

**BOARD OF CARBON COUNTY COMMISSIONERS**  
**Tuesday, September 3, 2002**  
**Commissioners Meeting Room**  
**Carbon County Courthouse, Rawlins, Wyoming**

The regular meeting of the Carbon County Commissioners was held on September 3, 2002, in the Commissioners Meeting Room of the Carbon County Courthouse. Attending the meeting were Chairman Artlin Zeiger, Commissioners Linda Fleming and Lee Meacham; Linda Ann Smith, Carbon County Clerk; Alice Garvin, Chief Deputy Clerk; and Shelley Welsh, Deputy Clerk.

Chairman Artlin Zeiger called the meeting to order at 9:05 a.m.

**VOUCHERS**

The following vouchers were presented for payment:

3-Forks Muddy Gap Service	Fire Protection	\$203.07
AT&T	Various	\$567.52
AT&T Cable Services	Sheriff	\$49.59
AlSCO	Road & Bridge	\$69.37
Aspen Publishers	Public Health	\$187.05
ATD-American Company	Jail	\$214.43
Baggs, Town of	Senior Center	\$102.64
Bank of Commerce	Clerk of Court	\$71.00
Bartlett, Sue RN	Public Health	\$184.57
Behavioral Intervent Electronics	Jail	\$324.00
Bi-Rite Pharmacy	Public Health	\$5.06
Build Rite Lumber Supply	Road & Bridge	\$10.18
Busey, Sharalee	Public Health	\$99.33
Carbon County Strike Team	Fire Protection	\$478.00
Carbon Power & Light	Fire Protection	\$125.01
CenturyTel	Road & Bridge	\$126.47
Channing L. Bete Company	WIC	\$88.00
Cheyenne, City of	Commissioners	\$75.00
Computer Software Assoc.	Administration	\$1,485.60
Consumer Reports	Planning	\$26.00
Corporate Express	Various	\$716.58
Craftsman Electric	Emergency Management	\$160.00
Cragoe, Randy	Elections	\$93.93
Crawford, Warren	Cooperative Extension	\$237.63
Cruz, Sally	Public Health	\$137.28
D&K Sanitation	Various	\$261.00
Daily Times	Elections / Planning	\$1,038.45
Deep Sweep	Public Health	\$150.00
DeLeon, John	Administration	\$820.00
Dell Marketing	Public Health	\$2,796.00
Domino's Pizza	Administration	\$87.55
E&H Industrial Supply	Road & Bridge	\$78.00
Eagle Uniform Supply	Carbon Building	\$55.67
Elk Mountain Towing	Sheriff	\$55.32
Engstrom, James D.	Grants / Jail	\$473.00
Erickson, Frank	Elections / Bldg. & Grounds	\$125.11
Escape Conference	Cooperative Extension	\$45.00
Evans, Morgan	Jail	\$130.00
Farmer Brothers Coffee	Emergency Management	\$27.44
France Flying Service	Fire Protection	\$338.00
Fremont Motors - Rawlins	Fire Protection	\$164.67
Gases Plus	Fire Protection	\$11.16
Glaxosmithkline	Public Health	\$697.50

Golden, Mary	Public Health	\$49.17
Grabow, Jay	Planning	\$136.22
Graphic Sports	Grants / Attorney	\$57.95
Hahn, Robert	Elections	\$63.00
Hanna Advisory Council	Senior Center	\$459.26
Herold Iron Works	Fire Protection	\$42.00
Hettgar, Bridget M. RN	Public Health	\$101.92
High Plains Power	Road & Bridge	\$19.40
Hillcrest Spring Water	Road & Bridge	\$23.50
Hot Springs County Public Health	Public Health	\$180.00
Hyland Enterprises	Road & Bridge	\$27.40
JH Kaspar Oil Company	Fire Protection	\$1,582.81
Jackalope Printing	Various	\$73.68
JB's Stop-N-Shop	Fire Protection	\$48.65
Jerry's Donuts	Commissioners / Elections	\$57.51
Kaiser Painting & Lawn Care	Senior Center	\$60.00
KAR Products	Road & Bridge	\$266.44
Kilburn Tire Company	Various	\$3,361.52
Kirsch, A.P. MD	Grants	\$235.00
KN Energy Inc.	Various	\$381.70
Kroger	Grants / Sheriff	\$988.92
Lariat International	Road & Bridge	\$57.53
Laser Precision, Inc.	Clerk	\$76.00
MacPherson Law Office	Administration	\$664.75
Massey, Daniel T.	Administration	\$457.08
McCann, Phyllis	Building & Grounds	\$550.00
Med-Tech Resource	Fire Protection	\$1,659.16
Memorial Hospital	Jail / Administration	\$12,264.50
Michie, Bernard Jr.	Senior Center	\$645.00
Midwest Medical Supply	Public Health	\$75.03
Mika Tree Service	Building & Grounds	\$37.50
Montoya, Joan	Grants	\$32.87
Morbidity & Mortality	Public Health	\$149.00
Moriarity, Catherine	Administration	\$1,121.00
My Automotive, Inc.	Sheriff	\$215.15
Pacific Power & Light	Various	\$1,312.90
Page One West	Various	\$278.72
Pamida Inc.	Grants	\$164.24
Parkway Plaza	Public Health	\$151.95
Perkins Oil Co.	Road & Bridge	\$1,040.06
Pickett, Thomas Y.	Assessor	\$2,500.00
Picture Perfect	Sheriff	\$5.00
Pitney Bowes Inc.	Administration	\$1,417.00
Plainsman Printing	Various	\$2,015.77
Platte Valley Medical	Grants	\$512.00
Presbyterian Women	Elections	\$507.00
Questar	Senior Center	\$8.70
QWest	Fire Protection	\$50.18
Rawlins Automotive	Fire Protection	\$254.01
Rawlins Eye Care	Grants	\$128.00
Rawlins Glass	Road & Bridge	\$186.51
Rawlins, City of	Senior Center	\$301.66
Reliable	Sheriff	\$270.72
Richardson, Jill	Public Health	\$109.21
Rip Griffin's Truck Stop	Fire Protection	\$237.20
River Street Motors	Fire Protection	\$1,339.14
Robert Jack Smith & Assoc.	Clerk	\$45.00
Ross' Automotive Service	Sheriff	\$33.20
Round Tree Construction	Senior Center	\$1,450.00
Ryan Electronics Inc.	Fire Protection	\$51.30
Santiago, Angelo M. MD	Jail	\$295.00

Saratoga Auto Parts	Fire Protection	\$377.43
Saratoga Do It Best	Senior Center	\$407.10
Saratoga Sun	Planning	\$75.00
Seiloff, William	Senior Center	\$300.00
Skyline Motors, Inc.	Fire Protection	\$652.69
Smith Transfer and Storage	Clerk of Court	\$90.00
Smith, Ellen	Clerk of Court	\$125.00
Smith, Susan	Grants / Public Health	\$36.85
Snowy Range Vision Center	Grants	\$77.00
Square Shooters Eating House	Administration	\$360.75
Stan's Quik Lube	Sheriff	\$28.20
T&T Plumbing	Senior Center	\$150.00
Terminix	Various	\$225.00
Terry's Towing Service	Fire Protection	\$500.00
Texaco Credit Card Co.	Sheriff	\$22.66
Tire Distribution	Road & Bridge	\$18.50
Trading Post	Fire Protection	\$539.10
Trib.com	Grants / Planning	\$59.85
True Value of Rawlins	Various	\$138.11
Union Telephone Company	Fire Protection	\$162.72
Valley Pharmacy	Grants	\$179.15
Verizon Wireless	Various	\$129.89
Viking Office Products	Clerk of Court	\$421.12
Voorhis Associates, Inc.	Building & Grounds	\$4,722.78
Washboard, The	Courthouse	\$18.00
Western Livestock	Planning	\$35.00
Wheatland Fire Equipment	Fire Protection	\$165.28
Wimpenny, Robert G. DDS	Grants	\$400.00
WY Children's Society	Grants	\$100.00
WY Diesel Service	Fire Protection	\$565.59
WY Machinery Company	Road & Bridge	\$1,402.21
WY Paper Supply	Courthouse / Jail	\$523.08
WY State Forestry	Fire Protection	\$1,619.84
Wyoming.com	Fire Protection	\$19.95
Xerox Corporation	Clerk of Court / Planning	\$500.72
<b>TOTAL</b>		<b>\$69,224.84</b>

## **CLERK**

### **Minutes**

Lee Meacham moved to accept the minutes of August 20, 2002, as presented. Linda Fleming seconded. The motion carried unanimously.

### **Bond**

Western Surety Company Bond No. 50254459 for W. John Clark of Baggs as Treasurer for the Dixon Airport Board, County of Carbon in the amount of \$3,000. The bond was signed by Chairman Zeiger.

## **BOARD OF EQUALIZATION**

Tom Thompson prepared an Order on Objection to Property Valuation (Finding of Fact) for John A. Kornkven, Anne M. Kornkven, E.W. Kornkven, and Aura M. Kornkven and asked the Commissioners to review and sign. Linda Fleming moved to authorize Chairman Zeiger to sign the Order on Objection to Property Valuation in the Matter of the Appeal of E. W. Kornkven, Aura M. Kornkven, John A. Kornkven and Anne M. Kornkven, and specifically adopt the findings of fact and conclusions of law. Lee Meacham seconded. The motion carried unanimously.

Artistry in Glass will provide amber glass for a cost of \$450, matching the pattern

and color of the amber glass in the Courthouse. Ken Richardson, architect for the windows, will be instructed to disregard the change order on the glass replacement.

Lee Meacham moved for Chairman Zeiger to sign the contract and enter into agreement with KONE Elevators (Contract No. 111-2828 40033323) to supply maintenance for the Courthouse elevator. Linda Fleming seconded. The motion carried unanimously.

### **Board Appointment**

Lee Meacham moved to appoint Neal Kirk to the Upper Platte River Solid Waste Disposal District Board. This is an At-Large position to fill the unexpired term of John Anderson and will run from September 2002 to September 2004.

### **Surplus Property**

Lee Meacham moved to declare the Carbon County Sheriff's Office 1998 Ford Econoline 350 15-passenger van, VIN #1FBSS3AS4WHA56073, now currently in the impound lot, as surplus property. Linda Fleming seconded. The motion carried unanimously.

### **Elected Officials**

County Assessor, Darrell Stubbs, advised there were no rebates at this time, and he advised there were new levy sheets.

Sheriff Colson advised that the abandoned vehicle impound yard gate was bent, and he requested to have this repaired. Chairman Zeiger advised Sheriff Colson to acquire some bids and have the necessary work performed. The party responsible for the damage will be billed.

County Treasurer, Cindy Baldwin, advised the Commissioners that she received notification that Verizon is appealing their taxes of approximately \$8,000. Ms. Baldwin advised bankruptcy notification from Enron in second half from 2001 is approximately \$10,000.

Ms. Baldwin advised she received notification that she has again been appointed to the National Land steering committee for the National Association of County Officials.

## **STATE LAND AND INVESTMENT BOARD** **PUBLIC HEARING**

A public hearing was opened by Chairman Zeiger at 10:02 in regard to two (2) grant applications being submitted to the State Lands and Investments Board. County Clerk, Linda Ann Smith, explained Resolution No. 2002-10 in regard to the Noyes Clinic in Baggs for the amount of \$162,500; and Resolution No. 2002-11 in regard to a county detention facility in Rawlins, Wyoming for the amount of \$7,500,000. She also explained the projects, matching requirements, and work requested.

Resolution No. 2002-10 and Resolution 2002-11 would become effective on September 6, if there are no objections. No other discussion was held. Chairman Zeiger closed the public hearing at 10:10 a.m.

Linda Fleming moved to adopt Resolution No. 2002-10 authorizing submission of a federal mineral royalty capital construction account grant application to the State Land and Investment Board on behalf of the governing body for the Board of Carbon County Commissioners, for Noyes Health Clinic, Baggs, Wyoming. Lee Meacham seconded. The motion carried unanimously.

**RESOLUTION NO. 2002-10**

A RESOLUTION AUTHORIZING SUBMISSION OF A FEDERAL MINERAL ROYALTY CAPITAL CONSTRUCTION ACCOUNT GRANT APPLICATION TO THE STATE LAND AND INVESTMENT BOARD ON BEHALF OF THE GOVERNING BODY FOR THE BOARD OF CARBON COUNTY COMMISSIONERS, FOR NOYES HEALTH CLINIC, BAGGS, WYOMING.

WHEREAS, the governing body for Carbon County, Wyoming desires to participate in the FEDERAL MINERAL ROYALTY CAPITAL CONSTRUCTION ACCOUNT GRANT program to assist in financing this project; and

WHEREAS, the governing body of Carbon County recognizes the need for the project; and

WHEREAS, the Federal Mineral Royalty Capital Construction Account Grant program requires that certain criteria be met, as described in the State Loan and Investment Board's Rules and Regulations governing the program, and to the best of our knowledge this application meets those criteria; and

WHEREAS, the governing body of Carbon County plans to match the requested Federal Mineral Royalty Capital Construction Account Grant from the following sources:

General Fund -- Budget 2002-2003      \$162,500

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF CARBON COUNTY, WYOMING, that a grant application in the amount of \$162,500 be submitted to the State Loan and Investment Board for consideration at the January 2003 grant meeting to assist in funding the design phase of a new county detention facility.

BE IT FURTHER RESOLVED, that Linda Fleming, County Commissioner, Ron Taylor, Director of Noyes Clinic, and Linda Ann Smith, County Clerk, are hereby designated as the authorized representatives of the Carbon County Commissioners to act on behalf of the governing body on all matters relating to this grant application.

PASSED, APPROVED AND ADOPTED this 6<sup>th</sup> day of September, 2002.

BOARD OF CARBON COUNTY COMMISSIONERS

-s- Artlin Zeiger, Chairman  
-s- Linda Fleming, Commissioner  
-s- Lee Meacham, Commissioner

Attest:

-s- Linda Ann Smith, County Clerk

Lee Meacham moved to adopt Resolution No. 2002-11 authorizing submission of a federal mineral royalty capital construction account grant application to the State Land and Investment Board on behalf of the governing body for the Board of Carbon County Commissioners, for a County Detention Facility at Rawlins, Wyoming.

**RESOLUTION NO. 2002-11**

A RESOLUTION AUTHORIZING SUBMISSION OF A FEDERAL MINERAL ROYALTY CAPITAL CONSTRUCTION ACCOUNT GRANT APPLICATION TO THE STATE LAND AND INVESTMENT BOARD ON BEHALF OF THE GOVERNING BODY FOR THE BOARD OF CARBON COUNTY COMMISSIONERS, FOR A COUNTY DETENTION FACILITY AT RAWLINS, WYOMING.

WHEREAS, the governing body for Carbon County, Wyoming desires to

participate in the FEDERAL MINERAL ROYALTY CAPITAL CONSTRUCTION ACCOUNT GRANT program to assist in financing this project; and

WHEREAS, the governing body of Carbon County recognizes the need for the project; and

WHEREAS, the Federal Mineral Royalty Capital Construction Account Grant program requires that certain criteria be met, as described in the State Loan and Investment Board's Rules and Regulations governing the program, and to the best of our knowledge this application meets those criteria; and

WHEREAS, the governing body of Carbon County plans to match the requested Federal Mineral Royalty Capital Construction Account Grant from the following sources:

Capital Facilities 1% Sales Proposition - (Election May 2003) \$7,500,000

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF CARBON COUNTY, WYOMING, that a grant application in the amount of \$7,500,000 be submitted to the State Loan and Investment Board for consideration at the January 2003 grant meeting to assist in funding the design phase of a new county detention facility.

BE IT FURTHER RESOLVED, that Lee Meacham, County Commissioner, Jerry Colson, Sheriff, and Linda Ann Smith, County Clerk, are hereby designated as the authorized representatives of the Carbon County Commissioners to act on behalf of the governing body on all matters relating to this grant application.

PASSED, APPROVED AND ADOPTED this 6<sup>th</sup> day of September, 2002.

BOARD OF CARBON COUNTY COMMISSIONERS

-s- Artlin Zeiger, Chairman  
-s- Linda Fleming, Commissioner  
-s- Lee Meacham, Commissioner

ATTEST:

-s- Linda Ann Smith, County Clerk

### **SENIOR SERVICES**

Bill Michie presented his monthly report to the Commissioners.

### **AIRPORT BOARD**

Norm Harvey appeared before the Commissioners to present an update on the following projects:

FAA AIP 03-56-0023-08 & Wy DOT-AD 2158 Project  
Taxiway Relocation, Apron Rehabilitation (Schedule I) & 4-22 Runway Lighting (Schedule II) Update.

Linda Fleming moved to authorize Chairman Zeiger to sign the contract between the FFA and Carbon County (FAA AIP 03-56-0023-08) after the review of the Carbon County Attorney. Lee Meacham seconded. The motion carried unanimously.

### **EMERGENCY MANAGEMENT**

Greg Zabel presented his monthly report to the Commissioners.

## **GIS / GPS / RURAL ADDRESSING**

Karen Larsen presented her monthly report to the Commissioners. Ms. Larsen also presented a topographical map from BLM data, which is an example of information to be included in the mapping system. Chairman Zeiger wanted to make sure that system, when done, will be useable for all emergency personnel.

## **COUNTY HEALTH INSURANCE PLAN**

Dale Lyman with Corporate Benefits Services of America appeared before the Commissioners to present an update on health insurance and services currently being provided to Carbon County.

Linda Fleming moved to renew our insurance with CBSA and maintain the same insurance coverage as last year, to include a specific level of \$35,000 with Hartford, with a reduction of Laser from \$110,000 to \$50,000, for a savings of \$60,000. Lee Meacham seconded. The motion carried unanimously.

Linda Fleming moved that the contract with First Choice PPO be adopted to enable Carbon County to receive cost savings benefits on claims with no changes to coverage, and with no further commitment beyond the first year. Lee Meacham seconded. The motion carried unanimously.

Lee Meacham moved that we enter into the Health Insurance Portability and Accountability Act Agreement. Linda Fleming seconded. The motion carried unanimously.

## **PLANNING AND ZONING**

Henry Hewitt and Jay Grabow appeared before the Commissioners to request action on following case files:

(1) Case File #02-15 - Sierra Madre Subdivision: Request for a Zone Change from Open Range (OR) to Residential (RD) located in Sections 20, 21, 28, and 29, T14N, R85W (rezone the following lots: Portion of Lot 3 lying West of Hwy 70; Lots 6, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 25, 26, 32, 35, 40, 43, 44, 45, 46, 48, and 49).

Chairman Zeiger opened the hearing at 2:34 p.m. Scott Kerbs asked if any zoning fee refunds would be given to other landowners on individual lots. Henry Hewitt advised him that no refunds would be given for any of the cases. Chairman Zeiger closed the hearing at 2:35 p.m.

Lee Meacham moved to approve Case File #02-15 - Sierra Madre Subdivision - Request for Zone Change from Open Range (OR) to Residential (RD). Linda Fleming seconded. The motion carried unanimously.

(2) Case File #02-10 - Gary & Barbara O'Mara: Request for a Zone Change from Open Range (OR) to Rural Residential Agriculture (RRA-37.86) located E ½, SE ¼, NE ¼, and E ½, NE ¼, SE ¼, Section 30, T14N, R82W - 11 miles Southeast of Encampment.

Chairman Zeiger opened the hearing at 2:38 p.m. No comments were made. Chairman Zeiger closed the hearing at 2:39 p.m.

Linda Fleming moved to approve Case File #02-10 - Gary & Barbara O'Mara - Request for a Zone Change from Open Range (OR) to Rural Residential Agriculture (RRA-37.86). Lee Meacham seconded. The motion carried unanimously.

(3) Case File #02-14 - William David Munden, Jr.: Request for a Zone

Change from Open Range (OR) to Forestry Production and Recreation (FPR-40) located a portion of Tract 39, SE ¼, NE ¼, Section 24, T13N, R88W - 27.8 miles East of Baggs.

Chairman Zeiger opened the hearing at 2:43 p.m. Scott Kerbs asked if the County would be responsible for fire suppression. Henry Hewitt advised him there were no specific conditions, but fire suppression would be covered by the County.

The conditions to be followed for this Zone Change from Open Range (OR) to Forestry Production and Recreation (FRP-40) listed for this Zone Change from the Planning Commission are as follows:

1. The FPR designation will not conflict with timber harvesting or preservation;
2. The FPR designation will enhance the recreational value of the property;
3. The FPR designation will not result in any significant impact to natural resources such as streams, wetlands, and related fish and wildlife habitat;
4. The FPR designation will not result in the demand for additional public services;
5. Approval of the zone change petition is in conformance with the policies of the Carbon County Comprehensive Plan and Zoning Resolution.

The hearing was closed at 2:48 p.m.

Linda Fleming moved to approve Case File #02-14 - William David Munden, Jr.– from Open Range (OR) to Forestry Production and Recreation (FPR-40) with a density of one (1) parcel per 40 acres and the conditions described by the County Planner. County Planning Director, Jay Grabow, advised it must be either HUD or UBC compliant as well. Lee Meacham seconded. The motion carried unanimously.

### **GAME & FISH FUNDING PROPOSAL**

Scott Kerbs appeared before the Commissioners to present suggestions to fund Wyoming Game and Fish and provide economic advantages to Carbon County as follows:

1. License Allocation Change: All big game and trophy species will be allocated by limited quota drawing for each hunt area.
  - a. This will allow better population management in each area;
  - b. This will eliminate overcrowded hunt areas and increase desired harvest in under-utilized areas.
2. The option of transfer or resale of license is available to each successful holder of limited quota license drawn.
  - a. Each transfer will require a set fee forwarded to Game & Fish for completion;
  - b. This will spout economic activity relative to the value of each license in each hunt area;
  - c. Hunters will allocate licenses individually;
  - d. This will benefit Game & Fish by transfer fees plus drawing fees, as well as initial license fee.

### **ROAD AND BRIDGE**

Bill Nation presented his monthly report for Road and Bridge.

Linda Fleming moved to pay CC&G, Inc. for the North Hanna Access Road

(Request #1 in the amount of \$2,940) and the State Land and Investment Board (Grant Request #8 in the amount of \$1,665.66). Lee Meacham seconded. The motion carried unanimously.

Linda Fleming moved to enter into Agreement with the State of Wyoming (Memorandum of Understanding) on cooperating agency status. Lee Meacham seconded. The motion carried unanimously.

### **EXECUTIVE SESSION**

Lee Meacham moved to enter into executive session at 3:32 for personnel and litigation issues. Linda Fleming seconded. The motion carried unanimously.

Linda Fleming moved to come out of executive session at 3:52 p.m. Lee Meacham seconded. The motion carried unanimously.

There being no further business, Chairman Zeiger adjourned the meeting at 3:58 p.m.

BOARD OF CARBON COUNTY COMMISSIONERS

-s- Artlin Zeiger, Chairman

ATTEST:

-s- Linda Ann Smith, County Clerk