

**REPORT TO THE  
MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, July 6, 2021  
Carbon County Courthouse, Rawlins, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, July 6, 2021 at 9:00 a.m. at the Carbon County Courthouse in 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**

Chairman Johnson added a contract under the Attorney for the Dixon Airport.

**VOUCHERS**

Commissioner Barkhurst moved to approve the report of expenditures in the amount of \$87,306.31. Commissioner Espy seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
Advanced Network Management, Inc.	Professional Service Fees	\$9,172.12
Bank of Montreal - Mastercard	Misc. Charges	\$10,670.77
Barch Industries, LLC	Jail Shower Floor	\$25,556.00
Capitol Communications	IT Telephone Services	\$1,575.75
CDW Government, Inc.	Ink	\$10,036.20
Clerk of Dist. Court (Jurors)	Jurors for District Court Fees	\$5,295.76
F & S Trucking, Inc	Water for Mag Chloride	\$4,070.00
Fatbeam LLC	Took Credit Twice	\$3,178.34
Further	Health Reimbursement	\$7,493.16
Quill Corporation	Misc. Office Supplies	\$131.29
Ricoh USA Inc	IT Copiers	\$716.43
Ricoh USA, Inc	IT Copiers	\$5,884.72
State of Wyoming A & I	Mainframe Services	\$23.27
Tyler Technologies, Inc	Eagle License and Maintenance	\$2,790.00
WY Retirement System	Volunteer Fire Pension	\$712.50

**CONSENT AGENDA**

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the June 15, 2021 regular meeting minutes, June 23,

2021 Special Meeting Minutes, monthly receipts from Planning and Development in the amount of \$3,100.00, monthly receipts from Road and Bridge in the amount of \$100.00, monthly receipts from Carbon County Clerk in the amount of \$41,860.00, a bond for Ashley Masselink, Clerk for the Town of Sinclair, in the amount \$50,000.00, a bond for Brandon D. Taylor, Treasurer for Carbon County School District #1, in the amount of \$50,000.00, a bond for Lindsey West, Deputy Treasurer for Carbon County in the amount of \$10,000.00, a bond for Jana Cook, Clerk/Treasurer for the Town of Riverside, in the amount of \$50,000.00, a bond for Courtney E. Priest, Treasurer for Carbon County School District #2 Recreation Board in the amount of \$10,000.00 and Notice of County Valuation Changes in the amount of (\$81,976.00). Commissioner Moore seconded, and the motion carried unanimously.

## **ELECTED OFFICIALS & DEPARTMENT HEADS**

### **Emergency Management**

Lenny Layman, Emergency Management Coordinator presented Amendment Four to the Grant Agreement between the Office of Homeland Security and County of Carbon for Chairman's signature. The increase covers a 100% match to Tall Grass Energy's recent donation.

Commissioner Jones moved to approve Amendment Four to the Grant Agreement between the Office of Homeland Security and County of Carbon for the purpose of increasing the agreement dollar amount by \$1,500.00 for a total of \$46,500.00. Commissioner Barkhurst seconded, and the motion passed unanimously.

Mr. Layman reported the Fairgrounds assessment for the Fair Safe program occurred last week. He presented a proposal from Motorola Solutions for the Carbon County Coordination Center (C4) Communications Project which would include a remote dispatch console. Because the City of Rawlins has already purchased the interface, Motorola will reduce their price for the unit to work seamlessly with Rawlins.

Mr. Layman thanked Sheriff Roybal for the "High Fire Danger No Fireworks in Carbon County" posting on the WYDOT message boards. Mr. Layman stated that on August 11, 2021 at 12:20 p.m. there will be an Emergency Alert System and Wireless Emergency Alerts (WEA) test. If individuals are interested, they can call, text or email to opt in. Mr. Layman also stated that the Public Information Officer Training Course will be held next week at the Carbon County Coordination Center (C4).

### **Road & Bridge**

Kandis Fritz, Road & Bridge Coordinator requested and received authorization to apply for a Congestion Mitigation Air Quality grant for magnesium chloride application on county roads. The roads will be determined during the application process.

Ms. Fritz requested authorization to enter into an agreement with One Bar Eleven for temporary access across their bridge at Beaver Creek.

Commissioner Moore moved to authorize any commissioner to sign an agreement with One Bar Eleven for temporary bridge access at Beaver Creek after Attorney review. Commissioner Barkhurst seconded, and the motion carried unanimously.

Kandis presented a Cooperative Agreement Between the Wyoming Department of Transportation and Carbon County for Federal Project STP-BROS CN06068, bridge over North Platter River Structure DML (County Road 203) for Chairman's signature. The project is likely 5 years out on the BROS program however she is concerned the bridge may need replaced sooner. The BOCC asked her to determine if the bridge could be changed and they were concerned with the amount of money in engineering the state could have tied up to pull this bridge out. They will consider the agreement after she determines how to proceed. Commissioner Barkhurst reported ice dams that come down stream caused the bridge to be raised and thought that if the bridge were moved this should be considered. Commissioner Jones asked Ms. Fritz to investigate the cost to the county if providing engineering and replacement outside the BROS program.

Kandis reported on various traffic count speeds and numbers noting counters were out for 12 days. On County Road 203 7,015 vehicles crossed the counters. The speed on that road is posted 45 mph, 3,426 went faster than the speed with the average speed 50, top speed 93. She had a second counter on the same road and 1,295 vehicles crossed with a posted speed limit of 10 mph, the average speeds were 43-50 mph. Counters were also on County Road 660 with 1,203 vehicles crossing with speeds up to 81 mph; the Fish Hatchery Road for one week was 1,273 vehicles crossing with speeds up 75 mph to with a posted limit of 35 mph; Lake Creek Road near Old Baldy with an average of 182 vehicles per day with speeds up to 81 mph; and the Cherokee Road for 6 days had 179 per day with posted limit of 35 mph and speeds up to 81 mph.

Commissioner Moore asked about purchasing a camera and sending tickets later as the data clearly proves the need for monitoring and then reviewing the same data after increased patrols if possible.

Mrs. Fritz presented proposals for engineering for a culvert replacement on County Road 15. Proposals were received from Engineering & Associates in the amount of \$29,900.00 and WLC Engineers for \$29,330.00. The BOCC asked Ms. Fritz to review these with her foreman in the area and report back with a recommendation.

Chairman Johnson reported he received a comment from a citizen on the Pass Creek Road. He personally viewed the road and didn't feel it was dangerous but could use some maintenance. He complimented the department on their handling of complaints.

### **Buildings & Grounds**

Jim Piche, Buildings & Grounds Manager presented proposals to update Jail HVAC controls & system to NE4, Dynamic Controls. These controls will be consistent with the new controls that the Carbon Building and Courthouse will have. There is a license for each facility, and each can be compatible with each other. Proposals were received from Long Technologies for \$30,885.00 and Dynamic Controls proposed \$28,957.00 and he noted they will go through the entire jail to review all controls for this price. The only thing not included in Dynamic Control's price are parts

however Mr. Piche stated that parts to make the system compliant are included. He doesn't anticipate any major parts. Mr. Piche recommended using Dynamic Controls.

Commissioner Espy moved to waive the procurement policy and use Dynamic Controls to update the Jail HVAC controls to NE4, dynamic controls in the amount of \$28,957.00 and only after legal review. Commissioner Moore seconded and the motion carried unanimously.

Mr. Piche asked what the BOCC would like to do with the Interim Justice Center back parking lot. He received a proposal from STC Construction to pave the lot 4" base with 2" asphalt for \$30,380.00 and 71 Construction for the same work for \$61,837.00. He also suggested the top could be bladed and roto mill laid down. Gwynn questioned if this had been bid and wanted to ensure both contractors quoted the same area. Mr. Piche said no it had not been bid but the area was 1,736 square yards material, an area of approximately 100' by 140'.

Commissioner Espy moved to waive the procurement policy and approve the bid from STC Construction in the amount of \$30,380.00 to lay 4" base with 2" asphalt at the Interim Justice Center and have the clerk add this to the next fiscal year's budget noting the approval is after attorney review. Commissioner Moore seconded and Commissioner Barkhurst asked how the county tests quality. Mr. Piche stated he is confident the product STC is putting out is sufficient. The motion carried unanimously.

Matt Webster, IT Director joined Mr. Piche and presented a quote from Dynamic Controls. Long had originally quoted the same work for four county buildings however based on the Carbon Building and Courthouse remodel those buildings were included in the county's already contracted price. The only thing needed now is software support and licenses for the jail. The quoted amount from Dynamic Controls was \$7,550.00. Long's price for the jail was approximately \$11,000 according to Mr. Webster. Neither budgeted the amount but Mr. Webster stated he can absorb this in his budget.

Commissioner Espy moved to approve the contract for the software license renewal for the jail cameras and access control systems with Dynamic Control in the amount of \$7,550.00 and to have the clerk add this into the IT budget for next fiscal year. Commissioner Barkhurst seconded, and the motion passed unanimously.

Chairman Johnson asked Mr. Piche to follow the county's procurement policy in the future.

### **Clerk**

Sally Patton presented four Prevention Project Subgrantee Contracts for Carbon County for Commissioner approval. These agreements are for various services however Clerk Bartlett wasn't familiar with how funding would flow though the county and didn't recall having a grant agreement in place for the funds. She asked for time to get with Steve Hamaker of Great Wyoming Big Brothers Big Sisters to find out more information. Sally introduced Tracy Young noting Tracy will be taking over many of her duties related to these agreements.

## **Fire Warden**

John Rutherford, Interim Fire Warden presented a Grant Agreement between the State of Wyoming, Office of State Lands and Investments, Forestry Division and Carbon County for a State Fire Assistance Grant for Chairman's signature

Commissioner Jones moved to approve the Grant Agreement between the State of Wyoming, Office of State Lands and Investments, Forestry Division and Carbon County for a State Fire Assistance Grant for a term ending July 1, 2022 in the amount of \$5,000.00. Commissioner Barkhurst seconded, and the motion passed unanimously.

Fire Warden Rutherford discussed the potential for fire restrictions to be placed within the county but noted that with recent moistures he feels it is not time to make any recommendations. He does have a resolution ready for when the time comes for restrictions.

Mr. Rutherford requested and received approval to purchase rescue equipment from TB Flats impact fund. He noted he has \$15,000 in that fund and quotes were received from rescuedirect.com \$15,445.15 and LN Curtis \$13,658.00. He noted he has some funds for training however Sinclair Refining Company covered the training for the county.

Chairman Johnson noted the BOCC never made it official that Mr. Rutherford is the permanent Fire Warden.

Commissioner Espy moved to appoint Interim Fire Warden, John Rutherford as the county's permanent, full-time Fire Warden. Commissioner Jones seconded and the motion carried unanimously.

## **IT**

Matt Webster, Carbon County IT Director presented a quote for the renewal of the Microsoft Annual Software License for approval. This quote is with a new company and represents a nearly 10% discount per license of what we were paying previously. However, we are adding 20 licenses for two reasons: 1) Because we have run out several times and have had to disable some users to get others activated and 2) Because we need several licenses for the C4 users we are adding. The additional licenses used for the C4 will be paid out of Lenny's budget. This will be a grand total of \$1,827.30 more per year, but with the Emergency Management budget paying \$2,841.21, it will be a net reduction on the IT Dept costs of \$1,013.91 and a net gain of 11 licenses.

Commissioner Moore moved to approve the renewal of the Microsoft Annual Software License from Advanced Network Management, Inc in the amount of \$53,667.30 for Office 365 licenses. Commissioner Barkhurst seconded, and the motion passed unanimously.

Mr. Webster presented a quote from Advanced Network Management, Inc for wireless access points (Wi-Fi) to be ordered and installed in the 1<sup>st</sup> and 3<sup>rd</sup> floors of the Carbon Building – Courthouse Annex. The quote is for \$14,221.94 but it does not include any of the access points for

the 2<sup>nd</sup> floor of the building and none for the courthouse. This needs to be ordered as soon as possible due to the semiconductor shortage noting the delay is 90-100 days.

Commissioner Moore moved to approve the purchase of the wireless access points for the Carbon Building – Courthouse Annex from Advanced Network Management, Inc in the amount of \$14,221.94. Commissioner Espy seconded and the motion passed unanimously.

Mr. Webster reported that he has been spending most of his time at the Carbon Building getting things setup for county departments. Long is the contractor for various security systems and that work should have been done weeks ago however none of this is operational at this time. Long is a subcontractor of FCI for the security work and a subcontractor of Sheet Metal Specialties for HVAC work. Matt stated that he has a meeting scheduled for today with various Long representatives and FCI. Clerk Bartlett asked Matt to let Commissioners Espy, Johnson and herself know about these things immediately before they become a larger issue.

### **RURAL SCHOOLS ACT FUNDING – Public Hearing**

Chairman Johnson opened a public hearing at 10:52 a.m. to hear public comments if any for the use of Secure Rural Schools Act funds. Clerk Bartlett reported notice of this public hearing was published May 5, 2021. Chairman Johnson called for comments for or against and there were none.

There being no comments, Chairman Johnson closed the hearing at 10:54 a.m.

Commissioner Moore moved to use Secure Rural Schools Act funds for any of the allowable purposes as follows: to carry out activities under the Firewise Communities program, to reimburse the participating county for search and rescue and other emergency services, including firefighting and law enforcement patrols, to cover training costs and equipment purchases directly related to emergency services described in paragraph, and develop and carry out community wildfire protection plans. Commissioner Jones seconded and the motion carried unanimously.

### **Road & Bridge**

After speaking with the area foreman and Commissioner Espy, Ms. Fritz returned and recommended hiring WLC Engineers to engineer a culvert replacement on County Road 15.

Commissioner Espy moved to authorize any commissioner to sign documents to hire WLC Engineers to engineer a culvert replacement on County Road 15 in the amount of \$29,330.00. Commissioner Jones seconded and the motion carried unanimously.

Kandis also provided an update on the bridge discussed earlier. The bridge could not be replaced with another bridge if the county had to replace this one sooner than the BROS program would allow and this could be more than 5 years, especially because this is a historic bridge. The BOCC would like to pursue other funding options for replacement. The BOCC would like estimated costs of replacement and would then decide.

### **Commissioners - County Health Officer**

Clerk Bartlett reported that responses to the County Health Officer request for proposals were received from Susanne Levene, MD, Dr. Duane Abels and Dr. Marvin Wayne Couch II. Amanda Brown, Public Health Nurse Manager reported that she sees benefits of having a local doctor however she has had a positive experience with Dr. Couch. He understands how they operate and has the established relationship with other health officers around the state. She thought that having a doctor not tied to any facility is beneficial and avoids any potential conflict of interest. Dr. Couch brought a lot of firsthand experience from Colorado Covid-19 patients as he worked with those individuals directly and he was able to help all of Wyoming.

Commissioner Jones stated the decision should be about the job, not about where the individual lives and thought Dr. Couch should be contracted with again. Commissioner Barkhurst stated of all the things he has been involved with as a board member this has brought the most comments therefore, he admitted he was still struggling. He also declared he didn't have enough information from the other two applicants to make a recommendation. Commissioner Espy stated the major issue he heard was questions about why the county is sending county money to Colorado. Commissioner Moore stated that for Dr. Couch to stay the course after the last year was positive and to simply switch caused him pause. He was also positive about Dr. Abels.

Commissioner Barkhurst clarified that the board has the right to give 30 days' notice to the chosen provider to terminate the contract. Ms. Brown stated that she felt Dr. Couch would still have to be used during the transition. Commissioner Jones said the county needs to ask if the hospital's liability insurance will cover Dr. Abels as a County Health Officer if selected, as the insurance that he provided was with MHCC.

Attorney Davis suggested using the State Health Officer's license during the transition or having an interim contract with Dr. Couch. The BOCC asked Ms. Brown to find out some answers and return.

#### **APPROVAL OF FINANCING DOCUMENTS FOR SPECIAL PURPOSE TAX PROJECT**

Ryan Jardin of Kutak Rock presented a resolution for financing the portion of the county's specific tax project, the Courthouse and Carbon Building improvements, that the tax won't cover. The resolution allows the county to enter a site lease and finance up to \$10 million to complete its project. Michael Persichitte with RBC, the county's financial consultant for this transaction, noted the interest rate has reduced since the county began this process and the county has the option to pay this off at any time.

Commissioner Jones moved to approve Resolution No. 2021-24, A Resolution authorizing Carbon County, Wyoming to finance the project described herein including but not limited to the costs of the planning, construction, furnishing, equipping, acquiring materials for improvement of land, including the renovation of the Carbon County Courthouse and the payment of rental payments and the costs of the financed project, and authorizing the execution and delivery of a site lease, a lease with option to purchase and other documents described herein, with respect to the lease and leaseback of certain real property as part of a financing arrangement and ratifying, approving and

confirming previous actions of officers and members of the governing body of the county and employees thereof. Commissioner Barkhurst seconded, and the motion passed unanimously.

**RESOLUTION NO. 2021-24**

**A RESOLUTION AUTHORIZING CARBON COUNTY, WYOMING TO FINANCE THE FINANCED PROJECT DESCRIBED HEREIN INCLUDING BUT NOT LIMITED TO THE COSTS OF THE PLANNING, CONSTRUCTION, FURNISHING, EQUIPPING, ACQUIRING MATERIALS FOR IMPROVEMENT OF LAND, INCLUDING THE RENOVATION OF THE CARBON COUNTY COURTHOUSE AND THE PAYMENT OF RENTAL PAYMENTS AND THE COSTS OF THE FINANCED PROJECT, AND AUTHORIZING THE EXECUTION AND DELIVERY OF A SITE LEASE, A LEASE WITH OPTION TO PURCHASE AND OTHER DOCUMENTS DESCRIBED HEREIN, WITH RESPECT TO THE LEASE AND LEASEBACK OF CERTAIN REAL PROPERTY AS PART OF A FINANCING ARRANGEMENT AND RATIFYING, APPROVING AND CONFIRMING PREVIOUS ACTIONS OF OFFICERS AND MEMBERS OF THE GOVERNING BODY OF THE COUNTY AND EMPLOYEES THEREOF**

**W I T N E S S E T H:**

**WHEREAS**, Carbon County, Wyoming (the “County”) is a duly organized and existing political subdivision of the State of Wyoming; and

**WHEREAS**, the County determined to fund the planning, construction, furnishing, equipping, acquisition of materials for the and improvement of land and to the payment of lease service payments thereon for the specified projects, including the renovation of the Carbon County Courthouse (the “Financed Project”); and

**WHEREAS**, the County plans to enter into a financing arrangement for the Financed Project whereby NBH Bank (the “Bank”) will provide the County with an authorized funding in the amount not-to-exceed \$10,000,000; and

**WHEREAS**, in order to accomplish the financing arrangement, the County will lease the property upon which the Financed Project authorized to be renovated to the Bank under the terms of a Site Lease, as hereinafter defined; and

**WHEREAS**, the County shall lease such property from the Bank pursuant to the Lease, as hereinafter defined, and

**WHEREAS**, the Governing Board of the County (the “Board”) wishes to designate the Lease as a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”); and

**WHEREAS**, in accordance with the financing arrangement, it is necessary and desirable for the County to take the following action:

(a) enter into the Site Lease (the “Site Lease”), between the NBH Bank (the “Bank”) and the County, pursuant to which the County, as lessor will lease the Leased Property to the Bank;

(b) enter into the Lease with Option to Purchase (the “Lease”), by and between the Bank and the County, pursuant to which the County, as lessee will lease the Leased Property from the Bank with an option to purchase; and

(c) take such actions, expend such funds, and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution and to carry out, comply with, and perform the duties of the County with respect to the Lease.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF CARBON COUNTY, WYOMING:**

1. All action (not inconsistent with the provisions of this resolution) heretofore taken by the governing body of the County and the officers, employees, and agents of the County directed toward financing or reimbursing the cost of the Financed Project and the related financing arrangement therefor be, and the same is hereby, ratified, approved, and confirmed.

2. The Site Lease, the Lease, and any other related ancillary documents (collectively, the "County Documents") are approved in substantially the same form as the documents previously provided and on file with the County, with such changes therein as approved by a Designated Officer, as hereinafter defined, and approved as to form and content by the County Attorney's Office. Each County Commissioner and officer (each a "Designated Officer") is authorized and directed to execute, seal, and provide attestation, if necessary, and deliver the County Documents, on behalf of the County, after approval of the County Attorney. The execution and attestation of the County Documents by any of the Designated Officers shall be conclusive evidence of the County's final approval thereof.

3. The following parameters with respect to the Lease, and any other related ancillary documents are hereby established:

(a) The maximum principal amount of the Lease shall not exceed \$10,000,000, and shall be disbursed as a drawdown financing pursuant to the Lease.

(b) The Lease payments shall commence on 12/1/2021 and mature on June 1, 2041.

(c) The interest rate on the Lease shall be fixed at (3.36%).

(d) Interest payments shall be paid semi-annually on a 30/360 basis consisting of twelve, thirty-day months, and shall commence on or after December 1, 2021.

(d) The Lease shall be pre-payable at any time as described in the Lease.

(e) The Lease shall be secured by all legally available funds, subject to annual appropriation of the County.

(f) Interest on the Lease shall be tax-exempt and the Lease shall be a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Code.

4. The County shall, and the County's officials, agents, and employees, including but not limited to the Designated Officers, are authorized, and directed to take such actions, expend such funds, and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution and to carry out, comply with, and perform the duties of the County with respect to the Lease.

5. This resolution shall take effect and be in full force from and after its adoption by the governing body of the County.

**Adopted** by Carbon County, Wyoming, the 6<sup>th</sup> day of July 2021.

CARBON COUNTY, WYOMING

By -s- Willing John Johnson, Chairman

Attest:

By: -s- Gwynn G. Bartlett, County Clerk

## **Planning and Development**

Sarah Brugger, Planning Director provided an update on wind development in Carbon County. She noted that PacifiCorp essentially bid work as part of their Vision 2020 and 6 projects are slated for development in the county including Two Rivers and Rock Creek I. Rock Creek II and Boswell Springs are in Albany County however will affect Carbon County. These two will have transmission lines which will require conditional use permits.

## **Treasurer**

Patty Bentsen, County Treasurer reported 349 properties will be sold at tax sale next week.

## **Attorney**

County Attorney Ashley Davis reported she received the T.Y. Pickett valuation contract for 2021 and 2022. This is a standard contract used in the past however they have added A Bar A ranch to the contract this year. Commissioner Jones asked if the entire holdings of Brush Creek and Three Forks were included in the contract. Attorney Davis stated that she does not have the answer to that and would prefer to consult with the County Assessor first.

Commissioner Jones moved to authorize any commissioner to sign the Contract with Thos. Y. Pickett & Co., Inc. (T.Y. Pickett) for valuation services for 2021 and 2022 in the amount of \$56,000.00 per year contingent upon verification that all holdings of Brush Creek, Three Forks, A Bar A operations and all other properties listed in the contract are included. Commissioner Barkhurst seconded, and the motion passed unanimously.

Chairman Johnson talked with County Assessor Renee Snider about possibly using TY Pickett for assessment services of windfarms and similar projects and Ms. Snider basically said she called the WY Department of Revenue who told her it would basically be a waste of county money as the state will use data, they receive from the project companies self-reporting. Commissioner Jones thought that the BOCC should reach out to TY Pickett and discuss this further.

## **Clerk**

Gwynn Bartlett, Carbon County Clerk requested to ratify Chairman Johnson's signature on the U.S. Department of Treasury Coronavirus State and Local Fiscal Recovery Funds Agreement.

Commissioner Moore moved to ratify the chairman's signature on the U.S. Department of Treasury Coronavirus State and Local Fiscal Recovery Funds Agreement to cover eligible costs incurred during the period that begins on March 3, 2021 and ends December 31, 2024. Commissioner Jones seconded and the motion passed unanimously.

Clerk Bartlett reported that Lee Ann Stephenson has submitted a letter of resignation from the Carbon County Senior Services Board effective immediately.

Commissioner Jones moved to regretfully accept the letter of resignation from Lee Ann Stephenson from the Carbon County Senior Services Board. Commissioner Barkhurst seconded, and the motion carried unanimously.

Clerk Bartlett requested to ratify Chairman Johnson's signature on Amendment One to Real Property Lease No. 8-09716 between Carbon County Commissioners and State of Wyoming, Department of Administration & Information General Services Division for Department of Family Services' office space at the Carbon Building-Courthouse Annex.

Commissioner Moore moved to ratify the chairman's signature on the Amendment One to Real Property Lease No. 8-09716 between Carbon County Commissioners and State of Wyoming, Department of Administration & Information General Services Division for Department of Family Services' office space located at the Carbon Building-Courthouse Annex, for the purpose of extending the term of the lease through June 20, 2023, update the payment table to reflect the cost of the extended term and revise the tenant's address. Commissioner Barkhurst seconded, and the motion passed unanimously.

Clerk Bartlett requested to ratify Chairman Johnson's signature on Amendment One to Real Property Lease No. 8-09274 between Carbon County Commissioners and State of Wyoming, Department of Administration & Information General Services Division for Public Health office space on the 3<sup>rd</sup> floor of the Carbon Building-Courthouse Annex.

Commissioner Moore moved to ratify the chairman's signature on the Amendment One to Real Property Lease No. 8-09274 between Carbon County Commissioners and State of Wyoming, Department of Administration & Information General Services Division for Public Health office space located on the 3<sup>rd</sup> floor of the Carbon Building-Courthouse Annex, for the purpose of extending the term of the lease through June 20, 2023, update the payment table to reflect the cost of the extended term and revise the tenant's address. Commissioner Barkhurst seconded, and the motion passed unanimously.

Clerk Bartlett requested the Chairman's signature on the Annual Compensation Agreement for the Extension Office for Emily Haver who assists and encourages the development of 4-H Youth Development Programming.

Commissioner Espy moved to authorize the Chairman's signature on the Annual Compensation Agreement for the Extension Office for Emily Haver in the amount of \$21,048.00 for a term beginning July 1, 2021 and ending June 30, 2022. Commissioner Moore seconded and the motion carried unanimously.

Clerk Bartlett presented an Amended and Restated Cooperative Agreement for Urban Systems Funds between the Wyoming Department of Transportation (WYDOT), Carbon County and the City of Rawlins for approval. Gwynn discussed her concern for the fact that the agreement calls for the City and/or County to pay a portion of projects however projects aren't done in the county, so she suggested that reference only the city. The BOCC agreed this needed investigated.

Clerk Bartlett discussed moving away from designating levies for the Museum, Fair, Library and anyone else obtaining funds out of the county's 12 mills and rather make a monthly or quarterly payment to those agencies out of the county's department 584 budget. This will simplify things for the Treasurer and make tracking of payments easier. It will also ensure those entities obtain their full amount rather than a potentially reduced amount and make their cash flow more predictable, especially if payments were made monthly. The BOCC had no objection to this process.

#### **WYOMING COUNTY COMMISSIONER ASSOCIATION – JEREMIAH REIMAN**

Jeremiah Rieman, Executive Director of Wyoming County Commissioners Association discussed Senate File SF0060 - Monthly Ad Valorem Taxation of Mineral Production. Also related is HB0159 from the 2020 session.

Historically ad valorem on production has been collected in November and May of the following years or totaled in December but these bills transition those payments to monthly beginning January 2022. So, producers don't have to pay for multiple years at once there is a transition period where the second half of 2020 and all of 2021 taxes will be paid over 13 years beginning in December 2023. Those payments will be distributed to special districts and other entities that levied during those years. The Department of Revenue (DOR) will assess the tax on the previous year's Gross Product Report.

The DOR was also supposed to assess severance tax on annual filers, those owing less than \$30,000 however never did. Counties may end up having to bill that however it still hasn't been done to date.

Under SF60 there is an option for taxpayers to request the ability to opt out and pay either once or twice per year as in the past. Those that acquired property on or after March 24, 2020 are not eligible for the opt-out.

There are also loans available to counties under SF60 to help with shortfalls caused by the transition. The first payment of monthly collections will not make it to counties until April 2022. This means no funds will be received by counties January – March 2022 creating the shortfall. Loans would be available for 13 years at 0% interest and those payments would be made by the counties using the annual payments from companies from their second half of 2020 and all of 2021 ad valorem on production.

DOR is presenting to the Petroleum Association at their annual meeting the end of August and the matter will be discussed at the Joint Appropriations meeting next month.

Mr. Rieman offered that there will likely be some assistance from the Consensus Revenue Estimating Group (CREG) on estimating the monthly payments for county budgeting purposes. This group is a formal, non-statutory, agreement between the executive and legislative branches of state government for revenue projections.

**IT**

Mr. Webster returned, and Chairman Johnson reported he contacted FCI regarding the Long Technologies issues and the county's representative stated he is on the issue. Mr. Webster stated Long is going to send a team of experts tomorrow to be on site until things are up and running.

Mr. Webster discussed a new position in his budget, and he asked if he could begin now. The BOCC agreed he could begin advertising now. There was another position tentatively approved, a facilities specialist and Clerk Bartlett asked which department it would ultimately fall under – Buildings & Grounds or IT. The BOCC agreed to have this start out in IT and see how it works.

### **Treasurer**

Treasurer Patty Bentsen reported she believes nine producing taxpayers have indicated to her they would like to opt out of monthly payments. The BOCC will determine this at its second July meeting.

### **Commissioner**

County Clerk Gwynn Bartlett provided the Statement of Receipts and Expenditures for fiscal year 2020-2021 per W.S. 18-3-515 for approval noting expenditures were \$18,476,861.39 and receipts totaled \$22,556,074.46.

Commissioner Jones moved to instruct the clerk to publish the statement of receipts and expenditures for the fiscal year ending June 30, 2021 per W.S. 18-3-515 to be published in the Saratoga Sun. Commissioner Moore seconded and the motion carried unanimously.

### **ADOPTION OF CARBON COUNTY NATURAL RESOURCE MANAGEMENT PLAN - PUBLIC HEARING (Continued)**

Chairman Johnson opened a public hearing at 2:54 p.m. to hear public comments if any for the proposed adoption of the Carbon County Natural Resource Management Plan.

Clerk Bartlett reported per the Administrative Procedures Act the proposed plan was published April 28, 2021 for public comment however her office has received none.

Chairman Johnson called for comments for or against and there were none. There being no comments, Chairman Johnson closed the hearing at 2:55 p.m.

Commissioner Moore moved to authorize the Chairman's signature on and adopt Resolution 2021-25 A Resolution Adopting the Carbon County Natural Resource Management Plan. Commissioner Espy seconded and the motion carried unanimously.

### **Resolution No. 2021 - 25**

#### **A Resolution of the Board of County Commissioners of Carbon County, Wyoming.** **Carbon County Natural Resource Management Plan**

**WHEREAS**, the Carbon County Board of Commissioners (Board) acknowledges the vast majority of lands in Carbon County are public lands managed by federal and state agencies;

**WHEREAS**, the Board recognizes that federal and state lands are economic and cultural assets to the County that contribute to the stability and character of Carbon County;

**WHEREAS**, the Board recognizes the importance of local involvement in federal and state decision-making related to natural resources on public lands;

**WHEREAS**, the Board acknowledges that comprehensive and responsible management of local natural resources requires equal effort and participation from citizens, as well as local, state, and federal agencies;

**WHEREAS**, the 65<sup>th</sup> Wyoming State Legislature provided funding for counties to develop county natural resource management plans to serve as a basis for communicating and coordinating with the federal government and its agencies on land and natural resource management issues;

**WHEREAS**, at Carbon County Board of County Commissioner's meeting on November 5, 2019, selected Y2 Consultants to assist with preparation of the Natural Resource Management Plan;

**WHEREAS**, the Carbon County Board of County Commissioners entered into and signed a contract agreement with Y2 Consultants to help prepare the Carbon County Natural Resource Management Plan on February, 2020;

**WHEREAS**, the County developed a draft natural resource management plan with the assistance of a volunteer steering committee consisting of members appointed by the Board, as well as utilizing available funding to hire Y2 Consultants to facilitate development of the plan;

**WHEREAS**, the *Natural Resource Management Plan for State and Federal Lands in Carbon County, Wyoming* ("NRMP") identifies objectives and priorities for the use, development and protection of natural resources and land in the County and is based on criteria established by the Governor's office and includes a provision for updating or revising the NRMP;

**WHEREAS**, the draft NRMP was made available for public inspection more than forty-five (45) days prior to the public hearing scheduled for Tuesday, June 15, 2021;

**WHEREAS**, pursuant to Wyo. Stat. Ann. §16-3-101-115, the Carbon County Board of County Commissioners scheduled a public hearing for Tuesday, June 15, 2021, which said public hearing was advertised by public notice at least forty-five (45) days prior to said hearing date take public input and comments on the proposed natural resource management plan;

**WHEREAS**, at the Tuesday, June 15, 2021, public hearing, the Carbon County Board of County Commissioners provided the public the opportunity to comment and for the Carbon County Board of County Commissioners to consider any public comments which were submitted in writing or made at said public hearing on the proposed natural resource management plan;

**WHEREAS**, at the conclusion of the Tuesday, June 15, 2021, public hearing, the Carbon County Board of County Commissioners tabled the request until Tuesday, July 6, 2021;

**WHEREAS**, the Carbon County Board of County Commissioners held and reopened said public hearing on Tuesday, July 6, 2021; and provided the public the opportunity to comment; and

**WHEREAS**, at the conclusion of said Tuesday, July 6, 2021, public hearing, the Carbon County Board of County Commissioners, by majority vote, the Carbon County Board of County Commissioners moved to adopt the "Carbon County Natural Resource Management Plan".

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

That the Carbon County Board of County Commissioners hereby adopts the "Carbon County Natural Resource Management Plan".

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 6<sup>th</sup> day of July 2021.

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

By: -s- Willing John Johnson, Chairman  
On behalf of the Carbon County  
Board of County Commissioners

Attest: -s- Gwynn G. Bartlett, Carbon County Clerk

**Commissioners**

Commissioner Jones presented the FAA American Rescue Plan Act 2021 Grant Funding for Dixon Airport for commissioner approval. The purpose of these funds is to provide economic relief to airports in response to the COVID-19 pandemic. The funds are to be used for costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport and debt service payments. The deadline to apply for these funds is November 30, 2021.

Commissioner Jones moved to approve the Chairman's signature on the Application for Federal Assistance for the Dixon Airport in the amount of \$22,000.00 for costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport. Commissioner Barkhurst seconded, and the motion passed unanimously.

Attorney Davis reported a survey is needed to confirm an area of land at the Dixon Airport that was originally supposed to be deeded from Three Forks to the county but didn't end up on the final deed. The cost would be split between the parties.

Gwynn reported Amanda is still waiting on answers regarding the County Health Officer. The BOCC asked the Clerk to put the final decision on the next agenda.

**EXECUTIVE SESSION**

Commissioner Espy moved to go into executive session at 3:04 p.m. with Clerk Bartlett and Ashley Mayfield Davis, John Rutherford, and Lenny Layman to discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Moore seconded and the motion carried unanimously.

Lenny Layman and John Rutherford left the session at 3:32 p.m. and Patty Bentsen joined.

Commissioner Espy moved to come out of executive session at 3:45 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Moore seconded and the motion carried unanimously.

**ADJOURNMENT**

Commissioner Espy moved to adjourn the meeting at 3:46 p.m. Commissioner Moore seconded, and the motion carried unanimously.

A regular meeting of this Board will be held Tuesday, August 3, 2021 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.