

Unapproved Minutes

Board of Commissioners of Converse County

The regular meeting was called to order on September 1, 2009 at 8:00 a.m. Present were Chair Ed Werner, Vice-Chair Mike Colling, Commissioners Dave Edwards, Tony Lehner, Jim Willox and County Clerk Lucile Taylor.

Mr. Lehner moved to approve the minutes of August 18 and 25, 2009. Mr. Willox seconded, motion carried.

Mr. Colling moved to approve accounts payable: 1136269.55. 101.56 Adv Hydraulics; 4092.78 Aflac; 230 Alcohol & Drug Testing; 3450 Allen Transport; 225.84 Alltel; 364.85 ALSCO; 67.50 Armstrong Lucinda L; 1171.10 Arrow Electric; 1410 Ascent Technologies; 2074.23 Atlas Office; 781.69 B&B Leasing; 13295 Baldrey Const; 259.50 Bauman, Bruce; 176 Bean, Johnathan; 19.78 Bison Pump; 3250 Blaylock Trucking; 368.67 Bloedorn Lumber; 811.76 Bob Barker Co; 50200 Bobs Auto Sales; 700 Botany Bay; 124.80 Brothers Propane; 28097.37 CANDO; 120.45 Casper Star Tribune; 803.81 Chief Supply Corp; 24385.02 City of Douglas; 803.18 Clerk of Dist Court; 1134.26 Coast to Coast; 7176 Communication Tech; 743.40 Communicomm; 1223.40 CSA; 23077.99 Concrete Foundations; 299.55 Conseco Health Ins; 5.51 CC 4-H Council; 254535.45 CC Bank; 2500 CC Coalition; 3000 CC Firewise; 25.30 CC Health Dept; 149.05 Cooper, Vere; 700 Covenant Ins; 57.60 Cowboy Car Wash; 190 Culligan; 1065 D&C Feeds; 82734.41 Dakotacare; 1174.06 Dark Water Asphalt; 25.77 Davis & Cannon; 365.55 Decker Auto Glass; 113.39 Dell; 4613.08 Dept of Employment; 100 DEQ-Air Quality; 500 Double D Welding; 5742.83 Douglas Budget; 655.14 Douglas Business Center; 38.59 Douglas Grocery; 558.46 Douglas Hardware Hank; 20000 Douglas Sr Citizens; 386.26 Douglas Tire; 643.22 Drive Train Ind; 381.41 DXP Enterprises; 744.22 Emery Septic; 13550.63 Evas Contract Food Service; 180.40 Farley, Charles A; 249.78 Farmer Bros; 151197.50 FSA; 589.68 Fleet Fueling; 2700 Gantre Homes; 357.50 Garrelts, Ashley; 299.96 Gases Plus; 11016.45 Genes Plumbing; 984.76 George K Baum & Co; 95.47 George T Sanders Co; 874.98 Glenrock Chamber of Commerce; 13332 Golden Aires; 2000 Gorman Funeral Homes; 148.50 Graham, Kelly R; 34.06 Grainger; 165.33 Gushurst Don; 7277.24 Hartford Life Ins; 504.48 Hinz Jane; 280 Holiday Inn Express; 33 Holler Jane; 16019.40 Homax; 212.80 Horizons Unlimited; 176 Howe Scott; 49260 HUB-BHJ Insurance; 26.40 Hunter Ann; 192.53 Huxtable, Dixie; 177.90 Interstate Batteries; 1125 Jensen Arms; 9.37 Jerrys Welding; 400 John A Lambert & Assoc; 1735.20 Knudsen Law Offices; 716.22 Kone; 1000 Laramie Peak Humane Society; 1327.39 Lathrop Feed; 48 Learning ZoneXpress; 383.36 Melin Creative; 632.80 Minnesota Child Support; 1748.40 NAPA; 1325 Natrona Co Atty; 2749.04 NBS; 118.31 Newman Traffic Signs; 87.77 O'Reilly Automotive; 761.72 Office Depot; 632.52 OK Wrecking; 2739.19 Orbitcom; 15122.66 Orchard Trust; 223 Oregon Trail Rural Health Clinic; 540 Palen Law Offices; 10000 Paleon Foundation; 64.11 Pamida; 9500 Paris Wayne; 59.86 Park Supply; 231.84 Patterson Linda; 390 Peak Fitness; 175.44 Pioneer Printing; 14.95 Pitney Bowes; 716.05 Plainsman Printing; 23945 Platte Co SO; 142.45 Pre-Paid Legal; 5000 Price Pumping; 5360.05 Qwest; 16 Raceway Lube; 6 Rittel Dawn; 7811.98 RMP; 82.95 Rons Supply; 468 Rooter Sewer; 3650 Roquette, Barry; 18128.60 Roscoe Steel; 41.74 Safeway; 1072.44 Sams Club; 386.26 Sanofi Pasteur; 174.90 Schell, Joel; 30 Secretary of State; 49.96 Shads K M Electronics; 548.91 Shattos Frontier Drug;

1029.80 Sherard Cole; 25.74 Shortline Express; 324.40 Slough Jeanne; 175 Solutions For Life; 363.80 Source Gas; 861.16 Standard Ins; 738.75 Stearns, Jane MS LPC; 371.91 Stericycle; 6666.66 TY Pickett; 606 Thunder Basin Orthopaedics; 185 Total Services; 182.50 TOV Consulting; 441 Town of Glenrock; 224.95 Tricor Print Comm; 303.26 US Dept of Education; 1750.90 Verizon; 9513.05 Visa; 22.95 Visionary Comm; 945 WACO; 2148 Wandel Press; 480 Weeks, Joel; 3304.59 Weidenhamer, Leslie; 302.50 Werner, Ed; 1135.34 West Group; 55448.97 Whites Frontier Motors; 89.44 WI SCTF; 37.48 Williams, Nancy L; 104.97 Wilsons Wood Magic; 1378 Wireless Advanced Comm; 4110 WBI; 120 WY Child Support; 6108.47 Wy Dept of Employment; 14300.16 WYDOT; 1815 WLEA; 47206.04 WY Machinery; 22113.10 WRS; 373.67 WY Stationery; 52.14 WY Trucking Assn; 436.87 Xerox; 5000 YDS; monthly reports-Jul; Clerk 17,268.38, Clerk of Dist Ct 3,611.91, Circuit Ct 48,112.51, Offender Monitoring 1,520; other monthly reports: Ayres Natl Bridge, Douglas & Glenrock Ambulances, Glenrock Sr Cntr, Airport, Planning & Zoning, Fire Suppression Authority, Douglas and Glenrock Chambers; tax refunds and cancellations: 2010-001 Middleton Trust 275.07; 2010-002 Chesapeake Operating 32.93; 2010-003 DirectTV 20.29; 2010-004 DirectTV 1.69; 2010-005 DirectTV 1.11; 20110-006 DirectTV 5.83; 2010-007 DirectTV 20.77; 2010-008 DirectTV 492.02. Mr. Willox seconded, motion carried.

Mr. Edwards moved to accept the Agreement for the U.S. Department of Energy's Energy Efficiency and Conservation Block Grant of \$54,000. Mr. Lehner seconded, motion carried.

Mr. Willox moved to approve the Grant Award Agreement for the US Department of Health and Human Services Public Health Preparedness and Response for Bioterrorism Wyoming Department of Health and Converse County Public Health Nursing Services for a term of October 1, 2009 through September 30, 2010 in the amount of \$74,557. Mr. Colling seconded, motion carried.

Mr. Colling moved to approve the Contract between the Wyoming Department of Health, Community and Public Health Division, Maternal and Family Health Section and Converse County Public Health for a term of October 1, 2009 through September 30, 2010 in the amount of \$67,201. Mr. Lehner seconded, motion carried.

Mr. Edwards moved to re-appoint Mr. Artie Schubert to a term ending August 31, 2012 on the Glenrock Area Solid Waste Disposal District. Mr. Willox seconded, motion carried.

Mr. Colling moved to appoint Mr. Mark Patceg to an unexpired term, ending June 30, 2012, on the Parks and Recreation Board. Mr. Lehner seconded, motion carried.

Mr. Willox moved to appoint Mr. Scott Barber to a three-year term ending June 20, 2012 on the Converse County Library Board. Mr. Edwards seconded, motion carried.

Mr. Lehner moved to approve the Scope of Work for the Douglas Area Chamber of Commerce. Mr. Edwards seconded, motion carried.

Mr. Edwards moved to allow the Commission Chairman to sign a Quitclaim Deed to White Land and Livestock, LLC for a portion of Inez Road (CR29) formerly used as a County Road. Mr. Colling seconded, motion carried.

Mr. Willox moved to accept the Order Approving the Current Year (FY 10) Budget of the LaPrele Irrigation District. Mr. Lehner seconded, motion carried.

Mr. Edwards moved to approve the Compliance with Wyoming Public Meeting Laws and accompanying Fact Sheet. Mr. Willox seconded. Discussion: this Notice will be sent to all Boards where the County makes appointments. Motion carried.

Mr. Colling moved to approve

RESOLUTION NO. 16-09

A RESOLUTION AUTHORIZING THE NEGOTIATION, EXECUTION, AND DELIVERY OF A MASTER LEASE-PURCHASE AGREEMENT IN A PRINCIPAL AMOUNT NOT TO EXCEED \$3,000,000, BETWEEN THE CONVERSE COUNTY BANK, AS LESSOR, AND CONVERSE COUNTY, WYOMING, AS LESSEE, UNDER WHICH THE LESSEE WILL LEASE CERTAIN EQUIPMENT; AND PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH.

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

WHEREAS, the County owns a public municipal hospital, commonly known as the "Converse County Memorial Hospital " (the "Hospital"), which is managed by a board of trustees that is appointed by the Board of County Commissioners of the County (the "Commissioners") and known as the "Board of Trustees of Memorial Hospital of Converse County" (the "Hospital Board"); and

WHEREAS, the Commissioners are authorized to lease real and personal property, 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 Hospital Board has requested that the Commissioners lease personal property for the benefit of the Hospital; and

WHEREAS, the Commissioners hereby find and determine that the execution of a Master Lease-Purchase Agreement (the "Equipment Lease") for the purpose of leasing, with the option to purchase, the Equipment designated and set forth therein, is appropriate and necessary to the function and operations of the Hospital; and

WHEREAS, the Converse County Bank (the "Lessor") shall act as Lessor under said Equipment Lease; and

WHEREAS, the obligation of the Hospital to pay Rental Payments (as defined in the Equipment Lease) shall be from year to year only; shall constitute currently budgeted expenditures of the Hospital; 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 or the Hospital within the meaning of any constitutional or statutory limitation or requirement concerning the creation of indebtedness nor a mandatory payment obligation of the County or the Hospital 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 or the Hospital 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 CONVERSE 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 and the Hospital, 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 Receipt Certificate and the Payment Request Form in the forms attached to the Equipment Lease.

Section 2. The principal amount of the Equipment Lease shall not exceed \$3,000,000, and said Equipment Lease shall contain an option to purchase by the County and the Hospital as therein set forth.

Section 3. The obligation of the Hospital to make Rental Payments under the Equipment Lease is subject to annual appropriation by the Hospital Board and constitutes an undertaking of the Hospital to make current expenditures. No provision of this resolution or the Equipment Lease 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 or the Hospital within the meaning of any constitutional or statutory debt limitation, nor a mandatory charge or requirement against the County or the Hospital in any ensuing fiscal year beyond the current fiscal year. Neither the County nor the Hospital shall have any 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 Hospital for such purpose, under the Equipment Lease, which payments may be terminated by the Hospital 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 \$30,000,000 of tax-exempt obligations (other than "private activity bonds" which are not "qualified 501(c)(3) bonds") during the period from January 1, 2009 to December 31, 2009 and hereby designates the Equipment Lease 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 1st day of September, 2009.

(S E A L)

CONVERSE COUNTY, WYOMING

By: _____
Title: Chairman, Board of County Commissioners
Date: September 1, 2009

Attest:

By: _____
Title: County Clerk
Date: September 1, 2009

Mr. Willox seconded, motion carried.

Mr. Willox moved to approve

RESOLUTION NO. 17-09

A JOINT RESOLUTION AMENDING THE COUNTYWIDE
CONSENSUS LIST PURSUANT TO THE BLOCK GRANT FROM
THE OFFICE OF STATE LANDS AND INVESTMENTS FOR THE
2009-2010 BIENNIUM ALLOCATION

WHEREAS, it is necessary to adopt a joint resolution certifying that the Converse County Commissioners and governing bodies representing at least 70% of the incorporated population of Converse County have reached agreement on the project(s) to be funded under the Mineral Royalty Block Grant process established by the Wyoming State Legislature; and,

WHEREAS, Converse County, City of Douglas, Town of Glenrock, and Town of Rolling Hills, together comprising over 70% of the incorporated population of said Converse County, have met and agreed to the distribution of funds available for the 2009-2010 funding allocation.

WHEREAS, the Federal Mineral Royalty Capital Construction Grant program requires that certain criteria be met, as described in the governing the program, and to the best of our knowledge, this application meets that criteria.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSIONERS OF CONVERSE COUNTY, WYOMING, THE CITY COUNCIL OF THE CITY OF DOUGLAS, THE TOWN COUNCIL OF THE TOWN OF GLENROCK, AND THE TOWN COUNCIL OF THE TOWN OF ROLLING HILLS, that the parties hereto certify that they have reached agreement on the following, amended list of capital projects which will be submitted for approval to the State Loan and Investment Board as part of the 2009-2010 allocation:

			Total			
Local Government			Project Cost	Entity Match	%	SLIB Request
<u>Converse County</u>						
Antelope Coal Mine Rd	1	Amended-decrease	\$1,000,000	-\$500,000	50%	-\$500,000
Joint Dispatch Center	2	Added	\$250,000	\$0.00	100%	\$250,000
Public Health Bldg-Expansion and Remodel	3	Added	\$340,000	\$170,000	50%	\$170,000
Total			-\$410,000	-\$330,000	50%	-\$80,000
<u>Fire Suppression Authority</u>						
Fire Hall, Town of Rolling Hills	1	Added	\$175,000	\$117,500	32.86%	\$57,500
<u>Rolling Hills</u>						
Rolling Hills, Fire, Emergency, ADA Exit for Rolling Hills Town Hall	1	Added	\$25,000	\$12,500	50%	\$12,500
Rolling Hills – Emergency Generator for Rolling Hills Water Supply	2	Added	\$20,000	\$10,000	50%	\$10,000
Total			\$45,000	\$22,500		\$22,500

Net Changes			-\$190,000	-\$190,000		\$0.00

(See attached "Application Cover Page" and "Project Summary" for each project.)

PASSED, APPROVED AND ADOPTED THIS _____ day of _____, 2009.

County Commissioner, Chair

Attest:

Converse County Clerk

PASSED, APPROVED AND ADOPTED THIS ____ DAY OF _____, 2009.

Mayor, City of Douglas

Attest:

City Clerk

PASSED, APPROVED AND ADOPTED THIS _____ day of _____, 2009.

Mayor, Town of Glenrock

Attest:

Town Clerk

PASSED, APPROVED AND ADOPTED THIS _____ day of _____, 2009.

Mayor, Town of Rolling Hills

Attest:

Town Clerk

Mr. Lehner seconded, motion carried.

Mr. Lehner moved to approve the General Resolution to the State Loan and Investment Board as amended for the 2009-2010 County Wide Consensus Funding. Mr. Colling seconded, motion carried.

Mr. Colling moved to approve

RESOLUTION No: 18-09

Converse County Board of Commissioners

A RESOLUTION ADOPTING CONVERSE COUNTY
SUBDIVISION PERMIT APPLICATION FEES

WHEREAS, pursuant to the authority granted under the authority of Section 18-5-309, Wyoming Statutes, 1977, as amended, the Converse County Board of Commissioners is empowered to determine subdivision permit fees within the unincorporated area within the county; and,

WHEREAS, it is deemed to be in the best interest of Converse County to require the submission of subdivision permit fees upon the submittal of a subdivision permit application;

NOW THEREFORE, BE IT RESOLVED that from and after September 2, 2009, continuing until otherwise changed by the Board of County Commissioners of Converse County, Wyoming, every submittal of a subdivision permit application shall be accompanied by a \$250.00 fee for the review of subdivisions and land divisions.

PASSED, APPROVED AND ADOPTED THIS 1st day of September, 2009.

BOARD OF CONVERSE COUNTY
COMMISSIONERS

/s/ _____
Ed Werner, Chairman Aye – ~~Nay~~

/s/ _____
Mike Colling, Vice-Chairman Aye – ~~Nay~~

/s/ _____
Dave Edwards, Member Aye – ~~Nay~~

/s/ _____
Tony Lehner, Member Aye – ~~Nay~~

/s/ _____
James H. Willox, Member Aye – ~~Nay~~

ATTEST: _____

Lucile K. Taylor, Converse County Clerk

Mr. Willox seconded, motion carried.

The regular meeting recessed at 12:00 p.m. and reconvened at 1:00 p.m.

Mr. and Mrs. Charles Reese and Mr. Brad Reese were present to discuss the abandonment of that portion of Reese Road (CR 49) that went to their home and

continued across their property to connect with Pickinpaugh Road (CR 50). The Reese family believes that portion was not officially abandoned; therefore, it still exists as a county road. The Commission stated they would consult with the County Attorney regarding the status of this specific portion of the road.

Mr. Lehner moved to approve the request of Qwest to bore Cole Creek Road (CR 22). Mr. Colling seconded, motion carried.

The proposed reconstruction of 55 Ranch Road (CR 23) has been scaled back to approximately 7.9 miles due to revised cost estimates.

The regular meeting recessed at 4:30 p.m. and reconvened at 8:20 a.m. on September 2, 2009.

Mr. Frank Peasley and Mrs. Holly Richardson reviewed the Major Land Division of Mr. and Mrs. Hager and the estate of Mr. George LeBar.

Mr. Willox moved to approve the Major Land Division Application submitted by Dylan G. Hager and Erin E. Hager and the estate of George H. LeBar for a portion of land in Township 33 North, Range 70 West, 6th P.M., Section 18: SE1/4SW1/4. Mr. Edwards seconded, motion carried.

Mr. Bob Shinmori, Mr. Scott Barber and Mrs. Karen Hopkins discussed the proposed building projects (Phase 2) for the Douglas and Glenrock Libraries and requested the assistance of the County for funding a portion of the project. The Commission felt they could contribute around \$30,000 with the hope that the City of Douglas and Town of Glenrock would consider a financial contribution.

Mr. Joe Coyne, CANDO, stated that, as the CCTNT project is wrapping up, some residents had concerns about wind farm development adjacent to municipal boundaries and were interested in a process where that type of development, and possibly other types of development that may occur in the future, could be permitted or controlled to a degree.

Mr. Colling moved to approve the lease agreement between the Town of Glenrock and Converse County, Converse County Sheriff's Office for space in the Commerce Building for a period from October 1, 2009 through September 31, 2010. Mr. Lehner seconded, motion carried.

The regular meeting adjourned at 12:09 p.m. on September 2, 2009.

Ed Werner, Chair

Attest: _____

Lucile K. Taylor, Converse County Clerk.

Publish: Sep 9/10, 2009