

STATE OF WYOMING)
) ss.
COUNTY OF FREMONT)

LANDER, WYOMING
OFFICE OF THE FREMONT COUNTY COMMISSIONERS
SEPTEMBER 6, 2022

FULL DETAILED REPORT

The Board of Fremont County Commissioners met in Regular Session at 9:00 a.m. with the following members present: Chairman Travis Becker, Vice-Chairman Larry Allen, Jennifer McCarty, Clarence Thomas and Michael Jones. County Clerk Julie A. Freese was present.

Larry Allen moved, Jennifer McCarty seconded, to approve the agenda as amended. Motion carried unanimously.

Jennifer McCarty moved, Clarence Thomas seconded, to approve the minutes of the Regular Meeting held on August 23, 2022. Motion carried unanimously.

<u>Vendor</u>	<u>Department</u>	<u>Description</u>	<u>Amount</u>
71 Construction	Road Material Inventory	Materials	\$101,415.60
A & I Distributors	Vehicle Maintenance	Oil/Fluids	\$353.10
Ace Hardware-Lander	Segregated	Materials/Supplies	\$235.75
Airgas USA LLC	Vehicle Maintenance	Supplies	\$71.32
Albright, Harold	Planning	Reimburse Mileage	\$75.60
American Family & Life Insurance	Segregated	Insurance	\$5,476.24
Asbestos & Technical Services Inc	County Buildings	Asbestos Inspection Service	\$1,838.00
B & B Enterprises LLC	Planning	Signs & Supplies	\$312.20
Bailey Enterprises, Inc	Segregated	Vehicle Fuel	\$34,366.26
Barcodes LLC	County Elections	Supplies	\$422.63
Bennett, Ginger V.R.	County Elections	Canvass Services	\$60.48
Big Horn Tire Inc	Vehicle Maintenance	Vehicle Tires	\$9,710.88
Bill Jones Plumbing & Heating	County Buildings	Supplies/Parts	\$154.27
Black Hills Energy	County Buildings	Utility Service	\$2,145.28
Bloedorn Lumber-Lander	County Buildings	Materials Supplies	\$79.83
Blue Cross Blue Shield of WY	Co Admin	Health Insurance Claims	\$631,806.52
Bowdel, Steven P.	Detention Center	Medical Services	\$375.00
Bradford Supply Co	Segregated	Supplies	\$16.19
California State Disbursement	Payroll	Child Support	\$50.00
Circuit Court	Payroll	Garnishment	\$344.04
Clarke, Susan A	Detention Center	Inmate Medical	\$2,425.00
Clifford, Gregory P. MD PC	Detention Center	Inmate Medical	\$3,081.00
Cloud Peak Counseling Center	Health & Welfare	Title 25	\$7,800.00
Cole, Maureen	County Elections	Expenses Reimbursed	\$178.88
Colonial Life & Accident Insurance	Segregated	Insurance	\$807.55
Davis & Cannon LLP	County Attorney	Property Tax Appeal	\$19,243.06
Dealers Electrical Supply	County Buildings	Materials/Supplies	\$154.10
DOWL LLC	Road Construction	Road Reconstruction	\$44,844.47
Dubois Frontier, The	Support Services	Advertising	\$71.20
Dubois Telephone Exchange	County Sheriff	Telephone	\$717.30
Empower Trust	Segregated	Wyoming Benefits	\$6,925.00
Fahey, Penny	Health Promotion	Wellness Program	\$2,500.00
Floyd's Truck Center WY	Vehicle Maintenance	Parts	\$110.88
Foutz, Traci L	Covid 19 Grant	Mileage Reimbursement	\$77.00
Freese, Julie	Segregated	Expenses Reimbursement	\$69.20
Fremont Chevrolet GMC	Vehicle Maintenance	Parts/Repairs	\$47.60
Fremont Counseling-Lander	Health & Welfare	Title 25	\$4,350.00
Fremont County Solid Waste	County Buildings	Dump Fees	\$5.00
Fremont County Treasurer	Co Admin	Health Insurance	\$358,057.00

Fremont County Treasurer	Co Admin	Section 125 Benefits	\$36,924.32
Fremont Motor Riverton Inc	Vehicle Maintenance	Parts/Supplies	\$238.60
Gee, Brian	Detention Center	Inmate Medical	\$1,200.00
Grainger	County Buildings	Materials/Supplies	\$234.49
Groomsmith, Tauna	Prevention Program	Expense Reimbursement	\$130.18
Healthsmart Benefit Solutions	Segregated	Insurance	\$800.00
Hinds, Paula E.	County Elections	Canvass Services	\$153.44
James Tower, Kimber	Planning	Expense Reimbursement	\$28.80
John Deere Financial	County Buildings	Materials/Supplies	\$90.97
Johnson-Duenas, Breana	County Elections	Expense Reimbursement	\$18.95
Jones, Michael	County Commission	Mileage Reimbursement	\$180.00
Kisling, Lisa	Public Defender	Office Rent	\$600.00
Lander Valley Auto Parts	Vehicle Maintenance	Parts/ Supplies	\$7.82
Lander, City of	County Buildings	Water & Sewer	\$3,773.16
Lawson Products, Inc	Vehicle Maintenance	Parts & Supplies	\$233.67
Lou's Drilling	County Buildings	Supplies	\$227.50
Mahlum, Zachary Hamilton	District Court	Court Appointment	\$998.55
Mark's Auto Sales & Towing	County Sheriff	Vehicle Towing	\$732.00
Miller, Margaret	District Court	Office Rent	\$300.00
Nations, Yesenia	County Elections	Expense Reimbursement	\$27.00
Natrona County Attorney	Health & Welfare	Title 25	\$6,980.00
New York Life Insurance	Segregated	Insurance	\$133.11
Nolan, Whitney L	County Sheriff	Court Services	\$153.75
Nolan, Melody	County Elections	Post Audit Service	\$28.00
Office Shop Inc, The	Segregated	Repair/Service	\$106.17
Payroll Taxes	Co Admin	Withholding/FICA	\$205,849.57
Peterbilt of Wyoming	Vehicle Maintenance	Parts	\$630.91
Post, Raymond	County Buildings	Car Wash	\$64.91
Print Shop, The	County Elections	Printed Office	\$75.00
Quill Corporation	Segregated	Office Supplies	\$419.68
R C Lock & Key	Segregated	Materials/Supplies	\$96.00
R T Communications	Dispatch Center	Telephone	\$444.11
Ratigan, Daniel, M.D.	Detention Center	Supervisor Contract	\$6,616.66
Riverton Winnelson Co	County Buildings	Materials/Supplies	\$2.71
Riverton, City of	County Buildings	Water/Sewer	\$1,252.86
Rocky Mountain Automatic Doors	County Buildings	Repair/Materials	\$120.00
Rodriguez, Jessica	Detention Center	Contract Services	\$4,500.00
Sagewest Health Care	Health & Welfare	Title 25	\$14,875.00
Shultz, Kevin	Computer Services	Election Services	\$56.50
Smith, Mariah	Prevention Program	Administrative Assistance	\$292.46
Soule, Sierra	Public Defender	Office Rent	\$600.00
Specialized Pathology Consult	County Coroner	Autopsy Fee	\$2,800.00
State Disbursement Unit	Payroll	Child Support	\$480.25
State of Wyoming	Public Defender	Office Rent	\$1,650.00
Superior Ind. Supply & Equip.	Vehicle Maintenance	Lift Inspections	\$1,792.00
Sweetwater Aire LLC	County Buildings	Supplies/Parts/Repair	\$584.99
Sweetwater County Sheriff	Detention Center	Inmate Housing	\$10,370.00
Terrance R. Martin PC	Public Defender	Office Rent	\$600.00
Total Net Salaries	Segregated	Salaries	\$666,775.81
Traveling Computers	Computer Services	Computer Supplies/Services	\$9,562.49
Tumbleweed Propane Inc	County Buildings	Propane Services	\$1,444.88
Tyler Technologies Inc	County Clerk	Software Support	\$24,089.82
Valley Lumber & Supply Co Inc	Transportation	Materials/Supplies	\$89.85
Whiting Law, P.C.	District Court	Professional Services	\$907.50
Wilson, Kevin L. RN	Detention Center	Inmate Medical	\$3,100.00
WY Dept of Employment	Segregated	Unemployment Claims	\$2,769.00

WY SDU	Payroll	Child Support	\$1,480.00
Wyo Child Support Enforcement	Segregated	Child Support	\$1,531.00
Wyo Dept Of Workforce Service	Co Admin	Workers Comp	\$28,929.98
Wyoming Behavioral Institute	Health & Welfare	Title 25	\$1,508.00
Wyoming Retirement System	Co Admin	Contributions	\$161,035.68
Wyonet Inc.	Computer Services	Telephone Service	\$5,305.76
Zoro Tools Inc	County Buildings	Supplies	\$823.24

Jennifer McCarty moved, Clarence Thomas seconded, to accept the bills for payment. Chairman Becker abstained from voting on The Print Shop voucher. Motion carried.

The following items in the Signature File were reviewed: 1) letter of appreciation to Terri Castle for service on the Fremont County Fair Board; 2) letters to MOVE applicants requesting one-year final report; 3) Abatement Summary; and 4) Record of Proceedings. Mike Jones moved, Larry Allen seconded, to approve an Interim Wellness Coordinator Agreement between Fremont County and Penny Fahey effective until a permanent Coordinator is hired. Motion carried unanimously. Mike Jones moved, Larry Allen seconded, to approve a DOWL Standard Agreement or Professional Services for as-requested services. Motion carried unanimously.

Items in the Priority Mail were reviewed. Jennifer McCarty moved, Larry Allen seconded, to ratify Possum Pete's Catering Permit application for September 2-4, 2022 for the Rancher's Rodeo at the Wind River Rodeo Grounds in Pavillion. Motion carried unanimously. Receipt of the \$75 fee was acknowledged.

Chief Civil Deputy Attorney Jodi Darrough was joined by Executive Health Insurance Committee member Margy Irvine to discuss the MASA contract. It was recently found out that it was never executed on their end. As a result, the County was never invoiced and coverage terminated, leaving about \$3,000 in costs to employees for air ambulance services that is not covered. Paying the back amount owed on the contract would be \$18,000 so it would be more cost effective to pay the employee bills. In the meantime, a new contract was supposed to be sent by today's meeting, which has not yet been received. The Commission questioned the \$3,000 amount and asked that all employees be contacted to make sure there are no other outstanding expenses we are not aware of and Irvine will also contact NOVO and BCBS to seek their assistance in determining the exact amount of costs unpaid. The matter will be discussed at the following meeting and a final determination made on how to proceed to make sure all employees are compensated for any air ambulance expenses during the elapsed contract term.

Assessor Tara Berg distributed a Wyoming Legislative Service Office Memorandum to the Property Tax Working Group/Joint Revenue Committee regarding a matrix of options for property tax relief. There were 13 proposals listed along with estimated fiscal impact. Berg stated the Assessor's Association has been involved in the discussion and it will also be a topic at the upcoming Wyoming Association of County Officers annual meeting. She stated that any change must be constitutional and fairly applied and noted No. 7 "Implement and amend homeowner's tax credit"; No. 8 "Homestead exemption" and No. 13 "Implement a percentage cap on property tax increases" are her top recommendations at this point in the discussion process. She noted Senator Case is very involved and leading the charge on this topic.

Commissioner meeting reports were given:

Commissioner Clarence Thomas stated the Fremont County Coroner and Deputy have been discussing the need for a new Coroner building and he presented a proposed architectural drawing for review. Also attached was a detailed assessment of the Lander morgue facility deficits. He expects more information to be forthcoming for review by the Board.

Commissioner Mike Jones met with Popo Agie Conservation District Supervisor Kelsey Beck and Popo Agie Ranch Estates Homeowners Association representative Bill Lee regarding working with the NRCS to use the Emergency Water Protection Assistance Program to protect roads and property. He noted they will be on the next Commission agenda to continue that discussion. He further toured the Farthing property where the river is undercutting the road. The Conservation District, WYDOT and Representative Larsen are working together to look at potential resources to solve the issue. He further presented draft legislation, sponsored by Senator Case, regarding an Act relating to improvement and

service districts; specifying how a district to provide emergency medical services may be established for informational purposes.

Chairman Travis Becker had been in close contact with Building Maintenance Supervisor JR Oakley and Youth Camp caretaker Ron Cunningham regarding recent water sampling that had taken place at the Camp as required by EPA. After one bad sample, resulting in the required sanitation procedures, the EPA had given approval to move ahead with regular use. However, they had made the decision to close the Camp for the winter.

Chairman Becker adjourned as the Board of Fremont County Commissioners and convened as the Fremont County Board of Equalization. Hearing Examiner John Schumacher proceeded over Docket No. 2022-11 Town of Shoshoni. Taxpayer counsel Marshall Keller, Keller Law Firm, was present, along with Shoshoni Town Clerk Chris Konia. Counsel for the Assessor, Jodi Darrough was present, along with Assessor Tara Berg. The hearing concluded at 11:00 a.m. Due to time constraints, deliberations will be held at a later meeting.

The Board adjourned as the Fremont County Board of Equalization and reconvened as the Board of Fremont County Commissioners.

Porcupine Subdivision resident Sallye Kessler returned to the meeting to continue discussion on her request for formal county recognition that short term rentals utilizing private residences be declared revenue generating commercial business. She cited nuisance issues, private road damage, harassing wildlife, etc. in the subdivision where she resides. She stated the Commission should be receiving sales tax, lodging and personal property taxes and fees as a result. An e-mail from Bret Faning, Administrator of the Excise Tax Division was reviewed and his detailed response to her questions, in part that sales and lodging tax is a trust tax where an individual vendor, or property owner, has a duty to know the applicable rules and submit tax to their department. Treasurer Jim Anderson was present and stated that his office receives money from the state; however, it is lumped together and he has no knowledge of individual businesses who contributed sales tax. Kessler asked that the County consider licensing the short term rental operations to allow for their accountability. Chairman Becker referenced several e-mails that had been received by the Commission and the option that the Homeowners Association take a lead role in addressing her concerns. The Commissioners were not interested in growing government by creating a license or permit system in the county; however, Commissioner Thomas stated it is a complicated area but not sure it's a government responsibility to regulate the private entities. Kessler closed the discussion by reiterating her request that the County resolve the issue.

Planning Department Supervisor Steve Baumann presented a proposed plat for Nordwick Subdivision, a proposed three lot Simple Subdivision located adjacent to the northern town limits of Shoshoni off Highway 20. Jennifer McCarty moved, Mike Jones seconded, to approve Nordwick Subdivision as recommended by the Fremont County Planning Commission. Motion carried unanimously.

Mountain Top Subdivision Lots 2A and 3A Re-Subdivision, located adjacent to Union Pass Road and Fir Road was presented. It will re-establish the original Subdivision boundary by adding back the vacated 3.16-acre area on the north side. Jennifer McCarty moved, Mike Jones seconded, to approve the Re-Subdivision as recommended by the Fremont County Planning Commission. Motion carried unanimously.

Porcupine Subdivision No. 2, a Portion of Lots 27 & 111 Re-Subdivision was presented, located west of Dubois on Porcupine Drive off Union Pass Road. The purpose is to take the current 9.64-acre parcel and divide it into two lots of 4.30 and 5.34 acres. The revision changes the lot lines to allow a single shared access point to the proposed lots allowing for significantly better access. Three individuals expressed comments and/or concerns and were all answered. Jennifer McCarty moved, Mike Jones seconded, to approve the Re-Subdivision as recommended by the Fremont County Planning Commission. Motion carried unanimously.

Walkaboutcreek Estates Simple Subdivision Partial Vacation of Estates 1 & 3 was presented, which is located approximately 1.2 miles east of Dubois off Highway 26 (generally known as the Longhorn Ranch RV Park). The entire subdivision is owned by one family and the owner wishes to sell the majority of the agricultural land and the RV Park and vacate a large portion of Estate 1 and a small portion of Estate 3 from the Subdivision and merge it with the adjacent agricultural land to the west, creating a 35+ acre parcel. Jennifer McCarty moved, Mike Jones seconded, to approve the Partial Vacation of Estates 1 & 3 as

recommended by the Fremont County Planning Commission. Motion carried unanimously. Lots 1, 2 & 3 Re-Subdivision was then presented. The Developer has applied for a variance to a portion of the Fremont County Subdivision Regulations to eliminate the 20' wide utility easement among the north and east side of Estate 5, as there is an existing 60' wide road and utility easement either adjacent or nearby the edge of it. Jennifer McCarty moved, Clarence Thomas seconded, to approve the Request for Variance to Chapter III Section 3(B)(XV) eliminating the Utility and Drainage Easement on the north and east side of Estate 5 as recommended by the Fremont County Planning Commission. Motion carried unanimously. Jennifer McCarty moved, Mike Jones seconded, to approve the Walkaboutcreek Estates Simple Subdivision Lots 1, 2 & 3 Re-Subdivision as recommended by the Fremont County Planning Commission. Motion carried unanimously.

Public Health Nurse Manager Christine Krause and Prevention Coordinator Tauna Groomsmith were present via Zoom to discuss the upcoming first payment in the Opioid Settlement in the amount of \$76,773.38. Chief Civil Deputy Attorney Jodi Darrough stated that the County may either accept the payment directly or have it go to the State for their administration. Groomsmith recommended the settlement payments come directly to Fremont County and her plans to involve stakeholders to determine a plan of action for the proceeds. She will work with County Clerk Freese when the funding is received to set up a Chart of Accounts as well as the applicable budget hearing. Larry Allen moved, Clarence Thomas seconded, to have Fremont County accept the settlement payments directly in the Opioid Settlement. Motion carried unanimously.

Vehicle Maintenance Supervisor Brad Meredith reviewed a draft Commercial Driver's License Training Payment Contract for discussion. A new CDL applicant must now take a 30-40 hour training course at an estimated cost between \$4,500 and \$5,000 and the Contract states Fremont County would pay for tuition for the CDL; however, if the employee terminates from Fremont County within a certain time frame, the employee will be responsible for the cost of the training. A two-year time frame was discussed as adequate length of time for the employee to remain in employment with Fremont County. The Contract further states that it is not construed as an express or implied contract for further employment as the employee is at-will and may be discharged at any time. More discussion will be held to firm up the contract details.

In other business, Brad Meredith reviewed the criteria he has established for SOC adjustments for Mechanics and Foremen and the three levels identified. He has performed evaluations and requested appropriate level adjustments be made as recommended. The adjustments were approved in his budget for the FY 2022-2023 year and approved by the Board.

Building Maintenance Supervisor JR Oakley provided preliminary plans of the Court remodeling project. The next step will be to go into full design phase and out to bid in October. He envisions bid construction to begin in November/December with completion in April.

In other business, JR Oakley presented bids for ARPA projects within the Courthouse. Jennifer McCarty moved, Mike Jones seconded, to approve the bid from Fine Line Painting in the amount of \$22,600.00 for the halls and lobbies. Motion carried unanimously. Jennifer McCarty moved, Mike Jones seconded, to accept the bid from Gail's Carpet One in the amount of \$72,889.44 for carpeting of halls and lobbies. Chairman Becker abstained from the vote. Motion carried. The bid for pavement replacement in the front parking lot was substantially higher than estimated, with the low bid from 71 Construction in the amount of \$163,701.44. The majority of the Board was in agreement to wait until the next round of projects are awarded in the spring and review the project at that time.

Youth Camp caretaker Ron Cunningham joined JR Oakley to discuss the ARPA project at the Fremont County Youth Camp for a solar energy system. Cunningham asked for Oakley or his Assistant to oversee the project, to which the Board agreed to. The original contract price of \$148,382 from Creative Energies was discussed, along with a Change Order request of \$3,684 to include an additional eight panels and change in top of pole mount due to change in panels. Mike Jones moved, Jennifer McCarty seconded, to approve the new contract price total of \$152,066. Motion carried unanimously.

Vice-Chairman Larry Allen relayed a recent e-mail he received regarding additional costs at the Fairgrounds Parking lot project to correct a drain pipe for an additional amount of \$13,400. Transportation Department Superintendent Billy Meeks joined the meeting and stated the expense involves the box concrete structure needed for the storm drain, which will be increased in size to 6" to 8"

inches. He will meet with the contractor and provide an update to the Commissioners at their next meeting.

In another matter, the Courthouse closure on Columbus Day was discussed. JR Oakley noted the topic is on the upcoming Elected Officials/Department Heads meeting scheduled for September 12th and he will provide an update to the Board the following day at their meeting regarding potential training topics.

Vice-Chairman Larry Allen and Commissioner Clarence Thomas will review the applications received for the Emergency Management Coordinator's vacancy. They will narrow the field down to three applicants to interview.

There being no further business, Larry Allen moved, Clarence Thomas seconded, to adjourn the Regular meeting at 1:25 p.m. and reconvene for a Regular Meeting at 9:00 a.m. on September 13, 2022. 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 You Tube (Fremont County WY Government).

/s/ TRAVIS BECKER, CHAIRMAN
FREMONT COUNTY COMMISSIONERS

ATTEST:

/s/ JULIE A. FREESE, FREMONT COUNTY CLERK AND CLERK OF THE BOARD