

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, April 20, 2010
Encampment Senior Center, Encampment, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, April 20, 2010 at the Encampment Senior Center in Encampment, Wyoming. Attending the meeting were Chairman Terry Weickum, Vice Chairman Jerry Paxton; Commissioner Charles C. Young; County Attorney Cindy DeLancey; Deputy County Attorney Mike Kelly; and County Clerk Gwynn Bartlett.

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

VOUCHERS

Commissioner Paxton moved to approve payment of an invoice to Empyre Solutions in the amount of \$17.84 and to Candy Mountain in the amount of \$930.94. Commissioner Young seconded with Commissioners Paxton and Young voting for the motion and Chairman Weickum abstained.

Commissioner Paxton moved to approve the report of expenditures in the amount of \$354,481.45. Commissioner Young seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
ADVANCED FLOOR PRODUCTS	CLEANING SUPPLIES	\$71.46
ALCO	SUPPLIES	\$229.48
ALSCO, AMERICAN LINEN DIVISION	SUPPLIES	\$207.59
AMERICAN PLANNING ASSOCIATION	MEMBERSHIP DUES	\$643.00
AMERIGAS	PROPANE SERVICES	\$2,635.81
ARLINGTON OUTPOST	VEHICLE MAINTENANCE	\$53.04
BANK OF COMMERCE (ACH)	MARCH PAYROLL FEES	\$30.00
BANK OF COMMERCE (DEBIT CARD)	VARIOUS CHARGES	\$4,865.58
BARKHURST, RAY	MILEAGE	\$34.80
BAUER PLUMBING	DISPOSAL REPAIRS	\$1,662.50
BEAR TRAP CAFÉ	MEALS	\$48.00
BEHAVIORAL INTERVENTIONS	ELECTRONIC MONITORING	\$504.64
BI-RITE PHARMACY	SUPPLIES	\$6,669.97
BOUGERE, LIBBY	SUPPORT GROUP FEES	\$1,000.00
BRESNAN COMMUNICATIONS	TELEPHONE & INTERNET SVCS	\$2,894.86
BUILD RITE LUMBER SUPPLY	SUPPLIES	\$466.93
CANDY MOUNTAIN 2010	SUPPLIES	\$930.94
CARBON COUNTY SENIOR SERVICES	MATCHING FUNDS/MEALS	\$65,051.00
CARBON COUNTY TREASURER	VARIOUS CASH ITEMS	\$867.98
CARBON COUNTY VETERINARY HOSPITAL	VETERINARY SERVICES	\$53.60
CARBON POWER & LIGHT INC	ELECTRICAL SERVICES	\$1,995.07
CASH-WA DISTRIBUTING	JAIL PRISONER BOARD	\$54.15
CASPER WINNELSON CO	BUILDING MAINTENANCE	\$3,213.03
CBM FOOD SERVICE	JAIL PRISONER BOARD	\$9,559.73
CDW GOVERNMENT, INC.	PRINTER	\$1,556.02
CEDAR STREET SINCLAIR	VEHICLE REPAIRS	\$136.29
CESKO, DAVID MD	MEDICAL SERVICES	\$1,973.00
CHAMBERS, JOHN D., P.C.	LEGAL SERVICES	\$778.00
CHEMDRY OF SNOWY RANGE	CARPET CLEANING	\$7,248.85
CMI-TECO	SHOP SUPPLIES	\$46.00
COMPUTER SOFTWARE ASSOCIATES	IDOC & ITAX FEES	\$250.00
CONOCOPHILLIPS	FUEL	\$58.85
COWBOY SUPPLY HOUSE	SUPPLIES	\$89.52
COWDIN, JOHN	MILEAGE	\$32.40
CROSS COUNTRY EDUCATION	SHIPPING	\$8.00
CYR, NANCY	MILEAGE	\$57.50
DAILY TIMES	NEWSPAPER ADS	\$1,704.06
DEL RIO LLC	MEALS	\$192.00
DELEON, JOHN	LEGAL SERVICES	\$2,645.00

DELL MARKETING L.P.	IT SUPPLIES	\$496.29
DRUMMOND REFRIGERATION LLC	BUILDING MAINTENANCE	\$1,000.93
DUBOIS TELEPHONE EXCHANGE	TELEPHONE SERVICES	\$396.82
EAGLE UNIFORM SUPPLY	MATS	\$229.65
ELK MOUNTAIN, TOWN OF	WATER SERVICES	\$56.00
EMPYRE SOLUTIONS	IT SUPPLIES	\$17.84
ENCAMPMENT, TOWN OF	WATER SERVICES	\$66.00
ENGSTROM, JAMES D. DDS	DENTAL SERVICES	\$3,420.00
ERICKSON & ROBERTS	LEGAL SERVICES	\$5,006.35
EVANS, MORGAN	JAIL HEALTH	\$119.00
FARMER BROTHERS COFFEE	SUPPLIES	\$151.75
FLEET SERVICES	FUEL	\$309.47
FORSTER LANDSCAPE & CONST, INC.	SNOW REMOVAL	\$50.00
FOX, SID	RELOCATION EXPENSES	\$1,433.83
FRANCE, TARA	TRANSCRIPTION	\$116.00
FREMONT MOTORS – RAWLINS	VEHICLE MAINTENANCE	\$40.35
GAINES, CLIFFA	MEALS/MOTEL CHARGES	\$681.38
GARNETT, JOANNE, FAICP	PROFESSIONAL SERVICES	\$1,895.00
GASES PLUS	WELDING SUPPLIES	\$687.27
GCR ELECTRONICS, LLC	SITE RENTALS	\$900.00
GOLDEN, MARY	MILEAGE	\$86.50
GOSVENOR, MAXINE	MILEAGE	\$29.50
GRAINGER	SUPPLIES	\$439.20
GRAPHIC SPORTS	NAMEPLATE	\$24.95
HANFT, JENNIFER PAIGE	LEGAL SERVICES	\$600.00
HANNA, TOWN OF	WATER SERVICES	\$76.00
HAYS, STEPHEN DDS	DENTAL SERVICES	\$934.00
HENSLEY, ROXIE JACKSON	LEGAL SERVICES	\$2,518.74
HEROLD IRON WORKS	WELDING SUPPLIES	\$12.40
HERRING, LACEY	UPS SHIPPING	\$8.46
HIGH PLAINS VISION CENTER	VISION SERVICES	\$216.00
HILLCREST SPRING WATER, INC.	SUPPLIES	\$64.85
HILLTOP CONOCO	FUEL	\$95.51
HONES VETERINARY SERVICE, LLC	VET SERVICES	\$58.00
HYLAND ENTERPRISES	SUPPLIES	\$12.22
IKON FINANCIAL SERVICES	IT COPIERS	\$1,317.09
IN JOY PRODUCTIONS INC.	INSTRUCTION SUPPLIES	\$367.50
IRON J TOWING	TOW FEE	\$747.00
J H KASPAR OIL COMPANY	FUEL	\$7,555.88
JACK'S BODY & FENDER REPAIR	VEHICLE REPAIRS	\$278.00
JACKALOPE PRINTING	SUPPLIES	\$1,385.47
JASMANN, BOBBETTE S. RPR	TRANSCRIPTS	\$60.00
JERRY'S DONUTS	SUPPLIES	\$17.98
KAR KRAFT INC	VEHICLE REPAIR	\$299.05
KILBURN TIRE COMPANY	VEHICLE REPAIR	\$2,562.27
KING SOOPERS CUSTOMER CHARGES	SUPPLIES	\$229.16
KIRSCH, A P MD	MEALS/MILEAGE/MOTEL	\$3,073.93
L & L ELECTRIC	ELECTRICAL SUPPLIES	\$262.80
L N CURTIS & SONS	SCBA BOTTLES	\$6,525.00
LANNAN'S SUPPLY CO	SUPPLIES	\$444.13
LARAMIE PHYSICIANS FOR WOMEN	MEDICAL SERVICES	\$475.00
LEXBO LLC	OFFICE RENTAL	\$450.00
LONG BUILDING TECHNOLOGIES, INC.	CC JAIL CHECK & REPAIR	\$450.00
LOVE, LUCY	MILEAGE	\$83.50
MACPHERSON, KELLY & THOMPSON, LLC	LEGAL SERVICES	\$2,544.98
MASSEY, SHERRY	ADMIN SERVICES	\$45.00
MCBRIDE'S HILLTOP LUBE & TIRE	VEHICLE MAINTENANCE	\$67.82
MEDIBADGE	SUPPLIES	\$110.85
MEDICINE BOW, TOWN OF	WATER SERVICES	\$108.00
MEMORIAL HOSPITAL OF CARBON COUNTY	MEDICAL SERVICES	\$3,345.00
MID-AMERICAN SPECIALITIES, INC.	PROPERTY BAGS	\$760.71
MOBILE CONCRETE, INC	CONCRETE SUPPLIES	\$3,687.50
MOORE MEDICAL CORP.	MEDICAL SUPPLIES	\$115.49
MORALES, ERICA	INTERPRETER SERVICES	\$25.00
MPM CORP / EVERGREEN DISPOSAL	GARBAGE SERVICES	\$105.00

MURANE & BOSTWICK, LLC.	PROFESSIONAL SERVICES	\$437.93
NATIONAL ASSOCIATION OF CVSA	TRAINING	\$295.00
OFFICE DEPOT	OFFICE SUPPLIES	\$157.59
O'REILLY AUTO PARTS	BOOSTER CABLES	\$24.99
PAMIDA INC	SUPPLIES	\$816.85
PAXTON, JERRY	MILEAGE	\$540.00
PENCE AND MACMILLAN LLC	LEGAL SERVICES	\$1,730.85
PERKINS OIL CO	SUPPLIES	\$554.75
PERUE PRINTING	IT COPIERS/SUPPLIES	\$829.90
PITNEY BOWES	POSTAGE SUPPLIES	\$101.98
PLATTE VALLEY MEDICAL	MEDICAL SERVICES	\$628.00
POTTER, SHAWNA	PIZZA PARTY	\$129.11
PRO-CHEM INDUSTRIAL, LLC	JAIL SUPPLIES	\$496.04
PROJECT PREVENTION	MISC CHARGES	\$1,790.02
PYROTECHS	BUILDING MAINTENANCE	\$145.00
QUALIFICATION TARGETS INC.	TARGETS	\$321.59
QUILL CORPORATION	SUPPLIES	\$142.18
QWEST-PHOENIX	TELEPHONE SERVICES	\$4,052.47
RAWLINS AUTOMOTIVE	SUPPLIES	\$514.24
RAWLINS EYE CARE	VISION SERVICES	\$200.00
RAWLINS GLASS	GLASS REPAIRS	\$466.34
RAWLINS REBELS	NEWSPAPER AD	\$50.00
RAWLINS URGENT CARE	MEDICAL CARE	\$184.00
RAWLINS, CITY OF	WATER SERVICES	\$945.35
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICES	\$14,430.54
ROSS' AUTOMOTIVE SERVICES	VEHICLE REPAIR	\$205.77
RYAN ELECTRONICS INC	CONTRACT SERVICES/CABLE	\$4,055.29
S E P S, INC.	BUILDING MAINTENANCE	\$3,283.40
SARATOGA AUTO PARTS, INC.	SUPPLIES	\$509.49
SARATOGA SUN	NEWSPAPER ADS/SUBSCRIPTNS	\$1,436.25
SARATOGA, TOWN OF	WATER SERVICES	\$80.50
SCHERER CONSTRUCTION, L.L.C.	SINCLAIR BYPASS PAYMENT	\$19,667.45
SCHMIDT, HEATHER	MEAL	\$30.00
SEA BOTIX, INC.	REMOTE OPERATED VEHICLE	\$54,907.84
SHANDON PARK APTS.	RENTAL CHARGES	\$920.00
SHEEN LAW OFFICE	LEGAL SERVICES	\$673.00
SHELL FLEET PLUS	FUEL	\$322.68
SHEPARD'S	FUEL	\$2,279.93
SHIVELY HARDWARE	SHOP SUPPLIES	\$5.99
SNAKE RIVER PRESS	NEWSPAPER ADS/SUBSCRPTNS	\$460.00
SNAP-ON TOOLS	SHOP SUPPLIES	\$60.95
SOURCE GAS	GAS SERVICES	\$3,100.24
SQUARE SHOOTERS EATING HOUSE	MEALS	\$304.00
STAGECOACH APTS	RENTAL CHARGES	\$438.00
STANLEY SECURITY SOLUTIONS	MAINTENANCE CHARGES	\$2,025.00
STAN'S QUIK LUBE	VEHICLE REPAIR	\$49.93
STAPLES ADVANTAGE	JAIL SUPPLIES	\$406.57
STATE OF WYOMING (A&I)	MAINFRAME ACCESS	\$23.73
STROM, CALVIN	REIMBURSEMENT/MOTEL	\$199.00
SUNRISE SANITATION SERVICE, LLC.	GARBAGE SERVICES	\$55.00
SWEET, JEFFREY C DDS PC	DENTAL SERVICES	\$559.00
SWEETWATER COUNTY SHERIFF'S OFFICE	INMATE BILLING	\$11,025.00
TASER INTERNATIONAL	TASER SUPPLIES	\$650.00
TERMINIX	PEST CONTROL	\$70.00
TIGER MART	FUEL	\$140.09
TIRE DISTRIBUTION SYSTEMS, INC.	TIRE REPAIRS	\$151.92
TRADING POST	SHERIFF INVESTIGATIONS	\$33.95
TRIPLE XXX CONTRACTING, INC.	GARBAGE SERVICES	\$50.00
TRUE VALUE OF RAWLINS	SUPPLIES	\$860.76
U S BANK	MISC CHARGES	\$660.39
UNION TELEPHONE COMPANY	TELEPHONE SERVICES	\$40.35
VALLEY FOOD & LIQUOR	SUPPLIES	\$38.62
VALLEY OIL COMPANY	FUEL	\$2,446.96
VALLEY PHARMACY	PRESCRIPTIONS	\$303.96
VAN'S WHOLESALE LLC	SUPPLIES	\$637.78

VERIZON WIRELESS	TELEPHONE SERVICES	\$382.11
WALDRON, PATTY	MILEAGE	\$46.20
WEICKUM, TERRY	MILEAGE	\$131.50
WEST PAYMENT CENTER	MONTHLY CHARGES	\$361.13
WESTERN STATES FIRE PROTECTION CO	FIRE SPRINKLER INSPECTION	\$2,045.00
WHITE, JAKE G.	SR CNTR ROOF	\$2,215.00
WILSON, MARGARET	PATCHES	\$54.00
WOODWARD & ASSOCIATES, INC.	CARPET IN LIBRARY	\$7,094.94
WY DEPT OF FAMILY SERVICE	MARCH COPIES	\$34.32
WY DEPT OF HEALTH	MOTOR VEHICLE BILLING	\$163.50
WY GUARDIANS AD LITEM PROGRAM	LEGAL SERVICES	\$11,761.48
WY MACHINERY COMPANY	EQUIPMENT PARTS	\$1,537.60
WY SPINE NEUROSURGERY ASSOCIATION	MEDICAL SERVICES	\$220.00
WY STATE BAR	JOB POSTING	\$85.00
WY STATIONERY	OFFICE SUPPLIES	\$3,992.27
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	\$1,030.47
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICES	\$794.18
YOUNG, CHARLES	MILEAGE	\$60.00
GRAND TOTAL		\$355,430.23

AGENDA AMENDMENT

Commissioner Paxton moved to amend the agenda to add an executive session to discuss matters considered confidential by law at the end of the meeting. Commissioner Young seconded and the motion carried unanimously.

CLERK

Carbon County Attorney Interviews

Clerk Bartlett advised the Carbon County Republican Central Committee met on April 14, 2010 and submitted Cal Rerucha and Amy Bach for the position of Carbon County Attorney. She stated both were scheduled to interview with the Board of Carbon County Commissioners today at 5:10 p.m.

Minutes

Commissioner Young moved to approve the minutes of the April 6, 2010 regular meeting of the Board of Carbon County Commissioners (BOCC) regular meeting as presented. Commissioner Paxton seconded and the motion carried unanimously.

Bonds

Commissioner Young moved to approve a bond for Scott Herold, Secretary/Treasurer of the Savery Little Snake River Conservancy District in the amount of \$5,000.00. Commissioner Paxton seconded and the motion carried unanimously.

White Brothers Private Road Application

Clerk Bartlett reported that she received an Order of Dismissal with Prejudice for the White Brothers Properties, LP private road application and noted she will invoice White Brothers for all related expenses.

State Loan and Investment Board

Clerk Bartlett advised the State Loan and Investment Board approved a grant from Chapter 27 – Emergency Capital Projects Grants – Individual Applications up to \$250,000.00 to assist in funding a Pumper/Foam Fire Truck. She stated disbursement requests submitted will be paid by percentage only based on the amount approved by the State Loan and Investment Board and the State Loan and Investment Board’s disbursement percentage for this project is 100%.

Fairgrounds Multi-Purpose Facility

Clerk Bartlett presented supplemental financing documents for an additional \$140,000.00 related to the lease with Kinetic Leasing for the construction and equipping of a multi-purpose facility at the Carbon County Fairgrounds.

Commissioner Paxton moved to approve and adopt Resolution No. 2010-15, a Resolution Authorizing Carbon County, Wyoming to Enter into a First Amended Site Lease, A First Supplemental Master Lease Purchase Agreement and a First Supplemental Escrow Agreement Relating to the Construction and Equipping of a Multi-Purpose Facility at the Carbon County Fairgrounds. Commissioner Young seconded and the motion carried unanimously.

RESOLUTION NO. 2010-15

A RESOLUTION AUTHORIZING CARBON COUNTY, WYOMING, TO ENTER INTO A FIRST AMENDED SITE LEASE, A FIRST SUPPLEMENTAL MASTER LEASE PURCHASE AGREEMENT AND A FIRST SUPPLEMENTAL ESCROW AGREEMENT RELATING TO THE CONSTRUCTION AND EQUIPPING OF A MULTI-PURPOSE FACILITY AT THE CARBON COUNTY FAIRGROUNDS.

WHEREAS, Carbon County, Wyoming (the "County") is the owner of certain real estate located adjacent to the City of Rawlins, Wyoming (the "Site"), which is commonly referred to as the Carbon County Fairgrounds; and

WHEREAS, the Board of County Commissioners (the "Commissioners") has heretofore determined that the needs of the County include the construction and equipping of a multi-purpose facility (the "Improvements") on the Site; and

WHEREAS, pursuant to prior resolution, and in order to provide financing for the construction and equipping of the Improvements on the Site, the County previously:

(a) entered into a Site Lease dated as of October 28, 2009 (the "Site Lease"), between the County, as Landlord, and Kinetic Leasing, Inc. (the "Company"), as Tenant, whereby the County leased the Site to the Company;

(b) entered into a Master Lease Purchase Agreement No. Car 3169 dated as of October 28, 2009 (the "Lease Purchase Agreement"), between the County, as sublessee, and the Company, as sublessor, to provide financing for the payment of the costs of the construction and equipping of the Improvements. Pursuant to the Lease Purchase Agreement, the Company leased the Site and the Improvements to the County (the Site and the Improvements referred to collectively herein and in the Lease Purchase Agreement as the "Leased Property" and described more particularly in EXHIBIT A to the Lease Purchase Agreement);

(c) entered into an Escrow Agreement dated as of October 28, 2009 (the "Escrow Agreement"), between the County, the Tenant, and American National Bank in Cheyenne, Wyoming (the "Escrow Bank"); and

WHEREAS, pursuant to this resolution (the "Supplemental Authorizing Resolution"), and in order to provide additional financing for the Improvements, the County intends to:

(a) enter into a First Amended Site Lease dated as of April 29, 2010 (the "First Amended Site Lease"), between the County and the Company, whereby the Landlord leases the Site to the Tenant;

(b) enter into a First Supplemental Master Lease Purchase Agreement dated as of April 29, 2010 (the "First Supplemental Lease Purchase Agreement"), to provide additional financing for the payment of the costs of the Improvements. Pursuant to the First Supplemental Lease Purchase Agreement, the Company will lease the Site and the Improvements to the County (the Site and the Improvements referred to collectively herein and in the First Supplemental Lease Purchase Agreement as the "Leased Property" and described more particularly in APPENDIX A and EXHIBIT A to the First Supplemental Lease Purchase Agreement);

(c) enter into a First Supplemental Escrow Agreement dated as of April 29, 2010 (the "First Supplemental Escrow Agreement"), between the County, the Tenant and American National Bank in Cheyenne, Wyoming (the "Escrow Bank"); and

WHEREAS, the Commissioners desire to authorize certain officers of the County and members of the Commissioners to proceed to finalize the forms of the First Amended Site Lease, the First Supplemental Lease Purchase Agreement, the First Supplemental Escrow Agreement and all other documents necessary to effect the financing of the Improvements and to negotiate the necessary terms and provisions thereof;

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. All action heretofore taken (not inconsistent with the provisions of this Supplemental Authorizing Resolution) by the Commissioners or officers of County and directed toward the Leased Property, are hereby ratified, approved and confirmed.

SECTION 2. The First Supplemental Lease Purchase Agreement (including APPENDIX A and the Exhibits thereto), the First Amended Site Lease (including the Exhibits thereto) and the First Supplemental Escrow Agreement are hereby approved in substantially the same forms as presented to the Commissioners, with such additions, omissions and changes as may be approved by the County Attorney and persons executing the same, their execution being conclusive evidence of their approval of any such additions, omissions, and changes, and the Chairman of the Commissioners and the County Clerk, where appropriate, are authorized and directed to affix his, her or their signatures and the official corporate seal of the County thereto. The County expects to make payments pursuant to the First Supplemental Lease Purchase Agreement from moneys legally available therefore.

SECTION 3. No provision of this Supplemental Authorizing Resolution, the First Amended Site Lease, the First Supplemental Lease Purchase Agreement or the First Supplemental Escrow Agreement shall be construed as creating or constituting a general obligation or other indebtedness of the County or a mandatory payment obligation of the County in any ensuing Fiscal Year beyond the current Fiscal Year.

SECTION 4. The Commissioners hereby represent that the reasonably anticipated amount of qualified tax-exempt obligations which have been and will be issued by the County for the 2010 calendar year does not exceed \$30,000,000 and hereby designate the First Supplemental Lease Purchase Agreement to be a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

SECTION 5. If any section, paragraph, clause or provision of this Supplemental Authorizing Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Supplemental Authorizing Resolution.

SECTION 6. All resolutions, or parts thereof, inconsistent with this Supplemental Authorizing Resolution or with any of the documents hereby approved, are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed as reviving any resolution or part thereof.

SECTION 7. This Supplemental Authorizing Resolution shall be in full force and effect upon its passage and adoption.

ADOPTED AND APPROVED as of the 20th day of April, 2010.

(S E A L)

CARBON COUNTY, WYOMING
By: -s- Terry Weickum
Title: Chairman
Board of County Commissioners

ATTESTED:

By: -s- Gwynn G. Bartlett
Title: County Clerk

Law Enforcement K-9 Dog

Clerk Bartlett presented a letter prepared by Sheriff Colson thanking the Montezuma County Sheriff's Office for their donation of Kiwi to the Carbon County Sheriff's Office.

Commissioner Paxton moved to approve the letter to Sheriff Gerald A. Wallace of the Montezuma County Sheriff's Office in Cortez, Colorado accepting the donation of the K-9 dog Kiwi to the Carbon County Sheriff's Office. Commissioner Young seconded and the motion carried unanimously.

Wyoming Department of Health Contract

Clerk Bartlett presented a contract from the Wyoming Department of Health regarding public health nursing services in Carbon County. She stated Attorney DeLancey and Bridgett Hettgar have reviewed the contract and both recommend approval.

Commissioner Young moved to approve the Contract between Wyoming Department of Health and Public Health Division, Public Health Nursing Section and Carbon County for Public Health

Nursing Services regarding public health nursing services in Carbon County from July 1, 2010 through June 30, 2012, with Carbon County reimbursing the Wyoming Department of Health for a portion of their salaries and benefits at a rate of 35% to be paid on a quarterly basis. Commissioner Paxton seconded and the motion carried unanimously.

Cowboy Communications

Clerk Bartlett asked the BOCC if they had researched Ryan Kudrow of Cowboy Communications' request for authorization to lease use of the Baker Peak Tower for his communications business as discussed at a previous meeting. Chairman Weickum stated that if the County were to lease the tower he understands phone communications would greatly improve in the Baggs/Dixon area and he is in favor of the lease. The BOCC agreed and asked Mr. Kelly to meet with Bill Nation to develop a lease agreement.

Elected Official Salaries

Clerk Bartlett presented a resolution making the County Coroner position full-time. Commissioner Paxton commended Mr. Zamora on his work during his current term.

Commissioner Paxton moved to approve Resolution 2010-16, making the Carbon County Coroner position full-time. Commissioner Young seconded and the motion carried unanimously.

RESOLUTION NO. 2010 - 16

WHEREAS, pursuant to Wyo. Stat. § 7-4-210(b) and Wyo. Stat. § 18-3-107(b), the salary of the elected officials shall be set by the Board of Carbon County Commissioners; and

WHEREAS, the Board of County Commissioners of each county shall meet not later than June 1, 2010, and on or before the same date each four (4) years thereafter, for the purpose of setting elected officials salaries, which shall not be changed during the term of each official for whom a salary is determined; and

WHEREAS, the Carbon County Board of County Commissioners has determined that the current duties of the County Coroner require that the position be full time; and

WHEREAS, the Carbon County Board of County Commissioners will set the salary for a Full Time County Coroner.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Carbon County set an annual salary for a full time Carbon County Coroner.

PASSED, APPROVED AND ADOPTED this 20th day of April, 2010.

Board of County Commissioners
Carbon County Wyoming
-s-Terry Weickum, Chairman
-s- Jerry Paxton, Commissioner
-s- Charles Young, M.D., Commissioner

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

Fairgrounds Exhibit Hall

Clerk Bartlett presented an agreement between Carbon County and Big Horn Roofing, Inc. to re-roof the East and West Exhibit Hall Buildings at the Fairgrounds in the amount of \$44,340.00 and stated it has been budgeted for. She stated that Attorney DeLancey and Leroy Graham, Buildings Manager have reviewed the agreement and both recommend approval.

Commissioner Young moved to approve the Agreement between Carbon County and Big Horn Roofing, Inc. to re-roof the East and West Exhibit Hall Buildings at the Carbon County Fairgrounds in the amount of \$44,340.00 to be completed no later than 60 days from execution by all parties. Commissioner Paxton seconded and the motion carried unanimously.

Road and Bridge Restroom Facilities

Clerk Bartlett presented agreements between Carbon County and Custom Buildings for the construction of new restroom at the Road and Bridge Office/Shops in Saratoga and Encampment. She stated that Attorney DeLancey and Mr. Graham have reviewed the agreement and both recommend approval.

Commissioner Paxton moved to approve the Agreement between Carbon County and Custom Buildings for the construction of new restroom facilities located at the Carbon County Road and Bridge Office/Shop in Saratoga in the amount of \$28,859.00 and the Agreement between Carbon County and Custom Buildings for the construction and remodel of restroom facilities at the Carbon County Road and Bridge Office/Shop located at 216 McCaffery, Encampment in the amount of \$24,949.00, both to be completed within 60 days of start. Commissioner Young seconded and the motion carried unanimously.

Seminole Energy Services

Clerk Bartlett, presented a Natural Gas Sales Agreement from Seminole Energy Services, and advised each year the County must participate in the gas choice program. She stated that Mr. Graham recommends entering into this contract and that Seminole continuously monitors gas prices to assist the County in locking in the best rate if and when possible.

Commissioner Young moved to approve a Natural Gas Sales Agreement between Seminole Energy Services, L.L.C. and Carbon County beginning June 1, 2010 through May 31, 2011. Commissioner Paxton seconded and the motion carried unanimously.

The BOCC noted the Buildings Manager be authorized to lock in the gas rate when appropriate and authorize County employees to participate with the County's negotiated rate.

Lawn Care

Chairman Weickum stated the old penitentiary has signed a contract for lawn care but did not put out to bid this year and stated he does not approve of this and feels the only fair way is to put the lawn care out for bid.

Clerk Bartlett advised Leroy Graham, Buildings Manager received six sealed proposals for lawn care for the Courthouse, Rawlins Senior Center, Carbon County Park North of the Senior Center and Rawlins Museum including the lot west of the Museum. Clerk Bartlett opened the following sealed bids: Hi Country LLC bid \$3,000.00 per month, Care More Turf Maintenance bid \$3,339.00 per month, Loses Cleaning Service bid \$2,400.00 per month, James Crofton submitted two identical bids each for 1.8% less than the lowest bid, and Rufus Henson bid \$3,100.00 per month. Clerk Bartlett requested the opportunity to review the bids and return later with a recommendation.

FAIRGROUNDS MULTI-PURPOSE FACILITY

Clerk Bartlett noted that the original contract for the multi-purpose facility stated it would be completed by the December 31st deadline and an extension was authorized through mid February and the building is still not completed. She stated Mr. Graham has recommended extending the time period through March 31st and beginning penalties as of the first of April at \$100.00 per day per the contract until substantial completion has been determined by James Johnson, the Architect/Engineer on the project. Attorney DeLancey stated that she recommends not enforcing retroactively.

Commissioner Paxton moved to extend the completion deadline at the multi-purpose facility at the Fairgrounds through April 30, 2010 and enforce a penalty thereafter at the contract rate of \$100.00 per day until substantial completion is determined by architect James Johnson. Commissioner Young seconded and the motion carried unanimously.

IKON Office Solutions, Inc.

Clerk Bartlett presented several documents from IKON Office Solutions, Inc. for maintenance on four copiers located in the County Attorney's Office, Clerk's Office, Treasurer's Office and

Assessor's Office. She stated that Matt Webster, IT Director has advised the County could save up to \$3,000.00 for the year if the print volume remains the same as the previous year.

Commissioner Young moved to authorize the Chairman to sign the Product Schedule, Sales Order/Service Order, Additional Product Description, Work Orders and Lease Amendment between Carbon County and IKON Office Solutions, Inc. for four copiers, three MPC3300s and one MPC5000 located at the County Attorney's Office, Clerk's Office, Treasurer's Office and Assessor's Office for a period of 36 months in the amount of \$3,459.81 quarterly for a total of \$41,517.72. Commissioner Paxton seconded and the motion carried unanimously.

LARIAT ASSOCIATES, LLC'S RESTAURANT LIQUOR LICENSE

Chairman Weickum opened a public hearing at 5:02 p.m. to listen to all interested parties and receive public comment concerning a Restaurant Liquor License application for Lariat Associates, LLC.

Chairman Weickum reported for the record that notice was placed in the Rawlins Daily Times for four consecutive weeks. Clerk Bartlett added that the prorated fee in the amount of \$364.42 was paid to her office at the time the application was filed.

Ken Battson, managing member of Lariat Associates, LLC DBA Fireside Restaurant in Baggs stated that they wanted a license to allow individuals to drink wine or alcohol with their meals and he appreciates the BOCC's support.

There being no public comment, Chairman Weickum closed the public hearing at 5:04 p.m.

Commissioner Paxton moved to approve Lariat Associates LLC's application for a Restaurant Liquor License for a term of April 21, 2010 through August 31, 2010 with a prorated fee of \$364.42. Commissioner Young seconded and the motion carried unanimously.

ELECTED OFFICIALS / DEPARTMENT HEADS

Attorney

Community Juvenile Services Board Agreement

County Attorney Cindy DeLancey presented an agreement for the Carbon County Community Juvenile Services Board.

Commissioner Paxton moved to approve the Carbon County School District No. 1, Carbon County School District No. 2, the City of Rawlins, the Town of Hanna, the Town of Medicine Bow, the Town of Baggs, the Town of Saratoga, the Town of Encampment, the Town of Elk Mountain, the Town of Sinclair and Carbon County Joint Powers Agreement for the Carbon County Community Juvenile Services Board to establish, maintain and promote the development of juvenile services that are aimed at early identification and diversion of children at risk of entry into the juvenile court system and preventing juvenile delinquency. Commissioner Young seconded and the motion carried unanimously.

Amended Resolution #2010-13

Deputy County Attorney Mike Kelly presented Amended Resolution No. 2010-13 and advised the staff conditions were changed to accurately reflect the subdivision's name and lots.

Commissioner Paxton moved to approve Amended Resolution No. 2010-13, correcting the errors noted by Deputy Attorney Kelly. Commissioner Young seconded and the motion carried unanimously.

AMENDED Resolution No. 2010 - 13

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

WHEREAS, pursuant to Wyo. Stat. Ann. §18-5-307, the Carbon County Planning and Zoning Commission held a public hearing on March 1, 2010, which said hearing was advertised by public notice within forty-five (45) days prior to said hearing; and

WHEREAS, at said 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 hearing; and

WHEREAS, at the conclusion of said public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County Commissioners to adopt this amendment to the Carbon County Subdivision Regulations, as amended, for Carbon County, Wyoming; and

WHEREAS, the Carbon County Commissioners, pursuant to Wyo. Stat. Ann. §18-5-308 and after receipt of said certified recommendation for approval of this amendment to the Carbon County Subdivision Regulations, as amended, advertised by public notice within forty-five (45) days prior to a public hearing to take public input and comments which said hearing occurred on April 6, 2010; and

WHEREAS, at said public hearing, the Carbon County Commissioners provided the opportunity for the public to comment and for the Carbon County Commissioners to consider any comments which were made on the proposed amendments; and

WHEREAS, the Carbon County Commissioners in considering the said amendment have also reviewed and considered the Carbon County Land Use Plan of 1998; and

WHEREAS, the Carbon County Commissioners have determined that the proposed amendment is in conformity with the Carbon County Land Use Plan of 1998 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 Commissioners, by majority vote, the Carbon County Commissioners moved to approve the following amendment(s) to the Carbon County Subdivision Regulations, as amended.

(1) Case File #09-19 – Old Baldy Club “Old Baldy Village Cottage Subdivision”: Request for the Final Plat of the “Old Baldy Village Cottage Subdivision” being a subdivision of Lot 10, Block 7, of the Old Baldy Village Fifth Addition located in the NW¼ Section 18, Township 17 North, Range 83 West of the 6th Principal Meridian, Carbon County, Wyoming. The current zoning is Residential (RD). The RD zone allows residential uses.

The “Old Baldy Village Cottage Subdivision” encompasses approximately 0.540 acres, more or less, and will contain residential activities.

Legal Description: Know all men by these presents that Old Baldy Corporation being sole owner of the Old Baldy Village Cottage Subdivision, being a subdivision of Lot 10, Block 7, of the Old Baldy Village Fifth Addition, hereby certifies that this Subdivision is located in the NW¼ Section 18, Township 17 North, Range 83 West of the 6th Principal Meridian, Carbon County, Wyoming, being more completely described as follows:

Beginning at the Southwesterly corner of said Lot 10, also being the Southeasterly corner of Lot 9, Block 7, Old Baldy Village Fifth Addition, monumented with a 5/8" rebar with aluminum cap, said point also being on the Northerly right of way of Ogallala North; Thence S45°32'54"E, 33.91 ft., (against a record bearing and distance of S45°33'30"E, 33.89 ft.) along the Northerly right of way of Ogallala North to the beginning of a curve to the left: Thence along said curve and said Northerly right of way of Ogallala North an arc distance of 166.17 ft., (against a record distance of 165.34 ft.) on a radius of 490.00 ft., through a central angle of 19°25'47", with a chord bearing and distance of S55°01'17"E, 165.37 ft. to the Southeasterly corner of said Lot 10; Thence N25°06'30"E, 130.00 ft. along the Easterly line of said Lot 10 to the Northeasterly corner of said Lot 10; Thence N55°12'20"W, 121.10 ft., (against a record bearing and distance of N55°13'20"W, 120.90 ft.) along the Northerly line of said Lot 10 to an angle point; Thence N44°53'09"W, 34.03 ft. (against a record bearing and distance of N45°33'30"W, 33.89 ft.) along the Northerly line of said Lot 10 to the Northwesterly corner of said Lot 10, also being the Northeasterly corner of said Lot 9; Thence S44°41'37"W, 129.96 ft., (against a record bearing and distance of S44°26'30"W, 130.00 ft.) along the Westerly line of said Lot 10, also being the Easterly line of said Lot 9, to the point of beginning, said Subdivision containing 0.540 acres, more or less; have by these presents laid out, platted, and subdivided the same into lots as shown hereon, with the free consent, and in accordance with the desires of the undersigned owner and proprietor, and designated the same as the Old Baldy Village Cottage Subdivision in the County of Carbon, State of Wyoming; and do hereby reserve the road shown hereon for property owners use only and the utility easements shown hereon for utility purposes only; and do further state that this subdivision shall be subject to the protective covenants filed and recorded for this subdivision in the Office of the Clerk and Recorder of Carbon County, Wyoming, in Book 525, Page 183, and in Book 997, Page 250.

Density-RD:

Pursuant to the recommendations of the Carbon County Planning and Zoning Commission:

Lots 10A and 10B: Lots 10A and 10B zoned RD: Density being one (1) single-family dwelling unit and associated structures on each lot (Lots 10A and 10B) located in the Old Baldy Village Cottage Subdivision).

The applicant also applied for a zone change (See Z. C. Case #09-19) to comply with the Carbon County Zoning Resolution of 2003 Amended 11-17-2009. The applicant requested a zone change from Neighborhood Commercial (C-1) to Residential (RD) encompassing a total of approximately 0.54 acres.

Access:

Carbon County Road #504 (Pic Pike Road) provides access to the subject property.

Water, Septic, and Electricity:

The applicant is working with the Town of Saratoga regarding water and placement of necessary lines and taps. A centralized sewer system will be developed and approved through the Wyoming Department of Environmental Quality. All homeowners will obtain electricity through the local utilities companies. In addition, property owners will be responsible for obtaining permits with Carbon County Planning and Development. Power lines will be located underground to protect the view shed.

Staff Conditions:

1. **CARBON COUNTY SUBDIVISION REGULATIONS:** The Old Baldy Village Cottage Subdivision must conform to Section 4.00 et. seq. of the Carbon County Subdivision Regulations, as amended.
2. **CERTIFICATIONS:** All certifications on the original plat must be signed, attested, acknowledged, and recorded.
3. **FUTURE DEVELOPMENT:** The subject property (Lots 10A and 10B located in the Old Baldy Village Cottage Subdivision) cannot be further subdivided.
4. **DENSITY:** Residential development of the subject property is one (1) single-family residence and associated structures on each lot (Lots 10A and 10B) located in the Old Baldy Village Cottage Subdivision.
5. **CONSTRUCTION:** All construction should conform to the International Building Code (IBC) or "HUD code" with frost protected foundations and adequate snow and adequate wind loads roof construction.
6. **APPLICABLE PERMITS:** Any building construction on the subject property will require an application for building permit(s) and a zoning certificate (Carbon County Zoning Resolution of 2003, as amended, Sections 6.3, 6.4, et. al.).
7. **UTILITIES & POWER LINES:** Before construction and digging, the applicant will call the local utility companies regarding the locations of the underground utility connections/lines. The applicant will work with the local utilities companies for all and any utility connections and the locations of underground utility connections. Power lines must be located underground to protect the view shed.
8. **COMPLIANCE WITH APPLICABLE LAWS:** The applicants shall comply with all federal, state, county, and local regulations.

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

1. That the Carbon County Board of Commissioners, hereby adopt these amendment(s) as certified to them in writing by the Carbon County Planning and Zoning Commission.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 20th day of April, 2010.

BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING

By: -s- Terry Weickum, Chairman
-s- Jerry D. Paxton, Vice Chair
-s- Charles C. Young, M.D.

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Treasurer

County Treasurer Cindy Baldwin reported for Assessor Snider that the County's valuation increased \$622,553. Tax assessments have been dispersed and review appeals will be conducted through May 17th. The Chairman executed several abatements and rebates.

Treasurer Baldwin reported \$109,500.00 has been paid for the Memorial Hospital of Carbon County's ultrasound machine and their balance is now \$274,249.86.

Treasurer Baldwin reported on E911 funds and also noted that sales tax collections are currently only at approximately half of what was expected.

Coroner

County Coroner Paul Zamora reported that the approved cooler was not able to be purchased from Homeland Security Grant Funds as it was not mobile. He noted that this will be an expense in the future.

Planning & Development

Sidney Fox, County Planning Director, reported that the Overland Transmission project has started their environmental impact process and reported he will be watching the process and alert the BOCC if there is anything that needs done by the County. He also noted that he attended a pipeline safety seminar and discussed this briefly

Emergency Management

John Zeiger, Emergency Management Coordinator, presented a Memorandum of Understanding (MOU) MOU-2010-06 Between Nevada Army National Guard and Carbon County Emergency Management for Use of the Rawlins Wyoming Armory by providing the facility as a rest area for our soldiers. He stated Attorney DeLancey has reviewed the MOU and recommends approval.

Commissioner Young moved to approve the Memorandum of Understanding (MOU) MOU-2010-06 Between Nevada Army National Guard and Carbon County Emergency Management for Use of the Rawlins Wyoming Armory to clarify requirements and responsibilities for use of the armory needed to support the NVNG 593rd AT Convoy by providing a facility for our soldiers from June 6, 2010 through June 21, 2010. Commissioner Paxton seconded and the motion carried unanimously.

Mr. Zeiger discussed a possible MOU with the Saratoga Community Center to use their facility as an emergency operations center. He also requested the County Attorney's Office draft MOUs with School District No. 2 and various Towns to be used as emergency centers as well. Mr. Zeiger discussed trainings he will be attending this month.

Road & Bridge

Bill Nation, Road & Bridge Superintendent, introduced Lester Thompson and Dave Acord, the Saratoga/Encampment Road & Bridge crew. Mr. Nation reported they are constantly on school bus routes and are cleaning and blading the middle land between the bus routes and the high country roads in the Black Hall area. He stated they have blocks for cattle guards and will do culvert repairs and target the areas that will need gravel.

CITIZEN / COMMISSIONERS DISCUSSION

James Wiant discussed his frustration with the County Road 504, the Jack Creek Road, near his house and stated they desperately need repair. Mr. Nation reported that he will drive the road today and review the complaints. He stated that this is the first he has heard of this and that he is always able to be reached.

Commissioner Paxton reported that he attended the State Loan & Investment Board meeting in Cheyenne recently to support the County's grant application. He also met with the State Forester's Office and Department of Energy regarding Saratoga's Mill that has been selected as a possible site for a co-gen plant however this is contingent upon opening the mill.

Commissioner Paxton reported he represented the WY County Commissioners Association at a meeting with the Forest Service in Cheyenne to discuss protecting the multiple use concept rather than doing this on an ecological basis. He stated the Forest Service's role should be to manage the site and the management of game is a function of the State of Wyoming.

Commissioner Paxton reported he met with a group of retired Forest Service individuals and biomass representatives interested in a dense wood product, an oversize pellet that could replace a percentage of the coal and coal fired plants. He reported there is also an individual who has been in negotiations with the Town of Encampment to lease the saw mill and an individual from Utah whose company builds and operates co-gen plants who has a great deal of interest in this area. Commissioner Paxton stated that Wyoming does not have a renewable energy portfolio requirement so they are looking at how we can ship electricity out to someone who does have this requirement as there is some potential for this market. He stated that if we had a way to dispose of waste material, the saw mill could open this spring in Encampment.

Chairman Weickum reported he is on the 5th Penny Sales Tax Committee and he wanted to educate individuals that this will be on the general election ballot and that informational mailers and ads will be forthcoming.

COUNTY & ATTORNEY INTERVIEWS

Amy Bach and Cal Rerucha interviewed for the position of Carbon County Attorney.

Commissioner Paxton moved to appoint Cal Rerucha as County Attorney effective May 5, 2010 through December 31, 2010. Commissioner Young seconded and the motion carried unanimously.

The BOCC expressed its gratitude for Attorney DeLancey and complimented her work during her tenure.

LAWN CARE BIDS

Clerk Bartlett reported she reviewed the lawn care bids and recommended accepting the low bid of \$2,400.00 from Lose's Cleaning Service unless the BOCC was considering the bid of 1.8% lower than the lowest bid and the BOCC opted not to accept this bid.

Commissioner Young moved to accept the bid from Lose's Cleaning Service in the amount of \$2,400.00 per month for lawn care per the bid specification for the Courthouse, Rawlins Senior Center, Carbon County Park, Rawlins Museum and adjacent lot. Commissioner Paxton seconded and the motion carried unanimously.

RECESS

Chairman Weickum declared a recess at 6:43 p.m. and reconvened at 7:11 p.m.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session at 7:12 p.m. with Clerk Bartlett, County Attorney Cindy DeLancey, Chief Deputy County Attorney Cal Rerucha, and Deputy Attorney Mike Kelly for matters considered confidential by law. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to come out of executive session at 7:29 p.m. and that the minutes of the session be approved as written and sealed and declared that no action was taken during the session. Commissioner Young seconded and the motion carried unanimously.

MUTUAL AID AGREEMENT

Deputy Attorney Kelly presented a draft letter withdrawing from the Mutual Aid Agreement between Carbon County and the City of Rawlins as the Carbon County Fire Department now has sufficient capabilities to provide first response to all emergencies occurring outside of the Rawlins city limits.

Commissioner Paxton moved to authorize the Chairman's signature on a letter to Mayor Kenneth C. Klouda at the City of Rawlins withdrawing immediately from the Mutual Aid Agreement between the City of Rawlins and Carbon County regarding fire suppression and extrication within the jurisdictional limits of Carbon County. Commissioner Young seconded and the motion carried unanimously.

ADJOURNMENT

There being no further business, Chairman Weickum adjourned the meeting at 7:30 p.m.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 4th day of May 2010

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Terry Weickum, Chairman