

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, September 25, 2012
Elk Mountain Senior Center, Elk Mountain, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, September 25, 2012 at the Elk Mountain Senior Center in Elk Mountain, Wyoming. Attending the meeting were Chairman Terry Weickum; Commissioner Leo Chapman; Deputy County Attorney Mike Kelly; and County Clerk Gwynn Bartlett. Vice Chairman Jerry Paxton joined the meeting at 4:13 p.m.

Chairman Weickum called the meeting to order at 4:10 p.m.

AGENDA AMENDMENT

Commissioner Chapman moved to amend the agenda to add an executive session at the end of the meeting. Chairman Weickum seconded and the motion carried unanimously.

Commissioner Paxton joined the meeting at 4:13 p.m.

Commissioner Chapman moved to approve the report of expenditures in the amount of \$334,310.97. Commissioner Paxton seconded and the motion carried unanimously.

Commissioner Chapman moved to approve payment to Candy Mountain in the amount of \$22.50 and Cedar Street Sinclair in the amount of \$25.00. Commissioner Paxton seconded and the motion carried with Commissioners Chapman and Paxton voting for the motion and Chairman Weickum abstained noting he owns Candy Mountain and his brother owns Cedar Street Sinclair.

Vendor	Detail Line Description	Total
4IMPRINT, INC	SUPPLIES	\$315.07
ALCO	SUPPLIES	\$94.28
ALSCO, AMERICAN LINEN DIVISION	SUPPLIES	\$154.33
AMERIGAS	PROPANE SERVICES	\$102.00
ANDERSON SIGNS & SUPPLY INC	SIGNS	\$168.81
ASD HEALTHCARE	VACCINE	\$6,672.00
AT & T	TELEPHONE SERVICES	\$4.81
BAGGS, TOWN OF	WATER SERVICES	\$164.08
BALLARD, ED "SHORTY"	MILEAGE	\$73.20
BANK OF COMMERCE (DEBIT CARD)	VARIOUS CHARGES	\$3,880.87
BARKHURST, RAY	MILEAGE	\$34.80
BEHAVIORAL INTERVENTIONS	ELECTRONIC MONITORING	\$1,618.00
BI-RITE PHARMACY	PRESCRIPTIONS	\$6,081.59
BOB BARKER COMPANY, INC.	SUPPLIES	\$968.71

BRAUN, LORNA	MILEAGE	\$9.50
BRESNAN COMMUNICATIONS	FIBER LINE/CABLE/INTERNET	\$2,764.69
BUILD RITE LUMBER SUPPLY	SUPPLIES/SHIPPING	\$704.13
BURTON, RICHARD	PARENTING CLASSES	\$300.00
C & D FABRICATION	TIRE REPAIR	\$20.00
CANDY MOUNTAIN	EQUIPMENT RENTAL/SUPPLIES	\$22.50
CAPITOL COMMUNICATIONS	NETWORK DROPS FOR ATTORNEY	\$2,361.63
CARBON COUNTY SENIOR SERVICES	MEALS/HEALTH SUBSIDY	\$8,042.33
CARBON COUNTY TREASURER	VARIOUS CASH ITEMS	\$4,049.39
CARBON COUNTY VETERINARY HOSPITAL	VETERINARIAN SERVICES	\$17.00
CARBON MERCANTILE CORPORATION	SHERIFF UNIFORMS	\$31.99
CARBON POWER & LIGHT INC	ELECTRICAL SERVICES	\$1,643.98
CASCADE FIRE EQUIPMENT	SUPPLIES	\$113.57
CBM FOOD SERVICE	JAIL MEALS	\$10,737.28
CDW GOVERNMENT, INC.	EQUIPMENT	\$3,532.25
CEDAR STREET SINCLAIR	TIRE REPAIR	\$25.00
CENTURY LINK	TELEPHONE SERVICES	\$122.45
CENTURYLINK	TELEPHONE SERVICES	\$4,352.24
CENTURYLINK-PHOENIX	TELEPHONE SERVICES	\$133.46
CESKO FAMILY MEDICINE, PC	MEDICAL SERVICES	\$230.50
CHAPMAN, LEO	MILEAGE	\$190.00
COLORADO DEPT OF PUBLIC HEALTH & ENV	AUGUST 2012 TOXICOLOGY	\$210.00
CRAIG, CATHY	MEALS	\$20.03
DAILY TIMES	NEWSPAPER CHARGES/ADS	\$2,684.94
DALLIN MOTORS INC	VEHICLE MAINTENANCE	\$149.56
DOMINOS PIZZA	MEAL	\$55.98
DUBOIS TELEPHONE EXCHANGE	TELEPHONE SERVICES	\$299.20
DUSTBUSTERS, INC.	DUSTGARD	\$89,588.82
EASTLUND, NANCY	PATCHES	\$18.00
ELECTION SYSTEMS & SOFTWARE, LLC	BALLOTS/DATABASE SETUP	\$3,320.26
ELK MOUNTAIN, TOWN OF	WATER SERVICES	\$54.50
ENCAMPMENT, TOWN OF	WATER SERVICES	\$72.00
ENTENMANN - ROVIN CO	SUPPLIES	\$135.73
ERICKSON & ROBERTS	LEGAL SERVICES	\$2,867.95
FEDEX	SHIPPING CHARGES	\$72.64
FRANCE, TARA	TRANSCRIPTION	\$208.00
FREMONT MOTORS - RAWLINS	VEHICLE MAINTENANCE	\$217.20
FRUDE, CANDICE	MEALS/MILEAGE	\$272.53
GCR ELECTRONICS, LLC	SITE RENTALS	\$900.00
GLAXOSMITHKLINE PHARMACEUTICALS	VACCINE	\$705.00
GOLDEN, MARY	MILEAGE	\$36.50

GRAINGER	SUPPLIES	\$824.81
GRAPHIC SPORTS	SUPPLIES	\$167.50
GREATER WY BIG BROS/SISTERS	AUG CSBG	\$552.59
HANNA, TOWN OF	WATER SERVICES	\$259.01
HASCO INDUSTRIAL SUPPLY	SUPPLIES	\$50.18
HEIMAN FIRE DEPARTMENT	HIGH PRESSURE PUMP/FOAM	\$7,031.70
HEMOCUE	SUPPLIES	\$183.00
HERRING, ROS	LAWN CARE	\$27.00
HETTGAR, BRIDGET M RN	SUPPLIES	\$44.51
HILLTOP LUBE & AUTOMOTIVE	VEHICLE MAINTENANCE	\$190.00
HOLIDAY INN EXPRESS & SUITES	MOTEL CHARGES	\$231.00
INFORMATION SYSTEMS CONSULTING	E911 EQUIPMENT MAINTENANCE	\$460.75
INTERMOUNTAIN RECORD CENTER, INC.	TREASURER IMAGING	\$2,589.89
J H KASPAR OIL COMPANY	FUEL	\$15,100.81
JACKALOPE PRINTING	SUPPLIES	\$75.26
JERRY'S DONUTS	SUPPLIES	\$31.47
KAISER, DON	LAWN CARE	\$50.00
KAISLER, TODD	MILEAGE	\$54.00
KAR KRAFT INC	VEHICLE MAINTENANCE	\$157.44
KILBURN TIRE COMPANY	VEHICLE MAINTENANCE	\$470.04
KING SOOPERS CUSTOMER CHARGES	SUPPLIES	\$149.90
KIRSCH, ARCHIE P	COUNTY HEALTH OFFICER	\$1,500.00
KONE ELEVATORS ESCALATORS	ELEVATOR MAINTENANCE	\$6,565.32
KTGA/KBDY	POLLING PLACE CHANGE AD	\$60.00
L & L ELECTRIC	ELECTRICAL MAINTENANCE	\$459.25
L N CURTIS & SONS	SUPPLIES	\$25.21
LANNAN'S SUPPLY CO	SUPPLIES	\$46.77
LEXBO LLC	OFFICE RENTAL	\$500.00
LONG BUILDING TECHNOLOGIES, INC.	BUILDING MAINTENANCE	\$2,985.01
LOSE'S CLEANING SERVICE	LAWN CARE	\$3,250.00
LOWER & CO., P.C.	STRUCTURAL ENGINEERING SERVICES	\$3,500.00
MADDOX, TROY	MILEAGE	\$69.60
MADER, TSCHACHER, PETERSON & CO.	AUDIT SERVICES	\$1,500.00
MBS SERVICES	LAWN CARE	\$40.00
MEDICINE BOW, TOWN OF	WATER SERVICES	\$157.50
MEMORIAL HOSPITAL OF CARBON COUNTY	MEDICAL SERVICES	\$29,676.90
MERCK SHARP & DOHME CORP.	VACCINE	\$1,561.32
MES-ROCKY MOUNTAINS	SUPPLIES	\$128.87
MILLER, JIM	MILEAGE	\$30.60
MILLER, JULI	MEALS/MILEAGE	\$193.02
MODERN MARKETING, INC	SUPPLIES	\$948.48

MOORE, TIFFANY	MILEAGE	\$18.50
MPM CORP / EVERGREEN DISPOSAL	GARBAGE SERVICES	\$120.00
MY OFFICE ETC.	SUPPLIES	\$3,042.73
NATIONAL BUSINESS SYSTEMS	PROPERTY TAX NOTICES	\$659.31
NORCO, INC.	CYLINDER RENTAL/SUPPLIES	\$888.82
NORTHEAST WISCONSIN TECHNICAL COLLEGE	DEPUTY SCHOOLING	\$350.00
NORWOOD, LUCY	MILEAGE	\$33.00
OPFAR, CLAUDIA	MILEAGE	\$44.00
OPTIMUM	INTERNET ACCESS	\$74.90
O'REILLY AUTO PARTS	SUPPLIES	\$29.08
OTOOLE, PATRICK "EAMON"	MILEAGE	\$60.00
PAGE ONE	SHERIFFS PAGERS	\$254.52
PAGING & WIRELESS SERVICE CENTER	SUPPLIES	\$346.00
PAMIDA INC	SUPPLIES	\$229.43
PARK SUPPLY OF AMERICA, INC	SUPPLIES	\$203.43
PAXTON, JERRY	MILEAGE	\$852.00
PENCE AND MACMILLAN LLC	LEGAL SERVICES	\$199.10
PERKINS OIL CO	FUEL	\$4,675.16
PERSONNEL EVALUATION, INC.	PERSONNEL EVALUATIONS	\$100.00
PHILLIPS 66-CONOCO-76	FUEL	\$562.10
PITNEY BOWES INC	RENTAL CHARGES	\$1,471.08
PUBLIC SAFETY CENTER, INC	SUPPLIES	\$210.28
QUILL CORPORATION	SUPPLIES	\$1,065.20
R D J SPECIALTIES INC	SUPPLIES	\$222.13
RASMUSSEN FURNITURE	SUPPLIES	\$197.85
RAWLINS AUTOMOTIVE	PARTS	\$1,440.02
RAWLINS EASTSIDE CARWASH	WASH CARDS	\$75.40
RAWLINS GLASS	WINDSHIELD REPLACEMENT	\$200.00
RAWLINS, CITY OF	WATER SERVICES	\$422.00
RICOH USA INC	IT COPIERS	\$5,857.04
RIVERSIDE GARAGE & CABINS	SUPPLIES	\$8.43
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICES	\$17,859.42
ROSS' AUTOMOTIVE SERVICES	VEHICLE MAINTENANCE	\$969.95
ROWAN, KRISTY	SUPPLIES	\$30.23
RYAN ELECTRONICS INC	CONTRACT/INSTALLATION/SUPPLIES	\$4,898.80
SAENZ, DIANE	SUPPLIES/MILEAGE	\$254.12
SAFEGUARD BUSINESS SYSTEMS	PAYROLL WARRANTS	\$110.99
SAPP BROS TRUCK STOPS, INC.	TIRES	\$1,272.00
SARATOGA AUTO PARTS, INC.	PARTS	\$1,245.93
SARATOGA FEED & GRAIN	SUPPLIES	\$103.60
SARATOGA SUN	NEWSPAPER ADS	\$550.75

SARATOGA, TOWN OF	WATER SERVICES	\$107.50
SCHAEFFER MFG CO	OIL	\$2,166.42
SCHATZ, MONA C. S. DSW	PROFESSIONAL SERVICES	\$1,714.00
SHELL FLEET PLUS	FUEL	\$115.71
SHEPARD'S	FUEL	\$3,429.39
SIRCHIE	SUPPLIES	\$232.65
SKYLINE MOTORS, INC.	TIRES	\$1,694.00
SMITH, MAE	MEAL	\$5.78
SOURCE GAS	GAS SERVICES	\$53.57
SQUARE SHOOTERS EATING HOUSE	SAFETY MEETING MEALS	\$186.84
STAN'S QUIK LUBE	VEHICLE MAINTENANCE	\$99.45
STAPLES ADVANTAGE	SUPPLIES	\$1,670.11
STATE OF WYOMING (A&I)	MAINFRAME ACCESS	\$24.92
STRYKER SALES CORPORATION	PWRLOAD COMP UPGRADE KIT	\$2,240.00
SUNRISE SANITATION SERVICE, LLC.	GARBAGE SERVICES	\$60.00
SWEET, JEFFREY C DDS PC	DENTAL SERVICES	\$2,500.00
SWEETWATER COUNTY SHERIFF'S OFFICE	INMATE HOUSING	\$525.00
SWISHER HYGIENE FRANCHISEE TRUST	SUPPLIES	\$172.32
TANDAN SANITATION SERVICES	GARBAGE SERVICES	\$40.00
TERMINIX	PEST CONTROL	\$193.00
TRADING POST	FUEL	\$595.90
TRENT LAW OFFICE, LLC	LEGAL SERVICES	\$157.95
TRUE VALUE OF RAWLINS	SUPPLIES	\$2,170.73
TYLER TECHNOLOGIES, INC	IDOC/ITAX WEBHOSTING	\$250.00
U S BANK	VARIOUS CHARGES	\$2,148.08
U S POSTMASTER-BAGGS	PO BOX RENT	\$36.00
UNION TELEPHONE COMPANY	TELEPHONE SERVICES	\$2,133.46
USI EDUCATION & GOVERMENT SALES	SUPPLIES	\$215.20
UTILITY BILL SOLUTIONS GROUP	UTILITY SAVINGS	\$139.91
VALLEY OIL COMPANY	FUEL	\$2,315.03
VAN'S WHOLESALE LLC	SUPPLIES	\$805.99
VERIZON WIRELESS	TELEPHONE SERVICES	\$710.52
WEICKUM, TERRY	MILEAGE	\$84.00
WEST PAYMENT CENTER	INFORMATION CHARGES	\$769.63
WILKERSON, JAMES A IV M.D.	AUTOPSY SERVICES	\$4,260.00
WILLE, WILLIAM R	BUILDING MAINTENANCE	\$120.00
WRIGHT EXPRESS FSC	FUEL	\$710.64
WY ATTORNEY GENERAL	REGISTRATION FEE	\$129.00
WY DEPT OF FAMILY SERVICE	AUG COPIES	\$23.10
WY DEPT OF HEALTH	MOTOR VEHICLE BILLING	\$198.00
WY MACHINERY COMPANY	PARTS	\$350.59

WY STATIONERY	SUPPLIES	\$115.58
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	\$1,465.37
XEROX CORPORATION-RENT	IT COPIERS	\$1,616.39
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICES	\$875.45
GRAND TOTAL		\$334,358.47

CLERK

Minutes

Commissioner Chapman moved to approve the minutes of the September 4, 2012 regular meeting of the Board of Carbon County Commissioners as presented. Commissioner Paxton seconded and the motion carried unanimously.

Monthly Receipts

Commissioner Chapman moved to accept the statement of fees collected for August 2012 for the County Clerk in the amount of \$19,726.00; fees collected from the Clerk of District Court for the month ending August 2012 in the amount of \$2,788.00; and Road & Bridge receipts for August 2012 in the amount of \$473.43. Commissioner Paxton seconded and the motion carried unanimously.

Copier Contract

Clerk Bartlett presented a Ricoh copier contract on behalf of the IT Department for new copier leases for the land department, public health and attorney's offices.

Commissioner Paxton moved to approve the Lease Amendment and attachments with Ricoh for new copiers for the land department, public health and attorney's offices. Commissioner Chapman seconded and the motion carried unanimously.

Juvenile Crisis Center

Clerk Bartlett asked the BOCC to waive the design firm plan use for the Crisis Center project per state statute 16-6-1001 and that the effective date of the waiver be May 1, 2012. She noted this statute requires the county have a plan on file with the Governor's Office regarding hiring resident design firms or have a waiver on file. Initially she submitted a letter requesting a waiver in May but recently heard back from the Governor's Office that the Commissioners approve the waiver and notify the Governor's Office. She noted that because this is a design/build project, there was no reason to hire a design firm.

Commissioner Chapman moved to waive the use of a design firm for the Youth Crisis Center effective May 1, 2012. Commissioner Paxton seconded and the motion carried unanimously.

Union Telephone Grant

Clerk Bartlett stated she received the Union Telephone grant contract from the Wyoming Business Council and after review she will be requesting signature from the BOCC. She discussed an e-mail she and the BOCC received from the Wyoming Business Council notifying them that Union Telephone's attorney had contacted the State Attorney General's (AG) Office inquiring on whether or not the project must be bid. The BOCC further discussed this e-mail and the repeated attempts to make Union understand the project must be bid. Clerk Bartlett stated that she discussed this with Jan Fasselin of Union again today and he indicated the attorney was not directed by him to call the AG but the attorney was doing research on his own to ensure the best outcome for its client, Union. Mike Kelly, Deputy County Attorney, recognized that the e-mail received today from Union's attorney did acknowledge the project must be bid.

There was further discussion and the BOCC demanded that Jan Fasselin of Union and anyone else from Union wishing to attend shall attend its October 2 meeting.

Insurance

Clerk Bartlett discussed the county's reinsurance renewal that the BOCC previously decided to use. She noted after carriers bid, they are allowed to alter rates or place lasers on individuals if additional information is found. Initially the county was to have no lasers however claims that came in after the bid process have made the carrier place a \$205,000.00 laser on one individual. This is in addition to the \$45,000.00 specific deductible the county already has for that individual.

She noted that COBRA rates will likely increase however the final figures are not available at this time. She will need to set the rates by the end of the month for a November 1 effective date.

Commissioner Paxton moved to authorize Clerk Bartlett to set COBRA rates effective November 1 for one year. Commissioner Chapman seconded and the motion carried unanimously.

Urban Systems Committee

Clerk Bartlett reported she has been actively seeking applicants for approximately 1.5 years to fill two county appointed vacancies to the Urban Systems Committee.

Ryan Electronics Inc.

Clerk Bartlett reported County Sheriff Jerry Colson provided a letter from Gregory C. Ryan from Ryan Electronics Inc. advising they removed three obsolete county radios from the Elk Mountain radio site and is requesting permission to recycle the units as they cannot meet the FCC requirements for narrow banding.

Commissioner Paxton moved to declare three GE Master II radios, county asset numbers 05288, 05428 and 00414 as surplus property and authorize Sheriff Colson to dispose of them as he sees fit. Commissioner Chapman seconded and the motion carried unanimously.

Federal Grants Audit Requirement

Clerk Bartlett advised the Wyoming Business Council requires a Notification of Single Audit Requirement form be returned to them indicating whether or not the county will be subject to a single audit. She explained the single audit process is triggered if the county expends more than \$500,000.00 in federal grant funds in a fiscal year. She requested the Chairman's signature on the form.

Commissioner Paxton moved to authorize the Chairman's signature on the Notification of Federal Single Audit Requirement listing amounts of federal expenditures from all sources for the fiscal year ended June 30, 2012. Commissioner Chapman seconded and the motion carried unanimously.

Memorial Hospital of Carbon County (MHCC)

Clerk Bartlett presented Requisition #28 for MHCC's 2009 specific purpose tax project.

Commissioner Chapman moved to approve Carbon County 2009 Specific Purpose Tax Joint Powers Board Requisition and Certification #28 in the amount of \$342,521.51. Commissioner Paxton seconded and the motion carried unanimously.

Carbon Building HVAC / Energy Efficiency Grant Application

Clerk Bartlett presented a resolution to allow the county to submit a grant application for the replacement of the heating, ventilation, air conditioning system at the Carbon Building. She noted that she began searching for funding around the 13th and discovered the grant due date was the 20th, before a Commissions meeting therefore she submitted the application noting she can withdraw it if the BOCC disagrees with it. Clerk Bartlett reported that the application will be heard by the State Land and Investment Board January 17, 2013.

Commissioner Chapman moved to approve Resolution No. 2012-38, A Resolution Authorizing Submission of a Federal Mineral Royalty Capital Construction Account Grant Application to the State Loan and Investment Board on Behalf of the Governing Body for the County of Carbon for the replacement of the heating, ventilation, air conditioning system at the Carbon Building in the total amount of \$4,001,218.00 (\$2,800,853.00 match plus \$1,200,365.00 grant funds). Commissioner Paxton seconded and the motion carried unanimously.

RESOLUTION NO. 2012-38

A RESOLUTION AUTHORIZING SUBMISSION OF A FEDERAL MINERAL ROYALTY CAPITAL CONSTRUCTION ACCOUNT GRANT APPLICATION TO THE STATE LOAN AND INVESTMENT BOARD ON BEHALF OF THE GOVERNING BODY FOR THE COUNTY OF CARBON

FOR THE PURPOSE OF: Replacement of the heating, ventilation, air conditioning system at the county owned “Carbon Building”, a building that houses health & human services, law enforcement, legal, and other public service offices.

WITNESSETH

WHEREAS, the Governing Body for the County of Carbon desires to participate in the FEDERAL MINERAL ROYALTY CAPITAL CONSTRUCTION ACCOUNT GRANT program to assist in financing this project; and

WHEREAS, the Governing Body of the County of Carbon recognizes the need for the project; and

WHEREAS, the Federal Mineral Royalty Capital Construction Account Grant program requires that certain criteria be met, as described in the State Loan and Investment Board’s Rules and Regulations governing the program, and to the best of our knowledge this application meets those criteria; and

WHEREAS, the Governing Body of the County of Carbon plans to match the requested Federal Mineral Royalty Capital Construction Account Grant from a lease/purchase agreement to be negotiated and paid for with county general funds over a period of ten to fifteen years.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE County of Carbon, that a grant application in the amount of \$4,001,218.00 (\$2,800,853.00 match plus \$1,200,365.00 grant funds) be submitted to the State Loan and Investment Board for consideration at the January 17, 2013 grant meeting to replace the heating, ventilation, and air conditioning system at the county owned “Carbon Building” which houses health & human services, law enforcement, legal, and other public service offices.

BE IT FURTHER RESOLVED, that County Clerk, Gwynn Bartlett and any current or future member of the Board of Carbon County Commissioners, are hereby designated as the authorized representatives of the County of Carbon to act on behalf of the Governing Body on all matters relating to this grant application.

PASSED, APPROVED AND ADOPTED THIS 25th day of September, 2012.

BOARD OF CARBON COUNTY COMMISSIONERS

- s- Terry Weickum
- s- Jerry Paxton
- s- Leo Chapman

Attest:

-s- Gwynn Bartlett, Carbon County Clerk

Gauging Station on Savery Creek

Clerk Bartlett advised a letter was received from the Little Snake River Conservation District requesting permission to install a permanent gauging station on Savery Creek above the Loco Creek Bridge on county owned land to provide early detection for floods. She stated it will consist of a small building to hold equipment and an orifice line down to the middle of the stream covered in cement. She stated Bill Nation had no objection to the installation however he wanted it installed on the downstream side.

Commissioner Paxton moved to approve the Little Snake River Conservation District's request to install a permanent gauging station on Savery Creek near the Loco Creek Bridge on the downstream side. Commissioner Chapman seconded and the motion carried unanimously.

Muddy Gap Polling Place

Clerk Bartlett requested the BOCC move the precinct 4-1 polling place from the County Fire Station at Muddy Gap to the Jeffrey Center in Rawlins. She noted that the difficulty finding a sufficient number of judges to man the current polling place in addition to the cost to maintain the polling place for approximately six voters has played into the decision. She explained that individuals can still vote at the polling place in Rawlins or vote by absentee ballot.

Clerk Bartlett reported she held a public meeting September 10 at the County Fire Station at Muddy Gap to take public comment on the proposed move. She advised six people attended the meeting and received one verbal comment. She noted the majority agreed that it is cost effective to discontinue manning the Muddy Gap polling place.

Commissioner Paxton moved to approve moving the Muddy Gap polling place to Rawlins. Commissioner Chapman seconded and the motion carried unanimously.

Private Road Application

Clerk Bartlett advised she talked to Alice Platt and she is still working on this. Clerk Bartlett advised Ms. Platt that we may not be able to use the initial application date and she may have to start over as it depends on when she is ready to proceed. Ms. Platt advised there is a new person at Wyoming Department of Transportation and she hopes he will help her get approach.

Temporary Assistance For Needy Families Community Partnership Initiative (TANF / CPI)

Clerk Bartlett presented a contract to operate the TANF / CPI community plan to provide services to needy families in Carbon County. She noted that Deputy Attorney Kelly has reviewed the contract and recommends approval.

Commissioner Chapman moved to approve a Contract Between the Wyoming Department of Family Services and Carbon County Commissioners to operate the Temporary Assistance For Needy Families Community Partnership Initiative (TANF / CPI), effective when all parties have executed the contract or October 1, 2012 whichever is later through September 30, 2013 in an amount not to exceed \$40,000.00. Commissioner Paxton seconded and the motion carried unanimously.

Extended Professional Service Agreement

Clerk Bartlett presented an agreement with the University of Wyoming to fund half of the Carbon County 4-H Extension Professional for the purpose of assisting and encouraging 4-H development and other youth programs. She stated that since the 4-H Extension Professional

started this position July 30, the county's portion of \$18,949.00 is for eleven months and should increase next year when the agreement is for a full year. She noted that Deputy Attorney Kelly has reviewed the agreement.

Commissioner Paxton moved to approve the Extended Professional Service Agreement between the University of Wyoming and the Board of County Commissioners of Carbon County committing the county to contribute \$18,949.00 annually payable in one payment of \$3,572.50 due in October 2012 and three payments of \$5,125.50 due in January, March and June of 2013 to the University of Wyoming Cooperative Extension Service for the term of July 30, 2012 until June 30, 2013. Commissioner Chapman seconded and the motion carried unanimously.

Little Rascals Preschool Grant

Clerk Bartlett advised that Little Rascals Preschool received proposals from Pedersen Planning Consultants and Myers Anderson to conduct the Little Rascals Preschool feasibility study. She advised that the Little Rascals Preschool Board recommends Jim Pedersen with Pedersen Planning Consultants as he has conducted a number of projects in Carbon County over the last 15 years and has done several studies with early childhood education and daycare in Wyoming as well as feasibility studies. She noted that the Little Rascals Preschool Board did get him to reduce the cost to \$18,005.00.

Commissioner Paxton moved to approve Pedersen Planning Consultants conduct a feasibility study for a new facility in Baggs, Wyoming that would house the Little Rascals Preschool in the amount of \$18,005.00. Commissioner Chapman seconded and the motion carried unanimously.

Public Hearing – Z.C. Case File No. 2012-12

Chairman Weickum opened a public hearing at 5:16 p.m. to hear Planning & Zoning Z.C. Case File No. 2012-12. Planning Director Sid Fox presented Z.C. Case File No. 2012-12 – Thomas H. Wiersema and Marcia B. Newell's request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-18) on approximately 18 acres. Chairman Weickum called for comments for or against this matter. Commissioner Chapman clarified that the permit would be issued for a flood zone. Mr. Fox reported that part of the property is within the designated Zone A flood zone however his staff has been at the site and the structure will be on an elevated part of the parcel. There being no comments Chairman Weickum closed the public hearing at 5:23 p.m.

Commissioner Paxton moved to approve Resolution No. 2012-39 A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding Zone Change Case File No. 2012-12. Commissioner Chapman seconded and the motion carried unanimously.

Resolution No. 2012–39

A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission.

Z.C. Case File #2012-12

WHEREAS, pursuant to Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on Tuesday, September 4, 2012, which said hearing was advertised by public notice at least thirty (30) days prior to hearing; and

WHEREAS, at the Tuesday, September 4, 2012, public hearing, the Carbon County Planning and Zoning Commission provided the public the opportunity to comment and the Carbon County Planning and Zoning Commission considered any public comments which were made at said public hearing; and

WHEREAS, at the conclusion of said Tuesday, September 4, 2012, public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County Board of County Commissioners to adopt the change as an amendment to the Carbon County Official Zoning Map for Carbon County, Wyoming; and

WHEREAS, the Carbon County Board of County Commissioners, pursuant to Wyo. Stat. Ann. §18-5-202(c) and after receipt of said certified recommendation of this zoning amendment(s) to the Carbon County Official Zoning Map, advertised by public notice at least 14 days prior to a public hearing to take public input and comments on the proposed amendment(s), which said hearing occurred on Tuesday, September 25, 2012; and

WHEREAS, at said public hearing, the Carbon County Board of County Commissioners provided the opportunity for the public to comment and for the Carbon County Board of County Commissioners to consider any comments which were made on the proposed amendment(s); and

WHEREAS, the Carbon County Board of County Commissioners in considering said the proposed amendment(s) have also reviewed and considered the Carbon County Comprehensive Land Use Plan, as amended; and the Carbon County Wyoming Zoning Resolution of 2003, as amended; and

WHEREAS, the Carbon County Board of County Commissioners have determined that the proposed amendment(s) is in general conformance with the Carbon County Comprehensive Land Use Plan, as amended, and the applicable provisions of the Carbon County Zoning Resolution of 2003, as amended; and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

WHEREAS, at a regularly scheduled meeting of the Carbon County Board of County Commissioners, by majority vote, the Carbon County Board of County Commissioners moved to approve the proposed zoning amendment(s) to the Carbon County Official Zoning Map.

Z.C. Case File #2012-12 – Thomas H. Wiersema and Marcia B. Newell (Applicants and Owners):

Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-18) on approximately 18 acres. The RRA Zone is intended to be applied in areas of the County which are particularly suited to large lot development that allow both agricultural and residential uses.

Legal Description:

A tract of land located in Section 12, T14N, R84W, 6th P.M., Carbon County, Wyoming, describes as follows as per Deed recorded as Document No. 0893813, Book 1001, Page 0005: E/2NW/4NW/4SE/4, W/2NE/4NW/4SE/4, and all those portions of the E/2E/2NW/4SE/4, SW/4NE/4SE/4, S/2NW/4NE/4SE/4 lying north and west of the centerline of the Encampment River, and that part of the NW/4NW/4NE/4SE/4 lying north and west of the centerline of the

Encampment River and south and west of a line beginning at the more westerly CE1/16 corner of Section 12, thence South 29°14'46"East to the centerline of the Encampment River (the bank of which lies 298 feet, more or less, from the westerly CE1/16 corner).

Parcel Number: 14841240005300

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

1. That the Carbon County Board of County Commissioners, hereby adopt this amendment(s) as certified to them in writing by the Carbon County Planning and Zoning Commission and the existing zone shall be changed from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-18) on approximately 18 acres.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 25th day of September, 2012.

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

By: -s- Terry Weickum, Chairman
-s- Jerry D. Paxton, Vice Chair
-s- Leo Chapman, Member

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Certification of Recommended Action

Mr. Fox discussed the conditional use permit for the Chokecherry / Sierra Madre project. He advised that on September 17 the Planning Commission recommended conditional approval by a vote of 4 to 1.

Commissioner Paxton moved to accept the Certification of Recommended Action regarding the conditional use permit for the Power Company of Wyoming Chokecherry / Sierra Madre wind project. Commissioner Chapman seconded and the motion carried unanimously.

It was noted the public hearing for this case was previously scheduled for October 2.

ELECTED OFFICIALS / DEPARTMENT HEADS

Planning Department

Sid Fox, County Planning Director, discussed a notice he received from Rocky Mountain Power regarding the Gateway South Transmission Line project for a right of entry to county property to access county rights-of-way for surveys and studies. Bill Nation, Road & Bridge Superintendent reported that this preliminary engineering type of work is often used for this type of project. He reported he does not object to the request. The board requested that Mr. Nation and Mr. Kelly

complete the special concerns page that would accompany the consent form if approved and present the completed documents at a future meeting.

Mr. Fox reported during October the Wyoming Rural Development Council will be in Elk Mountain to gather citizen's input about projects in the county and towns and he will attend that meeting on behalf of the county.

Fire Department

County Fire Warden John Rutherford reported a fire started today near Miracle Mile but he believes it is under control and only spread to approximately 4 acres. Mr. Rutherford stated based on temperature recovery and humidity in addition to the fact that fire suppression resources is now more available, he recommended lifting the fire restrictions effective October 2.

Commissioner Paxton moved to approve Resolution No. 2012-40, A Resolution Removing Fire Restrictions for Carbon County effective October 2, 2012 at midnight. Commissioner Chapman seconded and the motion carried unanimously.

RESOLUTION NO. 2012-40

REMOVING FIRE RESTRICTIONS FOR CARBON COUNTY

WHEREAS, based upon recommendation of the County Fire Warden, the Board of Carbon County Commissioners are empowered by Wyoming Statute §35-9-301 through §35-9-304 to close areas to fire when fire danger in the county is extreme because of drought, the presence of any excessive amount of flammable material or for any other sufficient reason; and

WHEREAS, the County Fire Warden has recommended restrictions on specified activities on all land within Carbon County; and

WHEREAS the Carbon County Fire Warden deems there is no longer a need to impose fire restrictions, based on relative humidity and temperature recovery during the night hours increasing the dead fuel moisture content to acceptable levels thus lessening the extreme fire danger.

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

- 1) Effective October 2, 2012 at 12:00 Midnight until further notice of this Board, the fire restrictions for Carbon County are rescinded.

PASSED AND APPROVED this 25th day of September 2012.

-s- Terry L. Weickum, Chairman
Board of County Commissioners

ATTEST:

-s- Gwynn Bartlett
County Clerk

Mr. Rutherford noted the emergency suppression account was activated twice this year however the county may not reach the threshold to be reimbursed. He also reported that Saratoga Fire had planned to purchase a new truck however there were issues on who would insure the vehicle when it responds to county calls and he may report further on this in the future if they purchase the vehicle. He noted that next year he will be requesting 3 type 6 engines.

Mr. Rutherford stated that Larry Trapp, Assistant County Fire Warden and main mechanic will be leaving in November. He stated there are funds in his budget for mechanic's fees but he would like this to be a full-time position noting he can keep that person busy. He noted that if a time were to come where it was not a full-time position he would like to offer services to Road & Bridge or the Sheriff's Office to maintain their vehicles or equipment. Mr. Rutherford stated they would appear at a future meeting with cost estimates for this to be a full-time position.

Road & Bridge

Road & Bridge Superintendent Bill Nation presented backhoe lease agreements with Caterpillar Financial.

Commissioner Paxton moved to authorize the Chairman's signature on two Governmental Equipment Lease-Purchase Agreements with Caterpillar for two backhoes. Commissioner Chapman seconded and the motion carried unanimously.

The leases are for a 420EIT backhoe loader Serial #DAN02187 and #DAN01942.

Commissioner Paxton moved to approve Lessee's Authorizing Resolutions No. 2012-41 and No. 2012-42 with Caterpillar Financial Solutions for two backhoes. Commissioner Chapman seconded and the motion carried unanimously.

Resolution 2012-41 ATTACHMENT B LESSEE'S AUTHORIZING RESOLUTION

Whereas, **CARBON COUNTY, WY**, (the "Governmental Entity"), a body politic and corporate duly organized and existing as a political subdivision, municipal corporation or similar public entity of the State of **Wyoming** (the "State"), is authorized by the laws of the State to purchase, acquire and lease personal property for the benefit of the Governmental Entity and its inhabitants and to enter into contracts with respect thereto; and

Whereas, in order to acquire such equipment, the Governmental Entity proposes to enter into a lease-purchase transaction pursuant to that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with Caterpillar Financial Services Corporation, the form of which has been presented to the governing body of the Governmental Entity at this meeting;

Now, Therefore, Be It And It Is Hereby Resolved:

Section 1. Approval of Documents. The form, terms and provisions of the Agreement and all other schedules and exhibits attached thereto are hereby approved in substantially the form presented at this meeting, with such insertions, omissions and changes as shall be approved by

counsel of the Governmental Entity or other members of the governing body of the Governmental Entity executing the same, the execution of such documents being conclusive evidence of such approval; and the persons holding the titles listed below or any other officer of the Governmental Entity who shall have the power to execute contracts on its behalf are hereby authorized and directed to execute, acknowledge, countersign and deliver the Agreement and all exhibits attached thereto, and the Secretary/Clerk of the Governmental Entity is hereby authorized to attest to the foregoing and affix the seal of the Governmental Entity to such documents.

Section 2. Other Action Authorized. The officers and employees of the Governmental Entity shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreement.

Section 3. No General Liability. Nothing contained in this Resolution, the Agreement, or any other instrument shall be construed with respect to the Governmental Entity as incurring a pecuniary liability or charge upon the general credit of the Governmental Entity or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Agreement, or any other instrument or document executed in connection therewith impose any pecuniary liability upon the Governmental Entity or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement.

Section 4. Authorized Signatories. Following are the true names, correct titles and specimen signatures of the incumbent officers referred to in the foregoing resolution:

Name (Print or Type)	Title (Print or Type)	Signature
Terry Weickum	County Commissioner Chairman	-s- Terry Weickum
Jerry Paxton	County Commissioner	-s- Jerry Paxton
Leo Chapman	County Commissioner	-s- Leo Chapman

Section 5. Effective Date. This Resolution shall be effective immediately upon its approval and adoption. This Resolution was adopted and approved on September 25, 2012.

Signature: Gwynn G. Bartlett
 Name Printed: Gwynn G. Bartlett, Carbon County Clerk
 Date: September 25, 2012

**Resolution 2012-42
 ATTACHMENT B
 LESSEE’S AUTHORIZING RESOLUTION**

Whereas, **CARBON COUNTY, WY**, (the “Governmental Entity”), a body politic and corporate duly organized and existing as a political subdivision, municipal corporation or similar public entity of the State of **Wyoming** (the “State”), is authorized by the laws of the State to purchase, acquire and lease personal property for the benefit of the Governmental Entity and its inhabitants and to enter into contracts with respect thereto; and

Whereas, in order to acquire such equipment, the Governmental Entity proposes to enter into a lease-purchase transaction pursuant to that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with Caterpillar Financial Services Corporation, the form of which has been presented to the governing body of the Governmental Entity at this meeting;

Now, Therefore, Be It And It Is Hereby Resolved:

Section 1. Approval of Documents. The form, terms and provisions of the Agreement and all other schedules and exhibits attached thereto are hereby approved in substantially the form presented at this meeting, with such insertions, omissions and changes as shall be approved by counsel of the Governmental Entity or other members of the governing body of the Governmental Entity executing the same, the execution of such documents being conclusive evidence of such approval; and the persons holding the titles listed below or any other officer of the Governmental Entity who shall have the power to execute contracts on its behalf are hereby authorized and directed to execute, acknowledge, countersign and deliver the Agreement and all exhibits attached thereto, and the Secretary/Clerk of the Governmental Entity is hereby authorized to attest to the foregoing and affix the seal of the Governmental Entity to such documents.

Section 2. Other Action Authorized. The officers and employees of the Governmental Entity shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreement.

Section 3. No General Liability. Nothing contained in this Resolution, the Agreement, or any other instrument shall be construed with respect to the Governmental Entity as incurring a pecuniary liability or charge upon the general credit of the Governmental Entity or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Agreement, or any other instrument or document executed in connection therewith impose any pecuniary liability upon the Governmental Entity or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement.

Section 4. Authorized Signatories. Following are the true names, correct titles and specimen signatures of the incumbent officers referred to in the foregoing resolution:

Name (Print or Type)	Title (Print or Type)	Signature
Terry Weickum	County Commissioner Chairman	-s- Terry Weickum
Jerry Paxton	County Commissioner	-s- Jerry Paxton
Leo Chapman	County Commissioner	-s- Leo Chapman

Section 5. Effective Date. This Resolution shall be effective immediately upon its approval and adoption. This Resolution was adopted and approved on September 25, 2012.

Signature: Gwynn G. Bartlett
Name Printed: Gwynn G. Bartlett, Carbon County Clerk
Date: September 25, 2012

Mr. Nation reported on the Pick Bridge project and that the FY11-12 Congestion Mitigation Air Quality project has been given the approval to proceed. This project is for magnesium chloride and gravel on up to 10 miles of the Dad/Wamsutter road. A mandatory pre-bid meeting is slated for October 9 with bids due October 11.

Mr. Nation stated the Sage Creek Road project has changed names to FLAT, forest lands access program and bids will be received for construction next year on portions C, D, and E. Mr. Nation recently met with various landowners to deliver packets regarding final right-of-way and construction easements for the project. Mr. Nation further explained the project funding.

Mr. Nation introduced Sherm Johnson, Elk Mountain area supervisor who was in attendance and Mr. Nation reported that the Elk Mountain bridge project in the BROS program is proceeding.

Attorney

Deputy Attorney Mike Kelly reported the Dixon Airport NAVAIDS project is proceeding and the airport should reopen tomorrow.

RECESS

Chairman Weickum called a recess at 6:20 p.m. and reconvened at 6:26 p.m.

WASTE TO ENERGY

Stu Powell and Dean Burn of American Renewable Energy Associates discussed using waste to provide energy. Mr. Burn explained the general procedure stating that a facility to service Carbon County, at approximately 30 tons per day is a \$12 million facility. The collection and hauling process would not change. The trash is hauled to the facility, loaded into batch containers and gasified. Steam is generated which turns turbines producing the energy. The process produces approximately 2 tons of ash for 100 tons of trash. The ash can be buried or used for road material, tiles, and many other products that are currently being developed.

Mr. Burn stated they have met with Medicine Bow and they would need the rest of the county to send their waste to this area to make a project in Medicine Bow feasible.

Chairman Weickum clarified that the county government does not currently operate a landfill. He stated personally he does not feel the government should be involved in solid waste but rather assist private enterprise in solving the solid waste issues. He asked if there are willing purchasers for the produced electricity. Mr. Burn replied there have been discussions with different power companies about this.

Mr. Burn asked the BOCC for a letter of support for him to present to potential funders or other agencies however the BOCC was not comfortable doing this with the limited information presented.

Jim Wells asked for a more comprehensive business plan including investors and a transportation plan. He also suggested a joint powers board to include the various municipalities and asked for a more detailed future plan for the company. Lindy Glode suggested the company contact the Wyoming County Commissioners Association and possibly the Wyoming Association of Municipalities. Chairman Weickum suggested they get on a Carbon County Council of Governments agenda.

CITIZEN / COMMISSIONER DISCUSSION

Chairman Weickum called for citizen comment however there was none.

Commissioner Chapman presented a letter he drafted to Liz Campbell of Dixon in response to her recent letter to the BOCC about the TransWest Express project route. Mr. Kelly reported he reviewed the letter and there is nothing objectionable in it.

Commissioner Paxton moved to send a letter to Liz Campbell of Dixon explaining the Commissioners position regarding the TransWest Express project in response to her recent letter to the board. Commissioner Chapman seconded and the motion carried unanimously after Sue Jones asked if the letter addresses that this individual should be commenting to the Bureau of Land Management as they make the final decision.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session at 7:22 p.m. for personnel with Deputy Attorney Mike Kelly and Clerk Bartlett. Commissioner Chapman seconded and the motion carried unanimously.

Commissioner Paxton moved to come out of executive session at 7:33 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Chapman seconded and the motion carried unanimously.

COMMISSIONER EMPLOYEES

Chairman Weickum appointed Leo Chapman to be a liaison between the Commissioner employees and board. Commissioner Chapman accepted that appointment.

ADJOURNMENT

Commissioner Paxton moved to adjourn the meeting at 7:33 p.m. Commissioner Chapman seconded and the motion carried unanimously.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 2nd day of October 2012

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Terry Weickum, Chairman