

STATE OF WYOMING)
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COUNTY OF HOT SPRINGS)
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OFFICE OF THE BOARD OF
COUNTY COMMISSIONERS
THERMOPOLIS, WYOMING
November 19, 2013

The Hot Springs Board of County Commissioners met in regular session on Tuesday, November 19, 2013 at 4:00 p.m. in the Commissioners Room at the Government Annex.

Present were Commissioners Brad Basse and Mike Baker. Also present were County Attorney Jerry Williams, County Clerk Hans Odde and Administrative Assistant to the Commissioners Penny Herdt. Commissioner John Lumley was absent as he was in Cheyenne on Commissioner business related to the BLM Resource Management Plan.

Chairman Basse led those present in the Pledge of Allegiance. Chairman Basse suspended Roberts Rules of Order so that business might be conducted in the absence of Commissioner Lumley.

Approval of Agenda

Mike Baker moved to approve the agenda with the addition of #6 under Other Business – Resignation of Hospital Board Member. Brad Basse seconded the motion. Motion carried.

Award Gravel Crushing Project Bid

Road & Bridge Supervisor Dave Schlager presented the bid tabulation for the gravel crushing project. Mr. Schlager informed the Commissioners that his recommendation would be to accept the bid from Frost Rock Products for Option One – Gradation W in the amount of \$79,000.00. While Mr. Schlager would like to do a project with Option Two – the addition of Plasticity Index material – in the future, he has opted to move forward with just the Gradation W crushing option at this time. Mike Baker moved acceptance of Frost Rock Products, Inc.’s bid in the amount of \$79,000.00 for Option One for the County’s fall gravel crushing project. Brad Basse seconded the motion. Discussion: Project engineer Harry Hughes informed the Commissioners that all the bid requirements were met and the documents were ready for their signature. Motion carried.

GAS Ventures Approach Agreement

GAS Ventures has submitted an application for an approach agreement to be constructed on County Road #6, 13.4 miles from the start of the County Road. Dave Schlager reviewed a map of the area illustrating the proposed location of the approach. Mike Baker moved approval of the approach agreement between GAS Ventures and Hot Springs County for construction of an approach to be located on County Road #6, 13.4 miles from the start of that road. Brad Basse seconded the motion. Discussion: All required fees have been received. A culvert will be installed as required either by the Permittee, or by County Road & Bridge personnel at the Permittees expense. Motion carried.

Tax Rebate

Deputy Assessor Judy Carswell presented the following tax rebate for the Commissioners’ approval:

Rebate #10-13 – Parcel #4969 for tax year 2013 (District 100) – Teraban Properties LLC – This rebate is necessary due to the fact that this property should have been assessed as agricultural for 2013, but was assessed at market value. This resulted in over-assessment for tax year 2013 of \$10,606 and calls for a rebate of taxes in the amount of \$665.35.

Mike Baker moved approval of Rebate #10-13 to Teraban Properties LLC in the amount of \$665.35 as presented. Brad Basse seconded the motion. Motion carried.

Pioneer Home Statue Renovation Discussion

No formal action was taken on this item.

Call Manager Backup Proposal

TCI representative Dean Peranteaux presented a proposal for purchase of a backup unit for the Call Manager system in the Law Enforcement Center. Mr. Peranteaux proposes the purchase of a CISCO-Certified refurbished unit identical to the newly-installed Call Manager hardware to serve as a system back-up. Cost of the backup unit, including configuration and installation would be \$7,199.00. Mike Baker moved approval of Proposal #895451 for the purchase, configuration and installation of a CISCO-Certified refurbished Call Manager backup unit in the amount of \$7,199.00. Brad Basse seconded the motion. Discussion: Funds have been budgeted in the Courthouse Equipment line item for this fiscal year. Motion carried.

Hospital District Election Discussion

Hospital CEO Robin Roling and Hospital Board President Dr. Bill Williams appeared before the Commissioners to discuss the recent special election regarding formation of a hospital district. Although the district formation failed to pass, Ms. Roling and Dr. Williams thanked the Commissioners for allowing the question to be placed on the ballot and let them know that this request would come before them again at a later date. Discussion ensued regarding changing methods of federal reimbursements, the state of the hospital infrastructure and the importance of finding ways to obtain input from the general public regarding what the citizens of Hot Springs County expect from their local hospital. Local citizens Jim Collins and Bengé Brown offered their opinions on the mission and objectives of the local hospital and its board.

Public Hearing – Fire District Land Use Change Request

Chairman Basse declared the public hearing on the Fire District Land Use Change Request open at 5:30 p.m. Planner Bo Bowman reviewed the actions leading up to this hearing culminating in a “do pass” recommendation from the Land Use Planning Board to the Commissioners for the requested change in use from residential to industrial for Lots 2 & 3 of the Dusty Acres subdivision. Fire Chief Dale Andreen gave a Power Point presentation showing the area included in the proposed change request, photos from other fire training facilities in the state, and illustrations of the proposed training facility.

Chairman Basse called for public comments. Area landowners Denny Wickenhauser, Mike Ramsey, Scott Schwartz, Homey Siems, Sharon Lea, Nita Ramsey and Matt Ryan all expressed their objections to the land use change. Among the concerns raised by the commenters were loss of property value, air and water quality degradation, soil fragility in the area, chemical contamination of soils and drainages and sight/sound nuisances, as well as questions regarding the possible future development of the land in question as a result of the Industrial designation.

Several members of the fire district board and the fire department attended the hearing, with current Chief Dale Andreen and former Chief Mark Collins speaking for the district/department. Landowner Paul Galovich spoke in favor of the land use change and expressed his respect and appreciation for the volunteer firefighters. Heath Overfield spoke to the process used by the Land Use Planning Board to review and recommend the change request for approval. Speaking as a local citizen, Jerry Williams discussed the soils issue as it related to development in the area. Mark Collins addressed the chemical disposition issue and informed the Commissioners that the fire department currently operates under a DEQ permit that allows them to dispose of their used fire fighting agents (foams, suppressants, etc.) directly into the river due to the lack of environmental impact by those agents. The agents are not run through the wastewater treatment plant because they are not required to be.

The Commissioners asked for clarification of several issues from Mr. Andreen and Mr. Collins. After three calls for further public comment, receiving none, Chairman Basse declared the public

hearing closed at 7:12 p.m. The Commissioners then completed the Absolute Policies and Relative Policies checklists as required by the County's Land Use Plan. Mike Baker moved approval of the *Land Use Change Application – Residential to Industrial Use – HSC Rural Fire District II – File #2013-04*, subject to the conditions of approval outlined by the Land Use Planning Board in the Planner's Memorandum as submitted to the Commissioners at the start of the hearing. Brad Basse seconded the motion. Discussion: Mike Baker moved to amend the motion to change Condition #5 by removing the word "replacement" and inserting the phrase "other than proposed". Brad Basse seconded the motion. First motion to amend the original motion carried. Mike Baker then moved to amend the motion to change Condition #5 to insert "or additional buildings or structures" after the word "property". Brad Basse seconded the motion. Discussion: change wording of change to insert "over 300 square feet in size" after the word "building(s)". Second motion to amend the original motion failed by a 2-0 vote. Discussion on the original motion: a review of the score sheets after the amendment does not change the scoring. Combined scoring of the checklists resulted in an overall score of a positive three by Commissioner Baker and zero by Commissioner Basse. The Commissioners felt that all absolute policies have been complied with, including specifically the ones regarding off-site nuisances and smoke. The question was called and the original motion carried by a vote of 2-0 in favor of the land use change from residential to industrial use. The Planner will notify the Fire District of the approval and conditions by letter. This letter will be available for public review in the Clerk's Office and the Planner's Office.

Other Business

Library Board Member Resignation – Library Board member Frederic DeArmond has submitted his resignation due to a move out of state. Mike Baker moved to accept Mr. DeArmond's resignation with regret and send a letter thanking him for his service to the County. Brad Basse seconded the motion. Motion carried.

STWSD CDBG Grant Extension Letter – Clerk Odde presented a letter requesting an extension of the South Thermopolis Water & Sewer District's Expansion Project CDBG Grant Agreement to December 31, 2014. The letter is addressed to Wyoming Business Council Program Manager Sandy Quinlan. The request is the result of conversations between Ms. Quinlan and Clerk Odde regarding the necessity of an extension to allow full expenditure of the grant. Mike Baker moved approval of the chairman's signature on the letter requesting a one-year extension of the CDBG Grant Agreement to December 31, 2014. Brad Basse seconded the motion. Motion carried.

Support Letter to Joint Appropriations Committee – County Participation in State Employee Health Plan – Clerk Odde presented a letter for the Commissioners' consideration in support of the draft legislation being considered by the State Joint Appropriations Committee to allow the Counties to voluntarily participate in the state employee health plan. Mike Baker moved approval of the Commissioners' signatures on the letter to the Chairmen of the JAC in support of the legislation. Brad Basse seconded the motion. Discussion: Commissioners Baker and Basse agreed that this legislation deserves full county support in view of its potential benefit to the county. Motion carried.

Governor's Visit – Governor Mead has requested a meeting with the Commissioners on December 17th as part of his desire to meet with officials in each County at least once each year. The Commissioners agreed that December 17th from 12:30 – 2:00 p.m. would work with their schedules. Also invited will be the mayors and town council members for Thermopolis, East Thermopolis and Kirby and other elected county officials.

ERG LWC Invoice – The Commissioners reviewed the invoice from Ecosystem Research Group for their work on the Lands With Wilderness Characteristics issue affecting the Bighorn Basin Resource Management Plan. Mike Baker moved to approve payment of Hot Springs County's share of the four-county invoice in the amount of \$12,485.83. Brad Basse seconded the motion. Discussion: funds for this have already been set aside as part of the BHB RMP budget item. Motion carried.

Hospital Board Member Resignation – Hospital Board member Ellen Roden has submitted her resignation due to an increase in her personal commitments which prevent her from devoting an adequate amount of time to the board. Mike Baker moved to accept Mrs. Roden’s resignation with regret and send a letter thanking her for her service to the County. Brad Basse seconded the motion. Motion carried.

County Boards Discussion – The Commissioners discussed the current method for appointing county boards and ways to make the process more efficient. Clerk Odde will look into the statutory requirements for the appointment process and report back at the first meeting in December.

Correspondence

Library Board Minutes – October, 2013

Fair Board Minutes – October, 2013

Governor’s Office – Conference on Impaired Driving

DEQ – Annual Airport Inspection Notice

Bureau of Reclamation – Notification of Environmental Assessment Planned for Bull Lake Dam

Airport Operations Report – October, 2013

The foregoing correspondence was reviewed by the Commissioners. No further action was required.

Adjournment

There being no further business to come before the Board of County Commissioners at this time, Mike Baker moved to adjourn. Chairman Basse declared the meeting adjourned at 8:00 p.m.

ATTEST:

Brad Basse, Chairman

Hans Odde, County Clerk