

NIOBRARA COUNTY COMMISSIONERS' MEETING
NIOBRARA COUNTY, WYOMING
November 19, 2019

The County Commissioners' meeting was called to order on this date at 9:00 a.m. with Chairman Patrick H. Wade, Vice-Chair John Midkiff, Commissioner Elaine Griffith, and County Clerk Becky L. Freeman, present. Ken Ceaglske, General Manager for Niobrara Electric Association (NEA), and Cal Carstensen, Town of Lusk Councilman, were also in attendance.

Chairman Wade led the group in the Pledge of Allegiance.

The Commissioners' meeting recessed into a public hearing at 9:02 a.m. to receive public comment on a change of zoning application from WPM Properties, Inc. on land located in the N1/2NW1/4 of Section 20, T33N, R62W. Mr. Ceaglske, speaking on behalf of WPM and NEA, explained that WPM is requesting a change of zoning from agricultural to industrial to allow NEA to install and maintain an electrical substation to serve the ONEOK Elk Creek Pipeline.

There were no other comments, and the public hearing closed.

Change of Zoning- Vice-Chairman Midkiff moved to approve the change of zoning for WPM Properties, Inc., from agricultural to industrial. Commissioner Griffith seconded, motion carried.

Road & Bridge- Foreman Fred Thomas met with the Commissioners and discussed the cash settlement offer of \$275,000.00 from ONEOK. ONEOK offered the settlement instead of executing the road use agreement wherein ONEOK would repair approximately 8.1 miles of road, which were affected by the pipeline.

Chairman Wade said that when it had been wet, ONEOK had hauled a lot of rock out to Stage Road, so he didn't think another lift would be needed. He suggested that the gravel be placed elsewhere. The group discussed the pros and cons of accepting the cash settlement versus having ONEOK perform the work.

Commissioner Griffith moved to reject ONEOK's current cash settlement offer of \$275,000.00 for road damages resulting from the Elk Creek Pipeline and have ONEOK work with contractors for road repairs. Vice-Chairman Midkiff seconded, motion carried. If an acceptable counteroffer is submitted, the Commissioners will reevaluate the matter.

Foreman Thomas went on to discuss the upcoming road rehabilitation project. He said the pre-bid would be December 4th at 10:00 a.m., and the bid opening would be December 17, 2019 at 10:00 a.m. This project is to repair 2.3 miles of the North end of Cheyenne River Road.

He said that he found a replacement engine for the service truck, and it would cost approximately \$8,200.00. The cost to install it is roughly \$2,000.00.

Jackie King, Deputy State Director for U.S. Representative Liz Cheney, joined the meeting.

Prevention Coalition Update- Kerry Steward, Community Prevention Specialist, met with the Commissioners and updated them on prevention coalition activities.

County Attorney- Anne Wasserburger, County Attorney, met with the Commissioners and discussed county business. Chairman Wade updated her on the Commissioners' decision to reject ONEOK's cash settlement agreement. Chairman Wade also addressed the proposed Tri-County Joint Powers Board for broadband and said he had visited with a Platte County Commissioner to inquire as to why they were hesitant to join the proposed board. Chairman Wade said they had concerns about local government getting in the way of private enterprise.

Executive Session- Vice-Chairman Midkiff moved to enter into executive session at 10:34 a.m. with Attorney Wasserburger to discuss a real estate issue. Commissioner Griffith seconded, motion carried.

Commissioner Griffith moved to go out of executive session at 10:52 a.m. Vice-Chairman Midkiff seconded, motion carried. No action was taken.

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Doug Lytle, Town of Lusk Mayor, Cal Carstensen, Town of Lusk Councilman, Linda Frye, Town of Lusk Clerk/Treasurer, Todd Skrukrud, Town of Lusk Public Works Director, Keri Thompson, Niobrara County Treasurer, and Bruce Perryman with AVI Engineering met with the Commissioners to discuss future projects for the 1% tax. The Town of Lusk would like to replace their existing sewer and water lines as well as replace and upgrade existing streets, curbs and gutters and would like to have this project considered. They estimate the entire project could run upwards of 72 million dollars, but are waiting for final estimates. They asked if the County had any projects or if they were aware of any other entity that might have a plan to place on the ballot.

Ken Dockweiler representing Belle Fourche Pipeline Company met with the Commissioners and Foreman Fred Thomas to update them on the Bridger Pipeline.

Dale Miller stopped in to find out what if anything was happening with the de-annexation petition for a portion of the Town of Van Tassell. The Commissioners reported that they had submitted their impact statement as required by statute and have heard nothing further.

Courtroom Technology Upgrade- The Commissioners and Clerk of Court Chrisanna Lund visited with Nathaniel Goddard, IT Infrastructure and Operations Manager with the Court Technology Office of the Wyoming Judicial Branch via telephone to discuss the proposed courtroom technology upgrades. Chairman Wade explained the County doesn't have funds available to pay for the necessary wiring and preparations for this undertaking and that they want to retain the historical aspect of the courtroom. Mr. Goddard said he would investigate the matter and report back.

Worker's Comp. Employers' Group- The group discussed this matter and will take action at the next meeting.

Resolution 19-14 2020 Holidays- Commissioner Griffith moved to approve

RESOLUTION 19-14

**A RESOLUTION APPROVING THE OFFICIAL HOLIDAYS
FOR COUNTY EMPLOYEES FOR THE YEAR 2020.**

WHEREAS, the Niobrara County Personnel Policy Manual provides for the observance of holidays each year as set by the Niobrara County Board of Commissioners; and

WHEREAS, per Wyoming Statute § 18-3-103 as amended, county officers shall keep their offices open during the usual business hours of each day excluding Saturdays, Sundays, legal holidays and other days as established by the County Commissioners through resolution; and

WHEREAS, it is understood that this resolution shall not apply to all county departments as some are required to be in operation continuously.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Niobrara County, Wyoming that the list of holidays and other days as set forth below shall be observed during calendar year 2020 as days off for Niobrara County employees:

New Year's Day	January 1, 2020	First Wednesday in January
Equality Day	January 20, 2020	Third Monday in January
Presidents' Day	February 17, 2020	Third Monday in February
Good Friday	April 10, 2020	Second Friday in April
Memorial Day	May 25, 2020	Last Monday in May
Independence Day	July 3, 2020	First Friday in July
Labor Day	September 7, 2020	First Monday in September
Columbus Day	October 12, 2020	Second Monday in October
Veterans' Day	November 11, 2020	Second Wednesday in Nov.
Thanksgiving	November 26, 2020	Fourth Thursday in Nov.
Employee Appreciation Day	November 27, 2020	Friday after Thanksgiving

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Christmas Eve
Christmas

December 24, 2020
December 25, 2020

Fourth Thursday in December
Fourth Friday in December

Approved, passed and adopted this 19th day of November 2019.

NIOBRARA COUNTY COMMISSIONERS

/s/ Patrick Wade, Chairman

/s/ John Midkiff, Vice-Chairman

/s/ Elaine Griffith, Commissioners

Attest:

/s/ Becky L. Freeman, County Clerk

Vice-Chairman Midkiff seconded, motion carried.

Ratify Catering Permit- Vice-Chairman Midkiff moved to ratify a catering permit for Spirits to sell alcoholic beverages at the Republican Central Committee Meeting held November 15, 2019. Commissioner Griffith seconded, motion carried.

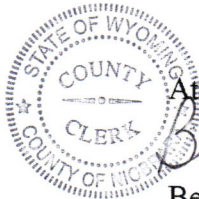
Predator Board Member Reappointment- Upon the recommendation of the Predator Board, Commissioner Griffith moved to reappoint Gary Bayne to serve as the Sportsman member to the Predator Board. Vice-Chairman Midkiff seconded, motion carried.

Consent Agenda- Vice-Chairman Midkiff moved to approve the consent agenda. Commissioner Griffith seconded, motion carried. Items on the consent agenda were the minutes of the November 5, 2019 meeting.

There being no further business, the meeting adjourned.

NIOBRARA COUNTY COMMISSIONERS

Patrick Wade, Chairman



Attest:

Becky L. Freeman, County Clerk