

**MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, June 15 and 16, 2010  
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, June 15, 2010 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Terry Weickum; Vice Chairman Jerry Paxton; Deputy County Attorney Mike Kelly; County Treasurer Cindy Baldwin; and County Clerk Gwynn Bartlett.

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

Commissioner Charles C. Young was absent and Clerk Bartlett noted his house is in severe flooding danger.

**VOUCHERS**

Commissioner Paxton moved to approve the report of expenditures in the amount of \$933,985.22. Chairman Weickum seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
ABSOLUTE SOLUTIONS	EQUIPMENT	\$877.84
ALCO	SUPPLIES	\$36.42
ALL IN ONE	BUILDING MAINTENANCE	\$650.00
ALSCO, AMERICAN LINEN DIVISION	SUPPLIES	\$150.67
AMERIGAS	GAS SERVICES	\$231.12
API SYSTEMS INTEGRATORS	PARTS	\$2,837.99
ARLINGTON OUTPOST	VEHICLE MAINTENANCE	\$195.90
BANK OF COMMERCE (DEBIT CARD)	VARIOUS CHARGES	\$113,345.09
BCN CONCRETE & GRAVEL, INC	CEMENT WORK	\$10,870.00
BEST WESTERN COTTONTREE	ROOM VOUCHER	\$70.00
BIG HORN ROOFING INC	ROOF REPAIRS	\$65,955.00
BI-RITE PHARMACY	PRESCRIPTIONS	\$4,434.41
BLACK HILLS AMMUNITION	AMMUNITION	\$565.00
BOB BARKER COMPANY, INC.	SUPPLIES	\$1,152.67
BOUGERE, LIBBY	FACILITATOR FEES	\$1,000.00
BOYS & GIRLS CLUBS OF CARBON COUNTY	SEVERANCE/GRANT PAYMENTS	\$11,867.93
BRESNAN COMMUNICATIONS	INTERNET/TELEPHONE SERVICES	\$5,375.60
BROWN, DREW & MASSEY, LLP	LEGAL SERVICES	\$66.00
BUFFALO RUN RESIDENTIALS, LLC	RENTAL CHARGES	\$813.00
BUILD RITE LUMBER SUPPLY	SUPPLIES	\$716.31
BUILDING THE LSRV WE WANT	SEVERANCE TAX PAYMENT	\$2,500.00
C O V E	SEVERANCE/GRANT PAYMENTS	\$3,361.79
CANDY MOUNTAIN 2010	COOLER RENTAL	\$15.00
CAPITOL COMMUNICATIONS	IT VOICE/PHONE SYSTEM	\$965.40
CARBON COUNTY 4-H	CES MATERIALS 4H/HOME DEM	\$135.69
CARBON COUNTY CHILD DEVELOPMENT CTR	SEVERANCE TAX PAYMENT	\$1,875.00
CARBON COUNTY COUNSELING CENTER	SEVERANCE TAX PAYMENT	\$2,500.00
CARBON COUNTY ECONOMIC DEVELOPMENT	SEVERANCE TAX PAYMENT	\$6,250.00
CARBON COUNTY SENIOR SERVICES	MEALS	\$45.00
CARBON COUNTY STRIKE TEAM	TRAINING/SUPPLIES	\$104.06
CARBON COUNTY TREASURER	VARIOUS CASH ITEMS	\$1,317.75
CARBON POWER & LIGHT INC	ELECTRICAL SERVICES	\$1,529.89
CASA OF NATRONA COUNTY	TICKETS	\$100.00
CBM FOOD SERVICE	JAIL PRISONER BOARD	\$10,412.76
CDW GOVERNMENT, INC.	IT EQUIPMENT	\$1,998.49
CESKO, DAVID MD	MEDICAL SERVICES	\$557.00
CHANDRA, V. RAJA-HEALTH OFFICER	CONTRACT WAGES	\$1,345.00
CHILDREN'S ADVOCACY PROJECT, INC	JAIL HEALTH	\$525.00
CHILDRESS ELECTRIC INC	ELECTRICAL SERVICES	\$1,757.81
COMPUTER SOFTWARE ASSOCIATES	PAYROLL UPGRADE	\$9,169.92
CONLEY, MARCI	MAY PARENTING CLASSES	\$312.60
CONOCOPHILLIPS	FUEL	\$173.95

COOKS CORRECTIONAL	JAIL PRISONER BOARD	\$181.37
CORONERME.COM	MAINTENANCE FEES	\$145.00
COWBOY SUPPLY HOUSE	SUPPLIES	\$47.96
CULLIGAN WATER CONDITIONING	SUPPLIES	\$225.00
CUSTOM BUILDERS	R&B BATHROOMS	\$53,808.00
CUSTOM CREATIONS	SUPPLIES	\$883.20
CYR, NANCY	MILEAGE	\$15.50
DAILY TIMES	NEWSPAPER ADS	\$1,251.31
DEFUR, DANIELLE	MEALS/MILEAGE	\$334.82
DEL RIO LLC	MEALS	\$1,752.00
DELEON, JOHN	LEGAL SERVICES	\$2,469.00
DELL COMPUTERS	IT EQUIPMENT	\$48,310.17
DOUBLETREE LOGGING	SIGN POSTS	\$1,960.00
DRUMMOND REFRIGERATION LLC	ICE MAKER REPAIRS	\$156.70
DUBOIS TELEPHONE EXCHANGE	TELEPHONE SERVICES	\$333.64
E & H PLUMBING & HANDYMAN	BUILDING REPAIRS	\$203.00
EAGLE UNIFORM SUPPLY	SUPPLIES	\$150.98
ELK MOUNTAIN, TOWN OF	WATER SERVICES	\$56.00
ENCAMPMENT STUDENT COUNCIL	AD	\$100.00
ENCAMPMENT, TOWN OF	WATER SERVICES	\$66.00
ENERGY CONSTRUCTION	ROOF REPAIRS	\$22,365.00
ENGSTROM, JAMES D. DDS	DENTAL SERVICES	\$4,714.65
ERICKSON & ROBERTS	LEGAL SERVICES	\$4,677.08
EXCEL PRESCHOOL	SEVERANCE TAX PAYMENT	\$1,875.00
FARMER BROTHERS COFFEE	SUPPLIES	\$223.85
FOX, SID	MEALS	\$70.00
FREMONT MOTORS - RAWLINS	VEHICLE MAINTENANCE	\$365.46
GASES PLUS	WELDING SUPPLIES	\$1,017.98
GCR ELECTRONICS, LLC	SITE RENTALS	\$900.00
GOLDEN, MARY	MILEAGE	\$63.00
GOSVENOR, MAXINE	MILEAGE	\$16.50
GREATER WY BIG BROS/SISTERS	SEVERANCE/GRANT PAYMENTS	\$4,768.05
GREEN CARTRIDGE COMPANY	TONER	\$174.87
GREINER FORD	CCSO VEHICLE	\$24,091.00
HANNA, TOWN OF	WATER SERVICES	\$136.50
HASCO INDUSTRIAL SUPPLY	SUPPLIES	\$1,066.00
HAYS, STEPHEN DDS	DENTAL SERVICES	\$520.00
HEIMAN FIRE DEPARTMENT	SUPPLIES	\$1,256.15
HEMOCUE	SUPPLIES	\$168.00
HENSLEY, ROXIE JACKSON	LEGAL SERVICES	\$1,105.00
HEROLD IRON WORKS	PARTS	\$120.00
HERRING, LACEY	POSTAGE/SUPPLIES	\$62.17
HETTGAR, BRIDGET M RN	SUPPLIES/MILEAGE	\$651.87
HIGH PLAINS POWER	ELECTRICAL SERVICES	\$53.23
HIGH PLAINS VISION CENTER	VISION SERVICES	\$943.00
HILLCREST SPRING WATER, INC.	SUPPLIES	\$35.85
HILLTOP CONOCO	FUEL	\$32.01
HILLTOP LUBE & AUTOMOTIVE	VEHICLE MAINTENANCE	\$657.12
HONES VETERINARY SERVICE, LLC	VET SERVICES	\$17.70
HORIZONS UNLIMITED, LLC	SUPPLIES	\$60.00
IKON FINANCIAL SERVICES	IT COPIERS	\$2,306.54
IKON OFFICE SOLUTIONS	IT COPIERS	\$1,400.00
INDEPENDENT TABULATION, INC.	ELECTIONS SUPPLIES	\$49.95
J H KASPAR OIL COMPANY	FUEL	\$8,269.28
JACK'S BODY & FENDER REPAIR	VEHICLE MAINTENANCE	\$570.00
JACKALOPE PRINTING	SUPPLIES	\$66.28
JERRY'S DONUTS	SUPPLIES	\$44.95
JOHNSON ENGINEERING ASSOCIATES	PROFESSIONAL SERVICES	\$2,103.76
JUVE, JANE H	LEGAL SERVICES	\$1,971.42
KAISER, DON	MOWING SERVICES	\$130.00
KAR KRAFT INC	VEHICLE MAINTENANCE	\$592.64
KENCO SECURITY AND TECHNOLOGY	MONITORING/SUPPLIES	\$425.40
KEY MOTEL	RENTAL CHARGES	\$400.00
KILBURN TIRE COMPANY	VEHICLE MAINTENANCE	\$630.95
KINETIC LEASING	LEASE PAYMENTS	\$61,776.00

KING SOOPERS CUSTOMER CHARGES	SUPPLIES	\$423.16
KNAPP SUPPLY & EQUIPMENT CO	SUPPLIES	\$588.16
KNF FLEXPAC CORPORATION	TRANSPORT BAGS	\$424.38
KONE ELEVATORS ESCALATORS	ELEVATOR MAINTENANCE	\$10,098.19
KOSTOVNY, MARK	MILEAGE	\$25.80
L & L ELECTRIC	CEILING FANS INSTALLATION	\$2,799.00
LEXBO LLC	OFFICE RENTAL	\$450.00
LONG BUILDING TECHNOLOGIES, INC.	HVAC AGREEMENT/REPAIRS	\$15,630.00
LOVE AND LOGIC INSTITUTE INC., THE	SUPPLIES	\$630.00
MACPHERSON, KELLY & THOMPSON, LLC	LEGAL SERVICES	\$2,607.53
MATTHEW BENDER & CO, INC.	SUPPLIES	\$155.42
MCBRIDE'S HILLTOP LUBE & TIRE	VEHICLE MAINTENANCE	\$51.33
MEDICINE BOW CONSERVATION DISTRICT	SEVERANCE TAX PAYMENT	\$7,500.00
MEDICINE BOW HEALTH CENTER	SEVERANCE TAX PAYMENT	\$23,750.00
MEDICINE BOW, TOWN OF	WATER SERVICES	\$108.00
MEMORIAL HOSPITAL OF CARBON COUNTY	MEDICAL SVCS/SEVERANCE PMT	\$6,687.40
MIKESELL, CECELIA	SUPPLIES	\$11.53
MPM CORP / EVERGREEN DISPOSAL	GARBAGE SERVICES	\$120.00
MURANE & BOSTWICK, LLC.	PROFESSIONAL SERVICES	\$64.00
NATIONAL BUSINESS FURNITURE	SUPPLIES	\$218.00
NATIONWIDE ADVERTISING SPECIALTY CO	SUPPLIES	\$413.10
NORTHERN TOOL & EQUIPMENT	SUPPLIES	\$578.13
OFFICE DEPOT	SUPPLIES	\$420.20
OLD PENITENTIARY JOINT POWERS BOARD	SEVERANCE TAX PAYMENT	\$12,525.00
O'REILLY AUTO PARTS	PARTS	\$52.97
PAGE ONE	TELEPHONE SERVICES	\$264.46
PAMIDA INC	SUPPLIES	\$1,146.83
PATTON, SALLY	MILEAGE	\$90.00
PAXTON, JERRY	MILEAGE	\$491.00
PDR DISTRIBUTION, LLC	SUBSCRIPTION	\$72.90
PEDEN'S INC	SUPPLIES	\$979.50
PENCE AND MACMILLAN LLC	LEGAL SERVICES	\$1,944.95
PERKINS OIL CO	FUEL	\$1,278.44
PERUE PRINTING	IT COPIERS/SUPPLIES	\$777.35
PIPHER, DONNA J	MILEAGE	\$170.40
PITNEY BOWES	SUPPLIES	\$702.74
PLAINSMAN PRINTING & SUPPLY	SUPPLIES	\$2,628.23
PLATTE VALLEY COMMUNITY CENTER	SEVERANCE TAX PAYMENT	\$5,000.00
PLATTE VALLEY MEDICAL	MEDICAL SERVICES	\$75.00
POTTER, SHAWNA	SUPPLIES/TRAVEL	\$292.47
PRO-CHEM INDUSTRIAL, LLC	SUPPLIES	\$337.30
PROJECT PREVENTION	MISC CHARGES	\$2,687.98
QUESTAR GAS	GAS SERVICES	\$83.11
QUILL CORPORATION	SUPPLIES	\$162.21
QWEST-PHOENIX	TELEPHONE SERVICES	\$4,454.10
R D J SPECIALTIES INC	SUPPLIES	\$102.67
RAWLINS AUTOMOTIVE	PARTS	\$1,628.16
RAWLINS CARBON COUNTY AIRPORT BOARD	SEVERANCE TAX PAYMENT	\$10,000.00
RAWLINS EYE CARE	VISION SERVICES	\$675.00
RAWLINS FAMILY MEDICAL, P.C.	MEDICAL SERVICES	\$710.00
RAWLINS FIRE EXTINGUISHER	ANNUAL INSPECTIONS	\$600.00
RAWLINS URGENT CARE	MEDICAL SERVICES	\$422.00
RAWLINS, CITY OF	WATER SERVICES	\$2,465.84
RELIABLE	SUPPLIES	\$965.36
RESERVE ACCOUNT	POSTAGE	\$12,500.00
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICES	\$13,267.82
ROSS' AUTOMOTIVE SERVICES	VEHICLE REPAIRS	\$910.14
RUNYAN ENTERPRISES LLC	REMOTE SUPPORT	\$850.00
RYAN ELECTRONICS INC	CONTRACT SERVICES/SUPPLIES	\$7,655.11
SARATOGA AIRPORT BOARD	SEVERANCE TAX PAYMENT	\$1,875.00
SARATOGA AUTO PARTS, INC.	PARTS	\$5,747.23
SARATOGA FEED & GRAIN	GATE	\$260.60
SARATOGA SUN	NEWSPAPER ADS	\$521.50
SARATOGA, TOWN OF - WATER	WATER SERVICES	\$80.50
SECURITY TRANSPORT SERVICES, INC.	JAIL EXTRADITIONS	\$1,296.00

SHEEN LAW OFFICE	LEGAL SERVICES	\$210.00
SHEPARD CONSTRUCTION INC	DOOR INSTALLATION	\$25,860.00
SHEPARD'S	FUEL	\$1,774.64
SHIVELY HARDWARE	SUPPLIES	\$933.12
SMITH FAMILY TRUST	RENTAL CHARGES	\$650.00
SMITH TRANSFER & STORAGE, INC.	MOVING SERVICES	\$260.00
SOURCE GAS	GAS SERVICES	\$1,015.92
SOUTH CENTRAL WY EMS	SEVERANCE TAX PAYMENT	\$23,000.00
SPILLMAN TECHNOLOGIES	NEW SERVER FOR S.O.	\$44,898.00
SRIDHARAN, P V MD	MEDICAL SERVICES	\$250.00
STANLEY SECURITY SOLUTIONS	LOCKS & KEYS	\$800.39
STAPLES ADVANTAGE	JAIL SUPPLIES	\$607.99
SUNRISE SANITATION SERVICE, LLC.	GARBAGE SERVICES	\$55.00
SWEET, JEFFREY C DDS PC	DENTAL SERVICES	\$2,057.00
SWEETWATER COUNTY SHERIFF'S OFFICE	JAIL CONTRACT HOUSING	\$7,770.00
TERMINIX	PEST CONTROL	\$650.00
THREE SONS LLC	WINDSHIELD REPLACEMENT	\$293.72
TRADEMARK GRAPHICS, INC.	SUPPLIES	\$699.05
TRADING POST	SUPPLIES	\$27.50
TRIPLE XXX CONTRACTING, INC.	GARBAGE SERVICES	\$50.00
TRUE VALUE OF RAWLINS	SUPPLIES	\$4,729.54
U S BANK	VARIOUS CHARGES	\$2,025.63
U S IDENTIFICATION MANUAL	SUBSCRIPTION	\$82.50
U W C E S	QUARTERLY SALARIES	\$11,787.00
UNION TELEPHONE COMPANY	TELEPHONE SERVICES	\$620.24
UNIVERSATA, INC	LEGAL SERVICES	\$54.86
UPS	POSTAGE	\$54.52
VALLEY FOOD & LIQUOR	SUPPLIES	\$10.13
VALLEY OIL COMPANY	FUEL	\$4,695.44
VALLEY PHARMACY	PRESCRIPTIONS	\$320.03
VAN'S WHOLESALE LLC	SUPPLIES	\$1,027.82
VERIZON WIRELESS	TELEPHONE SERVICES	\$1,928.54
WASHBOARD, THE	LAUNDRY	\$40.00
WATERWORKS INDUSTRIES INC.	FAIR GROUNDS MAINTENANCE	\$500.00
WEICKUM, TERRY	MILEAGE	\$140.00
WELLS, JACQUELIN	MILEAGE	\$10.50
WEST PAYMENT CENTER	WEST INFORMATION CHARGES	\$564.01
WESTERN PETROLEUM CO.	FUEL	\$4,652.90
WILSON, MARGARET	SHERIFF SUPPLIES UNIFORMS	\$15.00
WIMPENNY, ROBERT G DDS	DENTAL SERVICES	\$3,165.00
WRECK-A-MEND	VEHICLE REPAIRS	\$936.93
WY DEPT OF FAMILY SERVICE	COPIES	\$60.18
WY DEPT OF HEALTH	VEHICLE EXPENSES/MISC SERVICES	\$38,255.27
WY DIESEL SERVICE	BATTERIES	\$367.86
WY MACHINERY COMPANY	PARTS	\$532.20
WY STATE BAR	JOB ADVERTISEMENT	\$113.00
WY STATE FORESTRY	FY 2011 PREMIUM/SUPPLIES	\$33,689.54
WY STATIONERY	SUPPLIES	\$1,571.99
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	\$1,491.05
WYO-CON, INC.	BAGGS LIBRARY SEWER REPAIRS	\$515.00
XEROX CAPITAL SERVICES	IT COPIERS	\$1,849.85
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICES	\$720.85
YOUNG, CHARLES	MILEAGE	\$107.00
YOUNG, CHARLES MD	MEDICAL SERVICES	\$130.00
GRAND TOTAL		\$934,686.83

### **Road & Bridge**

Bill Nation, Road & Bridge Superintendent opened two sealed bids for work to County Road #291 that he has a grant for and stated both bids were received before the deadline. McMurry Ready Mix bid \$72,719.00; and Scherer Construction bid \$90,145.00. Mr. Nation requested he be allowed to review the bids and return later with a recommendation.

## **CLERK**

### **Minutes**

Commissioner Paxton moved to approve the minutes of the June 1, 2010 regular meeting of the Board of Carbon County Commissioners as presented. Chairman Weickum seconded and the motion carried unanimously.

### **Monthly Receipts**

Commissioner Paxton moved to accept the Carbon County Clerk Statement of Fees Collected for the month of May 2010 in the amount of \$25,367.44. Chairman Weickum seconded and the motion carried unanimously.

### **Bonds**

Commissioner Paxton moved to approve a \$10,000.00 bond for Mary R. George, Treasurer for the South Central Wyoming Emergency Medical Services Joint Powers Board; a \$10,000.00 bond for Robert E. Cooper, Treasurer for Carbon County School District #2; and a \$10,000.00 bond for Donald Brinkman, Treasurer for the Carbon County Recreation Board School District #1. Chairman Weickum seconded and the motion carried unanimously.

### **WCCA Conference**

Clerk Bartlett advised she received a quote from Platte Valley Community Center to host the Wyoming County Commissioners Association meeting next spring. She asked if the BOCC would like to host the event there. Chairman Weickum requested the Clerk draft a letter to potential sponsors for the event.

### **Fireworks Permit Application**

Clerk Bartlett advised Dwight France approved a fireworks permit for Old Baldy Club to launch fireworks for an event on July 4, 2010.

### **Board Resignation**

Clerk Bartlett advised Herm Weinert is resigning from the Senior Services Board and his alternate Leo Yocum would like to be on this board and both have submitted applications.

Commissioner Paxton moved to accept the resignation of Herm Weinert from the Senior Services Board – Saratoga Area. Chairman Weickum seconded and the motion carried unanimously.

Clerk Bartlett stated her office is advertising for the vacancy. The Board advised they would not need to interview Mr. Yocum if his application was the only one received.

### **The Valley Community Center Joint Powers Board**

Clerk Bartlett advised that Commissioner Paxton's term on this board expires in July and asked if the BOCC wanted to appoint someone to this board or if she should advertise. Commissioner Paxton asked that this position be advertised.

### **Carbon County Fair Home Brew Judges**

Clerk Bartlett presented a letter from the Carbon County Fair Association inviting the Commissioners to judge the "Home Brew" Contest during the Carbon County Fair on August 12, 2010 starting at 1:00 p.m. The BOCC accepted the invitation to judge this contest.

## **Flooding**

Clerk Bartlett advised that on June 8, 2010, Chairman Weickum signed a Disaster Declaration and Resolution No. 2010-22 for flooding in Carbon County, provided by John Zeiger, Emergency Management Coordinator. The Chairman subsequently signed Resolution No. 2010-23 to extend the period of emergency an additional fourteen days.

Commissioner Paxton moved to ratify the Chairman's signature on the Disaster Declaration dated June 8, 2010 and pass Resolutions No. 2010-22 and No. 2010-23 of Carbon County Declaring a State of Emergency and Invoking Emergency Powers Pursuant to Section Four of the Carbon County Code for flooding in Carbon County, Resolution No., 2010-23 extending the emergency designation starting June 14<sup>th</sup> for fourteen days. Chairman Weickum seconded and the motion carried unanimously.

### **RESOLUTION NO. 2010-22 DECLARING A STATE OF EMERGENCY AND INVOKING EMERGENCY POWERS PURSUANT TO SECTION FOUR OF THE CARBON COUNTY EMERGENCY OPERATIONS PLAN**

**WHEREAS**, pursuant to Section Four of the Carbon County Emergency Operations Plan the County Commissioner has the power to proclaim a local emergency; and

**WHEREAS**, Section Four of the Carbon County Code authorizes the Commissioner to declare that a state of emergency exists and to invoke certain powers in aid of mitigating and managing such state of emergency; and

**WHEREAS**, severe flooding has created a substantial threat to the health, safety and welfare of the residents and property of Carbon County; and

**WHEREAS**, public health, safety and welfare are adversely affected by existing conditions.

**THEREFORE, BE IT PROCLAIMED** by the Commission Chairperson of Carbon County Wyoming:

1. A state of local emergency exists.
2. The emergency operations of the County are hereby invoked and the County's personnel and resources are authorized to be employed as follows:
  - A. to protect the health, safety and welfare of those persons who are unable to care for themselves or their property, and who are in imminent threat of injury and damage as a result of this emergency; and
3. For the duration of this Proclamation no restrictions shall apply.
4. This state of emergency shall continue for a period of 7 days, unless earlier terminated by the Commission Chairperson (may not exceed 30 days without Commission approval).
5. The County is authorized to request the assistance of the Wyoming Office of Homeland Security, State of Wyoming; the Federal Emergency Management Agency; and any other governmental or private resources necessary to address these emergency conditions.
6. The emergency operations undertaken pursuant to this Proclamation are exercised pursuant to the police powers of the County and are not deemed to create any special duty or relationship with any individual resident or property owner.
7. Any person violating paragraph 3 of this Proclamation shall be guilty of a Class "C" misdemeanor.
8. Other provisions. None.

**PROCLAIMED** by the Commission Chairperson, Carbon County,

Wyoming, this 8<sup>th</sup> day of June, 2010, at 4:00 p.m.

-s- Terry Weickum, Commission Chairperson

ATTEST:

-s- Gwynn G. Bartlett, County Clerk

**RESOLUTION NO. 2010-23**  
DECLARING A STATE OF EMERGENCY AND INVOKING EMERGENCY POWERS  
PURSUANT TO SECTION FOUR OF THE CARBON COUNTY EMERGENCY  
OPERATIONS PLAN

**WHEREAS**, pursuant to Section Four of the Carbon County Emergency Operations Plan the County Commissioner has the power to proclaim a local emergency; and

**WHEREAS**, Section Four of the Carbon County Code authorizes the Commissioner to declare that a state of emergency exists and to invoke certain powers in aid of mitigating and managing such state of emergency; and

**WHEREAS**, severe flooding has created a substantial threat to the health, safety and welfare of the residents and property of Carbon County; and

**WHEREAS**, public health, safety and welfare are adversely affected by existing conditions.

**THEREFORE, BE IT PROCLAIMED** by the Commission Chairperson of Carbon County Wyoming:

1. A state of local emergency exists due to flooding on the North Platte River, the Medicine Bow River and the little Medicine Bow River in south central Carbon County. Those communities affected by this flooding include but are not limited to Riverside, Encampment, Saratoga, Elk Mountain, Medicine Bow, Ft. Steele with a possible reoccurrence of flooding in the Baggs, Dixon and Savery areas. The outlying agricultural areas are heavily impacted by these flood waters as well.
2. The emergency operations of the County are hereby invoked and the County's personnel and resources are authorized to be employed as follows:
  - A. to protect the health, safety and welfare of those persons who are unable to care for themselves or their property, and who are in imminent threat of injury and damage as a result of this emergency; and
  - B. To protect the health, safety welfare of those individuals that may face imminent threat of injury or damage as a result of continued flooding and destabilization of roads, bridges and communications in the area as a result of this emergency; and
3. For the duration of this Proclamation no restrictions shall apply.
4. This state of emergency shall continue for a period of 14 days, unless earlier terminated by the Commission Chairperson, this emergency state may not exceed 30 days without Commission approval.
5. The County is authorized to request the assistance of the Wyoming Office of Homeland Security, State of Wyoming; the Federal Emergency Management Agency; and any other governmental or private resources necessary to address these emergency conditions.
6. The emergency operations undertaken pursuant to this Proclamation are exercised pursuant to the police powers of the County and are not deemed to create any special duty or relationship with any individual resident or property owner.
7. Any person violating paragraph 3 of this Proclamation shall be guilty of a Class "C" misdemeanor.

**PROCLAIMED** by the Commission Chairperson, Carbon County,

Wyoming, this 14<sup>th</sup> day of June, 2010, at 2:04 p.m.

-s- Terry Weickum, Commission Chairperson

ATTEST:

-s- Gwynn G. Bartlett, County Clerk

### **Baker Tower**

Clerk Bartlett advised that Ryan Kudera of Cowboy Communications emailed the BOCC a Baker Peak site survey and he found one entity who he thought was Page One using the tower or has equipment in the County building and there are others that are using the site but not the County's tower. He noted there is another building that may be torn down that he was hoping to purchase rather than use the County's building. Deputy Attorney Mike Kelly advised he has talked to Mr. Kudera and Greg Ryan of Ryan Electronics and Mr. Kudera as an alternative would like to lease space on the County's tower and purchase the County's old building as well as the old antenna.

Bill Nation, Road & Bridge Superintendent reported he has talked to the landowner, Jim Baker and his recommendation is to let the private individuals do their own thing and deal with the landowner. Mr. Nation suggested the County look at the ownership of all the County sites as the County may not own the land. Leroy Graham, Buildings Manager, advised he previously had Mr. Ryan make a list of all the sites that belong to him and the County. The Board asked Deputy Attorney Kelly to work with Mr. Graham on this. Commissioner Paxton stated we need to find out who the landowner is. Deputy Attorney Kelly advised Mr. Ryan would be available to attend a meeting if needed after the first meeting in July.

The Board asked Clerk Bartlett to get with Mr. Kudera and advise him the County will check out the land ownership and it is the County's intention to put it out for bid to sell it. Clerk Bartlett confirmed with the Board that Mr. Kudera is not to use the County's tower either way. Deputy Attorney Kelly stated we should find out the circumstances as to how Page One started using the tower.

### **Disaster Declaration**

Clerk Bartlett presented a letter for the Board's consideration to Governor Dave Freudenthal to officially declare Carbon County a disaster county due to the severe flood conditions as requested by the Carbon County Farm Service Agency Committee. She noted this would allow funding from the Secretary of Agriculture to assist agriculture people.

Commissioner Paxton moved to authorize the Chairman's signature on a letter to Governor Dave Freudenthal on behalf of the Carbon County Farm Service Agency declaring Carbon County a disaster county due to the severe flood conditions. Chairman Weickum seconded and the motion carried unanimously.

### **Amendment to Wyoming Department of Health Contract**

Clerk Bartlett presented an amendment to a contract from the Wyoming Department of Health on behalf of Bridgett Hettgar at Public Health outlining HIPPA rules that sensitive information is not available to the public. She stated County Attorney Cal Rerucha has signed the amendment and Bridgett Hettgar has reviewed the amendment and recommends approval.

Commissioner Paxton moved to approve the First Amendment to the Contract Between the Wyoming Department of Health, Community and Public Health Division, Public Health Nursing Section and Carbon County Public Health Nursing regarding compliance with HIPPA rules. Chairman Weickum seconded and the motion carried unanimously.

### **Chokecherry and Sierra Madre Wind Farm**

Clerk Bartlett presented letters for the Board's consideration supporting the Chokecherry and Sierra Madre Wind Farm project.

Commissioner Paxton moved to send a letter of support to Governor Dave Freudenthal and Pam Murdock at the Bureau of Land Management supporting the Chokecherry and Sierra Madre Wind Farm project. Chairman Weickum seconded and the motion carried unanimously.

### **Dixon Airport Aviation Fuel**

Clerk Bartlett advised the fuel tank has been installed at the Dixon Airport and asked about setting a fuel fee. She stated fees at other airports range between \$4.00 to \$5.00 per gallon and asked the BOCC if they would like to let Mr. Graham and Barry Bryant, Dixon Airport Manager keep up on the fee. Mr. Graham stated he gets the prices of all the airports weekly and gives them to Mr. Bryant and advised the tank holds 1,000 gallons of fuel. Clerk Bartlett advised the County has received the Avgas license.

Commissioner Paxton moved to authorize the Chairman's signature on the Western Petroleum Company documents relating to the fueling system at the Dixon Airport. Chairman Weickum seconded and the motion carried unanimously.

Clerk Bartlett discussed the fee for having the fuel service and possibly other fees.

### **Dixon Airport Agreement Amendment**

Clerk Bartlett presented an amendment to the three-year cooperative agreement for the pavement maintenance program to make the Dixon airport part of the 2010 crack seal project. She stated Deputy Attorney Kelly and Mr. Bryant have reviewed the amendment and recommend approval.

Commissioner Paxton moved to authorize the Chairman's signature on Amendment No. 1 to the Cooperative Agreement for the Group Airport Pavement Maintenance Program relating to the Dixon Airport in the total amount of \$5,142.00, Carbon County agrees to pay 20% of the actual cost of construction in the estimated amount of \$1,028.40. Chairman Weickum seconded and the motion carried unanimously.

### **Armory Lease**

Clerk Bartlett asked Deputy Attorney Kelly if we are ready to do anything on this lease and Deputy Attorney Kelly advised we have a little problem with the lease and he had notified the National Guard that we were going to renew the lease subject to the original terms and conditions for ten years and they have countered back with new terms and conditions for five years. He stated he is negotiating with the National Guard however the person he is working with is on vacation and the renewal may not be in place by the first of July but in his opinion we have accepted the renewal pursuant to the original lease for ten years.

## **ELECTED OFFICIALS / DEPARTMENT HEADS**

### **Treasurer**

County Treasurer Cindy Baldwin reported they have received the second half taxes and the specific purpose tax was up. There was discussion of how impact assistance is calculated as well as a sales tax exemption on wind projects.

### **Assessor**

County Assessor Sheryl Snider discussed that she is working with T.Y. Pickett on the Merit Energy tax appeal. Assessor Snider presented an estimated valuation of \$764,064,416.00 for FY 2011 and noted this has not been approved by the State.

### **Attorney**

Deputy Attorney Kelly presented a letter from Tom Thompson regarding the County's purchase of the old Saratoga Town Hall. He noted that there is an addendum extending the original lease and setting closing for July 9. He asked if the BOCC wanted to close as planned or wait until repairs are made.

Mr. Graham noted that the crawl space has flooded due to the rise in ground water and he presented numerous pictures of the area. Mr. Graham noted that Long Technologies will be

viewing the HVAC equipment in the flooded area and make a recommendation of a better area to house this equipment.

John Zeiger, Saratoga Mayor, stated that insurance with WARM is in effect and will cover the loss. The BOCC opted to stay with the original closing date. Deputy Attorney Kelly cautioned that ownership will be by quitclaim deed rather than by warranty deed.

Commissioner Paxton moved to proceed with the purchase of the building formerly known as the Saratoga Town Hall now being used for Public Health by the County in Saratoga. Chairman Weickum seconded and the motion carried unanimously.

### **Buildings Manager**

Mr. Graham discussed the near flooding of Elk Mountain Library and that Elk Mountain recently worked on the bank to save the building. The BOCC thanked the Town of Elk Mountain for their work.

Mr. Graham discussed the invoices from the City of Rawlins previously discussed pertaining to the Courthouse water meter and a fire tap at the Fair multipurpose facility. Clerk Bartlett recommended not paying a portion of the invoice because the City originally thought the meter was on the east side of the building and it ended up being on the north and the contractor charged an additional fee to do the work.

Mr. Graham discussed that a fire tap fee for the Fair multipurpose facility should have been \$750.00 and the City was paid \$30,000.00. Clerk Bartlett and Mr. Graham stated they will meet with Deputy Attorney Kelly and send a letter to the City to outline what the County feels it owes and what is owed to the County for both projects.

### **Emergency Management**

The BOCC expressed its appreciation for John Zeiger, Emergency Management Coordinator's work with the recent flooding throughout the County. Mr. Zeiger noted that the Civil Air Patrol will be flying the flooding areas and photos will be given to him upon completion.

Mr. Zeiger presented his budget noting his appointment was later however he needed to leave to deal with flooding areas. He explained that he is asking for full-time status noting that 50% of the salary can be reimbursed by the State.

### **Planning & Development**

Sid Fox, County Planning Director, noted he has begun drafting wind energy regulations. Mr. Fox noted that his office is modifying applications for numerous items and his goal is to have these available on the website. Mr. Fox reported that his office should have the draft zoning map out soon. There was discussion of meeting with various municipalities about Memorandum of Understandings (MOUs) in terms of zoning and subdivision jurisdiction for each of the towns and map that.

Deputy Attorney Kelly left the meeting at 11:20 a.m.

### **BUDGET PRESENTATIONS**

The following departments presented budget requests for the 2010-2011 fiscal year:

Sheryl Snider – Assessor  
Jill Duthie – Senior Services  
Bill Nation – Road & Bridge

### **Road & Bridge**

Mr. Nation suggested accepting the low bid for work to County Road #291 noting the grant funds are \$55,145.00 and will use the road funds to make up the difference.

Commissioner Paxton moved to accept the low bid from McMurry Ready Mix in the amount of \$72,719.00 noting that grant funds will cover \$55,145.00 and use road funds to cover the difference. Chairman Weickum seconded and the motion carried unanimously.

Mr. Nation stated approximately five years ago a bridge on County Road #752 was removed and a culvert was placed there. He stated that diversion and flooding have since caused problems. He recommended installing a 100' replacement bridge using road funds and estimated the total cost would be \$500,000.00 and recommended construction this fall. The BOCC authorized Mr. Nation to proceed.

Mr. Nation reported he recently met with the Legislative Committee for travel regarding statutory changes to the speed limit on County gravel roads and paved roads.

Mr. Nation reported that he met with the WY Department of Transportation regarding the Elk Mountain bridge and this should be on schedule for replacement in 2012.

### **RECESS**

Chairman Weickum recessed for lunch at 12:17 p.m. and reconvened at 1:33 p.m. Commissioner Young joined the meeting at 1:33 p.m.

### **BUDGET PRESENTATIONS**

The following departments presented budget requests for the 2010-2011 fiscal year:

Gene Carrico – Museum

Kristen Herr – Library

There was discussion of a policy the Library adopted to rent a room in the Carbon Building.

Bridget Hettgar – Public Health

### **RECESS**

Chairman Weickum called a recess at 3:13 p.m. and reconvened at 3:18 p.m.

Judge Wade Waldrip – District Court

There was discussion about guardian ad litem fees and minor parent attorneys and the fees the County is responsible for.

Anna Helm – Fair Board

Dwight France – Carbon County Fire

Jerry Colson – Sheriff, Jail, Radio Tech

Clerk Bartlett reported that Assessor Snider notified her that the valuation presented earlier today has been board certified and this will be the final valuation for FY 2011.

### **E-911**

Chairman Weickum noted that he, Sheriff Colson, Treasurer Baldwin, and Clerk Bartlett met with the City yesterday regarding the expiration of a memorandum of understanding for E-911 collections. Chairman Weickum stated the City has purchased an enhanced dispatch system and has offered the County the option to purchase remote workstations that would work with their system. Sheriff Colson stated that there would be advantages to using their system however he had many questions for the vendor to ensure the County could perform its functions uninterrupted. The BOCC discussed redundancy and worried that if the City's equipment failed the County would also be down. The BOCC thought that it would be wise to have a second stand alone system so if one went down all dispatch could be done through the other. There was discussion that the County could assist Saratoga with its own system and get them online without Saratoga having to wait for the funds to join the City's system.

E-911 collections were discussed and the best way to divide these collections between the County and City of Rawlins.

### **ROAD CONTRACT**

Clerk Bartlett presented an Agreement for Services between the County and Criswell Trucking for work to County Road #701 under the Congestion Mitigation Air Quality Grant and stated she was informed the contract had been reviewed by Deputy Attorney Kelly.

Commissioner Young moved to approve the Agreement for Services between Carbon County and Criswell Trucking in the amount of \$373,230.00 for improvements to 9.75 miles of County Road #701. Commissioner Paxton seconded and the motion carried unanimously.

### **ACCOUNTS PAYABLE**

Commissioner Young moved to approve an invoice to Candy Mountain in the amount of \$15.00. Commissioner Paxton seconded with Commissioners Paxton and Young voting and Chairman Weickum abstained.

Commissioner Young moved to approve an expenditure of \$686.61. Commissioner Paxton seconded and the motion carried unanimously.

These expenditures are listed in the table in the beginning of these minutes.

### **RECESS**

There being no further business, Chairman Weickum recessed the meeting at 5:45 p.m., and declared the meeting will reconvene at 9:00 a.m. June 16, 2010.

### **RECONVENE**

The meeting of the Board of Carbon County Commissioners reconvened at 9:03 a.m. June 16, 2010 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Terry Weickum; Vice Chairman Jerry Paxton; Commissioner Charles C. Young; County Treasurer Cindy Baldwin; and County Clerk Gwynn Bartlett.

### **BUDGET PRESENTATIONS**

The following departments presented budget requests for the 2010-2011 fiscal year:

Troy Maddox – Planning and Zoning Commission  
Sid Fox – Planning & Development, GIS  
Cal Rerucha – Attorney

### **RECESS**

Chairman Weickum called a recess at 10:18 a.m. and reconvened at 10:33 a.m.

### **BUDGET PRESENTATIONS**

Judge Jane Eakin – Circuit Court  
Paul Zamora – Coroner  
Matt Webster – Information Technology  
Leroy Graham – Courthouse, Carbon Building, Building & Grounds

### **RECESS**

Chairman Weickum called a recess for lunch at 12:08 p.m. and reconvened at 1:36 p.m.

**BUDGET PRESENTATIONS**

Cindy Baldwin – Treasurer

Gwynn Bartlett – Clerk, Commissioners, Grants, Jeffrey Center, Administration, Elections, Boards, Reserves

**ADJOURNMENT**

There being no further business, Chairman Weickum adjourned the meeting at 3:13 p.m.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 6<sup>th</sup> day of July 2010

BOARD OF COUNTY COMMISSIONERS  
CARBON COUNTY, WYOMING

-s- Terry Weickum, Chairman