

STATE OF WYOMING)
) OFFICE OF THE BOARD OF
) COUNTY COMMISSIONERS
COUNTY OF HOT SPRINGS)
) THERMOPOLIS, WYOMING
) September 6, 2016

The Hot Springs County Board of Commissioners met in regular session on Tuesday, September 6, 2016 at 9:00 a.m. in the Commissioners Room at the Courthouse.

Present were Commissioners Brad Basse, John Lumley and Tom Ryan. Also present were County Clerk Nina Webber, County Attorney Jerry D. Williams and Administrative Assistant to the Commissioners Penny Herdt. Chairman Lumley led those present in the Pledge of Allegiance.

Approval of Agenda

Brad Basse made a motion to approve the agenda as presented. Tom Ryan seconded the motion. Discussion: Jerry Williams asked that Potential Litigation be added to the Executive Session at 3:15 p.m. Commissioner Basse amended his motion to reflect that change. Commissioner Ryan concurred with the change. Motion carried.

Approval of Minutes

Tom Ryan made a motion to approve the minutes of the August 2 and August 16, 2016 meetings as submitted. Brad Basse seconded the motion. Motion carried.

Maintenance Monthly Report

Maintenance Foreman Chuck Carver informed the Commissioners that the painting of the trim on the Extension Office building will be done in-house rather than bidding it out. The cooling tower issues have been mostly resolved. A change in chemical vendors has been beneficial. The drain issues in the Jail have been fixed. Plexiglas panels have been installed in the visitation area of the jail to encourage use of the phones and help with privacy issues. Work continues on the sump pump/drain issues at the Museum.

Road and Bridge Monthly Report

Road and Bridge Supervisor Dave Schlager reported the DEQ Pit Inspection Report has been received and there were no deficiencies noted. With the fire traffic, Road & Bridge has been working on Grass Creek Road to keep it in good shape. Work continues on the Gooseberry Road with the addition and lengthening of some culverts, reshaping and graveling. Mr. Schlager asked permission to work with Engineering Associates to finish mapping and recording the rights of way on County Road 19 to just past Red Hole Road. Funding for this will come from the County Road Fund account. The Commissioners agreed this would be a good idea. Mr. Schlager informed the Commissioners that he will start working on the buyback agreement for the blade, as that contract is up in December. He will report back on this at a later meeting.

Shoshone Forest / Grass Creek Road Grant Agreement – Brad Basse moved to ratify the chairman’s signature on the Modification of the Grant Agreement with the U.S. Forest Service for the Grass Creek Road. Tom Ryan seconded the motion. Discussion: the amount of the modified agreement is \$8,000.00. Motion carried.

East River Road Guardrail Project – WYDOT/LTAP Paperwork – Tom Ryan moved to approve the chairman’s signature on the Identification of Coordinator and Updated Application for HRRR Funding forms for the East River Road Guardrail Project, Part 2. Brad Basse seconded the motion. Motion carried.

East River Road Guardrail Project – DDR #3 – Clerk Webber presented Draw Down Request #3 for the WYDOT HRRR Project #CN15021- E. River Road Guardrail Project for the Commissioners’ consideration. Tom Ryan moved to approve DDR #3 to WYDOT for the E. River Road Guardrail project in the amount of \$89,947.06. Brad Basse seconded the motion. Motion carried.

Emergency Management Monthly Report

Emergency Management Coordinator Bill Gordon reviewed the FFY 2016 Emergency Management Preparedness Grant, which provides \$23,475.00 in annual funding for his department. Tom Ryan moved to approve the chairman’s signature on the FFY 2016 Emergency Preparedness Grant in the amount of \$23,475.00 for the time period of October 1, 2015 – March 31, 2017. Brad Basse seconded the motion. Motion carried. Mr. Gordon noted that the due dates for his annual County THIRA/CPR and Regional THIRA/CPR reports have been pushed back to September 30, 2016 and October 31, 2016, respectively. Mr. Gordon presented the Memorandum of Understanding with HSC Fire District #1 regarding the use of

the Fire Hall as an Alternate Emergency Operations Center for the County Offices and installation and housing of computer equipment at the Fire Hall to provide off-site data backup. The County Attorney has reviewed the MOU and asked that section **7-E. Prior Approval** be revised to strike the phrase *and unless this MOU is approved as to form by the Attorney General or his representative*. Tom Ryan moved to approve the MOU between Hot Springs County and HSC Fire District #1, with the requested revision to section **7-E. Prior Approval** initialed by the signors of the MOU. Brad Basse seconded the motion. Motion carried. Mr. Gordon noted that installation of the computer equipment at the fire hall has begun. A committee consisting of all department heads will work to develop plans for operating out of the fire hall in an emergency situation.

Youth Alternatives Monthly Report

Youth Alternatives Director Barb Rice reported that she has only two participants in the program at this time due to several successful completions last month. The At-Risk Team will resume their monthly meetings this month. The next Alive at 25 Class will be held on Friday, September 9th. Ms. Rice indicated that she has not yet received the grant application form from VOA, but is scheduled for a phone meeting later this week to discuss the situation with Craig Fisgus of the VOA.

FBO Monthly Operations Report

Owl Creek Aviation representative Nate Messenger reported 422 total recorded operations at the airport in August, primarily reflecting the fire support provided for the fire near Meeteetse. There were three air ambulance flights and nine aircraft overnighted at the airport. Several aircraft were here for over two weeks. The interagency Fire Management Team is paying the County \$200/day for use of the airport for thirteen days. Mr. Messenger reported that the Fly-In was a success with approximately sixteen aircraft flying in and roughly eighteen AOPA First Flights provided by Rick Kirby out of Kimball, Nebraska. Mr. Messenger noted that there was strong support from several local merchants in the form of door prizes. The motor for the Jet A pump broke and was taken to Billings for repair. The avgas meter is still down. Mr. Messenger will work with Jerry Williams to draft a letter to Mountain West regarding the unacceptability of this situation, as the meter has been replaced repeatedly since it was installed and is still not working. The Commissioners asked Mr. Messenger to continue in his efforts to sell the fuel tank from the old airport.

Planner Monthly Report

Planner Bo Bowman reported that the NRPC will meet on September 14th. Larry Bentley will be speaking on the current sage grouse situation. The Planning Board will meet on September 21st. This meeting will be primarily a work session on the revision of the Land Use Plan. No septic activity in August. Mr. Bowman noted he is working with Dave Schlager to renew some rights of way agreements on Grass Creek Road. Those will be presented for approval at the meeting on September 20th.

Guardian Flight Program

Guardian Flight representative Matt Carroll appeared before the Commissioners to discuss the air ambulance program offered by his company. The company who previously provided air ambulance coverage for Hot Springs County residents discontinued that coverage effective August 1st. The annual cost of coverage for employees and their families with insurance is \$30.00. For those not covered by insurance, the annual rate is \$60.00. Brad Basse moved to authorize voluntary participation in the Guardian Flight program by any Hot Springs County employee who wished to do so. Tom Ryan seconded the motion. Discussion: information will be sent out in employee paychecks and will be available at the Clerk's office. Motion carried.

Public Hearing – Fantaskey Subdivision / Land Use Change

Chairman John Lumley declared the Public Hearing on the Fantaskey Subdivision/Land Use Change Request open at 11:00 a.m. Present were applicant Matt Fantaskey, surveyor Chris Nelson, and local citizens Marlene and Melissa McKinstry. Planner Bo Bowman reviewed the action on this request to this point. The Land Use Planning Board has reviewed the application and forwarded it to the Commissioners with a do-pass recommendation, contingent upon the five conditions of approval noted in the staff report. The Town of Kirby will have a signature block on the final plat of the subdivision. The County Attorney noted that there should be a notation on the plat stating that connection to the Kirby water system by both proposed lots is required. Also, Mr. Williams stated that there should be separate documents outlining the road easements involved. Melissa McKinstry objected to any relocation of one of the easements in question as it provides the only way in and out of her property. Discussion ensued regarding the

designation of the road and specific easements. After three calls for further comment, hearing none, Chairman Lumley declared the public hearing closed at 11:24 a.m. After discussion by the Commissioners regarding the road situation, the Chairman tabled action on the application to the September 20th meeting so that questions regarding legal access to the property could be resolved.

STWSD Petition for Enlargement – Baird

STWSD representative Neil Miller outlined a request from Jack and Ellen Baird to include a portion of their property into the South Thermopolis Water & Sewer District. Tom Ryan moved to approve Resolution 2016-14 as follows:

**RESOLUTION & ORDER 2016-14
OF THE HOT SPRINGS COUNTY BOARD OF COUNTY COMMISSIONERS INCLUDING
THE PETITIONING LANDOWNER INTO SOUTH THERMOPOLIS WATER & SEWER
DISTRICT WITHOUT ELECTION
OF ADDITIONAL BOARD MEMBERS**

THIS MATTER of the Inclusion of an additional landowner in the South Thermopolis Water & Sewer District has come before the Hot Springs County Board of County Commissioners (herein call “the Board”), pursuant to STWSD Resolution 08-11-2016, entitled A RESOLUTION AUTHORIZING ACCEPTANCE OF A PETITION FROM JACK AND ELLEN BAIRD TO BE ANNEXED INTO THE SOUTH THERMOPOLIS WATER & SEWER DISTRICT. The Board finds that the Petition is properly signed by the all the voters within the area to be included and filed with the County Clerk and that an order should be entered approving the Petition; therefore;

IT IS HEREBY ORDERED by the duly elected, qualified and acting Hot Springs Board of County Commissioners, by and through its Chairman, that the Resolution for Inclusion of Petitioning Landowners within South Thermopolis Water & Sewer District is hereby APPROVED and Jack T. and Ellen C. Baird and their associated real property as described in their application is included within the South Thermopolis Water & Sewer District.

IT IS FURTHER HEREBY ORDERED AND HELD that an election need not be held for an additional director as none is required in accordance with Wyoming Statutes.

IT IS FURTHER HEREBY ORDERED AND HELD to amend the district map to include the real property of Jack T. and Ellen C. Baird as described in their Petition for Enlargement.

DATED this 6th day of September, 2016.

BOARD OF COUNTY COMMISSIONERS OF HOT SPRINGS COUNTY, WYOMING

ATTEST:

John P. Lumley, Chairman

Nina Webber, County Clerk

Brad Basse seconded the motion. Motion carried.

Door Closer Request – Library

Library Director Tracey Kinnaman appeared before the Commissioners to request a hydraulic door closer for the Storytime room in the library. Ms. Kinnaman stated that she had contacted the Maintenance Foreman twice about this with no response. Commissioner Ryan will discuss the matter with Mr. Carver to attempt to get this matter resolved.

Airport Update

FAA AIP-04-RFR-#27/ WYDOT-Aeronautics Division ATHP-11E RFR #27 – GDA Representative Jeremy Gilb presented FAA AIP-04 and WYDOT-Aeronautics Division ATHP 11E RFR #27 for the Commissioners’ approval. Mr. Gilb noted that this is the final drawdown request for these grants. Tom Ryan moved approval of FAA Project 3-56-0043-04-2015 RFR #27 in the amount of \$8,085.39. Brad Basse seconded the motion. Motion carried. Brad Basse moved approval of WYDOT-Aeronautics Division Project ATHP-11E RFR #27 in the amount of \$718.32. Tom Ryan seconded the motion. Motion carried.

Underdrain – Mr. Gilb reported that the final closeout report has been issued for the Underdrain project.

SRE Building Drainage Project – Now that the SLIB funds have been reallocated to this project, Commissioner Ryan will ask the Road & Bridge department to work with GDA to complete the project.

Miscellaneous Items – Mr. Gilb noted that an updated task list has been sent to the Commissioners. The County has received the okay from the FAA to sell the job trailer. As the trailer was purchased with AIP funds, 90% of the sales price will be deducted from the next AIP grant. Mr. Gilb was authorized to proceed with the sealed bid process to sell the trailer. The bid documents will specify that a

licensed electrician must disconnect the electrical service from the trailer before it is removed from the property. The airport approaches are scheduled for publication on March 2, 2017. Mr. Gilb is confident that publication will not be postponed past this date, but is not optimistic about the possibility of getting the publication date moved forward at this time.

T-Hangars – No progress has been made on this item at this time. Mr. Gilb will continue to press the architect and the State Fire Marshall's office for a speedy resolution.

Tax Rebate

Deputy County Assessor Judy Carswell presented the following tax rebate for the Commissioners' consideration:

1. Rebate #1-16 – Parcel #317 for tax year 2016 (District 101) – JESSICA BANSEMER & 135 HWY 20 S LAND TRUST – Land and Improvement located at 135 Highway 20 South. Taxpayer requested a review of their 2016 value and it was determined that several data points affecting value needed to be changed, but because of the timeframe in the Assessment Cycle, the change in value needed to be handled by a rebate/supplemental. Field review resulted in change in value of -\$55,524. This necessitates a rebate of taxes in the amount of **\$383.10**.

Brad Basse moved approval of Rebate #1-16 to Jessica Bansemer and the 135 Hwy 20 S Land Trust for 2016 taxes on Parcel #317 in the amount of \$383.10. Tom Ryan seconded the motion. Motion carried.

Other Business

Approve Advertising for BHB Nature & Discovery Center Joint Powers Board Opening – Tom Ryan moved to authorize the Clerk to begin advertising immediately for the upcoming opening on the BHBND Board, with applications due Friday, September 30th, and appointments to be made at the October 4, 2016 Commissioner meeting. Brad Basse seconded the motion. Motion carried.

Duncan #1 Well Permit Application – Admin Herdt noted that, at the request of the State Engineer's Office, email notification of the approval/disapproval of the well permit applications will occur immediately following the meeting at which the permit application is addressed. Previously, notification of the SEO's office only occurred if the Commissioners wished to object to the granting of the permit by the State Office. This procedure should streamline the application process at the State Level and allow action by the SEO in a more timely fashion. Tom Ryan moved to approve the application by Jennifer and David Duncan for a well to be known as Duncan #1 located on their property at 288 Coventry Circle in Hot Springs County. Brad Basse seconded the motion. Discussion: the County's geological consultant has reviewed the application and recommends approval. Motion carried.

Fairgrounds Multi-Purpose Building Upgrade SLIB Grant Agreement – Brad Basse moved to approve the SLIB Grant Agreement for the Fairgrounds Multi-purpose Building in the amount of \$25,550.00. Tom Ryan seconded the motion. Motion carried.

JLEC Communications Center Upgrade SLIB Grant Agreement – Tom Ryan moved to approve the SLIB Grant Agreement for the JLEC Communications Center Upgrade in the amount of \$13,000.00. Commissioner Basse recused himself from voting due to his status as a sub-contractor on this project. John Lumley seconded the motion. Motion carried.

LGLP At-Large Member Nomination – Tom Ryan moved to nominate Brad Basse as the At-Large member of the LGLP Board. John Lumley seconded the motion. Motion carried. Staff will notify Mark Pring at LGLP via email of the action today, with formal application and resume to follow.

Correspondence

Wyoming Business Council – Owl Creek Water District Expansion Project Non-Compliance Notification – Commissioner Basse will draft a letter to Engineering Associates asking for a report on OCWD's response to this notification.

Museum Board Minutes – June and July, 2016

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

Executive Session – Potential Litigation / Personnel

Tom Ryan moved to enter Executive Session for reasons of personnel and potential litigation at 1:50 p.m. Brad Basse seconded the motion. Motion carried. Brad Basse moved to exit the Executive Session.

Approve Bills

The following bills were submitted for approval: (see attached). Payroll for September, 2016 - \$168,811.68.

Adjournment

There being no further business to come before the Board at this time, Tom Ryan moved to adjourn. Chairman Lumley declared the meeting adjourned at 3:40 p.m.

Attest:

John P. Lumley, Chairman

Nina Webber, Clerk to the Board

BILLS – AUGUST, 2016

MATTHEW BENDER & CO.,INC. 336.78 / KONE INC. 443.34 / VIOLA N. RYAN 149.83 / CAROL J. DOCKERY 159.82 / NORTHERN WYOMING DAILY NEWS 148.68 / HANSON'S FIRE EQUIPMENT 89.96 / BOB BARKER COMPANY, INC. 168.62 / HOT SPRINGS COUNTY LIBRARY 16,000.00 / AFLAC (ACCOUNT #HW652) 727.20 / ENTERPRISES TECHNOLOGY SERVICES 13.91 / ALEXA A. HANSON 156.00 / ALICE J. BUNCH 160.43 / ALLEGIANCE BENEFIT PLAN MANGT, INC. 45,727.93 / SPOK, INC. 8,352.68 / ANITA WEISBECK 32.20 / BARBARA J. BENT 156.92 / BARBARA A. MOELLER 156.00 / BARTON STAM 185.76 / BIG HORN WATER 106.50 / LONG BUILDING TECHNOLOGIES, INC. 1,697.63 / BIG HORN FEDERAL SAVINGS BANK 35,915.65 / BETTY JEAN MARTINEZ 180.95 / BLACK BEAR CAFE 42.54 / BLAIR'S SUPER MARKET 116.40 / BROWN COMPANY - RIVERTON 161.48 / AMERITAS LIFE INSURANCE CORP, 397.0 / CAROL M. SLAGLE 160.86 / CAROL A. WIDMAN 146.50 / CHADWICK C. BALDES 111.49 / CHRISTOPHER J. KING, P.C. 31.25 / RED ROCK FAMILY PRACTICE, PC 116.00 / THERMOPOLIS HARDWARE 539.08 / COLONIAL SUPPLEMENTAL INS. 34.70 / VERIZON WIRELESS 56.51 / VERIZON WIRELESS 49.53 / VERIZON WIRELESS 56.52 / VERIZON WIRELESS 158.50 / VERIZON WIRELESS 48.46 / CR LOCKSMITH 35.00 / DEBRA A. GERHARTER 18.49 / DIVISION OF MOTOR VEHICLES 2.00 / DORIS ANN READY 145.00 / ELLEN M. GALYAN 151.25 / ENGINEERING ASSOCIATES 2,100.00 / ELECTION SYSTEMS & SOFTWARE 1,293.84 / FLEETPRIDE 573.42 / PINNACLE BANK OF THERMOPOLIS 42,545.97 / GARY W BOOTHE 23.75 / GDA ENGINEERS 8,736.82 / GENEVA J. BAIRD 149.83 / GOTTSCHKE THERAPY REHAB WELLNESS 250.00 / HARRINGTON LAW FIRM 6.86 / HIGH PLAINS POWER 437.18 / BHB NATURE & DISCOVERY CENTER JPB 500.00 / HOT SPRINGS CO. LIBRARY FOUNDATION 5,000.00 / HOT SPRINGS COUNTY HEALTH INS ACCT 58,432.01 / HOT SPRINGS CO. SCHOOL DIST #1 3,547.20 / THERMOPOLIS INDEPENDENT RECORD 2,561.40 / INDOFF INC. 998.22 / INTERSTATE ALL BATTERY CENTER 69.48 / JADECO, INC. 149.10 / JENNIFER M. CRAMER 214.92 / JERRY D. WILLIAMS 488.10 / JILL LOGAN 75.00 / JOHN P. LUMLEY 206.82 / JOANN M. MYERS 145.00 / JUDY M. CRAMER 155.57 / KARL W. LOOS 100.00 / KAREN SLOCUM 98.39 / KENNETH JIM JEUNEHOMME 85.32 / KIM E. BRESLIN 1.50 / MARY KING 149.83 / K'S CONSTRUCTION, INC. 99,400.00 / LACAL EQUIPMENT, INC. 261.40 / LYNN S. ALLEN 170.17 / MARCIA E. BEAN 424.98 / MARY M. NATION 151.06 / MARY K. RYAN 149.83 / MAXINE K TOEPKE-REESE 154.73 / MARIE MCDUGALL 67.17 / MESSENGER & OVERFIELD 1,352.00 / ML BOWMAN, INC. 52.14 / MOORE MEDICAL, LLC 48.80 / MORTIMORE AMBULANCE SERVICE 850.00 / NANCY BARTON 23.75 / NEOPOST NORTHWEST 183.98 / NICHOLE M. SLAGLE 1.50 / NIELSEN OIL CO., INC. 573.70 / O'REILLY AUTO PARTS 70.69 / O'REILLY AUTO PARTS 198.06 / THE OFFICE SHOP, INC 94.29 / OWL CREEK AVIATION, LLC 9,129.66 / OWL LUMBER INC. 131.92 / ROCKY MOUNTAIN POWER 4,769.02 / PERFORMANCE AUTO & GLASS 17.09 / PERFORMANCE AUTO & GLASS 53.98 / PINNACLE BANK OF THERMOPOLIS 3,706.00 / PINNACLE BANK OF THERMOPOLIS 3,706.00 / POCKET PRESS, INC. 69.43 / POSTMASTER 224.40 / PYROTECHS 150.00 / CENTURY LINK 1,318.76 / RANDOLPH REFRIGERATION, INC 455.00 / RAY BAIRD 45.00 / REESE & RAY'S IGA 89.78 / GORRELL & HOPKINSON, P.C. 540.42 / RIVERTON TIRE & OIL CO., INC. 61.91 / TRUE NORTH STEEL 635.43 / RT COMMUNICATIONS, INC. 3,308.57 / THE SAFARILAND GROUP 45.76 / SCOTT SORENSEN 183.94 / SHOSHONE OFFICE SUPPLY 502.98 / SHOPKO STORES OPERATING CO., LLC 29.64 / SOCIETY FOR RANGE MANAGEMENT 145.00 / STAPLES ADVANTAGE 353.21 / THE STANDARD INS. CO. 1,423.63 / STAR PLUNGE 138.00 / SYBIL M. HANNAH 146.50 /

SYSCO MONTANA, INC. 3,698.74 / TEAM LABORATORY CHEMICAL CORP. 352.50 / TEPEE POOLS 96.00 /
THE SAWDUST FACTORY 88.00 / TOWN OF THERMOPOLIS 1,675.50 / TRAVELING COMPUTERS, INC. 4,214.98 /
TRACTOR GUYS, INC. 86.82 / TRAVIS C MOORE 100.00 / TRI COUNTY TELEPHONE ASSOC, INC 614.12
NORCO, INC. 692.09 / VERIZON WIRELESS 43.00 / VERIZON WIRELESS 33.91 / VICKLUND PHARMACY 144.59 /
PINNACLE BANK (VISA CARD ONE) 280.00 / PINNACLE BANK (VISA-CARD TWO) 721.92 /
PINNACLE BANK (VISA CARD THREE) 16.60 / PINNACLE BANK (VISA CARD FIVE) 77.13 /
PINNACLE BANK (VISA CARD SIX) 124.99 / PINNACLE BANK (VISA CARD EIGHT) 334.35
PINNACLE BANK (VISA CARD 2-SHERIFF) 266.36 / PINNACLE BANK (VISA CARD 4-SHERIFF) 117.98 /
THOMSON REUTERS - WEST 140.28 / WILLIAM F. GORDON 163.67 / WORLAND FORD-CHRYSLER, INC. 1,111.64
WYOMING DEPT. OF WORKFORCE SERVICES 4,576.69 / WYOMING DEPARTMENT OF ENVIROMENTAL 870.00 /
WYOMING.COM 20.00 / GREAT-WEST TRUST COMPANY, LLC 7,225.00 /
WYOMING MACHINERY COMPANY 651.36 / WYOMING GAS 579.52 / WYONET INC. 36.00 /
WYO RETIREMENT SYSTEM 26,795.18 / 036-NCPERS GROUP LIFE INS. 336.00 /
WYOMING DIVISION OF VICTIM SERVICES 150.00 / WYOMING WASTE SERVICES - RIVER 100.00