

NIOBRARA COUNTY COMMISSIONERS' MEETING

NIOBRARA COUNTY, WYOMING

July 2, 2019

The County Commissioners' meeting was called to order on this date at 9:02 a.m. with Chairman Patrick H. Wade, Vice-Chair John Midkiff, Commissioner Elaine Griffith, and County Clerk Becky L. Freeman, present.

Road and Bridge- Fred Thomas, Road and Bridge Foreman met with the Commissioners and discussed county roads.

Foreman Thomas said the auditors had contacted him regarding the Manville Pit and the County's gravel stockpile. He said they wanted to come down to the pit and physically observe the engineers measuring the inventory. He said they would be down Monday, July 8th.

He said that an oil company might be drilling wells on Redbird Road and that there is the possibility of the company graveling approximately four miles on the west end of Redbird Road. He said if they do gravel the road, auto gates and culverts would need to be replaced.

He said he was trying to get the reclamation work done at the Brown Pit and he updated them on repairs to the washout on Indian Creek Road.

The group then discussed the IRP program and the railroad crossing at Manville.

Vice-Chairman Midkiff stated he hadn't heard anything more regarding the snow fence project.

Chairman Wade discussed a new pipeline that is probably going in. It should come down the same line as the ONEOK pipeline. He thought Cheyenne River Road would need some maintenance.

Elected Officials & Department Heads- Chrisanna Lund, Clerk of District Court, Teri Stephens, Assessor, James Santistevan, Emergency Mgmt. Coordinator, Keri Thompson, Treasurer, Denise E. Smith, Extension Office, and Cary Gill, Sheriff, met with the Commissioners and discussed county business and office operations.

Mr. Santistevan updated the group on a coordinators' meeting he attended last week and said he has been busy with storm chasing

Sheriff Gill said it has been relatively quiet; however, the recent hail storm did some damage to his county vehicle. He said everyone is busy preparing for the 4th of July and the Legend of Rawhide. He also mentioned that there was a good turnout for the TIPS training conducted recently.

Treasurer Thompson said she is busy working on month-end and finalizing revenue figures for the budget.

Denise Smith discussed the grant she and Dell Atkinson have been working on for the HVAC upgrade at the fairgrounds. She said the grant timeline has changed and they now have to wait until December before submitting the grant application.

She then discussed maintenance at the fairgrounds and voiced her concerns that maintenance issues are not being addressed.

Lastly, she asked Sheriff Gill if he and his deputies would patrol the fairgrounds because someone broke into the stall boxes and stole the money in them.

Clerk of Court Lund discussed the recent association meeting she attended. She also said that the metal detector is working.

Assessor Stephens discussed her association meeting. She said she had a meeting with the Department of Revenue regarding the abstract and said that her numbers were approved. She also noted that reviews are going well.

Chairman Wade discussed meetings he has attended with Goshen and Platte Counties regarding broadband. The group has considered assembling a Joint Powers Board to facilitate the installation of fiber optics in the three communities.

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County Attorney- Doyle J. Davies, Deputy County Attorney, met with the Commissioners and presented a resolution for them to sign regarding the Phillips 66 Use Control Area for their former Lance Creek gathering station.

He also submitted a contract to be signed with Solutions for Life for Emergency Services, a Memorandum of Understanding between the Legend of Rawhide Committee and Niobrara County, and he discussed the snow fence program.

Emergency Services Agreement - Commissioner Griffith moved, and Vice-Chairman Midkiff seconded to approve the agreement between Solutions for Life, Niobrara County, and the Niobrara County Sheriff's Office (NCSO). Motion Carried. The term of the contract is from July 1, 2019 – June 31, 2019, and the cost is \$150.00/hour. The agreement provides individual assessment and evaluation sessions for individuals under the custody or charge of the NCSO.

Memorandum of Understanding (MOU) - Commissioner Griffith moved, and Vice-Chairman Midkiff seconded to approve the MOU between the Legend of Rawhide Committee and Niobrara County. Motion carried. The purpose of the MOU is to collaborate to prevent underage alcohol sales and consumption within Niobrara County by using ID scanners during the Legend of Rawhide, and the Committee ensuring that servers are TIPS trained for the event.

Executive Session- Vice-Chairman Midkiff moved, and Commissioner Griffith seconded to enter into Executive Session at 11:16 a.m. with Deputy Attorney Davies to discuss personnel issues pursuant to W.S.S.16-4-405(a)(ii). Motion carried.

Vice-Chairman Midkiff moved, and Commissioner Griffith seconded to reconvene the regular session at 11:30 a.m. No action was taken.

Ratify Malt Beverage Permit- Vice-Chairman Midkiff moved, and Commissioner Griffith seconded to ratify the Malt Beverage Permit for Vickie Scott to have malt beverages at the Shooting Sports Building on June 22, 2019, for the Class of '69 Picnic. Motion carried.

Catering Permit- Vice-Chairman Midkiff moved, and Commissioner Griffith seconded to approve two (2) 24-hour catering permits for the Silver Dollar Bar to sell alcoholic beverages at the Legend of Rawhide Dance being held July 12th and 13th

Planning and Zoning- Brian Zerbe, Rick Bridge, Dan Henry Hanson, James Kruse, and Sena Pearson met with the Commissioners and discussed the future of planning & zoning in Niobrara County. Tom Cisneros was also in attendance, and he presented an application for a change of zoning on his property located in Blk 5, Lots 24-28, Niobrara Park Addition, from residential to commercial so he can collect inoperable appliances and have them hauled away.

Chairman Wade discussed the land use plan and said that the Conservation District is updating their plan and the County would like to include the Planning and Zoning Manual.

Resolution 19-08- Vice-Chairman Midkiff moved, and Commissioner Griffith seconded to adopt Resolution 19-08, a resolution establishing the Phillips 66 Use Control Area. Motion carried. The purpose of the Phillips 66 Use Control District is intended to establish long term use restrictions on the property in the County on which soil or groundwater was contaminated as a result of Phillip's 66 former refining operations in the county and which are subject to a Remedy Decision of the Wyoming Department of Environmental Quality. The Use Control Area covers land located in and being a portion of Section 31, T36N, R65W, 6th P.M., Niobrara County, Wyoming and being more particularly described as follows: Beginning at a point which is N16°48'30"W a distance of 926.03 feet from the southeast corner of said section 31, said point being the southeast corner of Quitclaim deed exclusion described in Book 377 page 363; Thence, along the south line of said deed exclusion, S89°37'25"W a distance of 348.06 feet to an angle point in said deed exclusion; Thence, continuing along said south line S66°32'55"W a distance of 588.90 feet to an angle point in said deed exclusion; Thence, continuing along said south line

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S88°29'02"W a distance of 630.18 feet to the southwest corner of said deed exclusion; Thence, along the west line of said deed exclusion, N01°47' 11"E a distance of 737.39 feet to northwest corner of said deed exclusion; Thence, along the north line of said deed exclusion, N86°51 '50"E a distance of 1436.09 feet to northeast corner of said exclusion; Thence, along the east line of said deed exclusion, S05°52'51"E a distance of 598.77 feet to the said point of beginning, said tract having a gross acreage of 23.60 acres, subject to all easements and right-of-ways of record.

Consent Agenda- Commissioner Griffith moved, and Vice-Chairman Midkiff seconded to approve the consent agenda. Motion carried. Items on the consent agenda were the minutes of the June 18, 2019 meeting. Also included were receipts for the month of June from the County Clerk for \$4,545.82, from the Sheriff for \$1,154.90, from the Public Health Nurse for \$1,252.91, from the Clerk of Court for \$705.00 and for the month of May for \$520.50, and Tax Roll Supplements- from the 2016 Tax Year for Royal Oil #15-2018 for \$2,078.07 and from L & J Operating, Inc. #16-2018 for \$639.63.

The Commissioners held a brief phone conference with Frank Urman of WEBT to discuss health insurance for county employees. Also in attendance was Anne Wasserburger, County Attorney.

Executive Session- Vice-Chairman Midkiff moved, and Commissioner Griffith seconded to enter into Executive Session with Attorney Wasserburger at 3:25 p.m. to discuss personnel issues as allowed by W.S.S. 16-4-405(a)(ii). Motion carried.

Commissioner Griffith moved, and Vice-Chairman Midkiff seconded to reconvene the regular session at 3:45 p.m. No action was taken.

Attorney Wasserburger went on to discuss official business.

Payroll and the following vouchers were approved for payment: Allbright's True Value- Parts, supplies, maintenance -\$169.47; Alscos- Shop towels & coveralls- \$131.06; Anderson Carpet Sales, Inc.- Fairgrounds upgrades- \$168.75; Benzel Pest Control- Pest Control- \$97.00; Birch Communications- Telephone- \$898.37; Black Hills Chemical & Janitorial- Cleaning & maintenance supplies- \$1,065.55; Black Hills Energy- Utilities- \$638.49; Cally Lund- Office rent- \$500.00; Cary Gill- Compliance checks- \$140.00; Century Link- Telephone and maintenance agreement- \$5,538.68; Century Link Business- Telephone- 86.66; Chantry Filener- I T expenses- \$220.00; Chrisanna Lund- Travel expensesfees- \$193.14; Clarke Plumbing Service- Courthouse maintenance- \$136.99; Community Consulting & Advocacy- Prevention grant- \$1,000.00; Cory Wilcox- Deputy coroner- \$100.00; Decker's Market- Supplies- 21.11; Dell C. Atkinson- Long Term Recovery Grant Mgr & travel expense- \$6,352.59; Dennis C. Meier- Office rent- \$1,000.00; Entenmann-Rovin Co.- Uniforms- \$198.00; Floyd's Truck Center- Parts- 180.24; Frank Parts Company- Parts- \$6.29; Geographic Innovations- Professional mapping- \$1,300.00; GreatAmerica Financial Services- Copier service agreement- \$328.00; Herbert K. Doby- Court appointed attorney- \$740.00; Hiway Brake & Alignment- Vehicle repairs- \$1,349.62; Hiway Super Service- Repairs- \$213.00; Holmes Ranch Excavation, LLC.- Seed for reclamation work on Brown Pit- \$738.40; Honnen Equipment Company- Equipment repair- \$3,685.17; Jameson Cleaning & Maintenance, LLC.- Fairgrounds contract- \$6,800.00; Jordan Towing- Abandoned vehicle and travel expense- \$389.00; Jub Jub, Inc.- I T expense- \$30.00; Kellie Chichester- Reimburse for travel expense- \$191.40; Kerry Steward- Prevention grant expenses- \$84.22; Lightcast inc.- Portable breathalyzers- \$1,880.91; Long Building Technologies- Maintenance- \$2,075.60; Lusk Herald- Publications- \$2,194.39; Mastercard- Travel, supplies, new equipment- \$6,406.52; Matthew Bender & Co., Inc- Law library- \$547.89; Monika Davies- Office rent- \$500.00; Nebraska Safety & Fire Equipment- Justice

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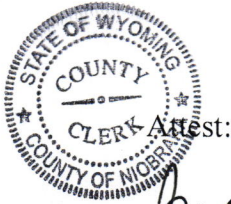
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center maintenance- \$360.04; Niobrara County- Co. match of Long Term Recovery Grant- \$4,500.00; Niobrara County Hospital District- Inmate medical- \$679.00; Niobrara County Library- Wyoming Deferred Comp.- \$1,725.00; Niobrara County Public Health- Indirect costs for grant management- \$1,612.63; Niobrara County Sheriff's Office- Postage, supplies- \$67.44; Niobrara Electric Association- Radio Tower- \$48.13; Office Depot- Supplies, new equipment- \$3,041.18; Palen Law Offices- Court appointed attorney- \$170.00; Pennington County Sheriff's Office- Service of summons- \$108.60; Pine Ridge Enterprises, LLC.- Courthouse contract- \$4,700.00; Plainsman Printing & Supply- Supplies- \$718.57; Rawhide Drug Company- Inmate medical- \$988.09; Software ONE, Inc.- Computer expense- \$489.60; Sylvestri Customization- Prevention Grant- \$947.00; Thomson Reuters-West- Law library- \$150.00; Torrington Office Supply- Supplies- 935.24; Town of Lusk- Utilities- \$2,253.46; UW Extension- UW Car expense- \$357.75; Valley Motor Supply- Parts- \$97.30; Verizon Wireless- Telephone- \$360.87; WalMart Community- Supplies- \$212.04; Westco- Fuel- \$1,305.09; Whitaker Oil- Fuel- \$3,087.32; Wyoming Enterprise Technology- Computer expense- \$10.88; Wyoming Women's Center- Inmate meals- \$15,827.30.
GRAND TOTAL - \$93,049.00

There being no further business, the meeting adjourned.

NIOBRARA COUNTY COMMISSIONERS

Patrick Wade, Chairman



Attest:

Becky L. Freeman, County Clerk