

BOARD OF CARBON COUNTY COMMISSIONERS
Tuesday, September 2, 2003
Commissioners Meeting Room
Carbon County Courthouse, Rawlins, Wyoming

The regular meeting of the Carbon County Commissioners was held on September 2, 2003, in the Commissioners Meeting Room of the Carbon County Courthouse. Attending the meeting were Chairman Artlin Zeiger, Commissioner Linda Fleming; Linda Ann Smith, Carbon County Clerk; Alice Garvin, Chief Deputy Clerk; and Gwynn Rothenberger, Deputy Clerk.

Chairman Artlin Zeiger called the meeting to order at 9:00 a.m.

VOUCHERS

The following vouchers were presented for payment:

AT&T	Various	\$ 63.38
Baggs, Town of	Senior Services	132.99
Bartlett, Sue	Public Health	392.13
Bernal, Marchia	Grants	300.00
Bi-Rite Sporting Goods	Sheriff	47.52
Boys Town National Training	Grants	14.50
Bresnan Communications	Sheriff	51.89
Brown, Estella	Grants	14.85
Build Rite Lumber Supply	Grants	100.21
Busey, Sharalee	Public Health	151.53
Casper Star - Tribune	Commissioners	101.40
Centurytel	Sheriff	182.28
CEW Inc	Public Health	46.95
Collamer, Sonja	Planning	26.40
Communications Source	Sheriff	356.00
Corporate Express	Sheriff	81.20
Crawford, Warren	CES	230.17
D & K Sanitation	Various	151.00
Daily Times	Various	103.75
Detterer, Jamie	CES	301.00
Division of Criminal Investigation	Sheriff	35.00
Eagle Uniform Supply	Carbon Building	56.03
Ellis, William	Planning	39.60
France Flying Service	Sheriff	984.00
Franklin Covey Co	Emergency Management	44.92
Glaxosmithkline Financial	Public Health	177.50
G. Neil Companies	Administration	105.10
Golden Rule Computers	Various	99.94
Gosvener, Maxine	Public Health	35.64
Grabow, Jay	Planning	137.07
Hewlett-Packard Company	Grants	702.00
High Plains Power	Senior Services	97.25
Hilltop Lube	Sheriff	36.50
Jackalope Printing	Sheriff	11.38
Jerry's Donuts	Commissioners	11.98
KN Energy Inc	Senior Services	53.29
Kar Kraft Inc	Sheriff	692.73
Kilburn Tire Company	Sheriff	310.26

Lexis Publishing	Attorney	71.80
Long Building Technologies	Buildings & Grounds	4588.97
Macpherson, Kelly & Thompson	Administration	1146.94
McCann, Phyllis	Buildings & Grounds	550.00
Memorial Hospital of Carbon County	Administration	3105.30
Merback Award Company	Sheriff	67.34
Mikesell, Cecelia	Grants	9.24
Montgomery Construction	Buildings & Grounds	9250.00
National Rifle Association	Sheriff	30.00
New Dawn Technologies	Various	20139.00
Nicholson, Spencer & Associates	Grants	95.00
Page One West	Various	267.65
Pamida, Inc	Public Health	9.90
Parkway Plaza	Assessor	529.80
Perkins Oil	GIS / GPS	72.15
Personnel Concepts Limited	Public Health	85.85
Pickett, Thomas	Assessor	2500.00
Plainsman Printing & Supply	Administration	125.24
Quill Corporation	Clerk	728.74
QWEST	Various	3683.25
Reliable	Sheriff	333.80
Rip Griffin's Center	Road & Bridge	126.83
Rocky Mountain Asphalt	Buildings & Grounds	3700.00
Ross' Automotive Services	Sheriff	72.78
Smith, Susan	Grants	43.56
Southern Wyoming Communications	Attorney	4643.75
Speer, William	Planning	34.32
Stan's Quik Lube	GIS / GPS	30.95
Terminix	Various	65.00
Texaco Credit Card Center	Sheriff	15.79
Thompson Publishing	Attorney	658.00
Trib.Com	Planning	19.95
True Value of Rawlins	Various	230.73
Union Telephone Co	Various	699.67
Valley Food	Public Health	9.07
Viking Office Products	Planning	192.25
Voorhis Associates Inc	Grants	13664.84
Visionary Communications	Emergency Management	128.55
Washboard	Courthouse	37.75
WY Paper Supply	Jail	51.20
Xerox Corporation	Sheriff	215.90
Xerox Corporation	Various	95.79
Zee	Various	142.05
	TOTAL	\$ 78,748.04

CLERK

Minutes

Commissioner Fleming moved and Chairman Zeiger seconded to approve the minutes from the August 19, 2003 Commissioners meeting without changes. The motion carried unanimously.

Board Appointments

Linda Fleming moved to reappoint William M. Telfer to the Upper Platte River Solid Waste Disposal District Board for a three-year term beginning September 1, 2003. Art Zeiger seconded and the motion carried unanimously.

Stratton vs. Reidy

Commissioner Fleming moved and Chairman Zeiger seconded to authorize the Chairman to sign the Order Allowing Withdrawal and Substitution of Independent Hearing Officer in the Stratton vs. Reidy case. The motion carried unanimously.

David Erickson was appointed Hearing Officer.

PUBLIC HEARING

At 9:30 a.m., Chairman Zeiger opened a public hearing to take public comments on making a grant application to the State Land and Investment Board for a fire truck.

Chairman Zeiger closed the public hearing at 9:35 a.m.

FIRE DEPARTMENT

Commissioner Fleming moved to approve Resolution No. 2003-30, 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 tanker Fire Truck, Carbon County Fire Department, Rawlins, Wyoming. Chairman Zeiger seconded and the motion carried unanimously.

Resolution 2003 - 30

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 TANKER FIRE TRUCK, CARBON COUNTY FIRE DEPARTMENT, 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 the 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 001 - Budget 2003-2004

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF CARBON COUNTY, WYOMING, that a grant application in the amount of \$70,000 be submitted to the State Loan and Investment Board for consideration at the January 2004 grant meeting to assist in funding a 1800 gallon tanker for the Carbon County Fire Department, which has a total cost of \$140,000;

BE IT FURTHER RESOLVED, that Dwight France, Fire Warden, and Linda Ann Smith, County Clerk, are hereby designated as the authorized representative 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 2nd day of September 2003.

**BOARD OF COUNTY COMMISSIONERS OF
CARBON COUNTY, WYOMING**

By: -s- Artlin Zeiger, Chairman
-s- Linda Fleming

Attest: -s- Linda Ann Smith, Carbon County Clerk

MEDICINE BOW CLINIC

Bids were presented from the following to replace the windows at the Medicine Bow Clinic:

Rawlins Glass	\$ 4,038.04 (Type SC75)
Rawlins Glass	\$ 3,874.04 (Type TC88)
K & K Discount Siding, Inc.	\$ 4,700.00

Linda Fleming moved and Chairman Zeiger seconded to accept the bid from Rawlins Glass of \$4,038.04 to replace the windows at the Medicine Bow Clinic. The motion carried unanimously.

SENIOR SERVICES

Bill Michie presented his monthly report to the Board.

JAIL COMMITTEE

Randy Shinkle presented the Jail Committee's bi-monthly report to the Board.

Mr. Shinkle presented a letter from Voorhis & Associates requesting a no-fee extension until September 30, 2003 on the contract dated June 10, 2002. Before approval is made, the Board asked the Clerk to contact Voorhis to determine why there is a request for an extension, and to delineate the scope of work of the agreements that has not been completed. They also requested that he have Tom Thompson review the request.

RYAN ELECTRONICS

Greg Ryan, Jim Johnson, Galen Barr, and Susan Adams of Ryan Electronics appeared to discuss invoicing issues.

Commissioner Fleming moved to rescind the statement added to the

maintenance contract with Ryan Electronics dated July 15, 2003 stating that Ryan Electronics will provide an itemized statement of work accomplished with each statement submitted. The motion was seconded by Chairman Zeiger and carried unanimously.

INTERMOUNTAIN BENEFIT ADMINISTRATORS

Linda Fleming moved and Chairman Zeiger seconded to renew the health reinsurance with Hartford at a \$35,000 specific level. The motion carried unanimously.

Linda Fleming then moved that if the Alliance Company reduced their fee by \$10,000, with ongoing negotiations, with a specific level of \$35,000, the contract be awarded to Alliance Company rather than Hartford. Chairman Zeiger seconded and the motion carried unanimously.

LUNCH

Chairman Zeiger adjourned the meeting for lunch at 12:00 p.m. and reconvened at 1:30 p.m.

PUBLIC HEARINGS

Case File 03-25

Chairman Zeiger opened the public hearing at 2:05 p.m.

Chairman Zeiger presented Case File #03-25 for discussion.

Case File #03-25 - Arlin Brower: Request for a Zone Change from Open Range (OR) to Forestry Production & Recreation (FPR-20.66 acres). The property is located 10 miles West of Encampment off of Jack Creek Road. Zanzibar Lode Mining Claim designated by the Surveyor General as Survey No. 367, embracing a portion of Sections 16 & 21, T14N, R85W, 6th P.M., Carbon County, Wyoming.

There were no comments on this case.

Chairman Zeiger closed the hearing at 2:10 p.m.

Commissioner Fleming moved that the Board approve Case File #03-25 Arlin Brower, 20.66 acres for a zone change from Open Range to Forestry Production & Recreation with stipulations set by the Planning Commission including that there only be one dwelling on the property. Chairman Zeiger seconded and the motion carried unanimously.

Case File 03-26

Chairman Zeiger opened the public hearing at 2:13 p.m.

Chairman Zeiger presented Case File #03-26 for discussion.

Case File #03-26 - Gregory & Kathleen Reames: Request for a Zone Change from Open Range (OR) to Residential (RD-2.5 acres). The property is located ½ mile off Wagon Circle Road (West Bound) to MCI Road. A tract of land in T6 W ½ SE ¼ SW ¼ of Section 13, T21N, R88W, 6th P.M., Carbon County, Wyoming.

There were no comments on this case.

The Chairman closed the public hearing at 2:15 p.m.

Linda Fleming moved to approve Case File #03-26 Gregory and Kathleen Reames, for a zone change from Open Range to Residential for 2.5 acres with the restriction that there be only one residence on the property and any other restrictions as recommended by the Planning Commission. Chairman Zeiger seconded and the motion carried unanimously.

Chairman Zeiger signed Resolution #2003-31, A Resolution of the Board of County Commissioners of Carbon County, Wyoming approving the rezoning of lands for Planning & Zoning Case Files #03-25 and #03-26.

Resolution No. 2003 - 31

A Resolution of the Board of County Commissioners of Carbon County, Wyoming approving the rezoning of lands.

WHEREAS, pursuant to Wyo. Stat.§18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on August 5, 2003, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at said public hearing, the Carbon County Planning and Zoning Commission provided the public the opportunity to comment and the Carbon County Planning and Zoning Commission considered any public comments which were made at said hearing; and

WHEREAS, at the conclusion of said public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County Commissioners to adopt this amendment to the Carbon County Zoning Resolution of 2003 for Carbon County, Wyoming; and

WHEREAS, the Carbon County Commissioners, pursuant to Wyo. Stat.§18-5-202(c) and after receipt of said certified recommendation for approval of this amendment to the Carbon County Zoning Resolution of 2003, advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on September 2, 2003; and

WHEREAS, at said public hearing, the Carbon County Commissioners provided the opportunity for the public to comment and for the Carbon County Commissioners to consider any comments which were made on the proposed amendments; and

WHEREAS, the Carbon County Commissioners in considering the said amendment have also reviewed and considered the Carbon County Land Use Plan of 1998; and

WHEREAS, the Carbon County Commissioners have determined that the proposed amendment is in conformity with the Carbon County Land Use Plan of 1998 and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

WHEREAS, at a regularly scheduled meeting of the Carbon County Commissioners, by majority vote, the Carbon County Commissioners moved to approve the following amendment(s) to the Carbon County Zoning Resolution of 2003.

(1) Case File #03-25 - Arlin Brower: Request for a Zone Change from Open Range (OR) to Forestry Production & Recreation (FPR-20.66 acres). The property is located 10 miles West of Encampment off of Jack Creek Road. Zanzibar Lode Mining Claim designated by the Surveyor General as Survey No. 367, embracing a portion of Sections 16 & 21, T14N, R85W, 6th P.M., Carbon County, Wyoming.

(2) Case File #03-26 - Gregory & Kathleen Reames: Request for a Zone Change from Open Range (OR) to Residential (RD-2.5 acres). The property is located ½ mile off Wagon Circle Road (West Bound) to MCI Road. A tract of land in T6 W ½ SE ¼ SW ¼ of Section 13, T21N, R88W, 6th P.M., Carbon County, Wyoming.

Conditions of approval of the above case(s) are listed in the “Notice of Final Action”. This is sent to the applicant and on file in the Planning Office.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:

1. That the Carbon County Board of Commissioners, hereby adopt these amendment(s) as certified to them in writing by the Carbon County Planning and Zoning Commission.

PRESENTED, READ, AND ADOPTED at a regularly meeting of the Board of County Commissioners of Carbon County, Wyoming, this 2nd day of September, 2003.

BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING

By: -s- Artlin “Art” Zeiger, Chairman
-s- Linda L. Fleming

Attest: Linda Ann Smith, Carbon County Clerk

PLANNING & ZONING

Henry Hewitt requested a public hearing be held for Planning and Zoning Case Files #03-27 and #03-28.

Commissioner Fleming moved to set a public hearing for Case Files #03-27 Ray Winningham, and #03-28 Judy Dixon and Robert O'Connell, for October 7, 2003. The motion was seconded by Chairman Zeiger and carried unanimously.

BOARD APPOINTMENTS

Commissioner Fleming moved to approve the Baggs Solid Waste Disposal District's request to increase the number of directors from five to six as prescribed by Wyoming State Statute 18-11-102. Chairman Zeiger seconded and the motion carried unanimously.

Linda Fleming moved to reappoint Cynthia Cobb and a new appointment of Robert Dunckley for terms of three years each; and a new appointment of Larry Hicks for a term of two years all beginning September 1, 2003, to the Baggs Solid Waste Disposal District. The motion was seconded by Chairman Zeiger and carried unanimously.

ROAD & BRIDGE

Bill Nation presented his bimonthly report to the Board.

Mr. Nation requested approval of a Resolution for the Participation and Assistance of the Wyoming Department of Transportation. The Board stated they would consider approval of this Resolution after Tom Thompson's review.

FIRE DEPARTMENT

The following bids were received to purchase vehicles from the Carbon County Fire Department:

- \$ 566.44 from George Schneider for a 1956 Chevrolet
- \$ 101.00 from Ryan O'Conner for a 1956 Chevrolet
- \$ 3,000.00 Cris Criswell for a 1972 Ford F900
- \$ 2,695.00 from Cris Criswell for a 1964 Mack
- \$ 3,251.00 from Dennis Whitney for a 1962 GMC, 1972 Ford, 1956 Chev
and a 1962 Mack

Linda Fleming moved to accept the bids from Cris Criswell in the amount of \$3,000 for the purchase of a 1972 Ford F900 Pickup and \$2,695 for a 1964 Mack truck, and the bid from George Schneider in the amount of \$566.44 to purchase a 1956 Chevrolet. Chairman Zeiger seconded and the motion carried unanimously.

ROAD & BRIDGE

Linda Fleming moved to approve Resolution #2003-32, a Resolution for the Participation and Assistance of the Wyoming Department of Transportation. Chairman Zeiger seconded and the motion carried unanimously.

Resolution 2003-32

**FOR THE PARTICIPATION AND ASSISTANCE OF THE WYOMING
DEPARTMENT OF TRANSPORTATION**

WHEREAS oil and gas development is ongoing and expected in the county now and in the near future, and significant impacts to County, State and Federal roads and bridges and related infrastructure are thereby anticipated, the Board of Commissioners of Carbon County hereby resolve the following:

To respectfully request the Wyoming Department of Transportation to provide expertise and advice and to collaborate in developing a strategy to efficiently and economically provide road conditions adequate for industrial use, while at the same time protecting and preserving existing infrastructure thereby providing for the health and safety of county residents, visitors and commercial operations.

**BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY WYOMING**

By: -s- Artlin Zeiger
-s- Linda Fleming

Attest: Linda Ann Smith, Carbon County Clerk

EXECUTIVE SESSION

Linda Fleming moved to go into executive session at 3:48 p.m. for litigation. The motion was seconded by Chairman Zeiger and carried unanimously.

Commissioner Fleming moved and Chairman Zeiger seconded to come out of executive session at 4:38 p.m. The motion carried unanimously.

JERRY RUSSELL

Mr. Russell appeared to discuss wage-scale issues. He voiced concerns that the County has no wage scale and requested that the Board form such a document. Mr. Russell was concerned that a county employee was hired at \$2,500 per month, and questioned whether the skills warranted such; and also advised that he felt his business could not complete with the type of salary.

EXECUTIVE SESSION

Linda Fleming moved to go into executive session at 4:55 to discuss personnel issues. The motion was seconded by Chairman Zeiger and carried unanimously.

Commissioner Fleming moved and Chairman Zeiger seconded to come out of executive session at 5:15 p.m. The motion carried unanimously.

ADJOURNMENT

There being no further business, Chairman Zeiger adjourned the meeting at 5:17 p.m.

BOARD OF COMMISSIONERS
CARBON COUNTY, WYOMING

-s Artlin Zeiger, Chairman

ATTEST:

-s- Linda Ann Smith, County Clerk