

Taxes in the amount of \$2,937.50 need to be rebated. John Lumley moved to approve Rebate #11-12 to Phoenix Production Company in the amount of \$2,937.50. Mike Baker seconded the motion. Motion carried.

The following supplemental tax notices have been processed through the Treasurer's Office:
BASIN RESOURCES CORPORATION - Parcel #074496 – DOR NOVC 2012-0622 - This 2007 supplemental parcel was created to add 31,539 in taxable value based on an amended return filed by Basin Resources to DOR to report several months of unreported 2006 Production. Total taxes on this supplemental were \$2,207.98.

BASIN RESOURCES CORPORATION - Parcel #466909 – DOR NOVC 2012-0622 - This 2009 supplemental parcel was created to add 71,725 in taxable value based on a late return filed by Basin Resources to DOR to report previously unreported production volume and value for the 2008 production year. Total taxes on this supplemental were \$4,807.73.

ENCORE ENERGY PARTNERS OPERATING LLC - Parcel #467010 – DOR NOVC 2012-0564 - This 2010 supplemental parcel was created to add 9,882 in taxable value based on an amended return filed by Encore to correct discrepancies between severance tax and gross products reporting found by DOR. Total taxes on this supplemental were \$638.92.

FIDELITY EXPLORATION AND PRODUCTION - Parcel #104282 – DOR NOVC 2012-0645 - This 2010 supplemental parcel was created to add 3,090 in taxable value based on an amended return filed by Fidelity E&P to DOR to move production from Park to Hot Springs County. Total taxes on this supplemental were \$199.78.

PHOENIX PRODUCTION COMPANY - Parcel #306709 – DOR NOVC 2012-0660 - This 2009 supplemental parcel was created to add 56,061 in taxable value for the 2008 production year in the Gebo and Black Mountain Fields based on Wyoming Dept of Audit findings. Total taxes on this supplemental were \$3,757.76.

PHOENIX PRODUCTION COMPANY - Parcel #306709 – DOR NOVC 2012-0660 - This 2010 supplemental parcel was created to add 31,026 in taxable value for the 2009 production year in the Gebo and Black Mountain Fields based on Wyoming Dept of Audit findings. Total taxes on this supplemental were \$2,005.99.

Daniels Approach Agreement

Clerk Odde presented an approach agreement application from Delbert Daniels for an approach on County Road 23 located at 1187 Cowboy Mine Road. All fees have been paid and Ray Shaffer has reviewed and approved the application. Mike Baker moved to approve the approach agreement with Delbert Daniels for an approach on County Road 23. John Lumley seconded the motion. Motion carried.

Energy Performance Contract with Trane, Inc.

Trane representative Kim Ketchum was present to answer any questions the Commissioners might have regarding the contract. Chairman Basse removed himself from discussion and voting on this matter due to a declared conflict of interest as a potential sub-contractor on the project. County Attorney Jerry Williams had reviewed the contract and proceeded to outline some areas of concern and some items he felt the Commissioners should be aware of prior to signing the contract. After extensive discussion. John Lumley moved to approve the Vice-Chairman's signature on the Energy Performance Contract with Trane, Inc. contingent upon agreement being reached between the County Attorney and Trane's attorney on the following three items:

1. Section 2 (various places) and Schedule N: Contract refers to Net 30 Day payment periods. The Commissioners asked that Trane edit the contract to include terms of Net 45 Days and remove the Net 30 Day references.
2. Section 2.8.6.4.1 (e): There is concern regarding the language providing for the contractor to exit the contract via the convenience clause, but not the County (agency). The Commissioners expressed concern that Contractor can exit the

contract and have too much power over why termination was executed, not on behalf of the Contractor but on the County.

3. Section 3.19.2 – Contractor Inspection language: The County Attorney would like subsection i. to be edited to read as follows:
 - i. *Contractor shall maintain an adequate inspection system and perform such inspections as will ensure that the work performed under the contract conforms to contract requirements. Contractor shall maintain complete inspection records and make them available to Agency. All work ~~shall be conducted under the general direction of Agency for the specific project, and~~ is subject to Agency Inspection and test at all places and at all reasonable times before acceptance to ensure strict compliance with the terms of the Contract.*

Mike Baker seconded the motion. Motion carried. Commissioner Basse reassumed the chair.

Airport Update

Phase I Construction Update – GDA representative Jeremy Gilb reported that the contractor expects to complete both access roads by the end of the week. The fencing is finished. Winter shutdown will probably happen Thursday or Friday of this week. Items remaining to be addressed in the spring include general site cleanup, seeding, mulching and density testing on the crushed base.

Phase I Change Order #1 – Mr. Gilb presented Change Order #1 for the Commissioners' review. Mr. Gilb discussed the various parts of the change order, including Field Orders 4-7. The final result of Change Order #1 is a decrease in the cost of the project of \$9,509.52. Mike Baker moved to authorize the chairman's signature on Change Order #1 when it is received back from GDA with the appropriate signatures. John Lumley seconded the motion. Motion carried.

Phase II – Award Bid and Issue Notice of Award – Mr. Gilb distributed copies of the bid tabulation for the Phase II Project – Bid Schedules 1 & 2. Bids were received from eight companies as follows:

High Country Construction, Inc.	\$1,743,208.00
Fiore and Sons, Inc.	\$1,748,954.83
Mountain View Building, Inc.	\$1,749,435.00
Knife River	\$1,821,260.50
Oftedal Construction	\$1,943,769.00
Railroad Specialties, Inc.	\$1,961,944.90
RBK Construction, Inc.	\$1,989,850.00
Kilroy, LLC	\$3,140,415.00

After reviewing the bids for completeness and fulfillment of the specifications, GDA recommends the bid be awarded to High Country Construction, Inc. of Lander, Wyoming as the apparent low bidder in the amount of \$1,743,208.00. The engineer's estimated cost for the project was \$1,750,622.50. The bid has been submitted to the FAA and WYDOT-Aeronautics for review. John Lumley moved to award the bid for the Phase II Airport Construction Project, Bid Schedules 1 & 2 to High County Construction, Inc. in the amount of \$1,743,208.00, contingent upon review and approval by the FAA and WYDOT Aeronautics, and to authorize the Chairman's signature on the Notice of Award upon receipt of written concurrence from the FAA and WYDOT Aeronautics. Mike Baker seconded the motion. Motion carried.

General Update – The airport location sign is nearly finished and should be installed by the end of the year. GDA will install combination locks on the gates on the airport road and in the wildlife fence and provide the Commissioners with the combinations. Mr. Gilb will also provide the Clerk with a set of keys to the job trailer.

4-H Extension Educator Update

UW Extension Educator Barton Stam informed the Commissioners that 4-H Extension Educator Jennifer Cheney has submitted her resignation effective January 4, 2013. Mrs. Cheney has recently returned from maternity leave and is working from home until then. Clerk Odde asked Mr. Stam to investigate what the County's financial responsibility has been for the last four months with regards to Mrs. Cheney's maternity leave. Mr. Stam will notify the Commissioners when interviews have been set up for Mrs. Cheney's replacement and invited them to participate if they wished.

Correspondence

Chamber of Commerce– Harlem Ambassadors Sponsorship Request

University of Wyoming – Open Spaces Publication

Library Board Minutes – November, 2012

Fair Board Minutes – November, 2012

Airport Monthly Operations Report – November, 2012

Hot Springs County Memorial Hospital – Financial Report

The Commissioners reviewed the foregoing correspondence. No further action was required.

Adjournment

There being no further business to come before the Board of County Commissioners at this time, John Lumley moved to adjourn. Chairman Basse declared the meeting adjourned at 6:05 p.m.

ATTEST:

Brad Basse, Chairman

Hans Odde, County Clerk