

**REPORT TO THE  
MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, September 19, 2023 @ 2:00 p.m.  
Platte Valley Community Center  
210 W. Elm Ave., Saratoga, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, September 19, 2023, at 2:00 p.m. at the Platte Valley Community Center in Saratoga, WY. Attending the meeting were Chairman, Sue Jones, Vice Chairman Travis Moore, Commissioners John Johnson and John Espy. Commissioner Byron Barkhurst was absent.

Chairman Jones called the meeting to order at 2:00 p.m.

**ADDITIONS / CORRECTIONS**

Commissioner Johnson moved to add a Blue Cross plan change and ASO Group Reopening Request under the Clerk and the FY24 Victim Witness contract under the Attorney. Commissioner Espy seconded and the motion passed unanimously.

**VOUCHERS**

Commissioner Espy moved to approve September 2023 payroll and benefit expenses of \$1,049,857.14, insurance claim and premium expenses of \$455,159.05, the report of expenditures in the amount of \$538,557.97, for an aggregate total today of \$2,043,574.16. Commissioner Moore seconded and the motion passed unanimously.

<b>Vendor</b>	<b>Detail Line Description</b>	<b>Total</b>
Advanced Network Management, Inc.	Managed Services Contract	\$2,315.00
APG Media of the Rockies	Proposed Amendments Ad	\$102.22
ARDURRA	DWX Master Plan Update	\$8,414.93
AXIS Forensic Toxicology, Inc.	Phone Conference/Court Testimony	\$700.00
Baggs, Town of	Office Space Rent and Water Services	\$606.49
BI Inc.	Soberlink	\$2,223.00
Bridger Fabrication	Front Bumper	\$2,482.04
Brown & Hiser LLC	Legal Services	\$860.00
Brown, Amanda	Public Health Travel	\$70.74
Carbon County Veterinary Hospital	Canine Vaccinations-Zeus	\$17.50
Carbon Power & Light Inc	Saratoga R&B Electric Services	\$2,053.58
CareRight Technologies, LLC	Monthly Bed Fee-August 2023	\$189.50
Casper Winnelson Co.	Ice Melt	\$960.00
Charter Communications	Jail Data	\$237.44
CIDNET	Jail Data	\$600.00

Clerk of Dist. Court (Jurors)	Trial Jurors/Bailiffs	\$6,023.20
Colorado State University	Cem Analytical Labs	\$600.00
Contech Engineered Solutions LLC	Cattleguards	\$18,300.00
Corthell and King LLC	Legal Services	\$280.00
Cowboy Chemical	Jail Cleaning Supplies	\$287.55
Cragun, Megan A.	Ph Travel	\$170.06
Custom Fence Company, Inc.	Fence Relocate with Retainage	\$18,191.05
Daily Times	News Paper Subscription	\$488.91
Dirty Boyz Sanitation, Inc.	Trash Services	\$4,791.00
Dominion Energy	Gas Services	\$29.04
Drummond Refrigeration LLC	Replace AC Filters & Ignition Module	\$710.06
Elk Mountain, Town of	Hwy 72 R&B Water Services	\$59.50
Ellis, Michelle	Mileage/Witness Fees	\$61.20
Encampment, Town of	R&B Water Services	\$102.00
Fatbeam LLC	Fiber and Internet	\$5,170.00
FedEx	Shipping Charges	\$82.00
Fernandez, David Joseph	Mileage/Witness Fees	\$61.20
France, Tara	Court Reporter	\$198.25
Fritz Welding & Machine, Inc.	Crowsnest Welding, Labor, & Parts	\$50,072.71
Gallant, John	Soberlink Refund	\$658.50
Galls/Quartermaster	ID Labels	\$612.00
Greater WY Big Bros/Sisters	August 2023 Prevention	\$5,195.63
Guardian Alliance Technologies	Applicant Pre-Screening & Software	\$440.00
Hamann Shaelee	Mileage/Witness Fees	\$122.40
Hanna, Town of	Water Services	\$419.28
High Country Behavioral Health	Substance Abuse Evaluations	\$500.00
Holcomb, Nancy	Public Health Training & Education	\$53.96
Jones, Angel Victoria	Mileage/Witness Fees	\$60.10
Jones, Robert	Witness Fees	\$15.00
K2 Towers III, LLC	Radio Site Rent	\$2,251.02
Kaluzny, John	Soberlink	\$726.50
Kilburn Tire Company	Trailer Tire & 4 Blade Tires	\$6,231.28
King Soopers Customer Charges	Staff Meeting Supplies	\$94.57
Kinney, Misty	Mileage/Witness Fees	\$61.20
KTGA/KBDY	Radio Site Rent	\$150.00
L N Curtis & Sons	Double Male Adapter	\$109.21
M. Gonzales Trucking, Inc.	2-Tires/Tire Tubes	\$345.96
McKesson Medical-Surgical	Jail Med Supplies	\$126.47
McNees, James	Mileage	\$77.00
Mejicanos, Luis	Mileage/Witness Fees	\$61.20
Merseal Law, LLC	Legal Services	\$5,390.00

Mid-American Research Chemical	Thermal Lock/Stripping/Sealer	\$2,068.60
Mike's Lock & Key	Replace 2 Mailbox Locks/Locks/Keys	\$80.96
Motorola Solutions	E911 Consoles Final Payment	\$204,454.00
Mountain West Motors	Plate	\$145.99
MPM Corp / Evergreen Disposal	Trash Services	\$130.00
Muskox	Skid Steer Snow Blower	\$13,659.15
Napa - Saratoga	Misc. Auto Parts and Supplies	\$208.62
Norco, Inc.	Cylinder Rent	\$872.34
Offender Watch	Sex Offender Fees	\$68.64
Olde Trading Post	Fire Fuel	\$497.03
Orduno, Cassie	Mileage/Witness Fees	\$15.00
Orduno, Thomas E. II	Mileage/Witness Fees	\$61.20
O'Reilly Auto Parts	Lug Nut/Wheel Stud	\$86.17
Patrick, Seven	Mileage/Witness Fees	\$46.20
Perkins Oil Co.	Fuel	\$8,000.54
Perue Printing	Window Envelopes	\$1,112.95
Pinnacle Public Finance, Inc.	Blade/End Dump Lease Payment	\$49,123.39
Plainsman Printing & Supply	Legal Folders	\$542.50
Priority Dispatch	Software For CCSO Dispatch	\$6,180.00
Quill Corporation	Misc. Office Supplies	\$179.28
R.P. Lumber Company, Inc.	Misc. Parts and Supplies	\$256.61
Rawlins Automotive	Misc. Auto Parts	\$921.25
Rawlins Hardware - 5410	Misc. Parts and Supplies	\$714.10
Rawlins, City of	Water Services	\$4,838.21
Republic Services #642	Trash Services	\$320.04
Rice-Prior, Denise	Mental Health Services	\$650.00
Rocky Mountain Power	Electric Services	\$26,748.71
Rocky's Quik Stop	Fuel	\$3,323.10
Saratoga, Town of	Water Services	\$48.50
Shively Hardware	Misc. Parts	\$21.96
Skyline Motors, Inc.	Mount/Balance 1 Tire-16 Chevy Tahoe	\$668.65
Snake River Press	BOCCC Meeting 10/3/2024	\$130.00
Staples Advantage	Misc. Office Supplies	\$174.58
State of Wyoming DCI	Sex Offender Fees	\$25.00
Stinker Stores Inc.	Fuel	\$15,123.57
Stryker Sales Corporation	Courthouse AED Signs	\$177.00
Summit Food Service	Jail Meals	\$8,930.55
Swanson Services Corporation	Jail Commissary	\$1,034.95
The Cowboy Couture	Embroidered Clothing-Sheriff's Office	\$507.76
Tidball, Victoria Rose	Mileage/Witness Fees	\$61.20
Tin Boy Garage	1 Tire-Mount & Balance	\$296.00

Tm Custom Framing	Picturing Framing	\$220.58
Transunion Risk & Alternative Data	Trulookup Program	\$179.00
Trevathan, Sabrina RDR	Transcription Services	\$2,399.80
Triple X Contracting, Inc.	Trash Services	\$260.00
Trudiligence, LLC	Employee Background Checks	\$89.49
Tucker, Calista	Mileage/Witness Fees	\$61.20
United States Postal Service	PO Box Fees	\$82.00
United States Treasury	Underpaid SS & Medicare	\$15.16
US Bank	Misc. Charges	\$4,062.83
Valence Health Corp.	Inmate Medical Services	\$6,500.00
Valley Oil Company	Fuel	\$2,537.09
Voiance Language Services LLC	Interpretation Services	\$81.75
Walker, Deborah C.	CCSO Patches Sewn on Shirts	\$295.00
Wells, Haylie	Mileage/Witness Fees	\$98.20
Wells, Melanie	Mileage/Witness Fees	\$122.40
Wex Bank	Fuel	\$571.60
Wille, O.R.	Mileage	\$82.50
Williams, Emily Austin	Jury Trial Witness Fees	\$15.00
WY Behavioral Institute	E.D. Psych Hold	\$754.00
WY Dept. of Workforce Services	Qtr. 2023 Unemployment	\$246.34
WY Machinery Company	Wheel Loader Rent and Maintenance	\$9,525.94
WY Retirement System	Aug. Volunteer Fire Retirement	\$731.25
Y2 Consultants, LLC	Meetings & Steering Committee	\$5,911.09

### CONSENT AGENDA

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. Clerk Bartlett noted the consent agenda includes the September 5, 2023, regular meeting minutes; bonds for Homer Beach, President for Carbon County Fire Protection District in the amount of \$10,000.00, James Piche, Vice-President for Carbon County Fire Protection District in the amount of \$10,000.00 and Courtney Ney, Secretary/Treasurer for Carbon County Fire Protection District in the amount of \$10,000.00; monthly receipts from the Clerk of District Court in the amount of \$5,336.03 and Carbon County Clerk in the amount of \$22,005.75. Commissioner Moore seconded and the motion passed unanimously.

### EMPLOYEE APPRECIATION

Clerk Bartlett noted today is National IT Professionals Day and thanked the entire IT team for keeping the county's systems up and running.

### ELECTED OFFICIALS & DEPARTMENT HEADS

#### Emergency Management

Chairman Jones requested that her signature be ratified on the Memorandum of Agreement for IPAWS that was signed September 12, 2023. The purpose of the document is to update the Chairman.

Commissioner Espy moved to ratify the Chairman's signature on the Memorandum of Agreement between Carbon County Emergency Management and FEMA for IPAWS Public Alerting Authority for a maximum term of three-years. Commissioner Johnson seconded and the motion passed unanimously.

### **Buildings & Grounds**

Jeff Askins, Interim Buildings & Grounds Manager requested to waive the procurement policy and requested approval for the replacement of the Carbon Building-Courthouse Annex defective compressor #3 chiller. The chiller is a Daikin and Daikin is the only company that is certified to repair this brand of chiller.

Commissioner Espy moved to waive the procurement policy based on the vendor source availability and authorize the Chairman's signature on the service and repair quote from Daikin for the replacement of the Carbon Building – Courthouse Annex defective compressor #3 chiller in the amount of \$13,650.00 and to authorize the Chairman's signature on documents necessary for this repair. Commissioner Moore seconded and the motion passed unanimously.

Mr. Askins presented a service agreement for bio-hazard removal at the jail for board approval and Chairman's signature.

Commissioner Johnson moved to approve and authorize Jeff Askin's signature on the Service Agreement between Stericycle, Inc., and Carbon County Detention Center for bio-hazard removal in the amount of \$44.00 per month and for a term of 60 months. Commissioner Espy seconded and the motion passed unanimously.

### **Clerk**

Gwynn Bartlett, Carbon County Clerk, presented 2023 NOVO benefits renewal schedule of service and fees, BCBSWY COBRA rates verification forms, the ASO Group Reopening Request outlining administrative fees the county pays for its health plan, a plan change outlining various ACA required change for preventive screenings the county must now cover in addition to the removal of Teladoc, changes to the generic and non-formulary prescription drug copays and change to the copay for specialty visits for board approval and Chairman's signature.

Commissioner Johnson moved to approve and authorize the Chairman's signature on the 2023 NOVO benefits renewal schedule of service and fees; BCBSWY COBRA rates verification for Plans A and B; ASO Group Reopening Request; and the ASO Group Plan Change form with all documents effective October 1, 2023. Commissioner Espy seconded and the motion passed unanimously.

Clerk Bartlett requested to waive the procurement policy for Memorial Hospital of Carbon County purchase of a replacement ambulance that is funded through the ARPA grant. She noted that ARPA funds allow for noncompetitive procurement under Federal CFR 200.320 part (c)3 which states "The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation". The hospital has had an ambulance chassis on hold for approximately 6 months at least and still doesn't anticipate receiving it until January. If the county were to bid for the ambulance the hospital stated it can expect 12-18 months from the bid award for delivery, maybe longer. Due to the lack of operational ambulances at the hospital she requests the board waive the county's procurement policy and allow her to proceed under the federal clause she feels is applicable. She did work with Attorney Davis on this and will document everything as well. Attorney Davis reported that the BOCC could waive procurement and she will ask the hospital board to do the same and she and Clerk Bartlett will work with the state to ensure the county requires with all procurement procedures.

Josh from the Saratoga Sun questions if union worker issues would cause further delay. Commissioner Espy stated this is even more reason to hold the chassis in the que.

Commissioner Moore moved to waive the procurement policy, based on the exigency of obtaining a new ambulance noting MHCC already has an ambulance chassis on hold related to the purchase of a new ambulance for Memorial Hospital of Carbon County from funds received through the ARPA grant from the State Land & Investment Board. Commissioner Johnson seconded and the motion passed unanimously.

Clerk Bartlett discussed a letter that her office received from the City of Rawlins regarding an application for a variance for a property located at 712 11<sup>th</sup> street. She asked if the BOCC had any objections to this variance as the County has property within 300' of the proposed property.

Commissioner Johnson moved to approve and authorize the Chairman's signature on the letter to the City of Rawlins stating that the BOCC had no objection to application for the variance for the property located at 712 11<sup>th</sup> Street in Rawlins. Commissioner Moore seconded and the motion passed unanimously.

#### Attorney

Ashley Davis, Carbon County Civil Attorney, presented a new contract for victim/witness services for fiscal year 2024 on behalf of the Sheriff.

Commissioner Espy moved to authorize the Chairman's signature on Attachment B to the Fiscal Year 2024 Contract for Services to Victims of Crime Between the State of Wyoming, Office of the Attorney General, Division of Victim Services and Carbon County Sheriff's Office Victim Witness Program with funding provided as follows: VAWA funding of \$21,763.00, VOCA \$30,000; state victim witness funds \$15,525.00, and additional state surcharge funds of \$5,146.00, noting the Attachment is various assurances for the grant funds. Commissioner Moore seconded and the motion passed unanimously.

Attorney Davis presented an employee lease agreement for board approval and Chairman's signature regarding the sharing of John Rutherford with the fire district. The agreement notes the county will maintain all employment decisions, maintain the responsibility to pay and provide benefits to Mr. Rutherford but simply loan his time out to the district.

Commissioner Moore moved to approve and authorize the Chairman's signature the Employee Lease Agreement between Carbon County Commissioners and Carbon County Fire Protection District for the purpose of leasing Fire Warden John Rutherford as the interim Fire Chief for the Fire Protection District for a term through August 31, 2024, and in the amount of \$10.00. Commissioner Johnson seconded and the motion passed unanimously.

Attorney Davis requested and received approval to fill a vacant position.

#### **Sheriff**

Sheriff Alex Bakken reported that negotiations with the state have ceased for housing female inmates. The State needs a place for at least 12 female inmates and he will not go above 50% of any housing unit capacity which means that the jail would only be allowed to house 6 female inmates. If the state can settle for less negotiations will begin again.

#### **Treasurer**

Treasurer Lindsey West reported tax bills have been mailed.

#### **Commissioners**

Chairman Sue Jones presented a Request for Reimbursement and a Federal Financial Report for Dixon Airport for board approval and Chairman's signature.

Commissioner Espy moved to approve and authorize the Chairman's signature on the Request for Reimbursement and the Federal Financial Report for Dixon Airport. Commissioner Moore seconded and the motion passed unanimously.

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

Irene Archibald along with Attorney Davis presented an update on potential amendments to the Joint Powers Board Agreement and requested board approval and Chairman's signature. Attorney Davis discussed a potential dissolution of the board noting she had no concerns on how the proposed version reads. Commissioner Johnson thought if other entities were on board he could agree to the terms. Ms. Archibald noted she is looking for an informal approval today then after the Joint Powers Board approval they will return for the BOCC's signature.

Commissioner Espy moved to approve the proposed Amended South Central Wyoming Emergency Medical Services Joint Powers Board Agreement noting the Chairman's signature is withheld until after approval by the County's Attorney and approval by the Joint Powers Board. Commissioner Moore seconded and the motion passed unanimously.

## **CARBON COUNTY FIRE PROTECTION DISTRICT**

Homer Beach, President of the County Fire Protection District provided a monthly update on the Carbon County Fire Protection District. He noted that they will consider the employee sharing agreement at their next meeting, bonds have been approved so they can obtain tax collections from the county now, and he thanked the county for support over the past months.

## **CITIZEN & COMMISSIONER DISCUSSION**

Chairman Jones introduced Lindy Linn, Field Representative for Senator Cynthia Lummis' office. Ms. Linn offered assistance to the county as needed.

Hoa Tran, Development Director for Grid United updated the BOCC on the Wyoming Intertie, the line from the River Power Plant to the Aeolus plant in Carbon County. They are undergoing required studies and permitting and soon will be reaching out to landowners for easements. A landowner open house is scheduled for late October as well. Mr. Tran reported the WY Department of Transportation's transmission siting and economic development grant was just released. Grants range from \$100,000 up to \$50,000,000 and he proposed working with the county to obtain some of those dollars for economic development in the county. A proposed project listing for these funds is due October 31 however the full grant application is not due until April 2024.

Mr. Tran requested the BOCC nominate an individual to assist with the WY Community Foundation's review of other various applications and award grants.

Commissioner Moore invited the public to attend tomorrow's Carbon County Council of Government meeting.

Commissioner Espy just returned from Washington DC where he lobbied for Payment in Lieu of Taxes and Secure Rural Schools payments. They were able to secure full funding on both fronts.

Commissioner Johnson reported that Attorney Davis and Sheriff Bakken met with Health Steele of Volunteers of America to discuss proposed use of opioid settlement funding.

Chairman Jones reported Big Brothers Big Sisters has administered the county's Prevention grant and they no longer wish to do so. In the meantime, if the county desires to maintain funding, the BOCC will need to find someone to complete next year's application and administer it. There are at least four entities potentially interested in the work including Memorial Hospital of Carbon County, Carbon County Public Health, Carbon County Higher Education and Volunteers of America. The BOCC agreed with the plan of action.

## **PUBLIC HEARING – Personnel Policy Amendment**

Chairman Jones opened a public hearing at 3:00 p.m. to hear comments on amendments to the Carbon County Personnel and Benefits Policy. Clerk Gwynn Bartlett overviewed the change that

was missed in the most recent update of the policy. It simply removes the requirement to use accrued compensatory time concurrently with Family medical Leave.

Clerk Bartlett reported this hearing was advertised in the Saratoga Sun July 27, 2023. She also reported no written or verbal comments were received by her office and that she has provided the final copy to all county department heads.

Chairman Jones called for comments for or against the amendments. There being no comments, Chairman Jones closed the hearing at 3:02 p.m.

Commissioner Johnson moved to adopt the amendments to the Carbon County Personnel and Benefits Manual effective October 1, 2023, and authorize the Chairman's signature on the related Certificate. Commissioner Espy seconded and the motion passed unanimously.

### **Planning and Development**

#### **Certification of Recommended Action**

Kristy Rowan, Interim Planning Director presented Certificates of Recommended Action and requested a public hearing be scheduled for each. The applicants are for Z.C. Case 2023-08 – Hal Alcorn & Kirby Berger; Z.C. Case 2023-09 – Kirby Berger; Replat Sub Case 2023-01 – Hal Alcorn & Kirby Berger - Two Dot Acres; and Power Company of Wyoming – CUP – Wind Permit Extension Request.

Commissioner Moore moved to accept the Certification of Recommended Action from the Carbon County Planning & Zoning Commission for Z.C. Case 2023-08 – Hal Alcorn & Kirby Berger; Z.C. Case 2023-09 – Kirby Berger; Replat Sub Case 2023-01 – Hal Alcorn & Kirby Berger - Two Dot Acres and schedule a public hearing for November 7, 2023, at 11:30 a.m. at the Carbon Building – Courthouse Annex in Rawlins, Wyoming. Commissioner Espy seconded and the motion passed unanimously.

Commissioner Moore moved to accept the Certification of Recommended Action from the Carbon County Planning & Zoning Commission for Power Company of Wyoming – CUP – Wind Permit Extension Request and schedule a public hearing for October 3, 2023, at 11:30 a.m. at the Carbon Building-Courthouse Annex in Rawlins, Wyoming. Commissioner Espy seconded and the motion passed unanimously.

Ms. Rowan reported on various community outreach events with Y2 Consultants related to the county's land use plan updates. In addition, there is an online survey and the public is invited to attend and participate in the survey.

#### **MEDICINE BOW ROUTE NATIONAL FOREST FEE CHANGE PROPOSAL AND UPDATE ON OTHER FOREST SERVICE-RELATED TOPICS**

Jason Armbruster, District Ranger provided information on the 2023 Medicine Bow-Routte National Forests Recreation Enhancement Act proposals and an update on other forest service-related topics.

Ranger Armbruster stated that the forest has several developed recreation sites, approximately 20 in Carbon County, that can't be managed with the current amount of allocated funds and there is a backlog in the maintenance of these sites. With increased visitation of these sites, it requires more site visits which increased operational and maintenance costs. It has been several years since the USFS has reviewed fees and the proposed fees would move from \$10 to \$20 per night, raising fees at rental cabins and adding a \$5 day use fee at Mirror Lake, Lake Marie, and the Brush Creek Trail Head. They anticipate an additional revenue of \$1.2 million per year to be used for maintenance at various sites plus potential expansion of a parking area near Lake Marie.

Ranger Armbruster provided a handout to the BOCC which discussed the various fee increases in the standard amenity fees (trailheads, day use sites, interpretive sites), special recreation permits and expanded amenity fees (campgrounds, cabins, and group sites). The plans to use the increased revenue includes continuing to keep developed recreation sites open and maintained, increase the frequency of toilet pumping, trash collection and cleaning, repair water systems that have been inoperable for years, replace old toilets, modernize campgrounds to include adjusting sites for new, larger camping vehicles and finally hire more permanent and seasonal employees.

Ranger Armbruster stated the plan is to have November 1, 2023 as the comment period deadline, and implement the new and increased fees by May 1, 2024.

Commissioner Espy stated the angst amongst the public is the public's fear that fees will be raised and the work will still not be done.

Mr. Armbruster reported that the Forest Service has contracted out the NEPA process surveys for the proposed West Fork Reservoir project. As part of the NEPA there must be a range of reasonable alternatives, including for the Army Corps of Engineers. The chosen alternative would be the least damaging. The Environmental Impact Statement will be written over the winter. There is a land exchange required for the reservoir and the Forest Service has been working on the analysis of the feasibility of such an exchange.

### **EXECUTIVE SESSION**

Commissioner Espy moved to go into executive session at 3:45 p.m. with Clerk Bartlett and Ashley Mayfield Davis to discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Moore seconded and the motion passed unanimously.

Commissioner Espy moved to come out of executive session at 4:38 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Moore seconded and the motion passed unanimously.

### **ADJOURNMENT**

Commissioner Espy moved to adjourn the meeting at 4:38 p.m. Commissioner Moore seconded and the motion passed unanimously.

A regular meeting of this Board will be held Tuesday, October 17, 2023, at 9:00 a.m. at the Medicine Bow Senior Center, located at 520 Utah St., Medicine Bow, 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.