

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, February 28, 2023
Rescheduled from Tuesday, February 21
Carbon Building- Courthouse Annex,**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, February 28, 2023, at 9:00 a.m. at the Carbon Building-Courthouse Annex in Rawlins, WY. Attending the meeting were Chairman, Sue Jones, Vice Chairman, Travis Moore, Commissioner John Johnson, John Espy, and Byron Barkhurst.

Commissioners Johnson and Barkhurst and Chairman Jones were present via a virtual meeting due to closed roads. In addition, Lenny Layman, Sarah Bruggar and Lindsey West were also present virtually. Chairman Jones called the meeting to order at 9:00 a.m.

ADDITIONS / CORRECTIONS

Chairman Jones noted that Economic Development and PacifiCorp have been removed from the agenda due to closed roads.

Commissioner Espy moved to amend the main amount of bills from \$1,399,414.03 to \$1,400,269.85 for the February 7, 2023, Commissioner meeting. Commissioner Moore seconded and the motion passed unanimously.

VOUCHERS

Commissioner Barkhurst moved to approve February 2023 payroll and benefit expenses of \$994,095.13, insurance claim and premium expenses of \$469,451.29 and the report of expenditures in the amount of \$1,230,888.49 for an aggregate total today of \$2,694,434.91. Commissioner Espy seconded and the motion passed unanimously.

Vendor	Detail Line Description	Total
Abels, Duane E	County Health Officer	\$1,600.00
Advanced Network Mgmt., Inc.	Courthouse Renovation	\$12,936.00
Albrechtson, Mary Kay	Bailiff for Circuit Court Jury Trial	\$75.00
Amazon Capital Services	Coat Hooks/Kids Chairs	\$53.98
Apex Communications	Pagers and Radio Contract Services	\$14,361.50
APG Media of the Rockies	Legal Ads and Notices	\$1,000.00
Axis Forensic Toxicology, Inc.	Lab Services	\$202.00
Baggs, Town of	Office Space Rent/Water Services	\$203.33
Bank of Montreal - Mastercard	Fuel	\$29,762.95
BI Inc.	Monthly Monitoring	\$578.50
Black Hills Energy	Heating Services	\$393.44

Blakeman Propane	Propane Services	\$3,138.33
Bob Barker Company, Inc.	Cleaning Supplies	\$116.96
Bomgaars Supply	Misc. Parts	\$328.34
Carbon County Fair Board	Monthly Outside Agency	\$4,166.67
Carbon Co. Fire Protection District	Pre-Levy Budget Funding	\$60,488.00
Carbon County Law Library	2023 Membership Dues	\$250.00
Carbon County Library	Monthly Outside Payment	\$30,299.31
Carbon County Museum	Monthly Outside Payment	\$18,750.00
Carbon County Senior Services	Monthly Outside Agency	\$18,750.00
Carbon Power & Light Inc	Electric Services	\$2,641.96
Casper Winnelson Co	Welding Supplies	\$178.26
CDW Government, Inc.	Computer Equipment	\$12,283.00
CNA Surety	Bakken Bond	\$340.00
Community Resource Center	Agency Dues	\$35.00
Corthell and King, P.C.	Legal Fees	\$1,410.00
Cowboy Chemical	Jail Cleaning Supplies	\$498.65
Cowboy Supply House	Cleaning Supplies	\$1,076.34
Cragun, Megan A	Mileage/Meals	\$162.31
Daily Times	Jail Newspapers	\$167.04
Dixon, Town of	Water Services	\$308.00
Dominion Energy	Gas Service	\$530.71
Elk Mountain Iron Works	Snow Blowing Pass Creek Rd	\$4,165.00
Elk Mountain, Town of	Water & Propane Services	\$868.98
Encartele	Jail Data	\$750.00
Erickson & Roberts	Legal Services	\$703.63
ESO Solutions, Inc	ESO Fire Reporting Software	\$4,175.00
Esri	Software	\$2,700.00
F & S Trucking, Inc	Snow Removal Assistance	\$15,136.63
FCI Constructors of WY	Courthouse Improvement Project	\$435,375.97
FedEx	Parts Shipping	\$78.37
France, Tara	Court Reporter Services	\$1,407.25
Fritz Welding & Machine, Inc.	Welding	\$201.40
Galls/Quartermaster	Deputy Uniforms and Supplies	\$5,965.92
Grainger	Misc. Parts and Supplies	\$2,116.49
Hansen, Loretta J.	Mileage	\$31.44
Herring, Jeff	Grease	\$190.50
Iacovetto, Karon	County Cleaning Services	\$11,380.00
K2 Towers III, LLC	Tower Rent	\$2,185.45
Kaluzny, Emily	Feb Phone Use	\$30.00
Kilburn Tire Company	Tires	\$1,062.96
KTGA/KBDY	Radio Ads	\$490.00

L N Curtis & Sons	Drawbar Assembly & Adapter	\$1,040.41
Lifetime Benefit Solutions, Inc	Cobra Fees	\$25.00
Martinez, Andrew	Monitor Deposit Refund	\$820.00
McGraw, Joan	Mileage	\$44.00
McKesson Medical-Surgical	Jail Chapstick	\$11.72
Medicine Bow, Town of	Water Services	\$211.00
Memorial Hospital of Carbon Co.	Exam Fees	\$579.00
Merseal Law, LLC	Legal Services	\$5,250.00
Morse, Kimberley	Mileage/Meals	\$28.96
Moss, Barbara	Mileage	\$105.60
Motorola	R&B Radio	\$3,306.48
Mountain West Motors	Vehicle Repairs	\$1,759.76
MPM Corp / Evergreen Disposal	Trash Services	\$130.00
Napa - Saratoga	Def Fluid	\$328.99
Offender Watch	Sex Offender Notification	\$217.16
Olde Trading Post	Fuel	\$140.64
O'Reilly Auto Parts	Misc. Parts and Supplies	\$393.82
Peden's Inc	Embroidery	\$57.00
Perue Printing	Business Cards	\$18.00
Plattoga Holdings, LLC	Snow Blower Repair	\$4,168.62
Quill Corporation	Misc. Office Supplies	\$1,138.26
R.P Lumber Company, Inc.	Misc. Parts and Supplies	\$371.94
Rawlins Automotive	Misc. Parts	\$497.22
Rawlins Hardware	Misc. Parts	\$59.05
Republic Services #642	Trash Services	\$314.50
Rice-Prior, Denise	Inmate Mental Health Service	\$1,200.00
Saratoga Auto Parts, Inc.	Misc. Parts	\$139.91
Saratoga Sun	Ads and Notices	\$320.12
Saratoga, Town Of	Water Services	\$48.50
Schaeffer Mfg. Co	Oil - Baggs/Dixon Shop	\$1,607.20
Shepard's	Fuel	\$9,056.65
Snake River Press	Land Use Plan	\$135.00
Spaulding, Dawnnette	Mileage	\$112.66
Staples Advantage	Office Supplies	\$518.23
State of Wyoming A & I	Mainframe Access	\$18.40
Stauffer's Towing LLC	Towing Charges	\$750.00
Stinker Stores Inc	Fuel	\$34,043.61
Stone, Jennifer	Mileage	\$176.55
Summit Food Service	Jail Meals	\$12,239.31
Swanson Services Corporation	Jail Commissary Supplies	\$611.03
Texas Department of Public Safety	Certified Driving Record	\$20.00

Tin Boy Garage	Fuel/Oil/Air Filters	\$199.97
T-O Engineers	Master Plan Update	\$8,796.82
Triple X Contracting, Inc.	Trash Services	\$260.00
US Bank	Misc. Charges	\$1,517.43
Valley Oil Company	Fuel	\$3,374.26
Voiance Language Services LLC	Interpretation Services	\$60.75
Wailes, Sadith Fiorella	Mileage	\$115.50
Walker, Deborah C	Patches Sewn Deputy Uniforms	\$208.00
West End Sinclair	Fuel	\$106.92
Wex Bank	Fuel	\$376.66
White Stone Realty	Case # 23-03914	\$750.00
WY Dept of Health	2nd Qtr. SGF Mch. and TANF	\$36,327.64
WY Machinery Company	Parts and Motor Grader	\$387,169.82
WY Retirement System	Jan Vol Fire Pension	\$825.00
Wyoming Apparatus	Equipment Repairs	\$803.90
Wyoming Cleaning & Solutions LLC	Cleaning Services	\$1,880.95

CONSENT AGENDA

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the February 7, 2023, regular meeting minutes, monthly receipts from Carbon County Clerk in the amount of \$13,903.00, bonds for Pamela Thayer, Treasurer for CCSD#1 in the amount of \$50,000.00, Larry Lee Cook, Trustee for the Medicine Bow Rural Health Care District in the amount of \$5,000.00, Brittany Nyman, Carbon County Coroner in the amount of \$1,000.00, Heidi R. Hess, Clerk/Treasurer for the Town of Elk Mountain in the amount of \$25,000.00, and Elizabeth Carlin, Treasurer for BOCES Region V in the amount of \$25,000.00, riders for County Clerk Lindsey West, County Clerk Gwynn Bartlett, Commissioners Robert Travis Moore and Willing John Johnson, County Coroner Brittney Nyman, County Assessor Renee Snider and Clerk of District Mara M. Sanger. Commissioner Moore seconded and the motion passed unanimously.

Employee Recognition

County Clerk Gwynn Bartlett overviewed employees' years of service during February.

UW Extension Office

Abby Perry, University of Wyoming Extension, Southeast Area Range Educator and Emily Haver, UW Extension Educator, 4-H Youth Development both presented an office update and programs they will be offering this year.

ELECTED OFFICIALS & DEPARTMENT HEADS

Chairman Jones turned the meeting over to Vice Chairman Moore to run the meeting.

Public Health

Amanda Brown, Carbon County Public Health Nurse presented a Memorandum of Understanding for approval. For each lab drawn they will receive a rebate of \$5 and \$10 on one certain draw. The funding will be used for something in the county such as bike helmets or other goods/services for residents. Chairman Jones stated WHF does this all over the state.

Commissioner Johnson moved to approve any commissioner's signature on the Memorandum of Understanding between Carbon County Public Health and Wyoming Health Fairs for the 2023 year and in the amount of the difference between the sale price and wholesale price offered to Carbon County for each service provided pending legal review. Commissioner Espy seconded and the motion passed unanimously.

Nurse Brown presented a Profession Consultive Examination Services Per Diem Use Agreement for approval. This firm is trying to find a place to house a physician to perform social security and disability assessments. The physician will come approximately once per month and utilize her office. They will typically bring their own nursing services however to begin she will offer her services for a fee.

Commissioner Espy moved to approve Amanda Brown's electronic signature on the Professional Consultative Examination Services (PCES) Per Diem Use Agreement for a term of 1 year at no fee, to provide PCES office space to facilitate specialized medical evaluations. Commissioner Johnson seconded and the motion passed unanimously.

Amanda is working with the state to offer testing options for colon cancer. She and staff are also working on the upcoming Care Fair. This is an event that will offer various health related services to the community.

Emergency Management

Lenny Layman, Emergency Management Coordinator requested that Chairman Jones' signature be ratified on a resolution for a Temporary Winter Storm Declaration that was signed on February 22, 2023. Attorney Davis explained that there was a temporary emergency declaration issued last week that needs ratified as well as a new, permanent declaration that needs approved.

Commissioner Espy moved to ratify Chairman Jones' signature on Resolution No. 2023-08, Temporary Winter Storm Declaration that was signed on February 22, 2023, and to authorize the Vice Chairman's signature on Resolution No. 2023-09, A Resolution of the Board of County Commissioners of Carbon County, Wyoming Declaring a Winter Storm Emergency. Commissioner Johnson seconded and Commissioner Johnson asked what the benefits of this declaration. Mr. Layman responded the declaration enables the county to move resources from outside the county into Carbon County to help and will help with costs of those items including repairs to those resources if needed. He is still trying to determine costs. He further explained the county would sign the declaration even with something such as flooding could occur in a municipality. Chairman Jones stated the county needs to develop a process where municipalities

will issue their own declarations. Commissioner Johnson stated he wants the commission to be the only ones to approve such declarations as in the past the emergency manager did so on the board's behalf. The motion passed unanimously.

Resolution No. 2023-08

WHEREAS, Carbon County has suffered from a winter storm that has occurred on February 21, 2023 and continues,

WHEREAS, extensive road closures, stranded motorists, multiple search and rescue missions, disruption of utility service, and endangerment of health and safety of the residents of Carbon County within the disaster area,

WHEREAS, all locally available public and private resources available to mitigate and alleviate the effects of this disaster have been insufficient to meet the needs of the situation,

WHEREAS, the current conditions around the County may continue to produce significant snow fall with the possibility of continued road closures, stranded motorists, search and rescue missions, and continued endangerment of health and safety of the residents in the County,

Therefore, the Chair of the Carbon County Commission has declared a temporary state of emergency on behalf of Carbon County and will execute for and on behalf of Carbon County, the expenditure of emergency funds from all available sources, the invoking of mutual aid agreements, and the requesting of assistance from the State.

This declaration of a state of emergency in Carbon County will be temporary and be reviewed and reconsidered at the Board of Carbon County Commissioner's next regularly scheduled meeting on February 28, 2023, at 0900 hours, as the length of the event will exceed forty-eight hours.

-s- Sue Jones Chair, Carbon County Commissioners

WITNESS my hand and the seal of my office.

This 22nd day of February 2023

-s- Gwynn G. Bartlett, Carbon County Clerk

Resolution No. 2023 – 09

**A Resolution of the Board of County Commissioners of Carbon County, Wyoming
Declaring a Winter Storm Emergency.**

WHEREAS, Carbon County has suffered from a winter storm that has occurred on February 21, 2023 and continues,

WHEREAS, extensive road closures, stranded motorists, multiple search and rescue missions, disruption of utility service, and endangerment of health and safety of the residents of Carbon County within the disaster area,

WHEREAS, all locally available public and private resources available to mitigate and alleviate the effects of this disaster have been insufficient to meet the needs of the situation,

WHEREAS, the conditions around the County continued to produce significant snow fall, continued road closures, stranded motorists, search and rescue missions, and continued endangerment of health and safety of the residents in the County,

Therefore, the Carbon County Board of County Commissioners have declared a state of emergency on behalf of Carbon County and will execute for and on behalf of Carbon County, the expenditure of emergency funds from all available sources, the invoking of mutual aid agreements, and the requesting of assistance from the State, until the event ends.

This declaration of a state of emergency in Carbon County was reviewed and reconsidered by the Board of Carbon County Commissioners at its regularly scheduled meeting on February 28, 2023, at 0900 hours as the event exceed forty-eight (48) hours in duration.

-s- Sue Jones, Chairman, Carbon County Commissioners

WITNESS my hand and the seal of my office

This 28th day of February 2023

-s- Gwynn G. Bartlett, Carbon County Clerk

Sheriff

Alex Bakken, Carbon County Sheriff presented a Memorandum of Understanding with Wyoming Highway Patrol for approval.

Commissioner Espy moved to approve the Sheriff sign the Memorandum of Understanding between the Carbon County Sheriff's Office and Wyoming Highway Patrol (WHP) to assist WHP with road closures. Commissioner Barkhurst seconded and the motion passed unanimously.

Sheriff Bakken presented another Memorandum of Understanding with Carbon County School District #1 to designate a school resource officer (SRO) covering Rawlins and Baggs schools. The Sheriff asked for a history making signature to create the county's first SRO. Mike Hamel, CCSD1 Superintendent stated his and the school board's excitement for the position. Sheriff Bakken stated that CCSD1 will provide \$75,000 in 10 increments of \$7,500 each for the position and during off-school time the deputy will rotate to regular sheriff patrols.

Commissioner Espy moved to approve any commissioner's signature on the Memorandum of Understanding between the Carbon County Sheriff's Office and Carbon County School District #1 for a School Resource Officer to be paid for by Carbon County School District #1. Commissioner Johnson asked if Carbon County School District #2 will have a position and the Sheriff stated he is working with them, and they are looking at funding options. Commissioner Johnson seconded and the motion passed unanimously.

Sheriff Bakken provided an update for the Carbon County Sheriff's Office including that he filled 3 vacant positions, all starting yesterday. His office received a grant for numerous mobile radios. The jail will transition to 10 hours shifts noting staff had in put on the matter.

Road & Bridge

Kandis Fritz, Road and Bridge Coordinator stated her staff is having significant issues keeping roads open. Ms. Fritz requested and received authorization to pay out the comp time per county policy of approximately 1,147 hours they have accrued since January totaling around \$30,000.

Building and Grounds

Mike Newbrough, Building and Grounds Manager discussed a proposed rate increase on the Lease Agreement with DFS's office space in the Carbon Building - Courthouse Annex. Currently the State is paying \$9 per square feet since 2019 for the offices that they are renting on the 3rd floor and he proposed increasing this to \$13 per square foot. Mr. Newbrough asked the Commissioner on how they would like to proceed. Commissioner Johnson asked if the county had comparable rates elsewhere. Clerk Bartlett noted the Courthouse rent is \$15 per square foot and asked if Mike was considering going up in increments. Commissioner Espy thought \$11 per square foot for the current three-year lease renewal period

Commissioner Espy moved to charge \$11 per square foot for rent beginning July 1, 2023, for three years and beginning July 1, 2026, charge \$13 per square foot for the Carbon Building – Courthouse Annex. Commissioner Johnson seconded and the motion passed unanimously.

Mr. Newbrough presented a modification to the agreement with Asbestos and Technical Services for the asbestos removal at 222 W. Pine Street. The original agreement had a completion date of March 1st however with all the snow and wintery conditions this was not able to be completed by that time therefore he proposed a May completion date.

Commissioner Espy moved to approve any commissioner's signature on the Agreement Modification for Asbestos and Technical Services with a new completion date to May 1, 2023, due to weather. Commissioner Barkhurst seconded and the motion passed unanimously.

Clerk

Gwynn Bartlett, Carbon County Clerk presented an amendment to the Administrative Services Agreement with Paydhealth.

Commissioner Espy moved to approve Amendment #1 to Attachment C of the Administrative Services Agreement with Blue Cross Blue Shield to include the supplemental service of Paydhealth. Commissioner Jones seconded and the motion passed unanimously.

Clerk Bartlett presented a plan change document with Blue Cross Blue Shield for board approval.

Commissioner Espy moved to authorize the Vice Chairman's signature on the Blue Cross Blue Shield ASO Group Plan Changes to the Plan Document and Summary Plan Description Booklet. Chairman Jones seconded and the motion passed unanimously.

ATTORNEY

Deputy County Attorney, Ashley Davis discussed a potential agreement with the Town of Hanna for utilities at the Hanna Library. The town contacted the library requesting a MOU noting if the library system provided services the town would cover utilities up to \$3,700 per year. The library board thought the BOCC should be involved. Clerk Bartlett clarified that the town pays utilities now and are unhappy with the amount and wanted to cap their contribution.

Commissioner Johnson moved to authorize any commissioner's signature on the Town of Hanan Memorandum of Understanding for utilities at the Hanna Library. Commissioner Espy seconded. Maria Wenzel with the Library stated she thought the contribution would be capped at \$500 for gas and \$1,200 for water. Attorney Davis stated that the town has a workshop on the matter coming up. Mike Newbrough reported that town had a \$300 gas bill for the month and that's likely what precipitated this and he is installing Wi-Fi thermostats to monitor heat. There was discussion that more thought needs put into the agreement and Commissioner Johnson withdrew his motion with approval from Commissioner Espy as the second.

She suggested Ms. Wenzel let the town know how much the library system is contributing to the community of Hanna so they can realize the investment in their community.

Attorney Davis reported the appraisers appointed for the Cherokee Road matter were unable to meet due to closed roads and severe winter conditions. She asked the Board to set a new date/time to direct them to meet. Each appraiser previously confirmed they can meet March 1 at noon and if weather or roads does not allow for that the backup date is March 3 at noon.

Planning & Development

Sarah Brugger, County Planning Director reported that Two Rivers Wind submitted a conditional use permit application mid-January. For such projects she has a process where the board can deem an application complete and they have deferred to the Planning Director in those matters. She has therefore determined the application is incomplete because all surface property owners have not approved the project. They had 30 days from January 10, 2023, but she has not received anything to date. They also have a CUP for a repowering of the Rock River, a PacifiCorp project. As a condition they will update the BOCC on the matter soon.

IT

Clerk Bartlett gave an update on the Courthouse move noting that the moving company were unable to come from Laramie and Cheyenne due to the recent blizzard and are rescheduled for March 4-6. Matt Webster, County IT Director added that he is working on various phone issues and working on other punch list items with the contractor to be finished up.

COMMISSIONERS

Commissioners Johnson thanked various county departments for their response to the recent blizzard and wind conditions. The BOCC agreed.

Chairman Jones reported that tomorrow at 2-4 p.m. at the Platte Valley Community Center Lenny Layman is holding a flood planning meeting. A virtual option is available as well.

Commissioner Espy stated that March 8 he was invited to Congress' House Natural Resource Committee regarding land management decisions staying locally.

Land Use Plan Request for Proposals Discussion

Ms. Bruggar discussed the proposals received for to update the land use plan for Carbon County, Wyoming. They have received a total of two (2) proposals by the deadline. There were two other proposals received late due to shipping delays that were returned unopened. She could readvertise the RFP or simply contact those that submitted proposals that were returned or move forward with accepting one of the two submitted.

Commissioner Espy discussed the option of reaccepting the two that were sent back because of continued long-term road closures and the county not receiving mail anywhere near timely. If there were a way to open it back up to allow the two timely to modify theirs and the two returned to resubmit if they chose, he would like to proceed that way. Attorney Davis suggested reopening the RFP process and allowing electronic responses noting it would only be for the 4 that originally submitted. Sarah thought 20 days was enough time. The BOCC agreed to move forward in this manner.

Staff reviewed the RFPs on Wednesday, February 15th. The selection committee will be ranking the proposals and will be completed no later than February 28, 2023. If necessary, interviews will be scheduled and shall occur by no later than March 17, 2023.

ADJOURNMENT

Commissioner Espy moved to adjourn the meeting at 10:54 a.m. Commissioner Johnson seconded and the motion passed unanimously.

A regular meeting of this Board will be held Tuesday, March 21, 2023, at 9:00 a.m., at the Carbon Building – Courthouse Annex, located at 215 W. Buffalo St. Suite 240C, 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 www.carbonwy.com or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.