

STATE OF WYOMING)
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COUNTY OF HOT SPRINGS)
OFFICE OF THE BOARD OF
COUNTY COMMISSIONERS
THERMOPOLIS, WYOMING
March 17, 2015

The Hot Springs Board of County Commissioners met in regular session on Tuesday, March 17, 2015 at 4:00 p.m. in the Public Meeting Room at the Government Annex. Present were Commissioners Brad Basse, John Lumley and Tom Ryan. Also present were County Attorney Jerry Williams, County Clerk Nina Webber and Administrative Assistant to the Commissioners Penny Herdt. Chairman Basse led those present in the Pledge of Allegiance.

Approval of Agenda

John Lumley moved to approve the agenda with the following addition

ADD: 10. Brad Johnson Discuss Insurance bid

Tom Ryan seconded the motion. Motion carried.

Resolution 2015-03 One-Time Change of Regular Meeting Date

Due to the anticipated lack of a quorum of Commissioners at the regularly scheduled meeting on April 7th, Tom Ryan moved to approve Resolution 2015-03 as follows:

RESOLUTION NO. 2015-03

CHANGE OF REGULAR MEETING DATE

WHEREAS, per Wyoming Statute § 18-3-502 as amended, the Board of County Commissioners shall meet on the first and third Tuesdays of each month unless otherwise designated by resolution of the board and,

WHEREAS, there will not be a quorum of Commissioners at the regularly scheduled meeting on April 7, 2015 and, therefore, no official business could be conducted at this meeting,

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Hot Springs County, Wyoming that the regular meeting scheduled for April 7, 2015 starting at 9:00 a.m. shall be moved to Friday, April 10, 2015 beginning at 9:00 a.m. in the Commissioners Meeting Room at the Government Annex Building.

APPROVED, PASSED AND ADOPTED THIS 17th day of March, 2015.

BY THE BOARD OF COMMISSIONERS

HOT SPRINGS COUNTY, WYOMING

Brad Basse, Chairman John Lumley, Vice Chairman Tom Ryan, Member

ATTEST: Nina Webber, Hot Springs County Clerk

John Lumley seconded the motion. Motion carried.

Airport Update

Primary Power – Dustin Spomer asked the Commissioners for a decision regarding provision of power to the T-hangar area at the new airport. The Commissioners agreed to go ahead with providing power to the T-hangars, with a decision made at a later date regarding ownership of the T-hangars. GDA will provide the paperwork granting a utility easement and contract documents regarding provision of electrical service between Hot Springs County and High Plains Power at the April 10th meeting.

Consider Lease Lots and Minimum Standards Documents – Mr. Spomer presented revised versions of these documents for the Commissioners' consideration. After the Commissioners reviewed the documents and discussed the changes, Tom Ryan moved to approve the Hangar Lot Ground Lease Agreement with the changes from the original document as presented, with two additional changes as follows:

1. Page 1, Section 1 – Change pavement offset requirement from 15 feet to 4 feet from the front edge of the hangar, when constructed.
2. Insertion of a "No Third Party Beneficiary" clause, the wording of which will be arrived at in consultation with the County Attorney.

John Lumley seconded the motion. Motion carried. Tom Ryan moved to approve the Minimum Standards document with changes from the original document as presented, along with the following additional changes:

1. Page 9, Sec 1.2, Bullet 11 – Strike *allowed upon*, replace with *without*

2. Page 19, Sec 2.18.7 – Remove *and shed roof* from first sentence; add *Shed roof designs may be approved on a case by case basis but shall only be used where a gable roof is not possible.* after first sentence.
3. Appendix I – Insurance minimums to be determined at a later date

John Lumley seconded the motion. Motion carried.

Phase III & IV Update – The contractor will resume work after the winter shutdown on March 23rd.

Completion of Phases III & IV is expected by the first part of May. Regarding the job trailer – power will be supplied to the trailer at its new location. After some discussion, the Commissioners agreed there was no need to provide sewer and water to the job trailer, due to its proximity to other buildings on the site. Mr. Spomer suggested a change in the new location for the job trailer. Mr. Gilb will email a final location plan for the job trailer to the Commissioners for review. A change order for Phases III & IV for relocation of the job trailer and previously discussed sewer work will be presented for consideration at the April 10th meeting.

Phase V Update – Mr. Gilb reported that the Fire Marshall's approval to move the fuel storage tank to the new airport has now apparently been rescinded. GDA will work up a cost estimate for this change and Commissioners Basse and Lumley will discuss the situation with the Fire Marshall to see if a compromise can be reached.

SRE / Terminal Bid Award – Commissioner Tom Ryan moved to set a special meeting for Monday, April 13th at 9:00 a.m. in the Commissioners Meeting Room in the Government Annex to award the SRE / Terminal Building bid. John Lumley seconded the motion. Motion carried.

Audit Review

Michael Wright with the accounting firm Koerwitz, Michel, Wright & Associates presented the Final County Audit Report for the year ending June 30, 2014. This report includes an A-133 grant compliance audit for the Airport Improvement grant and the CDBG-Owl Creek Water District grant. This report is available for public review in the County Clerk's office. Mr. Wright reviewed the audit and accompanying comments, stating that the required written responses to the Audit Comments have been received from the Treasurer and the Clerk. There were no findings with regard to internal controls or non-compliance.

Tax Rebate

Deputy County Assessor Dan Webber presented the following tax rebate for the Commissioners' approval:

Rebate #5-15 – Parcel #995 for tax year 2012 (District 100) – MARATHON OIL COMPANY–DOR NOVC 2015-0168. Marathon filed amended return for Group #50620 at Grass Creek Field for 2011 production to decrease gross production volume and gross sales volume and to increase the reported unit price, resulting in over assessment of 3819 for tax year 2012. This necessitates a rebate of taxes in the amount of \$241.05.

John Lumley moved to approve rebate #5-15 to Marathon Oil Company for parcel #995 for the 2012 tax year in the amount of \$241.05. Tom Ryan seconded the motion. Motion carried.

Museum Roof Bid Documents

Chuck Carver presented a revised set of bid documents for the Museum Roof project. After a review of the documents, Tom Ryan moved to approve the documents as presented in their final form. John Lumley seconded the motion. Discussion: Commissioner Ryan moved to amend to motion to include the following: Bids will be due to the Clerk's office no later than 2:00 p.m. on April 21st. Bid opening will be at the regular Commission meeting on April 21st at 4:05 p.m. Second concurred with the amendment. Amendment carried on vote. Original motion carried.

Road & Bridge Monthly Report

Road & Bridge Supervisor Dave Schlager reported his department is finishing up winter maintenance and spring servicing of the County's road equipment. He has started piling pit run at the County Pit in anticipation of summer projects. The department personnel have been helping Weed & Pest with Russian olive removal within the County. Mr. Schlager reported that local model airplane club has asked for assistance in landscaping maintenance. The Commissioners felt this would be inappropriate in view of the private nature of the club.

RT Communications Utility License Agreements – RC Communications has filed Utility License Agreement applications for fiber optic work on Lanes 3 and 7. Mr. Schlager has reviewed the applications and his requested changes have been incorporated into RT's plans. Due to a miscommunication,

payment has only been received for one of the permits, with the second check being sent this week. John Lumley moved to approve the ULA between Hot Springs County and RT Communications for work on County Road 32 (Lane 7). Tom Ryan seconded the motion. Motion carried. John Lumley moved to approve the ULA between Hot Springs County and RT Communications for work on County Road 37 (Lane 3), pending receipt of required fees. Tom Ryan seconded the motion. Discussion: John Lumley moved to amend the motion to specify that the three road crossings will be bored, not cut. Second concurred with the amendment. Amendment carried on vote. Original motion carried.
Guardrail Project – Mr. Schlager reported that the bid documents are ready to go. He will provide the County Attorney with copies of the documents for review.

Engineer Selection – Black Mountain Road Study

Chairman Basse reported that the selection committee had reviewed the proposals received from the five firms identified in the WYDOT short list process. The committee completed WYDOT's scoring matrix for the five proposals, and announced that GDA Engineers was the highest scoring firm. GDA's price proposal was then opened and found to be within the budget limits for the project, so no fee negotiations were required as part of the WYDOT selection process. Tom Ryan moved to award the bid engineering services for the Black Mountain Road Study to GDA Engineers, subject to contract review by the County Attorney. John Lumley seconded the motion. Discussion: No work is to be done or charges submitted for grant reimbursement until the Notice to Proceed has been received from WYDOT. Motion carried.

UW-CES Memorandum of Understanding – Revised

Commissioner Ryan reported that he took a copy of the MOU to the Fairboard for review and they had no objections to it. Tom Ryan moved to approve the revised Memorandum of Understanding between Hot Springs County and the UW-CES. John Lumley seconded the motion. Motion carried

Brown #1 Well Permit Application

John Lumley moved to approve the Brown #1 Well Permit Application. Tom Ryan seconded the motion. Discussion: Dan Wychgram, County geological consultant, has reviewed this permit and feels it will have no impact on the Big Spring. Motion carried.

Insurance Bid Discussion

Insurance consultant Brad Johnson joined the meeting by phone to discuss seeking alternative third party administrators for the County's Health Insurance plan for the upcoming plan year. Clerk Webber reported no significant complaints with the County's current third party administrator over the last year. The Commissioners advised Mr. Johnson that they did not feel a need to shop for a new third party administrator this year.

Other Business

Airport Septic System Permit Application – John Lumley moved to ratify Chairman Basse's signature on the administrative application for the septic system permit at the new airport site. Tom Ryan seconded the motion. Motion carried.

Museum Board Member Resignation – The Commissioners received a letter of resignation from Museum board member Brandon Vilos. Mr. Vilos has taken a job in another town and his resignation is effective immediately. John Lumley moved to accept Mr. Vilos' resignation and authorize Clerk Webber to begin advertising for his replacement immediately. Tom Ryan seconded the motion. Discussion: a letter will be sent to Mr. Vilos thanking him for his service to the community. Motion carried.

Reconsider South Thermopolis Water & Sewer District CDBG Grant – After reviewing the County Attorney's request to change the indemnification language in the grant, the Wyoming Business Council has declined to change the language. The County Attorney stated that he still feels the language is inappropriate, but acknowledges that the County will have to accept the language to receive the grant funds. John Lumley moved to approve the grant agreement between Hot Springs County and the Wyoming Business Council for the Community Development Block Grant for funding for the STWSD's expansion project as written. Tom Ryan seconded the motion. Discussion: grant amount is \$428,812.00 and grant period is December 31, 2014-December 31, 2015. Motion carried.

High Plains Power Proxy – John Lumley moved to return the proxy with no proxy designated. Tom Ryan seconded the motion. Motion carried.

Correspondence

Dan Wychgram – Chopping Well Permit Report

Airport Monthly Operations Report – February, 2015
Fair Board Minutes – February, 2015
Bureau of Reclamation – Boysen Runoff Forecast Update

Executive Session – Personnel

John Lumley moved to enter Executive Session for personnel reasons at 6:45 p.m. Tom Ryan seconded the motion. Motion carried. John Lumley moved to leave Executive Session at 6:53 p.m. Tom Ryan seconded the motion. Motion carried. No action was taken during the Executive Session.

Leave of Absence Request

John Lumley moved to grant Shane Rankin's request for Family Medical Leave beginning March 17, 2015 through July 1, 2015. Tom Ryan seconded the motion. Motion carried.

Adjourn

There being no further business to come before the board, Tom Ryan moved to adjourn. Brad Basse declared the meeting adjourned at 6:45 p.m.

ATTEST:

Brad Basse, Chairman

Nina Webber, Clerk to the Board