

STATE OF WYOMING )  
 )  
COUNTY OF HOT SPRINGS )

OFFICE OF THE BOARD OF  
COUNTY COMMISSIONERS  
THERMOPOLIS WYOMING  
January 07, 2014

The Hot Springs County Board of Commissioners met in regular session on Tuesday, January 7, 2014 at 9:00 a.m. in the Commissioners Room at the Courthouse.

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

#### **Approval of Agenda**

Mike Baker made a motion to approve the agenda with the following change:

DELETE: 3. Emergency Management Monthly Report due to the EM Coordinator's attendance at another meeting.

John Lumley seconded the motion. Motion carried.

#### **Approval of Minutes**

John Lumley made a motion to approve the minutes of regular meetings on December 3 and 17, and a special meeting on December 23, 2013 as submitted. Mike Baker seconded. Motion carried.

#### **Approve Bills**

The following bills were submitted for approval: (see attached). Payroll for December 2013 - \$163,527.88.

#### **Reorganization 2014**

1. **Select Chairman and Vice Chairman** – John Lumley moved to appoint Mike Baker as Chairman and Brad Basse as Vice Chairman. Mike Baker seconded the motion. Motion carried with Baker and Lumley voting aye and Basse voting nay. The meeting continued with Mike Baker assuming the role of Chairman.
2. **Set Meeting Dates** – Brad Basse made a motion to set the meeting dates for the Board of Commissioners as the first and third Tuesday of every month, with the first meeting of the month starting at 9:00 a.m. and the second meeting of the month starting at 4:00 p.m., with no exceptions at this time. John Lumley seconded the motion. Motion carried.
3. **Appoint County's Official Paper** – John Lumley made a motion to designate the Independent Record as the County's official newspaper. Brad Basse seconded the motion. Motion carried.
4. **Set Commissioner's Special Areas of Responsibility** – After discussion, Brad Basse made a motion designating the following as areas of special responsibility for each Commissioner:  
**Mike Baker:** Town Properties, Town of Thermopolis, Armory Joint Powers Board, Hot Springs County Library, Hot Springs County Fairboard, Human Resources, BLM Bighorn Basin RMP, Road & Bridge and Tribal Liaison, Shoshone National Forest Plan Revision, and Wyoming County Commissioners Association Board of Directors.  
**Brad W. Basse:** Town Properties, Town of Thermopolis, Search and Rescue, Thermopolis Hot Springs Economic Development Company, Basin Authority Child Support Enforcement, Land Use/Planning Board, Hot Springs County Museum, and Bighorn Basin Nature & Discovery Center Joint Powers Board,  
**John P. Lumley:** Chamber of Commerce, Town Properties, Senior Citizen Center, Town of Thermopolis, Hot Springs County Memorial Hospital and BLM Bighorn Basin RMP, Shoshone National Forest Plan Revision.

John Lumley seconded the motion. Motion carried.

5. **Set County Holidays for 2014**– John Lumley made a motion to approve Resolution 2014-01 setting the County Holidays for 2014 as presented. Brad Basse seconded the motion. Motion carried. Resolution 2014-01 establishes the 2014 County Holiday schedule as follows:

**RESOLUTION NO. 2014-01**  
**APPROVING THE OFFICIAL HOLIDAYS FOR HOT SPRINGS COUNTY EMPLOYEES**  
**FOR THE YEAR 2014**

**WHEREAS**, Policy Section 16 of the Hot Springs County Personnel Policy Manual provides for the observance of holidays each year as set by the Hot Springs 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 Hot Springs County, Wyoming that the list of holidays and other days as set forth below shall be observed during calendar year 2014 as days off for Hot Springs County employees:

Presidents' Day	Third Monday in February (02.17.14)
Memorial Day	Last Monday in May (05.26.14)
Independence Day	July 4 - Friday
Labor Day	First Monday in September (09.01.14)
Columbus Day	Second Monday in October (10.13.14)
Veterans' Day	November 11 – Tuesday
Thanksgiving	Fourth Thursday in November (11.27 & 28.14)
Christmas	December 25 & 26 – Thursday & Friday
New Year's Day 2015	January 1 - Thursday

**APPROVED, PASSED AND ADOPTED THIS** 7<sup>th</sup> day of January, 2014.  
BY THE BOARD OF COMMISSIONERS, HOT SPRINGS COUNTY, WYOMING  
Mike Baker, Chairman  
Brad Basse, Vice Chairman  
John Lumley, Commissioner

ATTEST:  
Hans Odde, Hot Springs County Clerk

- 6. Public Office Disclosure Statements** – Clerk Odde presented each Commissioner with a Public Office Disclosure Statement which State Statute requires every elected official to fill out annually. Commissioners will fill out the statements and return them to Clerk Odde as soon as possible.

**Hot Springs County Boards & Committee Appointments**

Clerk Odde presented the county board openings to the Commissioners as follows:

<b><u>County Health Officer</u></b>	1 opening / 1 applicant
<b><u>Fair Board</u></b>	1 opening / 1 applicant
<b><u>Natural Resources Planning Committee</u></b>	5 openings / 2 applicants
<b><u>Predatory Animal Control Board</u></b>	1 opening / 1 applicant
<b><u>Armory Joint Powers Board</u></b>	No applications received

The Commissioners reviewed the applications received in response to the advertisements placed in the Independent Record. Clerk Odde reviewed the requirements for board applications – Each applicant was to have filled out a Board Member Application form and returned it to the Clerk's office no later than 5:00 p.m. on January 3, 2014. The Natural Resources Planning Committee did not receive enough applications to fill all the open positions. A ballot vote was taken before appointments were made and the following positions were appointed:

<b><u>County Health Officer</u></b>	Dr. Howard Willson
<b><u>Fair Board</u></b>	Tom Christensen
<b><u>Natural Resources Planning Board</u></b>	Dee Hillberry, Toddi Darlington
<b><u>Predatory Animal Control Board</u></b>	Don Harvey – Sportsman

John Lumley made a motion to certify the appointments. Brad Basse seconded. Discussion: a notification letter will be sent to all applicants notifying them of their appointments. Motion carried.

### **Road and Bridge Monthly Report**

Road and Bridge Supervisor Dave Schlager reported his men are plowing county roads as needed and doing road maintenance as weather permits. The contractor on the gravel crushing project plans to move the crusher into the pit, weather permitting, this week. The new pickup has been delivered and put into service. The new plow truck has arrived in Billings and modifications are underway. The truck should be delivered by March.

Mr. Schlager discussed the groundwork on the county road guidelines/policy manual that Ray Shaffer has laid over the last few years. Mr. Schlager would like to hire Mr. Shaffer on an hourly contract basis to complete this project. He anticipates it will cost less than \$1,000.00 to have Mr. Shaffer do this, and would be much more efficient than trying to get someone else up to speed on the project. The Commissioners authorized Mr. Schlager to hire Mr. Shaffer to complete the road guidelines/policy manual project for the Commissioners' and County Attorney's review prior to implementation. Commissioners asked Mr. Schlager to speak with a local landowner on Lane 3 regarding parking equipment and piling snow in the County's right of way as it is creating an on-going hazard at the intersection of Lane 3 and Highway 20 South.

Road #19 Right of Way – Mr. Schlager and Engineering Associates' Anthony Barnett have met with Everett Jones regarding the differences in where the right of way exists and where the road actually exists. Mr. Jones has been provided with maps of the area and existing right of way and was asked to review them and come back to the County with some alternate route proposals. Mr. Jones has not yet returned with his proposal.

Road #6 Grant Application – Clerk Odde presented the Wyoming Access Program Project Application for the Black Mountain Road Federal Lands Access Project for the Commissioners' review. Commissioner Lumley asked that Item 4 on page 4-15 be updated to include the length of the alternate route using roads in Washakie County. Brad Basse moved to submit the application with the addition of the mileage on page 4-15-4 as discussed. John Lumley seconded the motion. Motion carried.

### **Maintenance Monthly Report**

Maintenance Foreman Chuck Carver reported that Probation & Parole is balking at the \$500.00/month rent being requested for office space on the fourth floor of the courthouse. After some discussion, Mr. Carver was authorized to continue negotiations with Probation & Parole, with a minimum rent of \$450.00/month.

Mr. Carver reported on a recent leak at the Museum. A complete roof replacement will be required sooner than later. He anticipates the cost for this to be roughly \$50,000.00.

Shay Conner anticipates returning to work within the next few weeks. If he is available, the temporary custodian will be retained for a few months after her return to enable all the postponed work to be completed. There is money in the Maintenance budget to cover this.

WYECIP Project Final Completion Certificate – There are still a few things that are not complete on the project at this time. There will be a conference call tomorrow to discuss these items with TRANE. Big Horn Energy representatives and Commissioner Baker will also participate in this call. Mr. Carver feels that more extensive training on the system is required, and that there are many problems remaining with the system commissioning that need to be resolved before that Certificate of Final Completion should be signed. Commissioner Basse discussed the ongoing complaints the Commissioners are receiving regarding the new heating system and asked about local control of the thermostats. Mr. Carver maintains this is not possible with the new system.

### **County Planner Monthly Report**

Planner Bo Bowman reported that the Natural Resources Planning Committee currently consists of twelve members who show up consistently and that this seems to be a good number of members for efficiency and accomplishment of the committee's goals. The Commissioners agreed that they would discontinue advertising for additional members at this time. Mr. Bowman reminded the Commissioners that he has submitted the DRAFT revised Natural Resource Plan for State & Federal Land to them for review prior to holding a public hearing on the revisions. Discussion on a date for a public hearing on this Revised Plan will be held at the first meeting in February.

There will be no Land Use Planning Board meeting in January. Mr. Bowman has begun work on revision of the County's Land Use Plan.

Gravel Pits – The Brown Pit has been added to the Annual DEQ report which will be prepared and submitted in February.

#### **Airport Update**

WYDOT-Aeronautics Division THP-11B-2794 Request for Reimbursement #12 – Clerk Odde presented WYDOT-Aeronautics Division Airport Relocation Project Request for Reimbursement #12 for the Commissioners' approval. John Lumley moved to approve WYDOT-Aeronautics Division Project THP-11B-2794 RFR #12 in the amount of \$5,173.00. Brad Basse seconded the motion. Motion carried.

FAA AIP-03 / WYDOT-Aeronautics Division THP-11D-3024 Requests For Reimbursement #4 – Clerk Odde presented FAA and WYDOT Requests for Reimbursement #4 for the Commissioners' approval. John Lumley moved approval of FAA Project 3-56-0043-03 RFR #4 in the amount of \$107,474.00 and WYDOT-Aeronautics Division THP-11D-3024 RFR #4 in the amount of \$9,554.00. Brad Basse seconded the motion. Motion carried.

Phase III Update – The contractor has entered into the winter shutdown. It is anticipated that work will resume in March, weather permitting.

Phase IV – GDA representatives Annie Ness and Dave Johnson presented the Phase IV Scope of Work for the Commissioners' approval. Per the FAA's request, an additional requirement for PCN Index strength testing on the pavement has been added to the Scope of Work. Brad Basse moved to approve the Scope of Work for Phase IV of the airport project with the incorporation of the requested change. John Lumley seconded the motion. Motion carried. Brad Basse moved to authorize Clerk Odde to obtain an Independent Fee Estimate from CH2M Hill for the Phase IV work product of GDA Engineers. John Lumley seconded the motion. Motion carried.

Relocation Update – Mr. Holden has started the process of filing to move his water rights from the airport property to other property owned by the Holden Ranch. Although this process was to be completed by the end of the year, the Commissioners agreed to allow Mr. Holden more time to complete the process through the State Engineer's Office. The cost of the transfer will be borne by the party the rights are transferred to.

#### **Youth Alternatives Monthly Report**

Director Alan Rossler reported that he currently has six program participants in the diversion program and two on supervised probation as requested through the circuit court. . A review of the program for 2013 indicated there were a total of 30 participants – 22 of them new to the program in 2013. Charges involved were drugs, alcohol, tobacco use, shoplifting, criminal entry, traffic citations, interference with a police officer and bullying/harassment. Mr. Rossler stated that one of his newer programs is directed at assisting primarily high school students with various life skills such as checkbook management, application processes (jobs, college, trade schools, apartments), reference gathering, etc.

Mr. Rossler presented the first quarterly draw down request for the 2011 Sub-Grant. John Lumley moved to approve the Drawdown Request for the VOANR/OJJDP "Non-Participating State" Grant CFDA #16.540 in the amount of \$4,278.70 for the time period of 10/01/13 – 12/31/13. Brad Basse seconded the motion. Motion carried.

#### **Hospital District Election Expense Relief Request**

Hospital CEO Robin Rolling appeared before the Commissioners to request monetary relief in the amount of \$7,297.61, which was the amount invoiced by the County to the hospital subsequent to the Hospital District election. Statutorily, the costs of the election must be invoiced to the entity requesting the election, but if the entity requests relief from the invoice, the Commissioners may grant such relief. Brad Basse moved to grant relief to the Hospital in the amount of \$7,297.61. John Lumley seconded the motion.

Discussion: Commissioner Lumley indicated that he felt relief was necessary in light of the hospital's financial situation. Commissioner Basse stated that he felt asking the hospital to pay for the failed election was adding insult to injury and acknowledged that the funds were not in the hospital's budget.

Commissioner Baker stated that he was not in favor of granting the relief as he feels the hospital rushed the issue to election and the issue failed due to a lack of preparation on the hospital's part. The question was called. Motion carried with Basse and Lumley voting aye and Baker voting nay.

#### **4-H Program Annual Report**

UW-Extension 4-H Educator Joey Johnson appeared before the Commissioners to review the 4-H program activities over the past year. Mr. Johnson outlined his plans for expanding the program going forward, particularly in the areas of Shooting Sports, various Judging Events, and statewide contests such

as the Showcase Showdown held in Laramie this year. Mr. Johnson ended his presentation with a request for the Commissioners to give whatever consideration they can to an increased budget for his programs during the next fiscal year.

#### **DEQ Inspection Report – Minimum Site Assessment Violation**

During the annual DEQ Compliance Inspection at the current airport, a letter of violation was issued due to the lack of completion of a Minimum Site Assessment. A plan of action to address this violation must be submitted to the DEQ by January 31, 2014, with completion of the MSA no later than June 30, 2014. At the Commissioners' direction, Clerk Odde will discuss the best way to move forward on the MSA with GDA representatives and will report back at the January 21<sup>st</sup> meeting so that a plan of action can be submitted to the DEQ prior to January 31, 2014.

#### **BIA Trust Land Application – H Triangle Property**

The Commissioners have received a letter from the Bureau of Indian Affairs informing them of a request by the Northern Arapaho Tribe to take 7,050 acres more or less, known as the H Triangle Property, into trust for agricultural purposes. Investigations by the Planner and the Assessor have uncovered several problems with the legal descriptions and chain of title pertaining to lands covered in this request. After receiving input from Assessor Shelley Deromedi, Planner Bo Bowman and County Attorney Jerry Williams, Brad Basse moved to authorize the expenditure of up to \$5,000.00 with the law firm of Holland & Hart to respond to this letter. John Lumley seconded the motion. Discussion: Funds to come from Emergency Expenditures. Chairman Baker expressed his hope that the legal work could be completed for considerably less than \$5,000.00. Motion carried. The Assessor, Planner and County Attorney will begin working to draft a response to the letter, with an initial request for a thirty-day extension to the requested response date. Commissioner Baker will contact Holland & Hart, the Owl Creek Irrigation District and the Governor's office for input on the trust land request and will work with the Assessor, Planner and County Attorney to develop a response for consideration at the January 21<sup>st</sup> meeting.

#### **Sheriff's Department – MRAP Vehicle Acquisition**

Sheriff Lou Falgoust appeared before the Commissioners to discuss a recently-acquired Emergency Response vehicle to be shared with Big Horn and Washakie Counties. The vehicle was acquired at no cost through the State Surplus Equipment Department. It will be garaged in Washakie County. Licensing and tax costs will be borne by Washakie County. Hot Springs County will be responsible for one-third of on-going maintenance costs for the vehicle. Washakie County law enforcement officers Sheriff Rakness and Sergeant Fernandez joined the meeting via conference call to discuss possible uses and future plans for the vehicle. The Commissioners were informed that, if a large repair becomes necessary (such as a new transmission, etc), the vehicle will simply be scrapped rather than incurring a huge bill for the counties. After extensive discussion, the Commissioners suggested to Sheriff Falgoust that it would be better for them to be notified in advance of any future acquisitions of this type, so that questions to them from constituents could be answered in a more timely and informed fashion.

#### **Other Business**

**Multi-Purpose Building Roof Replacement** – Dave Schlager and Martin Bader reported that there are at least two major leaks in the new roof on the multi-purpose building. Repairs should be covered under the warranty from Atlas Roofing.

a. Snow Guard – Atlas has provided two choices for snow guards to be installed as part of the new roofing project. The difference between the continuous guard and the non-continuous guard is roughly \$900.00. After discussion, the Commissioners elected to have Atlas install the non-continuous guard.

b. Final Completion – The certificate of final completion will not be signed at this time.

#### **Correspondence**

**Dept. of Audit** – Annual Cost of Government Report

**Dept. of Audit** – Special District Costs

**Hot Springs Conservation District** – Owl Creek Watershed Water Quality Management Plan

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

**Recognition**

Commissioner Lumley expressed his appreciation for Commissioner Basse’s excellent service as chairman over the years and his mentorship when Commissioner Lumley served as Chairman.

**Adjournment**

There being no further business to come before the Board at this time, John Lumley moved to adjourn. Mike Baker declared the meeting adjourned at 4:22 p.m.

Attest:

\_\_\_\_\_  
Mike Baker, Chairman

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Hans Odde, Clerk to the Board

**BILLS – DECEMBER, 2013**

MATTHEW BENDER & CO.,INC. 59.44 / HANSON'S FIRE EQUIPMENT 1,207.88  
HASCO INDUSTRIAL SUPPLY 332.14 / BILLINGS TYPEWRITER 97.50  
FAIRBANKS SCALE, INC. 329.04 / UNIVERSITY OF WYOMING 5,808.50  
BOELENS' SHOP 143.00 / JACK’S UNIFORM & EQUIPMENT 14.00 / GALLS LLC 128.47  
AFLAC (ACCOUNT #HW652) 551.41 / STATE OF WYOMING - A&I 36.01  
ALLEGIANCE BENEFIT PLAN MANGT, INC. 111,071.95 / ANITA WEISBECK 81.11  
CHARTER COMMUNICATIONS 55.20 / BARTON STAM 190.40 / BIG HORN WATER 103.50  
BI INCORPORATED 73.26 / BLAIR'S SUPER MARKET 401.03 / PITNEY BOWES INC. 288.54  
BRENNA HUCKFELDT 24.30 / AMERITAS LIFE INSURANCE CORP, 552.00  
NATE BROWN & MAECILE BROWN Trustees 70,000.00 / BRUCE N. "BO" BOWMAN 80.80  
ZUERCHER TECHNOLOGIES LLC 2,375.00 / CHRISTOPHER J. KING, P.C. 550.00  
RED ROCK FAMILY PRACTICE 140.00 / THERMOPOLIS HARDWARE 408.84  
COLONIAL SUPPLEMENTAL INS. 34.70 / VERIZON WIRELESS 55.73  
VERIZON WIRELESS 48.75 / VERIZON WIRELESS 55.74 / VERIZON WIRELESS 157.40  
VERIZON WIRELESS 47.90 / COUNTY TITLE AGENCY 485.00 / CINDY MAGELKY 145.60  
DRYDEN & LARUE, INC. 5,278.38 / FLAGSTONE ELECTRIC 467.00  
SHELL FLEET PLUS PROCESSING CENTER 27.46 / FLEETPRIDE 92.18  
PINNACLE BANK OF THERMOPOLIS 40,516.61 / FREMONT MOTOR COMPANY 23,466.50  
GDA ENGINEERS 9,357.28 / GOTTSCHKE THERAPY REHAB WELLNESS 340.00  
MOUNTAIN WEST BUSINESS SOLUTIONS 73.99 / MOUNTAIN WEST BUSINESS SOLUTIONS 90.00  
HIGH PLAINS POWER 155.38 / HOT SPRINGS COUNTY HEALTH INS ACCT 68,978.51  
HOT SPRINGS CO. SCHOOL DIST #1 4,789.07 / INDEPENDENT RECORD 2,077.69  
INDOFF INC. 663.05 / JILL LOGAN 1,225.00 / JT AVIATION LLC 5,377.52  
LARIAT INTERNATIONAL TRUCKS 141.59 / MARCIA E. BEAN 122.94  
MARY A. GORDON 11.65 / MEADOW GOLD BILLINGS 234.35  
HOT SPRINGS CO. MEM. HOSPITAL 789.01 / HOT SPRINGS COUNSELING SERV. 9,425.01  
MESSENGER & OVERFIELD 2,714.62 / MOORE MEDICAL, LLC 70.40  
MURDOCH OIL, INC. 132.50 / NADA USED CAR GUIDE 530.00 / NDAA 97.00  
ONE STOP REPAIR & 71.64 / O'REILLY AUTO PARTS 95.84 / O'REILLY AUTO PARTS 313.47  
O'REILLY AUTO PARTS 33.33 / O'REILLY AUTO PARTS 15.58  
THE OFFICE SHOP, INC 23.79 / OWL CREEK ENGINEERING 4,000.00  
OWL CREEK GRAPHICS 25.00 / ROCKY MOUNTAIN POWER 4,545.13 / PARK COUNTY 99.44  
PAUL REED CONSTRUCTION & SUPPLY INC 110,058.50 / PERFORMANCE AUTO & GLASS 22.14  
PINNACLE BANK OF THERMOPOLIS 140.00 / PINNACLE BANK OF THERMOPOLIS 2,090.00  
CENTURY LINK 652.88 / RANAE BALDES 341.26 / WYOMING DEPT OF TRANSPORTATION 5.00  
GORRELL & HOPKINSON, P.C. 898.96 / RT COMMUNICATIONS, INC. 2,204.91  
SERLKAY PRINTING 145.00 / J.A. SEXAUER INC. 279.43  
SHOSHONE OFFICE SUPPLY 238.30 / SHOPKO THERMOPOLIS 27.98  
THE STANDARD INS. CO. 1,408.03 / STEHLIN PLUMBING & CONTRACTING 50.00

STEVE'S PLUMBING & HEATING 140.00 / STATE OF WYOMING GUARDIANS AD LITEM 2,313.79  
SYSCO MONTANA, INC. 2,344.56 / TEPEE POOLS 384.00  
CENTRAL WYOMING TREE SERVICE 300.00 / TOWN OF THERMOPOLIS 25,829.42  
TRAVELING COMPUTERS, INC. 12,263.89 / TRANE U.S. INC. 80,795.40  
TRACTOR & EQUIPMENT 1,650.50 / TRI COUNTY TELEPHONE ASSOC,INC 333.01  
NORCO, INC. 96.19 / VERIZON WIRELESS 42.47 / VERIZON WIRELESS 32.41  
VICKLUND PHARMACY 255.37 / VIRILE ELECTRIC 4,580.00 / VISA - CARD ONE 115.36  
VISA - CARD TWO 1,611.57 / VISA - CARD FOUR 92.63 / VISA (CARD EIGHT) 900.80  
VISA 305.57 / VISA 75.95 / WYOMING COUNTY & PROSECUTING 200.00  
WCS TELECOM 9.77 / THOMSON REUTERS - WEST 133.52  
WYOMING DEPT. OF WORKFORCE SERVICES 3,093.72 / WYOMING.COM 20.00  
WYOMING DIVISION OF 308.00 / ORCHARD TRUST COMPANY 5,454.26  
WYOMING GAS 2,649.57 / WYO RETIREMENT SYSTEM 23,563.80  
036-NCPERS GROUP LIFE INS. 336.00 / WYSSMANN PSYCHOLOGICAL & COUNSELING 350.00