

**MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, January 4, 2011  
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, January 4, 2011 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Terry Weickum; Vice Chairman Jerry Paxton; Commissioner Leo Chapman; Deputy County Attorney Mike Kelly; County Clerk Gwynn Bartlett; and Deputy Clerk Kathy Turner.

Chairman Weickum called the meeting to order at 9:06 a.m.

**CHAIRMAN APPOINTMENT**

Commissioner Paxton moved to appoint Terry Weickum as Chairman of the Board of Carbon County Commissioners. Commissioner Chapman seconded and the motion carried with Commissioners Paxton and Chapman voting for the motion and Chairman Weickum abstained.

Chairman Weickum moved to appoint Jerry Paxton as Vice Chairman of the Board of Carbon County Commissioners. Commissioner Chapman seconded and the motion carried with Chairman Weickum and Commissioner Chapman voting for the motion and Commissioner Paxton abstained.

**VOUCHERS**

Commissioner Paxton moved to approve the report of expenditures in the amount of \$362,661.16. Commissioner Chapman seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
AELE LAW ENFORCEMENT LEGAL CENTER	DEPUTY SCHOOLING	\$795.00
ALSCO, AMERICAN LINEN DIVISION	SUPPLIES	\$136.95
AMERIGAS	PROPANE SERVICES	\$3,658.92
BAUER PLUMBING	BUILDING REPAIRS	\$665.98
BEST WESTERN COTTONTREE	MOTEL CHARGES	\$385.00
BRAUN, LORNA	MILEAGE	\$300.00
BRESNAN COMMUNICATIONS	CABLE SERVICES	\$24.92
BRODY CHEMICAL	SUPPLIES	\$139.82
CASCADE FIRE EQUIPMENT	SUPPLIES	\$1,922.00
CATERPILLAR FINANCIAL SERVICES CORP	LEASE PAYMENTS	\$194,393.69
CBM FOOD SERVICE	JAIL FOOD	\$5,220.49
CENTURY LINK	TELEPHONE SERVICES	\$63.19
CESKO, DAVID MD	MEDICAL SERVICES	\$325.00
CHEMSEARCH	SUPPLIES	\$252.78
CODY, RICHARD	REIMBURSEMENT	\$69.26
CONTROL SCREENING LLC	REPAIRS	\$565.00
CREATIVE PRODUCT SOURCING, INC.-DARE	SUPPLIES	\$317.94
CRIMMINS, STACY	MILEAGE	\$6.00
DAILY TIMES	NEWSPAPER ADS	\$563.22
DEFUR, DANIELLE	MEALS/MILEAGE/SUPPLIES	\$113.88
DELEON, JOHN	LEGAL SERVICES	\$1,442.00
DIXON, TOWN OF	WATER SERVICES	\$166.00
EAGLE UNIFORM SUPPLY	SUPPLIES	\$71.14
EASTMAN, PATRICK	MILEAGE	\$28.80
ENGSTROM, JAMES D. DDS	DENTAL SERVICES	\$300.00
FARMER BROTHERS COFFEE	SUPPLIES	\$158.83
FREMONT MOTORS - RAWLINS	VEHICLE REPAIRS	\$486.93
GALLS, AN ARAMARK COMPANY	SUPPLIES	\$120.77
GASES PLUS	WELDING SUPPLIES	\$30.86
GOLDEN, MARY	SUPPLIES/MILEAGE	\$55.50
GOSVENOR, MAXINE	MILEAGE	\$46.00
GRAINGER	SUPPLIES	\$387.45
GREAT NORTH AMERICAN COMPANIES	SUPPLIES	\$1,740.00
HAGOOD, VICKI	MILEAGE	\$16.40

HEIMAN FIRE DEPARTMENT	FIRE EQUIPMENT	\$4,381.55
HENSLEY, ROXIE JACKSON	LEGAL SERVICES	\$4,958.10
HIGH PLAINS POWER	ELECTRICAL SERVICE	\$359.63
HIGH PLAINS VISION CENTER	VISION SERVICES	\$225.00
J H KASPAR OIL COMPANY	FUEL	\$8,257.77
JACKALOPE PRINTING	SUPPLIES	\$523.38
JACOT, RUSS	BUILDING REPAIRS	\$125.00
KENCO SECURITY AND TECHNOLOGY	ALARM MONITORING	\$34.00
KILBURN TIRE COMPANY	TIRE REPAIRS	\$45.00
KNF FLEXPAC CORPORATION	SUPPLIES	\$867.96
LINDSEY, ANN, MSW, LCSW	FACILITATOR FEES	\$450.00
LONG BUILDING TECHNOLOGIES, INC.	BUILDING REPAIRS	\$1,726.26
MIKESELL, CECELIA	MILEAGE	\$53.50
MOELLER, MARIE	CLEANING SERVICES	\$195.00
MOORE MEDICAL CORP.	MEDICAL SUPPLIES	\$269.20
MOSS, BARBARA	MILEAGE	\$54.60
NORTHERN TOOL & EQUIPMENT	SUPPLIES	\$41.77
PAGE ONE	TELEPHONE SERVICES	\$264.88
PARKWAY PLAZA	MOTEL CHARGES	\$70.00
PHILLIPS 66-CONOCO-76	FUEL	\$652.05
PITNEY BOWES	SUPPLIES	\$350.67
PLAINSMAN PRINTING & SUPPLY	SUPPLIES	\$134.44
PLATTE VALLEY MEDICAL	MEDICAL SERVICES	\$168.00
PRO-CHEM INDUSTRIAL, LLC	SUPPLIES	\$256.44
QUILL CORPORATION	SUPPLIES	\$276.18
QWEST	TELEPHONE SERVICES	\$456.05
R & S PHOTO	SUPPLIES	\$140.00
RASMUSSEN FURNITURE	SUPPLIES	\$214.78
RAWLINS AUTOMOTIVE	SUPPLIES	\$762.06
RAWLINS EYE CARE	VISION SERVICES	\$225.00
RAWLINS, CITY OF	LANDFILL GATE CHARGE	\$17.63
RELIABLE	SUPPLIES	\$437.19
RENDEZVOUS LODGE LLC.	SUPPLIES	\$138.92
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICE	\$1,616.35
S E D MEDICAL LABORATORY	DRUG TESTING	\$132.00
SARATOGA AUTO PARTS, INC.	SUPPLIES	\$900.68
SARATOGA DO IT BEST	SUPPLIES	\$60.43
SHEA, DIXIE F	MILEAGE	\$24.00
SHIVELY HARDWARE	SUPPLIES	\$207.97
SINCLAIR, TOWN OF	GRANT REIMBURSEMENT	\$93,113.05
SOURCE GAS	GAS SERVICES	\$18,527.15
STAPLES ADVANTAGE	SUPPLIES	\$494.59
STEPHENSON, LEE ANN	MILEAGE	\$36.00
TERMINIX	PEST CONTROL	\$613.00
TRADING POST	SUPPLIES	\$246.11
TRIPLE XXX CONTRACTING, INC.	GARBAGE SERVICES	\$50.00
TRUE VALUE OF RAWLINS	SUPPLIES	\$231.79
UNION TELEPHONE COMPANY	TELEPHONE SERVICES	\$615.30
VAN'S WHOLESALE LLC	SUPPLIES	\$90.67
WELLS, JACQUELIN	MILEAGE	\$34.50
WOLTERS KLUWER HEALTH	SUBSCRIPTION	\$259.88
WY ATTORNEY GENERAL	NOV 2010 VAWA-LE FUNDS	\$12.41
WY BRAND INDUSTRIES	SUPPLIES	\$109.00
WY CORONER'S ASSOCIATION	2011 MEMBERSHIP DUES	\$75.00
WY MACHINERY COMPANY	HEAVY EQUIPMENT PARTS	\$1,748.93
WY STATE FIRE ADVISORY BOARD	2011 MEMBERSHIP DUES	\$300.00
WY STATIONERY	SUPPLIES	\$1,034.22
YOCUM, LEO	MILEAGE	\$24.00
ZIRMED, INC	SUBSCRIPTION	\$2.40
GRAND TOTAL		\$362,661.16

## **CLERK**

### **Meeting Change**

Clerk Bartlett asked the BOCC if they would like to change the January 18 meeting to January 25 due to the association meetings in Cheyenne.

Commissioner Paxton moved to change the second meeting in January from the 18 to the 25 to accommodate the meetings with the legislators. Commissioner Chapman seconded and the motion carried unanimously.

### **West Sinclair Bypass**

Clerk Bartlett advised the county is reimbursing the Town of Sinclair in the amount of \$72,681.07 for the West Sinclair Bypass project.

### **Minutes**

Commissioner Chapman moved to approve the minutes of the December 21, 2010 regular meeting of the Board of Carbon County Commissioners as presented. Commissioner Paxton seconded and the motion carried unanimously.

### **Monthly Receipts**

Commissioner Chapman moved to approve the report of Department of Planning and Development receipts for the month of December 2010 in the amount of \$730.00, Clerk of District Court receipts for the month ending November 2010 in the amount of \$2,303.70 and Carbon County Clerk Statement of Fees Collected for the month of December 2010 in the amount of \$13,348.75. Commissioner Paxton seconded and the motion carried unanimously.

### **Bonds**

Clerk Bartlett noted that bonds for Jerry Paxton and Leo Chapman, Carbon County Commissioners in the amount of \$1,000.00 each were approved by the Clerk of District Court.

Commissioner Chapman moved to approve a bond for Codey J. Stocks, Secretary / Bookkeeper for the Little Snake River Rural Health Care District in the amount of \$10,000.00; Paul Zamora, Carbon County Coroner in the amount of \$1,000.00; Cheryl A. Ross, Carbon County Chief Deputy Assessor in the amount of \$5,000.00; and Janet R.B. Herold, Clerk/Treasurer for the Town of Baggs in the amount of \$5,000.00. Commissioner Paxton seconded and the motion carried unanimously.

### **Disclosure Statements**

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

Commissioner Chapman moved to include in the minutes the disclosure statements for Commissioners Terry Weickum, Jerry Paxton, and Leo Chapman, Clerk Gwynn Bartlett, Chief Deputy Clerk Helen Winningham, Treasurer Cindy Baldwin, and Deputy Treasurer Chris Rutherford to be filed with the Carbon County Treasurer. Commissioner Paxton seconded and the motion carried unanimously.

### **Carbon County Salary Publication**

Commissioner Chapman moved to approve advertising the Publication of Gross Salaries for Carbon County Wyoming as of January 4, 2011 to be published January 12, 2011. Commissioner Paxton seconded and the motion carried unanimously.

## **Public Defender**

Clerk Bartlett advised the State Office of Defender has requested the county appoint Candace B. Vasko as an Assistant Public Defender for Carbon County and stated Attorney Cal Rerucha recommends the appointment.

Deputy Attorney Mike Kelly stated she is fairly new and does not have anything for or against her.

Commissioner Paxton moved to approve the appointment of Candace B. Vasko to replace Vaughn Neubauer in the Public Defender's Office for the Second Judicial District as the Assistant Public Defender for Carbon County. Commissioner Chapman seconded and the motion carried unanimously.

## **Saratoga Lions Club**

Clerk Bartlett presented a request from the Saratoga Lions Club to hold a Calcutta during the annual memorial chariot races in Saratoga February 18-20.

Commissioner Chapman moved to approve the Saratoga Lions Club to hold a Calcutta during the annual Donald E. Erickson Memorial Chariot Races in Saratoga February 18-20. Commissioner Paxton seconded and the motion carried unanimously.

## **Museum**

Clerk Bartlett advised the City of Rawlins has notified the county that the application from Carbon County Museum requesting a zone change has been placed on the agenda of the Planning Commission for a public hearing on January 11 in the City Council Chambers at 5:30 p.m. and presented a document for the Chairman's signature.

Commissioner Chapman moved to authorize the Chairman's signature stating that the county does not object to Rezone Permit #PZ-10-02 for the Carbon County Museum's request for a zone change. Commissioner Paxton seconded and the motion carried unanimously.

Discussion ensued about a storage building the Museum Board plans to erect at their current site. Deputy Attorney Kelly advised they will erect a building for storage as there is no electricity on the new site. Chairman Weickum asked Leroy Graham, Buildings Manager to talk to the Museum Board and get back to the BOCC today to determine where the building will be constructed.

## **Memorial Hospital of Carbon County (MHCC)**

Clerk Bartlett advised the two lease/purchase agreements have been paid off with bond proceeds related to the energy savings project at the hospital. She stated per a Memorandum of Understanding (MOU) Between the BOCC and Board of Trustees of MHCC in 2008, MHCC pays the county for the semi annual payments. The bond issue will lower the hospital's payments to the county and she advised she prepared an amendment to the MOU regarding this and that Deputy Attorney Kelly has recommended approval.

Commissioner Chapman moved to approve Amendment Number Two 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, Amendment #1 to the original MOU shall immediately be void and #4 of the original MOU shall be revised stating MHCC agrees to pay the county the monthly sums as listed in Amendment Number Two on the 5<sup>th</sup> of each month beginning January 5, 2011 through the term of the bond on June 15, 2018. Commissioner Paxton seconded and the motion carried unanimously.

Clerk Bartlett advised the original agreement states legal fees will be reimbursed by MHCC and is expecting a bill from Brown and Hiser in the amount \$1,540.00. The BOCC agreed the county should be reimbursed for this amount.

Clerk Bartlett advised she and Treasurer Baldwin met with Greg Olson regarding the specific purpose tax project at the hospital. Clerk Bartlett advised Mr. Olson will hold a pre-bid walkthrough at MHCC January 25 at 1:00 p.m. and bids will be opened February 15 and construction to begin in March. Clerk Bartlett discussed how the requisitions will be completed and paid and she noted that Mr. Olson agreed to provide updates to the BOCC monthly or as needed. The BOCC asked Mr. Graham to attend the pre-bid walkthrough on January 25.

**WYOMING BUSINESS COUNCIL GRANT – SKYLINE ACRES**

Clerk Bartlett advised she submitted the application for the Skyline Subdivision cleanup grant and she will be meeting with the Wyoming Business Council tomorrow regarding the application. She advised she thinks the county should increase the cash match from \$25,000.00 to \$50,000.00 and she presented a revised resolution to do so.

Commissioner Chapman moved to approve Resolution No. 2011-01, a Resolution Authorizing Submission of Application to the Business Ready Community Grant and Loan Program for a Community Enhancement Grant Project on Behalf of the Governing Body for the County of Carbon, State of Wyoming, and Amending Resolution No. 2010-36 to increase the county match from \$25,000.00 to \$50,000.00. Commissioner Paxton seconded and the motion carried unanimously.

**RESOLUTION NO. 2011-01**

**A RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO THE BUSINESS READY COMMUNITY GRANT AND LOAN PROGRAM FOR A COMMUNITY ENHANCEMENT GRANT PROJECT ON BEHALF OF THE GOVERNING BODY FOR THE COUNTY OF CARBON, STATE OF WYOMING AND AMENDING RESOLUTION NO. 2010-36**

**FOR THE PURPOSE OF: Removal of all items and from county owned property at the Skyline Acres Industrial Subdivision between Rawlins and Sinclair Wyoming along Interstate 80 to make adjacent communities and the county more attractive for business development and expansion and provide a parcel for a future industrial park.**

**WITNESSETH**

**WHEREAS**, the Governing Body for Carbon County, Wyoming desires to participate in the BUSINESS READY COMMUNITY GRANT AND LOAN PROGRAM to assist in financing this project; and

**WHEREAS**, the Governing Body of Carbon County, Wyoming recognizes this project will create a more visually attractive gateway to Rawlins and Sinclair and develop an area for future infrastructure within the boundaries of Carbon County for industrial development; and

**WHEREAS**, the BUSINESS READY COMMUNITY GRANT AND LOAN PROGRAM requires that certain criteria be met, as described in the Wyoming Business Council's Rules governing the program, and to the best of our knowledge this application meets those criteria; and

**WHEREAS**, the Governing Body of Carbon County, Wyoming plans to match the requested BUSINESS READY COMMUNITY GRANT AND LOAN PROGRAM / COMMUNITY ENHANCEMENT PROJECT from the following source(s): Carbon County will provide a cash match of \$55,458.21, \$5,458.21 of which has already been expended and \$50,000 of which is budgeted in the county's general fund, and in-kind of \$160,454.75. The City of Rawlins will provide in-kind match of \$6,470.00. Carbon County acknowledges that it is solely responsible to finance any cost overruns from the amended budget submitted in the grant application.

**WHEREAS**, Carbon County, Wyoming held two public hearings on November 9, 2010 and November 16, 2010 to identify the economic and community development opportunity and determine all possible funding solutions for this project and solicit testimony from citizens who may feel that the use of the proposed funds might compete with existing business, and gave full consideration to all comments received; and

**WHEREAS**, Carbon County, Wyoming is working in partnership with its representatives and X Field Services and has provided preliminary cost estimates for the project; and

**WHEREAS**, Carbon County, Wyoming engaged the private sector with the market area and gave full consideration to all comments received; and

**WHEREAS**, the public benefit of this project is not only cleaning up the viewshed on the gateway to both Rawlins and Sinclair, but also to provide much needed land to develop an industrial park and promote economic development and the consideration is once all items are removed from the surface this phase of the project be complete; and

**WHEREAS**, the Governing Body for Carbon County, Wyoming will use the revenue recaptured from this project for the following economic development purposes: There will be no revenue recapture plan at this time as this is simply a cleanup project.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF CARBON COUNTY, WYOMING** that a grant application in the amount of \$250,000.00 be submitted to the Wyoming Business Council for consideration of assistance in funding the Skyline Acres Industrial Subdivision cleanup.

PASSED, APPROVED AND ADOPTED THIS 4<sup>th</sup> day of January 2011

By: -s- Terry Weickum, Chairman

ATTEST:

-s- Gwynn G. Bartlett, Carbon County Clerk

#### CERTIFICATE

I, Gwynn G. Bartlett, hereby certify that the foregoing Resolution was adopted by the Board of Carbon County Commissioners at a public meeting held on Tuesday, January 4, 2011 and that the meeting was held accordingly to law; and that said Resolution has been duly entered in the official minutes of the Board of Carbon County Commissioners.

-s- Gwynn G. Bartlett, Carbon County Clerk

#### Termination of Lease

Clerk Bartlett noted the jail was paid off last June and documents are being prepared to dissolve the Detention Facility Joint Powers Board and she presented two terminations of leases between Carbon County and the Carbon County Detention Facility Joint Powers Board.

Commissioner Chapman moved to approve the Notice of Termination of Lease of Real Property and Notice of Termination of Lease of Real Property and Improvements for the new jail located on a tract of land located in the N1/2 of Section 16, Township 21 North, Range 87 West, 6<sup>th</sup> P.M. Commissioner Paxton seconded and the motion carried unanimously.

#### ELECTED OFFICIALS / DEPARTMENT HEADS

##### Treasurer

Commissioner Paxton moved to designate The Rawlins National Bank and Bank of the West as official depositories for Carbon County. Commissioner Chapman seconded and the motion carried unanimously

Commissioner Paxton moved to designate the Bank of Commerce also be listed as a depository for Carbon County. Chairman Weickum seconded and the motion carried with Commissioner Paxton and Chairman Weickum voting for the motion and Commissioner Chapman abstained.

County Treasurer, Cindy Baldwin presented a resolution for the county's investment policy with Multi Bank Securities, Bank of Commerce, Bank of the West, Edward Jones and The Rawlins National Bank all signing compliance letters.

Commissioner Paxton moved to approve Resolution No. 2011-02 Carbon County Investment Policy that delineates the Carbon County financial accounting procedures and investment compliance letters have been signed by Multi Bank Securities, Bank of Commerce, Bank of the West, Edward Jones and The Rawlins National Bank. Chairman Weickum seconded and the motion carried with Commissioner Paxton and Chairman Weickum voting for the motion and Commissioner Chapman abstained.

**RESOLUTION  
NO. 2011-02  
CARBON COUNTY  
INVESTMENT POLICY**

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

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

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

- (a) The CARBON COUNTY financial accounting procedures are divided among the County Commissioners, the County Clerk and the County Treasurer. The County Clerk is designated as budget officer (*W.S. §16-4-102(a)(iv)*); the County Treasurer is in charge of the county treasury (*W.S. §18-3-804*). Warrants for payment from the treasury must be authorized by the Board of County Commissioners (*W.S. §18-3-504 and 18-3-805*);
- (b) It shall be the policy of the Carbon County Treasurer to invest public funds in a manner which will provide the highest investment return with the maximum security, and conforming to all federal, state and local laws and regulations governing the investment of public funds;
  - (1) To the extent possible, the Carbon County Treasurer will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the Carbon County Treasurer will not directly invest in securities maturing more than one (1) year from the date of purchase.
  - (2) Funds in excess of cash flow requirements may be invested in securities maturing not more than two (2) years, if the maturity of such investments is made to coincide as nearly as practicable with the expected use of funds.
- (c) Any person affecting an investment transaction on behalf of CARBON COUNTY, or offering investment advice, shall sign a statement indicating he or she has read this policy and agrees to abide by this policy and by applicable federal, state and local laws with respect to the advice given and transactions undertaken on behalf of the County.
- (d) The Carbon County Treasurer shall be, and is hereby authorized to make such statutory investments, at his or her discretion, as will conform to this policy which shall be deemed at least as restrictive as the types of investments authorized by W.S. §9-4-831(a).
  - (1) The County shall diversify its instruments by security type and institution. With the exception of U.S. Treasury securities, certificates of deposits and authorized pool, no more than twenty-five percent (25%) of the County’s total investment portfolio will be invested in a single security type.
  - (2) To provide assurance that the County will be able to continue financial operations without interruption and dependent upon interest rates, satisfaction with services, the County will generally attempt to utilize at least two financial institutions as depositories.
- (e) The Treasurer is charged with the responsibility of providing a monthly financial report, to include investment activity and returns, in the County’s Financial Report.
- (f) This policy shall be effective through the calendar year 2011

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

ADOPTED this 4th day of January, 2011.

BOARD OF COUNTY COMMISSIONERS  
-s- Terry Weickum  
-s- Jerry Paxton  
-s- Leo Chapman

ATTEST:  
-s- Gwynn Bartlett, County Clerk

Treasurer Baldwin advised the county has received the Forest Reserve funds for a total of \$444,262.56 which is a decrease from last year.

Treasurer Baldwin provided updates of account balances.

### **Assessor**

County Assessor, Sheryl Snider, presented several abatements for the Chairman's signature.

### **Attorney**

Deputy Attorney Kelly, presented a contract for services with LM Olson to renovate the third floor of the courthouse for the security wall to be paid for with homeland security grant funds.

Commissioner Paxton moved to approve a Contract for Services between the Carbon County Board of Commissioners and LM Olson Inc. for improvements to the Courthouse. Commissioner Chapman seconded and the motion carried unanimously.

Deputy Attorney Kelly presented an amendment to the original Memorandum of Understanding between the Board of County Commissioners of Carbon County and the Wyoming Department of Family Services for the Positive Achievement Change Tool (PACT) Assessment.

Commissioner Paxton moved to approve Amendment Number One to Memorandum of Understanding between State of Wyoming, Department of Family Services and the Board of County Commissioners of Carbon County to clarify the responsibilities relating to the policies and procedures associated with the Positive Achievement Change Tool (PACT) Assessment, commencing upon the date the last signature is affixed hereto, and shall remain in full force and effect until terminated. Commissioner Chapman seconded and the motion carried unanimously.

Commissioner Paxton moved to approve a \$100,000.00 bond for Cindy Baldwin, Carbon County Treasurer. Commissioner Chapman seconded and the motion carried unanimously.

Deputy Attorney Kelly noted that the purchase agreement for property in Hanna has been approved by the Town Council and closing will be scheduled soon.

### **Museum Storage Building**

Gene Carrico discussed the storage building the Museum Board would like to build a 30 x 40 by the current museum. He stated the Museum Board received a grant from the Recreation Board to fund the construction. He stated bids would be opened at the Courthouse Thursday. He stated the original building that was to be built was bid but bids came in higher than expected. The BOCC discussed that they would rather see the building at the new site but understand if the building must be constructed.

### **Building Manager**

Mr. Graham discussed recycling of electronics and that the county has been getting this done for free but that the company will now start charging. The BOCC asked Mr. Graham to look into finding another company that will take it for free or start paying the county for the items.

### **Emergency Management**

John Zeiger, Emergency Management Coordinator, discussed upcoming meetings he will attend and discussed that he is preparing towns for possible spring flooding. Commissioner Paxton asked if Mr. Zeiger had heard of a wind tower near Arlington falling down and he asked Mr. Zeiger to look into this. Mr. Zeiger stated another Snowtel site and river gauge will be installed next year as well.

### **Road & Bridge**

Bill Nation, Road & Bridge Superintendent, discussed work throughout the county including snow removal, especially on school bus routes, has been the priority throughout the county.

Mr. Nation discussed the Sage Creek Road Segment B project, 13.6 miles of road improvement that is federally funded. The U.S. Department of Transportation has asked the BOCC to approve plans, specifications, and estimate for proposed construction.

Commissioner Chapman moved to approve Segment B of Forest Highway WY PFH 26-1(2) project on the Sage Creek Road. Commissioner Paxton seconded and the motion carried unanimously.

Commissioner Chapman moved to grant Bill Nation, Road & Bridge Superintendent to sign agreements on behalf of Carbon County involving all Road & Bridge projects. Commissioner Paxton seconded and the motion carried unanimously.

Mr. Nation discussed that he is working on snow plow agreements between Carbon and Moffat and Routt counties in Colorado. He also stated he is working on ordering a bridge to install in the Baggs area.

Mr. Nation stated that due to recent events of individuals from out of state getting stuck on the road south of Rawlins, he will be installing signage noting the road is not maintained in the winter.

### **Planning**

Sid Fox, County Planning Director, discussed the City of Rawlins master planning process. He stated he would like to work with them on the buffer zone just outside Rawlins and possibly review the MOU between the county and city regarding this.

Mr. Fox reported in 2008 the county issued Horizon Wind Energy a conditional use permit for the Simpson Ridge project. In November 2009, the county amended the Zoning Resolution which changed how these permits are administered and they will now come to the BOCC for approval. The new code also places a two-year expiration on these permits. Horizon Wind has now requested an extension on their permit due to the new regulations. Mr. Fox will work on a policy regarding existing permits and extensions. Commissioner Paxton stated his concern for possibly providing an opportunity to escape the building permit process and payment of sales tax.

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

Rick White, MHCC Chief Financial Officer, and Loren Simnett, MHCC Board President, overviewed MHCC's financial information. Mr. White stated November was a very profitable month. Mr. White reported a publication relations / marketing director has been hired. Mr. Simnett complimented all hospital staff on their hard work to turn the hospital around.

### **EXECUTIVE SESSION**

Commissioner Paxton moved to go into executive session at 11:45 a.m. with Clerk Bartlett, and Deputy Attorney Mike Kelly to discuss potential litigation and other matters considered confidential by law. Commissioner Chapman seconded and the motion carried unanimously

Commissioner Paxton moved to come out of executive session at 12:05 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 Chapman seconded and the motion carried unanimously.

Chairman Weickum recessed for lunch at 12:05 p.m. and reconvened at 1:30 p.m.

### **PLANNING & ZONING**

#### **Public Hearing Z.C. Case File No. 2010-04**

Chairman Weickum opened a public hearing at 1:31 p.m. to hear Planning & Zoning Z.C. Case File No. 2010-04. Sid Fox, Planning Director presented Z.C. Case File No. 2010-04 – Robert and Patricia Haigh's request for a Zone Change from Residential (RD) to Rural Residential Agriculture (RRA) on approximately 7.23 acres.

Chairman Weickum called for comments for or against this case. There being no public comments, Chairman Weickum closed the public hearing at 1:42 p.m.

Commissioner Paxton moved to approve Planning & Zoning Z.C. Case File No. 2010-04, Robert and Patricia Haigh's request for a Zone Change from Residential (RD) to Rural Residential Agriculture (RRA) on approximately 7.23 acres. Commissioner Chapman seconded and the motion carried unanimously.

Commissioner Paxton moved to approve Resolution No. 2011-03, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding Z.C. Case File No. 2010-04. Commissioner Chapman seconded and the motion carried unanimously.

### **Resolution No. 2011 - 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, December 6, 2010, 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 Board of 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 Board of 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, January 4, 2011; and

**WHEREAS**, at said public hearing, the Carbon County Board of County Commissioners provided the opportunity for the public to comment and for the Carbon County Board of County Commissioners to consider any comments which were made on the proposed amendments; and

**WHEREAS**, the Carbon County Board of County Commissioners in considering the said amendment have also reviewed and considered the Carbon County Comprehensive Land Use Plan; and the Carbon County Zoning Resolution of 2003, as amended; and

**WHEREAS**, the Carbon County Board of County Commissioners have determined that the proposed amendment is in general conformance with the Carbon County Comprehensive Land Use Plan and the applicable provisions of the Zoning Resolution; 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 Board of County Commissioners, by majority vote, the Carbon County Board of County Commissioners moved to approve the following amendment to the Carbon County Zoning Resolution of 2003 as amended.

**Z.C. Case File #2010-04 – Robert and Patricia Haigh (Applicants and Owners):** Zone change from Residential (RD) to Rural Residential Agriculture (RRA) on approximately 7.23 acres. The Rural Residential Agriculture (RRA) Zone District is intended to be applied in areas of the County that are particularly suited to large-lot development and allow both agricultural and residential uses intermingled. The subject property is located at 160 Carbon County Road #303, approximately 12 miles south of Saratoga.

**Legal Description:**

A tract of land in the NW1/4 NE1/4, Section 31, T16N, R83W of the 6<sup>th</sup> P.M., Carbon County, Wyoming, more particularly described as follows: Beginning at a point that bears S89°48'E, a distance of 2815.4 ft. from the Northwest corner of said Section 31, monumented with a 5/8" steel rebar; Thence S89°48'E a distance of 880.0 ft. to a point on the North line of said Section 31, monumented with a steel rebar of 5/8"; Thence S1°03'E a distance of 9 ft. to a point, monumented with a 5/8" steel rebar; Thence S55°12'W a distance of 650 ft. to a point; Thence N63°20'41"W a distance of 671.1 ft. to a point on the South right of way of County Road 303; Thence N57°06'E a distance of 300.0 ft. to the point of beginning, said tract containing 7.230 acres more or less.

**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 7.23 acres (RRA).

**Access:**

HWY 130/230 and Carbon County Road #303 (Cow Creek Road) provides access to the subject property.

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

1. That the Carbon County Board of County Commissioners, hereby adopt these amendment(s) as certified to them in writing by the Carbon County Planning and Zoning Commission and the existing zone shall be changed from Residential (RD) to Rural Residential Agriculture (RRA) on approximately 7.23 acres.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 4<sup>th</sup> day of January, 2011.

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

By: -s- Terry Weickum, Chairman  
-s- Jerry D. Paxton, Vice Chair  
-s- Leo Chapman, Member

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

**BOARD INTERVIEW / APPOINTMENT**

Moy Wing interviewed for consideration of appointment to the Rawlins-Carbon County Airport Board.

Commissioner Paxton moved to appoint Moy Wing to the Rawlins-Carbon County Airport Board for a five-year term expiring February 2016. Commissioner Chapman seconded and the motion carried unanimously.

**COMMISSIONERS DISCUSSION**

Commissioner Paxton discussed that he testified at a recent revenue committee hearing regarding wind energy taxation. Chairman Weickum reported he and Commissioner Paxton are attending a multi-state meeting in Denver tomorrow regarding wind development in various states.

**WEED AND PEST CONTROL BOARD**

Chairman Weickum opened a public meeting at 2:02 p.m. to consider appointments of individuals to the Weed and Pest Control Board.

Stephanie Arnold was interviewed for consideration of appointment, Mary Ann Boles and Beth Shorma were interviewed by telephone for consideration of reappointment and appointment to the Weed and Pest Control Board. Clerk Bartlett verified that petitions for each applicant were received by the deadline, each was signed by at least 10 landowners of the county, and each applicant is a registered voter.

Chairman Weickum closed the public meeting at 2:11 p.m.

Commissioner Paxton moved to appoint Stephanie Arnold to Area I for a four-year unexpired term expiring January 2013, reappoint Mary Ann Boles to Area II and appoint Beth Shorma to Area V both for four-year terms expiring January 2015 to the Weed and Pest Control Board. Commissioner Chapman seconded and the motion carried unanimously.

**PRESENTATION OF AWARDS**

Sheriff Jerry Colson and the BOCC presented awards to Brandon Gray, Jeremy Brown, Steve Huntley and Mike Morris individuals who assisted Lieutenant Kyle Rosentreter of the Sheriff's

Office during a vehicle accident while Lieutenant Rosentreter was on duty July 4, 2010. Sheriff Colson outlined the events of the day and explained how all the gentlemen assisted.

### **RECESS**

Chairman Weickum called a recess at 2:24 p.m. and reconvened at 2:37 p.m.

### **COMMUNITY DEVELOPMENT PLANNING GRANT – GREAT DIVIDE**

#### **Public Hearing**

Chairman Weickum opened a public hearing at 2:38 p.m. to hear comments on Carbon County Economic Development Corporation's intent to submit a Community Development Planning Grant to the Wyoming Business Council for the purpose of funding an update of the Comprehensive Economic Development Strategy that provides guidance document for future economic development in the Great Divide economic district of Carbon and Sweetwater counties.

Cindy Wallace, Carbon County Economic Development Executive Director further explained the grant application noting that bids will likely come in lower therefore the match would be lower than \$5,000.00 as stated in the proposed resolution.

Ms. Wallace advised the grant deadline is January 15 and Carbon County would need to provide a 20% match which would be split between Sweetwater and Carbon County with Carbon County's match from \$1,500.00 to \$3,100.00.

There being no other public comments, Chairman Weickum closed the public hearing at 2:41 p.m.

Commissioner Chapman moved to approve Resolution No. 2011-04, A Resolution Authorizing and Directing the Carbon County Economic Development Corporation, Rawlins, Wyoming on Behalf of the Great Divide Economic Development Coalition of Carbon County and Sweetwater County so Submit a Community Development Planning Grant for Economic Development to the Wyoming Business Council designating Cynthia Wallace, Carbon County Economic Development Executive Director to act as the authorized representative on matters relating to this grant application noting that Carbon County's match of up to \$2,500.00 will come from the county's special projects fund. Commissioner Paxton seconded and the motion carried unanimously.

#### **Resolution No. - 2011- 04**

### **A RESOLUTION AUTHORIZING AND DIRECTING THE CARBON COUNTY ECONOMIC DEVELOPMENT CORPORATION, RAWLINS, WYOMING ON BEHALF OF THE GREAT DIVIDE ECONOMIC DEVELOPMENT COALITION OF CARBON COUNTY AND SWEETWATER COUNTY TO SUBMIT A COMMUNITY DEVELOPMENT PLANNING GRANT FOR ECONOMIC DEVELOPMENT TO THE WYOMING BUSINESS COUNCIL**

**WHEREAS**, the Carbon County Economic Development Corporation desires to submit a Community Development Planning Grant for Economic Development to the Wyoming Business Council for the purpose of funding an update of the Comprehensive Economic Development Strategy that provides guidance document for future economic development in the Great Divide economic district of Carbon and Sweetwater counties.

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

Section 1. That a Community Development Planning grant for Economic Development requesting funding in the amount up to \$20,000 with a match not to exceed \$5,000 to be submitted to the Wyoming Business Council for the purpose of funding the updating of the Comprehensive Economic Development Strategy of the Great Divide Economic Development Coalition of Carbon and Sweetwater Counties.

Section 2. That the Chair of the Carbon County Commissioners, hereby designates Cynthia Wallace, Carbon County Economic Development Executive Director, to act as the authorized representative on matters relating to this grant application.

**PASSED AND APPROVED, THIS 4<sup>TH</sup> DAY OF January, 2011.**

-s- Terry Weickum  
Chairman, Board of County Commissioners

Attest:

-s- Gwynn G. Bartlett  
County Clerk

**ADJOURNMENT**

There being no further business, Chairman Weickum adjourned the meeting at 2:44 p.m.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 25th day of January 2011

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

-s- Terry Weickum, Chairman