

NIOBRARA COUNTY COMMISSIONERS' MEETING
NIOBRARA COUNTY, WYOMING
July 18, 2017

The County Commissioners' meeting was called to order on this date at 8:59 a.m. with Chairman Richard A. Ladwig, Commissioners Patrick H. Wade, John Midkiff and County Clerk Becky L. Freeman, present. Also in attendance was Dell Atkinson, Niobrara Disaster Recovery Manager.

Road & Bridge- Fred Thomas, Road and Bridge Foreman, met with the Commissioners and discussed road and bridge business. Kerry Barker joined the meeting.

Fred said that work to repair the damage to the skylights and tin from the hailstorm last September has begun on his shop.

Fred informed the Commissioners that someone had cut a trench across the North Lance Creek Road to try and slow down truck traffic. A deputy sheriff was sent out to inspect the damage.

Fred said that someone approached him to see if the county would build a private road for them. The Commissioners said no, as they don't want to take work away from private contractors and the road and bridge crew doesn't have time.

J. D. Wasserburger joined the meeting.

Brett with Cheyenne River, LLC., joined the meeting and the group discussed the N. Lance Creek Road agreement. The agreement stated that Cheyenne River, LLC. will prep, haul and place gravel on N. Lance Creek Road as well as placing drill cuttings in strategic spots from the Jasper well site to the county line.

Brett said he was fine with the agreement and signed it, but Richard wanted to clarify that the cuttings would go on the spots most likely to blow out. Richard also asked if we would get gravel from the well site to the county line. Brett said he doesn't have the money in his budget to go that far. He estimated it could cost up to a quarter of a million dollars to do approximately four miles.

The group discussed the best locations to place the cuttings and it was suggested to place cuttings from the well site to the top of the hill as that is the worst stretch. Richard feels that it would be best to do a continuous stretch instead of sporadic placement.

A change was suggested to the agreement to make it read from the Jasper 32-4H well to the county line or until the cuttings are depleted.

The next concern were hydrocarbons in the cuttings. It was stated that the attorney for Lone Crow Cattle Co, said that her clients were concerned about the hydrocarbons and they don't want any on the road. Richard asked that if it was possible to convince the landowner that the cuttings have passed rigorous testing by DEQ and that they will be diluted with limestone dust, could the project proceed. If not, then the material will be cut by half and the project is in jeopardy of being dismissed. Fred said he would try to contact the attorney to discuss this further.

Brett said it is much cheaper for him to send the cuttings to a disposal facility than to do this project. He said that higher officials within Cheyenne River, LLC told him he needs an answer by the end of the day or the project will be scrapped.

Pat says he wants to see what the landowner says about the hydrocarbons before moving forward. Pat said that it is important to make them aware that the road improvements won't move forward if they don't agree to use the cuttings.

The Commissioners waited to sign off until they had an agreement from the landowner or their attorney to proceed.

Dell Atkinson, Disaster Recovery Manager, met with the Commissioners and discussed economic development.

He received an email from the Wyoming Business Council stating that the U. S. House of Representatives is considering cuts to the Economic Development Agency of approximately \$100,000,000.00. The email suggested contacting our Senators and asking them to keep the EDA funding at its current level. Dell voiced concerns stating that other than major disasters, EDA hasn't

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done much for Wyoming. He said that currently, the State's wages are too high to receive assistance and if we were to qualify, most times there is a 50% match requirement.

John moved to authorize Dell to draft a letter to Senators Barrasso and Enzi, requesting their support of full funding for the EDA. Pat seconded, motion carried.

The group then discussed the Century Link deregulation matter.

Kyle Raime, with Front Range Insurance met with the Commissioners via telephone to discuss event insurance options.

Several options were presented, but most seemed geared towards private businesses.

Amy Williams, owner of the Townhouse Motel and independent contractor for the courthouse, library, and justice center cleaning, met with the Commissioners and discussed the floor waxing project at the courthouse. She asked them to consider providing additional funding to her offset unforeseen costs due to the labor intensity associated with the project.

She said it took seven people just to strip the floor and she did not budget for that additional expense.

She requested an additional \$800.00 to offset the cost of the additional labor and asked if they would consider some or all of it, she would appreciate it.

She also asked if there was some way the Commissioners could schedule a non-traditional holiday weekend so she could strip and will wax the floors in the future. She said that when there are the traditional holidays, such as Thanksgiving or Christmas her crew has to work on these big projects, but then they miss time with their families.

The Commissioners said they discuss both matters later.

County Attorney- Cally Lund, County Attorney, met with the Commissioners and discussed county business.

The group discussed the N. Lance Creek Road agreement and she said she would be okay with the Commissioners signing the agreement because it had been signed by Cheyenne River, LLC, and thereby transferring any and all liability to them.

The group then discussed Century Link's move towards deregulation.

They addressed the special event insurance and Pat asked about assumption of risk and whether or not a liability waiver would work. Cally said they are the same thing. She said the bottom line is this- we can stand under governmental immunity. She wants to do some standard forms and clean up the applications currently being used at the fairgrounds and create a good solid paper trail.

1% Tax Meeting- Todd Bishop, President/CEO, Kaiser Wealth Management, Pat Smith, Town of Lusk Mayor, Shelly Larson and Randi Ross, Hospital District Board members, Michelle Skilling, Interim CEO, Ron Pfister, Todd Skrukrud, Dell Atkinson, Rola Ross, Town of Manville Mayor, Keri Thompson, Treasurer, Dr. Joleen Falkenburg and Doug Lytle, Town of Lusk Councilmember, met with the Commissioners to discussed a proposed 6th penny tax project.

Todd Bishop explained who he was and what his company does. He touched on the history of 1% SPET projects that have been successful in Niobrara County.

He told the group that a specific project has to be identified on the ballot and then tie operations and maintenance funding to that approved project. He said it is important to put together a proposition that is clear and that the question reflects actual uses for the tax monies.

Putting together proposition- make sure question reflects actual uses for monies.

There was discussion about a reimbursement resolution to allow purchase of equipment; then reimburse fund. Todd said that this is a separate resolution that stands alone.

Shelly gave a history of the hospital and their debts and revenues. She said the hospital was built in the '50s with the nursing home built in the '70s.

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She presented a list of repairs, updates and equipment that they would like to fund with the 1% tax. Some of them include replacing the roof, purchasing a diesel fueled emergency generator instead of using a natural gas generator, repaving the parking lot, purchasing bariatric beds as well as many others.

At this point, Dr. Falkenburg advocated for the hospital stating they have great doctors and nurses and she is here for the long haul.

Doug said that he thought it would be important to have something aside from the hospital question on the ballot as it might draw more people to vote for it.

Rola said that he didn't think that Manville would have anything on the ballot.

Todd asked for direction and Pat Smith said she thought this project would be a very easy sell. The hospital question is very straight forward and she voiced concerns that if anything is added on to the hospital question, it might complicate the matter and the whole issue could fail.

The County and Town of Lusk didn't think they had enough time to compile adequate numbers for a project.

The cost of the project will be \$1,975,000.00 and should take approximately three to four years to collect.

Shelly said that the hospital was comfortable with paying for projects as they collect funds instead of purchasing bonds to fund the projects up front.

After further discussion, it was decided that the County, and Towns of Lusk and Manville would not add any projects to the question.

Pat moved to support with moving forward with a 1% SPET for the Hospital. John seconded, motion carried. There will be a special election held on November 7, 2017 to pose the question to the qualified electors of Niobrara County.

Engagement letter with Kaiser Wealth- John moved to approve the engagement letter with Kaiser Wealth, spelling out the terms and responsibilities and setting a fixed fee for charges he can impose. Pat seconded, motion carried. This was not presented to Cally prior to signing.

Consent Agenda- Pat moved to approve the consent agenda. John seconded, motion carried. Items on the consent agenda were the minutes of the July 1, 2017 meeting.

Pat moved to approve the FY 17-18 Budget, which included a 4% COLA for employees and the purchase of a 140K Cat Blade. John seconded, motion carried.

Resolution 17-07 Income Necessary to Finance Budget-

Pat moved to approve **RESOLUTION 17-07-INCOME RESOLUTION NECESSARY TO FINANCE BUDGET**

WHEREAS, on the 18th day of July, 2017, this Board adopted a County Budget for the 2018 fiscal year ending June 30, 2018, calling for the following appropriations:

General Fund	\$ 7,220,514.46
Library Fund	\$ 312,460.35
Fair Fund	\$ 127,077.66
Grants/County Road Fund	\$ 1,289,521.14

TOTAL \$ 8,949,573.61

And, WHEREAS, after deducting all other cash and estimated revenue, it is necessary that the following amounts be raised by general taxation, and in order to raise such sums of money, it is necessary that the levies be made for the 2018 fiscal year ending June 30, 2018, as shown opposite each fund:

Amount to be raised

Mill Levy

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General Fund	\$ 1,030,416.24	10.50
Library Fund	\$ 142,295.57	1.45
Fair Fund	\$ 4,906.74	.50

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners that the foregoing levies be made for the 2018 fiscal year ending June 30, 2018.

Dated this 18th day of July, 2017.

Niobrara County Commissioners
 /s/ Richard A. Ladwig, Chairman
 /s/ Patrick H. Wade, Vice-Chairman
 /s/ John Midkiff, Commissioner

Attest: /s/ Becky L. Freeman, County Clerk

Resolution 17-08- Appropriations Resolution- John moved to approve

RESOLUTION 17-08
APPROPRIATION RESOLUTION
GENERAL FUND

WHEREAS, the Niobrara County Clerk, the budget making authority, prepared and submitted to the Board, a county budget for the 2018 Fiscal Year ending June 30, 2018.

County Commissioners	\$ 64,043.30
County Clerk	\$ 124,365.26
County Treasurer	\$ 119,299.85
County Assessor	\$ 133,924.66
County Sheriff	\$ 293,658.94
County Attorney	\$ 140,028.47
1% Option Tax	\$ 170,000.00
Dispatch	\$ 213,722.00
County Coroner	\$ 26,809.65
Extension Office	\$ 78,651.80
Clerk of District Court	\$ 126,271.39
Magistrate	\$ 12,000.00
Facilities	\$ 333,934.05
Road & Bridge	\$ 653,388.78
Emergency Management	\$ 8,950.00
Detention	\$ 362,081.91
Elections	\$ 14,900.00

WHEREAS, such a budget was duly entered at large upon the records of this board and a copy of thereof was made available for public inspection at the office of the County Clerk; and

WHEREAS, notice of a public hearing on such budget, together with the summary of said budget was published in the Lusk Herald, a legal newspaper published and of general circulation in the county on the 5th day of July, 2017; and

WHEREAS, a public hearing was held on such budget at the time and place specified in said notice, at which time all interested parties were given an opportunity to be heard; and

WHEREAS, following such public hearing certain alterations and revisions were made in such proposed budget, all of which more fully appear in the minutes of this Board.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners that the county budget as so revised and altered, be adopted as the official county budget for the 2018 Fiscal Year ending June 30, 2018.

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BE IT FURTHER RESOLVED, that the following appropriations be made for the 2018 Fiscal Year ending June 30, 2018, and that the expenditures of each officer, department, or spending agency be limited to the amount herein appropriated.

Dated this 18th day of July, 2017

Public Health Officer	\$ 7,200.00
Public Health Nurse	\$ 20,123.56
General County	\$ 619,550.00
Cash Reserve Fund	\$ 3,572,610.84
Depreciation Fund	\$ 125,000.00
TOTAL	\$ 7,220,514.46
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Grants/ County Road Fund	\$ 1,289,521.14
TOTAL	\$ 1,289,521.14
County Library	\$ 312,460.35
County Fair	\$ 127,077.66
TOTAL APPROPRIATIONS	\$ 8,949,573.61

Niobrara County Commissioners
/s/ Richard A. Ladwig, Chairman
/s/ Patrick H. Wade, Chairman
/s/ John Midkiff, Chairman

Attest: Becky L. Freeman, County Clerk

Pat seconded, motion carried.

Resolution 17-09- Pat moved to approve Resolution 17-09, Corporate Authorization Resolution authorizing signers for the Public Health Nurse Visa Credit Card, John seconded, motion carried.

The group discussed Amy's request for additional funds for the waxing job. Pat suggested paying \$400. Pat moved to pay an additional \$400 to Amy Williams to help offset unanticipated costs. Discussion- There were concerns that this would set a unbudgeted precedence and Pat rescinded his motion.


Fred stopped back in and said that Cheyenne River had pulled the project on N. Lance Creek Road because they hadn't received a response from anyone.

There being no further business, the meeting adjourned.

NIOBRARA COUNTY COMMISSIONERS

Richard A. Ladwig
Richard A. Ladwig, Chairman

Attest:


Becky L. Freeman
Becky L. Freeman, County Clerk.