

STATE OF WYOMING)
)
COUNTY OF HOT SPRINGS)

OFFICE OF THE BOARD OF
COUNTY COMMISSIONERS
THERMOPOLIS WYOMING
July 2, 2013

The Hot Springs County Board of Commissioners met in regular session on Tuesday, July 2, 2013 at 9:00 a.m. in the Commissioners Room at the Government Annex.

Present were Commissioners Brad Basse, John Lumley and Mike Baker. Also present were County Clerk Hans Odde, County Attorney Jerry Williams and Administrative Assistant to the Commissioners Penny Herdt. Chairman Basse led those present in the Pledge of Allegiance.

Approval of Agenda

John Lumley made a motion to approve the agenda with the following change:

ADD: 3:00 p.m. Jack Johnson 13. Hospital Discussion
Jim Skelton

Mike Baker seconded the motion. Motion carried.

Approval of Minutes

Mike Baker made a motion to approve the minutes of the regular meetings on June 4 and 18, 2013 as presented. John Lumley seconded the motion. Motion carried.

Select Scholarship Renewal Recipient

The Commissioners reviewed the three applications received for the Commissioners Scholarship Renewal. Ballots were cast by the Commissioners and Clerk Odde reported that Taylor Cornwell had been selected to receive the Scholarship Renewal. John Lumley moved to award the Scholarship Renewal to Taylor Cornwell. Mike Baker seconded the motion. Motion carried.

Maintenance Monthly Report

Maintenance Foreman Chuck Carver discussed the lawn issue at the library. There is a meter specifically dedicated to measuring water used on the library lawn. This meter is billed to the Library along with the regular water meter for the Library. Mr. Carver suggested that the Commissioners consider switching the billing for the lawn water meter to the Courthouse budget to alleviate the Library Director's concern regarding water usage/cost for the lawn. The Centennial Tree has been installed and appears to be doing very well.

WYECIP Project – Mr. Carver indicated that most of his time over the last couple of weeks has been devoted to ironing out problems with the WYECIP project, but he feels things are progressing at a reasonable rate. The General Fund has received over \$500.00 from the sale of salvage material from the project to date, with more expected in the near future.

Emergency Management Monthly Report

Emergency Management Coordinator Bill Gordon asked the Commissioners to approve the purchase of a required update to the BullBerry Dispatching Mapping Software used by the Law Enforcement Center dispatchers. When the new E-911 software was installed, the old BullBerry software was no longer compatible, and Dispatch is currently running with no mapping capability. With the update, the dispatchers will also have access to all the map layers on the Assessor's GIS system. The money to pay for this update is available in the E-911 line item. Mike Baker moved approval of the contract between Hot Springs County and BullBerry Systems, Inc. for the Insight Dispatch Software upgrade. Cost of the upgrade will be \$4,750.00. John Lumley seconded the motion. Motion carried.

Mr. Gordon asked the Commissioners to keep an eye on conditions in order to issue any necessary burn bans in a timely fashion.

Planner Monthly Report

The NRPC will meet on July 10th. Planner Bo Bowman reviewed a memo sent to the Commissioners from the NRPC members encouraging the Commissioners to continue their work on the documentation of the county road system. No action is required on the memo by the Commissioners.

The Land Use Planning Board is continuing its work on the "tuneup" of the county's Land Use Plan. Mr. Bowman indicated that there will be a public hearing on a proposed land use change request at the next Commissioners' meeting. Mr. Bowman reported that he has received a complaint regarding a road allegedly constructed in the Red Lane area and is continuing to investigate the matter.

Rainbow Terraces Letter – Clerk Odde asked the Commissioners about the status of the letter to the governor drafted by Planner Bowman a couple of weeks ago. Planner Bowman reported that he has reviewed the letter with State Park Superintendent Kevin Skates and Mr. Skates has no problems with the letter. In response to questioning by the Commissioners, Mr. Bowman indicated that State Parks Division Administrator Domenic Bravo had suggested the letter be directed to the Governor's office rather than Mr. Bravo and his staff. Mike Baker moved to approve the letter for signature pending final word-smithing by the Commissioners, as there were a couple of tweaks they felt should be made. John Lumley seconded the motion. Discussion: staff will email the current version of the letter with editing markups to the Commissioners for further work. When the letter is finalized it will be signed and sent, with a copy to the newspaper. Motion carried.

Youth Alternatives Monthly Report

Youth Alternatives Director Alan Rossler reported he currently has 11 participants in his diversion program, with one more anticipated to join the program by the end of this week. There was one successful completion, one unsuccessful completion and no 48-hour holds in June. Reviewing the last year of the program, of eleven participants who successfully completed the program, seven have gone on to enroll in college, one is in tech school, one enrolled in tech school but has dropped out and two are working full time. Mr. Rossler reviewed the status of the program grant and reminded the Commissioners that this will be the last grant before the 30% cut takes effect in 2014. Mr. Rossler presented his quarterly grant reimbursement request for the Commissioners' approval. John Lumley moved to approve the Quarterly Grant Reimbursement Request for the VOANR/OJJDP 2010 Nonparticipating State Award Subgrant CFDA #16.540 for the period of April 1, 2013 – June 30, 2013 in the amount of \$3,209.99. Mike Baker seconded the motion. Motion carried.

Road and Bridge Monthly Report

Gravel Pits – The extension permits for the Sand Draw and Kirby pits are under final review and should be received shortly. Road & Bridge Supervisor Ray Shaffer reiterated the department's need for more material out of the Brown pit. Commissioner Baker is still working toward a new materials agreement with the Browns, as the old one has expired.

Guardrail Project – Mr. Shaffer presented the funding application for the Commissioners' approval. After a review of the required documents, the Commissioners took the following action. John Lumley moved to approve Resolution 2013-7 as follows:

RESOLUTION NO. 2013-7

AUTHORIZING PARTICIPATION

IN THE WYDOT HIGH RISK RURAL ROAD PROGRAM

WHEREAS, certain roads within the County Road system in Hot Springs County have been designated as high risk roads due to the elevated rate of vehicle crashes occurring along the said roads; and

WHEREAS, the State of Wyoming, through the Wyoming Department of Transportation, has instituted a program, known as the High Risk Rural Road Program (HRRRP), to help fund certain identified safety improvement measures on these high risk roads; and

WHEREAS, the Hot Springs County Board of County Commissioners deems it in the public interest to participate in the said HRRRP Program;

NOW, THEREFORE BE IT RESOLVED that the Chairman of the said Board be and is hereby authorized to execute, or delegate for execution, any necessary documents on behalf of the Board of County Commissioners to participate in the HRRRP Program.

DATED at Thermopolis, Wyoming, this 2nd day of July, 2013

BOARD OF COUNTY COMMISSIONERS

COUNTY OF HOT SPRINGS

Brad Basse, Chairman

Mike Baker, Vice-Chairman

John Lumley, Commissioner

Attest:

Hans Odde, County Clerk

Mike Baker seconded the motion. Motion carried. Mike Baker moved approval of the Project Application for the WYDOT Highway Safety Program High Risk Rural Road Program (HRRRP). John Lumley seconded the motion. Discussion: Ray Shaffer will be listed as the primary contact on the application. Motion carried. John Lumley moved to approve the Right of Way & Utility Certificate. Mike Baker seconded the motion. Motion carried.

General – The Grass Creek Road project has taken a little longer than anticipated. The hammer equipment being used on the project has been leased for three months, with at least one more month to go. Mr. Shaffer encouraged the Commissioners to move forward with reapplication for federal money for

the Black Mountain Road repair project. There is \$4 million available to the counties for these projects, but support from federal agencies that use the road, such as the BLM, Game & Fish, etc. is imperative in the application process. The Commissioners agreed to support Mr. Shaffer's efforts in developing the application, which is due this fall. UW/L-TAP will be doing driveability studies on county roads in the near future that could also be used in support of this application.

Slow cure road patching material has been acquired for use on county roads. The chipping project is scheduled to start about the third or fourth week of August. CRF funds are available for about half of the anticipated cost of the chipping project.

The South Kirby Creek Road survey project between East River Road and Red Hole Road continues. It should be completed early this fall.

New radios are being installed in the R&B trucks, as the old ones are now illegal to use. One of the new radios will be moved to the new plow truck when the truck arrives.

Mr. Shaffer discussed his upcoming retirement and the transition process to a new Supervisor. He would like to be gone by the end of August. The Commissioners directed Clerk Odde to begin advertising for the position immediately so that there can be time for training for the new Supervisor before Mr. Shaffer retires. Applications will be accepted at the County Clerk's office through July 26, 2013 at 5:00 p.m. with a projected start date of August 19, 2013.

Road Name Change – Brown

Nate and Maecile Brown appeared before the Commissioners to request a new address and road name. Their current address is four miles from their house on an unnamed road, which makes it very difficult for people to find them, as well as being confusing to law enforcement personnel and emergency responders. The Commissioners agreed a new address and road name would be a good idea. Nate and Maecile will discuss potential road names and contact Ray Shaffer within two weeks with a suggested name to get the process started.

Derrick Burrows - Potential Property Purchase

Derrick Burrows appeared before the Commissioners to discuss a situation that has arisen with his rural property. It appears an adjacent landowner has issued a lease to another county resident for property owned by the landowner, Hot Springs County and Mr. Burrows. To prevent the leasee from running livestock on his property, Mr. Burrows plans to install a fence around his property and would like to buy a portion of the land owned by the County to "square up" his fenceline. After considerable discussion, the Commissioners declined to sell the property to Mr. Burrows at this time. The County Attorney suggested that the matter could be resolved by the issuance of a formal license allowing Mr. Burrows to place a fence across the county property. Mike Baker moved to allow Mr. Burrows to fence in roughly three acres of county property as legally described in a revocable-at-will license between Hot Springs County and Derrick Burrows developed in concert with and approved by the County Attorney. John Lumley seconded the motion. Discussion: Mr. Burrows is not to tie his fence into the existing County fence in any way. Motion carried. The license will be presented for the Commissioners' signature at a future meeting.

Outlaw Trail Ride Malt Beverage Permit Application

Clerk Odde presented a malt beverage permit application from the Outlaw Trail Ride for the Commissioners' consideration. All fees have been received. John Lumley moved to approve the Malt Beverage Catering Permit for Michael S. Berry, representing the Outlaw Trail Ride, for the period August 4, 2013 – August 10, 2013, covering the following locations: Axtell Ranch, McCoy Ranch and Jones Corral. Mike Baker seconded the motion. Motion carried.

TANF Grant

Public Health Nurse Marie McDougall presented the annual TANF contract for the Commissioners' approval. This contract provides funding to operate the Temporary Assistance For Needy Families Community Partnership Initiative program to provide services to families whose children are potentially in need of out-of-home placement. John Lumley moved to approve the TANF Grant between the Wyoming Department of Family Services and the Hot Springs County Commissioners for the time period October 1, 2013 through September 30, 2014 in the amount of \$36,500.00. Mike Baker seconded the motion. Motion carried.

Airport Update

Project Update – Phase I – Phase I is essentially complete. GDA representative Jeremy Gilb presented Phase I Change Order #2 for the Commissioners' approval. The purpose of the change order is to effect a project quantity reconciliation to bring estimated contract amounts in line with actual amounts. Mike

Baker moved approval of Phase I Change Order #2 reducing the contract dollar amount by \$8,203.20 for a final total contract amount of \$604,175.48. John Lumley seconded the motion. Motion carried.

Project Update – Phase II – Mr. Gilb reported that the contractor has made good progress in making up the weather delays encountered earlier this year. Approval of Change Order #3 for Phase II has been received from the FAA and the WYDOT Aeronautics Division, so Mr. Gilb asked for the Chairman's signature on the change order at this time as approved at the last meeting.

Phase III Update – Mr. Gilb gave an update on the status of the discretionary funding expected to be released by the FAA for this phase of the airport project. At this time, the FAA tells Mr. Gilb that Hot Springs County's discretionary funding is unlikely to be released until about the middle of August at the earliest. This puts the county in a somewhat difficult position wherein they must decide whether to award the Phase III project bid now, without funding firmly in place, or reject all bids, repackage the Phase III project and rebid the project immediately based on the funds currently available. After extensive discussion, the Commissioners decided to postpone a decision on awarding the bid until further funding information becomes available from the FAA.

Relocation Update – Dustin Spomer reported that the Disinterested Third Party (DOWL-HKM) assisting with the relocation process has completed about 45-50% of the necessary work, but has expended 100% of the amount budgeted for this process. The first "pre-claim" forms have been submitted to GDA for review and the actual claims are being worked on by the TPA at this point. It appears that the TPA severely underestimated the amount of billable time required for this process. A new estimate has been submitted to GDA for additional fees of \$21,790.00, which GDA considers more likely to cover the actual costs of the TPA. GDA will ask that an amendment to the agreement between DOWL-HKM and Joe Holden be prepared for the Commissioners' review at a later date.

Grant Assurances – GDA presented the grant assurance forms for the Commissioners' consideration. This paperwork is required by the FAA as part of the grant funding for the Airport Relocation Project. Mike Baker moved to authorize the Chairman's signature on the following certifications for the Airport Relocation Master Design Project – AIP 01:

- a. Sponsor Certification of Selection of Consultants
- b. Sponsor Certification of Plans and Specifications
- c. Sponsor Certification of Real Property Acquisition
- d. Sponsor Certification of Certificate of Title

John Lumley seconded the motion. Motion carried. Mike Baker moved to authorize the Chairman's signature on the following certifications for the Airport Relocation Project, Phase I and II – AIP 02:

- a. Sponsor Certification of Selection of Consultants
- b. Sponsor Certification of Equipment/Construction Contracts
- c. Sponsor Certification of Plans and Specifications
- d. Sponsor Certification of Drug Free Workplace
- e. Sponsor Certification of Construction Project Final Acceptance
- f. Sponsor Certification of Real Property Acquisition
- g. Sponsor Certification of Certificate of Title

John Lumley seconded the motion. Motion carried. Copies of the certifications are available for review in the Clerk's office.

Predatory Animal Board – Annual Activity Report

Members of the HSC Predator Management District (PMD) Board and Wildlife Services representative Jim Pehringer appeared before the Commissioners to present their annual activity report as submitted to the State Animal Damage Management Board. Activities discussed in the report include the Bighorn Basin Sage Grouse Project, Wolf Depredation Management, Crop-Irrigation-Pheasant Enhancement-Human Health & Safety Activities, and Trophy Game Damage Management Assistance to Wyoming Game & Fish Department. Mr. Pehringer stressed the importance of the PMD activities to Hot Springs County residents and asked to Commissioners to continue their support for the PMD.

Hospital Discussion

Local citizens Jack Johnson and Jim Skelton appeared before the Commissioners to share their thoughts and suggestions regarding the Hospital District question. The Commissioners thanked the men for coming to the meeting and bringing their views to a public forum.

Other Business

Support Agreement – HSC MapServer – Clerk Odde presented the annual support agreement with Greenwood Mapping, Inc. for the Commissioners' approval. The agreement provides software system upgrades and patches, existing map layer updates, new layer additions and system support for errors due

to data, script and server errors. John Lumley moved to approve the support agreement between Hot Springs County and Greenwood Mapping, Inc. for the time period of July 1, 2013 – June 30, 2014 in the amount of \$3,600.00. Mike Baker seconded the motion. Motion carried.

Covenant Insurance Consulting Agreement – Clerk Odde presented the annual Amendment to Agreement for Consulting Services with Brad Johnson of Covenant Insurance Group for the Commissioners’ consideration. The amendment sets out the fee for the upcoming agreement period, establishes a new end date for the agreement and changes the physical address for Covenant Insurance. Mike Baker moved approval of the Amendment to Agreement for Consulting Services between Hot Springs County and Brad Johnson, Covenant Insurance Group covering the time period of July 1, 2013 – June 30, 2014 in the amount of \$6,000.00. John Lumley seconded the motion. Motion carried.

Correspondence

Thermopolis-HSC Chamber of Commerce – Personnel Changes
– Newsletter

Lee Campbell – Formal Complaint

Kaylee Groh – Scholarship Thank You

DEQ – Pollution Discharge Permit Information

U.S. Secretary of the Interior – PILT Payment Notification

NOWCAP – Housing Preservation Program Notification

The Commissioners reviewed the foregoing correspondence. No further action was required at this time.

Adjournment

There being no further business to come before the Board at this time, Mike Baker moved to adjourn. Chairman Basse declared the meeting adjourned at 3:50 p.m.

Attest:

Brad Basse, Chairman

Hans Odde, Clerk to the Board