

**COMMISSIONERS' PROCEEDINGS**  
**NIOBRARA COUNTY, WYOMING**  
**May 3, 2005**

The Niobrara County Commissioners met for their regularly scheduled meeting on May 3, 2005 at 9:00 a.m. in the Commissioners' Room of the Niobrara County Courthouse. Present were Commissioners Tom L. Wasserburger, Richard A. Ladwig, Ronson B. Pfister and County Clerk Becky L. Freeman.

The Commissioners acknowledged the following receipts for the month of April from the County Clerk for \$2,440.75 and from the Sheriff for \$15,695.00.

Pfister moved, seconded by Ladwig, to approve the minutes of the April 19, 2005 meeting. **MOTION CARRIED.**

The following business was conducted:

Road & Bridge- The commissioners met with Road & Bridge Foreman Fred Thomas and discussed roads, pits, and equipment. Thomas noted that Warren Broyles is satisfied with the road but wants flared ends on the culverts. He would pay for them if the county would install them. Thomas estimated it would take 2-3 hrs to install. Broyles would also place rock.

Benchmark of Torrington- Thomas met with BenchMark at the Manville pit to prepare for bid. Thomas estimated that Benchmark would probably figure rock based on cubic yards. It was noted that the bid needs to read that gravel needs to be stockpiled close to Lusk and available for at least five years.

County Equipment Rates- Thomas presented a list of hourly rates for use of county equipment. The rates are as follows:

Pickup with Labor	\$45.00/hr
Pickup with Foreman	\$65.00/hr
Pickup with Welder & Labor	\$65.00/hr
Backhoe	\$75.00/hr
Blade	\$150.00/hr
Loader	\$110.00/hr
Ford Tractor	\$75.00/hr
End Dump	\$65.00/hr
Water Truck	\$75.00/hr
Lowboy	\$90.00/hr
Belly Dump	\$90.00/hr

Ladwig moved, seconded by Pfister, to accept the proposed rates to use County equipment as presented by Road & Bridge Foreman Thomas. **MOTION CARRIED.**

Also discussed bridges and damages to these bridges and cleanup that needs to be done. Thomas discussed purchasing a skid steer loader. There was also discussion about using the Honor Farm in Newcastle to assist in cleanup.

County Attorney- Met with County Attorney Doyle J. Davies and discussed the Silver Springs phone line damage.

Davies has drafted a letter to the State regarding North Lance Creek easement.

Salary Raises in Mid-Term- Davies also discussed an Attorney General's opinion he received from the county clerk regarding mid term pay raises for employees. The AG's opinion suggests that if mid term raises are to be awarded, it must be done in July and January to coincide with the newspaper publications of salaries and the raises must receive commissioner

approval prior to being issued. Davies concurred. Davies did not feel that raises should be given simply because there was money left in the elected official's salary line item.

Cancellation of Taxes- Acknowledged and signed the following cancellations of taxes:

Newcourt Leasing Corp. - 2000 Tax Roll -Cancellation # 701 \$22.04

Lloyd Adams- 2000 Tax Roll- Cancellation # 702 \$58.73

Lloyd Adams- 2000 Tax Roll- Cancellation # 703 \$32.33

Blue Dane Simmental Corp. - 2001 Tax Roll- Cancellation # 704 \$204.48

Cebren Inc. - 2001 Tax Roll- Cancellation # 705 \$32.27

Enterprises Unlimited- 2001 Tax Roll- Cancellation # 706 \$16.14

Fireworks Unlimited- 2001 Tax Roll- Cancellation # 707 \$16.14

VFS Residual Holding LLC. - 2002 Tax Roll- Cancellation # 708 \$41.45

Computed Computer Systems Inc. - 2002 Tax Roll- Cancellation # 709 \$5.07

Homeland Security Grant- Wasserburger signed a grant agreement with Homeland Security, Niobrara County, and the Niobrara County Sheriff's Office. The grant amount is for \$16,199.04.

Porter Muirhead, Cornia, and Howard- Wasserburger signed the contract presented by PMCH for audit services for FY 2005. The contract amount is \$26,000.

Elected Officials & Dept. Heads- The commissioners met with Linda Fosher, Elaine B. Griffith, Doyle J. Davies, Rick L. Zerbe, Denise E. Smith, Debbie Sturman, Rhonda Holdbrook, & Becky L. Freeman to discuss county operations.

Fosher voiced concerns about all of the electrical items in her office. Wasserburger suggested she contact Jim Barker with NEA and have him do a load test in her office.

Griffith discussed GIS software and contact she has had with Jeff Garland of ESRI. Her office currently uses Map Info for the GIS program and everything the state uses is ESRI. Zerbe noted that Dixie Blaney was appointed as supervisor in dispatch.

Davies delivered his opinion pertaining to the authority of elected officials to compensate employees without commissioners' approvals. His thoughts were that salaries should be applied for at budget time. Holdbrook presented information she received from other counties suggesting that they issue mid term raises at different intervals. The commissioners will make a decision on this issue later.

Smith discussed the Job Service Student Program, which the extension office participates in. Smith noted that the program hours will be cut from 400 to 200 hours this year.

Recycling Center- Becky Freeman discussed information she received from Town of Lusk Mayor Pete Pier regarding the recycling center. Freeman stated that the liability insurance for the boxcars is doubling and the committee is unable to continue operations due to this increase. The committee pays the insurance themselves from money received from the recycling projects. More information is needed at this time.

Manville Spur- The commissioners met with Town of Manville councilmember, Algra Jensen to discuss the Manville Spur. Jensen has concerns with the part of Highway 20 that runs through the Town of Manville. The road is in need of repairs and she wondered who maintains the road. It was suggested that if the county were able, would the Town of Manville accept that street. Jensen stated it would be fine if the county would give them the road from city limit to city limit and patch the holes. No decision was made at this time.

Continued discussion on Mid-Term Salary Increases- The commissioners met with County Treasurer Rhonda Holdbrook and shared their decision regarding this issue. They decided to approve raises only at budget time and cannot honor pay raises mid term.

Extension Office- Denise Smith met with the commissioners to continue discussion on the Job Service Student program. The commissioners told Smith that they would make every attempt to cover the unfunded 200 hours for the job service student.

Knock Out Events- Shane Swartz, owner of Knock Out Events, met with the commissioners to discuss his events and liquor licenses for these events. The commissioners voiced concerns over the public's reaction to this event. The commissioners were also concerned about the safety of the event. What precautions were in place in the event of a serious injury? Swartz informed the board that professional referees are used, 20 oz. boxing gloves are used, and the rounds are 1 minute each but are shortened if it appears someone is hurt or fatigued. According to Swartz, Wyoming laws do not provide for the necessity of doctors on sight at boxing matches however, he would make sure that EMTs are present before any fight is started at this next event.

Pfister thought that if the county was named as an additional insured on Swartz's insurance policy, no underage girls were allowed as card girls, and EMTs were present, he would approve a liquor permit. Ladwig concurred. Wasserburger felt that only older girls should be allowed to participate as card girls.

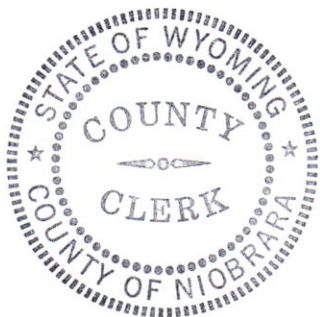
It was agreed that if a bar applies for a catering permit, then the commissioners would ratify it at their next meeting.

Payroll and the following vouchers were approved for payment:

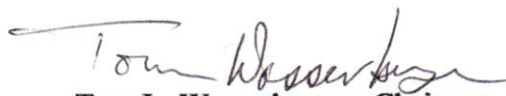
**April 2005 Payroll-** 58,933.16; Lusk State Bank- Payroll Taxes- 14,990.01; Aflac- Employee pd. ins.- 545.18; Allbright's True Value- Supplies & maintenance supplies- 353.48, Atlas Office Products- Supplies- 22.05; Avaya Communications- Phone maintenance agreements- 70.04; Bob Barker Co., Inc.- Supplies- 258.56; Communicomm Services- Internet & network fees- 141.95; Dept. of A & I- Network & State mainframe access-45.00; Decker's Foods- Supplies, inmate meals - 284.08; Dell Marketing- New Equipment- 1,774.90; Fresh Start Convenience Store- Feb & March Fuel- 3,571.08; Hiway Brake & Alignment- Vehicle repairs- 372.20; Hiway Super Service- Vehicle repairs, tires- 3,664.25; Birch Telecom- Basic phone service- 933.76; Kinder Morgan, Inc.- Utilities- 1,902.04; Lichen Research Center- Computer expense- 500.00; Loyal American Life- Employee pd. ins.- 84.70; Lusk Herald- Help Wanted ad- 47.34; Niobrara County Sheriff's Office- Postage & supplies- 73.79; Network Connections- Computer expense- 1,567.30; Niobrara Feed & Supply- Supplies, uniforms- 166.65; Niobrara Senior Center- Rent- 450.00; Office Depot- Supplies, new equipment- 1,337.12; Orchard Trust Co.- Deferred comp.- 8,800.00; Plainsman Printing- New Equipment- 1,156.26; Sperry Drug- Supplies - 11.16; Torrington Office Supply- Supplies- 60.74; Town of Lusk- Utilities-1,716.51; Ultramax Ammunition- Supplies- 414.00; USP Communications- Long distance phone service - 209.58; Valley Motor Supply- Repairs & parts- 539.47; Verizon Wireless- Cell Phones- 227.58; Visa- Travel expense, postage, supplies - 2,871.22; Walt's Lathe & Machine- Repairs & acetylene- 71.87; Wyoming Law Enforcement Academy- Schools- 300.00; Western Plains Business- Supplies - 161.69; Wyoming County Treasurer's Association- Registration Fee- 30.00; Anne Leimser- Assessment notice prep work- 140.00; Citicorp Vendor Finance- Copier payment- 97.00; Connecting Point Computer- Service Contract- 34.00; Entenmann-Rovin Co.- Uniforms- 67.00; Doyle J. Davies- Office supplies, copies, phones- 89.80; Xerox Corp.- Copier

quarterly maintenance billing- 126.00; Niobrara County Hospital District- 1% option tax- 9,075.54; Ryan Blaney- Travel- 30.24; Brice's Refrigeration- Quarterly maintenance- 605.00; NEA- Maintenance, door locks- 1,344.15; Connecting Point- Copier service contract- 163.50; Cellular One- Cell phone- 50.54; Tammie Jensen- Travel expenses- 447.40; Long's Electronic- Supplies- 37.95; OU Press Distribution Center- Publications- 22.50; Postmaster- Postage- 296.00; Denise E. Smith- Travel expense- 211.41; Diane Tadewald- Travel Expense- 194.41; Wells Fargo Financial- Copier payment- 236.00; Linda Fosher- Travel- 135.02; H. Rick Hollon- Court appointed attorney- 899.00; Dennis C. Meier- Rent- 550.00; Black Hills Chemical Co.- Supplies- 29.20; KD's Maintenance Service- Maintenance contract- 7,500.00; Schindler Elevator Corp.- Quarterly maintenance- 660.99; Tri-County Fire & Safety- Annual inspection- 120.00; AlSCO- Shop towels & coveralls- 135.04; Anderson Highway & Signs- Signs- 227.88; Bartow Oil- Oil, Diesel -3,307.97; Concrete Construction Inc.- Autogate blocks- 2,145.00; Charles B. Darrah & Associates- Garnishment- 492.68; Great Western Tire- Tires- 248.51; Honnen Equipment- repairs; 211.33; Komatsu Equipment- Parts- 51.45; Lawson Products Inc.- Parts- 163.67; Respond First Aid Systems- First aid kits- 162.64; Kester Akers- ½ phone, internet- 28.56; Dell Government Leasing- Computer payment- 48.41; Casper Star Tribune- Inmate subscriptions- 101.40; Qwest- Commissary phone- 37.57; Wyoming Women's Center- Inmate meals- 2,414.16; Public Health Nursing Services- 3 Qtr co. share of P.H. nurse salary- 2,653.16; Jeane Stratton- Ancillary Support- 50.00; Wyoming Dept. of Employment- Unemployment benefits- 694.95; Porter, Muirhead, Cornia & Howard- Audit payment- 11,000.00; Townsend Co., Inc.- Joint owner billing- 52.20; Xerox Corp- Copier payment- 271.34; Benchmark of Torrington- 28 Road project administration- 5875.81; Niobrara Weed & Pest- Phone install- 99.00; Birch Telecom- phone- 71.63; Absolute Solutions- Logging Recorder- 15,755.00; Qwest- E911 phones- 186.02; Judy Hanzlik- OJJDP labor- 72.00; Rawhide Motel- Juvenile overnight stay- 36.00; Community Drug- TANF CNA Supplies- 421.88; Hiway Super Service- fuel for CNA participant- 26.80; Niobrara Human Services- Spark program presentation- 200.00; St. Paul's Lutheran Church- Lenz memorial- 35.00; Dept. of Employment- Quarterly worker's Comp.- 3,153.81; Russell Construction- Final payment- 33,613.63.

There being no further business, the meeting recessed until May 17, 2005.



NIOBRARA COUNTY COMMISSIONERS

  
Tom L. Wasserburger, Chairman

ATTEST:



Becky L. Freeman  
Niobrara County Clerk