

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, December 20, 2011
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, December 20, 2011 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Terry Weickum; Vice Chairman Jerry Paxton; Commissioner Leo Chapman; Deputy County Attorney Mike Kelly; County Clerk Gwynn Bartlett; and Deputy Clerk Kathy Turner.

Chairman Weickum called the meeting to order at 9:06 a.m.

VOUCHERS

Commissioner Chapman moved to approve the report of expenditures in the amount of \$437,242.30. Commissioner Paxton seconded and the motion carried unanimously.

Commissioner Chapman moved to approve payment to Candy Mountain in the amount of \$27.00. Commissioner Paxton seconded and the motion carried with Commissioners Chapman and Paxton voting for the motion and Chairman Weickum abstained noting he owns this company.

Vendor	Detail Line Description	Total
4-H FOUNDATION	WAE4-HA/NAE4-HA 2010-2011 DUES	\$90.00
ABSOLUTE SOLUTIONS	SHIPPING	\$18.51
ALCO	SUPPLIES	\$49.96
ALSCO, AMERICAN LINEN DIVISION	FLOOR MATS	\$266.52
ASPEN GROVE RENTALS	RICHARDSON RENTAL ASSISTANCE	\$520.00
BAGGS, TOWN OF	WATER SERVICES	\$10.60
BALLARD, ED "SHORTY"	MILEAGE	\$36.60
BANK OF COMMERCE (DEBIT CARD)	COMM TRAVEL	\$2,258.52
BEHAVIORAL INTERVENTIONS	ELECTRONIC MONITORING	\$1,884.00
BI-RITE PHARMACY	PRESCRIPTIONS/SUPPLIES	\$4,231.42
BOB BARKER COMPANY, INC.	SUPPLIES	\$1,287.41
BUFFALO RUN RESIDENTIALS, LLC	ARRADONDO RENTAL ASSISTANCE	\$615.00
BUILD RITE LUMBER SUPPLY	SUPPLIES	\$59.15
BURTON, RICHARD	PARENTING CLASSES	\$300.00
CANDY MOUNTAIN	SUPPLIES	\$27.00
CARBON COUNTY SENIOR SERVICES	LOWRANCE MEALS	\$42.00
CARBON COUNTY TREASURER	GORNEY SUPPLIES	\$6,099.54
CARBON CTY VETERINARY HOSPITAL	VETERINARY SERVICES	\$683.43
CARBON POWER & LIGHT INC	ELECTRICAL SERVICES	\$2,271.38
CASPER WINNELSON CO	SUPPLIES	\$545.83
CATERPILLAR FINANCIAL SVCS CORP	LEASE PAYMENTS	\$239,049.29
CBM FOOD SERVICE	JAIL MEALS	\$6,989.37
CDW GOVERNMENT, INC.	BATTERY BACKUP FOR PHONE SYS	\$1,230.70
CENTURY LINK	TELEPHONE SERVICES	\$117.15
CENTURYLINK	TELEPHONE SERVICES	\$4,294.01
CESKO FAMILY MEDICINE, PC	MEDICAL SERVICES	\$530.00
CHAPMAN, LEO	MILEAGE	\$122.00
CLEARLINE INC.	BUILDING MAINTENANCE	\$305.00

CNA SURETY	ROSS ASSESSOR BOND	\$100.00
COVE	CONTRIBUTION/GRANT FUNDS	\$408.33
COWBOY URGENT CARE	MEDICAL SERVICES	\$477.40
CULLIGAN WATER CONDITIONING	EXTRA COARSE SALT	\$287.50
DAILY TIMES	NEWSPAPER ADS	\$476.66
DAVIDSON FAMILY DENTAL	DENTAL SERVICES	\$504.00
DUBOIS TELEPHONE EXCHANGE	TELEPHONE SERVICES	\$40.41
EAGLE UNIFORM SUPPLY	FLOOR MATS	\$226.47
EICHENBERGER, MELISSA	MILEAGE	\$760.00
ELK MOUNTAIN, TOWN OF	WATER SERVICES	\$54.50
ENGSTROM, JAMES D. DDS	DENTAL SERVICES	\$2,500.00
EVANS, JULIE	MILEAGE	\$50.40
FARMER BROTHERS COFFEE	SUPPLIES	\$115.48
FLEET SERVICES	FUEL	\$121.10
FORESTRY SUPPLIERS, INC.	WATER PUMP/HOSE/FOOT VALVE	\$4,100.73
FORSTER LANDSCAPE & CONST, INC.	SNOW REMOVAL	\$65.00
GALLS, AN ARAMARK COMPANY	SUPPLIES	\$333.87
GCR ELECTRONICS, LLC	SITE RENTALS	\$900.00
GREATER WY BIG BROS/SISTERS	NOV CSBG	\$198.45
HAGOOD, VICKI	MILEAGE	\$36.05
HANNA PROP REPAIR	SNOW PLOWING	\$60.00
HANNA, TOWN OF	WATER SERVICES	\$240.60
HARDY, JACK	DENTAL SERVICES	\$400.00
HAYS, STEPHEN DDS	DENTAL SERVICES	\$268.00
HEADS WEST SANITATION	PORTABLE RESTROOM	\$102.50
HEIMAN FIRE DEPARTMENT	FREIGHT CHARGES	\$17.55
HEROLD IRON WORKS	SUPPLIES	\$121.80
HERRING, PAUL	OIL	\$244.32
HEWARD, TODD & MALEA	MED BOW LIBRARY LAWN CARE	\$320.00
HILLCREST SPRING WATER, INC.	EQUIPMENT RENTAL/SUPPLIES	\$57.80
HILLTOP CONOCO	FUEL	\$70.28
HSBC BUSINESS SOLUTIONS	SUPPLIES	\$10.65
IKON OFFICE SOLUTIONS	IT COPIERS	\$6,141.71
IM DIAGNOSTICS	SUPPLIES	\$59.50
J H KASPAR OIL COMPANY	FUEL	\$10,743.96
JACKALOPE PRINTING	SUPPLIES	\$659.42
KING SOOPERS CUSTOMER CHARGES	SUPPLIES	\$181.04
L & L ELECTRIC	ELECTRICAL REPAIRS	\$374.50
LEXBO LLC	OFFICE RENTAL	\$500.00
LINDSEY, ANN, MSW, LCSW	FACILITATOR FEES	\$191.67
LONG BUILDING TECHNOLOGIES, INC.	BUILDING MAINTENANCE	\$360.00
MADDOX, TROY	MILEAGE	\$34.80
MADER, TSCHACHER, PETERSON & CO.	ADMIN AUDIT	\$3,900.00
MCMORROW, ROBERT	MCDONALD RENTAL ASSISTANCE	\$920.00
MEDICINE BOW, TOWN OF	WATER SERVICES	\$168.50
MENDOZA, TERRI	INTERPRETER SERVICES	\$25.00
MPM CORP / EVERGREEN DISPOSAL	GARBAGE SERVICES	\$105.00
NORCO, INC.	SUPPLIES	\$864.05
NOYES HEALTH CARE CENTER	HEALTH INSURANCE SUBSIDY	\$2,400.00
OFFICE DEPOT	SUPPLIES	\$78.64
P M P C ENGINEERING	ROAD/BRIDGE MAINTENANCE	\$13,478.09

PAMIDA INC	SUPPLIES	\$584.70
PARTSMASTER	SUPPLIES	\$36.01
PAXTON, JERRY	MILEAGE	\$1,040.00
PDR ENTERPRISES, INC.	ANASTOS RENTAL ASSISTANCE	\$582.50
PENCE AND MACMILLAN LLC	LEGAL SERVICES	\$108.36
PERKINS OIL CO	FUEL	\$3,470.69
PITNEY BOWES	SUPPLIES	\$339.98
PITNEY BOWES INC	LEASING CHARGES	\$1,120.41
PLATTE VALLEY COMMUNITY CENTER	ELECTION LOCATION RENTAL DEP	\$450.00
PLATTE VALLEY MEDICAL	MEDICAL SERVICES	\$600.00
POCKET PRESS INC	CRIMINAL/TRAFFIC LAWS	\$269.70
POTTER, SHAWNA	4-H SUPPLIES	\$6.81
PUBLIC SAFETY CENTER, INC	SUPPLIES	\$1,379.41
PYROTECHS	KITCHEN HOOD MAINTENANCE	\$140.00
QUARTERMASTER	SUPPLIES	\$19.98
QUILL CORPORATION	SUPPLIES	\$43.91
RADAR SHOP, THE	RADAR RECERTIFICATIONS	\$649.00
RAWLINS AUTOMOTIVE	PARTS	\$807.15
RAWLINS EYE CARE	VISION SERVICES	\$450.00
RAWLINS FAMILY MEDICAL, P.C.	MEDICAL SERVICES	\$190.00
RAWLINS FAMILY REC CENTER	SHOOTING RANGE ADMISSION	\$150.00
RAWLINS FIRE EXTINGUISHER	ANNUAL INSPECTIONS	\$203.00
RAWLINS, CITY OF	WATER SERVICES	\$65.00
RELIABLE	SUPPLIES	\$289.41
RENDEZVOUS LODGE LLC.	FUEL/MEALS	\$225.24
RICHARD S. BECKER & ASSOCIATES	ADMIN LITIGATION	\$5,936.29
RIVERSIDE GARAGE & CABINS	SUPPLIES	\$12.36
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICES	\$11,602.47
ROSENTERER, KYLE	K9 TRAINING MILEAGE	\$302.34
RYAN ELECTRONICS INC	SERVICE CALL/SUPPLIES/MTCE FEE	\$4,065.29
SAENZ, DIANE	MEAL	\$10.78
SARATOGA AUTO PARTS, INC.	PARTS	\$1,202.71
SARATOGA FEED & GRAIN	CATTLE GATES	\$266.65
SARATOGA SUN	NEWSPAPER ADS	\$1,973.51
SARATOGA, TOWN OF - WATER	WATER SERVICES	\$107.50
SCHAEFFER MFG CO	OIL	\$1,998.70
SECURITY TRANSPORT SERVICES, INC.	JAIL EXTRADITIONS	\$1,428.34
SHEPARD'S	FUEL	\$680.87
SHIVELY HARDWARE	SUPPLIES	\$79.49
SOUTHWEST M.R.O., LLC	RANDOM TESTING	\$25.00
STAN'S QUIK LUBE	VEHICLE MAINTENANCE	\$105.88
STAPLES ADVANTAGE	SUPPLIES	\$494.34
SUNRISE SANITATION SERVICE, LLC.	GARBAGE SERVICES	\$60.00
SWEET, JEFFREY C DDS PC	DENTAL SERVICES	\$184.00
SWEETWATER COUNTY SHERIFF'S OFFICE	INMATE HOUSING/MEDICAL	\$440.95
SWISHER HYGIENE FRANCHISEE TRUST	SUPPLIES	\$94.37
TERMINIX	PEST CONTROL	\$618.00
THOS. Y. PICKETT & CO., INC.	VALUATION CONTRACT FEE	\$5,250.00
TRADING POST	SUPPLIES	\$34.49
TRAPP, LARRY W	FY-11 STAGING	\$159.01
TRAVEL CENTERS OF AMERICA	SUPPLIES	\$142.88

TRENT LAW OFFICE, LLC	LEGAL SERVICES	\$45.00
TREVATHAN, SABRINA RPR	TRANSCRIPTION	\$1,116.00
TRUE VALUE OF RAWLINS	SUPPLIES	\$1,593.07
U S BANK	GRANTS VICTIM WITNESS SURCHARGE	\$641.71
U S POSTMASTER-RAWLINS	PO BOX RENT	\$200.00
UNION TELEPHONE COMPANY	TELEPHONE SERVICES	\$5,106.05
V-1 PROPANE	PROPANE SERVICES	\$257.86
VALLEY OIL COMPANY	FUEL	\$2,446.86
VALLEY PHARMACY	PRESCRIPTIONS	\$232.77
VAN'S WHOLESALE LLC	SUPPLIES	\$179.07
W.S. DARLEY	EXTRICATION COVERALLS	\$386.35
WEICKUM, TERRY	MILEAGE	\$277.50
WEST PAYMENT CENTER	DUES	\$732.98
WEST WINDS BAKERY & DELI	MEALS	\$12.75
WY ATTORNEY GENERAL	UNEXPENDED FUNDS	\$220.59
WY BRAND INDUSTRIES	SUPPLIES	\$256.50
WY DEPT OF HEALTH	MOTOR VEHICLE BILLING	\$198.00
WY MACHINERY COMPANY	PARTS	\$741.93
WY SHERIFF'S ASSOCIATION	2012 MEMBERSHIP DUES	\$300.00
WY STATIONERY	SUPPLIES	\$1,939.80
WY SURPLUS PROPERTY	LOCKERS	\$37.50
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	\$1,425.18
XEROX CORPORATION-RENT	IT COPIERS	\$3,522.66
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICES	\$903.17
YAMPA VALLEY ELECTRIC - CRAIG	BATTLE CREEK BRIDGE	\$35,208.40
GRAND TOTAL		\$437,269.30

CLERK

Minutes

Commissioner Chapman moved to approve the minutes of the December 6, 2011 regular meeting of the Board of Carbon County Commissioners as presented. Commissioner Paxton seconded and the motion carried unanimously.

Monthly Receipts

Commissioner Paxton moved to accept Carbon County Attorney discovery billing for November 2011 in the amount of \$562.60 and fees collected from the Clerk of District Court for the month ending November 2011 in the amount of \$4,387.98. Chairman Weickum seconded and the motion carried unanimously.

Easement

Clerk Bartlett advised a letter has been received from Alice Platt regarding a problem with a highway easement that she discussed with the BOCC at a previous meeting. Deputy Attorney Kelly stated he does not feel the county can assist her. Commissioner Paxton stated he believes she has access from the Silver Spur but is limited and it depends on the easement agreement she has with Silver Spur. Chairman Weickum agreed with Deputy Attorney Kelly that the county should not be involved at this time and

that she could follow statute and file a private road action or hire private counsel to do this for her. The BOCC asked Clerk Bartlett to respond to Ms. Platt accordingly.

Fair Office

Clerk Bartlett presented a letter from Maxine Herring, Fair Office Secretary, discussing her responsibilities.

Fire Department

Clerk Bartlett presented a letter of resignation from Dwight France noting he will be retiring as Carbon County Fire Warden effective February 1, 2012. She asked the BOCC if they would like to appoint someone or advertise for the position. The BOCC asked her to advertise for the position. She presented a sample job description and asked for comments from the BOCC noting she would contact Mr. France for his comments as well.

Rawlins-Carbon County Airport

Clerk Bartlett distributed a draft Airport Manager Job Description sent to her by Steve Golnar, Rawlins City Manager as well as the current airport financial status and advised a meeting will be held today to discuss the airport's future direction and the BOCC is invited to attend. She stated that contrary to what the Rawlins Daily Times recently reported, the county and city have not committed to any funds outside their regular budgetary allocations.

Insurance

Clerk Bartlett presented the county's Flexible Benefits Plan effective January 1, 2012 and noted this allows eligible Carbon County employees to pay qualified medical expenses and qualified dependent care using pre-tax dollars.

Commissioner Chapman moved to approve the Carbon County Flexible Benefits Plan Group No. 02104, effective as of January 1, 2012. Commissioner Paxton seconded and the motion carried unanimously.

Retiree Benefits

Clerk Bartlett stated she has asked Cobecon to prepare an amendment as discussed previously for retiree health benefits and asked if the BOCC would like to authorize the Chairman to sign it if we get it before the next meeting. She noted the amendment would be effective for employees hired on or after January 1, 2012 and would increase the eligible age from 50 to 60 with 15 years of consecutive full-time service and it would remove the eligibility for someone serving at least 25 years with no age limit.

Commissioner Paxton moved to authorize the Chairman's signature on an amendment to the health insurance by Cobecon for retirement benefits effective January 1, 2012. Commissioner Chapman seconded and the motion carried unanimously.

Memorial Hospital of Carbon County (MHCC)

Clerk Bartlett presented Requisition #17 for MHCC's specific purpose tax project.

Commissioner Chapman moved to authorize the Chairman to sign the Carbon County 2009 Specific Purpose Tax Joint Powers Board Requisition #17 in the amount of \$453,645.84. Commission Paxton seconded and the motion carried unanimously.

Union Telephone Grant

Clerk Bartlett presented documents required for the award of the Union Telephone grant from the Wyoming Business Council. She noted the Fair Housing Resolution was approved in 2007 however one is required to be passed at least every 5 years if the county has been awarded grants. She advised that Deputy Attorney Kelly has reviewed this resolution and recommends approval. Clerk Bartlett noted the anti-displacement form states that there are no homes or residents in or near the project area that would be displaced from the project. She also noted there are posting requirements for Davis Bacon and Equal Opportunity Employment posters as well as the fair housing logo and that all are posted in the Human Resources Department at the Courthouse. Clerk Bartlett reported Cindy Wallace, Executive Director of the Economic Development Corporation is currently working on the requirements for the environmental review that must be complete before the county will receive a grant contract.

Commissioner Chapman moved to approve documents for the Wyoming Business Council listing Gwynn Bartlett, Carbon County Clerk as the person responsible for assuring compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II), a Residential Anti-displacement and Relocation Assistance Plan form, and Resolution #2011-29 Fair Housing Resolution as required for the Union Wireless Retail Store and Coffee/Pastry Shop grant. Commissioner Paxton seconded and the motion carried unanimously.

RESOLUTION # 2011 - 29

FAIR HOUSING RESOLUTION

WHEREAS, it is this body's firm belief that discrimination in housing, employment and public accommodation not only threatens the rights and privileges of the citizens of the community/county but also menaces the institutions and foundations of a free and democratic society; and,

WHEREAS, this body desires to give effect to the guarantees of equal rights contained in the Constitution and laws of this State and the United States and to encourage and bring about mutual self-respect, and understanding among all citizens and groups in the community/county; and,

WHEREAS, under the Federal Fair Housing Law, it is illegal to deny housing to any persons because of race, color, religion, sex or national origin;

THEREFORE, be it resolved that the County of Carbon, Wyoming, makes a firm commitment to eliminate prejudice, intolerance, disorder and discrimination in housing based on race, color, religion, sex or national origin.

THEREFORE, be it also resolved that the County will adhere to the following procedures to accomplish the purpose of the aforementioned resolution:

1. All and any discrimination complaints will be in writing, signed and addressed to the Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development 1405 Curtis Street, Executive Towers, Denver, CO 80202.

2. The Fair Housing and Equal Opportunity Logo will be displayed in County Courthouse.
3. The County will:
 - a. assist and promote community efforts and responsible local fair housing groups to enact fair housing laws or to promote fair housing within the community;
 - b. encourage local fair housing advocates in developing educational programs to provide fair housing information to the community;
 - c. instruct all department heads regarding the goals and objectives of the Fair Housing Law;
 - d. publish a copy of the adopted Fair Housing Ordinance/Resolution in the local newspaper.

PASSED, APPROVED, AND ADOPTED THIS 20TH DAY OF DECEMBER, 2011.

Signed: -s- Terry Weickum, Chairman
Board of Carbon County Commissioners

Attest: -s- Gwynn G. Bartlett, Carbon County Clerk

Clerk Bartlett advised the resolution must be published in the official publication of the county.

Homeland Security Grant

Clerk Bartlett presented a Homeland Security grant award and noted that Deputy Attorney Kelly has reviewed and approved this agreement.

Commissioner Chapman moved to approve the Grant Award for U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA), Grant Programs Directorate, State Homeland Security Grant Program (SHSGP), Fiscal Year 2011, Project ID 11-GPD-CAR-SC-HSG11, supporting the implementation of State Homeland Security Strategies to address the identified planning, organization, equipment training and exercise needs to prevent, protect against, respond to, and recover from acts of terrorism and other catastrophic events, total payment to Carbon County shall not exceed \$67,191.61, term of this grant is from August 1, 2011 through March 31, 2014. Commissioner Paxton seconded and the motion carried unanimously.

Urban Systems Committee

Clerk Bartlett advised the two additional county citizen positions on the Urban Systems Committee board are vacant and her office continues to advertise for these.

Commissioner Chapman moved to appoint Sid Fox as the county's representative to the Urban Systems Committee for a two-year term expiring January 2014. Commissioner Paxton seconded and the motion carried unanimously.

ELECTED OFFICIALS / DEPARTMENT HEADS

Assessor

County Assessor, Sheryl Snider advised the valuation is a negative \$121,423.00 and advised they are slowing down on the six year reviews.

Buildings Manager

Buildings Manager, Leroy Graham discussed billboards at the county owned portion of Skyline Acres noting the company that owns them would like a ten year lease but he has concerns about the language in the lease. Deputy Attorney Kelly noted the county took the project subject to existing leases and he will determine if there are existing leases and report at a future meeting.

Planning

County Planning Director, Sid Fox discussed the Comprehensive Land Use Plan, specifically the public lands section. Commissioner Paxton asked if land with wilderness characteristics was addressed in this and Mr. Fox replied it is.

Senior Services

Gary Gilbert, Senior Services Director, updated the BOCC on what is happening with Senior Services. He discussed funding and the fact that their employees had not received a raise for three years.

RECESS

Chairman Weickum called a recess at 10:12 a.m. and reconvened at 10:18 a.m.

Road & Bridge

Road & Bridge Superintendent, Bill Nation reported the Elk Mountain shop heat has failed. He mentioned there is a used oil burner currently providing some heat but only when someone is in the shop for safety reasons. He discussed options of installing new heat in the facility. The cost of Rayvac is \$9,608.00 and he feels this is the best option and that he can wait until next budget session. The BOCC stated that they would like Mr. Nation to use his current budget and they will amend it if necessary. They advised Mr. Nation of the procurement policy and he stated he would come back with quotes per the policy.

Mr. Nation discussed the Sage Creek Road project.

Commissioner Paxton moved to approve the Project Agreement for WYPFH26-13 Sage Creek Road Sections D and E in Carbon County Wyoming noting it describes specific requirements for participating agencies to produce products and services described therein. Commissioner Chapman seconded and the motion carried unanimously.

Mr. Nation reported the industrial road program will now be a 50/50 program with a \$2 million cap and there are possibilities to use this in Carbon County. He also discussed flood impacts that resulted in a bridge program change requiring a new form that Mr. Nation will complete regarding all the county bridges.

Mr. Nation discussed a recommendation for the abandon mine land funds road leading from Interstate 80 to the DKRW site. He stated after meeting numerous times with affected landowners, he recommends following the route known as Alternate 1. He stated he also recommends abandoning the southern loop of the existing road and gate it. The BOCC directed Mr. Nation to proceed with Alternate 1.

Mr. Nation stated the temporary bridge for Rock Creek should be installed and the old bridge removed. Commissioner Paxton stated Pat O'Toole called him stating he and his family is in favor of installing a new bridge and that he feels his position has been misstated. Mr. O'Toole told Commissioner Paxton he feels there is an easier process if someone would talk to him. Chairman Weickum stated he appreciates the cooperation however he feels the project is proceeding. Commissioner Paxton stated he thinks Mr. O'Toole feels there will be a need to use some of his property for parking equipment however he did not provide a fee estimate during this conversation and a previous discussion with the county was \$10,000.00 for use of a .28 acre area. Chairman Weickum agreed use of Mr. O'Toole's property would make the project easier however the BOCC had previously discussed that it felt \$10,000.00 was excessive.

Deputy Attorney Kelly suggested presenting Mr. O'Toole with the original right of way totaling \$10.00 to see if he would now sign the documents. The BOCC agreed to have Deputy Attorney Kelly contact Mr. O'Toole's legal representative about the right of way situation. Deputy Attorney Kelly suggested inviting him to the January 3 meeting instead. Mr. Nation stated by mid-January the new bridge should be completed and the BOCC directed Mr. Nation to move forward with the project.

Sheriff

Sheriff Colson opened sealed bids for the purchase of two vehicles for the Sheriff's Department noting the bid amounts include trade-ins. Dallin Motors bid \$21,300.00 and \$20,800.00 for two different 2012 Dodge 4x4's; Fremont Motors Rawlins bid \$58,619.76 for two 2012 Ford F-150 crew cabs; Hilltop Motors Saratoga bid \$25,602.00 and \$24,602.00 for two 2012 Chevy Silverado 1500's; Greiner Ford in Casper bid \$24,489.00 for a 2012 Ford F-150 and a 2012 Dodge 1500 for \$23,660.00; Greiner Buick GMC bid \$26,284.00 for a 2012 GMC crew cab. Sheriff Colson will return later in the meeting with a recommendation.

SARATOGA HOSPITAL PROJECT

Dean Dragon discussed a critical access hospital in Saratoga. Mr. Dragon would like to see a joint powers board with the Town of Saratoga and the county involved. Commissioner Paxton asked what the level of community "buy-in" is with Saratoga as that would be a critical part of the project's success. He also asked if the Carbon County Economic Development Corporation and the Wyoming Business Council were involved. Commissioner Paxton also asked if there would be any negative impact to the Memorial Hospital of Carbon County and Mr. Dragon stated he has not studied that. Mr. Dragon stated a feasibility study would need to be completed before grants are applied for. The BOCC stated it would like to know more about how the public feels about the project and they asked Mr. Dragon to report back after meeting with the United States Department of Agriculture and the Town of Saratoga.

RECESS

Chairman Weickum called a recess at 11:32 a.m. and reconvened at 11:40 a.m.

DKRW

Bob Kelly from DKRW gave a presentation on the Medicine Bow Project and discussed an application with the Wyoming Business Council (WBC) for industrial development bonds. He discussed the various types of funding they hope to receive including bank debt, the Department of Energy, \$245,000,000.00 of tax exempt private activity bonds, and up to \$300,000,000 of industrial development

bonds. The rest of the capital is from DKRW and other sources.

Mr. Kelly stated the private activity bonds must be authorized by the county on behalf of the project and that they have nothing to do with the county, the repayment obligation is on the part of the project, no county funds would be used and the county is not obligated on the part of the county. He further explained that with these bonds the federal government gives an allocation of tax exempt cap to the state, the county must provide the authority to the project to use this cap and the Governor and Attorney General decide which projects are allocated this cap. Once allocated the bonds are issued and sold. The benefit to the project is lower cost to capital with a 35% spread in the interest rate.

There were several questions by audience members and more from the BOCC about the timeline for a decision to be made. Neither Mr. Kelly nor Larry Wolfe from Holland & Hart provided a definitive timeline they would need an answer but wanted a decision as soon as possible as this is the starting point before they can proceed to the Governor.

Chairman Weickum discussed his concern for a statement in two letters from a bonding attorney, Rock Kutak to the Governor indicating he was acting as bond counsel to the county however this was not true. Mr. Wolfe indicated this was a misunderstanding and this attorney simply provided a necessary opinion.

Ultimately the BOCC with Deputy Attorney Kelly's advice opted to obtain their own legal advice from outside counsel before making a decision and readdress this at the next meeting.

LITTLE RASCALS PRESCHOOL

Nikkole Maxson of the Little Rascals Preschool discussed the current building they lease from the county for use as a daycare in Baggs and that they are outgrowing the facility. Present with Ms. Maxson was Christy Stocks, Traci Curtis, Kyla Otte, and Jessica Thomas.

The group asked the county to sponsor the Wyoming Business Council grant and provide the daycare a long-term lease. The grant would fund a new facility on the current lot and there was discussion about parking as the Senior Center shares parking and where the new building would be constructed with Ms. Stocks stating the existing building would be used while the new facility would be constructed behind the building.

Pat Robbins of the Wyoming Business Council was present and Clerk Bartlett asked if the building owner must be the grant sponsor. Clerk Bartlett asked if the group had discussed the grant with the Town of Baggs and they briefly had. She stated the BOCC could possibly give the building to the Town of Baggs and the town could sponsor the grant. Chairman Weickum agreed that the group may want the town to own it as future decisions may be best made locally.

Ms. Robbins explained the grant cap is \$1 million with a match of 15% but the value of the land can be used towards the match as well as any other permanent fixtures. There was discussion of having an architect provide an estimate but the group had not done that yet because they wanted to verify the county would sponsor the grant.

Deputy Attorney Kelly asked for specification of what a long-term lease is and Ms. Robbins replied at least twenty years. The BOCC advised the group to discuss sponsorship and ownership with the Town of Baggs further then return.

SHERIFF VEHICLE BIDS

Sheriff Colson returned and recommended accepting the low bid from Dallin Motors.

Commissioner Paxton moved to accept the low bid from Dallin Motors for two 2012 Dodge 150 4x4 pickups in the amount of \$21,300.00 after trade and \$20,800.00. Commissioner Chapman seconded and the motion carried unanimously.

Light bars in the amount of approximately \$2,000.00 will be added to each.

Commissioner Chapman moved to approve Resolution No. 2011-30, Master Lease-Purchase Agreement No. 101, a Resolution Authorizing the Negotiation, Execution, and Delivery of a Master Lease-Purchase Agreement in the Principal Amount of \$46,100.00 between Bank of Commerce, a Wyoming Banking Corporation, as Lessor, and Carbon County, Wyoming, as Lessee, and to authorize the Chairman to sign the lease documents when available. Commissioner Paxton seconded and the motion carried unanimously.

**Resolution No. 2011-30
Master Lease-Purchase Agreement No.**

A RESOLUTION AUTHORIZING THE NEGOTIATION, EXECUTION, AND DELIVERY OF A MASTER LEASE-PURCHASE AGREEMENT IN THE PRINCIPAL AMOUNT OF \$46,100.00 BETWEEN BANK OF COMMERCE, A WYOMING BANKING CORPORATION, AS LESSOR, AND CARBON COUNTY, WYOMING, AS LESSEE, UNDER WHICH THE LESSEE WILL LEASE CERTAIN EQUIPMENT; AND PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH.

WHEREAS, the Carbon County, Wyoming (the “County”) is a body corporation duly organized and existing pursuant to the constitution and laws of the State of Wyoming; and

WHEREAS, the Board of County Commissioners of Carbon County, Wyoming (“the Commissioners”) is authorized pursuant to Wyoming law to acquire, hold, convey, lease, rent, and manage property, real and personal, for the benefit of the County in the name by which the County is designated, either alone or jointly with another public or private agency, institution, person, or corporation; and

WHEREAS, the Commissioners hereby finds and determines that the execution of a Master Lease-Purchase Agreement (the “Equipment Lease”) for the purpose of leasing, with the option to purchase, the equipment designated and set forth in Exhibit A of Schedule No. 101 to the Equipment Lease is appropriate and necessary to the function and operations of the County; and

WHEREAS, Bank of Commerce, a Wyoming banking corporation (the “Lessor”), duly organized, existing, and in good standing under the laws of the State of Wyoming, shall act as Lessor under said Equipment Lease; and

WHEREAS, the obligation of the County to pay Rental Payments (as defined in the Equipment Lease) shall be from year to year only; shall constitute currently budgeted expenditures of the County; shall not constitute a mandatory charge or requirement in any ensuing budget year; and shall not constitute a general obligation or a multiple fiscal year direct or indirect debt or other financial obligation whatsoever of the County within the meaning of any constitutional or statutory limitation or requirement concerning the creation of indebtedness nor a mandatory payment obligation of the County in any

ensuing fiscal year beyond any fiscal year during which the Equipment Lease shall be in effect; and

WHEREAS, the Equipment Lease shall not directly or indirectly obligate the County to make any payments beyond those appropriated for any fiscal year during which the Equipment Lease shall be in effect.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:

Section 1. The Chairman, Board of County Commissioners and County Clerk acting on behalf of the County, are hereby authorized to negotiate, enter into, execute, and deliver the Equipment Lease in substantially the form set forth in the document presently before the Commissioners, which document is available for public inspection at the office of the County Clerk. The Chairman, Board of County Commissioners and the County Clerk acting on behalf of the County, are hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Lease, including a related Escrow Agreement as the Chairman, Board of County Commissioners and County Clerk upon advice of counsel, deem necessary and appropriate. The Chairman, Board of County Commissioners is authorized to execute the Receipt Certificates in form as attached to the Equipment Lease and the Payment Request Forms in form as attached to the Escrow Agreement.

Section 2. The Equipment Lease shall be in the principal amount of \$46,100.00, bearing interest as set forth in Exhibit B of the Schedule No. 101 of the Equipment Lease, said Equipment Lease to contain an option to purchase by the County as therein set forth.

Section 3. The obligation of the County to make Rental Payments under the Equipment Lease is subject to annual appropriation by the Commissioners and constitutes an undertaking of the County to make current expenditures. No provision of this resolution or the Equipment Lease shall be construed or interpreted as a delegation of governmental powers or as constituting or giving rise to a general obligation or other indebtedness or a multiple fiscal year direct or indirect debt or other financial obligation of the County within the meaning of any constitutional or statutory debt limitation, nor a mandatory charge or requirement against the County in any ensuing fiscal year beyond the current fiscal year. The County shall have no obligation to make any payment to the Lessor or its assigns except in connection with the payment of the Rental Payments under the Equipment Lease and certain other payments, for which funds have been specifically appropriated and encumbered by the County for such purpose, under the Equipment Lease, which payments may be terminated by the County in accordance with the provisions of the Equipment Lease.

Section 4. The Commissioners hereby determines and declares that the Rental Payments due under the Equipment Lease constitute the fair rental value for the Equipment and do not exceed a reasonable amount.

Section 5. All other related contracts and agreements, including the Escrow Agreement, necessary and incidental to the Equipment Lease are hereby authorized.

Section 6. The County reasonably anticipates to issue not more than \$10,000,000 of tax-exempt obligations (other than “private activity bonds” which are not “qualified 501(c)(3) bonds”) during the period from July 1, 2011 to June 30, 2012 and hereby designates the Equipment Lease as a qualified tax-exempt obligation for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Section 7. This resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED this 20th day of December, 2011.

(SEAL)

LESSEE: Carbon County, Wyoming

By: -s- Terry Weickum

Title: Chairman, Board of County Commissioners

ATTEST:

By: -s- Gwynn G. Bartlett

Title: County Clerk

COMMISSIONERS DISCUSSION

Commissioner Paxton discussed the Energy Minerals Counties Coalition and that it will continue through at least February to try to allow the counties with outstanding projects to complete them. Commissioner Paxton also met with the Bureau of Land Management regarding wilderness study areas.

Chairman Weickum stated the Wyoming County Commissioners Association (WCCA) will be moving to the Herschler Building in Cheyenne however the building committee wants to collect money to construct a new building in the future. There was discussion of a study WCCA is implementing on health insurance.

Mr. Kelly asked for clarification about hiring Barbara Bonds regarding the DKRW bond proposal from earlier today.

Commissioner Chapman moved to employ Barbara Bonds to review the proposal from DKRW and to ensure the county's level of risk. Commissioner Paxton seconded and the motion carried unanimously.

ADJOURNMENT

Commissioner Paxton moved to adjourn the meeting at 1:38 p.m. Commissioner Chapman seconded and the motion carried unanimously.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 3rd day of January 2012

**BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING**

-s- Terry Weickum, Chairman