

**MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, May 21, 2013  
Hanna Senior Center, Hanna, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, May 21, 2013 at the Hanna Senior Center in Hanna, Wyoming. Attending the meeting were Chairman Leo Chapman; Vice Chairman John Espy; Commissioners Lindy Glode, Sue Jones and John Johnson; County Attorney Cal Rerucha; and County Clerk Gwynn Bartlett.

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

**ADDITIONS / CORRECTIONS**

There were no additions or corrections.

**VOUCHERS**

Commissioner Espy moved to approve the report of expenditures in the amount of \$733,188.45. Commissioner Johnson seconded and the motion carried unanimously.

Commissioner Espy moved to approve payment to Sunrise Sanitation in the amount of \$60.00. Commissioner Glode seconded and the motion carried with all voting for the motion except Commissioner Jones who abstained due to a personal conflict.

Commissioner Espy moved to approve payment to Rawlins Automotive in the amount of \$354.06, Shively Hardware in the amount of \$728.92, and True Value of Rawlins in the amount of \$824.90. Commissioner Johnson seconded and the motion carried with all voting for the motion except Commissioner Glode who abstained due to personal conflicts.

Vendor	Detail Line Description	Total
2013 PROJECT GRADUATION	PROJECT GRADUATION BAGGS	\$500.00
A THRU Z DOCUMENT DESTRUCTION, INC	DOCUMENT DESTRUCTION	\$2,044.50
ALCO	SUPPLIES	\$141.12
ALSCO, AMERICAN LINEN DIVISION	SUPPLIES	\$145.74
AMERIGAS	PROPANE SERVICES	\$2,886.40
BAGGS, TOWN OF	WATER SERVICES	\$20.60
BANK OF COMMERCE (DEBIT CARD)	VARIOUS CHARGES	\$5,179.68
BARKHURST, RAY	MILEAGE	\$34.80
BEHAVIORAL INTERVENTIONS	ELECTRONIC MONITORING	\$1,734.00
BESEL, KEN	MILEAGE	\$24.00
BI-RITE PHARMACY	PRESCRIPTIONS	\$2,410.97
BOB BARKER COMPANY, INC.	SUPPLIES	\$408.82

BRAUN, LORNA	MEALS	\$31.53
BRESNAN COMMUNICATIONS	CABLE SERVICES	\$27.15
BUCHANAN, KAREN	MILEAGE	\$79.80
BUILD RITE LUMBER SUPPLY	SUPPLIES	\$30.49
C & B SAND & GRAVEL	MSHA TRAINING	\$141.18
CANDY MOUNTAIN	EQUIPMENT RENTAL/SUPPLIES	\$30.00
CARBON COUNTY SENIOR SERVICES	APR HEALTH SUBSIDY/MEALS	\$6,325.91
CARBON COUNTY TREASURER	VARIOUS CASH ITEMS	\$882.40
CARBON COUNTY VETERINARY HOSPITAL	VETERINARY SERVICES	\$2,409.69
CARBON POWER & LIGHT INC	ELECTRICAL SERVICES	\$1,237.26
CASPER WINNELSON CO	SUPPLIES	\$684.13
CBM FOOD SERVICE	JAIL MEALS	\$13,353.26
CDW GOVERNMENT, INC.	SUPPLIES	\$1,339.00
CEDARS HEALTH	MEDICAL SERVICES	\$170.00
CENTURYLINK	TELEPHONE SERVICES	\$4,339.92
CENTURYLINK-PHOENIX	TELEPHONE SERVICES	\$65.68
CESKO FAMILY MEDICINE, PC	MEDICAL SERVICES	\$1,956.66
CHEYENNE CARDIOLOGY CONSULTANTS	MEDICAL SERVICES	\$305.00
CMI-TECO	SUPPLIES	\$84.55
COBECON	AUDIT & ANALYTICS	\$1,500.00
CONLEY, MARCI	LOVE & LOGIC FACILITATION	\$359.97
COWDIN, JOHN	MILEAGE	\$32.40
CULLIGAN WATER CONDITIONING	SUPPLIES	\$287.50
DAILY TIMES	NEWSPAPER CHARGES	\$1,095.06
DALLIN MOTORS INC	VEHICLE MAINTENANCE	\$54.34
DAVIDSON FAMILY DENTAL	DENTAL SERVICES	\$196.00
DELEON, JOHN	LEGAL SERVICES	\$1,743.75
DON'S AUTO & BODY SHOP	VEHICLE MAINTENANCE	\$150.00
DRUMMOND REFRIGERATION LLC	REFRIGERATION REPAIRS	\$98.00
EAGLE PLUMBING & CONSTRUCTION	PLUMBING MAINTENANCE	\$553.50
EASTMAN, PATRICK	MILEAGE	\$20.70
EICHENBERGER, MELISSA	MILEAGE/MEALS	\$464.91
ELK MOUNTAIN CONOCO	FUEL	\$275.49
ENCAMPMENT STUDENT COUNCIL	2013-2014 AD	\$105.00
ENCAMPMENT, TOWN OF	WATER SERVICES	\$72.00
ENGSTROM, JAMES D. DDS	DENTAL SERVICES	\$2,500.00
FARMER BROTHERS COFFEE	SUPPLIES	\$123.02
FEDEX	POSTAGE	\$24.33
FORSTER LANDSCAPE & CONSTRUCTION, INC.	SNOW REMOVAL	\$65.00
FRUDE, CANDICE	TRAINING FEE REIMBURSEMENT	\$40.00
GCR ELECTRONICS, LLC	CHALK MOUNTAIN SITE RENTAL	\$900.00
GERMAN, JENNIFER	MILEAGE	\$45.00

HAGOOD, VICKI	MILEAGE/MEALS	\$195.02
HANNA PROP REPAIR	SNOW REMOVAL	\$80.00
HANNA, TOWN OF	WATER SERVICES	\$79.24
HASCO INDUSTRIAL SUPPLY	CATTLEGUARD MATERIALS	\$6,012.67
HAYS, STEPHEN DDS	DENTAL SERVICES	\$360.00
HEADS WEST SANITATION	SEPTIC SERVICES	\$375.00
HEMOCUE	SUPPLIES	\$183.00
HEROLD IRON WORKS	SUPPLIES	\$114.00
HERRING, PAUL	SUPPLIES	\$122.16
HERTER, JACQUES P. PHD	PSYCHOLOGICAL EVALUATION	\$1,100.00
HETTGAR, BRIDGET M RN	MILEAGE/MEALS	\$215.19
HIGH DESERT WELDING & MACHINE LLC	BUILDING MAINTENANCE	\$736.97
HILLCREST SPRING WATER, INC.	EQUIPMENT RENTAL	\$28.00
HILLTOP CONOCO	FUEL	\$196.16
HI-TECH AUTO	VEHICLE MAINTENANCE	\$174.75
INTERMOUNTAIN RECORD CENTER, INC.	MICROFILM LAND PROJECT	\$7,635.98
INTOXIMETERS	SUPPLIES	\$112.95
IRON J TOWING	TOW CHARGES	\$170.00
J H KASPAR OIL COMPANY	FUEL	\$17,029.00
JACKALOPE PRINTING	SUPPLIES	\$161.50
JERRY'S DONUTS	SUPPLIES	\$52.45
JJWTECH, INC	SUPPLIES	\$771.80
KAISLER, TODD	MILEAGE	\$54.00
KAR KRAFT INC	VEHICLE MAINTENANCE	\$412.31
KARBON ARMS	BANDIT REPAIR	\$185.00
KELCO SUPPLY COMPANY	SUPPLIES	\$213.85
KILBURN TIRE COMPANY	VEHICLE MAINTENANCE	\$422.21
KINETIC LEASING	LEASE PAYMENTS	\$212,612.80
KING SOOPERS CUSTOMER CHARGES	SUPPLIES	\$226.87
KONE ELEVATORS ESCALATORS	ELEVATOR MAINTENANCE	\$1,914.45
KTGA/KBDY	RADIO ADS	\$200.00
L & L ELECTRIC	ELECTRICAL MAINTENANCE	\$1,515.12
LEXBO LLC	OFFICE RENTAL	\$500.00
LONG BUILDING TECHNOLOGIES, INC.	BUILDING MAINTENANCE	\$13,993.66
MADDOX, TROY	MILEAGE	\$34.80
MASTERWORKS MECHANICAL INC	BUILDING MAINTENANCE	\$257.89
MBS SERVICES	VEHICLE MAINTENANCE	\$51.88
MEDICINE BOW HEALTH CENTER	HEALTH SUBSIDY/MEDICAL SERVICES	\$1,093.74
MEDICINE BOW, TOWN OF	WATER SERVICES	\$75.00
MEMORIAL HOSPITAL OF CARBON COUNTY	MEDICAL SERVICES	\$361.14
MERBACK AWARD COMPANY	SUPPLIES	\$379.60
MILLER, JIM	MILEAGE	\$30.60

MILLER, JULI	MILEAGE/MEALS	\$315.32
MOBILE CONCRETE, INC	CONCRETE	\$718.75
MOORE MEDICAL CORP.	SUPPLIES	\$1,293.14
MOSS, BARBARA	MILEAGE	\$86.40
MPM CORP / EVERGREEN DISPOSAL	GARBAGE SERVICES	\$20.00
MY OFFICE ETC.	SUPPLIES	\$2,145.81
NEVE'S UNIFORMS	SHERIFF UNIFORMS	\$121.89
NEWMAN TRAFFIC SIGNS	SIGNS	\$777.30
NOODLE SOUP	SUPPLIES	\$524.50
NORCO, INC.	SUPPLIES	\$1,224.42
OFFICE DEPOT	SUPPLIES	\$187.08
OPTIMUM	CABLE/INTERNET SERVICES	\$268.78
OTIS ELEVATOR COMPANY	ELEVATOR MAINTENANCE	\$2,503.44
PAGING & WIRELESS SERVICE CENTER	PAGER REPAIRS	\$249.25
PATHFINDER LAW OFFICES LLC	LEGAL SERVICES	\$217.50
PATTON, ROBERT L.	MILEAGE	\$12.60
PENCE AND MACMILLAN LLC	LEGAL SERVICES	\$7.50
PERKINS OIL CO	FUEL	\$3,243.73
PERUE PRINTING	SUPPLIES	\$395.00
PHILLIPS 66-CONOCO-76	FUEL	\$1,038.68
PICKETT, CHAD	MILEAGE	\$40.20
PITNEY BOWES	RENTAL CHARGES	\$271.00
PLATTE VALLEY MEDICAL CLINIC	MEDICAL SERVICES	\$585.50
PRAIRIE DOG ELECTRIC, LLC	BUILDING MAINTENANCE	\$300.00
PRAIRIE PELLA WYOMING LLC	POWER SUPPLY	\$245.00
PRIORITY DISPATCH	MAINTENANCE AGREEMENT	\$78.00
QUEST DIAGNOSTICS	RANDOM TESTING	\$91.00
QUICKSERIES PUBLISHING INC	TRAINING GUIDES	\$582.71
QUILL CORPORATION	SUPPLIES	\$561.02
RAWLINS AUTOMOTIVE	208-PARTS	\$354.06
RAWLINS EYE CARE	VISION SERVICES	\$728.00
RAWLINS FAMILY MEDICAL, P.C.	MEDICAL SERVICES	\$518.00
RAWLINS GLASS	WINDSHIELD REPLACEMENT/PLEXIGLASS	\$291.09
RAY'S GUNSMITHING	FIREARM PACKING & TRANSFER	\$54.20
RICOH USA INC	IT COPIERS	\$893.48
RICOH USA, INC	IT COPIERS	\$4,040.70
ROCKY MOUNTAIN POWER	ELECTRIC SERVICES	\$15,640.20
RYAN ELECTRONICS INC	CONTRACT FEE/SUPPLIES/INSTALLATION	\$5,705.00
SAPP BROS TRUCK STOPS, INC.	TIRES	\$9,780.00
SARATOGA FEED & GRAIN	SUPPLIES	\$49.00
SARATOGA SUN	NEWSPAPER CHARGES	\$509.75
SARATOGA, TOWN OF	WATER SERVICES	\$93.43

SCHILLING & WINN PC	LEGAL SERVICES	\$1,300.00
SECURENET SYSTEMS INC	BOCC MEETINGS STREAMING	\$99.00
SHEPARD'S	FUEL	\$3,321.42
SHIVELY HARDWARE	VEHILCE MAINTENANCE	\$728.92
SHOPKO	SUPPLIES	\$122.76
SHOPKO PHARMACY	PRESCRIPTIONS	\$402.10
SNAKE RIVER PRESS	PUBLIC LEGAL NOTICE AD	\$168.00
SOUTHWEST M.R.O., LLC	RANDOM TESTING	\$25.00
STAPLES ADVANTAGE	SUPPLIES	\$1,244.57
STATE OF WYOMING (A&I)	MAINFRAME ACCESS	\$9.57
STEPHENSON, LEE ANN	MILEAGE	\$48.00
SUNRISE SANITATION SERVICE, LLC.	GARBAGE SERVICES	\$60.00
SWEETWATER COUNTY SHERIFF'S OFFICE	INMATE HOUSING	\$6,825.00
SWISHER HYGIENE FRANCHISEE TRUST	SUPPLIES	\$111.98
THE QUIK LUBE	VEHICLE MAINTENANCE	\$62.93
TREVATHAN, SABRINA RPR	TRANSCRIPTION SERVICES	\$355.20
TRUE VALUE OF RAWLINS	SUPPLIES	\$824.90
U S BANK	VARIOUS CHARGES	\$3,583.97
U W C E S	QUARTERLY SALARY	\$5,125.50
UNION TELEPHONE COMPANY	TELEPHONE SERVICES	\$1,904.92
UPS	POSTAGE	\$19.69
US BANK TRUST N.A.	2010C BOND INTEREST/PRINCIPAL	\$275,975.00
VAISALA, INC.	AWOS MAINTENANCE	\$2,694.00
VALLEY PHARMACY	PRESCRIPTIONS	\$144.15
VAN'S WHOLESALE LLC	SUPPLIES	\$974.00
VERIZON WIRELESS	TELEPHONE SERVICES	\$930.62
WAZITECH TECHNICAL SOLUTIONS	SECURITY SCAN	\$1,499.00
WELLS, JACQUELIN	MILEAGE/MEALS	\$283.73
WEST PAYMENT CENTER	INFORMATION CHARGES	\$1,717.89
WEX BANK	FUEL	\$361.73
WILLE, WILLIAM R	DIXON SENIOR CENTER MAINTENANCE	\$140.00
WILSON, MARGARET	PATCHES	\$18.00
WIMPENNY, ROBERT G DDS	DENTAL SERVICES	\$226.00
WY ASSOCIATION OF SHERIFFS AND CHIEFS	2013-2014 DUES	\$400.00
WY BRAND INDUSTRIES	SUPPLIES	\$694.90
WY COALITION AGAINST DV/SA	CONFERENCE REGISTRATIONS	\$225.00
WY DEPT OF FAMILY SERVICES	MARCI LYNN CONLEY SCREENING FEE	\$10.00
WY DEPT OF HEALTH	MOTOR VEHICLE BILLING	\$219.50
WY GUARDIANS AD LITEM PROGRAM	COUNTY MATCH FOR GAL FEES	\$6,440.48
WY LAW ENFORCEMENT ACADEMY	PIPER SCHOOLING	\$435.00
WY MACHINERY COMPANY	PARTS	\$383.03
WY STATE FORESTRY	FY 2014 PREMIUM	\$25,543.36

WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	\$462.47
XEROX CORPORATION-RENT	IT COPIERS	\$2,065.64
YOCUM, LEO	MILEAGE	\$36.00
GRAND TOTAL		\$735,156.33

## **CLERK**

### **Minutes**

Commissioner Glode moved to approve the minutes of the May 7, 2013 regular meeting of the Board of Carbon County Commissioners as presented. Commissioner Jones seconded and the motion carried unanimously.

### **Bonds**

Commissioner Espy moved to approve a bond for Joseph Edward Elder, Treasurer for the Town of Saratoga in the amount of \$50,000.00. Commissioner Glode seconded and Commissioner Johnson asked who pays the cost of the bonds. Clerk Bartlett explained each board pays for the bonds. The motion carried unanimously.

### **Monthly Receipts**

Clerk Bartlett reported fees were collected for the Clerk of District Court totaling \$7,228.14 and Planning and Development totaling \$655.00 for April 2013 and Road & Bridge totaling \$50.00 for May 2013.

### **Renewable Energy Legislation Letter**

Clerk Bartlett presented a draft letter to the U.S. House of Representatives per the BOCC's request at a previous meeting. The letter supports the Public Lands Renewable Energy Development Act (HR 596) which proposes to return to counties across the country a portion of the royalty revenues from renewable energy leases on federal land. Since the last meeting, Commissioner Jones stated the Power Company of Wyoming has issues with the royalties section of the bill and Trout Unlimited has requested the county hold off supporting the measure until a later time.

### **Lawn Care Proposal**

Clerk Bartlett advised that Hi Country Landscapes and Lawncare LLC's proposal included a fee for power raking, aerating, fertilizing, spring cleanup and fall raking in the amount of \$2,200.00 and Daniel Mika thought that spring and fall cleanup was separate. She stated since the motion was for the onetime cost of \$2,200.00 the BOCC would have to determine if it felt the proposal could have been misinterpreted and if it would like to amend the previous motion and pay \$2,200.00 for the spring and an additional \$2,200.00 for the fall cleanup. The BOCC stated it felt the proposal was very clear that both cleanups were included in the proposed price.

## **Propane Contracts**

Clerk Bartlett presented a contract for the fixed price of propane and an agreement for a used propane container. She reported Deputy Attorney Kelly reviewed the documents and Attorney Rerucha explained that all liability for the used propane tank is being placed on the county in the proposed agreement. He stated the tank must meet all specifications per the contract and that the contract shifts total liability to the county for all acts, including the provider's negligence. The provider's liability is limited only to the \$1,100.00 the tank costs and we indemnify the provider. Mr. Rerucha also pointed out the county should view the tank to ensure it meets the standards as the contract states the county has done so. He stated the BOCC can approve the contract if they choose but wanted them to be aware of the responsibilities of the county. Commissioner Jones stated that the county can simply rent the tank rather than purchase the tank and these contracts would not be necessary and noted this contract would be similar with any other propane provider that we purchased a tank from. Commissioner Johnson asked if the county could accept a simple bill of sale rather than execute this contract. Commissioner Espy asked that the tank be inspected by someone certified to do so. Attorney Rerucha stated the bill of sale would be more acceptable than the contracts presented.

Commissioner Johnson moved to authorize the Chairman's signature on a bill of sale after the tank has been inspected. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Jones moved to enter into the Fixed Price Agreement with Corkle Oil for propane at the Encampment Senior Center from May 1, 2013 to April 30, 2014 in the amount of \$1.29 per gallon April 1 to September 30, 2013 thereafter \$1.99 per gallon October 1, 2013 to March 31, 2014. Commissioner Johnson seconded and the motion carried unanimously.

## **Dixon Airport**

Clerk Bartlett advised a request for statement of qualifications and experience for professional airport planning services and engineering services for the Dixon Airport is being advertised in the Daily Times and also mailed to consultants provided by the Wyoming Department of Transportation. She asked for two commissioners to be on the selection committee along with herself and two other county representatives.

## **24-Hour Catering Permit**

Clerk Bartlett reported she issued a 24-hour catering permit to the Whistle Pig Saloon for the Pig Digger Mud Rally in Saratoga for May 25.

## **Crisis Center Grant Application**

Clerk Bartlett advised that Chairman Chapman signed a grant application for the Crisis Center – Detention Alternative project and asked the BOCC to ratify the Chairman's signature. Clerk Bartlett asked that the BOCC please ask grant applicants to consult with her, the County Treasurer, and Deputy County Attorney Mike Kelly before applications are submitted. She stated grants have an impact on these three offices and they like to be aware of them before they are applied for.

Commissioner Espy moved to ratify the Chairman's signature on Volunteers of America Northern Rockies (VOANR) 2011 OJJDP Non-Participating State Grant Application for the Crisis Center – Detention Alternative project in the amount of \$50,000.00. Commissioner Glode seconded and the motion carried unanimously.

Attorney Rerucha asked the BOCC for authorization to request funds from other entities for the Crisis Center and if the BOCC would like to be the entity formally requesting the funds. Mr. Rerucha stated the Juvenile Crisis Center Board is investigating all funding streams for the Crisis Center including donations, municipal funding, and grants.

Commissioner Espy moved to authorize the Chairman to sign letters related to funding for the Crisis Center after review by the entire board and if there are objections to any such letter, the matter will be brought up at a future meeting. Commissioner Glode seconded and the motion carried unanimously.

### **Carbon Building HVAC Engineering**

Clerk Bartlett explained that the prior Buildings Manager presented a proposal in December 2012 for engineering for the Carbon Building HVAC project. The proposal presented was for \$136,000.00 however should have been for \$169,500.00 because the electrical engineering was to be included. She requested the BOCC move to allow for the additional amount.

Commissioner Johnson moved to amend the contract with Klingsporn Engineering to reflect the amount of \$169,500.00 for engineering on the Carbon Building HVAC project. Commissioner Espy seconded and the motion carried unanimously.

Clerk Bartlett requested the BOCC approve a resolution to formerly apply for financing through Pinnacle Public Finance for the project. She noted she previously discussed proposals for financing and this was the chosen company based on their offer for the lowest interest rate.

Commissioner Espy moved to approve Resolution 2013-16, A Resolution Authorizing the Negotiation, Execution, and Delivery of a Master Equipment Lease Purchase Agreement and Scheduling in the Principal Amount of \$4 million Between Pinnacle Public Finance, Inc., A Delaware Corporation, As Lessor and Carbon County, Wyoming, as Lessee Under Which the Lessee will Lease Certain Equipment; and Prescribing other Details In Connection Therewith. Commissioner Johnson seconded and Commissioner Espy asked for clarification on the large amount of funding for this project. Clerk Bartlett explained the county's project manager has estimated the project to be a specific amount, including contingencies for the HVAC portion of the project and she added the estimated amount for the doors and windows at the Carbon Building and doors at the Courthouse. Craig Jones, Buildings Manager further explained the need for the project. The motion carried unanimously.

### **RESOLUTION NO. 2013-16**

**A RESOLUTION AUTHORIZING THE NEGOTIATION, EXECUTION, AND DELIVERY OF A MASTER EQUIPMENT LEASE PURCHASE AGREEMENT AND SCHEDULE IN THE PRINCIPAL AMOUNT OF \$4,000,000, BETWEEN PINNACLE PUBLIC FINANCE, INC., A DELAWARE CORPORATION, AS LESSOR, AND CARBON COUNTY, WYOMING, AS LESSEE, UNDER WHICH**

**THE LESSEE WILL LEASE CERTAIN EQUIPMENT; AND PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH.**

**WHEREAS**, Carbon County, Wyoming (the "County") is a body corporate and politic and public instrumentality of the State of Wyoming; and

**WHEREAS**, the Board of County Commissioners of the County (the "Commissioners") is authorized to acquire, hold, convey, lease, rent, and manage property, real and personal, for the benefit of the County in the name by which the County is designated, either alone or jointly with another public or private agency, institution, person, or corporation; and

**WHEREAS**, the Commissioners hereby find and determine that the execution of a Master Equipment Lease Purchase Agreement, to be dated as of the date of funding (the "Equipment Lease") for the purpose of leasing, with the option to purchase, the Equipment designated and set forth in EXHIBIT A of Schedule of Property No. 1 to the Equipment Lease, to be dated as of the date of funding (the "Schedule of Property") is appropriate and necessary to the function and operations of the County; and

**WHEREAS**, Pinnacle Public Finance, Inc. (the "Lessor"), duly organized, existing, and in good standing under the laws of the State of, a Delaware, shall act as Lessor under said Equipment Lease; and

**WHEREAS**, the obligation of the County to pay Rental Payments (as defined in the Equipment Lease) shall be from year to year only; shall constitute currently budgeted expenditures of the County; shall not constitute a mandatory charge or requirement in any ensuing budget year; and shall not constitute a general obligation or a multiple fiscal year direct or indirect debt or other financial obligation whatsoever of the County within the meaning of any constitutional or statutory limitation or requirement concerning the creation of indebtedness nor a mandatory payment obligation of the County in any ensuing fiscal year beyond any fiscal year during which the Equipment Lease shall be in effect; and

**WHEREAS**, the Equipment Lease shall not directly or indirectly obligate the County to make any payments beyond those appropriated for any fiscal year during which the Equipment Lease shall be in effect;

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

**Section 1.** The Chairman of the Commissioners and the County Clerk, acting on behalf of the County, are hereby authorized to negotiate, enter into, execute, and deliver the Equipment Lease in substantially the form set forth in the document presently before the Commissioners, which document is available for public inspection at the office of the County Clerk. The Chairman of the Commissioners and the County Clerk, acting on behalf of the County, are hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Lease, as the Chairman and Clerk, upon advice of counsel, deem necessary and appropriate. The County Clerk is authorized to execute the Payment Request and Partial Acceptance Certificate and Final Acceptance Certificate in the forms attached to the Equipment Lease.

**Section 2.** The Schedule of Property shall be in the principal amount of \$4,000,000, bearing interest as set forth in EXHIBIT A-1 of the Equipment Lease, and said Equipment Lease shall contain an option to purchase by the County as therein set forth.

**Section 3.** The obligation of the County to make Rental Payments under the Equipment Lease is subject to annual appropriation by the Commissioners and constitutes an undertaking of the County to make current expenditures. No provision of this resolution or the Equipment Lease or the Schedule of Property shall be construed or interpreted as a delegation of governmental powers or as constituting or giving rise to a general obligation or other indebtedness or a multiple fiscal year direct or indirect debt or other financial obligation of the County within the meaning of any constitutional or statutory debt limitation, nor a mandatory charge or requirement against the County in any ensuing fiscal year beyond the current fiscal year. The County shall have no obligation to make any payment to the Lessor or its assigns except in connection with the payment of the Rental Payments under the Equipment Lease and certain other payments, for which funds have been specifically appropriated and encumbered by the County for such purpose, under the Equipment Lease, which payments may be terminated by the County in accordance with the provisions of the Equipment Lease.

**Section 4.** The Commissioners hereby determine and declare that the Rental Payments due under the Equipment Lease constitute the fair rental value for the Equipment and do not exceed a reasonable amount.

**Section 5.** All other related contracts and agreements are hereby authorized.

**Section 6.** The County reasonably anticipates to issue not more than \$10,000,000 of tax-exempt obligations (other than "private activity bonds" which are not "qualified 501(c)(3) bonds") during the period from January 1, 2013 to December 31, 2013 and hereby designates the Equipment Lease and Schedule of Property as a qualified tax-exempt obligation for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

**Section 7.** This resolution shall take effect immediately upon its adoption and approval.

**ADOPTED AND APPROVED** this 21<sup>st</sup> day of May, 2013.

**(S E A L)**

**CARBON COUNTY, WYOMING**

By: -s- Leo Chapman

Title: Chairman, Board of County Commissioners

Date: May 21, 2013

**ATTEST:**

By: -s- Gwynn G. Bartlett

Title: County Clerk

Date: May 21, 2013

### **Specific Purpose Tax Bonds**

Clerk Bartlett presented an annual resolution for the county to allocate \$309,600.00 from FY13-14 for the 2010C rental payments. She reported the improvements from the 2010C bonds were for the hospital energy savings project and the hospital reimburses the county the amount of payments. The resolution also calls for the county to budget \$852,927.50 for the 2010C bond rental payments. These bonds are paid for with sales tax collections however the county must appropriate funds per the lease. The improvements under these bonds were for the hospital operating rooms and intensive care unit.

Commissioner Espy moved to adopt Resolution 2013-17 A Resolution Authorizing Renewal of that Certain Lease and Agreement, Dated as of December 23, 2010, Between Carbon County, Wyoming and the Carbon County 2009 Specific Purpose Tax Joint Powers Board, Through the Budget and Appropriations of Funds for the Payment of Rental Payments and Additional Rentals Thereunder for Fiscal Year 2013-2014. Commissioner Glode seconded and the motion carried unanimously.

### **RESOLUTION NO. 2013 – 17**

#### **RESOLUTION AUTHORIZING RENEWAL OF THAT CERTAIN LEASE AND AGREEMENT, DATED AS OF DECEMBER 23, 2010, BETWEEN CARBON COUNTY, WYOMING AND THE CARBON COUNTY 2009 SPECIFIC PURPOSE TAX JOINT POWERS BOARD, THROUGH THE BUDGET AND APPROPRIATION OF FUNDS FOR THE PAYMENT OF RENTAL PAYMENTS AND ADDITIONAL RENTALS THEREUNDER FOR FISCAL YEAR 2013-2014.**

WHEREAS, Carbon County, Wyoming (the "County") has entered into that certain annually terminable Lease and Agreement, dated as of December 23, 2010 (the "Lease") with the Carbon County 2009 Specific Purpose Tax Joint Powers Board (the "Board"), whereby the County has subleased the Hospital Site (as defined in the Lease) from the Board and has further leased from the Board certain Improvements (as defined in the Lease) to be constructed on the Hospital Site; and

WHEREAS, Section 4.1 of said Lease provides that the County must annually determine whether or not to terminate said Lease effective June 30 of any Fiscal Year; and

WHEREAS, the County has determined to continue said Lease for the period from July 1, 2013 to and including June 30, 2014, and the Board of County Commissioners of the County (the "Commissioners") has determined and hereby confirms to U.S. Bank National Association, in Denver, Colorado (the "Trustee"), under that certain Indenture of Trust, dated as of January 11, 2010, as amended and supplemented by that certain First Supplement to Indenture of Trust, dated as of December 23, 2010 (collectively, the "Indenture"), between the Board and the Trustee, that there shall be included in the County's Fiscal Year 2013-2014 budget moneys to pay all 2010B Base Rental Payments, 2010C Base Rental Payments and reasonably estimated Additional Rentals for said period (as defined in the Lease), all as further provided in ARTICLE VI of said Lease;

**NOW, THEREFORE, BE IT RESOLVED:**

1. The County will include in its Fiscal Year 2013-2014 budget all payments required under the Lease for Fiscal Year 2013-2014.

2. Pursuant to that certain 2009 Specific Purpose Tax Escrow Account Escrow Agreement, dated as of January 11, 2010, as amended (the "Escrow Agreement") with the Carbon County Treasurer, as escrow agent (the "Escrow Agent"), which established an escrow account (the "Escrow Account") for the collections that result from the imposition of a specific purpose sales and use tax that was imposed in the County effective April 1, 2009 (the "2009 Tax Revenues"), the Commissioners hereby specifically budget and appropriate \$852,927.50 in said 2009 Tax Revenues for the payment of 2010B Base Rental Payments under the Lease and further direct the Escrow Agent to make payments to the Trustee at the times and in the amounts as are set forth in such Escrow Agreement.

3. The Commissioners hereby further specifically budget and appropriate \$309,600 in County General Fund moneys (as defined in the Indenture) for the payment of 2010C Base Rental Payments under the Lease.

4. Submission of a copy of this resolution, along with a copy of the County's Fiscal Year 2013-2014 budget, to the Trustee, the Board and George K. Baum & Company, after adoption of the County's Fiscal Year 2013-2014 budget, will fully meet the requirements of Section 4.1 of the Lease.

**THIS RESOLUTION** is made and duly executed this 21 day of May, 2013, in accordance with the authorization by a majority vote of the duly elected Commissioners.

**CARBON COUNTY, WYOMING**

By: -s- Leo Chapman

Title: Chairman, Board of County Commissioners

**ATTESTED:**

By: -s- Gwynn G. Bartlett

Title: County Clerk

**ELECTED OFFICIALS / DEPARTMENT HEADS**

Clerk Bartlett presented one abatement and several rebates on behalf of the County Assessor. She also noted the Assessor wanted the BOCC to know there were no tax appeals received by her office. Finally, she reported the county's local assessed valuation will increase next fiscal by \$7,802,368. She added this is a small part of the county's valuation. The remainder is state assessed and there are no estimates on this portion of the valuation at this time.

**Attorney**

Attorney Rerucha presented a contract to develop public health emergency preparedness and response capability in the county and noted that Deputy Attorney Kelly and Bridget Hettgar from Public Health have reviewed and approved the contract.

Commissioner Glode moved to approve a Contract Between Wyoming Department of Health, Public Health Division and Carbon County Public Health Nursing Services for a term from July 1, 2013

through June 30, 2014, total payment not to exceed \$54,000.00. Commissioner Jones seconded and the motion carried unanimously.

Attorney Rerucha asked the BOCC if they would like his office to investigate the potential to collect fines from the Sinclair Refinery and keep them in Carbon County for use at the Crisis Center. These funds may be available on a competitive basis and he noted the Carbon County Higher Education Center (CCHEC) is also interested in these funds. Chairman Chapman stated he would be sensitive about instructing Mr. Rerucha to go after the funds after the county stated they didn't feel they were available for the CCHEC to obtain. There was further discussion that the BOCC would like to see the funds split with CCHEC if they can even be kept in Carbon County and they agreed Mr. Rerucha's office could investigate the matter further.

### **Planning**

Note: The recording for this meeting was not operational until this time.

County Planning Director Sid Fox discussed federal requests for comments as a cooperating agency and reported they would be providing a spreadsheet of various comment due dates for various projects. Thomas Powell, GIS Specialist, presented the Bureau of Land Management (BLM) Visual Resource Management Environmental Assessment document for the area outside of the Chokecherry and Sierra Madre projects. The BOCC reported it would e-mail comments to Mr. Fox and Mr. Powell this week to compile in order to meet the deadline and that a draft could likely be submitted then ratified to be official at the BOCC next regular meeting.

Mr. Powell stated the comment period for North Platte River Access Management Plan has been unofficially extended to June 2. Jeff Streeter, Founder of the Voices of the Valley reported that many misconceptions were clarified at the BLM's meeting on the matter last week. Mr. Streeter stated it was determined the impacts to the North Platte as far as crowded conditions on peak weekends would not be exacerbated by two actions, one of which was the improvement and expansion of the boat ramp at Bennett Peak. The other projects would be to improve the prospect road but this would be a project for well into the future. Also for the future would be access to Big Creek for a boat ramp and improved campground at the site as well as a new road. He stated he feels this might be problematic but the projects may not occur for at least 10 years.

### **Buildings Manager**

Craig Jones introduced himself as the county's new Buildings and Grounds Manager. Mr. Jones discussed that since he began employment yesterday he is already working on custodial scheduling, the Courthouse flag pole, Crisis Center phone lines, the Fire Department restroom remodel and numerous things at the Dixon Airport.

### **REGIONAL FIBER AND BROADBAND STUDY**

### **Public Hearing**

Chairman Chapman opened a public hearing at 3:45 p.m. to hear comments on the submission of an application to the Wyoming Business Council implementing a feasibility study for a regional fiber line

and improved broadband with the counties of Carbon and Natrona, Wyoming. Cindy Wallace of the Carbon County Economic Development Corporation (CCEDC) explained that the county would be sponsoring a grant for a feasibility study for fiber from Casper to Rawlins. The study would determine if the project is feasible and in what manner and with what providers. She reported the match is divided between Carbon County and Casper Area Economic Development Agency (CAEDA). The grant is \$50,000.00 plus \$8,333.00 from each of the entities previously mentioned. A draft MOU between the involved parties will be submitted with the grant application.

Chairman Chapman called for public comments for or against the submission of an application. Bill Nation asked if the fiber is laid, would the involved parties be allowed to tie into it. He also asked for the study to show the costs and availability of this to occur. Ms. Wallace stated this is in the grant. She reported the application will be submitted June 1 with an award date of October with a notice to proceed shortly thereafter. The study could potentially be completed by spring 2014. Clerk Bartlett reported today's public hearing was advertised in the Rawlins Daily Times May 14. There being no further comments, Chairman Chapman closed the public hearing at 3:52 p.m.

Commissioner Jones moved to approve Resolution No. 2013-18 a Resolution Supporting Submission of Application to the Wyoming Business Council through the Business Ready Community (BRC) Grant Program, on Behalf of the County of Carbon, WY. Commissioner Johnson seconded and the motion carried unanimously.

#### **RESOLUTION NO. 2013 - 18**

#### **A RESOLUTION SUPPORTING SUBMISSION OF APPLICATION TO THE WYOMING BUSINESS COUNCIL THROUGH THE BUSINESS READY COMMUNITY (BRC) PLANNING GRANT PROGRAM, ON BEHALF OF THE COUNTY OF CARBON, WY.**

**FOR THE PURPOSE OF:** Implementing a feasibility study for a regional fiber line and improved broadband within the Counties of Carbon and Natrona, Wyoming.

**WHEREAS**, the governing body of the County of Carbon desires to participate in the BRC Planning Grant Program to assist in financing this project; and,

**WHEREAS**, the governing body of the County of Carbon will act as a applicant in conjunction with the County of Natrona, Wyoming; and,

**WHEREAS**, the governing body of the County of Carbon recognizes this project will help to recruit new businesses and encourage additional business development into the Carbon County area, as well as support sustainable employment opportunities for South-Central Wyoming residents; and,

**WHEREAS**, this analysis will provide a framework for the two counties that will address deficiencies in the existing telecommunications infrastructure; and,

**WHEREAS**, this analysis will recommend solutions and strategies on how to address any deficiencies within the telecommunications infrastructure; and,

**WHEREAS**, the governing body of the County of Carbon desires to participate in the BRC Planning Grant Program, in conjunction with the County of Natrona, to assist in financing this project; and,

**WHEREAS**, the demand for support of new and existing businesses is critical in the greater Rawlins/Carbon County area; and

**WHEREAS**, there exists a need to create additional economic development opportunities and business growth within the boundaries of Carbon County and the State of Wyoming; and

**WHEREAS**, the revenue recaptured will be utilized to fund future economic development infrastructure projects within the County of Carbon; and

**WHEREAS**, the BRC Planning Grant Program requires that certain criteria be met, as described in the Wyoming Business Council's Rules governing the program, and to the best of our knowledge this application meets those criteria; and,

**WHEREAS**, the governing body of the County of Carbon plans to match up to \$8,333 for requested BRC Planning Grant and Loan Program funds from their general funds with the other half of the match of \$8,333 coming from Casper Area Economic Development Alliance and,

**WHEREAS**, the County of Carbon, WY held a public hearing on Tuesday, May 21, 2013, at 6:45 p.m., and gave full consideration to all comments received; and,

**WHEREAS**, the County of Natrona, WY held a public hearing on May 7 and gave full consideration to all comments received.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE COUNTY OF Carbon WYOMING:** That the County of Carbon, Wyoming, supports a grant application up to the maximum amount of \$50,000 from the County of Carbon, Wyoming to the Wyoming Business Council for a planning grant to implement a feasibility study for a regional fiber line and improved broadband within the Counties of Natrona and Carbon, Wyoming.

**PASSED, APPROVED AND ADOPTED** this 21 day of May, 2013.

**BOARD OF COUNTY COMMISSIONERS  
CARBON COUNTY, WYOMING**  
-s- Leo Chapman, Chairman

ATTEST:

-s- Gwynn Bartlett, County Clerk

APPROVED AS TO FORM:

-s- Cal Rerucha, County Attorney

## **RECESS**

Chairman Chapman called a recess at 3:53 p.m. and reconvened at 4:02 p.m.

## **GRAVITY MODEL FOR UPPER NORTH PLATTE VALLEY**

Jim States, Vice President of the Voices of the Valley (VoV) updated the BOCC on the gravity model for the Upper North Platte Valley area for various projects that are slated for Carbon County. Mr. States reported that a gravity model sums up the changing land uses on where people live and how they travel. It also includes factors such as medical care, travel time, and other amenities that factor in to where people determine they might live. He stated the results of an expanded study did not explore the impacts of the construction workforce as they already know that one project alone would consume the available housing and man camps will likely be needed. The likely distribution of the operating workforce was studied instead and will impact the entire region and tourism. Jeff Streeter, Founder of the Voices of the Valley stated that Carbon County can learn from the Pinedale development and the impacts on tourism there. He stated that housing and man camps would help mitigate tourism impacts.

## **BUDGET AMENDMENT FY 2013**

### **Public Hearing**

Chairman Chapman opened a public hearing at 4:15 p.m. to hear comments on amending the county's fiscal year 2012-2013 budget.

Clerk Bartlett noted that the following budgets will be amended. Carbon County Fire increase of \$75,000.00 and Coroner increase of \$3,500.00. The Fire Department overages are mainly from paying firemen for last year's fire season and the Coroner's overages are from medical exams that must be completed. She has allowed some cushion in both for the remainder of the fiscal year. Chairman Chapman called for comments and hearing no comments, closed the public hearing at 4:17 p.m.

Commissioner Glode moved to adopt Resolution 2013-19, FY 2013 Budget Amendment Number One. Commissioner Espy seconded and the motion carried unanimously.

**RESOLUTION 2013-19  
FY 2013 BUDGET AMENDMENT NUMBER ONE**

**WHEREAS** Carbon County adopted the Fiscal Year 2013 Budget in accordance with the Wyoming Uniform Municipal Fiscal Procedures Act; and

**WHEREAS** the Board of Carbon County Commissioners wishes to amend the adopted budget in accordance with the same Act;

**NOW, THEREFORE, BE IT RESOLVED** that the following budget amendments are made.

Fund/Entity	12-13 Approved Budget	Amendment Amount	12-13 Amended Budget
Carbon County Fire	\$253,383.12	\$75,000	\$328,383.12
Coroner	\$135,894.02	\$ 3,500	\$139,394.02

**PASSED, APPROVED AND ADOPTED** this 21 day of May, 2013.

CARBON COUNTY, WYOMING  
-s- Leo Chapman, Chairman

ATTESTED:

-s- Gwynn G. Bartlett, County Clerk

**VOICES OF THE VALLEY CONTINUED**

Mr. Streeter noted they are studying water quality and they need baseline data to determine if there are impacts from development upstream. He further discussed his concern for a lack of available hotels. Chairman Chapman noted there is currently development on projects in Carbon County and how do they feel other development would further affect them. Mr. States stated air quality projections are expected to exceed federal requirements which further concerns VOV. Commissioner Espy asked if certain projects were ever pulled out of the study and if various terms of development were considered. He suggested that if there are going to be man camps, oil and gas workers should be housed separately from wind workers. Mr. States stated that communities for each project have already been broken out and that there is not currently enough information to recommend how development should proceed. He stated there are desirable effects of growth and those should be integrated near communities but that plans need to be made to ensure the growth can be accommodated. Commissioner Jones reported there is currently no housing available with current projects therefore the EDC has established a housing task force and asked that representatives of the VOV be involved with this. Commissioner Glode reported suggestions from a recent meeting were to remodel existing buildings for man camps leaving something

of value when the temporary workers leave. Commissioner Johnson encouraged other municipal entities to follow the lead of the VOV.

### **ROAD & BRIDGE**

Bill Nation, Road & Bridge Superintendent reported magnesium chloride is being applied on approximately 30 miles of county roads throughout the county. Mr. Nation also reported that a meeting was held May 13 regarding the Elk Mountain bridge replacement. He recommended the prefabricated faux truss railing type bridge with certain specifications be approved to replace the existing bridge at a cost of \$376,000.00 plus \$15,000.00 for decorative lighting noting the lighting would be paid for by the Town of Elk Mountain. He recommended a separate agreement between the Town of Elk Mountain and the county for care, maintenance and costs of lighting. The county portion of the project would be approximately \$200,000.00 to be paid from the county road fund and the construction date is 2014-2015.

Mr. Nation recommended placing the trusses from the existing bridge across Mill Creek on County Road #109 with interpretive signage in conjunction with the Carbon County Museum. Commissioner Johnson asked Janeen Jones of the Elk Mountain Town Council if they are willing to take on the cost of the lighting portion and she replied they would like the wiring installed with installation of the bridge and they would purchase the lights later and maintain them. Mr. Nation's recommendation is to install the lights now. The trusses would be separate and independent of the bridge therefore not included in any future bridge inspections but for historical value only. Mr. Nation added Wyoming Department of Transportation always budgets some dollars for the movement of the existing bridge and if they won't cover it, his budget would. It was clarified that the State Historic and Preservation Office will have the final decision on the resting place of the bridge or its parts, the county may make a recommendation only.

Commissioner Jones moved to relocate the Elk Mountain bridge trusses to the side of the Mill Creek Bridge on County Road #109 noting the county would maintain ownership of the bridge. Commissioner Johnson seconded and the motion carried unanimously.

Commissioner Johnson moved to use a prefabricated faux truss type bridge of 95' in length, 29.34' wide with decorative lighting to be installed at the Town of Elk Mountain's cost and that the Town of Elk Mountain and the county enter into a separate agreement for the town to maintain the lighting. Commissioner Jones seconded and the motion carried unanimously.

### **WYOMING DEPARTMENT OF TRANSPORTATION (WYDOT) ANNUAL UPDATE**

Pat Persson, WYDOT District Engineer, Tom DeHoff, District 1 Construction Engineer, Jake Lonn, Resident Engineer, and Ross Doman, Public Relations discussed upcoming projects in Carbon County. There is currently \$278 million available for construction in the state during 2013 and Mr. Persson noted this amount is fairly static year to year. The group overviewed costs for projects in the county to occur through FY2019 and expected revenues WYDOT will obtain.

Upcoming projects in Carbon County during 2013 include \$18.8 million for lane resurfacing and bridge repair on I-80 west of Rawlins; \$2.8 million each for WY 487 Medicine Bow North overlay and WY 70 slide reclamation and road realignment; \$13.4 million for US 287 Bell Springs widen and overlay; \$1.2

million for District 1 lighting upgrades; \$.56 million for WY 72 snow fence; \$.15 million for US 30 crushed pipe replacement; and \$4.4 million for I-80 Rawlins to Elk Mountain mill and overlay.

### **2013-2014 COMMISSIONERS' SCHOLARSHIPS**

Sue Jones noted she would not be discussing scholarships and would recuse herself from any vote as she has a relative that has applied.

Commissioner Espy moved to designate Josephine Stratton, Olivia Skalberg, and Jonathan Ellis as the new scholarship recipients and to designate Olivia Roybal, Rene Gardner and Mandy Harris ranked in order, as the alternate recipients of the new scholarships and to designate William Paddock the designee of the renewal scholarship for school year 2013-2014. Commissioner Glode seconded and the motion carried unanimously except with Commissioner Jones abstaining due to a personal conflict.

### **CITIZEN DISCUSSION**

John Farr and Mitch Bangert, individuals of the Saratoga area discussed the BLM's North Platte River Management Plan including a proposal to add a ramp on the North Platte River and discussed their concern that they feel there was limited scoping of the project and lack of contact with those that live along the river and own property on the river. The pair would like to keep the river a free flowing scenic river that is not crowded and asked the BOCC to approve a letter stating this.

Commissioner Glode stated there was a discussion on the matter previously today from individuals that have a different view. She stated she is reluctant to sign any letter now without more information because of the differing viewpoints. Commissioner Johnson stated as a commission he would rather address the matter during the BLM's comment period as discussed earlier today. The BOCC complimented the Rawlins BLM for extending the comment period and being willing to listen to all interested parties on this and other matters.

### **ADJOURNMENT**

Commissioner Jones moved to adjourn the meeting at 6:33 p.m. Commissioner Johnson seconded and the motion carried unanimously.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 4th day of June 2013

BOARD OF COUNTY COMMISSIONERS  
CARBON COUNTY, WYOMING

-s- Leo Chapman, Chairman