

LOCAL

Wreath auction underway

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LOCAL

Free Antibody Testing

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SPORTS

Turkey Trot

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One Dollar

Commissioners table 'monumental' hospital district decisions again

County attorney 'resents' talk of hiring 'outside counsel'

By Joy Ufford

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PINEDALE – Can Sublette County commissioners seek outside counsel experienced in navigating the ins and outs of working with a new hospital district and transferring about \$40 million in assets and cash?

Does that conflict with the Sublette County Attorney's Office's statutory responsibility to represent them?

And can the county attorney himself represent the commissioners' vision for the historic transition?

Those were big questions that led commissioners to again table their approval of the hospital district resolution on Dec. 1, where Commissioner Doug Vickrey and County Attorney Mike Crosson voiced strong opposition to hiring "outside counsel."

Commissioners have expressed ongoing concerns about how to manage the timing of their resolution, make sure they properly transfer about \$40 million in county assets and secure the future of the Marbleton-Big Piney Clinic.

Crosson said by law he is their attorney for these types of actions unless he is unwilling or unable to carry them out – and he is willing and capable to represent them.

He also said he has no conflict of interest even if his wife took a public stance opposing the special hospital district

before the Nov. 3 election – and "deeply resents (those) accusations."

Outside counsel

Commissioners also tabled the accompanying agenda item amended that morning by Commission Chair Dr. David Burnett, from "Outside Counsel for the County Commission regarding formation of Special Hospital District" to "regarding transfer of assets to the hospital district."

When they reached that point, Burnett again outlined his concerns about the detailed transactions among the entities – Sublette Center, Sublette County Rural Health Care District, Sublette County Board of Commissioners and the upcoming Sublette Hospital District.

Commissioner Doug Vickrey, via Zoom, immediately blasted his fellow commissioners for possibly exceeding their authority, having a private-attorney conversation he knew nothing about and bypassing County Attorney Crosson.

Vickrey was not present at the Nov. 17 meeting in Marbleton when Commissioner Tom Noble related his talk with a private attorney about helping the county as "outside counsel." A private attorney working on smooth and timely transitions would be paid from the commissioners' budget.

"I wonder what led Tom Noble to speak on behalf of this commission," Vickrey said, adding he has "utmost confidence (in) Mr. Crosson's office" and his deputy



Annette Pape's homemade fudge is an annual holiday highlight at the Museum of the Mountain Man's Wreath and Chocolate Auction taking place through Friday online and at the museum, where admission is free all day. For more about the auction, see page A3.

attorneys. He was angry "that decision was made" without anyone contacting him.

"Who authorized this? I only see Commissioner Noble in this," Vickrey continued. "The citizens of this county voted to put a county attorney in to represent the commissioners. ... We should have the faith to respect that decision."

Exceeding authority?

Crosson told commissioners, "You all are getting way out over your skis. ... Frankly you're exceeding your statutory authority. You made a decision my office is not capable of doing this; we've done everything we need to do. I deeply resent this was done over my head and respectfully ask you to table this and reconsider."

Burnett apologized, saying he was not sure if commissioners would be violating their statutory authority. He asked Crosson

to look into the legal background. He also asked Crosson about how the timing of the resolution's passing would affect the hospital district, which has to file with the state Department of Revenue within 10 days in 2020 – to receive funds in 2021.

"The hospital district needs to hire its own counsel and get up and running," Crosson said, adding commissioners can pass the resolution at any time

Burnett's specific concerns are about a reversion clause for the Marbleton Clinic and the "solidity" of agreements to transfer county assets – "Do you have staff and time for that?"

Crosson said he would advise them and draw up documents for whatever decisions the commissioners make – "The county is going to have to figure out exactly what

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UP Energy, formerly Ultra, lays off local employees

By Joy Ufford

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SUBLETTE COUNTY – Once a thriving oil and natural gas company listed on the stock exchange – Ultra Petroleum, the major player in the Pinedale Anticline – is now private and pared its local staff with layoffs Wednesday.

Ultra Petroleum emerged from its second bankruptcy in October as a private company, UP Energy LLC. It isn't known at this time how many or which type of employees have been laid off.

Ultra's Kelly Bott provided the Pinedale Roundup with the Dec. 3 statement about layoffs from UP Energy's new management team, Christopher Valdez and Ty Harrison.

"Our industry has been acutely impacted by the COVID-19 pandemic and geopolitics," Valdez wrote in his statement to the Pinedale Roundup. "Upon emergence from bankruptcy, UP Energy was sized like a pre-pandemic, public company with a substantial drilling and completion program.

"Unfortunately, staff reductions must be part of the turnaround process to ensure the future success of the organization, but we have been transparent with UP employees about the difficult decisions regarding reductions in force," he wrote. "To be a leading organization in the energy industry going forward, UP must have a renewed focus on operational efficiency and continue our emphasis on safety and ESG. UP's organizational structure will be aligned with these focus areas."

COVID-19 cases continue to rise at Sublette Center

Countywide mask mandate set to be extended

By Robert Galbreath

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PINEDALE – Six more residents at the Sublette Center tested positive for COVID-19 this week, Public Health Nurse Manager Janna Lee reported during the Sublette COVID-19 Response Group's Dec. 3 briefing.

A total of 18 Sublette Center residents have now tested positive for the coronavirus.

Additional Sublette Center employees tested positive this week, bringing the total to 22, Lee continued. Lee stated that two Sublette Center residents were hospitalized on Thursday, Dec. 3. The rest are in recovery, she added.

Dr. Fitzsimmons, county public health officer, thanked staff at the Sublette Center

for putting in additional work to "diminish the heartache" at the facility.

Dawn Walker, Sublette Center administrator, told the Roundup that the lack of employees has put a strain on the facility, employees, residents and families. Staff that test positive for COVID-19 but do not display any symptoms are permitted to work with positive patients on a case-by-case basis approved by Lee and Fitzsimmons, Walker added.

The Sublette Center is on full lockdown, Walker said.

Dr. David Burnett, medical director for the center, said on Friday, Nov. 27 that the Sublette Center "developed a COVID-19 response plan many months ago" and the "plan is now in full force."

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