

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, May 18, 2021
Riverside Town Hall, Riverside, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, May 18, 2021 at 2:00 p.m. at the Riverside Town Hall in Riverside, 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 2:00 p.m.

ADDITIONS / CORRECTIONS

There were no additions or corrections to the agenda.

VOUCHERS

Commissioner Barkhurst moved to approve payment to Sunrise Sanitation for \$46.00. Commissioner Espy seconded and the motion carried with all voting for the motion except Commissioner Jones who abstained due to personal conflicts.

Commissioner Barkhurst moved to approve May 2020 payroll and benefit expenses of \$911,341.93, insurance claim and premium expenses of \$195,203.44, the report of expenditures in the amount of \$437,321.49 for an aggregate total today of \$1,543,912.86. Commissioner Espy seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
Absolute Solutions	Network to Fire Dept	\$5,735.04
Acme Electric Company, LLC	Electrician Services	\$4,953.65
Advanced Heating, Inc.	A/C at Hanna Senior Center	\$3,980.00
AlSCO, American Linen Division	Misc. Supplies	\$113.80
Apex Communications	Fire Pagers/Agreement	\$59,057.95
Apg Media Of the Rockies	Resource Mgmt. Plan Ad	\$29.50
Axis Forensic Toxicology, Inc.	Labs	\$175.00
Baggs, Town Of	Water Services	\$181.65
Balestrieri, Michelle	Postage Reimbursement	\$14.00
Bank of Montreal - Mastercard	Various Charges	\$27,287.96
Beers, Dean	Hotel Reimbursement	\$288.00
Bennett Law Group, Pc	Legal Services	\$233.33
Bennett, Thomas L. M.D.	Autopsy/Mileage	\$2,094.56
Bi Inc.	Soberlink Monitoring Services	\$1,891.50

Black Hills Energy	Gas Services	\$2,948.14
Blakeman Propane	Tank Rent	\$7.00
Bob Barker Company, Inc.	Inmate Clothing Supplies	\$2,577.89
Bomgaars Supply	Misc. Parts	\$530.85
Bridger Fabrication	Motor Grader Rollers	\$4,450.00
Brinkerhoff, Chelsea	Mileage Reimbursement	\$47.04
Carbon Power & Light Inc	Electric Services	\$2,310.54
Care More Turf Maintenance	Lawn Care Courthouse & Jeffrey Center	\$3,500.00
CareRight Technologies, LLC	Monthly Bed Fee	\$102.30
Casper Winnelson Co	Misc. Supplies	\$2,714.69
Charter Communications	Cable Services	\$119.68
Command Ballistics, Inc.	Ammo	\$948.12
Convergeone, Inc.	Office 365 Licensing/It Services	\$14,969.00
Daily Times	Subscription Service	\$248.75
Dallin Motors Inc	Fuel Pump/Oil Change	\$176.73
Dirty Boyz Sanitation, Inc	Trash Services	\$3,320.00
Elk Mountain, Town Of	Rent and Water Services	\$1,597.00
Encartele	Data Purchased for The Jail	\$1,500.00
Engstrom, James D. DDS	Dental Services	\$2,500.00
Fatbeam LLC	Fiber & Internet Service	\$5,206.54
Galls/Quartermaster	Sheriff Uniforms	\$3,766.67
GCR Electronics, LLC	Monthly Site Rental	\$2,000.00
Graphic Business Solutions, LLC	Regular Envelopes	\$210.00
Hall, Kimberly	Soberlink Deposit Refund	\$820.00
Hanna, Town Of	Water Services	\$270.28
High Plains Power	Electric Services	\$462.78
Iacovetto, Karon	B&G Contract Custodial	\$16,065.00
Jacoby Funeral Home	Indigent Burial	\$1,000.00
Kilburn Tire Company	Struts/Brakes/Tires	\$2,621.24
King Soopers Customer Charges	Food for Command Staff Mtg.	\$132.11
KTGA/KBDY	Ads and Tower Rent	\$410.00
Lawson Products Inc	Nuts and Bolts	\$671.16
Loco Creek Contracting	Dixon Airport Runway Sprayer	\$755.25
Long Building Technologies, Inc.	Chiller in Carbon Bldg.	\$1,200.00
Maine Specialty Dogs	Fire Arson Dog Recertification	\$85.00
Medicine Bow, Town Of	Water Services	\$200.00
M.H.C.C.	Exam Fees	\$177.20
Mercedes Transcription, Inc	Transcription Services	\$84.15
Merseal Law, LLC	Legal Services	\$5,720.00
Michaels Fence	5/8 Pipe	\$57.33
Mountain Alarm	Alarm Monitoring	\$91.30

MPM Corp / Evergreen Disposal	Trash Services	\$130.00
Norco, Inc.	Misc. Supplies	\$947.14
Novo Benefits	Actuarial Services	\$2,400.00
Offender Watch	Sex Offender Notifications	\$292.05
Olde Trading Post	Fuel	\$15.00
O'Reilly Auto Parts	Misc. Parts	\$406.98
Palmer, Cheryl	Admin Vital Statistics	\$66.00
Perkins Oil Co	Fuel	\$4,949.38
Plus Electric Inc.	Labor to Replace Breaker	\$96.50
Public Safety Center, Inc	Nitrile Gloves	\$580.00
Quill Corporation	Misc. Supplies	\$593.45
R.P Lumber Company, Inc.	Misc. Supplies	\$152.24
Rawlins Automotive	Misc. Parts	\$2,921.00
Rawlins Glass Center, Inc.	Windshield Replacement	\$1,093.79
Rawlins, City Of	Water Services	\$3,308.31
Ricoh USA Inc	It Copiers	\$240.90
Ricoh USA, Inc	It Copiers	\$3,499.57
Rocky's Quik Stop	Fuel	\$1,137.33
Rutherford, John	Fuel Reimbursement	\$50.00
Saratoga Auto Parts, Inc.	Power Window Switch	\$28.34
Saratoga Sun	Ads	\$195.00
Saratoga, Town Of	Water Services	\$49.50
Schilling & Winn Pc	Legal Services	\$3,608.10
Schofield, Stephanie M	Fire Investigation	\$350.19
Shepard's	Fuel	\$1,308.04
Shively Hardware	Misc. Parts	\$2,343.28
Slow and Steady Law Office, PLLC	Legal Services	\$3,720.00
Snake River Press	Resource Mgmt. Plan Ad	\$216.00
South Central Wy Ems	Cares Act Salary Reimbursement	\$127,376.53
Staples Advantage	Misc. Supplies	\$37.18
State of Wyoming DCI	Sex Offender Registration	\$100.00
Stinker Stores, Inc.	Fuel	\$18,023.99
Summit Food Service	Inmate Meals	\$5,892.36
Sunrise Sanitation Service, LLC.	Trash Services	\$46.00
Swanson Services Corporation	Inmate Commissary	\$1,298.13
The Cowboy Couture	Embroidered Clothing	\$199.45
The Masters Touch, LLC	Mailing Services for Assessment Notices	\$1,904.80
Thomson Reuters-West Pymt Center	Westlaw Subscription	\$802.17
Tin Boy Garage	Large Tire Repair	\$20.00
Tractor Supply Credit Plan	Hose	\$75.00
Trevathan, Sabrina RMR	Transcription Services	\$1,364.80

Trudiligence, LLC	Background Checks	\$79.96
True Value of Rawlins	Misc. Supplies	\$393.47
Tyler Technologies, Inc	IDOC/ITAX/E-Recording/It	\$1,663.18
United States Postal Service	Postage	\$10,000.00
Us Bank	Drug Seizure Sheriff Expenses	\$8,676.09
Valley Oil Company	Fuel	\$1,310.72
Voiance Language Services LLC	Translation Services	\$117.75
Western Detention Products Inc.	Solenoid	\$693.50
Wex Bank	Fuel	\$802.18
Wilkerson, James A Iv M.D.	Autopsy	\$1,250.00
Wille, O.R.	Mileage	\$45.00
Winters Griffith Architects	Const. Administration	\$25,154.00
WLC Engineering	Cherokee Road Easements/Carbon Bldg. Inspection	\$1,191.50
Wy Brand Industries	Business Cards	\$15.00
Wy Department of Agriculture	Pesticide Licensing Clint Bromley	\$25.00
Wy Dept Of Health	State Vehicle Rental	\$80.00
Wy Dept Of Transportation	Med Bow & Savery Creek Road Project	\$145.89
Wy Machinery Company	Labor/Parts for Roller	\$1,057.07
Wyoming Disposal Systems	Trash Services	\$219.00

CONSENT AGENDA

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the May 4, 2021 regular meeting minutes, monthly receipts from Road and Bridge in the amount of \$100.00, monthly receipts from Carbon County Clerk in the amount of \$27,868.75, monthly receipts from Clerk of District Court in the amount of \$4,937.00 and Notice of Valuation Changes in the amount of (\$108,058.00). Commissioner Barkhurst seconded, and the motion carried unanimously.

ELECTED OFFICIALS & DEPARTMENT HEADS

Coroner

Brittany Nyman, Carbon County Coroner requested and received approval to hire for her vacant Deputy Coroner position that she left vacant when she was appointed Coroner.

IT

Matt Webster, Carbon County IT Director reported the Long security system maintenance agreement that was on today's agenda will be postponed and maybe presented at a later date. He has purchased the Dude Solutions IT software and will be using it for work orders from county employees. He reported there were 73 tickets in the first week already.

Emergency Management

Lenny Layman, Emergency Management Coordinator provided an update on the Office of Emergency Management, the Carbon County Coordination Center (C4) and past and future training and exercise updates. Rocky Mountain Power has donated \$2,500 for flood preparedness. He is working with various industry projects regarding the release of emergency alerts. The Saratoga Expo was May 7 and Mr. Layman presented to that group of small business owners about how they can be involved. He attended the Fair Board meeting recently and Scott Cotton the UW Extension Area Educator discussed a program that was initiated in 2019 called Counties of Wyoming Handling Agriculture & Natural Disasters (COWHAND). The program is working with the Department of Homeland Security's (DOHS) to develop a strategic plan for agriculture disaster resilience in Wyoming. COWHAND helps form agriculture response teams and allows the purchase of a livestock trailer. He thinks the county needs to form a team first then if that is successful, he would like that team to develop a plan for use of such a trailer then apply to DOHS for the grant to purchase it. Mr. Cotton also discussed the FAIRSAFE program in which DOHS through the UW Extension office helps enhance the resilience of fairs in Wyoming to terrorism risk whether criminal acts, bioterrorism, or agro-terrorism. A site assessment will be conducted, and a set of recommendations would be offered with a short training specific to the county.

Mr. Layman discussed the Mullen fire burn scar. He is working with the National Weather Service and the Saratoga Encampment Rawlins Conservation District and they will watch the area closely over the upcoming months for flooding potential.

Mr. Layman discussed a possible funnel cloud south of Sinclair around 3:50 p.m. yesterday. He stated that a tornado would have touched ground and he doesn't have confirmation at this time of that. He discussed Alert Sense and encouraged the public to sign up for updates which would have included anything pertinent to the funnel cloud. Mr. Layman shared the National Weather Service hotline, 307-772-2227, asking the public to report weather events to this number.

Mr. Layman discussed various trainings he has given and attended.

Treasurer

County Treasurer Patty Bentsen reported temporary work permits have recently brought the county over \$33,000 in fees. She is working with Sinclair Refinery to ensure owners of cranes at the site are following applicable laws.

Treasurer Bentsen discussed Senate File 60 regarding monthly ad valorem taxation of mineral production. This bill provides for the monthly payment of ad valorem taxes on mineral production beginning January 1, 2022. The bill specifies that fifty percent (50%) of production from calendar year 2020 and all of production from calendar year 2021 will be paid at eight percent (8%) per year beginning December 1, 2023 until the total outstanding amount is repaid. The bill appropriates funds for loans to counties to address shortfalls caused by the transition to monthly payments. The bill also appropriates funds to the Department of Revenue to administer the collection of ad valorem tax by the Department. Taxpayers have not been notified yet, there are still no rules out regarding the loan program. If the county were to take out a loan to cover shortfalls now Treasurers

are concerned who must repay the loan if a company is no longer in business over the entire repayment period. An additional concern of Treasurers is that DOR does not plan to provide parcel numbers to counties with tax payments. This prevents the Treasurers from knowing which districts to pay from each payment and they are concerned they will over/under pay various districts. Treasurers feel this should be put off until the state has a better plan in place to administer the new law. She requested the board support the County Treasurers Association with a letter to delay the new law until it can be administered properly.

Commissioner Moore moved to authorize any commissioner's signature on a letter of support to the Governor, legislators and the WY County Commissioner's Association regarding the delayed implementation of Senate File 60 from the 2021 legislative session regarding monthly ad valorem tax payments for mineral production. Commissioner Espy seconded and the motion carried unanimously.

Treasurer Bentsen discussed that over the winter wind turbines were stored in Natrona County and sales tax paid in that county for a project in Carbon County. There was discussion that during conditional use permit testimony and in front of the Industrial Siting Council, Rocky Mountain Power representative stated that Carbon County would receive sales tax when turbines are taken possession of in this county.

The county's tax sale is July 13. Advertising has a Friday deadline for a Wednesday publication therefore the county will be paying for additional lines even when many of those people will have paid taxes. Josh Wood from the Saratoga Sun was present and noted that he would be happy to work with the Treasurer to try to eliminate as much of this as possible.

Buildings & Grounds

Buildings & Grounds Manager Jim Piche reported an air conditioning unit at the jail has failed and he will work on getting this replaced as soon as possible. The power was recently shut down at the Carbon Building for a switchgear replacement and they are still working on getting everything back up and running.

Fire Warden

John Rutherford, Interim Fire Warden reported radios are being programmed to fix issues identified in last year's fires. He will also train various departments on a written communications plan. He will meet with the Town of Baggs regarding contract fire services provided by the county. He has reached out to the town of Elk Mountain regarding contract fire services as well.

Mr. Rutherford requested and received approval to purchase self-contained breathing apparatuses and compressed air cylinders in the amount of over \$60,000.00. He obtained quotes from various companies and explained there were 3 air pack companies one is out of business. He recommended MSA as they will warranty the setup as long as the county purchases the bottles from that company.

Commissioner moved to waive the county procurement policy to allow standardization of equipment amongst county departments and authorize the purchase of up to \$63,172.00 of self-

contained breathing apparatuses and compressed air cylinders. Commissioner Moore seconded and the motion carried unanimously.

Mr. Rutherford also reported he continues to work on a Memorandum of Understanding between Carbon County and Moffat County, Co for Fire Suppression services. The Attorney General must review as the county will cross state lines. Attorney Davis stated she wants to ensure the county can stop service if funding is not available.

Chairman Johnson asked if there would be any restitution paid from the 316 Fire near Hanna and Mr. Rutherford stated there were 2 starts but he was not involved in the investigation.

Sheriff

Archie Roybal, County Sheriff requested and received approval to hire a person for the vacant dispatcher and vacant detention deputy positions.

Sheriff Roybal provided an update on the Sheriff's Office including calls by location, stats on investigations, DARE officer training, various trainings his staff has attended and dispatcher trainings.

Clerk

Carbon County Clerk Bartlett presented the annual Women Infant and Children (WIC) contract.

Commissioner Espy moved to authorize the Chairman's signature on the Agreement Between Wyoming Department of Health, Public Health Division, Carbon County WIC Program and Carbon County in the amount of not to exceed \$5,892.00 for the purpose of providing program benefits of the U. S. Department of Agriculture/Food and Nutrition Services Special Supplemental Nutrition Program for Women, Infants, and Children, for a term of July 1, 2021 through December 31, 2022. Commissioner Moore seconded and the motion carried unanimously.

Chairman Johnson opened a continued public hearing from May 4, 2021 at 3:12 p.m. to hear public comments if any for the proposed adoption of Amendments to the Rules and Regulations Governing the Licensing of Liquor and Malt Beverages Sales, Carbon County, Wyoming.

Gwynn stated at the last hearing there was discussion of adding a portion on criteria the board may use to evaluate applications. She overviewed her suggested revisions and stated she has received no further comment.

Chairman Johnson called for comments for or against and there were none. There being no comments, Chairman Johnson closed the hearing at 3:14 p.m.

Commissioner Jones moved to adopt amendments to the Rules and Regulations Governing the Licensing of Liquor and Malt Beverages Sales, Carbon County, Wyoming making the revised rules effective July 1, 2021. Commissioner Espy seconded, and the motion carried unanimously.

Attorney

Ashley Davis, Carbon County Attorney presented the Memorandum of Understanding among Wyoming Department of Revenue, Carbon County and Carbon County Assessor for approval. The agreement contemplates administration of the Computer Assisted Mass Appraisal software.

Commissioner Moore moved to authorize the Chairman's signature on the Memorandum of Understanding among Wyoming Department of Revenue, Carbon County and Carbon County Assessor for the purpose of setting forth the responsibilities of the Carbon County Assessor in the administration of all the equipment and software provided by the DOR used in the Computer Assisted Mass Appraisal (CAMA) system. Commissioner Espy seconded and the motion carried unanimously.

Attorney Davis reported she sent the BOCC a letter regarding the potential sale of county properties noting that there are numerous properties the county has obtained in various ways that it should get on the tax rolls. She discussed a potential process for this and asked the BOCC to consider her proposed process and report back to her with any changes. Commissioner Jones asked the Clerk and Attorney to consider marketing this and suggested a minimum value be placed on some of them. Clerk Bartlett will work with Attorney Davis to develop a final list of properties the county could sell and obtain title commitments for those then present that list to the BOCC for its final approval to sell.

2021-2022 COMMISSIONERS' SCHOLARSHIPS

The BOCC discussed commissioner scholarship applicants noting the Clerk's Office tries to redact any personal information so the BOCC bases the decision on the criteria of ACT, GPA and extra circular activities.

Commissioner Espy moved to award County Commissioner's Scholarships as follows: Renewal to Crystal Torres with Noelle Peterson as the first alternate and Nickolas Chavez as the second alternate; three new scholarships to Siobhan Lally, Kaitlyn Campbell and Dalton Peterson with Katelyn France as the first alternate, Kelly Glode second alternate and Mylee Tanner as the third alternate. Commissioner Moore seconded and the motion carried unanimously.

CITIZEN DISCUSSION

Joey Correnti, Carbon County Republican Party Chairman discussed President Biden's 30x30 plan pertaining to the climate crisis, noting the state party adopted a resolution regarding this.

Randy Raymer of Saratoga reported he has spoken with Commissioners Jones and Barkhurst regarding County Road 385. He was upset that the road was graded insufficiently, and he thought in the past that the former Road & Bridge Superintendent had left the road in poor shape as a retaliation effort. He asked the new Director, Kandis Fritz why certain material was not placed on the road prior to mag chloride application, and he was told the county didn't have the material. Mr. Raymer suggested the county could obtain and use a reject pit near Saratoga. He suggested the county make a plan to decide what the county will do about its county roads. Chairman Johnson

assured Mr. Raymer the department is making an effort to rebuild roads, but it will be a slow process due to limited resources.

Commissioner Jones stated there is a plan after many years of neglect of certain roads. She noted the department has been using traffic counters to prioritize roads and are looking at partnerships with various agencies to help fund certain roads. Commissioner Espy agreed that this will be a long-term process.

Mr. Raymer complained about the mag chloride noting he demanded that it not be applied as the public can't drive on the road afterwards and he feels this is a waste of money. Chairman Johnson stated there are engineered standards about how much is applied. Commissioner Barkhurst thanked Mr. Raymer for his concerns and said he feels Ms. Fritz is taking a common-sense approach to improvements.

COMMISSIONERS

Commissioner Moore was asked by a member of the public regarding scleroderma awareness noting he will likely bring a proclamation about this in the future. He was approached about fireworks in the county and a sign to raise awareness for the traveling public notifying them that fireworks are illegal in Carbon County even though they can be purchased in neighboring counties. Mr. Rutherford agreed to look into this but thought highway signage would fall on the Department of Transportation. Commissioner Moore asked the public to visit the new Union Pacific Railroads display at the Rawlins Museum.

Commissioner Espy reported he will attend a Western Interstate Region meeting next week.

Chairman Johnson is on the County Road Standards Committee and the group recently reviewed application issues counties are having. They hope to have an in-person meeting soon.

Clerk Bartlett discussed new meeting and conference rooms at the Carbon Building. There will be 5 total and she stated rental fees and administration of these should be consistent. She suggested the Library administer 3 rooms on the first floor and that her office would administer two rooms on the second floor and Planning & Development could administer 1 room on the third floor. The Library has a room use policy and fee schedule however the fee for a private booking is only \$5 per hour with a maximum of \$25 per day. Clerk Bartlett will work with Mr. Piche to present a policy at the next meeting.

EXECUTIVE SESSION

Commissioner Espy moved to go into executive session at 4:05 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 carried unanimously.

Commissioner Espy moved to come out of executive session at 4:22 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Barkhurst seconded, and the motion carried unanimously.

COMMISSIONERS

Commissioner Espy moved to negotiate and sign an agreement. Commissioner Moore seconded and the motion carried unanimously.

ADJOURNMENT

Commissioner Moore moved to adjourn the meeting at 4:23 p.m. Commissioner Espy seconded, and the motion carried unanimously.

A regular meeting of this Board will be held Tuesday, June 15, 2021 at 8:00 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.