

BIG HORN COUNTY COMMISSIONERS' MINUTES

DATE TIME AND PLACE: The Board of County Commissioners of Big Horn County, Wyoming, met in regular session on June 15, 2010. The meeting was called to order beginning with the Pledge of Allegiance at 9:00 a.m. at the office of the board of county commissioners in the Basin courthouse.

BOARD MEMBERS PRESENT: Thomas S. Hinman, chairman; Keith Grant, Jerold S. Ewen, members; and Dori Noyes, county clerk and clerk of the board

Gwen Nelson, clerk's deputy, met with the commissioners to present the bills and payroll for approval. *Commissioner Ewen made a motion, seconded by Commissioner Grant and carried, to pay the bills and payroll as presented.* The following bills were presented, audited, approved by motion and warrants ordered, issued in payment of same:

ADVANCED GENERATOR TECHNOLOGY 40,631.01 / ALLTEL 124.96 / ARROWHEAD RV 109.96 / B&G INDUSTRIES LLC 131.30 / BOB BARKER COMPANY, INC. 875.50 / BASIN REPUBLICAN RUSTLER 64.00 / ALLEN C. BECKHOFF 127.68 / BIG HORN AUTO PARTS, INC. 109.53 / BIG HORN CO-OP MARKETING ASSN 2,898.78 / FIRE PROTECTION DIST. #5 159.60 / BIG HORN RURAL ELECTRIC CO. 437.90 / BIG SKY STEEL & SALVAGE 1,318.00 / LINDA BOYCE 2,151.75 / BURLINGTON CAR CARE 144.21 / CALIFORNIA CONTRACTORS SUPPLIES 136.50 / CARQUEST AUTO PARTS 765.23 / CK HARDWARE 451.71 / CMI-TECO 1,187.15 / COMMERCIAL SERVICE HVAC 250.00 / COMPUTER SOFTWARE ASSOC. 22.50 / COPENHAVER, KATH, KITCHEN 150.00 / CORNERSTONE PROGRAMS 1,310.00 / TOWN OF COWLEY 79.40 / BRANDY DAVISON 1,754.00 / FIRE PROTECTION DISTRICT #3 82.94 / FIRE PROTECTION DISTRICT #4 133.98 / DAVID FLITNER 603.44 / FLEET SERVICES 3,953.50 / FROST ROCK PRODUCTS 70,150.50 / J. TRAVIS SMITH 300.00 / GOPPERT, ROHRBACK & SMITH 300.00 / GORRELL & HOPKINSON P.C. 739.06 / GDA ENGINEERS 35,803.17 / GRAINGER 430.59 / GREYBULL BUILDING CENTER 216.60 / JOEL M. PULL 85.00 / TOWN OF GREYBULL 267.10 / HARPER'S SERVICE CENTER 20.00 / HONNEN EQUIPMENT CO. 280.78 / HUB-BHJ INT'L MOUNTAIN STATES LTD 1,115.00 / I-STATE TRUCK CENTER 444.81 / IBM CORPORATION 632.00 / JABE CORPORATION 4,750.00 / KIMBERLY KOCH 916.20 / BRIGITA S. KRISJANSONS 150.00 / LAIRD SANITATION 130.00 / JESSICA LOEPER P.C. 615.00 / MCS OFFICE PRODUCTS INC. 41.14 / MARTEL ELECTRONICS 48.00 / MASTERCARD 4,529.45 / LLOYD MAYES LOCKSMITHING 10.00 / NEIL MAYES 501.20 / MIDWAY CLINIC 180.00 / MILLER'S FABRICATION & CONST. 134.01 / MINCHOW'S SERVICE 2,162.10 / MODERN PRINTING COMPANY 148.36 / MOTOROLA 157,625.50 / MOUNTAIN CONSTRUCTION COMPANY 425,473.63 / MURDOCH OIL, INC. 4,452.06 / N-COMPLIANCE SAFETY SERVICES, INC. 1,125.00 / CALLI LYN NELSON 195.00 / NORTH BIG HORN SEARCH & RESCUE 271.90 / NORTH BIG HORN SENIOR CITIZENS 983.00 / NORTHERN WYOMING DAILY NEWS 39.60 / DORI NOYES 268.00 / O'REILLY AUTO PARTS 456.94 / THE OFFICE SHOP, INC. 471.96 / DAVID S. PETERSON, D.D.S. 161.00 / PROCESS POWER & CONTROL INC. 6,846.58 / RED APPLE SUPERMARKET 25.78 / RELIABLE OFFICE SUPPLIES 252.98 / RIVERBEND PLUMBING & HEATING 10,470.65 / ROCKY MOUNTAIN POWER 1,772.20 / ROCKY MOUNTAIN POWER 7,163.00 / RANDY L. ROYAL 555.00 / RURAL FIRE PROTECTION DIST. #1 191.40 / RURAL FIRE PROTECTION DIST. #2 196.25 / SELBY'S 177.12 / WILLIAM L. SIMPSON 150.00 / SOUTH BIG HORN SENIOR CITIZENS 1,357.15 / STEVE'S ELECTRIC, INC. 1,133.45 / LEONARD SVEE 390.00 / TECHNICAL FORESTRY SERVICES 3,600.95 / TCT WEST, INC. 5,681.82 / TCT WEST, INC. 1,277.25 / T&E RENTAL 5,219.95 / TRACTOR & EQUIPMENT CO. 1,940.34 / TRAVELING COMPUTERS, INC. 8,609.42 / TRI COUNTY TELEPHONE ASSOC. 69.55 / VALLEY HARDWARE

9,772.17 / AMERICAN WELDING & GAS INC. 335.24 / WAVES WEB DESIGN 146.25 / WESTERN PRINTING INC. 144.00 / WHEELER'S IGA 67.46 / WYOMING GAS 2,229.47 / WYO. LAW ENFORCEMENT ACADEMY 400.00 / WYO. STATE FORESTRY DIVISION 7,777.54 / WYOMING RETIREMENT SYSTEM 15.52 / WYOMING STATE BOARD OF PHARMACY 40.00 / WYO. PUBLIC HEALTH NURSING SERVICES 287.00 / ZONE 4 GRAPHICS AND PRINTING 1,035.00

Jim Raffl and Fred Werner, courthouse maintenance, met with the commissioners to discuss the courthouse lighting, elevator and wiring projects. ***Commissioner Ewen made a motion, seconded by Commissioner Grant and carried, to approve the agreement between Big Horn County and JVAN Contracting for the courthouse window project, after first obtaining the county attorney's approval for form.***

Commissioner Grant made a motion, seconded by Commissioner Ewen and carried to approve the June 1 & 2, 2010, commissioners' minutes as amended.

Georgia Antley Hunt, county attorney, and the commissioners discussed a draft letter that Jerry Ewen and Keith Grant propose to send to the governor. This letter references the Public Defender contracts for Michelle McColloch Burns, an attorney in Big Horn County, and Sandy Baker, an attorney in Hot Springs County, who were both running for public office and who also hold public defender contracts. They were notified by the State Public Defender that they would no longer be able to hold the position of public defender while running for County Attorney and that their contracts were being cancelled. Because of this cancellation, Ms. Baker decided to withdraw her candidacy. Commissioners Ewen and Grant feel this cancellation may represent an infringement to the civil rights of these attorneys, and that this action effectively blocks qualified attorneys from running for the office of county attorney. Georgia does not feel it is any of the county's business and recommended that the letter not be sent. Commissioner Grant says the county is sent the contracts for the public defenders to sign and approve and feel their opinion should be heard. Commissioner Hinman was not in favor of the letter. Further discussion of the letter took place later in the meeting.

William Bridges, Pryor Mountain Engineering, met with the commissioners to discuss engineering projects and give updates on projects. Willie received a letter from Mr. Brimley's attorney regarding the proposed Davis Lane alterations and, due to extenuating circumstances, Mr. Brimley is not in favor of the alterations. The commissioners asked William to pursue getting approval for the removal of brush or trees to improve visibility on the road and get back with the commissioners at their next meeting.

Commissioner Grant made a motion, seconded by Commissioner Ewen and carried, to approve an application for permit to construct a gravel access driveway for Randy LaBudda located in T.S. 51, R. 93, Lot 43 (Broadmoor Acres Addition to the Basin).

William presented and recommended the approval of the official utility license.

Commissioner Ewen made a motion, seconded by Commissioner Grant and carried, to adopt the proposed utility license.

Commissioners asked that William coordinate the inspection of the water tank at the airport. Commissioners encouraged William to check on the progress of the Crystal Creek Bridge project. William also gave an update on the Lane 38 project, indicating that he had provided all the documentation the BLM had asked for.

Commission Chairman Thomas S. Hinman called for a break at 10:50 a.m. and called the meeting to order at 11:00 a.m.

Dave Flitner and John Koller, airport board members, and Jill Harper, airport board secretary, presented a plan which asked for temporary additional funding for a proposal which will increase the hours, duties, and responsibilities of the Airport Board Secretary until the end of

the calendar year. The airport Board explained that the additional funds are for wages and office equipment, and provided a brief explanation of what they wish to accomplish. Commissioner Grant said he doesn't feel they can give additional funding to the airport board since a cash advance was already given to cover fuel expenses this year. Commissioner Grant stated that he favors replacing the Airport Board with an airport manager. Commissioner Ewen suggested the county give the Airport Board's plan a chance for six months and then re-evaluate. The board was asked to produce their request for more funds on an official budget form to consider at the next meeting.

Linda Harp, grants administration, met with the commissioners to present documents for consideration. ***Commissioner Ewen made a motion, seconded by Commissioner Grant and carried, to support Joint Resolution #18 between Big Horn County and the State Loan and Investment Board Chapter 26 for the redistribution of the County Consensus Block Grant funds.*** The resolution is on file in the County Consensus Block Grant file or at the county clerk's office.

Commissioner Ewen made a motion, seconded by Commissioner Grant and carried, to approve the request for reimbursement of state funds for the state grant No. GEY-06E in the amount of \$11,962.00 and state grant No. GEY-06F in the amount of \$57,591.00 and federal grant No. 3-56-0013-17 in the amount of \$378,810.00.

Linda also gave an update on the Hyattville Community Center and confirmed that William Bridges will be working with the Hyattville architect. Linda reported that Big Horn County Grants Administration is now required to give monthly reports regarding the grant. Linda also told the commissioners she will submit an application for the fairgrounds planning grant.

Commissioner Ewen made a motion, seconded by Commissioner Grant and carried, to approve the continuation of the TANF grant with the approval of the county attorney.

Commissioner Ewen made a motion, seconded by Commissioner Grant and carried, to approve the amendment to the grant award agreement between the Wyoming Office of Homeland Security and Big Horn County for the purpose of amending the grant award performance period to October 1, 2008, through September 30, 2010.

Sue Wiley, public health nurse, met with the commissioners to present an amendment to the Public Health contract which will cover the HIPA law. ***Commissioner Ewen made a motion, seconded by Commissioner Grant and carried, to approve the first amendment to the contract between the Wyoming Department of Health, Community and Public Health Division, Public Health Nursing and County of Big Horn.***

Commissioner Ewen made a motion, seconded by Commissioner Grant and carried, to approve amendment number one to the contract between Wyoming Department of Health, Aging Division and Big Horn County Public Health Nursing for the purpose of extending the date of the contract for six months or until the new contract has been signed and executed.

Commissioner Ewen made a motion, seconded by Commissioner Grant and carried, to appoint Randy Keyes to the Byron Solid Waste Board to finish the term of Troy Pimental. Randy's term begins immediately and expires October 31, 2010.

Commissioner Ewen made a motion, seconded by Commissioner Grant and carried, to adjourn for lunch at 12:00 p.m. Commission Chairman Hinman called for regular session at 1:00 p.m.

Leslie Hoffman, CARES, met with the commissioners and requested an executive session. ***Commissioner Ewen made a motion, seconded by Commissioner Grant and carried, to go into executive session at 1:25 p.m. to discuss personnel and possible litigation issues.*** ***Commission Chairman Thomas S. Hinman called for regular session at 1:40 p.m.*** No action was taken.

Commissioner Ewen made a motion to send a letter to the Governor expressing the Commissions opposition to the State Public Defenders' action in cancelling the Public Defender contract for Michele McColloch Burns and Sandy Baker. The motion was amended to include sending a copy of the letter to the State Public Defender. Commissioner Grant seconded the motion and the amendment and discussion was called for. The motion was passed by a two to one vote, with Commissioner Hinman opposing, to send the letter to the governor and a copy to the State Public Defender regarding the cancellation of the Public Defender contracts for Michelle McColloch Burns and Sandy Baker. Commissioner Hinman refused to sign the letter.

Commissioners considered, reviewed and approved the following:

Bonds: Linda Marcus, bookkeeper, Otto Cemetery District, \$10,000.00; Marianne Grant, treasurer, Board of Cooperative Education Services, \$5,000.00; Rhonda Savage, coordinator, Board of Cooperative Education Services, \$25,000.00; Michael Leonhardt, commissioner, Lovell Drainage District, \$1,000.00; Coleen Wagner, secretary, Big Horn Fire Protection District #5, \$10,000.00; Shirley D. Banks, treasurer, Big Horn County Fire Protection District #5, \$10,000.00; Charlene Anderson, secretary treasurer, Basin Recreation District, \$10,000.00

Minutes and Reports: Weed and Pest minutes for June 8, 2010.

Application for Rebate: Todd Jones, dba Paintrock Adventures, for 2009, property described as Parcel #10-00-000-00308 in the amount of \$561.76 for the calculation error on personal property.

Application for Cancellation of Taxes: Dale Thackeray (DNA Auto Parts) for 2009, property described as Parcel # 03-00-000-01876-T in the amount of \$155.39.

There being no further business to come before the board and *upon motion by Commissioner Ewen, seconded by Commissioner Grant and carried, the board adjourned at 1:50 p.m.; the board will meet in regular session on July 2, 2010 for a special meeting to approve bills and payroll. The next regularly scheduled meeting will be July 6th and 7th, 2010.*

STATE OF WYOMING)

) ss.

COUNTY OF BIG HORN)

I, Dori Noyes, County Clerk and Ex-Officio of the Board of the County Commissioners, do hereby certify the above and foregoing to be a full, true and complete copy of proceedings had by board at its last regular meeting on **June 15, 2010.**

Board of County Commissioners

Big Horn County, Wyoming

/s/ **Thomas S. Hinman, Chairman**

/s/ **Keith M. Grant, Member**

/s/ **Jerold S. Ewen, Member**

Attest: /s/ Dori Noyes, County Clerk, Clerk of the Board

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