

## 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 6, 2016**                                      TIME: 9:00 AM

**Chairman: Jerold S. Ewen, Members present: John Hyde, Felix Carrizales**

**Other County Representatives: Lori Smallwood, County Clerk;**

List of attendees on file.

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

Representative Jamie Flitner attended to see if there was anything the Commission wished to share with her before she heads to Cheyenne for the legislative session. Flitner asked the Commission keep in touch anytime she can be of assistance. Flitner thanked Commissioner Ewen for his years of service to Big Horn County.

Willie Bridges– Pryor Mtn. Engineering / Road and Bridge: Hovey gave an update on Road 26 and other work of his department. Ewen reported that research of the Odessa Cemetery Road issue has found that P. Good removed the cattle guard in the area and is also the one building the fence. Ewen is concerned with how close the fence was to the road and requested Hovey work with Good to verify that the fence does not encroach on the county right of way.

Wambeke reported the completion of repairs caused by October rain damage.

Bridges reported that letters were received from WYDOT for the railroad crossing that will be converted to a public crossing at Spence Road. Bridges also reported that the proposed crossing at Road 3 was discussed but not approved at the recent Highway Commission meeting. Bridges recommended that Big Horn County should meet with the State Highway Commission in Cheyenne to discuss the need and try to get approval. Bridges will contact the Highway Commissioner for this area to make arrangements for Big Horn County to meet with the Commission.

The meeting was called to a recess so the Commission could attend the swearing in ceremony for Commissioner elect Deb Craft.

Bridges reported that the wetlands delineation for Road 7 ½ has been completed.

Carrizales asked Bridges for an overview of the Davis lane location concerns. Bridges highlighted the location of the road vs legal description as well as the road re-alignment for the Shell Creek bridge that had been installed by WYDOT. There was also discussion of B. VanFleet's objection to signs located on the highway that direct traffic to the Devil's Kitchen geological site. It was determined that the Greybull Chamber of Commerce holds the WYDOT permit for those signs and had them installed.

Carl Meyer – Airport Manager: Meyer reported on the FAA/WYDOT meeting he attended in Cheyenne. Meyer presented final financial reports for the Cowley and Greybull Airports for signature. Hyde moved to approve both reports as presented, the **motion** was seconded and carried.

Karl Bertagnole – B & G Industries: Bertagnole explained the Avery hangar maintenance fund and provided an explanation of how it works to finance hanger repairs and maintenance. Bertagnole stated that there isn't another maintenance project planned at this time so the payments will accumulate for a bit with exterior maintenance to come soon. Bertagnole discussed his interpretation of the new FAA Rules governing non-aviation use of hangars that will be effective July 2017. Bertagnole gave an overview of his leased airport property, how each area is used, and listed the incidental uses/items that may occupy the various areas during times when the company has no aeronautical work. Bertagnole agreed to draft a non-aviation use plan for the county to present to the FAA for their approval. The plan approval would allow for specific non-aviation use at

the airport when aeronautical work is not available. The Commission expressed their desire to support Bertagnole's plan and will assist in seeking FAA approval. There was discussion about the possibility of increasing the lease amount to fair market value for non-aeronautical use as specified by FAA regulation.. Bertagnole clarified the company's intention to limit the use of the Russell Hangar strictly to aeronautical which means the Avery Hangar is the only potential space for alternate use.

Bertagnole provided a brief historical overview of the situation that led to the sale of the Avery Hangar to the County which was necessary to obtain the grant that built the Russell hangar. Bertagnole informed the Commission that the sale of the Avery Hangar was planned as a repurchase by B &G with his goal at that time to own both hangars outright when the project timeline was complete.

The Commission expressed concern that heavy farm equipment being driven on the Airport apron could possibly cause damage to the pavement. It was decided that in most cases the load was less than some aircraft that use the facility.

Bertagnole stated he will have the plan for FAA consideration completed by the beginning of the year. The decision was made to hold a second meeting to ensure that everyone was clear and supported all aspects of the plan as presented before it would be forwarded to the FAA for consideration.

Meyer explained the HUBZone formula that determines area eligibility. Bertagnole asked what happened within the county or the determining formula that resulted in Big Horn County no longer being a HUBZone. There was no clear reason that Meyer or the Commission was able to identify, as the determination comes from a valuation system that is not subject to local control or input but is provided by federal agencies. Bertagnole stated that Hot Springs County is a HUBZone and that when possible he may pursue contracts utilizing both his Thermopolis location and Big Horn County location with careful attention to the amount of work that must be done in Hot Springs County to be HUBzone eligible. Bertagnole requested that the County research why we no longer qualify for this designation.

Bobby Jenks - BHC Public Health: Jenks reported on Public Health activities, including an overview of the potential to relocate the Public Health office in Lovell. Ewen summarized that preliminary discussion revealed that Fire District One was offering the building for no charge except that County Public Health will be responsible for utilities and general maintenance. It was moved to pursue an MOU to be drafted between the County and Fire District One for the utilization of the building, the **motion** was seconded and carried. Carrizales asked about the costs associated with the move and new location. Jenks gave an overview of public health funding to support the move and the lease of the new location. Carrizales asked if constituents of the fire district would have any objection to this building use. Hyde responded that it is viewed as a win-win situation because it gives vehicle storage/garage/bay space for the Fire District to store equipment but allows for full utilization of the facility.

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

LETITIA C ABROMATS, PC 1,456.80, ALSCO 101.44, AMERICAN WELDING & GAS INC. 199.75  
APPLE BOOKS 820.70, ASCENT AVIATION GROUP, INC 60.00, CAROLYN BARNES 166.86, BASIN  
PHARMACY 683.75, BASIN REPUBLICAN RUSTLER 1,008.00, TOWN OF BASIN 11,758.07, THOMAS  
L BENNETT, MD 1,950.00, BIG HORN CO-OP MARKETING ASSN 14.15, BIG HORN CO-OP  
MARKETING ASSN 2.99, BIG HORN CO-OP MARKETING ASSN 145.48, FIRE PROTECTION DIST. #5  
150.56, BIG HORN ENGRAVING & SIGN 95.60, BILLINGS CLINIC TRAINING CENTER 61.00, BLAIR'S  
MARKET 21.18, BROSIUS ELECTRIC 87.37, DAVID ROBERT CALDWELL 52.50, CANON FINANCIAL  
SERVICES 338.66, CARDINAL HEALTH 110 LLC 7,220.33, TERESA MARIE CALDWELL 648.00, CNA  
SURETY 100.00, COPENHAVER, KATH, KITCHEN 150.00, CATHLEEN COLLINS 181.44, COUNTY  
CLERK 50.00, BIG HORN COUNTY TREASURER 513.26, DONNA K CAPELLEN 37.67, CHARTER  
COMMUNICATIONS 79.98, TOWN OF COWLEY 139.35, CUSTOM GARAGE DOOR LLC 195.00  
DASH MEDICAL GLOVES 167.60, DEMCO 305.10, DOUBLE R SERVICE, LLC 43.25, TINA ELY 33.72

EPSILON SIGMA PHI 50.00, FAIRBANKS MEDICAL CONSULTING, PC 800.00, FIRE PROTECTION DISTRICT #3 94.10, FIRE PROTECTION DISTRICT #4 272.89, FREMONT MOTOR CO. POWELL 89,751.00, GIS WORKSHOP 775.00, CENGAGE LEARNING - GALE 147.29, GRETCHEN GASVODA KELSO 302.40, BRENT GODFREY 364.96, GORRELL & HOPKINSON P.C. 1,448.62, CHRISTINA GREENFIELD 57.24, GRAINGER 450.00, GREYBULL BUILDING CENTER 82.88, GREENHOUSE GARDENS 42.90, GREYBULL STANDARD 192.00, TOWN OF GREYBULL 230.80, GUMDROP BOOKS 440.02, ROY HARPER 264.18, JOY H HILL 37.01, HONNEN EQUIPMENT CO. 1,628.73, HOPKINS MEDICAL PRODUCTS 77.00, HUB-BHJ INT'L MOUNTAIN STATES LTD 311.00, I-STATE TRUCK CENTER 111.72, IDEAL MFG., INC. 146.19, IAPE 100.00, J&E, INC. 2,860.88, MICHAEL K JAMESON, JR 1,200.00, BOBBIE JENKS 253.74, KANE FUNERAL HOME 190.00, KEEGAN, KRISJANSON & MILES, PC 470.86, KEELE SANITATION 441.00, CHRISTOPHER J KING, PC 62.50, LAWSON PRODUCTS, INC. 261.18, BECKY A. LINDSEY 2,493.61, JESSICA LOEPER P.C. 720.00, LOVELL CHRONICLE 1,996.50, LOVELL CHRONICLE 32.00, LOVELL BUILDING CENTER 11.39, TOWN OF LOVELL 291.16, MICROMARKETING LLC 1,140.00, MESSENGER & OVERFIELD, PC 429.64, MINCHOW'S SERVICE 760.94, MONTANA-DAKOTA UTILITIES 570.31, KAMI NEIGHBORS 148.12 NORTH BIG HORN SENIOR CITIZENS 750.00, O'REILLY AUTO PARTS 990.86, TAVIS OLSEN 198.60 THE OFFICE SHOP, INC. 940.99, KAYE PENNO 160.00, PLATTE COUNTY FIREFIGHTERS 220.00, THOS. Y. PICKETT & COMPANY, INC 1,600.00, PURCHASE POWER-PITNEY BOWES 4.48, POWELL VETERINARY SERVICES 38.00, PIONEER AUTOMOTIVE REPAIR 43.28, WILLIAM E. BRIDGES 6,519.00, PUBLIC DEFENDER 450.00, PHOENIX CHILDREN'S MEDICAL GROUP 400.00, QUILL CORPORATION 1,307.71, RAWHIDE MECHANICAL 74,628.90, RED APPLE SUPERMARKET 14.47, RIMROCK TIRE, INC 2,026.27, RIVERBEND PLUMBING & HEATING 125.50, ROCKY MOUNTAIN POWER 1,055.91, FRANKIE ROHRER 105.00, RURAL FIRE PROTECTION DIST. #1 283.04, SHERRI SCHELL 612.00, SELBY'S 175.00, SHOSHONE OFFICE SUPPLY 234.83, SOUTH BIG HORN COUNTY HOSPITAL DIST 2,500.00, VONDA I SOUTHARD 120.00, SOUTH BIG HORN SENIOR CITIZENS 916.67 SYSCO FOOD SERVICES 22,190.37, TCT WEST, INC. 6,675.44, TCT WEST, INC. 970.28, TNT SPRINGS, INC. 788.04, TRACTOR & EQUIPMENT CO. 1,346.64, TRAVELING COMPUTERS, INC. 4,664.44, TRI COUNTY TELEPHONE ASSOC. 66.24, TW ENTERPRISES, INC. 636.73, SECURITY STATE BANK 1,035.91, 753 U.S. POSTMASTER 70.00, VALLEY HARDWARE 56.09, FRED VEGA 9,000.00, VIRIL ELECTRIC, INC 221.73, VERIZON WIRELESS 1,482.08, WDEQ VOLUNTARY REMEDIATION PROGRAM 41.25, WYONET, INC 2,337.15, FRED A. WERNER 379.49, WEST PLAINS ENGINEERING, INC 2,000.00, WYDOT - FINANCIAL SERVICES 111.00, WYOMING ASSOC OF COUNTY OFFICERS 85.00, WYOMING FIRE SAFETY 148.25, WYO DEPT. OF HEALTH 176.00, WYOMING SECRETARY OF STATE 90.00, WY DEPT OF ENVIRONMENTAL QUALITY 400.00, WYOMING SURPLUS PROPERTY 125.00, ROGER'S SPORT CENTER 65.99, MARWYN LAYNE 45.00, SERENA K LIPP 95.00 NATIONAL ASSOC. OF SCHOOL RESOURCE 40.00, CONNECTIONS COUNSELING, INC 2,500.00

Sheila Paumer – Fair Operations Manager: Paumer reported on Fair activities, and that painting of the structural steel in the multipurpose building is complete. Paumer presented a quote from Riverbend Plumbing for vents and fans to move air to help reduce moisture in the building. Ewen suggested an air to air heat exchanger and some minimal ductwork as another alternative for the moisture reduction and requested Paumer look into that as well. Paumer reported on the multipurpose income increase over the previous year.

Public Hearing Transfer of Funds: Smallwood presented Transfer of Funds Resolution #4, Hyde moved to approve the transfer of funds resolution as presented, the **motion** was seconded and carried.

Nick Wilson – Big Horn County Land Planning: Wilson gave an overview of Land Planning activities.

Boyd Van Fleet – Regarding Davis Lane: Van Fleet cancelled and will reschedule after the first of the year.

Hyde moved to go to an executive session for potential litigation and a personnel issue the **motion** was seconded and carried. The session was adjourned with no action taken.

Fred Werner: Werner reported needing to take sick leave beginning in early January for approximately 2 months. Werner shared that he had requested Paumer help courthouse maintenance staff with snow removal if needed during that time. Ewen said that the Commission was not in complete agreement with that request as the best utilization of Paumer's time. It was decided that final availability will be up to Paumer and the Commission requested Werner formulate an alternative plan.

Carrizales requested an executive session for personnel, the **motion** was seconded and carried. The session was adjourned with no action taken.

Old and New Business: Smallwood presented change order number 2 for the South Sr. Center HVAC Project. Hyde moved to approve the change order as presented, the **motion** was seconded and carried. Smallwood presented minutes for the Nov. 1<sup>st</sup> and 15<sup>th</sup> meeting for approval, Hyde clarified a point that had been missed in the November 15<sup>th</sup> minutes on the session with N. Geis. The minutes were corrected, Hyde moved to approve both sets of minutes, the **motion** was seconded and carried. There was discussion about the Lighthouse funding request and the possibility of Big Horn County's participation. Hyde shared that he is not in support of investing in Washakie County because the facility has not benefited Big Horn County residents when it was needed. By consensus the Commission agreed they were not ready to proceed with support at this time. An engagement letter from Fenemore Craig for the 2.0 coalition work was presented for signature. Ewen reported the resignation of the LEPC secretary and the need to begin searching for a replacement. The County will advertise the independent contract position with applicants to be considered by LEPC Executive Committee. Carrizales reported that the County has been asked by Washakie County to join their work on Bob Cat Draw WSA in the Wyoming Public Lands Initiative. There was discussion about possible citizen members as well. Hyde clarified that he is not in favor of Big Horn County participating on any of the work. Carrizales will discuss the group more with Washakie County and report back. A ballot for the LGLP Board of Directors was presented. Hyde moved to vote in favor of Brad Basse to serve on the LGLP board, the motion was seconded and carried.

Smallwood presented Good of the County Items and Mail: Financial Statements: Serena Lipp-District Court Clerk Monthly Report(s) and prepared correspondence review: LGLP Ballot; LEPC Minutes October 2016 Bonds: Dickie Heron –Shoshone Drainage Dist.(\$1,000); Lynne Strom-Cowley Cemetery Dist. (\$3,000); Betty Hill-Lovell Recreation Dist. (\$5,000); Ilka Lyman-Town of Manderson (\$50,000)

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 6, 2016

**These minutes can be viewed electronically at [www.bighorncountywy.gov](http://www.bighorncountywy.gov)**