

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, January 2, 2007
County Courthouse
Rawlins, Wyoming**

The regular meeting of the Carbon County Commissioners commenced Tuesday, January 2, 2007 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Artlin Zeiger; Commissioners Terry Weickum and Jerry Paxton; County Clerk, Gwynn Rothenberger; and Deputy Clerk, Kathy Turner.

Chairman Zeiger called the meeting to order at 1:45 p.m.

VOUCHERS

The following vouchers were presented and approved for payment:

ADI	JAIL	349.00
ALSCO, AMERICAN LINEN	VARIOUS	224.30
AMERIGAS	ROAD & BRIDGE	905.12
BEHAVIORAL INTERVENTION	JAIL	519.10
BRESNAN COMMUNICATION	SHERIFF	70.79
CARBON COUNTY COOPERATIVE	COOPERATIVE EXTENSION	250.00
CBM FOOD SERVICE	JAIL	4,288.04
CENTURYTEL	VARIOUS	168.61
CORPORATE EXPRESS	JAIL	543.19
DAILY TIMES	VARIOUS	1,232.60
DALLIN MOTORS INC	SHERIFF	90.62
DAY-TIMERS, INC.	ROAD & BRIDGE	111.91
DELL COMPUTERS	ROAD & BRIDGE	131.04
DRIVE TRAIN INDUSTRIES	ROAD & BRIDGE	814.12
EAGLE UNIFORM SUPPLY	JAIL	81.38
FARSTER, PAMELA R.	GRANTS	660.00
FREMONT MOTORS-RAWLINS	ROAD & BRIDGE	617.39
GALLS INCORPORATED	SHERIFF	157.92
GASES PLUS	ROAD & BRIDGE	325.97
HASCO INDUSTRIAL SUP	ROAD & BRIDGE	105.44
HENKE MANUFACTURING	ROAD & BRIDGE	774.08
HIGH PLAINS POWER	ROAD & BRIDGE	53.66
HILLCREST SPRING WATER	ROAD & BRIDGE	7.66
HONNEN EQUIPMENT CO	ROAD & BRIDGE	154.61
JACKALOPE PRINTING	VARIOUS	143.45
KAR KRAFT INC	SHERIFF	1,013.34
KAR PRODUCTS	ROAD & BRIDGE	325.70
KILBURN TIRE COMPANY	SHERIFF	475.24
MOBILE CONCRETE, INC	ROAD & BRIDGE	656.25
PAGE ONE	SHERIFF	228.74
PAMIDA INC	COURTHOUSE	37.09
PERRY, LINDA F	JAIL	560.00
PHILLIPS 66	SHERIFF	164.53
PITNEY BOWES INC	JAIL	408.00
PRO-CHEM INDUSTRIAL,	JAIL	565.35
PUBLIC SAFETY WAREHOUSE	SHERIFF	309.80
QUALITY INN	SHERIFF	60.00
RAWLINS - CARBON COUNTY	VARIOUS	125.08
RAWLINS AUTOMOTIVE	ROAD & BRIDGE	486.37
REGIONAL JUVENILE DETENTION	JAIL	868.00
ROCKY MOUNTAIN POWER	ROAD & BRIDGE	83.83
ROSS' AUTOMOTIVE SERVICE	SHERIFF	57.12
RYAN ELECTRONICS INC	ROAD & BRIDGE	60.00
SARATOGA AUTO PARTS,	VARIOUS	1,889.79
SHIVELY HARDWARE	VARIOUS	175.77
SNOWY RANGE PROPANE	ROAD & BRIDGE	902.19
STAN'S QUIK LUBE	SHERIFF	59.48
TERMINIX	JAIL	150.00
TRUE VALUE OF RAWLINS	VARIOUS	1,151.88
U S POSTMASTER	SHERIFF	172.00
UNION TELEPHONE COMP	VARIOUS	362.73

VAN'S WHOLESALE	VARIOUS	343.40
VISIONARY COMMUNICATIONS	SHERIFF	21.95
WILSON, MARGARET	SHERIFF	36.00
WY DIESEL SERVICE	ROAD & BRIDGE	112.98
WY MACHINERY COMPANY	ROAD & BRIDGE	351.80
WY STATIONERY	JAIL	216.00
XEROX CORPORATION	SHERIFF	87.59
	GRAND TOTAL	25,298.00

CHAIRMAN APPOINTMENT

Chairman Zeiger called for nominations for Chairman of the Board of Carbon County Commissioners.

Commissioner Weickum moved to nominate Artlin Zeiger as Chairman of the Board of Carbon County Commissioners for a term of two years. Commissioner Paxton seconded and the motion carried unanimously.

PLANNING & ZONING

County Clerk Gwynn Rothenberger appointed Kristy Rowan as the Secretary to the Planning & Zoning Commission and will write a letter to Will Speer, Chairman of the Planning & Zoning Commission.

Public Hearing Case File #06-22 and Case File #06-23

Chairman Zeiger opened a public hearing at 1:50 p.m. to hear Planning & Zoning Case File #06-22 and Case File #06-23.

Lou Kline, Director of Planning & Development and Mr. Speer presented the following Case Files:

Case File #06-22 and Case File #06-23 – Day Ranch, Inc.: Request for a Minor Subdivision in a Ranching, Agriculture, Mining (RAM) Zone on approximately 12.32 acres. 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. The applicant is applying for a Zone Change to comply with the Carbon County Zoning Resolution of 2003 Amended 01-06-2004 from RAM to Forestry Production and Seasonal Recreation (FPSR-6.16 and FPSR-6.16) encompassing a total of approximately 12.32 acres. The FPSR Zone allows seasonal recreational and residential activities. The subject property is adjacent to the east side of U.S. Forest Service Road #100; approximately ¾ mile north of HWY 130. Parcels 1 and 2 located in a portion of Section 17, T16N, R81W, 6th P.M., Carbon County, Wyoming.

Mr. Speer advised the planning staff recommends approval of the Minor Subdivision and Zone Change subject to the conditions stated in Exhibit A of the Planning Department’s Staff Report.

Richard Clark presented the Map of Survey to be approved by the Commissioners.

There being no public comments, Chairman Zeiger closed the hearing at 1:55 p.m.

Commissioner Weickum moved to approve Planning & Zoning Case File #06-22 and #06-23, Day Ranch, Inc.’s request for a Minor Subdivision in a RAM Zone and a Zone Change from RAM to FPSR-6.16 and FPSR-6.16, on approximately 12.32 acres. Commissioner Paxton seconded and the motion carried unanimously.

Chairman Zeiger stated the Resolution and Map of Survey would be presented for approval at the January 16, 2007 Commissioners meeting.

Public Hearing Case File #06-26

Chairman Zeiger opened a public hearing at 1:58 p.m. to hear Planning & Zoning Case File #06-26.

Mr. Kline and Mr. Speer presented the following Case File:

Case #06-26 – Mario Orlando and Beth Anne Arguello: 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. Mountain View Estates #2 is located approximately 1-1/2 miles north of Saratoga and 2 miles east of HWY 230, near the intersection of the Fish Hatchery Road. The SE1/4 of Tract 1, Mountain View Estates No. 2, Carbon County, Wyoming, also known as the SE1/4 NW1/4 NE1/4, Section 31, T18N, R83W, 6th P.M., Carbon County, Wyoming.

Mr. Speer advised the Zone Change is to construct a residence on the subject property, and the planning staff recommends approval of this Zone Change subject to the conditions stated in Exhibit A of the Planning Department's Staff Report, except number eight which does not apply.

There being no public comments, Chairman Zeiger closed the hearing at 2:01 p.m.

Commissioner Weickum moved to approve Planning & Zoning Case File #06-26, Mario Orlando Arguello and Beth Anne Arguello's request for a Zone Change from RAM to RRA-10.00 on approximately 10 acres. Commissioner Paxton seconded and the motion carried unanimously.

Chairman Zeiger stated the Resolution would be presented for approval at the January 16, 2007 Commissioners meeting.

Public Hearing Case File #06-27

Chairman Zeiger opened a public hearing at 2:02 p.m. to hear Planning & Zoning Case File #06-27.

Mr. Kline and Mr. Speer presented the following Case File:

Case #06-27 – David R. and Linda I. Hammer: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-56.00) on approximately 56 acres. The FPSR Zone allows seasonal recreational and residential activities. The subject property is located eight miles south of Encampment and southeast on the Hog Park Road, turn north on U.S. Forest Service Road #550-2.D, turn east on U.S. Forest Service Road #405-3.D. Western Slope Lode Claim, Eureka Lode Claim, and Paragon Lode Claim, designated as Lot No. 160 embracing a portion of Section 30, T14N, R84W, 6th P.M., in the Upper Platte Mining District in Carbon County, Wyoming.

Mr. Speer advised the Zone Change is to build a seasonal cabin on the subject property, and the planning staff recommends approval of this Zone Change subject to the conditions stated in Exhibit A of the Planning Department's Staff Report, except number ten which does not apply.

There being no public comments, Chairman Zeiger closed the hearing at 2:07 p.m.

Commissioner Weickum moved to approve Planning & Zoning Case File #06-27, David R. Hammer and Linda I. Hammer's request for a Zone Change from RAM to FPSR-56.00 on approximately 56 acres. Commissioner Paxton seconded and the motion carried unanimously.

Chairman Zeiger stated the Resolution would be presented for approval at the January 16, 2007 Commissioners meeting.

Public Hearing Case File #06-28

Chairman Zeiger opened a public hearing at 2:08 p.m. to hear Planning & Zoning Case File #06-27.

Mr. Kline and Mr. Speer presented the following Case File:

Case #06-28 – Joel D. and Lea A. Finch: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-40.00) on approximately 40 acres. The RRA Zone allows residential and agricultural activities. Mountain View Estates #4 is located approximately 3 miles north on Carbon County Road #205 and approximately 2 miles north of Saratoga. Tract 1, Mountain View Estates #4, platted over a portion of Section 33, T18N, R83W, 6th P.M., Carbon County, Wyoming, together with all buildings and improvements thereon situate and appurtenances thereunto belonging.

Mr. Speer advised the Zone Change is to construct a residence on the subject property, and the

planning staff recommends approval of this Zone Change subject to the conditions stated in Exhibit A of the Planning Department's Staff Report.

There being no public comments, Chairman Zeiger closed the hearing at 2:10 p.m.

Commissioner Weickum moved to approve Planning & Zoning Case File #06-28, Joel D. Finch and Lea A. Finch's request for a Zone Change from RAM to RRA-40.00 on approximately 40 acres. Commissioner Paxton seconded and the motion carried unanimously.

Chairman Zeiger stated the Resolution would be presented for approval at the January 16, 2007 Commissioners meeting.

Public Hearing Case File #06-29

Chairman Zeiger opened a public hearing at 2:11 p.m. to hear Planning & Zoning Case File #06-27.

Mr. Speer and Mr. Kline presented the following Case File:

Case #06-29 – Wesley R. and Kelly R. Kudera: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-1.68) on approximately 1.68 acres. The RD Zone allows residential activities. The Rochelle-Bates Tracts, Tract #1, is located 1 mile east of Baggs off of WY HWY 70 (Baggs-Dixon Highway). Beginning at a point 943 feet from the Southwest Corner of the NE1/4 of Section 9, T12N, R91W, 6th P.M., in Carbon County, Wyoming, on the West Line of the NE1/4 of Section 9; thence northerly along the West Line of the NE1/4 of Section 9 a distance of 530 feet, more or less, to a point on the Southerly Right-Of-Way of the Baggs-Dixon Highway; thence Southeasterly along the Southerly Right-Of-Way of the Baggs-Dixon Highway a distance of 380 feet, more or less, to a point; thence Southwesterly a distance of 370 feet, more or less, to the Point of Beginning, together with all buildings and improvements thereon situate and appurtenances thereunto belonging.

Mr. Speer advised the Zone Change is to allow residential use and development of the subject property, and the planning staff recommends approval of this Zone Change subject to the conditions stated in Exhibit A of the Planning Department's Staff Report.

Commissioner Weickum asked if the lot size of 1.68 acres is big enough for a septic system, which may affect the surrounding lots. Mr. Speer advised a perc test is required before a septic system is installed and would be approved by the State.

There being no public comments, Chairman Zeiger closed the hearing at 2:20 p.m.

Commissioner Weickum moved to approve Planning & Zoning Case File #06-29, Wesley R. Kudera and Kelly R. Kudera's request for a Zone Change from RAM to RD-1.68 on approximately 1.68 acres. Commissioner Paxton seconded and the motion carried unanimously.

Chairman Zeiger stated the Resolution would be presented for approval at the January 16, 2007 Commissioners meeting.

ROAD & BRIDGE

Area Work

Bill Nation distributed the Road & Bridge Report dated January 2, 2007. Mr. Nation advised the second major snowstorm has occupied all of his department's attention, and they are continuing to reopen school bus routes, mail routes, and other winter use County roads.

Mr. Nation distributed a general road and bridge map and informational packets regarding the county roads, permits, road costs, emergency use of county roads, etc. Mr. Nation also gave a brief GASBY report.

Authorization

Mr. Nation asked for approval to sign agreements on behalf of Carbon County involving all Road & Bridge projects.

Commissioner Weickum moved to authorize Bill Nation to sign all agreements pertaining to

Carbon County Road & Bridge. Commissioner Paxton seconded and the motion carried unanimously.

Lease Agreement

Mr. Nation presented a Lease Agreement for Gravel Permit #425 between the Board of Carbon County Commissioners and James Wiant.

Commissioner Weickum moved to enter into a lease agreement between Carbon County, Wyoming acting by and through its Board of Carbon County Commissioners and James Wiant for Gravel Permit #425 for a period of one year in the amount of \$500.00. Commissioner Paxton seconded and the motion carried unanimously.

Meeting

Mr. Nation invited the Board to the Industry/Government Conference, on January 24, 2007 at the Jeffrey Center starting at 8:00 a.m., and advised he will discuss the 701 gravel project including offering the industry to participate in the costs and possible speed limits. Mr. Nation asked the Commissioners to support his recommendation of a 45 mph speed limit on this road.

Commissioner Paxton asked what the procedure is for introducing a new speed limit. Mr. Nation advised the speed limit would need to be determined, the Commissioners must authorize him to request an engineering study, and the speed limit signs would be posted. He added that the cost would be approximately \$10,000.00. The Commissioners agreed Mr. Nation should proceed with the engineering study.

CLERK

Minutes

Commissioner Weickum moved to approve the minutes from the December 19, 2006 meeting as presented. Commissioner Paxton seconded and the motion carried unanimously.

Disclosure Statements

Disclosure statements were presented and executed by Clerk Rothenberger, Commissioners Artlin Zeiger, Terry Weickum and Jerry Paxton. County Treasurer Cindy Baldwin provided disclosure statements for herself and Deputy Treasurer Joy Hannum.

Weed and Pest Control Board

Clerk Rothenberger advised the Weed and Pest Control Board has advertised a public hearing to appoint for the two board members whose terms expire January 2007 and stated she has received only one incomplete petition. Clerk Rothenberger stated her office will get all the completed petitions from the Weed and Pest Control Board for a public hearing to be held at a future meeting.

Carbon County Salary Publication

Clerk Rothenberger and Helen Winningham presented the gross salary publication for full-time County employees as of January 2, 2007.

Commissioner Weickum moved to approve advertising the Publication of Gross Salaries for Carbon County, Wyoming as of January 2, 2007. Commissioner Paxton seconded and the motion carried unanimously.

Bonds

Clerk Rothenberger advised the elected officials would need to be bonded and that her office would coordinate with those officials.

Clerk Rotherberger advised County Assessor Sheryl Snider that her Deputy Assessors may need to be bonded in the amount of \$2,000.00. Assessor Snider advised she would check on this.

ELECTED OFFICIALS

Assessor

County Assessor Snider presented rebates and abates for signature.

Assessor Snider advised she was going forward with obtaining bids for a vehicle.

Treasurer

Tax Rebates

Treasurer Baldwin advised several companies have over paid their taxes in the years 2004 and 2005, and funds will need to be returned. Treasurer Baldwin advised \$594,000.00 has already been rebated, \$173,000.00 will be rebated and approximately \$312,000.00 more will need rebated at a later date. Treasurer Baldwin advised that all County entities were given more money than they should have received. Treasurer Baldwin advised the State has warned these companies they will be assessed penalties if this happens in the future.

Commissioner Weickum stated the County should pay the total amount due now and Treasurer Baldwin stated that would be her recommendation. The Commissioners agreed to pay the total due at this time.

Depository Disclosures

Treasurer Baldwin presented letters from the Bank of Commerce, The Rawlins National Bank and Bank of the West, requesting to remain depositories for the year 2007.

Commissioner Weickum moved to designate the Bank of Commerce, The Rawlins National Bank and the Bank of the West as depositories for Carbon County for the year 2007. Commissioner Paxton seconded and the motion carried unanimously.

RECESS

Chairman Zeiger called a recess at 3:40 p.m. and reconvened at 3:50 p.m.

AGENDA AMENDMENT

Commissioner Paxton moved to amend the agenda to add an executive session for personnel and possible litigation. Commissioner Weickum seconded and the motion carried unanimously.

EXECUTIVE SESSION

Commissioner Paxton moved to go into executive session for personnel and possible litigation at 3:51 p.m with County Attorney Cindy DeLancey and Clerk Rothenberger. Commissioner Weickum seconded and the motion carried unanimously.

Commissioner Weickum moved to declare executive session over at 4:48 p.m. Chairman Zeiger seconded and the motion carried unanimously. Chairman Zeiger stated no action was taken during the executive session.

SHERIFF – VEHICLE BIDS

Sheriff Colson presented four bids for a transport van. Greiner Ford bid \$15,691.00 for a 2006 Ford Freestar mini van, \$26,000.00 for a 2007 Ford Freestar van, and \$25,000.00 for a 2007 Ford Freestar van. Fremont Motors bid \$16,485.69 for a 2007 van, Ford Freestar with 7,000 miles. Quality Motors bid \$20,400.00 for a 2006 Ford Freestar and a second 2006 Ford Freestar in the amount of \$15,300.00. The Board advised Sheriff Colson to review the bids and return later today with his recommendation.

MEMORIAL HOSPITAL

Patsy Carter and Art Canaday asked the Board if it has made a decision whether to accept a donated ambulance from Memorial Hospital of Carbon County. Commissioner Weickum advised and the Board agreed to accept the ambulance to be used by the County Coroner. Ms. Carter advised the hospital's new ambulance should arrive between January 24 and 31, 2007 and she would deliver the donated ambulance to the county at that time.

Ms. Carter discussed the hospital's recruiting plan and committee and distributed the Memorial Hospital of Carbon County Medical Staff Development Plan. Ms. Carter discussed the need for

additional doctors in Carbon County and advised a recruiting company will prepare a community profile and she requested the Commissioners participation.

Ms. Carter distributed information on capital purchases discussed the hospital's three-year plan. Ms. Carter advised the needs for this year total \$543,000.00.

Art Canaday distributed and discussed financial statements for the two previous fiscal years.

CORONER

County Coroner Paul Zamora requested direction on the purchase of a vehicle for his office's use. He advised he checked with Quality Motors on a 2005 Dodge and he confirmed it does have four-wheel drive, but the vehicle does not have a topper and the vehicle is in the shop getting the heater repaired.

Mr. Zamora again presented bids from Quality Motors for the 2005 Dodge pickup and from Fremont Motors who has two 2007 Dodge Rams, one without the power accessories. Coroner Zamora advised shells cost between \$800 and \$1,000.00 and the shell would need to be painted the same color as the truck.

Sheriff Colson stated there is an unused pickup with a topper sitting at the Armory that would possibly meet the Coroner's needs. Sheriff Colson and Mr. Zamora briefly left the meeting to discuss the vehicle.

JAIL

Gary Olson advised there are only four minor issues remaining to be completed at the jail and requested a letter be sent to the Rawlins National Bank authorizing the release of all retainage except \$10,000.00. He added the \$10,000.00 would be sufficient to cover the remaining issues.

Commissioner Weickum moved to authorize a letter be written to The Rawlins National Bank to release all retainage except \$10,000.00 to be held until all remaining issues are corrected. Commissioner Paxton seconded and the motion carried unanimously.

Treasurer Baldwin advised she would write a letter to release the funds.

CORONER

Coroner Zamora stated that Sheriff Colson has advised him the unused vehicle at the Armory was donated to Search and Rescue but is rarely used. Sheriff Colson stated Mr. Zamora could use the vehicle until funding was available to purchase a more suitable vehicle. The Commissioners directed Mr. Zamora to have the vehicle looked at by a mechanic.

Coroner Zamora discussed the repairs to the garage at the Courthouse including flooring, counter, sink, doors, floor drain, exhaust fan, electrical and plumbing. Chairman Zeiger asked Coroner Zamora to make a list of the repairs and the approximate cost. Commissioner Weickum asked Coroner Zamora to make a diagram of what repairs he would like to have done and return with these items at the board's next meeting.

SHERIFF - VEHICLES

Sheriff Colson advised he has reviewed all vehicle bids presented earlier today and recommends accepting the bid from Fremont Motors for a 2007 Ford Freestar.

Commissioner Weickum moved to accept the bid from Fremont Motors to purchase a 2007 Ford Freestar van in the amount of \$16,485.69. Commissioner Paxton seconded and the motion carried unanimously.

ADJOURNMENT

There being no further business, Chairman Zeiger adjourned the meeting at 6:12 p.m.

-s- Gwynn G. Rothenberger, Carbon County Clerk

Approved this 16th day of January, 2007.

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Artlin Zeiger, Chairman