

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, July 11, 2006 and Wednesday, July 12, 2006
County Courthouse
Rawlins, Wyoming**

The regular meeting of the Carbon County Commissioners commenced Tuesday, July 11, 2006 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Artlin Zeiger; Commissioner Terry Weickum; County Clerk, Linda Ann Smith; County Treasurer, Cindy Baldwin; Chief Deputy Clerk, Diana Obe, Deputy Clerk Kathy Makenen, and Deputy Clerk Kathy Turner.

Chairman Zeiger called the meeting to order at 9:04 a.m.

MINUTES

Commissioner Weickum moved to approve the Commissioners minutes from the June 20 and 21, 2006 meeting as presented. Chairman Zeiger seconded and the motion carried unanimously.

CLERK

Bonds

Commissioner Weickum moved to approve bonds for Irene Archibald for Wagoner Cherokee Irrigation in the amount of \$10,000; Arthur R. Canaday, Treasurer for the Hospital Board, in the amount of \$25,000; and Robert D. Gates, Superintendent for Carbon County School District #2, in the amount of \$50,000. Chairman Zeiger seconded and the motion carried unanimously.

Lease Agreement

Commissioner Weickum moved to authorize the Chairman to execute the Extension of Lease Agreement Commercial Driver License (C.D.L.) Exam & Testing Site Located on the Westerly Portion of a Tract of Land in the N ½ of Section 16, T.21N. R.87W. of the 6th P.M., Rawlins, Wyoming, between the Wyoming Department of Transportation and Carbon County, for a term of three years. Chairman Zeiger seconded and the motion carried unanimously.

Pet Partners

Clerk Smith presented a letter from Pet Partners, Inc. asking for \$100,000 (originally \$300,000) from Carbon County for the lease purchase of a building. Pet Partners has received a check from Mrs. Marian Rochelle in the amount of \$200,000. Commissioner Weickum recommended contacting the City of Rawlins to get additional details.

Drought Conditions

Commissioner Weickum moved to ratify the request that Sherrie Glenn from the Farm Service Agency in Saratoga has contacted the Governor's Office to declare that Carbon County is a drought disaster county. Chairman Zeiger seconded and the motion carried unanimously.

Town of Saratoga

Clerk Smith presented a letter from the Town of Saratoga, Saratoga Encampment Ambulance Service, asking for \$684.00 for backboards. Clerk Smith indicated the \$684.00 could be funded from the Forest Reserve account. Chairman Zeiger advised Clerk Smith to budget it from the Forest Reserve account.

Order Denying Application for a Private Road

County Clerk Smith presented an Order Denying the Stratton Sheep Company Application for a Private Road, Reidy vs. Stratton Sheep Company, and letter from David E. Erickson. Commissioner Weickum and Chairman Zeiger requested Clerk Smith schedule the hearing officer, Dave Erickson, attend a meeting to provide additional details.

ASSESSOR

County Assessor Sheryl Snider presented several rebates and abates for the Chairman's signature.

County Assessor Snider announced the total assessed valuation for Carbon Carbon, 2006, is \$898,683,428 Certified by the State, pending appeal.

BUDGET

Reviewed the budget with County Clerk Linda Ann Smith, County Treasurer Cindy Baldwin, Chief Deputy Clerk Diana Obe, Deputy Clerk Kathy Makinen, and Deputy Clerk Kathy Turner.

ROAD AND BRIDGE

Bill Nation requested to go into executive session to discuss legal and personnel matters. Commissioner Weickum moved to go into executive session at 9:34 a.m. with Bill Nation and Linda Ann Smith to discuss legal and personnel. Chairman Zeiger seconded and the motion carried unanimously.

Commissioner Weickum moved to declare executive session over at 10:35 a.m. Chairman Zeiger seconded and the motion carried unanimously.

RECESS

Chairman Zeiger called a recess at 10:35 a.m. and reconvened at 10:48 a.m.

ROAD AND BRIDGE

Bill Nation distributed the Road & Bridge Report dated July 11, 2006.

Bill Nation presented a Perpetual Right of Easement signed by Gloria J. Young. Commissioner Weickum moved to authorize the Chairman to sign the Perpetual Right of Way Easement signed by Gloria J., Young for County Road 451. Chairman Zeiger seconded and the motion carried unanimously.

Bill Nation distributed his response to In Opposition to Zone Change #06-09 by Gay Day Alcorn Clark of the Day Ranch, Inc., 6 June 2006 and inspection from Mr. Hewitt to be reviewed for the public hearing this afternoon.

COOPERATIVE AGREEMENT

County Clerk of Court Lindy Schmidt presented a Cooperative Agreement for Responsibilities in the amount of \$17,853.60. Commissioner Weickum moved to authorize the Chairman to sign the Cooperative Agreement for Responsibilities between Wyoming Department of Family Services and Carbon County Clerk of District Court in the amount of \$17,853.60. Chairman Zeiger seconded and the motion carried unanimously.

BUDGET - CONTINUED

Reviewed the budget with County Clerk Linda Ann Smith, County Treasurer Cindy Baldwin, Chief Deputy Clerk Diana Obe, Deputy Clerk Kathy Makinen, and Deputy Clerk Kathy Turner.

RECESS

Chairman Zeiger recessed for lunch at 12:12 p.m. and reconvened at 2:00 p.m.

PLANNING & ZONING

Public Hearing Case File #06-09

Chairman Zeiger read a memo dated July 10, 2006 from Henry Hewitt requesting to withdraw his application for the Zone Change. Chairman Zeiger stated there would be no Public Hearing as the application for the Zone Change has been withdrawn.

Clerk Smith stated she had received correspondence regarding Case File #06-09. Chairman Zeiger stated the correspondence would be records of this proceeding in the minutes as follows: TZ Land & Cattle Company, Wynn Condict, Oppose, emails from David Culhane, J. Valenti, Les Willmon, Rollene Billings, Earl Bouillon and Shorty Ballard, all opposing.

Public comments followed.

Case File #06-14 - Rodney P. Lang: Jim Holycross presented the Certification of Recommended Action for a Zone Change. Commissioner Weickum moved to schedule a public hearing on Case File #06-14 from Ranching, Agriculture, Mining (RAM) to Forestry Production and Seasonal Recreational (FPSR-1.00) on approximately 1.00 acre, located at Woodedge Road, approximately 5 miles south of Cooper Cove Exit & I-80; approximately 7 miles southeast of Arlington. The Public Hearing is scheduled for August 15, 2006 at 2:00 p.m. Chairman Zeiger seconded and the motion carried unanimously.

Public Hearing Case File #06-10

Chairman Zeiger opened a public hearing at 2:32 p.m to hear Planning & Zoning Case File #06-10.

Jim Holycross and Kristy Rowan presented the following Case File:

Case #06-10 – Scott R. and Cindy L. Lose: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-10.00), on approximately 10 acres. The RRA Zone allows residential and agricultural activities. The subject property is located ½ mile north of Wagon Circle Road, off of Cherokee Road/Carbon County Road #451. A parcel of land located in the E1/2SE1/4, Section 13, T21N, R88W, 6th P.M., Carbon County, Wyoming, more particularly described as follows: Beginning at the southeast corner of Section 13; Thence N00°08'29"E along the easterly section line of said Section 13 a distance of 692.25 feet; Thence N89°03'00"W a distance of 629.31 feet; Thence S00°08'29"W, a distance of 692.25 feet to a point on the southerly section line of said Section 13; Thence S89°03'00"E along the southerly section line of said Section 13 a distance of 629.31 feet to the point of beginning. Together with all buildings and improvements thereon situate. SUBJECT, HOWEVER, to all easements, reservations, restrictions, and rights-of-way of record in the Office of the County Clerk and Ex-Officio Register of Deeds of Carbon County, Wyoming.

Jim Holycross advised the planning staff recommends approval and the purpose of the Zone Change is to put in a greenhouse.

There being no public comments, Chairman Zeiger closed the public hearing at 2:42 p.m.

Commissioner Weickum moved to approve Planning & Zoning Case File #06-10, Scott R. and Cindy L. Lose's request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (Rra-10.00), on approximately 10 acres. Chairman Zeiger seconded and the motion carried unanimously.

Commissioner Weickum moved to approve Resolution No. 2006-26, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission, regarding Planning & Zoning Case File #06-10. Chairman Zeiger seconded and the motion carried unanimously.

Resolution No. 2006-26

**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 June 6, 2006, 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 July 11, 2006; 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 #06-10 - Scott R. & Cindy L. Lose: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-10.00) on approximately 10.00 acres. The RRA Zone allows residential and agricultural activities. The subject property is located ½ mile north of Wagon Circle Road, off of Cherokee Road/Carbon County Road #451.

A parcel of land located in the E1/2SE1/4, Section 13, T21N, R88W, 6th P.M., Carbon County, Wyoming, more particularly described as follows:

Beginning at the southeast corner of Section 13; Thence N00°08'29"E along the easterly section line of said Section 13 a distance of 692.25 feet; Thence N89°03'00"W a distance of 629.31 feet; Thence S00°08'29"W, a distance of 692.25 feet to a point on the southerly section line of said Section 13; Thence S89°03'00"E along the southerly section line of said Section 13 a distance of 629.31 feet to the point of beginning.

Together with all buildings and improvements thereon situate. SUBJECT, HOWEVER, to all easements, reservations, restrictions, and rights-of-way of record in the Office of the County Clerk and Ex-Officio Register of Deeds of Carbon County, Wyoming.

Pursuant to the recommendations of the Carbon County Planning & Zoning Commission: Density on the subject parcel shall not exceed one (1) single-family dwelling and associated structures are permitted on approximately 10.00 acres (RRA-10.00).

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 scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 11th day of July, 2006.

BOARD OF COUNTY COMMISSIONERS OF
CARBON COUNTY, WYOMING

By: -s- Artlin "Art" Zeiger, Chairman

-s- Terry Weickum

Attest:

-s- Linda Ann Smith, Carbon County Clerk

BUDGET - CONTINUED

Reviewed the budget with County Clerk Linda Ann Smith, County Treasurer Cindy Baldwin, Chief Deputy Clerk Diana Obe, Deputy Clerk Kathy Makinen, and Deputy Clerk Kathy Turner.

RECESS

Chairman Zeiger recessed the meeting at 3:33 p.m., and declared the meeting will reconvene at 8:30 a.m. July 12, 2006.

RECONVENE

The meeting of the Board of Carbon County Commissioners reconvened at 8:38 a.m. July 12, 2006 at the County Courthouse in Rawlins, WY. Attending the meeting were Chairman Artlin Zeiger; Commissioner Terry Weickum; County Clerk Linda Ann Smith, County Treasurer Cindy Baldwin, Chief Deputy Clerk Diana Obe, Deputy Clerk Kathy Makinen, and Deputy Clerk Kathy Turner.

BUDGET - CONTINUED

Reviewed the budget with County Clerk Linda Ann Smith, County Treasurer Cindy Baldwin, Chief Deputy Clerk Diana Obe, Deputy Clerk Kathy Makinen, and Deputy Clerk Kathy Turner.

RECESS

Chairman Zeiger recessed for lunch at 11:59 a.m. and reconvened at 1:59 p.m.

BUDGET - CONTINUED

Reviewed the budget with County Clerk Linda Ann Smith, County Treasurer Cindy Baldwin, Chief Deputy Clerk Diana Obe, Deputy Clerk Kathy Makinen, and Deputy Clerk Kathy Turner.

ADJOURNMENT

There being no further business, Chairman Zeiger adjourned the meeting at 5:36 p.m.

-s- Linda Ann Smith, Carbon County Clerk

Approved this 18th day of July, 2006.

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Artlin Zeiger, Chairman