

BOARD OF CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, October 7, 2003
Commissioners Meeting Room
Carbon County Courthouse, Rawlins, Wyoming

The regular meeting of the Carbon County Commissioners was held on October 7, 2003, 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 Gwynn Rothenberger, Deputy Clerk.

Chairman Artlin Zeiger called the meeting to order at 9:03 a.m.

VOUCHERS

The following vouchers were presented for payment:

AT&T	Grants	19.75
A to Z Copier Service	CES	142.50
Alsco	Road & Bridge	73.76
American Planning Association	Planning	242.00
Art's Plumbing & Heating	Senior Center	67.25
Avaya	Radio Tech	22.70
Bartlett, Sue	Public Health	483.22
Best Western Hitching Post	Attorney	484.31
Bi-Rite Pharmacy	Public Health	88.93
Bi-Rite Sporting Goods	Sheriff	56.60
Bob Barker Company	Jail	175.53
Branham Publishing	Treasurer	47.90
Bresnan Communications	Sheriff	51.89
Brown, Estella	Grants	56.10
Build Rite Lumber	Various	71.52
Busey, Sharalee	Public Health	168.49
Carbon County Senior Services	Senior Center	32,500.00
Carbon County TV & Electronics	Various	140.94
Centurytel	Road & Bridge	109.35
Cesko, David MD	Administration	1,230.00
Communications Source	Sheriff	1,891.50
Cop Shop	Sheriff	539.90
Corporate Express	Various	770.63
Corral West Ranchwear	Sheriff	1,381.77
Crawford, Warren	CES	397.38
Cruz, Sally	Public Health	16.50
D & K Sanitation	Various	160.00
D & L Well Service	Clerk of Court	84.25
Daggett County Sheriff	Jail	6,796.72
Daily Times	Various	462.09
Davidson, Kathi	Sheriff	119.93
DeLeon, John	Administration	1,120.00
Dixon, Town of	Senior Center	30.00
DocuSource Print Management	Jail	205.70
Dominos Pizza	Administration	112.55
Downes Etc	Public Health	56.50
Drive Train Industries	Road & Bridge	1,334.34
Dubois Telephone Exchange	Sheriff	44.51
Eagle Computer Systems	Clerk of Court	218.50

Eagle Uniform Supply	Carbon Building	59.23
Elk Mountain Towing	Sheriff	30.84
Engstrom, James DDS	Jail	50.00
Erickson & Roberts	Administration	270.00
Evans, Morgan	Jail	52.00
Farmer Brothers	Attorney	29.59
Gases Plus	Road & Bridge	42.19
Golden, Mary	Public Health	112.33
Gosevner, Maxine	Public Health	29.37
Grabow, Jay	Planning	205.19
Great North American Companies	Sheriff	406.60
Hettgar, Bridget	Public Health	472.62
High Plains Power	Various	131.35
Hillcrest Spring Water	Various	39.10
Holiday Inn - Casper	Various	261.16
Hyland Enterprises	Road & Bridge	1,200.00
Intermountain Record	Treasurer	1,498.10
IOS Capital	Administration	2,080.99
J H Kaspar Oil	Road & Bridge	1,739.81
Jackalope Printing	Various	228.66
JB's Stop-n-Shop	Sheriff	20.50
Kar Products	Road & Bridge	147.31
Kilburn Tire Company	Road & Bridge	743.86
Kirsch, AP MD	Various	1,627.65
KN Energy	Road & Bridge	7.51
Knapp Supply & Equipment	Courthouse	55.06
L M Olson Construction	Grants	219,236.40
Lassle, Shannon	Public Health	16.50
Lawson Sanitation	Emergency Management	20.00
Lippincott	Public Health	39.95
Little Rascals Preschool	Building & Grounds	73.80
Lodge, The	Grants	116.90
Long Building Technologies	Building & Grounds	2,489.44
Massey, Daniel PC	Administration	150.00
Mcconahay, John	Grants	1,960.00
Memorial Hospital of Carbon County	Various	4,436.32
Merck Human Health	Public Health	768.16
Mika Tree Service	Building & Grounds	400.00
Moriarity, Catherine	Administration	924.50
Pacific Power & Light	Road & Bridge	800.39
Page One West	Various	287.85
Pamida, Inc	Various	29.36
People Magazine	Sheriff	49.95
Perkins Oil Co	Various	498.72
Perue Printing	Clerk of Court	265.00
Peterbilt of WY	Road & Bridge	1,075.14
Pickett, Thomas	Assessor	2,500.00
Pioneer Printing	Attorney	23.13
Plainsman Printing & Supply	Clerk of Court	437.81
Plan One / Architects	Grants	76,863.28
Quill Corporation	Public Health	160.06
Qwest	Grants	66.40
Rasmusson Furniture	Senior Center	190.00
Rawlins Automotive	Various	567.89
Rawlins, City of	Senior Center	355.00
Robidoux Brothers	Sheriff	67.00
Ross' Automotive services	Sheriff	62.85

Ryan Electronics	Radio Tech	2,748.63
Ryan Park Fire & EMS	Administration	4,729.14
Ryan, Zola	CES	98.87
Saratoga Auto Glass & Window Tinting	Road & Bridge	303.55
Saratoga Sun	Various	639.58
Seiloff, William	Senior Center	300.00
Shepard's	Sheriff	411.71
Shively Hardware	Road & Bridge	22.23
Smith, Susan	Grants	7.59
Square Shooters Eating House	Administration	591.08
Stan's Quik Lube	Sheriff	30.95
State of WY Computer Division	Elections	65.98
Terminix	Various	65.00
TLC Commercial Cleaning	Carbon Building	3,000.00
Trading Post	Sheriff	113.73
Traveling Computers	Public Health	20.99
Trib.com	Planning	19.95
True Value of Rawlins	Various	77.65
Tufts University	CES	20.00
Union Telephone Co	Various	775.42
United Rentals	Road & Bridge	784.30
USP Communications	Various	705.14
Valley Oil Co	Sheriff	428.69
Verizon Wireless	Various	316.02
Viking Office Products	Various	412.17
Visionary Communications	Grants	30.00
Voorhis Associates	Grants	1,483.57
W A C O	Various	350.00
White Buffalo Enterprises	Grants	500.00
Wilson, Margaret	Sheriff	12.00
WY Clerk of Court Association	Clerk of Court	125.00
WY Department of Family Services	WIC	60.24
WY Machinery Company	Road & Bridge	1,405.48
WY Paper Supply	Various	500.32
WY Peace Officers	Sheriff	430.00
WY State Bar	Attorney	952.50
WY Surplus Property	Sheriff	100.00
Xerox Corp	Various	503.11
Yampa Valley Electric	Various	1,031.63
	TOTAL	402,620.55

CLERK

Minutes

Commissioner Fleming moved to approve the minutes from the September 2, 2003 meeting as presented. The motion was seconded by Commissioner Meacham and carried unanimously.

Commissioner Fleming made a motion to approve the minutes from the September 23, 2003 meeting as presented. The motion was seconded by Commissioner Meacham and carried unanimously.

Bonds

A bond was approved for Ransom Hackett of the Baggs Solid Waste District in the

amount of \$10,000.00, dated September 29, 2003.

Homeland Security

Commissioner Meacham moved and Commissioner Fleming seconded to authorize the Chairman to sign the Grant Award for U.S. Department of Homeland Security for Phase II, Project ID 03I-ODP-CAR-XC-1114-ODX3 in the amount of \$297,482.40. The motion carried unanimously.

Monthly Receipts

Clerk Smith reported that the monthly receipts for Planning & Zoning totaled \$600.00 and receipts for Road & Bridge totaled \$30.00.

Carbon County Road 648

Commissioner Fleming moved that a letter to David C. Clark be written to request an independent council to be present and represent the Board during the October 28, 2003 Carbon County Road 648 hearing. The motion was seconded by Commissioner Meacham and carried unanimously.

ELECTED OFFICIALS

Assessor, Darrell Stubbs presented eight abatements and one rebate for approval.

SENIOR SERVICES

Bill Michie presented his monthly report to the Board.

CARBON CEMETERY

Nancy Anderson of the Hanna-Energy Basin Historical Society appeared to discuss the progress of the Carbon Cemetery project and presented a grant application for approval.

Commissioner Fleming moved to authorize submission of a grant to the McMurry Foundation in the amount of \$20,000.00 to be used for repair of the tombstones at the Carbon Cemetery. The motion was seconded by Commissioner Meacham and carried unanimously.

JAIL COMMITTEE

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

Commissioner Meacham moved to approve Change Order Number One (01) to the Carbon County Jail and Communications Center Contract between Carbon County and Plan One dated March 4, 2003, deducting \$30,225.00 for a reduction in fill material hauled by Carbon County Road & Bridge with actual savings to the County of \$27,586.00. The motion was seconded by Commissioner Fleming and carried unanimously.

Commissioner Fleming moved to hire Voorhis Associates, Inc. on an hourly basis in an amount not to exceed \$35,000 for Phase III consultation services and to hire Voorhis Associates, Inc. for Phase IV Transition in the amount of \$240,000.00. The motion was seconded by Commissioner Meacham pending discussion.

Commissioner Fleming moved to amend the previous motion by separating Phase III and Phase IV services into two motions. The motion was seconded by Commissioner Meacham and the motion carried unanimously.

The original motion made by Commissioner Fleming and seconded by Commissioner Meacham to hire Voorhis Associates, Inc. on an hourly basis in an amount not to exceed \$35,000 for Phase III consultation services and to hire Voorhis Associates, Inc. for Phase IV Transition in the amount of \$240,000.00 was denied. Chairman Zeiger, Commissioner Meacham, and Commissioner Fleming all voted no.

Commissioner Fleming moved to award Voorhis Associates, Inc. a contract in the amount of \$240,000.00 to assist in Phase IV transition for the new jail. The motion was seconded by Commissioner Meacham and carried unanimously.

Commissioner Meacham moved to award a contract in the amount of \$35,000 to Voorhis Associates, Inc. for keying and numbering and for Phase III consultation services to be used strictly with the Sheriff's Office and the Board of County Commissioners. The motion was not seconded and died.

Commissioner Fleming moved that a contract in the amount of \$35,000.00 be awarded to Voorhis Associates, Inc. with an amount not to exceed \$30,000.00 for an on-call basis to be utilized for Phase III consultation with Randy Shinkle, the Carbon County Sheriff's Office and the Board of Carbon County Commissioners and with \$5,000.00 to be allocated for keying and numbering. The motion was seconded by Commissioner Meacham and carried. Chairman Zeiger voted no.

EMERGENCY MANAGEMENT

Greg Zabel reported that the State has inspected the Armory for led dust and led paint. A written report will be sent when results are determined.

The Commissioners gave Mr. Zabel authority to offer the Red Cross half the original cost of \$7,000.00 for the purchase of the telephone system at the armory.

GIS / GPS

Karen Larsen presented her monthly report to the Board.

HOMELAND SECURITY

Pam Farster, grant consultant, appeared to discuss the status of the Phase II Homeland Security Grant.

LUNCH

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

EXECUTIVE SESSION

Commissioner Fleming moved to go into executive session at 1:30 p.m for discussion of litigation. The motion was seconded by Commissioner Meacham and carried unanimously.

Commissioner Fleming moved and Commissioner Meacham seconded to come out of executive session at 2:04 p.m. The motion carried unanimously.

PUBLIC HEARING

Jay Grabow and Henry Hewitt appeared before the Board in regard to Case Files #03-27, and #03-28.

Chairman Zeiger opened a public hearing at 2:07 p.m. to present the following Planning & Zoning Case File for discussion:

Case File #03-27 - Ray Winningham: Request for a Zone Change from Open Range (OR) to Residential (RD-2 acres). The property is a 2-acre parcel within Winona Lode Claim Area of Medicine Bow National Forest, SW of Encampment, Off State Highway 707, about 1 mile from Bottle Creek Campground and Hog Park Road. The Winona Lode Claim, Survey No. 335A, is located in Section 19, T14N, R84W, Carbon County, Wyoming.

There were no public comments made on this case.

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

Commissioner Meacham moved to approve a Zone Change from Open Range to Residential for Case File #03-27 - Ray Winningham. The motion was seconded by Commissioner Fleming and carried unanimously.

Chairman Zeiger opened a public hearing at 2:16 p.m. to present the following Planning & Zoning Case File for discussion:

Case File #03-28 - Judy Dixon & Robert O'Connell: Request for a Zone Change from Open Range (OR) to Residential (RD) on Lots 10,11, & 12 (4.94 total acres). The property is located approximately ½ mile East of Baggs and in Section 9, T12N, R91W, 6th P.M. in Carbon County, Wyoming.

There were no public comments on this case.

Chairman Zeiger closed the public hearing at 2:18 p.m.

Commissioner Fleming moved to approve a Zone Change from Open Range to Residential for Case File #03-28 - Judy Dixon and Robert O'Connell with one dwelling on the property. The motion was seconded by Commissioner Meacham and carried unanimously.

Commissioner Meacham moved and Commissioner Fleming seconded to approve Resolution No. 2003-35 A Resolution of the Board of County Commissioners of Carbon County, Wyoming Approving the Rezoning of Lands. The motion carried unanimously.

Resolution No. 2003 - 35

**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 September 2, 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 October 7, 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 #03-27 - Ray Winningham: Request for a Zone Change from Open Range (OR) to Residential (RD-2 acres). The property is a 2-acre parcel within Winona Lode Claim Area of Medicine Bow National Forest, SW of Encampment, Off State Highway 70, about 1 mile from Bottle Creek Campground and Hog Park Road. The Winona Lode Claim, Survey No. 335A, is located in Section 19, T14N, R84W, Carbon County, Wyoming.

(2) Case File #03-28 - Judy Dixon & Robert O'Connell: Request for a Zone Change from Open Range (OR) to Residential (RD) on Lots 10, 11, & 12 (4.94 total acres). The property is located approximately ½ mile East of Baggs and in Section 9, T12N, R91W, 6th P.M. in 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 _____7th_____ day of _____October_____, 2003.

BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING

By: -s- Artlin "Art" Zeiger, Chairman
-s- Linda L. Fleming
-s- Lee Meacham

Attest:

-s- Linda Ann Smith, Carbon County Clerk

EXECUTIVE SESSION

Commissioner Fleming moved to go into executive session at 2:36 p.m. for personnel. The motion was seconded by Commissioner Meacham and carried unanimously.

Commissioner moved and Commissioner seconded to come out of executive session at 3:05 p.m. The motion carried unanimously.

ROAD & BRIDGE

The following sealed bids for a new pickup to be used by Road & Bridge were opened and presented:

Dallin Motors	2004 ¾ ton pickup	\$29,515.00
Skyline Motors	2004 Chevrolet Silverado	\$31,284.00
Greiner Ford	2004 Ford F250	\$25,124.00
	2004 Ford F250	\$27,797.00
	2004 Ford F250	\$27,468.00
Fremont Motors	2004 Ford pickup	\$27,296.34
	2004 Ford pickup	\$28,554.34

Bill Nation requested that he be given time to review the bids and return at the next regular meeting to make his recommendation of which bid to accept.

Mr. Nation presented his bi-monthly report to the Board. He also gave an update of the October 5, 2003 meeting with Seminole Boat Club members regarding a private road leading to the Boat Club. He stated that the long-term goal would be to replace the road at an estimated cost of \$2.5 million.

MEMORIAL HOSPITAL OF CARBON COUNTY

Commissioner Fleming moved to go into executive session at 3:30 p.m. for discussion of litigation. Commissioner Meacham seconded and the motion carried unanimously.

Commissioner Meacham moved to come out of executive session at 4:10 p.m. The motion was seconded by Commissioner Fleming and carried unanimously.

RECESS TO ROAD HEARING / STRATTON VS. REIDY

Chairman Zeiger recessed the meeting at 4:12 p.m. for the Viewers and Appraisers Meeting in the Stratton vs. Reidy matter. David Erickson appeared as the hearing officer with the Board of County Commissioners.

The County Commissioners executed the Instructions to Viewers and Appraisers in Road Case No. CCR-01-001 Stratton vs. Reidy. Casey McKee, James Espy, and Gilbert Blumenthal agreed to be the viewers and appraisers in the above matter and executed the Oath of Viewers and Appraisers and issued a notice of meeting for

October 20 at 10:00 a.m. for the proposed road located at the Terence and Maureen T. Reidy property located in section 14, T12N, R87W, 6 P.M. Carbon County Wyoming.

The meeting was reconvened at 4:40 p.m.

JOHNSON CONTROLS

Bill Shelton of Johnson Controls appeared inquiring why Johnson Control's low bid on the heating/air conditioning project for the new jail was not accepted. The Board explained their reasoning for choosing Long Building Technology's bid.

FIRE DEPARTMENT

Dwight France appeared before the board to discuss fire truck bids. He also gave a report on the County Fire Department.

ADJOURNMENT

There being no further business, Chairman Zeiger adjourned the meeting at 5:55 p.m.

BOARD OF COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Artlin Zeiger, Chairman

ATTEST:

-s- Linda Ann Smith, County Clerk