

## 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: **March 20, 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 Hyde. The agenda was presented, a **motion** was made by Craft to accept the agenda as amended the motion was seconded and carried.

Lee & Penny Carr - Citizens: L. Carr shared that he would like to withdraw his petition for the extension of Lane One. Carr cited that the terrain/expense to build a road and because it would not tie in all of his property that wasn't a realistic option. Carr discussed his pipeline road petition and reported that a right of way would cost him about \$600/year from Montana but that access would make Wyoming purchases of fuel and other delivered items difficult for his suppliers. Carr shared his belief that the County is the only entity able to obtain a road from the BLM or other federal entity and requested that the Commission consider obtaining that 7-9 mile stretch of road from the BLM. Carr shared that an annual lease from BLM of that road for access to his property would cost him \$1,600.

Willie Bridges-B.H.C. Engineer & Road and Bridge: Bridges reviewed Carr's documents and confirmed that ownership is reflected correctly as well as section line placement of the road. Bridges stated that the petitions are not proper to form and would need revisions to be officially considered as well as petitioner deposits. Bridges shared that this road is used by many bentonite companies and families in the area routinely. Bridges reported that declaring the road as County would not require building or maintenance at this time because it is done by the bentonite companies, but that there is some work with BLM to obtain the required easement. Bridges shared he has not spoken to other land owners about these petitions. Bridges shared his concern as the County Engineer is for the future maintenance if the bentonite companies left. Hyde asked and was told that survey costs for this would run \$10,000 - \$12,000. Bridges reviewed the steps necessary to move forward with a corrected petition. Carrizales asked for Commissioners view on this topic. Hyde shared concern regarding the cost benefit of this for the county. Hyde asked if Carr was willing to foot the associated survey costs. Carr stated that as a member of the County he deserves some obligation on the county's part for legal access to his property. Hyde shared that he was concerned that this is an issue for Carr as the land owner and is more of a buyer/owner beware issue. Carrizales shared his view that a petition, prescriptive easement or the eminent domain process are not options for this road and he believes that Carr should pursue purchasing his access and if it benefits neighbors and the community all involved in the area should support this issue and work towards a solution. Carr shared that his research indicated that only the county is able to get permanent access through the BLM. Hyde asked for clarification on the statute for a private road vs a county road. Bridges shared that access through private land is what the District Court has authority over and that is not feasible due to terrain. Craft expressed concerns over cost and maintenance in the future and Carr's willingness to pay associated costs. Hyde moved to deny the petitions as presented and to table the topic until further information and knowledge is available. The **motion** was seconded and carried.

Bridges presented permits for access on Horseshoe Lane, and a utility permit crossing Orchard Bench Road. Bridges recommended approval of the access permit and requested that the utility permit be approved for boring only. Craft moved to approve the access permit as presented, the **motion** seconded and carried. Craft moved to approve the utility permit with the restriction that the crossing be bored under the road and not cut because of the newly finished resurfacing. There was discussion of the costs difference between boring and cutting. The **motion** was seconded and carried.

Bridges provided an update on the courthouse security project and his plans to get it moving forward. Bridges shared his discussion with Plan One and that they could bid both to lower project costs. Plan One stated that they can get the court security project ready to go to construction for \$30,000. Craft asked if this is something that should be bid and asked how many bids were received during the Coroner building project. Bridges shared that construction will be all be bid but that there are no statutes that dictate design work needs to be bid. By consensus the Commission agreed to have Bridges work with Plan One to move the Courthouse project forward. A contract will be submitted as soon as possible for review and approval. Bridges shared the final project closeout for the Road 7 ½ project.

Carrizales gave an overview regarding the flooding in Manderson over the weekend and the work that was done. Carrizales shared concern with County Road and Bridge being there because it was WYDOT's bridge and road. Carrizales asked if there is something that should be in place to allow these things as needed. Emergency Management Coordinator Dobbs shared that the ICS system is what allows this activity to work quickly. Hyde shared the importance that the State mobilize and use their resources first at all possible times in these situations. Hyde asked if we need an MOU to get reimbursed for our efforts in the future. Hyde asked Dobbs to investigate this topic further. There was discussion about each entity's need to protect themselves and be prepared for typical emergency situations. Dobbs will research the concerns further.

Lindsay Huse/Angie Van Houten – Wyoming Department of Health: Jenks introduced Van Houten and Huse. Van Houten gave an overview of the combined contract process that covers Public Health Nursing, Maternal and Child Health Services and Public Health Emergency Preparedness summarizing the effort to speed the review and approval process for counties and the state. Van Houten shared that our scope of work is based on program option model ii. Funding is currently missing in the MCH scope of work because of funding process dates. Houton gave an overview of the contingency funding for emergencies section of the contract to allow faster flow of funding to the area of concern. There was an overview of the biennium funding and how amendments will come through adding the second year funding noting that PHN funding will stay the same for both years.

There was discussion regarding the County Health Officer contract being separate and the funding should be about what it was last year.

Jenks reported that the state has agreed that Huse is able to use State PHN funds to pay for the back AWEC charges that had been discussed at previous meetings and that the County will not be billed for those hours. Huse shared that internal communication has changed a bit to assure that errors of this sort don't happen in the future. The Commission expressed their appreciation for the State's willingness to correct the error and help our county.

Carl Meyer – Airport Manager: Meyer gave an overview of the fuel systems at the airports and their operations. Meyer gave an overview of the costs for those and the profit generated. Meyer asked for guidance regarding his budget for next year and best options to cover grant match costs. Meyer shared the Governor's initiative regarding beef export to Indonesia and exploration for a Northern Wyoming export location.

Jeb Nebel – Town of Lovell: Nebel gave an overview of their plan to move forward with their project and requested E911 matching funds of \$250,000. There was discussion regarding depleting the fund and concerns with that situation. Nebel shared that the Town of Lovell plans to set aside funds to maintain and system updates as necessary. There was discussion regarding the obligation of the County's final three years of payments on our system which must be covered by the E911 funds. Craft moved to approve the commitment of \$250,000 to Lovell for cost match on their project, the **motion** was seconded and carried.

Marquerite VanDyke – Deputy County Clerk: VanDyke presented accounts payable and payroll items. Craft moved to approve the bills and payroll items as presented, the **motion** was seconded and carried.

LETITIA C ABROMATS, PC 1,522.63, ALSCO 60.46, AMERICAN WELDING & GAS INC. 68.34, WHITE LINE LLC 600.00, AXON ENTERPRISES, INC 1,791.00, BASIN CHAMBER OF COMMERCE 40.00, MARY BAIR 52.32, BIG HORN COUNTY EXTENSION 369.55, BIG HORN CO-OP MARKETING ASSN 720.42, BIG HORN CO-OP MARKETING ASSN 1,064.88, BIG HORN CO-OP MARKETING ASSN 18.40, BIG HORN CO-OP MARKETING ASSN 273.23, BIG HORN CO-OP MARKETING ASSN 49.60, BIG HORN COUNTY SOLID WASTE DIST. 210.20, FIRE PROTECTION DIST. #5 156.00, BIG HORN DRUG TESTING 3,727.50, BILLINGS CLINIC TRAINING CENTER 24.00, TIMOTHY J BLATT 900.00, BURLINGTON SERVICE STATION 59.31, CALIFORNIA CONTRACTORS SUPPLIES 367.57, CANON FINANCIAL SERVICES 109.86, CARQUEST AUTO PARTS 526.67, JANE CHAVIRA 26.16, TERESA MARIE CALDWELL 480.00, CENTURY LINK 38.63, CENTRAL DRUG SYSTEM 100.00, BIG HORN COUNTY TREASURER 501.31, COVENANT INSURANCE GROUP INC. 1,975.00, CHARTER COMMUNICATIONS 109.98, CUSTOM DELIVERY SERVICES, INC. 22.77, DEMCO 749.13, DIGITAL ALLY 45.00, DOUBLE R SERVICE, LLC 116.00, WHITNEY L DODD 15.00, TINA ELY 5.08, EPSILON SIGMA PHI 50.00, FAIRBANKS MEDICAL CONSULTING, PC 800.00, FIRE PROTECTION DISTRICT #3 107.25, FIRE PROTECTION DISTRICT #4 331.84, RUSSELL FOWLER 47.96, FREMONT MOTOR CO. POWELL 659.10, GALLS, LLC 130.68, GRETCHEN GASVODA KELSO 483.42, HD FILTERS LLC 65.95, HEART MOUNTAIN FARM SUPPLY 85.00, JARED HENDERSON LLC 805.99, HONNEN EQUIPMENT CO. 125.42, JEFFRIES DENTAL, PC 507.00, JOHN R. HALEY IV 597.97, KEELE SANITATION 155.00, LISACS TIRE SUPPLY 2,596.94, LOCAL GOVERNMENT LIABILITY POOL 34,976.00, LOVELL CHRONICLE 49.00, LOVELL REDI MIX 1,100.00, THE MASTER'S TOUCH, LLC 2,665.00, MCINTOSH OIL COMPANY 5,184.16, SARAH N. MILES 150.00, MILLER'S FABRICATION & CONST. 16.20, MODERN MACHINERY 642.21, BRUCE MORRISON 210.00, MOUNTAIN VALLEY MOTORSPORTS 339.70, MURDOCH OIL, INC. 153.34, NORMONT EQUIPMENT COMPANY 141.14, NORTH BIG HORN SENIOR CITIZENS 750.00, NORTHERN WYOMING DAILY NEWS 180.00, NORTHWEST FUEL SYSTEMS BILLINGS LLC 998.92, O'REILLY AUTO PARTS 41.94, THE OFFICE SHOP, INC. 1,565.92, OFFICE ALLY 19.95, HOMAX OIL SALES INC. 328.99, PARK COUNTY CLERK 22.77, PITNEY BOWES POSTAGE BY PHONE 90.37, PUBLIC DEFENDER 750.00, QUILL CORPORATION 683.03, RED APPLE SUPERMARKET 35.96, ROCKY MOUNTAIN POWER 1,584.51, RANDY L. ROYAL 450.49, RURAL FIRE PROTECTION DIST. #1 716.24, SHERRI SCHELL 612.00 SANDERS PLUMBING & HEATING, INC. 462.68, SECURITY STATE BANK - PETTY CASH 53.59, SELBY'S 175.00, SOUTH BIG HORN COUNTY HOSPITAL 714.27, SOUTH BIG HORN SENIOR CITIZENS 916.67, SOUTH BIG HORN SENIOR CITIZENS 351.46, TCT WEST, INC. 263.68, JESSICA THROSSELL 161.25, THOMSON REUTERS - WEST 229.15, TRAVELING COMPUTERS, INC. 319.99, SECURITY STATE BANK 7,526.48, UNIVERSITY OF WYOMING 7,864.00, VALLEY HARDWARE 818.79, WEX BANK 4,654.49, WYOMING BEHAVIORAL INSTITUTE 2,740.00, WYO DEPT. OF HEALTH 386.00, WYOMING DEPT OF HEALTH 54.00, WYOMING GAS 5,485.47, WYO. LAW ENFORCEMENT ACADEMY 2,285.90, WYOMING FINANCIAL INSURANCE 50.00, WYOMING COUNTY TREASURER'S ASSN. 140.00, YOUNGS 133.65, JAMES A WOODY 671.25, DONNA LYNN BILCK 105.00, JAMES E BILCK 67.50, MANDY J DAVIS 157.50, TINA SCHENAVAR 75.00, WAYNE E HUDSPETH 375.00, DARCY MARTIN 37.50, MARWYN LAYNE 218.50, SERENA K LIPP 747.66

Joy Hill - Land Planning: Hill gave an update on department work, septic systems in progress, flood plain development issues, subdivision work and road policy updates. Hill reported that LUCA Census work has started and there is overlap with town data and other various issues comparing data. Hill shared that the Planning and Zoning Commission made a recommendation that the land use plan be updated and a natural resource management plan be done concurrently. Hill will report back that the Commission is inclined to do the NRMP before updating the land use plan and it will be discussed during budgeting. Carrizales asked what information is contained in the land use plan. Hill shared how the current one was developed and what is in it regarding county goals for growth and preservation priorities.

Office Shop: Jacob May presented a few proposals to possibly accommodate the county's request to simplify copier contracting and save costs.

Bridges returned and presented a utility permit for Lane 12 and recommended approval, Craft moved to approve the utility permit as presented, the **motion** seconded and carried.

Fred Werner – Facilities Maintenance: Werner attended to give an update on a sewage back up in the basement of the land planning/engineering building. Werner asked if the kitchen that was there needs to be put back in and presented a bid for flooring replacement. There was discussion regarding putting the entire area back to the way it was and possible installation of a back flow preventer. Werner reported that the courthouse sewer line project bids were coming.

Gretchen Gasvoda-Kelso & Barton Stam-U W Extension: Gasvoda reported that a clerical assistant has been selected and is working through the University of Wyoming background checks. Gasvoda reported that the Extravaganza event was well attended. Barton Stam attended to share some brucellosis information including coordination task force meetings and a recent informational meeting held in Lovell. Stam shared that Big Horn and Sheridan Counties are emerging brucellosis as areas of concern by nearby states even though we are not in the designated study area. Stam shared that May 22<sup>nd</sup> is the next task force meeting in Lander and reiterated that it is open to the public. Stam reported that there are no Game and Fish positive brucellosis elk tests so far this season. Stam also reported on predator work that is being done in the state and presented the final project report. Stam shared that this project was a survey of ranchers across the state. Stam highlighted that bird predation is emerging as a large concern. Stam shared that there is interest in looking further at using guard animals on cattle. There was discussion regarding predator killed livestock compensation rates based on an article generated through UW research. Stam will be doing as much as he can to help in Big Horn County while we are missing a UW position.

Old and New Business: Smallwood presented meeting minutes for approval. Hyde moved to approve the February 20<sup>th</sup> and March 6<sup>th</sup> minute as presented noting one typo for correction, the **motion** seconded and carried. A letter of resignation from Big Horn County Attorney, Kim Adams was presented. There was discussion about her replacement and other statutory options for county attorney services Hyde shared statute 18-3-301 and discussed the options that allowed. Hyde moved to accept the letter of resignation from County Attorney Adams as presented, the **motion** was seconded and carried. Hyde moved to approve the immediate notification of this resignation to the Republican Party, the **motion** seconded and carried.

Smallwood presented Good of the County Items and Mail: Financial Statements: Lori Smallwood- Big Horn County Clerk (February 2018) Monthly Report(s) and prepared correspondence review: Byron Solid Waste (February 2018) Bonds: M. Leonhardt – Fire District #1 (\$2,000); R. Crosby- Sidon Irrigation Dist. (\$50,000)

Craft 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  
March 20, 2018

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