

November 1, 1983

COMMISSIONER'S PROCEEDINGS

REGULAR MEETING

NOVEMBER 1 and 2, 1983

The Board met at 10:00 A.M. Commissioners Robert Grieve, Emil Lemich and James York were present. Robert Grieve, Chairman.

MINUTES of the meeting of October 18, 1983 were read and approved.

REPORTS of County Officers were audited and placed on file.

The following bills were approved for payment:

| | | |
|--|------------------------|-----------|
| Frank Alguire | Severance Tax | \$ 554.27 |
| Allied Carriers Exchange | Road & Bridge | 13.75 |
| Assoc. Equip. Distributors R & S Corp. | Road & Bridge | 53.50 |
| B & J Electric | Fire Dept. | 19.50 |
| Sue Bartlett | Public Health Nurse | 141.96 |
| Bel Air Inn | Attorney | 33.20 |
| Jim Berger | Planning & Development | 20.70 |
| Bi-Rite Drug | Public Health Nurse | 26.32 |
| Big R Manufacturing | Road & Bridge | 904.00 |
| Brad Ragan | Road & Bridge | 381.36 |
| Jodi E. Brayton | Attorney | 63.89 |
| Build Rite Lumber | Jail | 89.63 |
| Building Specialties | Road & Bridge | 270.00 |
| Burkes Conoco | Planning & Development | 84.18 |
| Butane Power & Equipment Co. | Road & Bridge | 246.99 |
| C & M Ready Mix | Road & Bridge | 656.25 |
| Thomas E. Campbell | Attorney | 13.62 |
| Capitol Business Machines | Treasurer | 5,290.00 |
| Captured Image | Severance Tax | 36.18 |
| Captured Image | Sheriff | 12.20 |
| Carbon County Treasurer | Various | 1,519.16 |
| Consumer Gasoline | Road & Bridge | 344.36 |
| Bill Cooper | Planning & Development | 27.60 |
| Cooper Chevrolet | Sheriff | 898.47 |
| Culverts & Industrial Supply | Road & Bridge | 3,407.80 |
| D & L Tire Shop | Road & Bridge | 53.00 |
| Derrico's, Inc. | Road & Bridge | 60.00 |
| Drifters Inn | Assessor | 58.75 |
| Drive Train | Road & Bridge | 692.06 |
| Ed's Automotive | Sheriff | 605.86 |
| Jean Fleenor-Ward | Attorney | 84.85 |
| Paul Fultz | Sheriff | 27.39 |
| William D. Garner | District Court | 5.00 |
| Theodore Goldfarb | Coroner | 750.00 |
| Robert Grieve | Commissioner Expense | 113.50 |
| H. Larsen | Courthouse | 11.99 |
| Jay Hackley | Sheriff | 24.00 |
| Hoke, Hall | Misc. General | 225.00 |
| Hanna Automotive | Road & Bridge | 295.23 |
| Harrison, Erickson | Misc. General | 250.00 |
| Vickie Haynes | Jail | 25.00 |
| Herold Iron Works | 1% Sales Tax | 65.40 |
| Bridget Hettgar | Public Health Nurse | 26.41 |
| Henry Hewitt | Severance Tax | 16.95 |
| High Plains Heating | Senior Center | 92.00 |
| John L. Hoke | District Court | 100.00 |
| Horizon | Various | 314.79 |
| IBM | Various | 1,177.94 |
| IBM | Planning & Development | 96.00 |
| IBM | Planning & Development | 195.00 |
| Johnson Controls | Courthouse | 502.00 |
| Journal of Housing | Planning & Development | 24.00 |
| Kelly Oil Company | Road & Bridge | 1,380.67 |
| Kilburn Tire Company | Road & Bridge | 329.09 |
| A.P. Kirsch | Sheriff | 350.00 |
| Robert Konrath | Planning & Development | 9.66 |
| Emil Lemich | Commissioner Expense | 131.79 |
| Maberry's Glass | Data Processing | 78.35 |
| Heidi Meeks | Public Health | 15.41 |
| Medicine Bow Post | Planning & Development | 33.00 |
| Merback Award Company | Sheriff | 3.90 |
| Mills Company | Clerk/Clerk of Court | 1,212.16 |
| Mountain Bell | Severance Tax | 100.17 |
| National Chemsearch | Road & Bridge | 1,177.15 |
| New Horizon | Public Health | 41.90 |
| Nick's Cleaning Service | Carbon Building | 3,260.33 |
| Noyes Health Care Clinic | In Lieu of Taxes | 10,665.22 |
| Noyes Health Care Clinic | Severance Tax | 2,500.00 |
| Office Alternatives | Attorney | 68.50 |
| C.W. Ogburn | Jail | 5,556.00 |
| Madeleine Pellerin | Public Health | 109.01 |
| Phillips Petroleum | Sheriff | 25.08 |
| Pitney Bowes | Misc. General | 160.25 |

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| Rawlins Automotive | Sheriff | \$ 16.43 |
| Rawlins Linen | Courthouse | 28.00 |
| Rawlins Newspaper | Planning & Development | 79.38 |
| Rawlins Travel | Severance Tax | 305.00 |
| River Implement | Road & Bridge | 31.37 |
| Robert Waxman | Jail | 672.95 |
| Harry Russell III | Planning & Development | 40.94 |
| Seiloff Oil Company | Sheriff | 129.89 |
| Seiloff Oil Company | Various | 3,228.00 |
| Sydney Shavers | Data Processing | 836.25 |
| Larry Shriner | Coroner | 600.00 |
| Marc Shriner | Coroner | 25.00 |
| Sinclair Marketing | Sheriff | 15.78 |
| Skyline Motors, Inc. | Road & Bridge | 17.50 |
| Snyders Communications | Sheriff | 93.45 |
| Southwest Kenworth | Road & Bridge | 550.95 |
| Spartans Industries | Road & Bridge | 708.00 |
| Square Shooters | District Court | 88.78 |
| Allan Stewart | Coroner | 300.00 |
| Stewart & Stevenson Powers, Inc. | Road & Bridge | 171.67 |
| Teton County Planning | Planning & Development | 15.00 |
| 3M Company | Various | 6,826.61 |
| Tri State Tractor | Road & Bridge | 93.33 |
| Tri State Equipment Co. | Road & Bridge | 800.45 |
| True Value | Clerk | 123.47 |
| Truss Comapny, Inc. Johnson, MacPherson, Noecker | Fire Dept. | 1,010.10 |
| U.S. Postmaster | Attorney | 45.00 |
| U.S. Welding Supply | Road & Bridge | 191.88 |
| Uniform | Sheriff | 454.50 |
| Valley Fuel | Road & Bridge | 2,348.00 |
| Valley Fuel | Road & Bridge | 214.00 |
| Valley Fuel | Road & Bridge | 1,184.59 |
| Office of the Weld Co. Sheriff Office | District Court | 16.02 |
| Western Radio Communication | Sheriff | 184.10 |
| Western Radio Communication | Emergency Service | 31.20 |
| R.E. Wilson | Public Health | 250.00 |
| Wise Agency | Courthouse | 167.00 |
| Wise Agency, Inc. | Various | 1,687.00 |
| Worker's Compensation | Various/September, 1983 | 2,586.64 |
| Wyoming Peterbilt | Road & Bridge | 2,415.04 |
| Wyoming Retirement System | Soc. Sec./October, 1983 | 14,033.76 |
| Wyoming Retirement System | Retirement/October, 1983 | 11,543.30 |
| Wyoming Security Systems | Treasurer | 62.50 |
| James A. York | Commissioners Expense | 109.55 |
| Zep Manufacturing | Jail | 114.45 |
| Saratoga Inn | Planning & Development | 142.95 |

REVENUE SHARING

| | | |
|-------------------------------|----------------------------|----------|
| Energy Basin Clinic/AVK Reddy | Revenue Sharing, Health | 1,250.00 |
| Mountain Bell | Revenue Sharing, Soc. Ser. | 49.55 |

BONDS

| | | |
|------------------|----------------------------------|-----------|
| Michael Glode | Carbon County School Dist. #2 | |
| | Treasurer | |
| | 10/18/83 thru 10/18/84 | 50,000.00 |
| Philip Weber | Baggs Solid Waste Disposal Dist. | |
| | Secretary-Treasurer | |
| | 8/15/83 thru 8/15/84 | 10,000.00 |
| T. Clyde Chatman | Carbon County Library Board | |
| | Treasurer | |
| | 7/1/83 thru 7/1/84 | 3,000.00 |
| James A. Chapman | Treasurer, Weed & Pest Control | |
| | 10/1/83 thru 10/1/84 | 3,000.00 |

ABATEMENTS

| | | |
|-----------------------------------|----------------------|----------|
| Kenneth R. Olson | Erroneous Assessment | 76.74 |
| William & Mary Lou Little | Erroneous Assessment | 38.84 |
| Betty Love | Erroneous Assessment | 77.34 |
| Hilja E. Jones | Erroneous Assessment | 45.12 |
| Dennis Edwin & Cheryl Jean Hyatt | Erroneous Assessment | 231.52 |
| Walter E. Dobkins | Erroneous Assessment | 130.36 |
| Diamond International Corp. | Erroneous Assessment | 27.38 |
| George Morgan Schneider | Erroneous Assessment | 221.48 |
| Warden & Jolene Patzer | Erroneous Assessment | 22.38 |
| Elder Equipment Leasing, Inc. | Erroneous Assessment | 40.26 |
| Getty Pipeline Inc. | Erroneous Assessment | 305.80 |
| Mike McCarthy | Erroneous Assessment | 284.68 |
| A & D Oilfield Dozers | Erroneous Assessment | 1,750.80 |
| Mary Abeyta | Erroneous Assessment | 77.34 |
| Carbon County Redi-Mix Inc. | Erroneous Assessment | 812.12 |
| Arthur Lennis | Erroneous Assessment | 22.96 |
| Bruce R. &/or Arlene Crawford | Erroneous Assessment | 87.84 |
| Frank & Jacque Clanton | Erroneous Assessment | 37.98 |
| Idonna E. Johnson | Erroneous Assessment | 91.70 |
| Stephen E. Johnston | Erroneous Assessment | 38.32 |
| Leroy Hansen & Phyllis H. Wakkuri | Erroneous Assessment | 247.54 |

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| Trenidado Montano | Erroneous Assessment | \$ 21.16 |
| Petty K. Paul | Erroneous Assessment | 77.34 |
| George Snider | Erroneous Assessment | 54.40 |
| Allan H. Steele | Erroneous Assessment | 86.70 |
| Terry Wanger | Erroneous Assessment | 25.88 |
| James O. & Sharon E. Young | Erroneous Assessment | 77.34 |
| Austin Williams | Erroneous Assessment | 23.34 |
| John Tammela | Erroneous Assessment | 14.04 |
| Senior Citizens Home % R. A. Hakala | Erroneous Assessment | 14.60 |
| Pathfinder Mines | Erroneous Assessment | 49,870.38 |

REBATES

| | | |
|-------------------------|----------------------|-----------|
| Southland Royalty Co. | Erroneous Assessment | 60,496.86 |
| CIG Exploration, Inc. | Erroneous Assessment | 405.08 |
| Forrest A. Bromley | Erroneous Assessment | 24.66 |
| Frieda Buckendorf | Erroneous Assessment | 19.04 |
| Rodney H. & Linda Weber | Erroneous Assessment | 77.34 |

BUREAU OF LAND MANAGEMENT

Maps showing proposed land sales by the BLM were presented to the Commissioners. Maps are on file in the office of the County Clerk.

OIL SPRINGS ROAD

A motion was made by York, seconded by Lemich and unanimously carried to adopt the following resolution:

RESOLUTION 1983 - 9

WHEREAS, the residents and landowners of the Oil Springs area of Carbon County, Wyoming, have petitioned the Carbon County Commissioners to designate as a county road the Oil Springs Road, as more specifically described on the exhibits attached hereto; and

WHEREAS, pursuant to the provisions of Section 24-3-108, the written consent of all the owners of the land to be used for the purpose of the road have been filed in the office of the County Clerk; and

WHEREAS, it has been shown to the satisfaction of the Board of County Commissioners that the road is of sufficient importance to be opened and traveled;

NOW, THEREFORE, in consideration of the premises, BE IT RESOLVED that there is hereby designated as a county road the Oil Springs Road, as it is more fully described on the right of way easement granted to the County by the Heart "B" Ranch Company attached hereto and incorporated herein as Exhibit "A", together with the right of way easement agreement granted to Carbon County by Cronberg Bros., Inc., a copy of which is attached hereto as Exhibit "B", and together with a right of way agreement between Carbon County, Wyoming, and the United States Department of the Interior, Bureau of Land Management, a copy of which is attached hereto as Exhibit "C". This road shall be known as County Road No.(2) 94.

DATED this 1st day of November, 1983.

-s- Robert Grieve
Robert Grieve, Chairman

-s- Emil T. Lemich
Emil T. Lemich, Commissioner

-s- James A. York
James A. York, Commissioner

ATTEST:

-s- Mary G. Bradford
Mary Bradford, Clerk

A copy of the Exhibits are on file in the office of the County Clerk.

CARBON COUNTY ROAD 2 - PETROTOMIC COMPANY

A motion was made by York, seconded by Lemich and unanimously carried to execute the following Indemnification Agreement:

INDEMNIFICATION AGREEMENT

THIS AGREEMENT, made and entered into this first day of November, 1983, by and between PETROTOMICS COMPANY, a Delaware Corporation, hereinafter referred to as "Petrotomics", and CARBON COUNTY, WYOMING, a body politic and corporate, hereinafter referred to as "Carbon County",

WITNESSETH:

That for and in consideration of the mutual covenants and agreements contained herein, IT IS MUTUALLY AGREED AS FOLLOWS:

1. Carbon County hereby grants permission to Petrotomics to use that portion of Carbon County Road 2 crossing Sand Draw in Section 8, Township 27 North, Range 78 West, as a dam in addition to its use as a County road, provided that in no event shall its use as a dam be allowed to interfere with its usage as a County road.

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2. Petrotomics hereby agrees to indemnify and save Carbon County harmless from any and all liabilities that it may incur as the result of Petrotomics impoundment of water against the above-referenced portion of the County road.

3. This Indemnification Agreement shall continue in force for so long as the above-referenced portion of the County road is used as a dam.

IN WITNESS WHEREOF, Petrotomics has affixed its hand and seal this _____ day of _____, 1983.

IN WITNESS WHEREOF, Carbon County has affixed its hand and seal this 1st day of November, 1983.

PETROTOMICS COMPANY, a
Delaware Corporation

By: _____
President

ATTEST:

Assistant Secretary

CARBON COUNTY, WYOMING, a
body politic and corporate

By: -s- Robert Grieve
Chairman of Board of County
Commissioners

ATTEST: -

-s- Mary G. Bradford
County Clerk

Roll was called with the following results: Grieve, Aye; Lemich, Aye; York, Aye.

CARBON COUNTY ROAD AND BRIDGE

Frank Smith, Road Supervisor and Sam Verplancke, Maintenance Supervisor presented their monthly reports to the Commissioners.

The following bids were received for (3) 1984 Pick-up Trucks to be used by the Road and Bridge Dept. Bids to include trade-in.

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| McGee-Murphy, Inc. | \$26,580.00 |
| Glenn Ashmore Chev.-Cad., Inc. | 27,721.49 |
| Skyline Motors, Inc. | 28,338.64 |

A motion was made by York, seconded by Grieve to accept the low bid of McGee-Murphy, Inc. Roll was called with the following results: York, Aye; Grieve, Aye; Lemich, abstaining.

The following bids were received for (1) 1984 Suburban Type Vehicle to be used by the Dept. of Engineering. Bid to include trade-in.

| | |
|--------------------------------|-----------|
| Glenn Ashmore Chev.-Cad., Inc. | 10,221.83 |
| McGee-Murphy, Inc. | 10,486.68 |

A motion was made by York, seconded by Grieve to accept the low bid of Glenn Ashmore Chevrolet-Cadillac, Inc. Roll was called with the following results: Grieve, Aye; York, Aye; Lemich, abstaining.

The following bids were received for (1) 1984 1/2 Ton Pick-up Truck to be used by the Building and Grounds Dept.

| | |
|--------------------------------|----------|
| Skyline Motors, Inc. | 9,130.66 |
| Glenn Ashmore Chev.-Cad., Inc. | 9,746.69 |
| McGee-Murphy, Inc. | 9,778.33 |

A motion was made by York, seconded by Grieve to approve the low bid of Skyline Motors, Inc. Roll was called with the following results: York, Aye; Grieve, Aye; Lemich, abstaining.

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

NOVEMBER 2, 1983

The Board met at 10:00 A.M. Commissioners Robert Grieve, Emil Lemich and James York were present. Robert Grieve, Chairman.

CARBON COUNTY SENIOR SERVICES BOARD

The Commissioners accepted the resignation of Carol McGuire from the Senior Services Board.

A motion was made by York, seconded by Lemich and unanimously carried to appoint Gert Milliken, Hanna, WY, to fill the unexpired term of Carol McGuire beginning November 2, 1983 and ending March 4, 1986

November 2, 1983

A motion was made by York, seconded by Lemich and unanimously carried to appoint Clarence Mundschenk, Elk Mountain, Wy, to the Senior Citizens Board for a term beginning November 2, 1983 and ending March 1, 1986.

CARBON COUNTY PLANNING & DEVELOPMENT

Frank Alguire presented to the Commissioners a report about the American Wind Energy Association National Conference that he attended October 16 - 19, 1983 in San Francisco, California.

Case No. 83-28 - Zone Change - Gary Buck, Box 694, Encampment, WY 82325. Zone change from RAM (Ranching, Agriculture, Mining) to RD-10 (Residential Development) on a 20 acre parcel of land legally described as a parcel in the NE¹ NW¹ NW¹ of Section 5, Township 14 North, Range 83 West, Carbon County, Wyoming.

Roll was called with the following results: Lemich, Aye; York, Aye; Grieve, Nay.

A motion was made by Lemich, seconded by York and unanimously carried to adopt the following resolution:

RESOLUTION 1983 - 10

WHEREAS, certain areas of CARBON COUNTY are subject to periodic flooding, mudslides (i.e., mudflows), or flood-related erosion, causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of this BOARD OF COUNTY COMMISSIONERS to require the recognition and evaluation of flood, mudslide (i.e., mudflow), or flood-related hazards in all official actions relating to land use in areas having these hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to W.S. 18-5-201,

NOW, THEREFORE, BE IT RESOLVED, that this BOARD OF COUNTY COMMISSIONERS hereby:

1. Assures the Federal Insurance Administration that it will enact as necessary, and maintain in force in those areas having flood, mudslide (i.e., mudflows), or flood-related erosion hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Section 1910 of the National Flood Insurance Program Regulations; and

2. Vests the CARBON COUNTY PLANNING AND DEVELOPMENT OFFICE and PLANNING COMMISSION with the responsibility, authority, and means to a reasonable extent to:

(a) Assist the Federal Emergency Management Agency (FEMA) Administrator, at his request, in his delineation of the limits of the area having special flood, mudslide (i.e., mudflow), or flood-related erosion hazards.

(b) Provide such information as the FEMA Administrator may request concerning present uses and occupancy of the flood plain, mudslide (i.e., mudflow) or flood-related erosion areas.

(c) Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map and identify flood plain, mudslide (i.e., mudflow), or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining flood plain, mudslide, (i.e., mudflow) and/or flood-related erosion areas in order to prevent aggravation of existing hazards.

(d) Submit on the anniversary date of the county's initial eligibility an annual report to the Administrator on the progress made during the past year within the county in the development and implementation of flood plain management measures.

(e) Upon occurrence, notify the Administrator in writing whenever the boundaries of the county have been modified by annexation or the county has otherwise assumed or no longer has authority to adopt and enforce flood plain management regulations for a particular area. In order that all Flood Hazard Boundary Maps and Flood Insurance Rate Maps accurately represent the county's boundaries, include within such notification a copy of a map of the county suitable for reproduction, clearly delineating the new corporate limits or new area for which the county has assumed or relinquished flood plain management regulatory authority.

3. Appoints the CARBON COUNTY PLANNING AND DEVELOPMENT OFFICE, in conjunction with the PLANNING COMMISSION, to maintain for public inspection and to furnish upon request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map or Flood Insurance Rate Map, any certificates of flood-proofing, and information on the elevation (in relation to mean sea level) of the level of the lowest habitable floor (including basement if habitable) of all new or substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been floodproofed the elevation (in relation to mean sea level) to which the structure was floodproofed;

4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program.

Date Passed: November 2, 1983

BOARD OF COUNTY COMMISSIONERS
OF CARBON COUNTY, WYOMING

-s- Robert Grieve
Robert Grieve, Chairman

-s- Emil Lemich
Emil Lemich

November 2, 1983

-s- James A. York
James A. York

ATTEST:

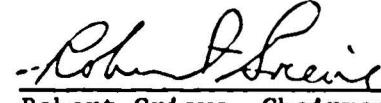
-s- Mary G. Bradford
Mary Bradford, Carbon County Clerk

CERTIFICATION:

Roll was called with the following results: Grieve, Aye; Lemich, Aye; York, Aye.

The Rules and Regulations relating to the Flood Damage Prevention Resolution are on file in the office of the County Clerk.

There being no further business, the meeting was adjourned.


Robert Grieve, Chairman

ATTEST:


Mary G. Bradford, County Clerk