

STATE OF WYOMING)
)
COUNTY OF HOT SPRINGS)

OFFICE OF THE BOARD OF
COUNTY COMMISSIONERS
THERMOPOLIS, WYOMING
January 19, 2010

The Hot Springs Board of County Commissioners met in regular session on Tuesday, January 19, 2010, at 4:00 p.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 and County Clerk Hans Odde.

Chairman John P. Lumley led those present in the Pledge of Allegiance.

Approval of Agenda

Brad W. Basse moved to approve the agenda with the following addition:

ADD: Correspondence 6. Library Board Minutes

Frank T. Manning seconded the motion. Motion carried.

Executive Session

Frank T. Manning moved to enter Executive Session at 2:05 p.m. to discuss personnel issues, land acquisitions and potential litigation. Brad W. Basse seconded the motion. Motion carried. Those present for the Executive Session included Commissioners Basse, Lumley and Manning, County Attorney Williams and Clerk Odde. Brad W. Basse moved to come out of Executive Session at 3:55 p.m. No action was taken during the Executive Session.

Appoint Clerk of District Court

Three nominations were received from the Republican Party. After the Commissioners cast their ballots, Clerk Odde announced that Terri Cornella was selected by unanimous ballot. Frank T. Manning moved to appoint Terri Cornella as the new Clerk of District Court. Brad W. Basse seconded the motion. Motion carried. Ms. Cornella will be sworn in to her office in the District Courtroom Wednesday morning at 8:00 a.m.

NW Area Extension Educators

County Extension Educator – Barton Stam introduced the following UW Cooperative Extension Service's Northwest Area Educators: Phyllis Lewis – Nutrition/Food Safety, Patty Griffith – Nutrition/Food Safety, Sandy Frost – Crop Systems, Jim Gill – Agriculture, Tara Kuipers – Community Development, Cindy Aguilar – Centsible Nutrition, Dallen Smith - Livestock, and Maaret McCauley – 4-H & Youth Programs. Each educator gave a report on events held and progress made in their area of focus over the last year.

Tax Rebates

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

Rebate #18-09 – Robert Bomengen for Skyways LLC- 2009 Parcel #4603– 1972 Cessna U206F Airplane. This airplane is registered in Wyoming but is hangared in Oregon, so should not have been assessed for tax year 2009, resulting in over-assessment of \$8930. Taxes in the amount of \$598.58 need to be rebated. Brad W. Basse moved to approve Rebate #18-09 to Robert Bomengen for Skyways, LLC in the amount of \$598.58. Frank T. Manning seconded the motion. Motion carried.

Rebate #1-10 – Mike Ivie dba Rocky Mountain Auto - 2009 Parcel #4370– Personal Property of Rocky Mountain Auto. Rocky Mountain Auto was closed as of October 2008, so they should not have been assessed for tax year 2009, resulting in over-assessment of \$570. Taxes in the amount of \$41.06 need to be rebated. Frank T. Manning moved to approve Rebate #1-10 to Mike Ivie dba Rocky Mountain Auto in the amount of \$41.06. Brad W. Basse seconded the motion. Motion carried.

Rebate #2-10 – Citation Oil & Gas Corporation – Oil production at Little Buffalo Basin during 2008 - 2009 Parcel #3374. Citation filed amended returns to correct volume allocation discrepancies between WOGCC Form 2 Reporting and Annual Gross Products Reporting, resulting in over assessment of 41,997 on Group #8840 and under assessment of 482, resulting in net over-assessment at Little Buffalo Basin for tax year 2009 of 41,515. Taxes in the amount of \$2,782.75 need to be rebated. Brad W. Basse moved to approve Rebate #2-10 to Citation Oil & Gas Corporation in the amount of \$2,782.75. Frank T. Manning seconded the motion. Motion carried.

VOA Youth Alternatives Contract

Clerk Odde presented the Youth Alternatives program's Amended Sub-Award Agreement for the VOA-OJJDP Grant #2007-JF-FX-K001 for the Commissioners' approval. County Attorney Williams has reviewed the contract and has no objections to the amendments. Brad W. Basse moved to approve the Amended Sub-Award Agreement for the VOA-OJJDP Grant #2007-JF-FX-K001 covering the period 10/01/08 – 9/30/10 in the amount of \$44,020.00. Frank T. Manning seconded the motion. Motion carried.

County Health Insurance Employee Advisory Group

Clerk Odde requested formal approval from the Commissioners to move forward with an employee advisory group to help investigate the options for the County's health insurance policy. Brad Johnson, the County's health insurance consultant has expressed a willingness to work with this advisory group before the insurance comes up for renewal in June. The Commissioners gave their approval to the formation of such a group.

Letter & Resolution Regarding H.R. 980 – Northern Rockies Ecosystem Protection Act

Planner Lee Campbell presented a draft of a letter to Wyoming's Congressional delegation protesting House Resolution 980 – the Northern Rockies Ecosystem Protection Act – for the Commissioners' signature. He also presented Resolution #2010-01 expressing the Board's opposition to H.R. 980 for the Commissioners' approval. Discussion ensued regarding the various ways in which this legislation will adversely impact Hot Springs County, with the consensus being that this was not a beneficial piece of legislation for either the county or the state. Brad W. Basse moved to approve Resolution #2010-01 as follows:

**HOT SPRINGS COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION 2010-01**

*A resolution of the Board of County Commissioners of Hot Springs County, Wyoming
expressing the opposition of the Board to H.R. 980-the Northern Rockies Ecosystem Protection
Act-which is being considered by the United States Congress.*

WHEREAS, the United States Congress is currently considering the Northern Rockies Ecosystem Protection Act, (the "Act"); and

WHEREAS, the Act would place 24 million additional acres of public lands in five states, under federal wilderness protection, including substantial increases of wilderness acreage in Hot Springs County, Fremont County and Park Counties, Wyoming; and

WHEREAS, the Act will have the effect of eliminating multiple uses of lands currently used for grazing, vegetation management for purposes of forest health issues such as reduction of fire fuels and removal of bark beetle infected trees, camping, motorized recreation, timber production, enhancement of aspen stands for elk habitat, mineral exploration and other multiple uses; and

WHEREAS, according to the US Census Bureau Quick Facts, Hot Springs County has suffered significant population losses, has the oldest mean average population of any County in Wyoming, and has a 21% disability rate; and

WHEREAS, Hot Springs County has not been able to sustain the productivity of the public lands in the County as required by the Multiple Use-Sustained Yield Act of 1960; and

WHEREAS, approximately 69.15 percent of Hot Springs County consists of public lands which generate a majority of the tax revenue available to County government; and

WHEREAS, the loss of jobs and multiple use of the land will negatively impact the economy of the County and quality of life of the citizens who live in Hot Springs County, Wyoming; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HOT SPRINGS COUNTY, WYOMING that:

- 1. The Board calls upon the United States Congress to defeat the legislation known as H.R. 980, the Northern Rockies Ecosystem Protection Act.**
- 2. The Chairman of the Board of County Commissioners is hereby authorized to mail copies of this resolution to the Wyoming Congressional delegation and to the Governor of the State of Wyoming along with an accompanying comment letter, and to other parties as he deems appropriate and necessary.**

PASSED, APPROVED and ADOPTED this 19th day of January , 2010.

John P. Lumley, Chairman

Frank T. Manning, Vice-Chairman

Brad W. Basse, Commissioner

ATTEST:

Hans Odde, County Clerk

Frank T. Manning seconded the motion. Motion carried. Frank T. Manning moved to approve the letter to Wyoming's Congressional delegation objecting to the passage of H.R. 980, with Resolution 2010-01 attached. Brad W. Basse seconded the motion. Discussion: Chairman Lumley indicated that the letter will also be copied to Governor Freudenthal. Motion carried.

Letter to EQC

Planner Campbell reviewed a letter written last September to David Waterstreet with the DEQ and to the Environmental Quality Council regarding the proposed Ag Use Protection Policy. This letter was not posted as part of the comments during the rule making process as it should have been. The Commissioners asked Mr. Campbell to contact Mr. Dave Flitner, EQC representative, to ask him to appear before the Commissioners to discuss this matter.

Wild Horse Discussion

Planner Campbell discussed wild horse management under current BLM rules. There are currently no wild horse management areas in Hot Springs County, as there are no known herds in the county. Under the current plan, any wild horses that might turn up in the county would be removed to a designated wild horse management area.

Land Acquisition

As a result of land acquisition items discussed during the Executive Session held at the beginning of the meeting, Brad W. Basse moved to authorize the Commission chairman to sign an offer for purchase of real estate. Frank T. Manning seconded the motion. Motion carried.

Other Business

Hospital Board Member Resignation – Clerk Odde presented a letter of resignation from Rhonda Skar from her position on the hospital board. Frank T. Manning moved to accept, with regret, Mrs. Skar's resignation, and to ask Clerk Odde to advertise for a replacement. Brad W. Basse seconded the motion. Discussion: A letter of thanks will be written to Mrs. Skar in recognition of her service. County Attorney Williams wished to clarify the term end date of the position. After discussion, Frank T. Manning amended his motion to advertise the term ending date for the position as June 30, 2011. The second concurred with the amendment. Motion carried.

Department Head Resignation – County Road & Bridge Foreman Jim Skelton submitted his resignation effective January 31, 2010. Brad W. Basse moved to accept Mr. Skelton's resignation with regret, and authorize Clerk Odde to advertise for his replacement. Frank T. Manning seconded the motion. Motion carried.

Correspondence

Airport Traffic Count – December, 2009 & Total 2009

Wyoming Retirement System

Fairboard Agenda

Hospital Board Minutes

Lodging Tax Board Minutes

Library Board Minutes

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

Adjournment

There being no further business to come before the Board of County Commissioners at this time, Frank T. Manning moved to adjourn the meeting at 6:35 p.m. John P. Lumley seconded the motion. Motion carried.

ATTEST:

John P. Lumley, Chairman

Hans Odde, County Clerk