

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, February 6, 2007
County Courthouse
Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners commenced Tuesday, February 6, 2007 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Commissioners Terry Weickum and Jerry Paxton; County Clerk, Gwynn Rothenberger; and Deputy Clerk, Kathy Turner. Chairman Art Zeiger was absent.

Commissioner Weickum, acting Chairman, called the meeting to order at 9:00 a.m.

VOUCHERS

The following vouchers were presented and approved for payment:

AIRPORT DEVELOPMENT GROUP	DIXON AIRPPORT RUNWAY	6,497.52
ALCO	SUPPLIES	135.96
ALSCO, AMERICAN LINEN DIVISION	SUPPLIES	187.77
AMERICAN CORRECTIONAL ASSOCIATION	DUES	300.00
AMERIGAS	PROPANE	2,030.88
ARMSTRONG MEDICAL INDUSTRIES, INC	MEDICAL SUPPLIES	801.71
ATCO INTERNATIONAL	SUPPLIES	352.00
BARTLETT, SUE RN	MILEAGE	147.20
BEAN, MARCIA E.	LEGAL SERVICES	900.00
BEHAVIORAL INTERVENTIONS	MONITORING SERVICES	382.05
BEST WESTERN HITCHING POST	HOTEL/CONFERENCE	366.42
BG & J SANITATION	GARBAGE SERVICE	585.00
BOB BARKER COMPANY	SUPPLIES	747.42
BRESNAN COMMUNICATIONS	COMPUTERS/TELEVISION	332.84
BUILD RITE LUMBER SUPPLY	SUPPLIES	31.98
BUSEY, SHARALEE	MILEAGE	281.53
CARBON COUNTY COOPERATIVE EXTENSION	DOG LEARNING LAB KIT	531.36
CARBON COUNTY FAIR ASSOCIATION	TROPHYS FOR FAIR	45.00
CARBON COUNTY STRIKE TEAM	SUPPLIES	319.98
CARBON POWER & LIGHT INC	ELECTRICITY	1,111.36
CASPER POLICE DEPARTMENT	CONFERENCE FEES	150.00
CBM FOOD SERVICE	JAIL FOOD	7,595.94
CENTURYTEL	TELEPHONE SERVICE	149.57
CESKO, DAVID MD	MEDICAL SERVICES	475.00
CHILDRESS ELECTRIC INC	ELECTRICAL SERVICE	141.48
COLD NOSE INVESTIGATORS	SEARCH DOGS	217.12
COMMUNITY INTERVENTION	TRAINING MATERIALS	870.86
COMPUTER SOFTWARE ASSOCIATES	SHIPPING	139.00
CORPORATE EXPRESS	SUPPLIES	1,189.17
COUNTRY STORE	FUEL/SUPPLIES	101.54
CSK AUTO, INC.	SUPPLIES	45.56
CULLIGAN WATER CONDITIONING	SALT	74.25
DAILY TIMES	ADVERTISING	2,425.65
DALLIN MOTORS INC	VEHICLE REPAIR	346.17
DEEP SWEEP	OFFICE CLEANING	75.00
DEHERRERA & BACH LAW CENTER	LEGAL SERVICES	4,299.85
DELANCEY, CINDY	LEGAL SERVICES	722.98
DELEON, JOHN	LEGAL SERVICES	2,345.00
E & H PLUMBING & HANDYMAN	REPAIRS	45.00
EAGLE UNIFORM SUPPLY	SUPPLIES	140.61
ELK MOUNTAIN, TOWN OF	WATER	46.00
ENERGY BASIN CLINIC	MEDICAL SERVICES	70.50
ENGSTROM, JAMES D. DDS	DENTAL SERVICES	2,245.00
ERICKSON & ROBERTS	LEGAL SERVICES	10,707.07
FARMER BROTHERS COFFEE	SUPPLIES	245.07
FARSTER, PAMELA R.	TRIPARTITE NEEDS ASSMT	15,900.00
FRANCE, DWIGHT	SUPPLIES	319.98
FREMONT COUNTY SEMINARS	SUDDEN DEATH SEMINAR	95.00
FREMONT MOTORS-RAWLINS	VEHICLE REPAIRS	497.31
G A THOMPSON CO.	SUPPLIES	407.00
GASES PLUS	SUPPLIES	694.77

GOSVENOR, MAXINE	MILEAGE	89.24
GRAINGER	PARTS	193.14
GRAPHIC SPORTS	SUPPLIES	300.90
HANNA VFW POST #6680	FLAGS	1,082.98
HASCO INDUSTRIAL SUPPLY	PARTS & SUPPLIES	362.60
HAYS, STEPHEN DDS	DENTAL SERVICES	298.00
HENKE MANUFACTURING CORP	PARTS	657.38
HIGH PLAINS POWER	ELECTRICITY	251.44
HIGH PLAINS VISION CENTER	VISION SERVICES	566.00
HILLCREST SPRING WATER, INC.	SUPPLIES	51.12
HYLAND ENTERPRISES	LABOR AND SUPPLIES	36.05
I A A O	IAAO 2007 DUES	145.83
J H KASPAR OIL COMPANY	FUEL	164.95
JACKALOPE PRINTING	SUPPLIES	1,415.30
JUVE, JANE H	LEGAL SERVICES	2,650.00
KAR KRAFT INC	VEHICLE SERVICE	94.59
KAR PRODUCTS	PARTS	748.25
KILBURN TIRE COMPANY	VEHICLE SERVICES	1,437.42
KINDERPRINT COMPANY	SUPPLIES	262.58
KLAMATH COUNTY JUVENILE DEPARTMENT	PRESCRIPTION	58.28
KLINE, LOU	SUBSCRIPTION	308.00
KN ENERGY INC	GAS SERVICE	24,238.41
KONE ELEVATORS ESCALATORS	MAINTENANCE	2,530.13
KROGER - KING SOOPERS	SUPPLIES	28.51
LONG BUILDING TECHNOLOGIES, INC.	HEATING SERVICE/REPAIRS	4,201.36
LOVE AND LOGIC INSTITUTE, INC., THE	TRAINING MATERIALS	395.00
M H L SYSTEMS	SNOW PLOW BALDES	2,634.26
M S C	MAINTENANCE AGREEMENTS	3,650.00
MACPHERSON, KELLY & THOMPSON, LLC	LEGAL SERVICES	2,517.22
MATCO TOOLS	TOOLS	189.90
MCI COMM SERVICE	TELEPHONE SERVICE	24.08
MEDELA INCORPORATED	SUPPLIES	373.04
MEDICINE BOW, TOWN OF	WATER	48.10
MEMORIAL HOSPITAL	TB TESTING	31.00
MERCK HUMAN HEALTH	VACCINE	2,905.08
MILLER, KENNETH J.	LEGAL SERVICES	150.00
MOORE MEDICAL CORP.	SUPPLIES	445.61
MORIARITY, CATHERINE M.	COURT REPORTING	727.50
MOTOROLA	REPEATERS/9 MILE PEAK	50,735.00
MPM CORP / EVERGREEN DISPOSAL	GARBAGE SERVICE	85.00
NATIONAL ASSOCIATION	NACM MEMBERSHIP DUES	100.00
NIBBLES & BYTES	WORK ON COMPUTERS	413.75
OFFICE DESIGNS.COM	OFFICE CHAIR	919.00
PAGE ONE	PAGER SERVICE	250.05
PAMIDA INC	SUPPLIES	44.49
PAXTON, JERRY	MILEAGE	395.14
PERUE PRINTING	SUPPLIES	23.45
PHILLIPS 66-CONOCO-76	FUEL	193.85
PINE LODGE CAFE	FOOD	47.59
PITNEY BOWES	METER RENT/POSTAGE/SUPPLIES	1,034.75
PLAINSMAN PRINTING & SUPPLY	SUPPLIES	1,563.03
PLATTE VALLEY MEDICAL	MEDICAL SERVICES	145.00
PRO-CHEM INDUSTRIAL, LLC	SUPPLIES	477.97
PRONGHORN PRIDE	GOLD LEVEL SPONORSHIP	4,000.00
PUBLIC SAFETY WAREHOUSE	SUPPLIES	736.57
QUESTAR GAS	GAS SERVICE	302.31
QUILL CORPORATION	SUPPLIES	280.70
QWEST	TELEPHONE SERVICE	321.78
RASMUSSEN FURNITURE	SUPPLIES	43.98
RAWLINS AUTOMOTIVE	PARTS	1,387.91
RAWLINS EYE CARE	VISION SERVICES	916.00
RAWLINS FAMILY MEDICAL, P.C.	MEDICAL SERVICES	355.00
RAWLINS FIRE EXTINGUISHER	SUPPLIES	93.00
RAWLINS, CITY OF	WATER	1,183.00
REGIONAL JUVENILE DETENTION CENTER	JUVENILE SERVICES	4,712.00
RELIABLE	SUPPLIES	544.49
RENDEZVOUS LODGE LLC.	FOOD/FUEL	345.82
RIDEOUT, RICHARD P.C.	LEGAL SERVICES	46.00
ROBERT JACK SMITH & ASSOC	SURVEY	1,715.74
ROBERTS, MATT	FOOD & FUEL	60.66
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICE	1,313.53

ROSS' AUTOMOTIVE SERVICES	MAINTENANCE/SERVICE	168.02
ROSTAD MORTUARY	BURIAL	1,000.00
RYAN ELECTRONICS INC	VEHICLE SERVICES	190.82
SARATOGA AUTO PARTS, INC.	PARTS	182.02
SHELL FLEET PLUS	FUEL	19.67
SHEPARD'S	FUEL	398.47
SHIVELY HARDWARE	PARTS.CUPPLIES	286.21
SMITH, SUSAN	MILEAGE	187.22
SOUTHWEST PROFESSIONAL	RANDOM TESTS	50.00
SRIDHARAN, P V MD	MEDICAL SERVICES	2,245.00
STATE OF WYOMING	COMPUTER SERVICES	0.53
T'S KEYS	NEW LOCK/REPAIRS	241.79
TERMINIX	MONTHLY SERVICES	225.00
TIGER MART	FUEL	1.70
TRADEMARK GRAPHICS, INC.	SUPPLIES	136.41
TRADING POST	FUEL	142.50
TRAVELING COMPUTERS	COMPUTER SUPPLIES	154.96
TRIBCSP.COM	E-MAIL	2.00
TRUE VALUE OF RAWLINS	SUPPLIES	138.57
U S MARSHALS SERVICE	PRISONER TRANSPORTATION	648.72
U W C E S	2ND QUARTER SALARY	4,740.00
ULTIMATE OFFICE	OFFICE SUPPLIES	298.39
UNION TELEPHONE COMPANY	CELL PHONE SERVICE	828.06
UNITED STATES POSTAL SERVICE	ANNUAL BOX RENT	70.00
USA PARTS & SERVICE	PARTS	869.00
V-1 PROPANE	PROPANE	798.30
VALLEY OIL COMPANY	FUEL	298.08
VAN'S WHOLESALE	SUPPLIES	342.67
VERIZON WIRELESS	CELL PHONES	244.95
VISIONARY COMMUNICATIONS, INC.	DIALUP-TURBO MONTHLY	21.95
WEICKUM, TERRY	MILEAGE	254.84
WEST PAYMENT CENTER	SUPPLIES	885.06
WIANT, JAMES	GRAVEL/LEASE AGREEMENT	708.30
WILSON'S SELF SERVICE	FUEL	45.00
WIMPENNY, ROBERT G DDS	DENTAL SERVICES	800.00
WOLTERS KLUWER HEALTH	SUBSCRIPTION FOR MCN	53.91
WORLD POINT	SUPPLIES	140.00
WY COUNTY COMMISSIONERS ASSOCIATION	CONFERENCE FEES	80.00
WY DEPARTMENT OF HEALTH	2ND QUARTER PAYROLL PAYMENT	33,576.45
WY DIESEL SERVICE	PARTS/REPAIR	298.97
WY FINANCIAL INSURANCE, INC.	BONDS	300.00
WY FIRE CHIEF'S ASSOCIATION	2007 DUES	50.00
WY MACHINERY COMPANY	MAINTENANCE/PARTS/SUPPLIES	4,215.08
WY PUBLIC HEALTH ASSOCIATION	2007 WPHA MEMBERSHIP DUES	20.00
WY STATE FIREMENS ASSOCIATION	2007 DUES	50.00
WY STATIONERY	SUPPLIES	2,183.35
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICE	354.58
WYOPASS	2007 MEMBERSHIP DUES	100.00
XEROX CORPORATION	BASE CHARGE	1,217.59
YAMPA VALLEY ELECTRIC	ELECTRICITY	832.10
	GRAND TOTAL	261,011.48

CLERK

Minutes

Commissioner Paxton moved to approve the minutes from the January 16, 2007 Commissioner's meeting as presented. Commissioner Weickum seconded and the motion carried unanimously.

Bonds

Commissioner Paxton moved to approve bonds for Allison Jill Couch, Treasurer for Carbon County School District I, in the amount of \$50,000.00; Gwynn G. Rothenberger, Carbon County Clerk, in the amount of \$4,000.00; and Paul Zamora, Carbon County Coroner, in the amount of \$1,000.00. Commissioner Weickum seconded and the motion carried unanimously.

Whistle Pig Saloon

Clerk Rothenberger reported the previously approved request from the Whistle Pig Saloon to change the dimensions of their dispensing room must state the exact dimensions. She presented

a revised request from the Whistle Pig stating these dimensions.

Commissioner Paxton moved to approve the new dimensions for the liquor dispensing room at the Whistle Pig Saloon to the North West corner of the 60' x 60' section known as the Whistle Pig Saloon, an area running from the external West wall 23' to the Southern edge of the bar, and extending North parallel to the bar 34' to the Northern wall. Commissioner Weickum seconded and the motion carried unanimously.

Use Control Area

Clerk Rothenberger presented a Resolution prepared by County Attorney Cindy DeLancey for the Sinclair Wyoming Refining Company creating a Use Control Area.

Commissioner Paxton moved to approve Resolution No. 2007-07, A Resolution Creating a Use Control Area Pursuant to the Use Control Area Petition Filed by the Sinclair Wyoming Refining Company. Commissioner Weickum seconded and the motion carried unanimously.

RESOLUTION NO. 2007-07

**A RESOLUTION CREATING A USE CONTROL AREA
PURSUANT TO THE USE CONTROL AREA PETITION
FILED BY THE SINCLAIR WYOMING REFINING
COMPANY**

WHEREAS:

1. On August 25, 2006, the Sinclair Wyoming Refining Company filed a Use Control Area Petition, pursuant to W.S. 35-11-1609, with the County of Carbon, State of Wyoming.
2. The Petition requested the creation of a Use Control Area on approximately 2,644 acres of land owned by Sinclair Wyoming Refining Company, which land is more specifically described in the attached Exhibit A, which is by this reference specifically incorporated herein.
3. The Petition requested the establishment of a Use Control Area within both the town limits of the Town of Sinclair, Wyoming, as well as lands which are outside the Town and within Carbon County and maintenance of the same in accordance with the provisions of W.S. 35-11-1609 and also outlined specific prohibited uses as authorized by state statute.
4. Public notice of the Petition was published in the Rawlins Daily Times newspaper on the following dates: October 26, 2006, November 2, 2006, November 9, 2006 and November 16, 2006, as required by state statute.
5. Notice of the Use Control Area Petition was provided by Sinclair Wyoming Refining Company to all surface owners of record of land contiguous to the proposed use control site as required by state statute.
6. The Board of County Commissioners of Carbon County, Wyoming, pursuant to public notice, conducted a public hearing on the Petition on December 7, 2006, at 6:00 p.m., in the Council Chambers in the Town Hall, Sinclair, Wyoming. The Board of County Commissioners listened to comments of the Petitioner, as well as all public comments.
7. The Board of County Commissioners having now discussed such Petition and having voted unanimously upon the creation of a Use Control Area as requested in the Petition and in accordance with applicable rules, regulations and procedures:

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

Section 1. A Use Control Area shall be and is hereby established upon the real property which located outside the town limits of the Town of Sinclair, Wyoming, but within Carbon County, which real property is specifically described on the attached Exhibit A and is delineated on the attached map, designated as Exhibit B, both of which are incorporated herein by this reference.

Section 2. The following uses shall be prohibited in the specifically described Use Control Area ("UCA"):

- a. residential;
- b. nursing home;
- c. day care;
- d. hospital or hospice;
- e. jail or detention center;
- f. school;
- g. food processing facility;
- h. hotel or motel;
- i. animal shelter, animal treatment or care facility, kennel;
- j. greenhouse, plant nursery (except in situations where greenhouse or

nursery-cultivated plants are grown in clean soil imported to the site for which there is no reasonable possibility of root penetration into contaminated soils on the site);

- k. hunting or trapping;
- l. water well drilling terminating in the uppermost aquifer; and
- m. construction of new buildings for permitted uses within the UCA without consideration or the potential for subsurface vapor intrusion.

Section 3. Recording. A certified copy of this Resolution shall be placed of record, at the expense of the Petitioner, in the Office of the County Clerk and Ex-Officio Register of Deeds of Carbon County, Wyoming, placing the specified usage limits upon the real property which is located outside the town limits of the Town of Sinclair but within Carbon County as delineated on the map attached as Exhibit B and as specifically described in the legal description attached as Exhibit A. These prohibited uses are to run with the lands so described which are outside the town limits of the Town of Sinclair as specifically described in Exhibit A and as delineated on Exhibit B and shall be binding on all parties and all persons claiming under them in perpetuity, unless removed by Resolution passed by the Board of County Commissioners of Carbon County, Wyoming.

Section 4. Enforcement. Each and every resident of the Carbon County or Carbon County, Wyoming, acting by and through the Board of County Commissioners, or the Sinclair Wyoming Refining Company or its successors or assigns, shall have the right and authority to enforce compliance with the UCA requirements contained herein by applying for injunctive relief in a Court of competent jurisdiction. Upon the initiation of any prohibited use, a written notice of such violation shall be directed by Carbon County, Wyoming, acting by and through the Board of County Commissioners, to the violator who shall then have ten (10) days after receipt of said notice to correct the violation, by ceasing the prohibited use. If said violation is not so corrected, then each and every resident of the Carbon County or Carbon County, itself, by and through the Board of County Commissioners, or the Sinclair Wyoming Refining Company or its successors or assigns, may apply for injunctive relief. In addition, misdemeanor charges may be initiated by Carbon County, as deemed appropriate. The violator shall be liable for all costs and attorney fees incurred in enforcing compliance with this Resolution. In the event suit is required to enjoin the violation of any of the requirements contained herein, violator(s), in addition to any of the other penalties provided herein or which may be assessed by a court, shall be jointly and severally liable for all attorney fees and costs incurred in bringing such action and enforcing this Resolution.

Civil enforcement shall be by proceeding for injunctive relief against any person or persons violating or attempting to violate any prohibited use, to restrain violation thereof.

Section 5. Repealer. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

Approved on this 6th day of February, 2007.

BOARD OF COUNTY COMMISSIONERS,
Carbon County, Wyoming

By: -s- Terry Weickum, Acting Chairman

ATTEST:

-s- Gwynn G. Rothenberger, County Clerk

Attachments A and B are on file in the Carbon County Clerk's Office.

Saratoga Lions Club

Clerk Rothenberger presented a letter from Nora Jewell of the Saratoga Lions Club requesting approval to conduct a Calcutta during the chariot races being held in Saratoga on February 16-18, 2007.

Commissioner Paxton moved to authorize the Saratoga Lions Club to conduct a Calcutta during the Donald E. Erickson Memorial Chariot Races, February 16-18, 2007. Commissioner Weickum seconded and the motion carried unanimously.

Carbon Mercantile Grant

Clerk Rothenberger advised that since the Board's last meeting, she received a letter from the Wyoming Business Council stating the specific items needed to reimburse the county for the Carbon Mercantile Grant as well as the items required after the purchase of the building. She

added that Attorney DeLancey has reviewed the letter and the required Fair Housing Resolution. Clerk Rothenberger advised that closing is scheduled for February 8, 2007.

Commissioner Paxton moved to approve Resolution #2007-08, A Fair Housing Resolution, and to authorize the Chairman to sign the Residential Antidisplacement and Relocation form, a Memorandum of Understanding between Carbon County Economic Development Corporation and Carbon County, and Reimbursement Request No. 01 in the amount of \$269,000.45, all in reference to the Wyoming Business Council grant for the Carbon Mercantile. Commissioner Weickum seconded and the motion carried unanimously.

Clerk Rothenberger advised she would release the funds to EDC for closing and would then mail all necessary items to the Wyoming Business Council for reimbursement. She added that she would record the necessary lien on the building after closing.

Attorney DeLancey requested to review the Warranty Deed before closing.

**RESOLUTION #2007-08
FAIR HOUSING RESOLUTION**

WHEREAS, it is this body's firm belief that discrimination in housing, employment and public accommodation not only threatens the rights and privileges of the citizens of the community/county but also menaces the institutions and foundations of a free and democratic society; and,

WHEREAS, this body desires to give effect to the guarantees of equal rights contained in the Constitution and laws of this State and the United States and to encourage and bring about mutual self-respect, and understanding among all citizens and groups in the community/county; and,

WHEREAS, under the Federal Fair Housing Law, it is illegal to deny housing to any persons because of race, color, religion, sex or national origin;

THEREFORE, be it resolved that the County of Carbon, Wyoming, makes a firm commitment to eliminate prejudice, intolerance, disorder and discrimination in housing based on race, color, religion, sex or national origin.

THEREFORE, be it also resolved that the County will adhere to the following procedures to accomplish the purpose of the aforementioned resolution:

1. All and any discrimination complaints will be in writing, signed and addressed to the Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development 1405 Curtis Street, Executive Towers, Denver, CO 80202.
2. The Fair Housing and Equal Opportunity Logo will be displayed in the City/Town/County buildings.
3. The City/Town/County will:
 - a. assist and promote community efforts and responsible local fair housing groups to enact fair housing laws or to promote fair housing within the community;
 - b. encourage local fair housing advocates in developing educational programs to provide fair housing information to the community;
 - c. instruct all department heads regarding the goals and objectives of the Fair Housing Law;
 - d. publish a copy of the adopted Fair Housing Ordinance/Resolution in the local newspaper.

-s- Terry Weickum, Acting Chairman,
Board of Carbon County Commissioners

Attest: -s- Gwynn G. Rothenberger
Carbon County Clerk

Fiber Optics Feasibility Study Grant

Clerk Rothenberger presented the final reimbursement request for the fiber optic feasibility study grant in the amount of \$15,345.00 and asked for the Chairman's signature.

Commissioner Paxton moved to authorize the Chairman to sign Reimbursement Request No. 03 in the amount of \$15,345.00 for the Fiber Optics Study Wyoming Business Council grant. Commissioner Weickum seconded and the motion carried unanimously.

Public Defender

Clerk Rothenberger presented a request from the Laramie Public Defender's Office requesting the appointment of Richard Szekely as the full-time Assistant Public Defender to replace Ross McKelvey.

Commissioner Paxton moved to authorize the appointment of Richard Szekely as a full-time Assistant Public Defender. Commissioner Weickum seconded and the motion carried unanimously.

Courthouse Parking Lot Snow Removal

Clerk Rothenberger requested authorization to hire someone to plow snow in the north parking lot at the Courthouse.

Commissioner Weickum advised they would talk with Bill Nation later today.

Grant Procedure

Clerk Rothenberger and County Treasurer Cindy Baldwin discussed grants and asked for approval to issue a letter to County department heads advising that all grant applications must go through the Commissioners for approval before applying for a grant.

Commissioner Weickum advised Clerk Rothenberger to draft the letter and have Treasurer Baldwin review it and present it at a future meeting for the Board's consideration.

Attorney DeLancey advised that grants are a contractual agreement with legal and financial obligations, and the administrative review should come from the Clerk's Office, the fiscal review from the Treasurer's Office and the legal review from the County Attorney's Office for each grant applied for.

Board Appointments

Rawlins Urban Systems Board

Clerk Rothenberger presented a letter from the Rawlins Urban Systems Board requesting the Board appoint a commissioner or an elected official to serve on this board. Commissioner Weickum advised he would like to be appointed as the Commissioner Representative.

Commissioner Paxton moved to appoint Commissioner Weickum to the Rawlins Urban Systems Board as the Commissioner Representative for a 2-year unexpired term ending December 2007. Commissioner Weickum seconded and the motion carried unanimously.

Board Vacancy Process

Clerk Rothenberger discussed the board vacancy process and asked the Commissioners if they would continue to interview individuals interested in a board position.

The Board advised they would like to interview all applicants, new or reappointments, and telephone interviews are acceptable if an individual cannot make the meeting in person.

Attorney DeLancey advised that a policy should be adopted and used countywide. Clerk Rothenberger advised she would write a policy for Attorney DeLancey's review.

Little Snake River Rural Health District

Clerk Rothenberger presented a letter from the Little Snake River Rural Health District Trustees requesting the Board of Carbon County Commissioners designate a Commissioner as an ex-officio member of the board.

Commissioner Weickum moved to appoint Commissioner Paxton as an ex-officio member of the Little Snake River Rural Health Care District Board. Commissioner Paxton seconded and the motion carried unanimously.

Board Resignations

Commissioner Paxton moved to accept the resignations of Clifford (Dan) Brownell, Old

Penitentiary Joint Powers Board and Forrest Voss, Memorial Hospital of Carbon County Board. Commissioner Weickum seconded and the motion carried unanimously.

Carbon County Vacant Land by the Nursing Home

Deputy Clerk, Kathy Turner informed the Board that the county-owned property located near South Central Wyoming Healthcare and Rehabilitation has had a preliminary survey and she presented a map showing what the county owns. She asked for direction on what the Board would like to sell.

Commissioner Weickum advised only the land south of the easement for this piece of property should be included in the legal description in the final survey that Robert Jack Smith & Associates is to provide to the Board.

ELECTED OFFICIALS

Attorney

Attorney DeLancey introduced Dawnessa Snyder, Deputy Attorney and Calvin Rerucha, Chief Deputy Attorney.

Treasurer

Tax Rebates

Treasurer Baldwin advised several county entities would not be getting any money this month due to a large amount of rebates.

Surplus Equipment

Treasurer Baldwin advised there were several pieces of equipment being stored in the Treasurer's Office and requested authorization to declare this equipment surplus.

Commissioner Paxton moved to authorize the Treasurer's Office to declare the following as surplus equipment and dispose of the items; ten monitors, seven keyboards, five Pentium 2 towers, one Pentium 4 tower, one 1st tower, one tower without parts, two Hewlett Packard printers, four battery packs and two IBM typewriters. Commissioner Weickum seconded and the motion carried unanimously.

Capital Facilities Tax

Treasurer Baldwin advised the capital facilities tax will end April 1, 2007 and no money will be distributed after April 1, 2007, as she must hold these funds for one year. Treasurer Baldwin advised she will meet with the Museum Board to discuss the procedures for a new tax.

Assessor

County Assessor Sheryl Snider presented five rebates and several abates for signature.

Assessor Snider advised she has looked at vehicles and will advertise for vehicle bids.

Clerk of District Court

NACO Committee

Clerk of District Court Lindy Glode advised she has been appointed to the National Association of Counties (NACO) Human Services and Education Steering Committee and will go to Washington D.C. in March as part of her service on this committee.

Professional Services Contract

Clerk of District Court Glode presented a Professional Services Contract for John DeLeon to provide Guardian Ad Litem services for the District Court.

Commissioner Paxton moved to approve the Professional Services Contract between John DeLeon and the Board of Carbon County Commissioners to provide Guardian Ad Litem services for the District Court through June 30, 2007. Commissioner Weickum seconded and the motion

carried unanimously.

Sheriff

Sheriff Colson presented the 2007 Cooperative Agreement between the Sheriff's Department and the Forest Service and advised the agreement provides for Sheriff's Department to be reimbursed for mileage and time.

Commissioner Paxton moved to approve the Cooperative Law Enforcement Agreement between the Carbon County Sheriff's Department and the U.S. Department of Agriculture, Forest Service Medicine Bow-Routt National Forest. Commissioner Weickum seconded and the motion carried unanimously.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session at 10:24 am. with Clerk of District Court Glode, Attorney DeLancey and Clerk Rothenberger for personnel issues. Commissioner Weickum seconded and the motion carried unanimously.

Commissioner Paxton moved to come out of executive session at 10:31 a.m. Commissioner Weickum seconded and the motion carried unanimously.

SENIOR SERVICES

Terri Archer distributed and discussed the monthly meal summary.

Ms. Archer advised the Medicine Bow Senior Center roof is leaking and she is checking into what would be required to fix the roof.

JUVENILE JUSTICE

Ada Fowler updated the Board on the county's juvenile program and advised they average approximately 50 juveniles a month.

VALLEY COMMUNITY CENTER

Pat Grieve and Kathi Terkla distributed an executive summary of the Valley Community Center and discussed the need for a community center in the Baggs/Dixon area. They stated they have formed a non-profit organization, raised funds and surveyed the community on the need for a center. Ms. Terkla stated Tom Johnson from the Wyoming Business Council advised there is a \$1.5 million dollar school facilities grant available. Ms. Terkla stated she anticipates the Town of Baggs will sponsor the grant application.

Ms. Terkla advised they are in the process of forming a Joint Powers Board (JPB) and forming a \$1.5 million endowment fund that would be used to maintain the building. She advised they hope to receive sizeable donations from local companies for this endowment fund.

Mr. Grieve stated that the Towns of Baggs and Dixon have committed to have a member on the JPB and asked the Commissioners to designate a member to serve on this board as well.

Ms. Terkla and Mr. Grieve advised there are four and one-half acres of land with water and sewer located in Baggs that the School Board has committed to donate or lease for the center.

Commissioner Paxton moved to have a representative from the Board of Carbon County Commissioners serve on the Valley Community Center Little Snake River Joint Powers Board once it is formed. Commissioner Weickum seconded and there was further discussion from Attorney DeLancey that she would like to work with the other legal personnel on this project and review the by-laws once formed. The motion was carried unanimously.

UNITED WAY

Jeanne Sapp distributed the current agencies under the United Way umbrella and discussed unifying funds through the United Way for these agencies.

Commissioner Weickum advised each individual agency once a year presents their budget requests to the Board of Carbon County Commissioners.

Clerk Rothenberger asked the advantage of routing funding for these agencies through the United Way. Ms. Sapp advised the entities would still need a financial application and would go through the budget process but she felt this would be easier for agencies located outside of Rawlins to submit their requests easier. She added that there are United Way agencies that do not apply for funding and she thinks unifying funding would assist these agencies to apply.

Treasurer Baldwin advised each entity currently has to justify the amount needed and what the funds are needed for. Commissioner Weickum advised he is satisfied with the current system and sees no reason to modify it at this time.

Ms. Sapp discussed and distributed a request for office equipment. Commissioner Weickum advised Ms. Sapp to include this equipment request in her next budget request.

CARBON BUILDING

Kandis Fritz advised that the surveillance cameras were being installed and the equipment has arrived. Ms. Fritz advised DCI requested that wire be run to their camera at their door so they could see who was coming in. She stated DCI has offered to pay for this expense. Commissioner Weickum approved this request.

Ms. Fritz presented a proposal from E&H Plumbing in the amount of \$5,322.00 for three new toilets, five new faucets, twenty lavatory faucets, and three bar faucets, for the Carbon Building plus labor. The Board authorized Ms. Fritz to proceed and approved the proposal.

Ms. Fritz advised there are no fire alarms in the Carbon Building and requested authorization to proceed with obtaining a cost estimate for three alarms, one on each floor. Commissioner Weickum advised Ms. Fritz to get bids for these fire alarms and present them at the next meeting.

CLERK

Clerk Rothenberger discussed 24-hour permits for malt beverages and catering permits and asked the Board to authorize her office to approve these permits as requests come in.

Attorney DeLancey advised she would like the permits be brought before the Board of Carbon County Commissioners.

Commissioner Paxton moved to authorize the Clerk's Office to approve 24-hour malt beverage permits and catering permits and report to the Board that the permits have been issued. Commissioner Weickum seconded and the motion carried unanimously.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session for pending litigation at 11:32 a.m. with Attorney DeLancey and Clerk Rothenberger. Commissioner Weickum seconded and the motion carried unanimously.

Commissioner Paxton moved to vacate the previous motion at 11:32 a.m. Commissioner Weickum seconded and the motion carried unanimously.

FIRE DEPARTMENT

Dwight France distributed a proposal from Midwest Fire for a new 200 gallon Grass Commander slip-on unit in the amount of \$15,335.00. Mr. France advised \$20,000.00 was approved in his budget for this purchase. He added that he would like to purchase a cab and chassis to put the slip-on unit on and advised he has applied for a BLM grant to pay for the cab and chassis. If the grant is not awarded, he stated he would use Strike Team funds to purchase the vehicle.

Commissioner Weickum advised Mr. France to apply for the BLM grant and get bids for the fire truck.

Mr. France discussed extrications in the Wamsutter area and into Sweetwater County. He stated that Carbon County is covering most of these calls and that the Board may want to consider charging Sweetwater County and signing a Memorandum of Understanding between the two counties.

RECESS

Commissioner Weickum recessed for lunch at 12:05 p.m. and reconvened at 2:01 p.m.

PLANNING & ZONING

Lou Kline, Will Speer and Kristy Rowan appeared before the Board and presented the following Case File.

Case File No. 06-30 – Roger L. Perske, D. LaVonne Perske, BJ B. Alameda & Wendy K. Alameda: Ms. Rowan presented the Certification of Recommended Action for approval of a petition of a Replat for the Perske Subdivision of approximately 30 acres. “Perske Subdivision Replat” (preliminary & final plat) in a RD Zone on approximately 30 acres. The RD Zone allows primarily residential activities. The applicants would like to subdivide a parcel of land comprising of approximately 30 acres (known as Lot A of Tract 1 of the Mountain View Estates No. 3 Subdivision) into two separate lots. Lot 1 contains 20+- acres and Lot 2 contains 10+- acres, encompassing a total of 30 acres, more or less. Mountain View Estates No. 3 Subdivision is located approximately 2.5 miles east of the Town of Saratoga adjacent to Carbon County Road #205.

Commissioner Paxton moved to hold a public hearing April 3, 2007 at 2:00 p.m. at the County Courthouse in Rawlins to hear Case File No. 06-30 – Roger L. Perske, D. LaVonne Perske, BJ B. Alameda & Wendy K. Alameda, “Perske Subdivision Replat”. Commissioner Weickum seconded and the motion carried unanimously.

Building Codes

Mr. Kline advised he will discuss at length proposed building codes at the next Planning Commission Meeting and will need resolutions adopted in the future.

Ms. Rowan requested and received authorization to purchase a laptop computer, projector and Power Point software for the Planning Office from Nibbles & Bytes in the amount of \$2,863.00. She advised the expenditure will be paid from the Planning Department budget.

Ms. Rowan advised the Day Ranch Plat Map would be brought to the next meeting with the necessary language concerning maintenance of County Roads.

BIODIVERSITY CONSERVATION ALLIANCE

Maggie Schafer and Eric Molvar, distributed information on Adobe Town.

Mr. Molvar gave a presentation on Adobe Town, and asked the Board of Carbon County Commissioners to sign a resolution similar to one Sweetwater County has signed. The resolution would state that the Board supports the withdrawal of 180,000 acres from future oil and gas leasing and surface mining. Existing leases would be “grand-fathered” in. It would also state that existing leases that are not acted on before expiration would expire and would not be grand-fathered in.

Lois Genz spoke regarding her support of protecting Adobe Town. She requested the Board consider the long-term affects of allowing future drilling in this area.

Commissioner Paxton asked for information on Biodiversity Conservation Alliance and a financial statement be mailed to him.

Commissioner Weickum stated his support for oil and gas development if done properly. The Board agreed to take the issue under advisement.

A letter from Angie Kinnamin was presented stating her support for the protection of Adobe Town.

ROAD & BRIDGE

Area Work

Bill Nation distributed the Road & Bridge Report dated February 6, 2007.

Gary Steele from PMPC presented a Master Agreement between Carbon County and PMPC for

their services. He stated this Agreement would be in effect for three years and would allow for task orders to be approved for services rather than an agreement each time they provide services. Bill Nation stated he will forward the Agreement to Attorney DeLancey for her review.

County Road #701

Mr. Nation advised he met with Jerry Colson this morning to request increased patrol on County Road #701, the Dad/Wamsutter road as this is the busiest County Road in Carbon County. Mr. Nation stated that Sheriff Colson said he would increase patrol.

Mr. Nation advised they are working in all areas of the county to continue to clear school bus routes and all other winter use roads.

Mr. Nation advised the 701 gravel project started today with Hyland Enterprises using 5-25 belly dumps and various blades and rollers. Hyland will be hauling eight miles and run four – twelve hour shifts, Tuesday through Friday and will allow industry to schedule major moves on Saturday, Sunday and Monday.

Courthouse Parking Lot Snow Removal

Mr. Nation advised he would look at the north parking lot at the Courthouse and would either remove the snow and ice or recommend someone who could do so.

RECESS

Commissioner Weickum called a recess at 3:21 p.m. and reconvened at 3:24 p.m.

PRONGHORN PRIDE

Ed Juno asked the Board to be a Gold Level Sponsor for the doe portion of the Pronghorn Pride project in the amount of \$4,000.00. Commissioner Weickum advised these requests should be included in the budget process and would like to consider the request later in the meeting.

HOMELAND SECURITY/GRANTS

Pam Farster advised she had received notification that Carbon County has been awarded a Homeland Security Fire Grant in the amount of \$80,465.00 with a \$4,235.00 match. The grant will pay for three repeaters, two bases stations and installation. Ms. Farster stated the match was budgeted and she requested authorization to accept this funding.

Commissioner Paxton moved to accept the Fire Grant and to authorize payment of the \$4,235.00 match. Commissioner Weickum seconded and the motion carried unanimously.

Ms. Farster distributed the FY2006 Authorized Equipment List from Homeland Security and provided an update.

Ms. Farster presented a Grant Award for the Coroner's Office in the amount of \$11,280.00 for approval.

Commissioner Paxton moved to approve the Grant Award for U.S. Department of Homeland Security in the amount of \$11,280.00 for the Coroner's Office. Commissioner Weickum seconded and the motion carried unanimously.

Ms. Farster advised Coroner Zamora should have a list of what he can use the grant funds to purchase.

Ms. Farster distributed and discussed the Homeland Security Grants and what money Carbon County has spent to date.

CLERK

Clerk Rothenberger advised the Board that the Commissioner Scholarships would be advertised in the newspaper starting February 7, 2007 and these scholarships will be awarded in April.

PRONGHORN PRIDE

Commissioner Paxton moved to approve the expenditure of \$4,000.00 to Pronghorn Pride making Carbon County a Gold Level Sponsor. Commissioner Weickum seconded and the motion carried unanimously.

Commissioner Weickum requested Clerk Rothenberger prepare a letter to Ed Juno explaining the budget process and enclose a county warrant in the amount of \$4,000.00.

WEED AND PEST CONTROL BOARD

Commissioner Paxton moved to open a Public Hearing regarding appointments to the Weed and Pest Control Board at 4:01 p.m. Commissioner Weickum seconded and the motion carried unanimously.

Petitions from Mary Ann Boles and Kathleen Weber were presented requesting reappointment to the Weed and Pest Control Board.

There were no public comments. Commissioner Weickum closed the Public Hearing at 4:02 p.m.

Commissioner Paxton moved to appoint Mary Ann Boles and Kathleen Weber to the Weed and Pest Control Board both for four-year terms ending January 2011. Commissioner Weickum seconded and the motion carried unanimously.

JEFFREY CENTER

Alice Garvin, Bob Woodhouse and Ara Erickson discussed recent requests they have received to use the Jeffrey Center for private parties, weddings, and wedding receptions. Ms. Garvin advised that historically the Center has not been used for these types of events but the Jeffrey Center Board is considering changing this policy.

She advised that Attorney DeLancey has determined the Jeffrey Center Board By-Laws do not prohibit renting the building for these types of events.

Commissioner Paxton advised a use agreement should be written and be required of all individuals using the building. Ms. Garvin agreed and asked that the County Attorney write this agreement. Attorney DeLancey advised the Jeffrey Center Board should come before the Commissioners for further discussion and invite the public to give their comments.

Clerk Rothenberger advised the public discussion will be scheduled at 1:30 p.m., Tuesday, March 6, 2007, during the Board's regularly scheduled meeting and Ms. Garvin advised she would place an ad in the newspaper requesting public comment.

COMMISSIONERS DISCUSSION

Encampment

Commissioner Paxton advised that he recently met with Mary Peterson of the Forest Service and provided two area maps of the trees that have beetle killed. He advised they are looking at what can be done to get around the regulations in the Medicine Bow-Routt National Forest in Encampment and he may have to go to Washington D.C. to meet with the head of the Federal Forest Department.

Adobe Town

Commissioners Paxton and Weickum discussed Adobe Town and advised they will contact the Sweetwater Commissioners for additional information.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session for pending litigation at 4:45 p.m. with Attorney DeLancey and Clerk Rothenberger. Commissioner Weickum seconded and the motion carried unanimously.

Commissioner Paxton moved to come out of executive session at 5:45 p.m. Commissioner Weickum seconded and the motion carried unanimously.

Commissioner Weickum stated that no action was taken during the executive session.

ADJOURNMENT

There being no further business, Commissioner Weickum adjourned the meeting at 5:47 p.m.

-s- Gwynn G. Rothenberger, Carbon County Clerk

Approved this 20th day of February, 2007.

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Terry Weickum, Commissioner