

NIOBRARA COUNTY COMMISSIONERS' MEETING  
NIOBRARA COUNTY, WYOMING  
FEBRUARY 6, 2024

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The County Commissioners' meeting was called to order on February 6, 2024, at 9:02 a.m. by Chairman Patrick H. Wade. Vice-Chairman John Midkiff, Commissioner Elaine Griffith, and County Clerk Becky L. Freeman were present. Sheriff Randy Starkey, Brandie Collins with the *Lusk Herald*, and Sheila Boldon were in attendance.

Public Hearing- Chairman Wade called the public hearing to order to receive comments for or against the issuance of a special use permit for Five Nine Design Group on land owned by Tom and Valerie Wasserburger located in T32N, R63W, Section 5, a tract located in the SESESW (1.82 acres). The purpose of the change of zoning is to install an unmanned, pre-manufactured fiber optic utility building with fiber and electricity going to it. Adjoining landowner Cheryl Lund was in attendance and Rex Atkinson with Five Nine Design attended by phone. A public hearing was held on December 5, 2023, on this matter, however the matter of access was not agreed upon by Wasserburger and Five Nine Design at the time of the hearing and a new hearing was scheduled.

The group discussed access and whether the landowner and Five Nine had agreed to its location. Mr. Atkins said they had reached an agreement. He stated he would send drawings to confirm the location. The group also discussed the setback for the generator.

Commissioner Griffith thought the decision to issue or deny the special use permit should be made after the revised drawings were received. Mr. Atkinson said he would submit the drawing before the end of the day. There were no further comments for or against the special use permit, and Chairman Wade closed the hearing. The regular meeting reconvened at 9:20 a.m.

Road & Bridge- Foreman Fred Thomas met with the Commissioners and updated them on road and bridge business. He said that BenchMark of Torrington has not sent any plans for review regarding culvert placements.

Mr. Thomas said he had checked into purchasing a fuel tank for the road and bridge department and found one for sale. It is a 1,000-gallon fuel tank and pump for \$2,700.00. It would require approximately seven cement blocks at \$75-\$80 per block.

Commissioner Griffith asked if anyone needed to inspect it and both Sheriff Starkey and Foreman Thomas said it was not necessary because we are not selling the fuel. The Commissioners decided to table this matter until more information can be presented.

Sheriff Starkey said he is working with WYDOT to see if the County could enter into an agreement with them so that county vehicles could purchase fuel at the state yard in town for a better price.

Sheila Boldon asked about the inquiry to purchase a portion of the fairgrounds from an out of state company. The Commissioners explained that no decision has been made and that the group will present information at the March 5, 2024 meeting at 11:00 a.m. This meeting will be held in the auditorium at the fairgrounds.

Elected Officials and Dept. Heads- Sheriff Randy Starkey said the roof replacement at the Justice Center is moving along. The reclamation company will be here to work on the inside.

He also discussed installing a wall and window in the front office and said it could cost between \$3,500 and \$5,000.

Emergency Management Coordinator James Santistevan discussed a mobile home trailer fire on January 15<sup>th</sup>. He said he would be attending a conference in March in Casper.

He noted that there will be an advanced weather spotting class on April 8<sup>th</sup> at 6 p.m. at the fairgrounds. More information can be obtained from Mr. Santistevan.

Kellie Chichester- 4-H Youth Educator said tumbling had started at the fairgrounds and work is ongoing on the fire panel.

Chrisanna Lund, Clerk of Court, said she, Sheriff Starkey and Undersheriff Kelly Dean have been working to get security cameras ordered and to determine key locations for placement of them. The company that sold the cameras said they would install them at no cost. These were purchased with a Homeland Security grant and the next grant cycle for HLS is coming up.

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Keri Thompson, Treasurer, reported on legislative items of interest, and said they are issuing new series license plates.

Becky Freeman, County Clerk said her staff will be attending an election training for the voter registration system. She also discussed legislative items of interest.

Farm Bureau- Kevin Baars and Tom Marshik, members of the Farm Bureau, were in attendance to answer any questions the Commissioners might have about the proclamation Farm Bureau submitted and asked them to sign. Commissioner Griffith moved to sign the proclamation declaring the week of February 19<sup>th</sup> as Ag Literacy Week. Vice-Chairman Midkiff seconded, and the motion carried.

Kellie Chichester said she and the fair board are trying to find someone to hire full-time to do the work of the extension office and books for the fair board, but they have not been successful thus far. She and the fair board have been working on different scenarios and felt they found a workable solution.

She said they would break the full-time position into three separate positions: the first being a part-time extension office employee, the second being an independent contractor to prepare the financials and reports for the fair board, and the third would be to have someone schedule events at the fairgrounds.

Ms. Chichester said the part time extension employee would work mornings from 8:30-12:00. She said Matt Jameson will manage the building bookings, and Lexie Painter will do bookkeeping for the fair board.

The Commissioners will reach out to the County Attorney to have her draft a simple contract for Mr. Jameson and Mrs. Painter as independent contractors. They also extended their appreciation to everyone working to try and find a solution.

Jeff Reed met with the Commissioners to visit about wind energy and private property rights. He has concerns about setbacks from property lines and how that will affect landowners. Danese Reed joined the meeting.

He read a letter he prepared addressing his concerns about infringement of private property rights and presented two maps showing the setbacks and the impacts to landowners involved in any project.

Chairman Wade explained that wind and solar energy are not addressed in the existing land use plan and that an updated land use plan must be in place before we can adopt a revised planning and zoning manual.

Cooperative Agreement- Commissioner Griffith moved to sign the Cooperative Agreement for responsibilities between the WY Dept. of Family Services, Child Support Program, and the Niobrara County Clerk of District Court. Vice-Chairman Midkiff seconded, and the motion carried.

Upon receipt of the revised drawings for the special use permit, Commissioner Griffith moved to sign a special use permit for Five Nine Design Group for the use explained in the public hearing. Vice-Chairman Midkiff seconded, and the motion carried.

Agenda- Vice-Chairman Midkiff moved to approve the consent agenda. Commissioner Griffith seconded, and the motion carried. Items on the consent agenda were the minutes of the January 16, 2024 meeting, receipts for January from the County Clerk for \$7,951.25 and for the Clerk of Court for \$622.00.

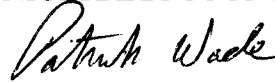
Payroll and the following vouchers were approved for payment: Bills are listed in the following format: Vendor- Department- Description- Amount- January Payroll- \$131,157.28, Aflac- Various- Supplemental insurance- \$7530.76, Allbright's True Value- Various- Supplies, parts, maintenance- \$233.95, Alsco- Road & Bridge- Shop towels & coveralls- \$280.09, Big Horn Roofing, Inc.- Justice Center- Roof repairs- \$140,584.48 Black Hills Chemical & Janitorial- Courthouse- Supplies- \$353.75, Black Hills Energy- Various- Utilities- \$2,508.44, Bob Barker Co., Inc.- Detention- Commissary- \$669.70, Body Builders Body Shop- Road & Bridge- Vehicle repairs \$105.00, Boldon Diesel Service, LLC.- Road & Bridge- Equipment repairs- \$4,104.75, Boldon Welding & Repair, LLC.- Road & Bridge- Parts- \$67.58, Canon Financial Services- General County- Copier service agreements- \$380.00, CenturyLink- Various- Telephones- \$1,985.53, Charm-Tex- Detention- Commissary- \$1,481.68, Connecting Point Computer Centers- Various- Copier service agreements- \$621.84, Cory Wilcox- Coroner- Deputy coroner stipend- \$150.00, Dash Medical Gloves- Detention- Commissary- \$152.84, Decker's Market- Various-

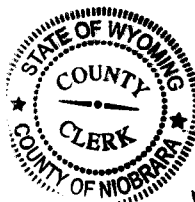
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Inmate meals & supplies- \$36.47, Delta Dental of WY- Various- Dental insurance- \$1,004.70, Dennis C. Meier- Circuit Court Magistrate- Office rent- \$1,000.00, Dept. of Health- Public Health Nurse- Quarterly Co. share of PHN salary- \$5,372.42, Dept. of Workforce Services- General Co.- 4<sup>th</sup> Qtr. 2023 Unemployment compensation- \$3,492.00, Dooley Oil Inc.- Nebraska- Road & Bridge- Oil- \$1,660.29, Double A Properties, LLC.- Co. Attorney- Office rent- \$1,000.00, Double Y- Road & Bridge- Oil- \$186.00, Empower Trust Company, LLC.- General Co.- Deferred Compensation- \$19,235.00, Frank Parts Co.- Various- Parts, oil- \$2,437.54, Fusion Cloud Services, LLC.- Various, Telephone- \$1174.82, Geographic Innovations- Various- Professional mapping- \$1500.00, Goshen County Detention Center- Detention- Inmate housing & medical- \$11,952.55, GreatAmerica Financial Services- Sheriff- Copier service agreements- \$232.00, GSG Architecture Design- Justice Center- Construction administration- \$2,820.00, Herren Brothers True Value- Road & Bridge- Parts- \$90.37, Hiway Brake & Alignment- Sheriff- Vehicle repairs- \$1,187.20, Jameson Cleaning & Maintenance- Facilities- Fairgrounds cleaning contract- \$7,500.00, Jub Jub, Inc.- General County- IT expense- \$60.00, Ken Brown- Clerk of Court- Court appointed attorney fees- \$408.00, Lawson Products, Inc.- Road & Bridge- Parts, \$190.65, Lusk Herald- Various- Publications- \$2,892.04, Lusk State Bank- Various- Payroll taxes- \$37304.96, Michael Coon- Public Health Nurse Building- Align grant- Final payment- \$2,355.75, Michael G. Mayville- Facilities- Snow removal- \$2,005.00, Michael Harbert- General County- IT expense- \$475.00, Michelle Kremers- TANF Grant- Travel expense- \$32.76, Niobrara County Circuit Court- Garnishment- \$649.63, Niobrara County Hospital District- 1% Option Tax- \$19,056.20, Niobrara County Library- General County- 3<sup>rd</sup> Qtr. Tax allocation & deferred compensation reimbursement- \$40,299.98, Niobrara County Public Health- Prevention grant- Indirect costs - \$24.00, Niobrara Electric Association- Various- Radio tower electricity- \$62.49, Office Depot- Treasurer- Supplies- \$364.66, One Stop Safety Solutions- General County- Random drug testing fees- \$330.00, Palen Law Offices, LLP.- Clerk of Court- Court appointed attorney fees- \$1,824.00, Porter, Muirhead, Cornia, & Howard- General County- Audit fees- \$25,000.00, Quadiant Leasing USA, Inc.- General County- Quarterly postage meter lease payment- \$1,202.19, Regional West Medical Center- Coroner- Autopsy- \$829.30, Safeguard Business Systems- County Clerk- Year-end tax forms- \$227.85, Sand Rock Vision Clinic- Facilities- Rent & utilities for temporary sheriff's office- \$836.97, Stinker Stores, Inc.- Various- Fuel- \$3,992.01, Thomson Reuters-West- County Attorney- Law library- \$173.89, Torrington Office Supply- Various- Supplies- \$82.37, Town of Lusk- Various- Utilities- \$3,139.76, Traci Bruegger- Facilities- Cleaning contract- \$4,300.00, Tyler Technologies- Various- Annual financial pkg. support & maintenance, computer expense- \$30,351.59, University of WY Extension- Extension- Co share of 4-H educator's quarterly salary- \$6,846.00, Verizon Wireless- Various- Phones, base charge \$548.06, Visa- Various- Supplies, travel, postage, new equipment, IT expense, prevention grant, vehicle repairs, fuel- \$8,236.58, Vision Service Plan- Various- Vision Insurance \$406.55, Visionary Broadband- Various- IT expense- \$745.14, Westco- Road & Bridge- Fuel- \$493.80, Western Pathology Consultants, P.C.- Coroner- Autopsy- \$1,000.00, WY Enterprise Technology Services- Various- Computer expense- \$23.04, Wyatt Electric, Inc.- Various- Maintenance- \$2,774.47, Wyoming Behavioral Institute- General County- Involuntary commitment- \$3,016.00, Wyoming Educators' Benefit Trust- Co Admin- Health & life insurance- \$23,626.09, Wyoming County Treasurer's Assoc.- Treasurer- Dues- \$200.00, Wyoming Machinery Company- Road & Bridge- New motor grater, parts- \$290,893.82, Wyoming Network, Inc.- General County- IT expense- \$200.00, Wyoming Office of the Attorney General- Clerk of Court- Child Support Program fees- \$78.00, Xerox Corp.- Co admin- Copier service agreement- \$131.01  
Grand total for January-\$871,938.64

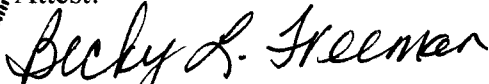
There being no further business, the meeting adjourned.

NIOBRARA COUNTY COMMISSIONERS

  
Patrick Wade, Chairman



Attest:

  
Becky L. Freeman, County Clerk