

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, October 19, 2010
Sinclair Town Hall, Sinclair, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, October 19, 2010 at the Sinclair Town Hall in Sinclair, Wyoming. Attending the meeting were Chairman Terry Weickum; Vice Chairman Jerry Paxton; Commissioner Charles C. Young; Deputy County Attorney Mike Kelly; and County Clerk Gwynn Bartlett.

Chairman Weickum called the meeting to order at 4:09 p.m.

VOUCHERS

Commissioner Paxton moved to approve the report of expenditures in the amount of \$414,167.96. Chairman Weickum seconded and the motion carried unanimously.

Commissioner Paxton moved to approve payment to Candy Mountain in the amount of \$56.75. Commissioner Young seconded and the motion carried with Commissioners Paxton and Young voting for the motion and Chairman Weickum abstained.

Vendor	Detail Line Description	Total
71 CONSTRUCTION	ASPHALT	\$1,044.72
AIRPORT DEVELOPMENT GROUP	MASTER PLAN/WEATHER SYSTEM	\$27,886.56
ALCO	SUPPLIES	\$90.82
ALSCO, AMERICAN LINEN DIVISION	FLOOR MATS	\$189.15
ARLINGTON OUTPOST	VEHICLE MAINTENANCE	\$56.15
BAGGS, TOWN OF	WATER SERVICES	\$15.00
BANK OF COMMERCE (DEBIT CARD)	VARIOUS CHARGES	\$8,346.53
BEHAVIORAL INTERVENTIONS	ELECTRONIC MONITORING	\$179.20
BI-RITE PHARMACY	SUPPLIES	\$2,112.51
BOYS & GIRLS CLUBS OF CARBON CTY	GRANT FUNDS	\$666.48
BRAKE & CLUTCH SUPPLY, INC.	PARTS	\$28.45
BRANHAM PUBLISHING CO	2010 AUTO REFERENCE BOOK	\$57.90
BRESNAN COMMUNICATIONS	IT INTERNET & WEBSITE	\$279.74
BUILD RITE LUMBER SUPPLY	SUPPLIES	\$181.75
CANDY MOUNTAIN 2010	SUPPLIES	\$56.75
CARBON COUNTY SENIOR SERVICES	MATCHING FUNDS/MEALS	\$65,051.00
CARBON COUNTY TREASURER	VARIOUS CASH ITEMS	\$808.36
CARBON POWER & LIGHT INC	ELECTRICAL SERVICES	\$1,775.05
CATERPILLAR FINANCIAL SERVICES CORP	LEASE PAYMENT	\$64,827.30
CBM FOOD SERVICE	JAIL FOOD	\$5,843.16
CDW GOVERNMENT, INC.	SUPPLIES	\$58.47
CESKO, DAVID MD	MEDICAL SERVICES	\$3,550.00
CHANDRA, V. RAJA-HEALTH OFFICER	CONTRACT WAGES	\$1,345.00
CHILDBIRTH GRAPHICS LTD	SUPPLIES	\$49.25
CHILDREN'S ADVOCACY PROJECT, INC	MEDICAL SERVICES	\$525.00
CHILDRESS ELECTRIC INC	SUPPLIES	\$20.00
CIVIC RESEARCH INSTITUTE	SUBSCRIPTION	\$159.95
COMPUTER GENERATED SOLUTIONS	SOFTWARE MAINTENANCE	\$200.00
COMPUTER SOFTWARE ASSOCIATES	IT INTERNET & WEBSITE	\$250.00
CONOCOPHILLIPS	FUEL	\$60.82
COWBOY SUPPLY HOUSE	SUPPLIES	\$44.76
COWDIN, JOHN	MILEAGE	\$67.20
CRAIG, CATHY	FUEL	\$21.82
CRESTLINE	SUPPLIES	\$587.77
CUSTOMIZED COMMUNICATIONS, INC.	SUPPLIES	\$55.00
DAHLKE, ARTHUR W.	MILEAGE	\$48.00
DAILY TIMES	NEWSPAPER ADS	\$1,201.50
DALLIN MOTORS INC	VEHICLE MAINTENANCE	\$60.95
DEFUR, DANIELLE	MILEAGE	\$43.00
DELL MARKETING L.P.	SUPPLIES	\$1,889.99
DENVER SHERIFF DEPARTMENT	PAPER SERVICE	\$44.00

DUBOIS TELEPHONE EXCHANGE	TELEPHONE SERVICES	\$355.78
EAGLE UNIFORM SUPPLY	SUPPLIES	\$142.28
ELECTRICAL EXCELLENCE	AWOS POWER SYSTEM	\$10,849.00
ELK MOUNTAIN VOLUNTEER FIRE DEPT	FUEL/BATTERIES	\$916.96
ELK MOUNTAIN, TOWN OF	WATER SERVICES	\$56.82
ENCAMPMENT, TOWN OF	WATER SERVICES	\$66.00
ENGSTROM, JAMES D. DDS	DENTAL SERVICES	\$2,500.00
ENTENMANN - ROVIN CO	SUPPLIES	\$132.23
FARMER BROTHERS COFFEE	SUPPLIES	\$113.55
FLEET SERVICES	FUEL	\$924.81
FOX, SID	MEALS/REGISTRATION	\$149.00
GALLS, AN ARAMARK COMPANY	UNIFORM SUPPLIES	\$51.94
GASES PLUS	SUPPLIES	\$841.66
GCR ELECTRONICS, LLC	SITE RENTALS	\$900.00
GLAXOSMITHKLINE FINANCIAL, INC.	PUBLIC HEALTH VACCINE	\$629.00
GOSVENOR, MAXINE	MILEAGE	\$36.50
GRAINGER	SUPPLIES	\$1,048.11
GRAPHIC SPORTS	SUPPLIES	\$64.95
GREEN CARTRIDGE COMPANY	SUPPLIES	\$731.94
HANNA, TOWN OF	WATER SERVICES	\$141.50
HEIMAN FIRE DEPARTMENT	SUPPLIES	\$942.22
HERRING, LACEY	MEALS/MILEAGE	\$95.05
HETTGAR, BRIDGET M RN	MEALS/MILEAGE	\$173.56
HILLCREST SPRING WATER, INC.	SUPPLIES	\$43.00
HILTON GARDEN INN	ROOM CHARGES	\$594.00
HONES VETERINARY SERVICE, LLC	VETERINARY SERVICES	\$54.00
IKON FINANCIAL SERVICES	IT COPIERS	\$2,119.59
INJOY VIDEOS	SUPPLIES	\$93.00
IRON J TOWING	TOW CHARGES	\$1,875.00
J H KASPAR OIL COMPANY	FUEL	\$5,294.59
JACK'S BODY & FENDER REPAIR	SERVICE CALL	\$75.00
JACKALOPE PRINTING	SUPPLIES	\$195.59
JERRY'S DONUTS	SUPPLIES	\$8.99
KAISER, DON	LAWN CARE	\$100.00
KAR KRAFT INC	VEHICLE MAINTENANCE	\$209.84
KILBURN TIRE COMPANY	TIRE REPAIR	\$969.93
KONE ELEVATORS ESCALATORS	ELEVATOR MAINTENANCE	\$1,476.19
KTGA/KBDY	ELECTION ADS	\$100.00
LAB SAFETY SUPPLY	SUPPLIES	\$814.25
LEXBO LLC	OFFICE RENTAL	\$450.00
LINDSAY, DARLA	WITNESS FEE	\$15.00
LITTLE AMERICA-CHEYENNE	MEALS/ROOM	\$267.97
LONG BUILDING TECHNOLOGIES, INC.	BUILDING REPAIRS	\$883.76
MADER, TSCHACHER, PETERSON & CO.	AUDIT SERVICES	\$21,000.00
MATTHEW BENDER & CO, INC.	SUBSCRIPTION	\$96.71
MEDICINE BOW, TOWN OF	WATER SERVICES	\$54.00
MOORE MEDICAL CORP.	MEDICAL SUPPLIES	\$47.29
MOTIVATORS, INC.	SUPPLIES	\$3,358.75
MPM CORP / EVERGREEN DISPOSAL	GARBAGE SERVICES	\$35.00
NATIONAL 4-H COUNCIL-SUPPLY SERVICE	SUPPLIES	\$106.62
NATIONAL BUSINESS SYSTEMS	TAX NOTICES	\$2,203.25
NOODLE SOUP	SUPPLIES	\$208.00
OAK TREE INN	RENTAL CHARGES	\$50.00
O'REILLY AUTO PARTS	PARTS	\$99.32
P M P C ENGINEERING	SAVERY CREEK BRIDGE DESIGN	\$24,375.40
PAMIDA INC	SUPPLIES	\$791.18
PAXTON, JERRY	MILEAGE	\$432.00
PERKINS OIL CO	FUEL	\$1,630.46
PERSONNEL EVALUATION, INC.	EVALUATIONS	\$40.00
PERUE PRINTING	IT COPIERS	\$633.21
POSITIVE PROMOTIONS	SUPPLIES	\$258.45
PRAIRIE DOG ELECTRIC, LLC	ELECTRICAL REPAIRS	\$250.23
PREMIER ELECTION SOLUTIONS	ELECTIONS SUPPLIES BALLOTS	\$4,334.72
PRO-CHEM INDUSTRIAL, LLC	SUPPLIES	\$424.66
QUILL CORPORATION	SUPPLIES	\$111.86

QWEST	TELEPHONE SERVICES	\$4,274.09
RAWLINS AUTOMOTIVE	PARTS	\$1,000.11
RAWLINS GLASS	GLASS REPAIRS	\$450.02
RIVERSIDE GARAGE & CABINS	FUEL	\$53.72
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICES	\$15,231.09
ROSS' AUTOMOTIVE SERVICES	VEHICLE REPAIRS	\$393.38
RYAN ELECTRONICS INC	MAINTENANCE CONTRACT FEE	\$4,007.29
SAENZ, DIANE	REIMBURSEMENT	\$76.31
SARATOGA AUTO PARTS, INC.	PARTS	\$41.73
SARATOGA SUN	NEWSPAPER ADS	\$618.75
SARATOGA, TOWN OF - WATER	WATER SERVICES	\$62.75
SECRETARY OF STATE	NOTARY FEE	\$30.00
SHEPARD'S	FUEL	\$404.46
SIRCHIE	SUPPLIES	\$186.69
SNAKE RIVER PRESS	NEWSPAPER ADS	\$344.00
SOURCE GAS	GAS SERVICES	\$49.87
STANLEY SECURITY SOLUTIONS	REPAIRS	\$200.00
STAN'S QUIK LUBE	VEHICLE MAINTENANCE	\$69.40
STAPLES ADVANTAGE	OFFICE SUPPLIES	\$1,203.24
STATE OF WYOMING (A&I)	SUBSCRIPTIONS	\$17.08
SUNRISE SANITATION SERVICE, LLC.	GARBAGE SERVICES	\$55.00
SWEETWATER CTY SHERIFF'S OFFICE	CONTRACT HOUSING	\$210.00
TERMINIX	PEST CONTROL	\$70.00
TRADING POST	FUEL	\$143.79
TRIPLE XXX CONTRACTING, INC.	GARBAGE SERVICES	\$50.00
TRUE VALUE OF RAWLINS	SUPPLIES	\$738.71
U S BANK	VARIOUS CHARGES	\$2,940.50
ULINE	SUPPLIES	\$981.08
UNION TELEPHONE COMPANY	TELEPHONE SERVICES	\$736.93
VAISALA, INC.	GRANT FUNDS	\$30,018.92
VALLEY OIL COMPANY	FUEL	\$7,468.01
VANDERVOOT, JOHN	MILEAGE/WITNESS FEE	\$173.00
VAN'S WHOLESALE LLC	SUPPLIES	\$393.30
WEICKUM, TERRY	MILEAGE	\$490.00
WELLS, JACQUELIN	MILEAGE/MEALS	\$298.38
WEST PAYMENT CENTER	SUBSCRIPTIONS	\$564.01
WHITE, JAKE G.	BUILDING MAINTENANCE	\$89.00
WILKERSON, JAMES A IV M.D.	CORONER EXAM FEES	\$1,040.00
WY DEPT OF FAMILY SERVICES	JULY COPIER/SCREENING	\$14.72
WY DEPT OF HEALTH	PAYROLL/VARIOUS CHARGES	\$41,030.37
WY GUARDIANS AD LITEM PROGRAM	LEGAL SERVICES	\$5,463.78
WY MACHINERY COMPANY	HEAVY EQUIPMENT PARTS	\$414.26
WY STATE FORESTRY	VEHICLE REPAIRS	\$1,988.80
WY STATIONERY	SUPPLIES	\$569.18
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	\$1,131.05
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICES	\$565.21
YOUNG, CHARLES	MILEAGE	\$50.00
GRAND TOTAL		\$414,224.71

CLERK

Minutes

Commissioner Paxton moved to approve the minutes of the October 5, 2010 regular meeting of the Board of Carbon County Commissioners and the minutes of the October 12, 2010 special meeting regarding health insurance of the Board of Carbon County Commissioners as presented. Commissioner Young seconded and the motion carried unanimously.

Bonds

Commissioner Young moved to approve a \$50,000.00 bond for Robert L. Patton, Treasurer in the Carbon County School District 2. Commissioner Paxton seconded and the motion carried unanimously.

Monthly Receipts

Commissioner Young moved to accept the Clerk of District Court receipts for the month ending August 2010 in the amount of \$3,451.11, and month ending September 2010 in the amount of \$3,343.75. Commissioner Paxton seconded and the motion carried unanimously.

Carbon Mercantile Roof

Clerk Bartlett presented a letter from Lindy Glode of the Carbon Mercantile Corporation requesting the County sponsor a grant to repair their roof. She noted that the letter does not indicate the amount of the grant, the agency they will apply to, or if there is a match requirement but that if all these things are deemed acceptable she would agree with sponsorship and would agree to help monitor the grant. Chairman Weickum stated he believes the grant is through the Wyoming Business Council.

Commissioner Paxton moved to authorize Clerk Bartlett to work with the Carbon Mercantile Corporation to clarify information and possibly apply for a grant to repair the building roof. Commissioner Young seconded and the motion carried unanimously.

Board Resignation

Clerk Bartlett presented a resignation from Rita Clark from the Senior Services Board effective October 16, 2010 and stated she will advertise for this position.

Commissioner Paxton moved to accept the resignation of Rita Clark from the Senior Services Board effective October 16, 2010 and to authorize Clerk Bartlett to advertise for a replacement. Commissioner Young seconded and the motion carried unanimously.

Special Districts Annual Report

Clerk Bartlett advised she received a letter from the State of Wyoming, Department of Audit that nine special districts in the County have not filed an annual report that was due September 30, and a copy of the letter has been mailed to each entity. These entities are the Baggs Cemetery District; Baggs Solid Waste Disposal District; Carbon County Predator Management Board, Carbon County School District No. 1 Recreation Board; Carbon County School District No. 2 Recreation Board; Little Snake River Conservation District; Rawlins Downtown Development Authority; Saratoga-Carbon County Impact Joint Powers Board; and Savery-Little Snake River Water Conservancy.

Homeland Security Grant

Clerk Bartlett reported that Sheriff Colson indicated he does not wish to apply for the Interoperable Emergency Communications Grant as Deputy Attorney Kelly reviewed the grant agreement and pointed out that the grant mandates certain responsibilities on the part of the County including a requirement that the County establish a local and/or regional interoperability committee and that the County establish standard operating procedures for use of the interoperability channels.

CMAQ Reimbursement

Commissioner Young moved to authorize the Chairman's signature on the Wyoming Department of Transportation Congestion Mitigation / Air Quality (CMAQ) FY2010 Project Cost Reimbursement Statement for project CM0.00CM10002 in the amount of \$300,964.03 and to authorize Bill Nation to sign the Acceptance and Completion Certificate. Commissioner Paxton seconded and the motion carried unanimously.

ELECTED OFFICIALS / DEPARTMENT HEADS

Attorney

Deputy Attorney Mike Kelly presented a contract for the Community Juvenile Services Board.

Commissioner Paxton moved to approve the Professional Services Contract Between the State of Wyoming, Department of Family Services and Carbon County Board of Commissioners in the amount of \$43,750.00 from September 1, 2010 through June 30, 2012 for the Community Juvenile Services Board with an in-kind match from Carbon County.

Deputy Attorney Kelly reported that the Wyoming Military Department is terminating the lease for the Armory Building and will be leasing it to the Wyoming Department of Corrections who has indicated they will sublease the facility to the County.

He also reported he has been in contact with Peggy Trent who represents the Town of Hanna and has discussed the County's purchase of the Hanna Senior Center and Fire Hall and Ms. Trent should be submitting a purchase agreement within a week. The existing fire service Memorandum of Understanding with Hanna may need to be renewed as it expires at the end of October.

Commissioner Paxton moved that contingent upon legal review, Chairman Weickum be authorized to sign the extension of the Memorandum of Understanding with the Town of Hanna for fire suppression. Commissioner Young seconded and the motion carried unanimously.

Deputy Attorney Kelly reported he has been working with Cathy MacPherson who represents the Platte Valley Community Center Joint Powers Board regarding a potential problem with funding for that center. Ms. MacPherson is going to report back to him on the matter.

Deputy Attorney Kelly has also been working on obtaining proof of insurance for 4-H children to ride in the County's vehicles and he is working with Ms. MacPherson on obtaining changes to the County's Personnel Manual. Clerk Bartlett asked that the other elected officials and department heads have input on any proposed changes.

Assessor

County Assessor Sheryl Snider presented numerous abates and rebates. She reminded the BOCC that January 11 there will be a training offered by the Board of Equalization in Cheyenne.

Sheriff

Sheriff Jerry Colson reported that his office is working on a request for proposals for a new E911 system and he will have Deputy Attorney Kelly review this before releasing it.

Road & Bridge

Bill Nation, Road & Bridge (R&B) Superintendent, reported the Sinclair Bypass is substantially complete. He stated County Road #351 to Seminoe at the Dugway will be part of a high risk rural road program to add striping, signs, and rumble strips to attempt to slow people down. The Savery bridge update is at the Wyoming Department of Transportation for review and upon completion of that it will be replaced. He discussed various meetings he will attend including one regarding the road south of Rawlins and construction that may take place.

Museum

Tiffany Wilson the new Carbon County Museum Director introduced herself.

DIXON AIRPORT

Barry Bryant, Dixon Airport Manager and Steve Marshall, Airport Development Group reported about lease rates at the Dixon Airport. Mr. Bryant stated that \$0.15 per square foot would be more in line with what similar airports charge rather than \$0.25 per square foot per month. He also recommended between now and the end of 2011 waiving the first five years of lease payments to spur development there. Chairman Weickum discussed his concern for lowering rent as well as waiving lease fees. Commissioner Paxton stated the lower lease sounded more reasonable and suggested possibly waiving fees for a lesser period. He also suggested taking County Attorney Cal Rerucha's suggestion to have a work session regarding property at the

airport and the BOCC asked Deputy Attorney Kelly to have Attorney Rerucha set something up for November 9 at 7:00 p.m. in Baggs at the Higher Education Building.

Mr. Bryant discussed several hangars on the County's property and Deputy Attorney Kelly stated that there have been no building permits nor have they been assessed. Mr. Marshall advised he spoke with Mr. Grieve about a price to purchase his hangar and another on the south side of the airport. On the north side are the three hangars on County property.

Brent Wilson requested a lease as soon as possible. Mr. Bryant asked Deputy Attorney Kelly to look at whether or not a fire marshal review is really necessary.

Commissioner Paxton moved to set the rental amount at \$0.15 per square foot per year at the Dixon Airport and to forgive the first 2 years of rent as incentive to get people to build on the property. Commissioner Young seconded and Mr. Wilson discussed a possible sunset date for the incentive on the lease. Mr. Bryant suggested the end of 2011. The motion was amended to add that the two year rent forgiveness is contingent upon the start of construction by December 31, 2011. The amended motion carried unanimously.

Mr. Fox stated he is comfortable issuing the building permit for Mr. Wilson and a zone change may need to be completed before building.

Mr. Bryant stated the UHF license should be received soon and once received the AWOS can be activated. He reported the WY Aviation Capital Improvement Plan will pay for 50% up to \$100,000 for mowing equipment for the Dixon Airport.

The BOCC directed Deputy Attorney Kelly to draft a lease for Mr. Wilson and bring it for approval November 9. Mr. Bryant requested that Resolution #2009-18 be amended to reflect a \$1million liability requirement and changes in worker's compensation.

CITIZEN DISCUSSION

James Piche of Pioneer Mill Construction reported that he is a victim of the Wy-Con disaster at the Fairgrounds multipurpose facility and asked if the County could push harder to have Wy-Con pay contractors. Deputy Attorney Kelly stated that he spoke with the bonding company yesterday who indicated the compilation of outstanding claims is complete and a certified letter has been sent to Wy-Con requesting notification of their plans. He explained that if there is no response by Wy-Con they will instigate a lawsuit and the County will go into interpleader where the court will take the bond funds and County funds to pay contractors as it deems appropriate.

Tim Bauman of Childress Electric stated that the bonding company has indicated it will not release its funds until the County releases its withholding. He questioned the legality of the small bond on such a large job. Chairman Weickum asked if Mr. Bauman has filed suit against Wy-Con and Mr. Bauman stated that it will cost a large amount to do this. Deputy Attorney Kelly indicated that if contractors were to file suit Wy-Con would have to resolve it. Mr. Bauman stated change orders were done directly for the County and he asked why these haven't been paid.

Mike Sisneros of BCN Construction was also present.

Chairman Weickum stated that the County apologizes, Wy-Con was an incredible disappointment, and the County will do everything it can to pay each contractor whole however no promises can be made.

COMMISSIONER DISCUSSION

Chairman Weickum and Commissioner Paxton reported on meetings they have and will be attending.

PLANNING & ZONING

Certification of the Draft 2010 Carbon County Comprehensive Land Use Plan

Sid Fox, County Planning Director presented the Certification of Recommended Action for the draft 2010 Carbon County Comprehensive Land Use Plan on behalf of the Planning & Zoning (P&Z) Commission. Mr. Fox stated that as a result of the public input the P&Z Commission tabled the plan and did minor edits and he presented copies of the edits.

Commissioner Young moved to schedule a public hearing pursuant to Wyoming Statute 18-5-202(b) and (c) for November 9, 2010 at 3:15 p.m. at the County Courthouse in Rawlins, Wyoming to hear comments for the purpose of determining to adopt the Plan, adopt the Plan with modifications or disapprove of the draft 2010 Carbon County Comprehensive Land Use Plan. Commissioner Paxton seconded and the motion carried unanimously.

Mr. Fox presented a proposed resolution provided by the City of Rawlins regarding an extraterritorial utility and infrastructure expansion plan. He stated this would extend into rural, unincorporated areas of the City of Rawlins and just wanted the BOCC to be aware of it.

OLD PENITENTIARY

Leigh Nation from the Old Penitentiary Joint Powers Board provided a summary of the summer activities at the Old Penitentiary. Also present from the Board was Gary Hansen, Jr., Mary-Pat Whitfield, Leigh Nation, Glenna Kauppila, David Michie, III and Historic Site Director Tina Hill.

Mr. Hansen discussed the upcoming County Commissioners meeting next April and asked if the BOCC had decided if the event would be held at the Old Penitentiary.

COURTHOUSE GROUNDS

Derk Pfannenstiel requested the use of the south side of the Carbon County Courthouse along Pine Street to hold a satellite of the Rally to Restore Sanity held in Washington D.C. on October 30 from 9:00 a.m. to 2:00 p.m. He stated he would provide liability insurance, portable restrooms, and a generator.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session at 6:58 p.m. with Clerk Bartlett and Deputy Attorney Mike Kelly to discuss potential litigation and other matters considered confidential by law. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to come out of executive session at 7:21 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 7:21 p.m.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 9th day of November 2010

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Terry Weickum, Chairman