

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, November 19, 2019
Carbon County Courthouse, Rawlins, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, November 19, 2019 at 9:00 a.m. at the Carbon County Courthouse, Rawlins, WY. Attending the meeting were; Chairman, John Johnson, Vice Chairman, Sue Jones, John Espy, Travis Moore, and Byron Barkhurst.

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

ADDITIONS / CORRECTIONS

There were no additions or corrections to the agenda.

VOUCHERS

Commissioner Jones moved to approve October 2019 insurance claim and premium expenses of \$308,992.22 and payroll and benefit expenses of \$926,220.26 plus \$624,880.80 accounts payable for a grand total of \$1,860,093.28. Commissioner Barkhurst seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
307 Professional Clean llc.	Exterminate Bed Bugs In Circut Court	\$650.00
Acme Electric Company, llc.	Install New Led Lights	\$7,068.00
Albrechtson, Mary Kay	Bailiff Services	\$75.00
Apex Communications	Fire Radios/Maintenance Agreement	\$12,834.56
APG Media Of The Rockies	Misc. Ads	\$2,231.02
Balestrieri, Michelle	Po Box Renewal/Stamps	\$232.00
Beach, Homer	Ryan Park Snow Removal	\$140.00
Bi Inc.	Electronic Monitoring Services	\$656.50
Bomgaars Supply	Emblem	\$12.99
Bryan Cave Leighton Paisner Llp	Legal Services	\$17,439.64
Buckingham Lumber Co	Posts For Seminoe Road Signs	\$1,986.00
Build Rite Lumber Companies	Building Supplies	\$267.58
Carbon County Circuit Court	Certified Mailing	\$16.00
Carbon Power & Light Inc.	Electrical Services	\$2,531.14
CareRight Technologies, Llc	Monthly Recurring Bed Fee	\$158.40
Casper Star-Tribune	It Job Ad	\$105.00
Children's Advocacy Project, Inc	General Operating Expenses Fy 2020	\$3,000.00

CNA Surety	Bond For E. Keller	\$100.00
Convergeone, Inc.	Coroners Bldg It Lines	\$12,905.83
Cowboy Chemical	Laundry Supplies	\$903.75
Cowboy Supply House	Misc Custodial Supplies	\$374.16
Ekm&P, Inc. Dba Voorhis Associates, Inc.	Carbon County Courthouse/Building Design Development	\$95,258.01
Elevated Training Solutions	Random Drug Test	\$70.40
Elk Mountain, Town Of	Water/Propane	\$1,798.44
Emblem Enterprises, Inc.	Us Flags	\$216.78
Encartele	Prepaid Inmate Phone Cards	\$2,000.00
Erickson & Roberts	Legal Services	\$450.00
E-Z Lift Garage Doors	3 Button Remotes	\$100.00
Fatbeam Llc	Fiberlines/Internet	\$5,244.75
Fired Up Rescue	Coats And Pants For Carbon Co Fire	\$19,550.00
Forster Landscape & Const.	Winterize System	\$320.00
Galls/Quartermaster	Deputy Uniforms	\$1,065.00
GCR Electronics, Llc	Monthly Site Rental	\$2,000.00
Glaxosmithkline Pharmaceuticals	Vaccines	\$1,440.60
Golden, Mary	Flu Clinic	\$191.13
Grainger	Air Filters	\$668.87
Graphic Business Solutions, Llc	Notary Stamp	\$42.95
Greater Wy Big Bros/Sisters	County Prevention Services Oct 2019	\$9,564.82
Greenwood Mapping, Inc	Parcel Mapping Aug-Oct 2019/Map Server Hosting & Support	\$9,381.25
Hahn Construction	Replace Door Closer For Ladies Bathroom	\$55.00
Hanna, Town Of	Water Services	\$202.28
Hemocue	Hemoglobin Cuvettes	\$198.00
High Desert Welding & Machine Llc	Welding Services	\$28.50
Hutchins, Sarah	Wyopass Conference Expenses	\$309.49
Iron J Towing	Tow Western Star To Casper For Repairs	\$850.00
J H Kaspar Oil Company	Fuel	\$9,311.12
Kilburn Tire Company	Oil/Oil Change/Tires/Tire Repair	\$1,623.54
Kostovny, Mark	Mileage	\$25.20
Ktga/Kbdy	Ad/Tower Rent	\$200.00
L N Curtis & Sons	Hurst Edraulic Cutter/Spreader	\$20,260.00
Laramie Fire Extinguisher	Inspections	\$504.50
LexisNexis Matthew Bender Inc.	WY Court Rules	\$602.54
Lucero, Stephen	Witness Fees	\$30.00

Martz, Ladessa	Mileage To Pick Up Vaccines	\$42.10
McKesson Medical-Surgical	Vaccines	\$1,609.80
MHCC	Medical Services/Reimbursements	\$204,007.90
Mercedes Transcription, Inc.	Transcription Services	\$137.39
Midwest Connect	Ink Cartridge	\$204.75
Motorola Solutions	Annual Maintenance Agreement	\$40,730.90
MPM Corp / Evergreen Disposal	Trash Services	\$130.00
My Office Etc.	Paper	\$16.54
Norco, Inc.	Cylinder Rental	\$799.89
Offender Watch	Offender Notification	\$90.75
Perkins Oil Co	Fuel	\$378.35
Phillips 66-Conoco-76	Sheriff Dues & Subscriptions	\$32.98
Quill Corporation	Misc. Office Supplies	\$693.89
Rasmussen Furniture	Whirlpool Dishwasher	\$545.85
Rawlins Automotive	Parts	\$1,234.87
Rawlins Glass Center, Inc.	Insulated Glass	\$118.40
Rawlins, City Of	Water Services	\$3,744.90
Ricoh Usa Inc	It Copiers	\$353.12
Ricoh Usa, Inc	It Copiers	\$2,965.66
RNB State Bank	Cat Model 140m3 Lease Payment Oct 2019	\$37,811.30
Rodabaugh, Sherry	Bailiff Services	\$75.00
Safeguard Business Systems	Blank Check Stock	\$319.59
Sanger, John S.	Coroners Bldg. Office Paint	\$2,400.00
Sapp, Kathryn C.	Contract Mental Health Services	\$1,930.92
Saratoga Auto Parts, Inc.	Parts	\$417.36
Saratoga Sun	Misc. Ads	\$505.75
Saratoga, Town Of	Water Services	\$180.25
Schilling & Winn Pc	Legal Services	\$3,046.95
Shepard's	Fuse	\$2,183.29
Shively Hardware	Supplies	\$386.26
Skyline Motors, Inc.	Misc. Mechanic Services	\$297.50
Snake River Press	Legal Ad	\$168.00
Spyglass	Consulting Fee/Monthly Srvc. Elimination	\$4,637.22
Staples Advantage	Misc. Office Supplies	\$232.82
Stinker Stores, Inc.	Fuel/Supplies	\$3,024.03
Summit Food Service	Jail Commissary	\$7,169.90
Swanson Services Corporation	Jail Meals	\$2,301.90
T.W. Enterprises, Inc.	Maintenance On Generator	\$1,447.77

Tandan Sanitation Services	Trash Services	\$80.00
Terminix	Pest Control Services	\$175.00
T-O Engineers	Dwx Master Plan Update Sept-1st-30th	\$19,213.65
Tractor Supply Credit Plan	Tools/Fencing/Laser	\$1,033.87
True Value Of Rawlins	Misc Parts	\$292.35
Trumble Greetings Inc.	Greeting Cards	\$159.32
Us Bank	Various Charges	\$5,211.83
Voiance Language Services Llc	Over The Phone Interpretation	\$18.00
Webster, Matthew S	Mileage It Maintenance In Saratoga/Meeting	\$90.00
Western Plains Business Solut.	Auto Registration Forms	\$1,325.25
Western Truck Repair	Air Governor	\$28.40
Wex Bank	Fuel	\$412.94
Wild Services, Llc	Coroners Bldg Concrete Work	\$18,113.70
Wilson, Margaret	Patches	\$36.00
Woodward & Associates, Inc.	Coroners Bldg Carpet	\$511.00
WY Department Of Agriculture	Food License Renewal 2019	\$100.00
WYDOT	Phrc Vehicle Plate	\$2.00
WYDOT Accounting	Vehicle Titles	\$901.50
WY Machinery Company	Fuel Element	\$101.71
WY State Fire Marshal's Office	Medicine Bow Complex Plan Review Fee	\$3,449.69

CONSENT AGENDA

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the November 5, 2019 regular meeting minutes, monthly receipts for Planning and Zoning in the amount of \$700.00, monthly receipts for Carbon County Clerk in the amount of \$21,603.25, monthly receipts for Clerk of District Court in the amount of 3,444.00, and monthly receipts for Road and Bridge in the amount of \$50.00. Commissioner Moore seconded and the motion carried unanimously.

ELECTED OFFICIALS & DEPARTMENT HEADS

Road and Bridge

Kandis Fritz, Interim R&B Coordinator requested the Chairman's signature on a letter to Tom DeHoff, P.E., and District Engineer for the Wyoming Department of Transportation requesting replacement of the bridge located at Carbon County Road 203, Brush Creek Road, Bridge Structure DML, at Milepost 7.5. Ms. Fritz stated this would put the actual replacement approximately 5 years out on the BROS Program. The current bridge is an older, narrow, one-lane structure and is rated a 4 on the WYDOT bridge report. The ability to cross this bridge safely with the county motor grader, cattle trucks, propane trucks, trash trucks and all other vehicular

travel is limited given the current status of the structure, and replacement of the bridge is necessary for safety purposes and would be beneficial to all.

Commissioner Espy moved to authorize the Chairman's signature on a letter to Tom DeHoff, P.E., and District Engineer for the Wyoming Department of Transportation requesting replacement of the bridge located at Carbon County Road 203, Brush Creek Road, Bridge Structure DML, at Milepost 7.5 and asks for this bridge to be placed on the Wyoming Department of Transportation BROS Program list. Commissioner Barkhurst seconded and Commissioner Jones asked if that program is the cheapest mechanism for replacement. Ms. Fritz stated that yes, this would be cheaper as the county only has to pay a match. Chairman Johnson asked how necessary engineering stamps are, even for cattle guards. Attorney Davis will review the matter and reply later. Commissioner Barkhurst stated that the bridge was built in the 1930's. The motion carried unanimously.

Ms. Fritz talked with Oftedal regarding gravel for the Ellis Pit. She is interested in making an offer for this as it is a 5 mile haul and county staff can do this. She expects the project to cost \$4 per ton. Other pits are almost double for similar quality gravel. The total project would then cost \$80,000 for installation on County Road 121 and 270 taking half from the road fund and half from impact funds. She would like to negotiate the price now and stock pile it on a nearby landowners land until it can be spread in the spring. Commissioner Espy confirmed the gravel would be spread prior to the planned mag chloride being applied next year. The BOCC authorized Ms. Fritz to negotiate a price for gravel. Commissioner Jones did not participate in the discussion or approval of this matter due to a conflict.

Ms. Fritz discussed the Western Star dump truck which again broke down after recent repairs and asked if the BOCC would like to move forward on purchasing a trailer to haul behind an end dump or if we would like to wait since we do not know what the cost is going to be to get the Western Star up and running. Commissioners would like to wait on purchasing a trailer.

Planning and Zoning

Planning Director, Sid Fox presented the Carbon County Natural Resource Management Plan Proposal from Y2 Consultants and requested the Chairman's signature on the Contract for Services. Y2 Consultants provides professional services to conduct research and develop a Natural Resource Management Plan that will be compliant with the Wyoming Federal Natural Resources Policy. He noted he didn't think Attorney Davis has had a chance to review yet. He will look into a request from funds for the Governor's Office to pay for the project. Clerk Bartlett suggested the county add a do not exceed total amount in the Y2 contract of the proposal price of \$50,000.

Mr. Fox discussed Brush Creek's purchase in June 2019 of Green Mountain. In 2001 the prior owner received a conditional zone change from the county in 2001. The zone was conditionally changed from open range to residential. At that time there was no mechanism for a planned unit development (PUD) in the open range zone district therefore the zoning was changed. At the time residential was a concern due to the density of 285 residences proposed. The conditions on the approval was that the landowner would come through the county process at a later date with the PUD. One of the conditions was that the landowner enter into a covenant which stays with the

land regardless of ownership. Today, the discussion would be to potentially amend the covenant to allow for guest services this winter, how would that use be defined and how long the county would grant the use.

There has been a lot of activity on the site and he has been working with the landowner on submitting a PUD. The building permit application for yurts has been issued.

Commissioner Barkhurst stated the original declaration of covenants talk about rezone however some of the proposed amendment language discuss commercial use. He wondered how this fits with the zoning. Mr. Fox stated the approval of residential comes with the PUD. He added Carbon County has a two-step process for building permit and in this case he conditioned the building permit to the PUD approval. The proposed amendments run through March 2020 and he asked if it is appropriate to put a timeframe on covenants tied to the land. Mr. Fox thought the timeframe provides incentive for Brush Creek to get the matter before the county in the form of a zoning application.

Commissioner Jones asked if the covenant goes away if the PUD is issued and Mr. Fox stated it could go away.

Matt Kim-Miller from Holland & Hart and Gayle Grider McDonald representing the owner discussed the matter. He would like concrete timelines for a PUD rezone to be in front of the commissioners.

He proposed working with staff to come up with the proposed services, working on an amendment to the covenants for the BOCC's consideration. He would like a deadline for a sketch plan for the PUD on May 15, 2020, and a deadline to present the final PUD to the county by the end of 2020. He qualified the May 15 deadline that they may ask for another season to develop the final PUD at that time. The reason they would like the winter recreation plan for now is they don't know the mountain and what would be best for both the site, users and neighbors.

Attorney Davis asked for the time to work on a proposed amendment on the covenants with Brush Creek with a decision by the BOCC at a future meeting. If a PUD sketch plan comes next spring would the BOCC want to request public input now or wait until next year.

Commissioner Espy likes the adaptive management approach however and he would like to see a sketch plan next year followed by public comment then he would be inclined to fine tune the plan the second year.

Commissioner Jones asked if the covenant amendment would be in place prior to activity this year. Attorney Davis stated that in theory, if the task can be accomplished by the BOCC's December 3 meeting then yes. Commissioner Jones would also like to see a sketch plan.

Commissioner Barkhurst feels public comment is important and that everyone gets treated the same when they come in for a permit. The BOCC agreed to proceed as proposed by Mr. Kim-Miller.

Buildings & Grounds

Buildings & Grounds Manager Jim Piche reported the jail roof is about 70% completed and they hope to be completed next week pending weather. Big Horn Roofing should start the Jeffrey Center roof upon completion of the jail. The Encampment Road & Bridge shop roof top coat will be installed next spring or summer due to curing time noting it should not leak in the meantime. The Saratoga Library roof is 65% complete and possible completion by the end of this week and Encampment will be next. Lighting upgrades to LED are complete at the Rawlins Road & Bridge shop, Encampment ambulance garage at the Road & Bridge Shop and the Medicine Bow Senior Center. The Baggs Senior Center still needs done and he plans this for next year.

Sheriff

Sheriff Archie Roybal sent three new supervisors to training at the state academy. The dispatch furniture install should be the week of December 2. The de-escalation class was recently held. Sheriff Roybal said he recently met with Encampment about their lack of a law enforcement officer, Baggs has hired one and Medicine Bow has closed out their application process and hopefully will proceed with hiring soon. He continues to provide assistance to these municipalities as he can and Commissioner Jones thanked him for the assistance.

Treasurer

Treasurer Patty Bentsen reported that Sheriff Roybal assisted her office in having temporary workers obtain required driving permits while working in Wyoming. In addition the final 2008 specific purpose tax funds will be dispersed for operations & maintenance this week.

Attorney

County Attorney, Ashley Davis replied to the earlier question about an engineer's stamp required for bridges or cattle guards. She stated bridges do need engineering approval however cattle guards do not.

She requested the Chairman's signature on a letter to Memorial Hospital of Carbon County regarding the hospital billing for an emergency detention that occurred November 5, 2018 and the bill wasn't received until November 12, 2019. The County has adopted standards for emergency detention billing, and one of the standards requires submission of bills within one (1) year of the date of the initial service. Ms. Davis request that Carbon County not process the bill because it is untimely.

Commissioner Jones moved to authorize the Chairman's signature on the letter to Memorial Hospital of Carbon County denying payment on a claim for an emergency detention due to the untimely billing. Commissioner Moore seconded and the motion carried unanimously.

Attorney Davis stated that she and Sheriff Roybal are actively working on a replacement for Glenn Biggs. At this time the initial emergency detention determination can be done by the Carbon County Counseling Center. She suggests posting the job.

Attorney Davis stated the Rawlins Daily Times published an article about the lack of a public defender in the county. She stated this is inaccurate and that there is one strictly designated for Carbon County and there are 2-3 other attorneys filling a partial position of the county from the Laramie office.

Clerk

Gwynn Bartlett, County Clerk requested the Chairman's signature on the Blue Cross Blue Shield Administrative Services Agreement for services they provide for the county's health insurance program. She noted the fee per participant per month has increased from 3% from \$53.05 to \$54.65.

Commissioner Moore moved to authorize the Chairman's signature on the Blue Cross Blue Shield Administrative Services Agreement. Commissioner Barkhurst seconded and the motion carried unanimously.

Ms. Bartlett, presented the 2020 commissioner meeting schedule for adoption. She proposed moving the second August and first November meetings to one week later than usual due to 2020 elections.

Commissioner Espy moved to adopt the 2020 Commissioners Meeting Schedule. Commissioner Moore seconded and the motion carried unanimously.

Ms. Bartlett requested the Chairman's signature on Amendment One to the Homeland Security grant for the CodeRed subscription. The purpose of the amendment is to extend the term of the Grant through October 15, 2020 so the period covers the CodeRed subscription period. The original grant expired June 30, 2020.

Commissioner Barkhurst moved to authorize the Chairman's signature on the Amendment One to the Grant Between Wyoming Office of Homeland Security and County of Carbon for the CodeRed Subscription extending the term through October 15, 2020. Commissioner Espy seconded and the motion carried unanimously.

Ms. Bartlett presented lease purchase quotes in the amount of \$487,584.00 for one blade and an end dump/trailer combo for a term of 5 and 7 years with no prepayment penalty. Kinetic Leasing quoted 2.99% for a 5 year term and 3.14% for a 7 year term noting the quoted rate is floating until lease commencement. This also isn't clear if there is or is not a prepayment penalty. Bank of Commerce quoted 3.75% for a 5 year term and 3.95% for a 7 year term. Pinnacle Public Finance quoted 2.78% for a 5 year term and 2.85% for a 7 year term for a lease with no prepayment penalty and 2.54% for 5 years and 2.61% for 7 years if the lease were to be paid early. If paid early the price would be 102% of the remaining principal balance. Rawlins State Bank quoted 3.59% for a 5 year term and 3.75% for a 7 year term.

Commissioner Espy moved to accept lease purchase quote from Pinnacle Public Finance at a 2.54% for a term of 5 years for the lease/purchase of one blade and one end dump truck. Commissioner Jones seconded and the motion carried unanimously.

Citizens & Commissioners Discussion

Commissioner Moore reported he recently attended leadership training. Commissioner Jones reported the bid opening for the runway repair at the Dixon Airport will be in the Clerk's Office November 25 at 2 p.m. December 10 at 5 p.m. in Baggs the second master plan meeting will be held.

Chairman Johnson requested the clerk schedule a lunch meeting January 7 with the county's state representatives and senator regarding the upcoming legislation. Commissioner Moore suggested that each meet with commissioners and other county officials quarterly throughout the year as well.

Commissioner Espy reported that he was asked by the Sage Grouse Implementation Team to devise a guide book to implement an executive order concerning sage grouse.

Executive Session

Commissioner Espy moved to go into executive session at 10:48 a.m. with Attorney Davis, Patty Bentsen and Clerk Bartlett to discuss matters of personnel, potential litigation and other matters considered confidential by law. Commissioner Barkhurst seconded and the motion carried unanimously.

Patty left the session at 11:00 a.m.

Commissioner Espy moved to come out of executive session at 11:01 a.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Moore seconded and the motion carried unanimously.

Platte Valley Healthcare Project

Will Faust, Chairman of the Committee for the Platte Valley Healthcare Project along with Secretary/Treasurer George Haigh and Laura Bucholz of the Corbett Medical Foundation reported their group is tasked by the Corbett Medical Foundation to provide solutions to a long-term problem of healthcare in the Platte Valley. They have landed on the need for the development of a new critical access hospital in Saratoga.

The group requested a letter of support from the BOCC for their USDA funding application for the proposed hospital. They must come up with a 20% match however they do not foresee a major issue with that.

Commissioner Jones clarified that the proposal varies from the services the Memorial Hospital of Carbon County provides and asked if there is a possibility that MHCC could be the next level of

care that Saratoga could refer patients to. Mr. Faust stated that he feels the two can work cooperatively to provide healthcare in the county.

Commissioner Espy moved to authorize the Chairman's signature on a letter to the USDA supporting the Committee for the Platte Valley Healthcare Project's funding application. Commissioner Barkhurst seconded and the motion carried unanimously.

WYDOT, Road and Bridge and GIS

Kandis Fritz, Interim R&B Coordinator wanted help from WYDOT and GIS with the closing of County Road 401 during the winter season.

Tom DeHoff, District Engineer for the Wyoming Department of Transportation, Interim R&B Coordinator and Sarah Hutchins, GIS Specialist discussed seasonal closures on county roads. Navigation companies direct individuals to specific routes to get their destination creating issues on less traveled and at times closed and impassable roads.

The proposed Memorandum of Understanding (MOU) between WYDOT and Carbon County would provide the public information WYDOT's pre-trip information systems to include text and map-based websites, the 511 mobile app, and the 511 Notify text and email alerting system for County Road 401 south of Rawlins. All county roads cannot be listed however the closure can be treated as a local travel only route, seasonal closure or as an incident where individuals within a 5 mile radius would be notified. Commissioner Espy suggested a seasonal closure when Highway 70 closes.

Commissioner Moore moved to authorize the Chairman's signature on the Memorandum of Understanding between Wyoming Department of Transportation and Carbon County defining procedure for reflecting providing county road information on WYDOT's pre-trip information systems to include text and map-based websites, the 511 mobile app, and the 511 Notify text and email alerting system. Commissioner Barkhurst seconded and the motion carried unanimously.

ADJOURNMENT

Commissioner Espy moved to adjourn the meeting at 12:09 p.m. Commissioner Moore seconded and the motion carried unanimously.

A regular meeting of this Board will be held Tuesday, December 17, 2019 at 9:00 a.m. at the Carbon County Courthouse, 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 or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.