

COMMISSIONER'S PROCEEDINGS

REGULAR MEETING

MARCH 2 & 3, 1982

The Board met at 10:00 A.M. Commissioners Robert Grieve, Martin McMahon and Emil Lemich were present. Commissioner Grieve, Chairman.

MINUTES of the regular meeting of February 16, 1982 were read and approved.

MONTHLY Reports of Officers were audited and placed on file.

The following bills were approved for payment:

Robert Grieve	Commissioner's Salary	\$ 497.66
Emil Lemich	Commissioner's Salary	503.80
Martin McMahon	Commissioner's Salary	559.80
County Clerk	Salaries	11,502.65
Commissioner's Secretary	Salary	1,250.00
Data Processing	Salaries	1,199.39
Treasurer	Salaries	7,901.83
Assessor	Salaries	5,680.69
Sheriff's Office	Salaries	23,874.37
Attorney	Salaries	8,495.14
Extension Office	Salaries	1,638.19
Clerk of Court	Salaries	5,096.20
Justice of the Peace	Salaries	4,224.93
Gilbert & Marian Blumenthal	Salaries	556.10
Edna Jackson	Salaries	556.13
Agnes Stocks	Salaries	378.27
Cindy Larson	Salaries	122.38
Bldgs., Grounds & Maint.	Salary	1,365.67
Custodians	Salaries	2,720.26
Sheriff's Office	Salaries	15,246.00
Senior Center Custodian	Salary	388.35
Water Commissioners	Salaries	599.05
Road & Bridge	Salaries	22,880.32
Elections	Salaries	1,589.04
Daniel Klein	Salary	338.68
Planning & Development	Salaries	3,465.26
Daniel Schinkel	Salaries	260.86
Rawlins National Bank	February, 1982 Withholding	30,999.40
Wyoming Retirement System	February, 1982 Social Security	24,807.16
Colonial Insurance	February, 1982	381.25
Wyoming Retirement System	February, 1982 Life Insurance	228.00
Equitable Insurance	February, 1982	11,551.07
Wyoming Retirement System	Febueary, 1982 Retirement	20,554.88
Acme Sanitary	Courthouse/Jail	472.94
Albany Glass	ILT - Capitol Exp.	2,025.00
Allied Carriers Exchange	Road & Bridge	13.54
American Data Products	J.P. Supplies	164.43
American Data Products	Attorney Supplies	100.60
Art's Plumbing	Courthouse	26.00
Austin Construction	1% Sales Tax	3,113.78
B&J Electric	Sheriffs Office	22.80
Joni Beedie	PHN	45.31
Bel Air Inn	Attorney, Meals	31.88
Bel Air Inn	Road & Bridge	120.73
BiRite Drug	PHN	9.97
BiRite Drug	PHN (WIC)	7.28
BiRite Drug	Planning & Development	9.03
Bergstrand, Ruth	Civil Defense	330.00
Big "A" Auto Parts	Road & Bridge	70.39
Gilbert Blumenthal	J.P. Rent	50.00
Branch of Dist., Central Region	Assessor	2.00
Margaret R. Brown	Planning & Development	910.70
Burke's Conoco	Planning & Development	127.40
Burke's Conoco	Assessor	28.15
Les Burlington	Senior Services - Remodel/Maint.	300.00
Cal Gas-Saratoga	Road & Bridge	763.20
Senior Services	1% - Senior Services	2,182.93
Senior Services	1% - Senior Services	7,265.27
Senior Services	1% - Senior Services	3,489.53
Carbon County Treasurer	Various Cash Items	583.31
Carbon County T.V.	J.P.	3.19
Carbon County T.V.	Sheriff's Office	34.75
Cartwright Communication	Sheriff's Office	1,376.41
Childress Electric	Courthouse	106.26
Colorado Door Control	Courthouse	83.50
CES	Elections	4.05
Cooper Oil	Road & Bridge	750.98
D&K Sanitation	Various - Trash	135.00
D&L Tire Shop	Road & Bridge	13.00
D&L Tire Shop	Road & Bridge	18.00
D&L Tire Shop	Road & Bridge	16.00
Data Services	Elections	32.47

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Michael N. Deegan	Attorney - Meals	\$ 593.30
Lillian Delgadillo	D.C. - Other Fees	60.00
Dave Gordon	County Attorney	113.10
Ellis Blacksmith Shop	Road & Bridge	138.00
Employment Security	Misc. General	1,024.15
Jean Fleenor-Ward	Co. Atty. - Travel	239.85
Fowler Hardware	Road & Bridge	7.52
Gambles	Courthouse	1.80
Gesco Management	ILT - Capitol Exp.	709.95
Gesco Management	ILT - Capitol Exp.	2,843.92
Glenn Ashmore Chev-Cad.	Planning & Development	193.41
Robert Grieve	Commissioner's Expense	84.64
Guymon Electric Co.	ILT - Capitol Exp.	10,890.00
H. Larsen	Senior Services - Encampment	68.26
H. Larsen	Sheriff	149.05
Hanna Automotive	Road & Bridge	118.66
Frederick Harrison	Misc. General	225.00
Frederick Harrison	Misc. General	225.00
Heinrich's Raynor Garage Door	Road & Bridge	3,966.00
Bridgett Hettgar	PHN	271.17
John L. Hoke/Oscar Hall	Public Defender Rent	225.00
Holiday Inn	Attorney-Meals	17.63
Horizon Stationery	Various	157.76
Horizon	PHN	33.16
Horizon	Planning & Development	1,259.23
Horizon	Severance - C of C	26.27
IBM	PHN	26.43
IBM	Various	993.75
IBM	J.P.	119.00
Ins. for Management	Planning & Development	80.00
J&S Contractors Supply	Planning & Development	102.24
J.W. Brewer Tire Co.	Road & Bridge	3,768.64
Edna M. Jackson	Road & Bridge	621.10
Ruben Jewkes	J.P.	171.62
Johnson Pub. Co.	Coroner	175.00
Johnson Pub. Co.	Planning & Development	83.00
Kilburn Tire	General Printing	650.00
Kinnaman Supply Co.	Sheriff	43.95
Kirsch, A.P.	Fire Dept.	226.09
Robert Konrath	Jail	350.00
Logan's Lock Shop	Planning & Development	23.44
Mayberry's Glass Shop	Road & Bridge	5.40
Majors Welding Supply & Equip.	Road & Bridge	7.68
Memorial Hospital	Road & Bridge	126.70
Memorial Hospital	Sheriff's Office	293.50
Memorial Hospital	Court Costs	2,237.00
Memorial Hospital	Attorney	5.00
Memorial Hospital	Court Costs	2,629.50
Mountain Bell	Sev. Tax - C of C	154.52
Natrona County Nursing Serv.	PHN	35.00
New Horizon	Planning & Development	304.50
Nick's Cleaning Service	Carbon Bldg. - Janitorial	3,260.33
Northern Gas	Various	7,032.82
N.W. Fixture Co.	Senior Centers - Various	2,812.84
C.W. Ogburn	Prisoner Meals	3,444.00
L.M. Olson	ILT - Capitol Exp.	33,666.00
Fredericks, Julie	County Agent	55.20
Pacific Power & Light	Various	2,757.68
Perkins Conoco	Misc. General	25.00
Perue Printing	Sev. Tax	323.40
Pitney Bowes	Misc. General	76.95
Pitney Bowes	General - Postage	60.50
Range Pathology	Coroner	500.00
Rawlins Gas & Oil	Various	2,498.26
Rawlins Linen Supply	Courthouse	14.00
Rawlins Linen Supply	Sheriff	44.72
Rawlins Linen Supply	Jail	11.67
Rawlins Newspapers	Planning & Development	143.55
River Street Motor Co.	Road & Bridge	16.63
Waxman Camera	Jail	300.60
Harry Russell III	Planning & Development	40.94
S&S Body Shop	Road & Bridge	1,218.20
Saratoga Town Of	J.P. (New Equip.)	960.57
John R. Schneiger	Planning & Development	25.00
C.C. School Dist. #2	1% - Senior Center	4.00
State of Wyoming	Planning & Development	30.00
Seiloff Oil Co.	Sheriff	105.41
Shephard's Husky	Road & Bridge	811.44
Larry R. Shriner	Coroner	300.00
Shriner Mortuary	Coroner	1,045.00
Skip's Small Engine	Sheriff	281.47
Snake River Press	Planning & Development	10.00
Snyder's Comm.	Sheriff Office	213.67
Stephens Inc.	Jail	54.06
Allan Stewart	Coroner	175.00
Agnes Stocks	J.P.	150.00
Sunbeam Appliance	Jail	12.27
Ted Sorenson	ILT - Capitol Exp.	4,725.00

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Terry's Towing	Sheriff	\$ 52.50
Texaco	Courthouse	37.51
Texaco	Sheriff	40.28
3-M Company	Clerk	75.79
3-M Company	Treasurer	56.74
3-M Company	Clerk	179.08
U.S. Uniform Co.	Sheriff	122.75
U.S. Postmaster	Road & Bridge	500.00
U.S. Welding & Supply	Road & Bridge	557.64
Univ of Wy. Duplicating	Ag Agent	27.25
Wagon Circle Med. Center	D.C. - Other Fees	249.00
War Surplus	Sheriff	29.00
Debbie Weickum	Mileage	20.70
Rosemary Weickum	Jail	50.00
Rosemary Weickum	Jail	25.00
Welton Const.	1% - Soc. Services	40,340.16
R.E. Wilson, D.D.S.	PHN Contract	250.00
Workmen's Compensation	February, 1982	3,583.16
Wortham Machinery	Road & Bridge	1,978.53
Wyo. Assn. of Judges	J.P. Dues	150.00
Robert K. York, M.D.	Court Costs	515.00
Rawlins Stationers	Sev. - Fin. Admin.	64.10

REVENUE SHARING

AGS	Social Services	481.54
Adams County Center	Social Services	25.00
Build Rite Lumber	Social Services	368.94
Rawlins Plumbing & Heating	Social Services	431.64
U.S. Postmaster	Social Services	40.00
Western Wy. Family Planning	Social Services	1,151.14
Big "W" Supplies	Social Services	245.15
Mountain Bell	Social Services	25.81
Rawlins Stationers	Social Services	33.61

REBATES

Marcus Padilla	Erroneous Assessment	99.09
Art Archibald	Erroneous Assessment	80.72

ABATEMENTS

James D. Duncan	Erroneous Assessment	96.18
Robert W. &/Or Rose Gangloff	Erroneous Assessment	168.86
Kaye Burnett	Erroneous Assessment	50.80
Clifford J. Womack	Erroneous Assessment	104.79

BONDS

The following bond was approved:

Patricia S. Schuler	Road & Bridge Secretary	
	2/22/82 - 1/3/83	1,500.00

CONCERNED CITIZENS
OF THE SOUTHSIDE

Pauline Gonzales, Project Director for the Concerned Citizens of the Southside, met with the Commissioners to discuss applying for a Community Services Block Grant from the State of Wyoming. The Grants are designed to help low income persons and provide services that will have a measurable and potentially favorable impact. The Commissioners agreed that application be made for a Grant.

CARBON COUNTY ROAD & BRIDGE

Frank Smith, Road Supervisor, and Sam Verplancke, Maintenance Supervisor, gave the reports of their departments to the Commissioners.

A motion was made by McMahon, seconded by Lemich, and unanimously carried to approve the following Permits:

Permit #57 - Issued to Colorado Interstate Gas Co, Covering installation of a 36" pipe on County Road #805, SE $\frac{1}{4}$ Sec. 26, T21N, R88W.
 Permit #58 - Issued to Colorado Interstate Gas. Co., Covering installation of a 36" pipe on County Road #805, SE $\frac{1}{4}$ Sec. 26, T21N, R88W.
 Permit #59 - Issued to Colorado Interstate Gas Co., Covering installation of a 36" pipe on County Road #805, W $\frac{1}{2}$ Sec. 25, T21N, R88W.
 Permit #60 - Issued to Colorado Interstate Gas Co., Covering installation of a 36" pipe on County Road #347, SE $\frac{1}{4}$ Sec. 35, T21N, R85W.
 Permit #61 - Issued to Colorado Interstate Gas Co., Covering installation of a 36" pipe on County Road #3, S $\frac{1}{2}$ Sec. 15, T20N, R80W.
 Permit #62 - Issued to Colorado Interstate Gas Co., Covering installation of a 36" pipe on County Road #402, SW $\frac{1}{4}$ Sec. 11, T19N, R79W.
 Permit #63 - Issued to Colorado Interstate Gas Co., Covering installation of a 36" pipe on County Road #402, E $\frac{1}{2}$ Sec. 14, T19N, R79W.
 Permit #64 - Issued to Colorado Interstate Gas Co., Covering installation of a 36" pipe on County Road called "Old Walcott Road" at NW $\frac{1}{4}$ Sec. 35, T21N, R84W.

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CARBON COUNTY PLANNING & DEVELOPMENT

The following cases were presented to the Commissioners:

Case #82-9 - Zone Change - Tom H. O'Neal, 815 East 29th Street, Casper, Wyoming, 82601, Zone change from RAM (Ranching, Agriculture & Mining) to RD-20 (Residential Development) to allow for the construction of up to two single-family residences on a 40-acre parcel of land in the Pedro Mountain Ranches Development. The site is legally described as SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 18, Township 27 North, Range 83 West, Carbon County, Wyoming.

A motion to approve case #82-9 was made by Lemich, and seconded by Grieve. Roll was called with the following results: Grieve, Aye; Lemich, Aye; McMahon, Aye.

Case #82-11 - Zone Change - Joe B. Remick, P.O. Box 508, Encampment, Wyoming 82323, zone change from RAM (Ranching, Agriculture & Mining) to RD-2.5 (Residential Development) to allow for the construction of up to two single family residences on a 5-acre parcel of land one mile south of Highway 230 along Black Hall Road southeast of Encampment. The site is legally described as a parcel in the NW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 6, Township 14 North, Range 83 West, Carbon County, Wyoming.

A motion to approve Case #82-11 was made by McMahon, seconded by Lemich and roll was called with the following results: Grieve, Aye; Lemich, Aye; McMahon, Aye.

Case #81-16 - Final Plat - Jack Weber, P.O. Box 46, Baggs, Wyoming 82321, final plat approval of a proposed residential subdivision on 80 acres zoned RD-5 (Residential Development) north of Baggs. Site is known as the First Addition to the Weber Mesa Subdivision, and is legally described as E $\frac{1}{2}$, NW $\frac{1}{4}$, Section 27, Township 13 North, Range 91 West, Carbon County, Wyoming.

Motion to approve the final plat in Case #81-16 was made by Lemich, seconded by McMahon and roll was called with the following results: Grieve, Aye; Lemich, Aye; McMahon, Aye. A motion was made by Lemich and seconded by McMahon to approve the Subdivision Agreement by and between the Board of County Commissioners and Jack Weber, Baggs, Wy., Developer of the First Addition to the Weber Mesa Subdivision. Roll was called with the following results: McMahon, Aye; Lemich, Aye; Grieve, Aye.

CARBON COUNTY FIRE DEPARTMENT

The following bids were received for two fire department tankers:

Casper Fire Extinguisher Service	\$85,540.00
Becker Fire Equipment Company	97,000.00
Douglas Fire Extinguisher Service	78,711.52
Smeal Fire Equipment Co., Inc.	79,714.00

A motion was made by Lemich, seconded by McMahon and unanimously carried to accept the bid of Douglas Fire Extinguisher Service for \$78,711.52.

There being no further business, the meeting was adjourned until the following day.

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The Board resumed its session at 10:00 A.M. McMahon, Grieve and Lemich were present. Grieve Chairman.

CARBON COUNTY SENIOR SERVICES BOARD

A motion was made by Lemich, seconded by McMahon and unanimously carried to reappoint Cora Ellis to the Senior Services Board for a period of three years, beginning March 5, 1982 and ending March 5, 1985; and to reappoint Barbara Herring to the Senior Services Board for a period of three years, beginning March 4, 1982 and ending March 4, 1985.

CARBON COUNTY PUBLIC HEALTH OFFICER

A motion was made by Lemich, seconded by McMahon and unanimously carried to reappoint Dr. Daniel S. Klein as County Public Health Officer for a term of four years, beginning March 1, 1982 and ending March 1, 1986.

INDUSTRIAL DEVELOPMENT REVENUE BONDS

A motion was made by Lemich and seconded by McMahon to adopt the following resolution:

RESOLUTION 1982-1

A RESOLUTION DEFINING THE POLICY OF THE COUNTY OF CARBON,
STATE OF WYOMING, CONCERNING INDUSTRIAL DEVELOPMENT
REVENUE BONDING.

WHEREAS, the County of Carbon, State of Wyoming, is authorized, pursuant to Title 15, Chapter 1, Article 7, Wyoming Statutes, 1977, to issue industrial development revenue bonds to provide financing for a project as that term is defined in Section 15-1-701, Wyoming Statutes, 1977; and,

WHEREAS, the County desires to set minimum guidelines to assist in review of any proposed issues of industrial development revenue bonds.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE COUNTY OF CARBON, STATE OF WYOMING:

Section 1. Purpose. It is the purpose of this Resolution to establish the County of Carbon's policy on the issuance of its industrial development revenue bonds for projects located entirely within the County boundaries of the County of Carbon, State of Wyoming, within or without any city or town.

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Section 2. Demonstration of Benefit. In general, the County will consider issuing industrial development revenue bonds only upon a clear and factual demonstration of direct economic benefit to the County's economic development goals, including, but not limited to the creation of additional employment opportunities; expansion of the tax base and increasing sales, property or other tax revenues to the County; maintenance and promotion of a stable, balanced and diversified economy among agricultural, manufactured, commercial or natural resource products within the State. Consideration will also be given to any adverse effect upon the County's development or other goals of the County. The following guidelines apply:

- (A) No particular type of business or enterprise will be excluded from consideration for the issuance of industrial development revenue bonds by the County, but every applicant should be prepared to demonstrate that the proposed facility will promote the general economic development of the County within the context of the existing rules, regulations and requirements of the city or town of location, Carbon County, State of Wyoming and the U.S. Government.
- (B) Proposals for issuance of all industrial development revenue bonds will be carefully considered in order to determine whether there would result from such proposed issuance substantial benefit to the County and its inhabitants.
- (C) It must be demonstrated that each project for which industrial development revenue bonds are to be issued will meet the following public purposes:
 - 1. The proposed project shall be physically located within the County limits.
 - 2. The creation of new or additional employment opportunities in Carbon County.
 - 3. Expansion of the tax base and increase of sales, property or other tax revenues to the County.
 - 4. Maintenance and promotion of a stable, balanced and diversified economy among agriculture, natural resource development, business, commerce and trade.
 - 5. Promotion or development of the use of agricultural, manufactured or commercial or natural resource products within the State.

Section 3. Applicant Financial Information. The County in evaluating proposals for the issuance of industrial development revenue bonds, will seek to protect the good fiscal reputation of the County and will require information and proof of such matters as may be necessary to establish the feasibility of the project and the financial responsibility and capacity of the applicant. At least 20 days prior to any meeting with County officials, the following information, together with the application fee provided for in Section 4, shall be submitted to the County and used in its determination of whether or not to proceed with the proposed industrial development revenue bond financing:

- (A) A description of the project including a complete list of assets to be purchased or constructed and the estimated life of such assets; the estimated cost of constructing and acquiring the project; the cost of the issuance of the industrial development revenue bonds; and a legal description of the location of the project facilities.
- (B) A descriptive statement of how the proposed project would benefit the County and fulfill the requirements of Section 2-C above.
- (C) A description of alternative forms of financing investigated, together with the reasons for seeking industrial development revenue bond financing.
- (D) History of applicant, including a description of its operations.
- (E) A resume of principals and key employees of applicant, regardless of the type of business organization, and including directors and officers if the applicant is a corporation, or all of the partners, if the applicant is a partnership.
- (F) Historical financial information for the applicant for the past five years, or for the entire time it has conducted business, including:
 - (I) sales.
 - (II) gross profit
 - (III) net income
 - (IV) cash flow
 - (V) net worth
 - (VI) earnings available for debt service
 - (VII) net fixed assets
 - (VIII) working capital
 - (IX) ratio of assets and liabilities

If a new business enterprise is involved, the County may require personal financial information from the principals of such enterprise.

- (G) Applicant's balance sheets and income statements for the most recent fiscal year and cash flow projections for the next five years, reflecting the proposed revenue bond issue.
- (H) Applicant's financial statements, either audited or otherwise satisfactory to the County, dated within 365 days of the application date.
- (I) Copies of the applicant's financial statements, either audited or otherwise satisfactory to the County for the preceding five years or the entire time during which the applicant has conducted business.
- (J) A report of any material litigation pending against the applicant.

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- (K) A proposed bond redemption schedule, including the estimated debt service on the proposed industrial development revenue bonds.
- (L) Applicant must present a written underwriting guarantee from a reputable underwriting firm prior to passage of resolution of inducement; or if the industrial development revenue bonds are not to be marketed through negotiations with the bond underwriter, then applicant must submit evidence as to how the bonds are going to be marketed along with such additional financial information as may be necessary to establish the financial feasibility of the project.
- (M) Any other matters specifically desired by the County not set forth above.

Section 4. Application Fee and Reimbursement for all Expenses. At the time of submission of the information required by Section 3, the applicant shall deposit with the County Clerk a non-refundable application fee. The amount of the application fee shall be based on the aggregate principal amount of bonds or other obligations being requested, and more particularly as follows:

<u>REQUEST</u>	<u>FEE</u>
Up to \$500,000.00	\$1,000.00
\$500,000.00 to \$999,999.00	\$2,500.00
\$1,000,000.00 and over	\$5,000.00

Whether or not the proposed bonds are issued, the applicant will be required to execute an agreement to provide for the reimbursement of all expenses incurred by the County in evaluating the project proposal, and in connection with the issuance of bonds. This reimbursement will cover the cost of the time of all personnel of the County involved in the evaluation, the expense of counsel and such consultants as the County may employ to assist in the evaluation and other expenses incurred by the County related to the project evaluation and to the issuance of the bonds.

In addition to the application fee, to cover any non-itemized expenses of the County in connection with the transactions contemplated by the bond issuance, the applicant will be required to execute an agreement prior to the issuance of the bonds, obligating the applicant to pay to the County, at the time of delivery of the bonds, an amount, which together with the application fee shall be referred to as the "financing fees", not to exceed 1% of the principal amount of the bonds outstanding each year for the life of the bond issue discounted back to present value at a rate not to exceed the average interest rate on the bond issue; provided, however, that the total amount of financing fees shall not exceed that amount that would result in an increase in the yield of the financing arrangement to the County of more than .125%. That amount will be determined and verified by the applicant, in a certificate to the County setting forth the basis and result of such calculation.

Section 5. Marketing the Bonds. Applicant must demonstrate by acceptable evidence that the proposed industrial development revenue bonds issue can be sold without violating Federal or State securities law through a qualified underwriter or to an experienced investor or group of investors. Where industrial revenue bonds are proposed to be marketed through negotiation with the bond underwriter, such underwriter shall submit to the County an analysis of current market conditions which indicate that the bonds are marketable. The consideration of the marketability of the bonds will be accomplished on the basis of the financial soundness of the applicant to meet debt obligation incurred by the issuance of the bonds and whether or not a market exists for the bonds. If the industrial development revenue bonds are not to be marketed through negotiations with the bond underwriter, then applicant must submit evidence as to how the bonds are going to be marketed.

Section 6. Governing Body's Determination Conclusive. At such time as the applicant has satisfied all of the above-stated requirements, the Governing Body will review the material and information submitted taking into consideration the findings and recommendations of such officers or employees of the County who have been requested by the Governing Body to examine such information and make such findings and recommendations and taking into consideration any other matters which the Governing Body in its sole discretion determines to be significant in deciding whether or not to proceed with the proposed industrial development revenue bond issue. The decision of the Governing Body shall be at its sole, full and complete discretion. The Governing Body reserves the right to modify, delete, or add to any of the requirements stated herein for good and sufficient reason. Further, the Governing Body expressly declares that the fulfillment of the guidelines set forth in this Resolution in no way assures approval of the proposed issue of industrial development revenue bonds. The Governing Body may take into account all items specifically included herein as well as any other information which the County may require.

Section 7. Reconsideration: After the Governing Body decides not to proceed with the proposed industrial development revenue bonds issue, the same or similar application may not then again be reconsidered unless any member of the Governing Body moves to reconsider the same and such motion is passed by a majority of the Governing Body. In the event the Governing Body approves a motion to reconsider within sixty days of its original decision not to proceed with the issue of industrial development revenue bonds, the applicant will not be required to deposit an additional application fee provided for in Section 4 unless the proposal has, in the County's sole discretion, materially changed since its original consideration. Upon a favorable decision to reconsider the applicant shall be again subject to all of the conditions and requirements of this Resolution except as otherwise provided for herein, including, but not limited to reimbursement of all expenses incurred by the County in re-evaluating the proposal. The Governing Body may as a condition of the reconsideration require the applicant to supplement the proposal in any manner that it deems appropriate.

Section 8. Fee in Lieu of Taxes. Prior to the County's entering into an agreement for industrial revenue bonds the project applicants must agree that the negotiated fee in lieu of ad valorem taxes provided by Wyoming Statute 15-1-808(b) (1977), as amended, shall at least equal the compensation which the City, County and State would otherwise receive from the ad valorem tax.

Section 9. Liability of County and Bond Purchaser. The acceptance of the financial information and agreement by the County to issue industrial development revenue bonds does not constitute approval by the County of the applicant's financial condition or soundness. In case of a private placement of the bonds, the ultimate purchaser will be required to certify to the County that it has independently satisfied itself of the credit worthiness of the applicant.

Regardless of whether the bonds are to be sold publicly or privately, no purchaser or underwriter shall in any way represent in an official statement, offering circular or other offering material, or

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otherwise, that the County has in any way reviewed or passed upon the financial condition or soundness of the applicant or has, in any way, evaluated whether or not the bonds are marketable.

Section 10. Limitation of Inducement Resolution. Upon the Governing Body's determination to proceed with the industrial development revenue bond issue, it will entertain a resolution of inducement which, once passed, will be effective for the period stated in the resolution, but in no case, in excess of 12 months from the passage of the resolution of inducement.

Section 11. Locations Within City or Town Limits in the County of Carbon. The Governing Body of the County of Carbon shall not review or issue an industrial development revenue bond within the city limits of any city or town in the County of Carbon without the applicant having first applied with said city or town and in the event that said application is refused or denied, the County of Carbon reserves the right to review said application pursuant to the requirements and conditions of this Resolution. Nothing herein shall deny the County of Carbon the right to enter into a joint agreement with any city or town concerning any industrial development revenue bonding.

Section 12. Preservation of Competition. The approval of development revenue bonds for business activities which would directly compete with established businesses existing in Carbon County will not be encouraged in the absence of a clear and definite demonstration of substantial overriding benefit to the County of Carbon as a whole.

Section 13. Compliance with Comprehensive Land Use Plan and Land Use Regulations. The County's, Cities or Town's land use policies are adopted and all applications shall comply with all county and city land use and zoning requirements.

Section 14. Repealer. All acts, orders, resolutions, or parts thereof, taken by the County and in conflict with this Resolution are hereby repealed, except that this repealer shall not be construed so as to revive any act, order, resolution or part thereof heretofore repealed.

Section 15. Severability. If any paragraph, clause or provision of this Resolution is judicially adjudged invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining paragraphs, clauses or provisions hereof.

Section 16. Amendments. The provisions of this Resolution may be amended by the Governing Body at any regular or special meeting thereof. Provided, however, that, while such modifications are not favored, the Governing Body may modify the application of the provisions of this Resolution to facilitate a particular transaction when such modification is deemed to be in the best interests of the County.

PASSED, APPROVED AND ADOPTED this 3rd day of March, 1982.

BOARD OF COUNTY COMMISSIONERS,
County of Carbon, State of Wyoming

-s- Robert Grieve
Robert Grieve, Chairman

-s- Martin McMahon
Martin McMahon

-s- Emil Lemich
Emil Lemich

ATTEST:

-s- Mary G. Bradford
Mary G. Bradford,
County Clerk

Roll was called with the following results; Grieve, Aye; McMahon, Aye; Lemich, Aye.

PAN ARTIC EXPLORATIONS LTD.

Pan Artic Explorations Ltd. discussed with the Board the possibility of the Company opening a Coal Mine located on a state section approximately 17 1/2 miles southwest of Rawlins, known as the 20 Mile Rim. The actual operation is about two years away, but geologist Robert Odell said they like to keep local officials informed as to their activities. The 20 Mile Road, County Road No. 605, will be used to transport the coal from the mine to the railroad. Cost Sharing for reconstruction and maintenance of the road will be discussed before the operation begins.

CARBON COUNTY SENIOR SERVICES

Lyla Payton appeared before the Commissioners to discuss personnel matters. She was advised to request a hearing before the Carbon County Senior Citizens Board.

SARATOGA SENIOR CENTER

The Saratoga Town Council at its regular meeting on March 1, 1982, authorized the sale for \$1.00 of Lots 12, 13 and 14, Block 25, Crawford & Highlands Addition to the Town of Saratoga to the Carbon County Commissioners for the purpose of constructing a Senior Citizens Center on the site.

Senior Citizens from Saratoga met with the Commissioners to discuss the possibility of accepting this offer from Saratoga and the County constructing a Center. The matter was taken under advisement.

CARBON COUNTY PLANNING & DEVELOPMENT

Lance Stewart and Robert Konrath were granted permission to attend the American Planning Association conference May 8 to May 12 in Dallas, Texas.

March 3, 1982

Margaret Brown presented a report to the Commissioners on the federal briefing for NARC.

There being no further business, the meeting was adjourned.



Robert Grieve, Chairman

ATTEST



Mary G. Bradford, County Clerk