

MINUTES OF THE BIG HORN COUNTY COMMISSION MEETING

NAME: Big Horn County Commission TYPE: Regular Session

PLACE: Big Horn County Courthouse Commissioner's Chambers

DATE: **December 4, 2018** TIME: 9:00 AM

Chairman: Felix Carrizales, Members John Hyde, Deb Craft

Other County Representatives: Lori Smallwood, County Clerk;

List of attendees on file.

The meeting was called to order at 9:00 AM by Chairman Carrizales; followed by the Pledge of Allegiance led by Craft. The agenda was presented, a **motion** was made by Craft to accept the agenda as amended, the motion was seconded and carried.

Willie Bridges-B.H.C. Engineer and Road & Bridge: Hovey reported on gravel crushing, plowing and gravel hauling that has been underway. Hovey reported that sand will be delivered to the fairgrounds building. Wambeke reported on gravel crushing and work on Road 9. Carrizales shared a list of equipment that will be coming up for sale that was distributed at a WYDOT meeting December 3rd. There was discussion about possible interest in some of the equipment on the list. Wambeke reported that he will need to replace his wire feed welder. Bridges reported that the previously discussed work on Lane 41 ½ is moving along at the BLM and he sent the requested email about the county's intent with the changes. A cultural resource study will be done in the spring and work might begin this summer. Bridges reported that the court security project bidders meeting was attended by six contractors and that the Coroner building is also moving along. There was discussion about exterior lighting and being cognizant of the neighborhood. Bridges reported that the road policy is ready to move forward with the formal adoption process. The Commission will request the County Attorney review the statute and advise on the timeline and steps that need to be followed for formal adoption. Carrizales asked if Big Horn County has the same concerns as Washakie County with the Nowood Road to Tensleep. Bridges gave an overview of the work that was done to upgrade the road for eventual WYDOT adoption reporting that Big Horn County completed our portion and that Washakie County only partially completed theirs which has resulted in the road damage that Washakie is complaining about and why Big Horn County doesn't have the same concern.

Wes Huber – Airport Manager: Huber reported on airport activities. Huber reminded the Commission the FAA conference is coming up March 19th and 20th and ask the Commission if any of them will attend. Huber reported that the hangar lease agreements are still under County Attorney review. Carrizales asked about plane occupancy in the county hangar and limits of storage in that building. Huber said he is not able to find anything that documents a limit at this point. Carrizales shared he had received a complaint from a plane owner whose space is in the rear of the building making it difficult to exit. Huber stated that some contracts have expired but payments continue to be received for planes in the hangar. Huber shared some of the issues that cause planes to be used vs not and common rotation in the building based on usage. There was discussion regarding changing the agreement to try to relieve the issue. There was also discussion about looking for possible grant opportunities to increase leasable hangar space at the Cowley and Greybull Airports. Hyde asked about H. Sheppard and the issues with his accessing the property despite the fact that his lease has terminated. There was discussion that the County Attorney's help is needed to resolve his lease default and other items. Carrizales will contact the County Attorney to discuss and try to move forward. There was discussion regarding changing the access codes at both airports. Carrizales asked Huber to look into the change and associated costs.

Angela Parker – Land Planning: Parker presented the Smith simple subdivision (SS 18-004) plat for approval. Hyde moved to approve the Smith simple subdivision plat as presented, the **motion** was seconded and carried. Parker gave an overview of other pending subdivisions and a special meeting of the P & Z Commission to approve the George subdivision to enable its finalization at the 12/18 Commission meeting. Parker requested an executive session for personnel.

Hyde moved to go to executive session the **motion** was seconded and carried. The session was adjourned with no action taken.

Parker gave an overview of concerns that would be presented by the Scharen Subdivision Homeowners group later in the agenda.

Marquerite VanDyke & Carol Willard Deputy County Clerks: VanDyke and Willard presented accounts payable and payroll items. Hyde moved to approve the bills and payroll as presented. the **motion** was seconded and carried.

LETITIA C ABROMATS, PC 410.00, ALSCO 65.77, ASCENT AVIATION GROUP, INC 60.00, DEL ATWOOD, JR 9.95, BASIN PHARMACY 1,443.83, BASIN REPUBLICAN RUSTLER 652.50, TOWN OF BASIN 4,960.53, BIG HORN CO-OP MARKETING ASSN 7.98, FIRE PROTECTION DIST. #5 224.40, CARDINAL HEALTH 110 LLC 14,467.68, CENTRAL DRUG SYSTEM 7.00, CNA SURETY 680.00, COMMERCIAL SERVICE HVAC 1,932.95, COMMUNICATION TECHNOLOGIES, INC. 4,659.08, CATHLEEN COLLINS 26.61, TOWN OF COWLEY 148.35, DEB CRAFT 101.14, DASH MEDICAL GLOVES 540.00, DELUXE BUSINESS CHECKS & SOLUTIONS 422.03, TINA ELY 36.25, EPSILON SIGMA PHI 45.00, FAIRBANKS MEDICAL CONSULTING, PC 800.00, FIRE PROTECTION DISTRICT #3 100.98, GRETCHEN GASVODA KELSO 146.76, T-O ENGINEERS, INC 23,093.95, GREENWOOD MAPPING INC. 5,000.00, TOWN OF GREYBULL 232.24, HEART MOUNTAIN CONSTRUCTION LLC 96,423.32, WESLEY HUBER 93.78, MICHAEL K JAMESON, JR 1,200.00, TRACY JOLLEY 11.65, KANE FUNERAL HOME 190.00, KEEGAN, KRISJANSON & MILES, PC 200.00, CHRISTOPHER J KING, PC 25.00, LISACS TIRE SUPPLY 311.04, TOWN OF LOVELL 297.31, CONNIE LOWE 318.00, M & T UNDERGROUND INC. 9,288.00, KRISTY MICHAELS 20.00, HOPE MENDEZ 43.05, MINCHOW'S SERVICE 5,731.36, MINCHOW'S FOOD COURT 33.00, MONTANA-DAKOTA UTILITIES 668.87, MOTOR POWER EQUIPMENT CO. 370.69, KAMI NEIGHBORS 152.60, NOBLE INDUSTRIAL SUPPLY CORP 265.88, NORTH BIG HORN SENIOR CITIZENS 750.00, THE OFFICE SHOP, INC. 327.67, THOMAS Y. PICKETT & COMPANY, INC 1,700.00, PLAN ONE ARCHITECTS 5,809.57, PURCHASE POWER-PITNEY BOWES 1,041.83, WILLIAM E. BRIDGES 11,882.94, PUBLIC DEFENDER 450.00, QUILL CORPORATION 87.43, RIMROCK TIRE, INC 1,459.60, RURAL FIRE PROTECTION DIST. #1 297.64, RURAL FIRE PROTECTION DIST. #2 841.50, S&L INDUSTRIAL 690.00, SECURE INSTANT PAYMENTS, LLC 53.75, SHERRI SCHELL 612.00, SOUTH BIG HORN SENIOR CITIZENS 916.67, TRAVELING COMPUTERS, INC. 5,408.82, UPBEAT INC. 81.68, SECURITY STATE BANK 1,954.86, VALLEY HARDWARE 9.78, VARNEY CLEAN CARE, INC. 1,511.08, VERIZON WIRELESS 107.73, WYONET, INC 2,242.40, FRED A. WERNER 262.49, WYOMING OFFICE OF STATE 39,597.36, WYOMING FIRE SAFETY 187.00, WYO DEPT. OF HEALTH 784.26, WY DEQ 400.00, WYOMING GAS 423.71, WYOMING STATE 4-H FOUNDATION 100.00, WYOMING COUNTY TREASURER'S ASSN. 25.00, TINA SCHENAVAR 157.50, WAYNE E HUDSPETH 142.50, CASSIDY S EDELER 367.50, JILL HITZ 6.56

Scharen Subdivision Home Owners Group: Carrizales welcomed the group and requested attendees introduce themselves. M. Mazur spoke for the group. Mazur shared a bit of the history of work they had done with neighbors regarding concerns in the area and reported that the most recent talk was of a feedlot being established right on the edge of their subdivision. Mazur shared concern that the neighbor will do a project out of spite not necessarily for a business purposes and shared an ordinance that was done in North Dakota that might be useful in Big Horn County to protect landowners in similar situations in the future. Mazur asked if anything similar existed in BHC and if not suggested that the Commission might consider getting ahead of these sort of issues. Craft suggested it would be good to have the County Attorney look at the sample ordinance and make suggestions regarding a possible solution. Hyde suggested that the concept appears to be a type of zoning. Mazur shared that it was more of a nuisance ordinance not really zoning. Carrizales shared that the fact that no ordinance is in effect can put the county and landowners in a bad position for the very reason we value the freedom to use our land as we see fit in Big Horn County. G. Antley asked if there is any interest or desire by the county for some sort of zoning. Carrizales shared that it has traditionally not been a desire. Bridges suggested the group look at the Shell Valley ordinances that were recently repealed as a possible example. Bridges clarified that zoning comes about as a result of ordinance. Carrizales suggested that the beef initiative from Wyoming Business Council, Wyoming Made and the Governor for export of beef to Taiwan might be a

spur for the thought of building feedlots in our area. Carrizales requested some time to have the Attorney look at the document they shared. Hyde shared that whatever is done will end up being countywide and may be a solution for this group and an issue for others. There was discussion from the group that a nuisance ordinance is an important thing for any community and should be considered in Big Horn County. Hyde shared that he appreciates the group sharing their problem and bringing a possible solution.

LaRae Dobbs – Emergency Management Coordinator & Mike Williams- Merit Energy: Williams shared the work Merit has been doing on bank stabilization on the Shoshone River and the work they plan to do prevent further erosion. Williams share the preconstruction authorization is on its way from the Army Corp of Engineers as well as the work they have been able to do to protect the conduit and area during the colder weather and freezing conditions. Williams shared an image and description of Merit's plan for long term correction of the issue the erosion caused and to prevent further high-water damage. Williams gave an explanation of how the conduit is constructed and the protection it provides as well as monitoring that is done to ensure its integrity. Williams anticipates the project will be completed soon. There was discussion regarding the bio engineering that will happen in the area as it is reclaimed. Dobbs shared that it will beautify the county and provided wonderful wildlife habitat in the years to come. Bridges stated that a flood plain permit has been issued for phase one and asked if there was a timeline for when the phase two would be coming and a permit would be needed. Williams explained that recent developments with the Army Corp have eliminated the second phase that he had not had a chance to talk to Parker regarding a permit update. An explanation of the change will be sent to Land Planning and Engineering. K. Grant shared a recently passed sediment bill that was signed by Trump and stated he would like to get with Merit for them to participate as part of the local committee work associated with the bill.

W. Bridges was called back various times throughout the day for questions regarding county buildings. Carrizales shared his conversation with a local HVAC company regarding the condensation issues in the Fairgrounds multipurpose building and asked Bridges to review the building specs and work to ensure it was built properly. Bridges will review the design and report back to the Commission. Carrizales asked Bridges for an explanation of the fix planned for columns at the Coroner building as discussed in the recently completed observation report. Carrizales shared concern that the fix be durable and right. Bridges shared that it will be trimmed to make it look clean and right. Craft asked about the time frame for recourse if things are not done according to spec or design when building a new building. Bridges shared that normal warranty is one year unless a contract specified differently. Bridges shared if there was true negligence most contractors would stand behind the work but noted there is civil recourse potential if there was negligence.

Bobbie Jenks -Public Health: Jenks shared that the immunization program has grown amazingly. Most recent request are for flu vaccine but that the WY retirement Center had requested 60 pneumonia vaccinations for residents. Jenks shared this increase in demand is exceeding the budget that was set in July and requested the budget be increased to accommodate the growth. There was discussion of the corresponding revenue increase and the net result being neutral to the county's general fund budget.

Smallwood presented the WIC contract amendment for signature. Craft moved to approve the WIC contract amendment as presented, the **motion** was seconded and carried.

Keith Grant attended to share the public records act that will be proposed during the January legislative session and shared the Conservation Districts concerns with the Commission. Grant shared that WY Conservation Districts have hired an attorney to help them with this draft bill and to find a way make it more feasible, enforcement easier and compliance more realistic. There was discussion regarding Liz Cheney's bill and counties who are not wanting to be included and how that may jeopardize the bills progression at this late stage of the game. Grant made recommendations to the Commission on an applicant to replace the WCCA Executive Director. Grant shared the importance of the recently signed Trump Missouri River Basin Waterway Bill and the impact it could have in Big Horn County in dealing with sedimentation issues.

Old and New Business: Smallwood presented minutes from the 11/20 meeting. Hyde moved to approve the minutes with the correction of the spelling of Candee, the **motion** was seconded and carried. Smallwood shared the VOS program request from R. Salyer, discussion determined that the Commission would like to get advice from Bean about the topic. Carrizales reported on work going on at the most recent Big Horn Basin Prevention Alliance/Coalition meeting and his concern that the soon to be hired program manager really should be in on these groundwork meetings and needs assessment work.

Good of the County items: Monthly Report(s) and prepared correspondence review: Weed and Pest minutes (October, 2018) Bonds: D. Heron- Shoshone Drainage Dist. (\$1,000)

Hyde moved to adjourn, the **motion** was seconded and carried.

STATE OF WYOMING)
COUNTY OF BIG HORN)

I, Lori Smallwood, County Clerk and Ex-Officio of the Board of the County Commissioners, do hereby certify December 4, 2018.

These minutes can be viewed electronically at www.bighorncountywy.gov