

STATE OF WYOMING )  
 )  
COUNTY OF HOT SPRINGS )  
OFFICE OF THE BOARD OF  
COUNTY COMMISSIONERS  
THERMOPOLIS, WYOMING  
May 15, 2018

The Hot Springs Board of County Commissioners met in regular session on Tuesday, May 15, 2018, at 3:00 p.m. in the Public Meeting Room at the Government Annex. Present were Commissioners Tom Ryan, Phillip Scheel, and John Lumley. Also present was County Clerk Nina Webber and Administrative Assistant to the Commissioners Penny Herdt. Chairman Ryan led those present in the Pledge of Allegiance.

### **Approval of Agenda**

John Lumley moved to approve the agenda with the following changes:

**ADD: Commissioners** 6. WCCA Items – Workers Compensation Support, Budget, Prevention  
Program funding  
**Executive Session** Real Estate

Phillip Scheel seconded the motion. Motion carried

### **Public Defender Expense Discussion**

Clerk Webber reviewed the results of her research into available office space in Hot Springs County for the public defender shared with Washakie County. The Commissioners then joined the Washakie County Commissioners in a conference call for a continuing discussion regarding office space for the shared Public Defenders and their staff. No decisions were made. The Commissioners contacted the State Public Defender, Diane Lozano, and were told that there was no specific requirement for the office space to be in Washakie County. Investigation will continue into the possibility of providing office space in both counties, to alleviate the problem of clients having to travel from one county to the other. It was noted that a plan will need to be in place by July 1<sup>st</sup>.

### **E-911 Financing**

Clerk Webber presented financing proposals from Motorola, Big Horn Federal, Central Bank & Trust and Pinnacle Bank for the updating of the County's E-911 system. After reviewing the proposals, Phillip Scheel moved to accept the proposal from Big Horn Federal for a Tax Exempt Capitalized Lease Purchase Agreement to provide funds in the amount of \$240,000.00 at a fixed rate of interest of 2.89%, with the first lease payment due on or before June 30, 2019. Maturity date to be June 30, 2025. John Lumley seconded the motion. Discussion: Clerk Webber will ask Big Horn Federal to remove the \$15.00 UCC filing fee from the agreement before the agreement is signed. Motion carried.

### **Gmail Training**

TCI representative Dean Peranteaux will provide a training for the Commissioners, the Clerk and Admin Herdt on the Gmail System recently installed on their computer systems at 9:00 a.m., Monday, May 21<sup>st</sup>.

### **2018 Annual Fire Protection & Operating Plan Agreement**

HSC Fire Warden Dion Robbins presented the 2016 Annual Fire Protection & Operating Plan Agreement, Amended for 2018, for the Commissioners' review. The amended plan has not yet been reviewed by the County Attorney as he is out of the office until May 21<sup>st</sup>. Phillip Scheel moved to approve the Chairman's signature on the amended Annual Fire Protection & Operating Plan Agreement contingent upon the County Attorney's review and approval. John Lumley seconded the motion. Discussion: the Clerk will provide the Amended Agreement to the County Attorney for review. Upon the County Attorney's approval, the agreement will be signed and returned to Mr. Robbins.

### **Multi-Purpose Building Roof Update**

Thane Magelky joined the meeting via phone to discuss the current status of the MP Building Roof repair project. A final draft contract has been submitted to Atlas Roofing for approval and signature. This contract includes a scope of work to repair the roof, a request for a 10 year installer's warranty on the material and exhibits including an Engineer's List of Deficiencies to be addressed. The contract calls for the repairs to be done by the end of June and does not include an insulation package. Wade Lippincott with Atlas Roofing is to return the completed contract to Mr. Magelky by May 16<sup>th</sup>. Mr. Magelky reviewed the insulation package

options and pricing. Phillip Scheel moved to authorize Mr. Magelky to proceed with bid document preparation for the spray foam insulation package to be installed after completion of the roof repairs by Atlas Roofing and move forward with the project, contingent upon the topside repair contract, including warranty, being completed. John Lumley seconded the motion. Motion carried

### **Fairgrounds Mowing Request**

Arnold Pennoyer and Tom Christensen asked if the Courthouse & Grounds maintenance crew could mow the grass at the fairgrounds as that is where they dispose of the clippings from the other lawns. The Commissioners authorized Mr. Christensen to make this request of Maintenance Foreman Anthony Fruciano.

### **Cattle Guard Installation – Ken Carswell**

Road & Bridge Supervisor Dave Schlager submitted an Installation Plan and Cost Estimate for the cattle guard as requested by Ken Carswell. Phillip Scheel moved to authorize the installation of a cattle guard for Ken Carswell by Road & Bridge for a charge of \$5,260.00. John Lumley seconded the motion. Motion carried.

### **WCCA Items**

Chairman Ryan reported on items from the WCCA Board meeting he attended last week in Cheyenne.

Resolution 2018-15 – Workers Compensation Support – John Lumley moved to approve Resolution 2018-5 as follows:

**RESOLUTION NUMBER 2018-15  
HOT SPRINGS COUNTY, WYOMING  
WORKERS COMPENSATION**

**COUNTY EMPLOYER GROUP PRELIMINARY APPROVAL**

**WHEREAS**, Wyoming Statute 27-14-101 establishes a mandatory workers compensation system for all eligible employees, including county employees; and

**WHEREAS**, Wyoming Statute 27-14-109 authorizes counties to “establish a collective system to report payroll, pay premiums, process injury reports, manage claims and provide other services” for purposes of county employee workers compensation; and

**WHEREAS**, Wyoming Statute 18-3-522 authorizes counties to “cooperate with associations and organizations of other counties or county officials within or without this state for the furtherance of good government and the protection of county interests;” and

**WHEREAS**, Counties in Wyoming collectively employ thousands of Wyoming residents who, in their respective departments engage in substantially similar work; and

**WHEREAS**, Counties in Wyoming collectively pay over \$4 million dollars annually in workers compensation premiums; and

**WHEREAS**, Hot Springs County desires to develop a collective system of employees for purposes of reducing premium costs and improving worker safety

**NOW, THEREFORE, BE IT RESOLVED THAT** the Hot Springs County Commissioners do adopt the following preliminary approval of a collective workers compensation work plan developed by the Wyoming County Commissioners Association in consultation with county and state representatives, and directs the Wyoming County Commissioners Association and appropriate county staff to further develop a work plan that establishes the following:

- A governing board or guidelines for the appointment of a governing board
- Staffing requirements and estimates of costs for staffing
- Premium rate estimates and proposed targets for premium rebates
- Proposal for base-line safety program to establish minimum discounts
- Proposal for interaction between the counties, the collective group, and the state to manage claims
- Proposal for the formal adoption of a collective account that includes a process for decision-making on entry and exit, failure of individual counties to create/sustain safety programs, and other future decision making.

**BE FURTHER RESOLVED** that adoption of this preliminary approval does not obligate the Hot Springs County Commissioners to approve a final work plan, or to join the collective account.

**APPROVED, PASSED AND ADOPTED THIS 15<sup>TH</sup> DAY OF MAY, 2018 by the Hot Springs County Board of Commissioners.**

**Thomas J. Ryan, Chairman**

**ATTEST:  
Nina Webber, County Clerk**

Phillip Scheel seconded the motion. Motion carried

WCCA Budget –The annual membership fee for the Counties will remain the same at \$375,000.00. Hot Springs County’s share remains the same at \$7,755.00. The Executive Director’s salary was increased to \$115,000.00.

Prevention Programs Funding – The \$8M in Prevention Programs funding provided by the legislature this year is for the biennium, not per year. Hot Springs County’s share of this funding is currently set at \$192,985.00, less an administrative fee of \$32,500, leaving the county with \$80,242.50 annually for Prevention Programs. The amount of the administrative fee is still under discussion, as it is the same for all counties, regardless of the amount of funding the county receives. This is perceived as unfair by the counties receiving much lower funding such as Hot Springs County. Administrative control of the funding is also still being worked out, as the WCCA has requested that the State Health Department turn control over to the WCCA as of January 1, 2019.

**Other Business**

Shoshone National Forest Law Enforcement Service Agreement – Modification #5 – The Commissioners reviewed Modification No. 5 to the Cooperative Law Enforcement Annual Operating Plan & Financial Plan between the US Forest Service and the Hot Springs County Sheriff’s Department for law enforcement services in the Shoshone National Forest for the Commissioners’ approval. Phillip Scheel moved to approve Modification No. 5 to the Cooperative Law Enforcement Annual Operating Plan & Financial Plan between the Hot Springs County Sheriff’s Department and the USDA Forest Service, Shoshone National Forest for law enforcement services in the Shoshone National Forest for an amount not to exceed \$3,500.00 (including \$1912.50 carryover from previous year plus \$1,587.50 in added funding per Modification #5) for the period May 1, 2018 –December 31, 2018. John Lumley seconded the motion. Discussion: the County Attorney has reviewed and approved this agreement. Motion carried

**Correspondence**

1. Wyo Tech Transfer Center – 2017 HSC Paved Roads Condition Report
2. WYTRANS Newsletter – May, 2018
3. Wyoming Stock Growers – Land Trust Fundraiser BBQ
4. Fairboard Minutes – April, 2018
5. Causey Public Defender Appointment
6. DEQ – Industrial Siting Rule Revision Overview
7. Museum Board Minutes – March, 2018
8. Bureau of Reclamation – Bighorn Basin Snowmelt Forecast
9. WYDOT – Thermopolis Streets Public Meeting Notification

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

**Executive Session**

John Lumley moved to enter Executive Session for reasons of Real Estate discussion. Phillip Scheel seconded the motion. Motion carried. Phillip Scheel moved to enter back into Regular Session at 5:25 p.m. John Lumley seconded the motion. Motion carried. No action was taken during or as a result of the Executive Session.

**Adjourn**

There being no further business to come before the board, Phillip Scheel moved to adjourn. Chairman Tom Ryan declared the meeting adjourned at 5:25 p.m.

ATTEST:

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Thomas J. Ryan, Chairman

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Nina Webber, Clerk to the Board