

**MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, January 5, 2010  
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, January 5, 2010 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Terry Weickum, Vice Chairman Jerry Paxton; Commissioner Charles C. Young; County Attorney Cindy DeLancey; Deputy Attorney Mike Kelly; County Clerk Gwynn Bartlett; and Deputy Clerk Kathy Turner.

Chairman Weickum called the meeting to order at 9:07 a.m.

**VOUCHERS**

Commissioner Paxton moved to approve the report of expenditures in the amount of \$211,195.60. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to approve expenditure to Dr. Young in the amount of \$365.00. Chairman Weickum seconded and the motion carried with Commissioner Paxton and Chairman Weickum voting for the motion and Commissioner Young abstained.

Vendor	Detail Line Description	Total
ACTION REAL ESTATE	RENTAL CHARGES	\$2,187.50
ALAMEDA, CAROL	RENTAL CHARGES	\$750.00
ALLEN, PATRICK C MD PC	AUTOPSY	\$2,085.00
ALSCO, AMERICAN LINEN DIVISION	MATS	\$309.50
AMERIGAS	PROPANE	\$2,072.34
ARLINGTON OUTPOST	FILTER & OIL	\$65.94
AT & T	TELEPHONE SERVICES	\$8.27
BANK OF COMMERCE (ACH)	MONTHLY ACH FEE/LEASE PMT	\$49,069.01
BARTLETT, SUE RN	MEALS/MILEAGE	\$238.38
BEST WESTERN COTTONTREE	ROOM CHARGES	\$390.00
BRESNAN COMMUNICATIONS	CABLE SERVICES	\$82.46
BROWN, DREW & MASSEY, LLP	LEGAL SERVICES	\$49.50
BUFFALO RUN RESIDENTIALS, LLC	RENTAL CHARGES	\$2,913.00
BUILD RITE LUMBER SUPPLY	SUPPLIES	\$34.62
BUSEY, BILL	CLEANING SUPPLIES	\$28.07
BUSEY, SHARALEE	MILEAGE/SUPPLIES	\$204.31
C N A SURETY	NOTARY BONDS	\$100.00
C O V E	GRANT REIMBURSEMENTS	\$684.21
CARBON COUNTY STRIKE TEAM	FUEL/MEALS/ROOMS	\$414.50
CARBON COUNTY TREASURER	VARIOUS CASH ITEMS	\$977.69
CARBON POWER & LIGHT INC	ELECTRICAL SERVICE	\$1,098.28
CASPER WINNELSON CO	WATER HEATER	\$255.13
CBM FOOD SERVICE	JAIL FOOD	\$6,445.68
CDW GOVERNMENT, INC.	COMPUTER SUPPLIES	\$3,506.46
CENTURY 21 CORNERSTONE REALTY	RENTAL CHARGES	\$1,898.90
CENTURY LINK	TELEPHONE SERVICES	\$125.63
CERDA, MRS ALEX	RENTAL CHARGES	\$800.00
CESKO, DAVID MD	MEDICAL SERVICES	\$130.00
CMI-TECO	EQUIPMENT PARTS	\$44.50
COWDIN, JOHN	MILEAGE	\$64.80
CSK AUTO, INC.	PARTS	\$44.95
CUSTOM CREATIONS	HATS	\$455.80
CYR, NANCY	MILEAGE	\$43.00
DAILY TIMES	NEWSPAPER ADS	\$4,311.74
DALLIN MOTORS INC	VEHICLE REPAIRS	\$1,221.54
DIRST, MICHAEL	RENTAL CHARGES	\$800.00
DIXON, TOWN OF	WATER SERVICES	\$54.50
E & H PLUMBING & HANDYMAN	REPAIRS/WATER HEATER INSTALL	\$213.00
EAGLE UNIFORM SUPPLY	MATS	\$75.49
ENCAMPMENT PRESCHOOL	GRANT PAYMENTS	\$14,400.00

ENGSTROM, JAMES D. DDS	DENTAL SERVICES	\$1,561.00
ERA SHEPARD & ASSOC	RENTAL CHARGES	\$1,050.00
FARMER BROTHERS COFFEE	SUPPLIES	\$170.82
FEDEX	SHIPPING CHARGES	\$13.00
FRANCE FLYING SERVICE	SEARCH FLIGHT	\$650.00
FREMONT MOTORS - RAWLINS	LIGHT BULB	\$17.17
GALLS, AN ARAMARK COMPANY	UNIFORM SUPPLIES	\$216.97
GARNETT, JOANNE, FAICP	CONSULTING SERVICES	\$1,538.75
GASES PLUS	SAFETY GLASSES/WELDING SUPPLIES	\$152.22
GOSVENOR, MAXINE	MILEAGE	\$65.50
GREEN ACRES	RENTAL CHARGES	\$230.00
HAYS, STEPHEN DDS	DENTAL SERVICES	\$294.00
HEIMAN FIRE DEPARTMENT	FIRE EQUIPMENT	\$250.43
HENDERSON, WILMA	RENTAL CHARGES	\$750.00
HIGH PLAINS POWER	ELECTRICAL SERVICE	\$421.77
HIGHLAND HILLS APTS	RENTAL CHARGES	\$750.00
HILLCREST SPRING WATER, INC.	SUPPLIES	\$21.85
HILLESTAD, MYRON	RENTAL CHARGES	\$700.00
HILLTOP CONOCO	FUEL	\$205.09
J H KASPAR OIL COMPANY	FUEL	\$257.70
JACKALOPE PRINTING	OFFICE SUPPLIES	\$150.77
JOHNSON ENGINEERING ASSOCIATES	FAIRGROUNDS MULTI-PURPOSE BLDG	\$3,310.48
KAR KRAFT INC	VEHICLE MAINTENANCE	\$87.56
KENCO SECURITY AND TECHNOLOGY	MONITORING SERVICES	\$34.00
KILBURN TIRE COMPANY	TIRES	\$2,362.56
KING SOOPERS CUSTOMER CHARGES	SUPPLIES	\$24.98
L & L ELECTRIC	ELECTRICAL REPAIRS	\$826.54
LANNAN'S SUPPLY CO	SUPPLIES	\$44.60
LINCOLN PRINTING PLUS, INC.	PAPER	\$26.11
MARTINEZ, DEBARI	RENTAL CHARGES	\$400.00
MEMORIAL HOSPITAL OF CARBON CTY	MEDICAL SERVICES	\$212.75
MITT'S NITTS, INC.	UNIFORM SWEATERS	\$100.00
MOELLER, MARIE	CLEANING SERVICES	\$162.50
MOORE MEDICAL CORP.	MEDICAL SUPPLIES	\$29.90
MORBIDITY & MORTALITY	SUBSCRIPTION	\$169.00
MORGAN, BETTY	RENTAL CHARGES	\$550.00
MOSS, BARBARA	MILEAGE	\$57.30
MPM CORP / EVERGREEN DISPOSAL	GARBAGE SERVICES	\$15.00
PAGE ONE	PAGE SERVICE	\$275.57
PDR DISTRIBUTION, LLC	PDR BOOK	\$77.90
PDR ENTERPRISES, INC.	RENTAL CHARGES	\$4,900.00
PECK, LISA	FUEL/MEALS	\$165.48
PERKINS OIL CO	FUEL	\$45.58
PHILLIPS 66-CONOCO-76	FUEL	\$810.67
PIONEER MILL & CONSTRUCTION INC.	DOOR/BASE MOLDING	\$2,474.22
PITNEY BOWES	RENTAL CHARGES	\$334.75
PLATTE VALLEY MEDICAL	MEDICAL SERVICES	\$225.00
PRO-CHEM INDUSTRIAL, LLC	CLEANING SUPPLIES	\$550.22
PROPERTY MANAGEMENT	RENTAL CHARGES	\$1,811.29
PUBLIC SAFETY CENTER, INC.	TEST KITS	\$1,008.28
QUESTAR GAS	GAS SERVICE	\$206.14
QUILL CORPORATION	OFFICE SUPPLIES	\$664.90
QWEST-KENTUCKY	TELEPHONE SERVICES	\$422.09
QWEST-PHOENIX	TELEPHONE SERVICES	\$85.97
RAWLINS AUTOMOTIVE	PARTS	\$1,212.01
RAWLINS EYE CARE	EYE CARE	\$400.00
RAWLINS FAMILY RECREATION CENTER	NOV PMT SHOOTING RANGE	\$150.00
RAWLINS GLASS	INSTALL EXTENSION ROD	\$72.00
RAWLINS URGENT CARE	MEDICAL SERVICES	\$360.00
RAWLINS, CITY OF	WATER SERVICES	\$1,198.10
RELIABLE	OFFICE SUPPLIES	\$680.78
RENDEZVOUS LODGE LLC.	ROOM CHARGES	\$114.80
RICHARDSON, JILL	MEALS	\$21.03
RITE-STYLE OPTICAL	SAFETY GLASSES	\$133.50
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICE	\$15,672.45

ROMERO, WILLIAM	RENTAL CHARGES	\$400.00
ROSS' AUTOMOTIVE SERVICES	VEHICLE MAINTENANCE	\$137.14
RYAN ELECTRONICS INC	RADIO REPAIRS	\$315.00
SANCHEZ, MELVIN	RENTAL CHARGES	\$1,200.00
SANDERS PROPERTIES	RENTAL CHARGES	\$1,400.00
SARATOGA AUTO PARTS, INC.	PARTS	\$355.34
SARATOGA LODGE #43 IOOF	RENTAL CHARGES	\$900.00
SARATOGA SUN	NEWSPAPER ADS	\$648.88
SHANDON PARK APTS.	RENTAL CHARGES	\$934.86
SHEA, DIXIE F	MILEAGE	\$24.00
SHEPARD'S	FUEL	\$56.67
SHIVELY HARDWARE	SUPPLIES	\$107.90
SOURCE GAS	GAS SERVICE	\$17,315.57
SOUTH CENTRAL WY EMS	AMBULANCE SERVICE PMT	\$22,872.75
STAGECOACH APTS	RENTAL CHARGES	\$534.00
STAPLES ADVANTAGE	OFFICE SUPPLIES	\$352.69
STEPHENSON, LEE ANN	MILEAGE	\$38.40
SUPPLY DISTRIBUTION CENTER	TONER	\$459.85
SWEET, JEFFREY C DDS PC	DENTAL SERVICES	\$326.00
TERMINIX	PEST CONTROL	\$185.00
TIRE DISTRIBUTION SYSTEMS, INC.	TIRES	\$2,752.00
TRAPP, LARRY	CONFERENCE REGISTRATION	\$150.00
TRUE VALUE OF RAWLINS	SUPPLIES	\$466.15
UNION TELEPHONE COMPANY	TELEPHONE SERVICES	\$904.45
VALLEY OIL COMPANY	FUEL	\$1,785.77
VAN'S WHOLESALE LLC	SUPPLIES	\$767.88
VERIZON WIRELESS	CELL PHONE SERVICE	\$630.06
WESTERN WY FAMILY PLANNING	CSBG REIMBURSEMENTS FOR TESTS	\$140.00
WIMPENNY, ROBERT G DDS	DENTAL SERVICES	\$122.00
WY DIESEL SERVICE	PARTS	\$11.29
WY LIFE FLIGHT	LIFE FLIGHT MEMBERSHIPS	\$1,495.00
WY MACHINERY COMPANY	EQUIPMENT PARTS	\$79.05
WY STATIONERY	SUPPLIES	\$2,627.46
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICE	\$69.69
YOCUM, LEO	MILEAGE	\$24.00
YOUNG, CHARLES	MILEAGE	\$45.00
YOUNG, CHARLES MD	MEDICAL SERVICES	\$320.00
GRAND TOTAL		\$211,560.60

## **CLERK**

### **Minutes**

Clerk Bartlett presented the minutes from the December 17, 2009 meeting and Chairman Weickum asked that the minutes be presented later today.

### **Monthly Receipts**

Commissioner Young moved to accept Planning and Development receipts in the amount of \$8,834.72 for the month of November 2009 and the Carbon County Clerk Statement of Fees Collected for the month of December 2009 in the amount of \$13,301.75. Commissioner Paxton seconded and the motion carried unanimously.

### **Bonds**

Commissioner Young moved to approve a bond and bond rider in the amount of \$25,000.00 for Michael Bradford Treasurer, Memorial Hospital of Carbon County and a bond in the amount of \$5,000.00 for Sheryl R. Snider, Carbon County Assessor. Commissioner Paxton seconded and the motion carried unanimously.

### **Disclosure Statements**

Disclosure statements were presented declaring personal investments and accounts held by various County officials.

Commissioner Paxton moved to accept the disclosure statements for Commissioners Terry Weickum, Jerry Paxton, and Charles Young, Clerk Gwynn Bartlett, Chief Deputy Clerk Helen Winningham, Treasurer Cindy Baldwin, and Deputy Treasurer Chris Rutherford. Commissioner Young seconded and the motion carried unanimously.

### **Letter of Appreciation**

Commissioner Young moved to sign a letter to Harry Lovato in appreciation of his time and effort while serving on the Memorial Hospital of Carbon County Board of Trustees. Commissioner Paxton seconded and the motion carried unanimously.

### **Private Road Hearing**

Clerk Bartlett advised she received the Stipulated Amended Scheduling Order rescheduling the private road hearing for Charles S. Shireman and John Earl Shireman on March 2, 2010 at 10:00 a.m. which may last the entire day. She requested approval to start the BOCC meeting that day at 8:00 a.m. rather than 9:00 a.m.

Commissioner Paxton moved to change the meeting time of the regular meeting scheduled on March 2, 2010 from 9:00 a.m. to 8:00 a.m. and if the hearing is cancelled for any reason the meeting will start at 9:00 a.m. Commissioner Young seconded and the motion carried unanimously.

### **Saratoga Lions Club**

Commissioner Young moved to approve the request of the Saratoga Lions Club to conduct a Calcutta on February 12, 13, and 14, 2010 during the annual Donald E. Erickson Memorial Chariot Races, proceeds to benefit the Lions Club. Commissioner Paxton seconded and the motion carried unanimously.

### **Board Resignation**

Commissioner Young moved to accept the resignation of Karen Juno from the Library Board effective today. Commissioner Paxton seconded and the motion carried unanimously.

Clerk Bartlett stated that she will advertise for the vacancy.

### **County Fire Department**

Commissioner Young moved to authorize the Chairman's signature on the Acknowledgement of Charitable Contribution in the amount of \$500.00 for a contribution from Arch of Wyoming, LLC for the Hanna Volunteer Fire Department that was forwarded to the County for the County Fire Department. Commissioner Paxton seconded and the motion carried unanimously.

### **UtiliSolve**

Clerk Bartlett advised she has talked to UtiliSolve regarding the utility audits they provide and noted she would like to use their services. Attorney DeLancey stated she has reviewed the agreement and recommends approval.

Commissioner Young moved to approve the Client Service Agreement to retain UtiliSolve to identify refunds, credits, misclassifications, overcharges or savings on utility bills related to electric, gas, water, sewer and telephone for a period of three years, effective upon execution of the parties. Commissioner Paxton seconded and the motion carried unanimously.

### **Noyes Clinic**

Clerk Bartlett presented a Warranty Deed for the Noyes Healthcare Center for the clinic in Baggs. Attorney DeLancey advised the contract was signed in October and recommended approval.

Commissioner Young moved to authorize the Chairman's signature on the Warranty Deed from Carbon County, Wyoming to Noyes Healthcare Center, Inc. for the property more specifically

described as Lots 81 and 82, in the Meadowlark Addition to the Town of Baggs, Carbon County, Wyoming, for the purpose of operating a health clinic. Commissioner Paxton seconded and the motion carried unanimously.

## **ELECTED OFFICIALS / DEPARTMENT HEADS**

### **Treasurer**

County Treasurer Cindy Baldwin presented a resolution adopting the County's investment policy and advised there are no changes.

Commissioner Young moved to adopt Resolution No. 2010-01, the Carbon County Investment Policy. Commissioner Paxton seconded and the motion carried unanimously.

### **RESOLUTION NO. 2010-01 CARBON COUNTY INVESTMENT POLICY**

WHEREAS, W.S. §9-4-831(h) mandates every political subdivision adopts "a statement of investment policy"; and

WHEREAS, CARBON COUNTY desires to adopt an investment policy at least as restrictive with respect to the types of investment as authorized by W.S. §9-4-831(a);

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF CARBON COUNTY, WYOMING:

- (a) The CARBON COUNTY financial accounting procedures are divided among the County Commissioners, the County Clerk and the County Treasurer. The County Clerk is designated as budget officer (*W.S. §16-4-102(a)(iv)*); the County Treasurer is in charge of the county treasury (*W.S. §18-3-804*). Warrants for payment from the treasury must be authorized by the Board of County Commissioners (*W.S. §18-3-504 and 18-3-805*);
- (b) It shall be the policy of the Carbon County Treasurer to invest public funds in a manner which will provide the highest investment return with the maximum security, and conforming to all federal, state and local laws and regulations governing the investment of public funds;
  - (1) To the extent possible, the Carbon County Treasurer will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the Carbon County Treasurer will not directly invest in securities maturing more than one (1) year from the date of purchase.
  - (2) Funds in excess of cash flow requirements may be invested in securities maturing not more than two (2) years, if the maturity of such investments is made to coincide as nearly as practicable with the expected use of funds.
- (c) Any person affecting an investment transaction on behalf of CARBON COUNTY, or offering investment advice, shall sign a statement indicating he or she has read this policy and agrees to abide by this policy and by applicable federal, state and local laws with respect to the advice given and transactions undertaken on behalf of the County.
- (d) The Carbon County Treasurer shall be, and is hereby authorized to make such statutory investments, at his or her discretion, as will conform to this policy which shall be deemed at least as restrictive as the types of investments authorized by W.S. §9-4-831(a).
  - (1) The County shall diversify its instruments by security type and institution. With the exception of U.S. Treasury securities, certificates of deposits and authorized pool, no more than twenty-five percent (25%) of the County's total investment portfolio will be invested in a single security type.
  - (2) To provide assurance that the County will be able to continue financial operations without interruption and dependent upon interest rates, satisfaction with services, the County will generally attempt to utilize at least two financial institutions as depositories.
- (e) The Treasurer is charged with the responsibility of providing a monthly financial report, to include investment activity and returns, in the County's Financial Report.
- (f) This policy shall be effective through the calendar year 2010.

WHEREFORE, be it resolved that the Board of County Commissioners adopts the aforementioned policy and this policy shall be reviewed on an annual basis.

ADOPTED this 5th day of January, 2010.

BOARD OF COUNTY COMMISSIONERS

-s- Terry Weickum

-s- Jerry Paxton

-s- Charles Young

ATTEST:

-s- Gwynn Bartlett, County Clerk

Treasurer Baldwin also presented the investment policy compliance letters from all financial institutions that she currently invests with including Bank of Commerce, Bank of the West, The Rawlins National Bank, Edward Jones, and Multi Bank Securities.

Treasurer Baldwin presented applications of deposit for The Rawlins National Bank

Commissioner Young moved to accept the Application for Deposit for Public Funds from Bank of West, The Rawlins National Bank, and Bank of Commerce. Commissioner Paxton seconded and the motion carried unanimously.

Treasurer Baldwin stated Memorial Hospital of Carbon County may be asking for levied maintenance funds today and noted their balance at the end of December was \$344,911.32. Attorney DeLancey stated State Statue 18-8102b states the County Commissioners will have to approve any disbursement of funds to the hospital. Treasurer Baldwin advised the hospital will have to submit a request for approval.

Treasurer Baldwin reported that the Specific Purpose Tax Joint Powers Board will meet tomorrow and review duties of various officials and municipalities involved.

**Buildings Manager**

Leroy Graham, Buildings Manager, discussed the progress of the new multipurpose facility at the Fair Grounds. Mr. Graham discussed the Dixon Airport and presented a contract with Yampa Valley Electric for a line extension. He noted the \$16,766.10 deposit that will be paid back to the county when someone taps into the line however if nobody taps in within ten years, the deposit will be Yampa Valley's and never reimbursed to the County.

Commissioner Young moved to approve the Line Extension Contract and Agreement for Intermediate Electrical Service with Yampa Valley Electric in the amount of \$16,766.10 for electrical service at the Dixon Airport. Commissioner Paxton seconded and the motion carried unanimously.

**Emergency Management**

John Zeiger discussed ICS classes to be held in Saratoga next week.

**Fire Department**

Commissioner Paxton moved to sell the old Muddy Gap water tender to the Town of Encampment for \$10.00. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to authorize the Fire Department to apply for Rural Fire Assistance and a Volunteer Fire Assistance grants through the Wyoming State Forestry Office. Commissioner Young seconded and the motion carried unanimously.

Mr. Trapp noted that an extrication unit is based in Hanna and is in service for that division. Mr. Trapp requested and received approval to research ways to purchase a rural interface truck for the Ryan Park Division. This truck would foam the structures and allow firefighters to leave the area for safety reasons if a fire were to break out. Commissioner Paxton asked about the liability for something like this and Mr. Trapp stated they have found the owner's insurance normally covers any damage. Clerk Bartlett stated that Forest Reserve funding could possibly be used as matching funds for the truck depending on the timing and the amount.

Mr. Trapp stated rural addressing maps are being dispersed to various County Fire Departments and are being implemented.

### **County Assessor**

County Assessor Sheryl Snider presented several abatements and rebates for the Chairman's signatures.

Ms. Snider reported that the County's valuation has changed in the amount of \$1,009,753.00 due to valuation changes issued by the State.

### **Road & Bridge**

Bill Nation, Road & Bridge Superintendent, reported that in all areas of the county his crews are plowing blowing/drifting snow from various county roads.

Mr. Nation discussed an application for approximately \$800,000 grant for Congestion Mitigation Air Quality (CMAQ) funding. He reported he would like to use the funding for nine miles of road around the Saratoga Fish Hatchery to Old Baldy.

Commissioner Paxton moved to authorize the Road & Bridge Department to apply for a Congestion Mitigation Air Quality Grant for 2010. Commissioner Young seconded and the motion carried unanimously.

### **RECESS**

Chairman Weickum called a recess at 10:58 a.m. and reconvened at 11:02 a.m.

### **MEMORIAL HOSPITAL OF CARBON COUNTY (MHCC)**

Steve Erixon, interim Chief Executive Officer, introduced himself.

Melissa Matney and Dawn Dingman both of the hospital, Mike Bradford Hospital Board member, and John Johnson of Quorum Health Resources (QHR), appeared to discuss the hospital's financial report. Ms. Matney discussed the hospital's loss of \$367,730.00 for November. She further discussed billing software issues. Mr. Johnson noted that Quorum is looking at bringing Health Management Systems in to repair these issues.

Chairman Weickum discussed issues that individuals that have payment arrangements with the hospital being turned over to collections and he asked that this be looked into. There was further discussion of how to repair the billing system. Mr. Erixon also discussed that he will look into physician recruitment, board education, service line evaluation, and other items in the upcoming weeks.

Ms. Matney discussed the Kronos time keeping system and that they must have an updated system reporting that the updated cost may be approximately \$60,000.00.

Ms. Dingman discussed obstetrics machinery stating they would like to purchase three new monitors. Commissioner Paxton asked if the group was asking for their levy funds to purchase this equipment and if QHR has reviewed these purchases and determined they are necessary. Mr. Erixon replied that while QHR has not reviewed these exact requests they are comfortable with the requests as they trust the staff that has reviewed the equipment. Chairman Weickum discussed his concern that these are not the first items on the priority list. Commissioner Paxton asked if the request for funding could wait until the next meeting to make a decision when MHCC has a specific quote for the time clock system. The estimate provided by Ms. Dingman for the monitors is \$180,240.50. Treasurer Baldwin noted that the hospital currently has approximately \$344,000.00. The group agreed to return at the next meeting with a more firm estimate for the Kronos system.

Chairman Weickum asked that the levy money be allowed to grow and that it not be used in one year if possible.

## **FAIR BUILDING**

Kristin Barkhurst, discussed that the Gretchen Swanson Foundation had given a donation and asked what the main causes for delays were.

Mr. Graham discussed that weather caused approximately twenty-one days of delays. Mr. Graham added that other delays were caused by the State Fire Marshall's review, there was a line that was found that had to be rerouted on the plans by the architect, and the City had changes to the plans at the last minute.

Mr. Graham stated the target completion date would be February 15, 2009 after which time the contractor would have to pay penalties to the County under the contract unless the Commissioners authorize an extension again.

## **AGENDA AMENDMENT**

Commissioner Paxton moved to amend the agenda to move the 11:30 a.m. executive session to after the Planner interviews this afternoon. Commissioner Young seconded and the motion carried unanimously.

## **RECESS**

Chairman Weickum recessed for lunch at 12:04 p.m. and reconvened at 1:34 p.m.

## **PLANNING & ZONING**

### **Public Hearing Case File No. 09-13**

Chairman Weickum opened a public hearing at 1:34 p.m. to hear Planning & Zoning Case File No. 09-13. Kristy Rowan of Planning and Development presented the following: **Case File No. 09-13 – Hal S. Alcorn “Two Dot Acres – Record of Survey/Minor Subdivision”**: Request for a Record of Survey/Minor Subdivision in a Ranching, Agriculture and Mining (RAM) Zone on approximately 10.87 acres.

Chairman Weickum called for comments for or against this case. There being no further comments, Chairman Weickum closed the public hearing at 1:38 p.m.

Commissioner Paxton moved to follow staff recommendations and approve Planning & Zoning Case File No. 09-13 Hal S. Alcorn's request for a Record of Survey/Minor Subdivision in a Ranching, Agriculture and Mining (RAM) Zone on approximately 10.87 acres, subject to the conditions outlined by the Planning & Zoning Commission in the amended Exhibit A. Commissioner Young seconded and the motion carried unanimously.

Commissioner Young moved to approve Resolution No. 2010-02, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding Case File No. 09-13. Commissioner Paxton seconded and the motion carried unanimously.

### **Resolution No. 2010 - 02**

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. Ann. §18-5-307, the Carbon County Planning and Zoning Commission held public hearings on August 31, 2009 and November 30, 2009, with said hearings advertised by public notice within forty-five (45) days prior to said hearings; and

**WHEREAS**, at said public hearings, 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 hearings; and

**WHEREAS**, at the conclusion of the public hearing held on November 30, 2009, 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 Subdivision Regulations, as amended, for Carbon County, Wyoming; and

**WHEREAS**, the Carbon County Commissioners, pursuant to Wyo. Stat. Ann. §18-5-308 and after receipt of said certified recommendation for approval of this amendment to the Carbon County Subdivision Regulations, as amended, advertised by public notice within forty-five (45) days prior to a public hearing to take public input and comments which said hearing occurred on January 5, 2010; 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 as amended 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 Subdivision Regulations, as amended.

**(1) Case File #09-13 – Hal S. Alcorn “Two Dot Acres – Record of Survey/Minor Subdivision”:** Request for a Record of Survey/Minor Subdivision in a RAM Zone on approximately 10.87 acres. A record of survey/minor subdivision permit provides for an adequate public record of the division, in a less complicated process than a major subdivision. This process shall not be applicable to lots or parcels in platted subdivisions of record.

The applicant is applying for a zone change (See Case #09-14) to comply with the Carbon County Zoning Resolution of 2003 Amended 01-06-2004. The applicant is requesting a zone change from Ranching, Agriculture, Mining (RAM) to Residential (RD-3.89 for Lot 1) and Rural Residential Agriculture (RRA-6.98 for Lot 2) encompassing a total of approximately 10.87 acres. Lot 1 will contain approximately 3.89 acres and Lot 2 will contain approximately 6.98 acres. The RD Zone allows residential activities. The RRA Zone allows residential and agricultural activities.

The subject property is located approximately 2 miles south of Saratoga and approximately 1 mile west of HWY 130 off Carbon County Road #387 (South Spring Creek Road).

**Legal Description:**

A parcel of land, intended to be that parcel of land described in Book 842, Page 296, misc. records of the Carbon County Clerk, Rawlins, Wyoming, which is located in the SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 25, Township 17 North, Range 84 West of the 6th Principal Meridian, Carbon County, Wyoming, more completely described as follows:

Beginning at a point on the centerline of Carbon County Road 387, also known as Spring Creek Road, that bears N0°24'15"W, 192.74 feet, against record bearing and distance of N0°00'00"E, 195.37 feet, from the West <sup>1</sup>/<sub>4</sub> Corner of Section 25;

Thence N0°24'15"W, 1122.22 feet, against record bearing and distance of N0°00'00"E, 1124.63 feet, along the West line of said Section 25, to the Northwest corner of the SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, being the N1/16 corner between Sections 26 and 25;

Thence S88°50'38"E, 1021.19 feet, against a record bearing and distance of N89°34'30"E, 1039.15 feet, along the North line of the SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> to the centerline of said County Road 387;

Thence S42°44'37"W, 474.47 feet, against a record bearing and distance of S42°56'00"W, 504.33 feet along the centerline of said County Road 387 to the Easterly corner of the parcel described in Book 679, Page 217;

Thence N47°13'09"W, 450.22 feet, against a record bearing and distance of N47°04'00"W, 450.00 feet, along the Northeasterly line of the parcel described in Book 679, Page 217 to the Northerly corner of said parcel;

Thence S42°37'04"W, 218.08 feet, against a record bearing and distance of S42°56'00"W, 218.00 feet, along the Northwesterly line of the parcel described in Book 679, Page 217 to the Westerly corner of said parcel;

Thence S47°13'09"E, 450.22 feet, against a record bearing and distance of S47°04'00"E, 450.00 feet, along the Southwesterly line of the parcel described in Book 679, Page 217 to the Southerly corner of said parcel, also being a point on the centerline of said County Road 387;

Thence S42°30'57"W, 804.05 feet, against a record bearing and distance of S42°56'00"W, 803.21 feet, along the centerline of said County Road 387 to the point of beginning, said parcel containing 10.87 acres, more or less.

**Density – RD and RRA:**

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

**Lot 1 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 3.98 acres (RD-1)

**Lot 2 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 6.89 acres (RRA)

The applicant also applied for a zone change (See Case #09-14) to comply with the Carbon County Zoning Resolution of 2003 Amended 01-06-2004. The applicant requested a zone change from Ranching, Agriculture, Mining (RAM) to Residential (RD) for Lot 1 and Rural Residential Agriculture (RRA) for Lot 2 encompassing a total of approximately 10.87 acres.

**Access:**

Carbon County Road #387 (South Spring Creek Road) provides access to the subject property.

**Permits, Water, Septic, and Electricity:**

All homeowners will be solely responsible for obtaining the appropriate permits for water, septic, and electricity. All homeowners will obtain electricity through the local utilities companies. In addition, property owners will be responsible for obtaining permits with Carbon County Planning and Development. Power lines will be located underground to protect the view shed.

**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 and the subject property shall be divided as indicated above.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 5th day of January, 2010.

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

By: -s- Terry Weickum, Chairman  
-s- Jerry D. Paxton, Vice Chair  
-s- Charles C. Young, M.D.

Attest:

Gwynn G. Bartlett, Carbon

**Public Hearing Case File No. 09-14**

Chairman Weickum opened a public hearing at 1:40 p.m. to hear Planning & Zoning Case File No. 09-14. Ms. Rowan presented the following: **Case File No. 09-14 – Hal S. Alcorn:** Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD-3.89 for Lot 1) and Rural Residential Agriculture (RRA-6.98 for Lot 2) on approximately 10.87 acres. The RD Zone allows residential and agricultural activities. The RRA Zone allows residential and agricultural activities.

Chairman Weickum called for comments for or against this case. There being no further comments, Chairman Weickum closed the public hearing at 1:44 p.m.

Commissioner Paxton moved to follow staff recommendations and approve Planning & Zoning Case File No. 09-14 Hal S. Alcorn's request for a Zone Change from RAM to RD-3.89 for Lot 1 and RRA-6.98 for Lot 2 on approximately 10.87 acres, subject to the conditions outlined by the Planning & Zoning Commission in the amended Exhibit A. Commissioner Young seconded and the motion carried unanimously.

Commissioner Young moved to approve Resolution No. 2010-03, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding Case File No. 09-14. Commissioner Paxton seconded and the motion carried unanimously.

**Resolution No. 2010 - 03**

**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. Ann. §18-5-202(b) and (c), the Carbon County Planning and Zoning Commission held public hearings on August 31, 2009, and November 30, 2009, with said hearings advertised by public notice at least thirty (30) days prior to said hearings; and

**WHEREAS**, at said public hearings, 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 hearings; and

**WHEREAS**, at the conclusion of the public hearing held on November 30, 2009, 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 as amended for Carbon County, Wyoming; and

**WHEREAS**, the Carbon County Commissioners, pursuant to Wyo. Stat. Ann. §18-5-202(c) and after receipt of said certified recommendation for approval of this amendment to the Carbon County Zoning Resolution of 2003, as amended and subsequent amendments advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on January 5, 2010; 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 as amended; and

**WHEREAS**, the Carbon County Commissioners have determined that the proposed amendment is in conformity with the Carbon County Land Use Plan of 1998 as amended 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 as amended.

**(1) Case File #09-14 – Hal S. Alcorn (Owner):** Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-3.89 for Lot 1) and Rural Residential Agriculture (RRA-6.98 for Lot 2) encompassing a total of approximately 10.87 acres. Lots 1 and 2 are located in the Two Dot Acres Record of Survey/Minor Subdivision (See Case #09-13). Lot 1 will contain approximately 3.89 acres and Lot 2 will contain approximately 6.98 acres. The RD Zone allows residential activities. The RRA Zone allows residential and agricultural activities. The subject property is located approximately 2 miles south of Saratoga and approximately 1 mile west of HWY 130 off Carbon County Road #387 (South Spring Creek Road).

**Legal Description:**

A parcel of land, intended to be that parcel of land described in Book 842, Page 296, misc. records of the Carbon County Clerk, Rawlins, Wyoming, which is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 25, Township 17 North, Range 84 West of the 6th Principal Meridian, Carbon County, Wyoming, more completely described as follows:

Beginning at a point on the centerline of Carbon County Road 387, also known as Spring Creek Road, that bears N0°24'15"W, 192.74 feet, against record bearing and distance of N0°00'00"E, 195.37 feet, from the West  $\frac{1}{4}$  Corner of Section 25;

Thence N0°24'15"W, 1122.22 feet, against record bearing and distance of N0°00'00"E, 1124.63 feet, along the West line of said Section 25, to the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , being the N1/16 corner between Sections 26 and 25;

Thence S88°50'38"E, 1021.19 feet, against a record bearing and distance of N89°34'30"E, 1039.15 feet, along the North line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$  to the centerline of said County Road 387;

Thence S42°44'37"W, 474.47 feet, against a record bearing and distance of S42°56'00"W, 504.33 feet along the centerline of said County Road 387 to the Easterly corner of the parcel described in Book 679, Page 217;

Thence N47°13'09"W, 450.22 feet, against a record bearing and distance of N47°04'00"W, 450.00 feet, along the Northeasterly line of the parcel described in Book 679, Page 217 to the Northerly corner of said parcel;

Thence S42°37'04"W, 218.08 feet, against a record bearing and distance of S42°56'00"W, 218.00 feet, along the Northwesterly line of the parcel described in Book 679, Page 217 to the Westerly corner of said parcel;

Thence S47°13'09"E, 450.22 feet, against a record bearing and distance of S47°04'00"E, 450.00 feet, along the Southwesterly line of the parcel described in Book 679, Page 217 to the Southerly corner of said parcel, also being a point on the centerline of said County Road 387;

Thence S42°30'57"W, 804.05 feet, against a record bearing and distance of S42°56'00"W, 803.21 feet, along the centerline of said County Road 387 to the point of beginning, said parcel containing 10.87 acres, more or less.

**Density – RD and RRA:**

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

**Lot 1 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 3.98 acres (RD-1)

**Lot 2 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 6.89 acres (RRA)

**Access:**

Carbon County Road #387 (South Spring Creek Road) provides access to the subject property.

**Permits, Water, Septic, and Electricity:**

All homeowners/property owners will be solely responsible for obtaining the appropriate permits for water, septic, and electricity. All homeowners/property owners will obtain electricity through the local utilities companies. In addition, all homeowners/property owners will be responsible for obtaining permits with Carbon County Planning and Development. Power lines will be located underground to protect the view shed.

**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 and the existing zone shall be changed from Ranching, Agriculture, Mining (RAM) to Residential (RD-3.89 for Lot 1) and Rural Residential Agriculture (RRA-6.98 for Lot 2) encompassing approximately 10.87 acres. Lots 1 and 2 are located in the “Two Dot Acre – Record of Survey/Minor Subdivision”.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 5th day of January, 2010.

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

By: -s- Terry Weickum, Chairman  
-s- Jerry D. Paxton, Vice Chair  
-s- Charles C. Young, M.D.

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

**Certification of Z.C. Case File #2009-20**

Ms. Rowan presented the Certification of Recommended Action for Z.C. Case File #2009-20. She stated that the application pertains to the Zone Change request only and any future division of the land would be subject to the County’s regulations.

Commissioner Paxton moved to schedule a public hearing for February 2, 2010 at 1:30 p.m. at the County Courthouse in Rawlins, Wyoming to hear Z.C. Case File #2009-20, Johnson’s A Bar One Ranch’s request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR) on approximately 206.75 acres more or less. Commissioner Young seconded and the motion carried unanimously.

**PLANNING AND DEVELOPMENT DIRECTOR INTERVIEWS**

Arthur Alterson, Sidney Fox, Marlin Johnson, and Zachary Montgomery were interviewed by telephone for the Planning and Development Director position.

The BOCC asked the Clerk to schedule in person interviews with Mr. Fox, Mr. Johnson, and Mr. Montgomery.

**EXECUTIVE SESSION**

Commissioner Paxton moved to go into executive session at 3:33 p.m. with Clerk Bartlett, Mike Kelly, and Attorney DeLancey to discuss personnel, real estate, and other matters considered confidential by law. Commissioner Young seconded and the motion carried unanimously

Commissioner Paxton moved to come out of executive session at 4:08 p.m. and that the minutes of the session be approved as written and sealed and declared that no action was taken during the session. Commissioner Young seconded and the motion carried unanimously.

**CLERK**

**Minutes**

Commissioner Paxton moved to approve the minutes of the December 17, 2009 regular meeting of the Board of Carbon County Commissioners (BOCC) as presented. Commissioner Young seconded and the motion carried unanimously.

**CMAQ Grant Application**

Clerk Bartlett presented a resolution regarding Road & Bridge's CMAQ application.

Commissioner Young moved to approve Resolution NO. 2010-04, A Resolution Authorizing the Submission of a Congestion Mitigation Air Quality Grant Application to the Wyoming Department of Transportation on Behalf of the Governing Body of Carbon County Wyoming for the Purpose of Dust Mitigation. Commissioner Paxton seconded and the motion carried unanimously.

**RESOLUTION NO. 2010 - 04**

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A CONGESTION MITIGATION AIR QUALITY GRANT APPLICATION TO THE WYOMING DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE GOVERNING BODY OF CARBON COUNTY, WYOMING FOR THE PURPOSE OF DUST MITIGATION**

**WHEREAS**, the Governing Body for Carbon County desires to participate in the CMAQ Grant program to assist in financing the following road projects; and Gravel and dust mitigation on a total of nine miles of portions of County Roads #207, #550, #205

**WHEREAS**, the Governing Body of Carbon County recognizes the need for the projects; and

**WHEREAS**, the CMAQ Grant program requires that certain criteria be met, as described by the Wyoming Department of Transportation and, to the best of our knowledge, this application meets those criteria; and

**WHEREAS**, the Governing Body of Carbon County plans to fund the 20% match of the requested CMAQ Grant, in the amount of \$340,000.00 from Carbon County's general fund.

**NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF CARBON COUNTY, WYOMING** that a grant application in the total amount of \$800,000.00 (\$640,000 grant funds and \$160,000.00 match) be submitted to the Wyoming Department of Transportation for consideration.

**PASSED, APPROVED, AND ADOPTED THIS 5<sup>TH</sup> Day of December 2010**

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

-s- Terry Weickum, Chairman

Attest:

-s- Gwynn G. Bartlett, County Clerk

**Specific Purpose Tax**

Commissioner Young moved to approve the 2009 Specific Purpose Tax Escrow Account Escrow Agreement between Carbon County, Wyoming, Town of Elk Mountain, Town of Riverside, Town of Sinclair, Town of Baggs, Town of Medicine Bow, Town of Saratoga, and the City of Rawlins. Commissioner Paxton seconded and the motion carried unanimously.

**Homeland Security Grant**

Commissioner Young moved to approve the Grant Award for U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA), Grant Programs Directorate, Homeland Security Grant Program (HSGP), Law Enforcement Terrorism Prevention (LETPP) Activities, Fiscal Year 2009 in the amount of \$6,098.75, CFDA #97.067, Project ID 09-GPD-CAR-LC-HLE9 with an award period of August 1, 2009 through April 30, 2012, to align

planning, equipment, training, and exercise needs for acts of terrorism. Commissioner Paxton seconded and the motion carried unanimously.

**ADJOURNMENT**

There being no further business, Chairman Weickum adjourned the meeting at 4:18 p.m.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 19<sup>th</sup> day of January 2010

BOARD OF COUNTY COMMISSIONERS  
CARBON COUNTY, WYOMING

-s- Terry Weickum, Chairman