

COMMISSIONERS' PROCEEDINGS
NIORARA COUNTY, WYOMING
April 6, 2004

The Niobrara County Commissioners met for their regularly scheduled meeting on April 6, 2004 at 9:00 a.m. in the Commissioners' Room of the Niobrara County Courthouse. Present were Chairman Donna I. Ruffing, Commissioners Richard A. Ladwig, Tom L. Wasserburger, and County Clerk Becky L. Freeman.

Ladwig moved, seconded by Wasserburger, to approve the minutes of the March 16, 2004 meeting with changes. **MOTION CARRIED.**

Acknowledged the following receipts for the month of February from the Clerk of Court (494.48) and for the month of March for County Clerk (\$3,565.50) and Sheriff (\$16,564.75).

The following business was conducted:

Road & Bridge- Met with Road and Bridge Foreman Freddie Thomas to discuss personnel, gravel, and vehicles issues.

Gravel- Landowner Lee Brown updated the commissioners on his gravel pit permit application. He stated he had not received written authorization yet but had talked to DEQ and the application is in the works. Brown applied for a community pit that allows him to charge for damages, etc. Brown addressed the question of sub-contractor money available from state. Would the county be willing to pay Browns to push gravel up from the pit? Brown noted he would not do this for fuel reimbursement alone. He stated the amount he would charge per hour would be \$60.00 / hr for each dozer and operator. He also has a belly dump that he would rent for \$65.00/hr. He noted that our blades would need to be out there. Road and Bridge Foreman Freddie Thomas noted that the pit would need to be stripped and topsoil removed before material was mined.

Art Boatright of Mobile Concrete informed the commissioners about the availability of gravel from the quarry South of Manville. He stated the material is considered "j" grade and is 1" minus reject. There is 4,000 ton of material at the pit and he would charge the county \$4.00/ton if they load it for us. Boatright noted if the county brings in a loader, the price would be \$3.50/ton, and there is a scale at the pit for weighing. Boatright stated he would lock up the stockpile for the county and there would be no written agreement necessary.

Benchmark will be consulted to obtain an Engineer's Certificate so that County Road Funds can be used to stockpile gravel at Brown's for Ridge Road and purchase the gravel from Mobile Concrete for Spanish Diggings Road.

Other topics discussed included were the detour for Stage Road Bridge, and equipment. Wasserburger stated he wants the culvert removed on Kaultenhauser Road due to safety concerns.

County Attorney- Met with County Attorney Doyle J. Davies to discuss Qwest phone line damage, road, and litigation issues. Davies also took the Homeland Security Grants to review before the commissioners sign them. Davies informed the commissioners he had filed an answer to the quiet title complaint filed by James L. and Emily A. Shepperson.

Executive Session- Entered into executive session at 10:35 a.m. to discuss litigation. Reconvened the regular session at 11:00 a.m. Wasserburger moved, seconded by Ladwig to acknowledge County Attorney Davies answer. There was discussion on the motion made and Wasserburger amended his motion to include "in the best interest of the county, we proceed to defend the quiet title action." Ladwig seconded. **MOTION CARRIED.**