

**REPORT TO THE  
MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, April 7, 2015  
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, April 7, 2015 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were; Chairman John Espy; Vice Chairman John Johnson; Commissioners Lindy Glode, Leo Chapman and Sue Jones.

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

**ADDITIONS / CORRECTIONS**

Commissioner Johnson moved to add US Forest Service Travel Management Plan under Planning, Assessor TY Pickett contract and move the Dixon Airport bid opening to the next order of business. Commissioner Chapman seconded and the motion carried unanimously.

**DIXON AIRPORT WEST APRON EXPANSION PROJECT**

Commissioner Jones reported one contractor bid was received for the Dixon Airport West Apron Expansion project from Connell. Bids were advertised in the Saratoga Sun and Casper Star-Tribune. Connell bid \$373,581.00 for Schedule 1 and \$80,620.00 for Schedule II. Commissioner Jones reported she would forward the bid to GDA for review and to the Federal Aviation Administration to ensure the bid qualifications have been met.

**ASSESSOR**

Cheryl Ross, County Assessor requested the procurement policy be waived for her industrial appraisal contract with TY Pickett.

Commissioner Chapman moved to waive the procurement policy and accept a proposal of \$42,315.00 per year for three years from TY Pickett for the county's industrial appraisal contract. Commissioner Jones seconded and the motion carried unanimously.

**VOUCHERS**

Commissioner Glode moved to approve the report of expenditures in the amount of \$649,377.79. Commissioner Johnson seconded and the motion carried unanimously.

Commissioner Chapman moved to pay bills to Rawlins Automotive for \$2,612.39, Shively Hardware for \$858.26 and True Value of Rawlins for \$2,571.73 for an aggregate total of bills paid today of \$655,420.17. Commissioner Jones seconded and the motion carried with all voting for the motion except Commissioner Glode who abstained due to personal conflicts.

Vendor	Detail Line Description	Total
AIT LABORATORIES	DRUG TESTING	\$250.00
ALL IN 1 CONSTRUCTION LLC	POLE LIGHTS/BUCKET TRUCK	\$520.50
ALLEN, PATRICK C MD PC	ROUTINE AUTOPSY	\$1,040.00
ALLIED INSURANCE	FALL NOTARY BOND	\$50.00
AMERIGAS	PROPANE SERVICES	\$1,556.02
BANK OF COMMERCE (DEBIT CARD)	VARIOUS CHARGES	\$2,946.78
BEACH, HOMER	SNOW REMOVAL	\$245.00
BESEL, KEN	MILEAGE	\$24.00
BOB BARKER COMPANY, INC.	PENS	\$53.81
BOYS & GIRLS CLUBS OF CARBON COUNTY	CSBG FUNDS USED	\$495.00
BROWN'N GOLD CONTRACTING	SNOW REMOVAL	\$120.00
BUILD RITE LUMBER SUPPLY	SUPPLIES	\$151.78
C & B SAND & GRAVEL	ROADBASE	\$769.80
CANDY MOUNTAIN	WATER/EQUIPMENT RENTAL	\$82.50
CARBON COUNTY 4-H	OFFICE HEATER	\$42.88
CARBON CTY ECONOMIC DEVELOPMENT	SEVERANCE PAYMENT	\$3,750.00
CARBON COUNTY SENIOR SERVICES	4TH QTR MATCHING/HLTH SUBSIDY	\$66,750.00
CARBON COUNTY TREASURER	VARIOUS CASH ITEMS	\$1,352.31
CARBON COUNTY YOUTH CRISIS CENTER	CSBG FUNDS USED	\$1,601.71
CASPER STAR-TRIBUNE	NEWSPAPER ADS	\$528.70
CASPER WINNELSON CO	BEARING ASSEMBLY/COUPLER	\$200.01
CATHEDRAL HOME FOR CHILDREN	YOUTH CRISIS CENTER FUNDING	\$30,000.00
CBM FOOD SERVICE	JAIL MEALS	\$10,573.10
CEDARS HEALTH	MEDICAL SERVICES	\$170.00
CENTURY LINK	TELEPHONE SERVICES	\$73.61
CESKO FAMILY MEDICINE, PC	MEDICAL SERVICES	\$1,689.00
CHARTER COMMUNICATIONS	CABLE SERVICES	\$34.04
CNA SURETY	LAW NOTARY BOND	\$50.00
COOKS CORRECTIONAL	REPLACEMENT TIMER	\$94.05
COUNTY CLERKS ASSOCIATION OF WY	2015 DUES	\$100.00
COWBOY SUPPLY HOUSE	CLEANING SUPPLIES	\$1,197.52
CRAIG, CATHY	REIMBURSEMENT	\$43.90
DAVIDSON FAMILY DENTAL	DENTAL SERVICES	\$377.00
DELEON, JOHN	LEGAL SERVICES	\$1,203.75
DEVINE LAW	LEGAL SERVICES	\$2,960.00
DIRTY BOYZ SANITATION, INC	GARBAGE SERVICES	\$490.00
DIXON, TOWN OF	WATER SERVICES	\$292.60
DJ'S	GLASS REPAIRS	\$321.44
DUBOIS TELEPHONE EXCHANGE	TELEPHONE SERVICES	\$40.21
EASTMAN, PATRICK	MILEAGE	\$28.80
EDA CONSULTING ENGINEERS	CONSTRUCTION DOCUMENTS	\$1,045.00

ERICKSON & ROBERTS	LEGAL SERVICES	\$55.00
FARMER BROTHERS COFFEE	COFFEE	\$101.59
FEDERAL PUBLISHING	OSHA COMPLIANCE JOURNAL	\$298.50
FRANCE, TARA	TRANSCRIPTION	\$167.50
FREMONT MOTORS – RAWLINS	VEHICLE MAINTENANCE	\$781.33
FRUDE, CANDICE	SUPPLIES	\$62.79
GALLS/QUARTERMASTER	SHERIFF UNIFORMS	\$47.95
GLAXOSMITHKLINE PHARMACEUTICALS	PH HEALTH VACCINE	\$366.30
GLOBAL EQUIPMENT COMPANY	SIGN BASE	\$634.53
GRAINGER	SUPPLIES	\$412.82
GRAPHIC SPORTS	TITLE ENVELOPES	\$214.50
HANNA, TOWN OF	WATER SERVICES	\$101.26
HEIMAN FIRE DEPARTMENT	SETTLEMENT VEHICLE	\$168.25
HIGH PLAINS POWER	ELECTRICAL SERVICES	\$456.92
HIGH PLAINS VISION CENTER	VISION SERVICES	\$445.00
HI-TECH AUTO	OIL CHANGE	\$59.95
HORIZON LABORATORY, LLC	LABORATORY SERVICES	\$470.75
INGRAM, SUSAN, RPR, CRR	TRANSCRIPTION	\$113.75
J H KASPAR OIL COMPANY	FUEL/OIL/ANTIFREEZE	\$1,454.18
JACKALOPE PRINTING	SUPPLIES	\$49.58
JERRY'S DONUTS	DONUTS	\$94.41
KALUZNY, EMILY	MEALS/MILEAGE	\$414.45
KENCO SECURITY AND TECHNOLOGY	ALARM MONITORING	\$36.00
KILBURN TIRE COMPANY	OIL CHANGE/TIRE REPAIRS	\$183.37
KIRSCH, ARCHIE P	COUNTY HEALTH OFFICER	\$1,300.00
KNF FLEXPAC CORPORATION	TRANSPORT BAGS	\$536.06
KONE ELEVATORS ESCALATORS	ELEVATOR MAINTENANCE	\$335.85
L N CURTIS & SONS	PARTS	\$987.29
LONG BUILDING TECHNOLOGIES, INC.	BUILDING REPAIRS	\$1,068.92
MARTINEZ, JANICE	SUPPLIES	\$41.90
MEDICINE BOW HEALTH CENTER	SEVERANCE PAYMENT	\$12,025.00
MEMORIAL HOSPITAL OF CARBON COUNTY	MEDICAL SERVICES	\$163.00
MILLIKEN, ASHLEY	MILEAGE/SUPPLIES	\$20.12
MOSS, BARBARA	MILEAGE	\$57.60
MT HOOD SOLUTIONS	CLEANING SUPPLIES	\$488.00
MURANE & BOSTWICK, LLC.	PROFESSIONAL SERVICES	\$1,052.80
MY OFFICE ETC.	SUPPLIES	\$1,011.52
NEUTRON INDUSTRIES	CLEANING SUPPLIES	\$562.20
NORTH PARK PROPANE, LLC	PROPANE SERVICES	\$297.55
OFFICE DEPOT	SUPPLIES	\$82.17
OLD PENITENTIARY JOINT POWERS BOARD	SEVERANCE PAYMENT	\$3,750.00
O'REILLY AUTO PARTS	LIGHT BULBS	\$44.64
PAHL ARCHITECTURE	DESIGN DEVELOPMENT	\$23,806.81

PATTON, ROBERT L.	MILEAGE	\$25.80
PITNEY BOWES INC	MACHINE LEASE	\$1,478.19
PRAIRIE DOG ELECTRIC, LLC	BALLASTS/LAMPS	\$117.34
PRAIRIE PELLA WYOMING LLC	PRIMUS KEYS	\$48.00
PUBLIC SAFETY CENTER, INC	SWAB BOXES	\$86.50
QUILL CORPORATION	SUPPLIES	\$1,108.77
RAWLINS - C.C. CHAMBER OF COMMERCE	NEW MEMBERSHIP DUES	\$100.00
RAWLINS AUTOMOTIVE	PARTS	\$2,612.39
RAWLINS CARBON COUNTY AIRPORT BD	SEVERANCE PAYMENT	\$10,000.00
RAWLINS EYE CARE	VISION SERVICES	\$225.00
RAWLINS URGENT CARE	MEDICAL SERVICES	\$1,225.00
RAWLINS, CITY OF	WATER SERVICES	\$1,357.50
REDWOOD TOXICOLOGY LAB, INC.	DRUG TEST KITS	\$81.00
RELIABLE	NORTON ANTIVIRUS	\$99.99
RESERVE ACCOUNT	POSTAGE	\$10,000.00
REYNOLDS, DEZIREE	MILEAGE	\$57.00
RIEHL, MATTHEW E. P.C.	LEGAL SERVICES	\$547.50
RIETVELD, TONI	MEAL/SUPPLIES/MILEAGE	\$157.01
ROBIDOUX ENTERPRISES	BATTERIES	\$458.85
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICES	\$16,895.43
ROD'S BACKHOE SERVICES, INC	BRUSH CREEK BDG REPAIR	\$10,000.00
ROSS' AUTOMOTIVE SERVICES	VEHICLE MAINTENANCE	\$236.61
RYAN ELECTRONICS INC	MOBILE RADIO/SUPPLIES	\$4,737.40
SAFEGUARD BUSINESS SYSTEMS	PAYROLL CHECK STOCK	\$118.44
SARATOGA AUTO PARTS, INC.	PARTS	\$363.57
SARATOGA FEED & GRAIN	SALT	\$343.00
SARATOGA SUN	NEWSPAPER ADS	\$688.00
SARATOGA, TOWN OF	WATER SERVICES	\$17.00
SHEPARD CONSTRUCTION INC	MHCC ED REMODEL	\$36,066.60
SHIVELY HARDWARE	SUPPLIES	\$858.26
SNAP-ON TOOLS	TOOLS	\$245.00
SOURCE GAS	GAS SERVICES	\$14,823.82
SOUTH CENTRAL WY EMS	SEVERANCE PAYMENT	\$12,500.00
SOUTHEASTERN WYOMING GARAGE DOOR	GARAGE DOOR REPAIRS	\$1,125.00
SPECIALIZED PATHOLOGY CONSULTANTS	ROUTINE AUTOPSY	\$1,065.00
STAPLES ADVANTAGE	OFFICE SUPPLIES	\$554.94
STEPHENSON, LEE ANN	MILEAGE	\$37.20
STODDARD, CURTIS T.	DENTAL SERVICES	\$300.00
TERMINIX	PEST CONTROL	\$849.00
THE MASTERS TOUCH, LLC	MAILING SERVICES	\$1,671.01
THOMSON REUTERS-WEST PYMT CENTER	INFORMATION CHARGES	\$1,382.27
THOS. Y. PICKETT & CO., INC.	2015 VALUATION CONTRACT	\$9,315.00
TJ'S AUTO REPAIR	OIL CHANGE	\$75.53

TRADING POST	FUEL	\$23.95
TREVATHAN, SABRINA RMR	TRANSCRIPTION	\$154.00
TRUE VALUE OF RAWLINS	SUPPLIES/PARTS	\$2,571.73
UNION TELEPHONE COMPANY	TELEPHONE SERVICES	\$218.02
US BANK	VARIOUS CHARGES	\$5,399.35
US BANK TRUST N.A.	2010 C BOND PAYMENT	\$282,200.00
UW BIODIVERSITY INSTITUTE	BOOKS	\$50.00
V-1 PROPANE	PROPANE SERVICES	\$3,364.98
VALLEY OIL COMPANY	FUEL	\$1,262.43
VAN'S WHOLESALE LLC	CLEANING SUPPLIES	\$892.05
WACO	2015 COUNTY DUES	\$300.00
WELLS, JACQUELIN	MILEAGE	\$9.50
WILKERSON, JAMES A IV M.D.	ROUTINE AUTOPSY	\$1,040.00
WILLIE, O.R.	MILEAGE	\$45.00
WILSON, MARGARET	PATCHES	\$96.00
WIMPENNY, ROBERT G DDS	DENTAL SERVICES	\$339.00
WY ATTORNEY GENERAL	KELLEY CONFERENCE REG	\$100.00
WY BEHAVIORAL INSTITUTE	MEDICAL SERVICES	\$192.00
WY COUNTY TREASURER'S ASSOCIATION	2015-2016 DUES	\$100.00
WY DEPT OF HEALTH	MOTOR VEHICLE BILLING	\$254.00
WY DEPT OF TRANSPORTATION	MED BOW RIVER BRIDGE	\$4,064.19
WY LAW ENFORCEMENT ACADEMY	AMMUNITION	\$791.07
WY MACHINERY COMPANY	PARTS	\$17,324.39
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	\$1,363.32
WYOPASS	2015 MEMBERSHIP DUES	\$440.00
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICES	\$610.34
YOCUM, LEO	MILEAGE	\$24.00
GRAND TOTAL		\$ 655,420.17

## **CONSENT AGENDA**

Commissioner Johnson moved to approve the consent agenda. Commissioner Chapman seconded and Clerk Bartlett noted the consent agenda includes the March 17, 2015 regular meeting minutes; a bond for Lezlee Musgrave, Clerk Treasurer for the Town of Sinclair in the amount of \$8,000.00; a bond rider for a name change for Beverly Hannum, Treasurer for the City of Rawlins; County Clerk receipts for \$24,157.50; Planning and Development Department receipts for \$1,206.00 and Road & Bridge Department receipts for \$50.00. The motion carried unanimously.

## **PUBLIC DEFENDER'S OFFICER**

John DeLeon from the Public Defender's Office introduced himself and asked the BOCC to invite him and other defense attorneys when there are criminal law issues being discussed.

## **ELECTED OFFICIALS / DEPARTMENT HEADS**

### **Emergency Management**

John Zeiger, Emergency Management Coordinator presented his quarterly report to be sent to the Wyoming Department of Homeland Security and requested the Chairman's signature.

Commissioner Johnson moved to authorize the Chairman's signature on the Wyoming Jurisdiction Quarterly Report presented by Mr. Zeiger. Commissioner Glode seconded and the motion carried unanimously.

### **Planning and Development**

Sid Fox, County Planner and Thomas Powell, Planner/GIS Specialist, presented a resolution for the proposed Mead Industrial Megaplex Project. This is a joint resolution between Sweetwater, Lincoln, Carbon and Uinta counties.

Commissioner Jones moved to authorize the Chairman's signature on Resolution 2015-07, A Southwest Wyoming Joint County Resolution Supporting the Development of the Proposed Mead Industrial Megaplex Project in Southwest Wyoming. Commissioner Chapman seconded and the motion carried unanimously.

### **Resolution 2015-07** **Southwest Wyoming Joint County Resolution** **Supporting the Development of the Proposed Mead Industrial Megaplex Project in** **Southwest Wyoming**

Whereas, Wyoming Governor Mead has indicated an interest in developing an industrial megaplex within the State of Wyoming similar to the Heartland Industrial Complex located in Alberta, Canada; and

Whereas, Southwest Wyoming contains the industrial, mineral, land, transportation, water, natural and human resources to support the development and operation of the proposed industrial megaplex; and

Whereas, the counties of Southwest Wyoming, are defined by those counties who have signed this resolution; and

Whereas the counties of Southwest Wyoming believe that the ideal location and development of such an industrial megaplex within Southwest Wyoming would be beneficial to the economy of the region, state and nation; and

Whereas, through public deliberation and official vote, each Southwest Wyoming Board of County Commissioners supports the construction of an industrial megaplex within Southwest Wyoming; and

Whereas, the counties of Southwest Wyoming recognize the importance of working together through county governments, municipalities, conservation districts, economic development entities and the Coalition of Local Governments to collectively support the development of the industrial megaplex project in Southwest Wyoming; and

Now therefore be it resolved, that the counties of Southwest Wyoming Collectively support and commit to working together to develop the proposed industrial megaplex within Southwest Wyoming.

	DATE	ATTEST	
-s- Wally J. Johnson, Chairman Sweetwater County	4/7/2015	-s- Dale Steven Davis, Clerk Sweetwater County	Resolution No.
-s- Jerry Harmon, Chairman Lincoln County	3/4/2015	-s- Jeanne Wagner, Clerk Lincoln County	2015-8 Resolution No.
-s- John Espy, Chairman Carbon County	4/7/2015	-s- Gwynn G. Bartlett, Clerk Carbon County	2015-07 Resolution No.
-s- Wendell Fraughton, Vice-Chairman Unita County	3/17/2015	-s- Lana Wilcox, Clerk Uinta County	15-04 Resolution No.

Mr. Fox overviewed the US Forest Service Travel Management Plan previously commented on by the BOCC in January 2014 and followed by a request to participate in January 2015. Commissioner Johnson stated he felt the BOCC should hold off until after they have had a chance to attend the public meetings in the upcoming weeks. Mr. Fox noted for the record the Ryan Park Property Owners Association recently met with Forest Ranger Melanie Fullman and made their comments.

Commissioner Chapman reported he has heard numerous comments from constituents, particularly hunters. According to Commissioner Chapman Ms. Fullman may propose closing roads that have other roads close by, maybe within  $\frac{1}{4}$  mile however when hunting this could be a long distance to carry harvested animals.

Commissioner Jones stated they were presented with a petition signed by approximately 250 people asking nothing be done and she thought the petition may want to be referenced in the BOCC's comments.

Mr. Powell overviewed the NEPA process related to this road review. Commissioner Johnson asked Mr. Powell if this could ever turn into a full blown Environmental Impact Statement and Mr. Powell replied it could potentially happen but it didn't sound likely.

Chairman Espy stated he has heard major frustration about the lack of time to comment from the public and he felt the Forest Service could extend the public comment period. Bill Nation, Road & Bridge Superintendent stated he felt that more analysis is needed, even up to a year from now so a thorough investigation can be completed.

## **Buildings & Grounds**

Craig Jones, Buildings Manager presented a contract for the Medicine Bow Clinic roof.

Commissioner Glode moved to authorize the Chairman's signature on a contract with Jacob Gilbert White for the Medicine Bow Clinic roof. Commissioner Johnson seconded and asked if the contractor has read it. Mr. Jones stated not yet and he thinks the contractor may withdraw his bid over it due to the insurance requirements and bond requirement. Mike Kelly, Deputy County Attorney stated statutorily any public building project is required to be bonded if the amount is over \$7,500.00. The BOCC asked Mr. Jones to have the contractor review it and return with it if the contractor signs it. Commissioner Glode rescinded her motion and the BOCC asked Mr. Jones to allow the contractor time to review it first.

Mr. Jones reported that there are only a couple items remaining to be cleaned up from the Armory in Rawlins. The state had taken the building back over and the county was requested to remove its items from the building.

### **Treasurer**

Cindy Baldwin, County Treasurer presented an annual resolution for the county to allocate funds from FY15-16 for the 2010B and 2010C bond issue rental payments. These bonds are paid for with sales tax collections however the county must appropriate funds per the lease in case collections would not cover the bond payments.

Commissioner Chapman moved to adopt Resolution No. 2015-08 a Resolution Authorizing Renewal of that Certain Lease and Agreement, Dated as of December 23, 2010, Between Carbon County, Wyoming and the Carbon County 2009 Specific Purpose Tax Joint Powers Board, Through the Budget and Appropriation of Funds for the Payment of Rental Payments and Additional Rentals Thereunder for Fiscal Year 2015-16. Commissioner Glode seconded and the motion carried unanimously.

### **RESOLUTION NO. 2015 - 08**

#### **RESOLUTION AUTHORIZING RENEWAL OF THAT CERTAIN LEASE AND AGREEMENT, DATED AS OF DECEMBER 23, 2010, BETWEEN CARBON COUNTY, WYOMING AND THE CARBON COUNTY 2009 SPECIFIC PURPOSE TAX JOINT POWERS BOARD, THROUGH THE BUDGET AND APPROPRIATION OF FUNDS FOR THE PAYMENT OF RENTAL PAYMENTS AND ADDITIONAL RENTALS THEREUNDER FOR FISCAL YEAR 2015-2016.**

WHEREAS, Carbon County, Wyoming (the "County") has entered into that certain annually terminable Lease and Agreement, dated as of December 23, 2010 (the "Lease") with the Carbon County 2009 Specific Purpose Tax Joint Powers Board (the "Board"), whereby the County has subleased the Hospital Site (as defined in the Lease) from the Board and has further leased from the Board certain Improvements (as defined in the Lease) to be constructed on the Hospital Site; and

WHEREAS, Section 4.1 of said Lease provides that the County must annually determine whether or not to terminate said Lease effective June 30 of any Fiscal Year; and

WHEREAS, the County has determined to continue said Lease for the period from July 1, 2015 to and including June 30, 2016, and the Board of County Commissioners of the County

(the “Commissioners”) has determined and hereby confirms to U.S. Bank National Association, in Denver, Colorado (the “Trustee”), under that certain Indenture of Trust, dated as of January 11, 2010, as amended and supplemented by that certain First Supplement to Indenture of Trust, dated as of December 23, 2010 (collectively, the “Indenture”), between the Board and the Trustee, that there shall be included in the County’s Fiscal Year 2015-2016 budget moneys to pay all 2010B Base Rental Payments, 2010C Base Rental Payments and reasonably estimated Additional Rentals for said period (as defined in the Lease), all as further provided in ARTICLE VI of said Lease;

**NOW, THEREFORE, BE IT RESOLVED:**

1. The County will include in its Fiscal Year 2015-2016 budget all payments required under the Lease for Fiscal Year 2015-2016.

2. Pursuant to that certain 2009 Specific Purpose Tax Escrow Account Escrow Agreement, dated as of January 11, 2010, as amended (the “Escrow Agreement”) with the Carbon County Treasurer, as escrow agent (the “Escrow Agent”), which established an escrow account (the “Escrow Account”) for the collections that result from the imposition of a specific purpose sales and use tax that was imposed in the County effective April 1, 2009 (the “2009 Tax Revenues”), the Commissioners hereby specifically budget and appropriate \$828,877.50 in said 2009 Tax Revenues for the payment of 2010B Base Rental Payments under the Lease and further direct the Escrow Agent to make payments to the Trustee at the times and in the amounts as are set forth in such Escrow Agreement.

3. The Commissioners hereby further specifically budget and appropriate \$309,000 in County General Fund moneys (as defined in the Indenture) for the payment of 2010C Base Rental Payments under the Lease.

4. Submission of a copy of this resolution, along with a copy of the County’s Fiscal Year 2015-2016 budget, to the Trustee, the Board and George K. Baum & Company, after adoption of the County’s Fiscal Year 2015-2016 budget, will fully meet the requirements of Section 4.1 of the Lease.

**THIS RESOLUTION** is made and duly executed this 7th day of April, 2015, in accordance with the authorization by a majority vote of the duly elected Commissioners.

**(S E A L)**

**CARBON COUNTY, WYOMING**

By: -s- John Espy

Title: Chairman, Board of County Commissioners

**ATTESTED:**

By: -s- Gwynn Bartlett

Title: County Clerk

Treasurer Baldwin reported on the notice of value changes. She also reported on various investment balances. She advised the county’s tax relief program, which allows low-income individuals property tax assistance will be starting and individuals can apply through her office.

**Attorney**

Mike Kelly, Deputy County Attorney introduced Ashley Mayfield Davis, Deputy County Attorney who will be picking up a large amount of civil work for the county in the future. Mr. Kelly noted Medicine Bow Fuel and Power filed their quarterly report.

Mr. Kelly reported on a news release from the Bureau of Reclamation noting a public meeting on the North Platte water operations today. The Chairman suggested future notices from this agency go to the Planning Office and Commissioner Johnson wanted to be noticed as well.

Mr. Kelly discussed a new requirement for the county to follow State Board of Equalization rules regarding tax appeals. The rules are currently out for public comment however Mr. Kelly suggested the county adopt these through the Administrative Procedures Act once they are final. Commissioner Johnson asked about the comments on Section 7 where the county clerk was inserted rather than the county assessor. Mr. Kelly stated that filing a formal appeal with the assessor when the appeal is against the assessor could create an appearance of a conflict so the attorneys suggested it be filed with the clerk.

### **Sheriff**

Jerry Colson, County Sheriff updated the BOCC on emergency detention transports during the construction at the hospital. He noted they have expended 151.25 sheriff hours and traveled over 1,700 miles in transports to Casper. The project should be completed by about mid-April. Mr. Kelly noted WBI in Casper is hiring an outside service to transport patients back to Carbon County and the county will be billed for this.

### **Clerk**

Clerk Bartlett presented an application for the Temporary Assistance for Needy Families (TANF) grant and reported the county has sponsored a grant for the Big Brothers Big Sisters of Carbon County, Carbon County Boys & Girls Club and the Laramie Youth Crisis Center for several years.

Commissioner Jones moved to authorize the Chairman's signature on the Temporary Assistance for Needy Families Community Partnership Initiative Grant Application. Commissioner Chapman seconded and the motion carried unanimously.

Commissioner Glode moved to authorize the Chairman's signature on the Countywide Consensus Block Grant Application forms and BFY13/14 Funding Joint Resolution for the reallocation of \$16,949.33 to the Jeffrey Center Electrical Upgrade project providing a total of \$26,766.86 in Countywide Consensus funds. Commissioner Johnson seconded and the motion carried unanimously.

Clerk Bartlett presented a cash and funds policy for Public Health Nursing which is required by the state.

Commissioner Jones moved to approve the Cash Handling Policy for Carbon County Public Health Nursing. Commissioner Chapman seconded and the motion carried unanimously.

Clerk Bartlett reported that the State Health Department is requiring that wardrobe/writing desks be added in both seclusion rooms before their final approval at the county's hospital. She presented Change Order #3 regarding this.

Commissioner Johnson moved to approve Change Order #3 in the amount of \$8,031.26 for the hospital's emergency detention remodel to add wardrobes and writing desks. Commissioner Glode seconded and the motion carried unanimously.

Clerk Bartlett presented a quote for a compensation and classification study as the BOCC previously requested. Commissioner Jones offered to contact Mountain State's Employer's Council and determine if the county could receive the information needed from them rather than hiring an outside consultant. Commissioner Glode explained the project noting the BOCC would like to pay fair across the board and update the county's job descriptions. The BOCC suggested the clerk budget for this.

Clerk Bartlett advised she has received two telephone calls in two days recently about applying for a retail liquor license however the county currently has none available. She discussed a few options such as having a waiting list or simply requesting applications if one should ever become available. The BOCC stated they would prefer to not have a waiting list.

### **Senior Services**

Ken Casner from Elk Mountain discussed Senior Services funding and operations. He noted he was present today to reply to the Senior Service Director's views presented to the BOCC February 15.

Lisa Engstrom, Executive Director for Senior Services provided an update on non-senior meal sales tax. She noted that the last time she was present she was unofficially informed by the state that non-senior meal sales tax collections would begin July 1. This has changed and the Director of the Wyoming Department of Revenue now says this will be handed over to the legislators to clearly delineate sales tax on these meals in the law.

Ms. Engstrom stated she had some corrections to Mr. Casner's comments. She stated there is a required payment for those under 60 years old and Mr. Casner stated it was a voluntary payment. She stated it is encouraged to have intergenerational dining which she and other Wyoming counties have been good at doing.

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

Dana Barnett, Chief Executive Officer and Chelle Keplinger, Chief Financial Officer for MHCC presented a financial analysis as of March 31, 2015. They thanked the BOCC for their support in their recent strategic planning process. The MHCC board will meet in retreat early May and discuss the results of the planning process. The emergency detention remodel is on schedule to be completed by the end of April. The HVAC project pricing will be more known in the next couple of weeks. Board member Mark Kostovny was also present.

Ms. Keplinger requested the following from the hospital's mill levy funds: \$40,000.00 for electronic records in their clinics; \$70,000.00 for two used scopes; OB software for \$16,864.00

all totaling \$126,864.00. They would also like to reallocate \$18,498.00 from the med-surge floor remodel for an instrument with a camera for assistance intubating patients.

Commissioner Glode moved to allocate the hospital's mill levy funds as follows: \$126,864.00 for the electronic records, OB software and high definition scopes and to reallocate \$18,498.00 for the intubation instrument. Commissioner Johnson seconded and the motion carried unanimously.

#### **FY14 Audit**

Rolf Peterson from Mader Tschacher Peterson & Co., LLC reviewed the FY14 audit. Mr. Peterson noted that the BOCC should be concerned with two things. First if the statements are free of material misstatements and they are and whether or not there are effective internal controls and there are. There were no irregularities, significant changes, illegal acts and there was full cooperation. The result was an unqualified or "clean" opinion.

Marilyn Pedersen of the Carbon County Library explained that her budget expenditures exceeded revenues by over \$30,000.00 during the 2014 Fiscal Year because of the state endowment program matured and she was unaware she needed to amend her budget to expend these funds.

#### **RECESS**

Chairman Espy called a recess at 11:49 a.m. and reconvened at 1:30 p.m.

#### **PLANNING & ZONING**

##### **Public Hearing – C.U. Case File No. 2012-02**

Chairman Espy opened a public hearing at 1:30 p.m. to hear Planning & Zoning C.U. Case File No. 2012-02. Sid Fox, Planning Director presented C.U. Case File No. 2012-02, to transfer a conditional use permit from State Line Energy, LLC/Wamsutter Wastewater Treatment Facility, LLC to OWL SWD Operating, LLC dba Oilfield Water Logistics.

Chairman Espy called for comments for or against this case. There being no comments, Chairman Espy closed the hearing at 1:33 p.m.

Commissioner Chapman moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2015-09, 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. 2012-02 to transfer a conditional use permit from State Line Energy, LLC/Wamsutter Wastewater Treatment Facility, LLC to OWL SWD Operating, LLC dba Oilfield Water Logistics. Commissioner Jones seconded and the motion carried unanimously.

#### **Resolution No. 2015 – 09**

**A Resolution of the Board of County Commissioners of Carbon County, Wyoming.**

**C.U. Case File #2012-02**  
**(CONDITIONAL USE PERMIT)**  
**TRANSFER OF CONDITIONAL USE PERMIT**  
**“STATE LINE ENERGY-WAMSUTTER FACILITY”**

**WHEREAS**, the Board of County Commissioners held a public hearing on Tuesday, July 3, 2012 and approved a Conditional Use Permit for a the construction of a Commercial Oilfield Waste Disposal Facility, Resolution No. 2012-26; and

**WHEREAS**, the Board of County Commissioners held a public hearing on Tuesday, November 13, 2012, to correct the inadvertent omission of Conditions #6 and #7, Resolution No. 2013-26A; and

**WHEREAS**, pursuant to the Carbon County Zoning Resolution of 2003, as amended, specifically, Section 5.6 – Conditionally Permitted Uses, “No conditional use permit shall be transferred without the prior approval of the Board of County Commissioners, for good cause shown.”; and

**WHEREAS**, On March 3, 2015, State Line Energy, LLC/Wamsutter Wastewater Treatment Facility, LLC submitted a letter notifying the Board of an ownership change and requesting the Board transfer the Conditional Use Permit granted to “State Line Energy-Wamsutter Facility” approved by Resolution No. 2012-26A; and

**WHEREAS**, the Carbon County Board of County Commissioners advertised by public notice prior to a public hearing to take public input and comments which said public hearing occurred on Tuesday, April 7, 2015; 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; and

**WHEREAS**, the Carbon County Board of County Commissioners in considering said request to transfer the Conditional Use Permit and 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 request to transfer the Conditional Use 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 otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

**WHEREAS**, the applicants have agreed to be bound by the terms and conditions of the Conditional Use Permit as presented to and conditionally approved by the Carbon County Board of County Commissioners; 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 Transfer:

**C.U. Case File #2012-02:**

C.U. Case #2012-02 was approved by the Carbon County Board of County Commissioners (BoCC) on November 13, 2012 (Resolution No. 2012-26-AMENDED). The permit authorizes the construction and operation of an off-site oil and gas well produced wastewater storage, treatment & evaporation ponds.

**Project Name:**

“State Line Energy-Wamsutter Facility”

**Applicants/Permittees:**

Existing: State Line Energy, LLC/Wamsutter Wastewater Treatment Facility, LLC  
Proposed: OWL SWD Operating, LLC (dba Oilfield Water Logistics)

**Land Owners:**

Sophie Echeverria & Buffalo Water Company, LLC

**General Location:**

Exit 184 off I-80; approximately 8 miles south of Wamsutter off the Echo Springs Road.

**Legal Description:**

160 acres located within Section 5, T19N, R93W, 6<sup>th</sup> P.M., Carbon County, Wyoming.

**CONDITIONS OF APPROVAL:**

1. The total disturbed area is not to exceed 160 acres. If the applicant desires to construct a larger facility in the future at this site an amendment or additional C.U.P. will be required.
2. County building permits will be required for the construction of the facility. The building permit application must include a copy of the WDEQ permit(s) and final plans for construction.
3. State Line Energy will contact the Carbon County Planning & Development Department once construction has begun on the site so the county can promptly issue a rural address to the site.
4. This conditional use permit is not valid without approval by the Wyoming Department of Environmental Quality of the final designs for the facility.
5. This permit expires upon expiration or revocation of any associated permit from the Wyoming Department of Environmental Quality.
6. The evaporative ponds will require a fence of at least six feet in height.
7. The project proponent is to file a contingency plan and/or emergency response plan with the County and maintain an on-site emergency contact sign with names and numbers of local contacts. The emergency response/contingency plan is to include representative and analytical survey results.

**VIOLATION:**

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

**NOW THEREFORE BE IT RESOLVED BY THE CARBON COUNTY  
BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:**

1. That the Carbon County Board of County Commissioners hereby approves this Conditional Use Permit Transfer of the Conditional Use Permit (C.U. Case #2012-02) in the Ranching, Agriculture, Mining (RAM) Zone for the “State Line Energy-Wamsutter Facility”.
2. The new permittee is: OWL SWD Operating, LLC (dba Oilfield Logistics).

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 7<sup>th</sup> day of April, 2015.

**BOARD OF COUNTY COMMISSIONERS OF  
CARBON COUNTY, WYOMING**  
-s- John Espy, Chairman

- s- John Johnson, Vice Chairman
- s- Leo Chapman, Member
- s- Lindy Glode, Member
- s- Sue Jones, Member

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

### **Certifications**

Mr. Fox presented Certifications of Recommended Action for Kevin and Laurie Woolfolk, Zone Change Case File No. 2015-01 and Minor Subdivision Case File No. 2015-01.

Commissioner Glode moved to accept the Certification of Recommended Action from the Carbon County Planning & Zoning Commission for Zone Change Case File No. 2015-01 for Kevin and Laurie Woolfolk and schedule a public hearing for May 5, 2015 at 1:30 p.m. at the County Courthouse in Rawlins, Wyoming. Commissioner Johnson seconded and the motion carried unanimously.

Commissioner Johnson moved to accept the Certification of Recommended Action from the Carbon County Planning & Zoning Commission for Minor Subdivision Case File No. 2015-01 for Kevin and Laurie Woolfolk and schedule a public hearing for May 5, 2015 at 1:30 p.m. at the County Courthouse in Rawlins, Wyoming. Commissioner Chapman seconded and the motion carried unanimously.

### **ROAD & BRIDGE**

Bill Nation, Road & Bridge Superintendent reported that his office recently hauled some rock to the Medicine Bow Conservation District Office and they are hauling the Fair Board sand around the arena at the Fairgrounds this week.

Mr. Nation and staff opened the south road recently so ACE Engineering can start construction this upcoming week and closures will be 8 a.m. to noon and 1 p.m. to 5 p.m. Monday through Saturday. The road is open to the forest.

Mr. Nation would like to use some of his budget to install magnesium chloride with some of his budget this year and requested authorization to do this.

Commissioner Chapman moved to waive the procurement policy to allow Road & Bridge to purchase magnesium chloride from the vendor of their choice. Commissioner Jones seconded and Commissioner Glode asked if many vendors sell this product. Mr. Nation stated the single source for this portion of Wyoming is Dust Busters of Utah. Commissioner Johnson clarified that another vendor recently installed some. Mr. Nation stated this was the CMAQ project and Dust Busters installed the magnesium chloride as a subcontract with the contractor for the CMAQ project. Commissioner Glode stated there are a few places that don't want magnesium chloride however she noted that Mr. Nation is the best judge of what a road may need. The motion carried unanimously.

### **MONTH OF THE MILITARY CHILD**

Cathy Craig, 4-H/Youth Educator presented a proclamation and noted April is the month of the military child. She stated this will support the children of military members and raise community awareness about the sacrifices and accomplishments of military children.

A unified motion was made by all commissioners to approve a Proclamation in Recognition of April the Month of the Military Child. A unified second was made and the motion carried unanimously.

### **NATIONAL CRIME VICTIM'S RIGHTS WEEK**

Loretta Hansen, Victim/Witness Coordinator and Vicki Hagood, Victims Assistant presented a proclamation recognizing the week of April 19-25 as National Crime Victim's Rights Week.

A unified motion was made to declare the National Crime Victim's Rights Week April 19-25, 2015 Proclamation. There was a unified seconded and the motion carried unanimously.

### **EXECUTIVE SESSION**

Commissioner Johnson moved to go into executive session at 2:08 p.m. with Clerk Bartlett, Attorney Mike Kelly, Attorney Ashley Mayfield Davis and Matt Webster to discuss potential litigation and other matters considered confidential by law. Commissioner Jones seconded and the motion carried unanimously.

Ms. Davis and Mr. Kelly left the session at 2:14 p.m. and Mr. Webster joined the session. Mr. Webster left the session at 2:36 p.m. and rejoined it at 2:55 p.m.

Commissioner Johnson moved to come out of executive session at 3:08 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Jones seconded and the motion carried unanimously.

### **CITIZEN/COMMISSIONERS DISCUSSION**

Commissioner Johnson stated the County Attorney had requested an extra position because they were short-handed and busy and now there have been two attorneys present all day. He stated that he had thought about throwing out the idea that attorney time could be less dedicated towards the BOCC, especially on meetings out of town the BOCC is attending. Mr. Kelly stated they are simply cross training and he didn't see this as a long-term solution to have two present. Chairman Chapman stated it is a wonderful privilege for them to have an attorney at their hand and he would like it to continue. Commissioner Jones clarified time may be able to be saved on things like the NEPA process.

Commissioner Glode reported that the Wyoming County Commissioners Association will discuss the proposed Board of Equalization rules at their May meeting.

Commissioner Jones reported there are some citizens in Encampment who want to talk to the Wyoming Department of Transportation (WYDOT) people about keeping HWY 130 open year round from Dixon to Encampment. She has asked WYDOT to talk to these people. Clerk Bartlett reported this group is on the BOCC's May agenda. Commissioner Jones stated Cindy Wallace of the Economic Development Corporation (EDC) is applying for a grant and she discussed her work on avoiding a man camp for Sinclair Refinery.

Commissioner Chapman reported the man camp for the Sinclair Refinery contractors at the county-owned portion of Skyline Acres was discussed at EDC's meeting recently and the idea of potentially leasing the county-owned site however based on Commissioner Jones's comments this may have changed. He reported Rawlins received a DDA Mainstreet award and complimented Pam Thayer on her work. He feels the common denominator in all Rawlins and County projects is Pat Robbins of the Wyoming Business Council staff and he feels there should be declared a Pat Robbins day in Rawlins in conjunction with the City.

#### **ADJOURNMENT**

Commissioner Johnson moved to adjourn the meeting at 3:36 p.m. Commissioner Chapman seconded and the motion carried unanimously.

A regular meeting of this Board will be held May 5, 2015 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