

Tongue River Valley Joint Powers Board Workshop

Meeting Minutes

November 26, 2013

Present: Peter Clark, Norm Anderson, Karen Walters, Randy Sundquist, Joey Sheeley, Bob Wood, Dennis Wagner, Hannah Weist, Tony Wendtland

Next meeting: 7 p.m, December 18, 2013. Lucille Alley Room, Dayton Town Hall

I. Announcements

None.

II. Discussion

A motion was made, seconded, and approved to approve the JPB members, and their terms of service, according to the discussion during the first workshop. They are as follows: Peter Clark, Chairman (1 year); Norm Anderson, Vice-Chairman (2 years); Karen Walters, Treasurer (2 years); Randy Sundquist (3 years), and Joey Sheeley, Secretary (3 years).

Peter thanked Bob Wood and Dayton for fronting funds to get the JPB set up. The board then discussed how much we would need to ask the involved entities for to fund us for the first few months. We came to an agreement that \$2K from each of the three (Dayton, Ranchester, and the school district) would suffice. Peter will make the request to the towns and Karen will send a written request to the school district. A motion was moved, seconded, and approved to request \$2K from each of the three participating entities.

The board will get a P.O. box when we decide on a permanent meeting place.

We will set up an account at Cowboy State Bank; Norm requested at least two signatories for the account.

Peter asked Tony Wendtland to confirm that the JPB does not have to put professional services out for bid. Tony acknowledged that that is the case; unlike construction projects, the law does not require the JPB to ask for bids on professional services. Discussion continued re: Tony's qualifications to serve as the lawyer for the TRV JPB. Tony has worked for SAWS, City of Sheridan, City of Buffalo, Teton County, various pipeline and oil and gas projects, and has extensive experience in litigation and disputes. He quoted his rate at \$160/hr – the same as he charges SAWS. This rate is lower than his normal rate.

A motion was made, seconded, and approved to hire Tony Wendtland as the JPB lawyer of record.

There was discussion about obtaining a tax ID number; Tony said he'd take care that. He will need a copy of the JPB agreement and a copy of the minutes showing the appointment of the members.

There was discussion about "planned investment." Tony said committing subscribers and collecting a planned investment fee (hook-up charge) ahead of time would give the JPB immediate cash flow to start the process and show progress/contributions in order to get grants

and/or loans from the state. We need a consultant to determine how to get the line to each house safely (Steve Shute?); develop rules for hook-up, payments, etc.; develop an ownership agreement among the JPB entities detailing how the board will hold/disburse assets; and will need to develop an agreement with the county that will indemnify them against problems with the pipeline, particularly if they still plan to allow us to use the county rights-of-way. Peter agreed that all of this needs to be identified and dealt with, but first we should consider getting out a survey of some sort to determine how many pre/post subscribers we will really have. Joey will contact Melissa Butcher on the survey issue.

By the next meeting (December 18, 2013), we should have information regarding the bank account, bonding, and marketing issues.

Randy asked that Joey contact Steve to ask about the next step and to get his consultation fee.

The form letter expressing support for the pipeline was approved by the board and will be sent (Joey) to area agricultural operators.

The JPB will present to the 2014 Legislative Forum on January 15 at 4 p.m. The board discussed asking Jeremy Smith to present.

The meeting was then adjourned.