

July 1, 2014  
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**

*Commissioner Kolb moved to approve the agenda. Commissioner West seconded the motion.* The motion carried.

**Approval of Minutes: 6-17-14 & 6-24-14**

Commissioner West requested to amend under his commissioner comments dated June 17, 2014 the following: *“Commissioner West reported that he has received positive feedback relative to the illegal dumping bounty”*. Chairman Johnson entertained a motion to approve the minutes for those two dates as amended by Commissioner West. *Commissioner West so moved. Commissioner Van Matre seconded the motion.* The motion carried.

**Acceptance of Bills**

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

*Commissioner Kolb moved to approve acceptance of the bills. Commissioner Bailiff seconded the motion.* The motion carried.

WARRANT NO.s	PAYEE	DESCRIPTION	AMOUNT
60792	MANPOWER	JANITORS	909.76
60793	ACCREDITATION AUDIT & RISK	MONTHLY SERVICE	530.00
60794	ALCOHOL & DRUG TESTING SVCS LLC	TESTING	473.36
60795	ALLEN, CHERYL	MEALS/MILEAGE	330.78
60796	BEHAVIORAL INTERVENTIONS	MONITORING	223.44
60797	BOB BARKER COMPANY INC	SUPPLIES	376.30
60798	CASPER PSYCHOLOGICAL SERVICES	MILEAGE/CONSULTATION	3,768.80
60799	CHEMICAL TESTING PROGRAM	BLOOD KITS	199.00
60800	CIGNA	PREMIUMS	12,777.41
60801	DAVIS, STEVEN DALE	TRAINING	60.01
60802	DEX MEDIA WEST INC	YELLOW PAGES	11.50
60803	DIRECTV	TV	40.99
60804	ELECTION SYSTEMS & SOFTWARE INC	SUPPLY	29.42
60805	ESCAPE CONFERENCE	CONFERENCE	50.00
60806	F B MCFADDEN WHOLESAL CO	INMATE FOOD	6,503.38
60807	HIGH COUNTRY BEHAVIORAL HEALTH	RENT	500.00
60808	HORIZON LABORATORY LLC	AUTOPSIES	654.00
60809	LAW OFFICE OF JASON PETRI, P.C.	ATTORNEY FEES	54,964.96
60810	LEXISNEXIS RISK DATA MANAGEMENT INC	MONTHLY CHARGES	280.00
60811	MANPOWER	JANITORS	1,308.80
60812	MCKEE FOODS CORPORATION	INMATE FOOD	721.12
60813	MEADOW GOLD DAIRIES SLC	INMATE FOOD	1,620.64
60814	NET TRANSCRIPTS INC	TRANSCRIPTION	21.00
60815	NICHOLAS & COMPANY	INMATE FOOD	1,360.52
60816	QUESTAR GAS	UTILITIES	568.08
60817	ROCKY MTN POWER	UTILITIES	144.99
60818	RON'S ACE RENTALS	MAINTENANCE	25.00
60819	SHERMAN, STACEY	MILEAGE	197.12
60820	SHOPKO HOMETOWN - PHARMACY	INMATE PRESCRIPTIONS	2,065.09
60821	SKYWEST AIRLINES INC	1ST QTR SERVICE	335,189.00
60822	SPECIALIZED PATHOLOGY CONSULTANTS PC	AUTOPSY	1,040.00
60823	STANDARD PLUMBING SUPPLY CO	MAINTENANCE	63.89
60824	STEEES, JENNIFER	MILEAGE	197.12
60825	SWEETWATER MEDICS LLC	AMBULANCE	25,415.38
60826	SWEETWATER TROPHIES	AWARD	47.90
60827	THE MASTER'S TOUCH LLC	POSTAGE	1,980.82
60828	TYLER TECHNOLOGIES INC	UPDATE/SUPPORT	18,377.00
60829	U S FOODS INC	INMATE FOOD	3,189.05
60830	UINTA ENGINEERING & SURVEYING INC	YELLOWSTONE LIGHTING	3,970.00
60831	VERIZON WIRELESS	BROADBAND	1,080.47
60832	W A R M PROPERTY INSURANCE POOL	CRIME COVERAGE	223,091.00
60833	WALMART COMMUNITY/GECRB-FAC	PLANTS/SUPPLIES	73.71
60834	WYOMING EMBROIDERY	SHIRTS	186.50
		<b>GRAND TOTAL:</b>	<b>704,617.31</b>

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The following bonds were placed on file:

Robert Baldwin	Eden Valley Solid Waste Disposal District, Vice Chair	\$10,000.00
James Burnett	Eden Valley Solid Waste Disposal District, Chairman	\$ 5,000.00

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TAXPAYER	VALUATION	TAXPAYER	VALUATION
ENCANA OIL & GAS(USA)INC	-195,291	EXXON MOBIL CORP	-12,932
BP AMERICA PROD CO	-33,317	ENCANA OIL & GAS(USA)INC	-59,810
ANADARKO E&P CO LLP	-4,923	BP AMERICA PROD CO	-5,332
ANADARKO E&P CO LLP	-2,416	BP AMERICA PROD CO	-1,234
BP AMERICA PROD CO	-986	BP AMERICA PROD CO	-42,969
BP AMERICA PROD CO	-441	BP AMERICA PROD CO	-1,875
BP AMERICA PROD CO	-227,071	BP AMERICA PROD CO	-51
MERIT ENERGY CO	-78,495	BP AMERICA PROD CO	-50,978
BP AMERICA PROD CO	-20,721	BP AMERICA PROD CO	-12,828
BP AMERICA PROD CO	-96,392	BP AMERICA PROD CO	-792,720
BP AMERICA PROD CO	-4,432		

### **Commissioner Comments/Reports**

#### **Chairman Johnson**

Chairman Johnson reported that he attended the CLG (Coalition of Local Government) meeting and noted that he presented two memos and proposed that the letters either come from the CLG or from the Board of County Commissioners. Chairman Johnson explained that one is relative to the CLG request for funding from BP in Southwestern Wyoming, and the second letter addresses the way the Forest Service is being run. Chairman Johnson noted that he spent time reviewing and studying the budget and expressed his appreciation to everyone involved for having a balanced budget. Chairman Johnson explained that a letter has been drafted and was sent to Anadarko regarding the Drop Structure on Bitter Creek requesting approximately 20 acres of ground to construct the Drop Structure and he is awaiting a reply from Anadarko. Chairman Johnson explained that the WLCI (Wyoming Landscape Conservation Initiative) requested that he and Mary Thoman research conservation easements in Southwestern Wyoming. Lastly, discussion ensued regarding firework prohibition during the 4<sup>th</sup> of July. The commission explained that fireworks are prohibited on BLM and forest property, but are allowed on private property in Sweetwater County; and noted that it is the owner of the private property's responsibility for any damage occurring from fireworks. It was discussed that moisture levels are currently good and levels do not require a fire restriction ban.

#### **Commissioner West**

Commissioner West reported that he attended meetings for the Board of Health, Memorial Hospital Finance and Audit Committee, and the Specific Purpose Tax Joint Powers Board. Commissioner West noted that he helped with the county wide clean up in the area known as "the beer gardens" and attended the 100 year Wamsutter Centennial Celebration. Commissioner West explained that he has been reviewing solutions to add ADA compliance on the west end of the courthouse noting that the south end of the building is already in compliance. It was discussed to review the additional ADA compliance on the west end of the courthouse when court renovations are assessed. Commissioner West encouraged the commission to attend the Memorial Hospital Medical Office Open House on July 23, 2014. Commissioner West explained that a request was made regarding the requirements and approval process for having malt beverage/liquor permits at county parks. Following discussion, the commission requested to obtain the Events Complex documents relative to malt/liquor license permits and to take action later in the meeting relative to the two requests made from the Eden Valley Saloon and Santa Fe Trail Inc. Commissioner West addressed concerns regarding historic racing slot machines and noted that state representatives are reviewing this issue.

#### **Commissioner Bailiff**

Commissioner Bailiff reported that he attended the Flaming Gorge Days activities, Joint Powers Communications meeting, Tri-partite Board meeting and the Ambulance Service Board meeting. Commissioner Bailiff further reported that he gave the welcoming address at the State Bethel meeting for Job's daughters, visited the purchasing department, and received complaints on various county roads noting that he referred the concerns to Public Works Director John Radosevich. Commissioner Bailiff explained that he joined a conference call regarding employee concerns. Commissioner Bailiff announced that author Craig Johnson will be at the Sweetwater County Library on Tuesday, July 1, 2014.

#### **Commissioner Kolb**

Commissioner Kolb reported that he attended the special budget workshop, Flaming Gorge Days activities, the 100 year Wamsutter Centennial Celebration, the Memorial Hospital Medical Office tour and the court room facilities upgrade meeting. Commissioner Kolb addressed special district budgets and questioned if the commission would like to invite the special districts to attend the Board of County Commissioners meeting for review of their budgets. Commissioner Kolb stated that he will be in attendance at the Rock Springs City Council meeting to discuss the Skywest Subsidy Agreement. Commissioner Kolb noted that he spoke with Facilities Manager Chuck Radosevich, County Treasurer Robb Slaughter, County Assessor Pat Drinkle, County Clerk Dale Davis and Land Use Director Eric Bingham. Lastly, Commissioner Kolb announced that he and Chairman Johnson will be attending the Wyoming Resource Tours in Gillette, Wyoming.

#### **Commissioner Van Matre**

Commissioner Van Matre reported that he spoke with VSO Director Larry Levitt, Juvenile Probation Director Karin Kelly, Grants Manager Krisena Marchal and IT Director Tim Knight. Commissioner Van

Matre further reported that he attended the Museum Board meeting, met with McGee, Hearne & Paiz auditor Robert Dahill and took part in the Memorial Hospital Medical Office tour.

### **County Resident Concerns**

Chairman Johnson opened county resident concerns. Museum Board Vice Chairman Mark Chollak and Director Ruth Lauritzen were present to address their concerns relative to the American Legion request to return items that were previously donated to the museum. Following discussion, the commission strongly encouraged the Museum Board to return all of the items to the American Legion. County Treasurer Robb Slaughter discussed the mineral royalty tax structure. Green River Mayor Hank Castillon addressed the Skywest Subsidy stating the funds are in the Green River City budget and that the council is awaiting the request for funds. Representative Stan Blake was present to express his appreciation to the commission for supporting the veterans and noted that the State of Wyoming should provide more monetary subsidy for the airline service. Hearing no further comments, the hearing was closed.

### **Break**

Chairman Johnson called for a break.

### **Action/Presentation Items**

#### **Star Transit Board Appointment (3 Year Term)**

Following discussion, *Commissioner Bailiff nominated Richard Baxter III for reinstatement on the board. Commissioner Van Matre seconded the motion.* The motion carried.

#### **Acceptance of Warranty Deed for ROW on White Mountain Drive**

Public Works Director John Radosevich presented and requested a motion to approve the Warranty Deed for ROW on White Mountain Drive. Following discussion, *Commissioner Kolb moved to approve the Warranty Deed. Commissioner West seconded the motion.* The motion carried.

#### **Award of Yellowstone Road Lighting Extension Project**

Public Works Director John Radosevich presented a recommendation for the award of the Yellowstone Road Lighting Extension Project. Following discussion relative to exceeding the prior amount approved and extending the phase of the project, *Commissioner Kolb moved to approve the contract going to Mountain West Electrical Service, LLC, out of Pinedale, in the amount of \$369,508.40 and authorize the Chairman to sign. Commissioner Van Matre seconded the motion.* Following a roll call vote, the motion carried with Commissioners West and Bailiff voting no.

#### **Tax Warrant Agreement with RSNB**

Events Complex Accountant Bob Perry presented the Tax Warrant Agreement with RSNB. Following discussion, Chairman Johnson entertained a motion to accept the Warrant Agreement as presented and authorize the Chairman to sign. *Commissioner Kolb moved to accept the Tax Warrant Agreement with Rock Springs National Bank and authorize the Chairman to sign. Commissioner West seconded the motion.* The motion carried.

### **Public Hearing**

#### **Proposed High Desert Rural Healthcare District**

County Clerk Dale Davis explained the steps required for the High Desert Rural Healthcare District to be included on the general election ballot. Chairman Johnson opened the public hearing. Attorney John Kuker, assisting with the High Desert Rural Healthcare District formation, was present to express his support and explain that the purpose of the proposed High Desert Rural Healthcare District is to provide financial support for the Wamsutter Community Health Center, provide health service/Emergency Medical Services/Ambulance Service support for Wamsutter and Bairoil, and to provide financial support to the health care or health promotion related services and/or equipment for the residents, business and industries in the region. Also present were resident's Emma Waldner, Katie Waldner, Bobbie Amos, Sherry Lyman, Health Care Consultant Rosemary Lantta, BP representative Cindy DeLancey, and Anadarko Petroleum representative Dennis Ellis. Hearing no further comments, the hearing was closed. Following discussion relative to the formation of the High Desert Rural Healthcare District, being fiscally responsible, and electing qualified directors to the board, Chairman Johnson entertained a motion to approve the proposed High Desert Rural Healthcare District and allow it to go forward, subsequent to the public hearing. *Commissioner West so moved. Commissioner Bailiff seconded the motion.* The motion carried.

### **Other**

Anadarko Petroleum representative Dennis Ellis was present to explain that the donation of approximately 20 acres of ground to construct the Bitter Creek Drop Structure land has been approved.

County Clerk Dale Davis explained that the temporary malt/liquor license permits requested were from Santa Fe Trail Inc. and the Eden Valley Saloon to cater at different venues. *Commissioner Kolb moved to approve the two requests. Commissioner Van Matre seconded the motion.* Following discussion relative to proper procedures, the motion carried.

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

Chairman Johnson entertained a motion to enter into executive session for legal and personnel. **Commissioner West moved to enter into executive session. Commissioner Van Matre seconded the motion.** The motion carried. A quorum of the commission was present.

After coming out of executive session, **Commissioner West moved to approve claim number 1411112293/00, to be paid out of the insurance fund, in the amount of \$563.20. Commissioner Kolb seconded the motion.** The motion carried.

**Lunch**

Chairman Johnson recessed the meeting for lunch. After the lunch break, Chairman Johnson opened the afternoon session.

**Planning & Zoning- Public Hearing**

**RBM Enterprise, Inc. Variance from Section 5.G of the Sweetwater County Zoning Resolution-  
Motocross Track as Permitted Use**

Land Use Director Eric Bingham provided the Planning & Zoning report and Resolution 14-07-ZO-01, RBM Enterprises, Inc. / Robert Brandon Moses Variance from Section 5G of the Sweetwater County Zoning Resolution Operation of a Motocross Track, Motorcycle Track, BMX Track, RC Car Track and/or ATV Trail as permitted use in R-2/SF Zoning District. Following discussion, Chairman Johnson opened the public hearing. Owner Brandon Moses and owner's father Wayne Moses were present to address the commission concerning their support and purpose of the track. Residents Stephanie Harsha, Randall Berger, Tina Linkenauger, Marshall Whitney, Dave Pitt and Tony Greaves were present to voice their support for the track. Resident Becky Avant was present to express her opposition to the track. Hearing no further comments, the public hearing was closed. Following further discussion relative to permitted use, **Commissioner Kolb moved to deny Resolution 14-07-ZO-01. Commissioner Bailiff seconded the motion.** The motion carried with Commissioner West abstaining.

**RESOLUTION 14-07-ZO-01**

**RBM ENTERPRISES, INC. / ROBERT BRANDON MOSES**

**VARIANCE FROM SECTION 5.G OF THE SWEETWATER COUNTY ZONING RESOLUTION  
OPERATION OF A MOTOCROSS TRACK, MOTORCYCLE TRACK, BMX TRACK, RC CAR  
TRACK AND/OR ATV TRAIL AS A PERMITTED USE IN R-2/SF ZONING DISTRICT**

WHEREAS, RBM Enterprises, Inc. has requested a Variance from the requirements of Section 5.G of the Sweetwater County Zoning Resolution to allow the operation of a motocross track, motorcycle track, BMX track, RC Car Track and/or ATV Trail as a permitted use in the Single Family Residential (R-2/SF) Zoning District. This Variance will allow these operations on a parcel of land described as:

Area Thirty3 Estates Subdivision, Lot 8, Sweetwater County, Wyoming

WHEREAS, the Sweetwater County Board of County Commissioners held a public hearing in regards to this matter on July 1, 2014 and has given due consideration to the evidence and testimony presented at the hearing.

NOW THEREFORE BE IT RESOLVED, that the applicant's request is DENIED.

Dated this 1<sup>st</sup> day of July, 2014.

THE BOARD OF COUNTY COMMISSIONERS  
OF SWEETWATER COUNTY, WYOMING

\_\_\_\_\_  
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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**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

\_\_\_\_\_  
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:

\_\_\_\_\_  
Steven Dale Davis, County Clerk

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