

**OFFICIAL COUNTY COMMISSIONERS PROCEEDINGS  
OCTOBER 6, 2009**

The Board of County Commissioners met in regular session in the Commissioners Meeting Room of the Sublette County Courthouse in Pinedale, Wyoming, on this date at 9:00 a.m. with Bill Cramer, John Linn, Joel Bousman, and Mary Lankford, County Clerk present.

Chairman Cramer led those present in the Pledge of Allegiance.

The minutes of the preceding regular meeting of September 15, 2009, were approved and ordered filed on motion by Commissioner Linn and seconded by Commissioner Bousman. The motion carried.

Butch Penton, Road and Bridge Superintendent, Mark Eatinger, representing Rio Verde Engineering, and Paul Scherbel discussed wildlife stipulations on gravel pits, the completion of the corrals at the Harrower Pit on Dry Piney County Road, and the possible sale of the old crusher.

It was moved by Commissioner Linn and seconded by Commissioner Bousman to recess the meeting for an Executive Session with Butch Penton, Paul Scherbel, and Deputy County Attorney Tony Reyes to discuss real estate. The motion carried.

It was moved by Commissioner Linn and seconded by Commissioner Bousman to reconvene the meeting. The motion carried.

It was moved by Commissioner Linn and seconded by Commissioner Bousman to hire Ed Wood to represent the County in acquiring an extension and expansion of the Pinedale South County Road easement and for the location of a dry hydrant by trading property with an adjacent property owner. The motion carried.

A public hearing was held for the Ellingford Alteration of the Dry Piney County Road No. 23-198. It was noted that no protests had been received. The Board delayed action on the alteration until the next meeting.

The Board discussed road realignment and additional easement on the Jay McGinnis property on the Dry Piney County Road for dust suppression and safety.

It was moved by Commissioner Bousman and seconded by Commissioner Linn to approve Change Order #1 for an extension of time to July 31, 2010, at no additional cost, for Lewis & Lewis for the Dry Piney project.

Eatinger reported that the BLM had selected Option #3 for the East Green River Road project.

Brad Clingman, Waste Management Superintendent, discussed landfill fees. The various types of waste received, and lack of sorting was discussed. After discussion about residential waste, the Board decided to charge a \$5 per ton disposal fee for residential waste, whether delivered by a commercial operator or private vehicle, but that roll-off containers do not classify as residential waste.

In response to a request from the Town of Pinedale, it was moved by Commissioner Linn and seconded by Commissioner Bousman to waive the disposal fee for the Town for the old town shop demolition, with the concrete and metal items to be sorted and all demolition is to be delivered to the Marbleton Landfill. The motion carried.

The Board participated in a conference call with John McKinley and Amanda Ferguson of Davis and Cannon and discussed BLM perpetual easements, the Cutoff Road easement, and County mineral rights at Rendezvous Meadows Golf Course.

Tim Crawford, Judy Montague, and Martha Ptasnik, representing The Learning Center, discussed the purchase of adjacent property and playgrounds. The Board referred them to explore funding from The Daniels Fund.

The Board reviewed a letter from the Recreation Board and requested that it be invited to the next meeting to discuss the Ice Arena.

Christine Priest, representing Groathouse Construction, reviewed three Change Orders for Chambers Design-Build and discussed the need for an engineer for work at the Old County Shop building.

It was moved by Commissioner Linn and seconded by Commissioner Bousman to recess the meeting for an Executive Session with Deputy County Attorney Tony Reyes to discuss potential litigation. The motion carried.

It was moved by Commissioner Linn and seconded by Commissioner Bousman to reconvene the meeting. The motion carried.

The Board directed Reyes to prepare a letter to the former Lodging Tax Joint Powers Board, and the participating Towns, and request an accounting of the funds and return of any remaining funds to the County.

Commissioner Bousman was absent from the meeting.

In accordance with the public notice published in the Pinedale Roundup on September 18, 2009, public hearing was held for the following:

1. It was moved by Commissioner Linn and seconded by Chairman Cramer to approve a conditional use permit application by DEZ, LLC/PTI Group, Inc., Lessee, to allow the continued use of a temporary workers camp for up to 200 workers offering beds, food service, and housekeeping, located at Lot 14, Sand Draw industrial Park Subdivision, with the following conditions:
  - a. The conditional use shall expire five years from the date of approval, unless an application is submitted for review and renewal of the conditional use prior to the expiration date.
  - b. Development shall be limited to the existing mobile units proposed in the application dated July 17, 2009.
  - c. If the lease agreement between PTI Group, Inc. and DEZ, LLC is terminated the conditional use permit shall no longer be valid.The motion carried.

2. It was moved by Commissioner Linn and seconded by Chairman Cramer to approve a conditional use permit application by Jasper Ingalls to allow for housing for up to three employees located at Lot 2a, Sand Draw Industrial Park Subdivision, with the following conditions:
  - a. Housing shall be contained in the existing shop, to be used by a maximum of three employees.
  - b. Bi-annual water tests shall be completed with results being sent to the Sublette County Sanitarian.The motion carried.

Commissioner Bousman returned to the meeting.

3. It was moved by Commissioner Linn and seconded by Commissioner Bousman to approve and act upon the recommendation of the Planning and Zoning Commission. Upon vote, the motion carried, and the following resolution was adopted:

RESOLUTION NO. 09-100107C

A RESOLUTION ADOPTING THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION AND APPROVING THE APPLICATION BY WHITE MOUNTAIN INVESTMENT, LLC TO RECLASSIFY AND REZONE 39.87 ACRES, MORE OR LESS, FROM A-1 DISTRICT TO R-R 5 DISTRICT LOCATED WITHIN SECTIONS 20 & 29, T34N, R109W.

4. It was moved by Commissioner Bousman and seconded by Commissioner Linn to approve the Duck Creek Minor Subdivision, Harold Merritt, applicant, zoned R-R 20, and located in Section 31, T34N, R109W. The motion carried.

The Board approved and signed an agreement with the State of Wyoming for TANF funding in the amount of \$37,912.00.

Lew Lott, Nancy Guio, Joe Strause, Dick Kalber, and Jim Gray, representing the Big Piney-Marbleton Joint Powers Airport Board, discussed capital improvements for the airport. It was decided to pursue WYDOT funding.

Cat Urbigkit presented the Federal and State Land Use Policy. It was moved by Commissioner Linn and seconded by Commissioner Bousman to adopt Resolution No. 09-100106C adopting the Land Use Policy. The motion carried.

Dennis Fornstrom, representing Rio Verde Engineering, reviewed a petition by Paul Hagenstein to acquire older water rights. It was moved by Commissioner Bousman and seconded by Commissioner Linn to approve the petition.

Kristel Blair and Bob McCarty, representing the Class II Road Committee, and Aaron Seehafer, representing Rio Verde Engineering, presented the following:

1. Cutoff Road. The County is pursuing a permanent easement.
2. Little Mountain Road. CenturyTel needs to move equipment from easement.
3. Friendly Creek Subdivision. Four roads are advertised and the bid will be awarded at the October 20<sup>th</sup> meeting.
4. Buck Road. Needs design and will be bid in the Spring of 2010.
5. Meadowlark Lane. It was moved by Commissioner Linn and seconded by Commissioner Bousman to approve a grant request for snow removal in the amount of \$6,000 for Meadowlark Lane. The motion carried.
6. Meadowlark Lane from Iroquois to Blair. The survey is complete and an estimate is needed from Sours.

Erin Losik, representing the Child Care Coalition, presented a funding request in the amount of \$70,500.00. It was moved by Commissioner Bousman and seconded by Commissioner Linn to approve the request. The motion carried.

Geoffrey Wells discussed concerns about the conduct of employees of the Sheriff's Department.

The following abatement petitions and affidavits of abatement of taxes were presented on petition from the County Assessor and the State of Wyoming Board of Equalization: Shell Rocky Mountain Production, \$73.61; Wexpro Company, \$10,114.62; John B. & Sylvia L. Harber, \$1,135.91; BT's Welding, \$78.07; Ready Oilfield Service, \$872.98; Rick D. Morris, \$812.79; Rick D. Morris, \$870.08; Rick D. Morris, \$917.69; Cecilia C. Richardson, Trustee, \$901.75; Cecilia C. Richardson, \$1,064.28; and Cecilia C. Richardson, \$901.75.

Accounts Payable audited and approved for payment:

ACCUTECH SERVICES, INC. 9,675.00 / AIR RESOURCE SPECIALISTS, INC. 45,422.50 ALSCO 157.61 / JENNIFER ANDERSON 2,001.86 / REBECCA ANDREWS 137.88 GAIL ASBURY 462.00 / A TO Z HARDWARE 15.49 / BARNES DISTRIBUTION 1,488.92 BERLIN ARCHITECTS 13,774.72 / BIG J'S AUTO PARTS INC. 1,714.03 DOUGLAS H BITTNER 60.06 / B-N-C TRASH SERVICE INC. 578.00 JOEL E. BOUSMAN 908.30 / WENDIE BUTLER 752.08 / BEST WESTERN PINEDALE INN 233.94 LANDON CALL 244.05 / COLORADO CUSTOM WARE USERS' GROUP 50.00 CD SIGNS & SUPPLY 197.50 / CED POCATELLO 1,140.80 / CENTURYTEL 7,067.18 CIVIC PLUS 8,280.00 / COMMUNICATION CONCEPTS 176.90 / CS & T INC. 1,458.04 CONRAD AND BISHOFF, INC. 35,149.85 / COWBOY MOTORS 1,264.25 CURRAN-SEELEY FOUNDATION 8,750.00 / D & M WIRE ROPE, INC. 416.20 ALLEGRA DAVIS 481.23 / DAVIS & CANNON, LLP 313.82 DEADLINES TYPING SERVICE 77.50 / WY DEPT OF TRANSPORTATION 5.00 D.J. REVEAL, INC 593.16 / DUSTBUSTERS, INC. 49,167.69 E & L MOTORS, INC. 112,123.70 / ECOSYSTEM RESEARCH GROUP, LLC 380.00 GARRY EIDEN JR. 1,645.00 / ELEMENTS 2,916.81 / MICHAEL F. ENRIGHT 700.00 FEUZ EXCAVATION 19,379.03 / FEW INVESTMENTS, LLC 1,186.91 FIRST AMERICAN TITLE COMPANY 470.00 / FITCO 7,065.00 / FLEXSHARE BENEFITS 110.00 GALLS, AN ARAMARK CO., LLC 96.14 / GARAGE DOOR HANDIMAN 822.00 GASES PLUS 386.00 / DERETH GEHLHAUSEN 219.22 / SHANNON GEHLHAUSEN 99.65 GLAXOSMITHKLINE PHARMACEUTICALS 1,937.71 / GRAINGER 37.94 GREENWOOD MAPPING, INC. 2,920.00 / GREAT OUTDOOR SHOP 50.00 GSG ARCHITECTURE 17,169.88 / HENDERSON ENGINEERS INC 21,165.70 HOLIDAY INN EXPRESS HOTEL 981.00 / HSBC BUSINESS SOLUTIONS 209.56 BRIAN HUGHES 179.86 / INTERMOUNTAIN RECORD CENTER 114.73 INSTITUTE FOR THE PREVENTION OF IN- 1,390.00 INTEGRATED POWER SERVICES, LLC 3,160.99 / MARY JAMES 1,394.83 JACKSON HOLE MEDICAL IMAGING 41.00 / BARRY JOHNSON 161.67 JOHNSON CONTROLS 4,689.75 / JOHN THOMAS JOHNSTON 500.00 / ALARIC KADERAVEK 99.99 KENWORTH SALE ROCK SPRINGS 1,408.24 / KEYTH PALMER 2,000.00 KING COUNTY

SHERIFF'S OFFICE 44.00 / ANGIE KOLIS 201.42 KRAMES, A DIVISION OF STAYWELL 122.38 / LABUDA LAW OFFICE, PC 1,000.00 LITTLE AMERICA HOTELS AND RESORTS 218.00 / LOGAN COUNTY SHERIFF'S OFFICE 34.00 JEFFREY LEWIS 1,028.22 / SARAH LEWIS 25.26 / THE LODGE AT PINEDALE 83.00 RANAE LOZIER 445.44 / M & M TRANSFER INC. 17,179.87 M & N EQUIPMENT, LLC 1,656.00 / ANDREW MACKENZIE 285.32 / MACS WORLDWIDE 120.00 MANTEK 297.06 / BRUCE MCKINNEY 3,639.92 / LUCKETTA MCMAHON 346.25 MIDWAY TRUCK STOP 1,883.54 / FRANK MORRISON 50.00 / MYRON CORP. 210.30 NATIONAL 4-H COUNCIL-SUPPLY SERVICE 689.56 / NATIONAL OILWELL 13.06 NATIONAL DISTRICT ATTYS ASSOC. EDUC 595.00 / NO HASSLE AUTO GLASS LLC 133.00 NORMONT EQUIPMENT CO 1,253.00 / NORTHERN SAFETY CO. INC. 135.61 OFFICE OUTLET 2,277.31 / ANDREW O'NEAL 1,375.00 / ERIN O'NEAL 270.85 ORIENTAL TRADING COMPANY 610.05 / PACIFIC STEEL & RECYCLING 14,197.11 PUBLIC AGENCY TRAINING COUNCIL 295.00 / ERIC PETERSON 430.10 HELEN HEGARDT 225.00 / PINEDALE NATURAL GAS CO. 1,872.87 PINEDALE ROUNDUP 281.75 / PITNEY BOWES 316.16 PLAINSMAN PRINTING & SUPPLY 305.78 / STEPHEN L. REESE 3,510.00 POWERPHONE 567.00 / ASHLEY PRESCOTT 251.16 PROVIDENCE ARCHITECTURE INC. 6,982.47 / QUESTAR GAS 30.89 / R&B SUPPLY 177.89 R & E COMPUTER SERVICE LLC 6,362.14 / REDWOOD BIOTECH, INC 1,113.89 RENDEZVOUS POINTE 11,493.00 / RENDEZVOUS TRAVEL 1,344.30 / ANTHONY REYES 442.30 RURAL HEALTH CARE BOARD 110,000.00 / RURAL HEALTH CARE DISTRICT 1,242.00 RIDLEY'S FAMILY MARKETS 149.77 / RIO VERDE ENGINEERING 32,977.35 ROCKY MOUNTAIN POWER 1,903.23 / ROCKY MOUNTAIN POWER 28,544.12 ROBIN SCHAMBER 1,317.54 / R.S. BENNETT CONSTRUCTION INC. 377,002.34 SAFV TASK FORCE 5,722.21 / SANOFI PASTEUR 815.02 SUBLETTE COUNTY CHAMBER OF COMMERCE 3,721.00 / SANTA CRUZ GUNLOCKS, LLC 1,231.47 DAVID SCHULTZ 133.09 / ELSA SCHERBEL 80.00 SCOTTS BLUFF COUNTY SHERIFF'S OFFIC 18.00 / SUBLETTE COUNTY PUBLIC HEALTH 750.00 SUBLETTE COUNTY SCHOOL DIST #9 125.00 / SECRETARY OF STATE 30.00 SHADOW MOUNTAIN WATER OF WY 58.80 / SHERWIN-WILLIAMS 337.56 / SHRM 150.00 SIEMENS HEALTHCARE DIAGNOSTICS 936.05 / SIERRA RESEARCH 2,291.25 SKAGGS COMPANIES, INC. 49.60 / KEVIN SMIECINSKI 116.76 / STEPHEN SMITH 730.24 SNAP ON TOOLS 188.95 / SOUTHWEST SUBLETTE COUNTY 59,660.32 SPILLMAN TECHNOLOGIES, INC. 1,440.00 / SERVICE TRUCKS INTERNATIONAL 271.04 STITCHIN POST 515.00 / SUBLETTE BOCES 40.00 SUBLETTE COMMUNICATIONS, INC. 415.00 / SUMMIT PARTNERS LLC 400.00 SYNERGY ENTERPRISES, INC. 200.00 / TALKING T-SHIRT 358.50 / MAIKE TAN 50.00 TEAM LABORATORY CHEMICAL CORP. 850.00 / TEGELER & ASSOCIATES 50.00 TESCO WILLIAMSEN 1,764.14 / THE MILITARY MAN 346.03 THE TIRE DEN, INC. 3,437.51 / TITAN MACHINERY 12,748.53 TOWN OF BIG PINEY 413.49 / TOWN OF MARBLETON 38.78 / TOWN OF PINEDALE 2,828.59 TRANS EQUIPMENT & SUPPLY CO. 86.91 / TRANSFER FLOW, INC. 2,140.78 TRIHYDRO 16,845.07 / TRI-STATE TRUCK & EQUIPMENT INC 184.34 SARAH TURNER 124.52 / UNION TELEPHONE 2,379.51 / UNIVERSITY OF WYOMING 12.00 CAT URBIGKIT 3,900.00 / VERIZON WIRELESS 405.90 VISIONARY COMMUNICATIONS INC 86.04 / VISTA PROPERTIES LLC 4,000.00 WYOMING ASSOCIATION OF COUNTY 160.00 / MARGARET WALKER 1,000.00 WARNER TRUCK CENTER 82.66 / WATERLESS CO. LLC 92.03 WY DEPT OF TRANSPORTATION 4,995.40 / JOHN WELLS 72.87 WESTERN PETROLEUM 5,656.53 / WEST PAYMENT CENTER 339.00 / SKYLAR WILSON 150.00 WOLF'S PINEDALE DODGE 248.30 / WIND RIVER DENTAL, LLC 202.00 WYOMING STATE BAR ASSOCIATION 520.50 / WYOMING MACHINERY COMPANY 4,662.37 WYOMING.COM 342.95 / WYOMING DEPARTMENT OF ENVIRINMENTAL 174.00 WYOMING WORKER'S SAFETY AND 17,254.45 / XEROX CORPORATION 4,321.09

There being no further business, the meeting was adjourned at 6:00 p.m.

BOARD OF COUNTY COMMISSIONERS  
SUBLETTE COUNTY, WYOMING

/s/ William W. Cramer, Chairman

Attest:

/s/ Mary L. Lankford, County Clerk