

**COMMISSIONERS' PROCEEDINGS
NIOBRARA COUNTY, WYOMING
April 5, 2005**

The Niobrara County Commissioners met for their regularly scheduled meeting on April 5, 2005 at 9:00 a.m. in the Commissioners' Room of the Niobrara County Courthouse. Present were Commissioners Richard A. Ladwig, Ronson B. Pfister and County Clerk Becky L. Freeman. Commissioner Tom L. Wasserburger was absent.

The Commissioners acknowledged the following receipts for the month of March from the County Clerk for \$3,321.00 and from the Sheriff for \$28,757.53. The Commissioners acknowledged acceptance agreement # 4723 for \$7,815.00 from Madden Brothers Auctions, for the sale of a 1995 Ford PU for \$1,620.00; a 1990 Chevy PU for \$1,350.00; a 1992 Chevy PU for \$1,440.00; a 1990 Chevy PU for \$1,620.00 a generator for \$1,260.00 and a riding mower for \$585.00. The total gross sale from the auction was \$8,750 less the commission for Madden Bros of \$875.00 and title fees of \$60.00.

Pfister moved, seconded by Ladwig, to approve the minutes of the March 15, 2005 meeting. **MOTION CARRIED.**

The following business was conducted:

Road & Bridge- Met with Road and Bridge Foreman Fred Thomas and discussed roads and equipment. Thomas submitted a petition to cross a county road from Jerry Morehead with Wold Oil Properties. They intend to replace pipeline on Meridian Road located in the SWNW of Sec. 17, T36N, R63W, Niobrara County. Ladwig moved, seconded by Pfister, to approve the petition of Wold Oil Properties to cross the county road as long as petitioner conforms with all rules and regulations set forth by the Board of County Commissioners. **MOTION CARRIED.**

Thomas advised the board that the Kaltenheuser Road will be closed for about three weeks for reconstruction work. A large hill is being removed to improve the visibility. Thomas advised landowners in the area as well as dispatch that the road would be closed.

Thomas also noted that he installed a C.B. radio in the Assessor's field truck.

Stage Road Bridge- Reviewed grading plans submitted by the Wyoming Dept. of Transportation regarding the Stage Road Bridge project. Ladwig stated he would draft a letter to Mr. Bell with WYDOT and inform him that the county agrees with using pipe instead of a box culvert and use the 10 ½' clear zone, which complies with county road design standards instead of the 17 ½' proposed by the consultant.

County Attorney- Doyle presented a signed copy of the letter agreement for Hansen Ranch, Inc. Davies also submitted amended copies of letter agreements for Warren Broyles for Warren Broyles and Co. and Wayne Broyles.

Pfister moved, seconded by Ladwig, to approve the amended letter agreement for temporary construction easement & permanent easement with Warren Broyles for Warren Broyles and Co. **MOTION CARRIED.**

Pfister moved, seconded by Ladwig, to approve the amended letter agreement for temporary construction easement and permanent easement for Wayne Broyles. **MOTION CARRIED.**

Executive Session- Entered into executive session at 10:09 a.m. with the Commissioners, County Attorney and Sheriff Zerbe to discuss personnel issues. At 11:00 a.m., Renee McElroy met with the Commissioners, County Attorney and Sheriff Zerbe to discuss personnel issues. Reconvened the regular session at 11:15 a.m. No action was taken.

Sheriff's Contract- Received a contract, entered into on March 15, 2005, between the Niobrara County Sheriff's Dept. and Doreena Brancacio. The contract states that the Sheriff's office will send Brancacio to the Wyoming Law Enforcement Academy at the Sheriff's expense to receive training to become a certified detention officer. Upon successful completion of the course, Brancacio must work as a detention officer through June 9, 2006. If Brancacio terminates her employment before the contract date is reached, the fees for attending the academy as well as wages paid will be paid back to the county on a prorated basis. Brancacio will attend the Academy from April 18, 2005 through June 9, 2005. Pfister moved, seconded by Ladwig, to ratify the contract. **MOTION CARRIED.**

Catering Permit- Pfister moved, seconded by Ladwig, to approve the catering permit for The Pub, LLC. to serve alcoholic beverages at the Niobrara County Fairgrounds on April 8, 2005 for Fight Night. **MOTION CARRIED.**

Museum Cement- Received a letter from Roger Peterson extending the warranty on the museum cement to be fixed when weather permits.

Dept. of Fire Prevention and Electrical Safety- The commissioners received a letter from the aforementioned department regarding fire, electrical and building code enforcement. The letter notes that Niobrara County has not requested local enforcement authority "home rule" from the department. The commissioners do not wish to assume local enforcement authority and are satisfied to remain under the State's enforcement of the state codes.

Elected Officials & Department Heads- The commissioners met with County Assessor Elaine B. Griffith, Clerk of Court Linda Decker, Extension Coordinator Denise E. Smith and County Clerk Becky L. Freeman to discuss county operations. Foshier noted that she and Lisa Bruegger would be in Douglas receiving training for the court automation system on April 18, 19, and 20. Assessor Griffith informed the commissioners she was sending out assessment notices and she thought the county valuation would increase from last year. Smith advised the board about the success of the meat judging team and basic office operations. She noted that Road & Bridge had picked up panels to use on Kaltenheuser Road.

Homeland Security Grants- Met with Homeland Security Grant Coordinator Pete Pier to discuss the 2005-2006 Homeland Security Grants. Niobrara County will receive \$176,185 to be apportioned between the county and the towns of Lusk, Manville, and Van Tassell. The Citizen Corps Program will receive \$2,502; the Niobrara County Coroner will receive \$12,599 and the Niobrara County Sheriff will receive \$16,199. Committees will be formed to discuss the best uses for these funds.

North East Wyoming Economic Development Coalition- The commissioners accepted a resignation submitted by Doug Greenough. In Greenough's resignation, he recommended that Pete Pier be nominated as his replacement. Pier informed the commissioners that he would like to serve on the board.

Ladwig moved, seconded by Pfister, to accept Doug Greenough's resignation from the N.E.W.E.D.C. Board. **MOTION CARRIED.**

Ladwig moved, seconded by Pfister, to appoint Pete Pier to fill the vacancy on the N.E.W.E.D.C Board. **MOTION CARRIED.**

Ladwig adjourned the meeting at 4:00 p.m. to conduct a public hearing on three (3) change of zoning applications. The regular meeting reconvened at 4:03 p.m.

Change of Zoning Applications- Based on no public comment and based on Planning and Zoning's recommendation of approval, Ladwig moved, seconded by Pfister, to approve the change the zoning from agricultural to industrial-gravel pit on the parcels owned by Dave

Thomson, Edgar J. Boner, and Richard E. Tollman. **MOTION CARRIED.** This pit run gravel & shale will be used to gravel and improve county roads in the area.

Payroll and the following vouchers were approved for payment: **March 2005 Payroll-** 58,933.16; Lusk State Bank- Payroll Taxes- 14,990.01; Aflac- Employee pd. ins.- 545.18; Allbright's True Value- Supplies & maintenance supplies- 490.47, Atlas Office Products- Supplies- 10.99; Avaya Communications- Phone maintenance agreements- 70.04; Bloomers- Supplies- 22.95; Brice Refrigeration, Inc. Maintenance- & boiler work- 8,854.60; Communicomm Services- Internet & network fees for Jan. & Feb.- 289.90; Dept. of A & I- Network & State mainframe access-54.29; Decker's Foods- Supplies, inmate meals & meds- 612.60; Dell Marketing- Computer repairs & new equipment- 359.88; DNB Plumbing- Maintenance- 27.62; Wyoming Department of Transportation- BROS. Stage Road- 1,013.45; Hiway Brake & Alignment- Vehicle repairs- 83.24; Herren Bros.- Manville Bridge repairs- 297.00; Birch Telecom- Basic phone service- 1,006.96; Kinder Morgan, Inc.- Utilities- 1,741.94; Lichen Research Center- Computer expense- 250.00; Loyal American Life- Employee pd. ins.- 84.70; Lusk Herald- Publications-1,362.90; Niobrara County Sheriff's Office- Postage & uniforms- 96.74; Niobrara Electric Association- Radio tower & Door lock install-880.24; Network Connections- Computer expense- 680.00; Niobrara Senior Center- Rent- 450.00; Office Depot- Supplies, new equipment- 604.19; Orchard Trust Co.- Deferred comp.- 8,225.00; The Pizza Place LLC.- Meals for community service- 35.17; Plainsman Printing- Supplies- 397.75; Powerphone, Inc.- Schools- 756.00; Sperry Drug- Supplies, inmate meds- 354.99; Stephens-Peck, Inc.- Supplies- 59.00; Torrington Office Supply- Supplies- 182.90; Town of Lusk- Utilities-1,605.41; USP Communications- Long distance phone service - 192.97; Valley Motor Supply- Repairs & parts- 422.76; Verizon Wireless- Cell Phones- 243.26; Visa- Travel expense, uniforms, supplies - 2,069.38; Walmart Community- Supplies- 20.78; Western Plains Business- Supplies, new equipment- 112.28; Niobrara County Clerk- Reimburse petty cash for postage- 42.34; Wyoming County Treasurer's Association- 2 Years Dues- 200.00; Eagle of Cody Printing- Supplies- 463.93; Copier Connection Inc.- Copier service contract- 34.00; Citicorp Vendor Finance- Copier payment- 97.00; Casper Star Tribune- Newspaper subscription- 50.70; Lusk Car Care- Tokens for car wash for Sheriff's vehicles- 34.60; Trauma Healing Center- Supplies- 801.25; Niobrara County Hospital District- 1% option tax- 9,637.89; Clerk of District Court- Garnishment- 351.40; Connecting Point- Copier payment and copy overages- 162.16; Cellular One- Cell phone- 50.54; Tammie Jensen- Travel expenses- 210.32; Denise E. Smith- Travel expense- 62.50; UI Animal and Veterinary Sciences Dept.- Subscription- 25.00; UW/DPSI- Registration fees- 150.00; Wells Fargo Financial- Copier payment- 236.00; Niobrara Clerk of District Court- Overpaid child support accounts- 450.09; Dennis C. Meier- Court appointed attorney and office rent- 625.00; State of Wyoming Public Defenders Office- County portion of public defender costs- 2,817.49; Black Hills Chemical Co.- Supplies- 374.13; Easter-Owens- Door board replacement- 26,626.00; KD's Maintenance Service- Maintenance contract- 7,500.00; Niobrara County Library- Maintenance- 321.56; Power Service, Inc.- Generator repair- 223.88; Team Laboratory- Supplies- 419.50; Tri-County Fire & Safety- Annual inspection and new equipment- 497.00; WAM-WCCA- Energy Lease payment for County Window project; 625.00; AlSCO- Shop towels & coveralls- 199.04; Bartow Oil- Diesel -1,885.62; Charles B. Darrah & Associates- Garnishment- 492.68; Komatsu Equipment- Parts- 98.80; Lawson Products Inc.- Parts- 430.33; Safety-Kleen- Oil recycling- 197.65; Truck & Industrial Supply- Parts- 176.08; WACERS- Dues- 25.00; Western Radiator- Parts- 67.50; Kester Akers- ½ phone,

internet- 28.76 Dell Government Leasing- Computer payment- 48.41; Wyoming Women's Center- Inmate meals- 2,066.40; Robert L. Zerbe- Cell door lock repairs- 405.00; Jeane Stratton- Ancillary Support- 305.50; Local Government Liability Pool- Insurance deductible and insurance premium; 9,648.20; Townsend Co., Inc.- Joint owner billing- 147.49; Xerox Corp- Copier payment- 271.34; Benchmark of Torrington- 28 Road project administration- 6,492.52; Horizon's Inc.- Final aerial photography payment- 25,130.00; United Rentals- Signs- 62.24; Boldon Enterprises- Haul gravel for concrete for Weed & Pest- 2,547.50; Concrete Construction, Inc.- Concrete parking blocks- 100.00; Ron Pfister- Cargo container for hazardous materials- 2,600.00; Russell Construction- Pay request #5- 14,335.51; AT & T- E911 Phones- 46.84; Nine One One, Inc.- 2nd installment of maintenance contract- 2,500.00; Qwest- E911 Phones- 223.02; Lynn Carlson- Supplies for TANF/CPI & Administration fees- 7,308.70; Alisha Frye- Spark Team Leader TANF/CPI Grant- 600.00; Jessica Gill- Spark Team Leader TANF/CPI Grant- 600.00; Hiway Super Service- fuel for CNA student TANF/CPI Grant- 108.00; Niobrara Community Education- CPR & CNA Training- 135.00; Niobrara Co. School Dist. #1- Transportation fee for after school program- 185.48; Spiegelberg Lumber- Final payment- 296.31; Spiegelberg Lumber/ECS/Rocky Mtn. Fire Systems- Joint Retainage- 21,330.10; Spiegelberg Lumber & Electrical Construction Service- Joint Retainage- 41,792.95; Spiegelberg Lumber & GW Mechanical Inc.- Joint Retainage- 95,617.95.

There being no further business, the meeting recessed until Tuesday, April 19, 2005 at 9: 00 a.m. in the Commissioners' Room of the Courthouse.



ATTEST:

Becky L. Freeman
Becky L. Freeman, Clerk

NIOBRARA COUNTY COMMISSIONERS

Richard A. Ladwig
Richard A. Ladwig, Vice-Chairman

**PUBLIC HEARING
NIOBRARA COUNTY, WYOMING
April 5, 2005**

County Commission Vice-Chairman Richard A. Ladwig called a Public Hearing to order at 4:00 PM on Tuesday April 5, 2005 in the Commissioners Room of the Niobrara County Courthouse. Present were Ladwig, Commissioner Ronson B. Pfister and County Clerk Becky L. Freeman. Members of the audience included Planning and Zoning Board Member Dan Cushman.

The purpose of the Public Hearing was to receive public comment on the Change of Zoning applications received from Edgar J. Boner, Richard E. Tollman, and David R. Thomson requesting changes of zoning on parcels of land from agricultural to industrial gravel pit.

There being no comments in support of or in opposition to these requests, the meeting adjourned at 4:03 p.m.

NIOBRARA COUNTY COMMISSIONERS



Richard A. Ladwig, Vice-Chairman



ATTEST:



Becky L. Freeman, County Clerk