

**OFFICIAL COUNTY COMMISSIONERS PROCEEDINGS
DECEMBER 21, 2009**

The Board of County Commissioners met in regular session at the Marbleton Town Hall, Marbleton, Wyoming, on this date at 9:00 a.m. with Bill Cramer, John Linn, Joel Bousman, Mari Muzzi representing the Sublette Examiner, Samantha Abernathy of the Pinedale Roundup, and Mary Lankford, County Clerk present.

The minutes of the preceding regular meeting of December 1, 2009, were approved and ordered filed on motion by Commissioner Linn and seconded by Commissioner Bousman. The motion carried.

The official bond for Robert Cordes, Treasurer for the Boulder Lake Ranch Improvement District, in the amount of \$5,000, was approved and ordered filed with the County Treasurer.

It was moved by Commissioner Linn and seconded by Commissioner Bousman to adopt Resolution No. 09-100112C authorizing the Chairman of the Board of County Commissioners to execute a deed on behalf of the County to River Ranch, LLC, in exchange for an easement along Pinedale South County Road No. 23-123. The motion carried.

It was moved by Commissioner Linn and seconded by Commissioner Bousman to grant an easement to Sublette County along Pinedale South County Road No. 23-123. The motion carried.

Mark Eatinger, representing Rio Verde Engineering, and Chris Sullivan discussed the Paradise Road location and possible options for relocation.

Butch Penton, Road and Bridge Superintendent, reported that he will be testing for gravel on the Doyle property, acquiring power estimates to the County gravel pits, and crushing at the Cora Pit.

Paul Scherbel discussed the vacation of a portion of Mathis Lane County Road No. 23-126.

Eatinger discussed fencing along Mickelson Lane.

Brad Clingman, Waste Management Superintendent, discussed uncovered loads, grinding wood, the dead animal bin, sorting loads, the EQC appeal, and Pinedale recycling. Clingman reported that he is researching the sale of commodities. Use of volunteers at the Pinedale Recycle Center was discussed and referred to the County Attorney.

It was moved by Commissioner Bousman and seconded by Commissioner Linn to approve and sign a letter of commitment for projects at the Big Piney Marbleton Airport. The motion carried and the letter was signed.

Cat Urbigkit, representing the Predator Control Board, offered a wolf pelt and skull to the County. The Board accepted the pelt and skull.

Jim Mackey and Christine Priest, representing Groathouse Construction, reported on the building projects. It was moved by Commissioner Bousman and seconded by Commissioner Linn to approve Change Order #1, in the amount of \$5,100.00, with no additional days, for replacement insulation; Change Order #2, in the amount of \$2,190.00, with no additional days, for additional insulation; and Change Order #3, in the amount of \$650.00, with no additional days, to replace metal studs surrounding existing showers, all for the Ag. Center. The motion carried.

It was moved by Commissioner Bousman and seconded by Commissioner Linn to approve additional design for mechanical issues at the Ag. Center in the amount of \$1,000 for CN Engineers. The motion carried.

Tony Chambers, representing Chambers Design-Build, requested two additional weeks for the completion of the Marbleton Senior Center. The Board approved the request. It was moved by Commissioner Linn and seconded by Commissioner Bousman to approve Change Order #9, in the amount of \$346.69 from the project contingency for light bulbs. The motion carried.

Architect proposals were received for the renovation of the Ag. Center. It was moved by Commissioner Bousman and seconded by Commissioner Linn to contract with GSG Architect. The motion carried, with the vote being: Cramer-aye, Bousman-aye, and Linn-nay.

In accordance with the public notice published in the Pinedale Roundup on December 4, 2009, public hearing was held for the following:

1. The Board heard a request by Open Door, LLC to allow the continued use of a guest ranch with 5 sleeper cabins for 15-20 persons per week, offering fishing trips, float trips, pack trips, hunting, and snowmobiling, located in Section 24, T38N, R114W and commonly known as the Black Powder Guest Ranch. Eric Fairbanks, Bubba Larsen, and Carleton Lower spoke in support of the application. Galloway Clover, Martha Preston, and Robin Clover spoke in opposition to the application. Neal Stelting, representing Carleton Loewer and Open Door, LLC, discussed the issue of firearms usage on the property and safety concerns. Deputy County Attorney Tony Reyes advised the Board that it has no authority to regulate firearms.

It was moved by Commissioner Bousman to approve the application with the following conditions, as amended:

- a. Operations shall be limited to the use of 5 cabins for 15-20 guests for fishing trips, float trips, pack trips, hunting, and snowmobiling.
- b. The conditional use permit shall have a review within 2 years of the date of approval.

The motion died, due to lack of a second.

It was moved by Commissioner Linn to deny the application. The motion died, due to lack of a second.

It was moved by Commissioner Bousman and seconded by Chairman Cramer to approve the application with the following conditions, as amended:

- a. Operations shall be limited to the use of 5 cabins for 15-20 guests for fishing trips, float trips, pack trips, hunting, and snowmobiling.
- b. The conditional use permit shall have a review within 2 years of the date of approval.

The motion carried, with the vote being: Cramer-aye, Bousman-aye, and Linn-nay.

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

RESOLUTION NO. 09-100111C

A RESOLUTION ADOPTING THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION AND APPROVING THE APPLICATION OF GIL WINTERS TO RECLASSIFY AND REZONE 1.3 ACRES, MORE OR LESS, FROM R-R DISTRICT TO C-1 DISTRICT, LOCATED IN LOT 1, BLOOM LOT DIVISION.

3. It was moved by Commissioner Bousman and seconded by Commissioner Linn to approve a variance request by Gil Winters for a 1.3 acre parcel, zoned C-1, where a 2 acre minimum is required, located in Lot 1, Bloom Lot Division. The motion carried.
4. It was moved by Commissioner Bousman and seconded by Commissioner Linn to approve a conditional use permit application for a gravel operation on less than ten acres by R.S Bennett Construction Company, owned by Alsade Limited, to allow excavation, screening, crushing and stockpiling on site, zoned A-1, in Section 4, T30N, R112W, with the following conditions, as amended:
 - a. The hours of operation are restricted from ½ hour before sunrise to ½ hour after sunset; operation includes the loading of trucks at the gravel pit, but does not mean routine maintenance of equipment.
 - b. The conditional use permit for a gravel operation under ten acres shall expire in 5 years from the issuance of said permit.
 - c. Sublette County Weed & Pest shall be allowed to inspect the gravel operation on a regular basis to insure the operation area is free of noxious weeds and designated weeds.

The motion carried.

The Board reviewed a de-annexation petition filed by Terry and Geneal Bailey with the Town of Marbleton. The Board directed County Planner Bart Myers to prepare a report to the Town of Marbleton expressing the County's concerns of creating a non-conforming 1.28 acres in the county.

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 possible litigation. The motion carried.

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

The Board discussed the completion of the aerial photography project. It was decided to charge \$25 for the raw data.

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: Whiting Petroleum Corporation, \$48.42; Encana Oil & Gas (USA), Inc., \$395.16; Encana Oil & Gas (USA), Inc., \$478.56; Shell Rocky Mountain Production, \$202,985.25; Shell Rocky Mountain Production, \$359,091.30; Shell Rocky Mountain Production, \$167,227.42; Shell Rocky Mountain Production, \$117,277.40; Shell Rocky Mountain Production, \$135,863.67; Shell Rocky Mountain Production, \$40,270.05; Yates Petroleum, \$396.46; Dish Network Corporation, \$52.23; Dish Network Corporation, \$33.14; Dish Network Corporation, \$5.21; Dish Network Corporation, \$123.28; Dish Network Corporation, \$99.56; Dish Network Corporation, \$0.13; Dish Network Corporation, \$0.47; Dish Network Corporation, \$3.15; Dish Network Corporation, \$360.38; Joseph Colter & Sherrlyn Butner, \$80.53; Wood Wizard, \$39.24; Wood Wizards, \$46.16; Hake Welding, \$120.38; Hake Welding, \$101.00; and Wexpro Company, \$209.24.

Accounts Payable audited and approved for payment:

AIRGAS INTERMOUNTAIN, INC. 97.64 / AIR RESOURCE SPECIALISTS, INC. 37,832.07 ALL AMERICAN FUEL COMPANY, INC. 2,138.38 / PATRICK C. ALLEN, MD, PC 1,030.00 ALL-TECH HEATING SPECIALISTS INC 221.00 / ALSICO 231.88 AMSTERDAM PRINTING 84.74 / JENNIFER ANDERSON 2,036.85 KATHRYN ANDERSON 1,501.67 / ANIMAL CLINIC OF PINEDALE PC 991.66 APCO INTERNATIONAL 53.66 / A TO Z HARDWARE 4,459.79 BARNES DISTRIBUTION 1,411.51 / BAUM HYDRAULICS CORPORATION 50.96 BELVEAL'S SIGNS 50.00 / BERLIN ARCHITECTS 10,509.39 BIG J'S AUTO PARTS INC. 3,447.93 / BOB BARKER COMPANY 257.56 JOEL BOUSMAN 814.14 / SARAH BREW 384.00 / BRITAIN WORLD TRAVEL 511.40 BUCKY'S OUTDOOR, L.L.C. 62.27 / BURNEY & COMPANY 179.93 CARL THUESEN, ASLA 8,795.31 / CDW GOVERNMENT, INC. 103.02 / CED POCATELLO 487.20 CENTURYLINK 6,681.42 / CERTIFIED ENGINEERING SYSTEMS 209.17 CHAMBERS DESIGN-BUILD INC. 467,204.38 / COLORADO WHOLESALE GROUP, INC. 770.40 CS & T INC. 2,891.96 / CURTIS COVILL 200.00 / CROSSON LAW OFFICE,P.C. 101.39 DAVIS & CANNON, LLP 5,422.14 / DAVES ELECTRONICS 6,087.91 DAY-TIMERS, INC. 40.94 / DEADLINES TYPING SERVICE 400.50 / DEKRA-LITE 349.98 DEPARTMENT OF LABOR/MSHA 100.00 / DIRECTV 1,048.07 DIVE RESCUE INTERNATIONAL INC 196.94 / JACK T. DOYLE 4,329.50 DUSTBUSTERS, INC. 2,513.51 / ECPH 244.61 / EIDEN'S CONSTRUCTION LLC 211,263.75 EXPRESS AUTO CARE 3,506.66 / FERRELLGAS 3,210.07 / FEUZ EXCAVATION 6,163.00 FEW INVESTMENTS, LLC 1,186.91 / LISA FINKEY 353.50 / FIRST CHOICE FORD 39.16 FLEET SERVICES 887.84 / FORSGREN ASSOCIATES INC. 25,965.00 GALLS, AN ARAMARK CO., LLC 9,818.94 / GARAGE DOOR HANDIMAN 1,734.10 GASES PLUS 48.00 / DERETH GEHLHAUSEN 178.75 / GENESIS DIRECT, LLC 5,184.15 GLAXOSMITHKLINE PHARMACEUTICALS 1,744.34 / G.L. COWBOY EXPRESS INC. 6,690.00 GOODFELLOW CORPORATION 3,204.87 / GRAINGER 507.38 / GRAPHIXXTREME 81.64 GREENWOOD MAPPING, INC. 4,840.00 / CELESTE GROSSMAN 40.33 GROATHOUSE CONSTRUCTION, INC. 360,610.59 / GSG ARCHITECTURE 26,151.52 HIGH COUNTRY COUNSELING 22,554.00 / HONNEN EQUIPMENT CO. 1,499.39 TONY HOWARD 1,519.96 / BRIAN HUGHES 1,058.54 / LAILA ILLOWAY 97.55 INTERSTATE BATTERIES OF 173.90 / INTEGRATED POWER SERVICES, LLC 2,300.46 MARY JAMES 504.96 / KEVIN H. JENSEN 206.54 / JACKSON HOLE MEDICAL IMAGING 41.00 BARRY JOHNSON 114.81 / JOHN THOMAS JOHNSTON 500.00 JORGENSEN ASSOCIATES PC 2,584.57 / ALARIC KADERAVEK 236.28 RICHARD M. KAIL 2,620.00 / KENWORTH SALES ROCK SPRINGS 2,814.44 KEYTH PALMER 4,000.00 / KIMBER MFG., INC. 34.45 / ANGIE KOLIS 99.00 L&P FINANCIAL SERVICES 201.34 / LEO RILEY & CO.

10,000.00 / HELENA LINN 557.64 JOHN LINN 564.66 / LYLE SIGNS INC 733.88 / M & M TRANSFER INC. 15,492.33 M & N EQUIPMENT, LLC 378.00 / MANTEK 449.45 / MATTHEW BENDER & CO., INC. 31.47 MARILYN MCGARR 370.81 / MEDIBADGE, INC. 271.50 MEMORIAL HOSPITAL SWEETWATER 5,963.20 / MIDWAY MALL 6.17 MODERN PRINTING COMPANY 213.29 / MOORE MEDICAL,LLC 52.77 / MOTOSAT 1,005.70 MOUNTAIN WEST TRUCK CENTER 1,227.43 / BART MYERS 45.10 MYERS TIRE - SALT LAKE CITY #20 1,604.68 / NELSON ENGINEERING, INC. 30,072.15 NETWORK INNOVATIONS, INC. 866.73 / NO HASSLE AUTO GLASS LLC 310.00 NORTH PARK TRANSPORTATION CO. 388.49 / NORTHERN SAFETY CO. INC. 50.72 NOR-TECH 133.00 / NUTECH SPECIALTIES 392.72 / OFFICE OUTLET 1,511.95 PACIFIC STEEL & RECYCLING 536.12 / JOHN PARAVICINI 130.62 PEACHTREE BUSINESS PRODUCTS 139.00 / MEREDITH OAKES PETERSON 3.00 PHONETICS, INC 162.54 / PICKAROON TIMBER PRODUCTS INC 111.30 PINEDALE AUTO SUPPLY 4,321.16 / PINEDALE GLASS INC. 521.28 PINEDALE LUMBER 450.89 / PINEDALE NATURAL GAS CO. 267.60 PINEDALE ROUNDUP 1,568.63 / PITNEY BOWES 786.60 / POLYGRAPHS ETC, LLC 2,400.00 U.S. POSTMASTER 528.92 / PPS CO.INC. 2,299.66 PROVIDENCE ARCHITECTURE INC. 2,452.68 / PALACE STATION HOTEL & CASINO 597.37 RAMADA PLAZA RIVERSIDE 140.00 / RENT-A-MECHANIC TRUCK REPAIR, LLC 84.80 REDWOOD TOXICOLOGY LABORATORY 519.52 / REED'S READY-MIX AND CONST,INC 10.00 RENDEZVOUS POINTE 11,729.00 / RENDEZVOUS TRAVEL 165.20 / ANTHONY REYES 858.04 RURAL HEALTH CARE BOARD 110,000.00 / RIDLEY'S FAMILY MARKETS 8,882.92 ROCKY MOUNTAIN POWER 11,778.49 / ROCKY MOUNTAIN POWER 15,516.61 ROCKY MOUNTAIN WASH, LLC 266.60 / R.S. BENNETT CONSTRUCTION INC. 81,620.43 SAFV TASK FORCE 4,595.50 / SANOFI PASTEUR 2,526.57 / SATCOM GLOBAL FZE 263.48 SUBLETTE COUNTY SHERIFF'S OFFICE 955.66 SECURITY TRANSPORT SERVICES, INC. 1,498.90 / SHEPARD'S AUTO 46.95 SHERMAN CONSTRUCTION 30,360.98 / SHESHUNOFF INFORMATION SERVICES 1,017.98 SUSAN SHENEFELT 80.00 / DAVID SIEFKES 208.02 / SIERRA RESEARCH 9,375.00 SIGNGEN SYSTEMS 886.00 / SKAGGS COMPANIES, INC. 452.60 / SOCORA, INC. 100.00 BRIAN SPARKS 4,000.00 / SPILLMAN TECHNOLOGIES, INC. 1,440.00 SPOTSYLVANIA, INC. 195.00 / STITCHIN POST 15.00 / ST ANTHONY NEW HOLLAND 129.40 SUBLETTE COMMUNICATIONS, INC. 1,750.00 / SUMMIT PARTNERS LLC 400.00 SUPERIOR BOILER INC. 29,586.96 / SWEETWATER COUNTY SHERIFF 14.95 TAKE A BREAK SPAS & BILLIARDS 4,248.00 / SHANE TEMLAR 59.51 TEPROMARK INTERNATIONAL INC. 62.10 / TESCO WILLIAMSSEN 429.43 TETON FIRE APPARATUS, LLC 295.55 / TIP TOP SEARCH & RESCUE 3,041.69 THE TIRE DEN, INC. 1,428.56 / TOM'S SADDLE SHOP 20.00 TOP SHELF ARTIC CAT 94.62 / DONNI TOTH 86.90 / TOWN OF MARBLETON 38.78 TRI-COUNTY SANITATION, INC. 28.00 / THEATRE SOLUTIONS, INC. 3,666.00 UNION TELEPHONE 2,305.32 / EJ VESTAL 45.10 / VISTA PROPERTIES LLC 2,000.00 MARGARET WALKER 750.00 / WARNER TRUCK CENTER 824.17 WAXIE SANITARY SUPPLY 1,793.82 / WILLOW CREEK FRAMING 235.77 WY DEPT OF TRANSPORTATION 312.73 / WESTERN PETROLEUM 33,866.42 WESTERN DETENTION 2,176.72 / WESTECH FUEL EQUIPMENT 130.85 WEST PAYMENT CENTER 2,350.91 / WESTERN TIRE CHAIN 3,958.57 WILLIAMS AUTOMOTIVE INC. 119.18 / WISE CONNECTIONS 255.00 WLC ENGINEERING, SURVEYING AND PLAN 305.26 / WOLF'S PINEDALE DODGE 562.36 RALPH E. WOOD 6,356.25 / WYOMING TRIAL LAWYERS ASSN. 155.00 WYOMING MACHINERY COMPANY 10,072.89 / WYOMING.COM 104.85 WYOMING RANGE MEDICAL 3,150.00 / WYOMING RETIREMENT SYSTEM 2,968.14 WYOMING SHERIFFS' ASSOCIATION 100.00 / WYOMING WORKER'S SAFETY AND 16,622.43 XEROX CORPORATION 2,726.30

There being no further business, the meeting was adjourned to 4:00 p.m.

BOARD OF COUNTY COMMISSIONERS
SUBLETTE COUNTY, WYOMING

/s/ William W. Cramer, Chairman

Attest:

/s/ Mary L. Lankford, County Clerk