

**BIG HORN COUNTY
BOARD OF COUNTY
COMMISSIONERS**

121 3rd St W
Room 301
Hardin, MT 59034



Members

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

**BIG HORN COUNTY BOARD OF COUNTY
COMMISSIONERS MINUTES
January 4, 2024
9:30 AM**

1. Call to Order

Commissioner Vandersloot, Presiding Officer calls meeting to order.

2. Roll Call

Commissioner Vandersloot, Presiding Officer, Commissioner Real Bird, member and Commissioner Big Hair, member were all in attendance.

3. Claim Approvals

Commissioner Real Bird entertained a motion to approve claims 1153. The motion was seconded by Commissioner Big Hair and passed unanimously.

4. Approve Minutes and Supporting Documents

Commissioner Big Hair entertained a motion to approve minutes from October 19, 2023, and regular meetings for the month of November. The motion was seconded by Commissioner Real Bird and passed unanimously.

5. Personnel/Legal

Jeanne Torske, County Attorney went into executive session.

HR Job Description

Aimee Salyer, Associated Employers, presented the new Human Resources Generalist Job Description, the changes made, and the wage. Commissioner Real Bird entertained a motion to approve the HR Job Description with the signature line and the wage starting at \$55,000 up to \$69,457 DOE. The motion was seconded by Commissioner Big Hair and passed unanimously.

Aimee also presents Michelle Massine's resignation. Karen Yarlott, Clerk of the District Court joined the meeting and would like to start the advertising process soon to ensure a viable candidate is available. Her concern is being without a clerk for an extended time if they have to readvertise.

Discussion over the new handbook and where it's at in the process ensues. Aimee will go in and start accepting the changes and suggestions Jessa from Associated Employers made.

6. Old Business

Steel Bid Award

Adam Hagel, Stahly, joined via conference phone. He explained how the board was originally scheduled to be awarded today for Randall Rd and Upper Rd Bridge. However the county is waiting on funding from SB 536. Stahly is concerned moving forward with awarding the supersteel bid could jeopardize the funding the county could potentially receive. Adam explains that the flip side is not getting the materials in time to get the bridge done in time. This will stay tabled until we hear back about the SB 536 funding.

7. New Business

Yearly Resolutions

Commissioner Real Bird entertained a motion to Elect Commissioner Vandersloot as chair of the Board of County Commissioners. The motion was seconded by Commissioner Big Hair and passed unanimously.

Commissioner Real Bird entertained a motion to approve Resolution 2024-1 setting meeting dates. The motion was seconded by Commissioner Big Hair and passed unanimously.

Commissioner Real Bird entertained a motion to approve Resolution 2024-2 office hours. The motion was seconded by Commissioner Big Hair and passed unanimously.

Commissioner Real Bird entertained a motion to approve Resolution 2024-3 location of posting. The motion was seconded by Commissioner Big Hair and passed unanimously.

Commissioner Real Bird entertained a motion to approve Resolution 2024-4 travel rates. The motion was seconded by Commissioner Big Hair and passed unanimously.

Tax Deed Sale Date Resolution

Commissioner Real Bird entertained a motion to approve Resolution 2024-6 a resolution setting the date of the tax deed sale. The motion was seconded by Commissioner Big Hair and passed unanimously.

Tribal Satellite Offices

Commissioner Vandersloot entertained a motion to approve Resolution 2024-5 the Tribal Alternative Voting Location. The motion was seconded by Commissioner Big Hair and passed unanimously.

Establishing a process for appointing a Big Horn County Sheriff

The Board has two resolutions to choose from to move forward with the Sheriff appointment process. Commissioner Big Hair entertained a motion to approve Resolution 2024-7 appointing a Sheriff. The motion was seconded by Commissioner Real Bird and passed unanimously.

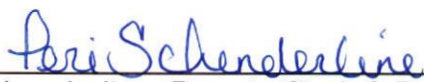
8. Public Comments

9. Discussion

10. Adjourn

There being no other business, the board adjourned.

Approved: 
Larry Vandersloot, Presiding Officer

Attest: 
Peri Schenderline, Deputy Clerk & Recorder

COUNTY OF BIG HORN, MONTANA

RESOLUTION 2024- 1

PREAMBLE:

A Resolution to establish regular meeting dates of the Big Horn County Board of County Commissioners and public notice.

RECITALS:

In accordance with MCA 7-5-2122, the board of county commissioners of a county shall establish by resolution a regular meeting date and notify the public of that date.

Except as provided in MCA 2-3-112(3) or in the event of an emergency affecting the public health, welfare, or safety, all meetings must be held on the date designated.

THEREFORE:

1. The Board of Commissioners, Big Horn County, Montana that the Board of Commissioners meetings days are as follows:

<u>Meeting</u>	<u>Day</u>	<u>Time</u>
Public Meeting	Every Thursday	9:30 AM
Administrative Staff Updates	Every Monday and Tuesday	9AM-10AM
Office Hours	Every Monday thru Friday	8AM-5PM

2. The location for such meetings shall be in the Big Horn County Courthouse, Hardin, Big Horn County, Montana.
3. Such meeting time and place be posted on the regular agenda of the Big Horn County Commissioners.

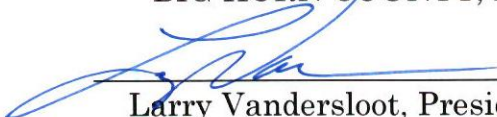
EFFECTIVE:

This shall become immediately effective.

ENACTED:

This 4th day of January, 2024, in Hardin, Montana.

BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA


Larry Vandersloot, Presiding Officer



George Real Bird III, Member



Lawrence Big Hair, Member

Attest:



COUNTY OF BIG HORN, MONTANA

RESOLUTION 2024- 2

PREAMBLE:

Big Horn County has experienced a shortage in employees and therefore the inability to fully staff offices.

RECITALS:

MCA 7-4-102 states:

Office hours. (1) Unless otherwise provided by law, each officer shall keep the officer's office open for the transaction of business during the office hours determined by the governing body by resolution after a public hearing and only if consented to by any affected elected county officer each day except Saturdays and legal holidays.

(2) County and city treasurers may, in the interest of the safekeeping of funds, securities, and records under their control, close their offices during the period from noon to 1 p.m. every day.

THEREFORE:

1. The Big Horn County, Board of County Commissioners establish that the County Treasurer's Office, the County Clerk's Office, the Clerk of the District Court's Office, the County Sheriff's Office and the County Attorney's Office may be closed from the period of noon to 1:00 p.m. any day that is open for business.
2. The Big Horn County, Board of County Commissioners establish that all County offices shall only be open from 8:00 a.m. to noon on December 24, 2024.
3. Nothing contained in this Resolution shall prohibit electronic filing with any office that has electronic filing and the date and time of such filing shall be determined by the rules for electronic filing for the particular office.

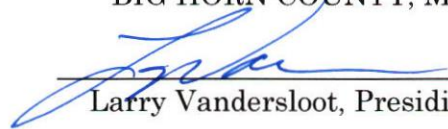
EFFECTIVE:

This shall become immediately effective.

ENACTED:

This 4th day of January, 2024, in Hardin, Montana.

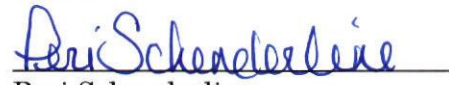
BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA


Larry Vandersloot, Presiding Officer


George Real Bird III, Member


Lawrence Big Hair, Member

Attest:


Peri Schenderline
Deputy Clerk and Recorder

COUNTY OF BIG HORN, MONTANA

RESOLUTION 2024- 03

PREAMBLE:

A Resolution to establish a public location for posting information.

RECITALS:

MCA Section 7-1-2123 states:

Posting.

(1) The governing body shall specify by resolution a public location for posting information and shall order erected a suitable posting board.

(2) When posting is required, a copy of the document must be placed on the posting board, and a copy must be available at the office of the county clerk and recorder.

THEREFORE:

1. The Big Horn County, Board of County Commissioner's location for posting information shall be in the Big Horn County Courthouse on the bulletin board between the doors numbered 201 and 202.

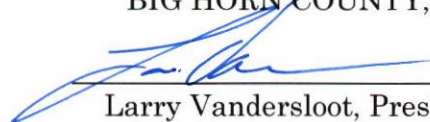
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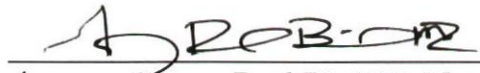
This shall become immediately effective.

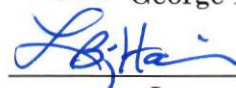
ENACTED:

This 4th day of January, 2024, in Hardin, Montana.

BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA


Larry Vandersloot, Presiding Officer


George Real Bird III, Member


Lawrence Big Hair, Member

Attest:


Peri Schenderline
Deputy Clerk and Recorder

COUNTY OF BIG HORN, MONTANA

RESOLUTION 2024- 04

PREAMBLE:

Big Horn County officers and employees are authorized by law to be reimbursed for meal and lodging expenses on necessary travel in connection with the duties of their respective offices, conventions, etc.

RECITALS:

MCA section 2-18-501 states:

Meals, lodging, and transportation of persons in state service. All elected state officials, appointed members of boards, commissions, or councils, department directors, and all other state employees must be reimbursed for meals and lodging while away from the person's designated headquarters and engaged in official state business;

THEREFORE:

The 2024 travel rates effective January 1, 2024, for all county officers and county employees are henceforth to be reimbursed in the following manner.

1. **LODGING** expenses up to **\$107.00** plus tax per night, original receipt or confirmation notice required. If attending a conference where the rate at the conference site is higher than the \$107.00, you can request actual cost reimbursement, you must get approval from the County Commissioners prior to attending. Overnight lodging is considered a non-taxable expense, paid through the claims process.
2. **MEALS** will be paid at the State rates no receipt required. An elected official or employee is eligible for the meal allowance provided below, if the person is in travel status for more than 3 continuous hours during the following, if you go over amount, it will be at your own expense.
 - a. For in State **morning meal allowance** - **\$8.25** – between the hours of 12:01am and 10:00am.
 - b. For the in-State **midday meal allowance** - **\$9.25** – between the hours of 10:01am and 3:00pm.
 - c. For the in-State **evening meal allowance** - **\$16.00** – between the hours of 3:01pm and 12 midnight.

An eligible person may receive:

- a. Only one of the three meal allowances provided, if the travel was performed within the persons assigned travel shift; or
- b. A maximum of two meal allowances if the travel begins before or was completed after the person's assigned travel shift and the travel did not exceed 24 hours.

"Travel Shift" is that period of time beginning one (1) hour before and terminating one (1) hour after the person's normally assigned work shift. For purposes of making the computation under this Resolution an elected official shall be considered to have

a normally assigned work shift which begins at 8:00am and ends at 5:00pm. All times will be calculated using Mountain time.

Out of state meal allowances are as follows; Morning - \$13.00; Midday - \$15.00; Evening - \$26.00.

3. **MILEAGE** – The mileage will be reimbursed at the rate of **sixty-seven cents (\$.67)** per mile for the first one thousand miles per month. Mileage Reimbursed is considered a non-taxable expense, paid through the claims process. However commuting mileage for the County Commissioners is considered a taxable expense, paid bi-weekly through payroll
4. **USE OF COUNTY VEHICLE** – Commuting from home to work or from work to home in a County vehicle falls under the Commuting Rule (IRS Publication 15-B) This is considered a benefit and is taxable to the employee. A claim form is required to be completed daily, and submitted bi-weekly with your time sheet for that respective pay period. A \$3.00 per day charge will be added to your paycheck and W-2 at the end of the year. There is no exchange of money involved.
5. Personal use of a county vehicle is prohibited per standards of conduct (MCA 2-2-121)

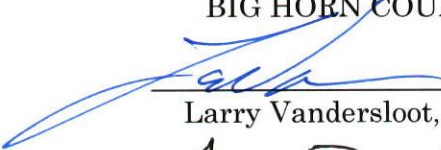
EFFECTIVE:

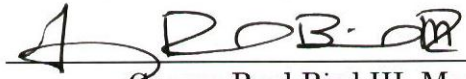
This shall become effective immediately

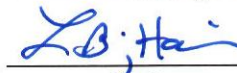
Enacted:

This 4th day of January, 2024, in Hardin, Montana.

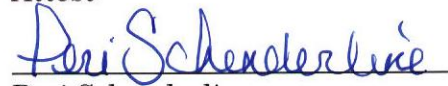
BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA


Larry Vandersloot, Presiding Officer


George Real Bird III, Member


Lawrence Big Hair, Member

Attest:


Peri Schenderline
Deputy Clerk and Recorder

COUNTY OF BIG HORN, MONTANA

RESOLUTION 2024- 05

PREAMBLE:

A Resolution approving Notice Pursuant to Election Directive #01-2015 and cover letter to the executive branches of the Crow Nation and the Northern Cheyenne Nation.

RECITALS:

In accordance with MCA 7-5-2101(1), the board of county commissioners 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 13-3-105(1), the county governing body shall designate polling places for each precinct.

Election Directive #01-2015 was issued under the authority provided to the Secretary under Title 13, Montana Code Annotated, as interpreted by the U. S. District Court, District of Montana, having stated that the Secretary of State “has ... the ability to issue a directive telling the counties that they must establish satellite voting offices for in-person absentee voting and late voter registration.” (Order, March 26, 2014, Judge Molloy, Document 153, Wandering Medicine et al. v. McCulloch, et al.).

Election Directive #01-2015 directs each county with an American Indian reservation that includes voting-eligible residents to open alternative election administration offices on those reservation, if certain conditions are met.

Pursuant to Election Directive #01-2015, the County must notify the Tribal government in writing, prior to January 1, that if the Tribe desires an alternative election administration office, the County must receive a written request from the Tribal government by January 31 of each year in which an election for federal office will be held, requesting an alternative election administration office.

Both the Crow Nation and the Northern Cheyenne Nation are located in Big Horn County.

THEREFORE:

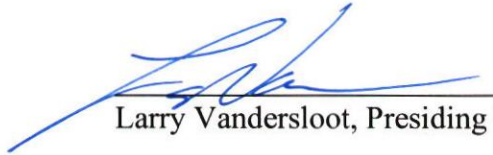
The Commissioners or other staff are authorized to execute the Notice Pursuant to Election Directive #01-2015 and letter to the executive branch of both the Crow Nation and the Northern

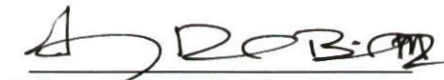
Cheyenne Nation, which are attached.

ENACTED:

This 4th day of January, 2024, in Hardin, Montana.

BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA


Larry Vandersloot, Presiding Officer


George Real Bird III, Member


Lawrence Big Hair, Member

ATTEST:


Peri Schenderline
Clerk and Recorder - Deputy

NOTICE OF SALE OF TAX DEED PROPERTY

2024-06

BY THE ORDER OF the Board of County Commissioners of Big Horn County, Montana entered on it minutes the 4 day of January, 2024, the Board will, pursuant to Montana Code Annotated Section 7-8-2301(4), on March 2nd, 2024 at 10:00 a.m of said day at the Big Horn County Courthouse meeting room on the first floor, in the City of Hardin, in Big Horn County, State of Montana offer for sale at public auction to the highest bidder all of the rights, title, interest, estate, lien claim and demand of the State of Montana and of said County of Big Horn, in and to the following real property and the Board determined and fixed the value of the property at the amount set after the description.

K071700 Mark Chandler - \$1,456.21

T3S R34E Sec: 1

Area lying W of RR in W2NW4SE4

F024700 Vashti Fitzpatrick - \$499.78

T6S R35E Sec: 13

M & B Tract 50' x 150'

G0254A0 Louis F Mills - \$927.13

Wyola Original Townsite

Block 9 & 10

M014400 William L Lyman & Jessie Redfield - \$1175.52

Stevenson Third Addition

Lot 8, Block 4

M003800 Jessie L Redfield - \$1,943.91

Lodge Grass Original Townsite

Lots 24-26, Block 4

M010800 Jessie L Redfield - \$383.64

Stevenson Additions

Lots 5 & 6, Block 6

K060800 Arlene Judith Wilson - \$2,921.50

Crow Agency Original Townsite

Lot 3 less 5' strip on N side & all of Lot 4, Block 6

COUNTY OF BIG HORN, MONTANA
RESOLUTION 2024- 07

PREAMBLE:

A resolution establishing the process for appointing Big Horn County Sheriff.

RECITALS:

1. Big Horn County Sheriff King was tragically killed on November 19, 2023, approximately eleven months into his term.
2. Sheriff King's untimely death created a vacancy, as defined by Mont. Code Ann. § 2-21-501(1).
3. Pursuant to Mont. Code Ann. § 7-4-2206(2)(b), this Board had the difficult duty of filling the vacancy.
4. On November 20, 2023, this Board appointed then Undersheriff Jeramie Middlestead to act as Interim Big Horn County Sheriff, until the vacancy could be filled pursuant to Mont. Code Ann. § 7-4-2206(2)(a).
5. This Board must now determine how to fill the vacancy and with whom to fill it.
6. The Montana Code Annotated does not establish a set process or procedure. Instead, it only requires that this Board appoint a person to fill the vacancy.
7. This Board is ultimately responsible for making the appointment, pursuant to Mont. Code Ann. § 7-4-2206.
8. Mont. Code Ann. § 7-5-2101(2) states:
The board [of county commissioners] 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 all cases where no other provision is made by law.
9. This statute provides residual authority for the Big Horn County Board of Commissioners to act and establish a process for selecting and appointing the person to fill the vacancy and become Big Horn County Sheriff.

THEREFORE:

1. This Board establishes the following procedure.
2. Beginning on January 8, 2024, interested individuals may apply for the position of Big Horn County Sheriff by submitting the following:
 - a. A Letter of Intent addressed to the Big Horn County Board of Commissioners;
 - b. A resume or curriculum vitae;
 - c. Three letters of reference (two professional and one personal);
 - d. Proof that the applicant meets the requirements of Mont. Code Ann. §§ 7-32-2133 and 7-4-2201; and
 - e. A signed release of driving history to determine if the applicant is an insurable driver.
3. The application period shall close 14 days after it opens. Any applications received after the deadline shall not be considered.
4. This Board shall screen the materials submitted by the applicants and determine a list of eligible candidates.
5. This Board will choose from that list and select individuals to interview.

6. The qualified and chosen individuals will be publicly interviewed and members of the public may submit written comments to this Board.
7. Following the interviews, this Board will select an individual and appoint that individual as Big Horn County Sheriff.
8. If none of the initial applicants are selected, then the position will be readvertised and the process will be repeated.

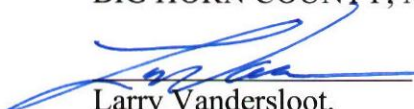
EFFECTIVE DATE:

This resolution shall become effective immediately.

Enacted:

This 4th day of January, 2024, in Hardin, Montana.

BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA

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

Attest:


Peri Schenderline,
Deputy Clerk and Recorder