

STATE OF WYOMING)
) ss.
COUNTY OF FREMONT)

LANDER, WYOMING
OFFICE OF THE FREMONT COUNTY COMMISSIONERS
FEBRUARY 20, 2024

OFFICIAL MINUTES

The Board of Fremont County Commissioners met in Regular Session at 9:00 a.m. with the following members present: Chairman Larry Allen, Mike Jones, Jennifer McCarty, Clarence Thomas and Ron Fabrizius. County Clerk Julie A. Freese and Deputy Civil Attorney Nathan Maxon were present.

Clarence Thomas moved, Mike Jones seconded, to approve the agenda as presented. Motion carried unanimously.

Jennifer McCarty moved, Clarence Thomas seconded, to approve the minutes of the February 13, 2024 meeting as presented. Motion carried unanimously.

Jennifer McCarty moved, Clarence Thomas seconded, to accept the bills for payment. Motion carried unanimously.

Bills are listed in the following format: Vendor – Department – Description – Amount: A & I Distributors-Vehicle Maintenance-Oil / Fluids-\$2,650.55; Ace Hardware-Lander-County Buildings-Materials / Supplies -\$190.98; Ameda Inc.-Public Health-Supplies-\$1,848.96; Amerigas-County Buildings-Utility Service-\$507.42; Bailey Enterprises, Inc.-Inventory-Bulk Fuel -\$21,884.91; Bloedorn Lumber-Lander-County Buildings Detention-Materials Supplies -\$29.09; Capital Business Sys. Inc.-Covid 19 Grant-Supplies & Service-\$85.49; Central Wyoming College-Prevention Program-Advertising-\$168.00; Charter Communications-Computer Services-Internet Service-\$229.98; City Plumbing & Heating Inc.-Fair -Fremont Ctr Remodel -\$237.50; Drug Testing Services LLC-Transportation-Services-\$50.00; Forbis, Kevin-Transportation-Expense Reimburse -\$133.90; Frontier Ambulance LLC-Fremont County Ambulance-Ambulance Subsidy-\$151,875.33; J R Project Management LLC-LATC Program Grant-Project Management-\$3,750.00; Jerry Bornhoft Construction Inc-1% Gravel Projects-Contract Service-\$580.00; Kenyon, John Cody-Transportation-Expense Reimburse-\$125.00; Livingworks Education USA Inc.-Public Health-Supplies / Service-\$1,398.50; Nelson, Colleen-Fair -Fremont Ctr Remodel -\$9,183.00; NMS Laboratories-County Coroner-Services-\$2,369.00; Norco Inc.-Segregated-Supplies - \$1,178.06; Office Shop Inc., The-Agriculture Department-Repair / Service-\$218.31; Post, Raymond-Public Health-Car Wash - \$12.00; Premier Vehicle Install Inc.-Capital Asset Acquisitions-Set Up Vehicle-\$15,876.29; Remote Satellite Systems-Search & Rescue-Satellite Phone-\$69.95; Riverton Ranger, The-Segregated-Advertising /Subscription-\$318.50; Rocky Mountain Power-County Buildings-Utility Service-\$1,253.75; SDT Property Management LLC-Special Tax-Move Award-\$100,000.00; Shirts & More Inc.-Vehicle Maintenance-Supplies-\$20.00; Shoshoni, Town Of-County Buildings-Utility Service-\$75.00; Sylvestri Customization-Prevention Program-Website Service-\$1,900.00; Tumbleweed Propane Inc.-County Buildings-Utility Service-\$236.99; T-Y Excavation Inc.-Road Construction-Contract Service-\$12,005.00; Union Telephone Company-Segregated-Cellphone Service-\$380.06; WY Dept. Of Transportation-Vehicle Maintenance-County Plates-\$10.00; Wyoming Machinery Co-Segregated-Parts / New Equipment-\$819,365.72; Wyoming Office Attorney General-24/7 Program-Program Fees-\$3,660.00.

Clarence Thomas moved, Jennifer McCarty seconded, to accept a voucher from Northwest Telepsychiatry PC for one Title 25 patient and a January billing statement from Fremont Counseling Service in the amount of \$4,200. Motion carried unanimously.

The following items in the Signature File were reviewed: 1) First quarter MOVE Denial letters to Country 10 Flooring and Finish Work; Dubois Vision Center PC; Leafgreen Construction; Riverton Swim Club; Smith Creek Storage Units and Western Sanitation, all based on the MOVE Committee determination they did not meet the ballot proposition definition for economic development; and 2) Record of Proceedings. Jennifer McCarty moved, Ron Fabrizius seconded, to accept the bid from Yeates Construction, Inc. for the LATC funded Fremont Center Remodel Project in the amount of \$233,641. Motion carried unanimously. Jennifer McCarty moved, Mike Jones seconded, to authorize an additional \$80,035 for the Fremont Center Remodel Project and accept the bid from Yeates Construction, Inc. in the amount of \$76,224 for two additional restrooms. Motion carried unanimously. Jennifer McCarty moved, Mike Jones seconded, to approve a Wyoming Association of Risk Management Final Proof of Loss for a Sheriff's Office 2019 Ford Transport Van for a final loss of \$14846.22, less \$5,000 deductible, for an insurance refund of \$9,846.22. Motion carried unanimously.

The following items in the Priority Mail were reviewed: Mike Jones moved, Jennifer McCarty seconded, to concur with the Office of the Wyoming State Public Defender's Office to hire Zachary H. Mahlum as a part-time Public Defender for the 9th Judicial District. Motion carried unanimously. Bridger-Teton National Forest Public Engagement Officer Linda Merigliano's request for time on an upcoming agenda to provide updates regarding forest planning (Vice-Chairman Mike Jones will schedule the meeting). Correspondence from Dubois Mayor Neveaux stating the Town is no longer interested in a parcel of county-owned property.

The Public Comment period was held with nobody present.

Commissioner Clarence Thomas, on the prevailing side of a motion made on February 6, 2024, moved to rescind that decision in which Resolution No. 2024-05 "Establishing a Fee Schedule for Public Records Requests made pursuant to the Wyoming Public Records Act" failed. Motion carried unanimously. He stated his motion was made in haste and he has had time to educate himself further on the impacts these requests are taking on staff. Mike Jones moved, Jennifer McCarty seconded, to approve Resolution No. 2024-05 "Establishing a Fee Schedule for Public Records Requests made pursuant to the Wyoming Public Records Act. Following discussion, the question was called with Commissioners Allen, Thomas, McCarty and Jones voting in the affirmative and Commissioner Fabrizius voting nay. Motion carried. Commissioner Fabrizius again stated his preference for using the State fees which are lower than those proposed for the County. He stated the difficulty patrons and taxpayers will have with heavy fees in place and they have already paid the County employee salaries and resources (paper, building, etc.) by property tax, sales tax, etc. County Clerk stated she has a fee schedule, one of the only ones set by State Statute. She noted a recent public records request asks for all e-mails for the last two years including the word "election", she stated the need for requests to be specific and not a fishing expedition, this will take months just for her to compile and then the County Attorney has to review, and further stated she will not make the 30-day response deadline. This request if it moves forward could grind her to a halt, and be so time consuming that she cannot do her regular duties, particularly in an election year. She encouraged the Commission to approve the fee schedule so these requests subside or at least narrow the request down. She reminded the Board that anybody can come and review written records in person at no fee. Her Office has a lot of statutory and constitutional duties she must perform without the added work with the e-mail requests. Commissioner Thomas reviewed a recent public records request made of the Commissioners for just a short time frame (one week) and the time and effort it took to provide those to the County Attorney's Office, who again then has to take the time to review and send on. Deputy Civil Attorney Nathan Maxon further reminded the Board that the Resolution before them today does include a waiver for Fremont County residents for the first \$50.00 of production.

Ryan Hamilton, Ice Hockey Association President, and Josh Saltgaver, Riverton Youth Soccer, were in attendance to request a letter of support to USDA Rural Development for a Rural Business Development Grant. This initiative was originated through the Wyoming Business Council with a roll out pilot program including cities and towns within Fremont County, who were challenged with coming up with a community economic development plan and strategies. Working with the City of Riverton's already existing Economic Development Plan, the team determined through the support of a community-wide town hall meeting, that a multi-use sports complex would benefit all of Fremont County by making the County a regional sports hub. Senator Salazar is researching other funding availability from the State. The men stated a feasibility study is the initial step in order to get investors, philanthropist support and provide shovel-ready drawings. Clarence Thomas moved, Mike Jones seconded, to approve a letter of support from Fremont County for the Rural Business Development Grant. Motion carried unanimously.

County Planning Director Steve Baumann presented a plat for Orchard Hill Subdivision, Lots 1 & 2 Replat. The Replat changes the lot line, increasing the size of Lot 1 from 4.00 acres to 4.66 acres and reducing the size of Lot 2 from 5.64 acres to 4.98 acres. No other changes are made to the plat. Jennifer McCarty moved, Ron Fabrizius seconded, to approve the Orchard Hill Subdivision, Lots 1 & 2 Replat, as recommended by the Fremont County Planning Commission. Motion carried unanimously.

In another matter, Steve Baumann referenced a letter from the Department of Environmental Quality the Commissioners had reviewed in their Priority Mail earlier in the meeting. It is regarding Warm Spring Mountain Subdivision which is a Regular Subdivision (vs. Simple Subdivision) so additional rules are in place. The developer intends to take one large parcel and divide into four lots, thereby requiring a DEQ opinion.

Commission meeting reports were given:

A Public Hearing was held at 10:00 a.m. (as advertised) regarding the petition submitted on December 19, 2023 to Vacate a Publicly Dedicated Road located within Singing Creek Subdivision Lot 3A, Lots 2 & 3 Replat, and Singing Creek Subdivision Lots 4 & 5. The 45-day comment period has ended with no comments submitted. The process has been completed to this point with the acceptance of the Viewer's Report on January 22, 2024. Jennifer McCarty moved, Ron Fabrizius seconded, to approve Resolution No. 2024-06 "Vacation of a Publicly Dedicated Road Located Within Singing Creek Subdivision Lot 3A, Lots 2 & 3 Replat, and Singing Creek Subdivision Lots 4 & 5. Motion carried unanimously.

Jennifer McCarty moved, Mike Jones seconded, to adjourn into Executive Session with Deputy Civil Attorney Nathan Maxon regarding potential property acquisition and litigation. Motion carried unanimously. Mike Jones moved, Clarence Thomas seconded, to return to Regular Session. Motion carried unanimously.

Commissioner Ron Fabrizius distributed documents he received including a survey and comments from homeowners on Hillcrest Drive from Mortimore Lane to the City Park crosswalk on Hillcrest Drive. Chairman Allen asked that County Planner Steve Baumann and Transportation Superintendent Billy Meeks review the material for discussion at the next meeting.

County Clerk Julie Freese stated she is sending the online Department of Audit Public Officers Training to special districts.

There being no further business, Jennifer McCarty moved, Mike Jones seconded, to adjourn the Regular Meeting at 10:15 a.m. and reconvene for a Regular Meeting at 9:00 a.m. on March 5, 2024. Motion carried unanimously.

A full detailed report (informational only) and the official minutes are posted on Fremont County's website (www.fremontcountywy.gov). The meeting can also be accessed via YouTube (Fremont County WY Government).

/s/ Larry Allen, Chairman
Fremont County Commissioners

ATTEST:

/s/ Julie A Freese, Fremont County Clerk and Clerk of the Board