BIG HORN COUNTY
BOARD OF COUNTY COMMISSIONERS

121 3rd St W
Room 301
Hardin, MT 59034

Members
George Real Bird III, Presiding Officer
Larry Vandersloot, Member
Lawrence Big Hair, Member

BIG HORN COUNTY BOARD OF COUNTY COMMISSIONERS MINUTES
February 19, 2026
9:30 AM

1. Call to Order

Commissioner Real Bird, Presiding Officer calls meeting to order.

2. Roll Call

Presiding Officer District 1 Real Bird III, Commissioner District 3 Vandersloot were both in attendance. County Attorney Torske and Heather Ready, Deputy County Attorney were also in attendance.

3. Claim Approvals

Commissioner Vandersloot entertained a motion to approve claims 1215. The motion was seconded by Commissioner Real Bird and passed unanimously.

4. Approve Minutes and Supporting Documents

Commissioner Vandersloot entertained a motion to approve February 12, 2026. The motion was seconded by Commissioner Real Bird and passed unanimously.

5. Personnel/Legal

6. Old Business

Sibley Agreement and Release

Commissioner Vandersloot entertained a motion to approve the agreement and release with Chief Deputy County Attorney David Sibley. The motion was seconded by Commissioner Real Bird and passed unanimously.

7. New Business

Amend Property Sale Resolution

The previous land sale resolution required that the sale of a property be at the appraisal amount and the back taxes. This amendment allows the board to take a lesser amount to get it back on the tax rolls. This also allows the Board to engage in direct negotiation with any interested party after they haven't sold. Commissioner Vandersloot entertained a motion to approve Resolution 2025-32A. The motion was seconded by Commissioner Real Bird and passed unanimously.

8. Public Comments

9. Discussion

Peri Schenderline discussed the second tax deed sale. She will get this list from Denise Rios, Treasurer, and get it scheduled and published.
Commissioner Vandersloot received a call and would like to have a fair meeting to get a schedule together for fair week and all the events.

10. Adjourn

There being no other business, the board adjourned.

Approved: G R B
George ~~Real Bird III~~, Presiding Officer

Attest: Peri Schenderline
Peri Schenderline, Deputy Clerk & Recorder

COUNTY OF BIG HORN, MONTANA

RESOLUTION 2025-32A

PREAMBLE:

A Resolution amending the procedures for sale and disposition of real property owned by Big Horn County.

RECITALS:

In accordance with MCA 7-5-2101(1), the Board of County Commissioners ("Board") has jurisdiction and power, under such limitations and restrictions as are prescribed by law, to represent the county and have the care of the county property and the management of the business and concerns of the county.

In accordance with MCA 7-8-2301, the Board shall set the price, of and sell at public auction, land acquired by tax-deed. Tax-deed land not sold at the first or second auction may be sold at a third auction for less than the appraised value or disposed of as provided in MCA 7-8-2501, et seq.

In accordance with MCA 7-8-2522, the Board may make trades, exchanges, or donations of real property owned by the County.

Pursuant to MCA 7-8-2521(1), the Board shall, after holding a public hearing noticed as provided in MCA 7-1-2121, adopt a resolution providing for sale and disposition of county real property. The resolution must include:

(a) approved locations for sales, including whether sales may be conducted by use of an internet website or other online location;
(b) a requirement that all sale locations be accessible to the public;
(c) types of sales for which public auction is required;
(d) who may conduct a sale or auction;
(e) procedures for issuing permits, leases, or licenses, including:
    (i) the terms, conditions, and processes for issuance of permits, leases, and licenses;
    (ii) authorization to enter into agreements with entities to which permits, leases, or licenses may be issued;
    (iii) a prohibition on a lease being made for an amount less than the amount that would have been collected if taxes on the real property had been levied; and
    (iv) the process for authorizing a lessee to place improvements on the property;
(f) how sales will be noticed if the board intends to provide notice in addition to notice by publication as required in MCA 7-1-2121;
(g) how property retained by the county will be administered and maintained; and
(h) any other provision that the board considers to be necessary for the disposition of property in a manner that is in the best interests of the county and its citizens.

In accordance with MCA 7-8-2521(2), consideration must be given to multiple-use management.

Pursuant to MCA 7-8-2301(4), if bids are not received at the first auction of tax-deed land, the Board shall order another auction sale of the land within six months and may, if required by the circumstances, redetermine the sales price of the land that was set prior to the first auction in accordance with MCA 7-8-2301(2).

Pursuant to MCA 7-8-2301(6), notwithstanding the sales price fixed by the Board prior to the auction conducted under MCA 7-8-2301(1)(a), if the successful sale bidder is the delinquent taxpayer or the delinquent taxpayer's agent, immediate family member, or successor in interest, the purchase price may not be less than the amount necessary to pay in full, the taxes, assessments, penalties, and interest due on the land at the time of taking the tax deed plus interest on the full amount at the rate provided for in MCA 15-16-102 from the date of the tax deed to the date of the repurchase as well as the costs of the County in taking the tax deed and additional taxes or assessment due, if any, at the time of purchase.

In accordance with MCA 7-8-2521(3), provisions in the resolution regarding exchanges or donations of real property must be in compliance with MCA 7-8-2522.

Pursuant to MCA 7-8-2304, a sale of tax-deed land must be for cash, or in the case of real property, on terms that the Board approves.

The Board may sell or exchange County real property that is not necessary for the conduct of the County business to any city, town, or political subdivision, pursuant to MCA 7-8-101.

The County has obtained title to real property through the tax deed process and desires to establish procedures and rules for the sale and disposition of the real property.

Following a public hearing noticed as provided in MCA 7-1-2121, the Board adopted Resolutions 2025-18 and 2025-32 which established the procedures for sale of County real property, pursuant to MCA 7-8-2521.

The Board desires to amend Resolutions 2025-18 and 2025-32 to allow the Board to engage in direct negotiation with an interested party for the sale of property that did not sell at a prior public auction.

As required by MCA 7-8-2521(1), the Board gave notice and held a public hearing on February 5, 2026 on this resolution.

THEREFORE:

The Board of Commissioners of Big Horn County hereby rescinds any prior resolutions establishing procedures for the sale and disposition of real property.

The Board hereby resolves that the following requirements shall apply to the sale or disposition of County real property:

1. Sales may be conducted in the Big Horn County Courthouse and/or on an internet website.
2. All sale locations shall be accessible to the public.
3. A public auction is required to sell the following:
    a. Property acquired by tax-deed, as required by MCA 7-8-2301 (required for the first and second attempts to sell property acquired by tax-deed).
4. Property that was not sold at a second tax-deed auction may be sold at either a public auction or by sealed bid, or otherwise disposed of as allowed herein. Property that did not sell at either a second tax deed auction or other public auction may also be sold by directly negotiated contract.
5. The Board or its designee may conduct a sale or auction.
6. The Board shall establish the minimum sales price for property acquired by tax-deed, as provided in MCA 7-3-2301. The Board shall set the sales price for property acquired by tax deed to be sold in the first public auction at not be set less than the amount necessary to recover the full amount of taxes, assessments, penalties, and interest due at the time the tax deed was issued to the County plus the County's costs in taxing the tax deed and in conducting the sale and additional taxes due, if any, at the time of the sale.
7. Pursuant to MCA 7-8-2301(4), the Board may redetermine the sales price of the tax-deed land if bids were not received at the first auction of the land and the Board finds that it is required by the circumstances,
8. Pursuant to MCA 7-8-2301(6), notwithstanding the sales price fixed by the Board prior to the auction conducted under MCA 7-8-2301(1)(a), if the successful sale bidder is the delinquent taxpayer or the delinquent taxpayer's agent, immediate family member, or successor in interest, the purchase price may not be less than the amount necessary to pay in full, the taxes, assessments, penalties, and interest due on the land at the time of taking the tax deed plus interest on the full amount at the rate provided for in MCA 15-16-102 from the date of the tax deed to the date of the repurchase as well as the costs of the County in taking the tax deed and additional taxes or assessment due, if any, at the time of purchase.
9. Prior to sale, as provided in MCA 7-8-2513, property with an estimated value of more than Twenty Thousand Dollars ($20,000) shall be appraised by a disinterested certified general real estate appraiser to determine the value. Land acquired by tax-deed that

failed to sell for its appraised value at a second auction, as provided in MCA 7-8-2301(5)(b), is exempt from this requirement.

10. The Board may donate or sell at a reduced-price real property acquired by tax-deed to a municipality or corporation for the purpose of constructing low-income housing, as allowed by MCA 7-8-2301.
11. The Board may make trades, exchanges, or donations of real property owned by the County, pursuant to MCA 7-8-2522.
12. The Board may sell or trade to any city, town, or political subdivision, real property, however held or acquired, that is not necessary for the conduct of the County business, pursuant to MCA 7-8-101. The minimum sales price requirement set forth in Paragraph 6 above shall not apply to sales or trades to political subdivisions.

The Board further resolves that the following requirements shall apply to the issuing of permits, leases, or licenses for County real property:

1. All permits, leases, or licenses shall be approved by the Board.
2. The Board is authorized to enter into agreements with entities to which permits, leases, or licenses may be issued.
3. A lease may not be made for an amount less than the amount that would have been collected if taxes on the real property had been levied.
4. A lessee of County real property may only place improvements on the real property pursuant to a written agreement approved by the Board.
5. When occupied real property is acquired by the County, the Board may either enter into a lease with the occupants or give the occupants thirty (30) days' notice to vacate the real property.

The Board resolves that sales of County real property will be noticed by publication, as required by MCA 7-1-2121. If the Board desires to sell real property that did not sell at public auction by contract arrived at through direct negotiation, the Board shall give notice of the adopted resolution of intent. Notice of sales shall also be posted on the County website, in the County Courthouse, and other places where public notices are customarily posted.

The Board, or its designee, shall direct the administration and maintenance of real property retained by the County.

The Board further directs that sales or disposition of real property by the Board shall be made with consideration given to multiple-use management, which allows diversity of activities on public lands and results in the establishment of local economies based on these principles and practices.

ENACTED:

This 19th day of February, 2026, in Hardin, Montana.

BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA

L Big Hair
Lawrence Big Hair, Presiding Officer

[signature]
George Real Bird III, Member

[signature]
Larry Vandersloot, Member

ATTEST:

Peri Schenderline
Peri Schenderline