

OFFICIAL MINUTES OF THE BOARD OF  
NIOBRARA COUNTY COMMISSIONERS  
Tuesday, March 4, 2025, 9:00 a.m.  
Commissioners' Office - Niobrara County Courthouse  
424 S. Elm Street, Lusk, WY

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The Niobrara Board of County Commissioners met in regular session on Tuesday, March 4, 2025, at 9:02 a.m. Those present were Chairman Patrick Wade, Vice-Chair Griffith, Commissioner Hanson, and County Clerk Becky L. Freeman. Members of the audience included Sheriff Randy Starkey, Brandie Collins with the *Lusk Herald* and Dan Ritter.

Chairman Wade led in the Pledge of Allegiance.

Road & Bridge- Foreman Fred Thomas met with the Commissioners and updated them on road and bridge operations. He said they are in the shop working on equipment and performing maintenance on trucks.

County Attorney- County Attorney Anne Wasserburger met with the Commissioners to hear a proposal from Bob Johnson regarding the fairgrounds property and how to prevent any sale in the future. Also present were Tandy Dockery, Ron Nelson, Jessie Reed, Ty Molzahn, fair board members, Kellie Chichester, Extension Office, Leslie Stewart, Jordan Reed, and Kate Becker with RenUSA. Mr. Johnson proposed that the property be placed in a trust so that it cannot be sold. Ms. Wasserburger stated she had never heard of that idea before for a governmental entity and was unsure if the County could do that. She said much more research would need to be done before she could provide any answers or guidance on the matter. There was also discussion about putting the question of restricting the ability to sell county property on the ballot as a ballot initiative and again more research needs to be done on the matter.

Old Business- Leslie Stewart provided an update on the old jail. She said samples were taken from the floors and windows to test for any contaminants the building may hold. She is awaiting the environmental report and once received, she will forward on to the Commissioners for review.

Vice-Chair Griffith said she had discussed snow removal for the public health nurse building with Matt Jameson and said he has too many prior obligations and would be unable to do it.

Independent Contractor Agreement for Cleaning at Public Health- Vice-Chair Griffith moved to enter the contract with Jameson Cleaning at the public health office. Commissioner Hanson seconded, and the motion carried.

Elected Officials and Department Heads- Sheriff Randy Starkey said it is business as usual and wanted to dispel a rumor that the jail is closing, and he stated that it is not closing.

Clerk of Court Chrisanna Lund said there are new cases being filed in her office, so she is getting practice with the new e-filing system.

Assessor Teri Stephans said she has a meeting with the Department of Revenue to implement a process on how to move forward with property tax bills that have passed this legislative session.

Emergency Management Coordinator James Santistevan said he has a meeting with the Wyoming Forestry Division to discuss the upcoming fire season and he will be attending a Homeland Security conference in Cheyenne at the end of the month.

Extension agent Kellie Chichester reported on her research into internet options for fairground buildings. She said it would not be too expensive to move to Visionary as the fairgrounds does have access to fiber

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optics in both the auditorium and shooting sports buildings, but she does want someone from Visionary to come to Lusk to confirm everything.

She took the Community Vitality and Health position so the University will be looking for a 4-H Educator. She will still be a county coordinator working on the administrative side.

Public Health Response Coordinator Monica Wilcox reported on public health. On the Prevention side, she said that Kassidy Miller has conducted Life Skills classes at the high school and has been placing flyers and posters around town regarding the prevention and treatment of problematic gambling behaviors. She is also TIPS trained and can now train local bartenders.

Vice-Chair Griffith said WyoHelp has been administering the Community Service Block Grant for Niobrara County but has lost some of that grant funding and had to eliminate eight positions. She said the grant funds are still available; however, and will continue to be administered through WyoHelp.

Surface Lessee Notification and Consent Form- Mike Noonan, with Aspen Consulting, met with the Commissioners to explain the need for the above form and why there is a request to complete it. Currently Sidewinder H2, LLC plans on developing a wind energy project on state lands located in Sec. 12, T33N, R65W. Niobrara County leases land from the State of Wyoming in this area for a communication tower, and as a surface lessee, we have the opportunity to respond on whether or not the proposed project is compatible with our existing operation and whether or not it will result in a substantive impact to our existing lease. Also included with the consent form was a microwave tower study and Mr. Noonan said that pursuant to FCC regulations the wind energy project cannot interfere with any existing microwave towers.

Vice-Chair Griffith moved to approve the Consent Form to include that pending the final microwave study results associated with industrial siting, this proposed project does not interfere with the County's current operations. Commissioner Hanson seconded, and the motion carried.

Becky Blackburn met with the Commissioners and reported on her position as the Victim Witness Coordinator. She said that while some of her clients are victims of domestic assault, some have been victims of fraud, most recently the Bay-to-Bay roofing scandal.

She is doing exemplary work according to her review with her direct state supervisor and looks forward to continuing this valuable service.

Copier Service Agreement- Vice-Chair Griffith moved to enter the full-service contract, toner inclusive with Copier Connection, Inc. for the extension office's Canon copier model #IRA-C5535 for \$173.00 per month. Commissioner Hanson seconded, and the motion carried.

Draft Land Use Plan Discussion- Dan H. Hanson, Jordan Reed, Mark Groh, Justen Miller, Bob Giese, Rachelle Anderson, Engineer with BenchMark of Torrington, JoAnn Wade, Casey Jensen, Wayne Tatman, Michael Noonan with Aspen Consulting, Kate Beck with RenUSA, Leslie Stewart, and Mike Larson were present to hear discussion on the draft Land Use Plan.

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Chairman Wade informed the attendees of changes that were made to the draft land use plan at the last commissioner meeting which included clearer definitions of private property and custom and culture. He said these edits are based on comments received at the last public hearing.

He then began discussions regarding additional changes being addressed at this meeting.

Chairman Wade discussed his proposed changes and Commissioner Hanson asked if the word "will" could be changed to the word "may" in his changes, making it permissive. Chairman Wade explained that it needs to be mandatory and should remain will.

Title 4, Chapter 3, Using and Amending the Plan, Vice-Chair Griffith moved to change the first sentence from 2024 Land Use Plan to read 2025 Land Use Plan. Commissioner Hanson seconded, and the motion passed unanimously.

Title 4, Chapter 4.4.030 Goal- Vice-Chair Griffith moved to strike the current language "property values and balance private property rights," and replace with "private property rights and private property values of all landowners. Commissioner Hanson seconded, and the motion passed unanimously.

Title 6, Chapter 3, 6.3.020 Objective- Vice-Chair Griffith moved to strike the current language "private property values and private property rights," and replace with "private property rights and private property values of all landowners. Commissioner Hanson seconded, and the motion passed unanimously.

Title 8, Chapter 3, 8.3.010 Vision- Commissioner Hanson moved to strike the current language "To support efforts that limit development in or near designated scenic, historic, recreation, or environmentally sensitive areas and does not adversely impact the quality of that environment," and replace with "To support the responsible development of the natural resources of the county." Vice-Chair Griffith seconded, and the motion passed unanimously.

Title 10, Chapter 1, 10.1.010 Vision- Vice-Chair Griffith moved to approve the addition of the sentence "Rangeland is the dominant landscape and contributes significantly to the quality of life." Commissioner Hanson seconded, and the motion passed unanimously.

Title 10, Chapter 1, 10.1.020 Objective- Commissioner Hanson moved to strike the current language "aesthetically pleasing scenery by encouraging." Vice-Chair Griffith seconded, and the motion passed unanimously.

Title 14, Chapter- 1, 14.1.040 Policy- Commissioner Hanson moved to add the following language after the word Office "regarding sites that are on the National Register of Historic Places." Vice-Chair Griffith seconded, and the motion carried unanimously.

Title 21, Chapter 1, 21.1.040 Policy- Commissioner Hanson moved to strike the word "District" and replace with the word "Board." Vice-Chair Griffith seconded, and the motion carried unanimously.

Title 26, Chapter 1, 26.1.010 Vision- Commissioner Hanson moved to strike the current language "natural beauty" and replace with "landscape." Vice-Chair Griffith seconded, and the motion passed unanimously.

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Title 26, Chapter 1, 26.1.020 Objective- Vice-Chair Griffith moved to strike the current language "private property values and private property rights" and replace with "private property rights and private property values of all landowners." Commissioner Hanson seconded, and the motion passed unanimously.

Title 26, Chapter 1, 26.1.030 Goal- Vice-Chair Griffith moved to strike the current language "natural beauty" and replace with "landscape." Commissioner Hanson seconded, and the motion passed unanimously.

Vice-Chair Griffith moved to delete Title 27- Public Lands and Resources, as this is addressed under the Natural Resource Plan updated August 2021. Commissioner Hanson seconded, and the motion passed unanimously.

Title 28, Chapter 1, 28.1.020 Objective- Vice-Chair Griffith moved to strike the current language "private property values and private property rights," and replace with "private property rights and private property values of all landowners." Commissioner Hanson seconded, and the motion passed unanimously.

Title 28, Chapter 5, 28.5.030 Goal- Commissioner Hanson moved to strike the current language "agricultural lands and associated land uses will be appropriately buffered from encroachment by incompatible land uses," and replace with the following language from the 1996 Land Use Plan "The first objective of government is the protection of private property rights as provided in the United States Constitution and the Wyoming State Constitution." Vice- Chair Griffith seconded, and the motion passed unanimously.

Title 29, Chapter 4, 29.4.020 Objective- Vice-Chair Griffith moved to change the date of 2024 to 2025. Commissioner Hanson seconded, and the motion carried unanimously.

Title 30, Chapter 1, 30.1.010 Vision- Vice-Chair Griffith moved to strike the language "To allow for new development within the County which provide minimal negative impacts to the County," and replace it with "To allow for new developments within the County and mitigate all negative impacts." Commissioner Hanson seconded, and the motion carried unanimously.

Title 30, Chapter 1, 30.1.020 Objective- Vice-Chair Griffith moved to strike the language "private property values and private property rights," and replace it with "private property rights and private property values of all landowners." Commissioner Hanson seconded, and the motion passed unanimously.

Title 30, Chapter 1, 30.1.040 Policy- Commissioner Hanson moved to strike the word "anticipate" and replace it with "estimate." Vice-Chair Griffith seconded, and the motion passed unanimously.

Title 30, Chapter 1, 30.1.040 Policy- Vice-Chair Griffith moved to strike the language "The County will consider developing and adopting a set of industrial standards which would regulate the emissions and location of an industrial project," and replace it with "Emissions are regulated by the State and Federal government, Wyoming DEQ Air Quality Division, and EPA." Commissioner Hanson seconded, and the motion passed unanimously.

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Title 34- Plan Adoption- Commissioner Hanson moved to update the section to show that Marilyn Nelson was excused and did not vote. Vice-Chair Griffith seconded, and the motion passed unanimously.

Audience member, Jordan Reed, presented a paragraph that he asked the Commissioners to consider including in Title 6 Chapter 2 or 3 or Title 8, Chapter 3 stating in part that the Commissioners do not recognize aesthetics as a property right in land use decisions. Commissioner Hanson moved to accept the proposed language. Vice-Chair Griffith seconded the motion. Following discussion, Chairman Wade called for the vote. Commissioner Hanson voted to include the paragraph, Vice-Chair Griffith and Chairman Wade voted against the motion and the motion failed.

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 February 18, 2025, meeting, and receipts for February from the Public Health Nurse for \$7,767.67, from the County Clerk for \$3,7401.17 and Clerk of Court for \$1,780.00.

Payroll and the following vouchers were approved for payment: Bills are listed in the following format: Vendor- Department- Description- Amount- February Payroll- \$133,684.61, 14 County Tire- Sheriff-Vehicle repairs- \$25.00, Aflac- Various- Supplemental insurance- \$7,763.48, Allbright's True Value- Various- Parts- \$251.38, AlSCO- Various- Supplies, shop towels, coveralls, floor mats- \$381.30, Amazon Capital Services- Public Health Vaccination Grant- Supplies- \$36.97, Anne Wasserburger- County Attorney- Supplies- \$99.66, Barnes Law, LLC.- Clerk of Court- Court appointed attorney fees- \$468.50, Benzel Pest Control, Inc.- Justice Center- Pest control- \$97.92, Black Hills Chemical & Janitorial- Various-Supplies- \$294.03, Black Hills Energy- Various- Utilities- \$3,043.63, Boldon Diesel Service, LLC.- Road & Bridge- Equipment repairs- \$481.61, Canon Financial Services- General County- Copier Service Agreements- \$380.00, Carbon County- Commissioners- Co share for Congressional Tour fees- \$317.00, CenturyLink- Various- Telephones- \$1,475.91, CenturyLink Business Services- Various- Telephones- \$72.38, Charm-Tex- Detention- Commissary account- \$189.90, CNA Insurance- General County- Bonds- \$2,704.06, Connecting Point Computer Centers- Various- Copier service agreements - \$331.83, Cory Wilcox- Coroner- Monthly stipend- \$150.00, Delta Dental of WY- Various- Dental insurance- \$921.20, Decker's Market- Facilities- Supplies- \$24.48, Dennis C. Meier- Circuit Court Magistrate- Office rent- \$1,000.00, Dept. of Health- Public Health Nurse- Co. share of quarterly public health nurse salary- \$6,722.26, Double A Properties, LLC.- Various- Office rent- \$1,500.00, Election Systems and Software- Elections- Ballot layout- \$1,277.74, Empower Trust Company, LLC.- General Co.- Deferred Compensation- \$19,815.00, Floyd's Truck Center, Inc.- Road & Bridge- Equipment repairs- \$860.83, Frank Parts Co.- Road & Bridge- Equipment repairs- \$1,052.49, Fusion Cloud Service- Various- Telephones- \$1,228.73, Geographic Innovations- Various- Professional mapping services- \$1,500.00, GreatAmerica Financial Services- Sheriff- Copier service agreement- \$103.00, Hiway Brake & Alignment- Sheriff-Vehicle repairs- \$950.33, Hose & Rubber Supply- Road & Bridge- Equipment repairs- \$622.08, Jameson Cleaning & Maintenance- Facilities- Fairgrounds cleaning contract, fairgrounds event booking contract- \$8,600.00, Cassidy Miller- Prevention Grant- IT expense- \$40.00, Ken Brown- Clerk of Court- Court appointed attorney fees- \$96.00, Lexie Painter- Extension- Contract labor- Fair board bookkeeping- \$600.00, Lusk Herald- General County- Publications- \$1,968.34, Lusk State Bank- General Co.- Payroll taxes- \$38,323.98, McKesson Medical Surgical- Public Health- Medical supplies- \$30.50, Michelle Kremers- Public Health Vaccination & TANF Grants -Supplies- \$88.37, Motorola Solutions, Inc.-

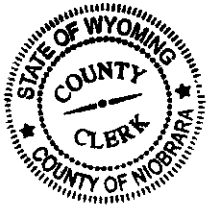
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Dispatch- Dispatch radio console- \$7,362.86, NCIC Inmate Communications- Detention- NCIC Tablets- \$38.31, Niobrara 4-H Council- Extension- Supplies- \$174.96, Niobrara County Fair Board- Quarterly tax allocation- \$14,489.38, Niobrara County Library- General County- Reimburse for deferred comp- \$1,875.00, Niobrara County Public Health- Prevention Grant- Indirect costs- \$272.67, Niobrara County Sheriff's Office- Sheriff- New equipment- \$2.00, Niobrara Electric Association- Various- Radio tower electricity- \$62.17, Palen Law Offices, LP- Clerk of Court- Court appointed attorney fees - \$1,644.00, Plainsman Printing & Supply- Various- Supplies- \$1,116.77, Pomp's Tire Service, Inc.- Road & Bridge- Equipment repairs- \$2,269.44, Rancher's Feed & Supply, Inc.- Road & Bridge- Parts- \$15.28, Rapid Fire Protection, Inc.- Facilities- Maintenance- \$843.00, Rawhide Drug- Detention- Inmate medical- \$277.90, Roetman Enterprises, LLC.- Facilities- Weed control at public health- \$85.00, Schindler Elevator Corp.- Facilities- Quarterly elevator maintenance - \$1,514.97, Smith Psychological Services- Sheriff's Dept- Employee medical- \$2,350.00, Swanson Services Corp.- Detention- Inmate commissary account- \$351.20, The Master's Touch- Assessor- Mailing service- \$1,687.52, Thomson Reuters-West- County Attorney- Law library- \$194.75, Town of Lusk- Various- Utilities- \$3,682.25, Traci Bruegger- Facilities- CH, Library, Justice Center cleaning contract- \$4,300.00, Tyler Technologies- Treasurer- Computer expense- \$82.96, Verizon Wireless- Various- Phones, new equipment, base charge \$829.98, Visa- Various- Ammunition, computer expense, dues, new equipment, schools, supplies, travel expense, postage, commissary account, IT expense- \$5,146.71, Vision Service Plan- Various- Vision Insurance- \$416.57, Visionary Broadband- Various- IT expense- \$469.14, Westco- Road & Bridge- Fuel- \$1,047.98, Wolfcom Enterprises- 24-SHSP-NIO-CO-PST grant- Body Cameras, warranties, & accessories- \$28,514.00, WY Enterprise Technology Services- Various- Computer expense- \$294.12, Wyatt Electric, Inc.- Facilities- Library maintenance- \$150.00, WYDOT- Financial Services- Sheriff- Fuel - \$2,171.35, Wyoming Behavioral Institute- General county- Involuntary commitment- \$788.56, Wyoming County Commissioners Association- Commissioners- Registration fees- \$250.00, Wyoming Educators' Benefit Trust- Co Admin- Health & life insurance- \$25,124.25, Wyoming First Aid & Safety Supply, LLC.- Road & Bridge- Supplies- \$75.74, Wyoming Machinery Company- Road & Bridge- Parts- \$5,341.90, Wyoming Network, Inc.- General County- IT expense- \$200.00, Wyoming Women's Center- Detention- Inmate Meals- \$1,835.20, Xerox Corp.- Co admin- Copier service agreement- \$128.56, February Total- \$357,050.68

There being no further business, Vice-Chair Griffith moved to adjourn the meeting at 3:05 p.m. Commissioner Hanson seconded, and the motion carried.



Attest:

A handwritten signature in cursive script that reads "Becky L. Freeman".

Becky L. Freeman, County Clerk

NIOBRARA COUNTY COMMISSIONERS

A handwritten signature in cursive script that reads "Patrick Wade".

Patrick Wade, Chairman