

OFFICIAL MINUTES OF THE BOARD OF
NIOBRARA COUNTY COMMISSIONERS
Tuesday, January 21, 2025, 9:00 a.m.
Commissioners' Office - Niobrara County Courthouse
424 S. Elm Street, Lusk, WY

The Niobrara Board of County Commissioners met in regular session on Tuesday, January 21, 2025, at 9:02 a.m. Those present were Chairman Patrick Wade, Vice-Chair Elaine Griffith, Commissioner Jeb Hanson, and County Clerk Becky L. Freeman. Members of the audience included Sheriff Randy Starkey and Kurt Gaukel.

Road & Bridge- Foreman Fred Thomas, Brian Wakefield, BenchMark of Torrington engineer, and Jim Whetsell of Whetsell Carpentry LLC, met with the Commissioners and discussed the 2024 Road Rehabilitation Project. The group discussed a letter BenchMark of Torrington provided to Mr. Whetsell, regarding the concrete headwall and a localized void which exists between the metal culvert wall and the concrete headwall. In the letter options were detailed on how to best repair the void to alleviate a future breakdown of the headwall. It was also noted that this void will be a maintenance issue for the County for the lifetime of this structure if a permanent solution is not achieved.

Unless the contractor chooses to pursue a more permanent method of correcting the problem, the following scenarios were offered:

1. A 15% overall cost reduction on the headwall project to make up for upkeep on the County's part.
2. Provide the County with a 20-year warranty bond guaranteed through a surety in an amount equaling one-half of the total contract price.

Chairman Wade asked if a warranty bond or maintenance bond would pay to replace the project or cover repairs. Mr. Wakefield said that either bond option would cover repairs.

Mr. Whetsell contacted his insurance company to see if it was possible to purchase a 20-year warranty bond. Mr. Wakefield explained the situation to the insurance agent, noting that the defect in the concrete was the reason for the request for a 20-year warranty. The agent said there is nothing available like that and a 2-year warranty would possibly be available. It was noted that a maintenance bond would not satisfy what the County is trying to accomplish.

The group next discussed the cost of the headwall portion of the contract and Mr. Wakefield said it was \$50,850.00. He said that 35% of the cost has been paid so far and there is still the 10% retention fee being withheld. Vice-Chair Griffith asked about vendors that have not been paid, and Mr. Whetsell provided the contractors' names and amounts he owes them.

The Commissioners asked what was left to be paid in the contract and Mr. Wakefield said approximately \$51,281.00.

Vice Chair Griffith suggested paying Mr. Whetsell what is owed to the vendors, contingent upon him getting receipts from each vendor showing that the outstanding amounts have been paid and forwarding those receipts to BenchMark.

Commissioner Hanson moved to pay Whetsell Carpentry LLC the amount owed to vendors. Discussion ensued and Commissioner Hanson withdrew his motion.

Vice-Chair Griffith moved that contingent upon receipt of all signatures required on the pay request and receipt of copies of the outstanding invoices from vendors the contractor has used, the county will issue a warrant in the amount of \$24,815.76. Commissioner Hanson seconded, and the motion carried.

Old Business -There was nothing new to report on the old jail or the Community Juvenile Services Board.

The contract between Forensic Radiology Group, LLC. and Niobrara County and the Memorandum of Understanding between the Niobrara County Hospital District and Niobrara County for radiology services for autopsies were removed from the agenda at the request of Coroner Peter Pier.

It was noted that no bids had been received for cleaning at the public health nurse office.

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Sheriff Randy Starkey presented information on costs associated with Wyoming Retirement for law enforcement officers and dispatchers. It would require 100% participation from those employees. The question was asked if there were any exceptions about whether the plan would be available if someone chose not to participate. Sheriff Starkey said he would report his findings at the next meeting.

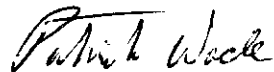
Weed & Pest Control District Director Appointment- Commissioner Hanson moved to appoint Matthew Perry as a Weed & Pest Control District Director for Area V. Vice-Chair Griffith seconded, and the motion carried.

24- Hour Catering Permit- Commissioner Hanson moved to approve a 24-Hour Catering Permit for 3 Sister's Truck Stop to sell alcoholic beverages at the Mason's Fun Night being held on February 1, 2025, at the Niobrara County Fairgrounds. Vice-Chair Griffith seconded, and the motion carried.

Consent Agenda- Commissioner Hanson moved to approve the consent agenda. Vice-Chair Griffith seconded, and the motion carried. Items on the consent agenda were the minutes of the January 7, 2025 meeting, and receipts for December from the Clerk of Court for \$428.50.

There being no further business, Commissioner Hanson moved to adjourn the meeting at 11:57 a.m. Vice- Chair Griffith seconded, and the motion carried.

NIOBRARA COUNTY COMMISSIONERS



Patrick Wade, Chairman



Becky L. Freeman, County Clerk