

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, November 3, 2009
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, November 3, 2009 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Terry Weickum, Vice Chairman Jerry Paxton; Commissioner Charles C. Young; County Attorney Cindy DeLancey; and Deputy Clerk Kathy Turner.

Chairman Weickum called the meeting to order at 9:05 a.m.

VOUCHERS

Commissioner Paxton moved to approve the report of expenditures in the amount of \$437,353.64. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to approve an expenditure to Dr. Young in the amount of \$147.00. Chairman Weickum seconded and the motion carried with Commissioner Paxton and Chairman Weickum voting for the motion and Commissioner Young abstained.

Vendor	Detail Line Description	Total
AADE-PRODUCTS	ONLINE COURSE	\$345.00
ABLE EQUIPMENT COMPANY	PARTS	\$109.33
ALSCO, AMERICAN LINEN DIVISION	SHOP SUPPLIES	\$444.06
AMERIGAS	PROPANE	\$1,044.30
ARLINGTON OUTPOST	VEHICLE REPAIRS/FUEL	\$168.20
BARTLETT, SUE RN	MEALS/MILEAGE	\$271.15
BRESNAN COMMUNICATIONS	IT INTERNET & WEBSITE	\$129.95
BROWN, DREW & MASSEY, LLP	LEGAL SERVICES	\$544.72
BUCHANAN, KAREN	MILEAGE	\$48.00
BUILD RITE LUMBER SUPPLY	SUPPLIES	\$391.68
BUSEY, SHARALEE	MEALS/MILEAGE	\$154.95
CARBON COUNTY COOPERATIVE EXT	SUPPLIES/TELEPHONE	\$123.27
CARBON COUNTY TREASURER	VARIOUS CASH ITEMS	\$1,077.11
CARBON MERCANTILE CORPORATION	SHERIFF SUPPLIES UNIFORMS	\$49.98
CARBON POWER & LIGHT INC	ELECTRICAL SERVICE	\$635.46
CARE MORE TURF MAINTENANCE	LAWN CARE	\$286.00
CASH-WA DISTRIBUTING	SUPPLIES	\$72.90
CASPER WINNELSON CO	SUPPLIES	\$660.96
CATERPILLAR FINANCIAL SERVICES	LEASE PAYMENTS	\$237,776.23
CBM FOOD SERVICE	JAIL PRISONER FOOD	\$6,099.19
CDW GOVERNMENT, INC.	COMPUTER SUPPLIES	\$564.73
CENTURYTEL	PHONE SERVICES	\$88.53
CESKO, DAVID MD	MEDICAL SERVICES	\$325.00
CLARK, RITA	MILEAGE	\$31.05
COMFORT INN AND SUITES	ROOM CHARGES	\$194.38
COMPUTER SOFTWARE ASSOCIATES	IT INTERNET & WEBSITE	\$250.00
CRESTLINE	OFFICE SUPPLIES	\$600.35
CSK AUTO, INC.	PARTS	\$17.17
DAILY TIMES	NEWSPAPER AD	\$81.00
DALLIN MOTORS INC	OIL CHANGE	\$30.95
DAVIS & CANNON, LLP	LEGAL SERVICES	\$41.36
DIRTY MOP HOME CARE	LAWN CARE	\$15.00
DISHONG, JOHN & CAROL J	CCFD-HANNA-LEASE FOR OCT & NOV 09	\$300.00
DIXON, TOWN OF	GARBAGE SERVICES	\$54.50
DUBOIS TELEPHONE EXCHANGE	PHONE SERVICES	\$37.15
EAGLE UNIFORM SUPPLY	MATS	\$131.81
ELK MOUNTAIN, TOWN OF	WATER & SEWER	\$66.00
EMERGENCY MEDICAL PRODUCTS	THERMOMETERS	\$295.80
ENCAMPMENT, TOWN OF	WATER & SEWER	\$66.00
ESRI	IT SOFTWARE	\$7,672.55
FARMER BROTHERS COFFEE	SUPPLIES	\$347.71
FRANCE, TARA	TRANSCRIPTS	\$1,267.50

FREMONT MOTORS – RAWLINS	PARTS	\$376.44
GALE, GWEN R.N.	MILEAGE	\$103.50
GALLS, AN ARAMARK COMPANY	STRETCHER	\$382.87
GASES PLUS	SUPPLIES	\$1,321.34
GOSVENOR, MAXINE	MILEAGE	\$64.50
GRAPHIC SPORTS	NAME TAGS	\$9.50
HANNA, TOWN OF	WATER & SEWER	\$76.00
HETTGAR, BRIDGET M RN	SUPPLIES/DUES/MEALS/MILEAGE	\$249.46
HIGH PLAINS POWER	ELECTRICAL SERVICE	\$393.38
HIGHTREE, BRIAN	SUPPLIES	\$77.37
HILLCREST SPRING WATER, INC.	SUPPLIES	\$94.55
HILTON GARDEN INN	ROOM CHARGES	\$268.08
HSBC BUSINESS SOLUTIONS	SUPPLIES	\$178.41
HUGHES, CHRIS	MILEAGE	\$56.78
HYLAND ENTERPRISES	PARTS	\$184.57
IDENTIX INCORPORATED	SITE INSPECTION	\$1,519.45
IKON FINANCIAL SERVICES	IT COPIERS	\$5,403.57
IKON OFFICE SOLUTIONS	RENT	\$2,945.80
J H KASPAR OIL COMPANY	FUEL	\$3,758.97
JACKALOPE PRINTING	SUPPLIES	\$201.24
KAISER, DON	LAWN CARE	\$80.00
KILBURN TIRE COMPANY	TIRE REPAIRS/TIRES	\$388.22
KING SOOPERS CUSTOMER CHGS	SUPPLIES	\$6.21
KINGS SHADOW CAMO, LLC.	JACKETS	\$839.30
KLINGSPORN ENGINEERING	ENGINEERING SERVICES	\$1,500.00
LARIAT INTERNATIONAL TRUCKS	PARTS	\$116.85
LINCOLN COUNTY SHERIFF'S OFFICE	SUBPOENA SERVICE	\$18.00
LONG BUILDING TECHNOLOGIES, INC.	JAIL REPAIRS	\$1,449.19
LOVE, LUCY	MILEAGE	\$120.50
MADALINE WALKER	CONFERENCE ENTERTAINMENT FEES	\$2,000.00
MANJEET INC.	FUEL	\$211.67
MARTINEZ, EUGENIA	SUPPLIES/MILEAGE	\$24.00
MAS MODERNMARKETING	SUPPLIES	\$978.93
MEDICAL ARTS PRESS	SUPPLIES	\$74.29
MEDICINE BOW, TOWN OF	WATER & SEWER	\$54.00
MOELLER, MARIE	CLEANING SERVICES	\$119.20
MOORE MEDICAL CORP.	MEDICAL SUPPLIES	\$903.45
MORTON COUNTY SHERIFF'S OFFICE	PAPER SERVICE	\$30.00
MOSS, BARBARA	MILEAGE	\$54.00
MPM CORP / EVERGREEN DISPOSAL	GARBAGE SERVICES	\$35.00
NATIONAL BUSINESS SYSTEMS	PRINTING	\$4,625.27
NEW DAWN TECHNOLOGIES	JUSTWARE SOFTWARE	\$3,519.18
NOYES HEALTH CARE CENTER	MEDICAL SERVICES	\$25.00
PACKARD, CHANTEL	MILEAGE/SUPPLIES	\$64.79
PAGE ONE	PAGER SERVICE	\$275.57
PARISH MAINTENANCE SUPPLY CORP	SANITIZING STATION	\$133.24
PERKINS OIL CO	FUEL	\$2,849.93
PHILLIPS 66-CONOCO-76	FUEL	\$613.04
PICKETT, THOMAS Y	NOV INSTALLMENT ON VALUATION RPT	\$5,250.00
PLAINSMAN PRINTING & SUPPLY	SUPPLIES	\$204.32
POCKET PRESS INC	WY CRIMINAL TRAFFIC LAWS	\$56.94
PRAIRIE DOG ELECTRIC, LLC	ELECTRICAL REPAIRS	\$211.34
PRO-CHEM INDUSTRIAL, LLC	CLEANING SUPPLIES	\$270.67
PUBLIC SAFETY CENTER, INC	SUPPLIES	\$584.31
QUARTERMASTER	SUPPLIES	\$107.96
QUILL CORPORATION	OFFICE SUPPLIES	\$389.79
QWEST	PHONE SERVICES	\$1,374.07
QWEST-KENTUCKY	PHONE SERVICES	\$318.71
QWEST-PHOENIX	PHONE SERVICES	\$441.48
RAWLINS AUTOMOTIVE	PARTS	\$1,345.35
RELIABLE	SHERIFF SUPPLIES	\$7.90
REMICK, SHELIA	POSTAGE	\$2.98
RESERVE ACCOUNT	POSTAGE	\$10,000.00
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICE	\$15,662.00
ROSS' AUTOMOTIVE SERVICES	SHERIFF MAINT & REPAIR VEHICLE	\$71.14

RYAN ELECTRONICS INC	INSTALL & PARTS	\$52.00
S E D MEDICAL LABORATORY	LAB SERVICES	\$153.27
SARATOGA AUTO PARTS, INC.	PARTS	\$1,216.63
SARATOGA FEED & GRAIN	POSTS & GATE	\$173.35
SARATOGA, TOWN OF – WATER	WATER & SEWER	\$15.75
SHEA, DIXIE F	MILEAGE	\$24.00
SHEPARD'S	BATTERY/FUEL	\$278.39
SHIVELY HARDWARE	PARTS	\$696.32
SNAP-ON TOOLS	TOOLS	\$138.00
SOURCE GAS	GAS SERVICES	\$6,542.62
STAN'S QUIK LUBE	VEHICLE MAINTENANCE	\$42.95
STAPLES ADVANTAGE	OFFICE SUPPLIES	\$263.20
SUNRISE SANITATION SERVICE, LLC.	GARBAGE SERVICES	\$35.00
TERMINIX	PEST CONTROL	\$65.00
TRADING POST	FUEL	\$212.59
TREVATHAN, SABRINA RPR	TRANSCRIPTS	\$75.00
TRUE VALUE OF RAWLINS	SUPPLIES	\$123.53
U S MECHANICAL, LLC	SUPPLY & INSTALL NEW BOILERS AT JAIL	\$79,921.00
ULINE	SUPPLIES	\$567.79
UNION TELEPHONE COMPANY	PHONE SERVICES	\$1,186.64
UPS	POSTAGE	\$58.78
VALLEY OIL COMPANY	FUEL	\$2,471.51
VAN'S WHOLESALE LLC	SUPPLIES	\$652.69
VERIZON WIRELESS	PHONE SERVICES	\$448.96
WEINERT, HERMAN R	MILEAGE	\$24.60
WILKERSON, JAMES A IV M.D.	EXAM FEES	\$2,105.00
WILSON, MARGARET	UNIFORM PATCHES	\$18.00
WY ASSOCIATION OF CTY OFFICERS	2010 MEMBERSHIP FEES	\$300.00
WY CLERK OF COURT ASSOCIATION	2010 DUES	\$125.00
WY DIESEL SERVICE	PARTS	\$618.07
WY MACHINERY COMPANY	PARTS	\$541.56
WY STATIONERY	SUPPLIES	\$106.63
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	\$74.40
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICES	\$40.86
YOUNG, CHARLES MD	MEDICAL SERVICES	\$147.00
GRAND TOTAL		\$437,500.64

AGENDA AMENDMENT

Commissioner Paxton moved to amend the agenda to add an executive session at 9:45 a.m.; cancel the Water Treatment Plant for the Town of Dixon at 11:00 a.m.; add a Planning & Development Director Interview at 2:45 p.m.; add a Board Interview for the Memorial Hospital Board at 3:00 p.m.; and change Citizen/Commissioners Discussion at 2:45 p.m. to 3:15 p.m. Commissioner Young seconded and the motion carried unanimously.

CLERK

Minutes

Commissioner Young moved to approve the minutes of the October 20, 2009 regular meeting of the Board of Carbon County Commissioners (BOCC) as presented. Commissioner Paxton seconded and the motion carried unanimously.

Bonds

Commissioner Young moved to approve a \$5,000.00 bond for Jerry Johnson, Treasurer for the Carbon County Predator Management District. Commissioner Paxton seconded and the motion carried unanimously.

Monthly Receipts

Commissioner Young moved to accept fees collected from the Clerk of District Court for the month ending September 2009 in the amount of \$3,354.41 and Carbon County Clerk Statement of

Fees Collected for the Month of October 2009 in the amount of \$14,588.50. Commissioner Paxton seconded and the motion carried unanimously.

West Sinclair Bypass

Commissioner Young moved to authorize the Chairman's signature on a letter to Mr. and Mrs. Earl Holding expressing the Commissioners appreciation for the contribution the Sinclair Wyoming Oil Refinery has made toward the West Sinclair Bypass project. Commissioner Paxton seconded and the motion carried unanimously.

H1N1 Grant Phase 3

Deputy Clerk Turner presented a Grant Award Agreement and stated Attorney DeLancey and Bridget Hettgar from Public Health have signed the agreement.

Commissioner Young moved to approve the Grant Award Agreement for the U.S. Department of Health and Human Services Public Health Emergency Response Wyoming Department of Health and Carbon County Public Health Nursing Services for the term of November 1, 2009 through September 30, 2010 for a total payment not to exceed \$102,824.00, CFDA #93.069, for the Novel H1N1 vaccination campaign. Commissioner Paxton seconded and the motion carried unanimously.

Memorial Hospital of Carbon County (MHCC)

Deputy Clerk Turner advised there is accrued interest and unused funds totaling \$26,818.38 at the Bank of Commerce for the energy savings lease between the BOCC and MHCC and asked what the BOCC would like to do with these funds. Treasurer Baldwin stated when this was initially set up, interest and unused funds were to be used towards the principal however the funds could be used to assist MHCC with their current financial situation. Chairman Weickum stated this would be discussed with MHCC later today.

Meritain Agreement

Chief Deputy Clerk Helen Winningham presented an amendment for the new agreement with Meritain Health for three years and stated the wording is the same as the 2008 policy with the exception of the PPO amount which went from \$9.60 with Great West to \$14.60 access per person and the carrier was Niagara Re/US Fire Insurance and is now US Fire Insurance/Niagara Re. Chairman Weickum asked why the PPO increased as he was under the impression that by signing a multi year agreement it would go down. Chief Deputy Clerk Winningham advised she would check on this and return later today.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session at 9:40 a.m. with Attorney DeLancey and Deputy Clerk Turner to discuss matters considered confidential by law and potential litigation. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to come out of executive session at 9:48 a.m. and that no action was taken and the minutes be signed and sealed. Commissioner Young seconded and the motion carried unanimously.

DUNLAP PROJECT

Commissioner Paxton moved that Carbon County withdraw as a party from the appeal in case CV2009-269. Commissioner Young seconded and the motion carried unanimously.

ELECTED OFFICIALS / DEPARTMENT HEADS

County Fire

Larry Trapp advised the new Elk Mountain rescue truck is at that station and is being used on calls.

Mr. Trapp advised that after a review of the Hanna agreement for combining their fire department with the County's, County Fire encourages the BOCC to approve it after Attorney DeLancey's review.

Mr. Trapp reported previously they requested approval for disposal of an old rescue truck from Elk Mountain and now wants to transfer this to Hanna for a dive rescue and command vehicle.

Commissioner Paxton moved to remove the old rescue truck that was at Elk Mountain from the list of items to be disposed of and further transfer that truck to the Carbon County Fire Department at Hanna. Commissioner Young seconded and the motion carried unanimously.

Mr. Trapp discussed the water tender that was to be given to the Town of Encampment. Commissioner Paxton stated the Town of Encampment does want the water tender and to transfer the ownership to the Town of Encampment. Attorney DeLancey and Mr. Trapp will prepare a bill of sale.

Mr. Trapp discussed a presentation County Fire would like to give regarding their department. Chairman Weickum stated that would be helpful and the presentation is scheduled for December 17th at 11:00 a.m.

CLERK

Amendment to Administrative Services Agreement

Chief Deputy Clerk Helen Winningham advised that after contacting Mark Moreno at Meritain Health, he advised the \$14.60 was Great West's fee and Meritain Health cannot do anything about the increase.

Commissioner Paxton moved to authorize the Chairman's signature on the Amendment to Administrative Services Agreement, the term of the agreement shall begin as of the effective date of the agreement and shall continue to and including September 30, 2012, between Meritain Health, Inc. and Carbon County, related to the County's health benefits. Commissioner Young seconded and the motion carried unanimously.

ELECTED OFFICIALS / DEPARTMENT HEADS

Treasurer

County Treasurer Cindy Baldwin discussed tax collections. She discussed the meeting she and Attorney DeLancey had with City Manager Steve Golnar, City Financial Director Dan Izzo and City Attorney Dan Massey regarding an E911 Memorandum of Understanding (MOU) and advised the City did vote that each quarter the City and County will determine how much money they have collected and split it with the other entity noting this would be done on a one year trial basis. There is also discussion of including the Town of Saratoga in this agreement and she stated she has written a letter to the Saratoga Town Clerk asking for a list of the last five years of E911 collections to ensure various companies are paying the proper entities. There was further discussion and Attorney DeLancey asked that Mr. Golnar attend the meeting this afternoon to discuss this.

Treasurer Baldwin advised last month the County gave back over \$250,000.00 in rebates and this month over \$244,000.00. She advised School District No. 1 did not get any money last month due to these rebates.

Assessor

County Assessor Sheryl Snider presented two rebates for the Chairman's signature. She distributed an article from Wyotax with interesting points on Wyoming wind energy tax issues. She discussed a possible alternative structure of County Board of Equalization hearings.

Attorney DeLancey presented a Motion to Dismiss the appeal to the State Board of Equalization related to Shandon Park, Part 2, 2009 and advised the decision come out affirming the approach Assessor Snider used previously and is a moot issue at this point. Attorney DeLancey advised they want to withdrawal their appeal since the Board has given Assessor Snider direction on how

to assess this special characteristic property. She advised the tax payer will have the opportunity to respond and can contest the decision.

Commissioner Paxton moved to authorize the Chairman's signature on a Motion to Dismiss Appeal to the State Board of Equalization in the matter of the appeal by Shandon Park Limited Partnership from the decision of the Carbon County Assessor concerning the 2009 assessment of property owned by Shandon Park Limited Partnership, Docket #09-05. Commissioner Young seconded and the motion carried unanimously.

Library

Kristen Herr, Executive Director, reported they have completed their annual report and advised they are focusing on streamlining their processes, and working on efficiency and standardization, noting circulation has increased 20%. She distributed the Carbon County Library System Annual Report and Carbon County Reader for November 2009 and discussed both.

Ms. Herr advised she has written a letter to Leroy Graham, Buildings Manager, regarding snow removal at the Carbon Building and there is a problem with ice in the parking lot. She advised the Library has three employees that are in wheel chairs and the handicap spots are icy and several employees fell last year. Chairman Weickum advised they will look into this.

Senior Services

Jill Duthie, Senior Services Executive Director, advised they finished their fiscal year end which ended September 30, 2009. She advised they served 78,602 meals in the County, less than their projections, therefore Federal and State funds will be \$7,000.00 to \$8,000.00 less this year. She advised Mr. Graham and Matt Feldmann, Dixon Mayor, are working on the sewer line at the Baggs Center. Ms. Duthie advised the walk in freezer in Hanna went completely out and it will soon be replaced costing approximately \$5,000.00. She advised she will reapply for a Daniels fund grant in March and will try to do a continuation grant to update some equipment such as stoves in the centers. She advised she has been appointed to be on the legislative committee regarding issues related to seniors and Medicare. Attorney DeLancey advised Ms. Duthie will also be on the task force for the Homelessness Prevention Grant.

Road & Bridge

Bill Nation, Road & Bridge Superintendent, reported there is currently a box culvert project south of Rawlins which is federally funded. He advised the project is past the scheduled deadline and they are working the details out with the Federal government and the Forest Highway Administration.

Mr. Nation requested and received authorization for a 2,000 hour overhaul on a Caterpillar 140H blade in the amount of \$6,755.23 and advised this was budgeted for. He advised he has talked to Tom Powell in Planning and Development to do GPS locates on cattle guards and mile posts and will work with him on this.

Mr. Nation reported for the month of November they are trying to keep the forest access roads off the County roads open for the hunters and continue to do late retrieval of cattle in the high country.

Recess

Chairman Weickum called a recess at 11:03 a.m. and reconvened at 11:15.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session at 11:15 a.m. with Deputy Attorney Marcia Bean, Deputy Clerk Turner, Sheriff Jerry Colson and Road & Bridge Superintendent Bill Nation to discuss potential litigation and other matters considered confidential by law. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to come out of executive session at 11:48 a.m. and noted that no action was taken and that the minutes of the session be approved as written and sealed. Commissioner Young seconded and the motion carried unanimously.

PLANNING & ZONING

Certification of Case File No. 09-02

Kristy Rowan of Planning and Development presented the Certification of Recommended Action for Case File No. 09-02 and advised access was granted by the Bureau of Land Management.

Commissioner Paxton moved to schedule a public hearing for December 1, 2009 at 1:30 p.m. at the County Courthouse in Rawlins, Wyoming to hear Case File No. 09-02, Curtis Freeze's request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Highway Commercial (C-2) on approximately 3.60 net acres (5.01 less 1.41 HWY ROW). Commissioner Young seconded and the motion carried unanimously.

RECESS

Chairman Weickum recessed for lunch at 12:03 p.m. and reconvened at 1:37 p.m.

Preschool in Medicine Bow

Jeanette Fisher distributed her proposal for a Medicine Bow preschool center. She advised the Medicine Bow Town Council has offered a room in their new Community Hall and will furnish lights, heat and insurance and St. Luke's Church has agreed to purchase large and small equipment totaling \$1,258.00. She advised they need two teacher and staff salaries totaling \$10,076.04, a laptop computer, printer and at least \$1,000.00 to \$2,000.00 for unforeseen items. There was discussion of charging center users and the amount of children they can have. Treasurer Baldwin advised the Tripartite Board may have limited funds later for child care and computers adding Ms. Fisher will have to apply for the funds at that time. Commissioner Paxton advised Ms. Fisher to talk to Linda Platts at Encampment Preschool as she has identified good resources. Chairman Weickum advised she should also get with Morita Flynn at ExCel Preschool who assists with preschools. Chairman Weickum stated they do have the ability to help fund this and will have to discuss how much the County can help. Commissioner Paxton stated he would like to front \$5,000.00 with the hope it can be leveraged with other sources. The BOCC made a verbal commitment up to \$5,000.00 however Ms. Fisher will need to determine what other funding she can obtain.

UtiliSolve, Inc.

John Stoysich of UtiliSolve, Inc. explained that his company audits utility bills free of charge unless they find savings. He advised their success rate averages 8%–12% savings on the utilities. Mr. Stoysich advised there are 300 types of errors they check for. Mr. Stoysich stated if the County was interested, a contract would be written for three years and he provided a copy of their contract which Attorney DeLancey will review. Mr. Stoysich advised they are doing Converse and Lincoln Counties, as well as various school districts, hospitals and businesses. The BOCC agreed to further discuss this after Attorney DeLancey's review.

MEMORIAL HOSPITAL OF CARBON COUNTY (MHCC)

Harry Lovato, MHCC Board of Trustees President, advised their financial situation is improving. Rick White, MHCC Chief Financial Officer, reported cash collections of \$1,662,000.00 in September and \$1,718,000.00 in October. He contributed this to the billing system being cleaned up and noted they are now sending claims out electronically. Mr. White advised they are trying to reduce their expenses and explained they had 106 admissions for September and need 130 admissions a month to break even. He explained other reasons for the improvement noting a major decrease in bad debt expense. Mr. White further explained that more primary care physicians are necessary to obtain the number of needed admissions and collections must be closely monitored as well. There was discussion of physician recruitment.

Chairman Weickum read from State Statute 18-8-108 "*Authority to enter contract for operation; terms and conditions of contract.*" "*Whenever the board of trustees of a county memorial hospital*

or special hospital district deems it in the best interests of the county they may with the approval and consent of the board of county commissioners lease or enter into a contract for the operation of the hospital with any person, group, association or corporation.” He stated this means that when they are ready to enter into a contract for the operation of the hospital the Commissioners do need to be involved. Mr. Lovato advised that before they sign a contract, the contract will come before the Commissioners and the attorney that represents the Commissioners so it can be reviewed to make sure that it is in the best of interest of both parties.

Commissioner Young left the meeting at 2:30 p.m. and returned at 2:32 p.m.

Mr. White requested the County provide \$332,359.00 to fund MHCC’s Qualified Rate Adjustment Payment for a Medicaid program noting the return would be greater than the payment. Treasurer Baldwin advised the energy savings lease has a total of \$26,818.88 in accrued interest and remaining funds and we could use these funds rather than applying it to the principal of the loan. Mr. White agreed.

Commissioner Paxton moved to authorize the Chairman’s signature on a Memorandum of Understanding to be ratified at the next meeting for the Qualified Rate Adjustment Payment for Fiscal Year 2009 for the Memorial Hospital of Carbon County in the amount of \$332,359.00. Chairman Weickum seconded with Commissioner Paxton and Chairman Weickum voting for the motion and Commissioner Young abstained from the vote.

Commissioner Paxton moved to provide the funds for the Qualified Rate Adjustment Payment to Memorial Hospital of Carbon County in the amount of \$332,359.00 to be reimbursed by Memorial Hospital of Carbon County when they receive the funds from the State. Chairman Weickum seconded with Commissioner Paxton and Chairman Weickum voting for the motion and Commissioner Young abstained from the vote.

Mr. White asked if they have items that were not identified in the capital items related to the mill levy if they can bring that to the BOCC. Chairman Weickum replied the BOCC would prefer they stick to their original requests, however if their priorities have since changed, the BOCC could further discuss it. Chairman Weickum advised that before expending any of the levied funds, MHCC must request authorization from the BOCC. Mr. White advised the defibulator in the Intensive Care Unit has stopped working and the one in the Emergency Room is old and they will need to buy two defibulators. Treasurer Baldwin explained how levies work and that the hospital currently is in the hole due to the rebates. Chairman Weickum discussed this process and because of the rebates to the energy companies there can be negative funds and the energy companies’ books can go back three years. Treasurer Baldwin stated the hospital will get a statement from the County every month of what the total funds on hand are. She advised the new Treasurer of the Memorial Hospital Board must be bonded or she cannot give them any money.

RECESS

Chairman Weickum called a recess at 2:53 p.m. and reconvened at 3:02 p.m.

PLANNING & DEVELOPMENT DIRECTOR INTERVIEW

Thomas Best was interviewed by telephone for the Planning and Development Director position.

BOARD INTERVIEWS AND APPOINTMENTS

Sherrill Bailey, Loren Simnitt and Bryan Martin interviewed for consideration of appointment to the Memorial Hospital Board for a five-year unexpired term expiring July 2013 and all agreed to board training specific to this board.

Commissioner Paxton moved to appoint Loren Simnitt to the Memorial Hospital Board for a five-year unexpired term expiring July 2013. Commissioner Young seconded and the motion carried unanimously.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session at 3:53 p.m. with Attorney DeLancey, Deputy Clerk Turner and County Fire Warden Dwight France to discuss personnel. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to come out of executive session at 4:22 p.m. and noted that no action was taken and that the minutes of the session be approved as written and sealed. Commissioner Young seconded and the motion carried unanimously.

CLERK

Project Cost Reimbursement Statement

Deputy Clerk Turner presented a reimbursement request prepared by Jon Anderson of PMPC to Wyoming Department of Transportation for the West Sinclair Bypass project in the amount of \$81,627.51.

Commissioner Paxton moved to approve the Wyoming Department of Transportation FY2009 Project Cost Reimbursement Statement Request No. 2 for the West Sinclair Bypass County Road 351 project, Job Number CN6064 in the amount of \$81,627.51. Commissioner Young seconded and the motion carried unanimously.

E911

Commissioner Paxton discussed E911 funds and asked Steve Golnar, Rawlins City Manager, what the status is on determining who will receive specific funding. Mr. Golnar replied a Memorandum of Understanding (MOU) is being developed to split the revenue that the City and County collect 50/50 between the two entities. He advised the City moved forward with an ordinance regarding this funding. Commissioner Paxton asked if the intent of the MOU was to make it retroactive to actually start July 1st and Mr. Golnar replied yes the intention was to cover the fiscal year. Treasurer Baldwin advised she has written a letter to the Town of Saratoga asking for five years of records regarding E911 payments. Attorney DeLancey advised she felt a new resolution should be written for what the County is collecting as situations have changed.

Mr. Golnar stated the 50/50 split is on a one year trial basis and the City and County can share receipts and try to ensure that all fees are being collected. Treasurer Baldwin stated we do not have a way to split the money other than the way we are doing it now, the City and County should collect their fees, check each others receipts, determine what companies are giving us payments and on what basis, and get any information from the State. She added there should be a resolution that any E911 fees from Medicine Bow, Hanna or Elk Mountain are County funds as this is all address based.

Mr. Golnar stated the City Council has given him direction to develop the MOU and the official action of the City Council will not come until the MOU is written. Treasurer Baldwin stated Undersheriff Mike Morris suggested taking the money the County has already collected and have one E911 system that would work County wide. Attorney DeLancey requested and received approval to develop a Memorandum of Understanding and will take it to the City Council and Commissioners at future meetings.

ADJOURNMENT

There being no further business, Chairman Weickum adjourned the meeting at 5:02p.m.

-s- Kathy Turner, Deputy Clerk

Approved this 17th day of November 2009

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Terry Weickum, Chairman