

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, July 7, 2009
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, July 7, 2009 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Terry Weickum, Vice Chairman Jerry Paxton; Commissioner Charles C. Young; County Clerk Gwynn Bartlett; County Attorney Cindy DeLancey; and Deputy Clerk Kathy Turner.

Chairman Weickum called the meeting to order at 9:05 a.m.

VOUCHERS

Commissioner Paxton moved to approve the report of expenditures in the amount of \$21,850.57. Commissioner Young seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
CARBON COUNTY TREASURER	SUPPLIES, MEALS, MILEAGE	\$1,772.81
DELL COMPUTERS	CAO LAPTOPS	\$3,180.50
PREMIER ELECTION SOLUTIONS	MEMORY CARDS	\$6,258.05
QWEST	TELEPHONES, CALLING CARDS	\$331.91
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICE	\$3,145.38
S & S HOME VINYL CONTRACTORS	HANNA LIBRARY RE-ROOF MATLS	\$3,984.07
SOURCE GAS	GAS SERVICE	\$1,977.85
UNIVERSITY OF WASHINGTON	TUITION/REGISTRATION	\$1,200.00
GRAND TOTAL		\$21,850.57

COMMISSIONERS DISCUSSION

Chairman Weickum stated he met with David Pratt, owner of Three Forks Ranch, to discuss the Dixon Airport and Lease Parcel "C". Chairman Weickum stated that Mr. Pratt has no problem with the shaded area for Lease Parcel "C" as indicated on the map previously provided. Chairman Weickum stated Mr. Pratt agreed to have his attorney, Dudley Von Holt, provide a maintenance proposal for the airport. Chairman Weickum reported Mr. Pratt offered to donate a snow blower to the County that will fit the loader to be located there soon. He added that Three Forks has agreed to sell jet fuel but will not agree to sell AvGas as previously thought.

Commissioner Paxton advised he met with the Economic Development Corporation (EDC) and reported they are changing their by-laws to reflect only one appointment by the BOCC that could be a Commissioner or their representative. Commissioner Paxton agreed to be the County's representative for the EDC for now.

AGENDA AMENDMENT

Commissioner Paxton moved to amend the agenda to reflect an executive session at 1:45 p.m. Commissioner Young seconded and the motion carried unanimously.

CLERK

Memorial Hospital of Carbon County

Clerk Bartlett reported that the Memorial Hospital of Carbon County (MHCC) requested information regarding the past five years of funding for MHCC. She advised that the County has given MHCC an average of \$437,000.00 per year for the last five years.

Minutes

Commissioner Young moved to approve the minutes of the June 16 & 17, 2009 regular meeting of the Board of Carbon County Commissioners and the June 24, 2009 budget workshop as presented. Commissioner Paxton seconded and the motion carried unanimously.

Bonds

Commissioner Young moved to approve a \$50,000.00 bond for Jana C. Cook, Clerk/Treasurer, Town of Riverside and a \$10,000.00 bond for Laura Jean Jones, Treasurer/Secretary for the Wagoner Cherokee Irrigation District. Commissioner Paxton seconded and the motion carried unanimously.

Monthly Receipts

Commissioner Young moved to accept Planning and Development receipts in the amount of \$3,800.00 for the month of June 2009, receipts from Road & Bridge in the amount of \$80.00, fees collected from the Clerk of District Court for the month ending May 2009 in the amount of \$1,802.18 and Carbon County Clerk Statement of Fees Collected for the Month of June 2009 in the amount of \$15,247.25. Commissioner Paxton seconded and the motion carried unanimously.

Carbon County Salary Publication

Commissioner Young moved to approve advertising the Publication of Gross Salaries for Carbon County Full-Time Employees as of July 1, 2009 to be published July 15, 2009. Commissioner Paxton seconded and the motion carried unanimously.

Museum

Clerk Bartlett advised the public hearing scheduled for today to take public comment on the Museum's Community Services Block Grant application has been rescheduled for July 21, 2009 at 1:30 p.m.

Commissioner Paxton moved to reschedule a public hearing for July 21, 2009 at 1:30 p.m. at the County Courthouse to take public comment on a Community Development Block Grant Program application for the Museum in the amount of \$45,000.00 with \$20,000.00 of this being County matching funds. Commissioner Young seconded and the motion carried unanimously.

South Central Wyoming Emergency Medical Services (SCWEMS)

Clerk Bartlett presented a request from the South Central Wyoming Emergency Medical Services (SCWEMS) to run private vehicles with lights and sirens. The BOCC asked Attorney DeLancey to get any applicable authorization documents prepared for a future meeting.

Board Resignation

Clerk Bartlett presented a letter from Dave Throgmorton resigning his appointed position with the Carbon County Economic Development Corporation.

Commissioner Young moved to accept the resignation of Dave Throgmorton from the Carbon County Economic Development Corporation effective June 16, 2009. Commissioner Paxton seconded and the motion carried unanimously.

Amendment to Public Health Grant

Clerk Bartlett presented an amendment to the grant award for the Carbon County Public Health Nursing Services to add funding to the original grant and extend the expiration date. She stated Attorney DeLancey has reviewed the amendment and recommends approval.

Commissioner Young moved to accept Amendment Number One to the Grant Award for the U.S. Department of Health and Human Services Public Health Preparedness and Response for Bioterrorism Wyoming Department of Health and Carbon County Public Health Nursing Services to add funding in the amount of \$7,513.00 for a total agreement payment from \$49,270.00 to \$56,783.00 and extend the expiration date from September 30, 2009 to December 31, 2009, for the County to develop public health emergency preparedness and response capability in the County. Commissioner Paxton seconded and the motion carried unanimously.

Women, Infants and Children (WIC) Contract

Clerk Bartlett presented a contract for WIC delineating responsibilities in providing program benefits for the WIC Program. She stated Attorney DeLancey has reviewed the contract and recommends approval.

Commissioner Young moved to accept the Contract Between the Wyoming Department of Health, Community and Public Health Division, Women, Infants, and Children (WIC) Section, Carbon County WIC Program and Carbon County to delineate the responsibilities of the Carbon County WIC Program and the Wyoming Department of Health, Community and Public Health Division, WIC Section in providing program benefits of the United States Department of Agriculture, Food and Nutrition Services (USDA/FNS), WIC Program, and the County who serves as the WIC community sponsor for reimbursement to Carbon County not to exceed \$5,771.00 for the term from July 1, 2009 through December 31, 2010. Commissioner Paxton seconded and the motion carried unanimously.

Extended Professional Service Agreement

Clerk Bartlett presented an agreement with the University of Wyoming to fund half of the Carbon County 4-H Extension Educator. She stated that Attorney DeLancey and the Extension Office have reviewed the agreement and recommend approval and it is budgeted for.

Commissioner Young moved to accept the Extended Professional Service Agreement between the University of Wyoming and the Board of County Commissioners of Carbon County committing the County to contribute \$19,452.00 annually payable in four monthly installments of \$4,863.00 to the University of Wyoming Cooperative Extension Service for an Extension Professional for Carbon County for the purpose of assisting and encouraging the development of 4-H and other youth programming for the term of July 1, 2009 until June 30, 2010. Commissioner Paxton seconded and the motion carried unanimously.

Town of Encampment

Commissioner Young moved to support the Town of Encampment on their Community Facilities Grant application to renovate the Grand Encampment Opera House. Commissioner Paxton seconded and the motion carried unanimously.

Fireworks Permit

Clerk Bartlett reported Dwight France approved a fireworks permit application for Brush Creek LLC for an event on July 4, 2009 at Brush Creek Ranch in Saratoga, Wyoming.

Board Appointment

Clerk Bartlett reported that Danny Runner applied for consideration of appointment to the Platte Valley Community Center Joint Powers Board to be interviewed by telephone at the BOCC's discretion. Clerk Bartlett stated that the Saratoga Town Council supports Mr. Runner's appointment to this board.

Commissioner Paxton moved to appoint Danny Runner to the Platte Valley Community Center Joint Powers Board for a three-year term expiring June 2012. Commissioner Young seconded and the motion carried unanimously.

Saratoga-Encampment-Rawlins Conservation District

Clerk Bartlett advised she received a letter from Jean Runner, Office Manager, writing on behalf of the Saratoga-Encampment-Rawlins Conservation District (SERCD) concerning their mill levy funds and asked for clarification of a statement that was published in the Rawlins Daily Times. She stated Ms. Runner was concerned that their mill levy would be jeopardized due to the funding the County has given Memorial Hospital of Carbon County (MHCC). Clerk Bartlett advised she clarified the article and levy issue with Ms. Runner and advised Ms. Runner SERCD's mill levy would not be affected by MHCC's funding.

ELECTED OFFICIALS / DEPARTMENT HEADS

Attorney

Attorney DeLancey reported she has been awarded \$126,500.00 for the Homeless Prevention and Rapid Re-Housing biennium grant.

Coroner

County Coroner Paul Zamora gave each member of the BOCC a coin and thanked the BOCC for their support.

Assessor

Deputy Assessor Cheryl Ross presented rebates and abates for signature.

Clerk of District Court

Clerk of District Court Lindy Glode advised she will be attending another National Association of County Officials meeting in July.

Emergency Management Coordinator

John Zeiger, Emergency Management Coordinator, reported that he and Public Health will be holding swine flu training and he will be receiving other trainings as well.

Road & Bridge

Chairman Weickum reported that Three Forks has offered the County a snow blower for a loader that will be located at the Dixon Airport and asked Bill Nation, Road & Bridge Superintendent, to ensure it would fit.

Mr. Nation reported that he received the notice to proceed for the 2009 Congestion Mitigation Air Quality (CMAQ) project for gravel and magnesium chloride on the Dad/Wamsutter road. He added that he continues to blade roads and add cattle guards. Mr. Nation discussed the Sage Creek Road and a meeting he will attend regarding pavement of future sections.

Mr. Nation presented a Cooperative Agreement for the County and Wyoming Department of Transportation to administer the High Risk Rural Roads Program which implements the construction and operation improvements on high risk rural roads. He stated that these are safety grant funds that will be used on the Hanna Leo Road to add new signage culvert extensions. Attorney DeLancey and Bill Nation, Road & Bridge Superintendent have reviewed the agreement and both recommend approval.

Commissioner Young moved to approve the Cooperative Agreement Between the Wyoming Department of Transportation (WYDOT) and the Carbon County Commission, Federal Project HRRR 0.00 CN06065, to set forth the respective relationships and responsibilities between the County and WYDOT in the administration of the High Risk Rural Roads Program (HRRRP), to undertake and complete the construction improvements for Hanna Leo, Kortess Road 291 which will consist of advance warning signs, delineators, 20 foot culver extensions, and a gravel cover for extensions, commencing upon the day and date last signed and executed and shall remain in full force and effect until terminated, estimated total project costs of \$55,145.00 with a maximum amount of \$49,900.00 Federal funds at 90.49%, County's estimated portion to be \$5,245.00 at 9.51%, project total costs exceeding \$55,145.00 shall be paid by the County. Commissioner Paxton seconded and the motion carried unanimously.

Jon Anderson of PMPC Engineering reported on the progress of the Sinclair Bypass Project. He reported that Scherer Construction is ahead of schedule, then presented the first payment application totaling \$186,163.31 for the Board's approval noting that payment will be made from the Town of Sinclair's State Land and Investment private industry match grant. Mr. Anderson overviewed all the funding sources involved and how payment will be made from each. Expended first will be the \$1,000,000.00 private industry match grant from the Town of Sinclair matched by the Sinclair Refinery, then a \$350,000.00 Wyoming Department of Transportation

grant, and finally an Industrial Road Program Grant of \$638,000.00 matched by Sinclair and County funds of \$319,000.00 each, adding that Sinclair's matching funds would be expended first with any County funds being expended last.

RECESS

Chairman Weickum called a recess at 10:56 a.m. and reconvened at 11:05 a.m.

ENERGY MINERALS COUNTIES COALITION

Ken Kerns of Double Rafter Consulting and B.J. Kristiansen of the Energy Minerals Counties Coalition discussed the socioeconomic impact of energy development in Carbon County.

WATER HEATER BIDS

Captain Fowler and Sheriff Colson opened one sealed bid for a water heater for the Jail from U.S. Mechanical, LLC in the amount of \$79,921.00. This includes demolishing and removal of the old tank, and installation of a new water heater, boilers, including electrical, plumbing and other associated items. There was further explanation of the large cost.

Commissioner Paxton moved to accept the bid from U.S. Mechanical, LLC to replace a water heater and all other associated items at the Jail in the amount of \$79,921.00. Commissioner Young seconded and the motion carried unanimously.

RECESS

Chairman Weickum recessed for lunch at 12:20 p.m. and reconvened at 1:35 p.m.

PLANNING & ZONING

Certification of Case File No. 09-05, 09-06, and 09-07

Troy Maddox, Planning & Zoning Chairman and Kristy Rowan of Planning & Development presented the Certification of Recommended Action for Case File No. 09-05, 09-06, and 09-07.

Commissioner Paxton moved to schedule a public hearing for August 4, 2009 at 11:30 a.m. at the County Courthouse in Rawlins, Wyoming to hear Case File No. 09-05 and 09-06, Old Baldy Village Ninth Addition's request for the Final Plat and Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-40000) on approximately 40000 acres; and Case File No. 09-07 Williams Field Services Company, LLC's request for a Variance in a Ranching, Agriculture, Mining (RAM) on approximately 34.44 acres, to vary the setback requirements from the required 40 feet to 3 feet. Commissioner Young seconded and the motion carried unanimously.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session at 1:46 p.m. with Clerk Bartlett and Attorney DeLancey to discuss potential litigation and matters considered confidential by law. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to come out of executive session at 2:25 p.m. and that the minutes of the session be approved as written and sealed and declared that no action was taken during the session. Commissioner Young seconded and the motion carried unanimously.

DIXON AIRPORT

Attorney DeLancey presented and discussed a proposed Dixon Airport lease and a set of proposed minimum airport development standards for construction for the Dixon Airport. Dana Hartshorn of the Airport Development Group stated there may be a study of Wyoming airports to compare the price per square foot for hangar space. Chairman Weickum reported on his meeting with David Pratt of Three Forks. He discussed moving Mr. McAlister's hangar near Three Forks rather than on the other end of the Airport. Mr. Hartshorn further explained the terms of the minimum standards.

Commissioner Paxton moved to adopt Resolution #2009-18, Airport Development Standards for the Dixon Airport, Carbon County, Wyoming. Commissioner Young seconded and the motion carried unanimously.

RESOLUTION #2009-18

AIRPORT DEVELOPMENT STANDARDS FOR THE DIXON AIRPORT CARBON COUNTY, WYOMING

Purpose

The purpose of these Standards is to provide a documented basis for directing and evaluating the planning, engineering, and architectural design of ramp, hangar and other facilities to be constructed on the property owned by Carbon County and referred to as the Dixon Airport.

Plan Review

In the presence of an Airport Board, the Board shall review all Plans and Specifications of ramp, hangar and other facilities submitted pursuant to these Standards and shall submit a written recommendation to the Board of County Commissioners upon the permit review. The County Commissioners shall then review and approve, reject or modify all Plans and Specifications submitted by the Airport Board pursuant to these Standards.

Applicability

No ramp, hangar or other facilities shall be built or modified until the Plans and Specifications for the construction of the same are submitted and approved by the Airport Board and County Commissioners.

Plans and Specifications Requirements

The applicant shall submit to the Airport Board two (2) copies of any proposed Plans and Specifications for the construction or modification of facilities affixed with an engineer's seal from the State of Wyoming or Colorado. Such plans and Specifications shall include at least the following:

1. A site plan indicating the location and extent of the following:
 - A. The size, location, dimensions and floor plan of the hangar or other buildings to be constructed.
 - B. The size and dimensions of the ramp area and automobile parking including pavement type and depth.
 - C. The location and setback of the hangar or other buildings from the ramp and adjacent taxiways.
 - D. Ramp, hangar and automobile parking access.
 - E. The total square footage of the ramp, hangar and other building area, along with adequate auto parking, and the legal description thereof.
 - F. The location of all trees, shrubs and landscaped areas.
 - G. Building elevations, to include any overhangs and designation of glass or other reflective surfaces.
 - H. Exterior lighting and area lumination and directions of such lighting.
 - I. Utility and easement locations.
 - J. Location and height of all fences and gates.
 - K. Location of all loading area and pedestrian ways.
 - L. All exterior contours and types of surfaces, and construction material of all buildings.
2. Engineering plans and information sufficient to show:
 - A. Grading with existing and future elevations.
 - B. Drainage plans with existing and future flows and facilities.
 - C. Pavement surfaces and cross sections.
 - D. Erosion control measures.
 - E. Hangar and other building construction plans as required.
 - F. Other engineering plans for other related items to be constructed on the property.
 - G. All plans and specifications will be stamped by an engineer or architect licensed to practice in Wyoming, unless waived by the Airport Board and County.

Permits and Certifications

Applicant shall state that all necessary permits, certifications and licenses required under local, state and Federal requirements have been obtained, which include a Carbon County Building permit, and that the applicant has complied with the Standards for development of the Airport Board and Carbon County, at Dixon Airport, and has read and will comply with the Rules and Regulations of said Airport. Applicant shall supply financial statements or letters of credit of the proposed Lessee to the Board of County Commissioners or in the existence of an Airport Board, directly to the Airport Board with the application.

Standards for Review

Review pursuant to these Standards is for determining the impact of the proposal on adjacent ramp and hangar facilities and on the operation of the taxiways and runways and other operations of the Dixon Airport. In reviewing the Plans and Specifications, the following standards shall apply:

1. That there will be no physical interference with the operation of aircraft or adjacent ramps, hangars, taxiways or runways.
2. That adequate access exists for aircraft to the hangar.
3. That the hangar is of sufficient size per aircraft.
4. That no lighting or reflections will adversely impact the operation of aircraft on adjacent ramps, hangars, taxiways or runways.
5. That no other external effects, including noise, odor, vibration, smoke, dust or gases will be of magnitude to adversely interfere with aircraft operations.
6. That there will be no adverse effect on the safety of aircraft operations or ground operations on any ramps, hangars, taxiways, runways or other facilities of the Airport. No project will visually or electronically interfere with the operation of the navigational aids on the Airport.
7. That the proposed development is consistent with the latest approved Airport Master Plan.

Procedure

The Airport Board shall within sixty (60) business days from the date of submission of the Plans and Specifications for the construction or modification of any ramp, hangar or other facilities, either approve, approve with stipulations or deny the said Plans and Specification, all based upon the provisions herein set forth. The report of the Airport Board shall be forwarded in the form of a written recommendation to the Carbon County Commissioners who shall review and ultimately approve the application.

The action taken hereunder shall be in written form, and if a denial is made, the basis for the denial shall be specified in reasonable detail. **If no action is taken within ninety (90) days, the Plans and Specifications will be deemed approved.**

Action

The decision of the Airport Board and the County Commissioners shall be final unless the applicant requests an appeal. Such an appeal request shall be filed with the Board of County Commissioners or the existing Airport Board and County within ten (10) days after the written decision above and the proceedings shall continue as prescribed by Rules of Practice for the Carbon County Commissioners.

Approved Plans and Specifications

The applicant shall submit to the Airport Board two (2) copies of the approved Plans and Specifications, showing all required changes and/or amendments thereto. The Airport Board shall return one (1) copy to the applicant under the Chairperson’s signature.

Prior to the construction and/or modification of any ramp, hangar or facility, the Applicant must first provide the Airport Board with the following:

1. Copy of "Building Permit" and any other licenses or permits necessary under Federal, state or local laws, statutes, orders or regulations.
2. Proof of insurance from the Licensed Wyoming Contractor as follows:

Worker's Compensation	As required by Wyoming law
Employer's Liability	\$500,000 per accident (minimum)

Commercial General Liability
Combined single limit for
Bodily Injury and
Property Damage \$2,000,000 ea. occ. min

Motor Vehicle Liability
Combined single limit for
Bodily Injury and
Property Damage \$2,000,000 ea. occ. min

Contractor's liability insurance policies shall name Carbon County and the Dixon Airport Board as additionally insured to indemnify the Airport Board and County of Carbon, Dixon Airport against all actions, claims, judgments or demands for damages arising on account of injuries of whatsoever kind and character sustained by any person or persons on account of the construction of this work.

Where applicable, property damage liability must be endorsed for blasting, the collapse of or structural injury to any building or structure, and damage to underground property, such as wires, conduit pipes, mains, sewers or other similar property.

Adopted and Resolved this 7th day of July, 2009.

By: -s- Terry Weickum, Chairman of the Board
-s- Jerry Paxton, Member
-s- Charles Young, Member

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

Commissioner Paxton discussed the proposed cost per square foot in the proposed lease which is now at \$0.25 per square foot. He asked that non-specific terms be blanks so they can be filled in differently for each tenant, for example, amount of square feet, lot area, and other terms.

Commissioner Paxton moved to approve the Dixon Airport Private Operator Agreement noting approval is with the exception of the noted changes. Commissioner Young seconded and the motion carried unanimously.

Dixon Airport Manager

Barry Bryant, Dixon Airport Manager provided an update on his first months as the Dixon Airport Manager.

Commissioner Paxton moved to designate Dominic Kazmar, 18 years old, and Kelsey Kazmar, 16 years old, as County volunteers to assist with the maintenance at the Dixon Airport noting that Kelsey is not authorized to operate any motorized equipment. Commissioner Young seconded and the motion carried unanimously.

Dixon Airport Project Bids

Dana Hartshorn of the Airport Development Group presented the bid results and recommendation of award for three projects at the Dixon Airport – Schedule I Alternate I taxi lane, Schedule II fuel system, and Schedule III a prefabricated manager's office and pilot's lounge/AWOS building. Bids were opened at the Courthouse as advertised on June 30, 2009 by Clerk Bartlett and Mr. Hartshorn and are as follows: Scherer Construction bid a total of \$372,429.54; J.L. Hardy Construction bid a total of \$404,635.07; CK Construction LLC bid \$472,153.77; and Platte Valley Construction Company, LLC bid \$551,783.00. These bids totals are for Schedule I Alternate I, and Schedules II and III.

Mr. Hartshorn noted that low bidder was Scherer Construction however their bid was 18% over the engineer's estimate largely due to the cost of asphalt. He stated that if a used fuel system was purchased, this would save funding as well as purchasing a used building for the pilot's lounge. Mr. Hartshorn stated that windows on most buildings would need to be upgraded to energy efficient windows. Savings could also be realized by not paving the parking area and rather using gravel. He stated that the fuel system could be delayed as it is a separate bid item but a bid could be awarded for the building and taxi lane. There was discussion that the thickness of the asphalt could be reduced. Commissioner Paxton noted that the priority is the taxi lane.

Mr. Hartshorn stated that he would investigate used fuel system options leaving the card reader as new and report back in one month if the BOCC wanted to delay this. The BOCC discussed having Buildings Manager Leroy Graham look for other buildings and delaying that as well.

Commissioner Paxton moved to award the bid for taxilane paving construction – Schedule I Alternate I, to Scherer Construction in the amount of \$327,559.07. Commissioner Young seconded and the motion carried unanimously.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session at 3:34 p.m. with Clerk Bartlett and Deputy County Attorney Marcia Bean to discuss potential litigation and matters considered confidential by law. Chairman Weickum seconded and the motion carried unanimously.

Commissioner Paxton moved to come out of executive session at 3:57 p.m. and that the minutes of the session be approved as written and sealed and declared that no action was taken during the session. Commissioner Young seconded and the motion carried unanimously.

RECESS

Chairman Weickum called a recess at 3:57 p.m. and reconvened at 4:05 p.m.

MEMORIAL HOSPITAL OF CARBON COUNTY

Dr. Kenneth Schulze of the Memorial Hospital of Carbon County (MHCC) and Mike Reed MHCC Board Chairman appeared on behalf of the hospital. Also present were Chief Financial Officer Rick White and Trustees Art Canaday, Rex Baldwin, David Cesko, M.D., and Paul Zamora.

Chairman Weickum discussed a spreadsheet provided by Clerk Bartlett pertaining to how much funding was given to MHCC by the County and Commissioner Paxton asked what the purpose of the request was. Mr. Reed stated that he was simply looking at how much funding might be available from the County to maintain the hospital in the future. Chairman Weickum stated that he does not correlate past funding with what the future needs and funding of the hospital might be.

Chairman Weickum stated that he previously asked the hospital for maintenance estimates from past years and noted that these were never received therefore the BOCC made a funding decision based on what they know. Chairman Weickum stated that after letters back and forth between attorneys about the definition of maintenance the BOCC has decided to put all funding in a levy for maintenance.

Chairman Weickum overviewed past and current management decisions of the hospital and ways the County has funded and assisted the hospital. Mr. Reed clarified that of the current board, except himself and Art Canaday, were not involved in many of the items Chairman Weickum discussed.

Mr. Canaday and Dr. Schulze explained that specific purpose funding would be used to upgrade the HVAC and equipment in the IT room in addition to projects previously presented to the BOCC and the public. Clerk Bartlett questioned the difference between these projects and projects presented to the BOCC for maintenance funding directly from the County.

Chairman Weickum stated the Mr. Reed previously stated there are legal issues outstanding and the Chairman asked what legal issues he was referring to. Mr. Canaday mentioned that it was simply that the County did not specifically levy for maintenance as statute requires. Chairman Weickum asked if this was the purpose of Mr. Reed's request for past funding information. Mr. Reed stated that there is no intent to go back to past years for funding not levied.

Mr. Zamora and Dr. Cesko discussed the communication gap between the two entities and their hope that it could improve. Chairman Weickum discussed what he feels is a lack of an open door policy at the hospital and asked what MHCC has done about it. Mr. Baldwin stated he doesn't feel like that there is a problem and that he is approached by employees all the time. Chairman

Weickum personally asked that notices be placed in paychecks and on bulletin boards at the hospital. Dr. Schulze stated he will ensure that there is a notice regarding an open door policy in each paycheck and that the Chairman gets a copy of it.

There was discussion of an inquiry to a bank about using specific purpose tax funding as collateral for a loan and Chairman Weickum again clarified that loans must first be approved by the County as the responsible entity.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session at 5:00 p.m. with Clerk Bartlett and Attorney Cindy DeLancey, Art Canaday, Dr. David Cesko, Rex Baldwin, Paul Zamora, and Dr. Schulze to discuss potential litigation, personnel, and matters considered confidential by law. Chairman Weickum seconded and the motion carried unanimously.

Commissioner Paxton moved to come out of executive session at 5:45 p.m. and that the minutes of the session be approved as written and sealed and declared that no action was taken during the session. Commissioner Young seconded and the motion carried unanimously.

ADJOURNMENT

There being no further business, Chairman Weickum adjourned the meeting at 5:46 p.m.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 21st day of July 2009

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Terry Weickum, Chairman