

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: May 17th, 2016 TIME: 9:00 AM

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

Others 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 John Hyde. Ewen recognized guests and presented the agenda, a **motion** was made by Hyde to accept the agenda as presented, the motion was seconded and carried.

Engineering - Road and Bridge: Hovey presented information on new and used motor graders with a preference for a John Deere. Hovey requested the opportunity to go look at both of the machines and will report back to the Commission with requested action. There was discussion regarding rough roads and water damage from pivots being allowed to hit county roads. Carrizales suggested for the letters previously discussed to be sent as soon as possible.

Bridges presented and recommended approval of utility permits for Road 6, and Road 1 and access permits for Lane 12 and Road 7. Safety considerations were discussed on the proposed Lane 12 access. Hyde moved to approve the two utility permits and two access permits as presented, the **motion** was seconded. After the call for discussion, Carrizales asked if utility permit applications were reviewed to identify potential conflicts with lines and pipes already in the county right-of-way. Bridges noted that locates are the responsibility of those installing lines and any conflicts are to be resolved between the utilities. Ewen clarified that the county is responsible for protecting the roadways only. Bridges suggested a possible language change requiring entities to collaborate with other utilities in the County right of way. The **motion** was carried with all in favor. Bridges gave an overview of proposed routes for the Lane 12 waterline project being done by the Town of Lovell. Bridges suggested that if the Town of Lovell would annex the area west of the hospital the problem of the water line in the county road would be resolved. Bridges asked for Commission support in approaching the town with that suggested solution. By consensus, the Commission agreed to support that solution. Bridges presented a letter to the Park County Commission seeking approval for the Eagle Pass gravel pit access. Carrizales moved to approve the letter as presented, the **motion** was seconded and carried. A Charter franchise agreement was tabled pending more research into additional language to protect the County.

Bridges shared the WYDOT Bridge report and private land access issues encountered by WYDOT.

Bridges will follow up on those and other recommendations of WYDOT. Bridges confirmed the Forest Service Road 17 maintenance coordination meeting set for May 23rd at 10:00 am. Bridges presented a Lovell Refinery bill from DEQ. The invoice is within the previous budget limit set by the Commission. Hyde asked for an update on the Rohr access permit application, Bridges reported that approval is needed from the Town of Lovell and that Hill has recommended a new address.

Carl Meyer – Airport Manager: Meyer presented the Airport report. After discussion of the review and approval process, the HK Construction contract was presented for approval. Hyde moved to approve the contract as presented, the **motion** was seconded. Carrizales stated that he was not in favor of approval prior to final contract review and approval by the County Attorney. Hyde suggested that an upcoming trial has the Attorney's office very busy, therefore there is no need to hold the agreement up. Meyer confirmed he was confident that the agreement was acceptable given previous Attorney review. Meyer will inform Adams that the final review will not be needed. The **motion** was carried. Paul Thur and Myles Foley with the Town of Greybull attended to discuss the Greybull Airport waterline project. Thur reported that a USDA 2.2 % - 30 years fixed rate loan was approved but there will be no grant funding available to the Town for the project. This changes the County's possible obligation to the project by approximately \$3,000. Ewen shared his opinion that it is still a good project and should move forward. Meyer reported he is researching possible County grant funding and that with cuts made, the airport

budget could absorb this increase. Hyde moved to continue the County's commitment to support this mutually beneficial project, the **motion** was seconded and carried.

Meyer reported on progress with the FAA on the drag racing application and presented a draft agreement and a revenue sharing plan that is required by FAA. By consensus the Commission agreed for Meyer proceed with draft agreement and a revenue plan. Meyer proposed a choice of two revenue models including a \$0.01 (penny) per square foot lease like all other land leases at the airport for \$600 annually or 10% of revenue generated, whichever is greater.

Meyer spoke on the need for a mower at Cowley and the plan to purchase one soon.

Myer presented federal and state RFR#1 for the Phase II Greybull Apron project for signature.

Kim Adams – County Attorney: Executive session regarding potential litigation. Hyde moved to go to executive session, the **motion** was seconded and carried. The session was adjourned with no action taken

Fred Werner – Big Horn County Facilities: Werner introduced Michael Elliott as the new courthouse facilities maintenance employee. The Commission welcomed Michael to the county.

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

DIAMOND OAK, INC 752.40, AMERICAN WELDING & GAS INC. 188.95, DEL ATWOOD, JR 3,149.97
BASIN REPUBLICAN RUSTLER 936.00, FORENSIC MEDICINE & PATHOLOGY, PLLC 1,950.00, BIG
VALLEY BEARING & SUPPLY 151.32, BIG HORN CO-OP MARKETING ASSN 122.89, BIG HORN
CO-OP MARKETING ASSN 49.46, BIG HORN CO-OP MARKETING ASSN 123.68, FIRE PROTECTION
DIST. #5 132.64, BIG HORN RURAL ELECTRIC CO. 470.73, BLAIR'S MARKET 141.69, BRUCO, INC.
190.80, BRAKE SUPPLY COMPANY, INC 943.42, CASPER STAR TRIBUNE 1,128.20, COPENHAVER,
KATH, KITCHEN 150.00, TOWN OF COWLEY 132.40, DATA IMAGING SYSTEMS 202.35, EATON
SALES & SERVICE LLC 5,538.46, BRENDAN H FITZSIMMONS 800.00, FIRE PROTECTION
DISTRICT #3 113.85, FIRE PROTECTION DISTRICT #4 223.83, GDA ENGINEERS 162,922.02,
GREYBULL BUILDING CENTER 359.87, TOWN OF GREYBULL 230.80, HANSON CHEMICAL, INC.
135.64, HASKELL FUNERAL HOME 600.00, JOY H HILL 232.55, J&E, INC. 550.73, JEFFREY
JOHNSON 100.00, KEELE SANITATION 147.00, CHRISTOPHER J KING, PC 1,062.50, LOVELL
CHRONICLE 30.00, LOVELL CHRONICLE 361.50, THE MASTER'S TOUCH, LLC 1,152.78, MILLER'S
FABRICATION & CONST. 1,471.21, MOUNTAIN MOTOR SUPPLY 458.88, MOUNTAIN WEST
BUSINESS SOLUTIONS 306.62, MURDOCH OIL, INC. 2,508.00, NORCO 175.44, NORTH BIG HORN
SENIOR CITIZENS 833.33, O'REILLY AUTO PARTS 1,235.17, THE OFFICE SHOP, INC. 449.23,
OVERLAND EXPRESS MART 36.62, PUBLIC DEFENDER 450.00, RIMROCK TIRE, INC 1,115.86,
RIMROCK TIRE, INC. 1,807.60, ROCKY MOUNTAIN POWER 1,495.94, FRANKIE ROHRER 180.00,
PEGGY ROHRER 240.00, RURAL FIRE PROTECTION DIST. #1 228.20, SELBY'S 178.85, SHOSHONE
OFFICE SUPPLY 22.85, SOUTH BIG HORN SENIOR CITIZENS 916.67, TCT WEST, INC. 3,680.59,
TCT WEST, INC. 969.64, TRI COUNTY TELEPHONE ASSOC. 66.14, TRUENORTH STEEL, INC
9,057.20, U.S. POSTMASTER 44.00, VALLEY HARDWARE 145.04, WAOA WY AIRPORT
OPERATORS ASSOC 75.00, ROBERT WAGNER 100.00, WHEELER'S IGA 14.09, WORLAND
CLEANERS & SUPPLY 119.44, WYOMING GAS 675.74, WYOMING DEPT. OF TRANSPORTATION
50.00, ZUMAR INDUSTRIES, INC 290.49, MARWYN LAYNE 82.50, ALSCO 46.72, BBM
CONSTRUCTION LLC 460.00, BASIN AUTO CARE 58.38, BASIN REPUBLICAN RUSTLER 230.00
TOWN OF BASIN 4,987.19, BIG HORN CO-OP MARKETING ASSN 999.72, BIG HORN CO-OP
MARKETING ASSN 27.71, BIG HORN ENGRAVING & SIGN 2,502.70, BIG HORN COUNTY WEED &
PEST CONTROL 219.14, BUFFALO BILL CENTER OF THE WEST 200.00, CMI, INC 349.00,
ARDINAL HEALTH 411 INC 1,634.20, CARQUEST AUTO PARTS 37.98, CK HARDWARE 14.38,
CENTURY LINK 37.63, CENTRAL DRUG SYSTEM 72.00, CENTER POINT LARGE PRINT 171.36

CONTROL SOLUTIONS, INC 202.00, COMMUNICATION TECHNOLOGIES, INC. 8,086.74, DONNA K CAPELLEN 288.97, MAX CROFT 800.00, DOUBLE R SERVICE LLC 78.00, LARAE DOBBS 359.26 DEAN EIBERT 162.50, TINA ELY 2.71, JERRY EWEN 623.70, EYE PHYSICIANS AND SURGEONS 957.00, CENGAGE LEARNING - GALE 98.76, GRETCHEN GASVODA KELSO 520.98, GRAINGER 275.43, STEFAN F & TRACY A HARPER 20.00, JOY H HILL 292.37, HOPKINS MEDICAL PRODUCTS 348.30, J&E, INC. 637.20, BOBBIE JENKS 272.35, JEFFRIES DENTAL,PC-WORLAND 515.00, LOVELL CAR CLINIC 100.00, LOVELL CHRONICLE 60.00, LOVELL BUILDING CENTER 89.96, MICROMARKETING LLC 315.92, MAYES BROTHERS LLC 345.00, KRISTY MICHAELS 20.00, TED MENKE 54.54, MINCHOW'S SERVICE 466.02, MINCHOW'S FOOD COURT 331.49, MOUNTAIN ELECTRIC OF WYOMING 256.89, MOUNTAIN WEST COMPUTER 5,949.18, MURDOCH OIL, INC. 236.35, KAMI NEIGHBORS 179.28, NORTH BIG HORN SEARCH & RESCUE 137.67, NORTH BIG HORN SENIOR CITIZENS 150.00, O'REILLY AUTO PARTS 142.98, THE OFFICE SHOP, INC. 8,618.77 OVERLAND EXPRESS MART 262.91, PARK COUNTY CLERK 76.33, PIONEER AUTOMOTIVE REPAIR 84.33, QUILL CORPORATION 298.73, RELENTLESS 590.00, RED APPLE SUPERMARKET 257.96, ROCKY MOUNTAIN POWER 134.45, JAMES ROBERT SOLIDAY 300.00, GEORGE T. SANDERS COMPANY 50.00, SECURITY STATE BANK - PETTY CASH 14.98, SHOSHONE OFFICE SUPPLY 444.10, MAE SMITH 30.00, SOUTH BIG HORN COUNTY HOSPITAL DIST 2,501.50, SOUTH BIG HORN COUNTY HOSPITAL 2,205.33, SOUTH BIG HORN SENIOR CITIZENS 335.78, TASER INTERNATIONAL 251.50, TCT WEST, INC. 2,835.17, THOMSON REUTERS - WEST 216.00, TRANSUNION RISK & ALTERNATIVE 21.25, SECURITY STATE BANK 3,405.60, UNIVERSITY OF WYOMING 19,504.00, UNIVERSITY OF WYOMING 40.00, VALLEY HARDWARE 315.79, ORLAND FORD-CHRYSLER 393.97, WEX BANK 2,764.24, WYDOT - FINANCIAL SERVICES 15,763.40, WY DEQ 1,567.50, WYOMING GAS 1,088.60, WYOMING SECRETARY OF STATE 60.00, TRUDY CRAFT 716.72

Joy Hill – Land Planning: Hill gave an update on department activities. Hill reported that the recent RAC joint Forest Service and County proposal was not approved so additional resources to do the cabin marker project will need to be identified. Hill requested permission to order the signs and organize the installation efforts with volunteers. Hyde moved to approve a transfer of funds to pay for cabin marker signs, the **motion** seconded and carried.

Bobbie Jenks – BHC Public Health: Jenks presented Public Health activities and updates. Jenks reported that safety concerns for the Public Health office in Greybull have been corrected with the help of F. Werner. Jenks pointed out that the office in Lovell has no signage that marks public health. The Commission authorized Jenks to look into options to correct this concern.

Sheila Paumer – Fair Facilities Manager: Paumer shared pictures of the tree that recently fell at the fairgrounds, costs for clean-up and estimated tree trimming costs for the approximately 30 trees on the Fairgrounds. Suggestions were to split the trimming into three sections with the worst being done asap. Paumer reported that the Fair Board will replace all of the fence from highway to new building before Fair this year. Paumer reported that Greybull Building Center is donating paint and the use of a power washer to refurbish the main grandstands.

Gretchen Gasvoda Kelso- UW Extension: Robin Allen with Burlington Parks and Recreation gave the Commission an overview of their pursuit of grant funding for new playground equipment in the Burlington City Park. Gasvoda shared that this will be a partnership with 4-H young leaders as well as other community organizations. Allen and Gasvoda asked if the County could serve as fiscal agent for the grant funding. Ewen agreed with the project, stating that support by the county seems reasonable. Carrizales recused himself due to potential conflict of interest. Hyde moved to support the proposal by having the county serve as the recipient agency for the funding, the **motion** was seconded and carried.

Howard Johnson (Inberg-Miller, Craig McOmie (WY DEQ) Big Horn County Solid Waste Board:

Johnson to discuss concern for the Landfill and Board as towns consider building individual transfer stations. Ewen asked about the relationship between the towns and the landfill. Johnson explained that the integrated waste management plan has been the road map for the process of dealing with solid waste in this region and is being followed by the Big Horn County Solid Waste Board with the transfer station being part of that plan. Ewen shared comments he received regarding concern about high costs and perceived problems with customer service at the landfill. Ewen has heard that Greybull & Basin are considering operation of their own transfer stations. Craig McOmie provided information relating to applying to the DEQ for permits and different levels of permits available. He also stated that required landfill closure costs are a commitment by the entire county whether or not the landfill is being used and supported by the municipalities and the public. It was agreed that there is a need for clear and honest communication among all stakeholders and the public. By consensus, the Commission agreed to support bringing the parties/stakeholders together to try to resolve concerns and issues. The Commission will attend the Solid Waste Board meeting that is expected to be attended by Basin and Greybull Town representatives. The Commission expressed concern over the approval of an exemption to the town of Basin because there has been no public comment on their transfer station plans.

Old and New Business: Previous meeting minutes were submitted. Hyde moved approve the minutes for the April 19th and 25th meetings as presented the **motion** was seconded and carried. Smallwood presented budget adjustment Resolution number #13. Hyde moved to approve Resolution #13 as presented, the **motion** was seconded and carried. The agreement with West Plains Engineering was submitted for approval. Hyde moved to approve the agreement with West Plains Engineering to do the mechanical and electrical engineering design for the South Big Horn County Sr. Citizens Center HVAC system replacement project. The **motion** was seconded and carried. Smallwood presented the previously drafted notice to pivot owners for consideration. Hyde moved to approve the letter to be sent to owners of pivots systems spraying water on county roadways, the **motion** was seconded and carried. A resignation letter effective August 15, 2016 was received from Dr. B. Fitzsimmons, County Public Health Officer. The Commission will begin recruitment of a replacement immediately with the hope that a new appointee can be named and will have a chance to train with Dr. Fitzsimmons. Discussion regarding Big Horn County participation in the Wyoming Public Lands Initiative was tabled and will be discussed June 7th at 1:00 with the anticipation of public comment at that time.

Smallwood presented Good of the County Items and Mail **Financial Statements:** Ken Blackburn – April 2016; Lori Smallwood – April 2016 **Monthly Report(s) and prepared correspondence review:** Big Horn County Fair Minutes April 2016. Big Horn Planning and Zoning (March & April 2016) **Bond:** Margaret Rock-Deaver Cemetery Dist.(\$5,000); Carl Zier –South Big Horn Conservation Dist. (\$50,000); Spencer Ellis – Cowley Drainage Dist.(\$1,000); David Monk-Cowley Drainage Dist. (\$1,000); Aubrey Wills – Big Horn Canal Irrigation Dist. (\$10,000); Richard Russell - Big Horn Canal Irrigation Dist. – (\$240,000); Joe Wildman-Fire Dist. #3 (\$100,000); Fred Barnett-Shell Valley Watershed Improvement Dist. (\$10,000); Scott Douglas Burnham-Lovell Bench Drainage Dist. (\$1,000); Stanley S. Asay-Sunlight Drainage Dist. (\$1,000); Michael Leonhardt – Fire Protection District #1 (\$2,000

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 the above and foregoing to be a full, true and complete copy of proceedings of the Commission on May 17th, 2016

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