

STATE OF WYOMING )  
 ) ss.  
COUNTY OF FREMONT )

LANDER, WYOMING  
OFFICE OF THE FREMONT COUNTY COMMISSIONERS  
NOVEMBER 22, 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 (via Zoom) and Michael Jones. County Clerk Julie A. Freese was present.

Jennifer McCarty moved, Mike Jones seconded, to approve the Agenda as amended. Motion carried unanimously.

Jennifer McCarty moved, Mike seconded, to approve the minutes of November 15, 2022 as presented. Motion carried unanimously.

Jennifer McCarty moved, Clarence Thomas seconded, to accept the bills as presented. Motion carried unanimously.

Bills are listed in the following format: Vendor – Department – Description – Amount: A & I Distributors-Vehicle Maintenance-Oil/Fluids-\$1389.60; Adams, Chelsea-Health Nurse-Reimburse Expenses-\$270.00; B & B Enterprises LLC-Road Construction-Signs & Supplies-\$397.50; Baeten, Anthony C-District Court-Jury Duty-\$90.00; Bailey Enterprises, Inc-Inventory-Vehicle Fuel -\$28103.99; Bomgaars Supply Inc-Segregated-Materials/Supplies-\$200.39; Campbell, Erica M-District Court-Jury Duty-\$56.00; Capital Business Systems, Inc-Covid 19 Grant-Supplies & Service -\$74.16; Cessna, Norman B-District Court-Jury Duty-\$90.00; Charter Communications-Computer Services-Internet Service-\$229.98; Cloud Peak Counseling Center-Health & Welfare-Title 25 -\$1300.00; Courtier, Jeffrey L-District Court-Jury Duty-\$30.00; Department of Family Services-County Attorney-Central Registry -\$10.00; Desert Mountain Corporation-Transportation-Ice Slicer-\$1640.73; Drug Testing Services LLC-Segregated-Drug Testing Service-\$240.00; Edwards Communications-County Elections-Radio Advertising-\$1500.00; Electrical Dynamics, Inc-County Buildings-Services/Repairs -\$299.55; Fremont Chevrolet GMC-Capital Asset Acquisitions-Vehicle-.\$46135.00; Fremont Counseling-Lander-Health & Welfare-Title 25-\$1800.00; Friday, Shawna D-District Court-Jury Duty-\$46.00; Frontier Ambulance LLC-Fremont County Ambulance-Ambulance Subsidy-\$119627.00; Goodman, Hadden-Search & Rescue-Expense Reimbursement-\$274.01; Gookin, John-Search & Rescue-Reimburse Expenses-\$203.06; Hamilton, Leslie-Road Construction-Wiggins Fork Agreement-\$25000.00; Holiday Inn Hotel & Suites-County Assessor-Lodging-\$490.00; Hubble, Tad-Search & Rescue-Expense Reimbursement-\$17.40; Inberg-Miller Engineers-Road Construction-Road Projects-\$1789.00; Irwin, K.T.-Search & Rescue-Expense Reimbursement-\$114.42; Janish, Brian J-District Court-Jury Duty-\$30.00; Jennings, Joseph-Search & Rescue-Expense Reimbursement-\$154.35; John, Pauline Kay-District Court-Jury Duty-\$67.00; Kahl, Bruce-Transportation-Reimbursement-\$103.39; Kauffman, David B-Search & Rescue-Expense Reimbursement-\$343.62; Kelley, William E-District Court-Jury Duty-\$171.00; Kulp, Daniel H-District Court-Jury Duty-\$30.00; Labrac, John-Search & Rescue-Expense Reimbursement-\$356.44; Lander Search & Rescue-Search & Rescue-Expense Reimbursement-\$128.34; Laurion, Thomas R-District Court-Jury Duty-\$108.00; Lawrence, Larissa L-District Court-Jury Duty-\$56.00; LeBeau, Wade-County Buildings-Courthouse Paint-\$400.00; Leseberg, Patricia A-1% Gravel Projects-Contract Service-\$13050.00; Lopez, Tiana R-District Court-Jury Duty-\$59.00; Martin, Erin E-Search & Rescue-Expense Reimbursement-\$100.66; Maulik, Marta Kay-District Court-Jury Duty-\$57.00; McKeehan, Diana D-District Court-Jury Duty-\$59.00; McLane, Chloe R-District Court-Jury Duty-\$30.00; Meredith, Brad-Vehicle Maintenance-Expense Reimbursement-\$47.25; Merickel, Jane-Search & Rescue-Expense Reimbursement-\$238.42; Mid-Amer Research Chemical-County Buildings-Supplies-\$239.95; Miller, Jac D-District Court-Jury Duty-\$58.00; Morneau, Anita-Maternal Child Health-Expense Reimbursement-\$122.00; Mr D's Food Center Inc-District Court-Supplies-\$44.75; Nelson, Colleen-County Buildings-Remodel Architect-\$20000.00; Novo Benefits-Health Benefit Plan-Insurance Services-\$5253.00; Office Shop Inc, The-Computer Services-Maintenance -Repair-\$1065.45; Oie, Jill T-Search & Rescue-Expense Reimbursement-\$127.77; Olmstead, Shawn J-District Court-Jury Duty-\$55.00; Parker, Nicole M-District Court-Jury Duty-\$62.00; Peil, Kimberly G-District Court-Jury Duty-\$62.00; Petersen, Darrell-Transportation-Reimburse -\$150.00; Post, Raymond-Planning-Car Wash -\$10.00; Quill Corporation-Fremont County WIC-Office Supplies-\$171.27; Reed's Moghaun Office Supply-County Elections-Office Supplies-\$38.34; Revize LLC-Computer Services-Website Services-\$4900.00; Riverton Ranger, Inc-Support Services-Advertising-\$1912.30; Romero, Chelsie E-District Court-Jury Duty-\$55.00; Roth, Paula M-District Court-Jury Duty-\$105.00; Ryan, Aaron V-District Court-Jury Duty-\$55.00; S & L Industrial-Road Construction-Stripping Project -\$234589.29; Sanderson, Lance T-District Court-Jury Duty-\$192.00; Setterquist, Janette M-District Court-Jury Duty-\$30.00; Shakespeare, Jim L-District Court-Jury Duty-\$49.00; Shankle, David-District Court-Jury Duty-\$56.00; Simcox, Teal A-District Court-Jury Duty-\$189.00; Smith, Stephen P-District Court-Jury Duty-\$30.00; Snyder, Lorena M-District Court-Jury Duty-\$50.00; Sutherland Lumber Co.-Transportation-Supplies / Materials-\$151.67; Teton Pathology PC-County Coroner-Services-\$50.00; Thayer, Kim M-District Court-Jury Duty-\$174.00; Trees, Karleen K-District Court-Jury Duty-\$60.00; Union Telephone Company-Segregated-Cellphones-\$400.20; Walker, Mary H-Search & Rescue-Expense Reimbursement-\$204.47; Western Printing, Inc-County Treasurer-Printed Supplies-\$1701.75; Wiberg, Timothy R-District Court-Jury Duty-\$47.50; Wise, Cherylyn W-District Court-Jury Duty-\$56.00; Wyoming Behavioral Institute-Health & Welfare-Title 25-\$4524.00; Wyoming Dept Of Transportation-Segregated-Wydot Fuel-\$3080.70.

The following items in the Signature File were reviewed: 1) thank you letter to Holly Butler for service on the MOVE Committee; 2) Elected Officials Christmas card; and 3) Record of Proceedings. Mike Jones moved, Jennifer McCarty seconded, to ratify approval of the Settlement Agreement between Fremont

County and Leslie Hamilton for purchase of a .44-acre plot of land adjacent to the Wiggins Fork Bridge to allow for that bridge construction. Motion carried unanimously. Chairman Becker noted this project has been in the works since 2015 and with the Agreement, work can commence July of next year. Mike Jones moved, Jennifer McCarty seconded, to approve the Annual Compensation Agreement between University of Wyoming and Fremont County in the amount of \$14,550 annually for the development of 4-H for the position currently held by Jennifer Matosky. Motion carried unanimously. County Attorney Patrick LeBrun reviewed the MASA Wyoming Employer Benefit Agreement and noted several changes from the previous agreement: 1) the County will no longer be billed for a "census specific number of employees" but MASA will bill Fremont County \$19/Emergent Plus monthly premium based on current number of employees; and 2) the Platinum Plan previously offered if employees wished to upgrade at their expense to \$39/month will no longer be offered (the additional amount was previously billed by employees by MASA directly). If this option to upgrade is to be continued, the County will have to take care of collecting the additional amount and paying MASA directly. The Commission did not want to take on that added responsibility at this time and agreed not to give the Platinum Upgrade as an option at this time. Mike Jones moved, Jennifer McCarty seconded, to approve the Agreement for Emergent Plus coverage for County employees and notify employees that upgrade to the Platinum Plan is not an option. Motion carried unanimously.

The following item in the Priority Mail was reviewed: 1) WyoToday invitation to purchase holiday greetings. The Board stated they were not interested.

The Public Comment period was held with nobody present.

Extension Educator Chance Marshall was joined by newly hired 4-H Educator Jennifer Matosky and Administrative Assistant Rachel Fisk. Matosky was introduced and told the Commissioners about herself and expressed enthusiasm for the position in Fremont County. She is very interested in increasing 4-H clubs in all areas of Fremont County. In other business, Marshall recognized Rachel Fisk as the recipient of the UW Administrative Professional of the Year Award (previously called the Frances Freese Award). He stated it is very fitting that Fisk be given the award and stated she is an outstanding colleague. He then provided an update of activities taking place: 4-H Awards night December 1<sup>st</sup> to acknowledge members and volunteers; 4-H Council is holding new elections and open enrollment for 4-H and volunteers occurring. Planning is taking place for Farm and Ranch Days and other spring events. The Cent\$ible Nutrition Educator position is still vacant. He stated his new vehicle has arrived and was very appreciative for the funding.

Wyoming Wood Products MOVE award applicant representatives Forrest Kaminga and Pat Hickerson were present to request an extension on their MOVE award of \$185,000 for sawmill expansion, update and installation of a new planer mill, approved on December 7, 2021. Per MOVE rules, the money must be expended within one year or a one-time six-month extension can be requested for approval by the Commissioners. They presented a list of expenditures, indicating \$46,575.20 remains to be spent within the one-year deadline. A planer/moulder down payment has been made with the funding; however, still needs to be purchased. Once final payment is made, they can begin marketing their business, taking in lumber from smaller sawmills and creating high end products. The Board asked for an update in January. Larry Allen moved, Mike Jones seconded, to approve a six-month extension. Voting against the motion: Clarence Thomas. Motion carried.

Transportation Superintendent Billy Meeks and Planning Department Supervisor Steve Baumann gave an update on the ownership of both Shrine Club and Chittim Roads. In 1920 the State Highway Commission changed the road location from these two Roads to its present location into Lander. By all accounts on research conducted by Baumann, it appears the State did not relinquish ownership of the two roads and still have them in their inventory. When the State abandons a road, the process they follow is to offer it to local jurisdictions, and if they have no interest, it is returned to the landowners. In this case, Chittim Road would be offered to Fremont County and Shrine Club Road to the City of Lander. There is no evidence this ever happened; however, the archive department at the State is looking into the matter. Chairman Becker noted State Statutes that indicates the county cannot maintain a road it does not own. The immediate concern is that the County has been maintaining both roads, and the Wyoming Encology Center located on Shrine Club Road is a major concern if maintenance is discontinued. Vice-Chairman Allen noted the business may have to contract out the work until the process of ownership is finalized. Mike Jones moved, Larry Allen seconded, to pursue the conversation with the State to finalize the process to vacate both Shrine Club Road and Chittim Road by offering them to the pertinent entity. Motion carried unanimously. In closing, Meeks stated their County Roads equipment does not have an

adequate turn around radius in the Encology Center and it is dangerous to take large equipment down the narrow and steep road. The Board asked both Meeks and Baumann to notify all residents that will be affected by this decision.

Building Maintenance Supervisor J.R. Oakley updated the Board on three projects occurring under the Courthouse Remodel Projects (ARPA). The first item is part of the Circuit Court Remodel Project which will require a roof system that includes a membrane covering. Since 2010, the Department has been doing all reroofing with a very high grade membrane sold under the trade name Duralast. He recommended continuing with this product for the remodel as there is a Fremont County contractor/installer. Due to the lead time to receive the product (60 days), he recommended using funding from the overall remodel general contractor bid and list as "roofing to be supplied". The estimated cost is \$83,000. Mike Jones moved, Jennifer McCarty seconded, to authorize the purchase of the Duralast membrane, not to exceed \$83,000. Motion carried unanimously. Oakley will return with the final bid for approval of the exact amount. The second item is also part of the Circuit Court Remodel Project and is for HVAC Rooftop Units. Through research with various suppliers, it was determined that three each of 4 ton units would be adequate for the project and should be able to meet the supply schedule for the remodel as they are available. If they go with the larger units, they are looking at 52 weeks supply time. He recommended purchasing the units at a cost of \$20,000. Mike Jones moved, Jennifer McCarty seconded, to authorize purchase of the three 4-ton HVAC Roof Top Units at a cost not to exceed \$20,000. Voting against the motion: Clarence Thomas. Motion carried. Oakley will report back with the final invoice and approval by the board. The third item is included in the Courthouse Remodeling projects consisting of painting and carpeting the hallways. Upon removing the carpet, they encountered old flooring under the existing carpet that has 2% to 8% asbestos properties in the tile and glue used at the time of install. It was fine to carpet over the existing tile at that time, unfortunately, that leaves us to deal with it now that is time for new carpet. Testing has been done and found this is a low-grade abatement process, and the estimated cost is \$63,035, but could be less as some areas may not contain asbestos. Mike Jones moved, Jennifer McCarty seconded, to authorize the abatement project of the tile floors not to exceed \$63,035. Motion carried unanimously. The final bid will be presented for approval when available.

Fremont Counseling Service Executive Director Scott Hayes was joined by Board Members John Scarince and Brian Green to continue discussion on a holding facility for Title 25 patients. They are working on a business plan with an eye towards a feasibility study. Hayes distributed statistics totaling 62 patients for Quarter 1; 51 for Quarter 2 and 63 for Quarter 3.

Planning Department Supervisor Steve Baumann stated the Planning Department is responsible for the implementation of the Fremont County Floodplain Zoning Regulations. In 2021, the Popo Agie Ranch Estates contracted for a stabilization and flood mitigation project along the Middle Fork of the Popo Agie River within the Popo Agie Ranch Estates Subdivision. That project cleared vegetation, re-established the general course of a portion of the river and elevated a portion of the County Road to minimize flooding within the Subdivision. Because this project operated within the FEMA designed Floodway, a Variance to the Floodplain Zoning Regulations was required. The request for Variance was accompanied by a "No Rise Certificate" completed by the company (Biota) performing the work. Following project completion, the County issued a Floodplain Development Permit in November of 2021. Spring flooding in 2022 required additional sandbagging along the Road due to water being captured within a previously unmapped side channel that resulted in elevation of the water surface near the road. Upon review by Biota and the Natural Resource Conservation Service, it was determined that additional rock armoring along a portion of a previously elevated section plus the construction of a ditch along the Road, should eliminate future flood issues. Again, because the armoring is within the FEMA Designated Floodway, the Subdivision must receive a Variance to the Floodplain Zoning Regulations. The Planning Commission received an Amendment to the previous No-Rise Certificate provided by Biota. The Planning Department believes that Section 9 of the Regulations (Conditions for Variances) have been met by the landowners and that the No Rise Certificate provides the basis for meeting all the conditions of Section 8 (Variance Procedure). Larry Allen moved, Jennifer McCarty seconded, to approve the Request for Variance from the Popo Agie Ranch Estates for the installation of armoring rock along the elevated section of County Road along the Middle Fork of the Popo Agie River. Motion carried unanimously. Chairman Becker requested that all correspondence from Biota be directed to the Planning Department Supervisor Steve Baumann in the future.

Jennifer McCarty moved, Larry Allen seconded, to adjourn into Executive Session with Planning Department Supervisor Steve Baumann for personnel (annual evaluation) and then Vehicle Maintenance

Supervisor Brad Meredith for personnel (annual evaluation). Motion carried unanimously. A self-evaluation was performed for another department head. The Board continued in Executive Session with Executive Health Insurance Committee member Margy Irvine to review applicants for the Wellness/Safety Coordinator position. Larry Allen moved, Jennifer McCarty seconded, to return to Regular Session. Motion carried unanimously.

Larry Allen moved, Jennifer McCarty seconded, to approve the Executive Health Insurance Committee offering the position to their selected candidate for the Wellness/Safety Coordinator position with a salary of \$54,000. Motion carried unanimously.

Jennifer McCarty moved, Mike Jones seconded, to adjourn into Executive Session with County Clerk Julie Freese regarding personnel. Motion carried unanimously. Mike Jones moved, Jennifer McCarty seconded, to return to Regular Session. Motion carried unanimously.

Larry Allen moved, Jennifer McCarty seconded, to adjourn at 12:20 p.m. Motion carried unanimously.

There being no further business, Jennifer McCarty seconded, to adjourn the Regular meeting at 12:20 p.m. and reconvene for a Regular Meeting at 9:00 a.m. on December, 2022. Motion carried unanimously.

A full detailed report (informational only) and the official minutes are posted on Fremont County's website ([www.fremontcountywy.gov](http://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