

**BOARD OF CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, April 6, 2004  
Carbon County Courthouse  
Rawlins, Wyoming**

The regular meeting of the Carbon County Commissioners was held on April 6, 2004, at the County Courthouse in Rawlins, WY. 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 9:00 a.m.

**VOUCHERS**

The following vouchers were presented for payment:

AT&T	Sheriff	\$ 7.25
Alco	Public Health	22.99
Alsco	Various	100.43
American Academy of Pediatrics	Public Health	110.90
Amerigas	Senior Center	333.35
Art's Plumbing & Heating	Senior Center	650.06
Atco International	Road & Bridge	658.20
Avaya	Radio Tech	22.70
B. Dalton Bookseller	Grants	169.97
Bank of Commerce	Clerk of Court	54.95
Barnes Distribution	Road & Bridge	95.82
Bartlett, Sue RN	Public Health	300.83
Behavioral Interventions	Grants	643.49
Bernal, Marchia	Grants	300.00
Bob Barker Company	Jail	228.06
Bresnan Communications	Various	297.79
Brush Creek Computer Service	Attorney	110.00
Build Rite Lumber	Various	32.26
Busey, Sharalee	Public Health	181.11
Carbon County Senior Services	Various	32,500.00
Carbon County TV & Electronics	Various	63.57
Carbon Power & Light	Grants	711.69
Casper Star-Tribune	Administration	167.90
Cesko, David	Grants	135.00
Chandra, V Raja MD	Various	156.50
Computer Software Associates	Administration	803.50
Cop Shop	Sheriff	1,985.00
Corner Store	Emergency Management	27.82
Corporate Express	Various	404.99
Crawford, Warren	Cooperative Extension	2,305.78
Cruz, Sally	Public Health	15.59
Culligan Water Conditioning	Senior Center	28.75
Cyr, Nancy	Various	95.71
D & K Sanitation	Various	241.00
Daily Times	Various	818.45
Dick Bradshaw Welding	Road & Bridge	90.00
Down Under Cleaner's	Courthouse	35.50

Eagle Uniform Supply	Carbon Building	58.98
Elk Mountain Towing	Sheriff	210.57
Engstrom, James DDS	Jail	450.00
Erickson & Roberts	Administration	1,769.53
Evergreen Disposal	Senior Center	85.00
Farmer Brothers Coffee	Clerk	104.55
Farster, Pamela	Grants	1,850.00
First Choice Inn	Grants	39.95
Freudenthal, Salzburg & Bonds	Administration	42,243.19
Glenn D. Biggs & Associates	Jail	1,537.50
Golden, Mary	Public Health	27.39
Gosevner, Maxine	Public Health	55.44
Governor's Council on Impaired Driving	Attorney	50.00
Graphic Sports	Clerk of Court	2,041.00
H H C A W	Public Health	50.00
Hasco Industrial Supply	Road & Bridge	393.72
Hettgar, Bridget RN	Public Health	66.99
High Plains Power	Various	155.49
Hillcrest Spring Water	Clerk of Court	30.78
Holiday Inn - Cheyenne	Grants	316.48
Hyland Enterprises	Road & Bridge	76.88
Injoy Videos	Grants	107.95
Intermountain Record Center	Clerk	104.30
Jack, Palma	Road & Bridge	375.00
Jackalope Printing	Various	206.92
Jerry's Donuts	Clerk	13.98
Kilburn Tire Company	Various	674.55
Kirsch, AP MD	Grants	45.00
Kirsch, AP MD	Jail	1,500.00
KN Energy	Various	1,787.08
Kraft, Ian	Grants	390.00
Kroger - King Soopers	Administration	15.97
Lassle, Shannon	Public Health	16.50
Lawson Sanitation	Emergency Management	20.00
MacPherson, Kelly & Thompson	Administration	601.36
Massey, Daniel PC	Administration	544.98
Medicine Bow, Town of	Senior Center	48.10
Memorial Hospital	Administration	5,077.83
Morrow, Lavonne	Grants	250.00
New Dawn Technologies	Attorney	390.00
Pacific Power & Light	Various	1,071.94
Page One West	Various	287.85
Pamida	Courthouse	148.73
Perkins Oil	Sheriff	447.96
Perue Printing	Clerk of Court	265.00
Pharmasoft Publishing	Grants	36.45
Plan One / Architects	Grants	15,911.49
Prairie Dog Electric	Senior Center	365.20
Public Health Foundation	Public Health	94.50
Questar Gas	Senior Center	112.36
Quill Corporation	Various	52.80
Qwest	Various	362.84
Rawlins Automotive	Various	252.28
Rawlins Eye Care	Grants	180.00

Rawlins Fire Extinguisher	Road & Bridge	75.00
Rawlins Glass	Jail	26.61
Rawlins, City of	Various	1,846.35
Reliable	Planning	81.49
Richardson, Jill	Public Health	26.37
Rip Griffin's Center	Road & Bridge	124.30
Robert Jack Smith & Associates	Planning	9.00
Ryan Electronics	Radio Tech	2,658.33
Ryan, Zola	Cooperative Extension	138.04
Saratoga Auto Parts	Road & Bridge	57.51
Shively Hardware	Road & Bridge	79.30
Smith, Susan	Grants	11.88
Snap-On Tools	Road & Bridge	14.45
Snow King Resort	Grants	196.20
Southeast Wyoming ENT Clinic	Grants	63.39
Square Shooters	Administration	246.91
Stan's Quik Lube	Sheriff	39.89
Sweet, Jeffrey DDS	Grants	250.00
Symantec Order Services	Public Health	29.95
T & T Plumbing	Courthouse	65.00
Terminix	Carbon Building	65.00
Tire Distribution	Sheriff	13.00
Tophealth	Administration	259.20
Trevathan, Sabrina	Administration	330.20
True Value of Rawlins	Various	218.27
Union Telephone Company	Various	808.22
Valley Waste Management	Senior Center	45.00
Verizon Wireless	Various	303.36
Viking Office Products	Various	646.79
Visionary Communcations	Various	160.00
Voorhis Associates	Various	15,282.52
Watts, Jan	Grants	450.00
West Group Payment Center	Attorney	409.50
Wilson, Margaret	Sheriff	46.00
WY Department of Family Services	WIC	61.68
WY Diesel Service	Road & Bridge	57.11
WY Financial Insurance	Building & Grounds	2,500.00
WY Law Enforcement Academy	Coroner	640.00
WY Machinery Company	Road & Bridge	1,101.93
WY Paper Supply	Various	286.84
WY WIC Program	Grants	150.00
Wyoming.com	Cooperative Extension	239.40
Xerox Corporation	Various	719.55
Yampa Valley Electric	Various	621.67
	<b>Total</b>	<b>159,734.48</b>

## **CLERK**

### **Minutes**

Commissioner Fleming moved to approve the minutes from the March 2, 2004 and March 23, 2004 Commissioners' meetings as presented. Commissioner Meacham seconded and the motion carried unanimously.

## **Bonds**

Commissioner Meacham moved to authorize the Chairman to sign a bond for Susan Munson, Treasurer for the Town of Encampment, in the amount of \$25,000.00. Commissioner Fleming seconded and the motion carried unanimously.

## **Monthly Receipts**

Clerk Smith presented monthly receipts for the Planning and Zoning Department in the amounts of \$1200.00 and \$745.00.

## **Prisoner Medical Expenses**

Clerk Smith presented a letter from the Sheridan County Commissioners requesting information on what Carbon County is doing to limit prisoner medical expenses. The Board requested Clerk Smith refer this to Sheriff Colson and have him respond.

## **Board Appointments**

Commissioner Meacham moved to reappoint Dixie Shea to the Senior Services Board for a three-year term ending April 2007. Chairman Zeiger seconded and the motion carried with Commissioner Meacham and Chairman Zeiger voting yes. Commissioner Fleming was absent during this motion.

## **A&I Contract**

Commissioner Meacham moved to authorize the Chairman to sign the contract dated April 6, 2004 between the State of Wyoming Department of Administration and Information, General Services Division and the Carbon County Commissioners for lease of office space at the Carbon Building for use by the Department of Work Force Services, Vocational Rehabilitation Division in the amount of \$22,037.10 for a period of three years beginning July 1, 2004. Commissioner Fleming seconded and the motion carried unanimously.

## **Lawn Services**

Clerk Smith presented a letter from Phyllis McCann requesting she be retained as a to perform yard services at both the park North of the Senior Center and at the Carbon Building.

The Board requested that Clerk Smith put these services out for bid.

## **Courthouse Heating/Cooling**

Clerk Smith informed the Board about recent problems with valves, radiators, and leaks in the Courthouse.

## **Noyes Health Clinic**

Chief Deputy, Alice Garvin, reported that the employees of the Noyes Health Care Center that have requested to be enrolled in the county's health insurance plan are not yet covered but should soon be, and she has advised those individuals to keep their current coverage for now.

## **Choice Gas Plan**

Ms. Garvin reported that the county's current gas service provider, KN Energy, has made billing errors and approximately \$2,000.00 will be refunded.

She stated that it is time to choose a gas service provider for county buildings for the upcoming year.

Chairman Zeiger moved that Ms. Garvin be given the authority to monitor daily gas prices and lock in a price when she feels it will best benefit the county and if Ms. Garvin

is absent, the Board authorized Clerk Smith to lock in a rate. Commissioner Meacham seconded, and the motion carried unanimously.

### **Phone Lines**

Ms. Garvin reported that the current Centrix phone system would no longer be available as of October 1, 2004. Ms. Garvin will meet with Tom Herdt, President of Capitol Communications in Cheyenne, Wyoming, later today to discuss pricing and operation of the new phones.

Ms. Garvin reported that last week for a period of approximately three hours, some county offices did not have long distance service from the current service provider.

### **ELECTED OFFICIALS**

Lindy Schmidt, District Court Clerk, and Dave Clark, County Attorney, appeared to request that the Board consider use of the jail upstairs in the Courthouse when the inmates are moved to the new jail. Mr. Clark is requesting his office move upstairs to the jail, have the District Court Clerk's office move to his current office and leave Ms. Schmidt's current office for a jury room. Mr. Clark also suggested removing the law library as technology allows access to the same information online.

The Board responded that it will take this under advisement during the upcoming budget process.

Court Clerk Schmidt reported that she has started getting cost estimates on the lighting in the District Courtroom and she expects these will come in significantly less than the \$25,000.00 that is budgeted.

County Treasurer, Cindy Baldwin, reported on forest reserve funds and capital facilities tax funds.

### **SENIOR SERVICES**

Bill Michie presented his monthly report.

### **JAIL COMMITTEE**

Jerry Colson, and Randy Shinkle reported on the progress of the new jail construction. Mr. Shinkle stated that he is gathering pricing information for food service, phones, utilities and other expenses for the new jail. The sheriff's office is also inviting computer companies to demonstrate software for jail management, records and computer-aided dispatch.

Sheriff Colson also discussed staffing issues adding that he would like to add five new deputies to be trained to work in the new jail.

### **ROAD ASSET MANAGEMENT**

Bill Nation appeared with George Huntington and Khaled Ksaibati from the Wyoming Technology Transfer Center to discuss road asset management as it relates to coal bed methane development.

The gentlemen have worked with both Sheridan and Johnson counties to develop with an asset management program that would help develop a GIS based program that would show current roads and an overview of the damages that the extra traffic from coal bed methane development would have on those roads.

Information would be collected about all roads in Carbon County and compiled in a database then compare what locations need repairs due to heavy truck traffic. This

information could then be presented to the Department of Transportation for funding requests. The Board agreed to discuss this further during Road & Bridge's session.

### **JUVENILE JUSTICE**

Susan Lewis, Jerry Colson, and Ada Fowler appeared on behalf of Juvenile Justice to update the Board on how their program runs and its purpose.

### **LUNCH**

Chairman Zeiger recessed for lunch at 12:08 p.m. and reconvened at 2:04 p.m.

### **PLANNING & ZONING**

#### **Public Hearing**

Chairman Zeiger called a public hearing to order at 2:06 p.m. to hear Planning & Zoning Case #89-05-AMENDED: This case amends the action taken on Case #89-05 - Gerald Anderson.

Jay Grabow presented the following case:

Case #89-05-AMENDED: This case amends the action taken on Case #89-05 to the following: Case File #89-05 -AMENDED: This case amends the action taken on Case #89-05 to the following: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-5 acres). The RRA Zone allows residential and agricultural activities. This case is substituted for Case #03-38 as advertised on Wednesday, December 3, 2003. Parcel #1 is located in the SE ¼ of Section 25, T15N, R84W, 6<sup>th</sup> P.M., Carbon County, Wyoming, (containing 3.00 acres, more or less). Parcel #2 is located in the SE ¼ of Section 25, T15N, R84W, 6<sup>th</sup> P.M., Carbon County, Wyoming (containing 2.00 acres, more or less).

There were no public comments on this case. Chairman Zeiger closed the public hearing at 2:11 p.m.

Commissioner Fleming moved to approve Case File #89-05, Gerald Anderson as amended. Commissioner Meacham seconded and the motion carried unanimously.

Commissioner Fleming moved to authorize the Board to sign Resolution No. 2004-05 A Resolution of the Board of County Commissioners of Carbon County, Wyoming Approving the Rezoning of Lands for Planning & Zoning Case File #89-05 Gerald Anderson Amended. Commissioner Meacham seconded and the motion carried unanimously.

### **Resolution No. 2004 - 05**

#### **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 March 2, 2004, 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 April 6, 2004; 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 Amended 01-06-2004.

**(1) Case #89-05-AMENDED: This case amends the action taken on Case #89-05 to the following: Case File #89-05 -AMENDED: This case amends the action taken on Case #89-05 to the following:** Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-5 acres). The RRA Zone allows residential and agricultural activities. This case takes the place of Case #03-38 as advertised on Wednesday, December 3, 2003. Parcel #1 is located in the SE ¼ of Section 25, T15N, R84W, 6<sup>th</sup> P.M., Carbon County, Wyoming, (containing 3.00 acres, more or less). Parcel #2 is located in the SE ¼ of Section 25, T15N, R84W, 6<sup>th</sup> P.M., Carbon County, Wyoming (containing 2.00 acres, more or less).

*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 \_\_\_\_\_6<sup>th</sup>\_\_\_\_day of \_\_\_\_\_April\_\_\_\_\_, 2004.

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

-s- Artlin "Art" Zeiger, Chairman

-s- Linda L. Fleming

-s- Lee Meacham

Attest:

Linda Ann Smith, Carbon County Clerk

Commissioner Meacham moved to set a public hearing for May 2, 2004 at 2:00 p.m. at the Carbon County Courthouse to hear Case File #04-02 - David and Rita Bustos: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-50 acres). The RRA Zone allows residential and agriculture activities. A parcel of land located in the W1/2 NW1/4 SW1/4, W1/2 SW1/4 NW1/4, and NE1/4 SW1/4 NW1/4, Section 31, T21N, R87W, 6<sup>th</sup> P.M., Carbon County, Wyoming. Commissioner Fleming seconded and the motion carried unanimously.

Jay Grabow informed the Board that Case Files #04-03 and #04-04, both Old Baldy Corporation, have been tabled until the Planning Commission's May meeting.

Mr. Grabow informed the board that there has been a revision to Case File #98-09-02 - Cassidy River Ranch (Minor Plat Amendment) in the access easements to better utilize the terrain. The Planning Commission has also tabled this case at this time.

**ROAD & BRIDGE**

Bill Nation and Jay Grabow informed the Board that they attended an open house meeting with the Entrega Gas Pipeline regarding the proposed 380-mile pipeline that would run through Carbon County.

Bill Nation presented his bimonthly report.

A letter was presented written by Jay S. Gould of the Wyoming Department of Transportation advising that the total Seminoe Dam Road project cost will be in excess of \$5.7 million, and that \$3,479,350 in PLH funds is receivable and \$800,000 has been recaptured from unused funds in the previous two Seminoe Dam projects.

Commissioner Meacham moved that Phase IV of the Seminoe Dam Road funding as outlined in a letter from Jay Gould, Department of Transportation, dated March 9, 2004 be accepted. Commissioner Fleming seconded and the motion carried unanimously.

Commissioner Fleming moved that Carbon County participate in the \$4.2 million plus engineering costs to be taken from county road funds as outlined in a letter dated March 9, 2004 from Jay Gould of the Department of Transportation. Commissioner Meacham seconded and the motion carried unanimously.

Commissioner Meacham moved that the Chairman be authorized to sign the Forest Highway Agreement for Forest Highway 26, Sage Creek Road. Commissioner Fleming seconded and the motion carried unanimously.

Mr. Nation requested authorization for the purchase of a new blade in the amount of

\$16,455.00. The Board authorized the purchase pending the approval of the County Treasurer.

Mr. Nation requested approval of the Wyoming Technology Transfer Center proposal for road asset management.

Commissioner Meacham moved that the county enter into the Asset Management Plan with the Wyoming Technology Transfer Center for road asset management in the amount of \$13,356 for the three-year project to be paid out of fund 531-4116 with the stipulation that a clause for dust abatement be added. Commissioner Fleming seconded and the motion carried unanimously.

### **HANNA EMERGENCY MEDICAL SERVICE**

Richard Gregory appeared on behalf of the Hanna Emergency Medical Service (EMS) stating that the organization has applied for various grants for the purchase of a new ambulance. He is requesting that the County help in the purchase of the ambulance as the cost is approximately \$106,000.00.

Mr. Gregory proposed that if the County would help purchase a new ambulance, Hanna EMS would donate their current 1993 ambulance to the Ryan Park Fire Department.

### **PHONE SYSTEMS**

Deputy Garvin reported back on the meeting with Tom Herdt regarding the phone system. Ms. Garvin and Mr. Herdt recommended to the Board that the county adopt one, universal phone system to replace all phones in all offices. The Board authorized Ms. Garvin to prepare requests for proposals for a new system and report back.

The Board also advised Ms Garvin to inform Randy Shinkle that the new jail building will share the new phone system.

### **HOMELAND SECURITY**

Pam Farster and Greg Zabel reported that the 2004 Homeland Security funding has arrived and Carbon County was allotted \$220, 096.35 for equipment, planning, exercise and other areas, \$55,170.48 for communications, and \$8,923.31 was allotted for equipment, training and coordination for civilians. The Carbon County Sheriff was allotted \$41,586.41 and \$14,406.57 for the Carbon County Coroner. Also, each municipality with a certified police officer position will be given separate funding.

Ms. Farster also presented two contracts for Homeland Security funding. The Board asked Ms. Farster to have Tom Thompson to review the contracts.

Ms. Farster stated that the vendor selling the county a siren has requested that 10% be paid up front. She does not want to pay this up front out of grant funds and is requesting that the county pay the 10% percent and when the work is complete, the county will be reimbursed from the grant.

### **JAIL: PACIFIC POWER & LIGHT**

Commissioner Fleming moved to enter into Pacific Power and Light's General Service Contract for a power line at the new jail site. Commissioner Meacham seconded and the motion carried unanimously.

Commissioner Fleming moved to authorize the Chairman to sign the 20-foot right of way easement for the power line at the new jail site when the Pacific Power and Light service contract has been returned fully executed subject to verification of the centerline survey by the construction manager at risk. Commissioner Meacham seconded and the motion carried unanimously.

## **EXECUTIVE SESSION**

Commissioner Fleming moved to go into executive session at 4:46 to discuss litigation. Present were the Commissioners and Linda Smith. Commissioner Meacham seconded and the motion carried unanimously.

Commissioner Fleming moved to come out of executive session at 5:44 p.m. Commissioner Meacham seconded and the motion carried unanimously.

## **ADJOURNMENT**

There being no further business, Chairman Zeiger adjourned the meeting at 5:45 p.m.

BOARD OF COMMISSIONERS  
CARBON COUNTY, WYOMING

-s- Artlin Zeiger, Chairman

ATTEST:

-s- Linda Ann Smith, County Clerk