

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, March 3, 2009
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, March 3, 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 9:06 a.m.

VOUCHERS

Commissioner Young moved to approve the report of expenditures in the amount of \$321,805.31. Commissioner Paxton seconded and the motion carried unanimously.

Commissioner Paxton moved to approve payment of an invoice to Dr. Young in the amount of \$65.00. Chairman Weickum seconded and the motion carried with Commissioner Paxton and Chairman Weickum voting for the motion and Dr. Young abstaining.

ABSOLUTE SOLUTIONS	PAGERS	5,820.00
ALCO	SUPPLIES	57.82
ALSCO, AMERICAN LINEN	MATS & SHOP SUPPLIES	141.03
AMERIGAS	PROPANE	3,181.13
ARLINGTON OUTPOST	VEHICLE REPAIRS	426.85
BARKHURST, RAY	MILEAGE	34.80
BECK CONSULTING	MULTI-HAZARD MITIGATION	1,700.00
BOYS & GIRLS CLUB OF CARBON COUNTY	SEVERANCE TAX	6,250.00
BRANHAM PUBLISHING CO	2009 EDITION REFERENCE B	72.80
BRESNAN COMMUNICATIONS	TV/INTERNET	205.97
BUILD RITE LUMBER SUPPLY	MULTIMASTER KIT/SALT/LUMBER	668.67
C O V E	SEVERANCE TAX	2,500.00
CAPITOL COMMUNICATIONS	PHONE/CONFERENCE PHONE	2,091.62
CARBON COUNTY CHILD DEVELOPMT CTR	SEVERANCE TAX	3,750.00
CARBON COUNTY PREDATORY ANIMAL BD	SEVERANCE TAX	2,000.00
CARBON COUNTY TV & ELECTRONICS	CELL PHONE CASE	9.99
CARBON COUNTY TREASURER	CASH ITEMS	1,085.97
CARBON COUNTY VETERINARY	DOG FOOD	33.99
CARBON POWER & LIGHT	ELECTRICAL SERVICE	1,183.42
CASPER STAR-TRIBUNE	SUBSCRIPTION	106.60
CBM FOOD SERVICE	JAIL FOOD	8,510.63
CDW GOVERNMENT, INC.	CABLES/SWITCH/LABELER	3,768.57
CENTURYTEL	PHONE SERVICE	140.70
CESKO, DAVID MD	MEDICAL SERVICES	755.00
CHAMBERS, JOHN D., P.C.	LEGAL SERVICES	1,308.00
COAST TO COAST SOLUTIONS	SUPPLIES	521.11
CORPORATE EXPRESS	SUPPLIES	425.97
COUNTRY STORE	FUEL	43.38
COWDIN, JOHN	MILEAGE	32.40
DAILY TIMES	ADVERTISING	2,499.30
DAVIS & CANNON, LLP	LEGAL SERVICES	1,839.11
DELANCEY, DAVE	MILEAGE	24.00
DELEON, JOHN	LEGAL SERVICES	2,345.00
DEVINE, LINDA E.	LEGAL SERVICES	925.00
DOCUSOURCE PRINT MANAGEMENT	ENVELOPES	133.11
DUBOIS TELEPHONE EXCHANGE	PHONE SERVICE	86.30
EAGLE UNIFORM SUPPLY	MATS	124.60
ELK MOUNTAIN VOLUNTEER FD	FUEL	34.20
ERICKSON & ROBERTS	LEGAL SERVICES	1,904.36
FARMER BROTHERS COFFEE	SUPPLIES	263.74

FAUST, WILL	GIS CONSULTING	2,150.00
FREMONT MOTORS-RAWLINS	PROGRAM KEY/PUMP ASSY	245.01
FSH COMMUNICATIONS	COURTHOUSE PAYPHONE	69.79
GALE, GWEN R.N.	REIMBURSEMENT FOR SUPPLIES	3.15
GALLS INCORPORATED	SUPPLIES	29.97
GASES PLUS	OXYGEN/ACETYLENE/WIRE	334.82
GOSVENOR, MAXINE	MILEAGE	40.00
HANFT, JENNIFER PAIGE	LEGAL SERVICES	2,040.00
HARDY, LUKE, M.D.	DENTAL SERVICES	1,840.00
HAYS, STEPHEN DDS	DENTAL SERVICES	458.00
HEIMAN FIRE DEPARTMENT	SUPPLIES	133.55
HEMOCUE	SUPPLIES	336.00
HEROLD IRON WORKS	SUPPLIES	108.00
HERRING, PAUL	OIL	114.80
HERTER, JACQUES PHD	PSYCH EVALUATION	375.00
HIGH PLAINS POWER	ELECTRICAL SERVICE	463.68
HIGH PLAINS VISION CENTER	VISION SERVICES	531.00
HILLCREST SPRING WATER	RENT/SUPPLIES	160.35
HILLTOP CONOCO	FUEL	59.01
HYLAND ENTERPRISES	DRILLING/SUPPLIES	1,439.96
IKON FINANCIAL SERVICES	COPIER RENT	238.47
IKON OFFICE SOLUTIONS	COPIER RENT	185.45
J H KASPAR OIL COMPANY	DIESEL FUEL	2,904.36
JACKALOPE PRINTING	BOOKLETS/SUPPLIES	1,229.22
JUVE, JANE H	LEGAL SERVICES	1,454.75
KAR KRAFT INC	VEHICLE MAINTENANCE	88.85
KELCO SUPPLY COMPANY	SUPPLIES	163.71
KENCO SECURITY AND TECHNOLOGY	MONITOR FOR CIRCUIT COURT	571.17
KILBURN TIRE COMPANY	TIRES/REPAIRS/VEHICLE MTCE	2,024.79
L N CURTIS & SONS	SUPPLIES	380.11
LARAMIE PHYSICIANS FOR WOMEN	MEDICAL SERVICES	200.00
LINCOLN PRINTING PLUS	SUPPLIES	223.25
LOVE, LUCY	REIMBURSEMENT FOR SUPPLIES	30.00
M S C	ANNUAL MAINTENANCE AGRMTS	3,650.00
MARTINEZ, EUGENIA	POSTAGE	5.00
MATCO TOOLS	TOOLS	63.95
MAYFIELD, DON	MILEAGE	36.00
MEDICAL ARTS PRESS	SUPPLIES	13.47
MEDICINE BOW CONSERVATION DIST	SEVERANCE TAX	5,000.00
MEDICINE BOW CLINIC	SEVERANCE TAX	21,600.00
MEDICINE BOW, TOWN OF	WATER & SEWER	106.00
MEMORIAL HOSPITAL	MEDICAL SERVICES	10,006.02
MEMORIAL HOSPITAL	SEVERANCE TAX	22,500.00
MEMORIAL HOSPITAL IN-HOME SERVICE	SEVERANCE TAX	2,250.00
MOELLER, MARIE	ARMORY CLEANING	96.00
MOSS, BARBARA	MILEAGE	54.60
MOTOROLA	RADIOS	10,235.00
MPM CORP / EVERGREEN	GARBAGE SERVICES	85.00
MUNIMETRIX SYSTEMS CORP	SOFTWARE SUPPORT	499.00
N A D A APPRAISAL GUIDES	NADA APPRAISAL GUIDES	202.00
NACHTIGAL, TOM MD FACS P.C.	MEDICAL SERVICES	75.00
OFFICE DEPOT	SUPPLIES	183.94
PET PARTNERS	SEVERANCE TAX	2,300.00
PHILLIPS 66	FUEL	343.70
PITNEY BOWES	POSTAGE SUPPLIES	367.59
PLAINSMAN PRINTING & SUPPLY	BINDER & FILLER SHEETS	867.12
PLATTE VALLEY COMMUNITY CENTER	SEVERANCE TAX	5,000.00
PLATTE VALLEY MEDICAL	MEDICAL SERVICES	218.00
PREMIER ELECTION SOLUTIONS	MAINTENANCE AGREEMENT	5,950.00
PRO-CHEM INDUSTRIAL	SUPPLIES	89.77
PROJECT PREVENTION	WAGES/PHONE/FLIERS	1,420.29
PUBLIC SAFETY CENTER	SUPPLIES	2,299.82
QUESTAR GAS	GAS SERVICE	393.32
QUILL CORPORATION	PRINTER & SUPPLIES	365.00
QWEST-KENTUCKY	PHONE SERVICES	431.73

QWEST-PHOENIX	PHONE SERVICES	4,727.41
RAWLINS AUTOMOTIVE	PARTS	261.52
RAWLINS CARBON COUNTY AIRPORT BD	SEVERANCE TAX	15,000.00
RAWLINS FAMILY MEDICAL	MEDICAL SERVICES	300.00
RAWLINS FIRE EXTINGUISHER	SEMI-ANNUAL HOOD INSPECTION	440.00
RAWLINS, CITY OF	WATER & SEWER	58.75
RELIABLE	SUPPLIES	1,023.51
RENDEZVOUS LODGE LLC	FUEL/OIL/FOOD	688.39
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICE	3,697.73
ROSS' AUTOMOTIVE SERVICE	VEHICLE MAINTENANCE	496.94
S E D MEDICAL LABORATORY	RANDOM DRUG TESTING	252.44
SARATOGA AIRPORT BOARD	SEVERANCE TAX	3,750.00
SARATOGA AUTO PARTS	AIR HAMMER/CHISEL SET/PARTS	404.59
SARATOGA-ENCAMPMENT AMB SVC	SEVERANCE TAX	5,000.00
SARATOGA SUN	ADVERTISING	2,089.01
SARATOGA, TOWN OF	MARCH 09 LEASE PAYMENT	2,000.00
SCHULZE, KENNETH MD	MEDICAL SERVICES	208.25
SHEA, DIXIE F	MILEAGE	24.00
SHEEN LAW OFFICE	LEGAL SERVICES	1,012.51
SKILLPATH SEMINARS	SEMINAR	199.00
SNAKE RIVER PRESS	ADVERTISING	259.00
SNAP-ON TOOLS	BITS/TOOLS	90.50
SNOWY RANGE PROPANE	PROPANE	222.55
SOURCE GAS	GAS SERVICES	16,464.58
SPAN PUBLISHING, INC	NATIONAL DIRECTORY	1,001.70
STARCK, TRAVIS	PET KENNEL	58.67
STATE OF WY (PUBLIC DEFENDER)	LEGAL SERVICES	67,377.62
STATE OF WYOMING A & I	BLUE ZONE	6.96
TARA D FRANCE	TRANSCRIPTS	2,070.25
TERMINIX	PEST CONTROL	185.00
THOMPSON PUBLISHING	WKRS COMP BULLETIN SUBSCRIPTION	226.00
TRADEMARK GRAPHICS	SUPPLIES	256.86
TRADING POST	FUEL	128.75
TRENT LAW OFFICE, LLC	LEGAL SERVICES	783.33
TRIPLE XXX CONTRACTING	GARBAGE SERVICES	50.00
U S POSTMASTER-RAWLINS	PRESORT PERMIT	180.00
U W C E S	2ND QTR SALARY	4,750.50
UINTA COUNTY PUBLIC HEALTH	CONFERENCE REGISTRATION	30.00
UNION TELEPHONE COMPANY	PHONE/CELL SERVICES	901.87
VAN'S WHOLESALE	SUPPLIES	603.21
VERIZON WIRELESS	PHONE/CELL SERVICES	653.71
WAGON CIRCLE FAMILY PRACTICE	MEDICAL SERVICES	220.50
WALBYE, LILA	MILEAGE	36.00
WALDRON, PATTY	MILEAGE	46.20
WEE FOLKS PLACE	SEVERANCE TAX	750.00
WEINERT, HERMAN R	MILEAGE	25.20
WEST PAYMENT CENTER	CD ROMS	309.63
WESTERN WY FAMILY PLANNING	SEVERANCE TAX	750.00
WILSON, MARGARET	SEWING	9.00
WOOD, CINDI	LEGAL SERVICES	1,153.91
WY DEPARTMENT OF FAMILY SVCS	COPIES	26.76
WY FIRE CHIEF'S ASSOCIATION	2009 DUES	100.00
WY MACHINERY COMPANY	PARTS/SUPPLIES	1,326.89
WY STATE FIREMEN'S ASSOC	2009 DUES	50.00
WY STATIONERY	SUPPLIES/CHAIR/DESK & RETURN	2,187.00
XEROX CORPORATION	COPIERS/BASE CHARGES	1,213.52
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICES	1,286.41
YOUNG, CHARLES MD	MEDICAL SERVICES	65.00
ZAMORA, PAUL	SUPPLIES	40.50
GRAND TOTAL		321,870.31

WYOMING BUSINESS COUNCIL

Pat Robbins, Wyoming Business Council stated that during the transition period with Economic Development Corporation (EDC) she will provide whatever services that are needed. Her

concern is that she is getting information from the State Office that lately there has been a big void.

Ms. Robbins advised there is a list of projects for the stimulus money, but to ignore it as it is not adequate. She advised the stimulus money will go into existing programs and the BOCC should go through normal channels to submit their funding requests for their projects.

Ms. Robbins advised she has been working in Carbon County about three days a work and will keep the BOCC updated. Chairman Weickum asked Ms. Robbins to attend the EDC meetings and stated he would like Ms. Robbins involved in the interviewing process for the EDC Director.

Ms. Robbins stated that at a previous EDC meeting there was discussion about having someone come in to do a facilitated session for the BOCC and Board roles, responsibilities and goals and asked if the BOCC would like her to continue with this as she has a facilitator. Chairman Weickum stated that he thought this had already been scheduled. Commissioner Paxton stated that Lance Grubb, Chairman of the EDC was to get with Attorney DeLancey to work out a schedule for Board training. Ms. Robbins stated the BOCC would benefit from doing the goals and objectives session before hiring a new EDC Director.

Clerk Bartlett advised she had severance funds for the EDC and asked if the funds should be distributed. The BOCC requested the funds be distributed and not held.

COMMISSIONER EMPLOYEE SUPERVISORS

Clerk Bartlett asked the BOCC who is the supervisor for Glenn Biggs and Harold Newbrough. The BOCC agreed that Chairman Weickum was Mr. Newbrough's supervisor and Commissioner Young would be Mr. Biggs' supervisor.

JUVENILE DETENTION CENTERS MEETING

Clerk Bartlett advised there is a meeting scheduled March 25-26, 2009 in Riverton for Juvenile Detention Centers and the Wyoming County Commissioners Association has asked that one Commissioner Representative attend the meeting. Clerk Bartlett stated Attorney DeLancey will be attending the meeting. Chairman Weickum stated he will go to the meeting.

CLERK

Minutes

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

Bonds

Commissioner Young moved to approve a \$2,000.00 bond for Rusena Cobb, Treasurer for the Little Snake River Museum District of Savery. Commissioner Paxton seconded and the motion carried unanimously.

Monthly Receipts

Commissioner Young moved to accept Planning and Development receipts in the amount of \$7.50 and GIS receipts in the amount of \$1,000.00 both for the month of January 2009. Commissioner Paxton seconded and the motion carried unanimously.

State Land and Investment Board Meeting

Clerk Bartlett advised she will be attending a meeting regarding stimulus money for water projects on March 11, 2009 at the Employment Center in Rawlins. She advised she has notified all of the towns that one person from each entity has been requested to attend the meeting.

Resource Advisory Council

Clerk Bartlett advised the Resource Advisory Council (RAC) meeting scheduled with the Wyoming County Commissioners Association (WCCA) is scheduled for March 16, 2009 at 9:00 a.m. and will take about three hours. She stated the meeting will be done by video conferencing, however since there is no Rawlins office and the Forest Service Manager in Saratoga is ill, representatives for Carbon County will have to go to Laramie. Commissioner Paxton advised he did talk to the Forest Manager in Laramie and they want to form four RAC's and he advised him that beetle kill and keeping the camp grounds open is the number one priority. Commissioner Paxton agreed he would go to the meeting in Laramie. Clerk Bartlett stated that two of the RAC's were in Colorado and the other two in Albany and Carbon counties. She stated that she and County Treasurer Cindy Baldwin will try to attend the meeting.

Payroll Publication – Names and Positions

Clerk Bartlett advised that annually she has to publish the names and positions of full time employees and presented the list for approval.

Commissioner Young moved to approve the Carbon County Government Payroll Publication Names and Positions of Full Time Employees in Effect - March 1, 2009. Commissioner Paxton seconded and the motion carried unanimously.

Historic Trails Resource Conservation and Development

Clerk Bartlett asked the BOCC if they would like to continue to have a representative on the Historic Trails Resource Conservation and Development Council as Denise Patton would like to be reappointed. She advised the annual dues are \$100.00.

Commissioner Young moved to renew dues with the Historic Trails Resource Conservation and Development, Inc. and reappoint Denise Patton as the County's representative on this council with annual dues in the amount of \$100.00. Commissioner Paxton seconded and the motion carried unanimously.

Property Exchange

Clerk Bartlett provided documents for the closing of the land swap at the Fairgrounds between Carbon County School District #1 and Carbon County and advised the closing is scheduled for Friday.

Commissioner Paxton moved to authorize the Chairman's signature on the closing documents for the exchange of property at the Fairgrounds between Carbon County School District #1 and Carbon County with closing fees in the amount of \$368.00. Commissioner Young seconded and the motion carried unanimously.

Airport Development Group (ADG) Agreement

Clerk Bartlett presented an agreement for ADG to provide consulting services for the project known as Improvements to Dixon Airport. She advised that several changes have been made and Attorney DeLancey has reviewed the agreement and recommends approval.

Commissioner Paxton moved to authorize the Chairman's signature on the Agreement Between Sponsor and Consultant for Consulting Services for the project known as Improvements to Dixon Airport including Construct Hangar Access Taxiways – Phase I, Construct Fuel System, Construct Pilot's Lounge and Construct AWOS in the amount of \$76,600.00. Commissioner Young seconded and the motion carried unanimously.

Attorney DeLancey advised she made several changes to the agreement including a requirement that ADG provide quarterly face to face updates to the BOCC.

ELECTED OFFICIALS / DEPARTMENT HEADS

Treasurer

County Treasurer Cindy Baldwin reported that due to audits from the Department of Audit, she has rebates totaling \$300,000.00 to pay out and property tax dollars will not come in until May.

Assessor

Chief Deputy Assessor, Cheryl Ross, presented several rebates and abatements for the Chairman's signature.

Buildings Manager

Leroy Graham, Buildings Manager presented an agreement for work at the Baggs Library in the amount of \$1,785.75. He stated that Attorney DeLancey has reviewed the agreement and recommends approval.

Commissioner Paxton moved to approve the Agreement between Carbon County and Wy-Con, Inc., General Contractors to replace and install new bathroom sinks, install a water fountain area, condensate neutralizer and sink, repair damaged drywall and install new base mounted door stop in stage area, and install new changing table in the men's bathroom at the Baggs Library in the amount of \$1,785.75.

Sheriff

Sheriff Jerry Colson discussed the purchase of portable radios from Homeland Security funds totaling \$150,336.00. He stated that there was a significant discount if the radios were purchased before the end of February. The project would not be bid as there is a contract with Ryan Electronics for radio maintenance, the immediate purchase for the discount, the radios are purchased directly from Motorola, and Ryan Electronics will only make \$100.00 per radio for programming and delivery.

Sheriff Colson reported he annually submits a bill to the U.S. Forest Service for patrols by his office. He presented the 2009 Operating Plan and reported Attorney DeLancey has reviewed the agreement and recommended approval.

Commissioner Paxton moved to approve Agreement #04-LE-11020602-027, Modification #8 to the Cooperative Law Enforcement Agreement Between Carbon County Sheriff's Department and the U.S. Department of Agriculture Forest Service Medicine Bow Routt National Forest, not to exceed \$5,700.00. Commissioner Young seconded and the motion carried unanimously.

Sheriff Colson reported he would be submitting a grant application in the amount of \$67,130.00 for Victim Services funds. This funding provides for part of the victims/witness employee salary, and the full salary of a three-quarter time employee as well as a stipend for an intern. He added the County's in-kind match is office equipment and office space. Sheriff Colson stated that Attorney DeLancey has reviewed the grant application and recommends approval.

Chairman Weickum requested that Sheriff Colson increase patrols on the Dad/Wamsutter Road and Sheriff Colson agreed.

Emergency Management

Harold Newbrough, Emergency Management Coordinator, reported that he received the final invoice from Beck Consulting for the Multi-Hazard Mitigation Plan. He stated all plan books have been distributed for review and once he receives comments, the final plan documents will be printed.

Fire Department

Larry Trapp of the County Fire Department presented an award received by the State Fire Marshall to the County Fire Department for the amount of training they have provided for their

volunteers. He also presented an award from the Wyoming Highway Patrol for hosting the Statewide K-9 training.

Mr. Trapp requested approval to apply for a Volunteer Fire Assistance Grant. He explained the various sources that the County's match would come from and requested an additional \$5,000.00 to further match this grant.

Commissioner Paxton moved to commit \$5,000.00 from Special Projects for matching funds for the Volunteer Fire Assistance Grant. Commissioner Young seconded and the motion carried unanimously.

Mr. Trapp reported that the County Fire Department at Elk Mountain has requested additional extrication equipment. He stated the Department plans to budget for several of the items next year but would like to purchase two of the items now either from the Fire Department or Strike Team Account. Clerk Bartlett suggested the possible use of Homeland Security funds for these items if they are allowable.

Commissioner Paxton moved to authorize the purchase of two lift bags totaling \$1,800.00 and a Hurst standard Ram totaling \$2,595.00 from the Strike Team Account with the equipment being located at the Carbon County Fire Department – Elk Mountain Division. Commissioner Young seconded and the motion carried unanimously.

Mr. Trapp stated that the Fire Department recently changed the security on their fuel system cards.

Recess

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

Library

Kristen Herr, Library Director, reported the Library Board recently approved Library goals and approved their technology plan for the Library.

MUSEUM UPDATE

Denise Patton, Museum Director, and Gene Carrico of the Museum Board, dispersed the Museum's final 2009 Disaster Plan as well as a 2009 Grant Plan. Ms. Patton reported that they continued to be offered collections they can not take due to space constraints. She also reported on various Museum projects.

TRANSFER OF MALT BEVERAGE PERMIT

Public Hearing

Chairman Weickum opened a public hearing at 11:19 a.m. to hear a request from Muddy Gap, LLC to transfer their County Retail Malt Beverage Permit to Manjeet, Inc. dba Three Forks Muddy Gap Service.

Clerk Bartlett stated the notice was placed in the Rawlins Daily Times for four consecutive weeks before the public hearing and presented the County Retail Malt Beverage Permit for approval.

There being no public comments, Chairman Weickum closed the public hearing at 11:20 a.m.

Commissioner Young moved to approve the transfer of the County Retail Malt Beverage Permit from Muddy Gap, LLC to Manjeet, Inc. dba Three Forks Muddy Gap Service beginning March 3, 2009 to August 31, 2009. Commissioner Paxton seconded and the motion carried unanimously.

TITLE 25 – EMERGENCY DETENTIONS

Glenn Biggs, County Mental Health Examiner, reported on statistics of emergency detentions at the Memorial Hospital of Carbon County. He reported that 2007 had 63 emergency detentions,

2008 had 46, and so far in 2009 there have been 14. Out of these, 7 were committed in 2007, 6 committed in 2008 and none have been committed in 2009.

Mr. Biggs also requested and received authorization to attend training in April in Las Vegas.

COOPERATIVE EXTENSION SERVICE

Calvin Strom discussed Charlene Abbott's retirement on June 30, 2009 and getting someone trained to replace her. Ms. Abbott presented written notice of her intent to retire on that day. Mr. Strom reported that he does have \$1,500.00 budgeted to cover the overlap. The Board approved this request.

ROAD & BRIDGE

Bill Nation, Road & Bridge Superintendent, presented various photographs pertaining to his department. Chairman Weickum presented minutes from the February 3, 2009 meeting stating that road maintenance was at the sole discretion of the Road & Bridge Superintendent and it could change from time to time for a particular road accessing a parcel that was recently granted a zone change. He stated that Commissioner Paxton received a call from Rita Clark asking why road maintenance is at his sole discretion. The BOCC discussed this and agreed that their initial thoughts stood as road maintenance would depend on weather, funding, and other priorities. Mr. Nation stated that he must balance what is good for the County as far as roads and maintenance as well as the political ramifications of individuals who want to live in areas that are inhospitable during winter months. Commissioner Paxton clarified that the intention is not to change any current process but to clarify with individuals that roads may not be maintained minute by minute and this is determined by many circumstances.

RECESS

Chairman Weickum recessed for lunch at 12:18 p.m. and reconvened at 1:36 p.m.

PLANNING & ZONING

Public Hearing Case File No. 08-15

Chairman Weickum opened a public hearing at 1:36 p.m. to hear Planning & Zoning Case File No. 08-15. Troy Maddox, Planning & Zoning Chairman, and Kristy Rowan of Planning and Development presented the following Case File: **Case File No. 08-15 – Community Church Subdivision Final Plat – Christian Community Church (Applicant) and Diana Kay Jackson (Owner)**: Request for the Final Plat of the Community Church Subdivision located in the NE1/4, Section 19 and in the SE1/4 SW1/4, Section 18, T15N, R83W, 6th P.M., Carbon County, Wyoming. The current zoning district is Ranching, Agriculture, Mining (RAM). The Community Church Subdivision encompasses approximately 8.01 acres and will contain residential activities. Ms. Rowan also read the staff conditions.

Chairman Weickum called for comments for or against this case. Jim Pedersen stated that he has reviewed the stipulations and agrees that he would have no trouble agreeing to them. There being no further comments, Chairman Weickum closed the public hearing at 1:43 p.m.

Commissioner Young moved to approve Planning & Zoning Case File No. 08-15 Christian Community Church and Diana Kay Jackson's request for the Final Plat of the Community Church Subdivision, on approximately 8.01 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. 2009-06, 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. 08-15. Commissioner Paxton seconded and the motion carried unanimously.

Resolution No. 2009 - 06

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 February 2, 2009, which said hearing was advertised by public notice at least 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 March 3, 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 Subdivision Regulations, as amended.

(1) Case File #08-15 – Christian Community Church and Diana Kay Jackson “Community Church Subdivision”: Request for the **FINAL PLAT** of the “Community Church Subdivision” located in NE1/4 NW1/4, Section 19 and in the SE1/4 SW1/4, Section 18, T15N, R83W, 6th P.M., Carbon County, Wyoming. The current zoning district is Ranching, Agriculture, Mining (RAM). The “Community Church Subdivision” encompasses approximately 8.01 acres. The subdivision will contain residential activities. The applicant is applying for a zone change request (See Case #08-16) from RAM to Residential (RD-8.01). The RD Zone allows primarily residential activities. The subdivision contains one (1) lot and contains approximately 8.01 acres, more or less. The subject property is located approximately 3 +/- miles north of Riverside and approximately 3.5 +/- miles north of Encampment off Wyoming Highway 230 at milepost 35. The applicant is applying for a zone change (See Case #08-16) to comply with the Carbon County Zoning Resolution of 2003 Amended 01-06-2004 and Amended 05-06-2008. The applicant is requesting a zone change from Ranching, Agriculture, Mining (RAM) to Residential (RD-8.01) Zone (Lot 1) encompassing a total of approximately 8.01 acres. The density being one (1) single-family dwelling unit and associated structures permitted on Lot 1 of the “Community Church Subdivision”. The applicant intends to sell the 8.01 acres to the Christian Community Church for a proposed church and related-facilities, which is a principally permitted use in a RD Zone.

Legal Description: Know all men by these presents that Diana Kay Jackson being sole owner in fee simple of all that real property described as follows:

A parcel of land in the NE¹/₄NW¹/₄ of Section 19 and in the SE¹/₄SW¹/₄ of Section 18, both sections in Township 15 North, Range 83, West, 6th P.M., Carbon County, Wyoming, more completely described as follows; Beginning at the W1/16 corner between Sections 18 and 19; Thence N0°25'50"E, 509.41 feet, against a call bearing of N0°27'52"E, along the West line of said SE¹/₄SW¹/₄ of Section 18 to a point; Thence S77°20'21"E, 606.67 feet to a point on the Westerly right of way of Highway 230; Thence S29°40'57"W, 1195.08 feet, against a call bearing of S29°54'W, along said Westerly right of way of Highway 230 to a point on the West line of the NE¹/₄NW¹/₄ of Section 19; Thence N0°20'31"W, 661.84 feet, against a call bearing of N0°18'30"W, along said West line of the NE¹/₄NW¹/₄ of Section 19 to the point of beginning, said parcel containing 8.01 acres, more or less.

Have by these presents laid out, platted, and subdivided the same into one lot as shown hereon, with the free consent, and in accordance with the desires of the undersigned owner(s) and

proprietor(s), and designated the same as the Community Church Subdivision in the County of Carbon, State of Wyoming.

Density:

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

LOT 1: Density shall not exceed one (1) single-family dwelling and associated structures are permitted on approximately 8.10 acres (RD-8.01).

Access:

WYDOT has approved and processed an access permit to grant access to this parcel. The permit number is CB-05A-11193. No other access will be granted.

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 3rd day of March, 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. 08-16

Chairman Weickum opened a public hearing at 1:47 p.m. to hear Planning & Zoning Case File No. 08-16. Mr. Maddox and Ms. Rowan of Planning and Development presented the following Case File: **Case File No. 08-16 –Christian Community Church (Applicant) and Diana Kay Jackson (Owner):** Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-8.01) on approximately 8.01 acres. The RD Zone allows primarily residential activities. The 8.01 acres is located in the Community Church Subdivision – Final Plat.

Chairman Weickum called for comments for or against this case. There being no comments, Chairman Weickum closed the public hearing a 1:48 p.m.

Commissioner Paxton moved to approve Planning & Zoning Case File No. 08-16 Christian Community Church and Diana Kay Jackson’s request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-8.01) on approximately 8.01 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. 2009-07, 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. 08-16. Commissioner Paxton seconded and the motion carried unanimously.

Resolution No. 2009 - 07

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 Wednesday, November 6, 2008, 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, March 3, 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 #08-16 – Christian Community Church (Applicant) and Diana Kay Jackson

(Owner): Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-8.01) on approximately 8.01 acres locate din the Community Church Subdivision. The Community Church Subdivision will consist of one (1) lot and contain 8.01 acres, more or less. The RD Zone allows primarily residential activities. The applicant intends to sell the 8.01 acres to the Christian Community Church for a proposed church and related-facilities, which is a principally permitted use in a RD Zone. The subject property is located approximately 3 +/-miles north of Riverside and approximately 3.5 +/- miles north of Encampment off Wyoming Highway 230 at milepost 35.

Legal Description: Know all men by these presents that Diana Kay Jackson being sole owner in fee simple of all that real property described as follows:

A parcel of land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19 and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, both sections in Township 15 North, Range 83, West, 6th P.M., Carbon County, Wyoming, more completely described as follows; Beginning at the W1/16 corner between Sections 18 and 19; Thence N0°25'50"E, 509.41 feet, against a call bearing of N0°27'52"E, along the West line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18 to a point; Thence S77°20'21"E, 606.67 feet to a point on the Westerly right of way of Highway 230; Thence S29°40'57"W, 1195.08 feet, against a call bearing of S29°54'W, along said Westerly right of way of Highway 230 to a point on the West line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19; Thence N0°20'31"W, 661.84 feet, against a call bearing of N0°18'30"W, along said West line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19 to the point of beginning, said parcel containing 8.01 acres, more or less.

Have by these presents laid out, platted, and subdivided the same into one lot as shown hereon, with the free consent, and in accordance with the desires of the undersigned owner(s) and proprietor(s), and designated the same as the Community Church Subdivision in the County of Carbon, State of Wyoming.

Density:

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

LOT 1: Density shall not exceed one (1) single-family dwelling and associated structures are permitted on approximately 8.10 acres (RD-8.01).

Access:

WYDOT has approved and processed an access permit to grant access to this parcel. The permit number is CB-05A-11193. No other access will be granted.

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 3rd day of March, 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. 08-17

Chairman Weickum opened a public hearing at 1:52 p.m. to hear Planning & Zoning Case File No. 08-15. Mr. Maddox and Ms. Rowan presented the following Case File: **Case File No. 08-17 – PDR Estates Subdivision Final Plat – Peter & Katherine Robinson (Owners)**: Request for the Final Plat of the PDR Estates Subdivision located in the SW1/4 of Section 19 and the NW1/4 of Section 30, T22N, R81W, 6th P.M., Carbon County, Wyoming. The PDR Estates Subdivision encompasses a total of approximately 27.538 acres, contains five (5) lots, and will contain residential activities only. Ms. Rowan read the staff conditions as listed in Exhibit A.

Chairman Weickum called for comments for or against this case. Mr. Robinson stated that the bond can not be accomplished right now without a cost for the project and he is not in a rush to complete the project. He stated when the time comes to complete the project, he understood the bond would be required. Chairman Weickum clarified that access was not by a County road but rather a private road. Chairman Weickum made it clear that if there is a County road, it may not be maintained and would be at the Road & Bridge Superintendent's discretion. Mr. Robinson stated that his covenants would address road maintenance. Chairman Weickum closed the public hearing a 2:02 p.m.

Commissioner Young moved to approve Planning & Zoning Case File No. 08-17 Peter & Katherine Robinson's request for the Final Plat of the PDR Estates Subdivision, on approximately 27.538 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. 2009-08, 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. 08-17. Commissioner Paxton seconded and the motion carried unanimously.

Resolution No. 2009 - 08

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 February 2, 2009, which said hearing was advertised by public notice at least 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 March 3, 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 Subdivision Regulations, as amended.

(1) Case File #08-17 – PDR Enterprises, Inc. and Peter and Katherine Robinson "PDR Estates Subdivision": Request for the **FINAL PLAT** of the "PDR Estates Subdivision" located in the SW1/4 of Section 19 and the NW1/4 of Section 30, T22N, R81W, 6th P.M., Carbon County, Wyoming. The current zoning district is Ranching, Agriculture, Mining (RAM). The "PDR Estates Subdivision" encompasses approximately 27.538 acres. The subdivision will contain residential activities. The applicant is applying for a zone change request (See Case #08-18) from RAM to Residential (RD). The RD Zone allows primarily residential activities. The subdivision contains 5 lots and contains approximately 27.538 acres, more or less. The subject property is located ½ mile southwest of the Town of Hanna's town limits and ¾ mile northeast of US 30.

The applicant is applying for a zone change (See Case #08-18) to comply with the Carbon County Zoning Resolution of 2003 Amended 01-06-2004 and Amended 05-06-2008. The applicant is requesting a zone change from Ranching, Agriculture, Mining (RAM) to Residential (RD) Zone (Lots 1-5) encompassing a total of approximately 27.538 acres. The density being one (1) single-family dwelling unit and associated structures permitted on each lot (Lots 1-5) located in the "PDR Estates Subdivision".

The "PDR Estates Subdivision" consists of 5 lots encompassing a total of approximately 27.538 acres, more or less.

Lot 1 = 5.0 acres

Lot 2 = 5.0 acres

Lot 3 = 5.0 acres

Lot 4 = 5.0 acres

Lot 5 = 7.538 acres

Legal Description: Know all men by these presents that PDR Enterprises, Inc., being sole owner in fee simple of all that real property described as follows:

All that part of a tract of land in the SW¼ Section 19 and the NW¼ Section 30, Township 22 North, Range 81 West, 6th P.M., Carbon County, Wyoming, more completely described as follows: Beginning at a 5/8" rebar with aluminum cap which bears S6°49'E, 842.79 feet from the Northwest corner of said Section 30; Thence S76°21'E, 600.00 feet to a 5/8" rebar with aluminum cap; Thence N13°39'E, 1999.29 feet, (against a record distance of 2000.00 feet) to a 5/8" rebar with aluminum cap; Thence N76°21'W, 600.00 feet to a 5/8" rebar with aluminum cap; Thence S13°39'W, 1999.29 feet, (against a record distance of 2000.00 feet), to the point of beginning, said tract containing 27.538 acres, more or less; have by these presents laid out, platted, and subdivided the same into lots and easements as shown hereon, with the free consent, and in accordance with the desires of the undersigned owners and proprietors, and designated the same as the PDR Estates Subdivision in the County of Carbon, State of Wyoming;

ACCESS EASEMENT:

A 100 ft. strip of land in the S½ of Sec. 19 and the N½ of Sec. 30, T22N, R81W, Carbon County, Wyoming, 50 ft. on each side of the following described centerline: Beginning at a point on the South line of the Hedgpeth Tract which bears S7°03'18"W, 501.63 ft. from the East ¼ corner of said Sec. 19; Thence S19°02'28"W, 1006.99 ft.; Thence N73°25'44"W, 247.40 ft.; Thence S64°47'56"W, 582.60 ft.; Thence S72°37'50"W, 180.30 ft.; Thence S64°11'05"W, 3106.78 ft.; Thence N72°32'16"W, 32.45 ft. to a point 50 ft. East of the East line of the PDR Estates Subdivision; Thence from this point N13°39'00"E, 1399.87 ft., and S13°39'00"W, 599.26 ft., 50 ft. East of, parallel with and adjacent to the East line of said PDR Estates Subdivision.

Density:

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 5.0 acres (RD-5.0)

Lot 2 – Density: One (1) single-family dwelling and associated structures are permitted on approximately 5.0 acres (RD-5.0)

Lot 3 – Density: One (1) single-family dwelling and associated structures are permitted on approximately 5.0 acres (RD-5.0)

Lot 4 – Density: One (1) single-family dwelling and associated structures are permitted on approximately 5.0 acres (RD-5.0)

Lot 5 – Density: One (1) single-family dwelling and associated structures are permitted on approximately 7.538 acres (RD-7.538)

Access:

- This area is in a tough winter zone and ***does not*** remain open everyday.
- Bureau of Rec.-BLM, Natrona County, and Carbon County all have roads to these areas and open them as they can during the winter at best not daily.

- WYDOT does not have concerns at this time. Access has been granted through an easement that appears to join an existing street within the City of Hanna.

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 3rd day of March, 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. 08-18

Chairman Weickum opened a public hearing at 2:05 p.m. to hear Planning & Zoning Case File No. 08-18. Mr. Maddox and Ms. Rowan of Planning and Development presented the following Case File: **Case File No. 08-18 – Peter & Katherine Robinson:** Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD) encompassing a total of approximately 27.538 acres. The RD Zone allows primarily residential activities. The 27.538 acres is located in the PDR Estates Subdivision – Final Plat. Ms. Rowan also read the staff conditions.

Chairman Weickum called for comments for or against this case. There being no comments, Chairman Weickum closed the public hearing a 2:06 p.m.

Commissioner Paxton moved to approve Planning & Zoning Case File No. 08-18 Peter & Katherine Robinson's request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD) on approximately 27.538 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. 2009-09, 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. 08-18. Commissioner Paxton seconded and the motion carried unanimously.

Resolution No. 2009 - 09

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 Wednesday, November 6, 2008, 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, March 3, 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 #08-18 – Peter and Katherine Robinson (Owners) and PDR Enterprises, Inc.:

Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD) in the “PDR Estates Subdivision” (See Case #08-17). The “PDR Estates Subdivision” encompasses approximately 27.538 acres. The RD Zone allows primarily residential activities. The applicant is applying for a subdivision request (See Case #08-17). The subdivision contains five (5) lots and contains approximately 27.538 acres, more or less. The density being one (1) single-family dwelling unit and associated structures permitted on each lot (Lots 1-5) located in the “PDR Estates Subdivision”. The subject property is located ½ mile southwest of the Town of Hanna’s town limits and ¾ mile northeast of US 30.

The “PDR Estates Subdivision” consists of 5 lots encompassing a total of approximately 27.538 acres, more or less.

Lot 1 = 5.0 acres

Lot 2 = 5.0 acres

Lot 3 = 5.0 acres

Lot 4 = 5.0 acres

Lot 5 = 7.538 acres

Legal Description: Know all men by these presents that PDR Enterprises, Inc., being sole owner in fee simple of all that real property described as follows:

All that part of a tract of land in the SW¼ Section 19 and the NW¼ Section 30, Township 22 North, Range 81 West, 6th P.M., Carbon County, Wyoming, more completely described as follows: Beginning at a 5/8" rebar with aluminum cap which bears S6°49'E, 842.79 feet from the Northwest corner of said Section 30; Thence S76°21'E, 600.00 feet to a 5/8" rebar with aluminum cap; Thence N13°39'E, 1999.29 feet, (against a record distance of 2000.00 feet) to a 5/8" rebar with aluminum cap; Thence N76°21'W, 600.00 feet to a 5/8" rebar with aluminum cap; Thence S13°39'W, 1999.29 feet, (against a record distance of 2000.00 feet), to the point of beginning, said tract containing 27.538 acres, more or less; have by these presents laid out, platted, and subdivided the same into lots and easements as shown hereon, with the free consent, and in accordance with the desires of the undersigned owners and proprietors, and designated the same as the PDR Estates Subdivision in the County of Carbon, State of Wyoming;

ACCESS EASEMENT:

A 100 ft. strip of land in the S½ of Sec. 19 and the N½ of Sec. 30, T22N, R81W, Carbon County, Wyoming, 50 ft. on each side of the following described centerline: Beginning at a point on the South line of the Hedgpeth Tract which bears S7°03'18"W, 501.63 ft. from the East ¼ corner of said Sec. 19; Thence S19°02'28"W, 1006.99 ft.; Thence N73°25'44"W, 247.40 ft.; Thence S64°47'56"W, 582.60 ft.; Thence S72°37'50"W, 180.30 ft.; Thence S64°11'05"W, 3106.78 ft.; Thence N72°32'16"W, 32.45 ft. to a point 50 ft. East of the East line of the PDR Estates Subdivision; Thence from this point N13°39'00"E, 1399.87 ft., and S13°39'00"W, 599.26 ft., 50 ft. East of, parallel with and adjacent to the East line of said PDR Estates Subdivision.

Density:

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 5.0 acres (RD-5.0)

Lot 2 – Density: One (1) single-family dwelling and associated structures are permitted on approximately 5.0 acres (RD-5.0)

Lot 3 – Density: One (1) single-family dwelling and associated structures are permitted on approximately 5.0 acres (RD-5.0)

Lot 4 – Density: One (1) single-family dwelling and associated structures are permitted on approximately 5.0 acres (RD-5.0)

Lot 5 – Density: One (1) single-family dwelling and associated structures are permitted on approximately 7.538 acres (RD-7.538)

Access:

- This area is in a tough winter zone and ***does not*** remain open everyday.
- Bureau of Rec.-BLM, Natrona County, and Carbon County all have roads to these areas and open them as they can during the winter at best not daily.
- WYDOT does not have concerns at this time. Access has been granted through an easement that appears to join an existing street within the City of Hanna.

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 3rd day of March, 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

Planning & Development

There was discussion of the current Planning office and the BOCC directed Ms. Rowan to keep the day to day operations of the office running while Joanne Garnett is assisting the County with the office.

RURAL ADDRESSING

Stan Gibson, Albany County Planning Addressing Coordinator, discussed the status of rural addressing in Carbon County. He stated that he sat at the former GIS individual's computer and tried to determine how much has been completed.

Mr. Gibson reported that the County has 1,321 addresses to date while we should have 8,307 rural addresses. He noted this number came from the 2000 addresses. He said that some of the 8,307 are incorporated limits. Subtracting the incorporated areas, the County should ultimately have 1,838 rural addresses. Mr. Gibson reported that the project is currently 37% complete, not the 95% that was previously reported. He added that some addresses must be reversed and reassigned as they were incorrectly calculated to begin with. Mr. Gibson further added that Carbon County's numbering system does not work well with the postal service.

Mr. Gibson also presented Albany County's Road Index and explained its purpose. He stated Albany County has an elaborative sign system in place paid for with a State Land and Investment Board (SLIB) grant.

The BOCC asked Mr. Gibson for his recommendation of where to go from here. Mr. Gibson recommended a workshop with entities that need to be involved and he offered to put this together. The BOCC asked Mr. Gibson for a proposal to complete this project and offered that the County could purchase a laptop dedicated to holding this information that Mr. Gibson could maintain.

Mr. Gibson reported that Albany County identifies the beginning of a road by range, township, and section. He added the key to making rural addressing work is that emergency personnel understand the land survey system. Mr. Gibson presented copies of Albany County's map books.

BOARD INTERVIEWS

Senior Services Board

Cynthia Chace interviewed for consideration of appointment to the Senior Services Board – Medicine Bow Area. Donald Mayfield also applied for consideration of reappointment but was scheduled for a previous telephone interview.

Old Penitentiary Joint Powers Board

Gary Hansen, Jr. interviewed for consideration of appointment to the Old Penitentiary Joint Powers Board.

BOARD APPOINTMENTS

Commissioner Paxton moved to appoint Gary Hansen, Jr. to the Old Penitentiary Joint Powers Board for a three-year unexpired term expiring May 2011. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to appoint Barbara Moss to the Senior Services Board – Dixon/Savery Area for a three-year term expiring April 2012. Commissioner Young seconded and the motion carried unanimously.

Commissioner Paxton moved to appoint Cynthia Chace to the Senior Services Board – Medicine Bow Area for a three-year term expiring April 2012. Commissioner Young seconded and the motion carried unanimously.

MEMORIAL HOSPITAL OF CARBON COUNTY (MHCC) – ENERGY SAVINGS PROJECT LEASE

Clerk Bartlett provided the supplemental financing documents for an additional \$750,000.00 related to the lease/purchase with the Bank of Commerce to finance MHCC's mechanical/electrical upgrade. She stated the Chairman was authorized to sign these documents at a previous meeting. Clerk Bartlett also presented the Opinion of Counsel to Lessee letter from Attorney DeLancey and Special Counsel Opinion letter from Freudenthal & Bonds, P.C. pertaining to the lease as well as the Internal Revenue Service Form 8038-G.

Chairman Weickum signed the First Supplemental Master Lease-Purchase Agreement Between Bank of Commerce as Lessor and Carbon County, Wyoming as Lessee, First Amended Site Lease, Notice of Lease of Real Property, Notice of Lease of Real Property and Improvements, First Supplemental Escrow Agreement, First Supplemental Master Lease-Purchase Agreement and Internal Revenue Service Form 8038-G related to the lease/purchase with Bank of Commerce to finance Memorial Hospital of Carbon County's mechanical/electrical upgrade for an additional amount of \$750,000.00.

Amendment Number One to Memorandum of Understanding (MOU)

Clerk Bartlett advised Amendment Number One to MOU relating to the revised payment schedule from Bank of Commerce has been sent to Memorial Hospital of Carbon County (MHCC) for their review. She stated the amendment needs to be in place before MHCC's first revised payment on March 15, 2009 and asked the BOCC to authorize the Chairman's signature once she receives MHCC's approval of the amendment. She added that Attorney DeLancey has approved the amendment and recommends approval.

Commissioner Young moved to authorize the Chairman's signature on Amendment Number One To The Memorandum of Understanding Between the Board of County Commissioners of the County of Carbon (BOCC) and the Board of Trustees of the Memorial Hospital of Carbon County (MHCC) Dated July 1, 2008 upon approval of the amendment by Memorial Hospital of Carbon County. Commissioner Paxton seconded and the motion carried unanimously.

Chairman Weickum left the meeting at 3:37 p.m. and turned the meeting over to Vice-Chairman Paxton.

CLERK

Bond

Commissioner Young moved to approve a bond for Linda K. James, Treasurer for the Carbon County Visitor's Council in the amount of \$100,000.00. Commissioner Paxton seconded and the motion carried unanimously.

GIS Services Agreement

Clerk Bartlett presented an agreement with Albany County for GIS services.

Commissioner Young moved to approve the Agreement Between Albany County, Wyoming and Carbon County Wyoming for GIS Program Services, the agreement totals payment by Carbon County in the amount of \$15,000.00. Commissioner Paxton seconded and the motion carried unanimously.

ADG AGREEMENT

Commissioner Young moved to amend the motion made previously today regarding the Agreement Between Sponsor and Consultant for Consulting Services to change the amount to \$76,600.00 from \$49,000.00. Commissioner Paxton seconded and the motion carried unanimously.

RECESS

Vice-Chairman Paxton declared a recess at 3:50 p.m. and reconvened at 3:58 p.m.

EXECUTIVE SESSION

Commissioner Young moved to go into executive session at 3:59 p.m. with Clerk Bartlett and Attorney DeLancey to discuss pending litigation and other matters considered confidential by law. Commissioner Paxton seconded and the motion carried unanimously.

Commissioner Young moved to come out of executive session at 4:25 p.m. and declared that no action was taken during the session and that the minutes of the session be approved as written and sealed. Commissioner Paxton seconded and the motion carried unanimously.

ADJOURNMENT

There being no further business, Chairman Weickum adjourned the meeting at 4:25 p.m.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 17th day of March 2009

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Terry Weickum, Chairman