

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Monday, January 7, 2013
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Monday, January 7, 2013 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Commissioners Leo Chapman, John Espy, Lindy Glode and Sue Jones; Deputy County Attorney Mike Kelly; and County Clerk Gwynn Bartlett.

The meeting was called to order at 9:00 a.m. by Commissioner Chapman.

CHAIRMAN APPOINTMENT

Commissioner Jones moved to appoint Leo Chapman as Chairman of the Board of Carbon County Commissioners. Commissioner Glode seconded and the motion carried unanimously.

Chairman Chapman moved to appoint John Espy as Vice Chairman of the Board of Carbon County Commissioners. Commissioner Glode seconded and the motion carried unanimously.

AGENDA AMENDMENT

Commissioner Espy moved to amend the agenda to declare a vacancy in Commissioner Paxton’s seat. Commissioner Glode seconded and the motion carried unanimously.

VOUCHERS

Commissioner Jones moved to approve the report of expenditures in the amount of \$118,148.66. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Espy moved to approve payment to Shively Hardware in the amount of \$26.99, True Value in the amount of \$528.30 and Rawlins Automotive in the amount of \$606.40. Commissioner Jones seconded and the motion carried with Chairman Chapman and Commissioners Jones and Espy voting for the motion and Commissioner Glode abstained due to a personal conflict.

Vendor	Detail Line Description	Total
4IMPRINT, INC	SUPPLIES	\$219.15
ALCO	SUPPLIES	\$56.26
ALL IN ONE	PLUMBING MAINTENANCE	\$550.00
ALSCO, AMERICAN LINEN DIVISION	SUPPLIES	\$291.48
AMERIGAS	PROPANE SERVICES	\$1,706.67
APPARATUS EQUIPMENT & SERVICE INC	POWER COT INSTALLATION	\$709.60
ARGUELLES-CALZADA, CHRYSAL	INTERPRETER SERVICES	\$50.00
ASD HEALTHCARE	VACCINE	\$538.30

AT & T	TELEPHONE SERVICES	\$8.76
BOB BARKER COMPANY, INC.	SUPPLIES	\$246.75
BRESNAN COMMUNICATIONS	CABLE/INTERNET SERVICES/FIBER LINE	\$2,641.29
BUILD RITE LUMBER SUPPLY	SUPPLIES	\$457.13
CARBON COUNTY SENIOR SERVICES	LOWRANCE MEALS	\$45.00
CARBON COUNTY TREASURER	VARIOUS CASH ITEMS	\$2,196.68
CARBON COUNTY VETERINARY HOSPITAL	SUPPLIES	\$21.50
CASPER WINNELSON CO	SUPPLIES	\$314.48
CBM FOOD SERVICE	JAIL MEALS	\$6,335.70
CDW GOVERNMENT, INC.	SUPPLIES	\$20.21
CENTURY LINK	TELEPHONE SERVICES	\$124.52
CENTURYLINK	TELEPHONE SERVICES	\$369.21
CENTURYLINK-PHOENIX	TELEPHONE SERVICES	\$440.20
CHAPMAN, LEO	MILEAGE	\$239.00
CHEMDRY OF SNOWY RANGE	CARPET CLEANING	\$568.67
CNA SURETY	BOND	\$100.00
CO DEPT OF PUBLIC HEALTH & ENVIRONMENT	NOVEMBER 2012 TOXICOLOGY	\$335.00
COUNTRY STORE	FUEL	\$49.00
CRUZ, PAUL	BUILDING MAINTENANCE	\$275.00
CUSTOMIZED COMMUNICATIONS, INC.	SUPPLIES	\$100.80
DAILY TIMES	NEWSPAPER ADS	\$1,376.11
DELEON, JOHN	LEGAL SERVICES	\$1,997.25
DELL MARKETING L.P.	IT EQUIPMENT	\$224.23
DIXON, TOWN OF	WATER SERVICES	\$260.00
DON'S AUTO & BODY SHOP	VEHICLE MAINTENANCE	\$500.00
DRUMMOND REFRIGERATION LLC	REFRIGERATION REPAIRS	\$932.66
DUBOIS TELEPHONE EXCHANGE	TELEPHONE SERVICES	\$296.38
E & H PLUMBING & HANDYMAN	BUILDING MAINTENANCE	\$488.00
ENCAMPMENT, TOWN OF	WATER SERVICES	\$72.00
ERICKSON & ROBERTS	LEGAL SERVICES	\$3,248.50
FARMER BROTHERS COFFEE	SUPPLIES	\$233.26
FRUDE, CANDICE	MILEAGE	\$37.50
GALLS, AN ARAMARK COMPANY	SUPPLIES	\$45.18
HANSON'S	SUPPLIES	\$567.00
HEADS WEST SANITATION	MAINTENANCE	\$510.00
HIGH PLAINS POWER	ELECTRICAL SERVICES	\$304.57
HILLCREST SPRING WATER, INC.	EQUIPMENT RENTAL/SUPPLIES	\$28.90
HOWARD SUPPLY COMPANY	SUPPLIES	\$624.20
J H KASPAR OIL COMPANY	FUEL	\$3,855.25
JACKALOPE PRINTING	SUPPLIES	\$53.80
JERRY'S DONUTS	SUPPLIES	\$20.98
KIRSCH, ARCHIE P	COUNTY HEALTH OFFICER	\$1,500.00

KNF FLEXPAC CORPORATION	SUPPLIES	\$428.72
L & L ELECTRIC	ELECTRICAL MAINTENANCE	\$3,107.50
L N CURTIS & SONS	SUPPLIES	\$96.95
MACPHERSON, KELLY & THOMPSON, LLC	PROFESSIONAL SERVICES	\$75.00
MEDIBADGE	SUPPLIES	\$37.07
MEDICINE BOW, TOWN OF	WATER SERVICES	\$150.00
MEMORIAL HOSPITAL OF CARBON COUNTY	MEDICAL SERVICES	\$8,402.50
MERBACK AWARD COMPANY	SUPPLIES	\$289.24
MILLER, JULI	MEAL/MILEAGE	\$58.00
MPM CORP / EVERGREEN DISPOSAL	GARBAGE SERVICES	\$105.00
MURANE & BOSTWICK, LLC.	PROFESSIONAL SERVICES	\$336.00
MY OFFICE ETC.	SUPPLIES	\$547.58
PAGE ONE	SHERIFFS OFFICE PAGERS	\$254.52
PAXTON, JERRY	MILEAGE	\$740.00
PENCE AND MACMILLAN LLC	LEGAL SERVICES	\$30.10
PHILLIPS 66-CONOCO-76	FUEL	\$850.43
PITNEY BOWES INC	RENTAL CHARGES	\$1,471.08
PLAINSMAN PRINTING & SUPPLY	SUPPLIES	\$4,517.92
PRAIRIE DOG ELECTRIC, LLC	ELECTRICAL REPAIRS	\$150.46
PUBLIC SAFETY CENTER, INC	SUPPLIES	\$430.74
QUESTAR GAS	GAS SERVICES	\$127.88
QUILL CORPORATION	SUPPLIES	\$934.38
RAWLINS AUTOMOTIVE	PARTS	\$606.40
RAWLINS GLASS	SUPPLIES	\$18.20
RAWLINS, CITY OF	WATER SERVICES	\$931.40
RICOH USA, INC	IT COPIERS	\$3,602.10
RIVIERA LODGE	MOTEL CHARGES	\$50.00
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICES	\$6,506.28
SAFEGUARD BUSINESS SYSTEMS	SUPPLIES	\$194.55
SAPP BROS TRUCK STOPS, INC.	TIRES/REPAIRS	\$4,770.00
SARATOGA AUTO PARTS, INC.	SUPPLIES	\$331.57
SARATOGA SUN	NEWSPAPER ADS	\$422.38
SHIVELY HARDWARE	SUPPLIES	\$26.99
SMITH, MAE	MEAL	\$37.22
SNAKE RIVER PRESS	NEWSPAPER ADS	\$456.00
SNAP-ON TOOLS	SUPPLIES	\$182.25
SOCIETY FOR RANGE MANAGEMENT	2013 MEMBERSHIP	\$55.00
SOURCE GAS	GAS SERVICES	\$10,709.27
SOUTHWEST M.R.O., LLC	RANDOM TESTING	\$25.00
SPECIALIZED PATHOLOGY CONSULTANTS	ROUTINE AUTOPSY	\$1,040.00
SQUARE SHOOTERS EATING HOUSE	LEGISLATOR DINNER	\$206.28
STAPLES ADVANTAGE	SUPPLIES	\$208.99

STATE OF WYOMING (A&I)	MAINFRAME ACCESS/SUIT SETTLEMNT	\$10,007.72
STRYKER SALES CORPORATION	LABOR/TRAVEL	\$1,450.06
SWISHER HYGIENE FRANCHISEE TRUST	SUPPLIES	\$195.78
TANDAN SANITATION SERVICES	GARBAGE SERVICES	\$50.00
TAYLOR AUTO REPAIR	VEHICLE MAINTENANCE	\$1,728.61
TERMINIX	PEST CONTROL	\$161.00
THOMPSON PUBLISHING GROUP	FAIR LABOR STANDARDS HANDBOOK	\$428.50
TREBRON COMPANY, INC	SECURITY SOFTWARE MAINTENANCE	\$3,621.00
TREVATHAN, SABRINA RPR	TRANSCRIPTION	\$444.80
TRUE VALUE OF RAWLINS	SUPPLIES	\$528.30
TYLER TECHNOLOGIES, INC	ITAX/IDOC WEB HOSTING FEE	\$250.00
VAN'S WHOLESALE LLC	SUPPLIES	\$393.69
VERIZON WIRELESS	TELEPHONE SERVICES	\$682.74
WEICKUM, TERRY	MILEAGE	\$239.00
WELLS, JACQUELIN	MILEAGE	\$51.50
WEST PAYMENT CENTER	MONTHLY CHARGES	\$642.24
WESTERN STATES FIRE PROTECTION CO	SUPPLIES	\$497.73
WESTERN TRUCK REPAIR	BATTERIES	\$279.90
WIANT, JAMES	GRAVEL PERMIT	\$500.00
WILKERSON, JAMES A IV M.D.	ROUTINE AUTOPSY	\$1,040.00
WILLE, WILLIAM R	BUILDING MAINTENANCE	\$120.00
WLC ENGINEERING	PICK BRIDGE EROSION CONTROL	\$915.00
WY COUNTY COMMISSIONERS ASSOCIATION	REGISTRATION FEES	\$600.00
WY DEPT OF HEALTH	VEHICLE BILLING/UNUSED CSBG FUNDS	\$1,562.86
WY MACHINERY COMPANY	PARTS	\$371.66
XEROX CORPORATION-RENT	IT COPIERS	\$1,491.11
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICES	\$1,325.22
ZIRMED, INC	PROFESSIONAL CLAIMS	\$24.85
GRAND TOTAL		\$119,310.35

VACANCY

Commissioner Jones moved to officially declare Commissioner Paxton's seat vacancy and per statute to notify the Carbon County Republican Party of the vacancy and allow them twenty days to respond with three names. Commissioner Espy seconded and the motion carried unanimously.

CLERK

Clerk Bartlett discussed several procedural items and presented a proposed 2013 Carbon County Commissioners Meeting Schedule.

Commissioner Espy moved to approve the 2013 Meeting Schedule as presented. Commissioner Glode seconded and the motion carried unanimously.

Disclosure Statements

Disclosure statements were presented declaring personal investments and accounts held by various county officials. Clerk Bartlett noted that disclosure statements for Chairman Leo Chapman, Commissioners John Espy, Lindy Glode and Sue Jones, Clerk Gwynn Bartlett and Chief Deputy Clerk Helen Winningham will be put on file.

Minutes

Commissioner Espy moved to approve the minutes of the December 18, 2012 regular meeting of the Board of Carbon County Commissioners as presented. Commissioner Glode seconded and the motion carried unanimously.

Bonds

Commissioner Glode moved to approve a bond for Russell Waldner, Treasurer for the Saratoga-Carbon County Impact Joint Powers Board in the amount of \$25,000.00; Randy Arnold, Treasurer for the Saratoga, Encampment, Rawlins Conservation District in the amount of \$50,000.00; and George Edward Munzing, Treasurer for the Baggs Solid Waste Disposal District in the amount of \$10,000.00. Commissioner Espy seconded and the motion carried unanimously.

Monthly Receipts

Commissioner Espy moved to accept the monthly statement of fees collected for December 2012 for the County Clerk in the amount of \$19,118.00, Planning and Development Department receipts for the month of December 2012 in the amount of \$275.00 and Carbon County Attorney discovery billing of earnings for December 2012 in the amount of \$151.10. Commissioner Jones seconded and the motion carried unanimously.

Publication of Gross Salaries

Commissioner Jones moved to publish the Publication of Gross Salaries for Carbon County, Wyoming Employees effective January 7, 2013. Commissioner Espy seconded and the motion carried unanimously.

Health Insurance

Clerk Bartlett presented an agreement with Cobecon as the Plan Administrator of the county's health insurance plan.

Commissioner Glode moved to approve the Corporate Benefits Connection, LLC dba Cobecon Client Services Agreement with Cobecon. Commissioner Espy seconded and the motion carried unanimously.

Kinetic Leasing

Clerk Bartlett presented a resolution authorizing the negotiation, execution, and delivery of a Master Lease-Purchase Agreement for the new fire truck.

Commissioner Jones moved to authorize the Chairman to sign Resolution No. 2013-01 Master-Lease Purchase Agreement No. CAR3772, A Resolution Authorizing the Negotiation, Execution, and Delivery of a Master Lease-Purchase Agreement in the Principal Amount of \$310,492.00 Between Kinetic Leasing, Inc., as Lessor, and Carbon County, Wyoming, as Lessee, Under Which the Lessee will Lease Certain Equipment; and Prescribing Other Details in Connection Therewith. Commissioner Espy seconded and the motion carried unanimously.

RESOLUTION NO. 2013-01 MASTER LEASE-PURCHASE AGREEMENT NO. CAR3772

A RESOLUTION AUTHORIZING THE NEGOTIATION, EXECUTION, AND DELIVERY OF A MASTER LEASE-PURCHASE AGREEMENT IN THE PRINCIPAL AMOUNT OF \$310,492.00 BETWEEN KINETIC LEASING, INC., AS LESSOR, AND CARBON COUNTY, WYOMING, AS LESSEE, UNDER WHICH THE LESSEE WILL LEASE CERTAIN EQUIPMENT; AND PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH.

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

WHEREAS, the Board of County Commissioners (“the Board”) is authorized 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 Board 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. 107 to the Equipment Lease is appropriate and necessary to the function and operations of the County; and

WHEREAS, Kinetic Leasing, Inc. (the “Lessor”), duly organized, existing, and in good standing under the laws of the State of North Dakota, 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:

Section 1. The Chairperson of the Board 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 Board, which document is available for public inspection at the office of the County's Clerk. The Chairperson of the Board 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 Chairperson of the Board and County Clerk upon advice of counsel, deem necessary and appropriate. The County Clerk and/or County Treasurer 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 \$310,492.00, bearing interest as set forth in Exhibit B of the Schedule No. 104 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 Board 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 Board 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 January 1, 2013 to December 31, 2013 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 7th day of January, 2013.

(SEAL)

LESSEE: CARBON COUNTY, WYOMING

By: -s- Leo Chapman

Title: Chairperson

ATTEST:

By: -s- Gwynn G. Bartlett

Title: Clerk

Memorial Hospital of Carbon County

Clerk Bartlett discussed a request from the hospital to ensure all current and future board members are certified board members.

ELECTED OFFICIALS / DEPARTMENT HEADS

Attorney

Deputy Attorney Mike Kelly presented a Homeland Security Grant for the board's consideration, Project ID 12-GPD-CAR-LS-HLE12.

Commissioner Espy moved to approve the Grant Award for the U.S. Department of Homeland Security Federal Emergency Management Agency Grants Program for \$7,266.81 for September 1, 2012 through May 31, 2014. Commissioner Glode seconded and the motion carried unanimously.

Mr. Kelly reported the Wyoming Aeronautics Commission will have its quarterly meeting in January. He mentioned January 10 the Transwest Express project route comments will be discussed. The Bureau of Land Management has multiple meetings scheduled throughout the project area and he plans to attend these on behalf of the county.

Mr. Kelly discussed the new socioeconomic study received from DKRW. He stated the county now has the opportunity to comment on the report if the board desires. Comments are due by January 14. Commissioner Jones asked how the BOCC would comment because there are generalities and assumptions in the documents. Mr. Kelly replied that the conditional use permit was issued by the Planning & Zoning Commission in 2007 and Industrial Siting Council is the main decider on the project, however DKRW must still approach the county for a building permit therefore the county will still have a great deal of say in how the project will take place. Sid Fox, County Planning Director, felt the new study provides much more detailed information than was provided in the 2007 application for the permit.

Treasurer

County Treasurer Cindy Baldwin noted that Deputy Attorney Kelly has reviewed and recommended approval of an investment policy resolution.

Commissioner Glode moved to approve Resolution No. 2013-02 Carbon County Investment Policy. Commissioner Jones seconded and the motion carried unanimously.

RESOLUTION NO. 2013-02 CARBON COUNTY INVESTMENT POLICY

WHEREAS, W.S. §9-4-831(h) mandates every political subdivision adopts "a statement of investment policy"; and

WHEREAS, CARBON COUNTY desires to adopt an investment policy at least as restrictive with respect to the types of investment as authorized by W.S. §9-4-831(a), a copy of which is affixed hereto and incorporated herein by this reference.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF CARBON COUNTY, WYOMING:

- (a) The CARBON COUNTY financial accounting procedures are divided among the County Commissioners, the County Clerk and the County Treasurer. The County Clerk is designated as budget officer (W.S. §16-4-102(a)(iv)); the County Treasurer is in charge of the county treasury (W.S. § 18-3-804). Warrants for payment from the treasury must be authorized by the Board of County Commissioners (W.S. §18-3-504 and 18-3-805);
- (b) It shall be the policy of the Carbon County Treasurer to invest public funds in a manner which will provide the highest investment return with the maximum security, and conforming to all federal, state and local laws and regulations governing the investment of public funds;
 - (1) To the extent possible, the Carbon County Treasurer will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the Carbon County Treasurer will not directly invest in securities maturing more than one (1) year from the date of purchase.
 - (2) Funds in excess of cash flow requirements may be invested in securities maturing not more than two (2) years, if the maturity of such investments is made to coincide as nearly as practicable with the expected use of funds.
- (c) Any person affecting an investment transaction on behalf of CARBON COUNTY, or offering investment advice, shall sign a statement indicating he or she has read this policy and agrees to abide by this policy and by applicable federal, state and local laws with respect to the advice given and transactions undertaken on behalf of the County.
- (d) The Carbon County Treasurer shall be, and is hereby authorized to make such statutory investments, at his or her discretion, as will conform to this policy which shall be deemed at least as restrictive as the types of investments authorized by W.S. §9-4-831(a).
 - (1) The County shall diversify its instruments by security type and institution. With the exception of U.S. Treasury securities, certificates of deposits and authorized pool, no more than twenty-five percent (25%) of the County's total investment portfolio will be invested in a single security type.
 - (2) To provide assurance that the County will be able to continue financial operations without interruption and dependent upon interest rates, satisfaction with services, the County will generally attempt to utilize at least two financial institutions as depositories.
- (e) The Treasurer is charged with the responsibility of providing a monthly financial report, to include investment activity and returns, in the County's Financial Report.
- (f) This policy shall be effective through the calendar year 2013

WHEREFORE, be it resolved that the Board of County Commissioners adopts the aforementioned policy and this policy shall be reviewed on an annual basis.

ADOPTED this 7th day of January, 2013.

BOARD OF COUNTY COMMISSIONERS

- s- Leo Chapman
- s- Lindy Glode
- s- John Espy
- s- Sue Jones

ATTEST:

-s- Gwynn Bartlett, County Clerk

Treasurer Baldwin presented the investment policy compliance letters from Rawlins National Bank, Bank of Commerce, Bank of the West and Multibank Securities.

Commissioner Espy moved to declare depositories at the Bank of Commerce, Rawlins National Bank and the Bank of the West. Commissioner Glode seconded and the motion carried unanimously.

Treasurer Baldwin noted that disclosure letters are on file for herself and her deputy Chris Rutherford. Treasurer Baldwin reported on numerous accounts and balances the county has to make the new Commissioners aware of funds available.

Assessor

County Assessor Cheryl Ross presented abates and rebates for the Chairman's signature.

Planning & Development

Planning Director Sid Fox reported the zoning resolution requires an annual report to the BOCC and he will be presenting this in February. Mr. Fox reported he will be presenting numerous code amendments in the near future.

Mr. Fox explained his processes for staff reports for cases that the BOCC can expect to receive from his office.

Emergency Management Coordinator

Emergency Management Coordinator John Zeiger reported April 15 or 19 he will have a senior official training with the Department of Homeland Security. Mr. Zeiger confirmed that he has authorization to act in emergency situations and contact the Chairman as soon as possible right after.

Road & Bridge

Road & Bridge Superintendent Bill Nation provided a letter to the board dated January 1, 2013 requesting the BOCC complete a form for his office outlining what areas each member would like to see improvements to assist him with his current budget and future requests. Mr. Nation discussed various funding sources he receives and grants he has been allocated. Mr. Nation also overviewed his internal policies, staffing, equipment and fuel costs, asset list and schedules.

Mr. Nation requested approval of a letter to certify that all Commissioners grant Mr. Nation to sign agreements on behalf of the county for Road & Bridge projects.

Commissioner Jones moved to renew a Lease Agreement Gravel Permit #425 with James Wiant. Commissioner Glode seconded and the motion carried unanimously.

Commissioner Espy moved to grant Bill Nation, Road & Bridge Superintendent to sign agreements on behalf of the county on all projects regarding Road & Bridge. Commissioner Glode seconded and the motion carried unanimously.

WEED AND PEST CONTROL BOARD

Chairman Chapman opened a public meeting at 11:31 a.m. to consider appointments of individuals to the Weed and Pest Control Board. Chairman Chapman explained the current openings. Clerk Bartlett verified that petitions for each applicant were received by the deadline, each was signed by at least 10 landowners of the county and each applicant is a registered voter.

Chairman Chapman closed the public meeting at 11:34 a.m.

Commissioner Glode moved to reappoint Willis Williams to Area III and Stephanie Arnold to Area I for four-year terms expiring January 2017. Commissioner Jones seconded and the motion carried unanimously.

MEMORIAL HOSPITAL OF CARBON COUNTY (MHCC)

Appearing were Ned Hill, Chief Executive Officer and Brenda Rees, Chief Financial Officer (CFO) along with David Pike, interim CFO. Ms. Rees noted that she is leaving MHCC due to health reasons. Ms. Rees discussed the uniqueness of healthcare related activities noting that Medicare and the federal governments dictate how the hospital makes its financial disclosures.

Ms. Rees discussed the hospital's financial status as of November 30, 2012. Loren Simnett from the board was also present. Mr. Hill offered that Quorum representatives come to a future meeting.

Clerk Bartlett advised she received a resolution from MHCC advising the Board of Trustees of Memorial Hospital of Carbon County would like to resolve with the Board of Commissioners of Carbon County that all current and future board members be a "Certified Governing Board Member". There was discussion from the BOCC that it would rather highly encourage the training but not require it.

Clerk Bartlett advised one sealed bid was received for a new ambulance and opened it. Front Range Fire Apparatus bid \$149,565.00 for a 2013 American Emergency Vehicles ambulance on a 2013 Dodge 4500 4x4 chassis. She asked that MHCC take this back to Candi Hofmann to determine if the bid meets the specifications and then the BOCC would need to formally accept the bid to authorize the vehicle's purchase.

BOARD INTERVIEWS / APPOINTMENTS

Ken Besel was interviewed in person for appointment to the Planning & Zoning Commission and Rick Caldwell was interviewed in person for reappointment to the Rawlins-Carbon County Airport Board.

Commissioner Glode moved to reappoint Michael Smith to the Jeffrey Center Board for a five-year term expiring December 2017. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Jones moved to appoint Ken Besel to the Planning & Zoning Commission for a three-year term expiring December 2015. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Espy moved to reappoint Rick Caldwell to the Rawlins-Carbon County Airport Board for a five-year term expiring February 2018. Commissioner Glode seconded and the motion carried unanimously.

RECESS

Chairman Chapman recessed for lunch at 12:22 p.m. and reconvened at 1:30 p.m.

PLANNING & ZONING

Public Hearing – Z.C. Case File No. 2012-14

Chairman Chapman opened a public hearing at 1:30 p.m. to hear Planning & Zoning Z.C. Case File No. 2012-14. Tom Powell of Planning & Development presented Z.C. Case File No. 2012-14 – Brad and Kristen Dirck's request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-16) on approximately 16 acres. Chairman Chapman called for comments for or against this matter. There being no comments Chairman Chapman closed the public hearing at 1:36 p.m.

Commissioner Glode stated that after reviewing the application for a zone map amendment, comments from the Wyoming Game and Fish and Planning and Development comments and recommendation, moved to approve the application as submitted by Brad and Kristen Dirck on Case File No. 2012-14, a Zone Change from RAM to RRA-16 on 16 acres located west of Rawlins, with the legal description as provided in the resolution. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Espy moved to approve Resolution No. 2013-03 A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding Z.C. Case File No. 2012-14. Commissioner Glode seconded and the motion carried unanimously.

RESOLUTION NO. 2013 – 03

**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 #2012-14

WHEREAS, pursuant to Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on Monday, December 3, 2012, which said hearing was advertised by public notice at least thirty (30) days prior to hearing; and

WHEREAS, at the Monday, December 3, 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 Monday, December 3, 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 Monday, January 7, 2013; 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 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 #2012-14 – Brad and Kristen Dirck (Applicants and Land Owners): Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-16) on approximately 16 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: All that portion of the West half of the Southwest quarter of the Southeast quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 13, Township 21 North, Range 88 West of the 6th Principal Meridian, Carbon County, Wyoming, described as: Beginning at a point which is the South quarter corner of said Section 13, such point being monumented by a brass cap; thence North a distance of 1324 feet along the North-South centerline of said Section 13 to a point, which is the South one-sixteenth corner of said Section 13; thence East a distance of 519 feet along the North line of the Southwest quarter of the Southeast quarter of said Section 13, to a point; thence South a distance of 1324 feet to a point on the South line of said Section 13; thence West a distance of 518.68 feet along the South line of said Section 13 to the original point of beginning.

Parcel Number: 21881340001600

**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-16) on approximately 16 acres.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 7th day of January, 2013.

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

By: -s- Leo Chapman, Chairman
-s- John Espy, Vice Chairman
-s- Lindy Glode, Member
-s- Sue Jones, Member

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Public Hearing – Z.C. Case File No. 2012-15

Chairman Chapman opened a public hearing at 1:41 p.m. to hear Planning & Zoning Z.C. Case File No. 2012-15. Planning Director Sid Fox presented Z.C. Case File No. 2012-15 – Day Ranch, Inc.’s request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR) encompassing approximately 165 acres (4 parcels ranging in size from 36+/- acres to 44+/- acres). The staff report states that the case complies with the land use plan as long as the residential density is limited to one principal dwelling unit per 35 acres, not one per 10 acres as the applicant desires. Chairman Chapman asked if there could be a subdivision plan presented in the future and Mr. Fox replied that yes, one could be asked for in the future.

Chairman Chapman called for comments for or against this matter. Ms. Alcorn stated she originally thought that smaller acreage would be more helpful to a potential buyer however after working with the Planning Department she realized that can be worked out later. Melanie Fullman of the U.S. Forest Service commented she is not here to support or oppose the zone change however she did discuss access. She stated currently U.S. Forest Service Road 100 is a designated snowmobile trail therefore closed in the winter. She stated the trail does not preclude access, it just limits vehicle access. She stated if landowners want to leave a road to access their property it requires permits from the Forest Service therefore she recommends the county consider some sort of deeded road system within the area so there is one or two points of access off the forest service road rather than numerous private driveway accesses.

Chairman Chapman clarified that access is not to be considered as a condition of a zone change. Attorney Kelly stated that access is not a requirement of a zone change. The applicant, Mr. Clark agreed that access is not a requirement of the zone change. Mr. Fox stated there could be a public access point or shared access deeded and determined during a survey by the current landowner. Mr. Clark again questioned access and Ms. Fullman stated her comments were meant to ask the BOCC to envision if there were multiple landowners, would there be multiple access points requested.

There being no further comments Chairman Chapman closed the public hearing at 2:11 p.m.

Commissioner Glode moved to approve Resolution No. 2013-04 A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding Z.C. Case File No. 2012-15, from RAM to FPSR-35 with the legal description as provided in the resolution. Commissioner Espy seconded and the motion carried unanimously.

RESOLUTION NO. 2013 – 04

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 #2012-15

WHEREAS, pursuant to Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on Monday, December 3, 2012, which said hearing was advertised by public notice at least thirty (30) days prior to hearing; and

WHEREAS, at the Monday, December 3, 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 Monday, December 3, 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 Monday, January 7, 2013; 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 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 #2012-15 – Day Ranch, Inc. (Applicant and Land Owner): Zone Change from Ranching, Agriculture, Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR) encompassing 165.12 acres (4 parcels recorded, at Book 1228, Page 107 as Day Ranch Estates, Parcel 1, 40.76 acres, Parcel 2, 44.50 acres, Parcel 3, 43.21 acres, and Parcel 4, 36.65 acres). The FPSR Zone is intended to be applied to areas of the County in which timber production and seasonally accessible

recreation uses are the desirable predominant uses and agriculture is the secondary use, and which protection of the timber and recreational lands is essential to the general welfare. It is the additional goal of this zone to allow the recreational and residential use of the county's seasonally accessible recreation lands when those uses do not conflict with timber harvesting or seasonally accessible recreational value of these lands.

Legal Description: A PARCEL OF LAND located within Section 8 and Section 17, Resurvey Township 16 North, Range 81 West, 6th P.M., Carbon County, Wyoming, said parcel lying easterly of and adjoining the centerline of North Brush Creek Road, F.D.R. 100, said parcel being more particularly described as follows; BEGINNING at a found 3-1/4 inch Aluminum Cap marking the East Quarter Corner of said Section 8; thence S.00°23'56"W., 2614.73 feet to a found 3-1/4 inch Aluminum Cap, marking the Southeast Corner of said Section 8; thence S.00°06'39"W., 1314.24 feet to a found 3-1/4 inch Aluminum Cap, marking the North 1/16 Corner between Sections 16 and 17; thence continuing S.00°06'39"W., 257.54 feet to a found 2" Aluminum Cap marking the Northeast Corner of Parcel 2 as shown on the Day Ranch Record of Survey as filed in Book 1121 at Page 15 in said Clerk's office; thence S.89°23'42"W., 1259.76 feet to the Northwest Corner of Parcel 1 of said Day Ranch Record of Survey; thence continuing S.89°23'42"W., 54.25 feet the centerline of said North Brush Creek Road; thence on and along the centerline of said North Brush Creek Road as shown on that corrected plat of the amended right-of-way plat of North Brush Creek Road, FDR No. 100 as filed in Book 930 at Page 273 in said Clerk's office, the following courses: N.22°13'35"E., 641.35 feet; thence 193.08 feet along a curve to the left whose chord bears N.07°28'35"E., 190.95 feet and whose radius is 375.00 feet; thence N.07°16'25"W., 684.40 feet; thence 232.13 feet along a curve to the left whose chord bears N.25°00'25"W., 228.44 feet and whose radius is 375.00 feet; thence N.42°44'25"W., 235.34 feet; thence 156.21 feet along a curve to the right whose chord bears N.30°48'25"W., 155.08 feet and whose radius is 375.00 feet; thence N.18°52'25"W., 636.38 feet; thence 126.32 feet along a curve to the left whose chord bears N.28°31'25"W., 125.72 feet whose radius is 375.00 feet; thence N.38°10'25"W., 359.44 feet; thence 86.57 feet along a curve to the left whose chord bears N.42°18'25"W., 86.49 feet and whose radius is 600.00 feet; thence N.46°26'25"W., 935.07 feet; thence 56.20 feet along a curve to the left whose chord bears N.49°07'25"W., 56.18 feet and whose radius is 600.00 feet; thence N.51°48'25"W., 552.22 feet; thence 176.35 feet, more or less, along a curve to the right whose chord bears N.38°20'05"W., 174.73 feet and whose radius is 375.00 feet, to the north line of the S 1/2 of said Section 8; thence leaving said centerline, N.89°53'27"E., 3298.89 feet, more or less, to the POINT OF BEGINNING said Parcel contains 165.12 acres.

**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 Forestry Production and Seasonal Recreation (FPSR-35).

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 7th of January, 2013.

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

By: -s- Leo Chapman, Chairman
-s- John Espy, Vice Chairman
-s- Lindy Glode, Member
-s- Sue Jones, Member

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

MEETING STREAMING

Matt Webster, IT Director discussed a request by the BOCC to provide live streaming of the BOCC's meetings. He stated after much investigation from the Wyoming State Legislature and other counties, he determined that the county's website host allows audio and video streaming to the county's site currently. The cost for this is \$600 per year for each 10 GB of storage on the site. There are also possibilities through GoTo Meeting.

Commissioner Jones asked if the BOCC could try one meeting and see how it goes. Commissioner Espy also stated he would like to try a cheaper service to gauge the response and then determine what other kinds of services are available and the costs.

INTRODUCTION / DKRW / HARSHMAN STREET EXTENSION

Steve Golnar, Rawlins City Manager introduced himself and discussed DKRW and the Harshman Street Extension. He stated that notice from the Industrial Siting Council states they will be reviewing the updated socioeconomic report on the DKRW project. He also reported that the City of Rawlins is not a party to this project therefore he asked if the BOCC would consider their comments while making theirs. Commissioner Jones discussed what she believes the ISC's process will be for taking comments.

Mr. Golnar introduced Dr. Dave Throgmorton of the Carbon County Higher Education who discussed a community readiness grant from the Wyoming Business Council that would extend Harshman Street to Aberdeen Street in Rawlins. The total grant is approximately \$1 million and Dr. Throgmorton asked the county to sponsor the grant.

Amy Bach of the City of Rawlins offered to enter into a memorandum of understanding with the county to sponsor the grant however all administrative grant responsibilities would be ushered through the City of Rawlins. Clerk Bartlett pointed out that there will still be work required from her office as well as the County Attorney's Office and that the county will be asked in the upcoming month to sponsor an additional Wyoming Business Council grant, however according to the Wyoming Business Council the county could sponsor both.

Commissioner Espy clarified that the grant would only sponsor a new extension and not improve any existing road.

COMMISSIONERS DISCUSSION

Commissioner Glode asked Clerk Bartlett for an update on the Union Wireless grant. Clerk Bartlett discussed that she is working closely with Union to try to hire an Owner's Project Manager and that Union has asked if that person could be the contractor. The BOCC agreed this should be an independent third party.

ADJOURNMENT

Commissioner Espy moved to adjourn the meeting at 3:02 p.m. Commissioner Glode seconded and the motion carried unanimously.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 15th day of January 2013

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Leo Chapman, Chairman