

**COMMISSIONERS' PROCEEDINGS  
NIOBRARA COUNTY, WYOMING  
MAY 2, 2006**

The Niobrara County Commissioners met for their regularly scheduled meeting on May 2, 2006 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.

Road & Bridge- Road and Bridge Foreman Fred Thomas met with the Commissioners and discussed roads, equipment and the gravel-crushing project.

Mobile Concrete- Mobile Concrete submitted a voucher for payment for gravel crushing. According to Mobile Concrete, 80,000 yards of rock is currently stockpiled, however, Thomas felt that number was off. BenchMark of Torrington will come and measure the stockpile sometime next week. Benchmark recommended payment of the voucher with adjustments to be made on the next month's voucher if necessary. Pfister moved, seconded by Ladwig, to approve Mobile Concrete's request for payment for \$50,175.00. **MOTION CARRIED.**

Manville Spur- Thomas informed the board that Platte County wanted to begin grinding asphalt and chip sealing the Manville Spur. Niobrara County will provide a water truck and blade and Platte County will provide the oil, chips, equipment, and hauling. Ladwig stated he would attend the Manville Town Council meeting to inform the council of the latest developments.

Minutes- Ladwig moved, seconded by Pfister, to approve the minutes of the April 18, 2006 meeting as presented. **MOTION CARRIED.**

Emergency Management Planning Grant (EMPG)- Pfister moved, seconded by Ladwig, to sign the EMPG grant reimbursement request. **MOTION CARRIED.**

The Commissioners acknowledged receipts for the month of April from the County Clerk for \$2,875.25, from the Sheriff for \$14,153.10, and from the Clerk of Court for \$571.18. They also acknowledged receipts from the Clerk of Court for the month of March \$429.48.

Cent\$ible Nutrition Program- Pfister moved, seconded by Ladwig, to sign a letter continuing the county's support of the program by in-kind donations. **MOTION CARRIED.**

Board of Equalization- The Commissioners acknowledged the Order of Dismissal in the appeal of DNR Oil & Gas Inc.

Drought Abatement Declaration- The Commissioners received a letter from the Office of the Governor requesting a Drought Abatement Declaration as it pertains to eligibility for the Breeding Stock Replacement Loan Program. The 2003 Wyoming Legislature adopted the breeding stock loan program as a means of providing low interest loans to those operators forced to sell livestock during drought years due to limited forage. In 2002, the Governor declared the existence of drought conditions statewide. In order for the breeding stock program to become active in Niobrara County, the statute requires that the Governor make a declaration that drought conditions have abated. For him to do so, the Commissioners must submit a request with supporting documentation stating that drought conditions have abated before producers will become eligible to apply for a breeding stock replacement loan. Although the Commissioners do not feel that the drought has abated in Niobrara County, Commissioner Ladwig stated he would discuss this issue with the U. S. Department of Agriculture Service Center to determine the drought status in Niobrara County.

Wyoming Dept. of Health Substance Abuse Division- The Commissioners received a letter of inquiry from the Substance Abuse Division regarding methamphetamine issues in our

community. The Division is requesting a letter of interest from the Commissioners to schedule a community meeting to discuss the methamphetamine issues. The Commissioners will draft a letter inviting them to our community.

The regular meeting adjourned at 11:06 a.m. for a public hearing to receive public comment on the proposed amendments to the Planning and Zoning Resolution. The amendments are to be added as a new section under Classes I, II, III, & IV regulations after the heading Purpose and shall read as follows:

**ZONE CHANGE:** Any zoning change of a parcel or parcels of land to a higher usage, such as Classes I, II, III, or IV shall require a review process by the Planning Commission, the Board of County Commissioners and DEQ if applicable, during which the necessary zoning change, if applicable, shall be addressed and determined by the Boards.

This shall apply in Classes I and II to the unincorporated areas of Niobrara County and only within certain radiuses measured from the main road intersection of each of the various towns.

A 3-mile radius from Lusk

A 3-mile radius from Van Tassell

A 3-mile radius from Manville

or located within a ½-mile corridor on each side of a state and /or county maintained byway measured from the centerline.

Ladwig inquired about the zone change language dealing with Classes I & II. He felt there was some confusion on this issue.

No one spoke in opposition to the amendment. There being no further comment the public hearing was closed. The regular meeting was called to order at 11:18 a.m.

**Planning and Zoning Resolution Amendment-** Wasserburger moved, seconded by Pfister, to approve the addition of a new section under Classes I, II, III, & IV regulations as presented. **MOTION CARRIED.**

**Elected Officials & Dept. Heads-** Elaine Griffith, Linda Fosher, Keri Thompson, Rick Zerbe, Denise Smith, and Becky Freeman met with the Commissioners to discuss office operations and county business. Town of Lusk Mayor Pete Pier joined the meeting at 2:00 p.m. and discussed the recycling program.

**County Attorney-** County Attorney Doyle J. Davies met with the Commissioners and discussed old business, the audit proposal, and the liquor license policy. Elaine Griffith joined the meeting and discussed easements and language associated with them.

**Audit Proposal-** The Commissioners received a proposal to provide audit services for Niobrara County for the year ending June 30, 2006 from Porter, Muirhead, Cornia and Howard (PMCH) for \$24,950. Pfister moved, seconded by Ladwig, to approve the audit proposal as presented. **MOTION CARRIED.**

**Assignment of State Lease-** Ladwig moved, seconded by Pfister, to accept the assignment of state lease from Denzel Coffey to Niobrara County. **MOTION CARRIED.** This lease covers land that houses the sheriff's radio tower. Ladwig inquired if the building and land associated with this lease should be transferred as well. Davies will look into the matter.

**Liquor License Policy-** Pfister moved, seconded by Ladwig, to remove the requirement of liquor legal liability insurance for events held at the fairgrounds, effective immediately. **MOTION CARRIED.** This decision was based upon input from the county's liability insurance provider, Local Government Liability Insurance.

Wild land Fire Management Annual Operating Plan- Ladwig moved, seconded by Pfister, to sign the operating plan. A copy of the agreement will be provided to the board, along with a photocopied signature page, when all required signatures are obtained. **MOTION CARRIED.**

July Commissioner Meeting- Ladwig moved, seconded by Pfister, to move the July 4, 2006 meeting to July 6, 2006 due to the 4<sup>th</sup> of July holiday. **MOTION CARRIED.**

Payroll and the following vouchers were approved for payment:

April Payroll- 60128.48; Lusk State Bank- Employer's taxes- 15993.67; 3 Sisters Truck Stop- Fuel- 78.05; Aflac- Employee paid insurance- 356.34; Allbright's True Value- Supplies, maintenance- 587.56; Avaya Communications- Phones- 70.04; Denzel Coffey- Reimbursement for 2yrs special use lease rental for radio towers- 700.00; Communicomm Services- Network & internet access- 141.95; Dept. of A & I- Access to state mainframe- 157.67; Decker's Foods- Supplies, meals, meds- 202.95; Deluxe Business Checks- Supplies- 580.83; Fresh Start Convenience- Fuel- 2311.36; Hiway Brake & Alignment- Vehicle repairs- 60.63; Hiway Super Service- Parts- 24.00; Birch Telecom- E911 phone- 87.71; ; Kinder Morgan, Inc.- Utilities- 2135.84; Lichen Research Center- Computer expense- 250.00; Loyal American Life- Employee pd. Ins.- 32.61; Lusk/Niobrara Ambulance Service- Inmate medical- 420.00; Lusk Herald- Publications- 897.96; Niobrara County Sheriff's Office- Postage- 60.66; Niobrara Electric Association- Radio tower - 26.30; Niobrara Senior Center- Rent- 450.00; Office Depot- Supplies, new equipment- 950.90; Office Max- New equipment- 184.99; Orchard Trust Co.- Deferred Comp.- 11175.00; Qwest- Phones -1750.06; Sperry Drug- Inmate meds, supplies- 357.31; Torrington Office Supply- Supplies- 570.42; Town of Lusk- Utilities- 1970.47; USP Communications- Long distance service- 204.95; Valley Motor Supply- Parts- 143.71; Verizon Wireless- Cell phones- 265.54; Visa- Travel, supplies, postage-2277.63; Wyoming Law Enforcement Academy- Schools- 690.00; Becky Freeman- Mileage- 82.88; Wyoming County Clerk's Association- Dues- 100.00; Niobrara County Treasurer- Postage- 352.10; L. Anne Leimser- Assisting with preparation of tax assessment notices- 108.00; Niobrara County Assessor- Postage, supplies- 46.88; Citicorp Vendor Finance- Sheriff's copier - 189.50; Connecting Point CPU- Maintenance contracts for copiers- 181.78; Dillon Precision Products- Supplies- 74.00; Hornady- Schools- 250.00; Law Enforcement Targets- Supplies- 122.09; Lusk Mini Storage- Storage fee- 45.00; Ed Buchanan- Deputy County Attorney contract labor- 3600.00- Xerox Corp- Quarterly copier maintenance agreement- 132.00; Niobrara County Hospital District- 1% Option Tax- 13112.26; Absolute Solutions- Maintenance & repairs- 580.00; Brice's Refrigeration- Maintenance- 605.00; Public Safety Training- Supplies- 120.25; Brevis- supplies- 35.98; Shirley Huizenga- Supplies- 49.72; Tammie Jensen- Travel expense- 420.24; Denise E. Smith- Travel expense- 199.92; Diane Tadewald- Travel expense- 211.56; Wells Fargo Financial- Copier- 236.00; H. Rick Hollon- Court appointed attorney & guardian ad litem- 1887.75; US Postal Service- Postage- 222.05; Dennis C. Meier- Rent- 600.00; Black Hills Chemical Co.- Supplies- 868.77; K-D Maintenance- Maintenance contract & supplies- 7747.66; Niobrara County Library- Maintenance- 355.88; AlSCO- Coveralls & towels- 158.23; Bartow Oil Co.- Diesel- 5595.10; Charles B. Darrah & Associates- 522.31; Peterbilt of Wyoming- Parts- 49.02; Wyoming Machinery, Co.- Parts- 120.36; Kester Akers- ½ Phone & internet- 29.60; Casper Star Tribune- Supplies- 101.40; Chalk Buttes Diagnostic- Inmate medical- 87.00; Judy Hanzlik- Supplies- 37.27; Teton County Sheriff's Office- Schools- 500.00; Wyoming Women's Center- Inmate meals- 3356.64; Jeane Stratton- Ancillary Support- 50.00; Neil Holmes- Travel expense for planning & zoning- 284.82; Townsend Co., Inc.- Joint Owner Billing- 54.83; Xerox Corp.- Copier payment -303.94 ; Benchmark of Torrington- Engineering fees- 729.18; Lee


Brown Trucking- Gravel hauling- 3120.00; Lucky Gate, Inc.- Gravel hauling- 7860.00; Barry Matney- Gravel hauling- 2840.00; Harold Miller- Gravel hauling- 3200.00; Mobile Concrete- Gravel crushing- 50175.00; Steve Otten- 2560.00; Tracy J. Patterson- Gravel hauling- 2440.00; Reed Trucking- Gravel hauling- 3080.00; Wright Bros. Contracting- Gravel hauling- 3360.00; Lynn Carlson- Reimburse for supplies 238.72; Community Drug- CNA Supplies- 210.94; Decker's Foods- Spark program- 207.10; Niobrara County School Dist #1- Travel expense for Spark program- 230.31; Sperry Drug- Spark program supplies- 44.98; Subway Sandwiches- Spark program meals- 91.24; James A. Eddington- Guardian ad Litem- 142.50

There being no further business, the meeting recessed until May 16, 2006.

NIORARA COUNTY COMMISSIONERS

  
Tom L. Wasserburger, Chairman

Attest:

  
Becky L. Freeman, Clerk