

COUNTY COMMISSIONERS' SPECIAL MEETING MINUTES

June 30, 2015

LARAMIE, WYOMING

PUBLIC HEARING: 8:30 a.m.

Amendments to Albany County FY 2014-2015 Budget

Hearing no comments, MOTION by Chesnut to CLOSE the Public Hearing at 8:33 a.m.

Roll call showed Chesnut and Sullivan. Aye. MOTION CARRIED.

PLEDGE OF ALLEGIANCE

REGULAR MEETING

1. Roll Call.

The Special Meeting of the Board was called to order at 8:30 a.m. by Chairman Sullivan. Commissioner Richardson present and Commissioner Chesnut present via phone.

2. Comments from the public. None.

3. Action regarding Amendments to Albany County FY 2014-2015 Budget.

Jackie R. Gonzales, County Clerk presented the Amendments to the Albany County Fiscal Year 2014-2015 Budget that were advertised as follows:

NOTICE OF PUBLIC HEARING
AMENDMENT TO ALBANY COUNTY
FY 2014-2015 BUDGET

Notice is hereby given that a Public Hearing will be held on June 30, 2015 at 8:30 a.m. in the Commissioner's Room, Room 105 located at 525 Grand Avenue, Laramie, WY for the purpose of amending the FY 2014-2015 Albany County Budget.

AMENDED FY 2014-2015 BUDGET

Unemployment Compensation	18,000.00	County Commissioner	174,943.00
WACO Dues	300.00	Building & Grounds	139,865.00
WCCA Dues	16,295.00	County Clerk	785,002.00
Vital Records	400.00	Grants	169,226.00
Plan 125 Monthly Base Fee	906.00	Elections	175,821.00
County Warrants	375.00	IT	275,505.00
Postage for Meter	70,000.00	County Treasurer	488,282.00
General Accounting – Clerk	800.00	County Assessor	541,916.00
General Accounting – Treasurer	800.00	County Sheriff	1,675,151.00
County Vehicle Plates	50.00	Detention Center	1,656,492.00
Gasoline, Diesel, Oil	400,000.00	Detention Center Medical	279,300.00
Auto Expense-All Purpose Vehicle	2,500.00	County Attorney	767,047.00
Auditor Contract	43,050.00	GIS	151,332.00
Legal Counsel	10,000.00	County Planner	322,225.00
Crystal Reports	600.00	County Engineering	5,000.00
Copier Lease	80,000.00	County Coroner	110,500.00
Lake Hattie Lease	1,000.00	Cooperative Extension	74,000.00
Telephone Fax Access Lines	47,620.00	Clerk of District Court	436,195.00
Telephone Fax Access Lines – Circuit	4,000.00	District Court	41,000.00
Telephone Fax Access Lines – District	1,273.00	Circuit Court	750.00
Telephone Fax Access Lines – Library	4,273.00	County Road & Bridge	955,627.00
Telephone Fax Access Lines – EMA	250.00	Fire Warden	88,000.00
Utilities	245,000.00	County Public Health	334,071.00
Maintenance – Painting	3,500.00	Intergovernmental	633,050.00
Medical Insurance – Retirees & Other	1,732,767.00	GENERAL ACCOUNTS TOTAL	10,280,300.00
Insurance – Liability	62,957.00		
Insurance – Peace Officer Liability	5,000.00		
WARM – Crime Insurance	610.00		
WARM – Prop/Boiler & Machinery	73,519.00		
WARM – Fair Board	8,960.00		
Insurance – Deductible	10,400.00		
Insurance Consultant	18,250.00		
Wellness Committee	1,653.00		
OTHER GENERAL ACCOUNT TOTAL	2,865,108.00		
TOTAL GENERAL FUND APPROPRIATIONS	13,145,408.00		
EMERGENCY RESERVE	500,000.00		
CASH RESERVE	1,600,000.00		
GRANTS	5,006,000.00		
1% OPTIONAL SALES TAX	644,501.00		
ABANDONED VEHICLES	5,000.00		
COUNTY ROAD FUND	102,000.00		
JAIL ENDOWMENT	63,000.00		
DIRECT AID/HARDSHIP	2,100,446.00		
COURTHOUSE RENOVATION	9,100.00		
FLEXIBLE SPENDING ACCOUNT	30,000.00		
EMPLOYEE HEALTH BENEFIT	3,000,000.00		
COMMISSARY ACCOUNT	38,000.00		
JAIL OVERAGE	5,000.00		
DEBIT CARDS	1,000.00		
DRUG ASSET FORFEITURES	2,000.00		
CONTINGENCY	85,000.00		
TOTAL APPROPRIATIONS & RESERVE	26,336,445.00		
TOTAL REQUIREMENTS	26,336,445.00		

*Print in bold type reflects amendments

Any person wishing to be heard in regards to the amendments needs to appear before the Board of Albany County Commissioners at the hearing.

s/s Jackie R. Gonzales

Albany County Clerk

Publish: June 24 & June 28, 2015

The following amendments to the County General Fund for FY 2014-2015 include:

AMEND the County Coroners Budget from its original appropriation of \$105,822.00 to \$110,500.00 – actual expenditures were \$110,339.09;

AMEND the Cooperative Extension Budget from its original appropriation of \$72,290.00 to \$74,000.00 – actual expenditures were \$73,764.17;

AMEND the District Court Budget from its original appropriation of \$40,000.00 to \$41,000.00 – actual expenditures were \$40,689.96;

AMEND the County Fire Warden Budget from its original appropriation of \$86,364.00 to \$88,000.00 – actual expenditures were \$86,505.34;

for a General Accounts Total of \$13,145,408.00 from the original approved General Fund Budget of \$13,107,764.00 which is a total amendment increase to the County General Fund in the amount of \$37,644.00 to also include:

Emergency Reserve	\$ 500,000.00
Cash Reserve	\$ 1,600,000.00
Grants	\$ 5,006,000.00
1% Optional Sales Tax	\$ 644,501.00
Abandoned Vehicles	\$ 5,000.00
County Road Fund	\$ 102,000.00
Jail Endowment	\$ 63,000.00
Courthouse Renovation	\$ 9,100.00
Flexible Spending Account	\$ 30,000.00
Employee Health Benefit	\$ 3,000,000.00
Commissary Account	\$ 38,000.00
Jail Overage	\$ 5,000.00
Debit Cards	\$ 1,000.00
Drug Asset Forfeitures	\$ 2,000.00
Contingency	\$ 85,000.00

TOTAL APPROPRIATIONS & Reserve \$26,336,445.00

TOTAL REQUIREMENTS \$26,336,445.00

***Print in bold type reflects amendments**

MOTION by Chesnut to APPROVE Amendments to the 2014-2015 Albany County Budget.

Roll call showed Chesnut and Sullivan. Aye. MOTION CARRIED.

4. Request permission to purchase office furniture for Circuit Court in the amount of \$11,859.89 to be paid out of Courthouse Renovation Funds.

MOTION by Chesnut to APPROVE the purchase of office furniture for Circuit Court in the amount of \$11,859.89 to be paid out of Courthouse Renovation Funds.

Roll call showed Chesnut and Sullivan. Aye. MOTION CARRIED.

5. Emergency Insect Management Program Grant Agreement between Wyoming Department of Agriculture and Albany County Commissioners to set forth the terms and conditions by which the Wyoming Department of Agriculture shall distribute funding to Albany County for the 2015 Albany County Cooperative Mosquito Control Program in the amount of \$79,500.00.

MOTION by Richardson to APPROVE Emergency Insect Management Program Grant Agreement between Wyoming Department of Agriculture and Albany County Commissioners to set forth the terms and conditions by which the Wyoming Department of Agriculture shall distribute funding to Albany County for the 2015 Albany County Cooperative Mosquito Control Program in the amount of \$79,500.00.

Roll call showed Richardson, Chesnut and Sullivan. Aye. MOTION CARRIED.

6. Consider and authorize Chairman to sign a Site Plan Review Application from to the City of Laramie for construction of a new eight inch sanitary sewer line at the Albany County Fairgrounds.

MOTION by Chesnut to APPROVE and AUTHORIZE Chairman to sign a Site Plan Review Application from to the City of Laramie for construction of a new eight inch sanitary sewer line at the Albany County Fairgrounds.

Roll call showed Chesnut, Richardson and Sullivan. Aye. MOTION CARRIED.

7. Renewal of the Albany County Court Supervised Treatment Program Service Provider Agreement with Neubauer, Pelkey and Goldfinger, LLP as a firm for services of a Defense Attorney to be part of the ACCSTP team and to provide services to the participants of the ACCSTP in the amount of \$600.00 per month from July 1, 2015 through June 30, 2016.

MOTION by Richardson to APPROVE Renewal of the Albany County Court Supervised Treatment Program Service Provider Agreement with Neubauer, Pelkey and Goldfinger, LLP as a firm for services of a Defense Attorney to be part of the ACCSTP team and to provide

services to the participants of the ACCSTP in the amount of \$600.00 per month from July 1, 2015 through June 30, 2016.

Roll call showed Richardson, Chesnut and Sullivan. Aye. MOTION CARRIED.

8. Renewal of Albany County Court Supervised Treatment Program Service Provider Agreement, through Albany County Board of County Commissioners/Peak Wellness Center, Inc. to include all statements within the contract and proposal submitted by Peak Wellness Center beginning July 1, 2015 through June 30, 2016.

MOTION by Chesnut to APPROVE Renewal of Albany County Court Supervised Treatment Program Service Provider Agreement, through Albany County Board of County Commissioners/Peak Wellness Center, Inc. to include all statements within the contract and proposal submitted by Peak Wellness Center beginning July 1, 2015 through June 30, 2016.

Roll call showed Chesnut, Richardson and Sullivan. Aye. MOTION CARRIED.

9. Service Provider Agreement between Albany County Court Supervised Treatment Program and Advanced Medical Services, LLC, to continue the contract for \$350.00 per month or more as needed at \$25.00 per test for the drug testing of all ACCSTP male participants beginning on July 1, 2015 and ending on June 30, 2016.

MOTION by Richardson to APPROVE Service Provider Agreement between Albany County Court Supervised Treatment Program and Advanced Medical Services, LLC, to continue the contract for \$350.00 per month or more as needed at \$25.00 per test for the drug testing of all ACCSTP male participants beginning on July 1, 2015 and ending on June 30, 2016.

Roll call showed Richardson, Chesnut and Sullivan. Aye. MOTION CARRIED.

10. Ratify, ASO Group Plan Changes for Blue Cross Blue Shield of Wyoming.

MOTION by Chesnut to RATIFY, ASO Group Plan Changes for Blue Cross Blue Shield of Wyoming to include:

Changes in Eligibility:

1. An employee on a leave of absence pursuant to the Family and Medical Leave Act (FMLA) of 1993 and pursuant to the paragraph on FMLA under the section on how to add, change, or end coverage is eligible to continue coverage under this plan if they were enrolled, and currently eligible for coverage under this plan at the start of the leave of absence pursuant to FMLA.

2. When the employee leaves employment or otherwise becomes ineligible as outlined in the section on eligibility herein, coverage will terminate the first on the month following the last day of eligibility. Coverage under this plan ends upon the expiration of a leave of absence pursuant to the Family and Medical Leave Act (FMLA) of 1993 and as outlined below under Family and Medical Leave Act.

Note: Accrued vacation time and sick leave or donated sick time may not be used to extend coverage beyond the first billing service date following the last day of employment, ineligibility of coverage or expiration of FMLA.

Changes in Medical Plan:

1. Lung Cancer Screening Age limit 55-80 – Annual screening with low-dose computed tomography (LDCT)

2. Fluoride varnish for the prevention of dental caries in children from birth up to the age of 6 Applied by primary care Clinicians

3. Screening for Chlamydia and gonorrhea Adding for males 16-18 based on Bright Futures

4. Newborn blood screening Bright Futures update

Changes in Rx Plan:

1. Prescription Drugs – must be filled as a prescription and submitted through the prescription drug card program. Medications for risk reduction of primary breast cancer in women 35 years of age and older.

2. \$0 copay for Generics. No “preventive” diagnosis required

3. Brands will pay at the normal benefit level unless paperwork is provided with demonstrates: Brand is being prescribed for preventative use and the specific medical need/rationale for use of brand over generic.

Roll call showed Chesnut, Richardson and Sullivan. Aye. MOTION CARRIED.

11. Ratify, Declaration of state of emergency for severe flood storm events in Albany County dated June 24, 2015.

MOTION by Richardson to RATIFY, Declaration of state of emergency for severe flood storm events in Albany County dated June 24, 2015 as stated below:

DECLARATION

WHEREAS, Albany County has suffered from multiple severe flood storm events that have occurred between May 23, 2015 through June 5. 2015.

WHEREAS, extensive damage was caused to public and private property, disruption of utility services, and endangerment of health and safety of the residents of Albany County within the disaster area.

WHEREAS, all locally available public and private resources available to mitigate and alleviate the effects of this disaster have been insufficient to meet the needs of the situation.

THEREFORE, I, Tim Sullivan, Chairman of the Board of Albany County Commissioners have declared a state of emergency on behalf of Albany County, and will execute for and on behalf of Albany County, the expenditure of emergency funds from all available sources, the invoking of mutual aid agreements, and am requesting assistance from the State of Wyoming.

DATED this 24th day of June, 2015.

/s/ Tim Sullivan, Chairman
Albany County Commissioners

WITNESS my hand and seal of my office this 24th day of June, 2015.

/s/ Jackie R. Gonzales
Jackie R. Gonzales, Albany County Clerk

Roll call showed Richardson, Chesnut and Sullivan. Aye. MOTION CARRIED.

12. Resolution 2015-005 to Appoint Special Prosecutor in the case of State of Wyoming v Travis Fasnacht and in the case of the State of Wyoming v Susan F. Austin.

Resolution 2015-005

RESOLUTION TO APPOINT SPECIAL PROSECUTOR

Whereas, the Albany County & Prosecuting Attorney's Office has a conflict of interest in prosecuting the Defendant in the case of *State of Wyoming v. Travis Fasnacht* and the case of the *State of Wyoming v. Susan F. Austin* involving an allegation of a violation of Dog Running at Large due to Travis Fasnacht is a police officer with the Laramie Police Department and Susan F. Austin is Mr. Fasnacht's girlfriend.

Whereas, Wyo. Stats. § 18-3-302, §18-2-110, and §18-3-520, enables the County Commissioners of any County to employ one or more attorneys to appear and prosecute and assist the County and Prosecuting Attorney on behalf of the people of such County in any action or proceeding, whether civil or criminal;

Whereas, in such case the nature and necessity of employment shall appear in the records of the County Commissioners according to Wyo. Stat. § 18-3-302 and § 18-3-520;

Whereas, it appears to the Board of County Commissioners that a Special County Attorney is needed to assist the Albany County & Prosecuting Attorney to carry out her duties due to the County & Prosecuting Attorney reporting a conflict of interest and an appearance of impropriety that may result should the Albany County & Prosecuting Attorney's Office handle the above matter;

Whereas, Daniel E. Erramouspe, the Sweetwater County Prosecuting Attorney has agreed to assume the responsibilities and duties of Special Prosecutor in this matter, it being noted that Albany County and Prosecuting Attorney's Office will be responsible for expenses by the Special Prosecutor in carrying out his duties including but not limited to any expenses for travel.

NOW THEREFORE THE BOARD OF COUNTY COMMISSIONERS OF ALBANY COUNTY, WYOMING, RESOLVES:

Section 1. That the foregoing recitals are incorporated in and made a part of this resolution by this reference.

Section 2. That Daniel E. Erramouspe, the Sweetwater County and Prosecuting Attorney be and are hereby appointed and employed as Special County and Prosecuting Attorney in the above referenced criminal case to perform the official duties in this matter that would otherwise be performed by the Albany County & Prosecuting Attorney and her deputies and for that time and for this matter, Daniel E. Erramouspe, the Sweetwater County and

Prosecuting Attorney and his deputies shall have the same powers given by law to the Albany County & Prosecuting Attorney as is so provided by Wyo. Stat. § 18-3-105.

PASSED, APPROVED, AND ADOPTED THIS 30th day of June, 2015.

THE BOARD OF COUNTY COMMISSIONERS OF ALBANY COUNTY, WYOMING

/s/Tim Sullivan, Chairperson

ATTEST:

/s/Jackie R. Gonzales, Albany County Clerk

MOTION by Chesnut to APPROVE Resolution 2015-005 to Appoint Special Prosecutor in the case of State of Wyoming v Travis Fasnacht and in the case of the State of Wyoming v Susan F. Austin.

Roll call showed Chesnut, Richardson and Sullivan. Aye. MOTION CARRIED.

13. Resolution 2015-006 to Appoint Special Prosecutor in the case of State of Wyoming v Geri Miller.

Resolution 2015-006

RESOLUTION TO APPOINT SPECIAL PROSECUTOR

Whereas, the Albany County & Prosecuting Attorney's Office has a conflict of interest in prosecuting the Defendant in the case of *State of Wyoming v. Geri Miller* involving an allegation of a violation of Larceny due to the son of the victim is employed within the Albany County & Prosecuting Attorney's Office.

Whereas, Wyo. Stats. § 18-3-302, § 18-2-110, and § 18-3-520, enables the County Commissioners of any County to employ one or more attorneys to appear and prosecute and assist the County and Prosecuting Attorney on behalf of the people of such County in any action or proceeding, whether civil or criminal;

Whereas, in such case the nature and necessity of employment shall appear in the records of the County Commissioners according to Wyo. Stat. § 18-3-302 and § 18-3-520;

Whereas, it appears to the Board of County Commissioners that a Special County Attorney is needed to assist the Albany County & Prosecuting Attorney to carry out her duties due to the County & Prosecuting Attorney reporting a conflict of interest and an appearance of impropriety that may result should the Albany County & Prosecuting Attorney's Office handle the above matter;

Whereas, Jeremiah Sandburg, the Laramie County District Attorney has agreed to assume the responsibilities and duties of Special Prosecutor in this matter, it being noted that Albany County and Prosecuting Attorney's Office will be responsible for expenses by the Special Prosecutor in carrying out his duties including but not limited to any expenses for travel.

NOW THEREFORE THE BOARD OF COUNTY COMMISSIONERS OF ALBANY COUNTY, WYOMING, RESOLVES:

Section 1. That the foregoing recitals are incorporated in and made a part of this resolution by this reference.

Section 2. That Jeremiah Sandburg, the Laramie County Prosecuting Attorney be and are hereby appointed and employed as Special Prosecutor in the above referenced criminal case to perform the official duties in this matter that would otherwise be performed by the Albany County & Prosecuting Attorney and her deputies and for that time and for this matter, Jeremiah Sandburg, the Laramie County District Attorney and his deputies shall have the same powers given by law to the Albany County & Prosecuting Attorney as is so provided by Wyo. Stat. § 18-3-105.

PASSED, APPROVED, AND ADOPTED THIS 30th day of June, 2015.

THE BOARD OF COUNTY COMMISSIONERS OF ALBANY COUNTY, WYOMING

/s/Tim Sullivan, Chairperson

ATTEST:

/s/Jackie R. Gonzales, Albany County Clerk

MOTION by Richardson to APPROVE Resolution 2015-006 to Appoint Special Prosecutor in the case of State of Wyoming v Geri Miller.

Roll call showed Richardson, Chesnut and Sullivan. Aye. MOTION CARRIED.

14. Amendment Number Three Agreement between Albany County, Wyoming and Albany County Hospital District DBA Ivinson Memorial Hospital for service pursuant to W.S. §25-10-101 through 25-10-127 from June 30, 2015 to July 31, 2015.

MOTION by Richardson to APPROVE Amendment Number Three Agreement between Albany County, Wyoming and Albany County Hospital District DBA Ivinson Memorial Hospital for service pursuant to W.S. §25-10-101 through 25-10-127 from June 30, 2015 to July 31, 2015.

Roll call showed Richardson, Chesnut and Sullivan. Aye. MOTION CARRIED.

MOTION by Chesnut to RECESS at 9:02 a.m. to go into Executive Session pursuant to W.S. 16-4-405 regarding personnel.

Roll call showed Chesnut, Richardson and Sullivan. Aye. MOTION CARRIED.

MOTION by Richardson to EXIT out of Executive Session and RETURN to Regular Session at 9:27 a.m.

Roll call showed Richardson, Chesnut and Sullivan. Aye. MOTION CARRIED.

15. **ADJOURN.**

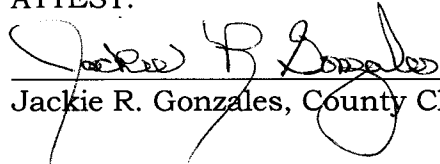
MOTION by Chesnut to ADJOURN the June 30, 2015 Special Meeting at 9:28 a.m.

Roll call showed Chesnut, Richardson and Sullivan. Aye. MOTION CARRIED.

BOARD OF COUNTY COMMISSIONERS

/s/ Tim Sullivan, Chairman

ATTEST:



Jackie R. Gonzales, County Clerk