

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: **January 8, 2019** TIME: 9:00 AM

Chairman: Felix Carrizales, Members, Dave Neves and 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 Neves. The agenda was presented, a **motion** was made by Craft to accept the agenda as amended, the motion was seconded and carried.

Carrizales called for any nomination for Chairman of the Big Horn County Commission. Deb Craft nominated Felix as Chair, the motion was seconded carried. Carrizales was appointed Big Horn County Commission and Chairman.

Willie Bridges-B.H.C. Engineer and Road & Bridge: Bridges introduced B. Ragath from Sidon Irrigation to address the permit requests for the installation of a lateral pipeline requiring cutting of Lane 8 ½ and 9 that were tabled at the 12/18 meeting. Bridges gave an overview of the existing road surface on both of those county roadways. Carrizales reported that he viewed both areas in question and noted the difference on those roads vs full pavement also stating the condition of those road led him to agree with the cutting. It was noted that timing with WYDOT and county maintenance schedules for the area would make ideal time to do this work. Bridges gave an overview of the WYDOT work that will blend with this project on Lane 9. Carrizales noted that the warranty should be extended beyond the standard one year. Neves asked if the flow able fill for these project will be the same as what is proposed on the Leavitt Reservoir project. Bridges confirmed the fill and process is the same. Neves asked what the extended warranty would entail, Bridges noted it will have to be noted on the permit and the Sidon Irrigation Board would need to approve that contingency. Craft moved to approve the utility permits on lane 8 ½ and 9 with the contingency that the warranty be extended to three years. The **motion** was seconded and carried.

Edwin Friend of RJH Consulting gave an overview of the Leavitt Reservoir project and the designs need to cut Beaver Creek Road and Road 31. J.E. Anderson gave an overview of the issues with the Beaver Creek Road and Road 31 crossings for the project. Anderson shared materials regarding costs of the project and boring vs cutting as well as income to Big Horn County for the project duration and agriculture in the future. Anderson shared that the repair of the roadway after a cut is very important to those doing the project and living in the area. Jason Mead of the Wy Water Authority shared the importance of the project is for the community and the state and reiterated the State's support for and assurance that the project will done be properly. Friend reviewed maps of the project crossing and the boring process that is extremely costly. Friend provided an explanation of the cross section drawings and the work that will be done to fix the cut to eliminate dips or bumps as well as future needs to access the pipe without cutting the road again. Friend also noted that an extended warranty could be added to this project to confirm it is weathering well. It was noted construction won't begin until 2020 or 2021. Carrizales noted that the double invert road surface makes a difference on the longevity of the road and potential damage. It was noted that this road doesn't have flow through traffic and is for residents and not an access to other highways. Neves asked about the repair process if there is an issue in the warranty period. The Engineer stated that if the repair failed there is a defect that would have to be corrected. There was discussion regarding damage at cuts usually takes more than one year to appear. Carrizales shared his appreciation for the work this group put together to share the plans and contingencies to allow a cut to be processed. Neves suggested that the county road policy may need a cutting stipulation that ensures the fixes work and are durable and his opinion that the cost difference is an important factor to consider when approving. Carrizales noted that the road surface and location are also clear determiners for approval of one process over the other. John Joyce attended to provide advance notice that the Alkali Reservoir project will have the same issue and shared their previous solution of a Certificate of Deposit they use for the warranty and potential recourse if damages are not corrected. Joyce shared an issue they encountered with boring and jacking that was

done and still resulted in road damage. Joyce suggested that specification added to the policy to ensure open cuts are done properly might prevent some of the case by case review. Carrizales stated the Commission would like to review this information and project site further but would consider approval at the January 22nd meeting. Bridges stated that the bond required by the permit process serves the same purpose as the CD option Joyce mentioned.

Bridges and Blackburn gave an update on the Court Security Project projected overage noting that \$225,717 was the projected cost of the sally port construction phase of the project. Blackburn suggested the sally port be eliminated from the project for now and the remainder of the project to be completed at a projected cost of \$462,685. Leaving an estimated overage of \$75,000 beyond the grant and matching funds. Bridges noted that the project at this point is an all or nothing deal and the sally port is about the only component that is flexible. Blackburn noted that some small changes could be made to cut the overage a bit. Neves asked how the \$75,000 will be funded, discussion determined County reserve was about the only option. Blackburn suggested the Court Security Committee convene again to try to identify additional cost savings. The Commission agreed to that final review and committee meeting. Bridges shared the concern that bids will expire soon and suggested the County award the bid to Odell with the understanding we will do a change order to eliminate the sally port and make other adjustments to reduce the cost of the project as much as possible. Neves moved accept the bid from Odell Construction with the changes of removing the Sally port and any changes to reduce the overage. The **motion** was seconded and carried. Meetings to make final changes will be done within the next few weeks so that the project can get underway.

Bridges noted that the Coroner building is in the final wrap up stages and is ready for a walk thru with the Commission when they have time. There was discussion about items needed in the building such as autopsy tables and other items that aren't part of the building but aren't consumable products. Bridges noted that there may be as much as \$10,000 left at the end of construction. Smallwood will help Atwood and Bridges get items needed ordered. A line will be established in the Coroner's budget with a transfer to be done from building savings.

Hovey reported that there was an accident that damaged a guard rail at Kennedy Hill and that jersey barriers have been placed for a temporary barrier. Hovey requested that Bridges review that area for possible changes due to numerous accidents. Hovey reported on other work and activities and presented an access permit for Lane 43 recommending approval. Craft moved to approve the access permit on Lane 43 as presented. Hovey noted that the lighting in their shop is failing and requested permission to change it to LED lighting. The Commission approved the work if it could be done within the current budget. Wambeke reported that work on Road 9 has been completed. Wambeke shared that he will purchase gravel from a private party near the work planned on the Airport Road. This purchase will reduce cost for hauling and the expense of the overall project.

Carrizales reported that he viewed Road 18 and didn't see how the livestock were effecting the county road noting that the ditch did have damage but was also in need of maintenance. There was discussion regarding fence out laws and possible difference for open range stock. Carrizales shared his opinion that the cattle guard should remain and noted the issue will be discussed further with County Attorney Bean.

Bridges asked about the research on road policy adoption process. Neves asked if we were moving forward with adopting policy as written or look at adding specifications for cutting. Bridges shared that the policy currently specifies bore but it does allow for the variance. Craft noted that the oversight or engineering is what might be lacking in the current policy. Bridges will review the policy and beef that section up and include a possible inspection process. Craft asked if a three year bond/warranty would be the proper solution. There was discussion regarding the licensing contractors.

Del Atwood- County Coroner: Atwood shared concerns with the staffing and use of the new building as a regional location for neighboring counties to have autopsies performed. Werner attended to discuss cleaning issues for the building and the bio hazard precautions that need to be taken. There was discussion regarding the

access by traveling pathologist/ME and having a county representative there to open the building and clean after usage. Craft asked about deputy coroners or staff to help. The Commission requested Atwood work with Smallwood to create a job description for the needed staffing.

Craft moved to go to executive session for potential litigation. The **motion** was seconded and carried. The session was adjourned with no action taken.

Wes Huber – Airport Manager: Huber reported on additional information regarding gates at the airports, work in progress on the FAA application and the lease agreement with Cloud Peak Drag racing for the planned 2019 events. Huber presented amendment #1 for the SRE building grant to add additional fill material around the building to eliminate puddling. Huber reported that two lots are going to be leased at the Cowley airport for the construction of a new hangar Huber has instructed the prospective leasee to work with T.O. Engineering for guidance and no work will begin until a lot lease is signed. Huber shared that he has also received an inquiry on an un-plotted lot at the Greybull airport. Craft moved to approve change order #1 for the GEY SRE building, the **motion** was seconded and carried.

Angela Parker – Land Planning: Parker reported on department activities and upcoming training.

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

ALSCO 36.08, DEL ATWOOD, JR 695.79, TOWN OF BASIN 5,207.15, BLAIR'S MARKET 256.76, CMI-TECO 155.00, DEB CRAFT 75.89, ENGINEERING ASSOCIATES 5,379.74, FORTE PAYMENT SYSTEMS, INC 322.93, KRISTINE GODFREY 65.00, WESLEY HUBER 195.11, JOHN G. HYDE 380.41, I-STATE TRUCK CENTER 475.73, CHRISTOPHER J KING, PC 425.00, KELCO SUPPLY COMPANY 1,847.05, LAWSON PRODUCTS, INC. 296.91, BECKY A. LINDSEY 100.00, LISACS TIRE SUPPLY 777.06, LINTON'S BIG R 107.90, LOVELL CHRONICLE 34.00, TOWN OF LOVELL 292.36, KEELA M MANGUS 648.00, MILLER'S FABRICATION & CONST. 69.00, MINCHOW'S SERVICE 11,623.61, MODERN MACHINERY 1,095.64, MONTANA-DAKOTA UTILITIES 976.21, MOTOR POWER EQUIPMENT CO. 113.36, NATRONA COUNTY CORONER'S OFFICE 50.00, KAMI NEIGHBORS 301.88, O'DELL CONSTRUCTION, INC 159,592.50, THE OFFICE SHOP, INC. 390.17, PLAN ONE ARCHITECTS 43,823.03, PITNEY BOWES GLOBAL 105.89, WILLIAM E. BRIDGES 9,456.74, QUILL CORPORATION 179.94, RED APPLE SUPERMARKET 28.17, JAMES REILLY, P.C. 36,000.00, SOUTH BIG HORN COUNTY HOSPITAL 247.84, TCT WEST, INC. 3,010.71, TCT WEST, INC. 974.28, TRI COUNTY TELEPHONE ASSOC. 66.62, SECURITY STATE BANK 2,406.44, U.S. POSTMASTER 4,550.00, U.S. POSTAL SERVICE 2,844.50, VALLEY HARDWARE 15.99, VERIZON WIRELESS 107.93, WYONET, INC 2,242.40, WYOMING DEPARTMENT OF AGRICULTURE 50.00, WYOMING TAXPAYERS ASSOC. 195.00, RANDOLPH REFRIGERATION INC. 3,945.00, A & C MOTORS 39.98

Appointed Board Applications: Smallwood presented applications for two planning and zoning commission seats. M. Sherman, S. Naso and J. Fuller. Also presented were petitions for the four Weed and Pest board seats up for renewal. Area 1-K. Blackburn; Area 3-H. Morris, Area 4 - J. Wildman; M. Asay - At Large North. An additional application was submitted by D. Banks but no petition was submitted to qualify. There was also a letter of interest submitted by K. Mercer for the Paintrock FFA Fair Advisory Committee seat with no Lovell FFA Representative interest expressed. The applications were tabled until the January 22nd meeting.

Bobbie Jenks – Public Health: Jenks gave an overview of department activities and the resignation of her state nurse effective 1/31/19. Jenks requested permission from the Commission for the State to proceed with recruiting a replacement. Jenks reported she is reviewing immunization revenue to get those figures accurate with Lindsey. Jenks shared some of the concerns and issues with recent business closures in Greybull and Basin.

Nelson Bos – executive session for personnel: Craft moved to go into executive session for personnel the **motion** was seconded and carried. The session was adjourned with no action taken.

Sheila Paumer – Fair Operations Manager: Paumer reported on the advisory board meeting that was held Monday January 7th and issues that resulted in poor attendance. There was discussion regarding Twitchell's interest in continuing to serve on the advisory committee, Paumer will instruct her to get her letter of interest submitted right away. Paumer reported on the two dedications picked for the 2019 fair book and theme. The theme will be "The World Needs More Cowboys". Paumer presented a quote that will fix the issues they are having with the locks and lights in the multipurpose building. Craft asked about other bids. Paumer shared this is a sole source option due to the system that is installed. The Commission agreed by consensus that Paumer will proceed with fixing the issue with her existing budget. Paumer gave an overview of the RFID tags that will be used in livestock in all fairs across the state this year and that FFA will provide the wand to read the tags.

Fred Werner – Facilities Management: Werner reported department activities and upcoming work. Werner reported that the Supreme Court is putting power and IT to two areas in the Lovell Court room that will cost the county about \$3,000. Werner shared that K. Schlattmann has moved out of the office on the third floor which could free up space for Probation & Parole's office request.

Neves moved to go to executive session for personnel, the **motion** was seconded and carried. The session was adjourned with no action taken.

There was discussion about the extra workload that will be coming for maintenance with the addition of the Coroner building, Washington Park, REA Building and Court Security project. Craft requested Werner look in to possibilities of hiring contractors for some of this additional work noting that it might be more affordable than another position and associated benefits. Werner presented a matrix of current facilities and associated duties pointing out some of the important highlights and changes. The Commission will review the information provided and discuss staffing needs with Werner at an upcoming meeting. Werner requested and received approval to begin recruiting for a full time employee. Craft requested the Commission be involved in the interviewing and hiring of the position.

Wyoming Business Council Conference Call – Antelope Butte Foundation: Various representatives from Antelope Butte Foundation and Wyoming Business Council were on the call to discuss final approval of documents for the grant to be received. M. Bean gave an overview of the most recent activity and the creation of the Contingency and Development Agreement. Discussion finalized the necessary wording and the Contingency and Development agreement will be signed by the Commission and forwarded to Karen Fate at the Business Council. A final award notice will be sent with the contingency agreement incorporated.

Becky Lindsey – Treasurer: Lindsey presented the quarterly budget review noting no budgetary concerns at this time.

Old and New Business: Discussion regarding the letter received from the USDA regarding a dispersed camping committee determined that Craft has been sharing the information with others as part of her work on the Big Horn Mtn Coalition and that names will be forwarded to A. Johnson as requested. Smallwood presented meeting minutes from the December 18th meeting for approval. Craft moved to approve the minutes as presented, the **motion** was seconded and carried. There was further discussion regarding the cattle guard on Road 18. Craft shared her opinion that removal of the guard would expand the issue and that she believes the ditch damage is an issue for its owner and not the county. Neves agreed with the inclination to leave the guard in place. Neves moved to rescind the motion that was made to remove the guard and moved to leave the cattle guard in place on Road 18 until such time as safety and maintenance deem removal is necessary. The **motion** was seconded and carried. Smallwood presented Resolution #7 for the appointment of Circuit Court Magistrates. Neves moved to approve the resolution as presented, the **motion** was seconded and carried. Carrizales reported on his discussion with Jeff Umphlat that the REA building has been vacated, cleaned, and is ready for purchase. Smallwood will contact the agent and request that the closing be scheduled for January 22,

2019 if possible. Bean presented the finalized contingency and development agreement for the Antelope Butte project for approval and signature. Neves moved to sign the agreement as presented, the **motion** was seconded and carried. Neves noted that Beans work on the changes to the agreement was needed and that he has contacted Forward Cody regarding their project utilizing this grant program and was told their Attorney had some similar concerns and changes made.

Good of the County: Financial Statements: Serena Lipp- Dist. Court Clerk (December 2018); Lori Smallwood – County Clerk (December 2018) Monthly Report(s) and prepared correspondence review: Planning and Zoning minutes (November 2018); Bonds: B. Crosby-Rec. Dist. #1 (\$5,000); G. Anderson-County Assessor (\$20,000); K. Blackburn – Sheriff (\$20,000); D. Neves – Commissioner (\$1,000)

Neves 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 January 8, 2019.

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