

- STATE OF WYOMING)
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COUNTY OF HOT SPRINGS) OFFICE OF THE BOARD OF
COUNTY COMMISSIONERS
THERMOPOLIS WYOMING
December 1, 2009

The Hot Springs County Board of Commissioners met in regular session on Tuesday, December 1, 2009, at 9:00 a.m. in the Commissioners' Room at the Courthouse. Present were Commissioners Brad W. Basse, John P. Lumley and Frank T. Manning. Also present were County Attorney Jerry Williams, County Clerk Hans Odde and Administrative Assistant to the Commissioners Penny Herdt. Chairman Basse led those present in the Pledge of Allegiance.

Approval of Agenda

John P. Lumley made a motion to approve the agenda with the following change:

Move Item #1 under Other Business to Executive Session

Frank T. Manning seconded the motion. Motion carried.

Approve Minutes

Frank T. Manning made a motion to approve the minutes of November 3, 17 and 24, 2009 as presented. John P. Lumley seconded the motion. Motion carried.

Approve Bills

The following bills were submitted for approval: (see attached). Payroll for November, 2009, was \$157,757.29.

Tax Rebate #17-09

County Assessor Shelley Deromedi presented the following tax rebate for the Commissioners' approval:

Rebate #17-09 –Marathon Oil Company - 2009 Parcel #995 — Oil Production at Grass Creek Group #s 11526 and 11563 during 2008. Marathon filed amended returns in response to a Stripper Crude Letter from the Minerals Tax Division of the DOR, resulting in over assessment of \$43,074 on Group #11526 and \$38,704 on Group #11563. Taxes in the amount of \$5,481.58 need to be rebated.

John P. Lumley moved to approve Tax Rebate #17-09 to Marathon Oil in the amount of \$5,481.58. Frank T. Manning seconded the motion. Motion carried.

Emergency Management Monthly Report

Emergency Management Coordinator Bill Gordon reported that the performance period for the Public Safety Interoperable Communications Grant has been extended to September 30, 2011. This is the grant that is being used to implement the WYO-Link system throughout the state. Mr. Gordon indicated that steady progress is being made statewide regarding the implementation of the WYO-Link system. On December 15, Mr. Gordon will be conducting a "table-top" exercise with the school system to help improve their emergency preparedness. Chairman Basse discussed emergency access arrangements for the Middle School regarding the fencing around the fire hall and new Search & Rescue building with Mr. Gordon and Fire Department member Jerry Williams.

Maintenance Monthly Report

Maintenance Supervisor Chuck Carver reported that the Christmas lights are up. Lock programming for the new Government Annex is progressing—all the lock cylinders have arrived and will be installed as the building gets closer to completion. Chairman Basse asked about progress on the repairs to the front courthouse steps. Mr. Carver is having difficulty finding a contractor to do the job, so is trying to find the time to do it himself. The front door weather stripping will be changed out this week to alleviate the problem that occurs when the wrong door is opened first. Further discussion ensued regarding the HVAC control system for the new Government Annex building and the tie-in with the control system for the courthouse.

Submission of Proposed New Airport Environmental Assessment to the FAA

Clerk Odde reported that the final Proposed New Airport Environmental Assessment document is ready for submission to the FAA for their consideration. The FAA will then issue either a Finding Of No Significant Impact or a Finding of Significant Impact, which will lead to the next step in the Proposed Airport project. Frank T. Manning moved to approve submission of the EA to the FAA by Bernard-Dunkelberg. John P. Lumley seconded the motion. Motion carried. When the Impact Finding is received from the FAA, the next step will be issuance of Requests for Qualifications/Proposals (RFQ/P's) for the Land Acquisition and Design/Construction Phase 1 parts of the project. The Commissioners discussed the pros and cons of separating these RFQ/P's, but no decision needs to be made prior to receiving the Impact Finding from the FAA. Clerk Odde suggested a conference call with Kristy Yaffa of WYDOT and Hans Anker with the FAA to determine the best way to proceed after receiving the FAA's Impact Finding. The Commissioners directed Clerk Odde to arrange this.

Road & Bridge Monthly Report

Road & Bridge Supervisor Jim Skelton reported that the project on East River Road should be finished this week. The Buffalo Creek Road project has run into some snags and probably won't be finished until spring. Mr. Skelton again asked the Commissioners for money to purchase gravel, as the County's stock is depleted. He would like to have a commitment for \$10,000.00. The Commissioners indicated that they would be willing to come up with the funds to purchase the gravel as needed. Commissioner Manning asked if Mr. Skelton would be applying for dust suppression grant money. Mr. Skelton indicated that Road & Bridge would likely be applying for those funds for the next fiscal year.

Youth Alternatives Monthly Report

Youth Alternatives Director Bob Wyss reported that on Friday he will be meeting with the Youth Alternatives program representatives in Worland to discuss the Hot Springs County program. A representative from the program grant administrator, Volunteers of America, will also attend this meeting. Director Wyss indicated that his numbers are down—only six participants in the program at this point. Grant writing will commence again after the first of the year. Director Wyss discussed various items to be considered if his office is part of the shuffling that will occur when the new Government Annex building is completed.

County Planner Monthly Report

County Planner Lee Campbell reported that work on the County Subdivision regulations has begun. Planner Campbell stated that he felt it was important to separate Subdivision regulations from Land Use/Zoning regulations for clarity and ease of comprehension. The Land Use Planning Committee is currently reviewing the initial draft of the Subdivision regulations. Planner Campbell reported that there has been no further action submitted through his office on the Nakamura subdivision at this time. The Land Use Planning Commission has been working on the necessary variances for the Soaring Eagle subdivision and is making good progress there.

Other Business:

Consider Applications for Deposit of Public Funds – Clerk Odde reported that the Treasurer received an unsolicited application from Bank of the West in Cody to act as a depository for public funds. As there are plenty of local banks currently serving as public funds depositories, the Treasurer sees no need to use an out-of-town bank. No action was taken on Bank of the West's application at this time. Pinnacle Bank has submitted a renewal application to continue as a depository for public funds. John P. Lumley moved to approve Pinnacle Bank's application to act as a depository for public funds. Frank T. Manning seconded the motion. Motion carried.

WYDOT Pavement Maintenance Program Cooperative Agreement – Clerk Odde presented the Cooperative Agreement between WYDOT and Hot Springs County for the Commissioners' approval. This agreement spells out the items WYDOT is responsible for on pavement maintenance projects and guarantees the County's 20% match rate. Frank T. Manning moved to approve the Cooperative Agreement between WYDOT and Hot Springs County for the time period ending December 31, 2012. John P. Lumley seconded the motion. Motion carried.

Airport Pavement Maintenance Project Draw Down Request #4 – Clerk Odde presented the Airport Pavement Maintenance Project Draw Down Request #4 in the amount of \$17,314.00. Frank T. Manning moved to approve Airport Pavement Maintenance Project Draw Down Request #4 in the amount of

\$17,314.00. John P. Lumley seconded the motion. Motion carried.

Road & Bridge Shop Addition Project Draw Down Request #5 – Clerk Odde presented Road & Bridge Shop Project Draw Down Request #5 in the amount of \$105.00. Frank T. Manning moved to approve Road & Bridge Shop Addition Draw Down Request #5 in the amount of \$105.00. John P. Lumley seconded the motion. Discussion: Chairman Basse recused himself from voting due to his status as subcontractor on the project. Motion carried.

Search & Rescue/AEOC Building Project Draw Down Request #5 – Clerk Odde presented Search & Rescue/AEOC Building Draw Down Request #5 in the amount of \$41,697.48. John P. Lumley moved to approve Search & Rescue/AEOC Building Draw Down Request #5 in the amount of \$41,697.48. Frank T. Manning seconded the motion. Discussion: Chairman Basse recused himself from voting due to his status as subcontractor on the project. Motion carried

Public Health/Government Annex Building Project Draw Down Request #15 – Clerk Odde presented Public Health/Government Annex Building Draw Down Request #15 in the amount of \$338,292.53. Frank T. Manning moved to approve Public Health/Government Annex Building Draw Down Request #15 in the amount of \$338,292.53. John P. Lumley seconded the motion. Discussion: Chairman Basse recused himself from voting due to his status as subcontractor on the project. Motion carried.

Correspondence

WCDA – Notice of Funding Availability

Museum Board Minutes

U.S. Census Bureau – 2010 Boundary & Annexation Survey Workshops

Hospital Board Minutes

Washakie/Hot Springs Farm Service Agency – Emergency Disaster Designation & Declaration Process

Wyoming Transportation Commission – 2010 STIP Report

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

Executive Session

John P. Lumley moved to enter Executive Session at 12:00 p.m. to discuss Land Acquisition. Frank T. Manning seconded the motion. Motion carried. At 12:20 p.m., John P. Lumley moved to come out of Executive Session. Frank T. Manning seconded the motion. Motion carried. No action was taken during the Executive Session.

Frank T. Manning moved to authorize Chairman Basse to sign a redacted agreement with the Thermopolis/Hot Springs EDC regarding land acquisition. John P. Lumley seconded the motion. Motion carried.

Adjournment

There being no further business to come before the Board, Frank T. Manning moved to adjourn at 12:25 p.m. John P. Lumley seconded the motion. Motion carried.

Attest:

Brad W Basse, Chairman

Hans Odde, Clerk to the Board

December, 2009 Bills

MATTHEW BENDER & CO.,INC. 56.71 / HOT SPRINGS VETERINARY CLINIC 484.00
TRI STATE TRUCK&EQUIPMENT,INC. 114.84 / WASHAKIE COUNTY 3,445.40
FAIRBANKS SCALE, INC. 296.12 / RANEE L. GONSALEZ 26.00 / S & H GLASS, INC. 90.00
DEPARTMENT OF HEALTH 14,311.29 / AMERICAN JAIL ASSOCIATION 48.00 / AFLAC 640.05
STATE OF WYOMING - A&I 86.59 / AIRCRAFT BLUEBOOK 157.52 / ANITA WEISBECK 28.60
H.O.P.E. AGENCY 4,500.00 / ATLAS OFFICE PRODUCTS, INC. 516.62
BOB BARKER COMPANY, INC. 262.87 / BIG HORN WATER 82.50

BIG HORN ENERGY 1,716.97 / BLAIR'S SUPER MARKET 256.45 / BONNIE J. LONG 86.40
 BROKERS NATIONAL LIFE 451.00 / BUSY BEE'S PRINTING 120.45 / BW PLAZA HOTEL 70.00
 CHARLES I. CARVER 18.49 / RED ROCK FAMILY PRACTICE 78.00 / CNA SURETY 200.00
 THERMOPOLIS HARDWARE 668.21 / COLONIAL SUPPLEMENTAL INS. 284.70
 VERIZON WIRELESS 56.39 / VERIZON WIRELESS 72.44 / VERIZON WIRELESS 65.45
 VERIZON WIRELESS 268.71 / VERIZON WIRELESS 36.82
 COMMUNICATION TECHNOLOGIES 190.00 / COOPERATIVE EXTENSION SERVICE 4,839.00
 CINDY MAGELKY 71.19 / DAVID J. LARSON 169.99 / DON'S IGA 352.79
 DON'S IGA 690.60 / DORIS ANN READY 75.00 / DOWL HKM 1,890.00
 D.R.A. SERVICES LLC 5,087.86 / DRIVE TRAIN INDUSTRIES, INC. 28.84
 EMERGENCY COMMUNICATIONS 5,000.00 / EXPRESS POLICE SUPPLY, INC 94.98
 ROCKY MOUNTAIN FIRE SYSTEMS 712.00 / FLEETWOOD FINANCIAL CORP. 3,692.68
 SHELL FLEET PLUS PROCESSING CENTER 53.90
 PINNACLE BANK OF THERMOPOLIS 36,163.75 / FOOD SERVICES OF AMERICA 2,128.32
 FRANDSON SAFETY INC. 10.00 / FRED HANSON CONSTRUCTION, INC. 5,320.00
 GDA ENGINEERS 2,742.82 / GROATHOUSE CONSTRUCTION, INC. 384,749.00
 GROATHOUSE CONSTRUCTION RETENTION 42,750.00 / H & H DOCUMENT SOLUTIONS 241.92
 H & H DOCUMENT SOLUTIONS 81.39 / H & H DOCUMENT SOLUTIONS 33.78
 RAMADA PLAZA RIVERSIDE 239.35 / HOT SPRINGS COUNTY SCHOOL DIST. #1 192.08
 HOT SPRINGS COUNTY HEALTH INS ACCT 54,192.57
 HOT SPRINGS CO. SCHOOL DIST #1 9,873.74 / R.L. HUDSON, LAND SURVEYOR 217.00
 INDEPENDENT RECORD 2,357.70 / INDOFF INC. 1,009.70 / INTERSTATE ALL BATTERY 9.60
 INTERNATIONAL ASSOCIATION OF 200.00 / JAMES V. WILSON 112.80
 JEFFERSON COUNTY SHERIFF 8.12 / JERRY'S SPORT CENTER, INC. 32.01
 JOHN HARVEY 400.00 / JOHN LUMLEY 73.15 / JOHN A FISH 60.00
 JOSEPH P. CAVALLI 60.00 / KARI FERREE 77.60 / KENTON SWICK 88.60
 LENARD L SHUMWAY 82.00 / LEO METZ 4,974.71 / LINTON'S "BIG R" OF RIVERTON 419.65
 MAARET MCCAULEY 358.04 / MARY GORDON 154.16
 MARSHALL COURT REPORTING SERVICE 192.00 / MATTHEW R. MASON 60.00
 MAXWELL PRODUCTS INC. 16,495.02 / MBA OF WYOMING 30,977.55
 MEADOW GOLD DAIRY 208.57 / MEINECKE & SITZ, LLC 904.20
 HOT SPRINGS CO. MEMORIAL HOSPITAL 406.50
 HOT SPRINGS COUNSELING SERVICE 8,674.89 / MESSENGER & JUROVICH, P.C. 80.00
 MOTOROLA 117,877.51 / NDAA 95.00 / NICOLE ROSENBERGER 149.50
 NIELSEN OIL CO., INC. 800.39 / O'REILLY AUTO PARTS 11.96
 O'REILLY AUTO PARTS 90.53 / THE OFFICE SHOP, INC 162.03
 ROCKY MOUNTAIN POWER 3,171.58 / PAMIDA 14.55 / PERFORMANCE AUTO & GLASS 381.74
 PERFORMANCE AUTO & GLASS 646.72 / PERFORMANCE AUTO & GLASS 90.53
 PHILLIP R. MILLER 60.00 / PIZZA HUT 74.40 / PLAN ONE/ARCHITECTS 5,906.12
 QUARBERG APPRAISAL SERVICE 3,050.00 / QWEST 655.22 / RAGG TAGGS 150.00
 REDMON LAW OFFICES 251.68 / RHONDA L NELSON 60.00
 GORRELL & HOPKINSON, P.C. 120.00 / RIVERTON TIRE & OIL CO., INC. 470.95
 ROAD-RUNNER TWO, LLC 33.79 / RON'S SANITATION INC. 155.00
 ROY DECKER & SONS INC. 62,074.00 / RT COMMUNICATIONS, INC. 1,881.65
 SAFEGUARD BUSINESS SOLUTIONS 219.51 / SANOFI PASTEUR, INC. 830.12
 SHELLEY DEROMEDI 9.01 / THE STANDARD INS. CO. 1,383.93 / STEVE G. RICHINS 73.20
 THE STOREHOUSE 40.00 / SUSAN SNOOKS 165.13 / T&JPROPANE 43.66
 TEAM LABORATORY CHEMICAL CORP. 180.46 / TEGELER & ASSOCIATES 100.00
 TEEPEE POOLS 375.00 / SHELL SOUTHSIDE TRAVEL CENTER 10.00 / THE CODY 82.64
 THOMAS L. BENNETT, M.D. 1,610.00 / TOUCANED, INC. 387.39
 TOWN OF THERMOPOLIS 890.22 / TRAVELING COMPUTERS, INC. 3,704.99
 TRI COUNTY TELEPHONE ASSOC, INC 333.65 / TRUDI A. BROOKS 60.00
 THOS. Y. PICKETT & COMPANY, INC. 1,650.00 / GASES PLUS NORCO 35.36
 VERIZON WIRELESS 44.20 / VICKLUND PHARMACY 435.23 / VISA - CARD TWO 383.53
 VISA - CARD FOUR 454.19 / VISA - CARD TEN 3,650.07 / VISA 89.35 / VISA 273.55
 VISA 174.00 / WYOMING ASSOC. OF CO. OFFICIALS 300.00 / WCS TELECOM 318.19
 WILLIAM F. GORDON 498.67 / EMPLOYMENT TAX DIVISION 2,221.15
 WYOMING DIVISION OF 173.00 / ORCHARD TRUST COMPANY 4,355.00
 WY DEPT. OF ENVIRONMENTAL 200.00 / UNEMPLOYMENT TAX DIVISION 4,144.00
 WYOMING DEPT. TRANSPORTATION 15,497.79 / WYOMING GAS 1,205.92
 WYO RETIREMENT SYSTEM 18,562.00 / 036-NCPERS GROUP LIFE INS. 288.00
 WYOMING VETERINARY MEDICAL ASSOC. 275.00