

**COMMISSIONERS' PROCEEDINGS  
NIOBRARA COUNTY, WYOMING  
February 17, 2004**

The Niobrara County Commissioners reconvened for their regularly scheduled meeting on February 17, 2004 at 9:00 a.m. in the Commissioners' Room of the Niobrara County Courthouse. Present were Chairman Donna I. Ruffing, Commissioner Tom L. Wasserburger, and County Clerk Becky L. Freeman. County Commissioner Richard A. Ladwig was absent.

Minutes of the February 3, 2004 meeting were approved.

The following business was conducted:

Road and Bridge: Met with Road and Bridge Foreman Brett Dockery and accepted his resignation effective Feb. 24, 2004. Dockery advised the board to appoint Freddie Thomas III as an acting foreman. Also discussed Stage Road Bridge and detours to be set up before and during the bridge replacement phase. Reviewed the 28 Road agreement between Niobrara County and Benchmark of Torrington. Ruffing and Wasserburger didn't see any real problem with the agreement and approved moving forward with it. Dockery also suggested that two (2) people be hired in the summer to clean out cattle guards. Dockery received a letter from the D.O.T. regarding road names, mileage, and surface types. After reviewing the maps and information sheet, it was determined that three roads need to be added.

County Road Sign Project- Dockery advised the board that United Rentals informed him the road sign project should be completed in two weeks once utility locates are obtained. Dockery also noted that the green stakes already set up are in the wrong place. D.O.T. requires the stakes to be 30' off of the road so they can mow.

Executive Session: Entered into executive session at 9:08 a.m. to discuss personnel issues. Reconvened the regular meeting at 9:16 a.m. No action was taken on this matter.

Peterson Pit- Discussed what the county has paid in haul agreements and quantities of gravel for this pit.

28 Road Gravel- Discussed a letter Donna Ruffing received from Terry Craig of WY D.O.T. regarding planning and zoning requirements the county has in relation to gravel pits. Ladwig was authorized to send a letter to Terry Craig stating that Niobrara County has no planning and zoning in effect as of now. A phone conference was held with Craig to discuss the work schedule for the opening of the Ruffing Quarry. Craig advised the commissioners that the project wouldn't be let until the fall of 2005 due to lack of money in the program at this time. This delay in the opening of the pit will change the amount of gravel the county wants to stockpile because there will be more funds in the C.R.F. monies. Wasserburger inquired about the county opening the pit sooner or negotiating an agreement with Ruffing regarding the pit. Craig advised the board that this would not be a good decision. Craig also stated that he would need to discuss these issues with district personnel. Wasserburger also inquired about the cost of crushing gravel and Craig informed him he would research the question.

Facilities Bid- The commissioners reviewed the facilities bid proposal. After discussion, it was determined that the County Attorney should review the proposal as well as the Fair Board, Library Board, elected officials and department heads. The commissioners advised the current personnel that this proposal was being considered.

Homeland Security- Pete Pier attended the meeting to discuss the repeaters. Pier was able to purchase the repeaters for \$33,951.30. The commissioners authorized Pier to purchase the radios and have them flashed later, which will make them P25 compliant with WYOLink. Pier noted that Absolute Solutions will be here the middle of April to conduct training on the radios.

Brice Refrigeration- A conference call was held with Brice Johnson of Brice Refrigeration and the commissioners regarding the quote Ladwig received from Brice on the boiler repairs. There was considerable discussion about the boiler repairs and the thermostatic valve installation. The matter was tabled until the next meeting.

Niobrara County Historical Society - Noted the Conservation District's approval of the Historical Society's application for the Community Enhancement Tree Program in the amount of up to \$2,400.

The Commissioners' Meeting recessed at 3:00 p.m. for a public hearing and reconvened the regular session at 3:45 p.m. The following action was taken:

Resolution 04-04- Ruffing moved, seconded by Wasserburger to approve Resolution 04-04, Weed and Pest Building Grant. The district is applying for \$300,000 (75% of the required funds) from the State Lands and Investment Board. \$100,000 has been committed from the Weed and Pest's building fund as the 25% required matching funds. The commissioners determine this application to be its No.2 priority. **MOTION CARRIED.**

Resolution 04-05 -Ruffing moved, seconded by Wasserburger to approve Resolution of-04-05, Hospital Equipment Grant. The Niobrara County Medical Foundation is applying for \$316,550 (75% of the required funds) from the State Lands and Investment Board. The Niobrara County Medical Foundation has committed \$105,517 as the 25% required matching funds. The commissioners determine this application to be its No.1 priority for continued 24/7 medical care for Niobrara County. **MOTION CARRIED.**

Planning and Zoning- The commissioners met with Planning and Zoning members John Hester, Dean Nelson, Gaye Sipe and interested parties Lynne Boaz and Neil Holmes. Planning and Zoning Chairman, Hester, presented, to the commissioners, the proposed document that will be submitted at the public hearing. There was considerable discussion on matter. Planning and Zoning informed the board the public hearing will be held on March 22, 2004 at 1:00 p.m. in the Courtroom.

Cancellation of Taxes- Approved and signed cancellation order #00687 for Devon Energy Production Company LLC. in the amount of \$713.56.

Dept. of Revenue- Acknowledged the notice of valuation change for Devon Energy Production Company LLC. for (\$713.56).

Catering Permit- Wasserburger moved, seconded by Ruffing to approve The Silver Dollar Bar's catering permit to serve alcoholic beverages for the Sportsman Banquet being held February 21, 2004 at the Niobrara County Fairgrounds. **MOTION CARRIED.** Wasserburger moved, seconded by Ruffing to ratify a catering permit for The PUB, LLC. to serve alcoholic beverages for the Bill Matthew's Wedding that was held on Feb. 14, 2004 at the Niobrara County Fairgrounds. **MOTION CARRIED.**

Emergency Management M.O.U. - Wasserburger moved, seconded by Ruffing, to approve the Memorandum of Understanding (M.O.U.) between Wyoming Office of Homeland Security/Emergency Management Agency (WOHS/EMA) and Niobrara County. This M.O.U. reimburses the county for up to \$2,500 annually for money the county spends on emergency management operations. **MOTION CARRIED.**

There being no further business, the meeting adjourned. The next meeting will be Tuesday, March 3, 2004 at 9:00 a.m. in the Commissioners' Room of the Niobrara County Courthouse.

NIOBRARA COUNTY COMMISSIONERS



Donna I. Ruffing, Chairman

ATTEST:



Becky L. Freeman, Clerk

## MINUTES OF PUBLIC HEARING

The Public Hearing for the purpose of hearing comments on two (2) grant applications to the State Lands and Investment Board (SLIB) was called to order at 3:00 p.m. on Tuesday, February 17, 2004 in the Commissioners' Room at the Niobrara County Courthouse. Present were Commission Chairman Donna I. Ruffing, Commissioner Tom L. Wasserburger and County Clerk Becky Freeman. Also present were: Weed & Pest Board Members Lee Lamb, Jimmy Wasserburger, Neil Holmes, John Fenno, Bill Greer and Director Gail Mahnke; Hospital District Board Members Mike Carlson, Ron Pfister and Health Coalition Coordinator Jan Kruse; and interested public Pete Pier.

Jan Kruse, Health Coalition Coordinator, presented the following application:

projected \$400,000 matching federal mineral royalty capital grant application for the purpose of purchasing equipment and furnishings for and on behalf of the Niobrara County Hospital District. The grant application will request 75% (\$300,000) from SLIB with the 25% match (\$100,000) funded by the Niobrara County Medical Foundation.

The following comments were made: Kruse advised that a consultant was hired to determine what equipment currently owned could be used and what couldn't. The consultant's recommendation and estimate on equipment was in four (4) parts: the base \$261,946; refurbished x-ray brings total to \$422,066. The third component was an upgrade to radiology bringing the total to \$487,066; and fourth the mini-Pacs up for a total of \$614,456. The recommendation was to acquire equipment through \$422,066 and work towards other two options.

The grant application is requesting \$422,066 with 75% (\$316,550) from SLIB and a letter of commitment from the Niobrara County Medical Foundation for \$105,517.

Carlson- Some of the items on the list are things DOC would need for future care of inmates. Secretary of State, Joe Meyer thought there would be a different way to fund request. He suggested an amendment to the DOC appropriation bill. Senators Schieffer and Townsend and Representatives Diercks and Wasserburger are sponsoring an amendment for \$253,000. The down side is that we won't know until the Legislature has worked through its process.

Pete Pier asked what would happen if SLIB did not approve the grant?

Pfister answered that then they would be scrambling. They will be able to open. Some of the equipment is functional but antiquated over 25 years old. It may not meet standard of care. They are looking forward and trying to prevent the problems.

Ruffing asked if the legislature approves the \$253,000, what is the Hospital Board's position on this application?

Carlson answered that he can't give a board position.

Pfister added that they had discussions at board meeting, but haven't had an opportunity to do anything since the decision to request the amendment.

Ruffing- I have been confronted and threatened by individuals in this community that I am not supportive of the hospital just because I have had the audacity to question

the amount of money being spent. Although I have asked questions and expressed my concerns, in the end I have always been supportive. I want the bashing to stop.

Carlson responded that Ruffing has been supportive of everything that has gone on.

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Lamb, Weed & Pest District Chairman, presented the following application:

proposed \$400,000 matching federal mineral royalty capital grant for the purpose of purchasing land and constructing a new building for and on behalf of the Niobrara County Weed & Pest District. The grant application will request 75% (\$300,000) from SLIB and the 25% match (\$100,000) has been committed from the Niobrara County Weed & Pest Building Fund.

The following comments were made: The Weed and Pest District wants to purchase land and build new facilities because they are not meeting EPA and DEQ regulations. The only chance they have to accomplish this is by applying for a SLIB grant. A Purchase Offer Agreement has been entered into for three (3) lots. The three (3) lots will be sufficient, but will restrict parking and traffic flow. Therefore, they will be bidding on three (3) more lots that will be coming up for auction. The Board has authorized the required match funds from their Building Fund.

The building will be a "design build" and have secured three (3) estimates that are within the money being requested along with the purchase of the property.

If the grant is not approved, the Board will proceed to purchase the land and reapply for the grant at a later date realizing that SLIB will only pay for construction.

The issues and concerns addressed in the grant application were discussed in detail with input from all Board members.

In closing, Board Member Bill Greer stated that "the Weed and Pest has done a lot of good for the county over the last couple of years." If something isn't done to improve the conditions then he feels that Weed & Pest will not be here any longer. He further stated that the rent they pay over the year (\$8400) would make a substantial payment toward additional work in the field. Weed & Pest has levied the full 2 mils allowed which generates approximately \$80,000.

The Public Hearing adjourned at 3:45 p.m.

Respectfully submitted,



Donna I. Ruffing, Chairman

NIOBRARA COUNTY COMMISSIONERS

ATTEST:

  
Becky L. Freeman, Clerk