

**MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, June 3, 2008  
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, June 3, 2008 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Terry Weickum, Vice Chairman Jerry Paxton and Commissioner James Elliott; County Clerk Gwynn Rothenberger; County Attorney Cindy DeLancey; and Deputy Clerk Kathy Turner.

Chairman Weickum, called the meeting to order at 9:00 a.m.

**VOUCHERS**

The following vouchers were presented and approved for payment:

ADAMSON POLICE PRODUCTS	SUPPLIES	132.25
AED SUPERSTORE	PARTS & SUPPLIES	779.90
ALSCO, AMERICAN LINEN	SUPPLIES	245.96
ARLINGTON OUTPOST	FUEL	152.60
AVAYA, INC	SERVICE AGREEMENT	131.10
BANK OF COMMERCE	WATER TENDER PAYMENT	55,291.55
BARTLETT, SUE RN	FUEL/MILEAGE	169.33
BEST ACCESS SYSTEMS	MAINTENANCE/SERVICE EQUIPMENT	3,008.75
BEST WESTERN COTTONTREE	LODGING	840.00
BI-RITE PHARMACY	SUPPLIES	5.35
BOB BARKER COMPANY	SUPPLIES	1,260.22
BOUGERE, LIBBY	FACILITATOR FEES	720.00
BRESNAN COMMUNICATIONS	ONLINE/TV	313.28
BROKEN ARROW OF WY	NOYES HEALTH CENTER ROOF	12,877.50
BROWN'S TOWING & RECOVERY	TOW	75.00
BUILD RITE LUMBER SUPPLY	SUPPLIES/DISPATCH PHONES	503.36
BUSEY, SHARALEE	MILEAGE/SUPPLIES	212.15
CAPITOL COMMUNICATIONS	FIREWALL INSTALLATION	3,865.00
CARBON COUNTY COOPERATIVE EXT	REGISTRATION REIMBURSEMENT	25.00
CARBON COUNTY VETERINARY	DOG EXAMINE & SHOTS/SUPPLIES	141.24
CASPER WINNELSON CO	SUPPLIES	216.39
CBM FOOD SERVICE	JAIL FOOD	2,798.41
CDW GOVERNMENT, INC.	PROJECTOR/SCANNER/SUPPLIES	1,876.83
CENTURYTEL	PHONE SERVICE	151.36
CESKO, DAVID MD	MEDICAL SERVICES	170.00
CMI-TECO	SUPPLIES	91.60
COMPUTER SOFTWARE ASSOCIATES	SUPPLIES	70.50
COOK'S	SUPPLIES	281.14
CORPORATE EXPRESS	SUPPLIES	159.66
CYR, NANCY	MILEAGE	63.48
DAILY TIMES	ADVERTISING	3,852.95
DALLIN MOTORS INC	VEHICLE MAINTENANCE	25.95
DELEON, JOHN	LEGAL SERVICES	3,187.00
DELL COMPUTERS	COMPUTER & SUPPLIES	6,317.43
DRIFTER'S INN	ROOM CHARGE	13.13
DRUMMOND REFRIGERATION	REPAIRS	733.61
EAGLE UNIFORM SUPPLY	SUPPLIES	118.64
ERICKSON & ROBERTS	LEGAL SERVICES	10,250.29
FARMER BROTHERS COFFEE	SUPPLIES	182.23
FEDEX	SHIPPING CHARGES	41.69
FORSTER LANDSCAPE & CONST	SPRING START-UP	586.50
FREMONT MOTORS-RAWLINS	PARTS	277.84
FSH COMMUNICATIONS	COURTHOUSE PAY PHONE	70.00
GALLS INCORPORATED	SUPPLIES	567.18
GASES PLUS	BOBCAT/SUPPLIES	3,370.28
GISI, STEVE	PAINT MEDICINE BOW LIBRARY	1,600.00
GOOLSBY, LANA	MILEAGE	239.20
GOSVENOR, MAXINE	MILEAGE	84.18
GRAPHIC SPORTS	ENVELOPES/SIGNS	629.00

GUIO, SUSAN, MSW	CLINICAL SOCIAL WORK SUPERVISOR	80.00
HAGOOD, VICKI	MILEAGE	93.38
HAYS, STEPHEN DDS	DENTAL SERVICES	323.00
HEIMAN FIRE DEPARTMENT	SUPPLIES	392.39
HEROLD IRON WORKS	SUPPLIES	23.44
HETTGAR, BRIDGET M RN	MEALS/MILEAGE	505.19
HI-TECH AUTO	REPAIRS	162.13
HIGH PLAINS PIZZA	JURY MEAL	166.51
HIGH PLAINS POWER	ELECTRICAL SERVICES	47.96
HIGH PLAINS VISION CENTER	VISION SERVICES	200.00
HILLCREST SPRING WATER	SUPPLIES	15.00
HILLTOP CONOCO	FUEL	371.75
HYLAND ENTERPRISES	REPAIRS/SUPPLIES	139.12
IKON OFFICE SOLUTION	BASE CHARGES	290.36
INVENTORY TRADING CO	SUPPLIES	492.75
JACKALOPE PRINTING	SUPPLIES	63.72
JERRY'S DONUTS	SUPPLIES	17.98
JOHNSON, GREG C. CPA	CONSULTING/MILEAGE	75.00
JUVE, JANE H	LEGAL SERVICES	14,162.64
KIDS CARE	RENEWAL FOR DFS LICENSE	25.00
KILBURN TIRE COMPANY	VEHICLE MAINTENANCE	51.93
KONE ELEVATORS ESCALATORS	ELEVATOR MAINTENANCE	1,291.21
KRISTI'S BAKERY	DINNER FOR STRANDED TRAVELERS	78.00
LAB SAFETY SUPPLY	SUPPLIES	582.14
LASCANO, LUIS	JANITORIAL SERVICES	3,700.00
LAWSON PRODUCTS INC	PARTS	393.30
LITTLE AMERICA-CHEYENNE	LODGING	352.00
LONG BUILDING TECHNOLOGIES	REPAIRS/HVAC DESIGN	19,308.76
MALLINCKRODT INC	SUPPLIES	462.00
MARTINEZ, CHARLIE	MILEAGE	151.80
MATCO TOOLS	SUPPLIES	225.24
MCI COMMERCIAL SERVICE	PHONE SERVICE	14.67
MCMURRY READY MIX	COUNTY ROADS 1 & 3	431,550.00
MEDICAL ARTS PRESS	SUPPLIES	30.05
MEMORIAL HOSPITAL	MEDICAL SERVICES	413.00
MERBACK AWARD COMPANY	SUPPLIES	85.16
MOELLER, MARIE	CLEANING SERVICES	195.00
MUNSON, SUSAN	MILEAGE	299.00
NATIONAL BUSINESS	OFFICE FURNITURE	834.00
O'BRIEN, KEVIN	HOURS/MILEAGE	1,162.34
PAGE ONE	PAGER SERVICES	11.12
PEOPLE MAGAZINE	SUBSCRIPTION RENEWAL	363.58
PERUE PRINTING	SUPPLIES	660.82
PHILLIPS 66	FUEL	1,122.60
PITNEY BOWES INC	SUPPLIES	306.25
PLAINSMAN PRINTING & SUPPLIES	SUPPLIES	2,836.28
PLATTE VALLEY MEDICAL	MEDICAL SERVICES	120.00
POWER SERVICE, INC.	GENERATOR & INSTALLATION	1,636.91
PRAIRIE DOG ELECTRIC	ICE MACHINE REPAIRS	207.88
PRO-CHEM INDUSTRIAL	SUPPLIES	630.19
PROJECT PREVENTION	ADS/WAGES/MILEAGE/SPEAKER FEES	2,516.14
PUBLIC SAFETY WAREHOUSE	SUPPLIES	109.95
QUILL CORPORATION	HAND TRUCK/SUPPLIES	493.80
QWEST-DENVER	PHONE SERVICE	34.49
QWEST-KENTUCKY	PHONE SERVICE	529.49
R & S PLUMBING & HEATING	PLUMBING REPAIRS	79.50
RANCH RESTAURANT, THE	JURY MEALS	135.30
RAWLINS AUTOMOTIVE	CREDIT/SUPPLIES	544.15
RAWLINS EYE CARE	VISION SERVICES	200.00
RAWLINS FIRE EXTINGUISHER	FIRE EXTINGUISHERS/INSPECTIONS	124.50
RAWLINS GLASS	CARBON MERC/GLASS REPAIR/RPLMT	10,113.10
RAWLINS, CITY OF	BLDG PERMIT-DIST COURT/WATER	1,932.85
RELIABLE	SUPPLIES	455.13
RICHARDSON, JILL	MILEAGE	51.03
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICE	1,480.21
ROSS' AUTOMOTIVE SERVICE	VEHICLE MAINTENANCE	195.63
ROYAL SANITARY SUPPLY	SUPPLIES	114.99

SARATOGA AUTO PARTS	PARTS	249.81
SARATOGA SUN	ADVERTISING	36.25
SARATOGA, TOWN OF	JUNE 2008 LEASE	2,000.00
SHEPARD'S	FUEL/OIL	1,803.65
SHIVELY HARDWARE	PARTS/SUPPLIES/WINCH & CABLE	1,521.46
SMITH TRANSFER & STORAGE	GIS MOVE	325.00
SMITH, SUSAN	MILEAGE	50.14
SNAKE RIVER PRESS	SUBSCRIPTION	30.00
SNAP-ON TOOLS	SUPPLIES	48.35
SNOWY RANGE PROPANE	PROPANE	893.81
SOURCE GAS	GAS SERVICE	14,234.92
SQUARE SHOOTERS EATING HOUSE	JURY MEAL	240.67
STANLEY SECURITY SOLUTIONS	LABOR AT JAIL	3,360.00
STATE OF WYOMING A & I	BLUE ZONE	13.35
STROM, CALVIN	XD PICTURE CARDS	85.53
SWEET, JEFFREY C DDS	DENTAL SERVICES	99.00
SWEETWATER COUNTY	CONFERENCE FEES	300.00
TARA D FRANCE	TRANSCRIPTION	152.75
TERMINIX	PEST CONTROL	150.00
TREVATHAN, SABRINA R	TRANSCRIPTION	245.60
TRIBCSP.COM	E-MAIL	2.00
TRUE VALUE OF RAWLINS	SUPPLIES	161.95
UNION TELEPHONE COMPANY	CELL PHONE SERVICE	670.09
UNIVERSITY OF WY CES	BUSINESS CARDS	13.60
VALLEY FOOD & LIQUOR	SUPPLIES	39.23
VAN'S WHOLESALE	SUPPLIES	548.65
VERIZON WIRELESS	CELL PHONE SERVICE	277.48
VOSS, DENNIS	MILEAGE	106.72
WASHBOARD, THE	SUPPLIES	25.07
WELD COUNTY SHERIFF'S OFFICE	CIVIL PROCESS FEE	46.10
WEST PAYMENT CENTER	CD'S	309.63
WILSON, MARGARET	SEWING	249.00
WOODWARD & ASSOCIATES	CARPET FOR DISTRICT COURT	8,821.00
WY COUNTY COMMISSION	FY 2009 WCCA MEMBERSHIP	11,591.00
WY DEPARTMENT OF HEALTH	PAYROLL	60,000.00
WY MACHINERY COMPANY	PARTS	78.54
WY STATIONERY	SUPPLIES	7,316.39
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	127.06
YOUNGBERG PLUMBING & HEATING	FURNACE REPAIRS	477.45
ZEE	SUPPLIES	116.30
	GRAND TOTAL	741,426.37

## **CLERK**

### **Minutes**

Commissioner Elliott moved to approve the minutes of the May 20, 2008 regular meeting of the Board of Carbon County Commissioners as presented. Commissioner Paxton seconded and the motion carried unanimously.

### **Bonds**

Commissioner Elliott moved to approve a \$5,000.00 bond for Clint A. Weber, Treasurer for the Baggs Cemetery District and a \$10,000.00 bond for Mary F. Waldron, Treasurer for the Little Snake River Conservation District. Commissioner Paxton seconded and the motion carried unanimously.

### **Monthly Receipts**

Commissioner Paxton moved to accept the monthly receipts from Road & Bridge for the month ending May 28, 2008 in the amount of \$150.00. Commissioner Elliott seconded and the motion carried unanimously.

### **Commissioners' Scholarships**

Clerk Rothenberger presented the University of Wyoming 2008-2009 County Commissioners' Scholarships forms for signature and stated the recipients and alternates for the new and renewal scholarships were approved at a previous meeting.

Commissioner Elliott authorized the Chairman's signature on the County Commissioners' Scholarships forms for 2008-2009. Commissioner Paxton seconded and the motion carried unanimously.

### **Multipurpose Facility Letter of Support**

Clerk Rothenberger presented a letter for the Board's signature supporting the construction of a multipurpose building at the fair grounds. She stated the Fair Board and the Clerk's Office will use this when applying for grants.

Commissioner Elliott moved to approve a letter stating that the Board of Carbon County Commissioners supports the construction of a multipurpose building at the Carbon County Fair Grounds. Commissioner Paxton seconded and the motion carried unanimously.

Clerk Rothenberger stated she has not contacted any banks at this time as she is waiting for the building specifications from Kristen Barkhurst. Leroy Graham stated he also talked with Ms. Barkhurst and they will discuss this issue with the architect at the Fair Board's next meeting.

### **Substance Abuse Prevention Services Contract**

Clerk Rothenberger stated Carbon County is again sponsoring a grant for Project Prevention, administered by Theresa Pacheco. She presented a contract between the Wyoming Department of Health and Carbon County Commissioners to set forth the terms and conditions by which Carbon County shall provide substance abuse prevention services. She added Attorney DeLancey has reviewed the contract and recommends approval with the understanding that all the required conditions of the contract are complied with by Project Prevention.

Commissioner Paxton moved to approve the Contract Between Wyoming Department of Health, Mental Health and Substance Abuse Services Division and Carbon County Commissioners For Substance Abuse Prevention Services to set forth the terms and conditions by which Carbon County Commissioners shall provide substance abuse prevention services approved by the Wyoming Department of Health, Mental Health and Substance Abuse Services Division, for a term from July 1, 2008 through June 30, 2009, in the amount of \$11,792.00 State General Funds and \$21,208.00 grant funds. Commissioner Elliott seconded and the motion carried unanimously.

### **Project Prevention Agreement for Services**

Clerk Rothenberger presented an agreement between Carbon County and Theresa Pacheco for grant services related to the Project Prevention Grant. She stated Attorney DeLancey has reviewed the agreement and recommends approval.

Commissioner Paxton moved to approve the Agreement for Services Between Theresa Pacheco and Carbon County Government for Ms. Pacheco to act as independent grant consultant for Carbon County Project Prevention and provide all duties and services related to the Contract Between the Wyoming Department of Health, Mental Health and Substance Abuse Services Division and Carbon County Commissioners For Substance Abuse Prevention Services dated June 17, 2008, for the term beginning July 1, 2008 to June 30, 2009 providing for a total reimbursement to Project Prevention of \$35,000.00. Commissioner Elliott seconded and the motion carried unanimously.

### **Aflac**

Clerk Rothenberger reported that Cindy Duhon with Aflac did not contact her office by the May 20, 2008 deadline to have Aflac be a payroll deduction.

### **Wildland Fire Management Plan**

Clerk Rothenberger presented a Wildland Fire Management Annual Operating Plan and stated she has not a chance to review it but Attorney DeLancey has reviewed the plan and recommends

approval and Dwight France has signed the plan.

Commissioner Elliott moved to authorize the Chairman's signature on the 2008 Wildland Fire Management Annual Operating Plan between the USDI Bureau of Land Management (BLM), Wyoming State Forestry Division (WSFD), USDA Forest Service (USFS), and Carbon County to outline details of implementing the Wyoming Interagency Cooperative Fire Management Agreement and the Wyoming Interagency Fire Management Agreement, that covers the entire county allowing for reimbursement for fire protection zone after the maximum of eight hours. Commissioner Paxton seconded and the motion carried unanimously.

### **Health and Human Services Grant**

Clerk Rothenberger requested and received authorization to apply for a Health and Human Services Grant to help make voting locations handicap accessible, more specifically parking spaces at the Muddy Gap Fire Station and Dixon Senior Center that currently have gravel parking. Attorney Delancey agreed to review the application and make a recommendation later today.

### **Election Judges Pay**

Clerk Rothenberger stated the BOCC previously designated pay for election judges of \$10.00 per hour and head election judges of \$12.00 per hour. She asked that the Board re-designate these amounts as statute mandates this be done at a June meeting.

Commissioner Elliott moved to reauthorize the increase of pay for election judges to \$10.00 per hour and \$12.00 per hour for head election judges. Commissioner Paxton seconded and the motion carried unanimously.

### **August Commissioners Meeting**

Clerk Rothenberger asked that the August 19, 2008 meeting be rescheduled as this is also Primary Election Day.

Commissioner Elliott moved to reschedule the August 19, 2008 Commissioners meeting to August 12, 2008 at 9:00 a.m. to be held at the Carbon County Courthouse in Rawlins, Wyoming. Commissioner Paxton seconded and the motion carried unanimously.

### **Cooperative Extension Service Vehicle**

Clerk Rothenberger opened sealed bids for the county to purchase one used AWD or four-wheel drive small four-door sedan, SUV or wagon for use by the Cooperative Extension Service. The advertisement placed also called for the bids to include a trade-in value for a 1996 Chevrolet Suburban with 160,295 miles. Bids were as follows: Greiner Ford bid \$22,484.00 which includes \$1,000.00 trade-in for a 2008 Ford Explorer Sport-Trac XLT; \$16,922.00 which includes \$1,000.00 trade-in for a 2006 Ford Explorer XLT with 22,292 miles; \$17,824.00 which includes \$1,000.00 trade-in for a 2007 Ford Explorer XLT with 18,532 miles; \$18,980.00 which includes \$1,000.00 trade-in for a 2006 Ford Explorer Eddie Bauer with 29,264 miles; and \$19,768.00 which includes \$1,000.00 trade-in for a 2007 Mercury Mariner Luxury with 13,662 miles. Dallin Motors bid \$17,900.00 for a 2006 Jeep Grand Cherokee Limited with 39,000 miles; \$12,900.00 for a 2004 Jeep Liberty with 27,000 miles. Carbon County Truck Sales bid \$14,000.00 for a 2005 Jeep Grand Cherokee with 42,500 miles. Quality Motors, Inc. bid \$18,000.00 for a 2007 Jeep Grand Cherokee Laredo with 24,003 miles; \$15,000.00 for a 2006 Jeep Liberty with 22,300 miles; \$16,000.00 for a 2006 Ford Explorer with 37,040 miles; \$16,500.00 for a 2007 Jeep Commander with 31,524 miles; \$16,200.00 which includes \$1,500.00 trade-in for a 2007 Jeep Grand Cherokee Laredo with 16,565 miles; \$15,000.00 which includes \$1,500.00 trade-in for a 2007 Jeep Commander with 31,524 miles; \$14,500.00 which includes \$1,500.00 trade-in for a 2006 Ford Explorer with 37,040 miles; \$16,500.00 which includes \$1,500.00 trade-in for a 2007 Jeep Grand Cherokee Laredo with 24,000 miles; \$13,500.00 which includes \$1,500.00 trade-in for a 2007 Jeep Liberty with 22,300 miles; and \$13,500.00 which includes \$1,500.00 trade-in for a 2007 Jeep Liberty with 21,790 miles. The Board asked the members from the Cooperative Extension Service to review the bids and return later today or the next meeting if they need to travel to inspect the vehicles with a recommendation.

Calvin Strom from Cooperative Extension Service introduced their new employee Shawna

Potter.

## **ELECTED OFFICIALS / DEPARTMENT HEADS**

### **Treasurer**

County Treasurer Cindy Baldwin stated that as of May 29, 2008 they have only \$468,000.00 of 2007 taxes remaining to collect and the county will get approximately \$4,115,689.73 second half 2007 property tax. She stated twenty-five people have signed up for the tax relief program. Treasurer Baldwin reported her office has generally been busier than normal and have had long lines in the Motor Vehicle Department.

Treasurer Baldwin stated she has set up the sweep account and they have taken \$9 million out of this account and put into a CD which will generate approximately \$12,000.00 from May 23, 2008 through June 6, 2008. She stated the sweep account takes everything over \$100,000.00 at one percent interest and averages approximately \$25.00 per day. Attorney DeLancey stated it was a pleasure working with the Treasurer Baldwin on this to benefit the county.

### **Clerk - Health and Human Services (HHS) Grant**

Clerk Rothenberger stated Attorney DeLancey has reviewed the HHS grant application she presented earlier today and Ms. DeLancey recommends approval.

Commissioner Elliott moved to authorize the County Clerk's signature on the Application for the Health and Human Services Grant Monies, Help America Vote Act – Voting Access for Individuals with Disabilities (VOTE) to pave parking spaces at Muddy Gap Fire Station and Dixon Senior Center in the amount of \$7,440.00. Commissioner Paxton seconded and the motion carried unanimously.

### **Invoices**

Clerk Rothenberger asked if the Board would like her to investigate alternatives to executing individual invoices to be paid at each meeting. She suggested possibly having the invoices available for review, and then the Board can execute one report listing them all. The Board asked her to look into this. Clerk Rothenberger stated she will also verify that the county's auditors have no issue with any changes to this process.

### **Attorney**

Attorney DeLancey stated she has a conflict in her office on a criminal case and the Sweetwater County Attorney's Office has offered to function as special prosecutor. She requested authorization pursuant to Wyoming Statue 9-1-805, the Conflict of Interest Provision that the Board appoint the Sweetwater County Attorney's Office to Case Number CT 2008-3098. She stated there is no cost associated with the appointment.

Commissioner Paxton moved to appoint the Sweetwater County Attorney's Office as special prosecutor to Case Number CT 2008-3098. Commissioner Elliott seconded and the motion carried unanimously.

### **Coroner**

County Coroner Paul Zamora asked for approval to purchase an enclosed cargo trailer with Homeland Security grant funds for multiple casualties. He presented one estimate for the 16 foot trailer totaling \$5,975.61 and an estimate for a Honda 3000 watt generator for \$1,865.00 to run the lighting system. Clerk Rothenberger stated there are two coroner Homeland Security grants available totaling approximately \$16,000.00. She added the county may have to put this out to bid due to the amount of the purchases and she will work with Kaycee Alameda, Grant Coordinator, on this.

The BOCC authorized Coroner Zamora to get the specifications ready to put this out for bid if necessary or otherwise purchase the equipment. Coroner Zamora discussed other equipment he is pursuing under \$1,000.00 for Homeland Security grant funds.

### **Buildings Manager**

Leroy Graham presented the preliminary estimates for the engineering and design of the Carbon Building HVAC system and added this was prepared by Long Technologies. The plan includes three different scenarios for the BOCC to review. Mr. Graham stated Long Technologies will have concepts later and this system will not be installed until after July 2009. He stated the design costs are \$1.6 million, \$1.9 million and \$2.155 million. Clerk Rothenberger verified that no payment for the design or construction would begin until after July 2009 and Mr. Graham stated that no payment would be made until after that time. Mr. Graham stated Long Technologies has removed two units from other systems and they will install these in the Carbon Building at no charge to the county.

Mr. Graham stated Judge Waldrip has requested that the extension that was constructed in the Courthouse hallway to enlarge the Clerk of District Court's Office approximately two years ago be taken down. Mr. Graham stated Judge Waldrip has an estimate from Shepard Construction in the amount of \$7,320.00. The BOCC agreed to look at the area before any decisions were made. Clerk Rothenberger recommended that the walls remain as is, as the county spent a large sum of money on this project only two years ago and that this would also remove much needed space in the Courthouse.

### **Emergency Management**

Harold Newbrough provided an update on the flooding situation in Baggs and stated that all of the dikes and sand bags will remain in place until June 23, 2008. He stated the Army Corps of Engineers will be back this summer to look at more permanent solutions. Chairman Weickum stated he appreciated Mr. Newbrough's efforts and stated the situation needs to be looked at for more permanent fixes to the flooding problems.

Mr. Newbrough stated the Multi-hazard Mitigation Plan will include the situation in Baggs and stated they have had one meeting and several more are scheduled in each town to get the citizen's concerns.

### **Road & Bridge**

Bill Nation distributed the Road & Bridge Report dated June 3, 2008. He stated magnesiumchloride has been put down in the Baggs, Dixon, Savery, Saratoga, Encampment and Rawlins areas. He stated they will continue to repair washed out culverts, spring blading, and cattle guard cleaning, and they will be working on the culverts in Baggs. He further stated roto mill work may start next week north of the Medicine Bow area, as well as the Rawlins street projects.

Mr. Nation presented a Memorandum of Understanding (MOU) Between the Wyoming Department of Transportation and the Carbon County Commission for Federal Project ACSTP212.60 P541012 for the roto mill that will be ground up from the Rawlins Spruce and 3<sup>rd</sup> Street Projects. He stated that Attorney DeLancey has approved the MOU. Mr. Nation stated that this was approved at a prior meeting, however the original was lost by the Highway Department so he requested and received signatures from the Board.

### **Library**

Kristin Herr, Library Director, requested and received authorization to purchase two sheds for the Medicine Bow Library and the Little Snake River Library. The total request including delivery is approximately \$3,000.00. Clerk Rothenberger asked that an invoice be turned in for this by the June 11, 2008 deadline.

### **Coroner**

Coroner Zamora requested and received authorization to purchase a laptop from Dell in the amount of \$2,138.51 from Homeland Security funds.

### **BUDGET PRESENTATION**

Jill Duthie, Senior Services Director, and Don Mayfield, Senior Services Board Chair, presented Senior Services budget request for the 2008-2009 fiscal year.

### **ELK MOUNTAIN SCHOOL BUILDING**

Mark Ducker, Economic Development Corporation Director, stated he was addressed by a Concerned Citizen's Committee of Elk Mountain. The group would like the BOCC to be a part of a Joint Powers Board (JPB) to assist the group in applications for grants to save a part of the Elk Mountain School to be used for a community center. Mr. Ducker stated at this time, the request is that the BOCC consider being a part of the JPB.

Chairman Weickum asked if the time it takes to form the JPB would be an issue. Mr. Ducker stated that the School Facilities Commission is merely looking for progress and verification that there is community support. Janeen Jones of the Concerned Citizen's Committee reported that the project would most likely incorporate the entire school building. Mr. Ducker asked for a statement that the Board would participate in the JPB.

Commissioner Paxton moved to prepare a letter of support and participation in a Joint Powers Board for the preservation of the Elk Mountain School to be used as a community center and to authorize the Chairman's signature on the letter. Commissioner Elliott seconded and the motion carried unanimously.

Attorney DeLancey asked who would be drafting the joint powers agreement and Ms. Jones replied that Tom Johnson of the Wyoming Business Council would be involved with the draft agreement. Clerk Rothenberger stated she will work with Mark Ducker on the drafting of the letter.

### **WILLIAMS – ECHO SPRINGS EXPANSION**

Ryan Henning and Jerry Fiore of CH2M Hill, and Dallas Scholes of Williams discussed the industrial siting act process for the Williams – Echo Springs Expansion project. They expect the project that will be in Carbon County to cost approximately \$220 million.

Commissioner Paxton asked if this project would have an affect on the county's valuation due to the fact that the gas is there but it is not always exported. Mr. Scholes stated there are five to six pipelines proposed in Wyoming to export the gas and that he expects much more production in Wyoming. Mr. Scholes reported the project should produce approximately seven full time jobs.

Mr. Fiore reported on the expansion of gas production in the Rocky Mountain Region. He stated that the Echo Springs plant is already at capacity and the expansion would almost double production. The project's in service target date is October 2010 with peak construction jobs of 175 contract workers, however the industrial siting application would provide for a worst-case scenario of approximately 140 temporary construction workers. These workers would begin coming in spring 2009 through the end of the project. Mr. Henning stated the expansion would be in the currently fenced area with approximately 10 acres outside the fenced area affected only during construction then reclaimed. The construction would be modular then hauled to the site.

Chairman Weickum asked what the plan for housing is and Mr. Fiore stated that the current plan is to mostly house these individuals in hotels. Chairman Weickum also discussed solid waste management concerns as many of the communities' landfills are nearing capacity. Mr. Fiore stated Williams currently has a waste management plan at the facility and this topic will be addressed in the industrial siting application.

Commissioner Paxton asked what the impact on roads would be when the modular units are being hauled. Mr. Fiore replied less than two hundred trucks should be on the roads spread out over the construction time period because the construction is modular. Commissioner Elliott added that the modular construction would eliminate many of the weather and delay concerns.

Mr. Fiore discussed various permitting requirements including the industrial siting act permit, building permit, air quality permit, storm water pollution prevention, spill prevention control and countermeasure plan, and a risk management plan.

Chairman Weickum asked that construction workers know laws about license plates, heavy equipment stickers, and other laws that these individuals will be expected to abide by. Treasurer Baldwin asked that the company let her office know ahead of time when these individuals might be coming in for plates and stickers so she can be prepared.

### **PET PARTNERS**

Jerry Russell of Pet Partners reported he obtained another bid for the perimeter fence at the new pet facility. The quote was from R.T. Fencing for \$9,200.00 compared to LM Olson's bid of approximately \$15,000.00. Chairman Weickum suggested Mr. Russell return to LM Olson with the second bid to determine if they can now beat it.

### **LUNCH**

Chairman Weickum recessed for lunch at 11:35 p.m. and reconvened at 1:30 p.m.

### **SINCLAIR 12<sup>TH</sup> STRET BYPASS PROJECT**

Gary Steele of PMPC and Phyllis McWhorter, Sinclair Mayor, presented and discussed a proposed Memorandum of Understanding between Carbon County, Wyoming, Town of Sinclair, Sinclair Refinery and the Wyoming Department of Transportation (WYDOT) to outline the mutual agreements of the parties as related to the construction and the maintenance of the West End Sinclair Bypass Project. Mr. Steele stated the Town of Sinclair has not yet approved the MOU but plans to do so later this week then the MOU would be forwarded to the State for their attorney's review. He did ask that the Sinclair Refinery be removed from the MOU as this only relates to maintenance and they will not maintain any section of the road.

Mr. Steele stated he would like to see an application submitted soon for the IRP funds as these funds are available on a first come first serve basis. He proposes the design would be paid for under industry match funds as State Lands and Investments Board (SLIB) funds. Upon completion of this, the county would be administering the funding for the construction and the Town of Sinclair would provide the county the matching funds. Sinclair previously approved that \$319,000.00 be matched towards the IRP funds and the county's matching funds. Ms. McWhorter agreed to provide the Clerk a letter stating this. Chairman Weickum stated it is the county's intention to do whatever it takes to make this happen. He asked that the Chairman be authorized to sign an application for IRP funds as well as a Resolution authorizing the submission of the application. The Board agreed that the MOU would be amended then resubmitted after the State reviews and approves it. Mr. Steele agreed to e-mail the letter and resolution to the Clerk's Office and return later today with the originals to be signed.

### **RECESS**

Chairman Weickum recessed at 1:55 p.m. and reconvened at 2:00 p.m.

## **Energy Savings Project**

Patsy Carter and Florence Kostic of Memorial Hospital of Carbon County (MHCC) discussed the energy savings project at Memorial Hospital of Carbon County. Attorney Kermit Brown was also present. Ms. Carter stated she has gotten SunTrust and Saulsbury Land Company to finalize the lease. Attorney DeLancey stated there are blanks in the contract and she is waiting for the attorney opinion from Barbara Bonds before any action should be taken.

Chairman Weickum asked if the county should be conducting business with the Hospital Board. He also stated that if the lease were paid off early, he thinks the entire amount of interest would be owed. Ms. Kostic stated there is a 4% charge if the lease is paid off early. This charge is based on the outstanding balance, not 100% of the interest. Attorney DeLancey stated that the lease also needs some modification of language in various sections.

Commissioner Elliott discussed his concerns of obligating future boards and Attorney DeLancey stated this particular language could be reworded. Chairman Weickum discussed his concern about the prepayment penalty of either the interest or the 4% of the balance.

Mr. Brown replied that he disagrees with the blanket statement that it is always illegal to sign an agreement that extends beyond his term. Mr. Brown discussed cancellation and default. He stated that if a future board did not want to continue the lease, they could default by not making a payment. Chairman Weickum stated that under no circumstances would this be a responsible idea. Mr. Brown addressed prepayment and fees involved. He stated that a prepayment option would be to purchase a bond with the cash and let it earn interest while making the monthly payment through the term of the lease.

Ms. Carter stated she has a 10-year proposal from the Bank of Commerce (BOC) of 4.87% for five years then 5.1% for the second five years with no prepayment penalties therefore costing more than the 4.61% with SunTrust not including any prepayment fees.

Art Canaday, MHCC Board member, discussed various payment options and savings comparing the two leases. He stated that BOC initially indicated it could only lend the county \$1.8 million leaving approximately \$200,000.00 that would need to be applied to the project. He proposed both the county and MHCC apply \$100,000 toward the project and borrow the remaining \$1.8 million from BOC.

Mr. Brown stated that he could investigate removing the prepayment penalty from the lease with SunTrust but he thinks that the interest rate would rise.

Commissioner Elliott stated that he wants to do the right thing for MHCC. The issue is only determining the best way to complete the project. Mr. Canaday stated that MHCC has already spent \$3,500.00 to put the deal together with BOC. He believes the Board needs to act today as there are construction companies wanting paid already. Ms. Kostic stated that MHCC is asking for only \$1.7 million and she does not believe any additional up front funds would be needed for a lease with BOC.

Commissioner Paxton agreed the project needed completed, however the BOCC has an obligation to explore all opportunities to obtain the best deal and he does not believe that the SunTrust lease is the best deal. Mr. Canaday reported that BOC has indicated that they could have the paperwork drawn up immediately. Ms. Kostic reported the monthly payments would be similar with BOC as compared to SunTrust.

Commissioner Paxton moved that subject to the approval of the County Attorney and the Memorial Hospital Board's Attorney, all the appropriate agreements be worked out to pursue financing with the Bank of Commerce for Memorial Hospital of Carbon County's mechanical electrical upgrade as covered in the letter from the Bank of Commerce dated May 30, 2008, and to ultimately present the Board of County Commissioners with the appropriate documents and resolutions to secure financing. Commissioner Elliott seconded and the motion carried unanimously.

**MERITAIN HEALTH**

Mark Moreno of Meritain Health overviewed a summary of expenses related to the county’s health insurance for the period of October 1, 2007 through May 31, 2008.

**BUDGET PRESENTATION**

Lindy Glode presented the Clerk of District Court’s budget request for the 2008-2009 fiscal year.

**SINCLAIR 12<sup>TH</sup> STREET BYPASS PROJECT**

Commissioner Elliott moved to authorize the Chairman to sign the letter to Jay Gould of the Wyoming Department of Transportation, applying for Industrial Road Program funding for design and construction of the West Sinclair Bypass in the amount of \$638,000.00 with match commitments of \$319,000.00 each by the county and the Town of Sinclair. Commissioner Paxton seconded and the motion carried unanimously.

Commissioner Elliott moved to approve Resolution 2008-14, A Resolution Authorizing the Board of Carbon County Commissioners to Apply for Funding for the Design and Construction of the West Sinclair Bypass. Commissioner Paxton seconded and the motion carried unanimously.

**RESOLUTION NO. 2008-14**

**RESOLUTION AUTHORIZING THE BOARD OF CARBON COUNTY COMMISSIONERS TO APPLY FOR FUNDING FOR THE DESIGN AND CONSTRUCTION OF THE WEST SINCLAIR BYPASS**

**WHEREAS**, the Board of County Commissioners for Carbon County desires to obtain funding from Industrial Road Program funds administered by the Wyoming Department of Transportation for the design and construction of the West Sinclair Bypass,

**WHEREAS**, construction of the West Sinclair Bypass does serve to redirect traffic generated by relocation on Sinclair Oil Refinery administrative offices, and truck traffic generated by refinery operations, as well as other traffic generated by ranching, recreational, and energy development along the Seminole Dam Road,

**WHEREAS**, the existing route directs significant traffic on residential streets and adjacent to public school facilities within the Town of Sinclair causing safety concerns for the general public,

**WHEREAS**, the Sinclair Oil Refinery and the Town of Sinclair are desirous of, and supportive of said West Sinclair Bypass project,

**WHEREAS**, the County, by virtue of this resolution, is hereby committing funds to be available for matching Industrial Roads Program funds as per the attached project estimate, and is committed to obligating maintenance of said transportation facility,

**WHEREAS**, the County is prepared to implement the Viewer’s site inspection and complete the Viewer’s Report for submittal to the Wyoming Department of Transportation,

**BE IT KNOWN** that the Board of County Commissioners for Carbon County does hereby authorize the Board Chairman to apply for, and enter into agreement as required to obtain project funding for the design and construction of the West Sinclair Bypass project.

Dated June 3, 2008

**BOARD OF CARBON COUNTY COMMISSIONERS**

- s- Terry Weickum, Chairman
- s- Jerry Paxton, Vice Chairman
- s- James E. Elliott, Jr.

ATTEST:

-s-Gwynn G. Rothenberger, County Clerk

**BOARD INTERVIEWS & APPOINTMENTS**

### **Public Library Board**

Patricia Hays was interviewed for consideration of reappointment to the Public Library Board.

Commissioner Paxton moved to reappoint Patricia Hays to the Public Library Board for a three-year term expiring July 2011. Commissioner Elliott seconded and the motion carried unanimously.

### **Memorial Hospital Board**

Judy Merrill, Deena Neal, and Paul Zamora were interviewed for consideration of reappointment and appointment to the Memorial Hospital Board. Pam Bailey applied but was unavailable for an interview.

Commissioner Elliott moved to postpone the appointment to the Memorial Hospital Board to allow Pam Bailey time for an interview. Commissioner Paxton seconded and the motion carried unanimously.

The Board requested Clerk Rothenberger to schedule Ms. Bailey's interview for June 17, 2008. If Ms. Bailey is unable to attend the Board will consider an appointment at that time.

### **Senior Services Board – Saratoga Area**

Clifford Hamilton was interviewed for consideration of appointment to the Senior Services Board – Saratoga Area. Mr. Hamilton indicated he leaves the state for several months of the year and the Board indicated they would like to review the bylaws to determine if telephone participation in meetings is allowed. Clerk Rothenberger agreed to investigate the bylaws.

### **COOPERATIVE EXTENSION SERVICE VEHICLE**

Calvin Strom of Cooperative Extension Service returned and recommended accepting Quality Motor's bid of \$13,500.00 for a 2007 Jeep Liberty 4x4 with 21,790 miles. He stated this price includes a \$1,500.00 trade in allowance and the new vehicle includes the balance of a factory warranty.

Commissioner Elliott moved to accept the bid from Quality Motors in the amount of \$13,500.00 for a 2007 Jeep Liberty 4x4 VIN# 1J4GL4SK37W672039 with 21,790 miles noting that this price includes a \$1,500.00 trade in allowance for a 1996 Chevrolet Suburban VIN# 3GNFK16R1TG154787. Commissioner Paxton seconded and the motion carried unanimously.

### **RECESS**

Chairman Weickum recessed at 3:56 p.m. and reconvened at 4:04 p.m.

### **EXECUTIVE SESSION**

Commissioner Paxton moved to go into executive session at 4:04 p.m. with Attorney DeLancey, Lou Kline, and Clerk Rothenberger to discuss proposed litigation. Commissioner Elliott seconded and the motion carried unanimously.

Commissioner Paxton moved to come out of executive session at 4:25 p.m. and declared that no action was taken and that the minutes of the executive session be approved as written and sealed. Commissioner Elliott seconded and the motion carried unanimously.

**DIXON AIRPORT**

Commissioner Elliott moved to authorize Attorney DeLancey to draft a letter to Dudley VonHolt regarding the specific procedures he and his client need to apply for and obtain a building permit for a fuel farm at the Dixon Airport. Commissioner Paxton seconded and the motion carried unanimously.

**EXECUTIVE SESSION**

Commissioner Paxton moved to go into executive session at 4:27 p.m. with Attorney DeLancey, Bill Nation, and Clerk Rothenberger to discuss potential litigation. Commissioner Elliott seconded and the motion carried unanimously.

Commissioner Elliott moved to come out of executive session at 4:41 p.m. and declared that no action was taken and that the minutes of the executive session be approved as written and sealed. Commissioner Paxton seconded and the motion carried unanimously.

**CIVIL ACTION #CV-08-103**

Commissioner Paxton moved to authorize Attorney DeLancey to execute the Acceptance of Service and Disclaimer of Interest document dealing with Civil Action #CV-08-103, for services of process, hereby entering a general appearance in the above-entitled action, and does hereby disclaim an interest in the property in the above-entitled action except to the extent as to Carbon County Road #501 which the county has claimed and continues to claim right-of-way for. Commissioner Elliott seconded and the motion carried unanimously.

**ADJOURNMENT**

There being no further business, Chairman Weickum adjourned the meeting at 4:45 p.m.

-s- Gwynn G. Rothenberger, Carbon County Clerk

Approved this 17th day of June 2008

BOARD OF COUNTY COMMISSIONERS  
CARBON COUNTY, WYOMING

-s- Terry Weickum, Chairman