

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

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, February 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 9:04 a.m.

DIXON AIRPORT MANAGER

Clerk Bartlett advised the BOCC that Joseph Herstead cancelled his interview at 11:00 a.m. today.

VOUCHERS

Commissioner Young moved to approve the report of expenditures in the amount of \$123,250.37. Commissioner Paxton seconded and the motion carried unanimously.

Commissioner Paxton moved to approve payment of an invoice to Dr. Young in the amount of \$150.00. Chairman Weickum seconded and the motion carried with Commissioner Paxton and Chairman Weickum voting for the motion and Dr. Young abstaining.

A T & T	PHONE SERVICES	6.45
ALCO	SUPPLIES	120.45
ALDERETE, MAX	INSTALLATION OF NEW FAUCET	35.00
ALSCO, AMERICAN LINEN	SHOP SUPPLIES/FLOOR MATS	141.03
AMERIGAS	PROPANE SERVICES	2,996.82
ANDERSON HIGHWAY SIGNS	TIRE CHAINS REQUIRED SIGN	248.29
ANDERSON LOCK CO	DEADLATCH FOR UNIT LOCK	79.05
ARLINGTON OUTPOST	FUEL	132.87
BARTLETT, SUE RN	MILEAGE	44.50
BI-RITE PHARMACY	JAIL RX'S	5,719.47
BOULDER COUNTY SHERIFF	SERVICE OF PAPERS	28.26
BRESNAN COMMUNICATIONS	CABLE & ONLINE SERVICES	208.92
BUILD RITE LUMBER SUPPLY	SHELF BRACKETS	33.96
BUSEY, SHARALEE	MILEAGE	210.00
CARBON CTY CHAMBER OF COMM	2009 MEMBERSHIP DUES	127.26
CARBON COUNTY COOPERATIVE EXT	REGISTRATION FEES	700.00
CARBON COUNTY STRIKE TEAM	MID WINTER FIRE SCHOOL	1,012.06
CARBON COUNTY TREASURER	CASH ITEMS	887.04
CARBON COUNTY TREASURER	JURY EXPENSES	4,093.00
CARBON COUNTY VETERINARY	DOG FOOD	33.99
CARBON POWER & LIGHT	ELECTRICAL SERVICES	241.60
CARSON INDUSTRIES, INC.	GERMICIDE KIT	249.90
CBM FOOD SERVICE	FOOD/MEALS	6,508.12
CDW GOVERNMENT, INC.	SOFTWARE LICENSES	582.82
CENTURYTEL	PHONE SERVICES	174.06
CESKO, DAVID MD	HEALTH SERVICES	350.00
CLARK, RITA	MILEAGE	33.00
CORPORATE EXPRESS	OFFICE SUPPLIES	705.58
CRAFTSMAN ELECTRIC	POWER PROBLEMS/NEW OUTLET	753.02
CYR, NANCY	MILEAGE	56.50
DAILY TIMES	ADVERTISING	1,112.40
DAVIS & CANNON, LLP	LEGAL SERVICES	1,039.72
DEHERRERA & BACH LAW	LEGAL SERVICES	5,002.60
DISHONG, JOHN & CAROL	FEB 2009 & MARCH 2009 LEASE	300.00
EAGLE UNIFORM SUPPLY	FLOOR MATS	62.30
ERICKSON & ROBERTS	LEGAL SERVICES	649.27

ESRI	ARCEDITOR PRIM MTCE/ARCPAD SUPPT	1,795.00
FAIRFIELD INN	MOTEL FEES	77.00
FARMER BROTHERS COFFEE	COFFEE SUPPLIES	123.81
FRANCIS, SARAH	LUNCH MEETING	18.60
GALLS INCORPORATED	ENGRAVING	89.91
GASES PLUS	SHADE/SUPPLIES	316.63
GLAXOSMITHKLINE FINANCIAL	HEALTH VACCINES	810.90
GOSVENOR, MAXINE	MILEAGE	40.00
GRAPHIC SPORTS	NOTARY STAMPS	131.85
GREGORY, RICHARD	REPLACEMENT OF TIRE CHAIN	120.68
HASCO INDUSTRIAL SUPPLY	PIPES	535.42
HAYS, STEPHEN DDS	DENTAL SERVICES	474.00
HEIMAN FIRE DEPARTMENT	HELMETS/GLOVES/FIRE EQUIPMENT	2,700.86
HEROLD IRON WORKS	HEAVY EQUIPMENT MAINTENANCE	907.28
HETTGAR, BRIDGET M RN	MEALS	38.53
HIGH PLAINS POWER	ELECTRICAL SERVICES	295.13
HIGH PLAINS VISION CENTER	VISION SERVICES	655.00
HILLCREST SPRING WATER	WATER SERVICES	15.00
HOLIDAY INN EXPRESS	WITNESS HOTEL FEES	517.25
HOPKINS MEDICAL PRODUCTS	MEDICAL SUPPLIES	682.50
IKON FINANCIAL SERVICES	WIDE FORMAT/COPIER	2,082.00
IKON OFFICE SOLUTIONS	COPY MACHINE RENTAL	4,341.57
INTERMOUNTAIN LOCK & SECURITY	DEADLATCH	85.00
J H KASPAR OIL COMPANY	FUEL	259.44
JACK, WILLIAM A.	CPR TRAINING	90.00
JACKALOPE PRINTING	PLAQUE/OFFICE SUPPLIES	112.00
JERRY'S DONUTS	DONUTS	17.98
JONES, MICHAEL	APPRECIATION GIFT/MILEAGE	728.90
JUVE, JANE H	LEGAL SERVICES	2,196.16
KAR KRAFT INC	REAR U JOINT/SERPENTINE BELT/MTCE	575.47
KENCO SECURITY AND TECHNOLOGY	ALARM MONITORING	34.00
KILBURN TIRE COMPANY	TIRE REPAIR/TIRES	930.85
L & L ELECTRIC	LIGHTING PROBLEMS	258.09
L N CURTIS & SONS	FIRE EQUIPMENT	346.09
LAVINE, ROB	ONLINE SEMINAR	250.00
LINCOLN PRINTING PLUS	ENVELOPES	128.40
LIPPINCOTT	MAGAZINE RENEWAL	29.99
LONG BUILDING TECHNOLOGIES	LAW LIBRARY CABINET HEAT	1,587.85
MATCO TOOLS	SHOP TOOLS	44.55
MAYFIELD, DON	MILEAGE	36.00
MEMORIAL HOSPITAL	HEALTH SERVICES	3,297.00
MERBACK AWARD COMPANY	PLAQUE & ENGRAVING	85.06
MESA COUNTY SHERIFF'S DEPT.	SERVICE OF PAPERS	10.04
MILLS, JACK PH.D.	CONSULTING SERVICES	700.00
MOELLER, MARIE	CLEANING SERVICES	114.00
MOORE MEDICAL CORP.	HEALTH/MEDICAL SUPPLIES	513.75
MOSS, BARBARA	MILEAGE	54.60
MPM CORP / EVERGREEN	GARBAGE SERVICES	12.50
NATIONAL RIFLE ASSOCIATION	NRA CERTIFICATION	44.00
NOYES HEALTH CARE CENTER	DOT PHYSICAL	117.00
OFFICE DEPOT	OFFICE SUPPLIES	205.17
OSU AD CONFERENCES	RURAL HEALTH WORKS TRAINING	75.00
OUR DESIGNS, INC.	NAMETAGS	49.95
PAGE ONE	PHONE SERVICES	11.11
PERKINS OIL CO	OIL	1,740.75
PHILLIPS 66	FUEL	519.81
PITNEY BOWES	COPY MACHINE RENTALS	271.00
PITNEY BOWES INC	COPY MACHINE RENTALS	24.00
PLATTE VALLEY MEDICAL	HEALTH SERVICES	355.00
PRO-CHEM INDUSTRIAL	CLEANING SUPPLIES	390.32
PUBLIC SAFETY CENTER	FINGERPRINT SUPPLIES	286.51
QUILL CORPORATION	OFFICE SUPPLIES/INDEX TABS/TONER	465.99
QWEST-DENVER	PHONE SERVICES	54.67
QWEST-KENTUCKY	LONG DISTANCE SERVICES	398.75
QWEST-PHOENIX	PHONE SERVICES	304.98

RAWLINS AUTOMOTIVE	JACK/AIR HOSE/FITTINGS	273.87
RAWLINS EYE CARE	VISION SERVICES	281.74
RAWLINS FAMILY MEDICAL	HEALTH SERVICES	666.00
RAWLINS URGENT CARE	HEALTH SERVICES	359.00
RAWLINS, CITY OF	WATER SERVICES	1,051.62
RICHARDSON, JILL	POSTAGE	17.97
ROCKY MOUNTAIN INFO NETWORK	2009 MEMBERSHIP FEES	150.00
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICES	4,807.79
ROSS' AUTOMOTIVE SERVICE	VEHICLE MAINTENANCE	73.54
ROWAN, KRISTY	MEALS	40.88
SARATOGA AUTO PARTS	EMBLEMS/WRENCH/SUPPLIES/VEH MTCE	1,064.66
SARATOGA, TOWN OF	FEBRUARY 09 LEASE	2,000.00
SHEA, DIXIE F	MILEAGE	24.00
SHEEN LAW OFFICE	LEGAL SERVICES	1,748.90
SHEPARD'S	FUEL	73.46
SHIVELY HARDWARE	SAW/TIRES/VEHICLE MTCE	520.64
SNAP-ON TOOLS	SHOP TOOLS	122.15
SNOWY RANGE PROPANE	PROPANE SERVICES	1,207.62
SOURCE GAS	GAS SERVICES	17,986.89
STATE OF WYOMING A & I	MAINFRAME ACCESS	11.22
STROM, CALVIN	WINDSHIELD	41.98
TERMINIX	PEST CONTROL	35.00
THE ACCOUNTANTS OFFICE	ACCOUNTING SERVICES	363.36
TIRE DISTRIBUTION SYSTEM	TIRES	6,976.68
TRENT LAW OFFICE, LLC	LEGAL SERVICES	233.34
TRUE VALUE OF RAWLINS	SUPPLIES/HARDWARE	731.24
U S POSTMASTER	PO BOX RENTAL	38.00
UNION TELEPHONE COMPANY	PHONE SERVICES	1,017.89
U. S. DEPT. OF THE INTERIOR	CARBON CEMETERY LEASE	250.00
UNIVERSITY OF WYOMING	CONFERENCE DUES	150.00
V-1 PROPANE	PROPANE SERVICES	873.72
VALLEY FIRE EXTINGUISHER	FIRE EXTINGUISHER ANNUAL INSP	26.00
VALLEY PHARMACY	RX'S	18.19
VERIZON WIRELESS	PHONE SERVICES	865.00
WALBYE, LILA	MILEAGE	36.00
WASHBOARD, THE	COURTHOUSE SUPPLIES	22.28
WEINERT, HERMAN R	MILEAGE	25.20
WILSON, MARGARET	PATCHES	264.00
WRECK-A-MEND	REPAIR LEFT DOOR HANDLE	120.80
WY COUNTY COMMISSION	REGISTRATION FEES	135.00
WY DEPARTMENT OF FAMILY SVCS	DECEMBER COPIES	30.12
WY FINANCIAL INSURANCE	NOTARY BOND	50.00
WY LAW ENFORCEMENT ASSOC.	TRAINING	1,875.00
WY MACHINERY COMPANY	HEAVY EQUIP RPR/FILTERS/BOLTS/NUTS	2,846.60
WY STATE FIRE ADVISORY BOARD	2009 RURAL FIREMEN'S ASSOC DUES	300.00
WY STATIONERY	OFFICE SUPPLIES	2,734.19
XEROX CORPORATION	COPIER SUPPLIES	8.63
XEROX CORPORATION-RE	COPIERS/BASE CHARGE/RENT	1,414.08
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICES	26.16
YOUNG, CHARLES MD	HEALTH SERVICES	150.00
GRAND TOTAL		123,400.37

AGENDA AMENDMENT

Commissioner Paxton moved to amend the agenda to move a Dixon Airport Manager interview to 11:00 a.m., add Mark Ducker at 2:30 p.m., Dr. Schulze at 2:45 p.m. with Commissioners discussion and the executive session to follow. Commissioner Young seconded and the motion carried unanimously.

CLERK

Coalbed Methane Coordination Coalition

Clerk Bartlett distributed copies of an e-mail from B.J. Kristiansen of the Coalbed Methane Coordination Coalition (CBMCC) regarding the possible dissolution of the Coalition. There was

discussion of the BOCC's thoughts on this and Commissioner Paxton stated he would attend the next CBMCC meeting.

Road & Bridge

Clerk Bartlett stated the motion made January 20, 2009 authorizing Road & Bridge to purchase a truck should have been \$32,715.42 rather than \$37,865.42 as the flatbed, winch, and brush guard was inadvertently added on twice. The Board asked that the issue wait to confirm with Bill Nation.

Minutes

Commissioner Paxton moved to approve the minutes of the January 20, 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 \$10,000.00 bond for Mary F. Waldron, Treasurer for the Little Snake River Conservation District and a \$10,000.00 bond for Irene Archibald, Treasurer for Wagoner Cherokee Irrigation District. Commissioner Paxton seconded and the motion carried unanimously.

Monthly Receipts

Commissioner Young moved to accept Planning and Development receipts in the amount of \$1,132.00 and GIS receipts in the amount of \$1,500.00 both for the month of December 2008 and Carbon County Clerk Statement of Fees Collected for the Month of January 2009 in the amount of \$13,060.50. Commissioner Paxton seconded and the motion carried unanimously.

Employee Benefit Plan

Clerk Bartlett presented the Carbon County Employee Benefit Plan from Meritain Health with amendments for approval.

Commissioner Paxton moved to approve and authorize the Chairman's signature on the Carbon County Employee Benefit Plan effective October 1, 1998, restated January 1, 2009, group no. 02104, from Meritain Health. Commissioner Young seconded and the motion carried unanimously.

Homeland Security Grant Agreements

Clerk Bartlett presented two Homeland Security Grant Awards for the Board's consideration. She stated Attorney Cindy DeLancey has reviewed each agreement and recommends their approval.

Commissioner Paxton moved to approve the following grant awards; Grant Award for U.S. Department of Homeland Security (DHS) the Federal Emergency Management Agency (FEMA), Grant Programs Directorate, Citizens Corp Program (CCP), Fiscal Year 2008, Project ID 08-GPD-CAR-CC—HCC8, in the total amount not to exceed \$3,736.11, with an award period of September 1, 2008 through May 31, 2011, to build and sustain programs and capabilities within and across State boundaries, while aligning, planning, equipment, training, and exercise needs for acts of terrorism; and Grant Award for U.S. Department of Transportation, Hazardous Materials Emergency Planning Grant (HMEP) Fiscal Year 2009, Project ID 09-DOT-CAR-HM-HMP9 in the total amount not to exceed \$2,339.23, with an award period of October 1, 2008 through July 31, 2009, to develop, improve, and implement hazardous materials emergency plans including training. Commissioner Young seconded and the motion carried unanimously.

Road & Bridge

Bill Nation confirmed that the purchase price for the truck should be \$32,715.42.

Commissioner Young moved to amend the motion made January 20, 2009 authorizing Road & Bridget to expend \$37,865.42 to purchase a new pickup to change the amount to \$32,715.42. Commissioner Paxton seconded and the motion carried unanimously.

Library Leases

Clerk Bartlett discussed preparing a lease for library branches and asked the BOCC if they thought this was necessary. Chairman Weickum asked Attorney DeLancey to contact the Local Government Liability Pool to obtain their input on whether or not they feel a lease would be necessary.

Senior Services Lease Agreements

Clerk Bartlett presented two lease agreements for Senior Services. One is for office space located in the Carbon Building and the other is for Centers located in Rawlins, Baggs, Dixon, Encampment, Medicine Bow and Saratoga. She stated Attorney DeLancey has reviewed each agreement and recommends their approval.

Commissioner Young moved to approve the following lease agreements; Lease Agreement Between Carbon County Commissioners and Carbon County Senior Services, Inc. for office space located in the Carbon Building, Suite 109 in the amount of \$10.00 per year for two years commencing January 1, 2009 and terminating December 31, 2010; and Lease Agreement Between Carbon County Commissioners and Carbon County Senior Services, Inc. for the Senior Centers located in Rawlins, Baggs, Dixon, Encampment, Medicine Bow and Saratoga in the amount of \$10.00 per year for 25 years commencing January 1, 2009 and terminating December 31, 2033. Commissioner Paxton seconded and the motion carried unanimously.

Attorney DeLancey stated that the two year lease will renew automatically unless terminated.

Community Services Block Grant Program

Clerk Bartlett requested approval to submit the County sponsored Carbon County Community Action Committee's grant application for 2009 Community Services Block Grant (CSBG) Program State Set-Aside Funding. She stated the funds will be used to hire a contractor to prepare an updated Community Needs Assessment for Carbon County. Clerk Bartlett added that the Assessment is required for continued use of CSBG funds.

Commissioner Young moved to approve the submittal of a 2009 Community Services Block Grant Program State Set-Aside Funding Application to finance an updated Community Needs Assessment for Carbon County. Commissioner Paxton seconded and the motion carried unanimously.

Elections

Clerk Bartlett requested and received authorization to purchase AccuVote OS voting machine memory cards.

Commissioner Paxton moved to approve the expenditure of the purchase of \$6,250.00 for fifty memory cards for the AccuVote OS Voting Machines. Commission Young seconded and the motion carried unanimously.

ELECTED OFFICIALS / DEPARTMENT HEADS

Attorney

Attorney DeLancey advised she has been working on the exchange of land with Carbon County School District #1 at the Fairgrounds and presented a Warranty Deed for review and approval.

Commissioner Paxton moved to authorize the Chairman's signature on the Warranty Deed between Carbon County, Wyoming and Carbon County School District 1 for exchange of the property at the Fairgrounds, more specifically described as a parcel of land in the NW1/4 of Section 16, T21N, R87W, 6th P.M. which is a portion of the land described in Book 397, Page

330-331 in the Misc. Records of the Carbon County Clerk. Commissioner Young seconded and the motion carried unanimously.

Treasurer

County Treasurer Cindy Baldwin reported she has received the Forest Reserve funds and will distribute them as follows: Title II funds total \$84,331.00, Title III funds of \$25,948.05 will go to Carbon County School Districts #1 and #2, \$45,409.00 to the County Forest Reserve Account and \$493,012.95 to the County General Fund.

Coroner

Paul Zamora, County Coroner, stated he has acquired the use of a local pathologist from Lander to perform autopsies. He currently uses a firm from Loveland, Colorado to do this and must travel there. He stated the new pathologist will come to Rawlins and will save approximately \$700.00 per case as well as maintaining the evidence more efficiently. Attorney DeLancey reported that to have a fast turnaround available locally will help her office as well.

Mr. Zamora reported that he had 79 cases in 2007, 65 cases in 2008, and 6 to date in 2009.

RECESS

Chairman Weickum called a recess at 10:24 a.m. and reconvened at 10:29 a.m.

Assessor

Chairman Weickum discussed GIS being used in the Assessor's Office. He stated he asked Alan Frank and Spencer Cherry of Albany County to speak about GIS.

County Assessor, Sheryl Snider, presented several rebates and abatements for the Chairman's signature. She introduced Alan Frank and Spencer Cherry. Mr. Frank presented an overview of GIS and how the data interacts with various departments. He stated that he hopes to have the foundation work of ownership data complete by June.

Commissioner Paxton moved to authorize the expenditure of up to \$15,000.00 from Special Projects for GIS work by Albany County. Commissioner Young seconded and the motion carried unanimously.

Attorney DeLancey stated that she hopes to have a memorandum of understanding between the two counties by the next meeting.

Assessor Snider reported that the State Board of Equalization pertaining to Shandon Park was rescheduled to March.

Emergency Management

Harold Newbrough reported the Hazard Mitigation Plan was returned from Federal Emergency Management Agency and he presented the final version. He also presented a resolution pertaining to the final plan. The BOCC asked that Attorney DeLancey be given time to review the resolution.

Road & Bridge

Bill Nation, Road & Bridge Superintendent, discussed the previously approved GIS project and stated his excitement for the project. Mr. Nation reported that he continues to rebuild wearbar attachments for blades. His department also is pouring concrete blocks for cattle guards and building cattle guards is ongoing. Mr. Nation discussed Senate File 29 that would increase the industrial road program fund limit per county from \$1 million to \$2 million. He discussed recycled asphalt product projects he would like to complete on County Roads 605, 347S, 100, and 499.

Mr. Nation stated that he has been contacted by oil companies regarding crossing County roads.

DIXON AIRPORT MANAGER

Tracey Habel and Kris Zeigler were interviewed for the Dixon Airport Manager position.

BOARD INTERVIEWS

Rawlins – Carbon County Airport Board

Kris Thorvaldson interviewed for consideration of appointment to the Rawlins – Carbon County Airport Board. Richard Fassett also applied for consideration of appointment but was scheduled for a previous telephone interview.

Fair Board

Jim Miller and Anna Helm interviewed for consideration of appointment and reappointment to the Fair Board.

RECESS

Chairman Weickum recessed for lunch at 12:14 p.m. and reconvened at 1:33 p.m.

PLANNING & ZONING

Public Hearing Case File No. 08-25

Chairman Weickum opened a public hearing at 1:33 p.m. to hear Planning & Zoning Case File No. 08-25. Kristy Rowan of Planning and Development presented the following Case File:

Case File No. 08-25 – James M. and Sherri L. King: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-10.5) on approximately 10.5 acres. Density being one (1) single family dwelling unit and associated structures allowed on approximately 1.5 acres. The RRA Zone allows residential and agricultural activities. 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 1:39 p.m.

Chairman Weickum discussed that the roads in this area may not be maintained by the County. He recommended inserting language in the approval that the maintenance of the road(s) will be at the sole discretion of the Road & Bridge superintendent and it could change from time to time depending on many things such as funding. Chairman Weickum told the applicant that he wanted this comment very clear to them and ensured the applicant understood this. Mr. King, the applicant, stated that he was very comfortable and understood the road maintenance situation.

Commissioner Paxton moved to approve Planning & Zoning Case File No. 08-25 James M. and Sherri L. King's request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-10.5) on approximately 10.5 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 Young moved to approve Resolution No. 2009-03, 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. 08-25. Commissioner Paxton seconded and the motion carried unanimously.

Resolution No. 2009 - 03

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

WHEREAS, pursuant to Wyo. Stat. Ann. §18-5-202(b) and (c), the Carbon County Planning and Zoning Commission held a public hearing on Monday, January 5, 2009, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

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

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

WHEREAS, the Carbon County Commissioners, pursuant to Wyo. Stat. Ann. §18-5-202(c) and after receipt of said certified recommendation for approval of this amendment to the Carbon County Zoning Resolution of 2003, as amended and subsequent amendments advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on Tuesday, February 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 #08-25 – James M. and Sherri L. King: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-10.5) on approximately 10.5 acres. The RRA Zone allows residential and agricultural activities. The subject property is located 6 miles southwest of the Town of Elk Mountain on Pass Creek Road (Carbon County Road #404) near the entrance to the Aspen Highlands Subdivision and the Aspen Meadows Subdivision.

Legal Description: Section 2, T19N, R81W, 6th P.M., Carbon County, Wyoming SE1/4, EXCEPTING THEREFROM that certain tract of land as conveyed to Ralph C. D’Arge and Mackie D’Arge by Warranty Deed recorded September 20, 1978, in Book 686, Page 834; and also EXCEPTING THEREFROM that portion conveyed to so-Wok, Inc., a Wyoming Corporation, by Warranty Deed recorded August 7, 1979, in Book 701, Page 706, of the Records of Carbon County, Wyoming.

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

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

Book 701, Page 706 – Warranty Deed Description:

All of the land comprise the Final Plat of the Aspen Meadows Subdivision, being portions of the S1/2 SE1/4, Section 2, the W1/2 and N1/2 SW1/2, Section 11, T19N, R81W, 6th P.M., recorded at 4:35 p.m., September 6th, 1978, in Book 600A of Plats, page 11, Instrument Number 626137, Carbon County, Wyoming; together with all water and water rights, all improvements thereon situated and all rights and easements appurtenant thereto. Subject however, to all covenants, easements, reservations, and restrictions, if any of record and to all prior ditch and ditch rights, water and water rights.

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 10.5 acres (RRA-10.5).

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 3rd day of February, 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

Certification of Case Files No. 08-15, 08-16, 08-17 and 08-18

Ms. Rowan presented the Certification of Recommended Action for Case Files No. 08-15, 08-16, 08-17, and 08-18.

Commissioner Paxton moved to schedule a public hearing for March 3, 2009 at 1:30 p.m. at the County Courthouse in Rawlins, Wyoming to hear Case File No. 08-15, Diana Jackson (owner) and Christian Community Church's (Developer) request for the Final Plat of the Community Church Subdivision encompassing approximately 8.01 acres; Case File No. 08-16, Diana Jackson (owner) and Christian Community Church's (Developer) request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-8.01) Zone in the Community Church Subdivision, encompassing approximately 8.01 acres; Case File No. 08-17, PDR Enterprises, Inc.'s (Peter & Katherine Robinson – owners) request for the Final Plat of the PDR Estates Subdivision encompassing approximately 27.538 acres; and Case File No. 08-18, PDR Enterprises, Inc.'s (Peter & Katherine Robinson – owners) request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD) Zone in the PDR Estates Subdivision, encompassing approximately 27.538 acres. Commissioner Young seconded and the motion carried unanimously.

GATEWAY WEST TRANSMISSION LINE

George Schneider of Fort Steele, spoke about the Gateway West Transmission Line. He stated that he is not against the project but he feels it could be relocated to outside the residential area of Ft. Steele. Mr. Schneider stated that he would like the BOCC's support on the relocation of this project. Chairman Weickum and the rest of the BOCC agreed that the project be relocated and there was further discussion of the project. Mr. Schneider provided the BOCC with a copy of the BLM's mission statement.

ECONOMIC DEVELOPMENT CORPORATION

Mark Ducker, Economic Development Corporation (EDC) Director, reported on a Request for Proposal (RFP) for Site Selection of the High Plains Gasification – Advanced Technology Center. Mr. Ducker stated part of the RFP calls for a performance bond and he wondered if EDC should be bonded as the proposer. He stated it would be helpful for the proposal if the County was interested in providing a limited amount of funding if the site was selected. Commissioner Paxton stated he agrees with the concept as long as it is legal and falls within budgetary constraints. Mr. Ducker stated that the University of Wyoming would come up with a short list of sites then perform site visits and surveys. There was discussion about involving the Wyoming Business Council at the selected site. Mr. Ducker asked if the performance bond would need to be provided by EDC or by the County. The BOCC agreed that EDC would provide the bond as the applicant and if the County funded the project, the funding would likely flow through EDC.

Commissioner Paxton moved to support the Carbon County Economic Development Corporation's application on the Request for Proposal for Carbon County to be the site for the High Plains Gasification – Advanced Technology Center and that the County is willing to commit future funding towards infrastructure improvement. Commissioner Young seconded and the motion carried unanimously.

MEMORIAL HOSPITAL OF CARBON COUNTY

Dr. Kenneth Schulze of the Memorial Hospital of Carbon County (MHCC) and Art Canaday of the MHCC Board reported that the BOCC previously approved a \$750,000.00 amendment to finance the energy savings project at the MHCC. Dr. Schulze stated that he expects to only use \$550,000.00 of this funding. He added that with the passing of the specific purpose tax project the electrical/mechanical upgrades would be done within this project in the operating room (O.R.) area. He recommends taking this area out of the energy savings project and using those additional funds towards their data, lab, and the CT room, all areas that were left out of the original Energy Savings Project. Dr. Schulze stated that rather than having URS doing these upgrades in the O.R. then having this done again with the specific purpose tax project, he proposes leaving the O.R. out of the energy savings project completely. Dr. Schulze asked for authorization to use the additional financed funds to replace air conditioners in the lab, the data room, and the CT room. Chairman Weickum confirmed that if this request was granted that this would be the end of the project and needed financing. Dr. Schulze agreed. Mr. Canaday stated that MHCC has already spent a large amount of cash to maintain other areas of the hospital.

Commissioner Young moved to approve the changes articulated by Dr. Schulze. Commissioner Paxton seconded and the motion carried unanimously.

BOARD APPOINTMENTS

Rawlins – Carbon County Airport Board

Commissioner Young moved to appoint Kris Thorvaldson to the Rawlins – Carbon County Airport Board for a five-year unexpired term expiring February 2010. Commissioner Paxton seconded and the motion carried unanimously.

Fair Board

Commissioner Young moved to reappoint Anna Helm to the Fair Board for a five-year term expiring February 2014. Commissioner Paxton seconded and the motion carried unanimously.

Carbon County Economic Development Corporation

James E. Elliott, Jr. applied for consideration of appointment to the Carbon County Economic Development Corporation.

Commissioner Paxton moved to appoint James E. Elliott, Jr. to the Carbon County Economic Development Corporation for a three-year unexpired term expiring December 2010. Commissioner Young seconded and the motion carried unanimously.

GATEWAY WEST PROJECT

Attorney DeLancey presented a letter for the Board's consideration commenting on the Gateway West Project. She also recommended the Board appoint one of its members to be the lead on obtaining information about this project.

Commissioner Paxton moved that the Carbon County Commissioners send a letter of comment to the Bureau of Land Management regarding the proposed Gateway West Transmission Line near Ft. Steele. Commissioner Young seconded and the motion carried unanimously.

COMMISSIONER DISCUSSION

Chairman Weickum reported that he recently testified in front of the Corporations Committee against a bill that would exempt sales tax for wind farms. There was further discussion of the effects of wind farms in the County.

ROAD & BRIDGE

Mr. Nation reported that he spoke with Mark Ducker about road effects regarding the EDC's application.

RECESS

Chairman Weickum recessed at 3:17 p.m. and reconvened at 3:30 p.m.

TAPE ERROR

Chairman Weickum noted that from 1:30 p.m. to 2:00 p.m. the tape recorder was not running. He summarized the events that occurred noting a public hearing was held for Case File No. 08-25, with the Zone Change granted as well as Resolution 2009-03 being passed concerning this Case File. Four Case Files, No. 08-15, 08-16, 08-17, and 08-18, were scheduled for public hearings on March 3, 2009 at 1:30 p.m.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session at 3:31 p.m. with Clerk Bartlett, Attorney DeLancey and Bill Nation 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 4:22 p.m. and that the minutes of the session be approved as written and sealed and declared that no action was taken during the session. Commissioner Young seconded and the motion carried unanimously.

ADJOURNMENT

There being no further business, Chairman Weickum adjourned the meeting at 4:23 p.m.

Gwynn G. Bartlett, Carbon County Clerk

Approved this 17th day of February 2009

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

Terry Weickum, Chairman