

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, December 2, 2008
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, December 2, 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 9:10 a.m.

BAGGS CULVERTS

Commissioner Paxton reported to Bill Nation a complaint he received about culverts recently installed in Baggs. He stated he forwarded the e-mail complaint to Mr. Nation and asked him to investigate it.

VOUCHERS

Commissioner Paxton moved to approve the report of expenditures in the amount of \$ 1,840,750.48. Commissioner Elliott seconded and the motion carried unanimously.

ALSCO, AMERICAN LINEN	SHOP SUPPLIES/MATS	392.05
ANDERSON HIGHWAY SIGNS	SIGNS	388.40
AVAYA, INC	QUARTERLY SERVICE AGREEMENT	98.01
BAGGS, TOWN OF	OFFICE RENTAL FOR SEPT	300.00
BANK OF COMMERCE	LOAN PAYMENTS	163,226.24
BANK OF THE WEST	LEASE FOR TELECOMM SYSTEM	72,354.44
BOB BARKER COMPANY	BASKETBALLS/SHAMPOO	273.24
BUCHANAN, KAREN	MILEAGE	48.00
BUILD RITE LUMBER SUPPLY	OLYMPUS RECORDER	79.99
BUSEY, SHARALEE	MILEAGE	127.00
C N A SURETY	BOND	100.00
CAPITOL COMMUNICATIONS	MOVE PHONE SYSTEM TO JAIL	18,598.71
CARBON CTY COUNCIL OF GOV	2009 MEMBERSHIP DUES	200.00
CARBON COUNTY TREASURER	CASH ITEMS - MILEAGE/MEALS	1,404.94
CDW GOVERNMENT, INC.	COMPUTER SUPPLIES	700.56
CENTURY ENVIRONMENTAL	MOLD INSPECTION-DIXON SENIOR CTR	1,182.00
CENTURYTEL	PHONE CHARGES	53.79
CESKO, DAVID MD	MEDICAL SERVICES	315.00
CHAFFEE COUNTY SHERIFF	SUBPOENA SERVICE	10.50
CHAMBERS, JOHN D.	LEGAL SERVICES	878.00
CHIROCITY, LLC	DELUXE VIEW BOX	433.12
CLARK, RITA	MILEAGE	33.00
COMPUTER SOFTWARE ASSOC	HARDWARE MTCE AGRMT/PRINT SUPPORT	8,000.00
CORPORATE EXPRESS	OFFICE SUPPLIES	476.31
CORTHELL AND KING	LEGAL SERVICES	1,350.59
DAILY TIMES	ADVERTISING	1,908.90
DALLIN MOTORS INC	VEHICLE REPAIRS	161.22
DAVIS & CANNON, LLP	LEGAL SERVICES	1,346.15
DEHERRERA & BACH LAW	LEGAL SERVICES	5,724.94
DELEON, JOHN	LEGAL SERVICES	3,253.32
DISHONG, JOHN & CAROL	CCFD-HANNA DIVISION RENT	300.00
DUBOIS TELEPHONE EXCHANGE	PHONE SERVICES	76.84
EAGLE UNIFORM SUPPLY	MATS	94.82
ELLIOTT, JAMES E JR.	MILEAGE	224.00
ENERGY CONSTRUCTION	C.C. MERCANTILE REMODEL	2,114.00
FARMER BROTHERS COFFEE	SUPPLIES	198.66
FRANCE, TARA	TRANSCRIPTS	2,981.50
FREMONT COUNTY SEMINAR	SUDDEN DEATH SEMINAR	90.00
GAMBLIN, AMELIA	BABYSITTING FOR PARENTING CLASS	198.75
GAMBLIN, SONIA	LOVE & LOGIC CLASSES	662.50
GAMBLIN, THOM	LOVE & LOGIC CLASSES	662.50
GOSVENOR, MAXINE	MILEAGE	44.00

GRAPHIC SPORTS	ENVELOPES	287.00
HETTGAR, BRIDGET M	POSTAGE	55.00
HIGH PLAINS POWER	ELECTRICAL SERVICE	288.56
HIGH PLAINS VISION CENTER	VISION SERVICES	85.00
HILLCREST SPRING WATER	SUPPLIES	89.40
IKON FINANCIAL SERVICES	MONTHLY COPIER RENT	595.90
IKON OFFICE SOLUTIONS	MONTHLY COPIER RENT	700.00
J H KASPAR OIL COMPANY	FUEL	1,292.16
JACKALOPE PRINTING	KEY TAGS/BUSINESS CARDS	97.99
JUVE, JANE H	LEGAL SERVICES	3,735.01
KENCO SECURITY AND TECH	ALARM MONITORING SERVICE	34.00
KING SOOPERS	SUPPLIES	49.26
KONE ELEVATORS ESCALATORS	ELEVATOR MAINTENANCE	1,410.99
LAB SAFETY SUPPLY	LIGHT BATONS	167.25
LONG BUILDING TECHNOLOGIES	REPAIRS	2,763.77
MATTHEW BENDER & CO	2008 WY CODES	69.85
MAYFIELD, DON	MILEAGE	36.00
MCMURRY READY MIX	WORK ON COUNTY ROADS/RETAINAGE	1,377,121.94
MEMORIAL HOSPITAL	FINAL PMT-ENERGY BASIN CLINIC	51,801.31
MOELLER, MARIE	CLEANING SERVICES	75.00
MORBIDITY & MORTALITY	SUBSCRIPTION	119.00
MORIARITY, CATHERINE	COURT TRANSCRIPTS	26.00
MOSS, BARBARA	MILEAGE	54.60
MOTOROLA	CONSOLES	12,040.00
MY AUTOMOTIVE, INC.	VEHICLE REPAIRS	503.20
NATIONAL DISTRICT ATTORNEY	2009 NDAA DUES	95.00
OFFICE DEPOT	OFFICE SUPPLIES	129.97
PHILLIPS 66	FUEL	823.08
PICKETT, THOMAS Y	DEC INSTALLMENT VALUATION	5,250.00
PLATTE VALLEY MEDICAL	MEDICAL SERVICES	50.00
PREMIER ELECTION SOLUTIONS	ELECTION SUPPORT	5,341.13
PRO-CHEM INDUSTRIAL	LAUNDRY & FLOOR CLEANING	570.50
PROJECT PREVENTION	1/2 PHONE BILL/SUPPLIES/PAYROLL	1,889.29
QUILL CORPORATION	OFFICE SUPPLIES	151.64
QWEST-DENVER	PHONE SERVICES	30.10
QWEST-KENTUCKY	PHONE SERVICES	62.55
RAWLINS AUTOMOTIVE	OIL/FILTERS/PARTS	401.97
RAWLINS FAMILY MEDICINE	MEDICAL SERVICES	75.00
RAWLINS URGENT CARE	MEDICAL SERVICES	166.00
RAWLINS, CITY OF	COG MEAL	15.00
RESERVE ACCOUNT	POSTAGE	5,000.00
ROBERT JACK SMITH & ASSOC	SURVEYING	20,625.00
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICE	1,238.75
ROSS' AUTOMOTIVE SERVICE	VEHICLE REPAIRS	230.41
RYAN ELECTRONICS INC	COURT ROOM MICROPHONE/PARTS	610.00
SARATOGA AUTO PARTS	WIPER BLADES & BULBS/PARTS	141.15
SHEA, DIXIE F	MILEAGE	24.00
SHEEN LAW OFFICE	LEGAL SERVICES	1,519.00
SHIVELY HARDWARE	MISC HARDWARE	4.02
SIERRA DETENTION SYSTEM	MTCE/WORK ON ACCESS CONTROL	1,767.00
SKYLINE MOTORS, INC.	VEHICLE REPAIRS	50.40
SNAP-ON TOOLS	TOOLS	67.10
SOURCE GAS	GAS SERVICE	5,651.57
SPILLMAN TECHNOLOGIES	YEARLY MAINTENANCE AGREEMENT	16,480.00
STATE OF WY (PD)	GUARDIAN AD LITEM PROGRAM	3,827.37
STATE OF WYOMING A & I	BLUE ZONE ACCESS	8.04
STORY COUNTY SHERIFF	SUBPOENA SERVICE	66.40
TRUE VALUE OF RAWLINS	PARTS/SUPPLIES	2,125.17
UNION TELEPHONE COMPANY	CELL PHONE SERVICE	676.48
VALLEY CONSTRUCTION	GRAVEL RUN	5,330.00
VAN'S WHOLESALE	TOWELS/MOP/DUST PAN	94.42
VERIZON WIRELESS	CELL PHONE SERVICE	283.78
W S DARLEY & CO	FIRE CLOTHING	10,030.00
WALBYE, LILA	MILEAGE	36.00
WEINERT, HERMAN R	MILEAGE	25.20
WEST PAYMENT CENTER	LAFAVE SEARCH & SEIZURE	168.00
WEST COAST SALES & MRKTG	LIGHTING	318.94
WICKARD, EDITH M	MILEAGE	39.60

WIMPENNY, ROBERT G DDS	DENTAL SERVICES	400.00
WY COUNTY ASSESSOR'S	GIS-CONSULTING	295.51
WY PEACE OFFICERS ASSOC	WPOA DUES	620.00
WY STATIONERY	SUPPLIES	2,469.07
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	269.00
WYOMING.COM	SUBSCRIPTION	239.40
XEROX CORPORATION	MONTHLY COPIER RENT	192.71
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICE	41.58
YOUNG, CHARLES MD	MEDICAL SERVICES	170.00
GRAND TOTAL		1,840,750.48

AGENDA AMENDMENT

Clerk Bartlett reported that B.J. Kristiansen cancelled his appointment with the Board today and asked to be rescheduled for January.

Commissioner Paxton moved to amend the agenda by removing the 2:00 p.m. gas sales by county presentation by B.J. Kristiansen and move the Commissioners Discussion to 2:00 p.m. Commissioner Elliott seconded and the motion carried unanimously.

CLERK

Minutes

Commissioner Elliott moved to approve the minutes of the November 12, 2008 regular meeting of the Board of Carbon County Commissioners as presented and to approve the minutes of the November 18, 2008 regular meeting of the Board of Carbon County Commissioners correcting the total expenditures of \$435,914.57 to \$338,974.97. Commissioner Paxton seconded and the motion carried unanimously.

Bonds

Commissioner Elliott moved to approve a bond rider for Gwynn G. Bartlett changing her last name only and a \$25,000.00 bond for Judy Christopherson, Clerk/Treasurer for the Town of Elk Mountain. 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 November 2008 in the amount of \$11,416.20. Commissioner Elliott seconded and the motion carried unanimously.

Carbon Mercantile

Clerk Bartlett presented Reimbursement Request No. 04 in the amount of \$2,114.00, the final reimbursement relating to the Carbon Mercantile grant from the Wyoming Business Council (WBC). She stated that she will be meeting with WBC in December to go through files and visit the Mercantile to close out the grant.

Commissioner Elliot moved to authorize the Chairman's signature on a Community Development Block Grant Program Wyoming Business Council Reimbursement Request No. 04 in the amount of \$2,114.00 for the Carbon Mercantile storefront grant. Commissioner Paxton seconded and the motion carried unanimously.

Valley Community Center Grant Resolution

Clerk Bartlett presented a resolution of support for the Valley Community Center Construction Project adding that Attorney DeLancey recommends approval to support this grant application.

Commissioner Paxton moved to approve Resolution No. 2008-31, A Resolution of the Board of Carbon County Commissioners Supporting Submission of a Wyoming Business Council Community Facilities Grant and Loan Program Grant Application to the State Land and

Investment Board on Behalf of the Valley Community Center Joint Powers Board for the Valley Community Center Construction Project. Commissioner Elliott seconded and the motion carried unanimously.

RESOLUTION NO. 2008 -31

RESOLUTION OF SUPPORT A RESOLUTION OF THE BOARD OF CARBON COUNTY COMMISSIONERS SUPPORTING SUBMISSION OF A WYOMING BUSINESS COUNCIL COMMUNITY FACILITIES GRANT AND LOAN PROGRAM GRANT APPLICATION TO THE STATE LAND AND INVESTMENT BOARD ON BEHALF OF THE VALLEY COMMUNITY CENTER JOINT POWERS BOARD FOR THE VALLEY COMMUNITY CENTER CONSTRUCION PROJECT

WHEREAS, the Governing Body of Carbon County is a participating agency of the Valley Community Center Joint Powers Board; and

WHEREAS, the Joint Powers Board desires to participate in economic development by assisting in the construction of the Valley Community Center; and

WHEREAS, Carbon County recognizes the need for this project to assist in maintaining social stability in Baggs, the surrounding area, and Carbon County; and

WHEREAS, the Facilities Grant and Loan Program has certain requirements that the Carbon County Commissioners believes this application meets.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY CARBON COUNTY, that a grant application up to the amount of \$1,500,000.00 be submitted to the State Land and Investment Board for consideration in the 2009-2010 budget to assist in construction of the Valley Community Center.

BE IT FURTHER RESOLVED, the Valley Community Center Joint Powers Board be designated as the authorized administrator of the funds relating to this grant application.

PASSED, APPROVED AND ADOPTED THIS 6th day of December, 2008.

BOARD OF CARBON COUNTY COMMISSIONERS

-s- Terry Weickum

-s- Jerry Paxton

-s- James E. Elliott, Jr.

ATTEST: -s- Gwynn Bartlett, County Clerk

Dixon Airport

Clerk Bartlett presented a cooperative agreement with the Wyoming Department of Transportation to reimburse the county for AWOS maintenance at the Dixon Airport. She stated that Attorney DeLancey and Leroy Graham have both reviewed the agreement and recommend approval.

Commissioner Elliott moved to authorize the Chairman's signature on the Cooperative Agreement between the Wyoming Department of Transportation and the Board of County Commissioners of Carbon County, Wyoming for reimbursement to the BOCC for maintenance of the AWOS system including any scheduled periodic service and adjustment to the Dixon Airport navigational aids performed by its maintenance contractor presently under contract by the BOCC for a total payment not to exceed \$2,930.00 for the dates October 1, 2008 through September 30, 2009. Commissioner Paxton seconded and the motion carried unanimously.

Bureau of Land Management

Clerk Bartlett presented a Memorandum of Understanding (MOU) with the Bureau of Land Management for the purpose of coordinating and cooperating in conducting an environmental analysis and preparing the Environmental Impact Statement for the Chokecherry and Sierra Madre Wind Energy Project. She added the MOU designates herself as the main contact for the BLM to send information to be dispersed to the other entities designated as cooperating agencies. She stated these include the County Attorney, Planning and Development, and Road and Bridge.

Commissioner Elliott moved to authorize the Chairman's signature on the Memorandum of Understanding between Carbon County, Wyoming and the Bureau of Land Management for the purpose of coordinating and cooperating in conducting an environmental analysis and preparing the draft and final Environmental Impact Statement for the Chokecherry and Sierra Madre Wind Energy Project, commencing upon the day and latest date signed and shall remain in full force

and effect until terminated. Commissioner Paxton seconded and the motion carried unanimously.

Guardian Ad Litem

Clerk Bartlett presented a Memorandum of Understanding (MOU) between the Office of the Public Defender and Carbon County for the Guardian Ad Litem (GAL) Program. She added the MOU provides for the State to pay the attorneys for their services and the county now reimburses the State its portion of 25%. She stated Attorney DeLancey has reviewed the MOU and recommends approval.

Commissioner Paxton moved to approve the Memorandum of Understanding between the Office of the Public Defender and Carbon County for the Guardian Ad Litem Program to provide legal representation in child protection cases, children in need of supervision cases, termination of parental rights actions brought as a result of child protection or children in need of supervision action and for an attorney appointed to serve only as a guardian ad litem in a delinquency action, to commence on January 1, 2009 and remain in full force and effect until June 30, 2010, with a county match at a minimum of 25% of the State funds expended by the Office of the Public Defender GAL Program for the GAL Program in Carbon County. Commissioner Elliott seconded and the motion carried unanimously.

South Central Wyoming Emergency Medical Services Joint Powers Board

Clerk Bartlett presented an agreement creating the South Central Wyoming Emergency Medical Services Joint Powers Board. Attorney DeLancey stated if the BOCC signs this agreement today she will hand deliver it to Saratoga and will then obtain the other signatures and forward it to the Attorney General for the final signature. Commissioner Paxton stated they appreciate all the hard work that went into getting this done.

Commissioner Elliott moved to authorize the Chairman's signature on the Joint Powers Agreement between the Town of Hanna, Wyoming, The Town of Elk Mountain, Wyoming, the Town of Medicine Bow, Wyoming, the Town of Saratoga, Wyoming, the Town of Riverside, Wyoming, the Town of Encampment, Wyoming and Carbon County, Wyoming creating the South Central Wyoming Emergency Medical Services Joint Powers Board. Commissioner Paxton seconded and the motion carried unanimously.

Fair Lease

Clerk Bartlett stated she and Leroy Graham will attend the Fair Board meeting today to update them on their progress of the new multi-purpose facility financing and specifications. She asked if the Board would like Mr. Graham or the Fair Board to administer construction of the facility.

Commissioner Paxton moved to appoint Leroy Graham as the Project Manager to oversee construction of the new multi-purpose facility at the fairgrounds. Commissioner Elliott seconded and the motion carried unanimously.

Alcorn Property

Clerk Bartlett advised Hal Alcorn recently signed for a certified letter sent to him requesting that he contact her to meet with the BOCC regarding the cleanup of his property. She stated she has not yet heard from him to schedule this appointment. Mr. Graham stated that County Planner Mike Jones is viewing the property today and may report on it later today.

Memorial Hospital of Carbon County

Clerk Bartlett advised she received a letter from Kenneth Schulze agreeing to present any future change orders to the Energy Savings Lease to the immediate attention of the BOCC and he also agreed to sign the amendment to the Memorandum of Understanding.

Energy Basin Clinic

Clerk Bartlett reported the final payment of approximately \$51,000.00 is being made to complete the purchase of the Energy Basin Clinic in Hanna. She stated that the county reimburses the Memorial Hospital of Carbon County for these payments and with the final payment, will have paid \$259,315.87.

Forest Reserve Funds Resource Advisory Committee

Clerk Bartlett stated she has contacted Joe Evans regarding the formation of a Resource Advisory Council relating to Forest Reserve funds. She stated that he is planning to have a workshop on the subject in the next few months and he suggested the county wait on forming this group.

Dixon Airport Manager

Clerk Bartlett presented another resume for someone interested in the Dixon Airport Manager position. The BOCC asked that this applicant be scheduled for an interview December 16, 2008.

ELECTED OFFICIALS / DEPARTMENT HEADS

Treasurer

County Treasurer Cindy Baldwin stated the county has received \$411,335.00 of Payment In Lieu of Taxes (PILT) funds. She stated this is unanticipated revenue and requested and received authorization to invest these funds in a higher interest bearing account. The BOCC authorized this but asked that it be invested where it can be easily accessed without any fees.

Sheriff

Sheriff Colson reported that the Museum, Library, and the Old Penitentiary Joint Powers Board are holding meetings today and held meetings yesterday to prepare a disaster plan for each entity.

Buildings Manager

Leroy Graham, Buildings Manager discussed the multi-purpose facility. He stated that one storm sewer will need to be relocated and the City of Rawlins has agreed to do this.

Mr. Graham asked for and received authorization to fix the doors and windows in the county's new building in Hanna. Chairman Weickum asked Mr. Graham to just secure the building at this point.

Fire Department

Larry Trapp asked for approval to advertise to sell a 1950 Chevrolet Mini-Attack, VIN 21TJ01328, minimum bid \$250.00 and a 1957 International Tanker/Pumper, VIN SA47277E, minimum bid of \$250.00, both vehicles to be bid separately and both sold as is.

Commissioner Paxton moved to authorize the sale and advertisement of a 1950 Chevrolet Mini-Attack, VIN 21TJ01328 and a 1957 International Tanker/Pumper, VIN SA47277E with a minimum bid of \$250.00 each noting that both are to be sold as is with no warranty. Commissioner Elliott seconded and the motion carried unanimously.

Mr. Trapp advised that he received payment from the City of Rawlins for assistance the county provided during a fire at the City dump and there was discussion of where these funds would go.

Mr. Trapp also reported he has billed Lion Heart, Inc. \$1,700.13 for expenses incurred while the county picked up a new water tender earlier this year. Clerk Bartlett stated these funds would reimburse the Fire Department's budget.

Mr. Trapp reported the county will be receiving \$8,000.00 in grant funds from Wyoming State Forestry for training and maintenance hours on equipment countywide for the first half of this year.

Mr. Trapp expressed the Fire Department's appreciation for the support of Road & Bridge in finishing the parking lot at their new building and for Leroy Graham's assistance with the Muddy Gap fire station drainage issues.

Mr. Trapp stated Bill Jack is meeting with all the fire departments regarding the ambulance with the joint powers board. He reported they will attend the annual meeting with Union Pacific to discuss their maintenance along the tracks to prevent fires during the summer and will be attending the rural fire meeting and stated there will be rate changes due to fuel, tire,

maintenance and manpower costs and he will advise the BOCC of the rate changes when they are available.

Mr. Trapp asked for approval to sell a 1983 Ford truck to the Town of Saratoga. He stated Saratoga has put their own funds into maintaining the truck.

Commissioner Elliott moved to authorize the Chairman's signature on a Vehicle Bill of Sale conveying all interest in a 1983 Ford CB/CH VIN 1FDPF82K8DVA35917 to the Town of Saratoga in exchange for \$10.00 and other valuable consideration. Commissioner Paxton seconded and the motion carried unanimously.

Mr. Trapp reminded the BOCC that he was asked to keep track of how the new speed limit in the county would impact extrication calls and stated that to date they have not had many calls due to the weather but the few calls they have had when the weather turned bad, they are not seeing traffic slowing down to make any significant difference. He stated he talked with the chief in Elk Mountain and the Highway Patrol is trying to strictly enforce the new speed limit. Attorney DeLancey stated they are enforcing it very well.

Attorney

Attorney DeLancey introduced Rob Lavine, a new Deputy Attorney in her office.

RECESS

Chairman Weickum called a recess at 11:00 a.m. and reconvened at 11:05 a.m.

Road & Bridge

Bill Nation, Road & Bridge Superintendent reported on activities his department has been doing. He presented two agreements relating to the Sinclair Bypass Project.

Commissioner Elliott moved to authorize the Chairman's signature on the Cooperative Agreement Between the Wyoming Department of Transportation and the Carbon County Commission for State Project IRP-CN06064 also known as the West Sinclair Bypass Modification and to authorize the Chairman to sign a Memorandum of Understanding Between Carbon County, Wyoming, the Town of Sinclair, the Sinclair Refinery, and the Wyoming Department of Transportation (WYDOT) pertaining to the above named project. Commissioner Paxton seconded and the motion carried unanimously.

Attorney DeLancey verified that PMPC Engineering will provide the legal descriptions for the right-of ways needed.

Mr. Nation addressed two letters of concern pertaining to the culvert project near Baggs. He asked for and received authorization to meet with the individuals who wrote the letters to explain why the culverts were installed as they were.

DIXON AIRPORT MANAGER

Alethea (Alex) Foster and Jennifer Kriest both interviewed for the Dixon Airport Manager position.

RECESS

Chairman Weickum recessed for lunch at 12:11 p.m. Chairman Weickum reconvened the meeting at 1:30 p.m.

PLANNING & ZONING

Public Hearing Case File No. 08-20

Chairman Weickum opened a public hearing at 1:30 p.m. to hear Planning & Zoning Case File No. 08-20. Troy Maddox, Chairman of the Carbon County Planning & Zoning Commission and Kristy Rowan, Planning and Development presented the following Case File:

Case File No. 08-20 – Jerry D. and Wanda L. Mathews: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-37.02) on approximately 37.02 acres. Density being one (1) single family dwelling unit and associated structures allowed on approximately 37.02 acres. The RRA Zone allows residential and agricultural activities.

Chairman Weickum asked if there were any negative or positive comments by any neighboring landowners and/or other entities. Ms. Rowan stated that Road & Bridge advised this is a tough winter zone and the road does not remain open every day and wanted the applicant to be aware of this. She added that the Department of Environmental Quality (DEQ) advised that if the applicant will reside on the property and build a home, septic and water permits are both required. Chairman Weickum asked if the landowners would be notified that the road will not be maintained daily and the maintenance of the road will be at the sole discretion of the Road & Bridge Superintendent and also DEQ's permitting process. Ms. Rowan replied yes and one requirement on the Building Permit Application for housing was that Planning & Development receive a copy of the DEQ permit, septic system and water well permits.

Ms. Rowan reported the applicant was not present today but was represented by Bill and Donna McCollum who are adjacent landowners. Ms. McCollum stated they have five acres that are right in the middle of this property and it would make it more consistent if this property was zoned residential. She added they have no objection to this zone change.

There being no further comments, Chairman Weickum closed the public hearing at 1:35 p.m.

Commissioner Elliott moved to approve Planning & Zoning Case File No. 08-20 Jerry D. and Wanda L. Mathews' request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-37.02) on approximately 37.02 acres, subject to the conditions outlined by the Planning & Zoning Commission in the amended Exhibit A. Commissioner Paxton seconded and the motion carried unanimously.

Commissioner Elliott moved to approve Resolution No. 2008-32, 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. 08-20. Commissioner Paxton seconded and the motion carried unanimously.

Resolution No. 2008 - 32

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 November 5, 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 December 2, 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 #08-20 = Jerry D. & Wanda L. Mathews: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-37.02) on approximately 37.02 acres. The RRA Zone allows residential and agricultural activities. The subject property is located approximately 44 miles north of Sinclair off Carbon County Road #351 (Seminole Road) near the Miracle Mile Bridge.

Legal Description: A tract of land in the South 1/2 NE 1/4 and NW 1/4 SE 1/4 of Sec. 28, T26N, R84W, Carbon County, Wyoming, more completely described as follows: Beginning at the Center North 1/16 corner of said Sec. 28, the Northwest corner of this tract, monumented with a 5/8 rebar with Al. cap; Thence S0°05'31"W, 1313.17 ft. along the North/South centerline of said Sec. 28 to the Center 1/4 of said Sec. 28, monumented with a 5/8 rebar with Al. cap; Thence continuing along the North/South centerline of said Sec. 28, S0°05'31"W, 609.96 ft., more or less, to a point on the northwesterly right of way of the U S Bureau of Reclamation Scenic By-way road, a 100 ft. wide easement, which is the Southwest corner of this tract, monumented with a 5/8 rebar with Al. cap; Thence N42°54'48"E, 1432.07 ft., more or less, along the said northwesterly right of way to the beginning of a curve to the right; Thence along said curve and northwesterly right of way an arc distance of 1069.47 ft. on a radius of 3150 ft., through a central angle of 19°27'10", a chord bearing and distance of N52°38'23"E, 1064.34 ft. to a point; Thence N62°21'58"E, 203.13 ft. along said northwesterly right of way to the beginning of a curve to the left; Thence along said curve and northwesterly right of way an arc distance of 234.03 ft. on a radius of 1650 ft., through a central angle of 8°07'35", a chord bearing and distance of N58°18'09"E, 233.83 ft. to a point on the North line of the South 1/2 NE 1/4 of said Sec. 28, monumented with a 5/8 rebar with Al. cap; Thence N89°42'13"W, 2196.91 ft. along said North line of the S 1/2 NE 1/4 to the point of beginning, excepting that 5.0 acre tract of land as described in Book 753, Page 751, and subject to all easements and rights of way of record, said tract containing 37.02 net acres, more or less.

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 37.02 acres (RRA-37.02).

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

1. That the Carbon County Board of Commissioners, hereby adopt these amendment(s) as certified to them in writing by the Carbon County Planning and Zoning Commission.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 2nd day of December, 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

PLANNING AND DEVELOPMENT

Mike Jones, Planning and Development Director presented photographs of the property owned by Hal Alcorn. Chairman Weickum stated there has been progress on the clean up process and he asked that Attorney DeLancey and Mr. Jones draft a letter thanking Mr. Alcorn for his effort and to ask him to accelerate the remaining clean up of his property to be completed by the June 16, 2009 BOCC meeting and ask Mr. Alcorn to attend that meeting.

Mr. Jones distributed a memorandum of what Planning and Development has been working on and asked the BOCC for guidance to help prioritize the work ahead. He stated there will be GIS training this month for the Assessor's Office, Planning and Development and possibly Road & Bridge. He reported he has an in-house consultant servicing past and current rural addressing and

other requests for ownership data and has solicited proposals for development of a web-accessible GIS data base to integrate all Assessors and Planning related data and maps. He reported that Tracy Newbrough attended training related to census mapping and data requirements.

Mr. Jones stated he is coordinating with Albany County and Platte County to determine the general framework of wind regulations and Platte County has wind regulations that he would like to tailor to fit Carbon County's needs. The BOCC commended Mr. Jones on his approach of contacting other counties to make sure we do it right. Commissioner Elliott stated it seems we need to coordinate the institution of the wind regulations as soon as is practicable but it also needs to be grounded on the Land Use Plan that it is adopted uniformly for the entire county and then the zoning regulations. Mr. Jones stated he will be working with Joanne Garnett and can fold the two together and ensure the language of the Land Use Plan does not contradict the wind regulations. Attorney DeLancey stated her office has been trying to contact the wind regulation attorneys in California and once the attorneys have been identified she will advise Mr. Jones.

Mr. Jones stated they will be looking at application requirements for all land use projects and he plans to have a pre-submittal process including a checklist of required data including information and studies. He further discussed the necessity that the applicants of major projects meet with entities such as Road & Bridge, Wyoming Department of Transportation, Bureau of Land Management, affected municipalities and utilities to identify all requirements needed and a site drawing requirement to illustrate impacts of proposed developments. Chairman Weickum stated the application requirements process is a priority, the wind regulations should be done correctly and the Land Use Plan will work itself out.

RECESS

Chairman Weickum recessed at 2:18 p.m. and reconvened at 2:25 p.m.

AIRPORT DEVELOPMENT GROUP

Jim Sirhall and Dana Hartshorn of the Airport Development Group (ADG) discussed past and future projects at the Dixon Airport. Ray and Kathleen Weber of the Baggs area were also present.

Chairman Weickum stated his position that the BOCC feels an obligation to the local individuals to ensure the Dixon Airport is for their use and that it is not a private airport. He asked Mr. Sirhall and Mr. Hartshorn if they are also hired and working for Three Forks. Mr. Sirhall stated that during the construction, ADG was doing work for Three Forks and he added that ADG's allegiance is with the county. Mr. Hartshorn stated that the airport layout plan was approved by the county, the State and the FAA and the scope of work was tailored to that.

Chairman Weickum stated that Phase I of the hangar project must be done as early as possible during the Spring of 2009 and asked for an absolute assurance that this would be done. Mr. Hartshorn stated that seems reasonable as long as contractors aren't booked up.

Commissioner Elliott stated that with the dissolution of the Airport Board he thought the BOCC should sit down face to face with ADG to line out future communications to alleviate any issues with future projects. Chairman Weickum reported that the BOCC is in the process of trying to find an airport manager to deal with the day to day maintenance and operations of the Airport.

Mr. Hartshorn presented a map of the Phase I area for hangars. Chairman Weickum asked if the fence would interfere with parking at the Russell Event Center Arena. Mr. Weber outlined the area where the fence could go that would accommodate Phase I and II hangar projects while not interfering with parking or use at the adjacent arena. Mr. Hartshorn and Mr. Sirhall agreed with the area that Mr. Weber pointed out and said that would be reasonable. Attorney DeLancey verified that if the fence were moved there, this would free up 14 hangar spaces, two of which are already spoken for. The areas were explained to Mr. Weber and he agreed that this would be a good compromise.

Mr. Hartshorn stated he can overlay the proposed hangar area on the airport map and send a copy to the BOCC for final approval. ADG also agreed to send a copy to Mr. Weber for his input.

Commissioner Paxton asked about the progress of the sale of avgas at the Airport. Attorney DeLancey stated that the prop planes and the jets needed to be kept separately therefore avgas

would be sold on the end of the airport where prop planes are located. The proposed location of the avgas unit was designated on the map of the airport. There was further discussion of how to get power to the Phase I hangar area. Mr. Hartshorn stated that ADG would need to talk to the power provider about this before Phase I begins. Attorney DeLancey stated prior discussions indicated that as part of Phase I, power would be provided to an area in Phase I then the hangar owner would be responsible for the cost of sending power from that area to their hangar.

Commissioner Elliott asked ADG to make the discussed changes and get them to Attorney DeLancey as soon as possible so an agreement could be signed at the next meeting. ADG agreed to do this. Mr. Hartshorn stated once the agreement is executed, the bid process could begin. He did warn that the county would need to get on a contractor's schedule and it might be summer before that happens but that individuals would be able to construct their hangars.

Commissioner Paxton stated that the BOCC is in the process of reviewing minimum standards from other airports to expand on the current standards at the Dixon Airport. Attorney DeLancey asked ADG to prepare a very comprehensive scope of work for the project so no issues arise. ADG agreed to provide two different cost estimates for the project showing paving the road to the hangar area versus using gravel.

Mr. Weber stated he feels comfortable with the drawings revised today, including the proposed avgas site, fence site, and electricity to the hangar area. Attorney DeLancey reminded the Board that a ground lease would be negotiated with the individual as this evolves.

Future Project Updates

Mr. Hartshorn stated that there are currently four projects on the books for the next three years. There is the AWOS system, snow removal equipment purchase, relocation of hangars, and expanding the apron. Mr. Hartshorn stated that Congress has appropriated half the funding with half a year to spend it. He stated a grant of approximately \$50,000 would be granted to the county by the FAA in February for the projects that would proceed this year. He stated ideally Congress would give the remainder of the funding by summertime.

There was discussion of snow removal and the fact that the county will obtain a grant for a piece of equipment but that wouldn't be until fall 2009. There was discussion that the county could contract the snow removal until a manager is hired then borrow or purchase a piece of equipment. The BOCC asked Mr. Graham to contact Mr. Stocks in Baggs and coordinate with him to provide snow removal immediately and until further notice. Mr. Nation offered that his workers in the area notify Mr. Graham when the runway needs plowed.

Mr. Graham asked if the AWOS funds could be granted earlier as the system is currently down. Mr. Hartshorn stated he would inquire on this as he thinks the funds could be reimbursed. Mr. Hartshorn recommended not wasting funds repairing the current AWOS. He stated that a space for a local operator terminal needed to be located. It was discussed that a small addition could be added to the county's current building there or section off an area inside the current building.

Mr. Hartshorn discussed apron expansion and its location. Commissioner Paxton verified this would be on county property therefore the county would have the opportunity to do future development.

Mr. Hartshorn stated that he has a proposal to Mr. McAllister regarding development of a hangar site. He asked if the county has issues with ADG working for him while also working for the county. Mr. Sirhall asked that if the county saw a conflict with this to let ADG know immediately. Mr. Hartshorn assured the BOCC that ADG would talk with the county before agreeing to work with entities outside the county on Dixon Airport projects.

Mr. Hartshorn stated that the normal airport process is that grant information and draw downs would be run through the Clerk, legal issues through the Attorney, and day to day issues through the Airport Manager who would report to the BOCC or an airport board.

Attorney DeLancey asked ADG to send her the requirements for an entity to sell jet fuel at the airport.

COMMISSIONERS DISCUSSION

Clerk Bartlett provided an update of her and Leroy Graham's meeting earlier today with the Fair

Board about their multi-purpose facility. She stated that Dave DeLancey was the member designated by the Fair Board as the county's main contact for the duration of the project.

Commissioner Paxton reported he will be in Cheyenne this week to meet with Wyoming Business Council regarding the industrial park in Encampment.

ADJOURNMENT

There being no further business, Chairman Weickum adjourned the meeting at 4:21 p.m.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 16th day of December 2008

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Terry Weickum, Chairman