

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

The regular meeting of the Board of Carbon County Commissioners (BOCCC) commenced Tuesday, November 6, 2007 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Commissioners Terry Weickum, and Jerry Paxton; County Clerk Gwynn Rothenberger, County Attorney Cindy DeLancey and Deputy Clerk Kathy Turner. Chairman Artlin Zeiger was absent.

Acting Chairman Terry Weickum, called the meeting to order at 9:12 a.m.

VOUCHERS

The following vouchers were presented and approved for payment:

ABBOTT, CHARLENE	MILEAGE	68.96
AIRPORT DEVELOPMENT GROUP	DIXON AIRPORT	23,023.75
ALSCO, AMERICAN LINEN	SUPPLIES	297.14
ANDERSON HIGHWAY SIGNS	SIGNS/POSTS	259.38
ARROWHEAD SCIENTIFIC, INC.	SUPPLIES	886.40
ASD HEALTHCARE	VACCINE	4,975.00
BANK OF COMMERCE	TRAVEL/SUPPLIES/TRAINING	6,959.00
BARTLETT, SUE RN	MILEAGE	23.00
BEHAVIORAL INTERVENTIONS	MONITORING SERVICE	581.35
BEST ACCESS SYSTEMS	SUPPLIES	98.23
BOUGERE, LIBBY	FACILITATOR	240.00
BOYS & GIRLS CLUBS	SEVERANCE	6,250.00
BRESNAN COMMUNICATIONS	TV & INTERNET SERVICES	453.43
BUILD RITE LUMBER SUPPLY	SUPPLIES	27.98
C O V E	SEVERANCE	2,500.00
CARBON COUNTY CHILD DEVELOPMENT	SEVERANCE	2,500.00
CARBON COUNTY ECONOMIC DEVELOPMT	SEVERANCE	12,500.00
CARBON COUNTY LIBRARY	SUPPLIES	3.00
CARBON COUNTY PREDATORY ANIMAL BD	SEVERANCE	2,000.00
CBM FOOD SERVICE	JAIL FOOD	6,622.53
CDW GOVERNMENT, INC.	SUPPLIES/EQUIPMENT	2,983.53
CENTURYTEL	TELEPHONE SERVICE	176.89
CHEMSEARCH	SUPPLIES	215.92
CHILDRESS ELECTRIC INC	REPAIRS	37.44
COMMUNITY RESOURCE CENTER	VICTIMS ADVOCATE SURCHARGE	25.00
COMPLIANCE POSTER COMPANY	SUBSCRIPTIONS	227.40
COMPUTER SOFTWARE ASSOCIATES	COMPUTER	150.00
COOK'S	JAIL FOOD	198.72
CORPORATE EXPRESS	SUPPLIES	637.91
CRESTLINE	TRAINING	526.62
CSK AUTO, INC.	VEHICLE SERVICE/REPAIR	221.45
CULLIGAN WATER CONDITIONING	SUPPLIES	102.05
CYR, NANCY	MILEAGE	19.39
DAILY TIMES	ADVERTISING	1,600.39
DALLIN MOTORS INC	VEHICLE MAINTENANCE	24.55
DEEP SWEEP INC.	GENERAL CLEANING	75.00
DELANCEY, CINDY	MEALS/MILEAGE	347.76
DIXON AIRPORT BOARD	SEVERANCE	2,506.25
DOWNTOWN DEVELOPMENT	SEVERANCE	2,500.00
EAGLE UNIFORM SUPPLY	SUPPLIES	166.70
ELK MOUNTAIN VOLUNTEER FIRE DEPT.	SEVERANCE	25,000.00
EMBLEM ENTERPRISES, INC.	UNIFORMS	95.38
ENCAMPMENT FIRE DEPARTMENT	SEVERANCE	3,750.00

ENCAMPMENT PRESCHOOL	SEVERANCE	2,500.00
ENTENMANN - ROVIN COMPANY	SUPPLIES	140.06
EXCEL PRESCHOOL	SEVERANCE	2,500.00
FARMER BROTHERS COFFEE	SUPPLIES	204.38
FASTENAL	SUPPLIES	55.62
FEDERAL LICENSING, INC.	RADIO LICENSE	124.00
FEDEX	POSTAGE	17.39
FORSTER LANDSCAPE	CARBON BUILDING	245.00
FOWLER, ADA	MILEAGE	95.68
GALLS INCORPORATED	SUPPLIES	340.96
GASES PLUS	SUPPLIES	243.19
GOLDEN, MARY	MILEAGE	266.80
GOSVENOR, MAXINE	MILEAGE	119.60
GRAND AMERICA	SUPPLIES	625.95
GTR WY BIG BROS/SISTERS	SEVERANCE	2,500.00
GUIO, SUSAN, MSW	LEGAL SERVICES	240.00
HAGOOD, VICKI	VICTIMS ADVOCATE SURCHARGE	244.07
HAMPTON	MILEAGE	256.00
HEALTH EDUCATION & CONSULTING	TRAINING	50.00
HETTGAR, BRIDGET M RN	MILEAGE	213.26
HEWARD, TODD & MALEA	LAWN CARE	325.00
HICKS, SUSAN	MILEAGE	266.80
HIGH PLAINS POWER	ELECTRICAL SERVICES	331.98
HILLCREST SPRING WATER, INC.	SUPPLIES	49.25
HILLTOP CONOCO	VEHICLE REPAIR	78.00
HYLAND ENTERPRISES	MAG CHLORIDE	80,000.00
IKON OFFICE SOLUTIONS	COPIER RENT	523.61
INDEPENDENCE MEDICAL	SUPPLIES	204.74
J H KASPAR OIL COMPANY	FUEL	9,323.99
JACKALOPE PRINTING	SUPPLIES	411.78
KAISER PAINTING & LAWN CARE	LAWN CARE	50.00
KILBURN TIRE COMPANY	VEHICLE MAINTENANCE	1,573.04
KONE ELEVATORS ESCALATORS	MAINTENANCE	1,208.99
KROGER - KING SOOPERS	PRESCRIPTIONS	19.88
LITTLE RASCALS PRESCHOOL	SEVERANCE	654.00
LITTLE SNAKE RIVER EMS	SEVERANCE	2,500.00
LONG BUILDING TECHNOLOGIES	SR CENTER REPAIR	3,350.26
MARTINEZ, TAMMY	CUSTODIAN SERVICES	160.00
MCILVAINE RENTALS	RENT	650.00
MCKEE MEDICAL CENTER	EXAM FEES	1,141.00
MEDICINE BOW CONSERVATION	SEVERANCE	7,500.00
MEDICINE BOW HEALTH CENTER	SEVERANCE	17,484.25
MEDICINE BOW, TOWN OF	WATER & SEWER	53.00
MEMORIAL HOSPITAL	MEDICAL SERVICES	17,792.02
MERBACK AWARD COMPANY	SUPPLIES	81.98
MIDKIFF, DAVID	LEASE PAYMENTS	1,400.00
MIKA TREE SERVICE & LNDSCAPING	TREE REMOVAL	687.50
MIKESELL, CECELIA	MILEAGE	109.48
MOELLER, MARIE	CONTRACT SERVICES	264.00
MOORE MEDICAL CORP.	MEDICAL SUPPLIES	587.05
MPM CORP / EVERGREEN	GARBAGE SERVICES	80.00
MY AUTOMOTIVE, INC.	SHERIFF VEHICLE REPAIR	1,254.56
NOYES HEALTH CARE CENTER	SEVERANCE	12,500.00
OLD PENITENTIARY JOINT	SEVERANCE	11,550.00
PAGE ONE	PAGER SERVICE	275.72
PAMIDA INC	SUPPLIES	27.94
PAXTON, JERRY	MILEAGE	464.60
PET PARTNERS	SEVERANCE	7,500.00
PHILLIPS 66-CONOCO-76	VEHICLE FUEL/REPAIR	191.09
PITNEY BOWES	POSTAGE	280.50

PLAINSMAN PRINTING & SUPPLY	SUPPLIES	1,246.37
PLATTE VALLEY COMMUNITY CTR	SEVERANCE	15,000.00
PLATTE VALLEY MEDICAL	SEVERANCE	12,500.00
PRO-CHEM INDUSTRIAL, LLC	SUPPLIES	934.70
PROJECT PREVENTION	MILEAGE/SUPPLIES/WAGES	3,826.52
PSS-SALT LAKE CITY	MEDICAL SUPPLIES	507.31
QUESTAR GAS	GAS SERVICE	80.02
QUILL CORPORATION	SUPPLIES	535.71
QWEST	TELEPHONE SERVICE	119.03
RAWLINS - CARBON COUNTY	SEVERANCE	3,750.00
RAWLINS AUTOMOTIVE	FUEL/REPAIR	220.88
RAWLINS CARBON COUNTY AIRPORT BD	SEVERANCE	4,394.50
RAWLINS GLASS	REPAIRS	485.00
RAWLINS TOWING LLC	VEHICLE IMPOUND	300.00
RAWLINS URGENT CARE	MEDICAL SUPPLIES	197.00
RAWLINS, CITY OF	WATER & SEWER	1,687.60
RELIABLE	SUPPLIES	52.65
ROCK RIVER, TOWN OF	SEVERANCE	500.00
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICE	13,274.71
ROSS' AUTOMOTIVE SERVICES	VEHICLE MAINTENANCE	87.56
RYAN PARK FIRE & EMS	SEVERANCE	5,750.00
S E D MEDICAL LABORATORY	MEDICAL SERVICES	300.50
SARATOGA AIRPORT BOARD	SEVERANCE	1,750.00
SARATOGA AUTO PARTS, INC.	SUPPLIES	186.59
SARATOGA PLATTE VALLEY	SEVERANCE	1,875.00
SARATOGA-ENCMPMT AMBULANCE	SEVERANCE	11,250.00
SCHAEFFER'S	OIL/GREASE	1,713.78
SHELL FLEET PLUS	FUEL/REPAIR	156.95
SHEPARD CONSTRUCTION INC	SIDEWALK REPAIR	650.00
SHIVELY HARDWARE	SUPPLIES	134.91
SIERRA DETENTION SYSTEMS	MAINTENANCE CONTRACT	5,440.00
SMITH, SUSAN	MILESAGE	299.65
SOURCE GAS	GAS SERVICE	3,581.57
SW COUNSELING SERVICE	SEVERANCE	2,375.00
ST JOSEPH'S THRIFT SHOP	SEVERANCE	500.00
STOCKMAN GRASS FARMER	PUBLICATIONS	32.00
SWEETWATER CTY SHERIFF'S	EXTRADITIONS	1,260.00
T.W. ENTERPRISES, INC.	JAIL REPAIRS	1,387.80
TASER INTERNATIONAL	FIREARMS/TRAINING	450.00
TERMINIX	MONTHLY SERVICE	225.00
TRADING POST	FUEL	155.01
TRAPP, LARRY	MILEAGE/WAGES	5,468.55
TRIBCSF.COM	E-MAIL ACCOUNT	2.00
TRIPLE XXX CONTRACTING, INC.	GARBAGE SERVICES	45.00
TRUE VALUE OF RAWLINS	SUPPLIES	97.44
TYKUBERRY	PEST CONTROL	81.25
U W C E S	WAGES	5,163.50
UNION TELEPHONE COMPANY	TELEPHONE SERVICE	1,175.49
UNITED WAY OF CARBON COUNTY	SEVERANCE	756.50
VALLEY OIL COMPANY	FUEL	24.78
VAN'S WHOLESALE	SUPPLIES	513.06
VERIZON WIRELESS	CELL PHONE SERVICES	1,521.62
VISIONARY COMMUNICATIONS	TELEPHONE SERVICE	21.95
WEE FOLKS PLACE	SEVERANCE	750.00
WEICKUM, TERRY	MILEAGE	400.20
WEST PAYMENT CENTER	SUBSCRIPTIONS	221.80
WESTERN WY FAMILY PLANNING	SEVERANCE	750.00
WY CORONER'S ASSOCIATION	TRAINING	50.00
WY COUNTY & PROSECUTING	SUBSCRIPTIONS	125.00
WY DEPARTMENT OF HEALTH	WAGES	19,762.49

WY DIESEL SERVICE	REPAIRS	51.00
WY LIVESTOCK ROUNDUP	PUBLICATIONS	40.00
WY MACHINERY COMPANY	PARTS	5,329.40
WY STATE BAR	SUBSCRIPTIONS	58.00
WY STATIONERY	SUPPLIES	3,208.27
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	183.98
XEROX CORPORATION	PRINTER/BASE CHARGE	438.10
XPRESS MATS	WHEELCHAIR MATS	1,183.40
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICES	382.43
	GRAND TOTAL	452,724.00

CLERK

Minutes

Commissioner Paxton moved to approve the minutes of the October 9, 2007, October 11, 2007 and October 16, 2007 Commissioners' meetings as presented. Commissioner Weickum seconded and the motion carried unanimously.

Monthly Receipts

Commissioner Paxton moved to approve the County Clerk's Monthly Statement of Fees for October 2007 in the amount of \$19,575.25. Commissioner Weickum seconded and the motion carried unanimously.

Homeland Security Act Coordinator

Clerk Rothenberger advised she received the official letter from Governor Freudenthal appointing Harold Newbrough as the Homeland Security Act Coordinator of Carbon County for a term of October 5, 2007 through January 1, 2011.

Valley Community Center Joint Powers Board

Clerk Rothenberger presented a request from Linda Corners, Mayor of the Town of Baggs, requesting the Board's consideration that the Towns of Baggs and Dixon each appoint one additional member to the Valley Community Center Joint Powers Board (VCCJPB). The Board concurred with the request and stated it is agreeable to these appointments.

Saint Joseph's Thrift Shop

Clerk Rothenberger presented a letter from Yvonne Tlustos discussing funding she was previously granted by the Board to ship items to Botswana. She would now like to use the funding to ship the same type of items to other areas of the world. The board approved her request.

Industrial Siting Meeting

Clerk Rothenberger reminded the Board of the Industrial Siting hearing scheduled for November 20, 2007 at 1:00 p.m. at the Platte Valley Community Center.

Carbon Mercantile Corporation Grant

Clerk Rothenberger advised the Carbon Mercantile Board has requested a second extension on their Wyoming Business Council grant to allow sufficient time to advertise for bids to complete the storefront remodel. The request states that the Corporation does not want to have construction work done during their busiest shopping season. She advised she has received revised specifications from the Mercantile Corporation.

Commissioner Paxton moved to approve a request for an extension to the Wyoming Business Council Grant for the Carbon Mercantile Corporation grant through September 30, 2008. Commissioner Weickum seconded and the motion carried unanimously.

Hanna Senior Center Lease Agreement

County Attorney Cindy DeLancey discussed a proposed lease agreement between the Town of Hanna and Carbon County for the Hanna Senior Center. She pointed out the lease agreement allows for the town to have access to the building with 48 hours notice but added this is standard. The term of the lease is for one year in the amount of \$10.00 per year.

Commissioner Paxton moved to approve the Lease Agreement between the Town of Hanna (Lessor) and Carbon County (Lessee) for the Hanna Senior Center for the period of one year from July 1, 2007 through June 30, 2008 in the total amount of \$10.00. Commissioner Weickum seconded and the motion carried unanimously.

Search and Rescue Four Wheeler

Clerk Rothenberger stated she received a letter from the Town of Saratoga requesting funding to purchase a four wheeler to use in search and rescue missions. The request totals \$6,400.00. Commissioner Weickum questioned if forest reserve funds could pay for this and stated the issue could be discussed in detail later today with Treasurer Baldwin and Sheriff Colson.

ELECTED OFFICIALS / DEPARTMENT HEADS

Library

Kristin Herr, Director of the Library System and Leroy Graham, Building Manager advised that the sewer at the Hanna Library is blocked and the Board authorized necessary repairs to be completed.

Treasurer

County Treasurer Cindy Baldwin discussed mailing issues with approximately 50% of the tax notices mailed to the Encampment area. She has placed an advertisement notifying residents of the due date.

Treasurer Baldwin discussed the electrical wiring and floor mounted outlets in her office. She stated that she and Mr. Graham are working on the issue and are looking at alternative solutions such as poles containing wiring with outlets built in them.

Assessor

County Assessor Sheryl Snider opened four sealed bids for a new vehicle. Ms. Snider stated her specifications requested Onstar service. Bids received were from Skyline Motors in the amount of \$25,462.00 for a 2007 Chevrolet Trail Blazer; Fremont Motor Company Rawlins in the amount of \$23,552.95 for a 2008 Ford Explorer XLT noting that Ford does not offer Onstar; Fremont Motor Company Rock Springs in the amount of \$23,311.00 for a 2008 Dodge Durango noting Onstar is not available in Dodge products; Greiner Ford Lincoln Mercury's sealed envelope contained three bids in the amounts of \$19,640.00 for a 2008 Ford Escape (Onstar not available), \$22,822.00 for a 2008 Ford Explorer 4x4 (Onstar not available but with roadside assistance) and a used 2006 Ford Explorer 4x4 in the amount of \$21,120. The Board directed Assessor Snider to review the bids and return with her recommendation at 1:45 p.m. today.

Coroner

Paul Zamora requested and received authorization to begin advertising for a new vehicle as budgeted.

Information Technology Department

Matt Webster discussed the hardware maintenance agreement with Computer Software Associates (CSA) noting that the county pays approximately \$40,000.00 currently. The service is a depot service whereby items shipped to CSA in Billings are repaired and the county only pays for parts. However, if CSA is in Rawlins, they will repair these items for an hourly charge, plus travel expenses. He stated that these are repairs he can usually do himself and feels the agreement is no longer necessary. Canceling the agreement would save the county approximately \$30,000.00. Mr. Webster did recommend keeping the maintenance agreement on the three existing servers. Clerk Rothenberger advised this agreement could be renewed at any time if needed. The Board agreed not to renew the maintenance agreement with CSA.

Mr. Webster advised he is in the process of verifying anti virus is actively working on all computers.

Sheriff

Sheriff Jerry Colson discussed the letter presented earlier today from the Saratoga Volunteer Fire Department/Search and Rescue requesting funds to purchase a 2007 Polaris four wheeler. Sheriff Colson advised this should come out of the forest reserve account. He advised this would be a valuable piece of equipment and Saratoga does maintain and take care of their equipment. Commissioner Weickum advised Treasurer Baldwin will check the availability of forest reserve funds later this morning.

Road & Bridge

Executive Session

Commissioner Paxton moved to go into executive session at 10:11 a.m. for potential litigation with Bill Nation, Attorney DeLancey and Clerk Rothenberger. Commissioner Weickum seconded and the motion carried unanimously.

Attorney DeLancey excused herself from the executive session at 10:11 a.m.

Commissioner Paxton moved to come out of executive session at 10:21 a.m and that the minutes of the executive session be approved as written and be sealed, and he declared that no action was taken during the executive session. Commissioner Weickum seconded and the motion carried unanimously.

Road & Bridge

County Roads 1 and 3 Bids

Mr. Nation advised he received bids from five companies for the construction on County Roads 1 and 3. He introduced Tim Stamp, Commercial Manager of DKRW Advanced Fuels and stated he will be the liaison on this project. Mr. Nation then opened the five sealed bids from McMurry Ready Mix in the amount of \$1,918,000.00; A & D Dozers in the amount of \$3,264,494.00; Rice Kilroy Construction in the amount of \$2,472,212.00; Hyland Enterprises in the amount of \$2,335,000.00; and A & S Construction in the amount of \$3,680,000.00. Mr. Nation requested time to review the bids and stated he will return with his recommendation at 1:30 p.m. today.

Agenda Amendment

Commissioner Paxton moved to amend the Agenda to hear from Bill Nation at 1:30 regarding County Roads 1 and 3 bids and to add Jeb Steward to discuss the BLM oil leases at 3:00 p.m. Commissioner Weickum seconded and the motion carried unanimously.

Road & Bridge

Area Work

Mr. Nation advised Shepard Construction has started working on the foundation for the new Road & Bridge Office. Blading continues in all areas of the county as needed and he has received three new blades and one new backhoe from Caterpillar. Mr. Nation advised radios have been installed and the equipment is being put to work. Mr. Nation advised he will bring the Financial Agreement with Caterpillar Financial at the next meeting.

Mr. Nation provided an update on the seven year plan on Forest Highway 26. He stated this will be Carbon County's number one priority in 2009.

Grant Agreement

Clerk Rothenberger presented the grant agreement with the Wyoming Business Council for County Roads 1 & 3. She advised Attorney DeLancey has reviewed the agreement and recommended approval. Mr. Nation advised he has reviewed and recommends approval.

Commissioner Paxton moved to approve the Business Ready Community Grant and Loan

Program Grant Agreement Between the Wyoming Business Council and Carbon County in the amount of \$1,912,500.00 with a 25% match, regarding Carbon County Roads 1 and 3. Commissioner Weickum seconded and the motion carried unanimously.

GIS / GPS

Karen Larsen discussed usage of GIS data and rural addressing adding that she will be providing this data to the Planning Department, the Election's Department, and the U.S. Census Bureau for the 2010 census. Ms. Larsen explained her process of trying to get this information to the County Assessor's Office and requested approval to have Roger Pantalone assist her. She added that while she did not budget for this expense, she believes she can cover it out of her budget. She added that she has not discussed the matter with him.

Ms. Larsen added that this is the final stage of rural addressing and to be most efficient, a temporary assistant would be helpful. Commissioner Paxton directed Ms. Larsen to put a more formal proposal together, including timelines and costs, talk to Mr. Pantalone and return with the information at a later date.

Attorney

Attorney DeLancey advised her, the Sheriff, Memorial Hospital of Carbon County (MHCC), and the District Judge have modified the process of holding court proceedings for emergency detention patients. She stated these hearings will now be held at MHCC where previously the Sheriff's Department had to transfer these patients to court. She feels this will be a more efficient and safer way to handle these cases.

AIG/VALIC

Lisa Kinney advised she represents AIG/Valic, the retirement branch of AIG. She discussed her background and discussed that she would like to offer a deferred compensation plan to county employees. Clerk Rothenberger stated that employees are already offered this same plan through Wyoming Retirement. There was discussion of this possibly being an additional payroll deduction and Clerk Rothenberger advised she would investigate this further. Commissioner Weickum advised she would have to meet with employees outside of their normal working hours and Ms. Kinney was agreeable.

Clerk Rothenberger asked what contractual agreements would be involved. Ms. Kinney then presented a sample contract to Attorney DeLancey for her review. Attorney DeLancey and Clerk Rothenberger agreed to look into this further and return later with a recommendation.

BOARD INTERVIEW

Lisa Howell was interviewed for consideration of appointment to the Museum Board.

Commissioner Paxton moved to appoint Lisa Howell to the Museum Board for a three-year unexpired term ending July 2009. Commissioner Weickum seconded and the motion carried unanimously.

RECESS

Commissioner Weickum recessed for lunch at 11:21 a.m. and reconvened at 1:30 p.m.

COUNTY ROADS 1 AND 3 BIDS

Bill Nation returned and recommended accepting the low bid of \$1,918,000.00 from McMurry Ready Mix to improve Carbon County Roads 1 and 3.

Commissioner Paxton moved to accept the low bid from McMurry Ready Mix in the amount of \$1,918,000.00 to improve Carbon County Roads 1 and 3. Commissioner Weickum seconded and the motion carried unanimously.

Mr. Nation clarified that this is a reflection of the roadwork and all parties understand there will be additional costs of engineering, surveying, etc. He added that work can commence upon full execution of the grant agreement. Mr. Nation stated his office will notify all bidders of this decision and stated he will meet with McMurry Ready Mix.

VEHICLE BIDS

Assessor Snider returned and recommended accepting the bid from Greiner Ford for a 2008 Ford Explorer in the amount of \$22,822.00. She discussed that even though Onstar service is not included she would like to take Bill Nation's suggestion and have a county radio installed.

Commissioner Paxton moved to accept the low bid from Greiner Ford for a 2008 Ford Explorer in the amount of \$22,822.00 for the Assessor's Office. Commissioner Weickum seconded and the motion carried unanimously.

PLANNING & DEVELOPMENT

Commissioner Paxton moved to take the issue of plats for the Saratoga Inn Overlook and Green Acres #2 subdivisions in Saratoga off the table. Commissioner Weickum seconded and the motion carried unanimously.

Commissioner Weickum called three times for a motion to sign the plats. No motion was made.

Commissioner Weickum explained to Chuck Bartlett of the Town of Saratoga that the county would not sign the plats as it is not statutorily required, nor do they contain the required language concerning county roads. All plats and copies were given to Mr. Bartlett.

FUNDING REQUEST

Commissioner Paxton moved to approve the request from the Saratoga Volunteer Fire Department to purchase a four wheeler from Shively Hardware in the amount of \$6,400.00 for search and rescue operations pending availability of forest reserve funds. Commissioner Weickum seconded and the motion carried unanimously.

PLANNING & ZONING

Public Hearing Case File No. 07-18

Commissioner Weickum opened a public hearing at 2:00 p.m. to hear Planning & Zoning Case File No. 07-18.

Lou Kline, Kristy Rowan and Will Speer presented the following Case File:

Case File No. 07-18 Timothy and Linda Woolley: Request for a Variance in a Ranching, Agriculture, Mining (RAM) Zone on approximately 1/2 acre. The request is to vary the setback requirements from the required forty feet (40') to five feet (5') to allow the replacement of a pole barn.

Timothy Woolley complimented the Planning Office on their handling of the case. There being no other public comments, Commissioner Weickum closed the hearing at 2:07 p.m.

Commission Paxton moved to approve Planning & Zoning Case File No. 07-18 Timothy and Linda Woolley's request for a Variance in a Ranching, Agriculture, Mining (RAM) Zone on approximately 1/2 acre, to vary the setback requirements from the required forty feet (40') to five feet (5') to allow the replacement of a pole barn. Commissioner Weickum seconded and the motion carried unanimously.

Commissioner Paxton moved to approve Resolution No. 2007- 31 a Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission regarding Planning & Zoning Case File No. 07-18. Commissioner Weickum seconded and the motion carried unanimously.

Resolution No. 2007 - 31

A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission

WHEREAS, pursuant to Wyo. Stat.§18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on October 2, 2007, which said hearing was advertised by

public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at said public hearing, the Carbon County Planning and Zoning Commission provided the public the opportunity to comment and the Carbon County Planning and Zoning Commission considered any public comments which were made at said hearing; and

WHEREAS, at the conclusion of said public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County Commissioners to adopt this amendment to the Carbon County Zoning Resolution of 2003 for Carbon County, Wyoming; and

WHEREAS, the Carbon County Commissioners, pursuant to Wyo. Stat. §18-5-202(c) and after receipt of said certified recommendation for approval of this amendment to the Carbon County Zoning Resolution of 2003, advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on November 6, 2007; and

WHEREAS, at said public hearing, the Carbon County Commissioners provided the opportunity for the public to comment and for the Carbon County Commissioners to consider any comments which were made on the proposed amendments; and

WHEREAS, the Carbon County Commissioners in considering the said amendment have also reviewed and considered the Carbon County Land Use Plan of 1998; and

WHEREAS, the Carbon County Commissioners have determined that the proposed amendment is in conformity with the Carbon County Land Use Plan of 1998 and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

WHEREAS, at a regularly scheduled meeting of the Carbon County Commissioners, by majority vote, the Carbon County Commissioners moved to approve the following amendment(s) to the Carbon County Zoning Resolution of 2003.

(1) Case File #07-18 – Timothy and Linda Woolley: Request for a Variance in a RAM Zone on approximately 0.52 acres. The request is to vary the setback requirements from the required forty feet (40') to five feet (5') to allow the replacement of a pole barn. The subject property is located ¼ mile north of Savery on Carbon County Road #561.

Legal Description: A triangular tract located in the NW1/4NE1/4, Section 7, T12N, R89W, 6th P.M., Carbon County, Wyoming, more particularly described as follows:

Beginning at a point, which is 560 ft. north and 634 ft. east of the southwest corner of the NW1/4NE1/4 of Section 7, T12N, R89W, 6th P.M.; thence west 150 ft., thence south 350 ft., thence in a northeasterly direction a distance of 380.8 ft., more or less, to the point of beginning, said tract containing .52 acres, more or less, together with all buildings and improvements thereon situate and appurtenances thereunto belonging.

SUBJECT, HOWEVER, to all easements, reservations, restrictions and rights-of-way of record or apparent upon the ground.

Pursuant to the recommendations of the Carbon County Planning and Zoning Commission:

Density on the subject property is none (Variance Request for setback requirements in a RAM Zone).

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

1. That the Carbon County Board of Commissioners, hereby adopt these amendment(s) as certified to them in writing by the Carbon County Planning and Zoning Commission.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 6th day of November, 2007.

**BOARD OF COUNTY COMMISSIONERS OF
CARBON COUNTY, WYOMING**

By: -s- Jerry D. Paxton
-s- Terry Weickum

Attest:

-s- Gwynn G. Rothenberger, Carbon County Clerk

Public Hearing Case File No. 07-19

Commissioner Weickum opened a public hearing at 2:10 p.m. to hear Planning & Zoning Case File No. 07-19.

Mr. Kline, Ms. Rowan and Mr. Speer presented the following Case File:

Case File No. 07-19 Michael and Laretta Sheller: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-510) on approximately 510 acres. Density being one (1) single family dwelling unit and associated structures allowed on approximately 510 acres. The RRA Zone allows residential and agricultural activities.

Ms. Rowan read community concerns offered by the Wyoming Game & Fish, Kroenke Ranches, and the Saratoga-Encampment-Rawlins Conservation District. Commissioner Paxton verified that there is access and that Bill Nation has reviewed the case file. Commissioner Paxton discussed Kroenke Ranches' concern regarding fencing to keep out cattle and stated that Wyoming is a "fence-out" state. He clarified that the applicant is aware of that fact. Ms. Sheller stated that the entire property is fenced already. She stated she is aware that Wyoming is a fence out state. There being no other public comments, Commissioner Weickum closed the public hearing at 2:17 p.m.

Commissioner Paxton moved to approve Planning & Zoning Case File No. 07-19 Michael and Laretta Sheller's request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-510) on approximately 510 acres with a density of one (1) single family dwelling unit and associated structures allowed on approximately 510 acres. Commissioner Weickum seconded, and the motion carried unanimously.

Commissioner Paxton moved to approve Resolution No. 2007-32, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission, regarding Planning & Zoning Case File No. 07-19. Commissioner Weickum seconded and the motion carried unanimously.

Resolution No. 2007 - 32

A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission

WHEREAS, pursuant to Wyo. Stat.§18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on October 2, 2007, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at said public hearing, the Carbon County Planning and Zoning Commission provided the public the opportunity to comment and the Carbon County Planning and Zoning Commission considered any public comments which were made at said hearing; and

WHEREAS, at the conclusion of said public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County Commissioners to adopt this amendment to the Carbon County Zoning Resolution of 2003 for Carbon County, Wyoming; and

WHEREAS, the Carbon County Commissioners, pursuant to Wyo. Stat.§18-5-202(c) and after receipt of said certified recommendation for approval of this amendment to the Carbon County Zoning Resolution of 2003, advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on November 6, 2007; and

WHEREAS, at said public hearing, the Carbon County Commissioners provided the opportunity for the public to comment and for the Carbon County Commissioners to consider any comments which were made on the proposed amendments; and

WHEREAS, the Carbon County Commissioners in considering the said amendment have also reviewed and considered the Carbon County Land Use Plan of 1998; and

WHEREAS, the Carbon County Commissioners have determined that the proposed amendment is in conformity with the Carbon County Land Use Plan of 1998 and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

WHEREAS, at a regularly scheduled meeting of the Carbon County Commissioners, by majority vote, the Carbon County Commissioners moved to approve the following amendment(s) to the Carbon County Zoning Resolution of 2003.

(1) Case File #07-19 – Michael and Laretta Sheller: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-510) on approximately 510 acres. Density being one (1) single family dwelling unit and associated structures allowed on approximately 510 acres. The RRA Zone allows residential and agricultural activities. The subject property is located approximately 12 miles north of Sinclair – off Carbon County Road #351, near the Miller Bend Estates.

Legal Description: SW1/4, Section 8, T22N, R85W, 6th P.M., Carbon County, Wyoming and Lots 1 and 2; E1/2NW1/4; W1/2NE1/4; NE1/4NE1/4; NE1/4SW1/4;

N1/2SE1/4, Section 18, T22N, R85W, 6th P.M., Carbon County, Wyoming.
TOGETHER WITH all buildings and improvements thereon situate and appurtenances thereunto belonging.

SUBJECT, HOWEVER, to all easements, reservations, restrictions, rights-of-way and other matters of record or apparent upon the ground.

Pursuant to the recommendations of the Carbon County Planning and Zoning Commission:

Density on the subject parcel shall not exceed one (1) single family dwelling unit and associated structures on approximately 510.00 acres (RRA-510.00).

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

1. That the Carbon County Board of Commissioners, hereby adopt these amendment(s) as certified to them in writing by the Carbon County Planning and Zoning Commission.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 6th day of November, 2007.

**BOARD OF COUNTY COMMISSIONERS OF
CARBON COUNTY, WYOMING**

By: -s- Jerry D. Paxton
-s- Terry Weickum

Attest:

-s- Gwynn G. Rothenberger, Carbon County Clerk

Case File No. 07-22

Ms. Rowan and Mr. Speer presented the Certification of Recommended Action for Case File No. 07-22, Michael and Diane Morris.

Commissioner Paxton moved to schedule a public hearing for December 4, 2007 at 1:30 p.m. at the County Courthouse in Rawlins, Wyoming to hear Case File No. 07-22, Michael and Diane Morris' request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-4.24) on approximately 4.24 acres. Commissioner Weickum seconded and the motion carried unanimously.

Land Use Plan

Ms. Rowan discussed Land Use Plan communication strategies stating that the Planning Department will be the main contact and that department will disseminate information to the Commissioners, County Clerk, County Attorney, GIS, the Planning Commission, Jim Bell, and the hired consultants on a bi-weekly basis during Phase I, then the timeline will be adjusted accordingly.

Ms. Rowan advised that the consultants will attend the Planning Commission's and the County Commissioners' December meetings.

Mr. Speer asked if the Planning Commission members would be paid mileage for the public hearings that must be held in various locations. The Board stated it would consider the request and let the Planning Commission know.

RECESS

Commissioner Weickum recessed at 2:28 p.m. and reconvened at 2:32 p.m.

COUNTY COMMUNICATIONS SYSTEMS UPDATE

Sheriff Jerry Colson and Greg Ryan updated the Board on items purchased with Homeland Security Grant funds. Site equipment installations were performed at 9-Mile Hill, R-Hill, Baggs, Elk Mountain, and Separation Peak II. Mr. Ryan added that sites are currently being worked on at Chalk Mountain and Black Hall Mountain Road.

Mr. Ryan discussed that the Road & Bridge base station on Chokecherry Knob was not replaced nor was the Chalk Mountain radio. He hopes that both of these will be replaced in the near future as funds are available. Mr. Ryan discussed licensing work must be completed and is currently being worked on. There was discussion of the Wyo-Link communications system and its progress.

Mr. Ryan asked for the Board's authorization to apply for funding to add another communications position in the operations center at the new jail. This would add another shelf in the electronics console to include an additional eight resource lines. Sheriff Colson advised he will follow up with Undersheriff Mike Morris and get the paperwork to Attorney DeLancey for her review.

UPPER NORTH PLATTE VALLEY GAS LEASES

Jeb Steward, House District 47 Representative, discussed the Bureau of Land Management's recent notice of intent to sale mineral rights to thirteen parcels in an oil and gas lease sale on December 4, 2007. Mr. Steward presented a map of the discussion area along with letters from himself and Governor Freudenthal, requesting that the sales be delayed to allow for more thorough investigation. Mr. Steward stated the BLM withdrew similar leases being offered for sale in North Park, Colorado as a result of action from local communities in those areas.

Commissioner Paxton stated key to the process as the Governor's letter indicates, is that the parcels be withdrawn from the December 2007 sale and further and more careful investigation be done before these parcels be sold in the future. Commissioner Paxton stated this statement sums up the whole process.

Mr. Steward stated that it is important to hold up the leases at this time because this deviates from the normal practice of offering leases where there are known reserves. He feels when this occurs, there should be more active pre-planning to address areas of concern. He thinks that more responsible development should be crafted.

Commissioner Paxton stated the balance between natural resources and non-renewable resources is essential to the well-being of our county. There must be responsible development of these resources therefore making it critical to table the issue to allow more research.

Commissioner Weickum questioned how this issue came about. Mr. Steward replied that the environmental process is usually triggered after these types of sales occur. The BLM feels the letting of these leases has no impact and that because of that determination there is no trigger for the EIS process. The trigger to study impacts (environmental and cultural) are not needed at this stage, for the sale, so when the new buyer wants to develop, the EIS process would take place at that time. Commissioner Weickum questioned what the issue is since the EIS process will eventually take place.

Mr. Steward stated after the sale, many issues that the residents and public are concerned with, such as cultural and natural resources, are ignored. He feels intervention is best at this point, rather than waiting until after the sale.

Commissioner Weickum asked if the study should be performed before the sale rather than after. Mr. Steward stated that sometimes the landowner does not even know these rights have been sold until after the fact. Commissioner Weickum questioned if after the sales, does Mr. Steward feel the NEPA process would not work correctly. Mr. Steward stated that the concerns for these resources are important and he wants to ensure issues are known before these sales occur.

Commissioner Paxton stated the process should be more transparent allowing the individuals that would be affected by these sales to know up front and be given an opportunity to comment or even purchase themselves.

Mr. Steward clarified that he is asking for a delay in the sale by removing these parcels from the December 2007 sale. Attorney DeLancey asked if it would be appropriate for the BOCCC to send a letter asking for the delay of these sales. Mr. Steward stated one of the main questions asked is how do municipalities and the County Commissioners feel about the process and comments from the BOCCC would help answer these questions.

Mr. Steward stated the majority of the individuals he has talked to are very much in favor of

pulling the leases at this time. He did point out there are individuals that welcome the development but that these individuals do understand the logic of approaching this cautiously. Commissioner Weickum stated the county spends a great deal of funds and time promoting economic development and he personally supports natural resource development but that he recognizes the need to preserve wildlife, water resources, and other issues.

Commissioner Weickum questioned the science behind what parcels are being proposed to sale. Mr. Steward stated that the federal government holds subsurface rights to these particular parcels. Commissioner Paxton stated the economy of this community is primarily based on agriculture. He added that oil companies traditionally come and go and some assurance needs to be made that permanent damage is not done to existing businesses and resources as these are revenue providers for the area.

Commissioner Paxton stated he supports the BOCCC drafting a letter and signing a resolution supporting the removal or delay of these parcels from the sale.

Commissioner Weickum asked if the leases were pulled now, when is the next opportunity they could be sold. Mr. Steward replied that these sales are yearly, but he would be unsure when these particular parcels would be offered up again.

Attorney DeLancey stated that putting forth initial comments could slow the process for these leases and give everyone time to assess and go through a process of responsible development while preserving resources. It was clarified that the leases are all federally owned subsurface rights, not rights of private citizens.

Commissioner Paxton moved to draft a letter to Bob Bennett, Bureau of Land Management Director asking for the following parcels to be withheld from the December 4, 2007 sale and requesting further and more careful analysis be performed before these parcels be nominated for sale in the future: Parcels WYO712-082, WY0712-083, WY0712-084, WY0712-085, WY0712-086, WY0712-087, WY0712-088, WY0712-089, WY0712-090, WY0712-091, WY0712-094, WY0712-095, and WY0712-096. Commissioner Weickum seconded and the motion carried unanimously.

Commissioner Paxton moved to have the County Attorney and County Clerk draft a resolution supporting withholding the sale of the following parcels from the December 4, 2007 sale and supporting that further and more careful analysis be performed before these parcels be nominated for sale in the future: Parcels WYO712-082, WY0712-083, WY0712-084, WY0712-085, WY0712-086, WY0712-087, WY0712-088, WY0712-089, WY0712-090, WY0712-091, WY0712-094, WY0712-095, and WY0712-096. The motion was amended to state that this would be Resolution 2007-33 and that it be approved and signed upon its completion. Commissioner Weickum seconded and the motion carried unanimously.

ADJOURNMENT

There being no further business, Commissioner Weickum adjourned the meeting at 4:22 p.m.

-s- Gwynn G. Rothenberger, Carbon County Clerk

Approved this 4th day of December 2007.

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Terry Weickum, Acting Chairman