

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, January 15, 2013
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, January 15, 2013 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Leo Chapman; Vice Chairman John Espy; Commissioner Lindy Glode; Deputy County Attorney Mike Kelly; and County Clerk Gwynn Bartlett. Commissioner Sue Jones was absent.

The meeting was called to order at 9:03 a.m. by Chairman Chapman.

ADDITIONS / CORRECTIONS

There were no additions or corrections.

VOUCHERS

Commissioner Espy moved to approve the report of expenditures in the amount of \$324,196.61 excluding any invoices Commissioners are conflicted on. Commissioner Glode seconded and the motion carried unanimously.

There are invoices that Commissioner Glode is conflicted on however there was not a quorum without her vote to be able to approve the invoices. It was determined Commissioner Jones could be called later in the meeting.

Vendor	Detail Line Description	Total
ALCO	SUPPLIES	\$47.35
AM COUNCIL ON CRIMINAL JUSTICE TRAINING	SEMINAR REGISTRATIONS	\$498.00
AMERIGAS	PROPANE SERVICES	\$433.58
BAGGS, TOWN OF	WATER SERVICES	\$24.60
BANK OF COMMERCE (DEBIT CARD)	VARIOUS CHARGES	\$3,812.53
BARKHURST, RAY	MILEAGE	\$34.80
BARTLETT, SUE RN	MILEAGE	\$65.50
BATTERY ZONE	BATTERIES	\$271.95
BEACH, HOMER	SNOW REMOVAL	\$840.00
BEHAVIORAL INTERVENTIONS	ELECTRONIC MONITORING	\$1,739.15
BI-RITE PHARMACY	PRESCRIPTIONS	\$3,132.46
BRESNAN COMMUNICATIONS	CABLE SERVICES	\$150.07
BUILD RITE LUMBER SUPPLY	SUPPLIES	\$390.16
CANDY MOUNTAIN	EQUIPMENT RENTAL/SUPPLIES	\$30.00
CARBON COUNTY ECONOMIC DEVELOPMENT	SEVERANCE PAYMENT	\$6,250.00
CARBON COUNTY SENIOR SERVICES	3RD QTR MATCHING/HEALTH SUBSIDY	\$72,961.11

CARBON COUNTY VETERINARY HOSPITAL	VETERINARY SERVICES	\$222.00
CARBON MERCANTILE CORPORATION	SHERIFF UNIFORMS	\$63.98
CARBON POWER & LIGHT INC	ELECTRICAL SERVICES	\$1,639.98
CASPER WINNELSON CO	SUPPLIES	\$128.80
CBM FOOD SERVICE	JAIL MEALS	\$5,560.85
CHEMDRY OF SNOWY RANGE	CARPET CLEANING	\$272.68
CNA SURETY	COMMISSIONER BONDS	\$765.00
COAST TO COAST SOLUTIONS	SUPPLIES	\$185.27
CO DEPT OF PUBLIC HEALTH & ENVIRONMENT	NOV 2012 TOXICOLOGY	\$40.00
COLORADO DISTRICT ATTORNEYS COUNCIL	CORRECTED REGISTRATION FEE	\$290.00
COOKS CORRECTIONAL	SUPPLIES	\$289.13
COUNTRY STORE	FUEL	\$208.50
COWBOY SUPPLY HOUSE	SUPPLIES	\$419.02
COWDIN, JOHN	MILEAGE	\$32.40
DAILY TIMES	NEWSPAPER ADS	\$410.60
DALLIN MOTORS INC	SHERIFFS VAN/VEHICLE MTCE	\$21,297.30
DIVISION OF CRIMINAL INVESTIGATION	BACKGROUND CHECK	\$15.00
DRUMMOND REFRIGERATION LLC	REFRIGERATION REPAIRS	\$418.58
EASTLUND, NANCY	PATCHES	\$24.00
ELK MOUNTAIN CONOCO	FUEL	\$437.78
ENGSTROM, JAMES D. DDS	DENTAL SERVICES	\$2,500.00
FARMER BROTHERS COFFEE	SUPPLIES	\$85.71
FORSTER LANDSCAPE & CONSTRUCTION, INC.	SUPPLIES/SNOW REMOVAL	\$613.50
FREMONT MOTORS - RAWLINS	VEHICLE MAINTENANCE	\$916.74
FRUDE, CANDICE	SUPPLIES	\$37.68
GALLS, AN ARAMARK COMPANY	SUPPLIES	\$791.62
GCR ELECTRONICS, LLC	SITE RENTALS	\$900.00
GOLDEN, MARY	MILEAGE	\$67.50
GRAINGER	SUPPLIES	\$210.60
GREEN OFFICE NOW	SUPPLIES	\$524.93
HANNA PROP REPAIR	SNOW REMOVAL	\$100.00
HANNA, TOWN OF	WATER SERVICES	\$90.38
HANSON'S	RADIO REPAIRS	\$159.50
HEROLD, BARY	SNOW REMOVAL	\$70.00
HILLTOP LUBE & AUTOMOTIVE	TIRES/VEHICLE MAINTENANCE	\$1,148.76
J H KASPAR OIL COMPANY	FUEL	\$5,927.82
JACKALOPE PRINTING	SUPPLIES	\$446.18
KAISLER, TODD	MILEAGE	\$54.00
KENCO SECURITY AND TECHNOLOGY	ALARM MONITORING	\$34.00
KINETIC LEASING	DOCUMENTATION FEE	\$250.00
KING SOOPERS CUSTOMER CHARGES	SUPPLIES	\$103.31
L M OLSON CONSTRUCTION	CRISIS CENTER CONSTRUCTION	\$67,301.01

LITTLE RASCALS PRESCHOOL	REFUND OF UNUSED MATCH FUNDS	\$295.14
LONG BUILDING TECHNOLOGIES, INC.	HVAC REPAIRS	\$3,370.23
MADER, TSCHACHER, PETERSON & CO.	ADMIN AUDIT	\$5,500.00
MEDICAL ARTS PRESS	SUPPLIES	\$11.12
MEDICINE BOW HEALTH CENTER	SEVERANCE PAYMENT	\$11,425.00
MILLER, JIM	MILEAGE	\$30.60
MOSS, BARBARA	MILEAGE	\$54.60
MY OFFICE ETC.	SUPPLIES	\$2,054.15
NORCO, INC.	SUPPLIES/CYLINDER RENTAL	\$69.05
OFFICE DEPOT	SUPPLIES	\$154.00
OLD PENITENTIARY JOINT POWERS BOARD	SEVERANCE PAYMENT	\$8,052.50
PERKINS OIL CO	FUEL	\$1,551.96
QUILL CORPORATION	SUPPLIES	\$182.43
RAWLINS CARBON COUNTY AIRPORT BOARD	SEVERANCE PAYMENT	\$7,670.00
RAWLINS FIRE EXTINGUISHER	FIRE EXTINGUISHER INSPECTIONS	\$185.00
RAWLINS NATIONAL BANK/LM OLSON	CRISIS CENTER RETAINAGE	\$7,477.89
RENDEZVOUS LODGE LLC.	FUEL/SUPPLIES	\$217.00
RYAN ELECTRONICS INC	MAINTENANCE CONTRACT FEE	\$4,167.50
SARATOGA FEED & GRAIN	SUPPLIES	\$48.55
SARATOGA SUN	NOTICE OF VACANCY AD	\$62.00
SARATOGA, TOWN OF	WATER SERVICES	\$81.75
SHEA, DIXIE F	MILEAGE	\$24.00
SHEPARD'S	FUEL	\$386.37
SHOPKO	SUPPLIES	\$151.92
SOURCE GAS	GAS SERVICES	\$491.18
SOUTH CENTRAL WY EMS	SEVERANCE PAYMENT	\$12,500.00
STANLEY SECURITY SOLUTIONS	BUILDING MAINTENANCE	\$4,630.00
STAPLES ADVANTAGE	SUPPLIES	\$60.85
STEPHENSON, LEE ANN	MILEAGE	\$37.20
SUNRISE SANITATION SERVICE, LLC.	GARBAGE SERVICES	\$20.00
SWISHER HYGIENE FRANCHISEE TRUST	SUPPLIES	\$269.74
TASER INTERNATIONAL	SUPPLIES	\$2,062.15
TERMINIX	PEST CONTROL	\$688.00
THE QUIK LUBE	VEHICLE MAINTENANCE	\$62.93
TRADING POST	FUEL	\$158.53
U S BANK	VARIOUS CHARGES	\$1,763.56
U S POSTMASTER-RAWLINS	PO BOX RENT	\$44.00
US BANK TRUST N.A.	2010C BONDS ADMIN FEE	\$500.00
UTILITY BILL SOLUTIONS GROUP	UTILITY SAVINGS	\$120.97
VAISALA, INC.	AWOS MAINTENANCE	\$1,347.00
VAN'S WHOLESALE LLC	SUPPLIES	\$137.06
WEST PAYMENT CENTER	MONTHLY CHARGES	\$785.63

WY DEPT OF HEALTH	VEHICLE BILLING/PAYROLL	\$37,825.27
WY RENTS	EQUIPMENT RENTAL	\$385.00
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	\$1,325.41
YOCUM, LEO	MILEAGE	\$24.00
GRAND TOTAL		\$324,196.61

CLERK

Minutes

Commissioner Glode moved to approve the minutes of the January 7, 2013 regular meeting of the Board of Carbon County Commissioners as presented. Commissioner Espy seconded and the motion carried unanimously.

Bonds

Commissioner Espy moved to approve a bond for Clint A. Weber, Treasurer for the Baggs Cemetery District in the amount of \$5,000.00. Commissioner Glode seconded and the motion carried unanimously.

Monthly Receipts

Commissioner Espy moved to accept the fees collected from the Clerk of District Court for the month ending November 2012 in the amount of \$1,499.78. Commissioner Glode seconded and the motion carried unanimously.

Saratoga Lions Club

Clerk Bartlett presented a request from the Saratoga Lions Club to conduct a Calcutta during the annual chariot races in Saratoga February 15-17.

Commissioner Glode moved to approve the Saratoga Lions Club to conduct a Calcutta in Saratoga February 15-17. Commissioner Espy seconded and the motion carried unanimously.

Wyoming County Commissioner's Association (WCCA)

Clerk Bartlett advised she has been notified by the WCCA that they need one member from the BOCC to represent Carbon County at the WCCA board meetings.

Commissioner Glode moved to appoint Chairman Chapman as the representative for Carbon County on the WCCA Board of Directors. Commissioner Espy seconded and the motion carried unanimously.

Memorial Hospital of Carbon County (MHCC) Meeting

Clerk Bartlett reported that Quorum Health Resources (QHR) and the MHCC Board of Trustees would like a meeting with the Commissioners to discuss QHR's request to renew its contract to manage

MHCC. She stated they would like to have this meeting at 5 p.m. or later on February 19 however the regular meeting would likely be over in the early afternoon. She stated the importance of all board members being able to attend to discuss QHR's role in the past years and recommended they approve the 5 p.m. time.

BOCC Interviews

Clerk Bartlett discussed how the BOCC would like to handle the BOCC interviews.

Sinclair Golf Club

Clerk Bartlett advised she received a sales tax delinquency notification from the Wyoming Liquor Division. Sinclair Golf Club has been on sales tax hold since January 10, 2013 and this allows the Board to suspend the Club's liquor license. She asked how the Board would like to proceed and noted in the past she has notified the Club of the delinquency to give them a chance to come into compliance.

The BOCC agreed it would like to notify them and give them the opportunity to catch-up on sales tax.

MHCC

Clerk Bartlett presented Requisition #32 for MHCC's 2009 specific purpose tax project.

Commissioner Espy moved to approve Carbon County 2009 Specific Purpose Tax Joint Powers Board Requisition #32 in the amount of \$3,855.65. Commissioner Glode seconded and the motion carried unanimously.

Little Rascals Preschool

Clerk Bartlett advised that the Little Rascals Preschool cancelled its appointment today and rescheduled for February 5. She advised that they may want to visit with the Town of Baggs to ask them to sponsor the grant. The BOCC agreed that while it would like to see a new preschool up and running, the county should not be in the business of renting a preschool.

Mr. Nation stated that as part of the discussion he would like to include elevation in the discussion of how to construct the new building as it is in a flood zone.

Comments to Industrial Siting Division – DKRW

Clerk Bartlett reported she received comments from Reese Johnson and separate comments from Willing John Johnson about the potential coal to liquids project DKRW has proposed. The comments are addressed to the Industrial Siting Division of the Wyoming Department of Environmental Quality and she noted she copied the comments to all Commissioners, Bill Nation of Road & Bridge, Sid Fox County Planner and Mike Kelly Deputy County Attorney.

Chairman Chapman recommended that any BOCC attend a future ISD meeting in February on the matter. Mr. Fox reported the conditional use permit that was issued in 2007 therefore in context of the

state hearings, the BOCC may want to consider if the county permit process would be opened. He noted the permit is open ended with no time limit.

Homeland Security Grant Contract

Commissioner Glode moved to approve the Grant Award for U.S. Department of Homeland Security Federal Emergency Management Agency, Grants Program Directorate, State Homeland Security Grant Program, Law Enforcement and Terrorism-oriented Prevention Activities Fiscal Year 2011, for an award amount of \$17,325.17 from August 1, 2011 through March 31, 2014 for Project ID 11GPD-CAR-LS-HLE11. Commissioner Espy seconded and the motion carried unanimously.

Clerk Bartlett noted that Attorney Kelly had reviewed the grant.

Skyline Acres

Clerk Bartlett reported she will be approaching the BOCC at a future meeting to determine what they would like to do with the Skyline Acres property and asked them to be thinking about options in the meantime.

PERSONNEL POLICY UPDATE

Public Hearing

Chairman Chapman opened a public hearing at 9:46 a.m. to hear comments on the Personnel Policy update. Clerk Bartlett noted for the record that notice of the hearing was placed in the Rawlins Daily Times November 20, 2012. Clerk Bartlett noted no public comments were received by her office. There being no comments, Chairman Chapman closed the hearing at 9:48 a.m.

Commissioner Espy moved to approve the amendments to the Carbon County Personnel and Benefits Manual and amendments to the Family and Medical Leave rules and regulations as presented, both effective January 16, 2013. Commissioner Glode seconded and the motion carried unanimously.

CLERK

Commissioner Glode requested Clerk Bartlett report after a recess on how much the county's third party administrator and broker are paid related to the health insurance programs.

RECESS

Chairman Chapman recessed at 9:54 a.m. and reconvened at 10:01 a.m.

ELECTED OFFICIALS / DEPARTMENT HEADS

Treasurer

County Treasurer Cindy Baldwin presented a rebate on behalf of the County Assessor. Ms. Baldwin reported on the balance in the hospital's mill levy account. She reported the museum has \$714,582.76 in

its set-aside account to use towards a new museum. She also reported on special project balances noting there is just over \$425,000.00.

There was a loss of power and the recorder stopped working for approximately 1 minute.

Ms. Baldwin discussed House Bill 87 regarding a potential reduction in interest for mineral production taxes. She stated the Treasurer's Association will have a conference call with Cindy DeLancey of the Wyoming County Commissioners Association (WCCA) on the matter this morning as Ms. DeLancey would like to see a compromise while the Treasurer's Association does not believe industry should be given this break. She encouraged the BOCC to contact the county's legislators to not support this bill in any form.

Commissioner Glode reported she agreed with Ms. Baldwin and she has already commented to WCCA and the county's legislators as well as other legislators on the matter.

Attorney

Deputy County Attorney Mike Kelly updated the BOCC regarding various projects affecting the county. Energy Gateway South Transmission Line's draft EIS is scheduled to be released tomorrow and he will work with the Planner to try to obtain copies immediately.

Mr. Kelly advised the Continental Divide Creston Natural Gas Development project has been amended to increase the area of natural gas, mostly in Sweetwater County but partly in Carbon County with approximately 9,000 new wells to be drilled in a 15 year period. The Bureau of Land Management (BLM) is sponsoring an open house at the Jeffrey Center today from 4-7 p.m. He stated comments close March 6.

Mr. Kelly stated he and Chairman Chapman attended a meeting in Craig last week about the Transwest Express project where they commented that the county is adamantly opposed to route 1C. They also stated Carbon County prefers the tri-county route however the BLM is still using a route paralleling Highway 79 going west near Baggs.

Mr. Kelly provided an update on the biodiversity suit against the state regarding sheep operations. He stated the county is a cooperator in the BLM Sage Grouse Management Plan in Region 9 and there are now modifications that the BLM will discuss in a cooperator's meeting this Thursday in Rawlins.

Mr. Kelly reported Senate File 49 sets a limit for project builders to expend 25% of the total cost of the project in the first two years and that this could affect the Chokecherry / Sierra Madre Wind project therefore this project has withdrawn its Industrial Siting Application until they know the result of the bill. This could delay the project up to a year. He stated there was a Programmatic Agreement on the project and a separate committee is working on mitigation efforts and there is a conference about this later today.

County Fire

John Rutherford County Fire Warden reported restrooms at the County Fire Station will be updated. He discussed a request to the old BOCC to hire an apparatus mechanic to work on the 60+ apparatus the

county owns. He stated this position would serve the entire county fire fleet. Mr. Rutherford added this position was not budgeted for. There was a long discussion on where additional funds would be taken from, the need for the position, and the upcoming fire season needs.

Commissioner Glode moved to allow the Fire Warden to hire an apparatus mechanic for up to \$43,000.00 a year. Commissioner Espy seconded and the motion carried unanimously.

Mr. Rutherford reported there is new technology that allows emergency response to be done through text or recording messaging rather than pagers. The cost is approximately \$43,000.00 to add the system to the county's current system. He has now talked to other individuals from another county that is not as expensive. He will be researching the systems more.

Planning & Development

Planning Director Sid Fox reported he would like to schedule a joint work session between the BOCC and the Planning & Zoning Commission to provide an overview of planning, zoning and subdivision in Wyoming. He proposed Monday, March 18.

Road & Bridge

Road & Bridge Superintendent Bill Nation reported he recently met with Central Federal Highways about their program and how it applies to County Road #207, the Saratoga fish hatchery road. He stated the new Federal Lands Access Program (FLAP) would pave the road and he would like the county to sponsor a 2015 or 2017 project with a 10% match to be funded by the fish hatchery programs. He reported the department is not setup to repair pavement.

Commissioner Glode clarified that the road is not in bad shape and questioned why the project is necessary and asked if it was due to the traffic to the national fish hatchery. Mr. Nation replied there is visitor traffic and heavy duty traffic for chemical transport and other items. Commissioner Glode also clarified what would be needed to do repairs on pavement in the future and Mr. Nation reported he would bid these types of projects.

Commissioner Espy moved to authorize Bill Nation to proceed with gathering information and to look into improvements to pave all of County Road #207 and a portion of County Road #550. Commissioner Glode seconded and the motion carried unanimously.

Mr. Nation reported on upcoming meetings he will attend including one regarding the replacement of the Elk Mountain Bridge. He also met with officials on the High Risk Rural Road project which is now over \$60,000.00 rather than around \$27,000.00. He requested authorization for the Chairman to sign the grant agreement.

Commissioner Espy moved to authorize the Chairman to sign the necessary documents for the High Risk Rural Road project when available subject to County Attorney review. Commissioner Glode seconded and the motion carried unanimously.

WBC GRANT SPONSORSHIP FOR HARSHMAN ABERDEEN ROAD EXTENSION

Dave Throgmorton and Gilbert Archuleta and Juli Miller both of the Cooperative Higher Education Services Board provided a rough overview of the 2013 Community Readiness Application for the Harshman Street Extension including the road, safety features, lighting, and connecting the walking trail that currently exists. The requested grant amount is \$849,715.00. Mr. Throgmorton noted that a public hearing would be necessary in the near future if the grant were to be sponsored. The grant application deadline is March 1.

Commissioner Espy asked who would be administering the grant and Mr. Throgmorton replied that the city or the county could do this or a combination of both. Clerk Bartlett indicated her preference is that it be a joint effort hammered out in a memorandum of understanding (MOU) with the city.

Clerk Bartlett clarified that the \$150,000.00 match, \$70,000.00 to be provided by the city and \$80,000.00 from Carbon County Higher Education Center is available and would be provided up front to the county. Mr. Thormorton stated both matches are approved by the entities and is available.

Commissioner Glode moved to sponsor a Community Readiness Grant with an MOU with the City of Rawlins and the Carbon County Higher Education Board regarding administration for the Harshman Street Extension project. Commissioner Espy seconded and discussed if any other legal documents would be prepared and Bill Nation confirmed the road would be paved, as he stated a similar project for Higley Street would be paved however it never was. The motion carried unanimously.

Mr. Throgmorton scheduled the required public hearing for February 5 at 11:30 a.m. and noted he would advertise the project.

ROAD & BRIDGE

Mr. Nation continued his discussion about upcoming meetings he will attend. He also discussed a new reflectivity code

BOARD INTERVIEW / APPOINTMENT

Ray Barkhurst was interviewed in person for appointment to the Weed and Pest Control Board.

Commissioner Espy moved to appoint Ray Barkhurst to the Weed and Pest Control Board Area IV for a four-year term expiring January 2017. Commissioner Glode seconded and the motion carried unanimously.

ECONOMIC DEVELOPMENT CORPORATION

Cindy Wallace of Carbon County Economic Development Corporation discussed new developments on the application for a grant between Carbon County and Natrona County for fiber line between the two counties. She noted that rather than a Business Committed Grant it will likely be a Community Readiness Grant with funding from the Governor's fund for large infrastructure. She noted the project is now escalated to \$9.6 million requiring a larger match of \$1.44 million rather than just \$1 million.

Initially Natrona County was slated to provide the entire match however the Wyoming Business Council suggested both counties provide a match to strengthen the application. The other new development is that Natrona County will be the sole sponsor.

There was discussion of a potential funding source for a match. Ms. Wallace also noted the match could be a loan and repaid during the project. Treasurer Baldwin recommended that other entities that would benefit from the project should provide a match and the county could match these amounts. The BOCC asked Ms. Wallace to contact each municipality benefiting from the project and request a match. There was further discussion that the match would be repaid. Ms. Baldwin insisted other entities be asked to provide a match and Clerk Bartlett suggested Ms. Wallace visit the Council of Governments meeting tomorrow to request a match from the municipalities.

Commissioner Glode moved to allocate up to \$100,000.00 for a match for the broadband partnership that Natrona County will apply for with the contingency that Cindy Wallace of Carbon County Economic Development Corporation will approach benefiting municipalities to also contribute and subject to legal review of all documents. Commissioner Espy seconded and Mr. Nation asked for clarification on where access points would be so the communities that will be approached for a match will know. The motion was amended to include that point of presence access would be granted along the route as many locations as reasonable including those communities that would contribute matching funds. The amended motion carried unanimously.

COMMISSIONERS DISCUSSION

Commissioner Espy reported he was discussing with other County Commissioners their board procedures and he will be looking into having Commissioner Liaisons with these boards.

Commissioner Glode reported she is on the Energy and Environmental Committee for WCCA. She discussed other meetings she attended including the BLM's meeting about floaters on the Platte River.

Mr. Kelly reported the City of Rawlins has invited the BOCC to attend an aging in place meeting January 24 at 3 p.m. at City Hall.

Clerk Bartlett replied to Commissioner Glode's earlier request to provide figures about what the county is paying to its insurance brokers and third party administrators.

EXECUTIVE SESSION

Commissioner Glode moved to go into executive session at 12:49 p.m. for litigation and other matters considered confidential by law with Deputy Attorney Mike Kelly and Clerk Bartlett. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Espy moved to come out of executive session at 12:57 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Glode seconded and the motion carried unanimously.

ADJOURNMENT

Commissioner Espy moved to adjourn the meeting at 1:03 p.m. Commissioner Glode seconded and the motion carried unanimously.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 5th day of February 2013

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Leo Chapman, Chairman