

STATE OF WYOMING)
) ss.
COUNTY OF FREMONT)

LANDER, WYOMING
OFFICE OF THE FREMONT COUNTY COMMISSIONERS
MARCH 12, 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 and Ron Fabrizius. Commissioner Clarence Thomas was absent. County Clerk Julie A. Freese and Deputy Civil Attorney Nathan Maxon were present.

Jennifer McCarty moved, Ron Fabrizius seconded, to approve the agenda as amended. Motion carried unanimously.

Ron Fabrizius moved, Jennifer McCarty seconded, to approve the minutes of the March 5, 2024 meeting as presented. Motion carried unanimously.

Jennifer McCarty moved, Ron Fabrizius seconded, to accept the bills for payment. Motion carried unanimously.

Bills are listed in the following format: Vendor – Department – Description – Amount: Ace Hardware-Lander-County Buildings-Materials / Supplies -\$83.92; Ace Hardware-Riverton-County Buildings-Materials / Supplies -\$125.08; Airgas USA LLC-Vehicle Maintenance-Supplies -\$88.98; AlSCO Inc.-County Buildings-Laundry -\$221.00; Arcasearch Corporation-County Clerk-Services -\$6,916.00; B & B Enterprises LLC-Segregated-Signs / Road Base-\$51,538.00; Big Horn Water-Youth Services-Water Supply-\$68.50; Bill Jones Plumbing & Heating-County Buildings-Service / Repairs-\$122.20; BMO Financial Group-Segregated-Credit Card Charges-\$80,080.28; Bowdel Steven P.-Detention Center-Medical Services-\$2,375.00; Carroll Septic Service-Transportation-Services-\$150.00; Centurylink-Computer Services-Telephone Service-\$784.90; Charter Communications-Computer Services-Internet Service-\$229.98; Dirt Works-ARPA Program Grant-Heritage Trail Service-\$25,018.00; Dooley Enterprises Inc.-Detention Center-Ammunition-\$1,914.79; Dubois Frontier, The-Support Services-Advertising-\$134.25; Dubois Telephone Exchange-County Sheriff-Telephone Service-\$721.10; Fabrizius, Ron-County Commission-Reimburse Expenses-\$791.17; Freese, Julie-County Clerk-Petty Cash Reimburse-\$27.00; Fremont Counseling-Lander-Health & Welfare-Title 25-\$6,600.00; Fremont County Assoc. Of Govt.-Special Tax-Economic Development -\$16,458.75; Fremont County Solid Waste-County Buildings-Dump Fees-\$38.00; Fremont Motor Riverton -Vehicle Maintenance-Parts / Supplies-\$589.80; Fremont Motors - Lander-Vehicle Maintenance-Parts / Supplies -\$21.12; Gee, Brian-Detention Center-Medical Services-\$5,580.00; Globalstar USA-Search & Rescue-Satellite Phone-\$277.72; Grainger-County Buildings-Materials / Supplies -\$32.21; Hasco Industrial Supply-Vehicle Maintenance-Materials / Supplies-\$149.25; High Plains Power, Inc.-County Buildings-Utility Service-\$1,680.90; I-State Truck Center-Vehicle Maintenance-Parts-\$607.79; Jennings Transport LLC-1% Gravel Projects-Contract Services-\$1,486.25; Johnson Tool Company LLC-Vehicle Maintenance-Tools-\$269.95; Kairos Broadcasting LLC-Prevention Program-Advertising-\$1,583.34; Lander, City of-County Buildings-Utility Service-\$2,127.35; Mahlum, Zachary Hamilton-District Court-Court Appointment-\$788.32; Managed Print Services Inc.-Detention Center-Computer Supplies-\$1,480.00; Master's Touch LLC-County Treasurer-Printing/ Mailing Service-\$19,425.00; Midwest Connect-Support Services-Supplies-\$179.00; Mr. D's Food Center Inc.-District Court-Supplies-\$96.75; Napa Auto Parts-Riverton-Segregated-Parts & Supplies -\$4,390.57; Nelson, Colleen-Capital Project -Fair Building Remodel-\$9,547.00; Norco Inc.-County Buildings Detention-Supplies -\$60.00; O'Reilly Automotive Inc.-Vehicle Maintenance-Parts & Supplies -\$5.63; Palace Pharmacy-Detention Center-Inmate Rx's-\$399.49; Patriot Petroleum Solutions LLC-Fuel Facility-Repairs-\$738.10; Pavillion, Town of-County Buildings-Utility Service-\$112.50; Peterbilt of Wyoming-Vehicle Maintenance-Parts / Supplies-\$45.34; Postmaster-Clerk of District Court-Box Rent-\$154.00; Quadiant Inc.-County Sheriff-Machine Rental-\$32.81; Quill Corporation-Clerk of District Court-Office Supplies-\$135.53; R T Communications-Dispatch Center-Telephone Service-\$444.11; RELX, Inc.-County Attorney-Research Subscription-\$819.00; Riverton, City of-Special Tax-Economic Development -\$32,917.50; Rocky Mountain Power-Segregated-Utility Service-\$11,220.31; Rodriguez, Jessica-Detention Center-Medical Service-\$1,500.00; Sanchez, Amanda-Clerk of District Court-Expense Reimburse-\$871.93; Schaub, Gregg-Transportation-Expense Reimburse-\$130.02; Shoshoni, Town of-County Buildings-Utility Service-\$75.00; Sweetwater Aire LLC-Segregated-Supplies/Service-\$32,105.00; Verizon Wireless-Segregated-Cellphone Service-\$697.23; Western Printing, Inc.-County Attorney-Supplies-\$41.88; Wolf, Nancy J-Detention Center-Medical Services-\$1,812.50; Workpartners-Health Benefit Plan-Service-\$560.00; WY Dept of Transportation-Bridge Repair -Haymaker Draw -\$13.70; WY Public Health Laboratory-Public Health-Fees/Supplies-\$248.00; Wyoming Behavioral Institute-Health & Welfare-Title 25-\$28,652.00; Wyoming Dept of Transportation-Segregated-Fuel -\$1,141.25; Wyoming Machinery Co-Segregated-Parts/Service-\$17,505.16; Wyoming Waste Systems-County Buildings-Trash Removal-\$3,322.63; Y2 Consultants LLC-ARPA Program Grant-Strategic Planning -\$40,454.35.

The following items in the Signature File were reviewed: 1) CGI Digital Agreement for videos of Fremont County (taken under advisement); 2) United States Department of the Interior Bureau of Indian Affairs Assignment of Right-of-Way from Fremont County for 17 Mile Road (taken under advisement); 3) letter of appreciation to Normandy Rose for service on the Fremont County Solid Waste Disposal District board; 4) Retail Liquor Licenses for upcoming license year (April 15, 2024 – April 14, 2025); and 5) Record of Proceedings. Mike Jones moved, Jennifer McCarty seconded, to authorize \$650,000 LATC funding (out of the \$2 million set aside for future projects) for the purchase of the former CWC Equine Center for use by Fremont County Fair. Motion carried unanimously. Mike Jones moved, Jennifer McCarty seconded, to approve the Real Estate Purchase Agreement between Fremont County Community College District and

Fremont County, Wyoming in the amount of \$600,000 for the real property and improvements at the former CWC Equine Center located at 875 Gasser Road, Riverton, for use by Fremont County Fair. Motion carried unanimously. Mike Jones moved, Ron Fabrizius seconded, to approve a Fremont County Bore, Cut, Parallel Public Utilities Right-of-Way Easement Application from Rocky Mountain Power for a location at 1339 Squaw Creek Road. Motion carried unanimously. Mike Jones moved, Ron Fabrizius seconded, to approve an Approach/Access Application from Janice Roman for a location on Gabes Road. Motion carried unanimously. Mike Jones moved, Jennifer McCarty seconded, to approve an Approach/Access Application from Shayna Goff on Dodrill Road. Motion carried unanimously. Mike Jones moved, Jennifer McCarty seconded, to approve a Standard Form of Agreement between Fremont County and Yeates Construction for the Fremont Center Remodel Project in the amount of \$309,866 plus Alternate #1 for \$76,224 and Alternate #3 for \$11,845, funded with LATC monies. Motion carried unanimously. Mike Jones moved, Jennifer McCarty seconded, to approve a Wyoming Association of Risk Management Final Proof of Loss of \$47,670.01 for the May 2023 Western Star Semi Truck accident. Motion carried unanimously. It was noted that it is most likely the County's \$5,000 deductible will be returned as well once LGLP settles with the driver of the other vehicle.

The following items in the Priority Mail were reviewed: 1) Letter of resignation from Kimber Tower from the Fremont County Planning Commission. Jennifer McCarty moved, Ron Fabrizius seconded, to accept the resignation with regret. Motion carried unanimously.

The Public Comment period was held. Lindy Linn, Senator Lummis' Office representative, was present to ask if the Commissioners had any comments or concerns they would like relayed back to Senator Lummis. Chairman Allen stated the Commission is educating themselves on the Muddy Ridge Repatriation transfer being planned between the Bureau of Reclamation and Bureau of Land Management and its effects to the agricultural community, and would most likely be asking for an audience with Senator Lummis in the near future regarding the issue.

Treasurer Jim Anderson requested authorization to refill a vacancy he has had since December for a Clerk I position and also for an upcoming vacancy for a Clerk II position expected within the next month. Jennifer McCarty moved, Mike Jones seconded, to authorize advertising for both vacancies at the annual salary for the Clerk I position of \$36,800 and the Clerk II position at \$37,800. Motion carried unanimously.

Sheriff Ryan Lee presented a monthly report.

Tony Simmers, Deputy County Coroner, provided a monthly report

Cassie Murray, Treatment Courts and Youth Services Executive Director, provided a monthly update. Treatment Courts:

J.R. Oakley, JR Project Management LLC, stated bids were opened for the Elections Storage Building on March 6th, with two qualified bids received as follows: Yeates Construction - \$299,300 and Gaudern Construction - \$295,745. Mike Jones moved, Jennifer McCarty seconded, to accept the bid from Gaudern Construction in the amount of \$295,745 to be paid out of LATC funds. Motion carried unanimously. Additional fees of \$8,000 and a contingency of \$30,730 were also approved which equaled a total of \$338,030 for the project and is under the \$350,000 authorization. Oakley stated the Dubois Search and Rescue Building bids were due on March 6th as well; however, no bids were received. After discussing the project with several bidders who attended the onsite pre-bid meeting, he felt logistics, cost of doing business in the area and bonding issues all affected their decision not to bid. He has visited with all of the contractors and they were notified the bid closing was extended until March 25th and the areas of concern were discussed as well. He stated a site has been selected for the Riverton Search and Rescue Building, adjacent to the Justice Center. He will be working on getting bid documents ready.

Fremont County Planning Department Supervisor Steve Baumann presented a proposed plat Vacating Lot 3A, Singing Creek Subdivision Lots 2 & 3 Replat and Vacation of Lots 4 & 5, Singing Creek Subdivision. The owners are requesting the Vacation of their lots to facilitate its use as agricultural along with their adjacent property. Jennifer McCarty moved, Mike Jones seconded, to approve the Vacation as recommended by the Fremont County Planning Commission. Motion carried unanimously.

Frank Tanner, Riverton Senior Citizens Center Board of Directors President, and Jane Nolde, Executive Director of the Lander Senior Citizens Center, were present to request approval of two Resolutions to place the formation of a Senior Citizens Service District that follows the Riverton School District #25 and Lander School District #1 boundaries. Lori Weber, Riverton Senior Center Executive Director, was

present in the audience, along with numerous supporters for the proposals. Both talked about the rising costs affecting the senior community and the importance of keeping people at home as long as possible, with the assistance of the Senior Centers. County Clerk Julie Freese explained the process and noted there are two ways to get a question on the ballot; 1) by Resolution of the County Commission or 2) Petition containing signatures of 15% of the qualified voters in the proposed district. A Resolution, if approved, will go on the Primary Ballot, and if approved by the voters, the General Ballot will contain the names of people running for the Board of Directors. The BOD will then prepare annual budgets requesting the appropriate mills needed (up to two mills) based on their budget. Both she and Assessor Tara Berg have visited with both the Riverton and Lander representatives and they are aware of their responsibilities if a District is put into place. Mike Jones moved, Jennifer McCarty seconded, to approve Resolution No. 2024-08 "To Place the Riverton Senior Citizen Service District Formation Question on the 2024 Primary Election Ballot". Motion carried unanimously. Mike Jones moved, Ron Fabrizius seconded, to approve Resolution No. 2024-09 "To Place the Lander Senior Citizen Service District Formation Question on the 2024 Primary Election Ballot". Motion carried unanimously. Loud applause was heard from the audience members.

Timothy Nichols, Administrator, Fremont County Association of Governments, and Kevin Kershisnik, IDEA, Inc., were present to discuss the process for modifying the Memorandum of Understanding for Economic Development in Fremont County. Following extensive discussions and collaboration, FCAG has put forth recommended modifications to the existing MOU and are now in the process of presenting to the County Commissioners, and City and Town Councils, as members of FCAG. The proposed modifications aim to enhance the effectiveness and efficiency of economic development initiatives outlined in the agreement. The ballot question to the voters cannot be changed, so it will remain the same so that the excise tax for economic development of one-half percent (1/2%) will have 30% of the net proceeds of the tax to be used to support transportation infrastructure such as commercial air service and ground transportation and the remaining 70% will be allocated to the County and six municipalities based on population to manage and invest in economic development projects....". The original MOU in place currently designates that the 30% be split with 20% distributed monthly to the City of Riverton for commercial air service and 10% distributed monthly to FCAG for ground transportation. The modified MOU keeps the 30% split as originally indicated and changes the allocation for the 70% as follows: an additional commercial air service allocation of 33%; additional ground service transportation of 10%, a new allocation of 28% for ambulance services and the remaining 29% for projects and programs. Vice-Chairman Jones expressed support for the revised MOU to include an allocation for ambulance services, and noted the municipalities must also agree on the change. He does not feel this change is misleading the public as economic development is defined as adding jobs, retaining jobs or bringing in outside money. Commissioner Fabrizius supported the new MOU allocations and stated sales tax would be funding a portion of the ambulance service and not just homeowners, as would be the case with a special district tax. Commissioner McCarty felt that adding ambulance services to the formula allocation is misleading to voters and many would be unaware of the addition, she further felt that there are too many projects included in the ballot question and would prefer that voters have the option of voting on each one individually. The 1/2% initiative is voted on every four years and she feels this is a band aid approach to the ambulance issues facing the county and a long-term solution needs to be identified. Chairman Allen expressed concern as well with the changes to the current MOU, and reminded everybody that the County is not mandated to pay for an ambulance service, but they have and will continue to do so, because of the need. Multiple requests for funding assistance has been made to the Tribes and Municipalities, with only Lander contributing \$100,000 several years ago. He is also concerned that voters will have the 1% for road infrastructure, this 1/2% for economic development, in addition to the recently approved Senior Citizens Service District formation question on the upcoming primary and general election ballots. Kershisnik stated the various legal representatives have reviewed the MOU and the ballot language will be adhered to, and the MOU changes regarding the use of the 70% would be shown to the electorate if the 1/2% is renewed in November. County Clerk Freese asked about the term of the MOU, which was put in place immediately following the approval the first time around; and what would keep more changes coming in the future. Nichols stated the public will be informed and noted there is some dissatisfaction of how the 70% has been spent and this new proposal would be a better use of the funds. Chairman Allen thanked the men for the opportunity to review the proposed MOU changes and asked to take it under advisement and not make a decision this date. In closing, Commissioner Fabrizius stated the good things that has been done with the funding these last four years and the importance of funding the ambulance. In closing, County Clerk Freese reminded the group that no government money can be expended on lobbying efforts and stated a Political Action Committee (PAC) would need to be formed to do so.

MOVE Committee Chair Brett Berg and member Bryan Warner were present to review the Committee recommendations for the January 2024 applicants. Berg stated 11 applications were received, one not qualified due to a non-Fremont County Articles of Incorporation address; six denied as the Committee

determined their projects did not fit the criteria for economic development, and four were interviewed and recommended for funding as follows: Central Wyoming College Foundation, Fremont County Start-Up Challenge, \$90,000; Lander Housing Authority, Table Mountain Living Community, \$325,000; Lander Presents, Programs, \$20,000 and Pertech Industries, Inc., New Service Line, \$50,000. Mike Jones moved, Jennifer McCarty seconded, to accept the MOVE Committee recommendations for funding totaling \$485,000. Motion carried unanimously. Commissioner Fabrizio moved to amend the award for Pertech Industries, Inc. to \$100,000, which was not accepted by the motion maker.

Mitch Benson distributed copies of documents from the Department of the Interior, Department of Agriculture, Department of Health and Human Services and United States Securities and Exchange Commission regarding new policies, rule changes, etc. There was a large number of people in the audience. Benson's written statement read "the above identified Departments and Federal Government, have implemented appointments, policies, amendments and rule changes since March of 2001, that if fully implemented, will be economically devastating to not only Fremont County, Wyoming's agriculture, oil/gas, mining, tourism, tribal, towns and local governments, not to mention the remaining 22 counties within the State of Wyoming." He reviewed a time line of events which were supported by the exhibits he distributed. In closing, he asked the Commissioners review the information presented and then give him a time frame of when they would be ready to make a decision on moving forward. Following Benson's presentation, the audience applauded.

Meeting reports were given.

There being no further business, Jennifer McCarty moved, Ron Fabrizio seconded, to adjourn the Regular Meeting at 12:25 p.m. and reconvene for a Regular Meeting at 9:00 a.m. on March 19, 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