

STATE OF WYOMING)
) ss.
COUNTY OF FREMONT)

LANDER, WYOMING
OFFICE OF THE FREMONT COUNTY COMMISSIONERS
SEPTEMBER 20, 2022

FULL DETAILED REPORT

The Board of Fremont County Commissioners met in Regular Session at 9:00 a.m. with the following members present: Chairman Travis Becker, Vice-Chairman Larry Allen, Jennifer McCarty, Clarence Thomas and Michael Jones. County Clerk Julie A. Freese was present.

Larry Allen moved, Jennifer McCarty seconded, to approve the agenda as amended. Motion carried unanimously.

Jennifer McCarty moved, Clarence Thomas seconded, to approve the minutes of the Regular Meeting held on September 13, 2022. Motion carried unanimously.

Jennifer McCarty moved, Clarence Thomas seconded, to accept the bills for payment. Motion carried unanimously.

<u>Vendor</u>	<u>Department</u>	<u>Description</u>	<u>Amount</u>
71 Construction	Segregated	Project / Materials	\$350,702.24
Ace Hardware-Lander	County Buildings	Materials/Supplies	\$602.37
Ameda Inc	Public Health	Supplies	\$1,848.96
Arcasearch Corporation	County Buildings	Research Site	\$149,661.00
Avery, Connie L	District Court	Jury Duty	\$55.00
B & B Enterprises LLC	Road Construction	Signs & Supplies	\$130.00
Bailey Enterprises, Inc	Inventory	Bulk Fuel	\$36,209.03
Bank of the West	Segregated	Supplies / Materials	\$65,700.34
Baxter, Bailey N	District Court	Jury Duty	\$226.00
Bergeron, Dawn R	District Court	Jury Duty	\$30.00
Big Horn Co-Operative	Vehicle Maintenance	Parts & Supplies	\$23.99
Bill Jones Plumbing & Heating	County Buildings	Services / Repairs	\$214.31
Black Hills Energy	County Buildings	Utilities.	\$3.56
Bob's Truck Repair, Inc	Vehicle Maintenance	Service / Repair	\$137.65
Breadboard, The	District Court	Meals	\$203.08
Briggs, Tealey S	District Court	Jury Duty	\$56.50
Capital Business Systems, Inc	Covid 19 Grant	Supplies & Service	\$64.89
Carroll Septic Service	Transportation	Services	\$150.00
Centurylink	Computer Services	Telephone Service	\$667.99
Cloud Peak Counseling Center	Health & Welfare	Title 25	\$1,625.00
Collver, Brenda L	District Court	Jury Duty	\$240.00
Communication Technologies Inc	Vehicle Maintenance	Supplies /Equipment	\$399.50
Connell, Rick T	District Court	Jury Duty	\$30.00
Cooper, Dona R	District Court	Jury Duty	\$30.00
Corsick-Boycott, Oakley	District Court	Jury Duty	\$30.00
Cox, Brittany	District Court	Jury Duty	\$30.00
Crawford, Casey R.	District Court	Jury Duty	\$56.50
Crawford, Kaitlyn E	District Court	Jury Duty	\$30.00
Crowley, Dennis M	District Court	Jury Duty	\$254.00
Dealers Electrical Supply	County Buildings	Materials/Supplies	\$13.33
Dewitt, Charles P	District Court	Jury Duty	\$78.50
Dower, Kodi	District Court	Jury Duty	\$60.00
Eagle Uniform & Supply Co	Vehicle Maintenance	Laundry	\$90.75
Edwards Communications	Support Services	Advertising	\$409.00
Emery, Garrett	District Court	Jury Duty	\$65.00
Ferris, Barbara M	District Court	Jury Duty	\$57.50
Finn, Robert E	District Court	Jury Duty	\$230.00
Fleischer, Alisa K	District Court	Jury Duty	\$30.00
Glenmore, Mona L	District Court	Jury Duty	\$55.00
Green, Jennifer A	District Court	Jury Duty	\$30.00
Green, Kristi H	District Court	Reimburse Expenses	\$64.04
Groenke, Scott	District Court	Jury Duty	\$30.00
Hampton, Timothy	District Court	Jury Duty	\$120.00
Holden, Nakoda B	District Court	Jury Duty	\$168.00
Hulme, Aaron M	District Court	Jury Duty	\$40.50
Hutson, Kimberli M	District Court	Jury Duty	\$30.00
Hutt, Dennis L Jr	District Court	Jury Duty	\$57.50
Inberg-Miller Engineers	Road Construction	Project	\$2,087.20

Jares-Martin, Micheal Ann	District Court	Jury Duty	\$57.00
John Deere Financial	Transportation	Materials/Supplies	\$4.29
Kisling, Lisa	District Court	Professional Services	\$1,622.40
Klaahsen, Jacob E	District Court	Jury Duty	\$272.00
Klingsporn, Emily Kate	District Court	Jury Duty	\$30.00
Lawson Products, Inc	Vehicle Maintenance	Parts & Supplies	\$31.86
Lebeau, Cheri	District Court	Jury Duty	\$226.00
Linfort, Gregory	District Court	Jury Duty	\$56.50
Lopez, Sheila A	District Court	Jury Duty	\$30.00
Marin, Casie Lee	District Court	Jury Duty	\$30.00
Miller, Melissa A	District Court	Jury Duty	\$442.00
Mr D's Food Center, Inc	District Court	Supplies	\$131.65
Napa Auto Parts-Riverton	Segregated	Parts & Supplies	\$3,388.84
O'Reilly Automotive, Inc	County Buildings	Parts & Supplies	\$6.99
Orkin LLC	County Buildings	Pest Control Service	\$260.00
Papadopoulos, Pavlos L	District Court	Jury Duty	\$30.00
Pavillion, Town of	County Buildings	Water Utilities	\$113.89
Peterbilt of Wyoming	Vehicle Maintenance	Parts	\$302.86
Peterson-Kimmel, Rachel	District Court	Jury Duty	\$238.00
Pingetzer, Hannah M	District Court	Jury Duty	\$83.50
Pioneer Pharmacy LLC	Covid 19 Grant	Supplies	\$1,168.00
Post, Raymond	County Buildings	Car Wash	\$32.55
Pribbernow, Peter A	District Court	Jury Duty	\$252.00
Quill Corporation	Segregated	Office Supplies	\$246.32
Riverton Ranger, Inc	Vehicle Maintenance	Advertising	\$742.00
Riverton Winnelson Co	County Buildings	Materials/Supplies	\$611.06
Rocky Mountain Power	Segregated	Utilities	\$12,071.72
Rudy, Zachariah T	District Court	Jury Duty	\$30.00
Saffer, Kayleen	District Court	Jury Duty	\$30.00
Sage, Mylo	District Court	Jury Duty	\$55.50
Sargent, Skylar D	District Court	Jury Duty	\$120.00
Shearin, Jason T	District Court	Jury Duty	\$30.00
Snider, Andrea Lyn	District Court	Jury Duty	\$56.00
Sperry, Melissa J	District Court	Jury Duty	\$60.00
Sweetwater Aire LLC	Segregated	Supplies / Parts / Repair	\$11,491.06
Trujillo, Adam J	District Court	Jury Duty	\$55.00
Union Telephone Company	Segregated	Cellphones	\$403.88
Vassilopoulos, Kyle	District Court	Jury Duty	\$30.00
W A C O	County Commission	Dues	\$400.00
Werts, Taunee	District Court	Jury Duty	\$30.00
Williams, Raye E	District Court	Jury Duty	\$228.00
Wyoming Behavioral Institute	Health & Welfare	Title 25	\$1,508.00

Jennifer McCarty moved, Larry Allen seconded, to accept a voucher from Fremont Counseling Service in the amount of \$5,100.00 for Title 25 patients. Motion carried unanimously.

The following items in the Priority Mail were reviewed: 1) Record of Proceedings. Larry Allen moved, Mike Jones seconded, to approve a Contract between Wyoming Department of Family Services and Fremont County Commissioners setting forth terms and conditions by which the county will operate the Temporary Assistance for Needy Families Community Partnership Initiative. Motion carried unanimously. Larry Allen moved, Jennifer McCarty seconded, to approve an Approach/Access application from James MacDonald for Disneyland Road. Motion carried unanimously.

There were no action items in the Priority Mail.

The public comment period was held.

Fremont County Attorney Patrick LeBrun requested authorization to refill two positions. A vacancy exists for an entry level Secretarial position for the Juvenile Attorney with a salary of \$33,500. The Administrative Assistant is resigning and a Secretary from Riverton will be promoted to that position, leaving an experienced Secretarial position open in the Riverton office with a salary of \$42,000. Larry Allen moved, Mike Jones seconded, to refill the entry level secretarial position at a salary of \$33,500 and an experienced secretarial position at a salary of \$42,000. Motion carried unanimously. Attorney LeBrun stated he is interviewing for the vacant attorney position. At this time, the attorney hired to assist in civil matters has been filling the vacant spot until it is filled.

Clerk of District Court Kristi Green stated she has a Court Clerk vacancy and requested authorization to refill. She actually has two positions open but is only asking to fill one at this time due to training

constraints. Mike Jones moved, Jennifer McCarty seconded, to authorize refilling the Court Clerk vacancy at a salary range of \$35,000 and \$40,000. Motion carried unanimously.

Karen Wetzel addressed the board and stated she took exception to comments made at the previous meeting. Janelle Hahn was present in the audience. At that meeting, Chairman Becker made the comment that certain individuals are “ding dongs” after the County Clerk informed the Commission that she would outsource coding of election ballots, at a cost to the county of \$10,000, due to questions of integrity of their work and to avoid potential scrutiny. His frustration resulted in the name calling, as the Clerk and her Deputy had performed this work for every election up until now. Wetzel handed Chairman Becker a ding dong and further distributed an Election Integrity Scorecard: Wyoming/The Heritage Foundation which indicated Wyoming ranked 37th out of 50 on various issues (Voter ID Implementation, etc.). and that it is their “right and duty” to question election issues. Another comment made last week by Chairman Becker were also unnecessary that “they need to shut up”. Chairman Becker again stated he made the comments in frustration to what is going on with people claiming election fraud, so much so that the Clerk did not feel comfortable coding the ballots in-house, which will cost the county taxpayers money in the amount of \$100,000, in addition to normal costs associated with an election year. He has not seen any election fraud and both parties signed off on the results at the Primary Canvass Board meeting. He reiterated that the expense of \$10,000 is money not well spent. Wetzel stated their concerns do not have anything to do with the Fremont County Clerk, they are looking at all counties and they are a little upset about what is happening and she further stated that paying a company \$10,000 to code the ballots is a waste of money. Commissioner Thomas asked Wetzel what group she represented and to be more specific regarding the lack of election integrity in the county she referenced, and upon questioning several times about who she represented, she stated the Republican Party.

Frontier Ambulance Director of Operations Diane Lane introduced Priority Ambulance IT Supervisor Adam Reksc who is overseeing the installation of new consoles in the ambulances. Lane distributed a July 2022 report titled Fremont County Response Time Report. They stated they will be able to produce a report by next month detailing where the 911 calls originate from (municipality). Commissioner Jones expressed frustration and stated the Commission has been waiting for this information since January of 2021, critical to negotiate funding requests from municipalities and tribal entities. Reksc stated he had not been aware of the request until just recently, due to turnover, etc. They reported that the County Mapserver program is incompatible with current EMS software, basically because it won't work if offline. He will test all the new equipment, some being installed currently and the rest has been ordered and moving forward as planned to be fully operational by the end of the year. The new hardware and software will have a modem to connect to a satellite provider.

Frank Tanner, Riverton Senior Citizens Board of Directors President, and Lori Weber, Riverton Senior Center Director, reviewed information on software titled MySeniorCenter that offers computer-based system with touchscreen registration and easy reporting to virtual programming and activity management. The member database is an automated way to schedule and track programs, rides, meals, trips, outreach interactions, equipment loans and more, numbers vital to tracking yearly requirements. The cost is \$20,000 and they asked the Commission to consider funding a partial cost of the program and they plan to seek grants, etc. for the remainder. They are active in grant searches and have received funding for a solar system and boiler through these means. County Clerk Julie Freese informed the Commission that staffing has changed in many of the social service entities over the last several years, and that when social service budget requests were sent out this year, many did not reach the intended person, so that is the reason the Senior Center did apply for funding during the budget process this year. She noted the initial cost of \$20,000 is a one-time fee, with a maintenance fee of \$1,800 yearly which the Center could handle. The Commissioners suggested they research the system more to see if the one-time cost could be made available to all senior centers within the county with each individual one paying their yearly maintenance fee. They will report back with more information.

A Public Hearing was held at 9:45 a.m., as advertised, regarding a Transfer of Location for FBS Hudson LLC d/b/a Frank's Butcher Shop. The new location will be immediately adjacent to the current location in a building set up for package liquor sales. There was nobody present to express comment on the change. Larry Allen moved, Jennifer McCarty seconded, to approve the Transfer of Location from 9049 Highway 789 to 9065 Highway 789, Hudson, Wyoming. Motion carried unanimously. Receipt of the \$100 transfer fee was acknowledged.

Building Maintenance Supervisor JR Oakley requested approval to refill a custodial position, with a salary range between \$31,000 and \$35,000. Mike Jones moved, Clarence Thomas seconded, to approve the request to rehire at the requested range. Motion carried unanimously.

County Clerk Julie Freese and Building Maintenance Supervisor JR Oakley reviewed ARPA funding projects within his department. He had received an ARPA award in the amount of \$840,000 for multiple projects; however, the Courtroom Remodel Project, approved earlier in the year, was not included in this amount. In April the Commission had approved for Oakley to proceed with a Proposal for Architectural Services, and a proposal from Nelson Architects was accepted in the amount of \$47,060. As a result, a new line item will need to be added to Oakley's ARPA projects for this additional project. Mike Jones moved, Jennifer McCarty seconded, to approve the Architectural cost of \$47,060 from ARPA funding. Motion carried unanimously.

Commissioner meeting reports were given:

Commissioner Mike Jones attended the Fremont County Solid Waste Disposal District meeting the previous day. The consultants presented the Cost Improvement Strategic Plan. He will continue to meet with fellow Commissioners to discuss their concerns with the District and ways to facilitate communication with them regarding surplus funds, post closure costs, move to Sand Draw, etc. His intent is to have the Commission understand how they allocate their funding and how they are moving forward with projects. He met with Deputy Coroner Erin Ivie to discuss the safety concerns she discussed at the previous meeting and wanted to let her know about several spaces that may be adequate for their needs so that she can look at all options.

Commissioner Clarence Thomas and Vice-Chairman Larry Allen interviewed three applicants for the Fremont County Emergency Management Coordinator position. Two more will be interviewed following the meeting.

Vice-Chairman Larry Allen and Commissioner Mike Jones participated in an interview for a new UW Extension Educator for 4-H. They had a successful Vet Healing Adventure where the 501(c)(3) entity took 21 disabled veterans antelope hunting. A dinner followed that evening with 125 people attending in Lysite. He hopes it will be an annual event and referenced a comment from one of the participating vets who stated "this is what patriotism and concern for vets used to be 50 years ago." Chairman Becker thanked the group for the good that it does.

Chairman Travis Becker participated in another interview for the Public Health Nurse Manager position. He participated in mediation the previous day on the Horse Creek Road, Wiggins Fork Bridge project. A formal agreement is being prepared and Deputy Attorney Darrough will move to dismiss the case in district court. He has contacted the Federal Highway Administration to let them know the project can move forward.

Chief Civil Deputy Attorney Jodi Darrough and Executive Health Insurance Committee continued discussion on the MASA contract negotiations. As there has been no coverage since February of 2022, there are, at a minimum, \$215,602 in outstanding claims. Clarence Thomas moved, Jennifer McCarty seconded, that due to continuing negotiations of a renewal contract with MASA, to approve payment of emergent claims from employees in the time frame January 31, 2022 to present from the Health Insurance Fund upon presentation of a denial letter from MASA. Motion carried unanimously. Darrough will continue with contract negotiations for one year; however, the Executive Health Committee will be asked to see if there are any other options available as the County is very disappointed in the representation it has received thus far from this company.

County Clerk Julie Freese and Treasurer Jim Anderson stated the Finance Team had, in the past, compiled a spreadsheet indicating a balance of all funding spent and available to the Transportation Department, consisting of the Road General Fund, Road Construction Fund and 1% Infrastructure Fund. Transportation Superintendent Billy Meeks was present. The Financial Specialist will be tasked with preparing the spreadsheet and keeping up to date in the future for easier reference on funding availability for road projects. Freese had compiled a handout listing how each category is funded and appropriate uses for each fund. Anderson followed up with a flowchart depicting that information.

Transportation Superintendent Billy Meeks was joined by DOWL Engineer Kasey Jones to discuss several documents regarding the Country Acres Road Reconstruction project. Jones reminded the Board that the

U.S. Army Corps of Engineers required a list of the work that would be done and a fee of \$10,000 and the final report listed the authorized activities as “removing the existing bridge on Country Acres Road that crosses Wyoming Canal and replacing it with a box culvert, embankment construction at the 8th Street intersection to widen the approach and relocating irrigation ditches impacted by the new embankment”. Larry Allen moved, Jennifer McCarty seconded, to approve the U.S. Army Corps of Engineers Compliance Certification stating the Authorized Activities were completed. Motion carried unanimously. The Avail Valley Construction-WY LLC one-year Warranty from the date of Substantial Completion was presented. Larry Allen moved, Jennifer McCarty seconded, to approve the Warranty as presented. Motion carried unanimously. Larry Allen moved, Jennifer McCarty seconded, to approve a Certificate of Final Completion on September 11, 2022. Motion carried unanimously. A Periodic Application for Progress Payment to Contractor (No. 5) was reviewed. Jones stated that \$25,500 has been deducted for liquidated damages, for a total due of \$100,613.22 plus retainage after advertising of \$14,362.34. Larry Allen moved, Mike Jones seconded, to approve a warrant to Avail Valley Construction -WY-LLC in the amount of \$114,975.56. Motion carried unanimously. Change Order No. 1 was presented for the addition of 17 contract days that equaled \$25,500 in liquidated damages and a decrease of \$121,359.52 for under/over runs for various bid items for a total contract price of \$1,497,983.73. Larry Allen moved, Jennifer McCarty seconded, to approve Change Order No. 1. Motion carried unanimously. Jones stated the project came in under bid (Original contract price: \$1,619,343.25).

In other business, Billy Meeks stated DOWL has been contracted to work on the on the County’s Capital Improvement Plan and Kasey Jones stated they have been conducting field work consisting of inventory and traffic counts. They are collecting radar speeds on gravel roads.

Billy Meeks gave an update on the paving project at the Fremont County Fairgrounds parking lot and stated some of the material put in on the east end had to be replaced and paving scheduled to happen mid-week. The Commission had earlier accepted a bid of \$10,430.00 from 71 Construction for drain and culvert repair on the east end as well. Larry Allen moved, Jennifer McCarty seconded, to fund the cost with ARPA funds. Motion carried unanimously.

Interim Public Health Nurse Manager Christine Kraus was joined by Dr. John Mercer (via Zoom) to interview for the Fremont County Health Officer vacancy. Dr. Mercer lived in Riverton from 2008 until 2015 when he moved to Grand Junction, Colorado; however, is still licensed in Wyoming and hopes to move back upon completion of the new medical facility in Riverton. He would make himself available to travel to Fremont County on a quarterly basis and start date is flexible. The Commission thanked Dr. Mercer for his interest and will make a decision at their next meeting on October 4th.

Christine Kraus requested the Commission authorize her to hire a part-time contract employee. Public Health still has two open positions and it is the time of year to conduct long-term assessment (100+ month). The contract position would be working not more than 2.5 hours per day, as needed, at \$30.00 per hour. The county receives \$120 reimbursement from the state for each assessment performed and a former employee will be hired. Larry Allen moved, Jennifer McCarty seconded, to approve the part-time contract position as requested. Motion carried unanimously. Kraus stated a new receptionist has been hired for the Riverton Office. Public Health Offices will be available to conduct employee assessments (weight, BMI) in conjunction with the Fremont County Wellness Program, as the Wellness Coordinator is working for the county on a contractual basis from out of state. The Commission thanked her and her staff for taking on this additional duty.

Chairman Travis Becker adjourned as the Board of Fremont County Commissioners and convened as the Fremont County Board of Equalization. Hearing Examiner John Schumacher was present.

Mr. Schumacher reviewed the County Board of Equalization Decision and Order in the Sutherland Lumber Company of Kansas City, LLC (Docket No. 2022-03). All five Commissioners had earlier voted to Affirm the Assessor’s 2022 valuation of Sutherland’s property because Sutherland did not present evidence sufficient to overcome the presumption in favor of Assessor’s valuation. The Order was approved as presented.

The Town of Shoshoni (Docket No. 2022-11) information was reviewed and discussion held so that a ruling could be made. Travis Becker moved, Larry Allen seconded, to affirm the Assessor’s determination that the Town of Shoshoni’s property leased to medical service providers is not a tax exempt property. Voting against the motion: Clarence Thomas and Michael Jones. Motion carried. The Decision and Order will be prepared and distributed to the Board for review and approval.

Mr. Schumacher stated the transcript is available now from the hearing on Contango Resources (Docket No. 2022-01 (gas plant) and 2022-02 (personal and real property)). He has given both parties until noon on September 23, 2022 to present findings of fact and conclusions of law at which time he will forward to the Board. A special meeting was scheduled for Monday, September 26, 2022 to rule on the Contango Resources appeal. Mr. Schumacher stated that Commissioner Larry Allen, who was absent from the hearing held on August 23 and 24, 2022, could be allowed to participate in the deliberations if he read the transcript in its entirety prior to the September 26th meeting.

The Board adjourned as the Board of Equalization and reconvened as the Board of Fremont County Commissioners.

A letter was reviewed by lessee Dave Long on the agricultural property located at 1249 Major Avenue in Riverton. The Commission had earlier expressed their concern to him regarding weed and irrigation issues. The Board asked that Mr. Long be invited to the next meeting to address these concerns in person. Building Maintenance Supervisor JR Oakley joined the meeting and stated Mr. Long had recently stated he would be putting cows on the lease and would like the electric waterer to be re-energized. Oakley stated that he had been informed earlier that the water would not be required for animals so the unit has been winterized as a result. The overhead power line has been cut so there is not electricity to the tank at this time either. As a result, there will be costs involved to get the tank operational and he will present the costs as soon as they are available for the Board's information and discussion with the lessee on October 4th. Vice-Chairman Allen will visit with the ditch rider prior to the next meeting.

There being no further business, Larry Allen moved, Mike Jones seconded, to adjourn the Regular meeting at 12:15 p.m. and reconvene for a Special Meeting at 9:00 a.m. on September 26, 2022 for the Board of Equalization ruling on Contango Resources. Motion carried unanimously.

A full detailed report (informational only) and the official minutes are posted on Fremont County's website (www.fremontcountywy.gov). The meeting can also be accessed via You Tube (Fremont County WY Government).

/s/ TRAVIS BECKER, CHAIRMAN
FREMONT COUNTY COMMISSIONERS

ATTEST:

/s/ JULIE A. FREESE, FREMONT COUNTY CLERK AND CLERK OF THE BOARD