

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, March 3, 2020
Carbon County Courthouse, Rawlins, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, March 3, 2020 at 9:00 a.m. at the Carbon County Courthouse, Rawlins, WY. Attending the meeting were; Chairman, John Johnson, Vice Chairman, Sue Jones, Travis Moore, and Byron Barkhurst. Commissioner John Espy was absent.

Chairman Johnson called the meeting to order at 9:00 a.m.

ADDITIONS/CORRECTIONS

There were no additions or corrections to the agenda.

VOUCHERS

Commissioner Jones moved to approve the report of expenditures for an aggregate total today of \$266,308.18. Commissioner Barkhurst seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
ACME ELECTRIC COMPANY, LLC	ELECTRICIAN SERVICES	\$1,069.34
ALSCO, AMERICAN LINEN DIVISION	SHOP SUPPLIES	\$54.85
ASD HEALTHCARE	PUBLIC HEALTH MEDS	\$61.52
AXIS FORENSIC TOXICOLOGY, INC.	LAB FEES	\$239.00
BARGREEN ELLINGSON	DISPOSER BASE	\$2,026.94
BEST WESTERN COTTONTREE	WITNESS LODGING FEES	\$560.00
BIG HORN ROOFING, INC	JEFFEREY CENTER ROOF	\$20,868.75
BLACK HILLS ENERGY	HEATING SERVICES	\$19,297.51
BLAKEMAN PROPANE	HEATING SERVICES	\$7,417.27
BOB BARKER COMPANY, INC.	INMATE SUPPLIES	\$69.45
BUILD RITE LUMBER COMPANIES	MISC SUPPLIES	\$763.92
BULBS.COM	JEFFERY CENTER LIGHT BULBS	\$144.90
CARBON COUNTY ECONOMIC DEV.	QUARTERLY SEVERANCE PAYMENT	\$6,000.00

CARBON COUNTY SENIOR SERVICES	QUARTERLY SEVERANCE PAYMENT	\$50,000.00
CASPER WINNELSON CO	WATER HEATER/MISC PARTS	\$5,507.31
CMI-TECO	DEF FLUID	\$61.02
CONVERGEONE, INC.	CORONERS BUILDING SWITCH INSTALL	\$1,836.73
COUCH II, WAYNE M.D	CC HEALTH OFFICER	\$1,600.00
COWBOY CHEMICAL	JAIL LAUNDRY SUPPLIES	\$104.40
COWBOY SUPPLY HOUSE	MISC SUPPLIES	\$756.80
DIRTY BOYZ SANITATION, INC	TRASH SERVICES	\$1,536.00
DIXON, TOWN OF	WATER SERVICES	\$308.00
DOUBLE 8 RANCH	EMERGENCY SNOW REMOVAL	\$2,350.00
DRUMMOND REFRIGERATION LLC	JAIL WALKIN COOLER MAINT. & REPAIR	\$732.22
ELEVATED TRAINING SOLUTIONS	DOT LABS	\$100.40
EMBLEM ENTERPRISES, INC.	NAME BADGES CREDIT	\$40.71
ENCARTELE	INMATE PHONE CARDS	\$2,000.00
ERICKSON & ROBERTS	LEGAL SERVICES	\$51.30
F & S TRUCKING, INC	PUSHING SNOW	\$3,750.00
FLEMING, LINDA	MILEAGE	\$93.60
FURTHER	HRA REIMBURSEMENT 2020	\$4,025.31
GALLS/QUARTERMASTER	TEFLON VEST	\$89.00
GOODWIN, MANDY	MILEAGE	\$25.80
HIGH DESERT WELDING & MACHINE	WELDING SERVICES	\$14.72
HIGH PLAINS POWER	ELECTRIC SERVICES	\$444.49
IML SECURITY SUPPLY	TAPERED STUD	\$50.91
JACK'S TOWING	ABANDONED VEHICLE	\$500.00
KARI, DALE	MILEAGE	\$27.60
KENCO SECURITY AND TECHNOLOGY	MONITORING ALARM	\$83.00
KTGA/KBDY	RADIO ADS	\$2,040.00
LARAMIE FIRE EXTINGUISHER	YEARLY INSPECTION	\$154.50
LONG BUILDING TECHNOLOGIES, INC.	CORONERS BLDG CAMERAS	\$14,908.00
MAHAFFEY, MICHAEL S.	WITNESS EXPENSES	\$388.86
MCKESSON MEDICAL-SURGICAL	JAIL MEDS	\$316.87
MEDICINE BOW, TOWN OF	VEHICLE ACCIDENT	\$1,565.00

MEMCO, INC.	2000 SMALL FLEET DIESEL ENVIROSAFE FUEL SYSTEM	\$10,795.75
MHL SYSTEMS	CUTTING EDGES	\$3,168.00
MIDWEST CONNECT	POSTAGE MACHINE PARTS REPLACEMENT	\$35.00
MOSS, BARBARA	MILEAGE	\$54.60
MY OFFICE ETC.	MISC OFFICE SUPPLIES	\$131.39
NORCO, INC.	OXYGEN	\$49.57
OLD PENITENTIARY JOINT POWERS BOARD	QUARTERLY SEVERANCE PAYMENT	\$6,250.00
O'REILLY AUTO PARTS	BUTT SPLICE	\$5.99
PATTON, ROBERT L.	MILEAGE	\$28.20
PERKINS OIL CO	FUEL	\$2,730.92
RASMUSSEN FURNITURE	WASHER/REPAIR	\$769.66
RAWLINS AUTOMOTIVE	MISC PARTS	\$818.55
RAWLINS CARBON COUNTY AIRPORT	QUARTERLY SEVERANCE PAYMENT	\$5,000.00
RICOH USA INC	IT COPIERS	\$76.03
SAGE CREEK EXCAVATING	TONS ROAD BASE	\$630.53
SALT LAKE WHOLESALE SPORTS	AMMUNITION	\$526.53
SARATOGA AUTO PARTS, INC.	4IN HAMMER/FLINT	\$502.69
SARATOGA SUN	JOB AD	\$85.00
SECURITY TRANSPORT SERVICES, INC.	INMATE TRANSPORTATION SERVICES	\$2,556.90
SHEPARD, SHANDRA NP	REPRODUCTIVE HEALTH NP	\$150.00
SHEPARD'S	FUEL	\$6,902.20
SHIVELY HARDWARE	MISC PARTS	\$32.87
SLOW AND STEADY LAW OFFICE, PLLC	LEGAL SERVICES	\$16,690.00
SOUTH CENTRAL WY EMS	QUARTERLY SEVERANCE PAYMENT	\$11,250.00
STATE OF WY - DEPT OF HEALTH	BACKGROUND CHECKS	\$98.00
STATE OF WYOMING A & I	MAINFRAME	\$6.96
STINKER STORES, INC.	FUEL	\$9,001.36
STOLNS, DUANE	PLUMBING PARTS	\$9.73
SUMMIT FOOD SERVICE	JAIL MEALS	\$7,623.81
SWANSON SERVICES CORPORATION	JAIL COMMISSARY	\$1,800.16
T.W. ENTERPRISES, INC.	MILEAGE & LABOR FOR GENERATOR REPAIR	\$373.50

T-O ENGINEERS	DWX MASTER PLAN UPDATE PROJECT 190035	\$13,253.76
TRUE VALUE OF RAWLINS	PAD LOCK/SLIDE BOLT LATCH	\$291.89
TYLER TECHNOLOGIES, INC	ITAX/IDOC WEB HOSTING	\$275.63
UPLIFT COUNSELING	MENTAL HEALTH THERAPISTS	\$510.00
VANWINKLE, JOHN	MILEAGE TO TRAINING/HOTEL	\$371.81
VOLUNTEER FIREMEN PENSION FUND	JAN VOL FIRE RETIREMENT	\$975.00
W C & P A A	2020 DUES	\$500.00
WOODWARD & ASSOCIATES, INC.	CARPET TITLE	\$2,043.75
WY COUNTY TREASURER'S ASSOC.	2020 ANNUAL DUES	\$200.00
WY DEPT OF TRANSPORTATION	VEHICLE PLATES K9 UNIT TRANSFER/VICTIMS WITNESS TRANSFER/SHERIFF VAN TRANSFER	\$6.00
WY DEPT OF WORKFORCE SVCS- UNEMPLOYMENT	ZEIGER UNEMPLOYMENT	\$1,250.10
WY MACHINERY COMPANY	CAT PARTS	\$1,280.22
WY SECRETARY OF STATE	NOTARY BONDS	\$90.00
WY STATE FIRE ADVISORY BOARD	2020 DUES	\$500.00
WY STATE FORESTRY	PARTS	\$2,106.12
WYOPASS	2020 WYOPASS DUES	\$440.00
YOCUM, LEO	MILEAGE	\$24.00

CONSENT AGENDA

Chairman Johnson requested removing the February 18, 2020 minutes from the consent agenda for a separate motion.

Commissioner Moore moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the monthly receipts from Planning and Zoning in the amount of \$15,375.00, a bond for Kristin Redding, Deputy Treasurer in the amount of \$10,000.00 and Notice of Valuation Changes in the amount of (\$15,443.00). Commissioner Jones seconded and the motion carried unanimously.

Commissioner Moore moved to approve the February 18, 2020 minutes. Commissioner Jones seconded and the motion passed unanimously with Chairman Johnson abstaining since he was not in attendance of that meeting.

ELECTED OFFICIALS & DEPARTMENT HEADS

Public Health

Public Health Supervisor, Amanda Brown provided a monthly update for her office. She discussed job openings in her office to be filled. She provided an update on the Coronavirus and how the county is preparing for when it arrives in our county. She stressed the risk is low at this time but they are prepared.

Fire Warden

Fire Warden John Rutherford requested that the 1998 Chevrolet Brush Truck be declared as surplus. The vehicle came from Baggs as the Town bought a new brush truck. The Town of Sinclair would like to have this vehicle if the Commissioners would agree to give it to them as a governmental courtesy.

Commissioner Jones moved to declare the 1998 Chevrolet Brush Truck as surplus, VIN 1GCHK39J0WF068279. Commissioner Moore seconded and the motion passed unanimously.

Commissioner Jones moved to waive the procurement policy and to gift the surplus 1998 Chevrolet Brush Truck as surplus, VIN 1GCHK39J0WF068279 to the Town of Sinclair. Commissioner Moore seconded and the motion passed unanimously.

Road & Bridge

Road & Bridge Coordinator Kandis Fritz introduced Sarah Hutchins, County GIS Specialist who spoke about removing county roads from GPS systems to aid the County in a plan to stop individuals from continually trying to take alternate routes when highways are closed due to weather conditions. Sarah will be sending the snow removal policy to third party mapping companies that provide data for GPS systems. Chairman Johnson stated he believes this should be addressed statewide as this is not only a problem for Carbon County.

Ms. Fritz provided samples of road closure signs for the board to review. The board agreed signs need to be big, bold and simple. Commissioner Barkhurst recommended adding a blinking light to the signs as well. Matt Webster discussed geo fencing but it would rely on cooperation of all cellphone carriers. He doesn't know how this would be accomplished with cellphone carriers as it would be similar to an amber alert for an extended period of time.

Ms. Fritz also presented the Brush Creek Ranch Road Use Agreement for Commissioner approval and Chairman's signature. Commissioner Barkhurst recommended adding that Carbon County Road and Bridge would be the one responsible in determining if any road damage has occurred.

Commissioner Moore moved to approve and authorize the Chairman's signature on the Brush Creek Ranch Road Use Agreement pending legal review. Commissioner Barkhurst seconded and the motion carried unanimously.

Planning and Zoning

Planning Director, Sid Fox updated the Commissioners on the Natural Resource Management Plan. Mr. Fox and Y2 Consulting would like to set a conference call with the BOCC at the March 17 Commissioner's meeting. Chairman Johnson directed Mr. Fox to advertise to solicit interest for the steering committee and post on the county website.

Mr. Fox also discussed the draft of the FEMA-NFIP-Flood Insurance Rate Maps. This mapping will lend to more flood plain permits being issued by the county and more flood insurance policies being issued to individuals.

Sheriff

Sheriff Archie Roybal provided an update for his office. He wanted to thank his staff including dispatchers and deputies for their response to the wreck on I80 March 1.

Attorney

County Attorney Ashley Davis presented the RNB State Bank Lease Purchase Agreement for the Medicine Bow Road and Bridge/Sheriff's Office Complex for Chairman's signature. She discussed changes that have come up since it was last discussed. There is a change to the interest rate as the county doesn't qualify for the previously discussed rate. Early pre-payment is still allowed.

Scott Thayer of RNB State Bank discussed the county's outstanding lease/purchase for the Road & Bridge / Sheriff complex in Medicine Bow. When the county obtained quotes during 2019 the rate was 3.59% for 5 years however since then the county is a party to a bonding transaction that makes it ineligible for a tax exempt lease/purchase with such a low rate. He offered to honor rate but asked that the county pay \$16,200.00 in transaction fees. Mr. Thayer noted there is no penalty for the county.

Commissioner Moore moved to authorize the Chairman's signature on Resolution 2020-10 A Resolution Authorizing Carbon County, Wyoming, to Enter into a Site Lease, a Lease Purchase Agreement and an Escrow Agreement Relating to the Demolition and Construction of a Shop Building for the Carbon County Road and Bridge Department and the Purchase of a Modular Unit for Residence and Office Space for the Carbon County Sheriff's Office in Medicine Bow, Wyoming. Commissioner Jones seconded and the motion passed unanimously.

RESOLUTION NO. 2020 - 10

**A RESOLUTION AUTHORIZING CARBON COUNTY, WYOMING, TO
ENTER INTO A SITE LEASE, A LEASE PURCHASE AGREEMENT
AND AN ESCROW AGREEMENT RELATING TO THE DEMOLITION
AND CONSTRUCTION OF A SHOP BUILDING FOR THE CARBON
COUNTY ROAD AND BRIDGE DEPARTMENT AND THE PURCHASE
OF A MODULAR UNIT FOR RESIDENCE AND OFFICE SPACE FOR**

**THE CARBON COUNTY SHERIFF'S OFFICE IN MEDICINE BOW,
WYOMING.**

WHEREAS, Carbon County, Wyoming (the "County") is a body corporate duly organized and existing under the laws of the State of Wyoming, authorized by Title 18, Chapter 8, Article 1, Wyo. Stat. to provide and maintain necessary county buildings and to own and convey property for the benefit of the County as deemed by the board of county commissioners (the "Commissioners") to be in the best interests of the County and its inhabitants; and

WHEREAS, the Commissioners have heretofore determined that the needs of the County include the Demolition and Construction of a Shop Building for the Carbon County Road and Bridge Department and the purchase of a modular unit for residence and office space for the Carbon County Sheriff's Office (the "Improvements") in Medicine Bow, Carbon County, Wyoming (the "Site"); and

WHEREAS, pursuant to this resolution (the "Authorizing Resolution"), and in order to provide financing for the Improvements, the County intends to:

- (i) Enter into a Site Lease dated as of March 3, 2020 (the "Site Lease"), between the County and RNB State Bank, a Wyoming Banking Corporation (the "Tenant"), whereby the County, as Landlord, leases the Site to the Tenant; and
- (ii) Enter into a Master Lease Purchase Agreement dated as of March 3, 2020 (the "Lease Purchase Agreement"), between the County, as Lessee, and the Tenant, as Lessor, to which Lease Purchase Agreement this Authorizing Resolution constitutes EXHIBIT D to the Schedule attached thereto, to provide financing for the payment of the costs of the Improvements. Pursuant to the Lease Purchase Agreement, the Tenant will lease the Site and the Improvements to the County according to the terms and conditions of the Lease Purchase Agreement (the Site and the Improvements referred to collectively herein and in the Lease Purchase Agreement as the "Leased Property" and described more particularly in APPENDIX A to the Site Lease and in EXHIBIT A to the Lease Purchase Agreement); and
- (iii) Enter into an Escrow Agreement dated as of March 3, 2020 (the "Escrow Agreement"), between the County, the Tenant, and RNB State Bank, acting as the escrow bank (the "Escrow Bank"); and

WHEREAS, the Commissioners desire to authorize certain officers of the County and members of the Commissioners to proceed to finalize the forms of the Site Lease, the Lease Purchase Agreement, the Escrow Agreement and all other documents necessary to effect the financing of the Improvements and to negotiate the necessary terms and provisions thereof;

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. All action heretofore taken (not inconsistent with the provisions of this Authorizing Resolution) by the Commissioners or officers of the County and directed toward the Leased Property, are hereby ratified, approved and confirmed.

SECTION 2. The Lease Purchase Agreement (including the Appendix, the Schedule and Exhibits thereto), the Site Lease (including the Appendices thereto) and the Escrow Agreement are hereby approved in substantially the same forms as presented to the Commissioners, with such additions, omissions and changes as may be approved by the County Attorney and persons executing the same, their execution being conclusive evidence of their approval of any such additions, omissions, and changes, and the Chairman of the County Commissioners and the County Clerk, where appropriate, are authorized and directed to affix his, her or their signatures and the official corporate seal of the County thereto. The County expects to make payments pursuant to the Lease Purchase Agreement from moneys legally available therefore.

SECTION 3. No provision of this Authorizing Resolution, the Site Lease, the Lease Purchase Agreement, or the Escrow Agreement shall be construed as creating or constituting a general obligation or other indebtedness of the County or a mandatory payment obligation of the County in any ensuing Fiscal Year beyond the current Fiscal Year.

SECTION 4. If any section, paragraph, clause or provision of this Authorizing Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Authorizing Resolution.

SECTION 5. All resolutions, or parts thereof, inconsistent with this Authorizing Resolution or with any of the documents hereby approved, are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed as reviving any resolution or part thereof.

SECTION 6. This Authorizing Resolution shall be in full force and effect upon its passage and adoption.

ADOPTED AND APPROVED as of the 3rd day of March, 2020.

CARBON COUNTY, WYOMING

-s- Willing John Johnson

By: Willing John Johnson

Title: Chairman, Board County Commissioners

ATTESTED:

By: -s- Gwynn G. Bartlett, County Clerk

Commissioner Barkhurst moved to share fees 50/50 with RNB State Bank. Commissioner Jones seconded. Commissioner Barkhurst rescinded the motion.

Commissioner Barkhurst moved to pay up to \$9,000 of RNB State Bank's fees. Commissioner Moore seconded. Commissioner Jones and Chairman Johnson voted against it and the motion failed.

Commissioner Jones moved to pay up to \$5,000 of RNB State Bank's fees. Commissioner Barkhurst seconded and the motion passed unanimously.

Attorney Davis discussed the Mental Health Examiner salary. She obtained statewide pay range average and median pay rates. She believes this should be a three quarter time position. All agreed to update the job listing with a pay range \$55,000 to \$60,000 depending on experience. Attorney Davis will update job listing.

Buildings and Grounds

Buildings and Grounds Manager, Jim Piche provided an update on the Medicine Bow Complex. Permitting is in process and moving forward. Weather is the determining factor on when to demo the old shop which will be determined by Road and Bridge.

Mr. Piche stated the Jeffrey Center roof is about 50 percent complete and anticipated to be finished in about two weeks.

Clerk

Deputy Clerk Lisa Smith reported that she has received board applications from the following individuals: Gayle Shaw, Karen Buchanan and Leo Yocum for reappointment to the Carbon County Senior Services Board and Keith Miles for reappointment to the Old Penitentiary Joint Powers Board.

Commissioner Moore moved to reappoint Gayle Shaw, Karen Buchanan and Leo Yocum to the Carbon County Senior Services Board for a 3-year term expiring March 2023 and Keith Miles to the Old Penitentiary Joint Powers Board for a 3-year term ending January 2023. Commissioner Jones seconded and the motion carried unanimously.

Ms. Smith presented a letter from Cheryl Hulme of Building Blocks learning center who is looking to expand her child care center to the building which is currently the Eagle's Club located at 316 and 319 4th Street. The Eagles Club's last day of business is February 29, 2020. Since the county is an adjacent landowner within 300 feet of the property, Ms. Hulme is requesting the board's support by signing as an adjacent property owner for her special use permit to utilize the property as a preschool.

Commissioner Moore moved to authorize the Chairman's signature on the signature page for a special use permit as an adjacent property owner to the Building Blocks Learning Center located at 316 and 319 4th street. Commissioner Barkhurst seconded and the motion carried unanimously.

Ms. Smith presented the State Loan and Investment Board Grant Agreement for a new ambulance for Memorial Hospital of Carbon County.

Commissioner Jones moved to authorize the Chairman's signature on the State of Wyoming State Loan and Investment Board Grant Agreement for a new ambulance for Memorial Hospital of Carbon County in the amount of \$117,403.00. Commissioner Barkhurst seconded and the motion passed unanimously.

Planning & Zoning

Certifications

Planning Director, Sid Fox presented a Certification of Recommended Action for Green Mountain Planned Unit Development (P.U.D) for Brush Creek LLC.

Commissioner Moore moved to accept the Certification of Recommended Action from the Carbon County Planning & Zoning Commission for Green Mountain Planned Unit Development (P.U.D) for Brush Creek LLC and schedule a public hearing for March 17, 2020 at 11:15 a.m. at the County Courthouse in Rawlins, Wyoming. Commissioner Barkhurst seconded and the motion carried unanimously.

Commissioners

Vice-Chairman Sue Jones wishes to nominate Lindy Glode to the Carbon County Visitor's Council Tourism At-Large seat.

Commissioner Jones moved to nominate Lindy Glode to the Carbon County Visitor's Council Tourism At-Large seat for a 3-year term expiring March 2023. Commissioner Moore seconded and the motion carried unanimously.

Commissioners Discussion

Commissioner Moore praised the county employees for of the hard work they've accomplished this winter.

Commissioner Jones provided an update from the Dixon Airport meeting.

EXECUTIVE SESSION

Commissioner Moore moved to go into executive session at 11:20 a.m. with Deputy Clerk Smith, Ashley Mayfield Davis, Patty Bentsen, Sheriff Roybal, Jim Piche and Matt Webster to discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Barkhurst seconded and the motion carried unanimously.

Sheriff Roybal, Jim Piche and Matt Webster left the executive session at 11:45.

Patty Bentsen left the executive session at 11:57.

Commissioner Moore moved to come out of executive session at 12:07 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Barkhurst seconded and the motion carried unanimously.

Commissioner Moore moved to move forward with technical upgrades for critical tech infrastructure and other items and waive the procurement policy allowing any Commissioner to sign agreements as needed. Commissioner Barkhurst seconded and the motion passed unanimously.

ADJOURNMENT

Commissioner Moore moved to adjourn the meeting at 12:13 p.m. Commissioner Barkhurst seconded and the motion carried unanimously.

A regular meeting of this Board will be held Tuesday, April 7, 2020 at 9:00 a.m. at the Carbon County Courthouse, Rawlins, WY. The public is invited to attend or you can listen online at the website listed below. To get on the agenda, call the Clerk's Office by the Thursday before the meeting. Per Wyo. Stat. §18-3-516(f), access to county information can be obtained at or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.