

STATE OF WYOMING)
) ss.
COUNTY OF FREMONT)

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

OFFICIAL MINUTES

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.

Bills are listed in the following format: 71 Construction-Segregated-Project / Materials-\$350702.24; Ace Hardware-Lander-County Buildings-Materials/Supplies -\$602.37; Ameda, Inc-Public Health-Supplies-\$1848.96; Arcasearch Corporation-County Buildings-Research Site -\$149661.00; 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 -\$36209.03; Bank Of The West-Segregated-Supplies/Materials-\$65700.34; 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 Sys. 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-\$1625.00; Colver, 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-\$2087.20; Jares-Martin, Micheal Ann-District Court-Jury Duty-\$57.00; John Deere Financial-Transportation-Materials/Supplies-\$4.29; Kisling, Lisa-District Court-Professional Services-\$1622.40; Klahsen, 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 -\$3388.84; 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-\$1168.00; 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-\$12071.72; 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-\$11491.06; 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-\$1508.00.

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 dong” 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.

Frontier Ambulance Director of Operations Diane Lane introduced Priority Ambulance IT Supervisor Adam Reksch who is overseeing the installation of new consoles in the ambulances. Lane distributed a July 2022 report titled Fremont County Response Time Report.

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.

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:

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. 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.

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