

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, June 2, 2009
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, June 2, 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 9:05 a.m.

VOUCHERS

Commissioner Young moved to approve the report of expenditures in the amount of \$736,963.21. Commissioner Paxton seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
AIR TEMPERATURE CONTROL	FURNACE DOWN PMT, FINAL PMT	\$4,356.78
AIRPORT LIGHTING EQUIPMENT CO	PARTS	\$224.25
ALCO	OFFICE SUPPLIES	\$96.24
ALSCO, AMERICAN LINEN DIVISION	SHOP SUPPLIES	\$149.33
AMERIGAS	PROPANE	\$1,560.31
AVAYA, INC	SERVICE AGREEMENTS	\$98.01
BANK OF COMMERCE (ACH)	LOAN PAYMENTS	\$212,262.75
BANK OF THE WEST-LEASE PMT	TELEPHONE SYSTEM PAYMENT	\$72,354.44
BARTLETT, SUE RN	MILEAGE, MEALS	\$259.83
BOYS & GIRLS CLUBS OF CARBON CTY	4TH QUARTER PAYMENT	\$6,250.00
BRESNAN COMMUNICATIONS	CABLE SERVICE	\$76.02
BUILD RITE LUMBER SUPPLY	NOZZLE & HOSE	\$32.47
BUSEY, SHARALEE	MILEAGE	\$40.50
C & B SAND & GRAVEL	#8519-ROAD BASE	\$1,035.60
C & D FABRICATION	BORE HOLE	\$55.00
CAPITOL COMMUNICATIONS	INSTALLATION, VPN SETUP	\$573.92
CARBON CTY CHILD DEVELOPMENT CTR	4TH QUARTER PAYMENT	\$1,875.00
CARBON CTY COOPERATIVE EXTENSION	SUPPLIES, MTG FEES	\$134.95
CARBON CTY ECONOMIC DEVELOPMENT	4TH QUARTER PAYMENT	\$8,750.00
CARBON COUNTY FAIR ASSOCIATION	FAIR TROPHYS	\$45.00
CARBON COUNTY TREASURER	MEALS, MILEAGE, PSTGE, JURY	\$6,449.42
CARBON CTY VETERINARY HOSPITAL	LADY-SHOTS	\$33.99
CARBON POWER & LIGHT INC	ELECTRICAL SERVICE	\$936.89
CBM FOOD SERVICE	JAIL FOOD	\$3,143.60
CDW GOVERNMENT, INC.	PRINTER, MULTI-FUNCTION MACH	\$1,578.87
CENTURYTEL	PHONE SERVICE	\$204.47
CESKO, DAVID MD	MEDICAL SERVICES	\$1,350.00
COAST TO COAST SOLUTIONS	FINGERPRINTING PADS, BAGS	\$1,219.93
COMPLETE WIRELESS TECHNOLOGIES	PARTS & REPAIRS, CHARGERS	\$665.00
CORPORATE EXPRESS	OFFICE SUPPLIES	\$723.67
CSK AUTO, INC.	WIPER BLADES	\$9.48
DAILY TIMES	ADVERTISING	\$2,873.32
DALLIN MOTORS INC	VEHICLE REPAIRS	\$860.58
DAYS INN-THERMOPOLIS	ROOMS	\$280.00
DEEP SWEEP INC.	CLEAN & REFINISH FLOORS	\$350.00
DELUXE BUSINESS CKS & SOLUTIONS	CHECKS & BINDERS	\$133.90
EAGLE UNIFORM SUPPLY	MATS	\$125.59
ENCAMPMENT STUDENT COUNCIL	SPORTS CALENDAR AD	\$100.00
FEDEX	POSTAGE	\$17.65
FREMONT MOTORS-RAWLINS	PARTS & REPAIRS, NEW TRUCK	\$23,940.68
FREUDENTHAL, & BONDS, PC	LEGAL SERVICES	\$1,500.00
FSH COMMUNICATIONS	PAYPHONE SERVICE	\$70.00
GALE, GWEN R.N.	MILEAGE	\$101.00
GAMBLIN, SONIA	LOVE & LOGIC CLASSES	\$300.00

GAMBLIN, THOM	LOVE & LOGIC CLASSES	\$300.00
GASES PLUS	TOWELS	\$73.46
GOLDEN, MARY	MEALS	\$164.44
GOSVENOR, MAXINE	MILEAGE	\$32.00
HETTGAR, BRIDGET M RN	MILEAGE	\$195.50
HILLCREST SPRING WATER, INC.	EQPT RENTAL, SUPPLIES	\$62.75
HILLTOP CONOCO	FUEL	\$79.68
HILLTOP TIRE LUBE & DETAIL	TIRE REPAIRS	\$14.50
HOLIDAY INN - CHEYENNE	ROOM	\$130.00
HONES VETERINARY SERVICE, LLC	MEDICAL SERVICES FOR LOBO	\$37.70
IKON OFFICE SOLUTIONS	COPIER PAPER, COPIER RENT	\$1,557.50
IMPROVE GROUP INC.	SPACESAVER	\$12,789.49
J H KASPAR OIL COMPANY	FUEL, OIL	\$357.23
JACKALOPE PRINTING	BOOKLETS, OFFICE SUPPLIES	\$689.99
JERRY S DONUTS	SUPPLIES	\$35.96
KAR KRAFT INC	VEHICLE PARTS & REPAIRS	\$162.59
KENCO SECURITY AND TECHNOLOGY	ALARM MONITORING	\$34.00
KILBURN TIRE COMPANY	TIRE REPAIR	\$26.95
LIVE STORES	ENGEL COOLERS	\$191.96
LONG BUILDING TECHNOLOGIES, INC.	AC COMPRESSER, REPAIRS, PTS	\$10,612.44
LOVE, LUCY	MILEAGE	\$203.00
MACPHERSON, KELLY & THOMPSON, LLC	TRAINING	\$1,427.45
MEDICINE BOW CONSERVATION DIST	4TH QUARTER PAYMENT	\$5,000.00
MEDICINE BOW HEALTH CENTER	4TH QUARTER PAYMENT	\$21,600.00
MEDICINE BOW, TOWN OF	WATER & SEWER	\$53.00
MEMORIAL HOSPITAL	BLOOD WORK & TEST, PAYMENT	\$11,390.50
MEMORIAL HOSPITAL OF CARBON CTY	4TH QUARTER PMT	\$2,250.00
MIKESELL, CECELIA	MOMMY MATTERS CAKE	\$17.00
MOELLER, MARIE	CLEANING SERVICES	\$144.00
MOORE MEDICAL CORP.	SANITIZER, MEDICAL SUPPLIES	\$931.34
MOTOROLA	RADIO	\$3,812.73
MPM CORP / EVERGREEN DISPOSAL	GARBAGE SERVICES	\$85.00
MURANE & BOSTWICK, LLC.	CC ZONING ISSUES	\$2,786.54
MY AUTOMOTIVE, INC.	PARTS & REPAIRS	\$431.06
NAUTILUS GSA	DUMBBELL SET	\$449.00
OLD PENITENTIARY JOINT POWERS BD	4TH QUARTER PAYMENT	\$5,000.00
PACKARD, CHANTEL	MILEAGE	\$135.00
PAGE ONE	PAGER SERVICE	\$275.57
PHILLIPS 66-CONOCO-76	FUEL	\$491.53
PIONEER MILL & CONSTRUCTION INC.	DOWN PMT/FAIR GROUNDS BLDG	\$62,536.80
PITNEY BOWES	RENTAL CHARGES	\$271.00
PLAINSMAN PRINTING & SUPPLY	PAPER	\$142.44
PLATTE VALLEY COMMUNITY CENTER	4TH QUARTER PAYMENT	\$5,000.00
PRAIRIE DOG ELECTRIC, LLC	ELECTRICAL REPAIRS	\$699.34
PRO-CHEM INDUSTRIAL, LLC	LAUNDRY SUPPLIES	\$517.54
PROJECT PREVENTION	AD, MEALS, MEETING, WAGES	\$1,705.86
PUBLIC SAFETY CENTER, INC	HAND CLEANER	\$1,067.19
PUBLIC SAFETY WAREHOUSE	VESTS, SHIRTS	\$14,761.75
QUALITY LANDSCAPE	SPRINKLER START-UP & FERT	\$278.54
QUESTAR GAS	GAS SERVICE	\$114.44
QUILL CORPORATION	SUPPLIES, PRINTER CARTRIDGES	\$1,866.26
QWEST	PHONE LINES	\$304.98
QWEST-KENTUCKY	PHONE SERVICE	\$473.24
RASMUSSEN FURNITURE	ELECTRIC COOK STOVE	\$454.95
RAWLINS AUTOMOTIVE	BATTERY, PARTS, SCREWDRIVER	\$278.81
RAWLINS CARBON CTY AIRPORT BD	4TH QUARTER PAYMENT	\$7,500.00
RAWLINS GLASS	PLEXI GLASS	\$96.46
RAWLINS URGENT CARE	MEDICAL SERVICES	\$153.00
RAWLINS, CITY OF	WATER & SEWER	\$1,260.45
RIVERTON FIRE DEPT.	FIRE PRO TRAINING & EDUCATION	\$990.00
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICE	\$4,362.40
ROSS AUTOMOTIVE	VEHICLE REPAIRS	\$289.46
SARATOGA AIRPORT BOARD	4TH QUARTER PAYMENT	\$1,875.00
SARATOGA AUTO PARTS, INC.	PARTS	\$235.55
SARATOGA FEED & GRAIN	SHEEP TAG/ TAG MARKING PEN	\$21.85

SARATOGA SUN	ADVERTISING, SUBSCRIPTION	\$1,886.38
SARATOGA, TOWN OF	JUNE 2009 LEASE PAYMENT	\$2,000.00
SARATOGA-ENCAMPMENT AMB SVC	H&W PR MENTAL HEALTH	\$2,500.00
SHEPARD CONSTRUCTION INC	WINDOWS & LABOR	\$27,370.00
SHEPARD'S	PARTS & LABOR	\$258.75
SNAKE RIVER PRESS	CLERK-SUBSCRIPTION	\$30.00
SOURCE GAS	FUEL	\$5,844.84
SOUTH CENTRAL WY EMS	H&W SOUTH CENTRAL WY EMS	\$60,000.00
SRIDHARAN, P V MD	MEDICAL SERVICES	\$155.00
STANLEY SECURITY SOLUTIONS	SERVICE EQUIPMENT	\$693.41
STATE OF WY (DEPT OF HEALTH)	4TH QTR PAYROLL-PH	\$36,864.73
STATE OF WYOMING (A&I)	MAINFRAME ACCESS	\$4.26
STROM, CALVIN	MEALS, ROOM	\$97.93
SWEETWATER CTY SHERIFF'S OFFICE	JUVENILE HOUSING	\$2,940.00
T S KEYS	SERVICE WEST & NORTH DOORS	\$30.00
TK S BUGS N STUFF	PEST CONTROL	\$80.00
TRADING POST	FUEL	\$50.30
TRIPLE XXX CONTRACTING, INC.	GARBAGE SERVICES-APR	\$50.00
TRUE VALUE OF RAWLINS	HARDWARE, LADDER, TRIMMER	\$315.81
UNION TELEPHONE COMPANY	CELL PHONE & PHONE SERVICE	\$701.01
UNITED SUPPLY OF THE ROCKIES, INC.	PARTS	\$524.69
VALLEY OIL COMPANY	FUEL	\$1,060.07
VAN'S WHOLESALE	PAPER GOODS, SUPPLIES	\$922.43
VERIZON WIRELESS	CELL PHONE SERVICE	\$258.27
VIP	DETAILING	\$160.00
WEST PAYMENT CENTER	SUBSCRIPTIONS	\$334.40
WILSON, MARGARET	SEWING	\$27.00
WIMPENNY, ROBERT G DDS	DENTAL SERVICES	\$300.00
WOODWARD & ASSOCIATES, INC.	CARPET & INSTALL	\$1,076.00
WY COUNTY COMMISSIONERS ASSOC	FY2010 WCCA MEMBERSHP DUES	\$10,792.00
WY DEPT OF FAMILY SERVICE	COPIES	\$22.68
WY LAW ENFORCEMENT ACADEMY	TRAINING	\$435.00
WY MACHINERY COMPANY	PARTS, LABOR	\$1,497.49
WY STATE FORESTRY	FY2010 PREMIUM	\$25,921.14
WY STATIONERY	SUPPLIES, ELECTRIC PUNCH	\$1,947.27
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	\$679.09
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICE	\$621.66
ZERO TO THREE BULLETIN	BULLETINS	\$24.99
GRAND TOTAL		\$736,963.21

CLERK

Minutes

Commissioner Paxton moved to approve the minutes of the May 19, 2009 regular meeting of the Board of Carbon County Commissioners as presented. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to approve the May 27 & 28, 2009 Budget Workshop of the Board of Carbon County Commissioners as presented. Commissioner Young seconded and the motion carried unanimously.

Monthly Receipts

Commissioner Young moved to accept fees collected from the Clerk of District Court for the month ending January 2009 in the amount of \$3,060.40, month ending February 2009 in the amount of \$4,791.23, month ending March 2009 in the amount of \$3,485.34 and month ending April 2009 in the amount of \$4,181.06, Road & Bridge receipts in the amount of \$100.00, Planning and Development receipts in the amount of \$550.00 for the month of May 2009, and Carbon County Clerk Statement of Fees Collected for the Month of May 2009 in the amount of \$23,716.00. Commissioner Paxton seconded and the motion carried unanimously.

Fireworks Permit Applications

Clerk Bartlett advised Dwight France has approved two fireworks permit applications for Medicine Bow Volunteer Fire Department for events on June 27, 2009 and July 4, 2009 both on town property.

Census Bureau

Clerk Bartlett advised she has hired Alan Frank, Albany County GIS Director, to help with the County's Census redistricting process for elections.

Carbon Building Lease

Clerk Bartlett presented a lease for office space located at the Carbon Building occupied by the Department of Education, Services for the Visually Impaired and advised the lease has been revised to reflect the amount of square footage they are using. She stated Attorney DeLancey and Leroy Graham, Buildings Manager have reviewed the lease and both recommend approval.

Commissioner Young moved to approve Lease No. 8-09273 Between the State of Wyoming, Department of Administration & Information, Construction Management and Carbon County Commissioners for office space located at the Carbon Building to be occupied by the Department of Education, Services for the Visually Impaired, commencing July 1, 2009 and terminating June 30, 2011, Carbon County to be paid \$7,983.00 per year. Commissioner Paxton seconded and the motion carried unanimously.

Boards

Clerk Bartlett advised one application for the Upper Platte River Solid Waste Disposal District was received after the deadline and asked if the BOCC would like to consider this application. The BOCC agreed not to consider the application because it was received late.

BOARD APPOINTMENTS

Saratoga – Carbon County Impact Joint Powers Board

Commissioner Paxton moved to reappoint James E. Elliott, Jr. to the Saratoga – Carbon County Impact Joint Powers Board for a three-year term expiring July 2012. Commissioner Young seconded and the motion carried unanimously

Upper Platte River Solid Waste Disposal District

Commissioner Young moved to appoint Randy Raymer to the Upper Platte River Solid Waste Disposal District for a three-year unexpired term expiring September 2010. Commissioner Paxton seconded and the motion carried unanimously.

AGENDA AMENDMENT

Commissioner Paxton moved to amend the agenda to move the executive session scheduled at 5:30 p.m. to 9:40 a.m. Commissioner Young seconded and the motion carried unanimously.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session at 9:40 a.m. with Clerk Bartlett and Attorney DeLancey to discuss matters considered confidential by law. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to come out of executive session at 10:11 a.m. and that the minutes of the session be approved as written and sealed and declared that no action was taken during the session. Chairman Weickum seconded and the motion carried unanimously.

ELECTED OFFICIALS / DEPARTMENT HEADS

Clerk of District Court

Clerk of District Court Lindy Glode presented her budget for fiscal year 2009–2010. She advised that she recently attended a NACO meeting in Oregon and has been appointed to that board.

Sheriff

Sheriff Jerry Colson discussed the vehicle bid from a previous meeting and Fremont Motors cannot find the truck and a 2010 would be an additional \$2,000.00.

Commissioner Paxton moved to authorize Sheriff Colson to negotiate with Fremont Motors for a 2010 F150 crew cab truck not to exceed the budgeted amount of \$26,400.00. Commissioner Young seconded and the motion carried unanimously.

Sheriff Colson advised one water heater at the jail is leaking and is out of warranty. Captain Fowler and Sheriff Colson advised a new 400 gallon water heater would be approximately \$50,400.00, largely because of the way the original heater was installed as it now must be cut out. County Treasurer Cindy Baldwin advised there is funding available in the jail's operations and maintenance fund to cover the item. Chairman Weickum asked if this could be delayed one month to bid the project and Captain Fowler expressed his concern that this is urgent. Clerk Bartlett stated Long Technologies does have a contract at the jail and this might be a consideration before bidding. Attorney DeLancey stated she would meet with Sheriff Colson and Captain Fowler to review the Long Technologies' contract.

Clerk Bartlett stated the County was awarded \$9,853.32 for an interoperable grant from Homeland Security. She advised the Office of Homeland Security is asking each county to give up their portions of the grant for use to train at the state law and fire academies. She reported she discussed this with Sheriff Colson and he is agreeable to giving up this funding.

Commissioner Young moved to authorize the Chairman to sign the Addendum FY 2008 Interoperable Energy Communications Grant Program County Decision on Request for Training Funds authorizing the County's funding of \$9,853.32 to be used by the Office of Homeland Security. Commissioner Paxton seconded and the motion carried unanimously.

Assessor

Chief Deputy Assessor Cheryl Ross presented abates and rebates for signature.

Attorney

Attorney DeLancey requested and received authorization to apply for a \$25,000.00 Homeless Prevention and Rapid Re-Housing grant and a \$250,000.00 juvenile services grant.

Treasurer

Treasurer Cindy Baldwin reported that tax collections are coming in well. She stated that she has been holding funds for several years for potential industry litigation and Carbon County School District #2 has requested that their portion of those funds be released to them. She recommended giving this funding back to the School Districts and the County. The BOCC authorized Treasurer Baldwin to release the funds in the appropriate amounts.

Road & Bridge

Bill Nation, Road & Bridge Superintendent reported that a rock crushing company will be in Saratoga soon and he will investigate if they can do work for the County while they are there. He reported heavy rains have exacerbated the flood situation.

Emergency Management

Harold Newbrough, Emergency Management Coordinator reported he received a five year rental agreement for AlSCO. Chairman Weickum asked that the contract be reduced to not more than

two years. Mr. Newbrough stated that there are odors in the motor pool and he would like to have an exhaust fan installed there. The BOCC asked Mr. Newbrough to meet with Leroy Graham, Buildings Manager about the matter.

Buildings Manager

Mr. Graham presented agreements for the Hanna and Baggs Library roofs.

Commissioner Paxton moved to authorize the Chairman to sign the Agreement for Service between Carbon County and Sam Martinez of S&S Home Vinyl Contractors to reroof the Hanna Library in the amount of \$7,500.00. Commissioner Young seconded and the motion carried unanimously. Amended later in the meeting.

Commissioner Paxton moved to authorize the Chairman to sign the Agreement for Service between Carbon County and Vince Vandiver doing business as Energy Construction to reroof the Baggs Library in the amount of \$7,500.00. Commissioner Young seconded and the motion carried unanimously. Amended later in the meeting.

Mr. Graham reported that he met with Dixon Airport Manager Barry Bryant and has been in touch with him since.

Attorney DeLancey left the meeting at 10:59 a.m.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session at 10:59 a.m. with Clerk Bartlett, Bill Nation, and Attorneys Marcia Bean and Rob Lavine to discuss matters considered confidential by law and to review a real estate transaction that the publicity regarding the consideration would cause a likelihood of increase in price. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to come out of executive session at 11:13 a.m. and that the minutes of the session be approved as written and sealed and declared that no action was taken during the session. Chairman Weickum seconded and the motion carried unanimously.

SKYLINE ACRES SUBDIVISION

Marcia Bean and Rob Lavine presented a Purchase and Sale Agreement and Quitclaim Deed to purchase land.

Commissioner Paxton moved to authorize the Chairman's signature on the Purchase & Sale Agreement for the purchase of Lots 8, 9, 10, 11, 12 Block 3, Lot 1 and 4, Block 6, Lots 2, 3, and 4 Block 7, Lots 1, 2, 3, 4, 5 6, 7 Block 8 in the Skyline Acres Industrial Subdivisions First Division Rawlins, Wyoming in the total amount of \$5,000.00 and the agreement be entered into with Future Horizons Ltd. and the Board of County Commissioners of Carbon County, Wyoming noting that Robert Keast, President of Future Horizons, Ltd. signed the document May 20th but it will be effective upon the Chairman's signature today. Commissioner Young seconded and there was discussion by Treasurer Baldwin that past due property taxes will likely be due. The motion carried unanimously.

Chairman Weickum thanked Ms. Bean and Mr. Lavine for their work on this project that will eventually cleanup the area between Rawlins and Sinclair.

SINCLAIR BYPASS

Attorney DeLancey returned at 11:20 a.m.

Gary Steele, PMPC, reported the estimate for the West Sinclair Bypass project was \$2.1 million and the apparent low bid came in at only \$1,786,532.45. He also reported that there is approximately \$3.4 million available for this project so the contingencies are high. He discussed a possible chip seal towards the end of the project for the Seminole Road with any remaining contingency funds. Mr. Steele recommended accepting the bid amount of \$1,786,532.45 from

Scherer Construction and presented a Notice of Award for the Chairman's signature. He added that a contract would be forthcoming.

Mr. Steele noted that as reported at the May 27, 2009 meeting, five sealed bids for the Sinclair Bypass Project were opened as follows: Oftedal Construction bid \$2,262,320.39; Reiman Corp. bid \$2,137,659.07; High Country Construction, Inc. bid \$2,205,249.00; Scherer Construction LLC bid \$1,786,532.45; and A&D Oilfield Dozers bid \$1,862,403.96.

Commissioner Paxton moved to approve the low bid from Scherer Construction in the amount of \$1,786,532.45 for the Sinclair Bypass Project and to authorize the Chairman's signature on the Notice of Award. Commissioner Young seconded and there was discussion by Phyllis McWhorter that the Town of Sinclair does accept Mr. Steele's recommendation. The motion carried unanimously.

PROPOSED DUNLAP WIND PROJECT

Leslie Blythe and Ken Clark of Rocky Mountain Power gave a presentation on the proposed Dunlap Wind Project seven miles north of Medicine Bow in Shirley Basin.

RECESS

Chairman Weickum recessed for lunch at 12:12 p.m. and reconvened at 1:33 p.m.

Planning & Zoning

Public Hearing Case File No. 09-03

Chairman Weickum opened a public hearing at 1:34 p.m. to hear Planning & Zoning Case File No. 09-03. Troy Maddox, Planning & Zoning Chairman, and Kristy Rowan of Planning and Development presented the following: **Case File No. 09-03 – Samuel M. and Lynora A. Roggow:** Request for a Zone Change from Ranching, Agriculture and Mining to Rural Residential Agriculture (RRA-9.728) on approximately 9.728 acres. Density being one (1) single family dwelling unit and associated structures allowed on approximately 9.728 acres. The RRA Zone allows residential and agricultural activities.

Chairman Weickum called for comments for or against this case. There being no comments, Chairman Weickum closed the public hearing a 1:35 p.m.

Commissioner Paxton moved to approve Planning & Zoning Case File No. 09-03 Samuel M. and Lynora A. Roggow's request for a Zone Change from Ranching, Agriculture and Mining to Rural Residential Agriculture (RRA-9.728) on approximately 9.728 acres for one single family dwelling, subject to the conditions outlined by the Planning & Zoning Commission in the amended Exhibit A. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to approve Resolution No. 2009-15, 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. 09-03. Commissioner Young seconded and the motion carried unanimously.

Resolution No. 2009-15

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 May 4, 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 June 2, 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 #09-03 – Samuel M. and Lynora Roggow: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-9.728) on approximately 9.728 acres. The RRA Zone allows residential and agricultural activities. The subject property is located approximately 1 mile south of Rawlins off HWY 71.

Legal Description:

A tract of land in the S1/2 of Sec. 19, T21N, R87W, Carbon County, Wyoming, more completely described as follows: Beginning at the Southwest corner of said tract, a 5/8 rebar with Al. Cap which bears N66°56'43"E, 2651.55 ft. from the Southwest corner of said Sec. 19; Thence N75°26'11"E, 805.16 ft. from the Southeast corner, a 5/8 rebar with Al. Cap; Thence N31°37'13"W, 712.50 ft. to the Northeast corner, a 5/8 rebar with Al. Cap; Thence S57°30'41"W, 643.68 ft. to the Northwest corner, a 5/8 rebar with Al. Cap; Thence S16°29'34"E, 483.33 ft. to the point of beginning, said tract containing 9.728 acres, more or less.

TOGETHER WITH all buildings and improvements thereon situate and appurtenances thereunto belonging.

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

Density:

Pursuant to the recommendations of the Carbon County Planning and Zoning Commission: Density on the subject parcel shall not exceed one (1) single family dwelling unit and associated structures on approximately 9.728 acres (RRA-9.728).

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 2nd day of June, 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 G. Bartlett, Carbon County Clerk

Public Hearing Case File No. 09-04

Chairman Weickum opened a public hearing at 1:39 p.m. to hear Planning & Zoning Case File No. 09-04. Mr. Maddox and Ms. Rowan presented the following: **Case File No. 09-04 – Kenneth M. Crum:** Request for a Zone Change from Ranching, Agriculture and Mining to Residential (RD-2.5) encompassing a total of approximately 5 acres, Parcel 1 and Parcel 2

contain approximately 2.5 acres each. Density being one (1) single family dwelling unit and associated structures allowed on each parcel. The RD Zone allows residential activities.

Chairman Weickum called for comments for or against this case. There being no comments, Chairman Weickum closed the public hearing at 1:40 p.m.

Commissioner Paxton moved to approve Planning & Zoning Case File No. 09-04 Kenneth M. Crum's request for a Zone Change from Ranching, Agriculture and Mining to Residential (RD-2.5) encompassing a total of approximately 5 acres, Parcel 1 and Parcel 2 contain approximately 2.5 acres each, density being one (1) single family dwelling unit allowed on each parcel, 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. 2009-16, 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. 09-04. Commissioner Paxton seconded and the motion carried unanimously.

Resolution No. 2009-16

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 May 4, 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 June 2, 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 #09-04 – Kenneth M. Crum: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-2.5) encompassing a total of approximately 5 acres (Parcel 1 contains approximately 2.5 acres and Parcel 2 contains approximately 2.5 acres). Parcels 1 and 2 are contiguous. Density being one (1) single family dwelling unit and associated structures allowed on each parcel containing approximately 2.5 acres encompassing a total of approximately 5 acres. The RD Zone allows residential activities. The subject property is adjacent to the Reisch Minor Subdivision and near Ryan Park.

Legal Description:

PARCEL ONE: NW1/4 NE1/4 SE1/4 SE1/4 of Section 28, T16N, R81W, Carbon County, Wyoming. (Containing approximately 2.5 acres per Tax Assessment Notice – Book 1027/Page 25)

PARCEL TWO: NE1/4 NW1/4 SE1/4 SE1/4 of Section 28, T16N, R81W, Carbon County, Wyoming, RESERVING to Grantor a strip of land 10' wide withing and running parallel to the

North boundary of this parcel of land so that the grantor and others may have access to adjoining property and a strip of land 10' wide running within and parallel to the West boundary of this parcel of land so that the grantor and others may have access to adjoining property and a strip of land 10' wide within and running parallel to the South boundary of this parcel of land so that grantor and others may have access to adjoining property, comprising 2-1/2 acres more or less.

Density:

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

- Parcel 1 zoned RD-2.5: Density being one (1) single-family dwelling unit and associated structures allowed on Parcel 1 containing approximately 2.5 acres (RD-2.5).
- Parcel 2 zoned RD-2.5: Density being one (1) single-family dwelling unit and associated structures allowed on Parcel 2 containing approximately 2.5 acres (RD-2.5).

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 2nd day of June, 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

BOARD INTERVIEWS AND APPOINTMENTS

Library Board/Memorial Hospital Board

Sherrill Bailey interviewed for consideration of appointment to the Library Board and Memorial Hospital Board. Clerk Bartlett stated Sarah Lincoln had an appointment at this time but was not present and had not cancelled with her office. Larry Moore applied for consideration of reappointment to the Library Board to be interviewed by telephone at the BOCC's discretion.

Commissioner Paxton moved to appoint Sherrill Bailey and to reappoint Larry Moore to the Library Board for three-year terms expiring July 2012. Commissioner Young seconded and the motion carried unanimously.

Museum Board

Adam George, Cynthia Ogburn and Lisa Howell applied for consideration of reappointment to the Museum Board to be interviewed by telephone at the BOCC's discretion.

Commissioner Paxton moved to reappoint Adam George, Cynthia Ogburn and Lisa Howell to the Museum Board for three-year terms expiring July 2012. Commissioner Young seconded and the motion carried unanimously.

PUBLIC HEALTH

Bridget Hettgar requested authorization to dispose of county equipment.

Commissioner Paxton moved to authorize Public Health to dispose of five printers, an HP Deskjet 5550, HP 1100 Laserjet, HP 7310, HP Deskjet 6122, Epson Stylus 608 with the City recycling center. Commissioner Young seconded and the motion carried unanimously.

MEMORIAL HOSPITAL OF CARBON COUNTY

Dr. Kenneth Schultz, Chief Executive Officer, and Rick White, Chief Financial Officer, discussed decreased utilization of the hospital's facilities and various expenditures. Dr. Schulze also discussed staff cuts, service reductions and additions, and billing corrections. Dr. Schulze reported that by August 2009, collections should pay for operations assuming some utilization increase. Dr. Schulze then asked for \$609,059.00 to cover the remaining past due accounts payable. Chairman Weickum stated that he appreciates the hospital's effort noting that it shows by the reduction in their request for funding. Commissioner Paxton also complimented the staff and board on looking for creative solutions to solve the problems.

Commissioner Paxton moved to appropriate \$609,059.00 for the Memorial Hospital of Carbon County. Chairman Weickum seconded and the motion carried with Commissioner Paxton and Chairman Weickum voting for the motion and Commissioner Young abstained.

COOPERATIVE AGREEMENT WITH THE DEPARTMENT OF ENVIRONMENTAL QUALITY

Commissioner Young moved to approve the Cooperative Agreement between the Department of Environmental Quality and Carbon County for \$10 million to be used on Carbon County Road #3, a road from Interstate 80 to DKRW's proposed site. Commissioner Paxton seconded and the motion carried unanimously.

BUILDINGS MANAGER

Commissioner Paxton moved to amend previous motions from today awarding the contracts for roofs at the Baggs and Hanna Libraries by changing the amounts on S&S Home Vinyl Contractors for the Hanna Library to \$7,968.14 and Energy Construction's contract amount for the Baggs Library to \$18,500.00. Commissioner Young seconded and the motion carried unanimously.

RECESS

Chairman Weickum called a recess at 2:27 p.m. and reconvened at 3:02 p.m.

PLANNING AND DEVELOPMENT DIRECTOR INTERVIEWS

Seven Brown, Marlin Johnson and Gregory Anderson were interviewed for the Planning and Development Director position. Joanne Garnett, acting Planner, was present for the interviews and noted that she had lunch with Mr. Brown today and will be meeting personally with another applicant tomorrow.

SHERIFF

Sheriff Colson reported that no trespassing signs have been posted on the land the County purchased earlier today.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session at 5:24 p.m. with Clerk Bartlett, Troy Maddox, Joanne Garnett, and Attorney DeLancey to discuss personnel and matters considered confidential by law. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to come out of executive session at 5:52 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. Chairman Weickum seconded and the motion carried unanimously.

PLANNING & DEVELOPMENT

Commissioner Paxton moved to authorize Chairman Weickum to negotiate with Steven Brown to be the County Planning Director. Commissioner Young seconded and the motion carried unanimously.

PROJECT PREVENTION

Clerk Bartlett presented a grant agreement and agreement for services for Project Prevention and Theresa Pacheco and noted that Attorney DeLancey has reviewed both and recommended approval.

Commissioner Young moved to authorize the Chairman to sign the Contract Among Wyoming Department of Health Mental Health and Substance Abuse Division; Carbon County Commissioners and Project Prevention for Community Substance Abuse Prevention Services for a term of July 1, 2009 through June 30, 2010 in the amount of \$35,138.00. Commissioner Paxton seconded and the motion carried unanimously.

Commissioner Young moved to authorize the Chairman to sign the Agreement for Services between Theresa Pacheco and Carbon County Government to provide services related to the Wyoming Department of Health Project Prevention grant for a term of July 1, 2009 through June 30, 2010. Commissioner Paxton seconded and the motion carried unanimously.

ADJOURNMENT

There being no further business, Chairman Weickum adjourned the meeting at 5:56 p.m.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 16th day of June 2009

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Terry Weickum, Chairman