

NIOBRARA COUNTY COMMISSIONERS' MEETING  
NIOBRARA COUNTY, WYOMING  
April 4, 2017

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The Niobrara County Commissioners' meeting was called to order on this date at 9:03 a.m. with Chairman Richard A. Ladwig, Commissioners Patrick H. Wade, John Midkiff and County Clerk Becky L. Freeman, present.

Public Health Nurse- Sally Myer, Niobrara Public Health Nurse, met with the Commissioners to discuss letting WIC use her office one day a month. WIC is currently meeting in the Senior Center, but they feel that there isn't enough privacy there. Sally said she works four days a week and WIC could use the office one day a month. The Commissioners did not have a problem with it and she said she would touch base with the hospital to see if they were in agreement.

Road & Bridge -Road & Bridge Foreman Fred Thomas met with the Commissioners and discussed road and bridge business. He submitted an agreement between Wallace Henry Smyth and Niobrara County granting us permission to access the Wasserburger gravel pit.

Brown Pit- Lee Brown met with the Commissioners and Fred to discuss his pit and his interest in expanding the pit by adding an additional three to five acres. Lee owns the permit on the pit and historically there has been a verbal agreement that the County can use gravel from that pit at no charge as long as it is placed on roads in that area. The expansion of the pit costs \$2,000/acre (for bonding purposes as it relates to reclamation expenses) and it was initially discussed that the County would be the primary entity on the permit, however, that essentially requires a new pit being established which includes archeological studies to be conducted and a lot of money being invested. An alternate thought was for the County to be listed on the permit along with Lee, but according to a conversation between Lee and Rich Vincent with DEQ, that cannot happen.

Fred asked if there was a way that the County could enter into an agreement with the Browns spelling out the existing verbal agreement and pay approximately \$8,000 to expand the pit. The County would be responsible for maintenance and reclamation of the pit. The Commissioners asked Lee to come back at 1:30 to visit with the County Attorney about this matter.

BenchMark of Torrington- Brian Wakefield met with the Commissioners and Fred to discuss the 2016 Road Rehab Project.

Richard asked about substantial completion of a project and when that can occur. Brian explained that when the project is completed enough so that everything functions the way it is supposed to and all they have to do is cleanup, then it could be considered substantially completed and the 41 day advertising period for the final payment of the retention could begin. Brian said that all they really have to do is reshape the road and they are done.

Fred said that the parking lot at the hospital is done. He said it took 12 loads of gravel and he couldn't lower the curb line like he wanted because of utilities. He said Jim Tangney gave his approval of the work done on the parking lot.

Memorandum of Understanding (MOU) - Pat moved to approve the MOU between Wallace Henry Smith and Niobrara County acknowledging access granted to the County by Smyth off Redbird Road #11 to access the Wasserburger Pit. John seconded, motion carried.

County Attorney-Anne Wasserburger, Attorney for the Niobrara Hospital District, and Doyle J. Davies, Deputy County Attorney, met with the Commissioners to discuss an MOU between the Niobrara Community Hospital and Niobrara County, setting forth the terms and conditions by which the County shall lease the "I T" building for use as a public health office.

The lease is for three years at \$1.00 per year. The Commissioners mentioned the

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conversation held with the public health nurse regarding WIC using her office one day a month. Anne said she would visit with the Hospital Board regarding this matter and get back to the Commissioners.

She also discussed parcels of land located in Van Tassell that an individual wanted to give to the County. It was the only property his mother owned and he doesn't want to probate her estate. The Commissioners thought it might be better for someone else to have the property.

Emergency Management- James Santistevan, Emergency Management Coordinator, met with the Commissioners and discussed emergency management operations.

He said he has submitted the Emergency Operation Plan (EOP) and the State reviewed it and suggested minor revisions. He also said he would have the THIRA plan updated by September 1, 2017 and will most likely use the eclipse as an event for this plan.

He discussed the IPAWS tool which provides public safety officials with an effective way to alert and warn the public about serious emergencies using the Emergency Alert System (EAS), Wireless Emergency Alerts (WEA), the National Oceanic and Atmospheric Administration (NOAA) Weather Radio, and other public alerting systems from a single interface.

He also discussed the WYOLINK program and costs the counties will be incurring in the future and concerns regarding those costs.

He said he went to fairgrounds and schools and looked at floor plans for emergency shelters, and said that one downfall is that while the fairgrounds has an emergency generator, the schools do not.

He said that work is being done on a regional hazard mitigation plan, which is due by 2018.

Elected Officials and Dept. Heads-The elected officials and department heads gave department updates.

Rick Zerbe, Sheriff, said that it is business as usual. He discussed a meeting he had with a livestock board investigator and that his office will be picking up more of those investigations due to decreased numbers of investigators. He also discussed patrols and vehicle problems.

Teri Stephens, Assessor, said that notice of valuations are going out Friday, her office is receiving declarations of personal property, and they are preparing to begin property reviews this summer.

Kayla Courtright, Clerk of District Court, said that her office is staying busy sending out juror questionnaires. She didn't think there would be any trials scheduled right away. In June she will be hosting the Clerks of District Court Association meetings.

Denise Smith, UW Extension Educator, said they are busy getting ready for the Foods Expo and Real Foods five week class. She said that Chrisanna is working on things for the upcoming fair.

Denise mentioned that the floor in the kitchen is sinking and presented a bid for a company to come in and pump concrete beneath the floor to level it back up.

She also said that due to budget cuts at the State level, there will not be UW student working for them this summer.

James Santistevan, Emergency Management Coordinator, discussed his plan to tour the high school and grade school with Sally Myer, Public Health Nurse, to evaluate facilities for medical and non-medical sheltering. He also discussed grants, communications, weather spotting classes and eclipse related matters.

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Becky Freeman discussed a quote she received from Laramie Range Water Treatment and Plumbing, LLC., regarding water dispensers for the courthouse.

Pat said he didn't know if it was worth the expense to fix the kitchen floor right now as the settling is not that bad and is something that has occurred over the life of the building. He said it would make sense to seal the crack to eliminate drafts and insects. Pat said that he had visited with fair board member Corky Fosher and he was in agreement to seal the crack as well.

County Attorney- Lee and Vikki Brown and Deputy County Attorney Doyle J. Davies met with the Commissioners to continue discussions on pit business.

The group updated Doyle on the previous conservation and said that the Brown Pit, from which the County has mined pit run gravel, needs to be enlarged. They told him that to enlarge the pit, DEQ requires a bond in the amount of \$2,000/acre. The Browns own the pit permit, but the County uses most of the gravel from it. The Commissioners and Fred thought that is wasn't fair to the Browns to have to pay for the expansion of the pit and the County using the gravel at no cost. One idea to help alleviate the cost of the expansion was to be co-permittees with the Browns on the permit. However, that is not an option according to DEQ. It was also suggested that the County be the primary permittee, but that would require a new pit application.

Doyle suggested that the County enter into an agreement with the Browns, with terms laid out as stated above. Essentially, the County wouldn't lose any money because when the pit is reclaimed, the bond would be returned.

The question was asked if the County could put up the bond for a private pit. Doyle says yes, because we are benefitting from it and if the owner were to benefit a bit, it could be considered a *de minimus* charge.

Vikki asked for a certificate of insurance from our provider, but Doyle said that it would be put in agreement that we indemnify the Browns in the event of adverse actions on our behalf.

We will submit something to the DEQ and see what they say.

The Commissioners thanked the Browns for their continued support.

Doyle presented a rough draft for the event insurance requirements for the Commissioners review.

Doyle and the Commissioners then discussed the Long Term Recovery Manager Position and paperwork required.

Executive Session- Pat moved to enter into Executive Session at 2:12 p.m. with Deputy County Attorney Doyle J. Davies to discuss personnel matters. John seconded, motion carried.

Pat moved to reconvene the regular session at 2:23 p.m. John seconded, motion carried. No action was taken.

Consent Agenda- Pat moved to approve the consent agenda. John seconded, motion carried. Items included on the agenda were minutes of the March 21, 2017 meeting and receipts for the month of March from the County Clerk for \$4,671.75, from the Sheriff for \$415.00 and from the Public Health Nurse for \$15.00.

Petition to Cross County Road- John moved to approve the Order authorizing D. C. Drilling to bore under Old Highway 20. Discussion: Pat asked if a company had the authority to apply or if it had to be the landowner. Richard said he thought it was okay if the company applied as petitioner because the contract holds the petitioner accountable. Pat seconded, motion carried.

The Hospital lease was laid back until the next meeting for clarification regarding whether or not WIC could use the Public Health Nurse office for one day a month.

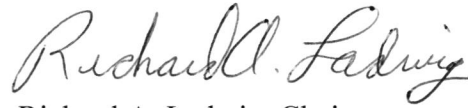
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Payroll and the following vouchers were approved for payment:

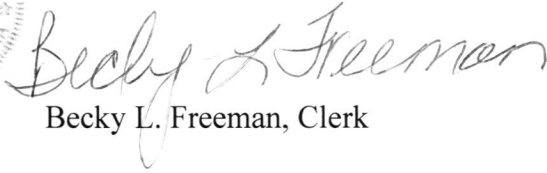
There being no further business, the meeting adjourned.

NIOBRARA COUNTY COMMISSIONERS



Richard A. Ladwig, Chairman

Attest:



Becky L. Freeman, Clerk

<b>Vendor</b>	<b>Total</b>	<b>Detail Line Description</b>
A T & T	\$71.86	PHN Telephone
Allbright's True Value Hardware	\$40.00	Supplies
AlSCO	\$309.90	Shop towels & coveralls
Arrow Electric, Inc.	\$1,634.20	I T Expense
BenchMark of Torrington P.C.	\$1,739.85	2016 Road Rehab Engineering
Benzel Pest Control, Inc.	\$277.20	Justice center & fairgroun mtnc
Birch Communications	\$570.05	Telephone
Black Hills Energy	\$2,113.58	Utilities
Bluffs Sanitary Supply	\$21.41	Supplies
Cally Lund	\$500.00	Office rent
Canon Financial Services	\$380.00	Copier service agreement
Casper Star-Tribune	\$1,554.00	Publications
Century Link	\$1,619.70	Telephone
Century Link Business Services	\$72.24	Telephone
Connecting Point Computer Centers	\$550.00	Copier service agreement
Converse County Public Health	\$300.88	Medical supplies
Decker's Foods	\$90.51	Supplies, inmate meals
Denise E. Smith	\$66.88	Travel expense
Dennis C. Meier	\$1,000.00	Office rent
Ed Buchanan	\$2,660.00	Deputy county attorney
Frank Parts Company	\$241.64	Parts, vehicle repairs, justice ctr mtnc.
Geographic Innovations	\$1,300.00	Professional mapping
Goshen County Detention Center	\$1,540.00	Inmate housing
Great Western Tire Company	\$2,133.52	Tires
GreatAmerica Financial Svcs.	\$433.50	Copier service agreement
Harris Govern Ft. Collins User Group Inc	\$150.00	Dues
Heilbrun's Farm Industrial Supply	\$21.18	Parts
Hiway Brake & Alignment	\$3,362.65	Vehicle repairs
Hiway Super Service	\$607.00	Gas & oil
Honnen Equipment Company	\$43.90	Parts
Hout Fencing Of Wyoming, Inc.	\$28,487.82	2016 Road Rehab project
Jordan Auto	\$138.45	Vehicle repairs
Leslie Fowler	\$60.46	MCH
Lusk Herald	\$478.90	Publications
Lusk Mini Storage	\$45.00	Storage unit rental
Monika D. Davies	\$500.00	Office rent
Moore Medical Corp	\$1,606.38	Supplies, new equipment
Nathaniel S. Hibben	\$3.85	Trial expenses
Nicolas Prat, Phd	\$280.00	Travel expense
Niobrara Co. Sheriff's Office	\$21.33	Postage
Niobrara County Attorney	\$12.94	Supplies
Niobrara County Hospital District	\$11,545.04	1% Option tax, employee medical
Niobrara County Library	\$1,725.00	Deferred comp.
Niobrara Electric Association	\$41.48	Radio tower
Office Depot	\$544.21	Supplies
Office Of State Lands & Investments	\$900.00	Radio tower lease payment
Patrick Cole	\$350.00	Justice center mtnc
Plainsman Printing & Supply	\$380.28	Supplies
Pre Resources Rockies, L.P.	\$230.96	O & M oil
Proper Care, LLC.	\$6,800.00	Fairgrounds contract
Public Agency Training Council	\$650.00	Schools
Public Safety Training Consultants	\$716.00	Schools

Rawhide Drug Company	\$10.00	Inmate medical
Richard A. Ladwig	\$188.26	Travel expense
Sanofi Pasteur, Inc.	\$167.67	Medical supplies
Shreds, Llc.	\$1,776.75	Document shredding expense
Torrington Office Supply	\$786.04	Supplies
Town House Motel, LLC.	\$4,800.00	Courthouse contract
Town Of Lusk	\$2,419.48	Utilities
TrueNorth Steel	\$146.40	2016 Road Rehab
Tyler Technologies	\$165.38	Computer expense
UW Communications & Technology	\$105.60	New equipment
UW Extension	\$6,000.00	Co. share 4-H educator salary
Valley Motor Supply	\$1,251.72	Parts
Valley Plumbing & Heating	\$151.60	Justice center maintenance
Verizon Wireless	\$518.13	Telephone
Visa	\$2,585.90	Travel expense, supplies, computer expense, postage
Visionary Communications, Inc.	\$919.83	I T expense
Wal Mart Community	\$353.44	Supplies, inmate meals
Washakie County Homemakers	\$96.00	Dues
Westco	\$3,493.77	Diesel
Whitaker Oil D/B/A Outpost Truck Stop	\$2,504.10	Fuel
WLEA -Costs Only	\$330.00	Academy
WY Enterprise Technology Services	\$7.30	I T Expense
Wyoming Behavioral Institute	\$2,055.00	Involuntary commitment
Wyoming County Treasurer's Assoc.	\$225.22	Dues, continuing education
Wyoming Dept. Of Transportation	\$41,836.90	Lance Creek BROS CN14063
Wyoming Machinery Company	\$1,057.99	Parts
Wyoming Network, Inc.	\$230.00	I T expense
Wyoming Women's Center	\$1,383.20	Inmate meals
Xerox Corporation	\$137.00	Copier Service Agreement
Grand Total	\$155,676.38	