

**MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, August 2, 2005  
County Courthouse  
Rawlins, Wyoming**

The regular meeting of the Carbon County Commissioners was held Tuesday, August 2, 2005 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Artlin Zeiger; Commissioners Lee Meacham and Terry Weickum; Chief Deputy Clerk, Diana Obe; and Deputy Clerk, Gwynn Rothenberger.

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

**VOUCHERS**

The following vouchers were presented and approved for payment:

A T & T	PUBLIC HEALTH	38.14
ADVANCED MEDICAL COMPANY	JAIL	943.00
AED EVERYWHERE	GRANTS	67.85
ALCO	JAIL	115.70
ALCORN, CHRISTINE	SENIOR SERVICES	80.00
ALLSTATE IMAGING, INC.	TREASURER	1,157.82
ALPINE OFFICE SUPPLY	VARIOUS	533.94
ALSCO, AMERICAN LINEN DIVISION	VARIOUS	190.08
AMERICAN GOVERNMENTAL FINANCIAL	ADMINISTRATION	840.00
AMERIGAS	ROAD & BRIDGE	128.00
BAGGS, TOWN OF	SHERIFF	100.00
BARTLETT, SUE RN	PUBLIC HEALTH	97.01
BEHAVIORAL INTERVENTIONS	JAIL	246.60
BEST PEST CONTROL, LLC	SENIOR SERVICES	81.25
BI-RITE PHARMACY	VARIOUS	3,595.39
BI-RITE SPORTING GOODS	SHERIFF	150.04
BOB BARKER COMPANY	JAIL	522.16
BRESNAN COMMUNICATIONS	VARIOUS	203.03
BROWN, ESTELLA	GRANTS	11.84
BUSEY, SHARALEE	PUBLIC HEALTH	191.66
C & B SAND & GRAVEL	ROAD & BRIDGE	79.20
C N A SURETY	JAIL	50.00
CADDO SOLUTIONS	BUILDING & GROUNDS	366.88
CARBON COUNTY CHAMBER OF COMMERCE	SEVERANCE	5,000.00
CARBON COUNTY CHILD DEVELOPMENT	GRANTS	1,000.00
CARBON COUNTY COOPERATIVE EXTENSION	EXTENSION	126.00
CARBON COUNTY TV & ELECTRONICS	VARIOUS	40.86
CARBON POWER & LIGHT INC	RADIO TECH	213.12
CBM FOOD SERVICE	JAIL	6,547.82
CEDAR STREET SINCLAIR	COURTHOUSE	15.00
CENTURYTEL	VARIOUS	137.37
CESKO, DAVID MD	VARIOUS	3,367.00
CHEMSEARCH	COURTHOUSE	255.92
COLD NOSE INVESTIGATORS	SHERIFF	73.26
COMPUTER SOFTWARE ASSOCIATES	CLERK	168.50
CORPORATE EXPRESS	SHERIFF	77.55
COUNTRY STORE	SHERIFF	217.39
CRAFTSMAN ELECTRIC	EMERGENCY MANAGEMENT	54.72
CULVER, GLEN	SENIOR SERVICES	20.00
CURLEY, WILLIAM	ADMINISTRATION	872.00
CUSTOM CREATIONS	SHERIFF	232.50
CYR, NANCY	PUBLIC HEALTH	24.05
DAGGETT COUNTY SHERIFF	JAIL	1,674.00
DAILY TIMES	VARIOUS	3,594.50
DOMINOS PIZZA	ADMINISTRATION	149.09

DUBOIS TELEPHONE EXCHANGE	SHERIFF	87.46
E & H PLUMBING & HANDYMAN	CARBON BUILDING	140.00
EAGLE COMPUTER SYSTEMS	CLERK OF COURT	280.00
EAGLE UNIFORM SUPPLY	JAIL	141.68
ELDER EQUIPMENT LEASINF OF WYOMING	ROAD & BRIDGE	46.08
ENGSTROM, JAMES D. DDS	GRANTS	257.00
EPSON AMERICA INC.	GRANTS	762.00
FACTS AND COMPARISONS	PUBLIC HEALTH	406.83
FAR HORIZONS TRAVEL SERVICE	ADMINISTRATION	975.90
FARMER BROTHERS COFFEE	VARIOUS	211.70
FARSTER, PAMELA R.	GRANTS	1,000.00
FLEET SERVICES	SHERIFF	105.12
FORSTER LANDSCAPE & CONSTRUCTION	BUILDING & GROUNDS	383.00
FRANCE FLYING SERVICE	SHERIFF	257.02
FREMONT MOTORS-RAWLINS	ROAD & BRIDGE	350.49
G. NEIL COMPANIES	ROAD & BRIDGE	27.15
GOLDEN, MARY	PUBLIC HEALTH	13.32
GOSEVNER, MAXINE	PUBLIC HEALTH	30.71
GRAPHIC SPORTS	CLERK OF COURT	1,052.50
GREAT NORTH AMERICAN COMPANIES	SHERIFF	479.60
HANCOCK, KRISTI	GRANTS	420.00
HANNA, TOWN OF	ROAD & BRIDGE	54.74
HENRY SCHEIN, INC.	JAIL	61.74
HENSON, RUFUS	BUILDING & GROUNDS	600.00
HERTER, JACQUES PHD	SHERIFF	450.00
HIGH PLAINS POWER	VARIOUS	362.41
HIGH PLAINS VISION CENTER	GRANTS	168.00
HILLCREST SPRING WATER, INC.	CLERK OF COURT	13.00
HILLTOP CONOCO	EMERGENCY MANAGEMENT	29.39
HILLTOP LUBE	SHERIFF	42.50
HONES VETERINARY SERVICE, LLC	SHERIFF	300.10
HYLAND ENTERPRISES	ROAD & BRIDGE	33.68
INTERMOUNTAIN RECORD CENTER, INC.	TREASURER	1,340.62
J H KASPAR OIL COMPANY	VARIOUS	2,506.56
JACKALOPE PRINTING	VARIOUS	488.41
JB'S STOP-N-SHOP	SHERIFF	112.50
JERRY'S DONUTS	COMMISSIONERS	13.98
JUVE, JANE H	ATTORNEY	129.60
KAISER PAINTING & LAWN CARE	BUILDING & GROUNDS	50.00
KAR KRAFT INC	SHERIFF	469.85
KILBURN TIRE COMPANY	SHERIFF	100.23
KIRSCH, A P MD	JAIL	2,400.00
KN ENERGY INC	VARIOUS	786.89
KONE ELEVATORS ESCALATORS	VARIOUS	990.00
KROGER - KING SOOPERS	SHERIFF	135.52
LEXIS NEXIS MATTHEW BENDER	ADMINISTRATION	1,780.85
LONG BUILDING TECHNOLOGIES, INC.	VARIOUS	3,178.15
M LEE PUBLISHING	ATTORNEY	197.00
M S C	CLERK	67.40
MACPHERSON, KELLY & THOMPSON, LLC	ADMINISTRATION	779.75
MAIN STREET BANNERS USA	CARBON BUILDING	102.54
MATCO TOOLS	ROAD & BRIDGE	158.95
MEMORIAL HOSPITAL	VARIOUS	4,343.03
MURRAY'S	BUILDING & GROUNDS	270.00
MY AUTOMOTIVE, INC.	SHERIFF	38.63
NATIONAL BUSINESS SYSTEMS, INC.	PUBLIC HEALTH	33.50
NORCHEM DRUG TESTING LAB	GRANTS	29.80
OROZ, MARIA	ADMINISTRATION	25.00
P J TECH SERVICES	ATTORNEY	90.00
P M P C ENGINEERING	SC ROAD & BRIDGE	32.50
PACIFIC POWER & LIGHT CO	VARIOUS	3,954.20
PAGE ONE	VARIOUS	276.90
PALMER CAP-CHUR EQUIPMENT, INC.	SHERIFF	114.07
PAMIDA INC	VARIOUS	154.87

PARKER, SUSAN	EXTENSION	365.57
PERKINS OIL CO	VARIOUS	3,317.28
PHILLIPS 66-CONOCO-76	SHERIFF	1,228.34
PICKETT, THOMAS Y AND	ASSESSOR	2,500.00
PLAINSMAN PRINTING & SUPPLY	CLERK	131.58
PLAN ONE / ARCHITECTS	GRANTS	8,491.37
PLATTE COUNTY SHERIFF'S DEPT	JAIL	324.10
PLATTE VALLEY RANCH SUPPLY	ROAD & BRIDGE	57.29
PRO-CHEM INDUSTRIAL, LLC	JAIL	682.40
PUBLIC SAFETY WAREHOUSE	SHERIFF	468.55
QUALITY LANDSCAPE	BUILDING & GROUNDS	120.00
QUILL CORPORATION	ROAD & BRIDGE	506.86
QWEST	VARIOUS	97.05
RAWLINS AUTOMOTIVE	VARIOUS	51.80
RAWLINS FIRE EXTINGUISHER	VARIOUS	132.00
RAWLINS GLASS	ROAD & BRIDGE	215.00
REMICK, JOE	GRANTS	3,088.00
REMICK, SHELIA	GRANTS	372.50
RENDEZVOUS LODGE LLC.	SHERIFF	54.00
RICHARDSON, JILL	PUBLIC HEALTH	67.09
RITE-STYLE OPTICAL	ROAD & BRIDGE	149.50
RYAN ELECTRONICS INC	RADIO TECH	3,361.75
SARATOGA AUTO PARTS, INC.	RAO	89.66
SARATOGA AVIATION INC.	SHERIFF	69.33
SARATOGA SUN	VARIOUS	1,503.01
SHEPARD'S	SHERIFF	304.71
SHIVELY HARDWARE	ROAD & BRIDGE	311.80
SKYLINE MOTORS, INC.	EXTENSION	33.41
SOUTHWEST PROFESSIONAL	ROAD & BRIDGE	50.00
SQUARE SHOOTERS EATING HOUSE	ADMINISTRATION	180.64
STAN'S QUIK LUBE	SHERIFF	72.40
T'S KEYS	COURTHOUSE	52.00
TERMINIX	SENIOR SERVICES	30.00
TIGER MART	SHERIFF	52.09
TRADING POST	SHERIFF	115.69
TRUE VALUE OF RAWLINS	VARIOUS	508.56
U S BANK	SHERIFF	346.31
UNION TELEPHONE COMPANY	VARIOUS	369.99
UNIVERSITY OF IDAHO	EXTENSION	25.00
VALLEY OIL COMPANY	SHERIFF	870.11
VAN'S WHOLESALE	COURTHOUSE	114.75
VERIZON WIRELESS	VARIOUS	269.32
VIDEO HITS & GAMES	JAIL	9.87
VIKING OFFICE PRODUCTS	VARIOUS	287.60
VISIONARY COMMUNICATIONS, INC.	EMERGENCY MANAGEMENT	71.70
VOORHIS ASSOCIATES, INC.	BUILDING & GROUNDS	646.45
WACO	TREASURER	100.00
WASHBOARD, THE	COURTHOUSE	37.20
WATTS, JAN	GRANTS	250.00
WEST PAYMENT CENTER	ATTORNEY	450.45
WILSON'S SELF SERVICE	ROAD & BRIDGE	585.75
WILSON, MARGARET	SHERIFF	36.00
WIMPENNY, ROBERT G DDS	GRANTS	300.00
WORDEN, MARVIN	SHERIFF	18.83
WY DIESEL SERVICE	ROAD & BRIDGE	10.37
WY MACHINERY COMPANY	ROAD & BRIDGE	495.57
WY OFFICE SOLUTIONS	WIC	83.27
WY PAPER SUPPLY	VARIOUS	1,297.01
WY STATE ARCHIVES	CLERK	30.00
XEROX CORPORATION	VARIOUS	734.69
YOUNG, CHARLES MD	GRANTS	198.00
ZEE	JAIL	6.90
	GRAND TOTAL	105,145.13

**CLERK**

**Minutes**

Commissioner Meacham moved to approve the minutes from the July 18, 2005 Budget Hearing as presented. Commissioner Weickum seconded and the motion carried unanimously.

Commissioner Weickum moved to approve the minutes from the July 19, 2005 Commissioners meeting as presented. Commissioner Meacham seconded and the motion carried unanimously.

**Monthly Receipts**

Chief Deputy Clerk, Diana Obe, presented monthly receipts for Planning & Zoning in the amounts of \$725.00 and \$140.00 and for Road & Bridge in the amount of \$50.00.

**State of Wyoming Surplus Property**

Commissioner Meacham moved to approve Resolution No. 2005-26, a Resolution authorizing representatives to acquire federal surplus property. Commissioner Weickum seconded and the motion carried unanimously.

**RESOLUTION 2005-26**

“BE IT RESOLVED BY THE GOVERNING BOARD, OR, by the Chief Administrative Officer of those organizations which do not have a governing board, and hereby ordered that the official(s) and/or employee(s) whose name(s), title(s) and signature(s) are listed below shall be and is (are) hereby authorized as our representative(s) to acquire federal surplus property from WYOMING SURPLUS PROPERTY under the Terms and Conditions attached.”

<u>NAME</u>	<u>TITLE</u>	<u>SIGNATURE</u>	<u>DAY PHONE NUMBER</u>	<u>EMAIL ADDRESS</u>
Linda Ann Smith	County Clerk	-s- Linda Ann Smith	(307) 328-2617	ccclerk@bresnan.net
J.R. Colson	Sheriff	-s- J.R. Colson	(307) 324-2776	
Mike Morris	Undersheriff	-s- Mike Morris	(307) 324-2776	
Bill Nation	Road & Bridge Supr.	-s- Bill Nation	(307) 328-2681	
Dave Clark	County Attorney	-s- Dave Clark	(307) 328-2700	
Cindy Baldwin	Treasurer	-s- Cindy Baldwin	(307) 328-2631	cctreas@bresnan.net
Darrell Stubbs	Assessor	-s- Darrell Stubbs	(307) 328-2639	

PASSED AND ADOPTED THIS 2<sup>ND</sup> DAY OF AUGUST, 2005, BY THE GOVERNING BOARD OF CARBON COUNTY GOVERNMENT –s- Artlin Zeiger

BY THE FOLLOWING VOTE:

AYES, 3, Commissioners Meacham and Weickum, Chairman Zeiger

NOES: None

ABSENT: None

I, Diana K. Obe, Chief Deputy County Clerk, CLERK OF THE GOVERNING BOARD, DO HEREBY CERTIFY THAT the foregoing is a full, true, and correct copy of a resolution adopted by the board at a August 2, 2005 meeting thereof held at its regular place of meeting at the date by the vote above stated, which resolution is on file in the office of the board.

-s- Diana K. Obe

AUTHORIZED THIS 2<sup>ND</sup> DAY OF AUGUST, 2005 BY LINDA ANN SMITH, CARBON COUNTY CLERK.

-s- Artlin Zeiger, Carbon County Commissioners Chairman  
NAME OF ORGANIZATION: Carbon County Government  
STREET ADDRESS: 415 W. Pine Street  
MAILING ADDRESS: P.O. Box 6  
CITY, COUNTY, ZIP CODE: Rawlins, Wyoming 82301  
PHONE: 307-328-2676  
FAX: 307-328-2690

### **Wildfire Management Plan**

Commissioner Weickum moved to adopt the 2005 Wildfire Management Annual Operating Plan, Carbon County, Wyoming between the USDI Bureau of Land Management (BLM), Wyoming State Forestry Division (WSFD), USDA Forest Services (USFS), and Carbon County outlining fire protection responsibilities and priorities. Commissioner Meacham seconded and the motion carried unanimously.

### **Forest Service Law Enforcement Agreement**

Commissioner Meacham moved to authorize the Chairman to sign Modification No. 2 to the Cooperative Law Enforcement Agreement 04-LE11020600-027, USDA Forest Service, Medicine Bow-Routt National Forests and Carbon County Sheriff's Department, to incorporate the FY05 Annual Operating Plan, and the addition of a sovereign immunity clause. Commissioner Weickum seconded and the motion carried unanimously.

### **Rural Addressing**

Ms. Obe presented a letter from Jerry Faddis regarding the rural addressing project for the Board's review. Commissioner Meacham stated that Karen Larsen has already responded to Mr. Faddis.

### **Surplus Property**

Commissioner Weickum moved to declare one IBM Wheelwriter typewriter surplus, and authorize the County Assessor's Office to dispose of the item. Commissioner Meacham seconded and the motion carried unanimously.

### **WARM Property Pool**

Diana Obe presented an Amended Joint Powers Agreement for the Wyoming Association of Risk Management Property Insurance Pool to the Commissioners for their approval. She stated that the major change in the Amended Joint Powers Agreement is that an Executive Committee consisting of seven people will be elected to represent the board members. She stated that a representative of WARM requested that she consider submitting a letter of interest for serving on the seven-member committee.

Commissioner Meacham moved to support the request from WARM Property Pool to form an Executive Board and submit a letter of support to appoint Diana Obe to that Executive Committee. The motion also authorized the Chairman to sign the Wyoming Association of Risk Management Property Insurance Amended Joint Powers Agreement. Commissioner Weickum seconded and the motion carried unanimously.

### **Juvenile Justice**

Commissioner Meacham moved to authorize the Chairman to sign the WCCA/OJJDP "Non Participating" Grant Draw Down Request No. 4, CFDA #16.541, in the amount of \$8,000.00. Commissioner Weickum seconded and the motion carried unanimously.

## **SENIOR SERVICES**

### **Saratoga Senior Center**

Teresa Archer presented two bids for painting various areas at the Saratoga Senior Center. Bids were received from LD Carpet Installers in the amount of \$2,495.00 and from Custom Builders in the amount of \$8,326.00. Ms. Archer recommended accepting the bids from LD Carpet Installers.

The Board directed Ms. Archer to discuss the bids with Clerk Linda Smith.

### **Medicine Bow Health Center**

Ms. Archer presented a letter received from the County Clerk's Office stating the Medicine Bow

Health Center was awarded \$2,500.00 for re-graveling its parking lot. Ms. Archer requested authorization to have this work done.

The Board directed Mr. Archer to have the parking lot re-graveled and bill the county in November 2005.

## **CARBON BUILDING**

### **Heating / Air Conditioning**

Kandis Fritz, Carbon Building Manager, and Francis Pedro of Long Building Technologies, presented a letter from Dave Kenik of Long Building Technologies regarding the air conditioning at the Carbon Building.

Ms. Fritz stated that recently the air conditioning units at the Carbon Building have failed. Mr. Pedro stated that the equipment is over twenty years old and the manufacturer, Lennox Incorporated, is no longer making parts for these units.

The letter from Mr. Kenik stated that he has been able to secure parts that have been in stock to replace failed motors, but that these repairs are only short term and he recommends reviewing a plan for a system renovation.

Mr. Pedro stated there are five multi-zones in the building that five units cover. This coverage includes heat and air conditioning. There is one replacement unit on hand, but if more than one fails over the winter, there would be no heat in that zone.

Ms. Fritz will present a total replacement cost once she receives it from Mr. Kenik.

Mr. Pedro recommended installing carbon monoxide detectors throughout the building. Ms. Fritz will purchase and install the detectors as directed.

### **Water Leakage**

Ms. Fritz requested direction regarding the water leakage situation. Ms. Fritz presented one bid from Energy Construction dated September 21, 2004. Mr. Weickum requested Ms. Fritz obtain an updated bid from Energy Construction and additional bids for the repairs and present them at a future meeting.

## **JAIL COMMITTEE**

### **Substantial Completion**

Gary Olson presented the punch list of items that still need completed to be attached to the certificate of substantial completion. Mr. Olson stated the Sheriff's Office plans to occupy the building in the middle of August 2005.

Mike Morris stated he does not anticipate any punch list items preventing the planned occupancy. Mr. Morris stated any unresolved items from the punch list could be done while the sheriff's office staff is working in the building.

Mr. Olson requested the Board consider approving the certificate of substantial completion.

Commissioner Meacham moved to accept and approve the Certificate of Substantial Completion, AIA Document G704-2000, for the Carbon County Jail Project Number 0130, stating the Owner, Carbon County Commissioners, will assume full possession at 5:00 p.m. on July 8, 2005. Commissioner Weickum seconded and the motion carried unanimously.

The Board complimented LM Olson on the project and thanked them for their work.

Commissioner Weickum moved to commence a forty-one day publishing period regarding the Certificate of Substantial Completion. Commissioner Meacham seconded and the motion carried unanimously.

Mr. Olson discussed funding and offered to identify issues that may arise that could cost the county in the near future. This would allow the Board to earmark left over funding from the construction project for future needs.

Richard Fowler stated that Sheridan County Sheriff's Office purchased several surplus metal tables at \$700.00 each from the old jail and will be picking them up soon. Mr. Fowler presented a quote from Norex in the amount of \$3,157.00 for replacement.

Commissioner Weickum moved to authorize the purchase of four tables and sixteen chairs from Norex in the amount of \$3,157.00 to be used at the new jail. Commissioner Meacham seconded and the motion carried unanimously.

## **RECESS**

Chairman Zeiger adjourned for lunch at 11:40 a.m. and reconvened at 2:00 p.m.

## **PLANNING & ZONING**

### **Public Hearing – Case File 98-09-02**

Chairman Zeiger opened a public hearing at 2:00 p.m. to hear Planning & Zoning Case File #98-09-02.

Jonathan Schnal and William Speer presented the following case:

Case File #5-14-Cassidy River Ranch –

Mr. Schnal stated that in 2004, Cassidy River Ranch applied to amend the zone change. Since that time, the Bureau of Land Management (BLM) has still not approved access permits. Mr. Schnal stated the Planning Commission would like the Board of County Commissioner's approval contingent upon the BLM's approved access permits.

There were no public comments. Chairman Zeiger closed the public hearing at 2:03 p.m.

Commissioner Weickum moved to approve the minor plat amendment for the Cassidy River Ranch, Planning & Zoning Case File #98-09-02. Commissioner Meacham seconded and the motion carried unanimously.

Commissioner Weickum moved to approve Resolution No. 2005-27, A Resolution of the Board of County Commissioners, Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission in reference to Planning & Zoning Case File No. 98-09-02. Commissioner Meacham seconded and the motion carried unanimously.

### **Resolution No. 2005 - 27**

#### **A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission.**

**WHEREAS**, pursuant to Wyo. Stat. §18-5-202(b), the Carbon County Planning Commission held a public hearing on July 5, 2005, 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 Commission provided the public the opportunity to comment and the Carbon County Planning Commission considered any public comments which were made at said hearing; and

**WHEREAS**, at the conclusion of said public hearing, the Carbon County Planning 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 August 2, 2005; 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 #98-09-02 - Cassidy River Ranch - Planned Unit Development:** Request to amend the Consent To Second Revision Development Plan of the Cassidy River Ranch Planned Unit Development and also the recommendation to the Board of Carbon County Commissioners to approve and sign the development plan. This proposed amendment indicates the addition, the elimination, and the realignment of road easements. The development plan is on file with the Carbon County Planning & Development Department. Cassidy River Ranch is located 3 miles north of Medicine Bow off of Wyoming Highway 487.

**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 Commission.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this \_\_\_\_\_<sup>2<sup>nd</sup></sup>\_\_\_\_\_ day of \_\_\_\_\_  
August\_\_\_\_\_, 2005.

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

By: -s- Artlin "Art" Zeiger, Chairman  
-s- Lee Meacham  
-s- Terry Weickum

Attest:

-s- Diana K. Obe, Chief Deputy County Clerk

**Public Hearing – Case File #05-08**

Chairman Zeiger opened a public hearing at 2:05 p.m. to hear Planning & Zoning Case File No. 05-08.

Jonathan Schnal and William Speer presented the following case:

Case File #05-08: Old Baldy's request to present the Lyons Development Final Plat for Subdivision Review, the Lyons Development is zoned RD9002 and will consist of 10 two-bedroom cottages on Lots 1-10 of tract 12A, and 3 single-family homes on Lots 1-3 of Tract 12B.

Mr. Schnal stated that the Saratoga Town Council has already approved and signed off on the Final Plat. The applicant stated there has been no changes to the Final Plat since the Board's last review.

Chairman Zeiger closed the public hearing at 2:08 p.m.

Commissioner Meacham moved to approve Case File #05-08, Old Baldy's request to present the Lyons Development Final Plat for Subdivision Review, the Lyons Development is zoned RD9002 and will consist of 10 two-bedroom cottages on Lots 1-10 of tract 12A, and 3 single-family homes on Lots 1-3 of Tract 12B. Commissioner Weickum seconded and the motion carried unanimously.

Commissioner Weickum moved to approve Resolution No. 2005-28, A Resolution of the Board of County Commissioners, Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission in reference to Planning & Zoning Case File No. 05-08. Commissioner Meacham seconded and the motion carried unanimously.

### **Resolution No. 2005 - 28**

#### **A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission.**

**WHEREAS**, pursuant to Wyo. Stat. §18-5-301, the Carbon County Planning Commission held a public hearing on July 5, 2005, 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 Commission provided the public the opportunity to comment and the Carbon County Planning Commission considered any public comments which were made at said hearing; and

**WHEREAS**, at the conclusion of said public hearing, the Carbon County Planning Commission voted to certify in writing its recommendation to the Carbon County Commissioners to approve this plat pursuant to the Carbon County Subdivision Regulations, Carbon County, Wyoming; and

**WHEREAS**, the Carbon County Commissioners, pursuant to Wyo. Stat. §18-5-301 and after receipt of said certified recommendation for approval of this subdivision plat, advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on August 2, 2005; 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 subdivision plat; 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 subdivision plat 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 proposed subdivision plat.

**(1) Case File #05-08 = Old Baldy Corporation = Lyons Development:** Request for Subdivision Review. The request is to present the Lyons Development Final Plat for Subdivision Review. The Lyons Development is zoned RD9002. The development will consist of 10 two-bedroom cottages on Lots 1-10 of Tract 12A, and 3 single-family homes on Lots 1-3 of Tract 12B. Tracts 12A & 12B are located approximately one (1) mile east of Saratoga. This development consists of Tracts 12A & 12B located in Section 18, T17N, R83W, 6<sup>th</sup> P.M., Carbon County, Wyoming, being more completely described as follows:

#### **TRACT 12A:**

A tract of land in Section 18, T17N, R83W, 6<sup>th</sup> P.M., Carbon County, Wyoming, being more completely described as follows: Beginning at the Northwest corner of said Tract, a 5/8" rebar with aluminum cap, that bears S01°33'40"E, 2050.27 feet from the North one-quarter corner of said Section 18; Thence S00°49'40"W, 369.59 feet to a 5/8" rebar with aluminum cap; Thence S08°49'24"E, 61.52 feet to a 5/8" rebar with aluminum cap; Thence S36°50'12"E, 50.16 feet to a 5/8" rebar with aluminum cap; Thence S73°03'50"E, 42.12 feet to a 5/8" rebar with aluminum cap; Thence S89°42'25"E, 307.89 feet to a 5/8" rebar with aluminum cap; Thence S89°41'31"E, 50.49 feet to a point, the Southwest corner of said Tract; Thence N14°22'15"E, 229.46 feet to a point; Thence N75°49'22"W, 48.08 feet to a point; Thence N14°34'55"E, 72.50 feet to a point; Thence N76°29'46"W, 309.87 feet to a 5/8" rebar with aluminum cap; Thence N61°21'42"W, 72.80 feet to a 5/8" rebar with aluminum cap; Thence N52°45'46"W, 120.87 feet to the point of beginning, said Tract containing 3.89 acres, more or less.

#### **TRACT 12B:**

A tract of land in E1/2 of Section 18, T17N, R83W, 6<sup>th</sup> P.M., Carbon County, Wyoming, being more completely described as follows: Beginning at the Northwest corner of said Tract, a 5/8" rebar with aluminum cap, that S40°52'19"W, 3103.95 feet from the Northwest corner of said Section 18; Thence S14°08'08"W, 67.78 feet to a point; Thence N75°49'22"W, 48.08 feet to a

point; Thence S14°22'15"W, 229.46 feet to a point, the Southwest corner of said Tract; Thence S89°41'31"E, 50.49 feet to a 5/8" rebar with aluminum cap; Thence N89°51'03"E, 606.50 feet to a 5/8" rebar with aluminum cap, the Southeast corner of said Tract; Thence N14°24'45"E, 124.57 feet to a 5/8" rebar with aluminum cap, the Northeast corner of said Tract; Thence N70°48'11"W, 181.90 feet to a 5/8" rebar with aluminum cap; Thence N76°34'21"W, 407.26 feet to the point of beginning, said Tract containing 3.06 acres, more or less.

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

1. That the Carbon County Board of Commissioners, hereby approves this subdivision plat as certified to them in writing by the Carbon County Planning Commission.

**PRESENTED, READ, AND ADOPTED** at a regularly meeting of the Board of County Commissioners of Carbon County, Wyoming, this \_\_\_\_\_<sup>2<sup>nd</sup></sup>\_\_\_\_\_ day of \_\_\_\_\_ August \_\_\_\_\_, 2005.

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

By: -s- Artlin "Art" Zeiger, Chairman  
-s- Lee Meacham  
-s- Terry Weickum

Attest:

-s- Diana K. Obe, Chief Deputy Clerk

**Case File #05-15**

Mr. Schnal and Mr. Speer presented Planning & Zoning Case File #05-15.

Commissioner Meacham moved to accept Planning & Zoning Case File #05-15, John Joseph Monsour's request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-10) on approximately 10 acres. The RRA Zone allows residential and agricultural activities, and set a public hearing for September 6, 2005 at 2:00 p.m. at the County Courthouse, Rawlins, Wyoming. Commissioner Weickum seconded and the motion carried unanimously.

**Case File #05-16**

Mr. Schnal and Mr. Speer presented Planning & Zoning Case File #05-16.

Commissioner Weickum moved to accept Planning & Zoning Case File #05-16, Kenneth Daniel & Shauna Kay O'Leary's request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-1.5) on approximately 1.5 acres. The RD Zone allows residential activities and set a public hearing for September 6, 2005 at 2:30 p.m. at the County Courthouse, Rawlins, Wyoming. Commissioner Meacham seconded and the motion carried unanimously.

**Case File #05-17**

Mr. Schnal and Mr. Speer presented Planning & Zoning Case File #05-17.

Commissioner Meacham moved to accept Planning & Zoning Case File #05-17, Jared B. Massey & Cody R. Massey's request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-5) on approximately 5 acres. The RRA Zone allows residential and agricultural activities and set a public hearing for September 6, 2005 at 2:15 p.m. at the County Courthouse, Rawlins, Wyoming. Commissioner Weickum seconded and the motion carried unanimously.

**PLANNING COMMISSION**

## **Minor Subdivision Regulations**

Mr. Schnal presented the Proposed Amendments Subdivision Regulations of Carbon County, Minor Subdivision Regulations as follows:

### 1.12 EXEMPTIONS FROM SUBDIVISION REGULATIONS (Replace existing section)

Unless the method of sale or other disposition is adopted for the purpose of evading the provisions of these regulations, these regulations shall not apply to any subdivision of land that:

- 1) Is a division of land made outside of platted subdivisions for the purpose of a single gift or sale to a member of the grantor's immediate family, subject to the following requirements:
  - a. A member of the immediate family is limited to any person who is a natural or adopted child, stepchild, spouse, sibling, grandchild, grandparent or parent of the grantor;
  - b. The purpose of the division is to provide for the housing, business or agricultural needs of the grantee;
  - c. Parcels created under this section shall be titled in the name of the immediate family member for whom the division is made for a period of not less than one (1) year unless such parcels are subject to involuntary transfer including, but not limited to, foreclosure, death, judicial sale, condemnation or bankruptcy;
  - d. No parcel smaller than five (5) acres created under this paragraph shall be further divided unless the owner obtains a subdivision permit pursuant to W.S. 18-5-304.
- 2) May be created by any court of this state pursuant to the law of eminent domain, by operation of law or by order of any court in this state;
- 3) Is created by a lien, mortgage, deed of trust or any other security instrument, easements and rights-of-way;
- 4) Concerns lands located within incorporated cities or towns;
- 5) Is created by the sale or other disposition of land to the state of Wyoming or any political subdivision thereof;
- 6) Affects railroad rights-of-way;
- 7) Is a sale or other disposition of land for agricultural purposes or affects the alignment of property lines for agricultural purposes;
- 8) Is created by boundary line adjustments where the parcel subject to the sale or other disposition is adjacent to and merged with other land owned by the grantee;
- 9) Creates cemetery lots;
- 10) Is created by the acquisition of an interest in land in the name of a husband and wife or other persons in joint tenancy or as tenants in common, and the interest shall be deemed for purposes of this subsection as only one (1) interest.

This article shall not apply to the sale or other disposition of land where the parcels involved are thirty-five (35) acres or larger, subject to the requirements that ingress and egress and utility easements shall be provided to each parcel by binding and recordable easements of not less than forty (40) feet in width to a public road unless specifically waived by the grantee or transferee in a binding and recordable document.

### 2.02 PROCEDURAL OUTLINE (Insert added language)

The following outline is included as a guide for the subdivider to use in obtaining systematic review and approval or disapproval of a proposed *major subdivision*. *The following is not applicable to review and approval of a minor subdivision application as defined in Section 11.00 of these regulations.* The Planning Commission may delegate the initial contact and review responsibilities to an authorized representative.

## 2.10 MINOR SUBDIVISION: REVIEW AND APPROVAL (new section)

A minor subdivision permit provides for an adequate public record of the division, in a less complicated process than a major subdivision. This process shall not be applicable to lots or parcels in platted subdivisions of record.

### Limitations.

- 1) No minor subdivision shall be approved if:
  - a. A new public road or access development is needed or proposed;
  - b. A vacation of streets, alleys, access control or easements is required or proposed. Such actions will result in significant increases in service requirements, e.g., utilities, drainage, schools, traffic control, streets, etc.; or will interfere with maintaining existing service levels;
  - c. Approval might significantly increase demand on public services or would constitute a significant conversion of the existing land use of the property or land uses in the vicinity, or would not conform to other County regulations or policies;
  - d. There is less street right-of-way than required by regulations unless such additional street right-of-way dedication can be made by separate instrument;
  - e. All easement requirements have not been satisfied;
  - f. Such division would result in a tract without direct dedicated access to a public road;
  - g. The parcel is subject to periodic flooding which cannot be feasibly corrected;
  - h. State requirements for waste disposal and potable water development cannot be met;

### 2.10.01 Survey Requirements.

A Record of Survey and approval of any minor subdivision permit shall accompany or be referenced by all deeds recorded in the Office of the Carbon County Clerk that create a minor subdivision. The filers of records not accompanied by a subdivision permit or record of survey may be referred by the County Clerk to the Planning & Development Department to determine the exempt status of the filing. The Planning Commission and/or Zoning Officer may waive the record of survey requirement when aliquot parts are created such as when all parcels created by the division are either section quarters or quarter-quarters or are government resurvey lot or tracts or combinations of these. A Record of Survey shall comply with the following requirements:

- 1) Records of survey to be recorded shall be legibly drawn, printed or reproduced with permanent ink, and shall be eight and one-half by eleven inches (8½ X 11) or eight and one-half inches by fourteen inches (8½ X 14). Records of survey to be filed shall be legibly drawn, printed or reproduced with permanent ink and shall meet the requirements of W.S. § 33-29-139;
- 2) One (1) signed reproducible copy of a stable base (i.e. Mylar, archival-quality paper) shall be submitted.
- 3) Whenever more than one (1) sheet must be used to accurately portray the land divided or property boundaries realigned, each sheet must show the number of that sheet, and the total number of sheets included. All certifications shall be shown or referenced on one (1) sheet.
- 4) The Record of Survey shall show or contain on its face, or on separate sheets referenced on its face, the following information:
  - a. A title block including the township, range, principal meridian, County, and state of the surveyed land. Space shall be provided on the Record of Survey for the clerk and recorder's filing information. A Record of Survey shall not bear the title "plat", "subdivision", or any title other than "Record of Survey:"
  - b. North arrow;
  - c. Scale or Scale bar;
  - d. All monuments found, set, reset, replaced or removed describing their kind, size, location and giving other data related thereto;
  - e. The location of any corners of sections or divisions of sections pertinent to the

- survey;
  - f. *The true bearings, distances, and curve data of all perimeter boundary lines shall be indicated;*
  - g. *Data on all curves sufficient to enable the re-establishment of the curves on the ground;*
  - h. *Lengths of all lines shown to at least one-tenth (1/10) of a foot, and all angles and bearings shown to at least the nearest minute;*
  - i. *All parcels created by the survey, designated by number or letter, and the dimensions and area of each parcel (Excepted parcels shall be marked "Not a part"); and roads.*
  - j. *The signature and seal of the registered land surveyor responsible for the survey.*
5. *A platted minor subdivision shall include the following additional information:*
- a. *The location of all structures and small waste systems on all parcels, if any;*
  - b. *Location and dimensions of the lot to be split;*
  - c. *Proper monumentation.*
6. *Record of Survey shall be signed by the Owner(s) and the Carbon County Planning Director or Zoning Officer.*

#### 2.10.02 Review Process

- 1) *A "Minor Subdivision Application Form" shall be submitted to the County Planning & Development Department with the accompanying attachments:*
- 4
- a. *A notarized certification of ownership or title policy or commitment shall be submitted by the owner of record, fee simple or contract for deed;*
  - b. *A copy of the deed for the parcel to be divided, and proposed legal descriptions of the parcels to be created that list all reservations, proposed covenants if any, and all necessary encumbrances;*
  - c. *A subdivision permit application fee in the amount of one hundred dollars (\$100.00);*
  - d. *Any additional information the Planning Commission, the Board of County Commissioners or staff deems necessary for an adequate review the proposal.*
- 2) *Upon submission of a completed application for a minor subdivision permit, the Planning Director or Zoning Officer shall schedule a public hearing on the application before the Planning & Zoning Commission, and forward a copy of the application to the local conservation district to obtain recommendations regarding soil suitability, erosion control, sedimentation and potential flooding problems. The local conservation district shall have sixty (60) days to complete its recommendations*
- 3) *The Carbon County Planning & Zoning Commission shall hold a public hearing on the minor subdivision permit application to determine conformance of the application with the County Land Use Plan and Zoning resolution, and the appropriateness of approval of the application. The Planning Commission shall prepare a report and its recommendations concerning the project and submit that report to the Board of County Commissioners for its review.*
- 4) *The Board of County Commissioners shall hold a public hearing and approve or disapprove the minor subdivision application and issue a minor subdivision permit or ruling within forty-five (45) days after receiving a report from the Planning & Zoning Commission.*

#### 11.00 Definitions

*SELL or SALE (replace existing definition, "SALE OR LEASE")*

*Includes sale, contract to sell, lease, assignment, auction, award by lottery, or any offer or solicitation of any offer to do any of the foregoing, concerning a subdivision or any part of a*

*subdivision.*

## SUBDIVISION

A division of a lot, tract, parcel, or other unit of land into three (3) or more lots, plots, units, sites, or other subdivisions of land for the immediate or future purpose of sale, building development or redevelopment for residential, recreational, industrial, commercial, or public uses. The word "subdivide" or any derivative thereof shall have reference to the term "subdivision", [sic] including mobile home courts, the creation of which constitutes a subdivision of land.

*"Subdivision" means the creation or division of a lot, tract, parcel or other unit of land for the immediate or future purpose of sale, building development or redevelopment, for residential, recreational, industrial, commercial or public uses. The word "subdivide" or any derivative thereof shall have reference to the term subdivision, including mobile home courts, the creation of which constitutes a subdivision of land.*

- 1) *Minor Subdivision: a division of one (1) parcel into no more than five (5) parcels, lots or tracts, any of which is smaller than thirty-five (35) acres in size.*
- 2) *Major Subdivision: a division of land that creates more than five parcels, lots or tracts which are smaller than thirty-five (35) acres in size.*

Commissioner Meacham moved to accept the Proposed Amendments, Subdivision Regulations of Carbon County, Minor Subdivision Regulations from the Planning Commission and advertise a public hearing for September 6, 2005 at 2:30 p.m. Commissioner Weickum seconded and the motion carried unanimously.

### **Zoning Resolution**

Mr. Speer reported the Planning Commission has investigated the Zoning Resolution and has instructed Mr. Schnal to further research the issue and develop alternatives to the Resolution.

### **ECONOMIC DEVELOPMENT CORPORATION**

Elizabeth Wood of the Carbon County Economic Development Corporation reported that at a August 1, 2005 meeting of the Carbon County Economic Development Corporation (EDC), with a vote of 8-4, the Commission voted to suspend operations.

As of September 30, 2005 the Commission would like to put any funding into an escrow controlled by the Board of County Commissioners. The EDC did move to allot \$5,000.00 to Pronghorn Pride and \$5,000.00 to the Carbon Mercantile before suspension. After these allotments, Ms. Wood stated the EDC had \$38,000.00.

Ms. Wood stated the intention of the EDC is that allotted funds from the County and the City of Rawlins will not be accepted. During a two-year suspension, a new group may form. If during the suspension, a new group does not form, the EDC will then dissolve.

Commissioner Meacham requested clarification on the funding that will be turned over to the county. He questioned during the two-year suspension if the County could expend those funds for economic development.

County Treasurer, Cindy Baldwin, stated the county will request legal advice on the suspension and what can be done with the funding.

Commissioner Weickum stated that since 2004, the Corporation's annual report has not been filed with the Wyoming Secretary of State (SOS). Mr. Weickum also stated that the SOS must be notified within thirty days of a change of registered agent, and that the registered agent with the SOS is currently not up to date.

The Board stated it would not oppose a new organization forming with a new name to seek economic development.

## **ROAD & BRIDGE**

Commissioner Meacham moved to go into executive session at 3:07 p.m. with Bill Nation and Diana Obe to discuss litigation. Commissioner Weickum seconded and the motion carried unanimously.

Commissioner Weickum moved to come out of executive session at 3:34 p.m. Commissioner Meacham seconded and the motion carried unanimously.

Chairman Zeiger stated that no action was taken during the executive session.

### **Area Work**

Two major culvert replacements in the Saratoga area are complete. Old scrap culverts are being cleaned up at the Saratoga shop also. The gravel project on County Road 608 has been completed. This project is expected to raise the value of this road approximately \$1,000,000.00. Mr. Nation stated that a major contribution by Anadarko in trucking costs helped this project be completed.

Mag chloride was applied to various county roads. Interviews for a blade operator in the Encampment area are complete and Lester Thompson was been hired and will begin his employment August 15, 2005.

Mr. Nation requested authorization to hand deliver letters to Robert Linn and Greg Nelson regarding execution of an easement to make Cherokee Road a county road. Mr. Nation stated that the men's complaints of dust control have been alleviated with mag chloride and he would again like to request they sign the easement agreement. The Board authorized Mr. Nation to deliver the letters.

### **Seminole Road Phase 4**

Mr. Nation presented a Change Order for the Seminole Road Phase 4 construction. Mr. Nation stated that the Change Order basically identifies faults from all previous phases of construction and authorizes repairs to these areas to be repaired. The Change Order would authorize an additional \$8,417.03 to the contract and that his road fund would cover the additions.

Commissioner Meacham moved to authorize the Chairman to sign the Phase 4-E-61 #1 Change Order in reference to Seminole Road Phase 4 construction adding \$8,417.03 to the original contract price. Commissioner Weickum seconded and the motion carried unanimously.

Mr. Nation stated he expects that construction will be completed in September 2005 and the road will be ready for travel from both directions.

## **GIS / GPS**

Karen Larsen presented a map and listing of assigned rural routes and updated the Board on her progress with rural addressing for the north half of the county. Ms. Larsen stated each address is assigned a personal identification number (PIN) to help associate information from the County Assessor with her address listing.

## **HOMELAND SECURITY**

Commissioner Meacham moved to go into executive session with Diana Obe, Greg Zabel, and Pam Farster at 4:07 p.m. to discuss potential litigation. Commissioner Weickum seconded and the motion carried unanimously.

Commissioner Meacham moved to come out of executive session at 4:37 p.m. Commissioner Weickum seconded and the motion carried unanimously.

Chairman Zeiger stated that no action was taken during the executive session.

Ms. Farster presented a draft plan of the Public Health All Hazards Emergency Operations Plan

for the Carbon County Public Health Department dated July 2005. She asked the Board to review the plan and make any additions or changes within 90 days.

Ms. Farster updated the Board on expenditures and balances of various homeland security grants.

**ADJOURNMENT**

There being no further business, Chairman Zeiger adjourned the meeting at 4:57 p.m.

-s- Diana K. Obe, Chief Deputy Clerk

Approved this 16th day of August, 2005.

BOARD OF COUNTY COMMISSIONERS  
CARBON COUNTY, WYOMING

-s- Artlin Zeiger, Chairman