

December 4, 1979

COMMISSIONER'S PROCEEDINGS  
REGULAR MEETING

The Board met at 10:00 A.M., Commissioners Robert Grieve and Martin McMahon present, Emil Lemich, absent: Grieve, Chairman.

MINUTES of the regular meeting of November 6th and November 7th were read and approved.

MONTHLY REPORTS of the County Officers were audited and placed on file.

The following bills were approved for payment:

Martin McMahon	Salary - Commissioners	\$ 563.22
Emil Lemich	Salary - Commissioners	345.48
Robert Grieve	Salary - Commissioners	496.22
County Clerk	Salaries	10,230.57
County Treasurer	Salaries	6,867.03
County Assessor	Salaries	4,457.34
County Sheriff	Salaries	22,193.19
County Attorney	Salaries	6,539.20
County Surveyor	Salary	1,065.83
Clerk of Court	Salaries	3,849.21
Justice of the Peace	Salaries	2,566.03
Steve Noecker	J.P. - Salary	659.02
Gilbert & Marian K. Blumenthal	J.P. - Salary	524.13
Edna Jackson	J.P. - Salary	553.09
Agnes Stocks	J.P. - Salary	378.23
Billie McCoul	J.P. - Salary	70.64
Gloria Donahue	J.P. - Salary	152.13
County Sheriff	Salaries	10,480.01
Courthouse Custodians	Salaries	2,612.78
Herbert Matson	Salary - custodian	687.09
County Fire Department	Salaries	1,785.87
Daniel Klein	Salary - Health Officer	281.61
Data Processing	Salaries	1,721.54
Road & Bridge Dept.	Salaries	15,419.89
Public Health Nurse	Salaries	847.37
Allen Bergstrand	Salary - Civil Defense	302.77
Planning & Zoning	Salaries	1,665.73
County Treasurer	Various	1,569.90
Postmaster	Postage	2,000.00
Delores Soules	Road & Bridge - trailer	6,000.00
County Treasurer	Various	856.84
Equitable Insurance	Various	3,969.55
Michele Arellano	District Court fees	3.00
Council of Governments	ILT	15,000.00
Carbon County Redi Mix Co.	ILT Hanna Clinic	17,609.32
Wyoming Recreation Commission	Snowmobile	2,000.00
Dale Row	District Court - fees	6.80
County Predatory Animal Board	ILT- Predatory Control	10,000.00
C & T Modular Home Setters	ILT - Baggs Clinic	3,119.92
Foster Custom Building	ILT - Miscellaneous	535.08
Lonnie Faanes	District Court - fees/costs	70.38
Snowmobile West	ILT - Saratoga Chamber of Commerce	525.00
Blair Polygraph Service	District Court - other fees	161.14
McCargar Enterprises	Road & Bridge - Misc.	37.50
Bearing & Supply Hdg.	Road & Bridge - repairs	44.80
C.W. Ogburn - Sheriff	Board of Prisoners	2,970.00
Olsen Enterprises, Inc.	CH & J. Welfare - rent	426.66
Osborne Block Realty	Planning & Zoning - rent	250.00
C.W. Ogburn	Sheriff - expenses	62.55
American Data Products	District Court - supplies	326.01
Anderson Sinclair	Sheriff - fuel	5.20
Randy Anderson	County Agent - expense	330.24
Berberick	District Court - supplies	93.54
Gilbert Blumenthal	J.P. - expenses	103.50
Build Rite Lumber	Road & Bridge	6.38
Burgess Brothers	Various	58.50
Encampment Garage	Various	34.78
Wilbur G. Burgess	Sheriff - expenses	290.32
Burkes Conoco	Courthouse & Jail - fuel	39.84
Central Wyoming Bus Systems	Treasurer - repairs	70.00
Carbon County Clinic P.C.	CH & J - Prisoner health care	20.00
Carbon County Counceling Center	District Court - other fees	50.00
Carbon Engineering Service	Road & Bridge - parts	29.52
Carbon Engineering	Road & Bridge - parts	99.72
Carbon Power & Light	Road & Bridge - utilities	51.66
Carbon Power & Light	Road & Bridge - materials	557.73
Central Computer Systems	County Clerk - supplies	600.00
Chevron U.S.A.	Sheriff - Fuel	180.85
Chevron U.S.A.	Various	2,618.48

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Childress Electric	CH & Jail - repairs	\$ 4.22
City Market	County Agent - supplies	30.96
City Plumbing & Culligan	Courthouse - supplies	8.00
Rawlins Linen Supply	CH & Jail - laundry	38.24
Consumers Gasoline Co.	Road & Bridge - fuel	467.06
Conoco	Sheriff - fuel	477.87
Cooper Chevrolet	Road & Bridge - fuel	1,417.26
Raymond T. Crouch	Sheriff - expenses	6.35
D & L Tire Repairs	Road & Bridge - repairs	12.00
Dodie Delaney	Health Nurse - expense	192.73
Dixon Garage	Road & Bridge - Fuel	536.43
Elk Mountain Trading Co.	Fire protection	28.76
Energy Housing	Dr. Recruiting - rent	605.00
Joe Evans	Sheriff - expenses	99.62
Jean Ann Fleenor	District Court - fees	13.50
Fleming Implement	Road & Bridge - parts	162.29
Paul R. Fultz	Sheriff - expenses	112.25
Gard Talbot	Surveyor - supplies	133.14
Vickie Genoff	County Agent - expense	357.31
Glenn Ashmore Chev.	Sheriff - repairs	72.80
Glen A. Glidden	Sheriff - expenses	18.09
Goeman General Tire	Road & Bridge - supplies	197.45
Gregory R. Gregor	Pathologist consultant	500.00
Robert Grieve	Commissioner - expense	57.98
Oscar A. Hall & John Hoke	Public Defender - rent	450.00
Hanna Automotive	Road & Bridge - parts	258.00
Bridgett Hettigar R.N.	Health Nurse - expense	200.43
Holiday Inn	Sheriff - expenses	45.00
Horizon Printing	Various	404.52
Harry Hunt	Road & Bridge - culverts	176.06
J.C. Kilburn Co.	Road & Bridge - fuel	1,295.25
J.H. Kaspar Oil Company	Road & Bridge - utilities	8.80
Edna Jackson	J.P. - rent/telephone	78.47
Rod Johnson	Sheriff - expenses	126.04
Kinnaman Supply Company	Various	379.91
A.P. Kirsch. M.D.	Dr. Recruiting - rent	1,055.00
Daniel S. Klein, M.D.	CH & Jail - prisoner care	318.20
Robert Konrath	Planning & Zoning - travel expense	14.28
Lawco Police Supply	Sheriff - uniforms	89.99
Emil Lemich	Commissioner expense	53.44
Kendall McBride	Coroner fees	70.00
McMahon Motors	Various	163.72
Maberry Glass	Various	385.34
Maxson Realty	General budget - bond	5.00
Maxson Realty	Various - insurance	655.00
David F. Michie, D.D.S.	CH & Jail - prisoner care	107.00
The Mills Company	Various	678.72
Montgomery Elevator	CH & Jail - maintenance	66.56
Moss Equipment	Road & Bridge - parts	38.90
Mountain Bell	Telephone Service - various	2,343.36
NCR Corporation	Varicus	5,729.19
National 4-H Supply	4-H supplies	135.76
Northern Gas Division	Various	1,613.00
Pacific Power & Light Company	Various	547.30
Sherrie Patch R.N.	Public Health Nurse expense	42.33
Phillips	Sheriff - fuel	263.19
Pioneer Lumber	CH & Jail - repairs	11.90
Pioneer Printing	Various	1,203.15
Pitney Bowes	Postage meter	69.00
Merwyn Powell	Planning & Zoning - mileage	13.94
Rawlins Automotive	Road & Bridge - parts	1,315.53
City Water Dept.	Various	123.26
Rawlins Gas & Oil	Various	31.50
Rawlins Newspapers	Various	779.11
Rawlins Search & Rescue	Sheriff - rescue	660.49
V.S. Reddy, M.D.	Dr. Recruiting	2,352.00
Carbon County Senior Services	County match	9,000.00
Carbon County Senior Services	County match	3,889.31
Robert Jack Smith & Assoc.	Printing & Publishing	8.85
Robo Wash	Sheriff - car wash	18.50
A.V.K. Reddy, M.D.	ILT - Hanna Clinic	2,000.00
Sands Cafe	Sheriff - Search & rescue	56.15
Saratoga Auto Parts	Road & Bridge - parts	75.74
Shepards	Road & Bridge - parts	199.01
Shively Hardware Co.	Road & Bridge - tires & parts	557.52
Larry L. Shriner	Coroner fees	207.50
Sinclair Marketing, Inc.	Sheriff - fuel	30.41
Skyline Motors	Sheriff - car repairs	288.46
Snyders Communications	4-H repairs	25.20
Square Shooters Eating House	District Court - Jury meals	153.30
P.V Sridharan, M.D.	Dr. Recruiting-Secretary salary	800.00
Galyn M. Stahl, M.D. PC	Autopsy fees	350.00
Lance Stewart	Planning & Zoning expense	49.64
Agnes Stocks	J.P. - rent	75.00
Sun Publishing	Publications	100.46
Superior Tire	Sheriff - repairs	439.89

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Richard Syme	Coroner - fees & mileage	\$ 105.60
Texaco, Inc.	Sheriff - fuel	108.09
Thompsons Husky	Ambulance - fuel	28.85
3-M Business Products	County Clerk	60.02
Valley Oil Company	Road & Bridge - fuel	1,168.43
Vance Publishing	County Agent - supplies	7.00
Rebecca Von Forell	Extension office - expense	180.44
Ernest Ward	Sheriff - mileage/gas	20.50
P.S. "Sid" Weber	Planning & Zoning	25.84
Websters Service	Road & Bridge - utilities	146.80
Western Radio Communication	Road & Bridge - misc.	35.00
Huey P. Whitman	Sheriff - mileage	140.68
K. Craig Williams	County Attorney - expenses	142.12
Workmen's Compensation	November, 1979	662.11
Wortham Machinery Co.	ILT - Road & Bridge	23,888.00
Wortham Machinery Co.	Road & Bridge - parts	71.17
Wycomco	Sheriff - radio	45.00
Wyoming Diesel	Road & Bridge-repairs	340.45
Wyoming Association	Dues for 1980	200.00
Wyoming Highway Dept.	Road & Bridge - matching funds	48,040.58
Wyoming Highway Dept.	Sheriff - State Radio	370.00
Wyoming Machinery Co.	Road & Bridge - parts	5,117.81
Wyoming State Treasurer	Wyoming School for boys	50.50
Wyoming Wholesale	Various	78.25
Yampa Valley Electric	Various	65.50
Yates Hardware	Road & Bridge - parts	68.05
Zep Manufacturing	CH & Jail - supplies	158.03
Rawlins National Bank	Various withholding	21,977.71
Wyoming Retirement System	Various Social Security	8,621.90
Wyoming Retirement System	Life insurance	156.00
Colonial Insurance	Various insurance	137.00
Wyoming Retirement System	Various retirement	15,135.24

## REVENUE SHARING

McCargar Enterprises	Saratoga Land Fill	\$ 2,282.40
Frost Construction	Road & Brige - gravel	41,250.00
WY-DAC-CO	County Treasurer	7,250.00

## RETAIL MALT BEVERAGE PERMIT

There being no protest, the Commissioners approved the renewal of a Retail Malt Beverage Permit to Snowy Range Recreation, Inc. dba Sand Lake Lodge, situated on National Forest Lands in portions of parcels of Section 9, Township 17N, Range 79W, 6th P.M.

## BONDS APPROVED

Carol McGuire	8/9/79 to 8/9/80	Town of Hanna, Wyoming Treasurer	\$10,000.00
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## ABATEMENTS

John Wakkuri	Erroneous Assessment	\$ 99.30
Benjamin Romero	Erroneous Assessment	14.68
Mountain States Telephone	Erroneous Assessment	222.25

## CARBON COUNTY PLANNING &amp; ZONING

Public Hearings were held before the Board on the following:

Case #79-32 - Zone Change - Robert D. and Mary Allen Switzer, 3940 Swanton, Casper, Wyoming - Zone change from RAM (Ranching, Agriculture, & Mining) to RD-1 (Residential Development) on 1.18 acres (m/l) located approximately 1 mile northeast of Riverside. Site is legally described as a portion of SE $\frac{1}{4}$  Section 31, Township 15N, Range 83W, Carbon County, Wyoming. A motion was made by McMahon and seconded by Robert Grieve to approve. Roll was called with the following results: Grieve-aye, McMahon-aye.

Case #79-33 - Zone Change - Tim Lowell, Box 302, Rawlins, Wyoming - Zone change from RAM (Ranching, Agriculture, & Mining) to I (Industrial) on 9.920 acres (m/l) located approximately 1/2 mile northeast of Saratoga. Site is legally described as a portion of NE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 12, Township 17N, Range 84W, Carbon County, Wyoming. A motion was made by McMahon and seconded by Grieve to approve. Roll was called with the following results: Grieve-aye, McMahon-aye.

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Case #79-09 - zone change - El Rancho Not so Grande, by John Crow, President, Box 1211, Saratoga, Wyoming - zone change from RAM (Ranching, Agriculture, & Mining) to RD-40 (Residential Development). Site is approximately 3 miles northeast of Saratoga, Wyoming, and is legally described as NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 30, Township 18N, Range 83W, Carbon County, Wyoming. No action was taken to take off the table.

#### CARBON COUNTY MEMORIAL HOSPITAL

Mr. Joe McQuade, representing Elmer Fox & Company of Casper, Wyoming presented a request to audit the Carbon County Memorial Hospital. The Commissioners stated that the firm should contact the hospital Administrator Mr. Randall Draney.

#### MOUNTAIN BELL

Mr. Larry Eager representative for Mountain Bell gave a presentation on a new Computer Telephone System (Dimension 400). A letter of intent was taken under advisement by the Commissioners.

#### COUNTY AGENT

Vickie Genoff, extension agent, requested the County Commissioners to be present at the Consumerama February 9, 1980, The invitation was accepted by the Commissioners.

#### MOUNTAIN BELL

The Board approved the placing of a telephone plant on Carbon County Right-of-way. Right-of-Way No. 22247; Job No. W-9-5124; Line No. RL 13; Buried; Section 5, Township 26N, Range 83W.

The Board approved the placing of a telephone plant on Carbon County Right-of-Way. Right-of-Way No. 22246; Job No. W-9-5123; Line No. RL 13; County Road #291; Buried; Section 25, Township 25N, Range 83W.

#### THE CARBON BUILDING

Alan Sundberg and Bob Gibson designated a proposal for a park site next to The Carbon Building to incl"de a small park. The proposal to be drawn up and presented to the Commissioners for approval. Parking space was another issue to meet standard City codes for the building. The Commissioners will take the matter under advisement.

#### BUREAU OF LAND MANAGMENT

Fred Wolfe representative for BLM met with the Commissioners to discuss joint problems with the County.

Mr. Wolfe also stated that monthly meetings with the Carbon County Planning & Zoning may be helpful.

#### COUNTY ROAD NO. 4 and No. 291

RJD

The following permit to construct access driveway was granted to H & H Enterprises, P.O. Box 205, Baggs, Wyoming, located on County Road 4, Carbon County, approximately .40 miles South from Baggs, for ingress or egress to a Residential Subdivision, Section 8, Township 12, Range 91, Access Drive Width 40 feet, on East of highway, in a Urban area.

The following permit to construct a Buried Cable to Louis Irene was granted to Mountain Bell, P.O. Box 490, Rawlins, Wyoming, located on County Road No. 291, Carbon County, approximately 41 miles North from Hanna, buried cable to Irene, Section 6, Township 26N, Range 83W, in a rural area.

There being no further business, the meeting was adjourned until the following day.

December 5, 1979

The Board resumed its session at 10:00 A.M., Grieve, Lemich and McMahon present, Grieve Chairman.

#### WYOMING HIGHWAY DEPARTMENT

ROF

A motion was made by Lemich to enter into Project Agreement and seconded by McMahon. Roll was called with the following results; Grieve-aye, McMahon-aye, Lemich-aye.

#### PROJECT AGREEMENT

THIS AGREEMENT Made and entered into on this 5th day of December, 1979, by and between the Wyoming State Highway Department, hereinafter referred to as the DEPARTMENT and the Carbon Board of County Commissioners, hereinafter referred to as the BOARD.

WHEREAS, the Board desires to take advantage of the provisions of Sections 219 (SOS), 144 (Bridge), 203 (Railway Crossings), Title 23 United States Code and Sections 24-2-110, 24-4-101 (SC-CFM), 24-5-101 (IR), Wyoming Statutes by cooperating with the DEPARTMENT in a local road project.

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December 5, 1979

NOW THEREFORE, the parties hereto agree as follows:

1. The proposed project will involve preliminary engineering for survey and plan preparation and construction involving roadbed preparation, placement of crushed base and inverted penetration surfacing on the Sinclair-Seminole road, beginning approximately 31.2 miles north of Sinclair, northerly for approximately 4.8 miles.
2. The DEPARTMENT will prepare plans, specifications, and final cost estimates, and will award a construction contract to the lowest qualified bidder. Final design, plans and cost estimates will be concurred in by the Board prior to advertising. All construction work will be under the control of the DEPARTMENT in accordance with the project plans and specifications.
3. The estimated project cost is approximately \$225,000 to be funded as follows:

SC-CFM Funds	(93%)	\$209,250
County Matching	(7%)	15,750
		<u>\$225,000</u>

The Board will reimburse the DEPARTMENT for its participating share within thirty(30) days after being billed by the DEPARTMENT.

4. Should the Board abandon the project prior to advertising for bids, the Board shall reimburse the DEPARTMENT for all expenses of surveys and preparing project plans and documents.
5. Acquisition of right-of-way and utility adjustments required for the project will be the responsibility of the Board. The Board agrees to follow the policies set forth in the Wyoming Relocation Assistance Act of 1973, Section 9-729 through 9-750 in the acquisition of right-of-way required for the project to be constructed under this agreement.
6. The Board shall maintain the project at its own expense after the project has been accepted by the DEPARTMENT. Maintenance shall include all repairs necessary to keep the improvements at its original standard, as constructed.

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed under their respective names and seal through their duly authorized officers the day and year first above written.

WYOMING STATE HIGHWAY DEPARTMENT

BY \_\_\_\_\_

ATTEST:

(Highway Commission Secretary)

SEAL

The Carbon Board of  
County Commissioners

BY s/ Robert Grieve  
(Mayor or Chairman)  
s/ Emil T. Lemich  
(Member)  
s/ Martin McMahon  
(Member)

MAP

Right-of-Way & Utility  
Certificate

The Carbon Board of County Commissioners hereby certifies to the Wyoming Highway Department and the Federal Highway Administration this 5th day of December, 1979 that it has acquired all right-of-way, and has provided for removal of any and all utilities or other encroachments on or within land necessary for construction of project SC-CFM 6-24, Sinclair-Seminole Road and has complied with the policies set forth in the Wyoming Relocation Assistance Act of 1973, Sections 9-729 through 9-750.

The Carbon Board of  
County Commissioners

s/ Robert Grieve  
(Mayor or Chairman)  
s/ Emil T. Lemich  
(Member)  
s/ Martin McMahon  
(Member)

December 5, 1979

JUSTICE OF THE PEACE

A motion was made by Lemich and seconded by McMahon to accept the resignation of Steve Noecker as Justice of the Peace effective December 31, 1979. Roll was called with the following results; Grieve-aye, McMahon-aye, Lemich-aye.

RESOLUTION

WHEREAS, Pursuant to Section 5-4-207, Wyoming Statutes, 1977, the Supreme Court of Wyoming is vested with supervisory powers over Justice Courts of the State of Wyoming; and WHEREAS, pursuant to that power the Supreme Court of the State of Wyoming has designated qualifications for Justices of the Peace and procedures for their appointment; and

WHEREAS, Pursuant to a Resolution adopted January 3, 1979, two Justices of the Peace positions have been created for Rawlins, Wyoming, and Steve D. Noecker has resigned from one of the said positions effective the 31st day of December, 1979,

NOW THEREFORE, be it resolved that the Board of County Commissioners of Carbon County will accept written applications for the vacant position of Justice of the Peace in Rawlins, Wyoming, until 4:00, P.M., December 20, 1979. Such applications shall be in the form of a letter addressed to the Board of County Commissioners and it shall be filed with the Office of the County Clerk, Courthouse Building, Rawlins, Wyoming.

The qualifications for the Justice of the Peace applicants shall be as follows:

- A. Must reside within the City of Rawlins, provided that if the Board of County Commissioners finds extraordinary circumstances to exist which warrant an exception to the residence requirement it may present its findings, including an assurance that the Justice will be available as provided in Paragraph D, and appropriate request to the Supreme Court that an Order be granted allowing such exception.
- B. Must be a qualified elector of Carbon County.
- C. Must be of good moral character and have a good reputation in the community.
- D. Must be available and willing to perform the duties of a Justice at all times of the day or night.
- E. Must agree to attend, and attend, the first available training school after election or appointment and each training school thereafter while in office, or be subject to disciplinary action.
- F. Must agree to comply with all constitutional provisions, statutes, rules and regulations pertaining to the office of Justice of the Peace, and to submit such reports and data as required by the Supreme Court.
- G. Must be authorized to practice law in the State of Wyoming.

Dated at Rawlins, Wyoming, this 5th day of December, 1979.

BOARD OF COUNTY COMMISSIONERS  
Carbon County, Wyoming

s/ Robert Grieve  
Chairman

s/ Emil Lemich  
Board Member

s/ Martin McMahon  
Board Member

(SEAL)

ATTEST:

s/ Mary G. Bradford  
County Clerk

NOYES HEALTH CARE CENTER, INC.

A motion was made by Lemich and seconded by McMahon to approve the Lease Agreement by and between Carbon County, Wyoming and Noyes Health Care Center, Inc. Roll was called with the following results; Grieve-aye, McMahon-aye, Lemich-aye.

LEASE AGREEMENT

THIS AGREEMENT, made and entered into this day by and between CARBON COUNTY, WYOMING, A Body Corporate and Politic, party of the first part, hereinafter referred to as "Lessor" and NOYES HEALTH CARE CENTER, INC., a Wyoming Non-profit Corporation, party of the second part, hereinafter referred to as "Lessee".

WITNESSETH

That for and in consideration of the covenants and agreements hereinafter mentioned to be kept and performed by the respective parties, it is mutually agreed as follows:

1. Lessor hereby agrees to lease the real property described hereinbelow to the Lessee for the period of one (1) year beginning November 15, 1979, and ending November 14, 1980. The said property is described as follows:

The  $\frac{1}{2}$  of Lot 78, of the Meadowlark Addition to the Town of Baggs, Carbon County, Wyoming.

2. As total consideration for said Lease, Lessee agrees to pay Lessor the total sum of Ten Dollars (\$10.00) in advance.

3. Lessor covenants and agrees that it will maintain fire insurance on said premises.

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Lessee agrees to maintain its own insurance on the contents of the building, to save and hold the Lessor harmless from any liability arising in any way from the operation, maintenance, and health care furnished on the aforesaid real property.

4. Lessee agrees to pay and hold Lessor harmless from all utility expenses incurred on said premises.

5. Lessor shall have the right to enter the premises at all reasonable hours to examine the same or to make such repairs or alteration as may be necessary for the safety of the building.

6. Lessee agrees that it receives the demised premises in a good state of repair and agrees that it will yield up said premises to the Lessor in as good a condition as when it entered the premises, except for loss by fire, acts of third parties, and ordinary wear, and Lessee further agree to maintain the premises in good repair during the term of this Lease at its own expense.

7. Lessee further agrees that neither it nor its legal representatives will sublease said premises or any part thereof, or assign this Lease without the written consent of Lessor.

8. This lease shall be automatically renewed, but shall be terminable by either party upon sixty (60) days written notice.

9. This Agreement shall inure to the benefit of and bind the successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 5th day of December, 1979.

LESSOR:

Carbon County, Wyoming;  
A Body Corporate and Politic

BY s/ Robert Grieve  
Chairman of the Board of  
County Commissioners

Attest: s/ Mary G. Bradford  
County Clerk

STATE OF WYOMING )  
                      ) ss.  
County of Carbon )

The foregoing instrument was acknowledged before me by Robert Grieve, Chairman of the Board of County Commissioners, Carbon County, Wyoming, this 5th day of December, 1979.

Witness my hand and official seal.

s/ Enid Z. Baker  
Notary Public

My commission expires: June 28, 1980

CARBON COUNTY SENIOR SERVICES, INC.

Evelyn Mincer, Executive Director for Carbon County Senior Services, Inc. presented to the Commissioners a proposal for the monies allocated to the Snowy Range Community Action Agency, Inc.. No action was taken.

JEFFREY CENTER BOARD

A motion was made by McMahon and seconded by Lemich to appoint William E. Harshman to the Jeffrey Center Board for a five (5) year term commencing December 4, 1979 to December 4, 1984. Roll was called with the following results; Grieve-aye, McMahon-aye, Lemich-aye.

JOINT POWERS BOARD - HANNA-CARBON COUNTY

A motion was made by Lemich and seconded by McMahon to appoint Jerry Ellis to the Joint Powers Board of Hanna-Carbon County for a three (3) year term commencing December 1, 1979 to November 1, 1982. Roll was called with the following results; Grieve-aye, McMahon-aye, Lemich-aye.

CARBON COUNTY PLANNING & ZONING BOARD

A motion was made by Lemich and seconded by McMahon to reappoint Norman Palm to the Carbon County Planning & Zoning Board for a five (5) year term commencing December 4, 1979 to December 4, 1984. Roll was called with the following results; Grieve-aye, McMahon-aye, Lemich-aye.

COUNTY ROAD 701

Bob Hicks from MSM Consultants, Inc., 350 W. A. St., Casper, Wyoming discussed with the Commissioners permission to oil County Road No. 701 in Carbon County. The Commissioners asked for specifications before any decision is made.

December 5, 1979

WYOMING PACER, INC.

A motion was made by Lemich and seconded by McMahon to sign the corrected Addendum to Assignment of Lease by and between Wyoming Pacer, Inc., a Wyoming Corporation and W.M. Properties, an Oklahoma general partnership. Roll was called with the following results; Grieve-aye, McMahon-aye, Lemich-aye.

ADDENDUM TO ASSIGNMENT OF LEASE

In and for the consideration of \$1.00 in hand paid each to the other, the parties hereto agree to amend the Assignment of Lease made and entered into the 23rd day of March, 1979 by and between WYOMING PACER, INC., A Wyoming corporation and W.M. PROPERTIES, an Oklahoma general partnership comprised of JERRY L. MIZE and CAROLE N. MIZE, husband and wife, as co-partners, JERRY L. MIZE, individually and CAROLE N. MIZE, individually, parties of the first part, hereinafter called the "Assignors" and RUSSELL, GREENHAWT & RUMMEL, a Wyoming general partnership comprised of GERALD K. RUSSELL, CHARLES E. GREENHAWT and F.A. RUMMEL, JR., as co-partners and CARLIE G. JEBENS, an individual, parties of the second part, hereinafter called "Assignees" as follows:

(1) The date of the Assignment of Lease shall be and is amended to read the 23rd day of March, 1979 instead of the date it now reads as the 23rd day of August, 1979.

(2) The second paragraph of page 1 of the Assignment of Lease shall be and is amended to read as follows:

WHEREAS the Assignors are the Lessees from the Board of the County Commissioners of the County of Carbon, State of Wyoming, of certain real property, located in Rawlins, Carbon County, Wyoming, which said real property is leased under the terms and conditions of that certain lease recorded in the office of the County Clerk and Ex-Officio Register of Deeds of Carbon County, Wyoming, in Book 468 at Page 504, and subsequent amendment which amendment appears in Book 474 at Page 276 which lease was assigned unto Kermit C. Platt and Barbara Platt by assignment appearing at Book 585 at Page 87, and extended by agreement dated November 9, 1972, extending the term of this lease until March 31, 2040; and further assigned unto the Assignors by assignment appearing at Book 633, at Page 234; and

IN WITNESS WHEREOF, the parties of the first part have caused these presents to be signed this 27th day of November, 1979.

WYOMING PACER, INC.

BY: Donald E. Herrold  
Donald E. Herrold  
its Attorney in Fact

ATTEST:

s/ Knox O. Lewis  
Assistant Secretary

W.M. PROPERTIES, A partnership  
BY: s/ Donald E. Herrold  
Donald E. Herrold,  
its Attorney in Face

JERRY L. MIZE, Individually

BY: s/ Donald E. Herrold  
his Attorney in Fact

CAROLE N. MIZE, individually

BY: s/ Donald E. Herrold  
her Attorney in Fact

RUSSELL, GREENHAWT & RUMMEL

BY: s/ Charles E. Greenhawt

s/ Carlie G. Jebens  
CARLIE G. JEBENS

CONSENT OF LESSOR TO ADDENDUM

The above and foregoing addendum to Assignment of lease is hereby accepted, approved, and the consent thereof is hereby granted, by the Board of County Commissioners of the County of Carbon, a body politic and corporate, at its regular meeting this 5th day of December, 1979.

ATTEST: Mary G. Bradford  
County Clerk

BOARD OF COUNTY COMMISSIONERS,  
COUNTY OF CARBON, STATE OF WYOMING

BY: s/ Robert Grieve

December 5, 1979

STATE OF OKLAHOMA )  
: SS  
COUNTY OF TULSA )

The foregoing instrument was acknowledged before me by Donald E. Herrold, this 16th day of October, 1979, who acknowledged himself to be attorney-in-fact for Wyoming Pacer, Inc., and W.M. Properties, a partnership and acknowledged that he executed the same as the act of his principal for the purposes therein contained.

Witness my hand and official seal.

s/ Jerelyn G. Edwards  
Notary Public

Commission expires:  
August 23, 1982

STATE OF OKLAHOMA )  
: SS  
COUNTY OF TULSA )

The foregoing instrument was acknowledged before me by Donald E. Herrold, this 16th day of October, 1979, who acknowledged himself to be attorney-in-fact for Jerry L. Mize and Carole N. Mize, and acknowledged that he executed the same as the act of his principal for the purposes therein contained.

Witness my hand and official seal.

s/ Jerelyn G. Edwards  
Notary Public

Commission expires:  
August 23, 1982

STATE OF WYOMING )  
: SS  
COUNTY OF CARBON )

The foregoing instrument was acknowledged before me by Charles E. Greenhawt this 27th day of November, 1979.

Witness my hand and official seal.

s/ Barbara J. Adams Sanchez  
Notary Public

My Commission expires:  
August 26, 1980

STATE OF WYOMING )  
: SS  
COUNTY OF CARBON )

The foregoing instrument was acknowledged before me by Carlie G. Jebens this 27th day of November, 1979.

Witness my hand and official seal.

s/ Barbara J. Adams Sanchez  
Notary Public

My Commission expires:  
August 26, 1980

#### CHAMBER OF COMMERCE

A special thanks was given to Lois Higley for the fine work done on the Bond Election for the Joint Facility building. A copy of the final report was given to the Commissioners to keep on file in the office of the County Clerk.

#### CARBON COUNTY MEMORIAL HOSPITAL

Robert Draney gave a monthly report on the progress of the hospital and its staff. It was reported that the new food service is in operation and running smoothly.

#### COUNTY ROAD NO. 291

The following permit to construct an electrical supply was granted to Carbon County Coal Company, P.O. Box 830, Hanna, Wyoming 82327, located on County Road 291, Carbon County approximately 4 miles North from Hanna, electrical supply to a Sample station subdivision, Section 33, Township 23N, Range 81W across station Milepost No. 4.0, in a rural area.

December 5, 1979

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COUNTY ROAD NO. 291

The following permit to construct a buried cable to Gary Vivion was granted to Mountain Bell, P.O. Box 490, Rawlins, Wyoming, located on County Road No. 291, Carbon County, approximatey 27 miles north from Hanna, for buried cable, Section 25, Township 25, Range 83, in a rural area.

COUNTY ROAD NO. 4

The following permit to construct sewer crossing was granted to H. & H. Enterprises, P.O. Box 205, Baggs, Wyoming, located on County Road No. 4, Carbon County, approximately .25 miles west from Baggs, for ingress or egress to a residential & Trailer Subdivision, Section 8, Township 12, Range 91, access width 60 feet on east of highway, in a urban area. 4½ feet westside, 4 feet westside, 12 inch line.

COUNTY ROAD NO. 4

The following permit to construct access driveway was granted to H. & H. Enterprises, P.O. Box 205, Baggs, Wyoming, located on County Road No. 4, Carbon County, approximately .25 miles west from Baggs, for ingress or egress to a residential & trailer subdivision, Section 8, Township 12, Range 91, access drive width 40 feet, on east of ghhighway, in a urban area.

There being no further business the meeting was adjourned.

BOARD OF COUNTY COMMISSIONERS

Robert J. O'Brien  
Chairman

ATTEST:

Mary S. Bradford  
County Clerk

## PROCLAMATION AND NOTICE OF ANNEXATION ELECTION

NOTICE IS HEREBY GIVEN that an annexation election will be held in the Town of Elmo, Wyoming, on December 18, 1979, between the hours of 8:00 a.m. and 7:00 p.m. At said annexation election, there will be submitted to the qualified electors of the Town the following proposal:

Shall the Town of Elmo, Wyoming be annexed into the Town of Hanna, Wyoming under Sections 15-1-518 to 15-1-521, Wyoming Statues, 1977, pursuant to the terms and conditions of the Annexation Agreement between said Towns dated October 23, 1979 on file and available for inspection at the offices of the Town Clerks of each of said Towns?

The Annexation election is being held pursuant to an Annexation Agreement between the Towns of Hanna and Elmo which agreement is as follows:

## "AGREEMENT"

"THIS AGREEMENT made this 23rd day of October, 1979, by and between the TOWN OF HANNA, A Wyoming municipal corporation, and the TOWN OF ELMO, a Wyoming municipal corporation;

## "WITNESSETH:

"WHEREAS, the parties hereto are both Wyoming municipal corporations situate in Carbon County, Wyoming; and

"WHEREAS, the Town of Elmo desires to be annexed to the contiguous Town of Hanna, Wyoming, pursuant to Chapter 143, Session Laws of 1979; and

"WHEREAS, pursuant to Section 15-1-518(a), S.L. 1979, the governing bodies of said Towns did heretofore meet together on September 18, 1979 at Hanna, Wyoming, at a public meeting to determine the terms and conditions on which the proposed annexation might be made; and

"WHEREAS, the governing bodies of the Towns of Hanna and Elmo desire to reduce to writing the mutual intent and meeting of the minds.

"NOW, THEREFORE, in consideration of the mutual promises and agreements of the parties hereto;

## "IT IS AGREED:

"1. A special election on the question of annexation of the Town of Elmo with the Town of Hanna, Wyoming, shall be forthwith held, which election, shall be called, conducted, canvassed and returned in the manner provided for municipal bond elections by the general election laws.

"2. The Towns of Hanna and Elmo shall bear equally the anticipated election costs of One Thousand Dollars (\$1,000.00).

"3. The Town of Elmo will retain the law firm of Dawson, Nagel, Sherman & Howard, Attorneys at Law, Denver, Colorado, to prepare all special election proceedings on the question of annexation, including annexation ordinance, if question of annexation passes.

"4. The Town of Hanna shall allocate equitably the debts of the said Town of Elmo and the Town of Hanna. The equitable allocation shall be according to benefits received by the annexed and annexing Towns from additional assets being brought into the combined Town.

"5. The number of retail liquor licenses in the Town of Elmo shall remain the same after annexation.

"6. The Town of Elmo water indebtedness due to the Town of Hanna will be forgiven and discharged by the Town of Hanna.

"7. Any liability of the Town of Elmo to the Elmo Development Company, a Wyoming corporation, which liability is alleged to be Twenty One Thousand Dollars (\$21,000.00) at the date hereof, will be assumed by the Town of Hanna.

"8. The water and sewer user fees in the combined Towns after proposed annexation, shall be the same.

"9. All the provisions of Section 15-1-521, Chapter 143, Session Laws of 1977 shall be applicable and any Ordinance of Annexation enacted by the Town of Hanna shall so specifically state.

"IN WITNESS WHEREOF the parties hereto have executed this Agreement in duplicate original the day and year first above written.

"TOWN OF ELMO

"ATTEST:

/s/ Jack J. Tlustos  
Mayor

/s/ Lavonne Tlustos

Town Clerk

"TOWN OF HANNA

(SEAL)

"ATTEST:

/s/ Robert J. Brockman  
Mayor

/s/ Penny Parr

Town Clerk

(SEAL)"

December 21, 1979

STATE OF WYOMING      )  
                          ) SS.  
COUNTY OF CARBON      )

CERTIFICATE OF CANVASS OF THE  
COUNTY CANVASSING BOARD

We, the duly qualified and acting County Canvassing Board of the County of Carbon and State of Wyoming, for the special annexation election of the Town of Elmo, Wyoming, on Tuesday, December 18, 1979, do hereby certify that we have canvassed this day the returns of said election in said Town, with the following results:

ANNEXATION QUESTION:

Total number of ballots cast "For Annexation"	<u>59</u>
Total number of ballots cast "Against Annexation"	<u>25</u>
Total number of invalid ballots	<u>  </u>
Total number of ballots cast on the Annexation Question	<u>84</u>

On copy of this official certificate of canvass is filed with the County Clerk and one copy with the Town Council of the Town of Elmo, Wyoming.

DATED this December 21st, 1979, at Elmo, Wyoming.

COUNTY CANVASSING BOARD  
CARBON COUNTY, WYOMING

/s/ Mary G. Bradford  
County Clerk

/s/ Gilbert Blumenthal  
Member

/s/ Audrey B. Musgrave  
Member

(COUNTY SEAL)

December 21, 1979

COMMISSIONER'S PROCEEDING

SPECIAL MEETING

The Board met at 10:00 o'clock A.M., Commissioners Robert Grieve, Emil T. Lemich and Martin McMahon present, Grieve, Chairman.

The meeting was held to interview applicants for the position of Justice of the Peace in Rawlins, Wyoming. One application was received, that of Wade Waldrip. The interview was conducted in the presence of District Judge, Robert Hill. Appointment for the position of Justice of the Peace, Rawlins, Wyoming will be made July 2, 1980.

There being no further business the meeting was adjourned.

BOARD OF COUNTY COMMISSIONERS

/s/ Robert Grieve  
Chairman

ATTEST:

/s/ Mary G. Bradford  
COUNTY CLERK