

April 3, 1975

COMMISSIONERS PROCEEDINGS  
SPECIAL MEETING

The Commissioners met in special session at 2:00 P.M., Orton and Glode present; Niland absent; Orton Chairman Pro-tem.

HEARING ON McFADDEN-ARLINGTON ROAD: Project No. SC-CFM 6-13-Carbon County. In attendance were:

James A. Kandolin, Wyo. Highway Dept., Laramie, Wyo.  
 William Grenier, Carbon County Engineer  
 Robert Korkow, Carbon County Road & Bridge Superintendent  
 Mr. and Mrs. L. A. LeBeau, McFadden, Wyo.  
 Gerald LeBeau, McFadden, Wyo.  
 Mary G. Bradford, Carbon County Clerk  
 John Hoke, Deputy Carbon County Attorney  
 Raymond B. Hunkins, Attorney, Wheatland, Wyo. representing Wheatland Irrigation District, Gerald LeBeau, L. A. LeBeau, Mrs. Margaret LeBeau and A. H. LeBeau & Sons.

*10a*  
 John Glode made a motion to pass a resolution to establish the McFadden-Arlington Road on behalf of the Wheatland Irrigation District in the public interest. It was seconded by Orton and carried. The Commissioners awarded \$12,261.00 to the Wheatland Irrigation District in return for the right of way and the dismissal of their protest.

Gerald LeBeau explained to the Board how the operational characteristics of the LeBeau ranch could be maintained given evidence of the proposed road. Mr. LeBeau also presented an alternate proposal to the Board. The Commissioners asked the LeBeaus to secure firm bids on the costs of a new well, replacement of present calving facilities and the value of the land actually to be taken by the road. LeBeaus asked for a firm agreement attached to the right of way easement. Another meeting was scheduled for April 17, 1975, at 2:00 P.M. at which time the findings are to be presented.

LETTER OF RECOMMENDATION: The Board then directed the County Clerk to send a letter to Gerald Ford, President of the United States, recommending the appointment of Stanley K. Hathaway as Secretary of the Interior.

There being no further business, the meeting was adjourned.

ATTEST: Mary G. Bradford  
 Mary G. Bradford, County Clerk

BOARD OF COUNTY COMMISSIONERS  
CARBON COUNTY, WYOMING

John Orton  
 John Orton, Chairman Pro-Tem

April 17, 1975

COMMISSIONERS PROCEEDINGS  
SPECIAL MEETING

The Commissioners met in special session at 2:00 P.M., Orton and Glode present; Orton Chairman Pro-tem.

RESOLUTION

WHEREAS, THE Board of County Commissioners of Carbon County, Wyoming (hereinafter called the Board) by resolution on the 6th day of August, 1974, required that establishment procedure be initiated for a road known as the McFadden-Arlington Road pursuant to Section 24-43, Wyoming Statutes, 1957; and

WHEREAS, Notice of Location was published three consecutive weeks pursuant to Section 24-52, Wyoming Statutes, 1957;

WHEREAS, the Board received Notice of Protest and claim for damages in the amount of Twenty-Five Thousand Dollars (\$25,000.00) from Wheatland Irrigation District; and

WHEREAS, the Board received claim for damages in the amount of Twenty Thousand One Hundred Eighty Dollars and Twenty Cents (\$20,180.20) from Margaret A. LeBeau; and

WHEREAS, the Board received claim for damages in the amount of One Hundred Fifty-Seven Thousand Nine Hundred Thirty-Seven Dollars and Sixty-Five Cents (\$157,937.65) from L. A. LeBeau and Gerald R. LeBeau; and

WHEREAS, the Board appointed appraisers and received report and appraisement of appraisers and oath of appraisers and above parties were notified of time and place of appraisement and appraisement has been received; and

WHEREAS, the Board has received Right-of-Way easements and agreements from all other interested parties; and

WHEREAS, the Board required a survey to be made of said project; and

WHEREAS, notice of hearing and pre-hearing conference were forwarded to abovementioned interested parties; and

WHEREBY, said hearing was held April 3, 1975, at 2:00 P.M. pursuant to Section 24-60, Wyoming Statutes, 1957.

*20d*  
 NOW, THEREFORE, BE IT RESOLVED, that the McFadden-Arlington Road be established in the public interest described as follows:

Commencing at a point in Lot 4 of Section 31, T. 20 N., R. 77 W., of the 6th P.M., Wyoming, which point bears S. 71 degrees 46' 52.8" E., a distance of 758.76 feet from a point on the west boundary of said Section 31 from which the southwest corner thereof bears S. 0 degrees 26' 17.2" W., a distance of 418.77 feet;

Thence running southwesterly a distance of approximately 7.6 miles through Section 31,

April 17, 1975

T. 20 N., R. 77 W., Section 36, T. 20 N., R. 78 W., and Sections 1,2,3,10,9,16,17,18 and 19, T. 19 N., R. 78 W., all of the 6th P.M., Wyoming.

To a point ending on the northerly boundary of the presently existing county road right of way described in Book 511 at page 518 of Miscellaneous Records of Carbon County adjacent to the Interstate Highway 80 Arlington Interchange.

NOW, THEREFORE, LET IT BE FURTHER RESOLVED, that claims for damages be awarded Wheatland Irrigation District in the amount of Twelve Thousand Two Hundred Sixty-One Dollars (\$12,261.00);

THAT Wyoming State Highway Department be requested to issue a State warrant in the above amount;

THAT said amount is payment in full for claim for damages in the amount of Twenty-Five Thousand Dollars (\$25,000.00) to Wheatland Irrigation District;

THAT said warrant is issued in return for execution of right of way easement for particularly described right of way in pre-hearing conference memorandum.

WHEREAS, the Board of County Commissioners of Carbon County, Wyoming, continued the hearing held on April 3, 1975, at 2:00 P.M. pursuant to Section 24-60, Wyoming Statutes, 1957 this 17th day of April, 1975; and

WHEREAS, the parties A. H. LeBeau and Sons, Inc. presented their claim for damages to the Board and Margaret A. LeBeau presenting her damages to the Board; and

WHEREAS, a settlement having been reached on claims for damages by the above named parties: for A. H. LeBeau and Sons, Inc. in the amount of \$37,877.58 in addition the Board agreed to construct pens, gates, underpasses, approaches, and wire pursuant to specifications and presentation by the said party and the claim of Margaret A. LeBeau in the amount of \$4,118.40 with agreement to construct pens, gates, underpasses and wire in accordance with presentation of said party.

NOW, THEREFORE, LET IT BE FURTHER RESOLVED, that claim for damages be awarded to A. H. LeBeau and Sons, Inc. by requesting that a warrant be issued by the State of Wyoming in the amount of \$37,877.58; that Wyoming State Highway Department be requested to issue a State warrant in the above amount; that said amount is payment in full for claim for damages above mentioned. That said warrant is issued in return for execution of right-of-way easement on property particularly described in Appraisement. That Margaret A. LeBeau be awarded claim for damages in the amount of \$4,118.40. That Wyoming State Highway Department be requested to issue a State warrant in the above amount; that said amount is payment in full for claim for damages above mentioned; that said warrant is issued in return for execution of right-of-way easement for particularly described right-of-way and agreement particularly described in the Appraisement.

s/ John Orton

s/ John Glode

ATTEST:

s/ Mary G. Bradford

County Clerk

( C O U N T Y S E A L )

TRANSFER OF FUNDS FROM CASH RESERVE: In compliance with Art. 3 Sec. 9-535 of Municipal Budget Act. W.S. 1957, a notice of hearing on the proposed transfer of funds from the Cash Reserve was advertised on April 5, 1975, in the Daily Times. There being no protests entered the Board approved the transfer of funds as follows: County Commissioners \$1,000.00; County Clerk \$10,000.00; County Sheriff \$13,000.00; County Attorney \$8,500.00; Justice Court \$2,500.00; Miscellaneous General #2 \$3,000.00; Total from Cash Reserve \$38,000.00. \$12,000.00 will be transferred from Courthouse Depreciation fund to the General Courthouse and Jail fund.