

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, August 4, 2009
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, August 4, 2009 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Terry Weickum, Vice Chairman Jerry Paxton; Commissioner Charles C. Young; County Clerk Gwynn Bartlett; County Attorney Cindy DeLancey; and Deputy Clerk Kathy Turner.

Chairman Weickum called the meeting to order at 9:02 a.m. Commissioner Young arrived at 9:04 a.m.

VOUCHERS

Commissioner Paxton moved to approve the report of expenditures in the amount of \$250,656.69. Commissioner Young seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
ALCO	CORONER SUPPLIES	44.89
ALSCO, AMERICAN LINEN DIVISION	MATS	224.74
AMERIGAS	PROPANE	146.00
ARLINGTON OUTPOST	OIL CHANGE	52.65
AUTOMATIC GARAGE DR OF CHEYENNE	DOOR REPAIRS	923.75
BOB BARKER COMPANY, INC.	SUPPLIES	442.09
BRESNAN COMMUNICATIONS	TV SERVICE	82.31
BROWN & HISER LLC	LEGAL SERVICES	39.44
BROWN, DREW & MASSEY, LLP	PRIVATE ROAD ACTION	73.21
BROWN, STEVEN	AIRFARE, MOVING EXPENSES	4,427.81
BUCHANAN, KAREN	MILEAGE	48.00
BUILD RITE LUMBER SUPPLY	SHIRTS, VINYL LETTERS & NUMBERS	148.83
C & D FABRICATION	FREIGHT, REPAIRS	165.00
CARBON COUNTY TREASURER	VARIOUS CASH ITEMS	4,850.91
CENTURYTEL	R&B UTL TELEPHONE	105.68
CHAMBERS, JOHN D., P.C.	LEGAL SERVICES	3,464.00
COAST TO COAST SOLUTIONS	SUPPLIES	204.15
CONOCOPHILLIPS	FUEL	195.30
CSK AUTO, INC.	VEHICLE MAINT & REPAIR, PLIERS	61.98
CYR, NANCY	MILEAGE	5.50
DAILY TIMES	ADVERTISING	1,939.30
DALLIN MOTORS INC	VEHICLE REPAIRS	923.51
DAVIS & CANNON, LLP	LEGAL SERVICES	25.77
DELEON, JOHN	LEGAL SERVICES	3,312.00
EAGLE UNIFORM SUPPLY	MATS	124.60
ELK MTN RANCH OPERATIONS, INC.	EASEMENT	2,098.13
ENGLISH ROSE LIFESTYLES	SUPPLIES	179.81
ERICKSON & ROBERTS	LEGAL SERVICES	3,481.12
EVANS, MORGAN	JAIL HAIRCUTS	240.00
FARMER BROTHERS COFFEE	ATTORNEY SUPPLIES	49.25
FASTENAL	PARTS	82.78
FSH COMMUNICATIONS	COURTHOUSE UTL TELEPHONE	70.00
GALE, GWEN	MILEAGE	550.00
GOSVENOR, MAXINE	TRAVEL, MILEAGE	38.00
GRAINGER	ROPE	59.09
HAYS, STEPHEN DDS	DENTAL SERVICES	220.00
HIGH PLAINS POWER	ELECTRICAL SERVICE	28.03
HILLCREST SPRING WATER, INC.	SUPPLIES	106.50
HILLTOP CONOCO	FUEL	279.32
J H KASPAR OIL COMPANY	FUEL	5,316.42
JACK S BODY & FENDER REPAIR	SVC CALL, LOADING FEE, REPAIRS	2,243.04
JACKALOPE PRINTING	W.I.C. SUPPLIES	27.18
JERRY S DONUTS	SUPPLIES	17.98
KAR KRAFT INC	VEHICLE REPAIR	3,990.97

KILBURN TIRE COMPANY	VEHICLE REPAIR	134.40
KING SOOPERS CUSTOMER CHARGES	SUPPLIES	68.95
KNF FLEXPAC CORPORATION	TRANSPORT BAGS	857.15
LARIAT INTERNATIONAL TRUCKS	SUPPLIES	40.15
LINCOLN PRINTING PLUS, INC.	ATTORNEY SUPPLIES	99.59
LOVE AND LOGIC INSTITUTE INC., THE	INSTRUCTOR TRAINING	395.00
LOVE, LUCY	MILEAGE	78.50
MEDICAL ARTS PRESS	PUBLIC HEALTH SUPPLIES	52.84
MEMORIAL HOSPITAL OF CARBON CTY	MED SVCS /SPECIFIC TAX REIMBRSMT	164,174.00
MERBACK AWARD COMPANY	PLAQUE & ENGRAVING	81.68
MODERN MARKETING, INC	SUPPLIES	465.40
MOORE MEDICAL CORP.	EXAM GLOVES	74.27
MURANE & BOSTWICK, LLC.	LEGAL SERVICES	2,389.43
MY AUTOMOTIVE, INC.	VEHICLE REPAIR	1,592.80
OFFICE DEPOT	SUPPLIES	172.55
PACKARD, CHANTEL	MILEAGE, SUPPLIES	103.41
PAGE ONE	MONTHLY & PAGER SERVICE	275.57
PAYMASTER CORP	PAYMASTER SYSTEM RENEWAL	1,099.00
PENGAD, INC.	ATTORNEY SUPPLIES	47.17
PERKINS OIL CO	FUEL	1,606.56
PHILLIPS 66-CONOCO-76	FUEL	454.02
PICKETT, THOMAS Y	VALUATION CONTRACT INSTALLMENT	5,250.00
PITNEY BOWES	SUPPLIES, CREDIT	41.12
PRO-CHEM INDUSTRIAL, LLC	JAIL SUPPLIES	541.64
PUBLIC SAFETY CENTER, INC	SUPPLIES	82.39
QUILL CORPORATION	MOBILE BOOKCASE, SUPPLIES	638.95
QWEST-KENTUCKY	TELEPHONE SERVICES	500.26
RADIO ACCESSORY HQ, INC.	RADIO EQUIPMENT	295.00
RAWLINS AUTOMOTIVE	PARTS, AIR FILTERS	156.13
RAWLINS, CITY OF	WATER/GARBAGE	2,334.45
RAWLINS-CARBON CO CHAMBER	DUES & SUBSCRIPTIONS	66.30
RELIABLE	SUPPLIES	1,263.70
RESERVE ACCOUNT	POSTAGE DEPOSIT	5,000.00
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICE	4,846.98
ROSS AUTOMOTIVE SERVICES	VEHICLE REPAIR	679.97
SARATOGA AUTO PARTS, INC.	PARTS	195.28
SHEA, DIXIE F	MILEAGE	24.00
SHIVELY HARDWARE	SUPPLIES, OIL FILTERS, TIRES/TUBES	227.17
SMITH, SADIE	MILEAGE & TEACHING	630.00
SNAKE RIVER PRESS	ADVERTISING	43.00
SOURCE GAS	GAS SERVICE	2,722.18
SRIDHARAN, P V MD	MEDICAL SERVICES	125.00
STAPLES ADVANTAGE	SUPPLIES	391.05
STEPHENSON, LEE ANN	MILEAGE	10.80
THE BOARDWALK	SUPPLIES	322.45
TIRE DISTRIBUTION SYSTEMS, INC.	TIRES	140.00
TRENT LAW OFFICE, LLC	LEGAL SERVICES	133.33
TREVATHAN, SABRINA RPR	TRANSCRIPTION	415.20
TRUE VALUE OF RAWLINS	SUPPLIES	39.38
UNION TELEPHONE COMPANY	TELEPHONE/CELL PHONE SERVICES	1,065.48
VALLEY OIL COMPANY	FUEL	1,401.30
VAN'S WHOLESALE	SUPPLIES	574.55
VERIZON WIRELESS	CELL PHONE/TELEPHONE SERVICES	580.09
VISIONARY COMMUNICATIONS, INC.	DIAL UP SEMI-ANNUAL PMT	71.70
WACO	REGISTRATION FEES	185.00
WALLACE, GERALD A	KIWI LEASE	50.00
WEICKUM, TERRY	MILEAGE	217.50
WOLTERS KLUWER HEALTH	SUBSCRIPTIONS	403.32
WOOD, CINDI	LEGAL SERVICES	1,820.00
WY MACHINERY COMPANY	PARTS	493.67
WY STATE BAR	ATTORNEY DUES & SUBSCRIPTIONS	85.00
WY STATIONERY	SUPPLIES	957.91
WY WINGS	DUES & SUBSCRIPTIONS	195.00
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICE	68.96
GRAND TOTAL		250,656.69

CLERK

Commissioner Young advised he will not be at the next Commissioners meeting scheduled on August 18, 2009.

Minutes

Commissioner Young moved to approve the minutes of the July 21, 2009 regular meeting of the Board of Carbon County Commissioners as presented. Commissioner Paxton seconded and the motion carried unanimously.

Bonds

Commissioner Young moved to approve a \$10,000.00 bond for Clayton Watson, Recreation and Park Attendant for the Town of Saratoga. Commissioner Paxton seconded and the motion carried unanimously.

Monthly Receipts

Commissioner Young moved to accept Planning and Development receipts in the amount of \$1,065.00 for the month of July 2009, fees collected from the Clerk of District Court for the month ending June 2009 in the amount of \$3,656.15, and Carbon County Clerk Statement of Fees Collected for the Month of July 2009 in the amount of \$17,721.50. Commissioner Paxton seconded and the motion carried unanimously.

Private Road Applications

Clerk Bartlett advised she received an Order Vacating Hearing on the Application for Private Road for White Brothers, LP and the proceedings in this matter are hereby stayed until September 4, 2009. She further advised she has received a Withdrawal of Application for Steve Shireman and Jack Shireman withdrawing a private road application and noted she has been informed they intend to re-file their application.

Noyes Clinic

Attorney DeLancey advised she has prepared the documents for ownership of the Noyes Clinic and they have been submitted to Ron Taylor and the Noyes Board for review.

Winter Meeting Schedule

Clerk Bartlett discussed the 2009–2010 Commissioners winter meeting schedule and the possibility of traveling during different months than winter.

Commissioner Paxton moved to adopt the winter meeting schedule as presented meeting in Hanna on October 20, 2009, Sinclair on November 17, 2009, Medicine Bow on December 15, 2009, Encampment on January 19, 2010, Elk Mountain on February 16, 2010 and Baggs on March 16, 2009 and that these meetings will begin at 4:00 p.m. Commissioner Young seconded and the motion carried unanimously.

The BOCC asked the Clerk to look into meeting out of the County seat during non-winter months and report back.

24-Hour Permits

Clerk Bartlett reported she issued two 24-hour malt beverage permits to the Lazy River Cantina for the rodeo in Saratoga on July 24 and 25, 2009 and one 24-hour catering permit to the Wolf Hotel for the Wyoming Stock Growers Agriculture Land Trust annual dinner on August 1, 2009 in Saratoga.

Letter of Support

Clerk Bartlett presented a letter for the Board's consideration supporting the Town of Baggs' grant application to the Wyoming Business Council to fund a feasibility study for a long term care facility.

Commissioner Young moved to authorize the Chairman's signature on a letter of support to the Wyoming Business Council on behalf of the Town of Baggs for a feasibility study for a long term care facility in the Little Snake River Valley. Commissioner Young seconded and the motion carried unanimously.

Commissioners Scholarship

Clerk Bartlett reported that Samuel Streeter, a 2009-2010 scholarship recipient, is unable to accept the Commissioners Scholarship as he will not be attending the University of Wyoming therefore first alternate Jaymie Sheehan will be offered the scholarship.

County Digitizing

Clerk Bartlett advised she has been corresponding with ArcaSearch for a land book project. She stated this company will be in the Wyoming area during September and requested and received authorization to begin this project now by submitting a down payment of \$10,000.00 when the work is done then pay the balance in December.

Museum Grant

Clerk Bartlett presented a resolution authorizing the Carbon County Museum to submit a grant for economic development and stated the submittal of the application was approved at a previous meeting. She stated Attorney Cindy DeLancey has reviewed the resolution and recommends approval.

Commissioner Young moved to approve Resolution No. 2009-22, a Resolution Authorizing and Directing the Carbon County Museum, Rawlins, WY to Submit a Community Development Planning Grant for Economic Development to the Wyoming Business Council in the amount of \$25,000.00 with a match of \$20,000.00. Commissioner Paxton seconded and the motion carried unanimously.

Resolution No. 2009-22

A RESOLUTION AUTHORIZING AND DIRECTING THE CARBON COUNTY MUSEUM, RAWLINS, WY TO SUBMIT A COMMUNITY DEVELOPMENT PLANNING GRANT FOR ECONOMIC DEVELOPMENT TO THE WYOMING BUSINESS COUNCIL

Whereas, the Carbon County Museum desires to submit a Community Development Planning Grant for Economic Development to the Wyoming Business Council for the purpose of funding Grading and Drainage Analysis for the new Carbon County Museum facility and parking lot. It will also fund a final site plan; and

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

Section 1. That a Community Development Planning Grant for Economic Development requesting grant funding in the amount of \$25,000 with a match of \$20,000 be submitted to the Wyoming Business Council for the purpose of funding grading and drainage analysis for the new Carbon County Museum facility and parking lot, and site plan.

Section 2. That the Chair of the Carbon County Commissioners, be, and he is hereby designated as the authorized representative of Carbon County to act on behalf of the Governing Body on all matters relating to this grant application.

PASSED AND APPROVED, this 4th day of August, 2009.

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

Attest:

-s- Gwynn G. Bartlett, County Clerk

Clerk Bartlett advised she has received the completed application and is in the process of reviewing it.

Smoking at County Buildings

Clerk Bartlett presented a memo she drafted at the request of the BOCC regarding smoking outside the Courthouse and Carbon Building. She advised the designated areas were provided by Leroy Graham, Buildings Manager.

Commissioner Paxton moved to approve the memo dated August 4, 2009 declaring specific areas for smoking in and out of the Courthouse and Carbon Building to Elected Officials, Department Heads, Carbon Building and Courthouse Tenants and to authorize the Board's signature on the memo. Commissioner Young seconded and the motion carried unanimously.

Lease Agreement

Clerk Bartlett presented a Lease Agreement for the Wyoming Department of Transportation for Commercial Driver License examination and testing on County owned land between the Jail and the Fairgrounds. She stated both Attorney DeLancey and Mr. Graham have reviewed the lease and recommend approval.

Commissioner Young moved to approve the Lease Between Board of Carbon County and the Wyoming Department of Transportation for the Wyoming Department of Transportation to lease the westerly portion of a tract of land located in the N1/2 of Section 16, T21N, R87W of the 6th P.M., land between the Jail and Fairgrounds for the purpose of conducting Commercial Driver License (C.D.L.) examination, for a term commencing August 1, 2009 terminating on July 31, 2012, payment to the County in the amount of \$1,200.00 per year with rent paid in advance, on or before the first day of each year. Commissioner Paxton seconded and the motion carried unanimously.

County Health Officer

Commissioner Young reported he spoke with V. Raja Chandra, M.D. regarding his duties and pay as the County Health Officer. The BOCC asked Clerk Bartlett to schedule Dr. Chandra on a future agenda to work out the details of a contract with him.

Dixon Airport Grant Agreement

Clerk Bartlett presented a grant agreement of Federal funds to install Weather Reporting Equipment (AWOS) – Phase II at the Dixon Airport. She stated Attorney DeLancey has reviewed the agreement and recommends approval.

Commissioner Paxton moved to approve the Grant Agreement from the United States of America (acting through the Federal Aviation Administration, herein called the FAA), Project Number 3-56-0038-11, Contract Number DOT-FA09NM-1142, DUNS 097138838, to Install Weather Reporting Equipment (AWOS) – Phase II at the Dixon Airport, maximum obligation of the United States shall be \$101,307.00. Commissioner Young seconded and the motion carried unanimously.

Dixon Airport – Contract

Clerk Bartlett presented a contract prepared by the Airport Development Group for Scherer Construction LLC for improvements to the Dixon Airport. She stated Attorney DeLancey has reviewed the contract and recommends approval.

Commissioner Young moved to approve the Contract for Improvements to Dixon Airport, Dixon, Wyoming, Project No. 3-56-0038-2009-CC01 dated July 10, 2009 between Carbon County and Scherer Construction, LLC, for improvements to Dixon Airport under Project No. 3-56-0038-2009-CC01, Schedule I, Alternate 1, with a total estimated cost to be \$232,953.54. Commissioner Paxton seconded and the motion carried unanimously.

ELECTED OFFICIALS / DEPARTMENT HEADS

Attorney

Attorney DeLancey presented an agreement she prepared between U.S. Mechanical, LLC and Carbon County to install the boiler in the Jail.

Commissioner Paxton moved to approve the agreement between Carbon County and U.S. Mechanical, LLC for boiler work at the Jail in the amount of \$79,921.00, contingent on successful completion by U.S. Mechanical, LLC of paperwork with the State of Wyoming. Commissioner Young seconded and the motion carried unanimously.

Attorney DeLancey advised she has a copy of a resolution for zoning moratorium on the establishment of sexually oriented businesses and asked the BOCC to review the resolution for action at their next meeting. Attorney DeLancey stated this resolution is for the County jurisdiction only.

Buildings Manager

Leroy Graham, Buildings Manager reported the Fair multipurpose building will be delivered approximately August 17th and final payment will be due at that time.

Commissioner Paxton moved to authorize the Clerk to make final payment on the Fair multipurpose building to be erected on the Fairgrounds. Commissioner Young seconded and the motion carried unanimously.

Mr. Graham reported he and the Airport Development Group are working with the Wyoming Department of Transportation regarding the property line of the south side of the Dixon Airport where a fence is located. He added that Mod Space will coordinate with Scherer Construction for delivery of the building the County will purchase to put at the Dixon Airport. Mr. Graham stated it will cost approximately \$5,000.00 for a well at the Dixon Airport.

Clerk of District Court

Clerk of District Court, Lindy Glode, reported she attended the National Association of Counties (NACO) conference recently. She discussed a prescription discount card plan that NACO offers and the BOCC asked her to follow up on this by speaking to local pharmacies to see if they would honor the program.

Sheriff

Loretta Weems presented the Fiscal Year 2010 VAWA Contract and added that Attorney DeLancey has approved the contract.

Commissioner Paxton moved to approve the Fiscal Year 2010 VAWA Contract for Services to Victims of Crime Between Division of Victim Services and Carbon County Sheriff's V/W Program for a term of one year ending June 30, 2010 in the maximum amount of \$23,283.00. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to approve the WyoLink Membership Agreement between Carbon County Sheriff's Office and the State of Wyoming, by the Wyoming Public Safety Communications Commission for the purpose of a multisite dedicated public safety wireless communications system. Commissioner Young seconded and the motion carried unanimously.

Assessor

County Assessor Sheryl Snider presented the mill levy worksheet for Fiscal Year 2010. Assessor Snider reported the State of Wyoming will be purchasing computer hardware for the Wyoming County Assessors and added that the existing workstations will be County property and Matt Webster, IT Director would be using those within the County. Assessor Snider presented a contract with Thomas Y. Pickett and stated Attorney DeLancey has reviewed and approved it.

Commissioner Paxton moved to approve the Mill Levy Worksheet as presented by the County Assessor and to authorize the Commissioners signature on the document. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to approve the contract between T.Y. Pickett and Company and Carbon County in the amount of \$40,300.00 per year for a term of two years expiring July 1, 2011 for industrial appraisal services. Commissioner Young seconded and the motion carried unanimously.

Planning

Steven Brown, County Planner presented three final applications for the open Planner I position in his office. The BOCC stated that the BOCC, the Planning & Zoning Chairman, and others be involved with interviews of these individuals via telephone and asked Mr. Brown to schedule these interviews.

Mr. Brown requested and received authorization to attend a Western Planner Conference in September.

Emergency Management

John Zeiger, Emergency Management Coordinator, reported that Federal Emergency Management Agency (FEMA) approved the multi-jurisdictional Carbon County Multi-Hazard Mitigation Plan. He mentioned that he will be reorganizing the Local Emergency Planning Committee.

Mr. Zeiger stated that he has some concerns in the Saratoga area about the response of the South Central Emergency Medical Service Joint Powers Board (JPB). The BOCC asked Mr. Zeiger to contact that JPB directly.

County Fire Department

Larry Trapp of the County Fire Department discussed a rescue unit he would like to lease/purchase to put in service in the Elk Mountain area. He stated while working on the specifications he found a 2008 truck that is already built that could be slightly modified to satisfy his requirements. He received a quote from Wynn Fire Equipment for the truck plus additions for \$121,950.00 plus shipping of \$3,000.00. He stated this truck is much less expensive than a new truck being built would cost.

Commissioner Paxton moved to approve the lease/purchase of a 2008 GMC 5500 rescue truck from Wynn Fire Equipment, LLC for the Carbon County Fire Department at Elk Mountain in the amount of \$124,950.00 including delivery. Commissioner Young seconded and the motion carried unanimously.

Mr. Trapp stated that he has determined the old 1984 Ford F800 water tender from the Carbon County Fire Department at Muddy Gap is worth approximately \$4,500.00. Commissioner Paxton stated that the truck could possibly be used as a backup to the Encampment Fire Department as well as use by the Lion's Club at the arena in Encampment. He stated he will investigate this and report back at a future meeting.

Road & Bridge

Bill Nation, Road & Bridge Superintendent, reported the sealed bid submitted at a previous meeting by A&D Oilfield Dozers, Inc. in the per mile amount was incorrect but the total amount of \$335,598.00 was correct and therefore recommended accepting this low bid noting Congestion

Mitigation Air Quality (CMAQ) grant funds would cover \$170,000.00 of this and he would use \$165,598.00 of road funds for work on the Dad/Wamsutter Road. Mr. Nation presented the CMAQ award and reported it was reviewed by Attorney DeLancey.

Commissioner Paxton moved to accept the low bid from A&D Oilfield Dozers, Inc. in the amount of \$335,598.00 and to approve the Agreement for Services between Carbon County and A&D Oilfield Dozers, Inc. for Congestion Mitigation Air Quality grant funds to cover \$170,000.00 of this with \$165,598.00 from road funds for work on the Dad/Wamsutter Road. Commissioner Young seconded and the motion carried unanimously.

Mr. Nation reported that he is taking advantage of the Wyoming Department of Transportation's hot mix projects they are doing throughout the County as well as utilizing recycled asphalt product in various areas. Mr. Nation discussed a road in the Ryan Park area and the possibility it may become a County road in the future.

Jon Anderson of PMPC Engineering reported that construction is approximately 50% complete on the Sinclair Bypass Project and he presented a funding status report.

MEMORANDUM OF UNDERSTANDING – TOWN OF HANNA

Town of Hanna Councilman Richard Fowler discussed the Memorandum of Understanding (MOU) Between the Town of Hanna, Wyoming and Board of Commissioners of the County of Carbon, Wyoming for Extraterritorial Fire Protection Services. The BOCC asked Dwight France to comment on the proposed MOU by the next meeting.

PLANNING & ZONING / PLANNING & DEVELOPMENT

Steven Brown presented an agreement pertaining to infrastructure at the Old Baldy Subdivision and noted Attorney DeLancey has reviewed the agreement.

Commissioner Paxton moved to approve the Subdivision Agreement between Old Baldy Corporation and the Board of Carbon County Commissioners of Carbon County for infrastructure related to the Old Baldy Subdivision regarding Planning & Zoning Case File No. 09-05. Commissioner Young seconded and the motion carried unanimously.

Public Hearing Case File No. 09-06

Chairman Weickum opened a public hearing at 11:40 a.m. to hear Planning & Zoning Case File No. 09-06. Troy Maddox, Planning & Zoning Chairman, and Steven Brown presented the following Case File: **Case File No. 09-06 – Old Baldy Club:** Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-40000) Zone on the Old Baldy Village Ninth Addition Final Plat. The RD Zone allows primarily residential activities. The subdivision contains eight (8) lots and contains approximately 14.072 acres. The density being one (1) single-family dwelling unit and associated structures permitted on each lot.

Chairman Weickum called for comments for or against this case. There being no comments, Chairman Weickum closed the public hearing at 11:41 a.m.

Commissioner Young moved to approve Planning & Zoning Case File No. 09-06 Old Baldy Club's request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-40000) Zone on approximately 14.072 acres, subject to the conditions outlined by the Planning & Zoning Commission in the amended Exhibit A. Commissioner Paxton seconded and the motion carried unanimously.

Commissioner Young moved to approve Resolution No. 2009-23, 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. 09-06. Commissioner Paxton seconded and the motion carried unanimously.

Resolution No. 2009 - 23

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 a special public hearing on Monday, June 15, 2009, 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 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 Tuesday, August 4, 2009; 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 #09-06 – Old Baldy Club (Owner): Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-40000) on approximately 14.072 acres located in the “Old Baldy Village Ninth Addition”. The “Old Baldy Village Ninth Addition” consists of eight (8) lots and contains 14.072 acres, more or less. The RD Zone allows primarily residential activities. The applicant intends to sell the eight lots to future homeowners. The subject property is located approximately 1 mile east of Saratoga on Carbon County Road #504 (Pic Pike Road).

Legal Description: A tract of land to be known as the Old Baldy Village Ninth Addition which is located in the NW¼ and NE¼ Section 18, Township 17 North, Range 83 West of the 6th Principal Meridian, Carbon County, Wyoming, being more completely described as follows: Beginning at a point which bears S41°13'26"E, 193.24 ft. from the N¼ corner of said Section 18; Thence S25°12'32"W, 322.24 ft. to a point that is 40 ft. Easterly of and parallel with the edge of the fairway; Thence S42°46'09"W, 204.80 ft., 40 ft. Easterly of and parallel with the edge of the fairway; Thence S24°35'43"W, 97.29 ft., 40 ft. Easterly of and parallel with the edge of the fairway; Thence S10°43'29"W, 148.76 ft., 40 ft. Easterly of and parallel with the edge of the fairway; Thence S59°52'32"E, 105.93 ft. to a point; Thence S78°32'56"E, 217.64 ft. to a point on the Westerly right of way of Dakota Drive; Thence S68°29'58"E, 60.34 ft. to a point on the Easterly right of way of Dakota Drive; Thence S15°37'15"W, 109.21 ft., along the Easterly right of way of Dakota Drive, to the beginning of a curve to the left; Thence along said curve to the left and the Easterly right of way of Dakota Drive, an arc length of 74.52 ft. on a radius of 407.34 ft. through a central angle of 10°28'54" with a chord bearing and distance of S10°22'49"W, 74.41 ft. to a point; Thence S4°14'45"W, 101.68 ft. along the Easterly right of way of Dakota Drive to the beginning of a curve to the right; Thence along said curve to the right and the Easterly right of way of Dakota Drive, an arc length of 129.27 ft. on a radius of 1445.50 ft. through a central angle of 05°07'26" with a chord bearing and distance of S06°48'28"W, 129.23 ft. to a point; Thence N88°32'44"E, 364.28 ft. to a point; Thence N10°09'01"E, 328.25 ft. to a point; Thence N18°53'48"E, 562.34 ft. to a point 100 ft. Southwesterly of the Pic Pike Carbon County Road #504 Southerly right of way; Thence N57°59'38"W, 529.06 ft., 100 ft. Southwesterly of and parallel with the Southerly right of way of said Pic Pike Carbon County Road #504 to a point on the Easterly right of way of Dakota Drive; Thence N58°03'55"W, 66.72 ft. to a point 100 ft. Southwesterly of the Pic Pike Carbon County Road #504 Southerly right of way; Thence N65°11'49"W, 54.85 ft., 100 ft. Southwesterly of and parallel with the Southerly right of way of said Pic Pike Carbon County Road #504 to the point of beginning, said Addition containing 14.072 acres, more or less.

Density-RD:

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 1.217 acres (RD-40000)
- Lot 2 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 1.330 acres (RD-40000)
- Lot 3 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 1.028 acres (RD-40000)
- Lot 4 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 2.103 acres (RD-40000)
- Lot 5 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 1.806 acres (RD-40000)
- Lot 6 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 1.630 acres (RD-40000)
- Lot 7 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 1.713 acres (RD-40000)
- Lot 8 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 2.211 acres (RD-40000)
- Road R/W:** Road R/W is 1.034 acres

Access:

Carbon County Road #504 (Pic Pike Road) provides access to the subject property.

Water, Septic, and Electricity:

The applicant has secured an assurance from the Town of Saratoga regarding a water supply for the subject properties and the placement of necessary lines and taps. A centralized sewer system will be developed and approved through the Wyoming Department of Environmental Quality. 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 existing zone shall be changed from Ranching, Agriculture, Mining (RAM) to Residential (RD-40000) on approximately 14.072 acres located in the “Old Baldy Village Ninth Addition” .

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 4th day of August 2009.

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 Bartlett, Carbon County Clerk

Public Hearing Case File No. 09-05

Chairman Weickum opened a public hearing at 11:45 a.m. to hear Planning & Zoning Case File No. 09-05. Mr. Maddox and Mr. Brown presented the following: **Case File No. 09-05 – Old Baldy Village Ninth Addition Final Plat – Old Baldy Club (Owners):** Request for the Final Plat of the Old Baldy Village Ninth Addition located in the NW1/4 and NE1/4 Section 18, Township 17 North, Range 84 West of the 6th Principal Meridian, Carbon “County, Wyoming. The current zoning district is Ranching, Agriculture, Mining (RAM). The Old Baldy Village Ninth Addition encompasses approximately 14.072 acres and will contain residential activities.

Chairman Weickum called for comments for or against this case. There being no comments, Chairman Weickum closed the public hearing at 11:46 a.m.

Commissioner Paxton moved to approve Planning & Zoning Case File No. 09-05 Old Baldy Club’s request for the Final Plat of the Old Baldy Village Ninth Addition, on approximately

14.072 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. 2009-24, 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. 09-05. Commissioner Paxton seconded and the motion carried unanimously.

Resolution No. 2009 - 24

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 a public hearing on July 6, 2009, which said hearing was advertised by public notice within forty-five (45) 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 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 August 4, 2009; 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 #09-05 – Old Baldy Club “Old Baldy Village Ninth Addition”: Request for the **FINAL PLAT** of the “Old Baldy Club Village Ninth Addition” located in the NW¼ and NE¼ Section 18, Township 17 North, Range 83 West of the 6th Principal Meridian, Carbon County, Wyoming. The current zoning district is Ranching, Agriculture, Mining (RAM). The “Old Baldy Village Ninth Addition” encompasses approximately 14.072 acres and contains eight (8) lots with residential activities. The applicant is applying for a zone change request (See Case #09-06) from RAM to Residential (RD-40000). The RD Zone allows primarily residential activities. The subject property is located approximately 1 mile east of Saratoga on Carbon County Road #504 (Pic Pike Road).

The applicant is applying and requesting a zone change request (See Case #09-06) to comply with the Carbon County Zoning Resolution of 2003 Amended 01-06-2004. The zone change request is from Ranching, Agriculture, Mining (RAM) to Residential (RD-40000) Zone (Lots 1-8) encompassing a total of approximately 14.072 acres. The density being one (1) single-family dwelling unit and associated structures permitted on each lot (Lots 1-8) located in the “Old Baldy Village Ninth Addition”. Lot sizes vary from 1.028 to 2.211 acres. The applicant intends to sell the individual lots to future homeowners.

Legal Description: A tract of land to be known as the Old Baldy Village Ninth Addition which is located in the NW¼ and NE¼ Section 18, Township 17 North, Range 83 West of the 6th Principal Meridian, Carbon County, Wyoming, being more completely described as follows: Beginning at a point which bears S41°13'26"E, 193.24 ft. from the N¼ corner of said Section 18; Thence S25°12'32"W, 322.24 ft. to a point that is 40 ft. Easterly of and parallel with the edge of the fairway; Thence S42°46'09"W, 204.80 ft., 40 ft. Easterly of and parallel with the edge of the fairway; Thence S24°35'43"W, 97.29 ft., 40 ft. Easterly of and parallel with the edge of the fairway; Thence S10°43'29"W, 148.76 ft., 40 ft. Easterly of and parallel with the edge of the fairway; Thence S59°52'32"E, 105.93 ft. to a point; Thence S78°32'56"E, 217.64 ft. to a point on

the Westerly right of way of Dakota Drive; Thence S68°29'58"E, 60.34 ft. to a point on the Easterly right of way of Dakota Drive; Thence S15°37'15"W, 109.21 ft., along the Easterly right of way of Dakota Drive, to the beginning of a curve to the left; Thence along said curve to the left and the Easterly right of way of Dakota Drive, an arc length of 74.52 ft. on a radius of 407.34 ft. through a central angle of 10°28'54" with a chord bearing and distance of S10°22'49"W, 74.41 ft. to a point; Thence S4°14'45"W, 101.68 ft. along the Easterly right of way of Dakota Drive to the beginning of a curve to the right; Thence along said curve to the right and the Easterly right of way of Dakota Drive, an arc length of 129.27 ft. on a radius of 1445.50 ft. through a central angle of 05°07'26" with a chord bearing and distance of S06°48'28"W, 129.23 ft. to a point; Thence N88°32'44"E, 364.28 ft. to a point; Thence N10°09'01"E, 328.25 ft. to a point; Thence N18°53'48"E, 562.34 ft. to a point 100 ft. Southwesterly of the Pic Pike Carbon County Road #504 Southerly right of way; Thence N57°59'38"W, 529.06 ft., 100 ft. Southwesterly of and parallel with the Southerly right of way of said Pic Pike Carbon County Road #504 to a point on the Easterly right of way of Dakota Drive; Thence N58°03'55"W, 66.72 ft. to a point 100 ft. Southwesterly of the Pic Pike Carbon County Road #504 Southerly right of way; Thence N65°11'49"W, 54.85 ft., 100 ft. Southwesterly of and parallel with the Southerly right of way of said Pic Pike Carbon County Road #504 to the point of beginning, said Addition containing 14.072 acres, more or less.

Density-RD:

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 1.217 acres (RD-40000)
- Lot 2 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 1.330 acres (RD-40000)
- Lot 3 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 1.028 acres (RD-40000)
- Lot 4 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 2.103 acres (RD-40000)
- Lot 5 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 1.806 acres (RD-40000)
- Lot 6 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 1.630 acres (RD-40000)
- Lot 7 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 1.713 acres (RD-40000)
- Lot 8 – Density:** One (1) single-family dwelling and associated structures are permitted on approximately 2.211 acres (RD-40000)
- Road R/W:** Road R/W is 1.034 acres

The applicant also applied for a zone change (See Case #09-06) 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-40000) encompassing a total of approximately 14.072 acres.

Access:

Carbon County Road #504 (Pic Pike Road) provides access to the subject property.

Water, Septic, and Electricity:

The applicant has received a commitment from the Town of Saratoga regarding a water source and the placement of necessary lines and taps. A centralized sewer system will be developed and approved through the Wyoming Department of Environmental Quality. 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.

Staff Conditions:

1. **CARBON COUNTY SUBDIVISION REGULATIONS:** The Old Baldy Village Ninth Addition must conform to Section 4.00 et. seq. of the Carbon County Subdivision Regulations, as amended.
2. **CERTIFICATIONS:** All certifications on the original plat must be signed, attested, acknowledged, and recorded.
2. **FUTURE DEVELOPMENT:** The subject property (Lots 1-8 located in the Old Baldy Village Ninth Addition) cannot be further subdivided.
3. **DENSITY:** Residential development of the subject property is one (1) single-family residence and associated structures on each lot (Lots 1-8) located in the Old Baldy Village Ninth Addition.

4. CONSTRUCTION: All construction should conform to the International Building Code (IBC) or “HUD code” with frost protected foundations and adequate snow and adequate wind loads roof construction.

6. APPLICABLE PERMITS: Any building construction on the subject property will require an application for building permit(s) and a zoning certificate (Carbon County Zoning Resolution of 2003 Sections 6.3, 6.4, et. al.).

7. UTILITIES & POWER LINES: Before construction and digging, the applicant will call the local utility companies regarding the locations of the underground utility connections/lines. The applicant will work with the local utilities companies for all and any utility connections and the locations of underground utility connections. Power lines must be located underground to protect the view shed.

8. COMPLIANCE WITH APPLICABLE LAWS: The applicants shall comply with all federal, state, county, and local regulations.

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 4th day of August, 2009.

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 Bartlett, Carbon County Clerk

Public Hearing Case File No. 09-07

Chairman Weickum opened a public hearing at 11:50 a.m. to hear Planning & Zoning Case File No. 09-07. Mr. Maddox and Mr. Brown presented the following Case File: **Case File No. 09-07 – Williams Field Services Company, LLC**: Request for a Variance from Ranching, Agriculture, Mining (RAM) Zone on approximately 34.44 acres. The request is to vary the setback requirements from the required 40 feet (40’) to 3 feet (3’) due to topography and vegetation constraints and the locations of the existing buildings in relation to the oil and gas industry.

Chairman Weickum called for comments for or against this case. Erin Winter stated the main driver for the warehouse is that there is nowhere else to build the facility. There being no further comments, Chairman Weickum closed the public hearing at 11:54 a.m.

Commissioner Paxton moved to approve Planning & Zoning Case File No. 09-07 Williams Field Services Company LLC’s request for a Variance in a Ranching, Agriculture, Mining (RAM) Zone on approximately 34.44 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. 2009-25, 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. 09-07. Commissioner Paxton seconded and the motion carried unanimously.

Resolution No. 2009 - 25

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 a public hearing on July 6, 2009, 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 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 August 4, 2009; 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 as amended.

(1) Case File #09-07 – Williams Field Services Company, LLC: Request for a Variance in a Ranching, Agriculture, Mining (RAM) Zone on approximately 34.44 acres. The request is to vary the setback requirements from the required 40 feet (40') to 3 feet (3') due to topography and vegetation constraints and the locations of the existing buildings in relation to the oil and gas industry. The subject property is located at Exit 184 off I-80; 8 miles south of Wamsutter.

Legal Description:

EXHIBIT A – LEGAL DESCRIPTION:

The following described real property situated in the County of Carbon, State of Wyoming: A parcel of land lying within the South Half of Section 1, Township 19 North, Range 93 West, of the Sixth Principal Meridian in the County of Carbon, State of Wyoming, being described as follows: Commencing at the Southwest Corner of said Section 1, thence North 79°59'32" East, 3654.51 feet to the true point of beginning; thence North 87°59'22" East, 300.00 feet; thence North 1°58'56" West, 1000.00 feet; thence South 87°59'22" West, 300.00 feet; thence South 1°58'56" East, 1000.00 feet to the point of beginning. The above described parcel of land contains 6.89 acres more or less.

EXHIBIT B – LEGAL DESCRIPTION:

The following described real property situated in the County of Carbon, State of Wyoming: A parcel of land lying in the East half of the Southwest quarter and the West half of the Southeast quarter of Section 1, Township 19 North, Range 93 West, 6th P.M., Carbon County, Wyoming, said property being more particularly described as follows: Beginning at a point located in the Southeast quarter of the Southwest quarter of Section 1, Township 19 North, Range 93 West; said point bears North 76°07'10" East, a distance of 2471.82 feet from the Southwest corner of said Section 1; Thence North 1°58'56" West, a distance of 1000.00 feet; Thence North 87°59'22" East, a distance of 1200.00 feet; Thence South 1°58'56" East, a distance of 1000.00 feet; Thence South 87°59'22" West, a distance of 1200.00 feet to the point of beginning. The above described parcel of land contains 27.55 acres more or less.

Density:

Pursuant to the recommendations of the Carbon County Planning and Zoning Commission, the density is as follows:

- None (Variance Request for setbacks in a RAM Zone)

Access:

The project site is located off Interstate 80 (I-80) at Exit 184 and is approximately eight (8) miles south of Wamsutter. A Bureau of Land Management (BLM) access permit, a Wyoming Department of Transportation (WYDOT) access permit, and recorded access road agreements and easements provide access to the subject property.

Electricity, Water, and Sewer:

Electricity, water, and sewer exist on the subject property.

Staff Conditions:

1. **CARBON COUNTY ZONING REGULATIONS:** All development must be in conformance with restrictions as stated in Section 4.2 et. al. of the Carbon County Zoning Resolution of 2003 Amended 01/06/04.
2. **FUTURE DEVELOPMENT:** The subject property (34.44 acres) cannot be further subdivided. Any future development proposals for the subject property may require review and approval of the Carbon County Planning and Development Department and/or the Planning Commission.
3. **B.O.C.C. APPROVAL:** This variance request is conditional upon the approval by the Carbon County Board of County Commissioners (BOCC).
4. **CONSTRUCTION:** All construction should conform to the International Building Code (IBC) or "HUD Code" with frost protected foundations and adequate snow and adequate wind loads roof construction.
5. **APPLICABLE PERMITS:** Any building construction on the subject property will require an application for building permit(s) and a zoning certificate (Carbon County Zoning Resolution of 2003 Sections 6.3, 6.4, et. al.).
6. **COMPLIANCE WITH APPLICABLE LAWS:** The applicants shall comply with all federal, state, county, and local regulations and obtain applicable permits.

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 4th day of August, 2009.

BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING

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

Attest:
Gwynn Bartlett, Carbon County Clerk

Certification of Case Files No. 09-10 and Case File No. 09-12

Mr. Maddox and Mr. Brown presented the Certification of Recommended Action for Case File No. 09-10 and No. 09-12.

Commissioner Paxton moved to schedule public hearings for September 1, 2009 at 1:30 p.m. at the County Courthouse in Rawlins, Wyoming to hear Case File No. 09-10, William R. Lake and Dixie Lee Baldwin's request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-40) on approximately 40 acres and for Case File No. 09-12, Scott and Rhonda Herold's request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-3.198) on approximately 3.198 acres. Commissioner Young seconded and the motion carried unanimously.

Brush Creek Ranch

Commissioner Paxton asked if the Brush Creek Ranch has secured building permits for the work they are doing at their ranch and he asked Mr. Brown to look into this.

Sexually Oriented Businesses

Attorney DeLancey discussed a resolution for a zoning moratorium on the establishment of sexually oriented businesses that the Planning Commission recommends for action by the BOCC and asked that a public hearing be set to hear this to provide opportunity for public comment.

Commissioner Young left the meeting at 12:05 p.m.

Commissioner Paxton moved to schedule a public hearing to discuss a resolution regarding a moratorium on sexually oriented business for September 1, 2009 at 1:45 p.m. at the County

Courthouse in Rawlins, Wyoming. Chairman Weickum seconded and the motion carried unanimously. Commissioner Young was not present for the vote.

Commissioner Young returned at 12:06 p.m.

ADJOURNMENT

There being no further business, Chairman Weickum adjourned the meeting at 12:15 p.m.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 18th day of August 2009

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Terry Weickum, Chairman