

2. Westport Oil & Gas Company, Inc. – Parcel #362307 - DOR NOVC #2009- 0102 – Oil Production at Gooseberry, Group #13511. Supplemental issued to correct gross products & severance tax reporting discrepancies for production during 2006, resulting in under assessment of 3498. Total 2007 supplemental taxes are in the amount of \$244.89.
3. Continental Operating Company - Parcel #337507 – DOR NOVC #2009-0105 – Oil production at East Warm Springs field during 2006. Supplemental issued to correct gross product & severance tax reporting discrepancies for Group #04865 at East Warm Springs for oil production during 2006, resulting in under assessment of 3792. Total 2007 supplemental taxes are in the amount of \$265.47.
4. KCS Mountain Resources Inc. - Parcel #337807 – DOR NOVC #2009-0108 – Oil production at Golden Eagle Unit during 2006. Supplemental issued to correct gross product & severance tax reporting discrepancies for Group #5852 at Golden Eagle Unit for oil production during 2006, resulting in under assessment of 8836. Total 2007 supplemental taxes are in the amount of \$618.59.
5. Basin Resources Corporation - Parcel #004496 – DOR NOVC #2009-0118 – Supplemental issued to correct gross product & severance tax reporting discrepancies for Group #5465, Wild Cat, for oil produced during 2006, resulting in under assessment of 83,654. Total 2007 supplemental taxes are in the amount of \$5,856.45.

John P. Lumley moved to approve Rebate #01-09 to Direct TV in the amount of \$6,248.01. Frank T. Manning seconded the motion. Motion carried. Frank T. Manning moved to approved Rebate #02-09 to Direct TV in the amount of \$135.28. John P. Lumley seconded the motion. Motion carried. John P. Lumley moved to approve Rebate #03-09 to Direct TV in the amount of \$1,228.06. Frank T. Manning seconded the motion. Motion carried.

Assessor Deromedi reported that all Special Districts in Hot Springs County are in compliance with the Taxing Authority reporting requirements for the State.

Youth Alternatives Draw Down Request #20

In the absence of Youth Alternatives Director Bob Wyss, Clerk Odde presented WCCA/OJJDP Non-Participating State Grant Draw Down Request #20 in the amount of \$7250.00. Clerk Odde indicated that this request is to use the remaining funds in this grant, which will expire on March 31, 2009. The requested funds will be used to reimburse the County for wages previously paid to Mr. Wyss. John P. Lumley moved to approve WCCA/OJJDP Non-Participating State Grant Draw Down Request #20 in the amount of \$7250.00. Frank T. Manning seconded the motion. Motion carried.

Appoint Museum Board Members

Janet Parrent was elected as the new Museum Board member by a vote of the Commissioners. A letter will be sent to the unsuccessful applicant, thanking her for her interest.

On a separate note, Clerk Odde notified the Commissioners that Hub Whitt has submitted his resignation from the Land Use Planning Board, so he will begin advertising for that position immediately.

Pearce Subdivision

County Planner Lee Campbell and property owner Russ Pearce appeared before the Commissioners to discuss the requirements set forth for final approval of the Pearce Subdivision at the Commissioners' last meeting on February 3, 2009. On the advice of the surveyor, the waste water return irrigation ditch located on Government Lot 5, Section 5 will not be noted on the final plat, but will be noted when any property transfer involving Govt. Lot 5, Section 5 takes place. Mr. Pearce presented a copy of his application to the State regarding abandonment of the water rights for this subdivision. Citizen Dorothy Milek had submitted a letter to the Commissioners regarding a possible old graveyard on the Pearce property. As this possible graveyard is not on land that is part of the subdivision, Planner Campbell stated that this is a private matter concerning the Pearces and possibly the local Historical Society. Ray Shaffer, Road & Bridge Dept., stated that anecdotal evidence suggests that these graves were actually

moved to a local cemetery a few years ago. Clerk Odde will contact Mrs. Milek to pass along this information. Final mylars will be presented for approval at the Commissioners' meeting on March 3, 2009.

County Planner Report

County Road 19 Legal Review – After considerable research, Planner Campbell believes that County has compiled all the information it can regarding easements, rights of way, etc. on Road 19, and Planner Campbell stated that a legal opinion is now required to finalize the issue. He has discussed with County Attorney Jerry Williams the possibility of hiring outside legal help to render this legal opinion. Attorney Williams is agreeable to this idea, and Planner Campbell would like the approval of the Commissioners to proceed. As the money for this would come out of the County Attorney's budget, the Commissioners agreed that no action was required on their part at this time, and directed Planner Campbell to work out the details with Attorney Williams.

County Road 10E – Planner Campbell indicated that progress on the legal issues regarding County Road 10E is at the same point as County Road 19, in that the research has been done and a legal opinion is now required. Commissioners directed Planner Campbell to discuss this matter with Attorney Williams, also.

Forest Service Roadless Area Review – Planner Campbell reported that Fremont County has established a procedure for dealing with the U.S. Forest Service regarding the Roadless Area Review Process. Fremont County is conducting a workshop this weekend to review the latest federal document regarding the Roadless Areas, which he plans to attend, both as a show of support for Fremont County's work in this area and to get further information on their procedure.

Cold Mix Asphalt Project Update - Consultant Harry Hughes presented the Commissioners with the final contract for the Cold Mix Asphalt Project with Mountain Construction of Lovell in the amount of \$343,230.20 for 30,600 tons of cold mix. John P. Lumley moved to approve the contract. Frank T. Manning seconded the motion. Motion carried. Mr. Hughes then presented Change Order #1 to the contract in the amount of \$53,920 for an additional 5,270 tons of cold mix. Jim Skelton requested this change order in view of the extremely favorable unit price received on the original contract. Frank T. Manning moved to approve Change Order #1 in the amount of \$53,920 for an additional 5,270 tons of cold mix. John P. Lumley seconded the motion. Motion carried. This brings the total cost of the bid portion of the project to \$397,151.20 for 35,870 tons of mix. Mr. Hughes then presented the formal Notice to Proceed for the Commissioners' signature so that work could begin on February 18, 2009.

Public Health/Government Annex Backfill Project – Mr. Hughes presented the bid documents and project manual for the Public Health/Government Annex Building Backfill Project for the Commissioners' approval. Advertising for bids has begun and the bids will be opened and awarded at the Commissioners' next regularly scheduled meeting on March 3, 2009. Frank T. Manning moved to accept the Project Manual documents. John P. Lumley seconded the motion. Motion carried.

Other Business

Inberg-Miller Proposal For Soil Compaction Survey – Clerk Odde presented a proposal from Inberg-Miller for Construction Material Testing Services on the backfill project for the Public Health/Government Annex Building. County Attorney Jerry Williams has reviewed the proposal and has no significant objections to it. This proposal will cover testing of the soils in the pit prior to backfill, the backfill material itself, and compaction tests during and after the backfill project has been complete. John P. Lumley moved to approve the Proposal for Testing Services. Frank T. Manning seconded the motion. Discussion: Services will be billed on a per/hour basis. An hourly rate schedule was included with the proposal, but due to the non-specific nature of the stated project requirements, no maximum price was quoted. Motion carried.

Koerwitz, Michel & Wright Audit Services Agreement – Clerk Odde presented the Annual Audit Services Agreement (ASA) with Koerwitz, Michel, Wright & Associates for approval. The ASA includes any grant auditing that may become necessary and the regular audit. The ASA is in its final year of the three-year fee agreement. The fee agreement specifies a fee range of \$11,900--\$13,200. If the county expends more than \$500,000 in federal grant money, a grant audit will be required at an additional cost of \$2,000--\$2,500. Frank T. Manning moved to approve the Audit Services Agreement with Koerwitz, Michel, Wright & Associates. John P. Lumley seconded the motion. Motion carried.

Rec Center Planning Grant – Draw Down Request #1 – Clerk Odde presented CDBG Rec Center Planning Grant Draw Down Request #1 in the amount of \$3187.00. Matching funds of 1062.00 will come from the Recreation District. John P. Lumley moved to approve the Rec Center Planning Grant Draw Down Request #1 in the amount of \$3187.00. Frank T. Manning seconded the motion. Motion carried.

VAST Manufacturing Grant Withdrawal Letter – Chairman Basse presented a letter drafted by Harry Hughes with the Thermopolis-Hot Springs County Economic Development Commission to the Wyoming Business Council withdrawing the VAST Manufacturing grant application. VAST is currently exploring other location options within Hot Springs County, and is unable to commit to the grant requirements at this time. Frank T. Manning moved to approve the letter withdrawing the grant application. John P. Lumley seconded the motion. Motion carried.

Correspondence

- Wyoming Dept. of Revenue – 2009 Special District Compliance Final Report
- BuRec – Statewide Snowmelt Runoff Forecast
- Grass Creek Management Area – Meeting Notice
- January, 2009 Airport Traffic Count – 94 Total Operations
- Fair Board Minutes/Meeting Notice
- Library Board Minutes
- Weed & Pest Board Minutes
- Dorothy Milek – Graveyard Preservation
- Dorothy Milek – Subdivision Proliferation

Commissioners reviewed the foregoing correspondence. No action was required or taken at this time.

Adjournment

There being no further business before the board at this time, John P. Lumley moved to adjourn the meeting. Frank T. Manning seconded the motion. Motion carried.

Attest:

Brad W Basse, Chairman

Hans Odde, Clerk to the Board