

**MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, September 6, 2011  
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, September 6, 2011 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Terry Weickum; Vice Chairman Jerry Paxton; Commissioner Leo Chapman; Deputy County Attorney Mike Kelly; and County Clerk Gwynn Bartlett.

Chairman Weickum called the meeting to order at 9:08 a.m.

**VOUCHERS**

Commissioner Chapman moved to approve the report of expenditures in the amount of \$265,576.68. Commissioner Paxton seconded and the motion carried unanimously.

Commissioner Chapman moved to approve payment to Candy Mountain in the amount of \$13.50. Commissioner Paxton seconded and the motion carried with Commissioners Chapman and Paxton voting for the motion and Chairman Weickum abstained noting he owns this business.

Vendor	Detail Line Description	Total
ALCO	SUPPLIES	\$ 3.69
ALSCO, AMERICAN LINEN DIVISION	SUPPLIES	\$ 145.43
ARTHUR L DAVIS PUBLISHING AGENCY, INC	WYOMING NURSE AD	\$ 181.36
ASD HEALTHCARE	VACCINE	\$ 1,769.90
BARTLETT, SUE RN	MEAL	\$ 11.35
BEHAVIORAL INTERVENTIONS	ELECTRONIC MONITORING	\$ 1,378.30
BLACK DIAMOND ELECTRIC	BUILDING MAINTENANCE	\$ 727.75
BLACKWELL, DAVID C.	ASBESTOS INSPECTIONS	\$ 10,190.00
BRESNAN COMMUNICATIONS	CABLE SERVICES	\$ 24.95
BRISCO	SKYLINE ACRES CLEANUP	\$ 63,769.50
BROWN, DREW & MASSEY, LLP	ADMIN LITIGATION	\$ 1,765.50
BUCHANAN, KAREN	MILEAGE	\$ 110.40
BUILD RITE LUMBER SUPPLY	SUPPLIES	\$ 142.65
BURTON, RICHARD	PARENTING CLASSES	\$ 300.00
C & D FABRICATION	SHERIFF INVESTIGATIONS	\$ 550.00
CANDY MOUNTAIN	SUPPLIES	\$ 13.50
CARBON COUNTY 4-H	4-H/AG EDUCATOR MEALS	\$ 42.75
CARBON COUNTY COOPERATIVE EXT	REGISTRATION FEE	\$ 35.00
CARBON COUNTY SENIOR SERVICES	LOWRANCE MEALS	\$ 48.00
CARBON COUNTY TREASURER	VARIOUS CASH ITEMS	\$ 428.50
CARBON COUNTY VETERINARY HOSPITAL	SUPPLIES	\$ 31.76
CARBON POWER & LIGHT INC	ELECTRICAL SERVICES	\$ 283.25
CASPER WINNELSON CO	SUPPLIES	\$ 1,316.33
CBM FOOD SERVICE	JAIL MEALS	\$ 13,149.01
CENTURY LINK	TELEPHONE SERVICES	\$ 63.41
CENTURYLINK	TELEPHONE SERVICES	\$ 20.88

CMI-TECO	SUPPLIES	\$ 37.96
CNA SURETY	NOTARY BOND	\$ 50.00
CODE BLUE	BAND	\$ 500.00
COMPUTER SOFTWARE ASSOCIATES	ITAX & IDOC	\$ 250.00
CRESTLINE SPECIALTIES, INC.	SUPPLIES	\$ 503.60
CRISIS EDUCATION SYSTEMS LLC	MLPLI TRAINING	\$ 1,900.00
CULLIGAN WATER CONDITIONING	SUPPLIES	\$ 346.50
CUSTOM CREATIONS	SUPPLIES	\$ 44.00
CUSTOM FAB & BODY LLC	VEHICLE SUPPLIES	\$ 167.00
DAILY TIMES	RENEWAL/ADS	\$ 213.56
DEFUR, DANIELLE	MILEAGE	\$ 182.00
DELEON, JOHN	LEGAL SERVICES	\$ 2,101.40
DEVINE, LINDA E.	LEGAL SERVICES	\$ 1,547.00
DIXON, TOWN OF	WATER/SEWER SERVICES	\$ 186.00
DRIVE TRAIN INDUSTRIES	SUPPLIES	\$ 423.15
E & H PLUMBING & HANDYMAN	PLUMBING REPAIRS	\$ 980.00
EAGLE PLUMBING & CONSTRUCTION	BUILDING MAINTENANCE	\$ 154.79
EAGLE UNIFORM SUPPLY	FLOOR MATS	\$ 363.06
EASTMAN, PATRICK	MILEAGE	\$ 21.00
EICHENBERGER, MELISSA	MILEAGE/CASPER TRNG/INTERN	\$ 455.00
ERICKSON & ROBERTS	LEGAL SERVICES	\$ 3,598.16
ESCAPE CONFERENCE	CONFERENCE REGISTRATION	\$ 55.00
FARMER BROTHERS COFFEE	SUPPLIES	\$ 151.56
FLEET SERVICES	FUEL	\$ 275.40
FRANCE, TARA	TRANSCRIPTION	\$ 325.00
FREMONT MOTORS - RAWLINS	VEHICLE MAINTENANCE	\$ 316.98
GALLS, AN ARAMARK COMPANY	SUPPLIES	\$ 216.46
GOLDEN, MARY	MEAL/MILEAGE	\$ 46.39
GOTHARD, MELANIE	MEAL/MILEAGE	\$ 276.78
GRAINGER	SUPPLIES	\$ 499.42
HAGOOD, VICKI	MILEAGE	\$ 10.10
HENSLEY LAW, LLC	LEGAL SERVICES	\$ 945.00
HERRING, LACEY	MILEAGE	\$ 26.50
HERRING, ROS	LAWN CARE	\$ 36.00
HETTGAR, BRIDGET M RN	MEALS/MILEAGE	\$ 164.17
HIGH PLAINS POWER	ELECTRICAL SERVICES	\$ 452.91
HILLCREST SPRING WATER, INC.	SUPPLIES	\$ 15.90
HILLTOP LUBE & AUTOMOTIVE	VEHICLE MAINTENANCE	\$ 84.00
HURLBURT, JOE	MILEAGE	\$ 473.79
IRWIN, K.T.	MEALS/MILEAGE	\$ 451.77
J H KASPAR OIL COMPANY	FUEL	\$ 424.19
JACKALOPE PRINTING	SUPPLIES	\$ 376.47
JACK'S BODY & FENDER REPAIR	SERVICE CALL	\$ 100.00
JERRY'S DONUTS	SUPPLIES	\$ 9.99
JUVE, JANE H	LEGAL SERVICES	\$ 2,997.81
KAR KRAFT INC	VEHICLE MAINTENANCE	\$ 884.38
KENCO SECURITY AND TECHNOLOGY	ALARM MONITORING	\$ 34.00
KILBURN TIRE COMPANY	VEHICLE MAINTENANCE	\$ 1,562.70
KING SOOPERS CUSTOMER CHARGES	SUPPLIES	\$ 16.76

KIRSCH, ARCHIE P	COUNTY HEALTH OFFICER	\$ 500.00
L & L ELECTRIC	ELECTRICAL REPAIRS	\$ 1,601.60
LINDSEY, ANN, MSW, LCSW	FACILITATOR FEES	\$ 191.67
LONG BUILDING TECHNOLOGIES, INC.	BUILDING MAINTENANCE	\$ 3,453.98
LOSE'S CLEANING SERVICE	LAWN CARE	\$ 175.00
MARTIN-RAY LAUNDRY SYSTEMS INC	SUPPLIES	\$ 108.45
MCLAUGHLIN, DENNIS	MILEAGE	\$ 342.21
MERBACK AWARD COMPANY	SUPPLIES	\$ 194.14
MERCK SHARP & DOHME CORP.	VACCINE	\$ 1,508.51
MHL SYSTEMS	SUPPLIES	\$ 2,666.06
MOELLER, MARIE	CLEANING SERVICES	\$ 351.00
MPM CORP / EVERGREEN DISPOSAL	GARBAGE SERVICES	\$ 15.00
NASW-WYOMING	REGISTRATION	\$ 170.00
NEVE'S UNIFORMS	SUPPLIES	\$ 3,535.40
NEWMAN TRAFFIC SIGNS	SIGNS	\$ 435.31
NORCO, INC.	CYLINDER RENTAL/SUPPLIES	\$ 126.19
OFFICE DEPOT	OFFICE SUPPLIES	\$ 83.70
O'REILLY AUTO PARTS	SUPPLIES	\$ 43.11
PAMIDA INC	SUPPLIES	\$ 88.98
PEPPERMILL BAR & GRILL	EMPLOYEE APPRECIATION PARTY	\$ 210.00
PHILLIPS 66-CONOCO-76	FUEL	\$ 1,132.63
PITNEY BOWES	SUPPLIES	\$ 497.19
PLAINSMAN PRINTING & SUPPLY	SUPPLIES	\$ 1,887.50
POTTER, SHAWNA	MEALS	\$ 18.04
PRO-CHEM INDUSTRIAL, LLC	CLEANING SUPPLIES	\$ 460.98
QUESTAR GAS	GAS SERVICES	\$ 10.00
QUILL CORPORATION	SUPPLIES	\$ 877.94
RAWLINS - C.C. CHAMBER OF COMMERCE	DUES	\$ 141.60
RAWLINS AUTOMOTIVE	PARTS	\$ 1,033.88
RAWLINS EASTSIDE CARWASH	WASH CARDS	\$ 200.00
RAWLINS FIRE EXTINGUISHER	HOOD INSPECTIONS	\$ 482.00
RAWLINS GLASS	WINDSHIELD REPLACEMENT	\$ 226.53
REIMAN CORP	SAVERY CREEK BRIDGE	\$ 67,700.90
REMICK, SHELIA	POSTAGE	\$ 3.88
RIVERSIDE GARAGE & CABINS	SUPPLIES	\$ 2.19
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICES	\$ 5,921.39
ROSENTERTER, KYLE	PYMT FOR JULY 4TH ACCIDENT	\$ 6,376.31
S E D MEDICAL LABORATORY	ALCOHOL TESTS	\$ 52.00
SARATOGA AUTO GLASS	WINDSHIELD REPLACEMENT	\$ 300.00
SARATOGA AUTO PARTS, INC.	SUPPLIES	\$ 195.66
SARATOGA SUN	NEWSPAPER RENEWAL	\$ 37.00
SECURITY TRANSPORT SERVICES, INC.	JAIL EXTRADITIONS	\$ 1,116.16
SHEA, DIXIE F	MILEAGE	\$ 12.00
SHEPARD'S	FUEL	\$ 1,063.51
SHIVELY HARDWARE	SUPPLIES	\$ 40.95
SKYLINE MOTORS, INC.	VEHICLE MAINTENANCE	\$ 317.98
SMITH, MAE	MEALS	\$ 79.08
SNAKE RIVER PRESS	NEWSPAPER RENEWAL	\$ 60.00
SOURCE GAS	GAS SERVICES	\$ 3,129.30

STANLEY SECURITY SOLUTIONS	SUPPLIES	\$ 749.49
STAPLES ADVANTAGE	SUPPLIES	\$ 379.12
STARR, KACEY	REIMBURSEMENT	\$ 27.09
STEPHENSON, LEE ANN	MILEAGE	\$ 43.80
SWEETWATER COUNTY SHERIFF'S OFFICE	INMATE HOUSING	\$ 4,515.00
TERMINIX	PEST CONTROL	\$ 817.00
TETON COUNTY CLERK	WACO MEAL	\$ 57.00
THE PLACE	FUEL	\$ 128.00
TIGER MART	FUEL	\$ 504.62
TRADING POST	FUEL/SUPPLIES	\$ 375.39
TRIPLE XXX CONTRACTING, INC.	GARBAGE SERVICES	\$ 50.00
TRUE VALUE OF RAWLINS	SUPPLIES	\$ 1,080.71
U S BANK	VARIOUS CHARGES	\$ 1,473.65
UNION TELEPHONE COMPANY	TELEPHONE SERVICES	\$ 44.47
UTILITY BILL SOLUTIONS GROUP	UTILITY SAVINGS	\$ 306.46
VALLEY OIL COMPANY	FUEL	\$ 2,413.81
VAN'S WHOLESALE LLC	SUPPLIES	\$ 1,111.92
WACO	REGISTRATION	\$ 25.00
WEST PAYMENT CENTER	MONTHLY CHARGES	\$ 390.00
WESTERN WYOMING CONSTRUCTION	CHIP SEAL	\$ 11,866.00
WY ATTORNEY GENERAL	UNEXPENDED FUNDS	\$ 55.94
WY DEPT OF FAMILY SERVICE	JULY COPIES	\$ 14.04
WY DEPT OF HEALTH	UNUSED PORTION OF GRT FUNDS	\$ 4,017.00
WY DIESEL SERVICE	SUPPLIES	\$ 135.08
WY MACHINERY COMPANY	VEHICLE MAINTENANCE	\$ 2,544.69
WY RENTS	EQUIPMENT RENTAL	\$ 650.00
WY STATIONERY	SUPPLIES	\$ 697.71
WYOPASS	CONFERENCE REG	\$ 125.00
YOCUM, LEO	MILEAGE	\$ 34.50
ZONE 4 MAGAZINE	EXT OFFICE SUBSCRIPTION	\$ 24.00
GRAND TOTAL		\$265,590.18

## **CLERK**

### **Minutes**

Commissioner Chapman moved to approve the minutes of the August 16, 2011 regular meeting of the Board of Carbon County Commissioners as presented. Commissioner Paxton seconded and the motion carried unanimously.

Commissioner Chapman moved to approve the minutes of the August 31, 2011 special meeting of the Board of Carbon County Commissioners as presented. Commissioner Paxton seconded and the motion carried unanimously.

### **Monthly Receipts**

Commissioner Chapman moved to accept Carbon County Attorney discovery billing of earnings for the month of August 2011 in the amount of \$10.60; the statement of fees collected for August 2011 for the

County Clerk in the amount of \$13,918.00; and Department of Planning and Development receipts for the month of August 2011 in the amount of \$1,120.00. Commissioner Paxton seconded and the motion carried unanimously.

### **Bonds**

Commissioner Chapman moved to approve the Continuation Certificate of the bond for Owen Williams, Treasurer for the Medicine Bow Conservation District in the amount of \$10,000.00 and bond for Cheryl M. Jordan for the Municipality Recreation Director for the Town of Sinclair in the amount of \$5,000.00. Commissioner Paxton seconded and the motion carried unanimously.

### **Battle Creek Bridge**

Clerk Bartlett advised a letter was sent out regarding the proposed replacement of the Battle Creek Bridge scheduled for 11:15 a.m. today.

### **Emergency Management Vehicle**

Clerk Bartlett noted she will be advertising for bids to purchase a new vehicle for the Emergency Management Coordinator.

### **Homeland Security Designation of Agent**

Clerk Bartlett presented an application and resolution authorizing John Zeiger to execute and file applications for the purpose of obtaining certain federal financial assistance and to represent and act for Carbon County in all dealings with the State of Wyoming for all matters pertaining to such disaster assistance in accordance with the assurances and agreements required.

Commissioner Chapman moved to approve the Wyoming Office of Homeland Security Designation of Applicant's Agent Form and Resolution No. 2011-23, a Resolution to Authorize the Designation of an Agent to Execute and File Application for the Purpose of Obtaining Certain Federal Financial Assistance. Commissioner Paxton seconded and the motion carried unanimously.

## **RESOLUTION NO. 2011- 23**

### **A RESOLUTION TO AUTHORIZE THE DESIGNATION OF AN AGENT TO EXECUTE AND FILE APPLICATION FOR THE PURPOSE OF OBTAINING CERTAIN FEDERAL FINANCIAL ASSISTANCE**

**WHEREAS**, the governing body of Carbon County supports the designation of an agent to execute and file applications for the purpose of obtaining certain federal financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended) or otherwise available; and

**WHEREAS**, this agent is authorized to represent and act for Carbon County in all dealings with the State of Wyoming for all matters pertaining to such disaster assistance in accordance with the assurances and agreements required; and

**WHEREAS**, the governing body understands that it is in the best interest of Carbon County to authorize by resolution an agent to act on behalf of Carbon County in obtaining certain federal financial assistance; and

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF CARBON COUNTY, WYOMING**, that John Zeiger, Carbon County Emergency Management Coordinator be designated as the Agent on behalf of Carbon County for the purpose of obtaining certain federal financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended) or otherwise available. This agent is authorized to represent and act for Carbon County in all dealings with State of Wyoming for all matters pertaining to such disaster assistance in accordance with the assurances and agreements required.

**PASSED, APPROVED AND ADOPTED THIS 6<sup>th</sup> day of September 2011.**

**-s- Terry Weickum, Chairman**

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

### **Skyline Acres**

Clerk Bartlett presented a Contract Change Order for Brisco, Inc. in the amount of \$9,680.00 to provide asbestos abatement on mobile homes identified in a lab report for the Skyline Acres Demo and Cleanup project. She advised all asbestos was properly inspected and abated. She noted the completion date of this change order is September 30, 2011.

Clerk Bartlett stated she would like to build a fence around the county's property to keep others out as suggested by County Planner, Sid Fox. Chairman Weickum stated he would like to take a field trip to Skyline Acres after the cleanup is finished. Clerk Bartlett advised she is looking for a grant to provide utilities to the property.

Commissioner Chapman moved to approve Contract Change Order #1 for Brisco, Inc. in the amount of \$9,680.00 to provide asbestos abatement on mobile homes identified in the lab report from Crisp Analytical LLC dated July 25, 2011. Commissioner Paxton seconded and the motion carried unanimously.

### **Wyoming Bucking Horse & Rider (BH&R) Agreement**

Clerk Bartlett presented an agreement to grant Carbon County Government a limited right to use the Bucking Horse & Rider mark. She advised she will provide a copy of the agreement to all departments.

Commissioner Chapman moved to approve the Wyoming Bucking Horse & Rider Organizational Use Agreement between the State of Wyoming, the Wyoming Secretary of State's Office, the University of Wyoming and Carbon County Government to grant Carbon County Government a limited right to use the BH&R to further the interests of the State of Wyoming through the promotion of Wyoming business, tourism and products and services originating in Wyoming, effective as of the last date of signature and shall expire on December 31, 2013. Commissioner Paxton seconded and the motion carried unanimously.

### **Amendment One to Cooperative Agreement – County Road #3**

Clerk Bartlett reminded the Board she recently applied for an extension for the \$10 million abandoned mine lands grant for work on County Road #3 extending the term of the agreement through December 31, 2014 and she presented the amendment for the Board's approval. She noted that Road & Bridge Superintendent, Bill Nation is aware of the extension and he chose the 2014 date. Clerk Bartlett also reported the need for the extension is because of the contract requirements that DKRW have certain things completed before the county can begin the project.

Commissioner Chapman moved to approve Amendment One to the Cooperative Agreement Between Department of Environmental Quality and Carbon County extending the expiration date from June 30, 2012 to December 31, 2014 for upgrades and relocation of Carbon County Road #3. Commissioner Paxton seconded and the motion carried unanimously.

### **Extended Professional Service Agreement**

Clerk Bartlett presented an agreement with the University of Wyoming to fund half of the Carbon County 4-H Extension Professional stating that the county desires this person for the purpose of assisting and encouraging 4-H development and other youth programs. She stated the county's portion is \$22,200.00 with quarterly payments to be paid for one year and noted that Deputy Attorney Mike Kelly has reviewed the agreement and recommends approval.

Commissioner Chapman moved to approve the Extended Professional Service Agreement between the University of Wyoming and the Board of County Commissioners of Carbon County committing the county to contribute \$22,200.00 annually payable in four payments of \$5,550.00 due in October 2011, January, March and June of 2012 to the University of Wyoming Cooperative Extension Service, the county desires an additional Extension Professional for the purpose of assisting and encouraging the development of 4-H and other youth programming for the term of July 1, 2011 until June 30, 2012. Commissioner Paxton seconded and the motion carried unanimously.

### **Homeland Security Grant**

Clerk Bartlett presented a Homeland Security Grant to support the Homeland Security/Emergency Management efforts within the county and advised the grant is a 50/50 match program. She noted that Deputy Attorney Kelly has reviewed the agreement and recommends approval.

Commissioner Chapman moved to approve the Grant Award for U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency Grant Programs Directorate FY 2011 Emergency Management Performance Grant (EMPG), Project ID 11-GPD-CAR-EM-GCF11, award amount of \$29,042.00 and match amount of \$29,042.00 for Emergency Management to build up existing practices, institutions, and organizations that help to make local communities successful and that can leverage this infrastructure if and when an incident occurs. Commissioner Paxton seconded and the motion carried unanimously.

### **Insurance**

Clerk Bartlett reported she recently met with the county's health insurance brokers, Cobecon. She indicated she had asked Cobecon to review various portions of the plan and make specific

recommendations including estimated savings or additional costs. She advised they overviewed various options for the county for its third party administrator (TPA), stop loss coverage, prescription benefit management (PBM), dental and vision coverage, flexible spending, and the PPO network.

Clerk Bartlett indicated the county will be using the same TPA and PPO, changing the PBM to Envision Rx from Scrip World. Clerk Bartlett also stated Cobecon recommended moving the county's dental and vision coverage to Meritain to administer under the county's self insured plan and moving the stop loss coverage for the upcoming year to Companion Life through Montgomery Management. She also discussed the various deductible options including implementing an aggregating specific deductible and explained what this is.

Commissioner Paxton moved to approve Companion 1 Meritain with a \$45,000.00 specific deductible and an aggregating specific deductible of \$100,000.00. Commissioner Chapman seconded and there was a discussion by Commissioner Chapman asking who paid the monthly fees. Clerk Bartlett explained that the county employees pay a monthly premium that goes towards both fixed costs and fees. The motion carried unanimously.

## **ELECTED OFFICIALS / DEPARTMENT HEADS**

### **Attorney**

Deputy Attorney Kelly presented a grant agreement to develop a public health emergency preparedness and response capability in the county and advised it requires a 10% match that can be an agency in kind match.

Commissioner Paxton moved to approve the Grant Agreement for the U.S. Department of Health and Human Services Public Health Preparedness and Response for Bioterrorism Wyoming Department of Health and Carbon County Public Health Nursing Services in the amount of \$53,540.00, for the period of October 1, 2011 through September 30, 2012, with two payment dates within one month of October 1, 2011 and December 31, 2011. Commissioner Chapman seconded and the motion carried unanimously.

Chairman Weickum executed a previously approved Grant Agreement with the US Department of Transportation, Federal Aviation Administration for the Dixon Airport to Rehabilitate the Runway 6/24 lighting and install perimeter fencing (gate) in the amount of \$150,000.00, Project #3-56-0038-13.

### **Assessor**

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

### **IT Department**

Matt Webster, IT Director, discussed security software cost savings by switching to Sophos security system. He stated the current fee is \$7,757.00 to \$3,621.00 per year. He stated the savings is by combining three companies into a consolidated company. He stated that this must be paid up front for four years.

Commissioner Paxton moved to authorize the Chairman's signature on an Agreement with Trebron Company Inc. for Sophos Enterprise Security and Control system requiring four payments of \$3,621.00 due January of 2012, 2013, 2014, and 2015. Commissioner Chapman seconded and Deputy Attorney Kelly stated his concern that the procurement policy was followed. Mr. Webster stated he did follow the policy by obtaining four quotes. The motion carried unanimously.

Mr. Webster stated that county employees are eligible to use this same software at home.

### **Treasurer**

County Treasurer, Cindy Baldwin reported she collected over \$85,000.00 from the tax sale last week.

### **Road & Bridge**

Road & Bridge Superintendent, Bill Nation reported that mowing along roads has started. He advised the County Road #401 road construction is ongoing. Mr. Nation added that all cattle guards on county roads have been checked for safety.

Mr. Nation stated a preconference bid meeting will be held tomorrow for the Rock Creek and Battle Creek bridge replacements.

Mr. Nation advised he has been discussing damage to the Pick and Butler bridges from flooding with FEMA representatives.

Commissioner Chapman stated he has been traveling county roads and complimented Mr. Nation on the overall condition of all county roads.

### **RECESS**

Chairman Weickum called a recess at 10:20 a.m. and reconvened at 10:58 a.m.

### **MEMORIAL HOSPITAL OF CARBON COUNTY (MHCC)**

Dan Jessop, MHCC Chief Executive Officer, discussed the hospital's financial status and collections noting there was a loss in July and an improvement in August. He stated due to the bad month they must watch their cash flow in September and October closely. Mr. Jessop discussed the Medicaid match of approximately \$400,000.00 in October and mentioned the hospital must ensure they have the funds for that to get the match back and Chairman Weickum confirmed the funding gets returned. Chairman Weickum asked if the hospital had the cash flow for this and Mr. Jessop replied that yes it's a cash flow issue.

Commissioner Paxton moved to authorize the use of \$90,734.00 from the mill levy fund for a mandated 797 standard "clean" room. Commissioner Chapman seconded and the motion carried unanimously.

Mr. Jessop stated that MHCC's billing system is still being worked on. Loren Simnitt, MHCC Board Chair was also present during this discussion.

## **RECESS**

Chairman Weickum called a recess at 11:08 a.m. and reconvened at 11:15 a.m.

## **BATTLE CREEK BRIDGE**

Mr. Nation and Gary Steele of PMPC discussed the proposed replacement of the Battle Creek Bridge. Mr. Nation stated the bridge is on a county road bordered on both sides by private land, similar to most other bridges in the county. Mr. Nation also presented two layouts of the proposed locations and discussed the land area needed for the construction permit or the option to simply use the road area within the fenced boundary to perform the replacement. Mr. Nation discussed low water crossing gates, reseeding, the stream channel, relocation of a power line, and fence replacement he proposes.

Mr. Nation discussed the disposition of the old bridge valued at approximately \$4,200.00 and the county's procurement policy and asked Deputy Attorney Kelly to address this topic. Commissioner Chapman stated Pat O'Toole has a concern about water flow from the creek and Mr. Nation stated that during and after construction there should not be any permanent damage done. Commissioner Paxton asked which alternative is best to accomplish the task in a timely fashion. Mr. Nation stated a construction easement on the north side of 1,207 square feet to allow the contractor more room to work by taking the old bridge and relocating it to the north for a temporary crossing during construction.

Commissioner Chapman asked what the average construction easement cost per acre. Mr. Steele stated it is totally dependant upon the location and the land. Chairman Weickum asked what the cost of the easement of the Rock Creek Bridge will be and Mr. Nation stated less land will be used and it will cost \$10.00. Mr. Steele said with this bridge, construction would be done during a non grazing period.

Sharon O'Toole of Salisbury Livestock stated they are supportive of installing a new bridge. She stated until recently they were not approached about these plans and they felt they were left out of the plans. Ms. O'Toole stated her concerns arrive from an incident in September 2008 during the re-decking of the bridge. She also referenced the Savery Creek Bridge and distributed pictures. Ms. O'Toole stated another concern is a project they completed with Fish & Wildlife Service for a fish structure and her concern that the disturbance be as small as possible. She also is interested in acquiring the old bridge and proposed trading the bridge for the access. Ms. O'Toole stated they want to work with the county and that they would support not closing the road during the construction.

Eamon O'Toole stated his concern that the upcoming months is their calf shipping time and ensuring that none can escape if fence is removed during construction.

Deputy Attorney Kelly discussed the disposal of county property including this bridge noting that assets must be offered to other county offices, boards, departments, and governmental entities. If none of these entities want the asset then the asset can be offered for sale to the general public by advertisement and if no public members want it then destroy or dispose of it. Deputy Attorney Kelly stated he feels this policy should be followed for this asset.

Chairman Weickum stated an agreement needs to be made with Salisbury Livestock to use land or decide that if an agreement can not be reached, the bridge will be replaced within the right-of-way.

Commissioner Chapman moved that the county follow the procurement policy for disposal of assets regarding the disposal of the scrap metal at the Battle Creek crossing on County Road #710. Commissioner Paxton seconded and the motion carried unanimously.

Mr. Steele mentioned that temporary fencing can be installed to keep the public and contractor out, and that the only disturbance to the stream should be large equipment and that no other disturbances would be made outside the construction or existing easement.

The BOCC asked the O'Toole's to let Mr. Nation know which option they would prefer and the accommodations they would like such as temporary fencing or other items and then the County Attorney's Office can work on an agreement. Ms. O'Toole agreed to respond within approximately one week.

Justin Flaherty, General Manager of Three Forks, noted the bridge is vital to the community and it is needed.

Grady Ely thanked the BOCC for finally addressing the bridge replacement but asked if the bypass will be accessible to a semi or only light traffic. Mr. Steele stated the existing bridge would be utilized as the temporary crossing so the load weight would be the same as it currently is.

## **RECESS**

Chairman Weickum recessed for lunch at 11:51 a.m. and reconvened at 1:27 p.m.

## **PLANNING & ZONING**

### **Certification**

Sid Fox, Planning Director presented the Certification of Recommended Action for C.U. Case File No. 2011-01.

Commissioner Paxton moved to schedule a public hearing for October 4, 2011 at 1:30 p.m. at the County Courthouse in Rawlins, Wyoming to hear C.U. Case File No. 2011-01, Tyler Sims (Applicant) and S&C Enterprises, LLC (Owner's) request for a Conditional Use Permit in a Ranching, Agriculture, Mining (RAM) Zone to permit recreational uses/recreation lodge and associated support facilities related to an outfitting and guide operation on approximately 35 acres. Commissioner Chapman seconded and the motion carried unanimously.

## **EXECUTIVE SESSION**

Commissioner Paxton moved to go into executive session at 1:43 p.m. with Deputy Attorney Mike Kelly and Clerk Bartlett to discuss potential litigation and other matters considered confidential by law. Commissioner Chapman seconded and the motion carried unanimously.

Commissioner Paxton moved to come out of executive session at 2:03 p.m. and noted that no action was taken during the session and that the minutes be signed as written and sealed. Commissioner Chapman seconded and the motion carried unanimously.

## **EASEMENT**

Alice Platt discussed a problem she has with a highway easement. She stated that just before closing on the sale of some property, the purchaser was concerned about Environmental Protection Agency (EPA) problems on a 40 acre parcel due to some tires and wood chips on that property. At the time, she sold the rest of the property, kept the 40 acre parcel with the purchaser maintaining the right of first refusal, and was given a 40' easement. She was recently approached by someone wishing to purchase this 40 acre parcel however they eventually backed out. She stated that now she is unable to obtain a highway easement from the 40 acre parcel to the highway because she is too close to an existing easement. She stated after a Wyoming Department of Transportation (WYDOT) appeal they advised her she should have come to the County Commissioners therefore while trying to avoid a private road hearing, she would like a letter of support from the BOCC for WYDOT to grant her an easement.

Commissioner Chapman moved to instruct Deputy Attorney Kelly to work with Alice Platt to write a letter of support for an easement onto Highway 230. Commissioner Paxton seconded and the motion carried unanimously.

## **FOREST RESERVE FUNDS**

Deputy Attorney Kelly discussed the use of Secure Rural Schools and Community Self Determination Act funds. He stated authorized uses include the Firewise program, search and rescue, firefighting activities on federal lands, and community wildfire protection plans.

Treasurer Baldwin discussed what funding was received last year and how it was allocated. There was further discussion of how past funding has been used and how the county can allocate its future funding. The BOCC asked Clerk Bartlett, Deputy Attorney Kelly, and Treasurer Baldwin to get with pertinent county officials to determine some uses for the funding.

Commissioner Paxton moved to allocate 13% of Secure Rural Schools funding to Title II projects and 7% to Title III. Commissioner Chapman seconded and the motion carried unanimously.

## **COMMISSIONERS DISCUSSION**

Chairman Weickum reported the BOCC attended the interim revenue committee meeting to discuss wind taxation and there was further discussion on this meeting.

## **ADJOURNMENT**

Commissioner Paxton moved to adjourn the meeting at 2:59 p.m. Commissioner Chapman seconded and the motion carried unanimously.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 27th day of September 2011

BOARD OF COUNTY COMMISSIONERS  
CARBON COUNTY, WYOMING

-s- Terry Weickum, Chairman