

NIOBRARA COUNTY COMMISSIONERS' MEETING  
NIOBRARA COUNTY, WYOMING  
MARCH 5, 2024

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The Niobrara Board of County Commissioners met in regular session on Tuesday, March 5, 2024, at 9:00 a.m. at the Niobrara County Fairgrounds Auditorium. Present were Chairman Patrick Wade, Vice-Chairman John Midkiff, and Commissioner Elaine Griffith. Also present were County Clerk Becky L. Freeman, Sheriff Randy Starkey, and Brandie Bartlett of the *Lusk Herald*.

Chairman Wade led those in attendance in the Pledge of Allegiance.

Road & Bridge- Foreman Fred Thomas met with the Commissioners and updated them on road and bridge business. BenchMark of Torrington is still conducting engineering for culvert replacements on Indian Creek Road. He said BenchMark is ready to move forward with the bid process for road projects on Cheyenne River and 20-Mile Roads. The proposed project will be for six auto gates with blocks on Cheyenne River road and two head walls and flow pans on 20-Mile Road.

He discussed a complaint he received about Boner Road not being bladed. He said it had not been bladed due to the gumbo conditions on the road. It will be addressed when the road dries out.

Next, he suggested that the County consider trading in the John Deere blade. It has approximately 9,000 hours on it. Chairman Wade said he has heard from many counties that 12,000 hours is the maximum amount to have on a blade before trading it off.

Foreman Thomas also reported that someone dumped an oily load of dirt on 28 Road early Friday morning and that road and bridge had cleaned up the road as much as they could.

Old Business- Commissioner Griffith reported on the old jail and said that she was notified of grant funding through T-Mobile called the Hometown Grant, however, she believes the County would have to have some plan developed for the building before applying.

She had nothing new to report on the Community Juvenile Services Board Grant.

She said that the vacant Prevention Specialist position would be advertised. This program is funded through an existing grant between the Wyoming Department of Health, Public Funds Division and Niobrara County.

The Commissioners asked Sheriff Starkey if Rapid Safety and Fire Equipment was going to perform the fire sprinkler system inspection for the jail in addition to the required inspections they are performing at the fairgrounds. Sheriff Starkey said he had not heard from them but will reach out again.

Canon Copier Full-Service Contract- Commissioner Griffith moved to approve the Canon copier service contract for the extension office. Vice-Chairman Midkiff seconded, and the motion carried.

Consent Agenda- Vice-Chairman Midkiff moved to approve the consent agenda. Commissioner Griffith seconded, and the motion carried. Items included on the consent agenda were the minutes of the February 20, 2024 meeting and receipts for February from the County Clerk for \$3,640.80, and from the Clerk of Court for \$672.80.

Vouchers-The following vouchers were approved for payment: Bills are listed in the following format: Vendor- Department- Description- Amount- February Payroll- \$122,655.63, Aflac- Various-Supplemental insurance- \$7,530.76, 14 County Tire- Sheriff- Vehicle repairs- \$20.00, Allbright's True Value- Various- Supplies, parts, maintenance/repairs- \$92.04, AlSCO- Road & Bridge- Shop towels & coveralls- \$314.25, Anne Wasserburger- County Attorney- Supplies- \$144.79, BAM Document Destruction & Recycling- Various- Supplies- \$164.90, Becky L. Freeman- Elections- Travel expense- \$212.38, Big Horn Roofing, Inc.- Justice Center- Roof repairs- \$19,293.83, Black Hills Chemical & Janitorial- Various-Supplies- \$1,254.48, Black Hills Energy- Various- Utilities- \$2,175.60, Bob Ruwart Motors, Inc., Sheriff (ARPA funds)- New equipment- \$44,378.28 Boldon Diesel Service, LLC.- Road & Bridge- Equipment repairs- \$313.02, Boldon Welding & Repair, LLC.- Road & Bridge- Equipment repairs- \$799.65, Canon Financial Services- General County- Copier service agreements & property tax- \$420.00, CenturyLink- Various- Telephones- \$2,601.15, CenturyLink Business Services- Various- Telephones- \$94.67, Charm-Tex- Detention- Commissary- \$439.60, Communication Technologies, Inc.- Road & Bridge- Parts- \$89.83, Connecting Point Computer Centers- Various- Copier service agreements- \$436.00, Cory Wilcox- Coroner- Deputy coroner stipend- \$150.00, Decker's Market- Various- Inmate meals & supplies- \$47.68, Delta

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Dental of WY- Various- Dental insurance- \$1,004.70, Dennis C. Meier- Circuit Court Magistrate- Office rent- \$1,000.00, Double A Properties, LLC.- Co. Attorney- Office rent- \$1,000.00, Empower Trust Company, LLC.- General Co.- Deferred Compensation- \$19,235.00, Frank Parts Co.- Various- Parts, oil- \$1,121.31, Fusion Cloud Services- Various- Telephones- \$1,182.21, Geographic Innovations- Various- Professional mapping- \$1,500.00, Goshen County Detention Center- Detention- Inmate housing & medical- \$10,897.92, Great Western Tire- Road & Bridge- Tires- \$6,778.12, GSG Architecture Design- Justice Center- Construction administration- \$7,050.00, Herren Brothers True Value- Road & Bridge- Parts- \$267.84, Hiway Brake & Alignment- Sheriff- Vehicle repairs- \$671.05, Jameson Cleaning & Maintenance- Facilities- Fairgrounds cleaning contract- \$7,500.00, Kellie Chichester- Extension- 4-H Educator travel expense- \$162.14, Ken Brown- Clerk of Court- Court appointed attorney fees- \$360.00, Lawson Products, Inc.- Road & Bridge- Parts, \$346.16, Long Building Technologies- Facilities- Library maintenance- \$1,092.00, Lusk Herald- Various- Publications- \$1,586.52, Lusk State Bank- Various- Payroll taxes- \$34,344.00, Michelle Kremers- TANF Grant- Travel expense- \$16.38, Moser Energy Systems- Facilities- Justice center maintenance- \$992.80, Niobrara County Circuit Court- Garnishment- \$597.80, Niobrara County Hospital District- Various- 1% Option Tax & inmate medical- \$25,898.34, Niobrara County Library- Deferred compensation reimbursement- \$1,875.00, Niobrara Electric Association- Various- Radio tower electricity- \$62.49, Palen Law Offices, LLP.- Clerk of Court- Court appointed attorney fees- \$300.00, Pier Funeral Home- Coroner- Indigent burial- \$1,500.00, Print Express, Inc.- Extension- Supplies- \$61.04, Rapid Fire Protection, Inc.- Facilities (ARPA Funds)- Fire panel installation at fairgrounds- \$42,944.00, Sand Rock Vision Clinic- Facilities- Rent & utilities for temporary sheriff's office- \$883.93, Schindler Elevator Corp.- Facilities- Quarterly elevator maintenance- \$1,462.74, Smith Psychological Services- Various- Employee & inmate medical- \$800.00, Stinker Stores, Inc.- Various- Fuel- \$767.38, Teri Stephens- Assessor- Travel expense- \$43.26, The Master's Touch- Assessor- Mailing service- \$1,000.00, Thomson Reuters-West- County Attorney- Law library- \$173.89, Torrington Office Supply- Various- Supplies- \$113.29, Town of Lusk- Various- Utilities- \$2,929.32, Traci Bruegger- Facilities- Cleaning contract- \$4,300.00, Tyler Technologies- Various- computer expense- \$165.38, Verizon Wireless- Various- Phones, base charge \$608.60, Visa- Various- Supplies, travel, postage, new equipment, IT expense, prevention grant, vehicle repairs, fuel, dues- \$5,149.49, Vision Service Plan- Various- Vision Insurance \$406.55, Visionary Broadband- Various- IT expense- \$745.14, Westco- Road & Bridge- Fuel- \$997.92, WEX Bank- Various- Fuel- \$620.10, Wyoming Assoc. of County Officers- General Co.- Dues- \$400.00, Wyoming County Commissioners' Assoc.- Commissioners- Legislative meeting registration fees- \$300.00 Wyoming Educators' Benefit Trust- Co Admin- Health & life insurance- \$23,626.09, Wyoming Machinery Company- Road & Bridge- Parts, equipment repairs- \$8,252.03, Wyoming Network, Inc.- General County- IT expense- \$200.00, Xerox Corp.- Co admin- Copier service agreement- \$129.18. Grand total for February-\$429,549.80.

BRC Real Estate- Michael Bright (BRC) and Zack Policky (Big D Oil Co.) met with the Commissioners and members of the public to give a presentation about the potential purchase of fairgrounds property to develop a gas station and convenience store.

Chairman Wade gave a brief history about the relationship with this project. He said the Commissioners have always stated they would not make any decisions about the sale until everything had been decided regarding private property acquisitions.

Mr. Bright introduced himself and Mr. Policky and noted their lengthy working relationship. He said that Big D Oil began in Sundance and has locations in Wyoming, South Dakota, and Colorado.

They are asking for 120 feet by 400 feet of the northeast corner of fairground property from the alley to Pine Street and south to the east entrance of the fairgrounds. Their proposed offer was \$250,000 and they would also donate \$5,000 a year to the Fairgrounds Foundation for upgrades, etc.

Chairman Wade opened the floor to public comment. Members of the audience voiced several questions, concerns, and statements. A question was asked if there was a process for the Commissioners to

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sell county property. Anne Wasserburger, County Attorney, said that statutes state the commissioners have the authority to buy, sell, and bargain if they act in good faith.

The Commissioners thanked everyone for their participation in this matter and said that no decision was being made at this time.

Chairman Wade recessed the meeting at 12:10 p.m. for lunch.

Chairman Wade reconvened the regular meeting at 1:30 p.m.

A large audience was in attendance to hear the presentation on the proposed Sidewinder Clean Hydrogen and Fuels Project. Paul Martin, President of Focus Clean Energy, Nick Alexander, Project Developer on Sidewinder for Acciona/Nordex Green Hydrogen (ANGH), Peter Gray, Sr. Vice President of Aileron Communications, Mike Noonan, President, Aspen Consulting Services, and Scott Baron, Vice President of Development for ANGH were in attendance to present information on renewable energy, particularly wind generation and green hydrogen. According to their handout about the Sidewinder Project Frequently Asked Questions, it explains who the companies are and the roles they play. The handout also gave a basic explanation of how clean hydrogen is produced. Using wind turbines and solar farms to generate electricity will power stacks of electrolyzers that split water into hydrogen and oxygen in a process called electrolysis. Through electrolysis, the electrolyzer creates hydrogen gas.

Following the presentation, many questions were directed to the Sidewinder presenters by Chairman Wade and members of the audience.

Karen Budd-Falen, attorney, and Rachael Buzanowski, both with Budd-Falen Law in Cheyenne, met with the group regarding planning, zoning, and land use. Mrs. Budd Falen stated it is necessary to have a land use plan in place before planning and zoning regulations are adopted. Land use plans are simple, they set a vision that needs to apply to the agricultural lifestyle of Niobrara County. Any planning and zoning regulations cannot address wind and solar if they are not addressed in the land use plan. Her recommendation is to take our current land use plan and make updates to address wind, solar and other energy alternatives. She suggested that the County wants to grow smartly, and not to make massive changes without the involvement of residents. She suggested that the planning and zoning board or other appointed citizens should be involved with the land use plan.

Chairman Wade thanked everyone for their attendance and participation.

There being no further business, the meeting adjourned at 3:26 p.m.

NIOBRARA COUNTY COMMISSIONERS



Patrick Wade, Chairman

Attest:



Becky L. Freeman, County Clerk

