

**Unapproved Minutes
Board of Commissioners of Converse County**

The regular meeting was called to order on November 16, 2004 at 8:03 a.m. Present were Chair Frank Eathorne, Vice-Chair Sharon Lovitt, Commissioner Al Stoick, and County Clerk Lucile Taylor.

Mr. Stoick moved to approve the minutes of December 2 and 3, 2004. Seconded by Mrs. Lovitt. Motion carried.

R&B Foreman Scott McWilliams suggested putting travel-way planks on the Coal Shadow Road Bridge.

CCEMA Chris Single discussed the CERT training program and felt the program should consider lowering the age limit to allow 16 year olds to participate. They would receive training, but not equipment and parental consent would be required. Mrs. Single will contact other emergency management agencies to see how they are protecting their agency by allowing 16 year olds and younger to receive CERT training. Ms. Single presented a preliminary contract that may be able to be used to pay individuals participating in the exercises.

The regular meeting recessed into a public hearing at 10:10 a.m. for the transfer of a liquor license as follows: Jackie Shank d.b.a. Fort Diablo Steakhouse and Saloon, LLC located in Pt. NE1/4SE1/4S4, T33N, R75W, 6TH P.M. Comments from the public: County Clerk Lucile Taylor stated the transfer could be approved, but could not be finalized pending the assignment of the license, which must be provided to the Wyoming Liquor Division.

The regular meeting reconvened 10:12 a.m. Mr. Stoick moved to approve the liquor license transfer of Ft. Diablo pending the assignment. Seconded by Mrs. Lovitt. Motion carried.

The regular meeting recessed into a public hearing at 10:20 a.m. for the transfer of a Malt Beverage license to a Retail Liquor License as follows: Mark Horning d.b.a. The Bill Store located at PTSE1/4SE1/4; S28, T38N, R70W. Comments from the public: several individuals from the Bill, WY community stated they were not protesting the current malt beverage license; however, they were opposed to the retail liquor license due to the store's proximity to Dry Creek School, opposition by residents living in the area, safety in traveling Highway 59 and law enforcement issues.

This public hearing recessed at 10:30 a.m. into another public hearing as follows: the proposed Miles Subdivision is a subdivision of a part of lots 9 & 10, Section 19, T32N, R71W of the 6th P.M., Converse County. The location of this land is south of Westland Estates Ranchettes. Mrs. Bobbie Larsen and Mr. Paul Musselman gave an overview of the subdivision and stated the tracts have water from City of Douglas. The Converse County Planning and Zoning Commission had reviewed the proposed subdivision and recommended it be forwarded to the Commissioners for final action.

The regular meeting reconvened at 10:39 a.m.

Mrs. Lovitt moved to approve the Miles Subdivision as presented.

Seconded by Mr. Stoick. Motion carried.

The regular meeting recessed at 10:39 a.m. for the continuance of a Public Hearing to consider additional comments from the public on The Bill Store's Retail Liquor License request. Chairman Eathorne read a letter from Sheriff Bey. Mr. Mark Horning asked the residents in attendance why they haven't requested a reduced speed limit if they were concerned about school children. He stated the Retail Liquor license would create more jobs and business within the community, including the possibility of dart or pool leagues. He plans to expand the back area and have a big screen TV and offer more food items.

The regular meeting reconvened at 11:02. Chairman Eathorne stated the Commission would act on the transfer later today.

Mr. Jay Meyer, WYDOT Planning Dept, presented information about the Forest Highway System. The Federal Highway Administration, U.S. Forest Service and Wyoming Department of Transportation administer the seven-year program, which has a funding level of \$5 million dollars. Bridge replacement is a priority. For roads within the county to be considered, the road must be currently on the Wyoming Forest Highway Routes map. Funding must be approved by a consensus of the three agencies and can be funded at 100%, 80-20, etc. Currently, portions of Esterbrook and Dull Center Roads are identified and are eligible for the program. Funding is contingent upon passage by the U.S. Congress.

The regular meeting recessed at 12:06 p.m. and reconvened at 1:00 p.m. to recess into a Public Hearing as follows: The Board of Commissioners of Converse County, Wyoming will consider the reduction (alteration) on Ross Road (County Road 31) of the right-of-way on each side of the road to 33 feet from the center line, commencing at the west right-of-way of Wyoming Highway 93 and ending at the west line of Section 31, Township 41, Range 75, but will not vacate or alter the access rights of the area landowners or the right of governmental agencies to retain access to Ross Road for performing essential public services. All objections thereto or claims for damages by reason thereof must be filed in writing with the Converse County Clerk before noon on the 15th day of November 2004 or such road will be altered without reference to such objections or claims for damages. Comments from the public: Chairman Eathorne asked if any written objections had been received. County Clerk Lucile Taylor stated there were none. Mrs. Henry stated the residents appreciated the efforts and work by the Commission and Mr. Ladd.

The regular meeting reconvened at 1:06 p.m. Mrs. Lovitt moved to approve the reduction of the right of way on each side of County Road 31, known as the Ross Road, to 33 feet from the center line, commencing at the west right-of-way of Wyoming Highway 93 and ending at the west line of Section 31, Township 41N, Range 75W, Converse County, Wyoming; retaining access rights of the area landowners and the right of governmental agencies to retain access to Ross Road

for performing essential public services; and, further excluding from this vacation or alteration, all previously granted/existing easements, reservations, restrictions, and rights-of-way of record. County Attorney Quentin Richardson will prepare a Resolution for adoption by the Commission. Seconded by Mr. Stoick. Motion carried. Copies of the map and resolution will be mailed to all landowners and utility companies along County Road 31.

Mr. Ladd proposed setting monuments (total of 60) on the gravel portion of Ross Road at each section line crossing from the end of the pavement to the County line, with 194 monuments being set on the paved portion. Steel posts will be set at each monument and will protrude about 4½ feet. The Commission agreed to extend Mr. Ladd's contract to March 31, 2005.

Mrs. Lovitt moved to approve Resolution 17-04 CONVERSE COUNTY, STATE OF WYOMING. WHEREAS, the Board of Commissioners of Converse County, State of Wyoming, has considered the vacation and alteration of County Road 31, known as the Ross Road, located within Converse County, State of Wyoming; and, WHEREAS, such vacation and alteration is permitted under the provisions of W.S. § 24-3-101, *et. seq.*; and, WHEREAS, notice of this proposed vacation and alteration of right of way has been published in an official newspaper within Converse County for three successive weeks in compliance with W.S. § 24-3-110; and, WHEREAS, a public meeting was held on November 16, 2004, whereby all interested parties were heard; and, NOW, THEREFORE; the Board of Commissioners of Converse County, Wyoming, hereby approves the reduction of the right of way on each side of County Road 31, known as the Ross Road, to 33 feet from the center line, commencing at the west right-of-way of Wyoming Highway 93 and ending at the west line of Section 31, Township 41N, Range 75W, Converse County, Wyoming; retaining access rights of the area landowners and the right of governmental agencies to retain access to Ross Road for performing essential public services; and, further excluding from this vacation or alteration, all previously granted/existing easements, reservations, restrictions, and rights-of-way of record.

APPROVED AND ADOPTED THIS 16th day of November 2004. Board of County Commissioners: Converse County, Wyoming. /s/ Frank G. Eathorne, Jr., Chair. Sharon K. Lovitt, Vice-Chair. Al Stoick, Commissioner. ATTEST: Lucile K. Taylor, County Clerk. Seconded by Mr. Stoick. Motion carried.

At 2:00 p.m., sealed bids were opened to crack seal approximately 3.84 miles of CR #9 (Chalk Buttes), chip seal of approximately 0.8 miles of CR #17 (Boxelder), and chip seal of approximately 6.0 miles of CR #37 (Antelope Coal Mine) Roads as advertised. Mr. Musselman will contact Mr. Menter about an option within the bid and action will be taken later.

Mr. Stoick moved to deny the Retail Liquor License to The Bill Store as advertised for the Public Hearing at 10:20 a.m. on this date. Seconded by Mrs.

Lovitt. Roll call vote: Chairman Eathorne, aye; Vice-Chairman Lovitt; aye; Commissioner Stoick, aye. Motion carried.

Representatives of the Friends of the Animal Shelter, along with Douglas Mayor Sherri Mullinnix, Douglas City Administrator Bobbe Fitzhugh and Police Sgt. Joe Burkeholder, were present to discuss concerns about barking dogs at the Animal Shelter, which is located outside the city limits on County property. Mr. Mike Ernst suggested the following short-term solutions: limit sight (of the dogs) through shielding, bring in as many dogs as possible during evening hours, and better fencing between the animal shelter and the County yard. Long-term solutions could include landscaping and relocating to another area with a larger building, which would more adequately house more animals and which would be more conducive to an animal shelter operation. Chairman Eathorne asked that all parties meet again in three months to see how things are progressing.

Mr. Aaron Lucht, Risk Manager, Workers' Safety and Compensation Division, presented an overview of the Workers' Compensation program and provided information on how rates are determined for coverage of Converse County's employees.

Mr. Stoick moved to approve the bid of Menter Sand and Gravel at a cost of \$179,346.45 to chip and crack seal three County roads as advertised. Seconded by Mrs. Lovitt. Motion carried. Mr. Musselman will prepare a contract for the work.

The regular meeting adjourned at 4:47 p.m. /s/ Frank G. Eathorne, Jr.,
Chair. Attest: Lucile K. Taylor, County Clerk
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