

STATE OF WYOMING )  
 )  
COUNTY OF HOT SPRINGS )

OFFICE OF THE BOARD OF  
COUNTY COMMISSIONERS  
THERMOPOLIS WYOMING  
September 1, 2015

The Hot Springs County Board of Commissioners met in regular session on Tuesday, September 1, 2015 at 9:00 a.m. in the Commissioners Room at the Government Annex.

Present were Commissioners Brad Basse and Tom Ryan. Commissioner John Lumley joined the meeting at 1:00 p.m. as he was out of town on Commissioner business in the morning. Also present were County Attorney Jerry Williams, County Clerk Nina Webber and Administrative Assistant Penny Herdt. Chairman Basse led those present in the Pledge of Allegiance. Chairman Basse suspended normal parliamentary procedure so that business might be conducted in Commissioner Lumley's absence.

**Approval of Agenda**

Tom Ryan made a motion to approve the agenda with the addition of "T-Hangar Lease Discussion" under section 12.i – Airport Update – Hangar Development. Brad Basse seconded the motion. Motion carried.

**Approval of Minutes**

Tom Ryan made a motion to approve the minutes of the regular meetings on August 4 and 18, 2015 as presented. Brad Basse seconded the motion. Motion carried.

**Maintenance Monthly Report**

Maintenance Foreman Chuck Carver asked the Commissioners to provide him with further specification information on the SRE building locks at the new airport, as he needs to make sure the new programming cable he is ordering will work. Chairman Basse will supply him with a part number/description for the new locks.

Museum – The replacement tiles for the memorial statue have been ordered and should be received by the middle of September. A panic bar has been installed on the fire exit door that did not have one. The signed contract has been received from Redd Roofing and is being reviewed. Mr. Carver expects that the roofing project will begin the first week of October. A bid from Long Controls for a new furnace system was presented for the Commissioners' consideration. The problems with the current furnace are severe enough that replacement of the furnace makes more sense than repairing it. Funds for replacing the furnace will come from Emergency Expenditures as this item was not in the 2015-2016 budget. The Commissioners requested that Mr. Carver seek additional local bids before awarding a contract.

Library Sidewalks – Mr. Carver presented a draft RFP for removal and replacement of the library sidewalks for the Commissioners' approval. He would like to have the bid opening at the October 6<sup>th</sup> Commissioners Meeting. The Commissioners approved the Request for Proposal for release after the proper dates are inserted and labels placed on the drawing.

Courthouse – The front door refurbishing project is nearly complete. Mr. Carver reported that he is still waiting on bids for conversion of the Ladies Lounge to an ADA-compliant restroom accessible to jail visitors. Bids are due the middle of September. New phones have been placed in the jail visitation area. They are still working on separation panels and other sound-deadening features for this area.

**Road & Bridge Monthly Report**

Road & Bridge Supervisor Dave Schlager reported that gravel hauling on Grass Creek road should be finished by mid-September. Chipping on Skelton road and Cowboy Mine road is complete. Patching is nearly finished. Mr. Schlager stated that he has received a letter from WYDOT concerning the bridge on Gooseberry Creek. WYDOT has down-rated this bridge from 26-Ton to 20-Ton due to cracks in some of the stringers. Mr. Schlager would like to start the process to replace this bridge through WYDOT's Bridge Replacement Off-System (BROS) program. The Commissioners authorized Mr. Schlager to start this process immediately as it can be quite lengthy. Mr. Schlager asked for and received authorization to begin the bid process on the new pickup approved in this year's budget for Road & Bridge.

Guardrail Replacement Project – Mr. Schlager presented the contract with Engineering Associates for the Guardrail Replacement Project on East River Road for the Commissioners' review. The County Attorney has reviewed and approved the contract. Tom Ryan moved to authorize the Chairman's

signature on the Contract Agreement between Hot Springs County and Engineering Associates for services as described in connection with the WYDOT-HRRR 0.00 CN15021 Guardrail Replacement Project in the amount of \$5,600.00. Brad Basse seconded the motion. Motion carried.

Schwartz Approach Agreement – Scott Schwartz submitted an Approach Agreement request for an approach on Lane 7, 0.2 miles from the intersection of Lane 7 and Lane 12. Mr. Schlager has reviewed the approach area and recommends approval of the request. Tom Ryan moved to approve the Approach Agreement with Scott Schwartz for an approach on Lane 7 located 0.2 miles from the intersection of Lane 7 and Lane 12. Brad Basse seconded the motion. Motion carried.

### **Sheriff's Impound Lot Discussion**

The Sheriff's Department would like to move their impound lot due to security concerns at its current location. The proposed lot would be at the site of the former County Shop on Mondell Street. Lt. Dan Pebbles indicated that he would like to fence the new lot for security reasons and is in the process of getting a cost estimate for the fencing materials. Lt. Pebbles has discussed with Road & Bridge and Maintenance personnel the possibility of assistance with the fence project, as it was not put in the budget this year. The Commissioners agreed moving the lot was probably a good idea. The matter was tabled for further discussion after cost estimates have been received.

### **Emergency Management Monthly Report**

Emergency Management Coordinator Bill Gordon asked the Commissioners to sign a copy of the current Emergency Operations Plan for the County. The plan is currently undergoing some revisions and will be presented for approval at a later date, but the State has asked for another signed copy of the current plan reflecting changes to the contact list. Chairman Basse signed the current plan with the contact list changes.

Mr. Gordon asked that the paper be contacted to run a correction to their recent article stating that his budget had been cut by 50%. It has not. Chairman Basse will go by the paper to discuss this with them.

The new Motorola console has arrived and is expected to be installed by the end of September.

The FY2015 Emergency Management Performance Grant (EMPG) was presented for signature by the Commissioners. This grant provides partial funding for the Emergency Management Coordinator position. Tom Ryan moved to authorize the Chairman's signature on the FY2015 Emergency Management Performance Grant for the time period of October 1, 2014 – March 31, 2016 in the amount of \$15,000.00. Brad Basse seconded the motion. Motion carried.

### **Youth Alternatives Monthly Report**

Director Barb Rice reported there are currently seven participants in her diversion program, and three Community Service referrals from Municipal Court. One of the participants is not currently attending school, and two are out of the county – one at a treatment facility and one in a group home setting. The juvenile justice team will resume its monthly meeting schedule starting this month. Ms. Rice noted that she will be touring the new youth facility in Riverton next week with the high school guidance counselor, Cortney O'Connor. The facility offers job services and GED assistance. Ms. Rice has signed up for certification in the True Thought model program later this year. Replacement/upgrading of the security camera system in the Youth Alternatives office area was part of the recently submitted grant application. If money is received, this will take place as soon as practicable after the grant award notification.

### **Planner Monthly Report**

Planner Bo Bowman reported the NRPC will meet on September 9th. The Land Use Planning Board will not meet in September. Members of the LUPB have received copies of the working draft of the Land Use Plan rewrite for review. Review by the Board as a whole will begin in November. Mr. Bowman has performed a couple of septic system installation inspections in the last month. An engineer with the DEQ will be here this week to discuss procedure and offer input on a septic system per Mr. Bowman's request. The Planner is working on the Delegation Agreement with the DEQ which is being revamped at the DEQ's request to insure consistency statewide. After some discussion regarding possible storage units on property owned by Scott Schwartz, Mr. Bowman agreed to issue an opinion in writing regarding the need or lack thereof for a land use change for that property.

### **Tax Rebates**

Assessor Deromedi presented the following tax rebates for the Commissioners' approval.

1. Rebate #12-15 – Parcel #438 for tax year 2015 (District 100) – WYO-BEN, INC. – Bentonite Production at Lucerne-Thermopolis Pit, Group #098540 during 2014 - DOR NOVC 2015-0534 – WYO-BEN filed an amended return to correct fiscal year reporting to calendar year reporting, resulting in overassessment in District 0100 for tax year 2015 in the amount of \$921,612. This necessitates a rebate of taxes in the amount of \$58,986.85. Tom Ryan moved to approve Rebate 12-15 to WYO-BEN, Inc. for Parcel 438, Tax year 2015 in the amount of \$58,986.85. Brad Basse seconded the motion. Motion carried.
2. Rebate #13-15 – Parcel #6748 for tax year 2015 (District 101) – WYO-BEN, INC. – Bentonite Production at Lucerne-Thermopolis Pit, Group #098540 during 2014 - DOR NOVC 2015-0534 – WYO-BEN filed an amended return to correct fiscal year reporting to calendar year reporting, resulting in overassessment in District 0101 for tax year 2015 in the amount of \$74,074. This necessitates a rebate of taxes in the amount of \$6510.09. Tom Ryan moved to approve Rebate 13-15 to WYO-BEN, Inc. for Parcel #6748, Tax year 2015 in the amount of \$6,510.09. Brad Basse seconded the motion. Motion carried.
3. Rebate #14-15 – Parcel #4588 for tax year 2015 (District 152) – SCHEIBLE, Mary – Personal Property – Scheible was not in business on 1/1/2015 and this parcel should have been deleted, resulting in an overassessment of \$2,069 for tax year 2015. This necessitates a rebate in the amount of \$142.77. Tom Ryan moved to approve Rebate 14-15 to Mary Scheible for Parcel #4588, tax year 2015 in the amount of \$142.77. Brad Basse seconded the motion. Motion carried.
4. Rebate #15-15 – Parcel #4937 for tax year 2015 (District 152) – BUSHUR, Larinda, dba Rins Closet – Personal Property – Bushur was not in business on 1/1/2015 and had asked us to delete this property for 2015, resulting in overassessment of \$157 for tax year 2015. This necessitates a rebate in the amount of \$10.83. Tom Ryan moved to approve Rebate 15-15 to Larinda Bushur, dba Rin's Closet for Parcel #4937, tax year 2015 in the amount of \$10.83. Brad Basse seconded the motion. Motion carried.
5. Rebate #16-15 – Parcel #601 for tax year 2015 (District 100) – MERIT ENERGY COMPANY – Oil and Gas Production Equipment on the Step Scale Lease at Hamilton Dome – There was a data entry error on pumping unit value for three pumping units, which resulted in overassessment of \$6,279. This necessitates a rebate in the amount of \$401.88. Tom Ryan moved to approve Rebate 16-15 to Merit Energy Company for Parcel #601, tax year 2015 in the amount of \$401.88. Brad Basse seconded the motion. Motion carried.
6. Rebate #17-15 – Parcel #3052 for tax year 2015 (District 100) – ROCKY MOUNTAIN PIPELINE SYSTEM LLC – R0002868, 1.715 Acres of land and O0002868, Oil and Gas Personal Property and Tanks – The value for this property is included in the 2015 Rocky Mountain Pipeline State Assessment, #935, C200150100, which results in overassessment of \$16,002 on Account O0002868 and \$149 on Account R0002868. This necessitates a rebate on local account #3052 of \$1,033.73. Tom Ryan moved to approve Rebate 17-15 to Rocky Mountain Pipeline for Parcel #3052, tax year 2015 in the amount of \$1,033.73. Brad Basse seconded the motion. Motion carried.

#### **WASCOP Marijuana Education & Awareness Project**

The Wyoming Association of Sheriffs and Chiefs of Police has created a statewide “Marijuana Education and Awareness” project to inform the citizens of Wyoming as to the harmful personal and societal effects of marijuana. WASCOP feels that this would allow citizens to be fully educated and informed as to the harmful effects marijuana has on a person, their family, their community and their state. Tom Ryan moved to sign the Statement of Support for the WASCOP Marijuana Education Project. Brad Basse seconded the motion. Discussion: Commissioner Lumley has previously expressed his support for this project. Motion carried.

#### **TANF/CPI 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. Tom Ryan moved to approve the TANF/CPI Grant between the Wyoming Department of Family Services and Hot Springs County for the time period October 1, 2015 through September 30, 2016 in the amount of \$25,500.00. Brad Basse seconded the motion. Motion carried.

### **Other Business**

Black Mountain Road Study GDR #3 – Clerk Webber presented Black Mountain Road Study Grant Draft Request No. 3 for the Commissioners' consideration. Tom Ryan moved to approve Black Mountain Road Study Grant Draft Request No. 3 in the amount of \$4,906.00. Brad Basse seconded the motion. Motion carried.

Amendment No. 1 – STWSD Expansion Project CDBG Agreement – The purpose of the amendment is to reallocate all remaining budgets for "land acquisition" and "non-construction costs" to "Construction costs" and replace Attachment B with Attachment D. Tom Ryan moved to approve Amendment Number One to the Grant Agreement between the Wyoming Business Council and Hot Springs County for the STWSD Expansion Project reallocating money from land acquisition/non-construction costs to construction costs. Brad Basse seconded the motion. Motion carried.

### **Airport Update**

FAA AIP-04-HSC-04-RFR-16/WYDOT-Aeronautics Division THP-11E RFR #16 – Jeremy Gilb presented FAA AIP 04 and WYDOT-Aeronautics Division THP-11E RFR #16 for the Commissioners' approval. Mr. Gilb stated that he is waiting for a response from the contractor regarding a problem with the seeding portion of the project. He suggested approving the RFR, but holding the funds until a satisfactory response to the issue is received from the contractor. Tom Ryan moved approval of FAA Project 3-56-0043-04 RFR #16-HSC-04-RFR-16 in the amount of \$345,461.69. John Lumley seconded the motion. Motion carried. John Lumley moved approval of WYDOT-Aeronautics Division Project THP-11E RFR #16 in the amount of \$30,707.71. Tom Ryan seconded the motion. Motion carried.

FAA AIP-05-HSC-05-RFR-#5 / WYDOT-Aeronautics Division ATHP-11F RFR #5 – Mr. Gilb presented FAA AIP-05 and WYDOT-Aeronautics Division ATHP 11F RFR #5 for the Commissioners' approval. John Lumley moved approval of FAA Project 3-56-0043-05 RFR #3-HSC-05-RFR-5 in the amount of \$168,077.19. Tom Ryan seconded the motion. Motion carried. Tom Ryan moved approval of WYDOT-Aeronautics Division Project ATHP-11F RFR #5 in the amount of \$14,940.19. John Lumley seconded the motion. Motion carried.

WYDOT-Aeronautics Division THP-12A Request for Reimbursement #8 – Mr. Gilb presented WYDOT-Aeronautics Division THP-12A RFR #8 for the Commissioners' approval. Tom Ryan moved approval of WYDOT-Aeronautics Division THP-12A RFR #8 in the amount of \$157,254.35. John Lumley seconded the motion. Discussion: Chairman Basse abstained from the vote due to his status as a subcontractor on the project. Motion carried.

WYDOT-Aeronautics Division ATHP-17A Request for Reimbursement #2 - Mr. Gilb presented WYDOT-Aeronautics Division ATHP-17A RFR #2 for the Commissioners' approval. John Lumley moved approval of WYDOT-Aeronautics Division Project ATHP-17A RFR #2 in the amount of \$107,776.59. Tom Ryan seconded the motion. Motion carried.

FAA AIP-05-HSC-05-RFR-06 / WYDOT-Aeronautics Division ATHP-11F RFR #6 – Mr. Gilb presented FAA AIP-05 and WYDOT-Aeronautics Division ATHP 11F RFR #6 for the Commissioners' approval. Tom Ryan moved approval of FAA Project 3-56-0043-05-2015 RFR #6-HSC-05-RFR-6 in the amount of \$1,154.70. John Lumley seconded the motion. Motion carried. John Lumley moved approval of WYDOT-Aeronautics Division Project ATHP-11F RFR #6 in the amount of \$102.64. Tom Ryan seconded the motion. Motion carried.

Phase III & IV – Seeding Issue – Mr. Gilb reported that the mulch used during the seeding portion of the project apparently did not meet the "seed-free" specification, as volunteer barley comprises most of what has come up in the seeded areas. This is a problem due to the attractiveness of the barley to birds and other wildlife. Consulting with the local extension agent and Weed & Pest suggests that the grass seed is currently dormant and the solution to the problem would be to combine the barley to eliminate as much of the barley seed as possible and wait for the grass seed to germinate, reseeding the grass if necessary in the spring. Mr. Gilb has prepared a letter to the contractor making this request. The Commissioners agreed with this course of action.

#### Phase V Update

- a. High Plains Power Agreement for Road Closed Gate – Mr. Gilb presented the agreement with High Plains Power for the Road Closed Gate for the Commissioners' consideration. Tom Ryan moved to sign the agreement with High Plains Power for service to the Road Closed Gate in the amount of \$1,283.00. John Lumley seconded the motion. Motion carried.
- b. Milestone Date Change – Mr. Gilb recommended changing the milestone date for completion of the runway lighting and connector lighting from October 2<sup>nd</sup> to October 16<sup>th</sup> to tie in with the completion date for the SRE building. John Lumley moved to change the milestone date for Phase V to October 16, 2015, pending concurrence from the FAA and WYDOT Aeronautics. Tom Ryan seconded the motion. Motion carried.
- c. Amendment 11 – AGIS/ALP/PACS/SACS – John Lumley moved to approve Amendment 11 to the Five-Year Agreement with GDA Engineers for completion of the final airport airspace analysis, as-built survey and establishment of the Primary and Secondary Airport Control Surveys, as well as the Airport Layout Plan update, pending approval by the County Attorney. Tom Ryan seconded the motion. Motion carried.

Fuel Tank Procurement – The pre-bid meeting was held last week. In response to contractor requests, the due date for the bids has been changed to September 10<sup>th</sup>, and the contract days have been changed from 100 days to 120 days due to concerns about lead time for the tank suppliers. The loan paperwork is in place. It was noted that the funds will be treated as a line of credit until the exact dollar amount required is known, at which time it will become a lease/loan.

Seal Coat & Mark Project – The initial work has been completed on this project. The contractor will return in 30 days to lay down the second coat.

Under Drain Project – Approve Scope and Schedule – Mr. Gilb reported that the FAA and WYDOT Aeronautics have already approved the Scope of Work as presented. Tom Ryan moved to accept the Project Scope of Work for the Under Drain project contingent upon completion of 10.0 and 11.0 regarding hours for surveying. John Lumley seconded the motion. Motion carried. Mr. Gilb noted a few changes to the schedule for the project. The Notice to Proceed has been changed to November 9<sup>th</sup> to avoid any potential conflict with the grand opening of the airport. The 90% Review Meeting was moved from September 4<sup>th</sup> to September 10<sup>th</sup>.

#### SRE Building Update –

a. SLIB Certification Form – Clerk Webber presented a form from the State Lands and Investments Board for the Commissioners' approval and signature. This form covers several certifications required by the SLIB for the various Consensus projects, including the SRE Terminal Building. Tom Ryan moved to authorize the Chairman's signature on the SLIB Certification Form. John Lumley seconded the motion. Motion carried.

b. HPP Service Agreement – Mr. Gilb presented the Agreement between High Plains Power and Hot Springs County for electric service to the SRE Terminal Building for the Commissioners' consideration. John Lumley moved to approve the Agreement with High Plains Power for service to the SRE Terminal Building with a minimum monthly charge of \$20.00. Tom Ryan seconded the motion. Motion carried.

c. Propane Tank – The 1000 gallon propane tank for the SRE building is available for purchase in the amount of \$2,200.00, or lease at the rate of \$110.00 per year. The purchase would be a grant eligible expense. Tom Ryan moved to enter an agreement with Tumbleweed Propane to lease the tank for \$110.00/year. John Lumley seconded the motion. Motion carried.

d. TCT West – Mr. Gilb presented paperwork for installation of service in the SRE building for the Commissioners' review. No action is required at this time.

#### SRE Terminal Building Miscellaneous

a. Dustin Spomer reviewed several things that will be coming together between now and the end of the airport project. With only two meetings left, GDA requested authorization to make decisions on these items after notification of the Commissioners but outside of a regular meeting. The Commissioners found this to be acceptable.

b. Landscaping – GDA will bring options and pricing to the next Commissioners meeting.

c. Network Cabling – This was not included in the original scope of work for the SRE Terminal Building, but the Commissioners agreed that it would be more cost effective to put it in now rather than after the building was finished. A change order will be presented at a future meeting.

d. SRE Terminal Building Furniture/Equipment – GDA will determine what will be grant-eligible and what will not be and report back at the next meeting.

Grand Opening Update – Save the Date notices have been mailed out for November 7<sup>th</sup>.

- a. Set Time – Staff will contact Governor Mead’s office as well as the Congressional delegation’s offices to determine when they are most available and work with GDA staff to set the most workable time.
- b. Invite Letter – a Draft letter was presented for review and comment.
- c. Tables/Chairs – Staff will contact the Fair Board to reserve tables and chairs for November 7<sup>th</sup>.
- d. Sound System – Staff will look into options for a portable sound system.
- e. Grounds Preparation – Commissioner Ryan will talk to Road and Bridge about this.

Hangar Development

a. Lot Lease Discussion – Under the current plan, all lot sizes are the same. Mr. Spomer will develop a layout plan to make the most efficient use of space by the small and large T-Hangars and submit it to the Commissioners for review and use in ground lease discussions with prospective tenants. All those currently renting T-Hangars have been notified of their option to purchase a T-Hangar and move it to the new airport. Clerk Webber will contact any current lease who has not yet expressed a desire procure a T-Hangar to determine their interest in doing so prior to September 14, 2015. Tom Ryan moved that, after September 14<sup>th</sup>, anyone renting hangar space (not a T-Hangar) at the old airport will be given the option to buy a T-Hangar and secure a ground lease at the new airport. If there is more interest than there are T-Hangars available, lots will be drawn to determine who gets first option on the T-Hangars. John Lumley seconded the motion. Motion carried.

- b. Minimum Standards & Draft Lease – To ensure that anyone interested in placing a hangar at the new airport, Mr. Spomer offered to have GDA compile all the pertinent data and appendices into a bound document and provide copies to the Clerk for distribution. The Commissioners agreed this would be very helpful.
- c. FBO – So far only one proposal has been received from a potential FBO. The deadline is September 3, 2015.
- d. FBO Notification – Per the current contract, formal notice must be given to the current FBO of termination of their contract. The County Attorney will draft a notification and will let the Commissioners know if a special meeting to sign the notification is required to meet the time requirements.

Correspondence

- Assessor** – General Information about Hot Springs County
- Museum Board Minutes** – July, 2015
- Library Board Minutes** – July, 2015
- Governor’s Office** – Haddad PD Appointment Confirmation
- Governor Mead** – Thank You
- State BOE** – Legacy Reserves Appeal Dismissal
- FAA** – AIP 3-56-0043-003-2013 Grant Agreement Amendment One
- FAA** – Concurrence/Engineering Fee Approval – AGIS & ALP Update
- Hot Springs Conservation District** – Annual Meeting Notification
- Chamber of Commerce Newsletter** – September, 2015

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

Approve Bills

The following bills were submitted for approval: (see attached). Payroll for August, 2015 - \$184,349.76

Adjournment

There being no further business to come before the Board at this time, Tom Ryan moved to adjourn. John Lumley seconded the motion. Chairman Basse declared the meeting adjourned at 4:22 p.m.

Attest:

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Brad Basse, Chairman

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Nina Webber, Clerk to the Board

**BILLS – AUGUST, 2015**