

**REPORT TO THE  
MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, May 6, 2014  
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, May 6, 2014 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were; Chairman Leo Chapman and Commissioner John Johnson. Commissioner Jones participated via telephone. Commissioners Glode and Espy were absent.

Chairman Chapman called the meeting to order at 9:02 a.m.

**ADDITIONS / CORRECTIONS**

Commissioner Johnson moved to amend the agenda to move elected officials and department heads, Memorial Hospital of Carbon County and add a Carbon County Public Health Nursing Contract all at 5 p.m. Commissioner Jones seconded and the motion carried unanimously.

**VOUCHERS**

Commissioner Johnson moved to approve the report of expenditures in the amount of \$675,153.06. Commissioner Jones seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
AIT LABORATORIES	LAB SERVICES	\$500.00
ALCO	SUPPLIES	\$28.65
AMERICAN PLANNING ASSOCIATION	MEMBERSHIP	\$399.00
AMERIGAS	PROPANE SERVICES	\$1,908.87
API SYSTEMS INTEGRATORS	FIRE ALARM INSPECTION	\$4,955.00
BANK OF COMMERCE (DEBIT CARD)	VARIOUS CHARGES	\$3,195.38
BEACH, HOMER	SNOW REMOVAL	\$350.00
BEST WESTERN COTTONTREE	MOTEL CHARGES	\$166.00
BOB BARKER COMPANY, INC.	SUPPLIES	\$983.65
BOYS & GIRLS CLUBS OF CARBON COUNTY	2ND QTR TANF 13-14	\$10,000.00
BUILD RITE LUMBER SUPPLY	SUPPLIES	\$61.28
CANDY MOUNTAIN	WATER/EQUIPMENT RENTAL	\$92.00
CAPITOL COMMUNICATIONS	TELEPHONE	\$105.70
CARBON COUNTY SENIOR SERVICES	APRIL HEALTH SUBSIDY	\$2,000.00
CARBON COUNTY TREASURER	VARIOUS CASH ITEMS	\$4,896.16
CARBON COUNTY VETERINARY HOSPITAL	VETERINARY SERVICES	\$3,180.04
CARBON POWER & LIGHT INC	ELECTRICAL SERVICES	\$289.20
CASPER WINNELSON CO	SUPPLIES	\$463.60

CBM FOOD SERVICE	JAIL MEALS	\$6,239.08
CDW GOVERNMENT, INC.	SUPPLIES	\$2,254.66
CENTURY LINK	TELEPHONE SERVICES	\$125.16
CENTURYLINK	TELEPHONE SERVICES	\$6,340.69
CENTURYLINK-PHOENIX	TELEPHONE SERVICES	\$472.11
CESKO FAMILY MEDICINE, PC	MEDICAL SERVICES	\$555.00
CHARTER COMMUNICATIONS	CABLE/TELEPHONE/FIBER LINE	\$2,632.00
CLYDE, JASON	MEALS/SUPPLIES	\$65.40
COLONIAL FLAG	FLAG REPAIRS	\$69.26
CRAIG, CATHY	AG EXPO SUPPLIES	\$19.96
DAILY TIMES	NEWSPAPER ADS	\$1,076.87
DALLIN MOTORS INC	OIL CHANGE	\$41.01
DAVIDSON FAMILY DENTAL	DENTAL SERVICES	\$198.00
DELEON, JOHN	LEGAL SERVICES	\$1,087.50
DIRTY BOYZ SANITATION, INC	GARBAGE SERVICES	\$376.00
DIXON, TOWN OF	WATER SERVICES	\$130.00
DJ'S	GLASS REPAIRS	\$362.13
DOMINION VOTING SYSTEMS, INC.	SOFTWARE MAINTENANCE	\$12,600.00
DRUMMOND REFRIGERATION LLC	CONTROL BOARD	\$210.93
EASTMAN, PATRICK	MILEAGE	\$28.80
ERICKSON & ROBERTS	LEGAL SERVICES	\$700.48
ESPY, JIM	MILEAGE/MOTEL/WITNESS FEE	\$193.16
ESPY, MIKE	MILEAGE/WITNESS FEE	\$160.00
FARMER BROTHERS COFFEE	COFFEE	\$154.00
FOX, SID	MEAL REIMBURSEMENT	\$40.00
FRANCE, TARA	TRANSCRIPTION	\$1,501.50
GALLS/QUARTERMASTER	SHERIFF UNIFORMS	\$37.00
GLAXOSMITHKLINE PHARMACEUTICALS	PH HEALTH VACCINE	\$738.70
GRAINGER	SUPPLIES	\$1,419.17
GRAPHIC SPORTS	ENVELOPES	\$154.00
GREATER WY BIG BROS/SISTERS	2ND QTR TANF 13-14	\$7,361.95
HANNA, TOWN OF	WATER SERVICES	\$103.77
HIGH PLAINS POWER	ELECTRICAL SERVICES	\$392.57
HIGH PLAINS VISION CENTER	VISION SERVICES	\$980.00
HILLTOP LUBE & AUTOMOTIVE	TIRES	\$1,146.00
ISC, INC	HARDWARE MAINTENANCE	\$4,048.33
J H KASPAR OIL COMPANY	FUEL	\$3,689.58
JACKALOPE PRINTING	SUPPLIES	\$11.40
JACK'S BODY & FENDER REPAIR	PAINT STRIPES/INSTALL DECALS	\$850.00
KENCO SECURITY AND TECHNOLOGY	ALARM MONITORING	\$36.00
KILBURN TIRE COMPANY	VEHICLE MAINTENANCE	\$1,364.62
KIRSCH, ARCHIE P	COUNTY HEALTH OFFICER	\$1,300.00

KTGA/KBDY	OFFICE CLOSURE AD	\$123.50
L N CURTIS & SONS	RADIO HARNESES/FACEPIECE	\$752.82
LARAMIE YOUTH CRISIS CENTER	2ND QTR TANF 13-14	\$5,452.24
LONG BUILDING TECHNOLOGIES, INC.	COMPRESSOR/ACTUATOR	\$2,923.50
M.D. PRODUCTS, INC.	EQUIPMENT PARTS	\$1,111.17
MARTIN/MARTIN WY CONSULTING ENGRS	ENCAMPMENT RIVER BRIDGE REPAIR	\$1,636.00
MEDICINE BOW HEALTH CENTER	APRIL HEALTH SUBSIDY	\$250.00
MEEKS, HEIDI	AG EXPO DONUTS	\$33.36
MEMORIAL HOSPITAL OF CARBON COUNTY	MEDICAL SERVICES	\$593.75
MERBACK AWARD COMPANY	PLAQUE	\$86.43
MOORE MEDICAL CORP.	MEDICAL SUPPLIES	\$304.83
MORT'S AUTOMOTIVE	VEHICLE MAINTENANCE	\$353.53
MOSS, BARBARA	MILEAGE	\$54.60
MPM CORP / EVERGREEN DISPOSAL	GARBAGE SERVICES	\$15.00
MURANE & BOSTWICK, LLC.	PROFESSIONAL SERVICES	\$1,264.00
MY OFFICE ETC.	SUPPLIES	\$1,356.16
NATIONAL POLICE CANINE ASSOCIATION	K9 CERTIFICATION/MEMBERSHIP	\$60.00
NEUTRON INDUSTRIES	SUPPLIES	\$339.59
NEVE'S UNIFORMS	AMMUNITION	\$536.00
NEWMAN TRAFFIC SIGNS	ROAD CLOSED SIGNS	\$155.01
NORCO, INC.	CYLINDER RENTAL/SUPPLIES	\$1,253.16
OFFICE DEPOT	OFFICE SUPPLIES	\$175.70
O'REILLY AUTO PARTS	PARTS	\$203.94
OTIS ELEVATOR COMPANY	ELEVATOR MAINTENANCE	\$2,575.32
PENCE AND MACMILLAN LLC	LEGAL SERVICES	\$1,941.74
PERKINS OIL CO	FUEL	\$1,985.58
QUESTAR GAS	GAS SERVICES	\$81.02
QUILL CORPORATION	SUPPLIES	\$511.80
RAPID FIRE PROTECTION, INC	SPRINKLER INSPECTION	\$215.00
RASMUSSEN FURNITURE	VACUUM BAGS	\$13.98
RAWLINS AUTOMOTIVE	PARTS	\$2,223.32
RAWLINS EYE CARE	VISION SERVICES	\$225.00
RAWLINS FAMILY MEDICAL, P.C.	MEDICAL SERVICES	\$227.00
RAWLINS FIRE EXTINGUISHER	FIRE EXTINGUISHER INSPECTIONS	\$87.00
RAWLINS GLASS	WINDSHIELD REPAIRS	\$302.35
RAWLINS URGENT CARE	MEDICAL SERVICES	\$582.00
RAWLINS, CITY OF	WATER SERVICES	\$1,773.20
RESERVE ACCOUNT	POSTAGE	\$10,000.00
ROBIDOUX ENTERPRISES	VEHICLE MAINTENANCE	\$102.21
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICES	\$17,404.65
ROSS' AUTOMOTIVE SERVICES	OIL CHANGE	\$57.84
RYAN ELECTRONICS INC	SUPPLIES	\$275.00

SARATOGA AUTO PARTS, INC.	PARTS	\$276.40
SARATOGA SUN	NEWSPAPER ADS	\$1,213.00
SARATOGA, TOWN OF	WATER SERVICES	\$17.00
SHEPARD'S	SUPPLIES/FUEL	\$4,667.28
SIMON CONTRACTORS	ENCAMPMENT RIVER BRIDGE REPAIR	\$71,415.00
SKYLINE MOTORS, INC.	VEHICLE MAINTENANCE	\$932.82
SNAKE RIVER PRESS	NEWSPAPER ADS	\$300.00
SOURCE GAS	GAS SERVICES	\$15,395.11
SPILLMAN TECHNOLOGIES	PROQA MEDICAL INTERFACE	\$23,120.00
STAPLES ADVANTAGE	OFFICE SUPPLIES	\$519.79
STATE OF WY - PUBLIC DEFENDER	BUDGET SUPPLEMENT	\$50,468.34
STATE OF WYOMING A & I	MAINFRAME ACCESS	\$13.82
STEPHENSON, LEE ANN	MILEAGE	\$36.54
STODDARD, CURTIS T.	DENTAL SERVICES	\$1,376.00
TERMINIX	PEST CONTROL	\$881.00
TETON COUNTY SHERIFFS OFFICE	CRIAG 2014 K9 TRAINING	\$75.00
THE MASTERS TOUCH, LLC	MAILING SERVICE/POSTAGE	\$2,447.33
TRADING POST	FUEL	\$69.08
TRAPP, LARRY W	REIMBURSEMENT	\$327.49
TREVATHAN, SABRINA RMR	TRANSCRIPTION	\$617.00
TRUE VALUE OF RAWLINS	SUPPLIES	\$2,004.94
T'S KEYS	DRILL HOLES/INSTALL DEADBOLT	\$140.07
TYLER TECHNOLOGIES, INC	IDOC/ITAX WEB HOSTING/TRAINING	\$297.50
U W C E S	3RD/4TH QTR FY 14 SALARY	\$10,353.50
U.S. BANK	SPECIFIC PURPOSE TAX LEASE	\$282,300.00
UNION TELEPHONE COMPANY	E911 TELEPHONE SERVICES	\$257.72
UTILITY BILL SOLUTIONS GROUP	UTILITY SAVINGS	\$152.72
UW BIODIVERSITY INSTITUTE	BOOKS	\$62.50
VAN'S WHOLESALE LLC	CLEANING SUPPLIES	\$2,089.87
VERIZON WIRELESS	TELEPHONE SERVICES	\$657.04
VIP	VEHICLE DETAIL	\$100.00
WALKER PIANO	PIANO REPAIR	\$250.00
WARRIOR SERVICES, LLC	PEST CONTROL	\$120.00
WELLS, JACQUELIN	MEALS/MILEAGE	\$167.18
WEST PAYMENT CENTER	INFORMATION CHARGES	\$1,344.84
WILSON, MARGARET	PATCHES	\$9.00
WIMPENNY, ROBERT G DDS	DENTAL SERVICES	\$1,220.00
WRECK-A-MEND	REMOVE DECALS	\$130.00
WY BRAND INDUSTRIES	FLOOR CONDITIONER	\$252.80
WY DEPT OF AGRICULTURE	FOOD LICENSE	\$50.00
WY DEPT OF ENVIRONMENTAL QUALITY	DEQ OVERSIGHT ACTIVITIES	\$1,350.00
WY DEPT OF HEALTH	MOTOR VEHICLE BILLING/PAYROLL	\$34,092.98

WY GUARDIANS AD LITEM PROGRAM	FY14 QTR3 COUNTY MATCH	\$4,103.73
WY LAW ENFORCEMENT ACADEMY	TRAINING	\$850.00
WY MACHINERY COMPANY	PARTS/EQUIPMENT MAINTENANCE	\$2,346.76
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	\$956.63
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICES	\$440.96
YOCUM, LEO	MILEAGE	\$24.00
YOUNG, CHARLES MD	MEDICAL SERVICES	\$400.00
ZIRMED, INC	PROFESSIONAL CLAIMS	\$0.70
GRAND TOTAL		\$675,153.06

**CONSENT AGENDA**

Commissioner Johnson moved to approve the consent agenda. Commissioner Jones seconded and the motion carried unanimously.

The following items were on the consent agenda. April 15, 2014 minutes; a bond for Donald R. Brinkman, Treasurer for the Carbon County Recreation Board – School District No. 1 in the amount of \$10,000.00; a bond for Henry R. Hewitt, Trustee/Board Member for Memorial Hospital of Carbon County in the amount of \$25,000.00; Attorney receipts for \$282.40; Clerk receipts for \$30,176.75; and Planning & Development receipts for \$2,125.00.

**ELECTED OFFICIALS SALARIES**

The elected officials with the exception of the County Attorney provided a letter to the BOCC citing the current salaries, discussing projects on the horizon and stating that four years is a long time with no raises.

Commissioner Jones noted that she is not in favor of raises for elected officials due to the lack of funds, increasingly deteriorating properties, and the fact that county employees did not get raises this year. Commissioner Johnson stated that he is having a hard time with 4 years of no raises but he may want to have a work session with the elected officials. Commissioner Jones pointed out that in her discussions with Commissioners Glode and Espy, they have strong opinions about no raises. Chairman Chapman pointed out there is a 3% inflation rate per year and that he does not feel it is fair to hold raises for the entire 4 years. He added he likes a staggered increase with potentially nothing in year one then 1%, 2%, and 3% the years thereafter. He does not want a salary increase for the Commissioners.

Commissioner Johnson moved to table the elected official discussion and schedule a special meeting for May 15 at 9 a.m. Commissioner Jones seconded and the motion carried unanimously.

**PAT O'TOOLE**

Pat O'Toole discussed a proposed potential significant development in the county, primarily referring to the Little Snake River (LSR) Valley area. He stated he is troubled that residents'

concerns may be perceived as anti-development however it is not. Residents in the area would like to be partners in development and they are seeing a tremendous and aggressive move to lease up the entire Little Snake River from Battle Mountain to Powder Mountain. According to Mr. O'Toole they are also troubled that with last year's seismographic activity nobody with exception of the county was paid for that. He believes these companies do not care about private land and landowners. He remains optimistic that partnerships can form and cautioned the BOCC that they will have a tremendous responsibility to represent the county. Mr. O'Toole recommended the BOCC wait on deciding on future development in the LSR Valley and to work with residents in the county and other groups before making any decisions.

### **COUNTY ATTORNEY – GRMR**

Deputy Attorney Mike Kelly discussed a proposed oil and gas lease near Dixon, Wyoming with GRMR. Mr. Kelly stated Commissioner Glode asked how the county came to own this property and he reported the 80 acre property was patented then eventually transferred to the county in 1906 for just over \$600.00 for use of a bridge. In 1932 the county surveyor determined the entire 80 acres was not needed and the county only kept 10.91 acres for the bridge and right-of-way. This is the way ownership remains today. He noted the property is in a flood plain. The BOCC must determine if they would like to approve a proposed oil lease with GRMR for this property.

Commissioner Jones stated there are many residents who are not anti-development and that she agrees with Mr. O'Toole that the board and residents must work together and not rush to any decisions but rather make more informed plans. Commissioner Johnson concurs with Mr. O'Toole stating it would be prudent to stand back and wait while writing to GRMR requesting additional time to gather information from the county's residents.

Bill Nation, Road & Bridge Superintendent stated he is not in favor of using the land for any other purpose than its current use, a staging area for various purposes and the bridge right-of-way.

Commissioner Jones moved to send a letter to GRMR advising them that the Commissioners, residents and GRMR will meet May 15 at 1:30 p.m. Commissioner Johnson seconded and the motion carried unanimously.

### **RECESS**

Chairman Chapman called a recess at 12:30 p.m. and reconvened at 1:30 p.m.

### **PLANNING & ZONING**

#### **Public Hearing – C.U. Case File No. 2014-01**

Chairman Chapman opened a public hearing at 1:30 p.m. to hear Planning & Zoning C.U. Case File No. 2014-01. Planning Director Sid Fox and Planner/GIS Specialist Thomas Powell presented C.U. Case File No. 2014-01 – Carbon Power & Light Inc.'s request for a Conditional Use Permit for the relocation of the "Crow Substation" to a nearby site in the Ranching, Agriculture, Mining (RAM) Zone. Jim Beckman with Carbon Power & Light explained that the

current transformers are beyond their useful life requiring replacement. The current location is the end of a ridge on a point where there is no room to expand and access is difficult at times therefore the permit is necessary to move the substation to the proposed two acre area right by a highway for easy expansion and access. He believes the company has done its due diligence and requests approval of the case.

Commissioner Johnson asked why the Wyoming Department of Transportation did not think access to the proposed relocation is adequate. Mr. Beckman stated he is unsure but guesses that because some traffic went outside the paved area and that the existing asphalt is cracking. Chairman Chapman called for comments for or against this case. There being no comments, Chairman Chapman closed the hearing at 1:47 p.m.

Commissioner Jones moved to approve Resolution No. 2014-08, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding C.U. Case File No. 2014-01, Carbon Power & Light Inc.'s request for a Conditional Use Permit approximately ½ mile south of the junction of HWY 130 and HWY 230. Commissioner Johnson seconded and the motion carried unanimously.

#### **Resolution No. 2014-08**

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

#### **C.U. Case File #2014-01 – “Crow Substation”**

**WHEREAS**, pursuant to the Carbon County Zoning Resolution of 2003, as amended, and Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on Monday, March 31, 2014, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, March 31, 2014, public hearing, the Carbon County Planning and Zoning Commission provided the public the opportunity to comment and the Carbon County Planning and Zoning Commission considered any public comments which were made at said public hearing; and

**WHEREAS**, at the conclusion of the Monday, March 31, 2014, public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County Board of County Commissioners pursuant to the Carbon County Zoning Resolution of 2003, as amended for Carbon County, Wyoming; and

**WHEREAS**, the Carbon County Board of County Commissioners, pursuant to the Carbon County Zoning Resolution of 2003, as amended and Wyo. Stat. Ann. §18-5-202(c) and after receipt of said certified recommendation; advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on Tuesday, May 6, 2014; and

**WHEREAS**, at said public hearing, the Carbon County Board of County Commissioners provided the opportunity for the public to comment and for the Carbon County Board of County Commissioners to consider any comments which were made on the proposed amendment(s); and

**WHEREAS**, the Carbon County Board of County Commissioners in considering said application have also reviewed and considered the Carbon County Comprehensive Land Use Plan, as amended; and the Carbon County Zoning Resolution of 2003, as amended, specifically, Section 5.6, Conditional Use Permits; and

**WHEREAS**, the Carbon County Board of County Commissioners have determined that the proposed permit is in general conformance with the Carbon County Comprehensive Land Use Plan, as amended, and the Carbon County Zoning Resolution of 2003, as amended, and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and **WHEREAS**, at a regularly scheduled meeting of the Carbon County Board of County Commissioners, by majority vote, the Carbon County Board of County Commissioners moved to approve the following Conditional Use Permit Application.

**C.U. Case #2014-01 – Carbon Power & Light, Inc. (Applicant and Land Owner):** Request for a Conditional Use Permit for the relocation of the “Crow Substation” to a nearby site in the Ranching, Agriculture, Mining (RAM) Zone. The existing Crow Substation has reached the end of its useful life. Carbon Power & Light, Inc. is unable to update the existing substation to meet necessary clearances for the operation of a power distribution substation. Reconstruction of the Crow Substation is intended to improve the reliability of power delivery to the southeast part of Carbon County, Wyoming.

**Legal Description:** A parcel of land in the SE¼ of Section 17, T16N, R83W, 6<sup>th</sup> P.M., Carbon County, Wyoming more completely described as follows: Beginning at the Southeast corner of said parcel, monumented by a 5/8” rebar with aluminum cap, which bears N41°36’53”W, 1453.64 feet from the Southeast corner of said Section 17; Thence N0°42’45”W, 369.93 feet to the Northeast corner of said parcel, monumented by a 5/8” rebar with aluminum cap; Thence S89°34’42”W, 267.18 feet to a point on the Easterly right of way of Wyoming Highway #230, being the Northwest corner of said parcel, monumented by a 5/8” rebar with aluminum cap; Thence S0°25’41”E, 125.50 feet, record bearing S0°48’49.4”E, along said Easterly right of way to a right of way monument; Thence N89°36’54”E, 50.00 feet along said Easterly right of way to a right of way monument; Thence S0°25’41”E, 245.20 feet, record bearing S0°48’49.4”E, along said Easterly right of way to the Southwest corner of said parcel, monumented by a 5/8” rebar with aluminum cap; Thence N89°21’56”E, 219.02 feet to the point of beginning, said parcel containing 2.00 acres, more or less.

**Subdivision Exemption:** This parcel is exempt from subdivision requirements pursuant to Wyo. Stat. Ann. §18-5-303(a)(xi), Exemptions from provisions, which provides that “[a] division of land creating a parcel five (5) acres or less for the purpose of establishing unmanned communication facilities, compressor stations, metering stations, fiber optic booster stations or similar unmanned facilities”.

**CONDITIONS OF APPROVAL:**

1. That the applicant complies with WYDOT requirements and recommendations for improved site access and submit a copy of their new access permit with their building permit application for the site.
2. That the building permit application be accompanied by plans certified by an engineer licensed in the State of Wyoming.

**VIOLATION:** In the event the actions occurring pursuant to this permit are found to be in material violation of the terms and conditions of this permit, or are found to have been obtained by fraud, this permit shall be subject to all remedies allowed by law. Violation of any of the above restrictions can be grounds for terminating this Conditional Use Permit.

**NOW THEREFORE BE IT RESOLVED BY THE**

**BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:**

1. That the Carbon County Board of County Commissioners, hereby approves this Conditional Use Permit (CUP) as certified to them in writing by the Carbon County Planning and Zoning Commission regarding the Conditional Use Permit (C.U. Case #2014-01 – “Crow Substation”) on approximately 2 acres in the Ranching, Agriculture, Mining (RAM) Zone.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 6th day of May, 2014.

**BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING**

By: -s- Leo Chapman, Chairman  
-s- John Johnson, Member  
-s- Sue Jones, Member

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

**Certifications**

Mr. Fox presented the Certification of Recommended Action for Z.C. Case File No. 2014-03 for Daniel and Christina Carnine and P.U.D. Case File No. 2014-01 for Cody Resources LP.

Commissioner Johnson moved to accept the Certifications of Recommended Action from the Carbon County Planning & Zoning Commission for Z.C. Case File No. 2014-03 - Daniel and Christina Carnine’s request for a Zone Change and P.U.D. Case File No. 2014-01 - Cody Resources LP’s request for a Zone Change to a Planned Unit Development and schedule a public hearing for June 3, 2014 at 1:30 p.m. at the County Courthouse in Rawlins, Wyoming. Commissioner Jones seconded and the motion carried unanimously.

**COBECON**

Devin Hilton, Dianna Madvig and Rob Henderson of Cobecon provided an update on the county’s health plan.

**AUDIT REVIEW**

Steve Blundell and Rolf Peterson of Mader, Tschacher, Peterson reviewed the audit for fiscal year ending 2013.

**SOUTH CENTRAL WYOMING EMERGENCY MEDICAL SERVICES (SCWEMS)**

Bill Dahlke and Mark Kostovny from the SCWEMS Joint Powers Board provided an update and the history of SCWEMS.

Mr. Kostovny reported that ambulance service ceased in the Hanna area in 2007 for approximately 6 months. At that time Mr. Kostovny met with Medicine Bow about a potential ambulance service after which he devised a business plan. Around this time the State of

Wyoming commissioned a study on rural ambulance services. Upon conclusion of the study, the county and three municipalities agreed a joint powers board (JPB) should be formed and the county purchased two ambulances. The state study was then completed and additional areas of the county got involved. The County Attorney at the time was writing a joint powers agreement and Hanna could not agree on it so Hanna's attorney was asked to make one. Eventually all parties signed an agreement with the exception of Hanna and the agreement was eventually sent to the Attorney General for review without Hanna involved. SCWEMS began operating and Hanna started its own service with its own boundaries. Hanna's service eventually failed because it could not guarantee 24/7 coverage and the JPB offered contract services to Hanna because of the long and involved process to open the JPB agreement.

The initial fee was \$67.50 per resident to be involved in SCWEMS and in the subsequent years of operation the charges for entities involved were cut because SCWEMS made more profit than anticipated. Because Hanna had a contract price at the \$67.50 it was left in place. The group currently runs 9 ambulances plus support vehicles.

In part, SCWEMS is hesitant to open up the JPB agreement because licensing through the state could be affected by opening up the JPB agreement.

Recently, Mr. Kostovny had an attorney review agreements on behalf of SCWEMS and the four years of dues paid by Hanna to date was supposed to be their buy in. Mr. Kelly reported he has not reviewed the JPB agreement to see what was involved. Commissioner Jones stated she believes all members would take a vote if Hanna requests to be a party to the JPB and Mr. Kostovny and Mr. Dahlke agreed.

Mr. Kostovny reported that Hanna has made a formal written request to the JPB to be a member. The SCWEMS members voted unanimously to recommend to its members not open up the agreement and continue to operate in Hanna under a contract. The group did agree to offer Hanna a contract rate at the price all other involved entities are paying. The only thing Hanna will be denied that members get is a vote on decisions and equity in the assets. Hanna's input may be considered in decisions as are other individual's input. Residents in the SCWEMS areas that use the service get a 10% discount on their bill however Hanna's residents would not benefit from this by being covered by contract only.

Elk Mountain Mayor Morgan Irene and Toby Smith of the Medicine Bow Town Council both agreed they recommend leaving Hanna as a contract member. Mayor Irene invited the Hanna Town government to step up and negotiate for their residents rather than let others do it for them.

### **NATIONAL TOURISM WEEK**

Carbon County Visitors' Council Executive Director Leslie Jefferson presented a proclamation recognizing the week of May 3-11 as National Tourism week. Pam Thayer Chairman of the Tourism Committee was also present.

Commissioner Johnson moved to approve the National Tourism Week May 3-11, 2014 Proclamation. Commissioner Jones seconded and the motion carried unanimously.

## **YOUTH CRISIS CENTER**

Carbon County Youth Crisis Center Coordinator Megan Hendrickson provided an update and discussed funding through the Department of Family Services.

Ms. Hendrickson stated the Wyoming Youth Services Association has applied for a \$1.29 million increase in crisis shelter funding from the Department of Family Services. She asked that Commissioners, City Council Members and others reach out to their legislators to help ensure this is approved. There are also discussions about using group home beds from Albany County to Carbon County. Elk Mountain Mayor Morgan Irene suggested soliciting municipalities for a membership rather than just a contribution.

## **RECESS**

Chairman Chapman recessed at 4:28 p.m. and reconvened at 4:34 p.m.

## **BOARD APPOINTMENTS**

Commissioner Jones moved to regretfully accept the resignation of Sherill Bailey from the Library Board effective June 30, 2014. Commissioner Johnson seconded and the motion carried unanimously.

Commissioner Johnson moved to reappoint Stacy Crimmins to the Platte Valley Community Center Joint Powers Board for a three-year term expiring June 2017. Commissioner Jones seconded and the motion carried unanimously.

Larry Gore and Richard Morin were interviewed for consideration of reappointment and appointment to the Old Penitentiary Joint Powers Board.

Commissioner Johnson nominated Larry Gore to the Old Penitentiary Joint Powers Board for a three-year term expiring April 2017. There were no other nominations. All Commissioners voted for Mr. Gore.

Kristy Rowan, Elizabeth Hunt, Gail Lorick, Verla Wick and Sarah Reilley were interviewed for consideration of appointment to the Carbon County Library Board.

Commissioner Johnson nominated Kristy Rowan to the Carbon County Library Board for the three-year unexpired term expiring June 2015. There were no other nominations for this term. All members voted for Ms. Rowan.

Commissioner Jones nominated Gail Lorick for the three-year unexpired term expiring June 2016. There were no other nominations for this term. All members voted for Ms. Lorick.

Commissioner Johnson nominated Sarah Reilley for the three-year term expiring June 2017. There were no other nominations for this term. All members voted for Ms. Reilley.

## **CITIZEN / COMMISSIONERS DISCUSSION**

Cork Meyer discussed the land on the north side of town and that there is no fence where a local rancher's cows apparently came into Rawlins. The city subsequently fined the individual for damage done by the cows. Mr. Meyer asked the BOCC to do something about the issue. Chairman Chapman stated he was not sure what the county could do to assist and that Wyoming is a fence-out state. Mr. Meyer encouraged the Commissioners to speak with the city about the issue because the city is apparently using the ½ mile buffer as a reason for the fine. The BOCC asked Mr. Kelly what they could do and he suggested the BOCC could send a letter to the City Council or speak with them directly about the issue.

Bill Nation, Road & Bridge Superintendent stated this has occurred in the past and that each time residents were reminded this is a fence-out state and it is the towns' or landowners' responsibility to keep animals out.

Commissioner Johnson asked that the issue be on the next agenda for further discussion and potential action.

## **ELECTED OFFICIALS / DEPARTMENT HEADS**

### **Museum**

Museum Director Kelly Bohanan reported she received several Statements of Qualifications for the Hugus/Ferguson building. She reported the Museum Board unanimously recommends accepting Pahl Architecture as the submission is more specific to the Ferguson Building and they have done lots of work in Wyoming. She also noted they happen to be the lowest price proposal. The firm is primarily based in Colorado however has offices in Wyoming. Other submissions were received from KL&A, MKK, Spectrum and SR & DK.

Commissioner Johnson moved to accept the Museum Board's recommendation to hire Pahl Architecture to be the architectural firm for the Ferguson Building. Commissioner Jones seconded and the motion carried unanimously.

Ms. Bohanan reported she has received asbestos abatement funds from the Wyoming Department of Environmental Quality for the Ferguson Building however the work must be 100% complete by June 30. She requested a waiver of the procurement policy to hire David Blackwell as he is the only company she could have on site that could complete the work in time.

Commissioner Jones moved to waive the procurement policy and authorize the Museum to hire David Blackwell for the Ferguson Building asbestos abatement using Wyoming Department of Environmental Quality funds. Commissioner Johnson seconded and Mr. Kelly noted payment may not be made by June 30 because statute requires advertisement. Clerk Bartlett tried to clarify if payment would be made directly from the Department of Environmental Quality to the contractor therefore not requiring the advertisement by the county and Ms. Bohanan noted she would clarify but she thought so. The motion carried unanimously.

## **Memorial Hospital of Carbon County**

Ned Hill, Chief Executive Officer for Memorial Hospital of Carbon County (MHCC) reviewed the financial report for March 2014. Also present were board members Henry Hewitt and Mike Bradford.

Mr. Hill discussed heating and cooling issues the building has had for years. An engineering firm from Cheyenne developed a “patch” for the system however it has failed and in the process damaged the chiller. Mr. Hill has received a bid of \$67,000.00 to fix the chiller and the hospital will have no air conditioning until this is repaired. In the meantime, Mr. Hill is trying to get the engineering firm on site to try to determine why the patch failed and damaged the chiller. He requested the use of mill levy funds for this repair. After use of funds for other approved projects it would leave approximately \$220,000.00 in the account.

Commissioner Johnson moved to authorize the use of up to \$66,863.00 of hospital mill levy funds to repair the hospital’s chiller. Commissioner Jones seconded and the motion carried unanimously.

Mr. Hill also discussed other projects needed. Previously they installed a lock-out system of the obstetrics (OB) unit however the state now requested it be a lock-in and lock-out system costing approximately \$4,000.00. They also requested orthopedic equipment totaling \$75,000.00 for the new surgeon, and ER flooring totaling \$42,000.00. There is also a heating unit in the hospital that needs replaced totaling \$641,000.00 or a patch that would potentially temporarily fix it for \$100,000.00. Clerk Bartlett asked if MHCC bids projects like this or if they simply hire contractors. Mr. Hill replied that in emergent situations they hire whomever they can but with other projects they request quotes from contractors but not a formal sealed bid process.

Commissioner Jones moved to authorize the use of the following hospital mill levy funds: \$4,000.00 for a lock-in and out system for the OB unit, \$75,000.00 for orthopedic equipment and \$42,000.00 for emergency room flooring. Commissioner Johnson seconded and the motion carried unanimously.

## **Buildings Manager**

Buildings Manager Craig Jones discussed the plant and maintenance building for the Carbon Building HVAC project. A bid previously received from Shepard Construction was in excess of what he and the project manager wanted to expend for the building so they are still in the process of negotiating the project with Shepard. He stated he will report on this at the next meeting.

Commissioner Johnson asked about the water system at the Dixon Senior Center. Mr. Jones reported the Health Department recommended running the water for 10-15 minutes before using it for cooking or consumption and this would be sufficient until a reverse osmosis system is installed.

## **Road & Bridge**

Road & Bridge Superintendent Bill Nation reported County Road #401, the Sage Creek Road, construction continues this summer. The schedule is as follows: 6 a.m. to noon, portions will be closed. Noon to 1 p.m. it will be completely opened then partially closed again from 1 p.m. to 6 p.m. Monday through Saturday. Sunday will be open all day.

Mr. Nation presented a proposed declaration of speed limits on county bridges. He would like to place this for action on July 15.

Commissioner Johnson commended Mr. Nation on his recent response to a culvert replacement in the Little Snake River Valley area.

## **Planning**

County Planning Director Sid Fox provided a Bureau of Land Management solicitation for comment on the Rawlins Resource Management Plan. In 2013 the county made comments and since they remanded the visual resource element of the plan and have reopened a portion of this for lands with wilderness characteristics, inventory for VRM amendment and documentation of areas of critical environmental concern. Mr. Kelly agreed with Mr. Fox that the BOCC should monitor this but likely does not need to comment at this time. Mr. Kelly cautioned the BOCC that wilderness study areas prohibit uses on some lands and Commissioner Johnson agreed this can be problematic and cumbersome for landowners. Mr. Nation stated a wilderness study area can also be problematic for fire suppression because certain equipment cannot be used on the designated area.

## **Clerk**

Clerk Bartlett opened sealed bids for the county's official publication for the next fiscal year. Bids were as follows: Rawlins Daily Times bid \$6.00 per column inch and the Saratoga Sun bid \$5.75 per column inch, both for the entire fiscal year for all display, classified and legal advertising.

Commissioner Johnson moved to designate Rawlins Daily Times as the official publication for the county at \$6.00 per column inch for the upcoming fiscal year. Commissioner Jones seconded and the motion carried with Commissioners Jones and Chairman Chapman voting for the motion and Commissioner Johnson voting against the motion.

Clerk Bartlett reported the county is sponsoring a grant on behalf of the City of Rawlins to construct the road to extend Harshman Street to the new Higher Education facility. The city and Carbon County Higher Education Center recommends STC Construction as the low bidder at \$726,211.50.

Commissioner Jones moved to ratify the Harshman Street bid award and hire STC Construction in the amount of \$726,211.50. Commissioner Johnson seconded and the motion carried unanimously.

Clerk Bartlett reported she issued a 24-hour two day catering permit to the Whistle Pig Saloon for the Mud Rally (Pig Digger) for May 24 and 25.

### **Treasurer**

County Treasurer Cindy Baldwin presented abates and rebates on behalf of the County Assessor. Treasurer Baldwin reported she would like to hire someone to start in her office before the current employee leaves and she must pay out sick and vacation therefore her budget will be over expended.

### **Attorney**

Mr. Kelly presented a Quarterly Report from the Volunteers of America Northern Rockies Office of Juvenile Justice and Delinquency Prevention and stated we have a grant with them in the annual amount of \$21,621.00.

Commissioner Johnson moved to authorize the Chairman's signature on the Volunteers of America Northern Rockies Office of Juvenile Justice and Delinquency Prevention Quarterly Reimbursement Report totaling \$16,934.86. Commissioner Jones seconded and the motion carried unanimously.

Commissioner Jones moved to enter into a Memorandum of Understanding, Statement of Work and Business Associate Agreement between the Wyoming Department of Health Public Health Division and Carbon County Public Health Nursing Services. Commissioner Johnson seconded and the motion carried unanimously.

Mr. Kelly reported Arch Coal requested a bond release for Phase I for 1,519 acres of the Medicine Bow Mine Category 5 and the Wyoming Department of Environmental Quality has invited the county to participate in an inspection. Mr. Nation reported he feels the land has been reclaimed appropriately.

Mr. Kelly noted the Town of Saratoga has filed for a variance near the county owned Senior Center. The BOCC declined to comment.

Mr. Kelly reported the latest draft Transwest Express project Environment Impact Statement is scheduled to be released September 19. A draft will be released to the county May 19 with a 4 week comment period. The main changes from the previous draft are the 2 mile wide corridor has been condensed to a 500' wide corridor.

Mr. Kelly provided an update on the Chokecherry and Sierra Madre Industrial Siting Council permit request. The application will likely be made May 12 and a hearing will be set thereafter, likely in August in Saratoga. Once the permit request is filed, there is a 30 day window for the affected communities to get together and split impact funds that would come.

Mr. Kelly presented Amendment #1 to the agreement with GDA Engineers for the Dixon Airport Seal Coat and Pavement project. The 5 year agreement is amended to address the particular project and would agree to pay GDA \$19,223.50 for the design portion of the project and

\$15,993.00 for the construction phase. He noted the totals are \$155,169.99 federal, \$10,344.01 state share and \$6,896.00 county match.

Commissioner Jones moved to authorize the Chairman's signature on Amendment #1 to the agreement with GDA Engineers for the Dixon Airport Seal Coat and Pavement project. Commissioner Johnson seconded and the motion carried unanimously.

Commissioner Jones moved to authorize the Chairman's signature on the Record of Negotiation with GDA Engineering. Commissioner Johnson seconded and the motion carried unanimously.

### **COMMISSIONERS DISCUSSION**

Chairman Chapman reported he attended a flood meeting in Saratoga recently.

Commissioner Jones expressed her gratitude for county employees who extended sympathies for the loss of her mother.

### **ADJOURNMENT**

Commissioner Johnson moved to adjourn the meeting at 7:14 p.m. Commissioner Jones seconded and the motion carried unanimously.

A regular meeting of this Board will be held June 3, 2014 at 9:00 a.m. at the County Courthouse, 415 W. Pine St., Rawlins, WY. The public is invited to attend or you can listen online at the website listed below. To get on the agenda, call the Clerk's Office by the Thursday before the meeting. Per Wyo. Stat. §18-3-516(f), access to county information can be obtained at [www.carbonwy.com](http://www.carbonwy.com) or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.

Budget meetings will be held June 10, 11, 12, 17, 18 and 19 at 9 a.m. at the County Courthouse.