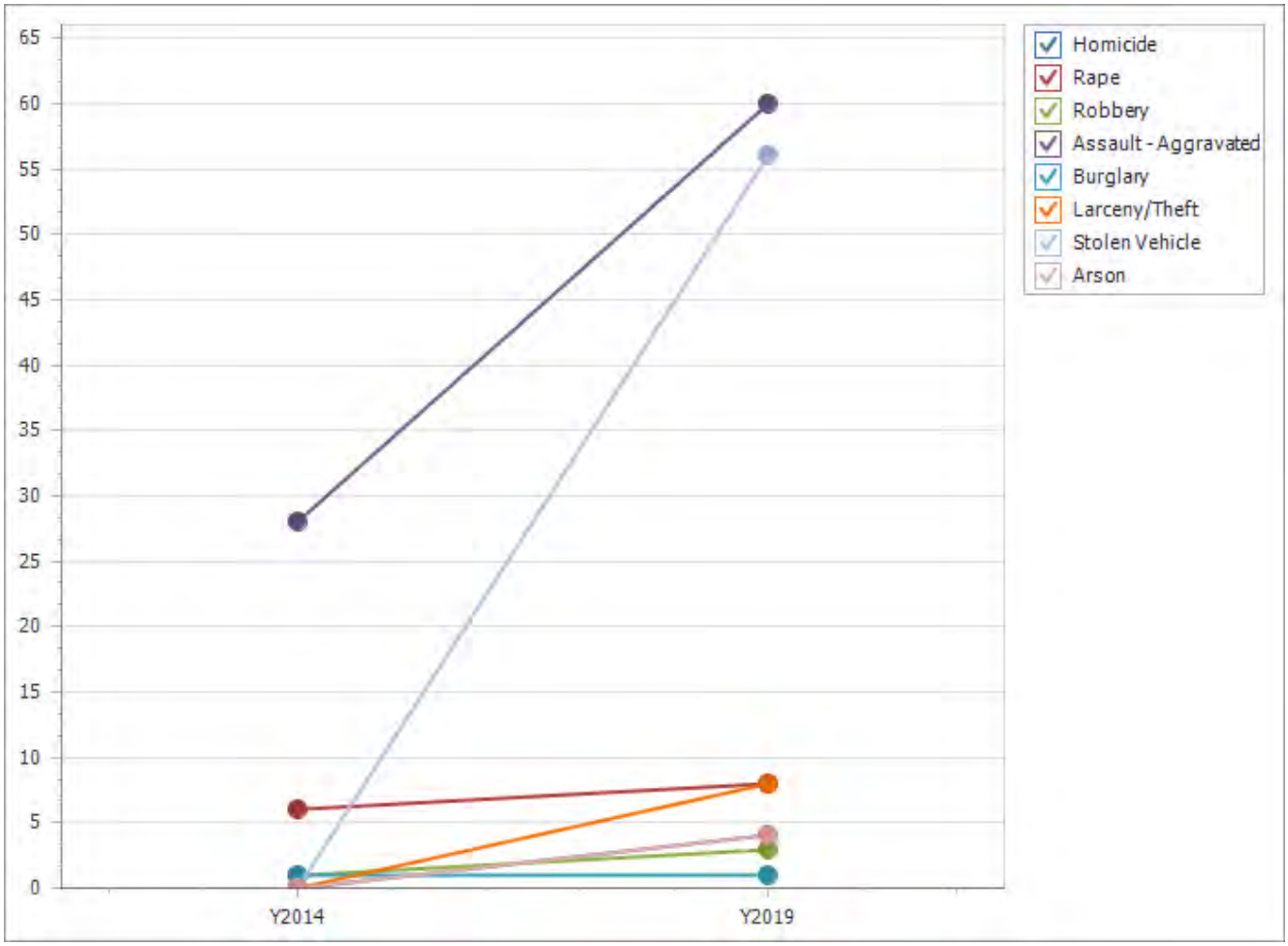
Montana Coal Impact Grant Application



Source: *Big Horn County Sheriff's Department credits the FBI on collecting statistics in major crime categories (Part 1 Crimes).*

Submitted to the Montana Coal Board

by

Big Horn County

for

Sheriff's Office Patrol Vehicles

Date submitted:

April 27, 2020

THE COAL IMPACT GRANT APPLICATION FORM
SUBMITTED BY BIG HORN COUNTY

CERTIFICATION

The chief elected official or executive officer of the applicant must sign the application certifying that to the best of the official's knowledge and belief, the information provided in the application and the attached documents is true and correct.

The chief elected official or executive officer of the applicant must also certify that, in accordance with Section 90-6-205, MCA, the applicant is eligible for a Coal Impact Grant and has the authority to administer and make expenditures to provide for the proposed service or facility.

CERTIFICATION

To the best of my knowledge and belief, the information provided in this application and in the attached documents is true and correct.

In accordance with Section 90-6-205, MCA, the applicant is eligible for Coal Board grants and has the statutory authority to make expenditures to provide for the particular service or facility.

Name: George Real Bird III

Title: Chairman

Signature: [illegible] Date: 04. 22. 2020

SUMMARY INFORMATION

1. NAME OF APPLICANT(S):

Big Horn County

2. TYPE OF ENTITY:

Local Government

3. FEDERAL TAX ID NUMBER:

4. SENATE AND HOUSE DISTRICTS:

Senate District: 21; House Districts: 42

5. AMOUNT OF COAL IMPACT GRANT REQUESTED:

$90,086

6. NAME OF PROJECT:

Sheriff's Office Patrol Vehicles

7. TYPE OF PROJECT:

Public Service

8. POPULATION SERVED BY PROJECT:

13,141 (2015 American Communities Survey, http://comdev.mt.gov/Resources/Financial/TargetRate)

9. NUMBER OF HOUSEHOLDS SERVED BY PROJECT:

3,576 (2015 American Communities Survey, http://comdev.mt.gov/Resources/Financial/TargetRate)

10. CHIEF ELECTED OFFICIAL OR AUTHORIZED REPRESENTATIVE:

Mr. George Real Bird III, Chairman
Board of Commissioners – Big Horn County
P.O. Box 908
Hardin, MT 59034
406-665-9700 phone
406-665-9706 fax
cwells@bighorncountymt.gov

11. PRIMARY ENTITY CONTACT PERSON:

Ms. Candy Wells, Administrative Assistant
P.O. Box 908
Hardin, MT 59034
Office: 406-665-9700
Fax: 406-665-9706
Email: cwells@bighorncountymt.gov

12. OTHER CONTACT PERSONS:

Captain Michael Fuss
Detectives Unit Violent Crimes
Office: 406-665-9803
Email: mfuss@bighorncountymt.gov

13. MILLAGE RATES:

GENERAL LEVY
FY2019-2020: $23,195 – 1 Mill Value; 164.93 Mills Levied = $3,825,551.35
FY2018-2019: $23,559 – 1 Mill Levy; 129.86 Mills Levied = $3,059,371.74
FY2017-2018: $23,776 – 1 Mill Value; 125.96 Mills Levied = $2,994,824.96
FY2016-2017: $23,337 – 1 Mill Value; 107.51 Mills Levied = $2,508,960.87
FY2015-2016: $25,058 – 1 Mill Value; 86.82 Mills Levied = $2,175,535.56
FY2014-2015: $25,114 – 1 Mill Value; 74.05 Mills Levied = $1,859,691.70
General levy which includes general, bridge, fairgrounds, library, public safety, health insurance and weed funds.

14. AMOUNT OF COAL GROSS PROCEEDS TAX:

- **Total amount of Coal Gross Proceeds tax the applicant receives during the last two years**
  - ***The amount received and amount expended for each year*** – In 2017 and 2018, Big Horn County received $15,558,637 in gross proceeds tax which is 19.37% less than the previous two years (2015 and 2016), $18,895,203, due to reduced coal production. Approximately 40% is allocated to County Department budgets and the remaining 60% is allocated to County schools.
  - ***Balance of available proceeds that remains*** – There is no available balance that remains unallocated at this time.
- **Description of the process the applicant uses to decide the use of the proceeds** - The Coal Gross Proceeds taxes are distributed based on the 1989 Tax Levy for each fund including appropriations to the general, bridge, medical facilities, refunding bonds, internal health service, road and school funds.

15. IMPACTS TO COAL INDUSTRY:

U.S. News & World Report published an article titled "Western US Coal Miners Laid off Amid Drop in Electricity Use" on April 23, 2020. The following is an excerpt from the article:

> *"Three hundred miners and other workers are being laid off as the struggling western U.S. coal industry contends with diminished electricity use during the coronavirus pandemic. Seventy-three workers at the Spring Creek mine in southeastern Montana and 57 at the Antelope mine in northeastern Wyoming are losing their jobs, Navajo Transitional Energy Company reports. St. Louis-based Peabody Energy, meanwhile, announced it was laying off 170 at Wyoming's largest coal mine, North Antelope Rochelle. All three mines are located in the Power Riven Basin, which accounts for about 40% of U.S. coal production. Coal demand has declined over the past decade due to competition from natural gas-fired power and renewable energy sources. School and business shutdowns and stay-at-home orders to contain the coronavirus have reduced electricity use over the past month, further dimming the outlook for coal-fired electricity and coal mining."*

With regard to the trend in Big Horn county, there were approximately 149 residents of Big Horn county employed by the coal industry in February 2019. To determine the number of residents, a county representative contacted human resource personnel in nearby coal mines and coal-using facilities. Human resource personnel at the facilities queried their records for employees with zip codes for Busby (59016); Crow Agency (59022), Decker (59025), Garryowen (59031); Hardin (59034); Fort Smith (59035); Lodge Grass (59050); Pryor (59066); Saint Xavier (59075); and, Wyola (59089). When a current employee count was requested of Cloud Peak Energy, the County learned the company had laid off the entire external affairs team. The external affairs team consistently provided the employee count in the past. The company does not intend to hire replacements due to the continued depressed coal markets. Upon making the inquiry, the County was not provided a current contact at the company.

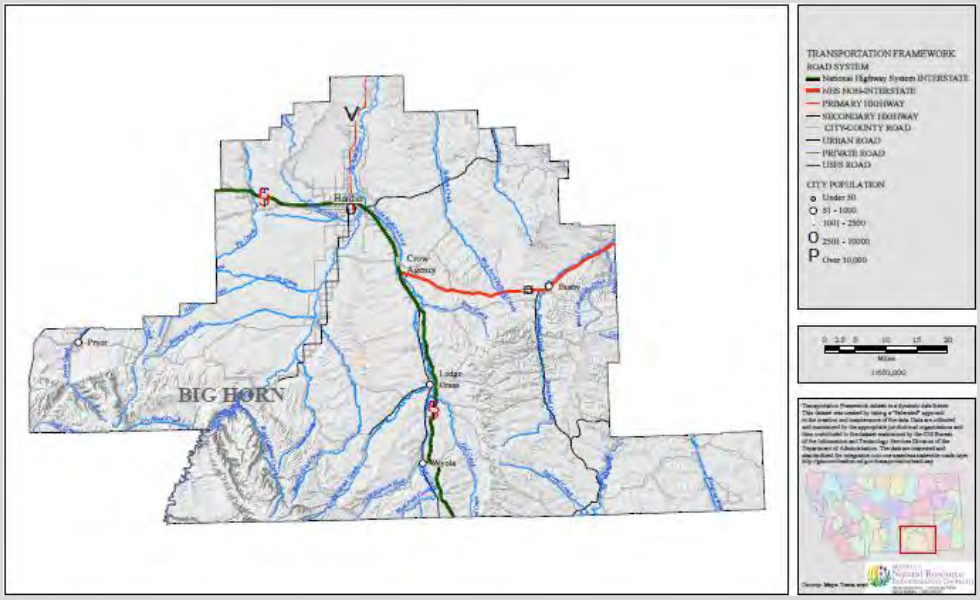
Facility	# of County Residents Employed (February 2019)
Absaloka Mine	118
Decker Mine	no response received
Spring Creek Mine	14
Hardin Generating Station	17
TOTAL	**149**

Human Resource personnel at Absaloka and Spring Creek Mines provided their data by zip code.

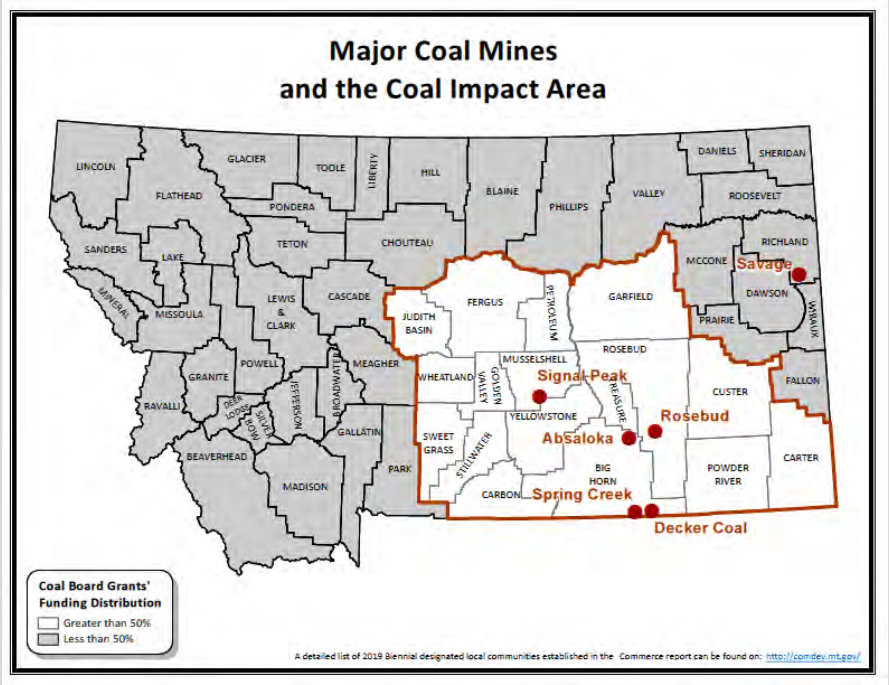
Zip Code/Community	# of County Residents Employed at Absaloka Mine (February 2019)	# of County Residents Employed at Spring Creek Mine (February 2019)
59016 Busby	0	2
59022 Crow Agency	41	1
59025 Decker	0	0
59031 Garryowen	5	2
59034 Hardin	35	4
59035 Fort Smith	3	0
59050 Lodge Grass	20	4
59066 Pryor	2	0
59075 Saint Xavier	4	0
59089 Wyola	8	1
TOTAL	**118**	**14**

16. MAPS:

Boundary of Big Horn County



Big Horn County's location in the Coal Impact Area



17. BRIEF PROJECT SUMMARY:

PROJECT SUMMARY FOR BIG HORN COUNTY SHERIFF'S OFFICE PATROL VEHICLES

Historical Information: Big Horn County provides law enforcement services (i.e., safeguarding lives and property and protecting individuals) throughout the county. Two patrol vehicles need to be replaced in the Sheriff's fleet. The patrol vehicles proposed for replacement have been pulled from the fleet because they exceeded mileage and age thresholds.

Problem: Two patrol vehicles need to be replaced in the Sheriff's fleet.

Proposed Solution: Purchase two 4x4 pickup trucks.

18. PROJECT BUDGET AND IMPLEMENTATION SCHEDULE:

A. Project Budget Form:

	SOURCE: MT Coal Board	**SOURCE:** Big Horn County	**TOTAL**:
Personnel Services/Office Costs	$ 0	$0	$0
Professional Services	$ 0	$0	$0
Legal Costs	$ 0	$0	$0
Travel & Training	$ 0	$0	$0
Audit Fees	$ 0	$0	$0
TOTAL ADMINISTRATIVE/ FINANCIAL COSTS	$ 0	$0	$0
Equipment Cost**	$90,086	$25,000	$115,086
Construction Cost	$0	$0	$0
Architectural/Engineering Design	$0	$0	$0
Product Completion (PERs, studies, etc.)	$0	$0	$0
Contingency	$0	$0	$0
TOTAL ACTIVITY COSTS	$90,086	$25,000	$115,086
TOTAL PROJECT COSTS	$90,086	$25,000	$115,086

Big Horn County will provide all administrative services as an in-kind contribution to the project.

A cost estimate for the vehicles is provided as ***Appendix A*.

B. Project Budget Narrative:

BUDGET NARRATIVE FOR BIG HORN COUNTY
SHERIFF'S OFFICE PATROL VEHICLES

ADMINISTRATIVE/FINANCIAL COSTS

Not Applicable – Big Horn County

ACTIVITY COSTS

Equipment Cost: **$115,086**
The estimated cost associated with purchasing two 4x4 pickup trucks. This is a vehicle replacement project. Big Horn County obtained a cost estimate for the trucks from Veto Enterprises. A copy of the cost estimates is provided as ***Appendix A.***

Construction Cost: **$0**
Construction costs are not applicable.

Architectural/Engineering Design: **$0**
Architectural/engineering design costs are not applicable.

Product Completion (PERs, studies, etc.): **$0**
Product completion (PERs, studies, etc.) costs are not applicable.

Contingency: **$0**
Contingency costs are not applicable.

TOTAL ACTIVITY COSTS: **$115,086**
TOTAL PROJECT COSTS: **$115,086**

C. Implementation Schedule:

	QUARTERS 2020				QUARTERS 2021			
TASK	**1ST**	**2ND**	**3RD**	**4TH**	**1ST**	**2ND**	**3RD**	**4TH**
Sign contract with Coal Board			X					
Submit progress reports and drawdown requests			X	X				
Purchase vehicles in accordance with County procurement rules				X				
Coal Board administrative staff conduct on-site monitoring of the project				X				
Submit project completion report				X				
Include project in audits							X	

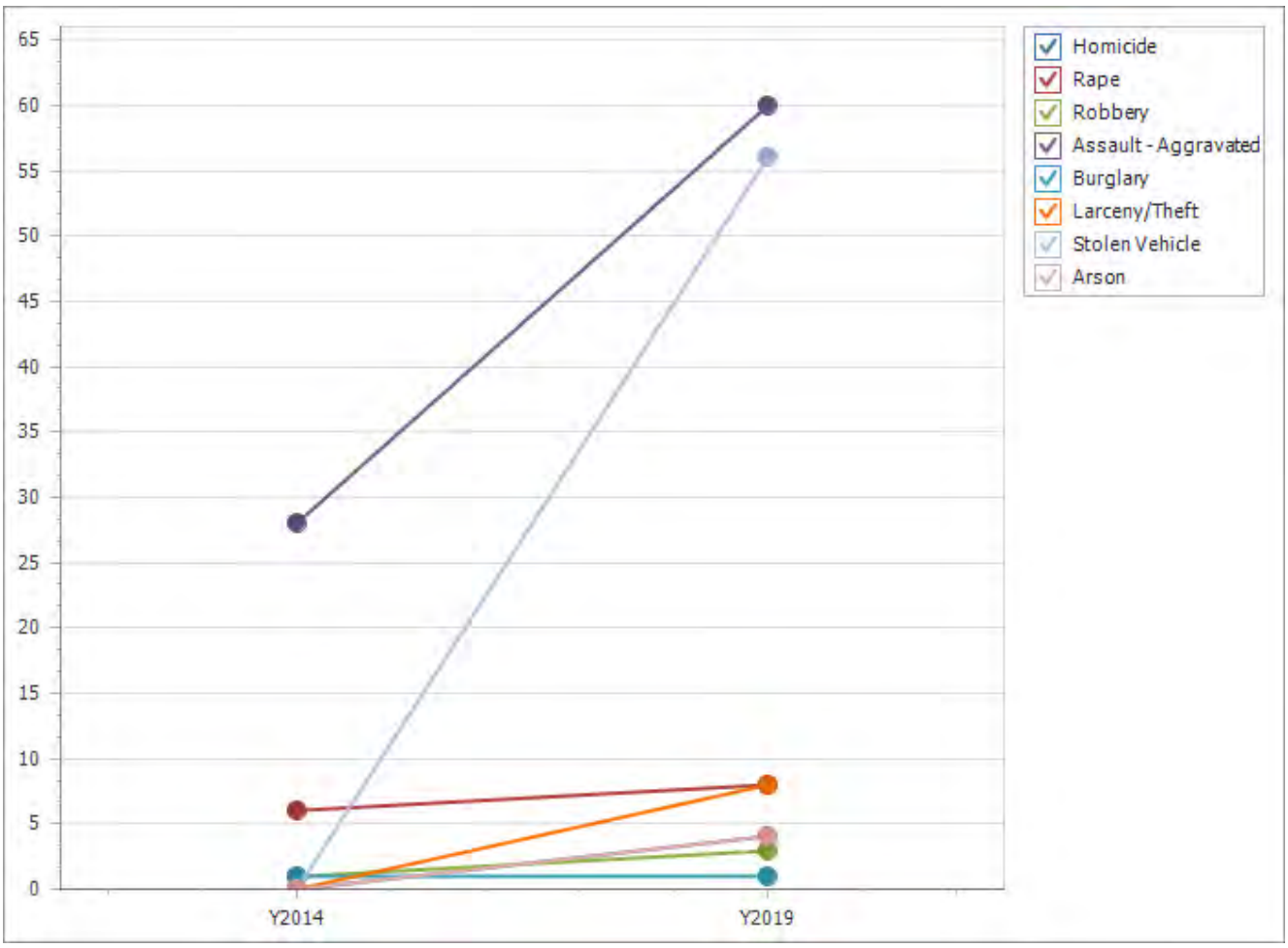
19. DESCRIPTION OF RELATIONSHIP TO COAL BOARD STATUTORY GRANT CRITERIA

A. Need

I. Does a serious deficiency exist in a basic or necessary community public facility or service? Examples include emergency services such as police, fire or ambulance services. (Describe the nature and frequency of occurrence and provide supporting documentation.)

A deficiency exists in a basic community service provided by Big Horn County. Big Horn County provides law enforcement services (i.e., safeguarding lives and property and protecting individuals) throughout the county. Two patrol vehicles need to be replaced in the sheriff's fleet. The patrol vehicles proposed for replacement have been pulled from the fleet because they exceeded mileage and age thresholds.

An escalation of crime, between 2014 and 2019, in Big Horn County further evidences the need for the project. The FBI collects statistics on the following major crime categories (Part 1 Crimes).



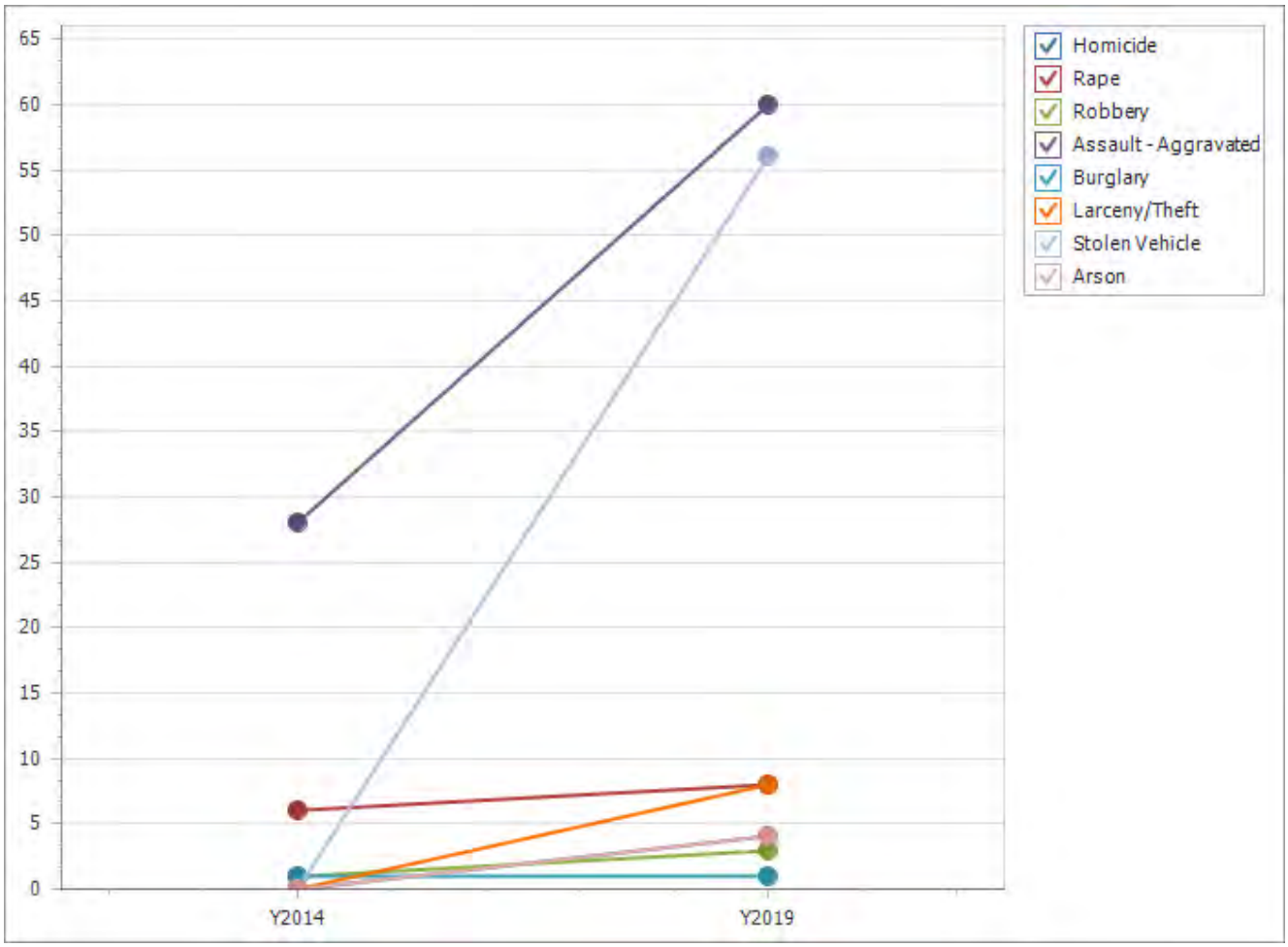
Year	Homicide	Rape	Robbery	Assault-Aggr	Burglary	Larc/Theft	Stolen Veh	Arson
2014	0	6	1	28	1	0	0	0
2019	4	8	3	60	1	8	56	4

2. Have serious public health or safety problems that are clearly attributable to a deficiency occurred, or are they likely to occur, such as illness, disease outbreak, substantial property loss, environmental pollution, safety problems, hazards, or health risks? (Describe the nature and frequency of occurrence and provide supporting documentation.)

Serious public safety problems can be attributed to unreliable and/or inadequate law enforcement or emergency response vehicles. Vehicles are used by law enforcement for transportation during patrols and to respond to incidents and chases. Vehicles transport officers so they can reach the scene of an incident quickly, transport and temporarily detain suspects in the back seats, as a location to use their police radio or laptop or to patrol an area, all while providing a visible deterrent to crime.

3. Is the entire community, or a substantial percentage of the residents of the community, seriously affected by the deficiency or at risk, as opposed to a small percentage of the residents? *(*Describe the number or percentage of community residents affected by the problem.)

One hundred percent (100%) of Big Horn County residents are affected by the lack of unreliable and/or inadequate law enforcement or emergency response vehicles. The deficiency impacts all residents as evidenced by the escalation of crime in the county. An escalation of crime, between 2014 and 2019, in Big Horn County further evidences the need for the project. The FBI collects statistics on the following major crime categories (Part 1 Crimes).



Year	Homicide	Rape	Robbery	Assault-Aggr	Burglary	Larc/Theft	Stolen Veh	Arson
2014	0	6	1	28	1	0	0	0
2019	4	8	3	60	1	8	56	4

4. Is there clear documentation that the current condition of the public facility or service (or lack of a facility or service) violates, or may potentially violate, a state or federal health or safety standard (If yes, describe the standard being violated.)? If the proposed project is necessary to comply with a court order or a state or federal agency directive, describe the directive and attach a copy of it.

The deficiency does not violate or potentially violate a state or federal standard or directive.

5. Does the standard that is being violated, or potentially may be violated; represent a significant threat or potential threat to public health or safety?

Unreliable and/or inadequate law enforcement vehicles jeopardize human health and safety. Two patrol vehicles need to be replaced in the Sheriff's fleet. The patrol vehicles proposed for replacement have been pulled from the fleet because they exceeded mileage and age thresholds. Replacement of the vehicles is necessary to transport officers to the scene of an incident quickly, transport and temporarily detain suspects in the back seats, use as a location to use their police radio or laptop or to patrol an area, all while providing a visible deterrent to crime.

6. Additional information supporting the NEED for this project. None

B. <u>Degree of Severity of Impact from an Increase or Decrease in Coal Development or In the Consumption of Coal by A Coal-Using Energy Complex</u>

1. Describe why the need for the expansion or improvement to the public facility or public service is attributable to coal-related impacts. Additionally, please provide the percentage of the project that is a result of coal impacts.

Nearly 100% of this project is in response to coal-related impacts. Big Horn County is the largest coal producing County in the State of Montana. The economy of Big Horn County relies on coal. Coal development and coal-using energy complexes in the county heighten the need for reliable, modernized equipment.

In 2017 and 2018, Big Horn County received $15,558,637 in gross proceeds tax which is 19.37% less than the previous two years (2015 and 2016), $18,895,203, due to the decline in coal production. In order to off-set revenue lost in coal gross proceeds tax and maintain a balanced budget, Big Horn County has increased revenue received in property tax by levying more mills. The General Levy mill amount has *decreased 7.64%* over the past five years while the number of General mills levied has *increased 122.73%* over the past five years. The change in taxable value, determined by Montana Department of Revenue, reflects the decline in value of coal-producing properties. A coal impact grant is necessary to make the project feasible and affordable for tax payers in Big Horn County.

2. Name the nearest coal development area or coal-using energy complex to your community and the road miles from your community.

There are a number of coal mines or coal-using complexes in Big Horn County.

Absaloka Mine	30 miles
Decker Coal Mine	80 miles
Spring Creek Mine	84 miles
Hardin Power Plant	1 mile

3. Additional information supporting the DEGREE OF SEVERITY OF IMPACT FROM AN INCREASE OR DECREASE IN COAL DEVELOPMENT OR IN THE CONSUMPTION OF COAL BY A COAL-USING ENERGY COMPLEX.

None

C. Availability of Funds

1. Amount requested from the Coal Board: $90,086

2. Amount of Coal Board funds available at the time of application $_____ (#2 will be completed by Coal Board staff)

3. Explain why a coal impact grant is necessary to make the project feasible and affordable.

Coal gross proceeds tax revenue for Big Horn County has been on the decline in recent years. In 2017 and 2018, Big Horn County received $15,558,637 in gross proceeds tax which is 19.37% less than the previous two years (2015 and 2016), $18,895,203, due to the decline in coal production.

County Coal Gross Proceeds Tax Revenue Total Collections – Fiscal Years

	2010	2011	2012	2013	2014	2015	2016	2017	2018
Big Horn County	$8,594,921	$9,176,021	$9,965,177	$10,559,906	$10,000,360	$9,402,169	$9,493,034	$9,160,210	$6,398,427
Year of Over % Change	---	6.8%	8.6%	6.0%	-5.3%	-6.0%	1.0%	-3.5%	-30.1%

Source: MT Department of Revenue; Current as of 10/26/2018

In order to off-set revenue lost in coal gross proceeds tax and maintain a balanced budget, Big Horn County has increased revenue received in property tax by levying more mills. The General Levy mill amount has *decreased 7.64%* over the past five years while the number of General mills levied has *increased 122.73%* over the past five years. The change in taxable value, determined by Montana Department of Revenue, reflects the decline in value of coal-producing properties. A coal impact grant is necessary to make the project feasible and affordable for tax payers in Big Horn County.

GENERAL LEVY

FY2019-2020: $23,195 – 1 Mill Value; 164.93 Mills Levied = $3,825,551.35
FY2018-2019: $23,559 – 1 Mill Levy; 129.86 Mills Levied = $3,059,371.74
FY2017-2018: $23,776 – 1 Mill Value; 125.96 Mills Levied = $2,994,824.96
FY2016-2017: $23,337 – 1 Mill Value; 107.51 Mills Levied = $2,508,960.87
FY2015-2016: $25,058 – 1 Mill Value; 86.82 Mills Levied = $2,175,535.56
FY2014-2015: $25,114 – 1 Mill Value; 74.05 Mills Levied = $1,859,691.70
General levy which includes general, bridge, fairgrounds, library, public safety, health insurance and weed funds.

4. What are the other proposed funding sources for the project?

FUNDING SOURCES SUMMARY FOR BIG HORN COUNTY SHERIFF'S OFFICE PATROL VEHICLES				
Source	**Type of Fund**	**Amount**	**Status of Commitment**	**Loan Rates & Terms**
Coal Board	Grant	$90,086	Application submitted on April 27, 2020	Not applicable
Big Horn County	Cash	$25,000	Committed in Letter included as ***Appendix B***	Not applicable
	TOTAL	**$115,086**		

5. If a particular proposed source of funding is not obtained, how will the applicant proceed?

If Big Horn County does not receive a Coal Impact Grant, the County may re-apply in the next funding cycle while working to identify other potential sources of funding.

D. Degree of Local Effort in Meeting Needs

1. If current millage rates given are lower than the average rates levied during the previous three years, briefly explain why they are lower.

In order to off-set revenue lost in coal gross proceeds tax and maintain a balanced budget, Big Horn County has increased revenue received in property tax by levying more mills. The General Levy mill amount has *decreased 7.64%* over the past five years while the number of General mills levied has *increased 122.73%* over the past five years. The change in taxable value, determined by Montana Department of Revenue, reflects the decline in value of coal-producing properties.

2. Describe any local efforts to meet the public facility or public service needs by providing financial contributions to the project to the extent possible, such as local funding, donations of land, absorbing some or all-administrative costs. For non-profit organizations, describe fund-raising efforts or other in-kind assistance to the proposed project as well as usual program fund-raising efforts.

Big Horn County has committed $25,000 in cash or 22% of the total project cost to the project. A letter of commitment is included as ***Appendix B***.

3. Describe past operation and maintenance budgets and practices over the long-term, including any reserves for repair and replacement.

Past operation and maintenance budgets and practices over the long-term for Big Horn County have been consistent and practicable. Big Horn County will assume all maintenance and operational costs incurred with the new vehicles.

4. If there are indications that the problem is not of recent origin, or has developed because of inadequate operation and maintenance practices in the past, explain the circumstances and describe the actions that management will take in the future to assure that the problem will not reoccur.

Past operation and maintenance budgets and practices over the long-term have been as consistent as practicable. Age and continual use of the vehicles necessitate their replacement.

5. If the project involves water, wastewater or solid waste, provide the current and projected monthly household user charges, including operation and maintenance:

a. What is the current monthly household user charge? $_____

b. What is the projected monthly user charge (including operation and maintenance) when the project is complete? $ _____

Not applicable

6. What are your current debt obligations?

Big Horn County has no current debt obligations.

7. What are your current assets?

Total fixed assets for Big Horn County for Fiscal Year ending June 30, 2018 is $41,620,535.

8. What financial accounting system do you use? BARS

9. Is the applicant in compliance with the auditing and annual financial reporting requirements provided for in the Montana Single Audit Act, 2-7-501 to 522, MCA? (Tribal governments must comply with auditing and reporting requirements provided for in OMB Circular A-133).

Yes_X_ No___ **Date of last completed audit or financial report** June 30, 2018

10. If there have been audit findings within the last five years, have they been satisfactorily addressed?

Big Horn County has satisfactorily addressed any audit findings.

11. Additional information supporting the DEGREE OF LOCAL EFFORT IN MEETING NEEDS.

None

E. Planning & Management

1. Describe how your grant request reasonably fits into an overall plan for the orderly management of the existing or contemplated growth or decline problems related to coal impacts.

The grant request reasonably fits into the contemplated decline of the coal industry in Big Horn County. In order to off-set revenue lost in coal gross proceeds tax and maintain a balanced budget, Big Horn County has increased revenue received in property tax by levying more mills. The General Levy mill amount has *decreased 7.64%* over the past five years while the number of General mills levied has *increased 122.73%* over the past five years. The change in taxable value, determined by Montana Department of Revenue, reflects the decline in value of coal-producing properties.

2. Describe how the proposed project is consistent with current plans.

The proposed project is consistent with the *Big Horn County Growth Policy* (May 2014) and *Capital Improvements Plan (CIP)* (September 2014) objectives of monitoring, maintaining, and improving local services and public health and safety. Big Horn County defines local services as any and all services or facilities local

government is authorized to provide, such as water supply, sewage disposal, law enforcement, fire protection, ambulance services, transportation system, and educational system. The following is an excerpt from the growth policy that describes the projected future trend of local services.

> *"Local services are important for retaining and attracting residents. The county is quite large and services such as fire protection, ambulance, law enforcement, schools, and medical centers can be distant from the individuals needing the services. Law enforcement has been a historically chronic problem, particularly in areas where jurisdictions among BIA, Tribal governments, county sheriff are confusing and result in long response times and complexities for residents. Schools with high drop-out rates create incentives for residents to school their children elsewhere or leave the area, and they are a disincentive for others with children to relocate to the county. The high proportion of youth creates special needs for services. Increased numbers of older persons will also create increased demands for medical care, transportation, and other services."*

Big Horn County defines public health and safety as a condition of well-being, reasonably free from danger, risk, or injury for a community at large, or for all people, not merely for the welfare of a specific individual or a small class of persons. The county must consider effects on local services and public health and safety, as well as other criteria, when reviewing subdivisions. Below are examples of items considered when evaluating the impact on local services and public health and safety.

Effect on local services:

- increased demand on services and need to expand services;
- ability to provide services to subdivision;
  - response times
  - conditions of roads, bridges, and railroad crossings
  - physical barriers
- provision of adequate local services and public facilities simultaneous or prior to onset of impact; and,
- any special or rural improvement districts that would obligate local government involvement fiscally or administratively.

Effect on public health and safety:

- creation of potential man-made hazards (e.g., unsafe road intersection, development in wildland residential interface fire areas);
- natural hazards (e.g., wildfire, flooding, steep slopes);
- existing potential man-made hazards (e.g., high pressure gas lines, lack of fire protection, cumulative impacts);
- traffic safety;
- emergency vehicle access;
- emergency medical response time;
- cumulative impacts on groundwater from individual sewage disposal systems and/or individual wells; and,
- any other item that endangers public health and safety.

The CIP acknowledges the Sheriff's responsibility for law enforcement throughout the county and management of the jail for prisoners serving time for crimes committed within the county.

ENVIRONMENTAL REVIEW CHECKLIST

NAME OF PROJECT:	Sheriff's Department Patrol Vehicles
PROPOSED ACTION:	Two patrol vehicles need procured for the Sheriff's Office.
LOCATION:	Big Horn County

Key Letter:

N: No Impact; **B:** Potentially Beneficial; **A:** Potentially Adverse; **P:** Approval/Permits Required; **M:** Mitigation Required

PHYSICAL ENVIRONMENT

Key		
	1	Soil Suitability, Topographic and/or Geologic Constraints (e.g., soil slump, steep slopes, subsidence, seismic activity)
		Response and source of information:
N		The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	2	Hazardous Facilities (e.g., power lines, hazardous waste sites, acceptable distance from explosive and flammable hazards including chemical/petrochemical storage tanks, underground fuel storage tanks, and related facilities such as natural gas storage facilities & propane storage tanks)
		Response and source of information:
N		The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	3	Effects of Project on Surrounding Air Quality or Any Kind of Effects of Existing Air Quality on Project (e.g., dust, odors, emissions)
		Response and source of information:
N		The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	4	Groundwater Resources & Aquifers (e.g., quantity, quality, distribution, depth to groundwater, sole source aquifers)
		Response and source of information:
N		The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).

Key Letter:		
N: No Impact; **B:** Potentially Beneficial; **A:** Potentially Adverse; **P:** Approval/Permits Required; **M:** Mitigation Required		
Key	5	Surface Water/Water Quality, Quantity & Distribution (e.g., streams, lakes, storm runoff, irrigation systems, canals)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	6	Floodplains & Floodplain Management (Identify any floodplains within one mile of the boundary of the project.)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	7	Wetlands Protection (Identify any wetlands within one mile of the boundary of the project.)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	8	Agricultural Lands, Production, & Farmland Protection (e.g., grazing, forestry, cropland, prime or unique agricultural lands) (Identify any prime or important farm ground or forest lands within one mile of the boundary of the project.)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	9	Vegetation & Wildlife Species & Habitats, including Fish and Sage Grouse (e.g., terrestrial, avian and aquatic life and habitats) https:\\sagegrouse.mt.gov
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	10	Unique, Endangered, Fragile, or Limited Environmental Resources, Including Endangered Species (e.g., plants, fish or wildlife)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).

Key Letter:		
N: No Impact; **B:** Potentially Beneficial; **A:** Potentially Adverse; **P:** Approval/Permits Required; **M:** Mitigation Required		
Key	11	Unique Natural Features (e.g., geologic features)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	12	Access to, and Quality of, Recreational & Wilderness Activities, Public Lands and Waterways, and Public Open Space
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
HUMAN ENVIRONMENT		
Key	1	Visual Quality – Coherence, Diversity, Compatibility of Use and Scale, Aesthetics
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	2	Nuisances (e.g., glare, fumes)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	3	Noise -- suitable separation between noise sensitive activities (such as residential areas) and major noise sources (aircraft, highways & railroads)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).

Key Letter:		
N: No Impact; **B:** Potentially Beneficial; **A:** Potentially Adverse; **P:** Approval/Permits Required; **M:** Mitigation Required		
Key	4	Historic Properties, Cultural, and Archaeological Resources
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	5	Changes in Demographic (population) Characteristics (e.g., quantity, distribution, density)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	6	General Housing Conditions - Quality, Quantity, Affordability
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	7	Displacement or Relocation of Businesses or Residents
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	8	Public Health and Safety
B		*Response and source of information:* The project benefits public health and safety by providing law enforcement with reliable transportation to reach incidents quickly, transport and temporarily detain suspects, work remotely or out of the squad room, and provide a visible deterrent to crime.

Key Letter:		
N: No Impact; **B:** Potentially Beneficial; **A:** Potentially Adverse; **P:** Approval/Permits Required; **M:** Mitigation Required		
Key	9	Lead Based Paint and/or Asbestos
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	10	Local Employment & Income Patterns - Quantity and Distribution of Employment, Economic Impact
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	11	Local & State Tax Base & Revenues
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	12	Educational Facilities - Schools, Colleges, Universities
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	13	Commercial and Industrial Facilities - Production & Activity, Growth or Decline.
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	14	Health Care – Medical Services
B		*Response and source of information:* The project benefits public health and safety by providing law enforcement with reliable transportation to reach incidents quickly, transport and temporarily detain suspects, work remotely or out of the squad room, and provide a visible deterrent to crime.

Key Letter:		
N: No Impact; **B:** Potentially Beneficial; **A:** Potentially Adverse; **P:** Approval/Permits Required; **M:** Mitigation Required		
Key	15	Social Services – Governmental Services (e.g., demand on)
B		*Response and source of information:* The project benefits public health and safety by providing law enforcement with reliable transportation to reach incidents quickly, transport and temporarily detain suspects, work remotely or out of the squad room, and provide a visible deterrent to crime.
Key	16	Social Structures & Mores (Standards of Social Conduct/Social Conventions)
B		*Response and source of information:* Everyone is entitled to enjoy, on an equal basis, the improved law enforcement services the new patrol vehicles will provide.
Key	17	Land Use Compatibility (e.g., growth, land use change, development activity, adjacent land uses and potential conflicts)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	18	Energy Resources - Consumption and Conservation
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	19	Solid Waste Management
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).

Key Letter:		
N: No Impact; **B:** Potentially Beneficial; **A:** Potentially Adverse; **P:** Approval/Permits Required; **M:** Mitigation Required		
Key	20	Wastewater Treatment - Sewage System
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	21	Storm Water – Surface Drainage
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	22	Community Water Supply
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	23	Public Safety – Police
B		*Response and source of information:* The project benefits public health and safety by providing law enforcement with reliable transportation to reach incidents quickly, transport and temporarily detain suspects, work remotely or out of the squad room, and provide a visible deterrent to crime.
Key	24	Fire Protection – Hazards
B		*Response and source of information:* The project benefits public health and safety by providing law enforcement with reliable transportation to reach incidents quickly, transport and temporarily detain suspects, work remotely or out of the squad room, and provide a visible deterrent to crime.
Key	25	Emergency Medical Services
B		*Response and source of information:* The project benefits public health and safety by providing law enforcement with reliable transportation to reach incidents quickly, transport and temporarily detain suspects, work remotely or out of the squad room, and provide a visible deterrent to crime.
Key	26	Parks, Playgrounds, & Open Space
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).

Key Letter:		
N: No Impact; **B:** Potentially Beneficial; **A:** Potentially Adverse; **P:** Approval/Permits Required; **M:** Mitigation Required		
Key	27	Cultural Facilities, Cultural Uniqueness & Diversity
		Response and source of information:
N		The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	28	Transportation Networks and Traffic Flow Conflicts (e.g., rail; auto including local traffic; airport runway clear zones - avoidance of incompatible land use in airport runway clear zones)
		Response and source of information:
N		The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	29	Consistency with Local Ordinances, Resolutions, or Plans (e.g., conformance with local comprehensive plans, zoning, or capital improvement plans)
		Response and source of information:
B		The project conforms to the *Big Horn County Growth Policy and Capital Improvements Plan* (CIP) objectives of maintaining and improving local services such as law enforcement, fire protection, ambulance, schools and medical centers.
Key	30	Is There a Regulatory Action on Private Property Rights as a Result of this Project? (consider options that reduce, minimize, or eliminate the regulation of private property rights.)
		Response and source of information:
N		The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).

Environmental Review Form

1. Alternatives: Describe reasonable alternatives to the project.
No reasonable alternatives were identified. Two patrol vehicles need replaced in the Sheriff's Office fleet. The patrol vehicles proposed for replacement exceed mileage and age thresholds. The project benefits public health and safety by providing law enforcement with reliable transportation to reach incidents quickly, transport and temporarily detain suspects, work remotely or out of the squad room, and provide a visible deterrent to crime.

2. Mitigation: Identify any enforceable measures necessary to reduce any impacts to an insignificant level. No enforceable measures were identified.

3. Is an EA or Environmental Impact Statement (EIS) required? Describe whether or not an EA or EIS is required, and explain in detail why or why not.
An EA or EIS is not required because the project primarily involves the acquisition of capital equipment. The acquisition of capital equipment is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).

4. Public Involvement: Describe the process followed to involve the public in the proposed project and its potential environmental impacts. Identify the public meetings -- where and when -- the project was considered and discussed, and when the applicant approved the final environmental assessment.
An Environmental Checklist for the project was completed and available for public review and comment available for public review April 10-21, 2020 at Big Horn County Commission Chambers located at 121 West 3rd Street Room 302 in Hardin, Montana, 59034 and online at www.bighorncountymt.gov. Due to the COVID-19 Novel Coronavirus pandemic Big Horn County issued Resolution 2020-7, an emergency proclamation, on March 17, 2020. Due to the pandemic, Big Horn County solicited public comment regarding the Environmental Checklists by multiple means: in person at Commissioners' Office during normal business hours; in writing to cwells@bighorncountymt.gov; Big Horn County Board of Commissioners, PO Box 908, Hardin MT 59034; or Big Horn County, Montana Facebook page; and/or by telephone at 406-665-9700 Monday thru Friday between the hours of 8:00 a.m. and 4:00 p.m. All comments had to be received by 4:00 P.M. on April 21, 2020. Big Horn County Commissioners reviewed public comment received, heard any additional public comment, and accepted the level of environmental finding for the projects at a public meeting on April 23, 2020 at 10:00 a.m. in the Big Horn County Commissioners Office. Individuals were able to connect via conference call for the public meeting by dialing (406) 665-9711, Conference ID 481# Password 59034#.

5. Person Responsible for Preparing: Lori Benner, Contracted Grant Writer

6. Other Agencies: List any state, local, or federal agencies that have over-lapping or additional jurisdiction or environmental review responsibility for the proposed action and the permits, licenses, and other authorizations required; and list any agencies or groups that were contacted or contributed information to this Environmental Assessment (EA). No other agencies were contacted.

George Real Bird III, Chairman — 4-23-2020

Authorized Representative, Title — Date

ROBIM

Signature of Authorized Representative

LEGAL NOTICE

Big Horn County is submitting two grant applications to the Montana Coal Board on April 27, 2020. One application requests funds to purchase two vehicles for the Sheriff's Department. The other application requests funds to purchase a tractor and equipment shed for Cemetery #1. Environmental Checklists for the projects are being completed and will be available for public review April 10-21, 2020 at Big Horn County Commission Chambers located at 121 West 3rd Street Room 302 in Hardin, Montana, 59034 and online at www.bighorncountymt.gov. Due to the COVID-19 Novel Coronavirus pandemic Big Horn County issued Resolution 2020-7, an emergency proclamation, on March 17, 2020. Due to the pandemic, Big Horn County is soliciting public comment regarding the Environmental Checklists by multiple means: in person at Commissioners' Office during normal business hours; in writing to cwells@bighorncountymt.gov; Big Horn County Board of Commissioners, PO Box 908, Hardin MT 59034; or Big Horn County, Montana Facebook page; and/or by telephone at 406-665-9700 Monday thru Friday between the hours of 8:00 a.m. and 4:00 p.m. All comments must be received by 4:00 P.M. on April 21, 2020. Big Horn County Commissioners will review public comment received, hear any additional public comment, and accept the level of environmental finding for the projects at a public meeting on April 23, 2020 at 10:00 a.m. in the Big Horn County Commissioners Office. Individuals can connect via conference call for the public meeting by dialing (406) 665-9711, Conference ID 481# Password 59034#. Big Horn County can provide reasonable accommodations for any known disability that may interfere with a person participating in this public review process. Should you have any questions or require more information, please contact Candy Wells, Administrative Assistant at 406-665-9700 or cwells@bighorncountymt.com.

Publish: April 10 & 16, 2020
MNAXLP

BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA

AGENDA
APRIL 23, 2020
THURSDAY

8:30	
9:00	Sheriff Big Hair
9:30	
10:00	Coal Board Applications – Environmental Assessment Determination Sheriff Office Vehicle purchase Cemetery District #1 tractor and equipment shed purchase
10:30	
11:00	
11:30	
1:00	
1:30	
2:00	
2:30	
3:00	
3:30	
4:00	

PUBLIC COMMENT AND DISCUSSION IS ENCOURAGED FOR EACH ITEM LISTED

Resolution 2020- 15
to accept the determination that a Categorical Exemption is appropriate for the Sheriff's Office Patrol Vehicles Project

WHEREAS, Big Horn County has completed an assessment to identify potential environmental impacts to the Sheriff's Office Patrol Vehicle Project;

WHEREAS, the draft Environmental Assessment was made available for public comment and the findings were presented and reviewed at a public meeting;

WHEREAS, no substantive public comment was received;

WHEREAS, Big Horn County has determined that the Sheriff's Office Patrol Vehicle Project will not significantly affect the quality of the human environment and accordingly Big Horn County has determined an Environmental Impact Statement is not necessary;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, Big Horn County, Montana, as follows;
Big Horn County, Montana adopts the final Environmental Assessment for the Sheriff's Office Patrol Vehicle Project.

DATED THIS 23rd day of April, 2020, in Hardin, Montana.

BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA

George Real Bird III
Chairman

Sidney Fitzpatrick
Member

Larry Vandersloot
Member

ATTEST:

Clerk and Recorder

Appendix A
Cost Estimate

Veto Enterprises

1969 - 2019 Celebrating 50 years!! Thank You!

212 W. Exchange St.
Sycamore, IL 60178

Outside Illinois
800-523-4733

Phone: 815-895-9755
Fax: 815-895-8719

www.vetoenterprises.com

Police Car Sales & Equipment Specialists

Thursday, April 23, 2020

Big Horn Sheriff Dept
121 W 3rd St
Hardin MT 59034

Attn: Sheriff Big Hair
Captain Fuss

Ref: Quote 20.1

Dear Sheriff Big Hair,

As per your request, we are pleased to submit to you ourquotation on the following vehicles with equipment:

(2) 2020 Ford F150 SuperCrew Pickup
As per attached specs
Price: $35,475 each

With the following equipment installed:

Pair of white LEDs for front corners
Tail light flasher
Pair of Sound Off MPower LED lightheads, pushbar mounted, 1-red, 1-blue
Unity 6” driver’s side spotlight
Pair of Sound Off Intersector LED lightheads, mounted under outside mirrors, 1-red, 1-blue
Whelen® Legacy™ or Liberty™ LED lightbar, with alleys & takedowns, red & blue
Pair of Sound Off MPower LED lightheads, tailgate mounted, 1-red, 1-blue
Streamlight rechargeable LED flashlight system with wand
Red/white LED domelight
100 watt siren speaker

Havis equipment mounting console, with all mounting brackets, heavy duty armrest, recessed cupholder, and built in accessory outlet plugs
Magnetic Mic mount clip bracket
Mounts for your laptop & dock, & power
Whelen® 295SLSA6 siren/switching center
Battery run-down protection (Chargeguard timer with relay/solenoid)
AOI airbag cutoff switch
Ignition override lockout system
Ranchhand Summit full front bumper replacement with load leveling kit
Setina 10-VSRP prisoner screen with sliding polycarbonate window and recessed panel cutout for gunrack
Dual gunrack, mounted in recess of cage
Antenna with cable, high gain type
Full decals, reflective only on rear portion
Line-X spray in bedliner
Labor to install all above equipment, including your XTL radio, radar, in-car video, laptop & dock
Delivery to your department

Price: $ 14,193 each

With the following options:

MPH Bee III dual antenna moving Ka band radar

Price: $2,375

WatchGuard 4RE in car video system

Price: $5,500

Breakdown:

2020 Ford F150	$35,475	
Equipment	14,193	
Sub-total:	$49,668	
Radar & Video	7,875	
Total Price:	$57,543 each, total $115,086	

All prices are good for 30 days. Some items may be subject to their various lead times at their respective factories beyond our control. Vehicles themselves will be supplied by Morrow Ford, and have a current factory order cutoff date of May 28th. Once vehicle(s) and all equipment is received by us, lead time to return to you would be approximately 2-3 weeks, not including transport. ***Please note new payment terms:*** *****All orders that include new vehicles and/or equipment will be required to pay 50% within 21 days of order.***

Please feel free to contact us at 800.523.4733 should you have any further questions or need additional information. We are looking forward to working with your department in the near future.

Very Truly Yours,

Veto Enterprises, Inc.

Robert A. Veto
President

RAV/tf

Appendix B

Letter of Cash Commitment

BOARD OF COMMISSIONERS
BIG HORN COUNTY
P.O. BOX 908
HARDIN, MT 59034

Fax (406) 665-9706 _(406) 665-9700_ _E-mail to: cwells@bighorncountymt.gov_

April 23, 2020

Montana Coal Board
Community Development Division
Department of Commerce
PO Box 200523
Helena MT 59620-0523

RE: Funding Commitment to replace two Sheriff's Office Patrol Vehicles

Dear Montana Coal Board Members,

On behalf of Big Horn County, we are pleased to commit $25,000 to the Big Horn County Sheriff' Office patrol vehicle purchase. This commitment of funds is approximately 25% of the total project costs.

Sincerely,

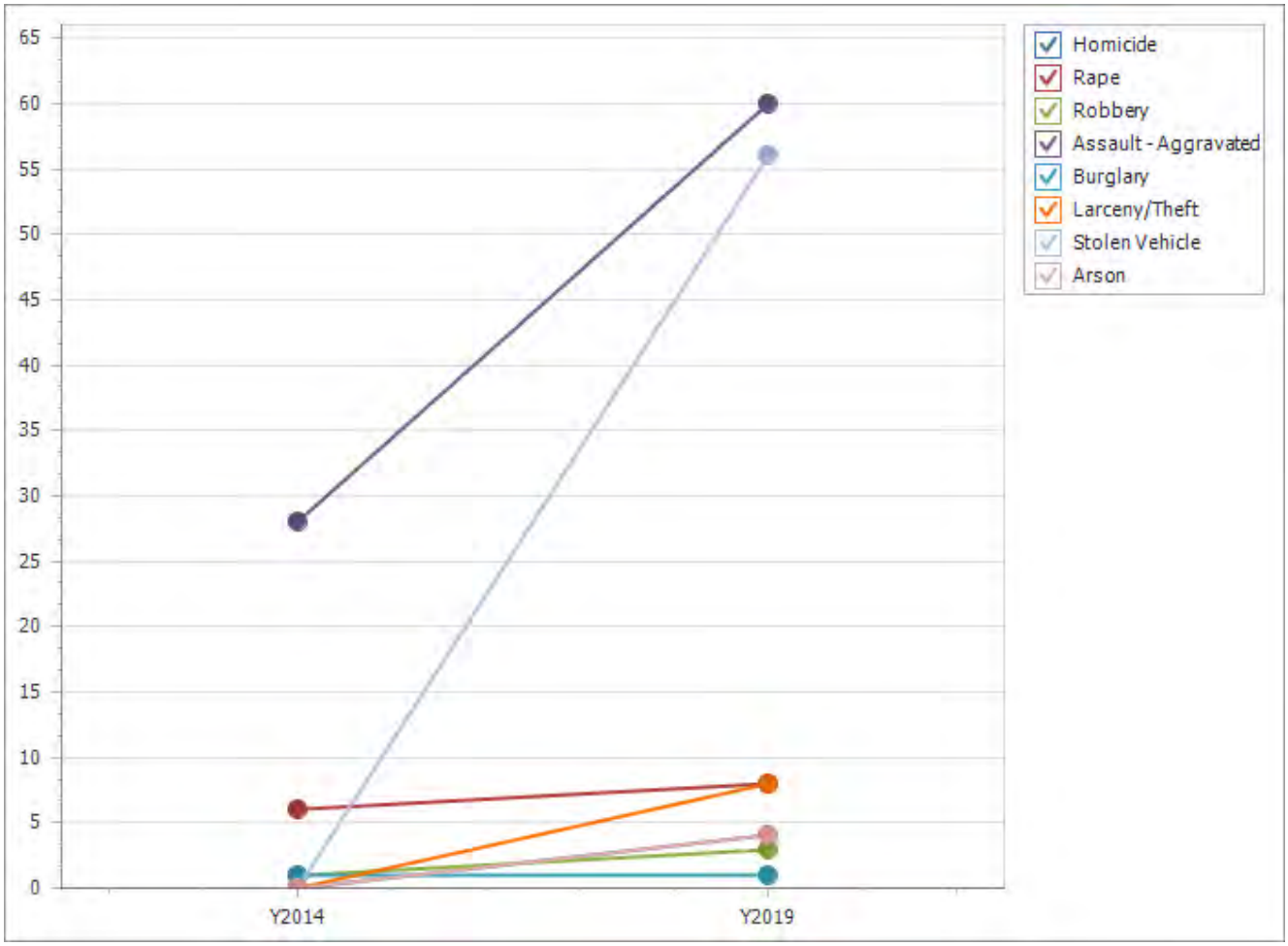
BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA

George Real Bird III
Chairman

Sidney Fitzpatrick
Member

Larry Vandersloot
Member

Montana Coal Impact Grant Application



Source: *Big Horn County Sheriff's Department credits the FBI on collecting statistics in major crime categories (Part 1 Crimes).*

Submitted to the Montana Coal Board

by

Big Horn County

for

Sheriff's Office Patrol Vehicles

Date submitted:

April 27, 2020

THE COAL IMPACT GRANT APPLICATION FORM
SUBMITTED BY BIG HORN COUNTY

CERTIFICATION

The chief elected official or executive officer of the applicant must sign the application certifying that to the best of the official's knowledge and belief, the information provided in the application and the attached documents is true and correct.

The chief elected official or executive officer of the applicant must also certify that, in accordance with Section 90-6-205, MCA, the applicant is eligible for a Coal Impact Grant and has the authority to administer and make expenditures to provide for the proposed service or facility.

CERTIFICATION

To the best of my knowledge and belief, the information provided in this application and in the attached documents is true and correct.

In accordance with Section 90-6-205, MCA, the applicant is eligible for Coal Board grants and has the statutory authority to make expenditures to provide for the particular service or facility.

Name: George Real Bird III

Title: Chairman

Signature: [illegible] Date: 04. 22. 2020

SUMMARY INFORMATION

1. NAME OF APPLICANT(S):

Big Horn County

2. TYPE OF ENTITY:

Local Government

3. FEDERAL TAX ID NUMBER:

81-6001333

4. SENATE AND HOUSE DISTRICTS:

Senate District: 21; House Districts: 42

5. AMOUNT OF COAL IMPACT GRANT REQUESTED: $90,086

6. NAME OF PROJECT:

Sheriff's Office Patrol Vehicles

7. TYPE OF PROJECT:

Public Service

8. POPULATION SERVED BY PROJECT:

13,141 (2015 American Communities Survey, http://comdev.mt.gov/Resources/Financial/TargetRate)

9. NUMBER OF HOUSEHOLDS SERVED BY PROJECT:

3,576 (2015 American Communities Survey, http://comdev.mt.gov/Resources/Financial/TargetRate)

10. CHIEF ELECTED OFFICIAL OR AUTHORIZED REPRESENTATIVE:

Mr. George Real Bird III, Chairman
Board of Commissioners – Big Horn County
P.O. Box 908
Hardin, MT 59034
406-665-9700 phone
406-665-9706 fax
cwells@bighorncountymt.gov

11. PRIMARY ENTITY CONTACT PERSON:

Ms. Candy Wells, Administrative Assistant
P.O. Box 908
Hardin, MT 59034
Office: 406-665-9700
Fax: 406-665-9706
Email: cwells@bighorncountymt.gov

12. OTHER CONTACT PERSONS:

Captain Michael Fuss
Detectives Unit Violent Crimes
Office: 406-665-9803
Email: mfuss@bighorncountymt.gov

13. MILLAGE RATES:

GENERAL LEVY
FY2019-2020: $23,195 – 1 Mill Value; 164.93 Mills Levied = $3,825,551.35
FY2018-2019: $23,559 – 1 Mill Levy; 129.86 Mills Levied = $3,059,371.74
FY2017-2018: $23,776 – 1 Mill Value; 125.96 Mills Levied = $2,994,824.96
FY2016-2017: $23,337 – 1 Mill Value; 107.51 Mills Levied = $2,508,960.87
FY2015-2016: $25,058 – 1 Mill Value; 86.82 Mills Levied = $2,175,535.56
FY2014-2015: $25,114 – 1 Mill Value; 74.05 Mills Levied = $1,859,691.70
General levy which includes general, bridge, fairgrounds, library, public safety, health insurance and weed funds.

14. AMOUNT OF COAL GROSS PROCEEDS TAX:

- **Total amount of Coal Gross Proceeds tax the applicant receives during the last two years**
  - ***The amount received and amount expended for each year*** – In 2017 and 2018, Big Horn County received $15,558,637 in gross proceeds tax which is 19.37% less than the previous two years (2015 and 2016), $18,895,203, due to reduced coal production. Approximately 40% is allocated to County Department budgets and the remaining 60% is allocated to County schools.
  - ***Balance of available proceeds that remains*** – There is no available balance that remains unallocated at this time.
- **Description of the process the applicant uses to decide the use of the proceeds** - The Coal Gross Proceeds taxes are distributed based on the 1989 Tax Levy for each fund including appropriations to the general, bridge, medical facilities, refunding bonds, internal health service, road and school funds.

15. IMPACTS TO COAL INDUSTRY:

U.S. News & World Report published an article titled "Western US Coal Miners Laid off Amid Drop in Electricity Use" on April 23, 2020. The following is an excerpt from the article:

> *"Three hundred miners and other workers are being laid off as the struggling western U.S. coal industry contends with diminished electricity use during the coronavirus pandemic. Seventy-three workers at the Spring Creek mine in southeastern Montana and 57 at the Antelope mine in northeastern Wyoming are losing their jobs, Navajo Transitional Energy Company reports. St. Louis-based Peabody Energy, meanwhile, announced it was laying off 170 at Wyoming's largest coal mine, North Antelope Rochelle. All three mines are located in the Power Riven Basin, which accounts for about 40% of U.S. coal production. Coal demand has declined over the past decade due to competition from natural gas-fired power and renewable energy sources. School and business shutdowns and stay-at-home orders to contain the coronavirus have reduced electricity use over the past month, further dimming the outlook for coal-fired electricity and coal mining."*

With regard to the trend in Big Horn county, there were approximately 149 residents of Big Horn county employed by the coal industry in February 2019. To determine the number of residents, a county representative contacted human resource personnel in nearby coal mines and coal-using facilities. Human resource personnel at the facilities queried their records for employees with zip codes for Busby (59016); Crow Agency (59022), Decker (59025), Garryowen (59031); Hardin (59034); Fort Smith (59035); Lodge Grass (59050); Pryor (59066); Saint Xavier (59075); and, Wyola (59089). When a current employee count was requested of Cloud Peak Energy, the County learned the company had laid off the entire external affairs team. The external affairs team consistently provided the employee count in the past. The company does not intend to hire replacements due to the continued depressed coal markets. Upon making the inquiry, the County was not provided a current contact at the company.

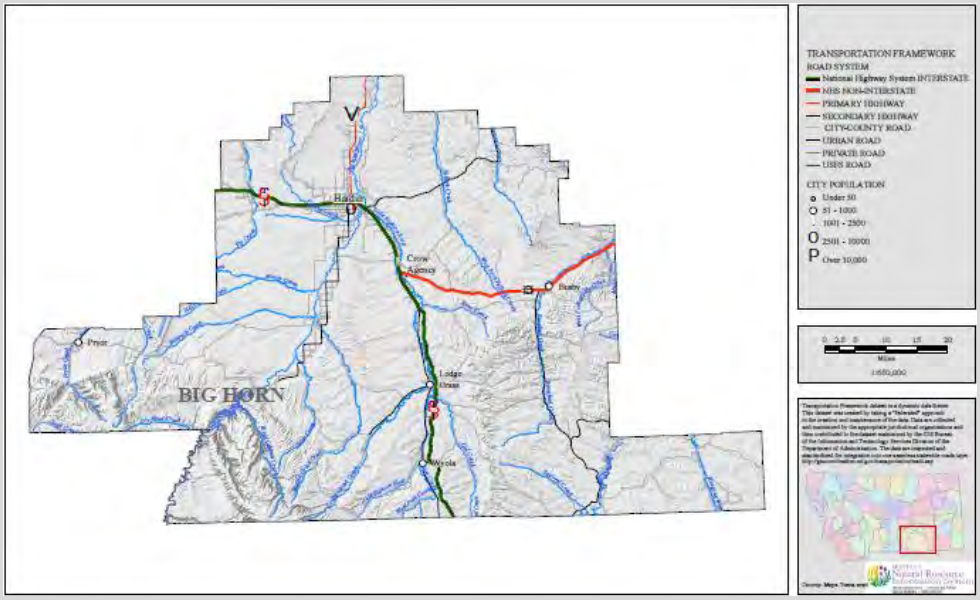
Facility	# of County Residents Employed (February 2019)
Absaloka Mine	118
Decker Mine	no response received
Spring Creek Mine	14
Hardin Generating Station	17
TOTAL	**149**

Human Resource personnel at Absaloka and Spring Creek Mines provided their data by zip code.

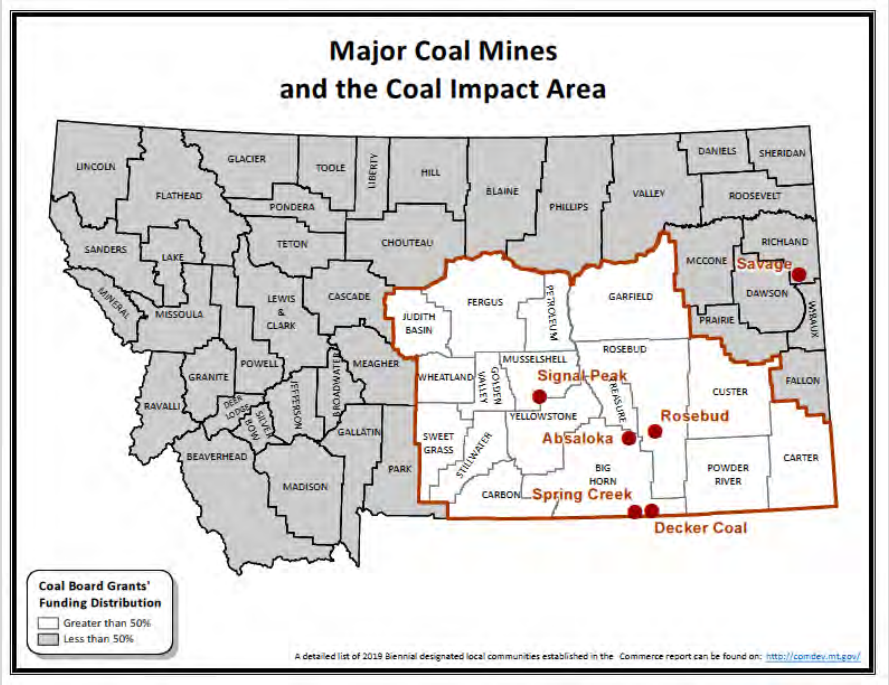
Zip Code/Community	# of County Residents Employed at Absaloka Mine (February 2019)	# of County Residents Employed at Spring Creek Mine (February 2019)
59016 Busby	0	2
59022 Crow Agency	41	1
59025 Decker	0	0
59031 Garryowen	5	2
59034 Hardin	35	4
59035 Fort Smith	3	0
59050 Lodge Grass	20	4
59066 Pryor	2	0
59075 Saint Xavier	4	0
59089 Wyola	8	1
TOTAL	**118**	**14**

16. MAPS:

Boundary of Big Horn County



Big Horn County's location in the Coal Impact Area



17. BRIEF PROJECT SUMMARY:

PROJECT SUMMARY FOR BIG HORN COUNTY SHERIFF'S OFFICE PATROL VEHICLES

Historical Information: Big Horn County provides law enforcement services (i.e., safeguarding lives and property and protecting individuals) throughout the county. Two patrol vehicles need to be replaced in the Sheriff's fleet. The patrol vehicles proposed for replacement have been pulled from the fleet because they exceeded mileage and age thresholds.

Problem: Two patrol vehicles need to be replaced in the Sheriff's fleet.

Proposed Solution: Purchase two 4x4 pickup trucks.

18. PROJECT BUDGET AND IMPLEMENTATION SCHEDULE:

A. Project Budget Form:

	SOURCE: MT Coal Board	**SOURCE:** Big Horn County	**TOTAL**:
Personnel Services/Office Costs	$ 0	$0	$0
Professional Services	$ 0	$0	$0
Legal Costs	$ 0	$0	$0
Travel & Training	$ 0	$0	$0
Audit Fees	$ 0	$0	$0
TOTAL ADMINISTRATIVE/ FINANCIAL COSTS	$ 0	$0	$0
Equipment Cost**	$90,086	$25,000	$115,086
Construction Cost	$0	$0	$0
Architectural/Engineering Design	$0	$0	$0
Product Completion (PERs, studies, etc.)	$0	$0	$0
Contingency	$0	$0	$0
TOTAL ACTIVITY COSTS	$90,086	$25,000	$115,086
TOTAL PROJECT COSTS	$90,086	$25,000	$115,086

Big Horn County will provide all administrative services as an in-kind contribution to the project.

A cost estimate for the vehicles is provided as ***Appendix A*.

B. Project Budget Narrative:

BUDGET NARRATIVE FOR BIG HORN COUNTY
SHERIFF'S OFFICE PATROL VEHICLES

ADMINISTRATIVE/FINANCIAL COSTS

Not Applicable – Big Horn County

ACTIVITY COSTS

Equipment Cost: **$115,086**
The estimated cost associated with purchasing two 4x4 pickup trucks. This is a vehicle replacement project. Big Horn County obtained a cost estimate for the trucks from Veto Enterprises. A copy of the cost estimates is provided as ***Appendix A.***

Construction Cost: **$0**
Construction costs are not applicable.

Architectural/Engineering Design: **$0**
Architectural/engineering design costs are not applicable.

Product Completion (PERs, studies, etc.): **$0**
Product completion (PERs, studies, etc.) costs are not applicable.

Contingency: **$0**
Contingency costs are not applicable.

TOTAL ACTIVITY COSTS: **$115,086**
TOTAL PROJECT COSTS: **$115,086**

C. Implementation Schedule:

	QUARTERS 2020				QUARTERS 2021			
TASK	**1ST**	**2ND**	**3RD**	**4TH**	**1ST**	**2ND**	**3RD**	**4TH**
Sign contract with Coal Board			X					
Submit progress reports and drawdown requests			X	X				
Purchase vehicles in accordance with County procurement rules				X				
Coal Board administrative staff conduct on-site monitoring of the project				X				
Submit project completion report				X				
Include project in audits							X	

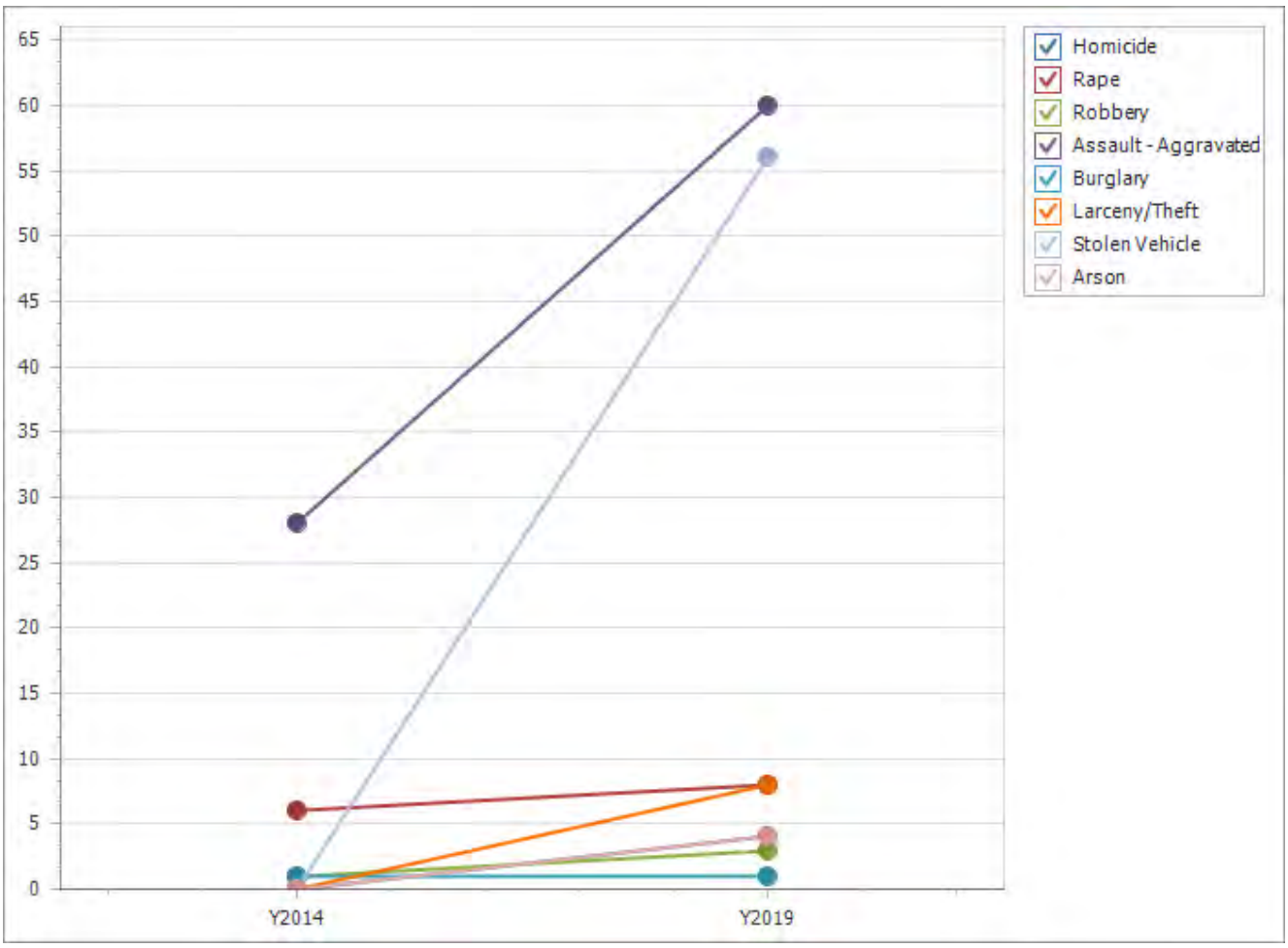
19. DESCRIPTION OF RELATIONSHIP TO COAL BOARD STATUTORY GRANT CRITERIA

A. Need

I. Does a serious deficiency exist in a basic or necessary community public facility or service? Examples include emergency services such as police, fire or ambulance services. (Describe the nature and frequency of occurrence and provide supporting documentation.)

A deficiency exists in a basic community service provided by Big Horn County. Big Horn County provides law enforcement services (i.e., safeguarding lives and property and protecting individuals) throughout the county. Two patrol vehicles need to be replaced in the sheriff's fleet. The patrol vehicles proposed for replacement have been pulled from the fleet because they exceeded mileage and age thresholds.

An escalation of crime, between 2014 and 2019, in Big Horn County further evidences the need for the project. The FBI collects statistics on the following major crime categories (Part 1 Crimes).



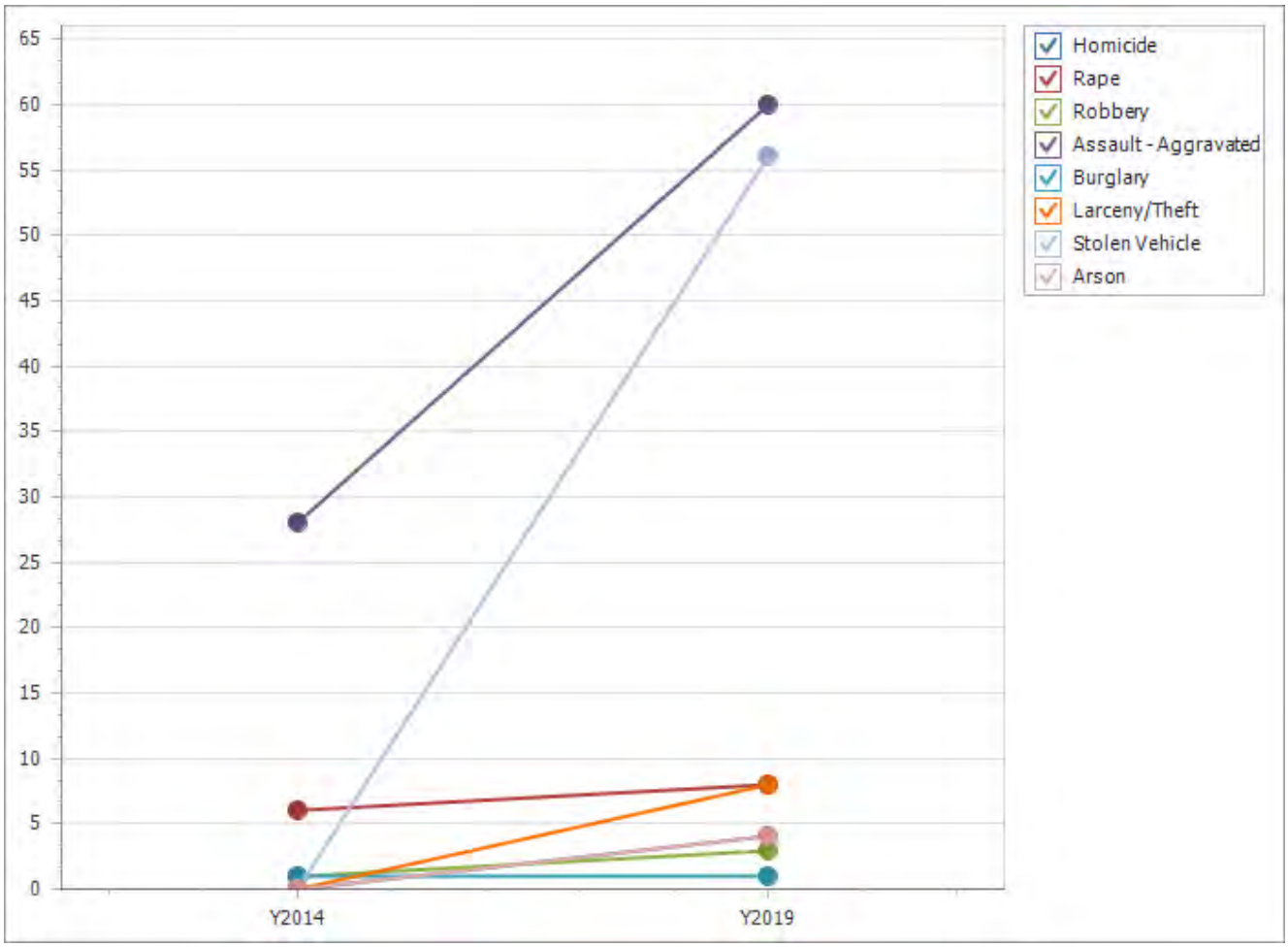
Year	Homicide	Rape	Robbery	Assault-Aggr	Burglary	Larc/Theft	Stolen Veh	Arson
2014	0	6	1	28	1	0	0	0
2019	4	8	3	60	1	8	56	4

2. Have serious public health or safety problems that are clearly attributable to a deficiency occurred, or are they likely to occur, such as illness, disease outbreak, substantial property loss, environmental pollution, safety problems, hazards, or health risks? (Describe the nature and frequency of occurrence and provide supporting documentation.)

Serious public safety problems can be attributed to unreliable and/or inadequate law enforcement or emergency response vehicles. Vehicles are used by law enforcement for transportation during patrols and to respond to incidents and chases. Vehicles transport officers so they can reach the scene of an incident quickly, transport and temporarily detain suspects in the back seats, as a location to use their police radio or laptop or to patrol an area, all while providing a visible deterrent to crime.

3. Is the entire community, or a substantial percentage of the residents of the community, seriously affected by the deficiency or at risk, as opposed to a small percentage of the residents? *(*Describe the number or percentage of community residents affected by the problem.)

One hundred percent (100%) of Big Horn County residents are affected by the lack of unreliable and/or inadequate law enforcement or emergency response vehicles. The deficiency impacts all residents as evidenced by the escalation of crime in the county. An escalation of crime, between 2014 and 2019, in Big Horn County further evidences the need for the project. The FBI collects statistics on the following major crime categories (Part 1 Crimes).



Year	Homicide	Rape	Robbery	Assault-Aggr	Burglary	Larc/Theft	Stolen Veh	Arson
2014	0	6	1	28	1	0	0	0
2019	4	8	3	60	1	8	56	4

4. Is there clear documentation that the current condition of the public facility or service (or lack of a facility or service) violates, or may potentially violate, a state or federal health or safety standard (If yes, describe the standard being violated.)? If the proposed project is necessary to comply with a court order or a state or federal agency directive, describe the directive and attach a copy of it.

The deficiency does not violate or potentially violate a state or federal standard or directive.

5. Does the standard that is being violated, or potentially may be violated; represent a significant threat or potential threat to public health or safety?

Unreliable and/or inadequate law enforcement vehicles jeopardize human health and safety. Two patrol vehicles need to be replaced in the Sheriff's fleet. The patrol vehicles proposed for replacement have been pulled from the fleet because they exceeded mileage and age thresholds. Replacement of the vehicles is necessary to transport officers to the scene of an incident quickly, transport and temporarily detain suspects in the back seats, use as a location to use their police radio or laptop or to patrol an area, all while providing a visible deterrent to crime.

6. Additional information supporting the NEED for this project. None

B. <u>Degree of Severity of Impact from an Increase or Decrease in Coal Development or In the Consumption of Coal by A Coal-Using Energy Complex</u>

1. Describe why the need for the expansion or improvement to the public facility or public service is attributable to coal-related impacts. Additionally, please provide the percentage of the project that is a result of coal impacts.

Nearly 100% of this project is in response to coal-related impacts. Big Horn County is the largest coal producing County in the State of Montana. The economy of Big Horn County relies on coal. Coal development and coal-using energy complexes in the county heighten the need for reliable, modernized equipment.

In 2017 and 2018, Big Horn County received $15,558,637 in gross proceeds tax which is 19.37% less than the previous two years (2015 and 2016), $18,895,203, due to the decline in coal production. In order to off-set revenue lost in coal gross proceeds tax and maintain a balanced budget, Big Horn County has increased revenue received in property tax by levying more mills. The General Levy mill amount has *decreased 7.64%* over the past five years while the number of General mills levied has *increased 122.73%* over the past five years. The change in taxable value, determined by Montana Department of Revenue, reflects the decline in value of coal-producing properties. A coal impact grant is necessary to make the project feasible and affordable for tax payers in Big Horn County.

2. Name the nearest coal development area or coal-using energy complex to your community and the road miles from your community.

There are a number of coal mines or coal-using complexes in Big Horn County.

Absaloka Mine	30 miles
Decker Coal Mine	80 miles
Spring Creek Mine	84 miles
Hardin Power Plant	1 mile

3. Additional information supporting the DEGREE OF SEVERITY OF IMPACT FROM AN INCREASE OR DECREASE IN COAL DEVELOPMENT OR IN THE CONSUMPTION OF COAL BY A COAL-USING ENERGY COMPLEX.

None

C. Availability of Funds

1. Amount requested from the Coal Board: $90,086

2. Amount of Coal Board funds available at the time of application $_____ (#2 will be completed by Coal Board staff)

3. Explain why a coal impact grant is necessary to make the project feasible and affordable.

Coal gross proceeds tax revenue for Big Horn County has been on the decline in recent years. In 2017 and 2018, Big Horn County received $15,558,637 in gross proceeds tax which is 19.37% less than the previous two years (2015 and 2016), $18,895,203, due to the decline in coal production.

County Coal Gross Proceeds Tax Revenue Total Collections – Fiscal Years

	2010	2011	2012	2013	2014	2015	2016	2017	2018
Big Horn County	$8,594,921	$9,176,021	$9,965,177	$10,559,906	$10,000,360	$9,402,169	$9,493,034	$9,160,210	$6,398,427
Year of Over % Change	---	6.8%	8.6%	6.0%	-5.3%	-6.0%	1.0%	-3.5%	-30.1%

Source: MT Department of Revenue; Current as of 10/26/2018

In order to off-set revenue lost in coal gross proceeds tax and maintain a balanced budget, Big Horn County has increased revenue received in property tax by levying more mills. The General Levy mill amount has *decreased 7.64%* over the past five years while the number of General mills levied has *increased 122.73%* over the past five years. The change in taxable value, determined by Montana Department of Revenue, reflects the decline in value of coal-producing properties. A coal impact grant is necessary to make the project feasible and affordable for tax payers in Big Horn County.

GENERAL LEVY

FY2019-2020: $23,195 – 1 Mill Value; 164.93 Mills Levied = $3,825,551.35
FY2018-2019: $23,559 – 1 Mill Levy; 129.86 Mills Levied = $3,059,371.74
FY2017-2018: $23,776 – 1 Mill Value; 125.96 Mills Levied = $2,994,824.96
FY2016-2017: $23,337 – 1 Mill Value; 107.51 Mills Levied = $2,508,960.87
FY2015-2016: $25,058 – 1 Mill Value; 86.82 Mills Levied = $2,175,535.56
FY2014-2015: $25,114 – 1 Mill Value; 74.05 Mills Levied = $1,859,691.70
General levy which includes general, bridge, fairgrounds, library, public safety, health insurance and weed funds.

4. What are the other proposed funding sources for the project?

FUNDING SOURCES SUMMARY FOR BIG HORN COUNTY SHERIFF'S OFFICE PATROL VEHICLES				
Source	**Type of Fund**	**Amount**	**Status of Commitment**	**Loan Rates & Terms**
Coal Board	Grant	$90,086	Application submitted on April 27, 2020	Not applicable
Big Horn County	Cash	$25,000	Committed in Letter included as ***Appendix B***	Not applicable
	TOTAL	**$115,086**		

5. If a particular proposed source of funding is not obtained, how will the applicant proceed?

If Big Horn County does not receive a Coal Impact Grant, the County may re-apply in the next funding cycle while working to identify other potential sources of funding.

D. Degree of Local Effort in Meeting Needs

1. If current millage rates given are lower than the average rates levied during the previous three years, briefly explain why they are lower.

In order to off-set revenue lost in coal gross proceeds tax and maintain a balanced budget, Big Horn County has increased revenue received in property tax by levying more mills. The General Levy mill amount has *decreased 7.64%* over the past five years while the number of General mills levied has *increased 122.73%* over the past five years. The change in taxable value, determined by Montana Department of Revenue, reflects the decline in value of coal-producing properties.

2. Describe any local efforts to meet the public facility or public service needs by providing financial contributions to the project to the extent possible, such as local funding, donations of land, absorbing some or all-administrative costs. For non-profit organizations, describe fund-raising efforts or other in-kind assistance to the proposed project as well as usual program fund-raising efforts.

Big Horn County has committed $25,000 in cash or 22% of the total project cost to the project. A letter of commitment is included as ***Appendix B***.

3. Describe past operation and maintenance budgets and practices over the long-term, including any reserves for repair and replacement.

Past operation and maintenance budgets and practices over the long-term for Big Horn County have been consistent and practicable. Big Horn County will assume all maintenance and operational costs incurred with the new vehicles.

4. If there are indications that the problem is not of recent origin, or has developed because of inadequate operation and maintenance practices in the past, explain the circumstances and describe the actions that management will take in the future to assure that the problem will not reoccur.

Past operation and maintenance budgets and practices over the long-term have been as consistent as practicable. Age and continual use of the vehicles necessitate their replacement.

5. If the project involves water, wastewater or solid waste, provide the current and projected monthly household user charges, including operation and maintenance:

a. What is the current monthly household user charge? $_____

b. What is the projected monthly user charge (including operation and maintenance) when the project is complete? $ _____

Not applicable

6. What are your current debt obligations?

Big Horn County has no current debt obligations.

7. What are your current assets?

Total fixed assets for Big Horn County for Fiscal Year ending June 30, 2018 is $41,620,535.

8. What financial accounting system do you use? BARS

9. Is the applicant in compliance with the auditing and annual financial reporting requirements provided for in the Montana Single Audit Act, 2-7-501 to 522, MCA? (Tribal governments must comply with auditing and reporting requirements provided for in OMB Circular A-133).

Yes_X_ No___ **Date of last completed audit or financial report** June 30, 2018

10. If there have been audit findings within the last five years, have they been satisfactorily addressed?

Big Horn County has satisfactorily addressed any audit findings.

11. Additional information supporting the DEGREE OF LOCAL EFFORT IN MEETING NEEDS.

None

E. Planning & Management

1. Describe how your grant request reasonably fits into an overall plan for the orderly management of the existing or contemplated growth or decline problems related to coal impacts.

The grant request reasonably fits into the contemplated decline of the coal industry in Big Horn County. In order to off-set revenue lost in coal gross proceeds tax and maintain a balanced budget, Big Horn County has increased revenue received in property tax by levying more mills. The General Levy mill amount has *decreased 7.64%* over the past five years while the number of General mills levied has *increased 122.73%* over the past five years. The change in taxable value, determined by Montana Department of Revenue, reflects the decline in value of coal-producing properties.

2. Describe how the proposed project is consistent with current plans.

The proposed project is consistent with the *Big Horn County Growth Policy* (May 2014) and *Capital Improvements Plan (CIP)* (September 2014) objectives of monitoring, maintaining, and improving local services and public health and safety. Big Horn County defines local services as any and all services or facilities local

government is authorized to provide, such as water supply, sewage disposal, law enforcement, fire protection, ambulance services, transportation system, and educational system. The following is an excerpt from the growth policy that describes the projected future trend of local services.

> *"Local services are important for retaining and attracting residents. The county is quite large and services such as fire protection, ambulance, law enforcement, schools, and medical centers can be distant from the individuals needing the services. Law enforcement has been a historically chronic problem, particularly in areas where jurisdictions among BIA, Tribal governments, county sheriff are confusing and result in long response times and complexities for residents. Schools with high drop-out rates create incentives for residents to school their children elsewhere or leave the area, and they are a disincentive for others with children to relocate to the county. The high proportion of youth creates special needs for services. Increased numbers of older persons will also create increased demands for medical care, transportation, and other services."*

Big Horn County defines public health and safety as a condition of well-being, reasonably free from danger, risk, or injury for a community at large, or for all people, not merely for the welfare of a specific individual or a small class of persons. The county must consider effects on local services and public health and safety, as well as other criteria, when reviewing subdivisions. Below are examples of items considered when evaluating the impact on local services and public health and safety.

Effect on local services:

- increased demand on services and need to expand services;
- ability to provide services to subdivision;
  - response times
  - conditions of roads, bridges, and railroad crossings
  - physical barriers
- provision of adequate local services and public facilities simultaneous or prior to onset of impact; and,
- any special or rural improvement districts that would obligate local government involvement fiscally or administratively.

Effect on public health and safety:

- creation of potential man-made hazards (e.g., unsafe road intersection, development in wildland residential interface fire areas);
- natural hazards (e.g., wildfire, flooding, steep slopes);
- existing potential man-made hazards (e.g., high pressure gas lines, lack of fire protection, cumulative impacts);
- traffic safety;
- emergency vehicle access;
- emergency medical response time;
- cumulative impacts on groundwater from individual sewage disposal systems and/or individual wells; and,
- any other item that endangers public health and safety.

The CIP acknowledges the Sheriff's responsibility for law enforcement throughout the county and management of the jail for prisoners serving time for crimes committed within the county.

ENVIRONMENTAL REVIEW CHECKLIST

NAME OF PROJECT:	Sheriff's Department Patrol Vehicles
PROPOSED ACTION:	Two patrol vehicles need procured for the Sheriff's Office.
LOCATION:	Big Horn County

Key Letter:

N: No Impact; **B:** Potentially Beneficial; **A:** Potentially Adverse; **P:** Approval/Permits Required; **M:** Mitigation Required

PHYSICAL ENVIRONMENT

Key		
	1	Soil Suitability, Topographic and/or Geologic Constraints (e.g., soil slump, steep slopes, subsidence, seismic activity)
		Response and source of information:
N		The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	2	Hazardous Facilities (e.g., power lines, hazardous waste sites, acceptable distance from explosive and flammable hazards including chemical/petrochemical storage tanks, underground fuel storage tanks, and related facilities such as natural gas storage facilities & propane storage tanks)
		Response and source of information:
N		The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	3	Effects of Project on Surrounding Air Quality or Any Kind of Effects of Existing Air Quality on Project (e.g., dust, odors, emissions)
		Response and source of information:
N		The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	4	Groundwater Resources & Aquifers (e.g., quantity, quality, distribution, depth to groundwater, sole source aquifers)
		Response and source of information:
N		The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).

Key Letter:		
N: No Impact; **B:** Potentially Beneficial; **A:** Potentially Adverse; **P:** Approval/Permits Required; **M:** Mitigation Required		
Key	5	Surface Water/Water Quality, Quantity & Distribution (e.g., streams, lakes, storm runoff, irrigation systems, canals)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	6	Floodplains & Floodplain Management (Identify any floodplains within one mile of the boundary of the project.)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	7	Wetlands Protection (Identify any wetlands within one mile of the boundary of the project.)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	8	Agricultural Lands, Production, & Farmland Protection (e.g., grazing, forestry, cropland, prime or unique agricultural lands) (Identify any prime or important farm ground or forest lands within one mile of the boundary of the project.)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	9	Vegetation & Wildlife Species & Habitats, including Fish and Sage Grouse (e.g., terrestrial, avian and aquatic life and habitats) https:\\sagegrouse.mt.gov
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	10	Unique, Endangered, Fragile, or Limited Environmental Resources, Including Endangered Species (e.g., plants, fish or wildlife)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).

Key Letter:		
N: No Impact; **B:** Potentially Beneficial; **A:** Potentially Adverse; **P:** Approval/Permits Required; **M:** Mitigation Required		
Key	11	Unique Natural Features (e.g., geologic features)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	12	Access to, and Quality of, Recreational & Wilderness Activities, Public Lands and Waterways, and Public Open Space
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
HUMAN ENVIRONMENT		
Key	1	Visual Quality – Coherence, Diversity, Compatibility of Use and Scale, Aesthetics
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	2	Nuisances (e.g., glare, fumes)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	3	Noise -- suitable separation between noise sensitive activities (such as residential areas) and major noise sources (aircraft, highways & railroads)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).

Key Letter:		
N: No Impact; **B:** Potentially Beneficial; **A:** Potentially Adverse; **P:** Approval/Permits Required; **M:** Mitigation Required		
Key	4	Historic Properties, Cultural, and Archaeological Resources
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	5	Changes in Demographic (population) Characteristics (e.g., quantity, distribution, density)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	6	General Housing Conditions - Quality, Quantity, Affordability
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	7	Displacement or Relocation of Businesses or Residents
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	8	Public Health and Safety
B		*Response and source of information:* The project benefits public health and safety by providing law enforcement with reliable transportation to reach incidents quickly, transport and temporarily detain suspects, work remotely or out of the squad room, and provide a visible deterrent to crime.

Key Letter:		
N: No Impact; **B:** Potentially Beneficial; **A:** Potentially Adverse; **P:** Approval/Permits Required; **M:** Mitigation Required		
Key	9	Lead Based Paint and/or Asbestos
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	10	Local Employment & Income Patterns - Quantity and Distribution of Employment, Economic Impact
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	11	Local & State Tax Base & Revenues
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	12	Educational Facilities - Schools, Colleges, Universities
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	13	Commercial and Industrial Facilities - Production & Activity, Growth or Decline.
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	14	Health Care – Medical Services
B		*Response and source of information:* The project benefits public health and safety by providing law enforcement with reliable transportation to reach incidents quickly, transport and temporarily detain suspects, work remotely or out of the squad room, and provide a visible deterrent to crime.

Key Letter:		
N: No Impact; **B:** Potentially Beneficial; **A:** Potentially Adverse; **P:** Approval/Permits Required; **M:** Mitigation Required		
Key	15	Social Services – Governmental Services (e.g., demand on)
B		*Response and source of information:* The project benefits public health and safety by providing law enforcement with reliable transportation to reach incidents quickly, transport and temporarily detain suspects, work remotely or out of the squad room, and provide a visible deterrent to crime.
Key	16	Social Structures & Mores (Standards of Social Conduct/Social Conventions)
B		*Response and source of information:* Everyone is entitled to enjoy, on an equal basis, the improved law enforcement services the new patrol vehicles will provide.
Key	17	Land Use Compatibility (e.g., growth, land use change, development activity, adjacent land uses and potential conflicts)
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	18	Energy Resources - Consumption and Conservation
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	19	Solid Waste Management
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).

Key Letter:		
N: No Impact; **B:** Potentially Beneficial; **A:** Potentially Adverse; **P:** Approval/Permits Required; **M:** Mitigation Required		
Key	20	Wastewater Treatment - Sewage System
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	21	Storm Water – Surface Drainage
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	22	Community Water Supply
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	23	Public Safety – Police
B		*Response and source of information:* The project benefits public health and safety by providing law enforcement with reliable transportation to reach incidents quickly, transport and temporarily detain suspects, work remotely or out of the squad room, and provide a visible deterrent to crime.
Key	24	Fire Protection – Hazards
B		*Response and source of information:* The project benefits public health and safety by providing law enforcement with reliable transportation to reach incidents quickly, transport and temporarily detain suspects, work remotely or out of the squad room, and provide a visible deterrent to crime.
Key	25	Emergency Medical Services
B		*Response and source of information:* The project benefits public health and safety by providing law enforcement with reliable transportation to reach incidents quickly, transport and temporarily detain suspects, work remotely or out of the squad room, and provide a visible deterrent to crime.
Key	26	Parks, Playgrounds, & Open Space
N		*Response and source of information:* The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).

Key Letter:		
N: No Impact; **B:** Potentially Beneficial; **A:** Potentially Adverse; **P:** Approval/Permits Required; **M:** Mitigation Required		
Key	27	Cultural Facilities, Cultural Uniqueness & Diversity
		Response and source of information:
N		The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	28	Transportation Networks and Traffic Flow Conflicts (e.g., rail; auto including local traffic; airport runway clear zones - avoidance of incompatible land use in airport runway clear zones)
		Response and source of information:
N		The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).
Key	29	Consistency with Local Ordinances, Resolutions, or Plans (e.g., conformance with local comprehensive plans, zoning, or capital improvement plans)
		Response and source of information:
B		The project conforms to the *Big Horn County Growth Policy and Capital Improvements Plan* (CIP) objectives of maintaining and improving local services such as law enforcement, fire protection, ambulance, schools and medical centers.
Key	30	Is There a Regulatory Action on Private Property Rights as a Result of this Project? (consider options that reduce, minimize, or eliminate the regulation of private property rights.)
		Response and source of information:
N		The project primarily involves the acquisition of capital equipment so it is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).

Environmental Review Form

1. Alternatives: Describe reasonable alternatives to the project.
No reasonable alternatives were identified. Two patrol vehicles need replaced in the Sheriff's Office fleet. The patrol vehicles proposed for replacement exceed mileage and age thresholds. The project benefits public health and safety by providing law enforcement with reliable transportation to reach incidents quickly, transport and temporarily detain suspects, work remotely or out of the squad room, and provide a visible deterrent to crime.

2. Mitigation: Identify any enforceable measures necessary to reduce any impacts to an insignificant level. No enforceable measures were identified.

3. Is an EA or Environmental Impact Statement (EIS) required? Describe whether or not an EA or EIS is required, and explain in detail why or why not.
An EA or EIS is not required because the project primarily involves the acquisition of capital equipment. The acquisition of capital equipment is categorically exempt from Montana Environmental Policy Act (MEPA) review under Administrative Rules of Montana (ARM) 8.2.328(2).

4. Public Involvement: Describe the process followed to involve the public in the proposed project and its potential environmental impacts. Identify the public meetings -- where and when -- the project was considered and discussed, and when the applicant approved the final environmental assessment.
An Environmental Checklist for the project was completed and available for public review and comment available for public review April 10-21, 2020 at Big Horn County Commission Chambers located at 121 West 3rd Street Room 302 in Hardin, Montana, 59034 and online at www.bighorncountymt.gov. Due to the COVID-19 Novel Coronavirus pandemic Big Horn County issued Resolution 2020-7, an emergency proclamation, on March 17, 2020. Due to the pandemic, Big Horn County solicited public comment regarding the Environmental Checklists by multiple means: in person at Commissioners' Office during normal business hours; in writing to cwells@bighorncountymt.gov; Big Horn County Board of Commissioners, PO Box 908, Hardin MT 59034; or Big Horn County, Montana Facebook page; and/or by telephone at 406-665-9700 Monday thru Friday between the hours of 8:00 a.m. and 4:00 p.m. All comments had to be received by 4:00 P.M. on April 21, 2020. Big Horn County Commissioners reviewed public comment received, heard any additional public comment, and accepted the level of environmental finding for the projects at a public meeting on April 23, 2020 at 10:00 a.m. in the Big Horn County Commissioners Office. Individuals were able to connect via conference call for the public meeting by dialing (406) 665-9711, Conference ID 481# Password 59034#.

5. Person Responsible for Preparing: Lori Benner, Contracted Grant Writer

6. Other Agencies: List any state, local, or federal agencies that have over-lapping or additional jurisdiction or environmental review responsibility for the proposed action and the permits, licenses, and other authorizations required; and list any agencies or groups that were contacted or contributed information to this Environmental Assessment (EA). No other agencies were contacted.

George Real Bird III, Chairman — 4-23-2020

Authorized Representative, Title — Date

ROBIM

Signature of Authorized Representative

LEGAL NOTICE

Big Horn County is submitting two grant applications to the Montana Coal Board on April 27, 2020. One application requests funds to purchase two vehicles for the Sheriff's Department. The other application requests funds to purchase a tractor and equipment shed for Cemetery #1. Environmental Checklists for the projects are being completed and will be available for public review April 10-21, 2020 at Big Horn County Commission Chambers located at 121 West 3rd Street Room 302 in Hardin, Montana, 59034 and online at www.bighorncountymt.gov. Due to the COVID-19 Novel Coronavirus pandemic Big Horn County issued Resolution 2020-7, an emergency proclamation, on March 17, 2020. Due to the pandemic, Big Horn County is soliciting public comment regarding the Environmental Checklists by multiple means: in person at Commissioners' Office during normal business hours; in writing to cwells@bighorncountymt.gov; Big Horn County Board of Commissioners, PO Box 908, Hardin MT 59034; or Big Horn County, Montana Facebook page; and/or by telephone at 406-665-9700 Monday thru Friday between the hours of 8:00 a.m. and 4:00 p.m. All comments must be received by 4:00 P.M. on April 21, 2020. Big Horn County Commissioners will review public comment received, hear any additional public comment, and accept the level of environmental finding for the projects at a public meeting on April 23, 2020 at 10:00 a.m. in the Big Horn County Commissioners Office. Individuals can connect via conference call for the public meeting by dialing (406) 665-9711, Conference ID 481# Password 59034#. Big Horn County can provide reasonable accommodations for any known disability that may interfere with a person participating in this public review process. Should you have any questions or require more information, please contact Candy Wells, Administrative Assistant at 406-665-9700 or cwells@bighorncountymt.com.

Publish: April 10 & 16, 2020
MNAXLP

BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA

AGENDA
APRIL 23, 2020
THURSDAY

8:30	
9:00	Sheriff Big Hair
9:30	
10:00	Coal Board Applications – Environmental Assessment Determination Sheriff Office Vehicle purchase Cemetery District #1 tractor and equipment shed purchase
10:30	
11:00	
11:30	
1:00	
1:30	
2:00	
2:30	
3:00	
3:30	
4:00	

PUBLIC COMMENT AND DISCUSSION IS ENCOURAGED FOR EACH ITEM LISTED

Resolution 2020- 15
to accept the determination that a Categorical Exemption is appropriate for the Sheriff's Office Patrol Vehicles Project

WHEREAS, Big Horn County has completed an assessment to identify potential environmental impacts to the Sheriff's Office Patrol Vehicle Project;

WHEREAS, the draft Environmental Assessment was made available for public comment and the findings were presented and reviewed at a public meeting;

WHEREAS, no substantive public comment was received;

WHEREAS, Big Horn County has determined that the Sheriff's Office Patrol Vehicle Project will not significantly affect the quality of the human environment and accordingly Big Horn County has determined an Environmental Impact Statement is not necessary;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, Big Horn County, Montana, as follows;
Big Horn County, Montana adopts the final Environmental Assessment for the Sheriff's Office Patrol Vehicle Project.

DATED THIS 23rd day of April, 2020, in Hardin, Montana.

BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA

George Real Bird III
Chairman

Sidney Fitzpatrick
Member

Larry Vandersloot
Member

ATTEST:

Clerk and Recorder

Appendix A
Cost Estimate

Veto Enterprises

1969 - 2019 Celebrating 50 years!! Thank You!

212 W. Exchange St.
Sycamore, IL 60178

Outside Illinois
800-523-4733

Phone: 815-895-9755
Fax: 815-895-8719

www.vetoenterprises.com

Police Car Sales & Equipment Specialists

Thursday, April 23, 2020

Big Horn Sheriff Dept
121 W 3rd St
Hardin MT 59034

Attn: Sheriff Big Hair
Captain Fuss

Ref: Quote 20.1

Dear Sheriff Big Hair,

As per your request, we are pleased to submit to you ourquotation on the following vehicles with equipment:

(2) 2020 Ford F150 SuperCrew Pickup
As per attached specs
Price: $35,475 each

With the following equipment installed:

Pair of white LEDs for front corners
Tail light flasher
Pair of Sound Off MPower LED lightheads, pushbar mounted, 1-red, 1-blue
Unity 6” driver’s side spotlight
Pair of Sound Off Intersector LED lightheads, mounted under outside mirrors, 1-red, 1-blue
Whelen® Legacy™ or Liberty™ LED lightbar, with alleys & takedowns, red & blue
Pair of Sound Off MPower LED lightheads, tailgate mounted, 1-red, 1-blue
Streamlight rechargeable LED flashlight system with wand
Red/white LED domelight
100 watt siren speaker

Havis equipment mounting console, with all mounting brackets, heavy duty armrest, recessed cupholder, and built in accessory outlet plugs
Magnetic Mic mount clip bracket
Mounts for your laptop & dock, & power
Whelen® 295SLSA6 siren/switching center
Battery run-down protection (Chargeguard timer with relay/solenoid)
AOI airbag cutoff switch
Ignition override lockout system
Ranchhand Summit full front bumper replacement with load leveling kit
Setina 10-VSRP prisoner screen with sliding polycarbonate window and recessed panel cutout for gunrack
Dual gunrack, mounted in recess of cage
Antenna with cable, high gain type
Full decals, reflective only on rear portion
Line-X spray in bedliner
Labor to install all above equipment, including your XTL radio, radar, in-car video, laptop & dock
Delivery to your department

Price: $ 14,193 each

With the following options:

MPH Bee III dual antenna moving Ka band radar

Price: $2,375

WatchGuard 4RE in car video system

Price: $5,500

Breakdown:

2020 Ford F150	$35,475	
Equipment	14,193	
Sub-total:	$49,668	
Radar & Video	7,875	
Total Price:	$57,543 each, total $115,086	

All prices are good for 30 days. Some items may be subject to their various lead times at their respective factories beyond our control. Vehicles themselves will be supplied by Morrow Ford, and have a current factory order cutoff date of May 28th. Once vehicle(s) and all equipment is received by us, lead time to return to you would be approximately 2-3 weeks, not including transport. ***Please note new payment terms:*** *****All orders that include new vehicles and/or equipment will be required to pay 50% within 21 days of order.***

Please feel free to contact us at 800.523.4733 should you have any further questions or need additional information. We are looking forward to working with your department in the near future.

Very Truly Yours,

Veto Enterprises, Inc.

Robert A. Veto
President

RAV/tf

Appendix B

Letter of Cash Commitment

BOARD OF COMMISSIONERS
BIG HORN COUNTY
P.O. BOX 908
HARDIN, MT 59034

Fax (406) 665-9706 _(406) 665-9700_ _E-mail to: cwells@bighorncountymt.gov_

April 23, 2020

Montana Coal Board
Community Development Division
Department of Commerce
PO Box 200523
Helena MT 59620-0523

RE: Funding Commitment to replace two Sheriff's Office Patrol Vehicles

Dear Montana Coal Board Members,

On behalf of Big Horn County, we are pleased to commit $25,000 to the Big Horn County Sheriff' Office patrol vehicle purchase. This commitment of funds is approximately 25% of the total project costs.

Sincerely,

BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA

George Real Bird III
Chairman

Sidney Fitzpatrick
Member

Larry Vandersloot
Member

BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA

AGENDA
APRIL 23, 2020
THURSDAY

8:30	
9:00	Sheriff Big Hair
9:30	
10:00	Coal Board Applications – Environmental Assessment Determination Sheriff Office Vehicle purchase Cemetery District #1 tractor and equipment shed purchase
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3:30	
4:00	

PUBLIC COMMENT AND DISCUSSION IS ENCOURAGED FOR EACH ITEM LISTED

RECEIVED
MAY 20 2020
Department of Commerce
Community Development Division

The Board met this day in Regular Session with the following members present, to-wit: George Real Bird III, Chairman; Sidney Fitzpatrick and Larry Vandersloot, Members.

Undersheriff Eric Winburn discussed various departmental activities.

The Board adopted Resolution 2020 – 14 to amend the Emergency Proclamation to remove the authorized the assessment of a two (2) mill levy in accordance with the Governor's Directive, to-wit:

(RESOLUTION 2020 – 14)

Chairman Real Bird opened the public hearing regarding the Public Notice for Environmental Review for Big Horn County Coal Board request with the following in attendance, to-wit: Mary Slattery, Cemetery District No. 1 Board; Candy Wells, Administrative Assistant; Lance Pedersen, Legal Counsel, and Mike Opie, Accountant, were in attendance. It was noted that Big Horn County has applied for two Coal Board grants through the State of Montana Department of Commerce in order to assist with funding the Big Horn County Sheriff's Office with the purchase of two new patrol vehicles and Cemetery District No. 1 for the purchase of a new tractor and equipment shed. Candy Wells, Administrative Assistant, advised that the Montana Environmental Policy Act (MEPA) includes a procedural statute that jurisdictions applying for State of Montana Coal Board funds provide a process by which agencies and public are informed about the potential consequences of, alternatives to, and public concerns about decisions they intend to make that might affect the human environment. Ms. Wells further explained that MEPA specifies three different levels of environmental review, based on the significance of the potential impacts including (1)Statutorily exempt or categorically excluded from MEPA review; (2)Environmental assessment (EA), and (3)Environmental impact statement (EIS). Motion by Vandersloot to approve the categorical exclusion of the Big Horn County Sheriff's Office Patrol Vehicle grant application that included environmental and public review process, as complete and that Big Horn County has formally approved its determination that the project qualifies for an exclusion. Seconded by Fitzpatrick. Motion unanimously carried. Motion by Vandersloot to approve the categorical exclusion of the Cemetery District No. 1 tractor and equipment shed grant application that included and environmental and public review process, as completed and that Big Horn County has formally approved its determination that the project qualifies for an exclusion. Seconded by Fitzpatrick. Motion carried. Chairman Real Bird closed the public hearing.

The Board adopted Resolution 2020 - 15 to accept the determination that an environmental assessment is appropriate and adopts the final Environmental Assessment for the Big Horn County Sheriff's Office Patrol Vehicle purchases, to-wit:

(RESOLUTION 2020 – 15)

The Board adopted Resolution 2020 - 16 to accept the determination that an environmental assessment is appropriate and adopts the final Environmental Assessment for the Cemetery No. 1 Tractor and Equipment Shed purchases, to-wit:

(RESOLUTION 2020 – 16)

Bill Hodges, Hospital Foundation, presented a Coal Board application for the Hospital Front Entrance project. Chairman Real Bird was authorized to execute the same.

A conference call was conducted with Robie Culver, Stahly Engineering, and Daniele O'Banion, Ambulance Director, to discuss the matching fund obligation to the DLA grant. Discussion ensued with regard to various grant funds and/or an Intercap Loan in the amount of $750,000.00. Ms. Cuvler will contact the State Board of Investments to discuss the Intercap Loan process.

There being no further business, the Board adjourned.

APPROVED:

George Real Bird III
Chairman

ATTEST:

Kimberly Yarlott
Clerk and Recorder

Resolution 2020- 15
to accept the determination that a Categorical Exemption is appropriate for the Sheriff's Office Patrol Vehicles Project

WHEREAS, Big Horn County has completed an assessment to identify potential environmental impacts to the Sheriff's Office Patrol Vehicle Project;

WHEREAS, the draft Environmental Assessment was made available for public comment and the findings were presented and reviewed at a public meeting;

WHEREAS, no substantive public comment was received;

WHEREAS, Big Horn County has determined that the Sheriff's Office Patrol Vehicle Project will not significantly affect the quality of the human environment and accordingly Big Horn County has determined an Environmental Impact Statement is not necessary;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, Big Horn County, Montana, as follows;
Big Horn County, Montana adopts the final Environmental Assessment for the Sheriff's Office Patrol Vehicle Project.

DATED THIS 23rd day of April, 2020, in Hardin, Montana.

BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA

George Real Bird III
Chairman

Sidney Fitzpatrick
Member

Larry Vandersloot
Member

ATTEST:

Clerk and Recorder

BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA

AGENDA
MAY 14, 2020
THURSDAY

8:30

9:00 Sheriff Lawrence Big Hair - Vehicle Purchase

9:30

10:00 Victoria Olson, Detention Administrator

10:30

11:00 Public Hearing – Coal Board Application – Hospital Front Entry – Environmental Assessment Determination

11:30

1:00

1:30

2:00

2:30

3:00

3:30

4:00

PUBLIC COMMENT AND DISCUSSION IS ENCOURAGED FOR EACH ITEM LISTED

REGULAR SESSION May 14, 2020

The Board met this day in Regular Session with the following members present, to-wit: George Real Bird III, Chairman; Sidney Fitzpatrick and Larry Vandersloot, Members.

Undersheriff Eric Winburn discussed the purchase of new patrol vehicles. Lance Pedersen, Legal Counsel; Mike Opie, Accountant; Deputy Jeramie Middlestead, and Dr. Carol Greimann were in attendance. Deputy Middlestead discussed the purchase of used vehicles from the City of Billings whom will be receiving new patrol vehicles in the Fall. The Board directed Deputy Middestead to contact the City of Billings to express Big Horn County's interest in a couple of their used vehicles. Dr. Carol Greimann, Health Officer, discussed concerns relating to individuals that have either tested positive of COVID 19, and/or had directed contact, violating the quarantine and isolation requirements. Discussion ensued with regard to jurisdictional issues within the exterior boundaries of the Northern Cheyenne and Crow Tribe Reservations. Both Undersheriff Winburn and Deputy Middlestead indicated that they would be available to provide assistance to BIA law enforcement in monitoring the situation.

Undersheriff Winburn discussed a personnel matter with the Board. Rhonda Johnson, Human Resources and Lance Pedersen, Legal Counsel, were in attendance.

Chairman Real Bird was authorized to execute the CARES Act Grant Offer with the FAA, to-wit:

(CARES ACT GRANT OFFER)

The Board met with Victoria Olson, Detention Administrator, to discuss the vacant Dispatch Manager position. Motion by Vandersloot to offer Ms. Olson an additional $3.00 per hour to assume the Dispatch Manager position in addition to her Detention Administrator duties effective immediate. Seconded by Fitzpatrick.

As per Ms. Olson's request, motion by Vandersloot to approve an additional $1.00 per hour wage increase to Kenny Rogers for the Lead Detention Officer position. Seconded by Fitzpatrick. Motion carried.

Motion by Vandersloot to award Dana Safety Supply the quote for the purchase of two patrol vehicles for the Sheriff's Office, in the amount of $114,356.44. Seconded by Fitzpatrick. It was noted this quote was solicited due to the fact no bids were received during the required bidding process. Motion carried.

Motion by Vandersloot to award Dana Safety Supply the quote for the purchase of a transport vehicle for Detention facility in the amount of $40,776.00. Seconded by Fitzpatrick. Motion carried.

Chairman Real Bird opened the public hearing regarding the Public Notice for Environmental Review for Big Horn County Coal Board request. Candy Wells, Administrative Assistant; Lance Pedersen, Legal Counsel, and Mike Opie, Accountant, were in attendance. It was noted that Big Horn County has applied for a Coal Board grant through the State of Montana Department of Commerce in order to assist with funding the Big Horn Memorial Hospital Front Entrance Improvement Project. Candy Wells, Administrative Assistant, advised that the Montana Environmental Policy Act (MEPA) includes a procedural statute that jurisdictions applying for State of Montana Coal Board funds provide a process by which agencies and public are informed about the potential consequences of, alternatives to, and public concerns about decisions they intend to make that might affect the human environment. Ms. Wells further explained that MEPA specifies three different levels of environmental review, based on the significance of the potential impacts including (1)Statutorily exempt or categorically excluded from MEPA review; (2)Environmental assessment (EA), and (3)Environmental impact statement (EIS). Motion by Vandersloot to approve the categorical exclusion of the Big Horn Hospital Front Entrance Improvement project grant application that included environmental and public review process, as complete and that Big Horn County has formally approved its determination that the project qualifies for an exclusion. Seconded by Fitzpatrick. Motion unanimously carried. Chairman Real Bird closed the public hearing.

There being no further business, the Board adjourned.

APPROVED: _____
George Real Bird III
Chairman

ATTEST:

_____
Kimberly Yarlott
Clerk and Recorder