

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.