation Air Quality (CMAQ)**

Ray Pacheco, Growth & Development Coordinator, will contact Mark Gillette regarding the status of requested project amendments for the 2010 CMAQ grant and report back to the Commissioners. No action was taken.

#### **2011 Congestion Mitigation Air Quality (CMAQ)**

Rick Williams, Road & Bridge Foreman, gave the Commissioners a progress report on the Green Mountain Road. A 3.6 mile portion of the road has not been established, Fran Lehman is working on a resolution to present to the Board of Commissioners which will officially establish this portion of the road. Ray Pacheco, Growth & Development Coordinator, related that the easements for Old Hwy 85 and Green Mountain Road are in order. A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to authorize Chairman Bruce's signature on a letter drafted to Taylor Rossetti, Wyoming Department of Transportation, regarding modifying the Old Hwy 85 and Green Mountain Road projects for the 2011 CMAQ grant, as well as Right-of-Way Certification for the projects. Motion carried.

#### **Statewide County Re-Districting Plan (Hans Hunt)**

A resolution was presented to the Commission, regarding support of the Statewide Re-Districting Plan proposed by Representative Hans Hunt. After discussion, a motion was made by Commissioner Rossman, seconded by Commissioner Ertman, to sign a resolution numbered 11-12, supporting the Statewide County Re-Districting plan presented by Representative Hans Hunt. Carried.

#### **Thank You Cards & Letters**

The Commissioners received multiple Thank you cards and letters. They are as follows: Upton Volunteer Ambulance Service for the provider of service agreement funding, Weston County Children's Center for the provider of service agreement funding, Weston County Library for the full time employee raises, Weston County Clerk's staff for the full time employee raises, Jess Ayres recipient of a Commissioner's Scholarship, and Director of Homeland Security, for the partnership efforts in the flood fight. Cards and letters were read aloud by Chairman Bruce, discussion ensued. No action was taken.

### Approve Vouchers

A motion was made by Commissioner Shepperson, seconded by Commissioner Rossman, to approve the vouchers as presented with the following exceptions: City of Newcastle for dispatch costs, Stephenson Custom Case for furniture and MasterCard for sheriff's expense, until further clarification. Motion carried. Once the vendors were contacted, a motion was made by Commissioner Shepperson, seconded by Commissioner Ertman, to accept the vouchers previously excluded except for a charge to Walmart made on the Sheriff's Office MasterCard in the amount of \$27.43. Motion carried. They are as follows:

Black Hills Plumbing, retrofit grant, \$25,080.00, Hermes Consolidated, gas/oil, \$23,988.00, Hermes Consolidated, gas/oil, \$52,892.61, 066 NCPERS, financial admin, \$272.00, AFLAC, payroll ded, \$1,886.14, Blue Cross Blue Shield, financial admin, \$51,934.34, Circuit Court, payroll ded, \$804.40, Dept of Employment, financial admin, \$3,387.28, Office of Child Support, payroll ded, \$175.00, Orchard Trust, payroll ded, \$1,200.00, WEBT, financial admin, \$176.00, Weston County Clerk, financial admin, \$38,696.09, WY Child Support, payroll ded, \$514.00, WY Retirement System, financial admin, \$23,673.08, WY Retirement System, financial admin, \$581.87, A&B Welding Supply Co, repair/maint, \$139.53, Ad Pro, coroner exp, \$79.11, Advanced Communications, officer equip, \$20.00, Advanced Drug Testing Inc, misc, \$52.00, Alltel, coroner exp, \$20.04, Alpha Communications, tower rent, \$55.00, AlSCO, janitor supp, \$151.08, Apex Technology, comp software, \$1,100.00, AT&T Mobility, comm, \$760.68, Barnes Distribution, repair/maint, \$54.59, Best Business Products, copier maint, \$268.71, Black Hills Chemical & Janitorial, brd of prisoners, \$75.01, Black Hills Plumbing, major repairs/repair/maint, \$4,169.41, Black Hills Power, util, \$3,240.08, Black Hills Printing & Signs, supp, \$129.00, Tom W. Bruce, mile/trvl, \$76.00, Byrand Streeter, contract wages, \$1,071.88, C&J Newcastle Hardware, repair/maint, \$256.03, Cambria Supply, repair/maint, \$357.87, Casey Thorson, p-hlth exp, \$75.00, CSA, comp software, \$16,730.00, Culligan Water Conditioning, misc, \$70.00, Decker's Food Center, brd of prisoners/supp, \$146.43, Dixon Bros Inc, gas/oil, \$177.95, Drive Train Industries Inc, repair/maint, \$40.44, Ecolab Pest Elim Div, repair/maint, \$350.00, Eddies Truck Center, repair/maint, \$31.53, Evercom, inmate program, \$700.00, Family Dollar Stores, supp, \$12.15, Fastenal Company, repair/maint, \$346.28, Fred's Welding Service, brd of prisoners, \$1,320.00, Gateway Auto Supply, repair/maint/small tools, \$666.18, Gem Refrigerator Co, p-hlth exp, \$8,870.16, Gillette News Record, print/publ, \$41.69, Godfrey's Brake Service, repair/maint, \$167.80, Golden West Technologies, hmlnd sec exp, \$232.57, Graphic Design, uniforms, \$139.00, Hansen & Peck, office exp, \$3,541.67, Hillyard/Sioux Falls, janitor supp, \$116.38, Identification Products Mfg Co, hmlnd sec exp, \$2,276.54, Jeff Regan Trucking, grvl/rd mtrl, \$24,000.00, Jerry Shepperson, mile/trvl, \$126.00, Jessica M. Holmes, pub rel, \$20.00, John E. Reid & Associates Inc, school exp, \$595.00, John Francis Masonry, bldg/equip upgrade, \$9,700.00, KASL, hmlnd sec exp, \$212.75, Leighton Construction & Srv LLC, maj repairs, \$5,640.00, Lenard D. Seeley, mile/trvl, \$60.00, Lichen Research Center, comp software, \$1,000.00, Lori Bickford, p-hlth supp, \$86.49, Matthew Bender & Co Inc, law library, \$99.46, Max Masters, gis land records, \$1,900.00, Midwest Cancer Screening, p-hlth exp, \$15.80, Minuteman Lube Center, veh maint/fuel, \$35.00, Modern Cleaners, uniforms, \$10.00, National Pen, p-hlth exp, \$260.79, National Sheriff's Association, pub rel, \$50.00, Neves Uniforms Inc, uniforms, \$172.73, Newcastle Motors, veh maint, \$371.55, News Letter Journal, supp/print/publ/hmlnd exp, \$610.81, Oil City Operating Inc, repair/maint, \$208.67, Pamida, repair/maint/brd of prisoners/supp, \$330.97, Plainsman, supp, \$935.85, Postmaster c/o WIC, post/freight, \$216.00, Powder River Energy Corp, util, \$806.28, Quality PC, repair/maint, \$87.45, Randy Rossman, mile/trvl, \$36.00, Rapid Delivery, post/freight, \$10.93, Reserve Acct-Pitney Bowes, post/freight, \$3,660.00, Ringer Law PC, spec attny, \$171.00, Roadrunner Disposal Service, util, \$55.00, Robin Roetzel, ag exp, \$64.00, RT Communications, comm, \$1,944.03, SDSM&T, cama implementation, \$900.00, Servall Uniform/Linen Co, repair/maint, \$258.09, Source Gas, util, \$167.67, Stephenson Custom Case Co, p-hlth exp, \$1,698.00, Tina Conklin, school exp, \$246.50, Top Office Products, supp, \$1,603.76, Tri Star Surveying, rd constr, \$422.00, Uber Geek Computers, repair/maint, \$160.00, USDA Forest Service, office exp, \$3,515.82, Vaisala Inc, awos, \$449.00, Verizon Wireless, p-hlth exp, \$50.91, Visa, school exp, \$668.20, WACO, school exp, \$185.00, WC&PAA, attny assoc dues, \$200.00, WCS, comm, \$201.44, West End Water District, util, \$60.00, West Payment Center, law library, \$697.00, West River International, repair/maint, \$291.36, WC Children's Ctr, child center, \$3,750.00, WC Gazette, print/publ, \$1,067.50, WC Library, library, \$3.09, WC Public Health, fmly pln, \$1,828.10, WC Road & Bridge, veh maint/fuel, \$4,935.46,

WY Automotive Co, repair/maint, \$181.11, WY Dept of Health, p-hlth exp, \$14,459.88, WY Guardian Ad Litem, spec attny, \$884.51, WY Health Council, p-hlth exp, \$682.90, WY Honor Conservation Camp, brd of prisoners, \$2,167.20, WY Network, financial admin, \$201.25, WY Public Health Laboratory, p-hlth exp, \$72.00, Xerox Direct, ag supp, \$83.69. Net Payroll \$135,255.08.

There being no further business to come before the Commission, the meeting adjourned at 5:20 p.m.

Attest: Mamie C. Krank  
County Clerk

Tom W. Bruce  
Chairman