

NIOBRARA COUNTY COMMISSIONERS' MEETING
NIOBRARA COUNTY, WYOMING
June 4, 2019

The County Commissioners' meeting was called to order on this date at 8:58 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.

He mentioned concerns he had about the contractor who is laying the pipeline for the ONEOK Elk Creek Pipeline and their maintenance of county roads. He mentioned that all of the gravel on Redbird Road had been bladed off and noted that they are not cleaning up their county road crossings. Lastly, he said they have not contacted him about boring under county roads. He said he has spoken to a representative of ONEOK who said they would make sure the issues are addressed and remedied.

Mr. Thomas asked if there was any new information from Centennial Woods regarding the snow fence project that was discussed at the previous meeting. The Commissioners said they had not seen a contract or received any new news, but would double check with the county attorney.

Commissioner Griffith inquired about the status of easements on Nelson Road or if Mr. Thomas had anything new to report regarding the proposed rail road crossing repairs in Manville and Mr. Thomas said he hadn't heard anything new. He said he would contact the WYDOT rail road coordinator to discuss the matter further.

Jim Jordan, owner of Jordan Towing, met with the Commissioners to inquire about an invoice he had submitted in January to the sheriff's office regarding a stolen vehicle he was asked to tow. He wanted to know if the County was going to pay the bill as the case was dismissed here, and it appeared that there was no way for him to recover his fees. The Commissioners discussed the matter with Mr. Jordan, and they said the County would pay the invoice and would try to recover fees from the vehicle owner's insurance. Next, Mr. Jordan inquired about the "scrap yard" going on in Niobrara Park Addition. He wanted to know if the individual was licensed and had done everything that is required by law. The Commissioners said they had visited with the individual and advised him of the steps he needed to complete to continue his collection of scrap applicances.

Public Health Nurse- Melanie Pearce, Regional Public Health Nurse Supervisor, met with the Commissioners and gave an update on what is happening in the public health nursing arena. She also presented a public health contract amendment for the Commissioners to sign. The amendment provides additional funding for the Maternal Child Health (MCH) grant for \$2,550.00. The original contract dated June 4, 2018, and running through June 30, 2020, was originally for \$2,500.00 for the biennium. This amendment provides the funding for the second year of the biennium bringing the total grant amount to \$5,100.00.

County Attorney- Anne Wasserburger, County Attorney, met with the Commissioners to discuss county business.

She discussed a matter that recently occurred regarding juvenile housing at the Natrona County Juvenile Detention Center (NCJDC). Because there was no contract in place, NCJDC would not provide schooling to our juvenile because (s)he did not reside in Natrona County. She said that Sheriff Gill presented a contract he had recently received from NCJDC for her for review, and she recommended the Commissioners sign it. The agreement states that NCJDC must house our juveniles (unless the youth has a physical illness that would affect their population) and provide education to them while they are housed there, regardless of county of residence.

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The group also discussed the towing bill from Jordan Towing, Nelson Road and the snow fencing contract. Mrs. Wasserburger stated she had received a contract, and it is currently under review.

Chairman Wade called a public hearing to order to receive public input regarding the application for a Use Control Designation for the former Phillips 66 Lance Creek Station from Phillips 66. Those in attendance were Ali Tavelli and Joey Waldmann with Tri Hydro and consultants for Phillips 66, P.J. Wilbur with DEQ, and Joe Gustafson Phillips 66 Remediation Program Manager for the Rockies.

Joey Waldmann stated their goals are to complete the administrative tasks to move forward with the remediation process by 2020. Once the remediation process is complete, the land could be used by 2021.

They acknowledged the comments from the Conservation District regarding the impacted area and noted that corrections to minor typographical errors in the plan will be made. Other Conservation District comments addressed were ground restrictions, fencing the entire area to prevent grazing, potential additional well and creek contamination, and whether or not grazing of livestock/animals outside the fenced off area would be allowed.

- Ground restrictions- Should Phillips 66 fence around the entire area instead of just the two areas where contamination has been detected so that wildlife won't graze on potentially contaminated vegetation. Mr. Waldmann explained that the area outside the fenced portion has negligible or nonexistent contamination so it should pose no threat to wildlife.
- Ecological concerns- Once the contaminated soil is removed, there should be no residual impact to plants to grow and contain any biochemical components.
- MWW5 well is impacted with benzene-is there monitoring between the impacted well and the Little Lightning Creek. Mr. Waldmann said there is current annual monitoring and it appears that the contamination is not migrating to other wells, however they will continue to monitor wells for approximately 10 years.
- Mrs. Tavelli noted that the current lessee wants to have animals and she stated that ecologists said animals which will be used for human consumption cannot graze that area.

There being no further comments from the public, Chairman Wade closed the public hearing at 11:14 am.

Vice-Chairman Midkiff moved and Commissioner Griffith seconded to approve the petition to designate a Use Control Area for the former Phillips 66 Lance Creek Station. Motion carried.

Sheriff Cary J. Gill met with the Commissioners and Attorney Wasserburger to present and discuss the contract between the Natrona County Juvenile Detention Center and Niobrara County.

Juvenile Housing Contract- Commissioner Griffith moved and Vice-Chairman Midkiff seconded to approve the provider agreement between Niobrara County and NCJDC for the housing of juveniles from Niobrara County. Motion carried.

IRP Update- Sara Janes Ellis, Local Government Coordinator with the Wyoming Department of Transportation, met with the Commissioners and Road and Bridge Foreman Fred Thomas to discuss funding requirements for the Industrial Road Program and the County's responsibilities.

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Emergency Management- James Santistevan, Emergency Management Coordinator, met with the Commissioners and gave a brief update on grants, classes he has attended and other emergency management business.

Danette Welsh, ONEOK Representative met with the Commissioners to discuss the ONEOK Elkcreek Pipeline and find out if things were going well. They apprised her of Foreman Thomas's concerns as mentioned above. She said she would forward the information on to the contractor and the need for weekly communications with Mr. Thomas.

Memorandum of Understanding- Vice-Chairman Midkiff moved and Commissioner Griffith seconded to approve the Memorandum of Understanding between the USDA and Niobrara County et al pertaining to the Forest Service Medicine Bow-Route National Forest and Thunder Basin National Grasslands. Motion carried.

Library Board Member Appointment- Commissioner Griffith moved and Vice-Chairman Midkiff seconded to appoint Lindsey Allbright to a three year term on the library board. Motion carried. Her term begins on July 1, 2019 and will end on June 30, 2022.

Public Health Contract Amendment #1- Commissioner Griffith moved to sign Amendment One to the contract between the Wyoming Department of Health, Public Health Division and Niobrara County. Motion carried.

County Road Crossing Permit- The Commissioners received a petition from Hanson Livestock, Inc. to cross under Meridian Road to install a 3" water pipeline. Commissioner Griffith moved and Vice-Chairman Midkiff seconded to approve the request for Hanson Livestock, Inc. Motion carried.

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 May 21, 2019 meeting and receipts for the month of May from the County Clerk for \$6,152.03 and from the Sheriff for \$628.25.

Payroll and the following vouchers were approved for payment: Allbright's True Value- Parts, supplies, maintenance -534.91; AlSCO- Shop towels & coveralls- 200.26; Amy Strauch Applegarth- Inmate medical- \$1,031.25; Anna Foreman- Travel expense- 125.89; Anne Wasserburger- Schools, continuing ed.- \$524.97; Becky Freeman- Travel expense- \$432.68; Benzel Pest Control- Pest control- \$97.00; Birch Communication- Telephone-\$854.98; Black Hills Chemical & Janitorial- Courthouse & fairgrounds cleaning supplies- \$1,210.47; Black Hills Energy- Utilities- \$869.45; Brown Family Property Trust- Storage unit rental fees- \$45.00; Cally Lund- Rent- \$500.00; CenturyLink- Telephone- \$1,360.09; CenturyLink Business- Telephone- \$87.62; Chrisanna Lund- Reimburse for postage & supplies- \$206.28; Connecting Point Computer Centers- Copier service agreements- \$187.84; Cory Wilcox- Deputy Coroner- \$100.00; Decker's Market- Inmate meals, supplies- \$168.75; Dell C. Atkinson- Long Term Recovery Mgr. Salary & travel reimbursement- \$6,681.06; Denise E. Smith- Travel expense- \$86.00; Dennis C. Meier- Office rent- \$1,000.00; Doyle J. Davies- Reimburse for supplies- \$63.20; Elaine Griffith- Travel expense- \$306.24; Floyd's Truck Center, Inc.- Parts- \$52.33; Frank Parts Co.- Parts- \$338.12; Geographic Innovations- Professional mapping- \$1,300.00; Goshen County Detention Center- Inmate housing- \$1,155.00; GreatAmerica Financial Svcs. Copier service agreement- \$354.00; Hiway Brake & Alignment- Vehicle repairs- \$930.98; Hiway Super Service- Repairs- \$175.40; Honnen Equipment Company- Parts- \$86.91; Hotsy Equipment of WY, Inc.- Equipment Repairs- \$725.20; Jameson Cleaning & Maintenance, LLC.- Fairgrounds contract- \$6,800.00; John Midkiff- Travel expense- \$306.24; Jordan Towing- Towing fee to tow stolen vehicle- \$355.00; Jub Jub, Inc.- I T expense & digital certificate- \$160.00; Keri Thompson- Travel expense- \$270.28; Kerry Steward- I T expenses, operational

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support, telephone- \$106.43; Lawson Products, Inc.- Parts- \$564.35; Long Building Technologies, Inc.- Library maintenance- \$421.50; Lusk Herald- Publications- \$45.00; MasterCard- Travel expense, supplies, dues, transports, inmate meals & medical, uniforms- \$4,692.54; Melanie Pearce- Travel expense- \$10.39; Mobius Communications- Supplies- \$47.80; Monika D. Davies- Office rent- \$500.00; Niobrara County Hospital District- Inmate medical- 172.00 & 1% option tax- \$11,161.91; Niobrara County Library- Library Deferred Comp.- \$1,725.00; Niobrara County Public Health- Indirect costs for Prevention grant administration- \$1,195.91; Niobrara County Sheriff's Office- Reimburse for postage, dues- \$45.24; Niobrara Electric Association- Radio tower- \$52.90; Office of the State Public Defender- Public defender - \$6,249.05; On Target Ammunition, LLC.- Ammunition- \$2,749.32; Peterbilt of Wyoming- Parts- \$478.68; Pine Ridge Enterprises, LLC.- Courthouse cleaning contract- \$4,700.00; Platte County School District- Random drug testing- \$80.00; ProForce Law Enforcement- New equipment- \$3,688.26; Randy Stensaas- Travel expense- \$55.00; Rawhide Drug Co.- Inmate medical- \$641.10; Rickie Linneman- Reimburse for supplies- \$27.55; Safety-Kleen Systems, Inc.- Oil solvent- \$338.42; Schindler Elevator Corp.- Quarterly maintenance payment- \$1,205.73; Solutions for Life- Bonds & insurance- \$105.00; Sylvestri Customization- Prevention Coalition technical assistance- \$600.00; Team Laboratory Chemical Corp.- Fairgrounds supplies- \$291.48; Thomson Reuters-West- Subscription- \$150.00; Torrington Office Supply- Supplies- \$843.92; Town of Lusk- Utilities- \$2,330.07; Tyler Technologies- Computer expense and financial package annual agreement- \$3,390.19; UW Extension- UW car expense July-Nov 2018 & Feb-March 2019- \$6,794.85; Valley Motor Supply- Parts- \$82.54; Verizon Wireless- Cell phones, computer expense- \$360.93; Visionary Broadband- I T expense- \$520.03; Westco- Diesel- \$4,020.63; Whitaker Oil- Fuel- \$2,708.94; WY Enterprise Technology Services- I T expense-\$13.59; Wyoming County Assessors' Association- Dues- \$250.00; Wyoming Network, Inc.- I T expense- \$200.00; Xerox Corp.- Copier service agreement- \$130.68

Grand Total- \$94,141.79

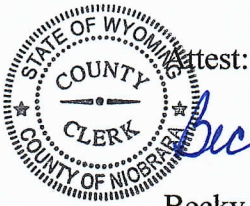
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There being no further business, the meeting adjourned.

NIOBRARA COUNTY COMMISSIONERS



Patrick H. Wade, Chairman



Attest:

Becky L. Freeman, County Clerk