

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, June 19, 2018
Carbon County Courthouse, Rawlins, WY**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, June 19, 2018 at the Carbon County Courthouse, Rawlins, WY. Attending the meeting were; Chairman John Johnson; Commissioners Leo Chapman, John Espy and Sue Jones. Commissioner Davis was absent.

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

ADDITIONS / CORRECTIONS

There were no additions or changes to the agenda.

VOUCHERS

Commissioner Chapman moved to approve May 2018 payroll and benefit expenses of \$807,458.83 and insurance claim and premium expenses of \$192,713.97 and the main amount of bills for \$899,568.34 for an aggregate total today of \$1,899,741.14. Commissioner Jones seconded and the motion carried unanimously.

307 PROFESSIONAL CLEAN LLC	\$20,970.00	JUNE/JULY CLEANING SERVICES
A NEW CONCEPT OPTICAL & EYECARE	\$350.00	VISION SERVICES
A&C TOWING	\$305.00	TOWING SERVICES
ACME ELECTRIC COMPANY, LLC	\$1,141.13	ELECTRICAL FAIRGROUNDS BATH HOUSE
AFFORDABLE TREE CARE, LLC	\$50.00	TREE TRIMMING
ALSCO, AMERICAN LINEN DIVISION	\$97.18	SHOP SUPPLIES
AMERICAN BAR ASSOCIATION	\$266.00	MEMBERSHIP RENEWAL
AMERICAN PLANNING ASSOCIATION	\$105.00	MEMBERSHIP
APG MEDIA OF THE ROCKIES	\$1,596.50	ADVERTISING
AXON ENTERPRISE, INC.	\$5,801.60	TASERS/BODY CAMERAS/ACCESSORIES
BAGGS, TOWN OF	\$197.25	MAY 2018 RENT/WATER
BALESTRIERI, MICHELLE	\$35.00	CRC-2018 DUES
BANGS, DANIELLE	\$25.00	MILEAGE
BANK OF COMMERCE (DEBIT CARD)	\$171.62	VARIOUS CHARGES
BANK OF MONTREAL - MASTERCARD	\$18,388.01	VARIOUS CHARGES
BARKHURST, BYRON	\$39.60	MILEAGE
BELANGER, GWENDOLYN W.	\$141.00	MILEAGE
BENTSEN, PATTY	\$130.00	MILEAGE
BI INC.	\$962.00	MONITORING SERVICES

BIG BALE COMPANY	\$792.00	TIRES
BI-RITE SPORTING GOODS	\$49.99	308 MAGAZINE
BLACK DIAMOND ELECTRIC	\$415.80	ELECTRICAL RYAN PARK FIRE
BOB BARKER COMPANY, INC.	\$474.41	JAIL SUPPLIES
BRIDGER FABRICATION	\$752.00	RIFLE MOUNTS
BUCHANAN, KAREN	\$70.80	MILEAGE
BUILD RITE LUMBER SUPPLY	\$1,500.04	BUILDING MAINTENANCE SUPPLIES
BULBS.COM	\$145.40	LIGHTING SUPPLIES
CANDY MOUNTAIN	\$20.00	TRUCK NUMBERS
CARBON COUNTY PUBLIC HEALTH	\$281.00	VACCINATIONS
CARBON COUNTY YOUTH CRISIS CENTER	\$5,000.00	APR-JUNE FUNDING DIVERSION PROGRAM
CARBON POWER & LIGHT INC	\$2,224.07	ELECTRIC SERVICE
CARERIGHT TECHNOLOGIES, LLC	\$178.20	MAY 2018 FEES
CASPER WINNELSON CO	\$444.23	FAUCETS/BATHROOM REPAIR ITEMS
CATHEDRAL HOME FOR CHILDREN	\$20,383.65	FUNDING
CBM FOOD SERVICE	\$7,417.36	JAIL MEALS
CDW GOVERNMENT, INC.	\$7,596.72	IT SUPPLIES
CENTURY LINK	\$146.72	PHONE LINES
CENTURYLINK WA	\$10,777.09	E911 /PHONE LINES
CENTURYLINK-PHOENIX	\$449.03	E911/PHONE LINES
CHARM-TEX, INC.	\$419.70	JAIL MATTRESSES
CHARTER COMMUNICATIONS	\$240.42	CABLE SERVICES
CHEAPER THAN DIRT	\$289.61	AMMUNITION
CHEMATOX, INC.	\$412.40	TESTING SERVICES
CIVIC-PLUS	\$7,125.00	WEBSITE REDESIGN
COUNTY CLERKS ASSOCIATION OF WYOMING	\$100.00	2018 DUES
COWBOY SUPPLY HOUSE	\$455.00	EQUIPMENT REPAIR
DAILY TIMES	\$229.68	JAIL NEWSPAPERS
DALLIN MOTORS INC	\$62.02	VEHICLE MAINTENANCE
DAVIS, ASHLEY	\$170.55	MILEAGE
DEGENHART, JEFF	\$1,664.00	SKYLINE FUELS MITIGATION
DELL MARKETING L.P.	\$29,692.11	COMPUTERS
DEPARTMENT OF HEALTH	\$38,176.00	VEHICLE RENTAL/PAYROLL MATCHES
DIRTY BOYZ SANITATION, INC	\$759.00	TRASH SERVICES
DOMINION VOTING SYSTEMS, INC.	\$12,600.00	MAINTENANCE AGREEMENT
DUBOIS TELEPHONE EXCHANGE	\$784.60	PHONE & INTERNET LINES
ED2GO	\$2,195.00	PARALEGAL TRAINING COURSE
ELK MOUNTAIN, TOWN OF	\$53.00	WATER
ENCAMPMENT, TOWN OF	\$92.00	WATER
ENCAMPMENTK-12	\$105.00	SPORTS CALENDAR ADVERTISEMENT
ENGSTROM, JAMES D. DDS	\$2,500.00	DENTAL SERVICES

FABIN, MARY L.	\$140.00	MILEAGE
FATBEAM LLC	\$5,244.75	FIBER LINES/INTERNET
FLEXSHARE BENEFITS	\$4,824.85	HRA/MEDICAL
FORSTER LANDSCAPE & CONSTRUCTION, INC.	\$80.00	SPRINKLER START UP
FORTE PAYMENT SYSTEMS, INC	\$622.51	CREDIT CARD READERS
FOX, SID	\$28.84	MEALS
FRANCE, TARA	\$1,329.25	TRANSCRIPTION SERVICES
GALLS/QUARTERMASTER	\$1,088.26	UNIFORM SUPPLIES
GCR ELECTRONICS, LLC	\$1,350.00	SITE RENTAL
GLAXOSMITHKLINE PHARMACEUTICALS	\$695.40	VACCINES
GOLDEN, MARY	\$125.25	VACCINATION MEALS/MAILINGS
GRAINGER	\$495.30	REPAIR ITEMS
GRAPHIC SPORTS	\$295.00	ENVELOPES
HANNA, TOWN OF	\$209.98	WATER SERVICE
HERMAN, BOBBIE	\$27.00	MILEAGE
HIGH DESERT WELDING & MACHINE LLC	\$3,615.14	METAL WORK AT FAIR GROUNDS
HI-TECH AUTO	\$94.78	VEHICLE MAINTENANCE
IRON J TOWING	\$93.00	TOWING SERVICES
J H KASPAR OIL COMPANY	\$16,629.01	FUEL/MOTOR OIL
JACK'S BODY & FENDER REPAIR	\$1,375.00	TOWING/VEHICLE REPAIRS
JOHNSTON, RANAE	\$17.00	MILEAGE
KAISLER, TODD	\$54.00	MILEAGE
KALUZNY, EMILY	\$211.99	MEALS/MILEAGE
KELLEY, SHAWN	\$2,728.00	RYAN PARK FUELS MITIGATION
KELLY, MICHAEL K.	\$141.00	MILEAGE
KERBS, CORSON	\$27.00	MILEAGE
KILBURN TIRE COMPANY	\$72.95	ALIGNMENT
KING SOOPERS CUSTOMER CHARGES	\$163.45	GRANTS EMER HEALTH 17-18
KIRSCH, ARCHIE P	\$1,300.00	JUNE SERVICES
KONE ELEVATORS ESCALATORS	\$4,440.57	MAINTENANCE CONTRACT
LARAMIE FIRE EXTINGUISHER	\$790.25	INSPECTION/SERVICE
LOPEZ, TOM	\$176.00	OVERLOOK RETREAT FUELS MITIGATION
MATTHEW BENDER & CO, INC.	\$1,567.24	WY COURT RULES
MAXSON, JOHN	\$2,100.00	WOODEDGE FUELS MITIGATION
MEDICINE BOW, TOWN OF	\$198.00	WATER
MEMORIAL HOSPITAL OF CARBON COUNTY	\$20,645.52	EMERGENCY DETENTIONS/EXAM FEES
MENDOZA, MARIA	\$25.00	INTERPRETER SERVICES
MERCEDES TRANSCRIPTION, INC	\$169.95	TRANSCRIPTION SERVICES
MERCK SHARP & DOHME CORP.	\$2,007.84	VACCINES
MIKE'S LOCK & KEY	\$53.00	UNLOCK MEDICAL CART
MOBILE CONCRETE, INC	\$507.50	CONCRETE

MODERN ELECTRIC COMPANY	\$1,820.04	ELECTRICAL REPAIRS
MOORE MEDICAL CORP.	\$9.69	JAIL HEALTH SUPPLIES
MOSS, BARBARA	\$77.40	MILEAGE
MOUNTAIN WEST MOTORS	\$1,635.60	VEHICLE MAINTENANCE
MPM CORP / EVERGREEN DISPOSAL	\$125.00	TRASH SERVICE
MUNIMETRIX SYSTEMS CORPORATION	\$239.94	IMAGESILO
MY OFFICE ETC.	\$246.99	OFFICE SUPPLIES
NATIONAL DISTRICT ATTORNEYS ASSOCIATION	\$935.00	SEXUAL ASSAULT TRAINING CM
NATIONWIDE	\$50.00	BOND RENEWAL BT
NEUBAUER, PELKEY, MERSEAL AND	\$4,262.50	LEGAL SERVICES
NORCO, INC.	\$944.20	CYLINDER RENTAL
OFFICE ALLY	\$29.95	MONTHLY CHARGES
O'REILLY AUTO PARTS	\$57.67	VEHICLE MAINTENANCE ITEMS
PERKINS OIL CO	\$45.68	FUEL
PERUE PRINTING	\$303.00	PRINTING SERVICES
PHILLIPS 66-CONOCO-76	\$106.04	FUEL
PITNEY BOWES	\$1,298.94	POSTAGE/EQUIPMENT LEASE
PLUS ELECTRIC INC.	\$2,110.00	AC UNITS FOR B&G OFFICE
PRIORITY DISPATCH	\$365.00	WELCHER SCHOOLING
PUBLIC SAFETY CENTER, INC	\$198.30	GLOVES
QUILL CORPORATION	\$3,796.31	OFFICE SUPPLIES
R.G. RAYMER CONSTRUCTION, INC	\$450.00	GLASS REPAIR
RADAR SHOP, THE	\$538.50	EQUIPMENT REPAIRS/SUPPLIES
RAWLINS - C.C. CHAMBER OF COMMERCE	\$125.00	MEMBERSHIP DUES
RAWLINS AUTOMOTIVE	\$1,412.53	VEHICLE REPAIR ITEMS
RAWLINS, CITY OF	\$2,001.90	WATER/LANDFILL FEES
READY, JUSTIN	\$48.00	MILEAGE
REMICK, SHELIA	\$171.30	STAMPS/MILEAGE
RERUCHA, CAL	\$108.00	MILEAGE
RICOH USA INC	\$1,178.10	PER CLICK CHARGES
RIETVELD, TONI	\$123.34	MEALS/MILEAGE
ROCKY MOUNTAIN POWER	\$18,723.18	ELECTRIC SERVICE
SAFEGUARD BUSINESS SYSTEMS	\$309.58	CHECK STOCK
SAPP BROS TRUCK STOPS, INC.	\$1,500.00	TIRES
SARATOGA AUTO PARTS, INC.	\$222.81	VEHICLE REPAIR ITEMS
SARATOGA FEED & GRAIN	\$64.76	SHERIFF SUPPLIES UNIFORMS
SARATOGA SUN	\$553.50	ADVERTISING
SARATOGA, TOWN OF	\$3,000.00	ROAD MATERIAL
SCHILLING & WINN PC	\$233.50	LEGAL SERVICES
SECURITY TRANSPORT SERVICES, INC.	\$1,756.35	EXTRADITIONS
SHAW, GAYLE	\$24.00	MILEAGE

SHEPARD'S	\$2,853.41	FUEL
SHIVELY HARDWARE	\$148.98	VELCRO/WEED KILLER/TIRE MOUNTING
SLOW AND STEADY LAW OFFICE, PLLC	\$497.50	LEGAL SERVICES
SNAKE RIVER PRESS	\$30.00	PLANNING RENEWAL
STAPLES ADVANTAGE	\$434.87	JAIL SUPPLIES
STATE OF WYOMING A & I	\$18.07	MAINFRAME ACCESS
STEPHENSON, LEE ANN	\$36.00	MILEAGE
TANDAN SANITATION SERVICES	\$80.00	TRASH SERVICE
TIN BOY GARAGE	\$156.95	VEHICLE MAINTENANCE
TRADING POST	\$152.35	FUEL
TREVATHAN, SABRINA RMR	\$179.20	TRANSCRIPTION SERVICES
TRUE VALUE OF RAWLINS	\$283.37	BUILDING MAINTENANCE SUPPLIES
TYLER TECHNOLOGIES, INC	\$23,668.63	SOFTWARE SERVICES
U S IDENTIFICATION MANUAL	\$82.50	UPDATES
UNION TELEPHONE COMPANY	\$3,448.21	PHONE LINES/CELL PHONES
UNIVERSITY OF WYOMING	\$50.00	ESCAPE REGISTRATION
US BANK	\$11,676.39	VARIOUS CHARGES
US BANK TRUST N.A.	\$300,900.00	MHCC BONDS 2010C PAYMENT SENT VIA WIRE
VALLEY OIL COMPANY	\$275.60	FUEL
VENTURE TECHNOLOGIES	\$28,124.44	ANNUAL MAINTENANCE & MONITORING
VERIZON WIRELESS	\$278.69	CELL PHONES
VIP	\$200.00	VEHICLE CLEANING
VOIANCE LANGUAGE SERVICES LLC	\$63.75	TRANSLATION SERVICES
VOICE PRODUCTS INC.	\$8,383.00	MAINTENANCE CONTRACT RENEWAL
W.A.R.M. PROPERTY INSURANCE POOL	\$146,101.73	PROPERTY ASSMNT 18/19 & CRIME COVERAGE
WESTERN PLAINS BUSINESS SOLUTIONS	\$1,790.00	REGISTRATION FORMS
WEX BANK	\$953.66	FUEL
WILD SERVICES, LLC	\$12,000.00	CARBON BUILDING ENTRYWAY STAIR REPAIR
WILLE, O.R.	\$45.00	MILEAGE
WLC ENGINEERING	\$4,487.50	ADDITION DESIGN
WY DEPT OF TRANSPORTATION	\$516.60	R&B PROJECTS
WY MACHINERY COMPANY	\$15,130.94	EQUIPMENT REPAIRS
WY PUBLIC HEALTH LABORATORY	\$653.50	TESTING SERVICES
YAMPA VALLEY ELECTRIC	\$866.83	ELECTRIC SERVICE
YOCUM, LEO	\$24.00	MILEAGE
GRAND TOTAL	\$899,568.34	

CONSENT AGENDA

Commissioner Chapman moved to approve the consent agenda. The consent agenda includes the June 5, 2018 regular meeting minutes, the June 14 special meeting minutes; Clerk of District Court Receipts for May 2018 for \$2,715.84; and Notice of Valuation Changes in the amount of - \$12,665.00. Commissioner Espy seconded and the motion carried unanimously.

Circuit Court

Circuit Court Judge Susan Stipe presented a request for the BOCC to approve the appointment part-time magistrates per W.S. 5-9-210.

Commissioner Espy moved to approve Jenette Hagan and Annette Green as lay magistrates and Amy Bach, William MacPherson, Paul Michael Roberts, Kylie Rangitsch and the Hon. Wade Waldrip as part-time magistrates as requested by Circuit Court Judge Susan Stipe, Second Judicial District of Carbon County. Commissioner Chapman seconded and the motion passed unanimously.

Planning & Development

Sid Fox, County Planning Director reported he has been busy working on code enforcement at the old Fort Steele building that has been vandalized numerous times. The owner responded to a letter from Mr. Fox indicating they would clean up the property as soon as possible. East of Rawlins at the Skyline Acres subdivision there is a junk yard actively operating. He contacted the owner and progress is slow on any cleanup. Mr. Fox reached out to Centennial Woods of Laramie regarding the possibility of constructing a fence. The company would build an 8' fence at no cost with the condition they could remove the wood every several years to harvest the weathered wood then replace it with new wood. The fence would block the view of the junk yard from Interstate 80. The BOCC was interested in reviewing the agreement but mentioned a living snow fence in the area and mentioned that this fence should be on the proper side of those trees. Mr. Fox mentioned that the company will construct similar fences near county roads and the BOCC asked that Mr. Nation be involved in discussions as well.

Mr. Fox received an inquiry from WWC, a consulting firm working in oil and gas fields working for XRO Energy who would need a conditional use permit to consolidate frack water so there are not ponds at every well head in addition to pipelines to cut down on truck traffic. He requested authorization from the BOCC to issue a building permit noting he would normally issue that but because this will need a CUP he thought the BOCC may want to approve this. Chairman Johnson asked if the Bureau of Land Management has approved this. Attorney Davis made it clear the BOCC cannot preauthorize the project without proceeding with the CUP process and that the company may expend funds based on any motion so it needed to be made clear they cannot proceed without the CUP. The BOCC asked Attorney Davis to draft a motion for their consideration later today.

Road & Bridge

Bill Nation, Road & Bridge Superintendent presented vehicle bids for three Road and Bridge pickups noting there is approximately \$90,000 of fuel tax collections unused from the 16-17

fiscal year. Clerk Bartlett stated there may be additional funds to add from this year as well. Mr. Nation recommended the low bid from Fremont Motors Casper for \$38,156.00 each.

Bids were received from Fremont Motors Lander for three 2018 Ford F250's in the amount of \$47,600.20 for each vehicle totaling \$142,800.60, Cowboy Dodge Cheyenne for three 2018 Ram 3500's in the amount of \$39,197.00 for each vehicle plus a \$300 delivery fee for a total of \$117,591.00, Fremont Motors Casper for three 2018 Ram 2500's in the amount of \$38,156.00 for each vehicle totaling \$114,468.00, Fremont Motors Sheridan for three 2019 Ford F250's in the amount of \$39,346.00 for each vehicle totaling \$118,038.00, Spradley Barr Motors Cheyenne for three 2019 Ford F250's in the amount of \$39,344.00 for each vehicle totaling \$118,032.00 and Greiner Ford of Casper for two 2017 Ford F250's in the amounts of \$45,292.25 and \$47,614.25 with a \$295 delivery fee for a total of \$93,201.50 for two vehicles.

Commissioner Espy moved to authorize the purchase of three 2018 Ram 2500 pickups from Fremont Motors Casper for \$38,156.00 each from fuel tax funds and the balance from the general fund. Commissioner Jones seconded and the motion carried unanimously.

Mr. Nation reported Sage Creek Road construction continues. County Road 121 bridge, the Ekola Bridge, is ready to be tied in for use. The old bridge is being advertised for bids. On the north side of this road he will work with a landowner for a gravel source. Recycled runway material will be installed on the Brush Creek Road soon and the material was obtained from the Saratoga airport runway project.

Attorney

Ashley Mayfield Davis, Deputy County Attorney presented a cooperative agreement with the Wyoming Department of Family Services with the Clerk of District Court regarding acceptance and distribution of payments for Title IV-D, child support payments.

Commissioner Jones moved to authorize the Chairman's signature on the 2018 – 2019 Cooperative Agreement Between Wyoming Department of Family Services and Carbon County Clerk of District Court for a period of July 1, 2018 through June 30, 2019 regarding the computer system for child support payments. Commissioner Espy seconded and the motion passed unanimously.

Attorney Davis discussed the Courthouse and Carbon Building Public Improvement Agreement with Noel Griffith Jr., & Associates Architects. The initial discussion was the contract would be with Voorhis DBA EKM&P however the final version came with the architect instead. They were confused on what the county wanted and how the BOCC preferred the agreement. Chairman Johnson stated the motion was made to enter into contract with Voorhis therefore he and the rest of the BOCC asked for a contract with Voorhis.

Commissioner Espy moved to enter into a contract with Voorhis and Associates DBA EKM&P for the Courthouse and Carbon Building remodel pending attorney and commissioner approval. Commissioner Chapman seconded and the notion carried unanimously.

The TB Flats industrial siting council hearing was held last week and the idea came up of local governments foregoing testimony and use documents already presented as evidence but potentially reserve the right for testimony. Chairman Johnson stated the recommendation was made by the hearing officer however he is concerned about taking away the opportunity for any entity to present testimony about their request. He feels each entity should decide on their own and not use a majority decision. Attorney Davis stated that the county need to provide some evidence regarding its request and while the county doesn't have to duplicate what has already been provided some clarifications or additional information may need to be provided. The BOCC agreed that each entity should decide on their own and the county would like to reserve the right to provide testimony.

Clerk

Gwynn Bartlett, County Clerk presented WIC program noting the county basically acts as a pass through entity for the funding.

Commissioner Espy moved to authorize the Chairman's signature on the Agreement Among Wyoming Department of Health, Public Health Division, Carbon County WIC Program and Carbon County for a period of July 1, 2018 through December 31, 2019 in the amount of \$5,750.00. Commissioner Chapman seconded and the motion passed unanimously.

Commissioner Jones moved to authorize the Chairman's signature on the letter to the Department of Environmental Quality indicating the county desires to be a party to the Ekola Flats Wind Energy project. Commissioner Espy seconded and the motion carried unanimously.

PUBLIC HEARING

Chairman Johnson opened a public hearing at 10:00 a.m. to hear about a proposed budget amendment for Buildings & Grounds Maintenance and Repair, Buildings & Grounds Utilities, Dixon Airport, Elections and Reserves.

Buildings Manager Jim Piche requested a \$26,000 credit be given to the 471 Utilities department and move those funds in addition to reserves to the building maintenance budget 472 for various maintenance projects including fairgrounds, the Buildings & Grounds new office remodel, miscellaneous jail repairs, Jeffrey Center security cameras, Rawlins Senior Center air conditioning repairs, contract service adjustments, and Carbon Building step repairs. He also mentioned that the Dixon Airport budget, Department 473 needs amended by, \$1,840 for payroll, \$1,298 for contract services and maintenance for a kiosk.

Clerk Bartlett noted that her office purchased batteries for election equipment so the maintenance contractor could replace them during their April visit rather than staff replacing them. This caused an overage in the budget. She noted they typically replace them internally the following fiscal year.

Chairman Johnson called for comments for or against the amendment. There being none, he closed the hearing at 10:13 a.m.

Commissioner Espy moved to adopt Resolution 2018-22, FY 2018 Budget Amendment Number Two for Buildings & Grounds Maintenance and Repair, Buildings & Grounds Utilities, Elections and Reserves. Commissioner Chapman seconded and the motion carried unanimously.

**RESOLUTION 2018 - 22
FY 2018 BUDGET AMENDMENT NUMBER TWO**

WHEREAS Carbon County adopted the Fiscal Year 2018 Budget in accordance with the Wyoming Uniform Municipal Fiscal Procedures Act; and

WHEREAS the Board of Carbon County Commissioners wishes to amend the adopted budget in accordance with the same Act;

NOW, THEREFORE, BE IT RESOLVED that the following budget amendments are made.

Fund/Entity	17-18 Approved Budget With Prior Amendments	Amendment Amount	17-18 Amended Budget
Buildings & Grounds Maintenance & Repair	\$251,369.00	\$43,000.00	\$281,369.00
Dixon Airport	\$52,525.00	\$5,000.00	\$57,725.00
Elections	\$12,600.00	\$3,602.78	\$16,202.78
Radio	\$65,934.56	\$275.50	\$66,210.06
Buildings & Grounds Utilities	\$482,259.80	(\$26,000.00)	\$456,259.80
Reserves	\$1,543,489.16	(\$25,878.28)	\$1,539,886.38

PASSED, APPROVED AND ADOPTED this 19th day of June 2018.

CARBON COUNTY, WYOMING
-s- Willing John Johnson, Chairman

ATTESTED:

-s- Gwynn G. Bartlett, County Clerk

Buildings & Grounds

Building Manager Jim Piche reported that the fairground completed its second walk through noting any outstanding projects are slated to be completed by end of June. The Crisis Center foundation is complete and framing is started. Mr. Piche has been working with Pam Thayer of Rawlins Downtown Development Authority and Jerry Myers, Architect for the Hugus Ferguson

project to determine what work will be done and what funding will be used to pay for the facade project. The county opted to participate in this project several years ago and Clerk Bartlett was asked to provide funding in the budget for the county's portion.

Commissioners / Citizens Discussion

Commissioner Jones reported the joint planning conference for local airports are scheduled with the WY Department of Transportation Aeronautics Division, including Dixon Airport and the Rawlins Airport.

Commissioner Jones discussed the prevention management grant noting these will come through the county noting the county needs to investigate alternatives to the current operations with Project Prevention due to the new funding mechanism. She will also work on the WACIP for the Dixon Airport for 2018-2019.

Commissioner Espy stated that the WY Public Lands Initiative Committee (WPLI) should wrap up soon with recommendations to the BOCC. He noted the Sage Grouse plan amendments will be discussed at upcoming meetings.

Chairman Johnson reported the BOCC attended recent affiliation training with the hospital. Doctors there stated they were in favor of affiliation. He reminded the board of the June 29 meeting for the Ekola Flats application in Elk Mountain with other involved agencies.

EXECUTIVE SESSION

Commissioner Espy moved to go into executive session at 10:32 a.m. with Gwynn Bartlett, Ashley Mayfield Davis and Sidney Fox to discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Jones seconded and the motion carried unanimously.

Commissioner Espy moved to come out of executive session at 10:43 a.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Chapman seconded and the motion carried unanimously.

KAITE FRIEND – HOSPITAL BUILDING PURCHASE

Chairman Johnson announced some ground rules for discussion today and invited Katie Friend to present. Ms. Friend stated as a member of the community education is important and referenced a June 12 article in the Rawlins Daily Times regarding the hospital's purchase of the old Bi-Rite Pharmacy building in Rawlins to be used as a clinic to potentially house seven providers. She stated her focus is the financials and the responsibility of the hospital board and the idea of purchasing a new building.

Ms. Friend stated after hearing today's news story on Big Foot 99 radio the purchase is not finalized however she asked if that is the case and if not where the hospital board is in their consideration, what the purchase price is and can MHCC afford it. She asked if it was the best

property and what a potential loan would be used for, the purchase and/or remodel. She asked if an alternative location would be better suited as she feels the proposed location is somewhat congested without a business in that location. She asked if the hospital would be coming for a financial bailout from the county later on or if they can afford the purchase and remodel. She asked if the hospital board reported about this to the BOCC and Chairman Johnson stated they did not. Chairman Johnson stated these questions are for the hospital board, not the BOCC and mentioned board members and their attorney are present today. Ms. Friend asked the hospital board to be forthright with the information they can disclose at this time and also asked if funds would be better spent improving current facilities or raises to staff.

Chairman Johnson stated the BOCC will not act as a moderator between the public and the hospital board. He did ask Attorney Davis what statutes are applicable as to what the BOCC's authority in such a building purchase.

Attorney Davis reported the BOCC appoints trustees to the hospital board and at that point the board manages the hospital including erecting the building and additional facilities. The BOCC has no involvement in the purchase of land or how the board runs the hospital. They do have removal authority for just cause. Chairman Johnson asked if the hospital board can own property and Attorney Davis stated yes, the initial purchase of a hospital is made by the county and then can be transferred to the hospital board and they can also purchase additional lands.

Chairman Johnson invited the hospital board and their Attorney to address the matter. Dana Barnett, Chief Executive Officer, Sherrod France Board Chair and Abbi Forwood, hospital counsel were present and discussed the matter.

Mr. France discussed background on the need for a new medical clinic for the hospital as private practices with a couple physicians and small staff in a small clinic building off the main street with the provider paying for their own insurance, making claims themselves, and that the hospital had to open a clinic years ago to recruit physicians. They have outgrown the current Spruce Clinic and the lease is up June 2018 and renewal would require a 5 year extension with a significant increase. The building has an inadequate check in area with no separation for patients, insufficient exam rooms, and no way to remodel the clinic to function as an up to date clinic. The lease on another facility the hospital leased expired spring 2018 and that facility suffered the same types of inadequacies Spruce Clinic has. After reviewing numerous locations the hospital board narrowed the search to two locations that could accommodate twelve clinical rooms and a laboratory and x-ray room. One was the old Bi-Rite building and the other, Dr. Couch's clinic. The cost to acquire the second was over 25% higher and would also require remodeling in addition to exterior improvements.

Mr. France continued to report that hospital staff has reviewed other clinics to determine layouts that would make the clinic more successful and meet industry standards.

Ms. Forwood stated that in recent days there has been a fairly lengthy discussion on Facebook in addition to news stories. She cannot speak to business questions but rather legal issues. She stated that the three main questions she saw on Facebook were questions about conflicts of interest, legality of a public official making a profit from public funds and who controls the

hospital. She stated Attorney Davis already explained the BOCC's role for control and operation of the hospital. Ms. Forwood did address conflicts of interest for board members Mr. Waeckerlin, Mr. France and Mr. Hewitt. When a new clinic space was discussed Mr. Waeckerlin offered his building then recused himself from all future discussions regarding that building. She felt that Mr. Waeckerlin has met the standard and complied with all laws regarding conflicts of interest.

She has heard it discussed that Mr. Hewitt was the listing agent for the building. Mr. Hewitt stated his agency has never had that building listed.

Ms. Forwood stated that the owners have accepted an offer to purchase. If terms and conditions are met then closing would take place however the hospital is in the due diligence portion of its process. All offers of purchase were acted on in public session. The Bi-Rite building is offered to be purchased at \$615,000.00, set to close September 1, 2018 however this date may be moved. The Elks property parking lot is offered to be purchased for \$50,000.00 and also has not closed. She noted these offers are public documents and with the proper request could be viewed by any member of the public.

She stated while Mr. France is connected with the Bank of Commerce (BOC) however the hospital has not discussed financing with any financial institution. Should the BOC be considered for financing then Mr. France would recuse himself from any and all discussions. Mr. France stated he has had no conversations with BOC about financing and would recuse himself from both the hospital side and the BOC's side of any discussions.

Commissioner Chapman asked if Mr. Waeckerlin was present during discussions and Ms. Forwood stated he was physically absent from any and all negotiations as far as terms of the agreement go and again stated he has recused himself. Mr. France confirmed he left the room during discussions. Ms. Forwood stated the only time Mr. Waeckerlin was involved was during clinic renderings presented by an architect however no board action or discussion was taken during that meeting, only a presentation.

Ms. Forwood stated to the public official profit question on Facebook, a public official is an elected official. The hospital board trustees are appointed and therefore not a "public official" however even if Mr. Waeckerlin was a public official he recused himself therefore there were no crimes committed.

Commissioner Jones asked how much the Spruce Clinic lease is and Mr. Barnett stated \$5,000 per month. The hospital owns Wagon Circle Clinic, the Hanna Clinic, and lease Dr. Cesko's clinic in the past and a current lease with the Spruce Clinic and space within Dr. Shridiran's clinic. With those leases expiring funds would be freed up for purchase of a building and it makes sense to combine everyone into one space. Spruce Clinic does not have adequate space for the six providers, requiring about 6,000 square feet. The owner of the Spruce Clinic offered to add space however the board decided other alternatives needed looked at. Mr. Barnett stated properties are tied up and if they decide to close it would only be after the current feasibility studies are completed. This includes a better cost estimate after engaging architects and engineers, look at funding options and possibly obtain financing if needed. If those are not

feasible they can terminate those contracts. They currently estimate \$2.5 to \$3 million total cost. Using current lease funds towards this is one way to fund part of this and they expect more public members to utilize those facilities making for a larger profit. In addition there were two bond issues they no longer have to pay for which totaled over \$50,000 per month.

Dr. Kloep asked Attorney Davis about management. Attorney Davis stated erection, use and management and control of the hospital falls on the hospital board.

Chad Fross asked about due diligence and fact finding and stated that he knows individuals looking at the property 18 months ago and the purchase price would have been about \$200,000 less. Mr. Barnett stated the listing price quoted to them was negotiated landing on the price mentioned earlier.

Ms. Friend stated the attorney mentioned that executive sessions laws allow for this to be discussed there and asked what the determining factors were to allow this. Ms. Forwood stated W.S. 16-4-405 provides for when a board can enter executive session including subsection VII states to consider the selection of a site or real estate when the publicity would likely cause an increase in price. Another reason is to consider and receive information classified by law and any communications with their attorney are such.

Dr. Kloep stated that his concerns are for the community and asked that maybe there are six providers to take over in July however he asked what the turnover rate is. He also asked if the board is there for management purposes and they opt to have a committee, how they have provided that committee and what are the results of that. He mentioned he was on the committee two years ago and met once. He stated if this is all in the best interest of the community and the hospitals' finances, why the CFO is left out of those sessions. Ms. Forwood stated that concerning the CFO being left out of executive session, the board and anyone else they opt to include is who is allowed. The board controls those attendees. Dr. Kloep thought there were board members who wanted the CFO to attend. Mr. France stated he doesn't recall any time there had been a request for the CFO to be included.

Aaron Durst stated he started the Facebook conversation and thought it was a good way to get the topic into the public light. He asked how many people are involved in the process, separate from the board. Were staff, doctors, nurses or others included or was it only board members. He also argued that a retail space in the downtown area is necessary in a small community. He mentioned that the parking is not the best for elderly. Mr. Barnett stated the clinic providers and staff were involved by reviewing clinics in Colorado that the chosen architect designed along with the board.

Maureen Arnold, director of hospital clinics stated as a group the hospital board and CEO were conscious and mindful of the daily operations of the clinic and welcomed involvement and suggestions from staff and providers. Mr. Durst asked if they were involved in which building was selected or simply the remodel of the chosen facility. Ms. Arnold stated she is not the decision maker however there were opinions from numerous individuals as to what facility would be chosen.

April Martinez asked about the committee Dr. Kloep was in and if there was a committee for the purchase of this building. Dr. Kloep stated his impression of the committee was for the long-term development of the Spruce Street Clinic. Ms. Martinez asked if there was a reason why the committee only met one time. Mr. Barnett stated there was a committee to talk about the Spruce Street Clinic and mentioned primarily due to staff changes and the committee fell apart.

Dr. Cesko clarified that Ms. Arnold stated all providers were part of the discussion however it was only Spruce Street providers, not others. He stated the committee did fall apart and was never resumed. He asked Mr. Barnett about a cost analysis about patient numbers to make a profit and asked if current providers are meeting that goal. Mr. Barnett stated they have done a cost analysis and while it continues to grow, providers are seeing 12-15 patients daily and practices need to be built up. 18-20 patients per provider per day are the expected number necessary to be seen, with numerous variables in that number. Commissioner Jones stated the last report stated that the clinic averages 40 patients per day, less than the goal.

Commissioner Chapman stated he feels the location is a good location being centrally located. He stated parking with the additional lot on the west side would make additional parking. Mr. Barnett added architects/engineers would address parking elevation and appropriate ADA access.

Chairman Johnson stated Ms. Friend brought up traffic congestion and Mr. Barnett stated there is no intent to investigate a traffic study. Chairman Johnson mentioned the foot traffic from the Carbon Building should be addressed as well.

Ms. Friend suggested that because the hospital is still in the due diligence phase that they investigate the traffic, parking with a west facing parking lot, she mentioned election day traffic with a building nearby as the Rawlins polling place, if there was a committee they should look for a long-term viable solution for the community and she volunteered to serve on such a committee.

Commissioner Chapman stated the Department of Transportation could likely provide traffic numbers rather than the hospital providing a new study.

Mr. Durst suggested a community committee to involve the public more. He asked if the building would be a medical provider clinic or part as a pharmacy. Mr. Barnett stated there are benchmarks for space per provider, approximately 1,100 per provider. After asking the providers what their most important needs were and towards the top were x-ray and lab. Initial discussions included a pharmacy however there was not enough space so it is not in the current plans.

Chairman Johnson asked about the potential price increase from what Mr. Fross mentioned. Mr. Fross stated it was his parents that looked at the building and the current price is approximately \$200,000 higher. He stated it could be the market or improvements he is unaware of. Mr. Waeckerlin stated that the initial asking price was \$700,000, the appraisal value. He decreased the asking price with a realtor to \$650,000, the last asking price. He has had no discussions with anyone for selling the property for \$200,000 less and that maybe the realtor did but he was unaware of anything.

Commissioner Espy asked if the hospital has had an appraisal on the building. Mr. Hewitt stated the appraisal would be as-built with improvements, not in the current condition. Ms. Forwood stated they are not at that stage yet, only an initial purchase offer has been made. Both contracts were approved February 22, 2018. Just recently, after attorney review there was an amendment to the Bi-Rite contract to extend the closing date and also recently after attorney review the Elk's lot purchase offer was signed.

Chairman Johnson stated it would ease the atmosphere if there were a public committee and asked if a committee would be useful at this point. Mr. France stated the hospital would welcome a committee as long as it was concise as the time frame is compressed. Commissioner Chapman stated that all meetings of the hospital board are public and Ms. Forwood stated the board welcomes public comment and there is space on all agendas for that.

Chairman Johnson addressed Ms. Friend and Mr. Durst and asked if they were satisfied with today's discussion and if not, what would they like. Ms. Friend stated several of her questions were answered and if she couldn't get answers today, which she did, she wanted to prompt thought and let the hospital board know the public is paying attention. Mr. Durst again encouraged additional public involvement.

Mark Kostovny, hospital board member, stated the board members have the passion to provide the best care possible for the county and they are trying to be ahead of the game by providing a clinic with extended hours. They are in the due diligence phase and stated most comments he has been told about from Facebook were discussed

Kendra Sisneros stated that as public officials a lot of this could have been cleared up with better public relations. The newspaper article caused confusion and suggested better public relations.

Dr. Kloep stated the minutes reflect a rescind date of May and Ms. Forwood stated agreements were approved by attorneys as to form in February with a May closing date and Mr. Hewitt stated that contracts were extended from the May closing date.

ADJOURNMENT

Commissioner Espy moved to adjourn the meeting at 12:34 p.m. Commissioner Chapman seconded and the motion carried unanimously.

A regular meeting of this Board will be held July 16, 2018 at 9:00 a.m. at the Carbon County Courthouse, 415 West Pine Street, 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 or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.