

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, October 7, 2008
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, October 7, 2008 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Terry Weickum, Vice Chairman Jerry Paxton; Commissioner James Elliott; County Clerk Gwynn Bartlett; County Attorney Cindy DeLancey; and Deputy Clerk Kathy Turner.

Chairman Weickum called the meeting to order at 9:07 a.m.

VOUCHERS

Commissioner Paxton moved to approve the report of expenditures as presented. Commissioner Elliott seconded and the motion carried unanimously.

ABBOTT, CHARLENE	REIMBURSEMENT	87.74
ADAMS COUNTY SHERIFF	SUBPOENA SERVICE	19.00
AIRPORT DEVELOPMENT	DIXON AIRPORT	12,777.51
ALDERETE, MAX	WORK IN CLERK OF DIST CT OFFICE	130.00
ALSCO, AMERICAN LINEN	SHOP SUPPLIES/FLOOR MATS	134.27
ARLINGTON OUTPOST	FUEL	103.60
ARROWHEAD SCIENTIFIC	SUPPLIES	1,012.66
AV-TECH ELECTRONICS	SPEAKER & BRACKET	396.79
BANK OF COMMERCE	TRAVEL/FUEL/MAINTENANCE/TRAINING	6,001.19
BEST WESTERN COTTONTREE	JUROR/WITNESS ROOM	490.00
BI-RITE PHARMACY	MEDICATIONS	202.48
BI-RITE SPORTING GOODS	PICTURES	14.54
BLACK, KEITH	SEARCH AND RESCUE	135.00
BOB BARKER COMPANY	JAIL CLOTHING/SUPPLIES	939.60
BOULDER COUNTY SHERIFF	SUBPOENA SERVICE	36.30
BRESNAN COMMUNICATIONS	TV/ONLINE	618.48
BROWN'S TOWING & RECOVERY	VEHICLE TOW	75.00
BT CONFERENCING VIDEO	WIRE ONE SUPPORT	3,675.00
BUILD RITE LUMBER SUPPLY	SUPPLIES/DRILL/NAILS/PLYWOOD	1,040.75
BUSEY, BILL	REPAIR & WASH VEHICLE	15.00
C & B SAND & GRAVEL	GRAVEL	1,517.90
CANDY MOUNTAIN BEVERAGE	SUPPLIES FOR SEARCH	104.19
CARBON CTY COOPERATIVE EXT	REIMBURSEMENT	117.66
CARBON COUNTY REFRIGERATION	FREEZER REPAIRS	252.85
CARBON COUNTY SENIOR SVCES	MATCHING FUNDS	65,000.00
CARBON COUNTY STRIKE	LODGING	128.35
CARBON COUNTY TREASURER	CASH ITEMS	2,276.66
CARBON COUNTY TV & ELECTONICS	SUPPLIES	37.95
CARBON MERCANTILE CO	UNIFORM PANTS	49.98
CARD, SCOTT	MILEAGE	115.00
CBM FOOD SERVICE	JAIL FOOD	5,309.34
CDW GOVERNMENT, INC.	COMPUTER SUPPLIES/PARTS	2,454.72
CENTURYTEL	PHONE SERVICES	53.79
CHEYENNE FREIGHTLINER	AIR TANK & STRAP/WINDSHIELD	1,052.24
CHILDRESS ELECTRIC I	WORK ON OUTSIDE LIGHTING	834.26
COMPUTER SOFTWARE ASSOC	WEBHOST FEE	250.00
CONNELL RESOURCES	DIXON AIRPORT	238,377.00
CORPORATE EXPRESS	SUPPLIES	817.28
CRAIG, CATHY	ESCAPE DOOR PRIZES	26.32
CRESTLINE	OFFICE SUPPLIES	561.99
CRONK, DEBORAH	MILEAGE	20.00
CSK AUTO, INC.	PARTS	17.08
CULLIGAN WATER CONDITIONING	SALT	162.00
CULVER, GLEN	MEDICINE BOW LIBRARY LAWN CARE	25.00
CUSTOM CREATIONS	UNIFORM SUPPLIES	310.00
DAILY TIMES	ADVERTISING	2,334.99
DALLIN MOTORS INC	VEHICLE REPAIRS	90.69

DELANCEY, DAVE	MILEAGE	24.00
DELL MARKETING L.P.	COMPUTER	11,599.83
DIXON, TOWN OF	WATER & SEWER	33.50
DON'S AUTO & BODY SHOP	VEHICLE REPAIRS	970.76
DUBOIS TELEPHONE EXCHANGE	PHONE SERVICES	108.29
EAGLE UNIFORM SUPPLY	FLOOR MATS/MATS	340.02
ELLIOTT, JAMES E. JR.	MILEAGE	292.00
EMBLEM ENTERPRISES	UNIFORM PATCHES	159.24
ENCAMPMENT, TOWN OF	WATER & SEWER	54.00
ENERGY CONSTRUCTION	RETAINAGE	2,675.00
ENGSTROM, JAMES D. D	DENTAL SERVICES	2,500.00
FARMER BROTHERS COFFEE	SUPPLIES	215.82
FLOORS `N' MORE	CARPET REPAIRS IN JURY ROOM	125.00
FREMONT COUNTY SHERIFF	INMATE HOUSING	400.00
FREMONT MOTORS-RAWLINS	VEHICLE REPAIRS	1,351.57
FSH COMMUNICATIONS	PAY PHONE	70.91
GALLS INCORPORATED	JACKETS	196.89
GASES PLUS	GENERATOR/PARTS/SUPPLIES	2,029.45
GCR ELECTRONICS, LLC	SITE RENTALS	900.00
GLAXOSMITHKLINE FINANCE	VACCINE	565.60
GOLDEN, MARY	MILEAGE	97.50
HANNA, TOWN OF	WATER & GARBAGE	76.00
HIGH PLAINS POWER	ELECTRICAL SERVICE	421.51
HILLCREST SPRING WATER	SUPPLIES	59.60
HILLTOP CONOCO	FUEL	247.09
HILLTOP LUBE	VEHICLE MAINTENANCE	45.05
IKON FINANCIAL SERVICES	COPY MACHINES	806.02
IKON OFFICE SOLUTION	COPY MACHINES	450.77
J H KASPAR OIL COMPANY	FUEL	9,483.29
JACK'S BODY & FENDER	VEHICLE REPAIR	342.95
JACKALOPE PRINTING	SUPPLIES/CARDS	375.32
JOURNAL WATCH	SUBSCRIPTION	89.00
KEALE, URSULA	MILEAGE FOR PLANNING INTERVIEW	110.00
KENCO SECURITY & TECHNOLOGY	ALARM SYSTEM/MONITORING	4,859.08
KING SOOPERS	SUPPLIES	74.50
KONE ELEVATORS ESCALATORS	ELEVATOR MAINTENANCE	1,291.21
L & L ELECTRIC	SUPPLIES	59.60
LAB SAFETY SUPPLY	SUPPLIES	775.77
LEXIS NEXIS MATTHEW	WY CRIME & TRAFFIC CD	302.65
LONG BUILDING TECHNOLOGIES	ADD CONTROLS TO BOILER/COMPRESSOR	2,348.13
MACPHERSON, CATHERINE	PERSONNEL HANDBOOKS	1,723.30
MAINLINE TECHNOLOGY	HCG KIT	58.95
MARCH OF DIMES	PAMPHLETS	374.00
MEDELA INCORPORATED	LACTINA DBL PMP KITS	466.77
MEDICAL ARTS PRESS	OFFICE SUPPLIES	41.97
MEDICINE BOW, TOWN OF	WATER & SEWER	53.00
MEMORIAL HOSPITAL	MEDICAL SERVICES	788.50
MERCH & COMPANY INC.	VACCINES	1,539.30
MICROTECHNOLOGIES, INC.	REFRIGERATOR & SUPPLIES	1,296.60
MOELLER, MARIE	CLEANING SERVICES	102.00
MOORE MEDICAL CORP.	SUPPLIES/STETHOSCOPE	993.74
MPM CORP / EVERGREEN	GARBAGE SERVICES	97.50
NATIONAL 4-H COUNCIL	SUPPLIES	41.24
NOVARTIS VACCINES	FLU VACCINE	19,000.00
NURSING MANAGEMENT	SUBSCRIPTION	284.96
PAGE ONE	MONTHLY PAGER SERVICE	275.57
PARKS, SARA ANN	ELECTION HELP	480.00
PAXTON, JERRY	MILEAGE	510.00
PERKINS OIL CO	FUEL/OIL	2,928.30
POWER SERVICE, INC.	GENERATOR REPAIRS	1,154.24
PREMIER ELECTION SOLUTIONS	ELECTION SUPPLIES	1,797.73
PRO BABY, LLP	PAMPHLETS	63.50
PRO-CHEM INDUSTRIAL	CLEANING SUPPLIES	837.83
PROJECT PREVENTION	NEWSPAPER AD/WAGES/PHONE/TRAINING	2,751.26
PUBLIC AGENCY TRAINING	SEMINAR	1,050.00
PUBLIC SAFETY CENTER	EVIDENCE BAGS/FIRE CLOTHING	3,073.19
QUESTAR GAS	GAS SERVICE	16.62
QUILL CORPORATION	SUPPLIES/FILE CABINET/RACK/CHAIRS	2,182.57

QWEST-DENVER	PHONE SERVICE	89.00
QWEST-KENTUCKY	PHONE SERVICE	673.96
QWEST-PHOENIX	PHONE SERVICE	4,291.35
RAWLINS AUTOMOTIVE	PARTS	9.80
RAWLINS FIRE EXTINGUISHER	ANNUAL INSPECTIONS	473.50
RAWLINS GLASS	WIRE/URETHANE/WINDOW GLASS	715.03
RAWLINS, CITY OF	WATER & SEWER	2,160.80
RELIABLE	OFFICE SUPPLIES	213.71
RESERVE ACCOUNT	POSTAGE FOR MACHINE	5,000.00
RESPIRONICS	BILICHEK SYSTEM	4,002.89
RICHARD S BECKER & ASSOC	LEGAL SERVICES	1,207.15
RICHARDSON, JILL	MILEAGE	27.97
ROCKET-MINER	PLANNING DIRECTOR AD	171.90
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICE	249.35
RYAN ELECTRONICS INC	MAINTENANCE CONTRACT FEE	4,007.29
SANOFI PASTEUR, INC.	VACCINE	883.62
SARATOGA AUTO PARTS	PARTS	51.37
SARATOGA SUN	ADVERTISING	3,048.64
SARATOGA, TOWN OF	WATER & SEWER	73.50
SKYLINE MOTORS, INC.	VEHICLE REPAIRS	318.58
SMITH PAINTING	CARBON MERCANTILE PAINT	1,260.00
SNAKE RIVER PRESS	AD	72.00
SNAP-ON TOOLS	TOOLS	79.50
SOURCE GAS	GAS SERVICE	1,935.02
STAN'S QUIK LUBE	VEHICLE MAINTENANCE	162.35
STOCKMAN GRASS FARMER	SUBSCRIPTION	32.00
STRECK	MEDICAL SUPPLIES	436.48
SUNRISE SANITATION SERVICES	GARBAGE SERVICES	20.00
SWEETWATER COUNTY SH	INMATE HOUSING	21,787.00
TERMINIX	PEST CONTROL	35.00
TRUE VALUE OF RAWLINS	SUPPLIES	210.75
U S MARSHALS SERVICE	PRISONER TRANSPORT	2,242.62
U W C E S	LETTERHEAD	57.86
UNION TELEPHONE COMPANY	CELL PHONE SERVICE	628.33
UPS	MAILING UPS PACKAGES	168.94
US POSTMATER	POSTAGE TAX NOTICES	3,664.27
VALLEY CONSTRUCTION	GRAVEL	3,331.25
VALLEY OIL COMPANY	FUEL	798.41
VAN'S WHOLESALE	SUPPLIES	469.46
VERIZON WIRELESS	CELL PHONE SERVICE	740.88
WASHBOARD, THE	LAUNDRY	16.83
WEICKUM, TERRY	COG MEAL/MILEAGE	347.50
WELD CO SHERIFF'S OFFICE	PAPER SERVICE	11.25
WEST WINDS BAKERY	LUNCHES	290.70
WILSON, MARGARET	PATCHES	60.00
WOLTERS KLUWER HEALTH	DRUG HANDBOOK/MAGAZINE RENEWAL	157.73
WOODWARD & ASSOCIATE	CARPET FOR EAST STEPS	1,038.00
WRS GROUP, LTD	PAMPHLETS	939.17
WY DEPARTMENT OF FAMILY SVCS	SUPPLIES	40.32
WY DEPARTMENT OF TRANS	COUNTY LICENSE PLATE RENEWAL	840.00
WY LAW ENFORCEMENT ASSOC	ROOM & BOARD FOR SCHOOLING	150.00
WY MACHINERY COMPANY	CREDIT/PARTS	419.19
WY STATE BAR	LICENSES/JOB POSTING/JURY INSTRUC.	1,617.00
WY STATIONERY	OFFICE SUPPLIES/SIGN/CREDIT	3,480.20
WY WINGS	WY WINGS AD	195.00
XEROX CORPORATION	BASE CHARGES/MTCE PLAN	2,218.61
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICE	502.30
ZEE	SUPPLIES	80.60
GRAND TOTAL		519,317.64

CLERK

Minutes

Commissioner Elliott moved to approve the minutes of the September 23, 2008 regular meeting and the minutes of the September 30, 2008 special meeting of the Board of Carbon County

Commissioners as presented. Commissioner Paxton seconded and the motion carried unanimously.

Monthly Receipts

Commissioner Paxton moved to accept the Carbon County Clerk Statement of Fees Collected for the Month of September 2008 in the amount of \$18,147.00 and Planning and Development receipts for the month of September 2008 in the amount of \$340.00. Commissioner Elliott seconded and the motion carried unanimously.

Pandemic Flu Planning Committee

Clerk Bartlett presented invitations for the BOCC to attend the Pandemic Flu Planning Committee meeting coordinated by Bridget Hettgar of Public Health.

Fairgrounds Multipurpose Facility Building

Clerk Bartlett stated the Fair Board must send their building plans to the Fire Marshal for approval. The approximate cost of this is \$4,300.00. Anna Helm, Fair Board member, asked if the County would pay for this service from the budgeted funds. Chairman Weickum issued an approval number for the expense and Clerk Bartlett asked Ms. Helm to provide her the invoice.

Carbon County Community Action Committee Contract

Clerk Bartlett presented a contract for the Carbon County Community Action Committee, Tripartite Board for services and activities for low-income people. She stated County Attorney Cindy DeLancey has reviewed the contract and recommends approval.

Commissioner Elliott moved to authorize the Chairman's signature on the Contract between the State of Wyoming, Department of Health, Rural and Frontier Health Division, Community Services Block Grant (CSBG) Program and Carbon County Community Action Committee, Contract # CSBG.CARB0904: CFDA #93.569 to provide services and activities to low-income people from October 1, 2008 through September 30, 2009, for a total payment not to exceed \$80,572.00. Commissioner Paxton seconded and the motion carried unanimously.

Violence Against Women Act Contract

Clerk Bartlett presented a contract for the Division of Victim Services and Carbon County Sheriff's Victims/Witness Program administered by Loretta Weems of the Sheriff's Department. She added that Attorney DeLancey has reviewed the contract and recommends approval.

Commissioner Paxton moved to approve the Fiscal Year 2009 Contract for Services to Victims of Crime Between Division of Victim Services and Carbon County Sheriff's V/W Program totaling a maximum amount payable of \$42,975.00, for the term from July 1, 2008 through June 30, 2009. Commissioner Elliott seconded and the motion carried unanimously.

Chokecherry and Sierra Madre Wind Energy Project Letter

Clerk Bartlett presented a letter drafted by Attorney DeLancey for the Chairman's signature relating to the Chokecherry and Sierra Madre Wind Energy Projects requesting cooperating agency status for the county including the Carbon County Planning and Zoning Commission, Carbon County Planning and Development Department, Carbon County Road and Bridge Department and Carbon County Attorney's Office.

Commissioner Elliott moved to authorize the Chairman's signature on a letter to Patrick Madigan at the Bureau of Land Management, Rawlins Field Office, regarding the Chokecherry and Sierra Madre Wind Energy Projects requesting cooperating agency status and also asking that the Bureau of Land Management recognize the following Carbon County entities in addition to the BOCC, Carbon County Planning and Zoning Commission, Carbon County Planning and Development Department, Carbon County Road and Bridge Department and Carbon County Attorney's Office. Commissioner Paxton seconded and the motion carried unanimously.

RECESS

Chairman Weickum recessed at 9:43 a.m. and reconvened at 9:45 a.m.

AGENDA AMENDMENT

Commissioner Paxton moved to amend the agenda to add an executive session at 9:45 a.m. Commissioner Elliott seconded and the motion carried unanimously.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session at 9:58 a.m. with Clerk Bartlett and Treasurer Cindy Baldwin for personnel and matters considered confidential by. Commissioner Elliott seconded and the motion carried unanimously.

Treasurer Baldwin left the session at 10:02 a.m.

Commissioner Paxton moved to come out of executive session at 10:27 a.m. and that the minutes of the session be approved as written and sealed and declared that no action was taken during the session. Commissioner Elliott seconded and the motion carried unanimously.

ELECTED OFFICIALS / DEPARTMENT HEADS

Treasurer

County Treasurer, Cindy Baldwin, stated tax collections are currently slow however she expects collections to pick up toward the end of the month. Treasurer Baldwin stated she talked with Captain Richard Fowler about using approximately \$8,500 of operations and maintenance funds for repairs to a jail system.

Treasurer Baldwin report that the September payment of \$43,540.44 in impact assistance for the Seven Mile Hill Wind Farm has been received. She also reported that with the economic issues in the country, she wanted to assure the BOCC that the county's investments are federally backed and the county has not lost any funds to date.

Assessor

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

Buildings Manager

Leroy Graham, Carbon County's Buildings Manager, presented a Notice of Substantial completion for the Courthouse remodel projects.

Commissioner Paxton moved to approve the Notice of Substantial Completion of Contract with Shepard Construction for the Courthouse Remodel projects consisting of the Circuit Court, Clerk of District Court, District Court Jury Room, and the Assessor's Office. Commissioner Elliott seconded and the motion carried unanimously.

Emergency Management

Harold Newbrough presented the Multi-Hazard Mitigation Plan Progress Report #6 and stated the project is two months ahead of schedule and is on budget. He stated after the Plan is submitted to FEMA, they will approve it then forward it to all participating municipalities for their approval. He added that Rawlins Main Street will use the Armory in May 2009 for a convention.

Fire Department

Larry Trapp reported that the Road & Bridge crew has done excellent work at the County's Fire Department in Rawlins. He stated that the department is averaging three to five calls per week.

Mr. Trapp requested and received authorization to prepare specifications for a water tender that was budgeted to be leased. He stated he hopes the new unit will hold 3,000 gallons rather than 2,000, the size of the previously purchased units. There was discussion of the center highway dividers and Commissioner Paxton suggested the County Fire Department draft a letter to the Wyoming Department of Transportation regarding the dividers and how they affect rescue and fire personnel.

Senior Services

Jill Duthie stated that Senior Services fiscal year has just finished and they have served 84,214 meals over the year. Ms. Duthie stated that Senior Services previously had a contract with Memorial Hospital (MHCC) to serve meals to seniors at home however MHCC did not want to renew the contract at the end of September. She stated the program is still operational through volunteers and staff but with winter approaching, this could be a problem.

She stated she had to replace some kitchen equipment unexpectedly, including a hot water heater in Rawlins, a refrigerator in Saratoga, and a freezer in Elk Mountain. She reported she may be requesting more funding in future budgets for equipment replacement.

Road & Bridge

Bill Nation, Road & Bridge Superintendent reported ten miles of Sage Creek Road, a.k.a. U.S. Highway 71, is complete.

Mr. Nation presented a contract with McMurry Ready Mix for improvements to 8 miles of County Road 401.

Commissioner Paxton moved to approve the Agreement between Carbon County and McMurry Read Mix for a 2" overlay on 8 miles of County Road 401 as per bid specifications totaling \$ 1,373,136.00 and that the first payment of \$686,568.00 be made immediately. Commissioner Elliott seconded and the motion carried unanimously.

Mr. Nation presented a Memorandum of Understanding (MOU) with PacifiCorp Energy pertaining to the maintenance of County Road 15. He stated he approved the MOU and requested and received the Board's approval of the MOU.

PLANNING AND DEVELOPMENT DIRECTOR

Lynn Deitrick interviewed for the Planning and Development Director position.

CITY MANAGER

Steve Golnar, the new Rawlins City Manager, introduced himself.

RECESS

Chairman Weickum recessed for lunch at 12:06 p.m. Chairman Weickum reconvened the meeting at 1:32 p.m.

Planning & Zoning

Public Hearing Case File No. 08-11

Chairman Weickum opened a public hearing at 1:32 p.m. to hear Planning & Zoning Case File No. 08-11. Kristy Rowan and Troy Maddox presented the following Case File:

Case File No. 08-11 – Silver Sage Ranch (owner) and Rick Morton (Applicant): Request for a Variance in a Ranching, Agriculture, Mining (RAM) Zone on approximately 907 acres. The request is to vary the setback requirements from the required 40' to 12.79' to 5.18' due to topography and vegetation constraints.

There being no public comment, Chairman Weickum closed the public hearing a 1:35 p.m.

Commissioner Paxton moved to approve Planning & Zoning Case File No. 08-11 Rick Morton (applicant) and Silver Sage Ranch (owner's) request for a request for a variance in a Ranching, Agriculture, Mining (RAM) Zone on approximately 907 acres, to vary the setback requirements from the required 40' to 12.79' to 5.18' due to topography and vegetation constraints, subject to the conditions outlined by the Planning & Zoning Commission in the amended Exhibit A. Commissioner Elliott seconded and the motion carried unanimously.

Commissioner Elliott moved to approve Resolution No. 2008-26, 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. 08-11. Commissioner Paxton seconded and the motion carried unanimously.

Resolution No. 2008 - 26

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 August 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 October 7, 2008; 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 #08-11 – Silver Sage Ranch (owner) and Rick Morton (applicant):

Request for a Variance in the Ranching, Agriculture, Mining (RAM) on approximately 907 acres. The request is to vary the setback requirements from the required 40' to 12.79' to 5.18' due to topography and vegetation constraints. The subject property is located 3 miles north of Saratoga – HWY 130.

Legal Descriptions:

Tax Assessment Notice:

S1/2SE1/4: SEC 24 S1/2: NW1/4: N1/2NE1/4: SW1/4NE1/4: SEC 25 SE1/4: SW1/4NW1/4: NW1/4SW1/4: S1/2S1/2SW1/4NE1/4SW1/4: ALL EAST & NORTH OF RIVER IN S1/2SW1/4: SEC 26 T18 R84 (LESS 2.295 A. SOLD & LESS RR R/W IN SECS 24 & 25) NET 906.5 A. (BOOK 869/420 & 887/256).

Warranty Deed's Descriptions:

6th P.M., Wyoming

T18N, R84W, Section 26 – S1/2 S1/2 SW1/4 NE1/4 SW1/4, in the County of Carbon, and containing 2.50 acres, together with all buildings and improvements thereon situate and appurtenances thereonto belonging, which buildings and improvements are sold "AS IS". SUBJECT, HOWEVER, to all easements, restrictions, reservations and rights-of-way of record or apparent upon view of the property.

Warrant Deed's Description – Exhibit A:

T18N, R84W, 6th P.M., Carbon County, Wyoming

Section 24: S1/2SE1/4

Section 25: N1/2NE1/4; SW1/4NE1/4; W1/2: SE1/4

Section 26: SE1/4; SW1/4NW1/4; NW1/4SW1/4; and all of the S1/2SW1/4 lying North and East of the North Platte River.

EXCEPTING AND EXCLUDING THEREFROM a tract of land beginning at a point, monumented by a 5/8" rebar, which bears N. 89°54'W., a distance of 2371.6 feet from the SE corner of said Section 26 and in on the South line of said Section 26; thence N. 25°33'W., a distance of 200.0 feet to a 5/8" rebar; thence N.89°54'W., 500.0 feet to a 5/8" rebar; thence S. 25°33'E., a distance of 200.0 feet to a 5/8 rebar; thence S. 89°54'E., along the South line of said Section 26, a distance of 500.0 feet to the point of beginning.

ALSO EXCEPTING AND EXCLUDING THEREFROM a strip of land beginning at a point

where the west boundary line of the Saratoga and Encampment Railroad right of way intersects the south boundary line of the SE1/4 NE1/4 Sec. 25, T18N, R84W, 6th P.M., Carbon County, Wyoming, as said line was recently surveyed by the Surveyor or Engineer from Washington; thence S.0°14'E., 1664 feet; thence S.3°15'W., 360 feet; thence S.6°30'W., 362 feet; thence S.11°40'W., 364 feet to the intersection of said right of way with the south boundary line of said Sec. 25 and 620 feet west of the SE corner of said Section; thence west 40 feet along said south boundary line from said right of way line and 660 feet west of the SE corner of said Section; thence N.11°40'E., 363 feet; thence N.6°30'E., 361 feet; thence N.3°15'E., 360 feet; thence N.0°14'W., 1664 feet to a point on the south boundary line of the SE1/4 NE1/4 Sec. 25 as surveyed by said Engineer and 513 feet West of the East ¼ corner of said Section; thence East to the place of beginning.

ALSO EXCEPTING AND EXCLUDING THEREFROM those certain strips of land conveyed to the Saratoga and Encampment Railway Company and more particularly described in Warranty Deed recorded 10/22/07, in Book 83, page 631, and in Warranty Deed recorded 6/19/09, in Book 94, page 409, Records of Carbon County, Wyoming.

Pursuant to the recommendations of the Carbon County Planning and Zoning Commission: Density: this is an existing ranching operation – one (1) single-family dwelling and associated structures are permitted on approximately 907 acres.

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 7th day of October, 2008.

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

By: -s- Terry Weickum, Chairman
-s- Jerry D. Paxton, Vice Chair
-s- James E. Elliott, Jr.

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Certification of Case File No. 08-12

Mr. Maddox presented the Certification of Recommended Action for Case File No. 08-12.

Commissioner Elliott moved to schedule a public hearing for November 12, 2008 at 1:30 p.m. at the County Courthouse in Rawlins, Wyoming to hear Case File No. 08-12, Carbon County Planning & Development's request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR) on various lots/tracts located in the Overlook Retreat Subdivision #1 (Excluding Lots/Tracts 2, 11, 63, 78, 90, 84, 44, and the S1/2 of Tract 38. Lots/Tracts 78 and 90 have the option to be included in the rezone from RD to FPSR). Commissioner Paxton seconded and the motion carried unanimously.

CHOCHECHERRY WIND FARM

Roxane Perruso and Bill Miller of Power Company of Wyoming, LLC, spoke about the Sierra Madre and Chokecherry Wind Project. The project is scheduled to have 1,000 turbines constructed over a three-year period. Ms. Perruso talked about the location of these turbines, the research done to establish their placement, and tax benefits for the county as well as the benefit of approximately 100 full-time permanent jobs benefits for in the area. There was further discussion on the assessment and taxation of wind farms. Mr. Miller stated the production could go on the market as a merchant product, not a regulated product, and if this happens, the project would be locally assessed, not state assessed as regulated products are.

County Assessor, Sheryl Snider asked where the production would be transmitted. Mr. Miller replied that the electricity produced would be supplied to the Western Electric Coordinating Council. Currently the environmental impact statement is being prepared for the Bureau of Land Management and the record of decision is expected late in 2009, then the industrial siting application will be submitted.

WIND FARMS – PROS AND CONS

Tom Schroeder of the Department of Environmental Quality talked about sales tax exemption for

renewable energy. If the wind turbine is connected to a grid, the sales tax exemption applies. Mr. Schroeder reported that DKRW has delayed construction of their plant from April 2009 to January 2010.

Mr. Schroder stated that the Industrial Siting Council (ISC) has legal requirements to check the adequacy of the project meeting county standards and specifications. He asked that counties alert the Council to their concerns. There was discussion of viewshed concerns and wind generation regulations. The BOCC stated that they are not against this development, but it wants cooperative and responsible development.

Chairman Weickum asked about the status of a computer model Mr. Schroder was preparing for the Williams Echo Springs project. Mr. Schroeder stated he is still working on the report and it will be coming out shortly. He stated the deadline for a consensus of a local recommendation is the pre-hearing date in October. Mr. Parfitt stated that the computer model has not been used since its development.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session at 3:24 p.m. with Attorney DeLancey and Clerk Bartlett for matters considered confidential by law. Commissioner Elliott seconded and the motion carried unanimously.

Troy Maddox joined the session at 3:40 p.m. and Jim Bell was called during the session at 3:40 p.m.

Commissioner Elliott moved to come out of executive session at 4:15 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.

RECESS

Chairman Weickum declared a recess at 4:16 p.m. and reconvened at 4:20 p.m.

SOCIOECONOMIC IMPACT OF ENERGY DEVELOPMENT

Ken Kerns, a consultant hired by the Coalbed Methane Coalition of which Sweetwater, Johnson, Carbon, and Sheridan counties are a part of, spoke of the socioeconomic impact of energy development.

LITTLE SNAKE RIVER VALLEY AIRPORT BOARD

Commissioner Elliott moved to adopt Resolution No. 2008-27, A Resolution of the Board of Carbon County Commissioners Dissolving the Little Snake River Valley Airport Board effective October 7, 2008. Commissioner Paxton seconded and discussed that this decision is made with a great deal of consideration. He stated the remaining members of this board have been consulted about the possibility of this decision and that the initial consideration came after Jay Linderman's letter suggesting this be done. Commissioner Paxton stated that Jerry Wilson and Ray Weber have also been personally consulted. Commissioner Elliott stated that he agrees with Commissioner Paxton's sentiments and added the possibility of hiring an airport manager is practical and he would like the county to consider reforming this board in the future. There was discussion that the Board hopes to find a person living in that area to be an airport manager. Chairman Weickum stated that this move is to regroup after a major change at the airport. The motion carried unanimously.

RESOLUTION NO. 2008 - 27

A RESOLUTION OF THE BOARD OF CARBON COUNTY COMMISSIONERS DISSOLVING THE LITTLE SNAKE RIVER VALLEY AIRPORT BOARD

WHEREAS, Pursuant to Wyo. Statutes 10-5-101 through 10-5-204, the Board of Carbon County Commissioners, having the authority to do so, adopted a Resolution on February 6, 1985 creating the Little Snake River Valley Airport Board; and

WHEREAS, Pursuant to Wyo. Statute 10-5-203, any airport board created under Wyo. Statutes 10-5-101 through 10-5-204 may be dissolved by resolution of the county governing body in a regular and public meeting; and

WHEREAS, the Little Snake River Valley Airport Board has been in existence as of February 6, 1985 therefore meeting the statutory requirements of Wyo. Statute 10-5-203 which states that “*No Board will be dissolved within the two (2) year period following the date of its creation*”; and

WHEREAS, it is hereby the desire of the Board of Carbon County Commissioners to dissolve the Little Snake River Valley Airport Board in accordance with Wyoming law and the Resolution adopted February 6, 1985.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Carbon County, Wyoming, that effective October 7, 2008 the Little Snake River Valley Airport Board hereby be dissolved, and that within ninety (90) days of the passage of this resolution, the Little Snake River Valley Airport Board proceed to terminate its affairs; and after payment of all obligations, any monies remaining under the control of the Little Snake River Valley Airport Board shall be credited to the General Fund of Carbon County, Wyoming.

PASSED, ADOPTED AND APPROVED this 7th day of October, 2008.

**BOARD OF CARBON COUNTY
COMMISSIONERS**

-s- Terry Weickum

-s- Jerry Paxton

-s- James E. Elliott, Jr.

Attest:

-s-Gwynn G. Bartlett, Carbon County Clerk

Chairman Weickum signed a letter to the remaining board members outlining this decision. Chairman Weickum stated he spoke with Dwight France recently who stated he would work with a new manager to ensure paperwork and airport requirements are met.

Clerk Bartlett presented WYDOT inspection reply for the Chairman’s signature.

Commissioner Elliott moved to authorize the Chairman to sign a letter to the Wyoming Department of Transportation responding to the Airport Safety Inspection Report performed at the Dixon Airport July 17, 2008, outlining the issues found that have been. Commissioner Paxton seconded and the motion carried unanimously.

COUNTY PLANNER

Commissioner Elliott moved to offer the County Planner position to Lynn Deitrick. Commissioner Paxton seconded and stated he would like to know when Mr. Deitrick would be available to start as time is of the essence. He added that he feels his experience with issues that parallel Carbon County’s issues make him feel comfortable with this candidate. Commissioner Elliott stated that if Mr. Deitrick should not accept, Mike Jones should be offered the position. The motion carried unanimously.

ADJOURNMENT

There being no further business, Chairman Weickum adjourned the meeting at 5:05 p.m.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 21st day of October 2008

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Terry Weickum, Chairman