

COMMISSIONERS' PROCEEDINGS
NIOBRARA COUNTY, WYOMING
September 2, 2008

The Niobrara County Commissioners meeting was called to order at 8:15 a.m. on September 2, 2008 in the Commissioners' Room of the Niobrara County Courthouse. Those present were Chairman Richard A. Ladwig, Commissioners Ronson B. Pfister, Arlene Zerbst Rapp, and County Clerk Becky L. Freeman.

The Commissioners met with Steve Coon at the Fairgrounds to discuss the status of the floor. After much discussion, Coon stated he would discuss the matter with an engineer and get back with the Commissioners.

Road & Bridge- Foreman Fred Thomas met with the Commissioners and discussed roads & equipment. Thomas stated that 28 Road was looking good.

The Commissioners and Thomas discussed the town hauling dirt from their stockpile at the cemetery to the dump. They will be hauling the dirt with belly dumps on the paved portion of 28 Road. The Commissioners are concerned that the trucks hauling the dirt won't be weighed and this much heavy truck traffic will tear up the road.

Denis Peterson met with the Commissioners and discussed the dirt haul project. There was discussion about who maintains the paved portion of 28 Road by the cemetery and Peterson said the town does. He stated that if the road is torn up, they will fix it.

Ladwig suggested that the trucks haul the dirt through the barrow pit and Thomas confirmed that a couple of truckers said they could get through the barrow pit. Peterson didn't think that would work because he was concerned about approaches and that it would be too slow of a process and they are limited in the amount of time they have to get this project completed.

Commissioners asked if there was any way we could get a written agreement from the town stating they would fix the road if it becomes damaged. Peterson said he would discuss this with the Mayor.

Ladwig stated he would feel better if the Commission had some assurances from the town regarding repairs and Peterson said that he couldn't do that at this time.

Zerbst Rapp inquired about using the scales at Hubbard's and it was pointed out that the scales are out of the way and would cost \$5 for every load.

Private Road Petition- Attorney Dennis C. Meier and Lee Denny, representing Lamb Ranch, Inc. met with the Commissioners to discuss a private road petition they submitted requesting temporary access until the application can be processed and finalized. Meier discussed a letter he received from Temptan's attorney advising his client, Lee Denny, that the road is closed to his use. Meier further stated that he had contacted Temptan, Inc's attorney to see if a right of way could be purchased and there has been no interest so far. County Attorney Doyle Davies joined the meeting at 10:40.

After more discussions, Zerbst Rapp moved, seconded by Pfister, to grant temporary access to Lamb Ranch, Inc. & family to access their ranch on the road that has been used historically, with no conditions, as evidenced by exhibit A on the application. **MOTION CARRIED.**

The Commissioners set the public hearing on this matter for November 18, 2008 at 9:00 a.m.

Dennis Meier and Doyle Davies met with the Commissioners and discussed 28 Road. The Commissioners want some kind of agreement from the Town that if the road is torn up, the town will fix it. Meier stated that Mayor Pier said the town would do whatever needs to be done to get this project completed, including running lighter loads on the trucks. Meier said he could draft an agreement regarding damages to the road, should they occur, and repairs.