

**COMMISSIONERS' PROCEEDINGS  
NIOBRARA COUNTY, WYOMING  
March 1, 2005**

The Niobrara County Commissioners met for their regularly scheduled meeting on March 1, 2005 at 9:00 a.m. in the Commissioners' Room of the Niobrara County Courthouse. Present were Chairman Tom L. Wasserburger, Commissioners Richard A. Ladwig, Ronson B. Pfister and County Clerk Becky L. Freeman.

The Commissioners acknowledged the following receipts for the month of February from the County Clerk for \$2,610.25 and from the Sheriff for \$10,072.73.

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

The following business was conducted:

Road & Bridge- Met with Road and Bridge Foreman Fred Thomas, WYDOT Resident Engineer Terry Craig, WYDOT District Engineer Jack Bell & WYDOT District Construction Engineer Lowell Fleenor to discuss the possibility of the county opening the Ruffing Pit early & issues on 28 Road and Ridge Road and the intersection of Hiway 270.

28 Road- The original opening date of the Ruffing Pit was 2004 however, due to budget restraints, the State has had to delay opening of the pit until 2006-2007. The county wanted to open the pit now so they could obtain gravel to begin work on 28 Road. It appears however, that it would be a significant cost to the county to obtain required permits and prepare roads before the crushing even begins. There was discussion about obtaining gravel from the Manville Quarry and hauling it long distance. The Commissioners tabled this issue until WYDOT confirms their funding availability which is anticipated to occur in April.

28 Road, Ridge Road & HWY 270 Approach- There was discussion about sharing the cost with WYDOT to realign the approach of 28 Road and Ridge Road with HWY 270. WYDOT has hired a consultant to begin design work on the project. His estimates for the project were \$180,000. WYDOT engineer Terry Craig estimated \$140,000 to complete the project. The cost breakdown would be \$70,000 for the County and \$70,000 for the State.

Ladwig moved, seconded by Pfister, to agree to work with WYDOT to realign the intersection of 28 Road & Ridge Road with HWY 270 and pay up to 50% of the cost. **MOTION CARRIED.**

County Attorney- The Commissioners and County Attorney reviewed a letter, copy of a resolution, and corresponding statute from Platte County Attorney Eric Alden requesting the Commissioners of Niobrara, Goshen and Converse Counties adopt a resolution to create an office of District Attorney in the Eight Judicial District. This office would handle criminal prosecutions in all four counties at the state's expense. The Commissioners tabled this item until further notice.

North Lance Creek Easement- There was continued discussion as to the status of the easement for North Lance Creek Road. Upon review of a letter submitted by the

State Lands & Investments, Real Estate Management & Farm Loan Division, it appears that Niobrara County does not have a grant of easement from the state on this road. The Commissioners asked Davies to respond to the letter with reference to statute pertaining to a 66' prescriptive easement, the county's prior use and maintenance of this road and the fact that the road has been recognized as a county road for many years.

Road & Bridge Continued- Thomas advised the board that the Union Pacific Rail Road had contacted him regarding railroad-crossing signs that are in the county's easement, but block the lights on the crossing bars. Thomas was informed that the signs needed to be moved. Thomas was unsure as to who actually maintains these signs. Thomas also stated that a representative of the railroad would contact him regarding this issue.

Wyoming Child & Family Development, Inc.- Received budget requests and a property tax waiver request from Wyoming Child & Family Development on property owned Niobrara County. Assessor Elaine B. Griffith advised the board that the real property is valued at \$304,700, which results in \$2,128 in taxes that would be waived. She also noted that this value did not include any personal property in the offices such as desks, or equipment that would be figured into the calculations. Pfister moved, seconded by Ladwig, to approve the non-taxable status of the real property for Wyoming Child & Family Development, Inc. **MOTION CARRIED.**

Elected Officials and Dept. Heads- Assessor Elaine B. Griffith, Sheriff Rick L. Zerbe, Treasurer Rhonda Holdbrook, Librarian Debbie Sturman, Clerk of Court Linda Fosher & County Clerk Becky L. Freeman met with the Commissioners to discuss county operations. The Commissioners discussed the proposal of a District Attorney's Office for the Eighth Judicial District. Fosher stated she would contact other counties for information on this.

Pay Phone Removal- Discussed the removal of the Qwest pay phone located in the courthouse. This removal is in response to Qwest selling their payphone assets to FSH Communications LLC. and FSH identifying phones which are not generating enough revenue to cover the cost of providing this service. Because of lack of revenue generated by this location, and the monthly cost of \$64.20 the county would incur to keep the phone active, the Commissioners decided to have this phone removed.

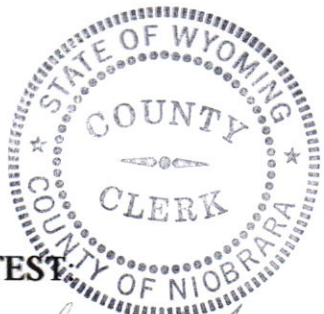
Madden Brothers Auction- Pfister moved, seconded by Ladwig, to approve the agreement with Madden Brothers to sell county vehicles at their auction being held March 12, 2005. **MOTION CARRIED.**

**Payroll and the following vouchers were approved for payment: February 2005 Payroll- 57,030.42; Lusk State Bank- Payroll Taxes- 14,414.06; Aflac- Employee pd. ins.- 545.18; Allbright's True Value- Supplies & maintenance supplies- 557.61, Avaya Communications- Jan. & Feb. phone maintenance agreements- 140.08; Bob Barker Co., Inc.- Supplies- 186.30; Communicomm Services- Internet & network fees- 141.95; Dept. of A & I- Network & State mainframe access-45.00; Decker's Foods-**

Supplies, inmate meals- 345.33; Fresh Start Convenience- Fuel- 2,006.20; Hiway Brake & Alignment- Vehicle repairs- 127.01; Herren Bros.- Parts- 47.19; Hiway Super Service- Vehicle repairs, & fuel for CNA program student (TANF/CPI Grant)- 102.00; Birch Telecom- Basic phone service- 1,130.89; Jordan Automotive- Vehicle repair- 203.27; Kinder Morgan, Inc.- Utilities- 2,009.96; Loyal American Life- Employee pd. ins.- 84.70; Lusk Herald- Publications, help wanted ads- 514.74; Niobrara County Sheriff's Office- Travel, postage & supplies- 87.35; Niobrara Electric Association- Radio tower, repairs move phone wires in courthouse- 775.95; Niobrara Feed & Supply- Uniforms- 144.20; Niobrara Senior Center- Rent- 450.00; Office Depot- Supplies, new equipment- 519.72; Orchard Trust Co.- Deferred comp.- 8,225.00; Outpost- Meals for community service- 49.90; Reliable Office Supplies- Supplies- 28.25; S & S Auto Body- 92.09; Torrington Office Supply- Supplies- 274.17; Town of Lusk- Utilities-1,554.47; USP Communications- Long distance phone service - 181.98; Valley Motor Supply- Repairs & parts- 329.65; Verizon Wireless- Cell Phones- 175.45; Visa- Travel expense, supplies - 923.14; Walt's Lathe & Machine- Parts- 264.56; Walmart Community- New equipment- 50.00; Western Plains Business- Supplies - 162.21; Richard A. Ladwig- Mileage- 72.80; Becky L. Freeman- Travel expense- 91.30; Wyoming County Clerks' Association- Dues- 100.00; Citicorp Vendor Finance- Copier payment- 97.00; Connecting Point Computers- Copier service contracts - 260.11; Great Western Tires- Tires- 278.58; Law Enforcement Targets- Supplies- 51.13; Jane Stearns, MS, LPC- Employee medical- 227.50; Doyle J. Davies- Office expenses- 260.12; Niobrara County Hospital District- 1% option tax- 8,853.27; Dixie Blaney- Reimbursement- 12.50; Clerk of District Court- Garnishment- 351.40; Cellular One- Cell phone- 78.23; Denise E. Smith- Travel expense- 136.07; Diane Tadewald- Reimburse for supplies- 9.96; Wells Fargo Financial- Copier payment- 236.00; Aspen Publishers- Law library- 479.81; H. Rick Hollon- Court appointed attorney- 751.20; Dennis C. Meier- Rent- 550.00; Black Hills Chemical Co.- Supplies- 814.05; KD's Maintenance Service- Maintenance contract- 7,500.00; NE Fire & Safety- Fire alarm inspection and maintenance- 265.00; Schindler Elevator Corp- Quarterly maintenance- 660.99; WAM-WCCA- Quarterly county window project payment- 625.00; AlSCO- Shop towels & coveralls- 218.56; Anderson Highway Signs- Road signs- 866.48; Bartow Oil- Diesel -2,472.51; Charles B. Darrah & Associates- Garnishment- 492.68; Lawson Products Inc.- Parts- 552.41; Platte County School Dist. #1- Random Drug testing fees- 151.25; Power Equipment- Repairs- 885.14; Rinker Materials- Rock for crossing- 526.89; Rose Brothers- Parts- 154.69; NTP Small Engine Services- Parts- 29.68; Wyoming Machinery Company- Parts & repairs- 2,237.52; Kester Akers- ½ phone, internet & travel expense - 110.47; Dell Government Leasing- Computer payment- 48.41; Global Docugraphix- Supplies- 193.38; Paul's Welding- New equipment- 240.00; Qwest- Phone line for commissary-226.08; Peak Wellness Center- Employee medical- 120.00; Wheatland Fire Equipment- Supplies- 60.00; Wyoming Women's Center- Inmate meals- 1,890.00; Jeane Stratton- Ancillary Support- 50.00; Uinta CO. Public Health- Influenza vaccine- 2,036.36; Townsend Co., Inc.- Joint owner billing- 72.76; Xerox Corp- Copier payment- 271.34; Benchmark of Torrington- 28 Road project administration- 2,233.10; Town of Lusk -Weed & Pest building- 264.00; Moore

Medical Corp.- Immunization supplies- 118.36; Absolute Solutions- Programming portable radio- 75.00; A T & T- E911 Phones- 22.65; Qwest- E911 Phones- 185.93; Judy Hanzlik- OJJDP- 95.34; Regional Juvenile Detention Center- Juvenile detention- 248.00; Clay Ritter- OJJDP- 33.16; Niobrara County Hospital District- Reimbursement for hospital equipment purchases- 101,947.05; Motorola- Base station for dispatch- 46,990.40; Lynn Carlson- Reimburse for supplies for TANF/CPI grant after school program- 210.04

There being no further business, the meeting recessed until March 15, 2005 at 9:00 a.m. in the Commissioners room of the Niobrara County Courthouse.



ATTEST

*Becky L. Freeman*  
Becky L. Freeman, Clerk

**NIOBRARA COUNTY COMMISSIONERS**

*Richard A. Ladwig*  
Tom L. Wasserburger, <sup>Vice</sup> Chairman  
*Richard A. Ladwig*