

03-06-12 COMMISSIONER PROCEEDINGS

The Board of County Commissioners met at the above date beginning at 9:00 a.m. Those present were Chairman Ron Harvey, Members Terry Wolf and Aaron Anderson, and Clerk to the Board Mary Grace Strauch. The meeting was opened with the Pledge of Allegiance led by County Commissioner Aaron Anderson.

A motion was made by Commissioner Wolf and seconded by Commissioner Anderson to approve the minutes of the February 21, 2012 meeting. Motion carried.

Vouchers for February 2012 were paid as follows:

Road and Bridge Superintendent Tete Weston met with the board to discuss advertising for an opening with the road and bridge. Keith Bower has resigned effective March 9, 2012. Keith will assist with snow removal for the next several weeks if needed at his current hourly wage. Advertising for the position will begin immediately. Discussion was held on items from the Road and Bridge department for an upcoming auction. Discussion was held on fixing the Freightliner before the auction. It was decided to wait on the road and bridge auction items until a later date. Tete reported that the Bridge work had been completed by Nowood Construction. Discussion was held on the dump road in Ten Sleep and the need for gravel since the county has been using the road while digging the new pit.

Building Maintenance Manager Tom Schmeltzer reported to the board that the carpet had been ordered for the library. Approval was given to close the library when needed when the new carpet is placed. Discussion was held on the progress being made on installing the desks and sink for the commissioners room. Tom would like to move a portion of the fence between the courthouse and law enforcement center in order to better utilize the garage area and park the two lawn mowers/snow removal equipment in this area because it is heated. Approval was given to proceed. Tom will be putting a 16 X 16 garage door on the upcoming auction along with the stove in the conference room. Approval was given for Tom to move the stainless steel sink from the conference room to the exhibit building room and to do some upgrading at the kitchen area in the exhibit building. Approval was given for Tom to receive a New Holland Tractor for use at the fairgrounds for the summer at no charge from Brown Company out of Riverton. The company would like for at least 120 hours to be put on the tractor if possible. The county will need to maintain the insurance on the tractor. Discussion was held on a drag for the parking lot. Commissioner Harvey stated that there was a drag made at one time. Tom will look into this and report back to the board. Approval was given for Tom to purchase several tool boxes as needed for his vehicle. Approval was given to advertise for seasonal grounds keeping help at the fairgrounds at \$12.00 per hour with no benefits.

Washakie Development Association (WDA) Director Le Ann Baker met with the board to review the Business Ready Community Grant agreement regarding the Site building. A motion was made by Commissioner Anderson and seconded by Commissioner Wolf to authorize the chairman to sign the agreement as presented. Motion carried.

Planner Bruce Frederick reported that he had reviewed the ten bids for the road survey project and his recommendation for the project is GDA of Cody with the estimated cost of \$12,500.00. A motion was made by Commissioner Anderson and seconded by Commissioner Wolf to authorize Bruce to proceed with awarding the contract to GDA for the road survey work. Motion carried. Bruce presented the General Services Agreement with WWC Engineering regarding the work to be completed on the FEMA Flood Plain grant. Discussion was held on several areas of concern with the County Attorney. Discussion was held on the ownership of the documents once the study is completed. Because there is no design work Bruce does not see an issue with the wording in the document. Bruce recommends approval of the agreement. A motion was made by Commissioner Anderson and seconded by Commissioner Wolf to authorize the chairman to sign the agreement as presented. Motion carried. Brief discussion was held on a portion of land that the county currently owns that was to become a county road. Further discussion will be held at the next meeting with the current landowner.

County Attorney Marcy Argeris, Council members Dave Duffy and Kathy Newman, and WDA Director Le Ann Baker met with the board to discuss the proposed one cent sales tax joint resolution. Marcy has met with City Attorney Kent Richins and the City of Worland would like to see the estimated dollar amounts on the resolution. The City of Worland would like to see the words "Washakie Ave" removed from their portion of the resolution. Discussion was held on taking out the words "Washakie Ave" on the county portion also. Discussion was held on the wording for the question on the ballot to include the word "extension" of current tax. State statute is clear on how the wording of the question must be. The board placed a call to City Attorney Kent Richins but he was not available. Commissioner Wolf stated that the sales tax committee agreed to the rewording that was done at the January 11, 2012 sales tax committee meeting. The board feels that the wording should not be changed.

Commissioner Anderson has declared a conflict of interest regarding voting for or against the resolution due to the fact that the Town of Ten Sleep project will involve him personally buying an easement across his property for a water project and he does not want any issue of him voting on the project would be benefiting him personally.

A motion was made by Commissioner Wolf and seconded by Commissioner Harvey to pass Joint Binding Resolution No. 294 regarding the optional sales tax question being placed on the November 2012 ballot. Motion carried. Commissioner Anderson abstained from voting.

Engineering Associates Representative Heath Overfield, Planner Bruce Frederick, County Attorney Marcy Argeris, City Council Member Dave Duffy and WDA Director Le Ann Baker met with the board to review the increased costs of the septage site project. The estimate for the project has increased to \$1,074,900 from \$756,000 estimated in 2009. Discussion was held on

additional pipe that will be needed and the storage of water that will need to be addressed from the restrictions that the City of Worland has put on the project. After further discussion regarding the increase Heath stated that he would attempt to go through the notes of the past engineer that worked on the project to see if there is any duplications of costs or miss calculations but he was not sure of the documentation that he would find regarding this issue. A motion was made by Commissioner Anderson and seconded by Commissioner Wolf to convene into executive session with County Attorney Marcy Argeris and Planner Bruce Frederick to discuss possible litigation beginning at 2:46 pm as per state statute 16-4-405 to Motion carried. A motion was made by Commissioner Wolf and seconded by Commissioner Anderson to reconvene into regular session beginning at 2:54 pm. Motion carried. No decision was made. Heath will continue to work on the cost breakdown and report back to the board at the March 20, 2012 meeting.

County Planner Bruce Frederick reported that All B Crushing had contacted him regarding doing additional crushing of concrete for the county. The information was taken under advisement.

A phone call was placed to Matt Weatherly with Public Sector Personnel Consultants regarding the salary survey that is being conducted. Discussion was held on adding additional information to the survey regarding benefits. Matt will continue to work on the report and the board will review the information.

Washakie County Conservation District Director Tori Dietz met with the board to review the comments to be made regarding the BLM RMP economic analysis. Discussion was held on making several changes to the draft document and forwarding on to ERG. Tori will forward the information on to ERG.

Discussion was held with County Attorney Marcy Argeris regarding two possible indigent funerals that were held within the county. The statement of goods and services will need to be filed with the District Court to see if any probate documents are filed regarding the funds needed before the county will pay.

CONSENT AGENDA

1. Authorize chairman to sign contract between Dept. of Health, Public Health and Washakie County Public Health Nursing Services.
2. Accept monthly reports from Sheriff's Dept. \$1150.00, County Clerk \$7,609.00, Clerk of Court \$2,068.50,
3. Authorize chairman to sign Cooperative Law Enforcement Annual Operating Plan and Financial Plant with Washakie County Sheriff and USDA, Forest Service, Modification 2.
4. Approve bond for Tom Brewster, Ten Sleep Rural Fire District Secretary-Treasurer, in the amount of \$2,000.00.

There being no further business to come before the board, a motion was made by Commissioner Anderson and seconded by Commissioner Wolf to adjourn the meeting. Motion carried.

(Seal)

Mary Grace Strauch
Clerk to the Board

Ron Harvey, Chairman
Washakie County Commissioners