

April 16, 2013  
Green River, WY

The Board of County Commissioners met this day at 8:30 a.m. in Regular Session with all commissioners present. The meeting opened with the Pledge of Allegiance.

**Approval of Agenda**

Chairman Johnson noted that the agenda would be amended at the request of County Attorney Brett Johnson due to a conflict in scheduling. Chairman Johnson entertained a motion to approve the agenda as amended. *Commissioner Bailiff so moved. Commissioner Kolb seconded the motion.* With no discussion, the motion was approved unanimously.

**Approval of Minutes 4-2-13**

*Commissioner Kolb moved to approve the minutes. Commissioner Van Matre seconded the motion.* With no discussion, the motion was approved unanimously.

**Acceptance of Bills**

**Approval of County Vouchers/Warrants, Monthly Reports and Bonds**

*Commissioner Kolb moved to approve acceptance of the bills which includes the county vouchers/warrants, monthly statements, bonds and the abates/rebates. Commissioner Bailiff seconded the motion.* With no discussion, the motion was approved unanimously.

WARR#	NAME	DEPT	TOTAL
53934	Bank Of The West	Gen Accts	4,278.36
53937	Bank Of The West	Gen Accts	7,090.49
8	Capital Business Systems	Shrf Emg Mgt, Clk, Treas	78.32
9	Centurylink	Commis, Grants Proj, Shrf Dtn Mnt, Comm Dev&Eng, Human Resour, Purchasing, Grants Admin, Land Use, RS Off Bld A, Fire Marshal, Vet Services, Comm Nur-Hom	508.47
53940	Centurylink	Clk, Treas, Assess, Shrf, Co Atrny, Juv Prob, GR Cir Court, IT Dept, Clk Dist Crt, Road & Bridg, Flt Veh Main, Shrf Emg Mgt, RS Mnt/C Pur	983.75
1	Centurylink	Elect	214.47
2	City Of Green River	GR Fcl Mt CH, GR Cir Court, GR Rslt Mai, GR Wrhs Main, GR Rd & Brdg, GR JV Maint	1,287.89
3	Rocky Mtn Power	GR JV Maint, GR Cir Court, GR Fcl Mt CH, Comm Dev&Eng, GR Rslt Mai	10,409.76
4	Sweetwater Television Co	Shrf	8.50
5	Union Telephone Company Inc	Elect	44.75
6	Verizon Wireless	Shrf Emg Mgt, Fire Marshal, Shrf	1,261.86
7	Jury Witness Fees	Clk Dist Crt	30.00
8	Jury Witness Fees	Clk Dist Crt	435.60
9	Jury Witness Fees	Clk Dist Crt	46.95
53950	Jury Witness Fees	Clk Dist Crt	46.95
1	Jury Witness Fees	Clk Dist Crt	46.95
2	Jury Witness Fees	Clk Dist Crt	-
3	Jury Witness Fees	Clk Dist Crt	46.95
4	Jury Witness Fees	Clk Dist Crt	46.95
5	Jury Witness Fees	Clk Dist Crt	30.00
6	Jury Witness Fees	Clk Dist Crt	46.95
7	Jury Witness Fees	Clk Dist Crt	30.00
8	Jury Witness Fees	Clk Dist Crt	30.00
9	Jury Witness Fees	Clk Dist Crt	46.95
53960	Jury Witness Fees	Clk Dist Crt	300.00
1	Jury Witness Fees	Clk Dist Crt	63.90
2	Jury Witness Fees	Clk Dist Crt	46.95
3	Jury Witness Fees	Clk Dist Crt	46.95
4	Jury Witness Fees	Clk Dist Crt	46.95
5	Jury Witness Fees	Clk Dist Crt	46.95
6	Jury Witness Fees	Clk Dist Crt	46.95
7	Jury Witness Fees	Clk Dist Crt	30.00
8	Jury Witness Fees	Clk Dist Crt	30.00
9	Jury Witness Fees	Clk Dist Crt	30.00
53970	Jury Witness Fees	Clk Dist Crt	30.00
1	Jury Witness Fees	Clk Dist Crt	30.00
2	Jury Witness Fees	Clk Dist Crt	46.95
3	Jury Witness Fees	Clk Dist Crt	80.86
4	Jury Witness Fees	Clk Dist Crt	30.00
5	Jury Witness Fees	Clk Dist Crt	46.95
6	Jury Witness Fees	Clk Dist Crt	30.00
7	Jury Witness Fees	Clk Dist Crt	300.00

8	Jury Witness Fees	Clk Dist Crt	30.00
9	Jury Witness Fees	Clk Dist Crt	46.95
53980	Jury Witness Fees	Clk Dist Crt	46.95
1	Jury Witness Fees	Clk Dist Crt	46.95
2	Jury Witness Fees	Clk Dist Crt	30.00
3	Jury Witness Fees	Clk Dist Crt	300.00
4	Jury Witness Fees	Clk Dist Crt	16.95
5	Jury Witness Fees	Clk Dist Crt	46.95
6	Jury Witness Fees	Clk Dist Crt	30.00
7	Jury Witness Fees	Clk Dist Crt	435.60
8	Jury Witness Fees	Clk Dist Crt	46.95
9	Jury Witness Fees	Clk Dist Crt	46.95
53990	Jury Witness Fees	Clk Dist Crt	46.95
1	Jury Witness Fees	Clk Dist Crt	300.00
2	Jury Witness Fees	Clk Dist Crt	86.50
3	Jury Witness Fees	Clk Dist Crt	46.95
4	Jury Witness Fees	Clk Dist Crt	300.00
5	Jury Witness Fees	Clk Dist Crt	46.95
6	Jury Witness Fees	Clk Dist Crt	30.00
7	Jury Witness Fees	Clk Dist Crt	46.95
8	Jury Witness Fees	Clk Dist Crt	435.60
9	Jury Witness Fees	Clk Dist Crt	30.00
54000	Jury Witness Fees	Clk Dist Crt	46.95
1	Jury Witness Fees	Clk Dist Crt	30.00
2	Jury Witness Fees	Clk Dist Crt	30.00
3	Jury Witness Fees	Clk Dist Crt	46.95
4	Jury Witness Fees	Clk Dist Crt	46.95
5	Jury Witness Fees	Clk Dist Crt	46.95
6	Jury Witness Fees	Clk Dist Crt	86.50
7	Jury Witness Fees	Clk Dist Crt	30.00
8	Jury Witness Fees	Clk Dist Crt	46.95
9	Jury Witness Fees	Clk Dist Crt	300.00
54010	Jury Witness Fees	Clk Dist Crt	435.60
1	Jury Witness Fees	Clk Dist Crt	58.25
2	Jury Witness Fees	Clk Dist Crt	46.95
3	Jury Witness Fees	Clk Dist Crt	435.60
4	Jury Witness Fees	Clk Dist Crt	58.25
5	Jury Witness Fees	Clk Dist Crt	435.60
6	Jury Witness Fees	Clk Dist Crt	435.60
7	Jury Witness Fees	Clk Dist Crt	46.95
8	Jury Witness Fees	Clk Dist Crt	30.00
9	Jury Witness Fees	Clk Dist Crt	46.95
54020	Jury Witness Fees	Clk Dist Crt	46.95
1	Jury Witness Fees	Clk Dist Crt	30.00
2	Jury Witness Fees	Clk Dist Crt	30.00
3	Jury Witness Fees	Clk Dist Crt	30.00
4	Bridger Valley Electric Assn	Fire Marshal	26.90
5	Centurylink	Commiss, Clk, Treas, Assess, Co Atrny, Juv Prob, Grants Proj, GR Cir Court, GR Fcl Mt CH, Land Use, Flt Veh Main, RS Off Bld A, Fire Marshal	761.68
6	Centurylink	Shrf, IT Dept, Clk Dist Crt, Road & Bridg, Elect, Comm Dev&Eng, Human Resour, Purchasing, Grants Admin, Shrf Emg Mgt, Comm Nur-Hom	2,237.90
7	Questar Gas	GR JV Maint, GR Fcl Mt CH, GR Cir Court, GR Rsvlt Mai, GR Wrhs Main, GR Rd & Brdg	6,623.37
8	Rock Springs Municipal Ut	Fire Marshal, RS Rd & Brdg, RS Veh Maint, Thmpsn Bld A, RS Off Bld A, Att Bld 731C, Facil 731C C, Shrf Dtn Mnt, JV 731 Bld D, RS 333 Bdwy	3,157.85
9	Rocky Mtn Power	RS Rd & Brdg, Shrf Dtn Mnt, RS Mnt/C Pur, Comm Dev&Eng, RS R&B Lagoo	7,336.48
54030	Sweetwater Television Co	Shrf Dtn Mnt	104.14
1	West Side Water & Sewer Dist	RS Mnt/C Pur, Shrf Dtn Mnt	2,199.50
2	Wex Bank	Shrf	18,262.55
3	Wyoming Waste Services -	RS Veh Maint, RS Off Bld A, Thmpsn Bld A, Shrf Dtn Mnt	1,045.56
4	Ace Hardware	GR Fcl Mt CH, Purchasing, Shrf, Shrf Dtn Mnt, Animal Cntrl	99.23
5	Ace Hardware	Assess, GR Fcl Mt CH, Fire Marshal, Animal Cntrl, Shrf Dtn Mnt	408.27
6	Ace Hardware #11263-C	GR Fcl Mt CH	190.60
7	Advanced Medical Imaging	Shrf Dtn Mnt	132.00
8	Affiliated Benefits	Intr Gv Pool	1,340.00
9	Alcohol & Drug Testing Serv	Shrf, Shrf Dtn Mnt, Road & Bridg, Employee Ben	951.00
54040	All Pro Turbo Lining	Flt Veh Main	2,352.00

1	Allen, Cheryl	Vet Services	103.40
2	Alpine Pure Water	Vet Services	19.00
3	Arnell Jr., Gary B.	Clk Dist Crt	550.00
4	Arnell Jr., Gary B.	Clk Dist Crt	1,940.00
5	Arnell Jr., Gary B.	Clk Dist Crt	3,380.00
6	Arnell Jr., Gary B.	Clk Dist Crt	3,100.00
7	Auto Parts Unlimited	Flt Veh Main	303.17
8	Battery Systems	Flt Veh Main, Road & Bridg	490.53
9	Bennett Paint & Glass	GR Fcl Mt CH	889.48
54050	Big Horn Roofing Inc	Capital Proj	1,185.00
1	Bloedorn Lumber	GR Fcl Mt CH	86.95
2	Brady Industries LLC	Shrf Dtn Mnt	51.36
3	Bramwell, Keith A	Shrf Dtn Mnt	19.49
4	Bridger Valley Electric Assn	Clk	8.00
5	Buckboard Marina	Gen Accts	203.12
6	Carquest Auto Parts	Flt Veh Main, Fire Marshal	188.37
7	Carquest Auto Parts	Flt Veh Main	1,967.22
8	Castillon D.D.S., A. Bryce	Shrf Dtn Mnt	1,870.00
9	Castle Rock Hospital Dist	Human Svcs	12,500.00
54060	City Of Rock Springs	Animal Cntrl	1,592.46
1	CNA Surety	Treas	160.00
2	Copier & Supply Co Inc	Clk, Assess, Co Atrny, Shrf, Purchasing, Vet Services, Commiss, Land Use, Clk Dist Crt, Fire Marshal	1,192.83
3	Copier & Supply Co Inc	Shrf Dtn Mnt, Road & Bridg, Clk Dist Crt	1,478.91
4	Cruel Jacks Travel Plaza	Gen Accts	412.66
5	Dash Medical Gloves Inc	Shrf	548.10
6	Deakins, Teresa	Shrf Emg Mgt	53.91
7	Delta Dental	Intr Gv Pool	27,354.90
8	Desert View Animal Hospital	Shrf	60.77
9	Diversified Insurance Ben	Intr Gv Pool	2,110.74
54070	Diversified Insurance Ben	Intr Gv Pool	6,000.00
1	DJ's Glass	Capital Proj, GR Fcl Mt CH	9,394.49
2	Eaton Investments Inc	Gen Accts	412.66
3	Eden Saloon Inc	Gen Accts	412.66
4	Edman, Patricia X	Juv Prob	125.00
5	Electrical Connections Inc	GR Fcl Mt CH, Shrf Dtn Mnt	7,215.35
6	Etail Medical	Shrf Dtn Mnt	4,055.52
7	F B McFadden Wholesale Co	Shrf Dtn Mnt, Fire Marshal, Road & Bridg, GR Fcl Mt CH	3,697.33
8	Fedex	Human Resour, Co Atrny	157.29
9	Felderman, Kimmie	Grants Proj	22.05
54080	First Choice Ford	Flt Veh Main	5,337.49
1	Flaming Gorge Days Inc	Gen Co Admin	3,500.00
2	Fremont Motor Rock Spring	Flt Veh Main, GR Fcl Mt CH	496.09
3	G & K Services	Road & Bridg	386.01
4	Global Assets Integrated	Shrf	2,800.00
5	Golden Hour Senior Citizen	Senior Cntrs	20,886.52
6	Grainger	Shrf Dtn Mnt, Grants Proj, Fire Marshal, GR Fcl Mt CH	3,304.60
7	Green River Star	Gen Co Admin	126.00
8	Greenline Equipment	GR Fcl Mt CH	1,734.96
9	Hampton Inn & Suites - De	Shrf Dtn Mnt	4,165.00
54090	High Security Lock & Alarm	Grants Proj	4,109.14
1	Hilton Garden Inn - Casper	Elect, Clk	308.00
2	Holiday Inn - Sheridan	Co Atrny	77.00
3	Holiday Inn Casper - Mcmu	Co Atrny	462.00
4	Holiday Inn Convention Cntr	Shrf Emg Mgt	308.00
5	Homax Oil Sales Inc	Road & Bridg	30,202.58
6	Horizon Laboratory LLC	Coroner	372.00
7	Hose & Rubber Supply	Road & Bridg	69.57
8	Hospice Of Sweetwater Co	Human Svcs	24,500.00
9	Howard Supply Company, LLC	Road & Bridg	30.43
54100	Ibarra, Josefina	Coop Ext/4H	604.21
1	IBS Incorporated	Flt Veh Main	1,000.49
2	Industrial Hoist And Crane	Road & Bridg	802.88
3	Industrial Supply	Road & Bridg	26.75
4	ISC Inc	IT Dept	8,013.30
5	Ja Sexauer	Shrf Dtn Mnt	55.90
6	Jack's Truck & Equipment	Road & Bridg	447.73
7	Jme Fire Protection	Road & Bridg, Grants Proj	1,770.20
8	Johnson, Wally J	Commiss	423.65
9	Kelco Supply Company	Grants Proj	7,187.00
54110	Korem Corporation	Comm Dev&Eng, Land Use, Clk, Elect, Shrf Emg Mgt	5,940.00
1	Kroger - Smith's Customer	Clk Dist Crt	62.55
2	Kroschel, Faith	Coop Ext/4H	327.08
3	L-Tech Enterprises Inc	Shrf	508.35
4	Law Office Of Jason Petri	Clk Dist Crt	1,419.99
5	Law Office Of Jason Petri	Clk Dist Crt	2,599.99
6	Law Office Of Jason Petri	Clk Dist Crt	3,276.67

7	Law Office Of Jason Petri	Clk Dist Crt	4,115.01
8	Law Office Of Jason Petri	Clk Dist Crt	5,639.99
9	Law Office Of Jason Petri	Clk Dist Crt	5,413.34
54120	Law Offices Of Nathan W J	Public Defnd	600.00
1	Lincare Inc	Shrf Dtn Mnt	416.00
2	Los Cabos Inc	Gen Accts	203.12
3	Lujan, Catalina F	Juv Prob	60.00
4	Manpower	GR Fcl Mt CH	3,291.84
5	Mathey Law Office - Assig	Clk Dist Crt	440.00
6	Mathey Law Office - Assig	Clk Dist Crt	1,740.00
7	Mathey Law Office - Assig	Clk Dist Crt	4,100.00
8	McKee Foods Corporation	Shrf Dtn Mnt	508.48
9	Meadow Gold Dairy	Shrf Dtn Mnt	841.62
54130	Mitch's	Gen Accts	412.66
1	Moore Medical, LLC	Shrf Dtn Mnt	1,954.40
2	Motorola - Schaumburg	Grants Proj	16,999.85
3	National Business Systems	Treas	553.24
4	Nicholas & Company	Shrf Dtn Mnt	1,286.42
5	Nutech Specialities Inc	Flt Veh Main, Fire Marshal, Road & Bridg	493.14
6	Office Depot Inc	Assess	249.99
7	Office Max Inc	Treas	6.95
8	Office Outlet	Vet Services	286.11
9	Pacific Steel & Recycling	GR Fcl Mt CH	77.61
54140	Packer Paul Inspection &	Road & Bridg	225.00
1	Performance Overhead Door	Shrf Dtn Mnt	1,207.06
2	Peterbilt Of Wyoming	Road & Bridg	333.21
3	Phillips, Bonnie	FnMgt	738.25
4	Plainsman Printing & Supply	Clk Dist Crt	856.60
5	Plan One/Architects	Capital Proj	9,498.53
6	PM Autoglass Inc	Flt Veh Main	585.00
7	Public Defender	Public Defnd	2,500.00
8	Purple Sage Ventures LLC	Gen Accts	203.12
9	Quill Corporation	Gen Co Admin, Road & Bridg, Purchasing, Assess, Human Resour, Grants Proj, Shrf, Shrf Dtn Mnt, Co Atrny	222.62
54150	Quill Corporation	Clk, Clk Dist Crt, Human Resour, GR Fcl Mt CH, Shrf, Grants Proj, Coop Ext/4H, Shrf Dtn Mnt, Co Atrny, Purchasing	2,115.72
1	R & D Sweeping & Asphalt	Capital Proj	44,154.02
2	R S Refrigeration Supply	GR Fcl Mt CH	20.19
3	Rock Springs IV Center	Shrf Dtn Mnt	263.29
4	Rock Springs Newspapers Inc	Gen Co Admin, Human Resour	936.84
5	Rock Springs Newspapers Inc	Gen Co Admin, Human Resour	6,101.80
6	Rock Springs Newspapers Inc	Shrf	154.84
7	Rock Springs Winlectric Co	Shrf Dtn Mnt	189.60
8	Rock Springs Winnelson Co	Shrf Dtn Mnt, GR Fcl Mt CH	180.96
9	Rolling Green Country Club	Gen Accts	412.66
54160	Sherman, Stacey	Vet Services	325.64
1	Shopko Stores Operating	Shrf	39.27
2	Six States Distributors Inc	Road & Bridg	569.50
3	Skaggs Companies	Shrf Dtn Mnt, Shrf	800.75
4	Smyth Printing Inc	Shrf Dtn Mnt	23.75
5	Source Office & Tech	Purchasing	1,162.91
6	Spring Creek Guest Ranch	Gen Accts	412.66
7	Sterling Communications	Shrf, Road & Bridg	1,170.21
8	Sweetwater Co Road & Bridge	Road & Bridg	90.00
9	Sweetwater County Health	Comm Nur-Hom	121,241.47
54170	Sweetwater County Insurance	Human Svcs, Intr Gv Pool	33,657.41
1	Sweetwater Family Resource	Human Svcs	6,449.66
2	Sweetwater Medics LLC	cr ambul svc	20,664.00
3	Sweetwater Plumbing & Heat	GR Fcl Mt CH	121.90
4	Sweetwater Trophies	Shrf	120.00
5	Swick's Matco Tools	Flt Veh Main	399.00
6	The Tire Den Inc	Flt Veh Main	4,401.36
7	The UPS Store - #3042	Shrf, Shrf Emg Mgt, Shrf Dtn Mnt	74.16
8	Tiger Medical	Shrf Dtn Mnt	2,227.05
9	TLO LLC	Shrf	110.00
54180	Tyler Technologies Inc	Capital Proj	9,148.36
1	U S Foods Inc	Shrf Dtn Mnt	886.75
2	Uinta Engineering & Survey	Capital Proj	1,975.00
3	United Site Services Of N	Wamsuttr R&B	192.00
4	Valley Mart Inc	Gen Accts	203.12
5	Van Matre, Don	Commiss	97.18
6	Varley Mercantile	Gen Accts	825.32
7	Vaughn's Plumbing & Heating	GR Fcl Mt CH	4,147.39
8	Vehicle Lighting Solution	Road & Bridg	754.39
9	Waxie Sanitary Supply	Flt Veh Main, Fire Marshal, Road & Bridg	216.51
54190	WCADVSA	Grants Proj	300.00
1	Western Relief LLC	Road & Bridg	122.00
2	Whisler Chevrolet Company	Flt Veh Main	291.09

3	White Mountain Mining Co	Gen Accts	412.66
4	Wilkerson IV MD PC, James	Coroner	1,040.00
5	Williams Scotsman Inc	Shrf	302.92
6	Wyoming Retirement System	Fire Marshal	600.00
7	YWCA Of Sweetwater County	Grants Proj	3,618.07
GRAND TOTAL			653,702.80

The following unlisted warrants are payroll warrants: 53932, 53933, 53935, 53936. Warrant 53952 in the amount of \$30.00 is a voided warrant.

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The following bonds were placed on file:

Robert Gordon	Castle Rock Hospital District- Treasurer	\$ 10,000.00
Sandy Gunter	Castle Rock Hospital District- Chairman	\$ 10,000.00
Charlene Miller	Castle Rock Hospital District- Board Member	\$ 10,000.00
Lisa Robison	Castle Rock Hospital District- Board Member	\$ 10,000.00
Michael Woolcott	Castle Rock Hospital District- Chairman	\$ 10,000.00
Lisa Taruffelli	City of Rock Springs- Clerk/Treasurer	\$100,000.00

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### **Commissioner Comments/Reports**

#### **Commissioner Kolb**

Commissioner Kolb reported that he is working on "Capital for a Day" and that the outline with the schedule of events is set up. He visited with the mayor of Wamsutter and mayor of Bairoil. He attended the spring meeting of the Wyoming County Commissioners Association and shared issues discussed at that meeting. Commissioner Kolb reported that he visited the UR Energy Project and was given a tour of the site. He also reported that the SLIB board has approved the 1.5 million dollar application for the road improvement and thanked Grants Manager Krisena Marchal for her hard work on this project.

Chairman Johnson noted that Commissioner Kolb was recognized for his efforts on House Bill 85.

Commissioner Kolb reported that he visited with Land Use Director Eric Bingham, County Clerk Dale Davis, Public Works Director John Radosevich, Purchasing Manager Marty Dernovich, Human Resource Director Garry McLean, County Treasurer Robb Slaughter, and County Assessor Pat Drinkle.

#### **Commissioner Van Matre**

Commissioner Van Matre reported that he was not able to attend the spring meeting of the Wyoming County Commissioners Association due to major wind damage to his home. He reported that the IT department is moving forward with their new system and noted that training has been completed on the tax portion of the financial system which will go online in May. Commissioner Van Matre shared information regarding the Juvenile Probation program. Commissioner Van Matre noted that he attended a museum board meeting and visited with Grants Manager Krisena Marchal regarding the SLIB grant for County Road 23. Commissioner Van Matre also reported that he attended a meeting with Uinta County regarding the VSO and discussed ongoing training.

#### **Chairman Johnson**

Chairman Johnson reported that he and Public Lands Planner Mark Kot met with the local representative for BP regarding issues with the BLM. Chairman Johnson questioned Facilities Manager Chuck Radosevich about the CDC (Child Development Center) project and he noted that they are using almost all Wyoming Sub-Contractors. Mr. Radosevich also reported that the 333 Broadway building design is going well. Chairman Johnson reported that he also attended the spring meeting for the Wyoming County Commissioners Association in Casper. Chairman Johnson noted that he felt that two main issues that will affect the economy of Sweetwater County and the State of Wyoming are Fracking and Sage grouse.

#### **Commissioner West**

Commissioner West reported that he attended a Finance & Audit meeting for Memorial Hospital. He also attended a Specific Purpose Tax Joint Powers Board organizational meeting and shared several issues concerning the bonds for planned projects.

#### **Commissioner Bailiff**

Commissioner Bailiff reported that he visited the county shop and attended a STAR transit meeting. He reported that he also went to the spring meeting of the Wyoming County Commissioners Association. Commissioner Bailiff shared issues with unknown Caller ID phone lines for the county, state wide fire bans, playground equipment for parks, and concerns with a future lack of funding.

### **County Resident Concerns**

Chairman Johnson opened county resident concerns. Resident Nell Johnson questioned where the UR Energy Project is located. After a brief discussion, the hearing was closed.

### **Action/Presentation Items**

#### **Request to Re-Staff Vacant Postions**

Facilities Manager Chuck Radosevich requested to re-staff one full time position with a current part time employee and one part time position using manpower staffing. Following discussion, Chairman Johnson

entertained a motion to approve the request. *Commissioner West moved to approve the request. Commissioner Van Matre seconded the motion.* With no discussion, the motion was approved unanimously.

**Vehicle/Equipment Surplus Sale and Donation Request**

Purchasing Manager Marty Dernovich presented a list of used vehicles and storage tanks to advertise for public sale. Chairman Johnson entertained a motion to approve. After discussion of liability and items being sold “as is,” *Commissioner West moved to approve the request. Commissioner Kolb seconded the motion.* After a brief discussion, the motion was approved unanimously. Purchasing Manager Marty Dernovich also presented a letter from the “Friends of South Pass” requesting that some old unused tools held by Road and Bridge be donated to them for display and limited use. After discussion, Chairman Johnson entertained a motion to accept the request and donate the tools to the “Friends of South Pass” and authorize the Chairman to sign with the caveat that they be returned to the county if they are no longer being used. *Commissioner West so moved. Commissioner Bailiff seconded the motion.* With no discussion, the motion was approved unanimously.

**Request to Re-Staff Wamsutter Patrol Deputy Vacant Position**

Colonel Rick Hawkins requested to re-staff the Wamsutter Patrol Deputy position. Following discussion, Chairman Johnson entertained a motion. *Commissioner Bailiff moved to allow this re-staffing position. Commissioner Kolb seconded the motion.* With no discussion, the motion was approved unanimously.

**Approval of Homeland Security Grant Purchase**

Grants Manager Krisena Marchal and Colonel Rick Hawkins presented and requested a motion for Homeland Security to purchase laptops with Homeland Security grant funding that has already been awarded by contract but not yet identified with a specific use. Chairman Johnson entertained a motion to un-table this issue. *Commissioner West made a motion to remove from the table. Commissioner Van Matre seconded the motion.* With no discussion, the motion was approved unanimously. Following discussion, Chairman Johnson entertained a motion to approve the purchase. *Commissioner West moved to approve the request. Commissioner Van Matre seconded the motion.* With no discussion, the motion was approved unanimously.

**Approval of the County Wide Consensus Block Grant Joint Resolution (#SWBFY13/14-2)**

Grants Manager Krisena Marchal presented and requested a motion to approve the County Wide Consensus Block Grant Joint Resolution #SWBFY13/14/2. *Commissioner West moved to approve the County Wide Consensus Block Grant Joint Resolution #SWBFY13/14/2. Commissioner Kolb seconded the motion.* Chairman Johnson thanked Grants Manager Krisena Marchal for her excellent work and the motion was approved unanimously.

**Approval of the FY 2013 Emergency Solutions Grant Certification for SW Wrap**

Grants Manager Krisena Marchal and SW Wrap CEO Cathie Hughes presented and requested a motion to approve, and have the Chairman sign, the Fiscal Year 2013 Emergency Solutions Grant Certification for SW Wrap. After discussion, Chairman Johnson entertained a motion to approve and authorize the chairman to sign the Fiscal Year 2013 Emergency Solutions Grant Certification for SW Wrap. *Commissioner Van Matre moved to approve, and have the Chairman sign, the Fiscal Year 2013 Emergency Solutions Grant Certification for SW Wrap. Commissioner Bailiff seconded the motion.* With no discussion, the motion was approved unanimously.

**Break**

Chairman Johnson called for a break.

**Resolution for Application of 2013 CMAQ Funds**

Public Works Director John Radosevich presented Resolution 13-04-EN-01 and noted that it includes Fiscal Year 2013 and 2014. Following discussion, *Commissioner West moved to approve Resolution 13-04-EN-01. Commissioner seconded the motion.* With no discussion, the motion was approved unanimously.

**RESOLUTION 13-04-EN-01**

**A RESOLUTION AUTHORIZING SWEETWATER COUNTY  
TO SUBMIT AN APPLICATION FOR A CONGESTION MITIGATION/AIR QUALITY  
(CMAQ) GRANT**

WHEREAS, Sweetwater County has identified a need for additional funding for dust mitigation and for the safety and health of the residents of Sweetwater County; and,

WHEREAS, Congestion Mitigation / Air Quality (CMAQ) Grant Funds are available through the Wyoming Department of Transportation; and,

WHEREAS, if approved for funding, Sweetwater County will be able to suppress dust on County roads; and,

WHEREAS, the application for the CMAQ grant request must be submitted by May 1, 2013 for this funding cycle; and,

WHEREAS, the Board of County Commissioners have determined this use of CMAQ funding for dust mitigation will benefit the safety and health of the residents of Sweetwater County;

NOW, THEREFORE, BE IT RESOLVED by the Sweetwater County Board of County Commissioners in and for Sweetwater County that Sweetwater County shall file an application for FY2013/14 CMAQ funds to be submitted to the Wyoming Department of Transportation for dust suppression projects on Sweetwater County Roads and authorizing the Chairman to sign all necessary documents.

Dated this 16 day of April, 2013.

THE BOARD OF COUNTY COMMISSIONERS  
OF SWEETWATER COUNTY, WYOMING

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Wally J. Johnson, Chairman

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Gary Bailiff, Member

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John K. Kolb, Member

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Don Van Matre, Member

ATTEST:

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Steven Dale Davis, County Clerk

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Reid O. West, Member

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**Fire Suppression Account**

Public Works Director John Radosevich, County Fire Warden Dave Bottemiller and District Forester for Wyoming State Forestry Brook Lee presented information regarding the FY 2014 Emergency Fire Suppression Account participation agreement. Following discussion, Chairman Johnson entertained a motion to accept or reject the opportunity to participate in the Emergency Fire Suppression Account. ***Commissioner Kolb moved to reject participation in the Emergency Fire Suppression Account. Commissioner Bailiff seconded the motion.*** After further brief comments, the motion was approved unanimously.

**Approval of 2013 Wildland Fire Management Annual Operating Plan**

Public Works Director John Radosevich presented the 2013 Wildland Fire Management Annual Operating Plan. County Fire Warden Dave Bottemiller and District Forester for Wyoming State Forestry Brook Lee were present to answer questions. Following discussion, Chairman Johnson entertained a motion to accept the 2013 Wildland Fire Management Annual Operating Plan for Sweetwater County with authorization for the Chairman to sign. ***Commissioner Van Matre moved for approval of the 2013 Wildland Fire Management Annual Operating Plan for Sweetwater County and authorize the Chairman to sign. Commissioner Bailiff seconded the motion.*** After a brief discussion, the motion was approved unanimously.

**Certification of Nuisance Regulations**

Land Use Director Eric Bingham presented the Certification Page of Amended Rules and Nuisance Regulations and Resolution 13-04-CC-01, Language Amendment – Sweetwater County Zoning Resolution Appendix A- Nuisance Regulations and requested approval for the chairman to certify the regulations. Code Enforcement Specialist Jim Zimmerman was present. Chairman Johnson opened the meeting for public comment. Hearing none, the meeting was closed to public comment. Following discussion, Chairman Johnson entertained a motion to approve Resolution 13-04-CC-01, Language Amendment – Sweetwater County Zoning Resolution Appendix A – Nuisance Regulations. ***Commissioner Kolb moved to approve Resolution 13-04-CC-01, Language Amendment – Sweetwater County Zoning Resolution Appendix A- Nuisance Regulations. Commissioner West seconded the motion.*** With no discussion, the motion was approved unanimously. Land Use Director Eric Bingham asked for the Chairman to sign the certification page for the amended rules and regulations of the Sweetwater County Nuisance Regulations. ***Commissioner West moved to approve the certification page and authorize the chairman to sign. Commissioner Van Matre seconded the motion.*** With no further discussion, the motion was approved unanimously.

**RESOLUTION 13-04-CC-01**

**LANGUAGE AMENDMENT – SWEETWATER COUNTY ZONING RESOLUTION  
APPENDIX A – NUISANCE REGULATIONS**

WHEREAS, on November 10, 2012 the Sweetwater County Land Use Department advertised that a public hearing would be held on December 12, 2012 at 10:00 a.m. proposing to amend Appendix A of the Sweetwater County Zoning Resolution concerning Nuisance Regulations, and;

WHEREAS, the Sweetwater County Planning and Zoning Commission held a public hearing regarding this Language Amendment to the Sweetwater County Zoning Resolution, and requested and received public comment, and after due consideration and discussion voted 4-0 to recommend the proposed language to the Sweetwater County Board of County Commissioners, and;

WHEREAS, the Sweetwater County Board of County Commissioners held a public hearing regarding this Recommendation on January 3, 2013 and requested and received public comment, and after due consideration and discussion signed notice of its intention to amend the Sweetwater County Nuisance Regulations, and;

WHEREAS, at least forty-five (45) days have lapsed since the Sweetwater County Board of County Commissioners expressed its intent, pursuant to W.S. §16-3-103(a)(i) of Wyoming's Administrative Procedures Act, to adopt the Language Amendment to the Sweetwater County Zoning Resolution Appendix A Nuisance Regulations as shown below.

#### Appendix A – Nuisance Regulations

##### Section 1: General Definitions:

- a) A "Nuisance" is defined as any use or non-use of property, real or personal, which causes material injury to others or which endangers life, health, or safety or which is otherwise defined at common law, Wyoming State Statute, or herein.
- b) Inoperable Vehicle: any motor vehicle which cannot be moved under its own power, or cannot be operated lawfully on a public street or highway due to lack of an engine, transmission, wheels, tires or when such vehicle is totally or partially suspended above the ground by jack, block, or any other lifting device

##### Section 2: General:

- a) A site, property, tract, lot, building grounds, building, area or other property may be declared a nuisance by the Board of Sweetwater County Commissioners in conformance with Wyoming State Statutes 18-2-101(a)(viii) and 18-2-115 if a nuisance, as listed in Section 2(c) of this Article exists on said site, property, tract, lot, building grounds, area or other property.
- b) It shall be unlawful for any person to maintain or permit the existence of any nuisance upon property within the boundaries of the unincorporated areas of Sweetwater County, Wyoming.
- c) The following standards are hereby declared by the Sweetwater County Board of Commissioners for establishing when a site is a nuisance:
  - 1) the outside storage, keeping or maintenance of inoperative vehicles excepting those that are within the scope of Section 3 of this article;
  - 2) any building or structure (as well as fencing) shall be considered a nuisance when, for want of repair, dilapidated, defective, or other hazardous condition produces an imminent endangerment to public health or safety;
  - 3) the maintenance or harboring of farm animals, livestock or domestic animals in the Unincorporated areas of Sweetwater County in an unsanitary manner that creates human health hazards;
  - 4) the accumulation of animal manure, animal feces, and waste products that allow for the breeding and propagation of insects and/or rodents, runoff of surface water from areas having deposits of animal manure or waste products onto adjacent or nearby properties or into water drainages and does not meet the EPA Livestock Manure Handling regulations;
  - 5) containing or discharging runoff of water containing pollutants or foul smelling substances that may be offensive to human senses;
  - 6) diverting of runoff and drainage or causing standing water in a manner that adversely affects neighboring properties;
  - 7) destabilizing of the ground surface in a manner that causes dust or other airborne matter which is offensive or dangerous to the health or safety of the public;
  - 8) discharging septic system/sewage effluent onto the ground or into water ways;
  - 9) causing or allowing the effluent from any cesspool septic tank, drain field or sewage disposal system to discharge upon the surface of the ground;
  - 10) maintaining weed growth or debris which, by its presence or manner of storage, presents a clear threat to public health or safety;
  - 11) maintaining presence of insect vector or rodent harborages;
  - 12) the unlicensed accumulation of materials, debris, garbage, waste recyclables, or other scrap or junk material such as but not limited to:

a) Combustible materials such as paper litter, cardboard or paper piles, piles of weeds or shrubbery trimmings, piles of wood, straw, hay, grass, etc., which by reason of its presence or manner of storage creates a potential fire hazard or allows for insect and/or rodent propagation;

b) Any waste petroleum or other chemical product (solid or liquid) or solid waste (rubbish) of any kind which, by reason of its presence or manner of storage, could contaminate surface or ground water or could inflict harm to the public directly by evaporation to the gaseous state, by burning, or direct physical contact; or, indirectly by harboring vermin;

c) Commercial or household: Appliances (washers, dryers, water heaters, refrigerators, etc.); Equipment (tools, and manufacturing equipment, metal products, construction equipment or materials, etc.); Machinery, Vehicles, Vehicle parts, Tires, or Similar Items which by reason of its presence or manner of storage presents a danger to the public or regulatory agencies from collapse, fire, entrapment, burning, or harboring of dangerous

chemicals, or vermin harboring;

d) Household or commercial building parts and fixtures such as furniture, counters, tables, flooring, foundations and wall materials, roofing materials, electrical parts, mechanical systems parts, etc., which by its presence or manner of storage presents a danger to the public or regulatory agencies from collapse, fire, entrapment, burning, or harboring of dangerous chemicals or vermin;

- 13) allowing any discharge into the environment of toxic or noxious materials in such concentrations as to endanger the public health;
- 14) any chemical and/or biological material that is stored, used or disposed of in such quantity or manner that creates a public health hazard;
- 15) any condition or situation which renders a structure or any part thereof unsanitary, unhealthy or unfit for human habitation occupancy or use or renders any property unsanitary or unhealthy;
- 16) failure to keep material, debris, waste, refuse or garbage in a closed container designed for such purposes;
- 17) burning garbage, weeds and other debris in a manner that is offensive or dangerous to the health, and safety of the public;
- 18) the depositing, placing, creating, or dumping of any putrid or decayed animal or vegetable matter, liquid, chemical, solid waste, refuse or garbage, in a public or private place so as to create a potential health hazard shall constitute a public nuisance;
- 19) trees, vegetation, artificial light, and other items are considered a nuisance when they obstruct or limit visual observation of traffic control devices, vehicle usage, pedestrian travel ways, etc., or contribute to an unsafe condition for the public utilizing the right-of-ways;
- 20) noises, except those uses excepted by Section 3 of this article, that exceed the maximum sound levels as prescribed in Table A, Noise Level Restrictions, beyond the site property lines, except that when a nonresidential zoning district or activity abuts a residential zoning district, the residential zoning district standard shall govern.

Table A  
Noise Level Restrictions

Zoning	Maximum Sound Level
Residential	60 dBA
Commercial or Industrial	70 dBA,

Note: “dBA” is the measure of sound levels in A-weighted decibels.

21) failure to comply with any law or rule regarding sanitation and health including but not limited to:

- a)plumbing,
- b) water supplies,
- c)waste disposal,
- d) storage of chemical pesticides or herbicides

### Section 3 – Exceptions

The following under Section 3 of this article are not considered a public nuisance:

- a) The following vehicles, are not considered a public nuisance:
  - 1) Antique or historic motor vehicles, as defined by W.S. Section 31-2-223;
  - 2) Vehicles kept in an enclosed garage or storage building;
  - 3) Vehicles used for educational or instructional purposes by a proprietary school licensed in Wyoming and screened as defined by this article;
  - 4) Vehicles kept by licensed establishments and authorized storage yards;
  - 5) Vehicles and equipment relevant to the operation of farms and ranches and screened as defined by this article;
- b) Maintenance of livestock in un-platted agricultural areas of the county shall not be considered a nuisance unless maintained in an unsanitary manner that creates human health hazards;
- c) Retention of farm products, supplies, equipment, and reusable materials at a working farm or ranch shall not be considered a public nuisance as long as such items and material are kept in such a manner that would not constitute a threat to public health or safety.
- d) The maximum sound levels of Table A in Section 2 of this article may be exceeded by temporary construction and maintenance activities, but any excessive noise generated by such activities shall be restricted to the hours between 7:00 A.M. and 10:00 P.M. In addition the movement of trains on existing railroad rights-of way, the movement of motor vehicles on public roads, the operation of farm machinery, the operation of watercraft, the operation of a permitted industrial facility or oil and gas or mining operation necessary to the extraction, production or exploration of the mineral resources, or other sources of noise not attributable to a particular development is not considered a public nuisance.

### Section 4 – Outdoor Storage

- a) The accumulation and storage of animal manure that is not considered a public nuisance shall be stored according to the EPA Livestock Manure Handling Regulations attached as Exhibit A to this article.

Section 5 – Enforcement

- a) The Board of County Commissioners shall delegate its authority to declare a property to be a nuisance to one or more Sweetwater County Nuisance Officers. It shall be the duty of a Sweetwater County Nuisance Officer to issue orders on behalf of the Board of County Commissioners declaring properties to be nuisances when it reasonably appears from application of the standards established in Section 2 above that nuisances exist.
- b) Written notice shall be provided with the order declaring the property to be a nuisance. Said written notice shall comply with the requirements of W.S. §18-2-115(b) and shall be filed, served and posted as provided in W.S. §18-2-115(b). Procedure for an owner or occupant to deny the existence of any of the allegations of the nuisance order shall be as provided in W.S. §18-2-115(c), and court proceedings on the order and answer shall be as provided in W.S. §18-2-115 (c) and (d). Appeals from the judgment or final order of the district court shall be taken as provided in W.S. §18-2-115(e).
- c) W.S. §18-2-101 (a)(viii) provides the following enforcement measures and civil penalties for failure to comply with a final order:

No person shall create, continue or permit nuisances to exist in violation of a final order issued pursuant to W.S. 18-2-115. Any resolution passed by a board of county commissioners pursuant to this paragraph is enforceable, in addition to other remedies provided by law, by injunction, mandamus or abatement. Whoever fails to comply with a final order shall be assessed a civil penalty of up to one hundred dollars (\$100.00) per day for each day the violation continues. No resolution issued pursuant to this paragraph shall regulate any permitted industrial facility or oil and gas or mining operations necessary to the extraction, production or exploration of the mineral resources. Nothing in this paragraph shall be construed to impair or modify any rights afforded to farm or ranch operations pursuant to the Wyoming Right to Farm and Ranch Act. (Emphasis added.)

- d) For ease of reference, W.S. § 18-2-115, in its entirety, provides as follows:

18-2-115.Nuisance abatement; procedures.

- (a) A board of county commissioners shall, by resolution, establish standards for determining when a site may be declared a nuisance under W.S. 18-2-101(a)(viii).
- (b) A board of county commissioners may issue an order declaring a property to be a nuisance under W.S. 18-2-101(a)(viii) and shall provide written notice to the owner or occupant of the property describing with specificity the nature of the nuisance and the steps required for abatement. The order shall be in writing, shall state the grounds for the order and shall be filed in the office of the clerk of the district court of the county in which the property is situated. A copy of the order shall be served in accordance with the Wyoming Rules of Civil Procedure upon the owner or occupant with a written notice that the order has been filed and shall remain in force, unless the owner or occupant files his objections or answer with the clerk of the district court within twenty (20) days. A copy of the order shall be posted in a conspicuous place upon the property.
- (c) Within twenty (20) days of service of an order issued under subsection (b) of this section, the owner or occupant may file with the clerk of the district court and serve upon the board of county commissioners issuing the order, an answer denying the existence of any of the allegations in the order. If no answer is filed and served, the order shall become a final order declaring the site a nuisance and fix a time when the order shall be enforced. If an answer is filed and served, the court shall hear and determine the issues raised as set forth in subsection (d) of this section.
- (d) The court shall hold a hearing within twenty (20) days from the date of the filing of the answer. If the court sustains all or any part of the order, the court shall issue a final order and fix a time within which all or any part of the final order shall be enforced.
- (e) An appeal from the judgment or final order of the district court may be taken by any party to the proceeding in accordance with the Wyoming Rules of Appellate Procedure.

Dated this 16<sup>th</sup> Day of April, 2013

THE BOARD OF COUNTY COMMISSIONERS  
OF SWEETWATER COUNTY, WYOMING

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Wally J. Johnson, Chairman

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Gary Bailiff, Member

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John K. Kolb, Member

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Don Van Matre, Member

ATTEST:

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Steven Dale Davis, County Clerk

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Reid O. West, Member

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**Report on Sweetwater Downs & House Bill 25**

Chairman Johnson reported that he received a note that Wyoming Horse Racing LLC Managing Partner Eugene Joyce was unable to attend. Chairman Johnson advised that Mr. Joyce should request to be on the agenda for the next meeting.

**Other**

**Executive Session(s)-Personnel/Legal**

*Chairman Johnson entertained a motion to enter into executive session for legal. Commissioner West so moved. Commissioner Kolb seconded the motion.* With no discussion, the motion was approved unanimously. A quorum of the commission was present.

After coming out of executive session, Chairman Johnson noted that they had directed counsel to pursue certain legal issues that require no action at this point in time.

**Adjourn**

There being no further business to come before the Board this day, the meeting was adjourned subject to the call of the Chairman.

This meeting was recorded and is available from the County Clerk's office at the Sweetwater County Courthouse in Green River, Wyoming

THE BOARD OF COUNTY COMMISSIONERS  
OF SWEETWATER COUNTY, WYOMING

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Wally J. Johnson, Chairman

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Gary Bailiff, Member

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John K. Kolb, Member

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Don Van Matre, Member

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Reid O. West, Member

ATTEST:

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Steven Dale Davis, County Clerk

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