

**COMMISSIONERS PROCEEDINGS
REGULAR MEETING
FEBRUARY 2, 1999**

The Carbon County Board of Commissioners met at 9:00 a.m. in the Commissioner Meeting Room of the Courthouse, Rawlins, Wyoming. Commissioners present were Artlin Zeiger, Linda Fleming and Lee Meacham. Artlin Zeiger, Chairman.

VOUCHERS

The following vouchers were presented and approved for payment:

A T & T	Various	776.05
A-1 Conoco Service	Extension	421.00
Agricultural Communications	Extension	40.00
Alco	Assessor/Public Health	72.30
Amerigas	Road & Bridge	716.98
Arnold Ag	Road & Bridge	60.00
Bach Supply	Road & Bridge	46.50
Back Forty, The	Sheriff	41.99
Bartlett, Sue RN	Public Health	126.89
Bi-Rite Professional	Public Health	7.00
Bozeman Deaconess Hospital	Jail	284.14
Brad's Welding & Machine	Sheriff	35.00
Brown, Estella	Grants	7.82
Build Rite Lumber & Supply	Carbon Building	30.88
Burke's Conoco	Sheriff	96.05
Busey, Sharalee	Public Health	175.72
Butane Power & Equipment	Road & Bridge	413.17
Butler, Daniel	Public Health	150.00
Butler, Karen	Public Health	26.59
Byron's Office Equipment	Attorney	69.00
C & M Auto Parts	Sheriff/Road & Bridge	34.68
Carbon County Clinic	County Administration	221.00
Carbon Power & Light	Radio Tech	207.82
Carson Industries, Incorporated	Attorney	189.99
Casper Star-Tribune	Commissioners/Attorney	271.80
CenturyTel	Sheriff/Road & Bridge	121.96
Cesko, David MD	Sheriff/County Administration	811.00
Childrens Hospital, The	Public Health	22.34
Cloud Peak Terminix	Carbon Building	35.00
CMI-TECO	Road & Bridge	336.86
Commnet Cellular	Sheriff/Emergency Management	118.21
Computer Software Associates, Inc.	County Administration	2,792.08
Conney Safety Products	Sheriff	9.50
Corporate Express	Various	932.00
Cruz, Sally	Public Health	5.75
D & K Sanitation	Various	232.50
Do-It-Ur-Self Plumbing	Jail	454.95
Drive Train Industries	Road & Bridge	71.17
E & H Industrial Supply	Road & Bridge	107.26
Eagle Uniform Supply	Carbon Building/Road & Bridge	86.86
Elk Mountain Texaco	Sheriff	36.69
Engstrom, James DDS	Jail	200.00
Evans, Morgan	Jail	132.00
Evergreen Disposal Services	Senior Services/Road & Bridge	90.00
Extraditions International	Sheriff	676.00
FedEx	Planning	15.25
Flock, William MD	Grants	30.00
Ford, Nell	Public Health	106.26
Garvin, Alice	Clerk	90.93
Gateway Business Systems	Clerk	124.12
GLB Worldwide	Public Health	78.10
Glode, Mary D.	County Administration	172.29
Graphic Sports	County Commissioners	25.95

Hanna Elk Mountain H Club	Sheriff	35.00
Harrison & Massey, LLC	County Administration	55.40
Hays, Stephen DDS	Grants	398.00
Herold Iron Works	Road & Bridge	25.38
Hettgar, Bridget M. RN	Public Health	18.40
High Plains Power	Senior Services/Road & Bridge	155.15
Hoffman, Hollice	Public Health	18.17
Hoke, John L.	County Administration	1,100.00
J.H. Kaspar Oil Company	Clerk/Jail	23.40
Jack's Body & Fender Repair	Fire Department	3,000.00
Jackalope Printing	Various	269.91
Johnson Controls	Senior Services/Building & Grounds	1,046.50
Johnson, John R.	Grants	100.00
Kilburn Tire Company	Sheriff	7.50
Kirsch, A.P. MD	Jail	1,200.00
KN Energy, Incorporated	Various	6,213.51
Lannan's Supply Company	Assessor	7.03
Lucent Technologies	Radio Tech	147.15
MacPherson Law Offices	County Administration	227.00
Mainline Technology	Grants	53.76
McBrides Valley Super	Public Health	11.05
Medela Incorporated	Grants	66.80
Memorial Hospital of Carbon County	Grants/County Administration	1,733.75
Merback Award Company	Sheriff	68.14
Montgomery Kone Incorporated	Courthouse	140.63
National Public Safety	Sheriff	193.00
OfficeMax	Clerk	7.98
Otis Elevator Company	Courthouse	250.00
Pacific Power & Light	Various	3,914.27
Perkins Oil Company	Road & Bridge	882.75
Pitney Bowes Incorporated	County Administration	156.00
Platte Valley Medical	Grants	410.00
Positive Promotions	Grants	193.46
Questar Gas	Senior Services	187.74
Rawlins Automotive	Road & Bridge	429.75
Rawlins Newspapers, Incorporated	County Administration/Planning	1,167.69
Rawlins, City of	Various	288.50
Re-Charge Plus	Clerk	241.00
Reliable	Clerk/Treasurer	167.00
Robidoux Brothers	Sheriff	54.46
Saratoga Auto Parts, Incorporated	Sheriff/Road & Bridge	686.22
Saratoga Health Mart	Grants	550.70
Schulze, Kenneth MD	Grants	25.00
Scoggins, William E.	Grants	64.00
Shepard Construction Incorporated	Building & Grounds	8,765.00
Sinclair Oil Corporation	Sheriff	6.88
Smith, Susan	Public Health	10.12
Snap-On Tools	Road & Bridge	48.50
Stan's Quik Lube	Sheriff	34.68
Star Awards & Signs	Commissioners	115.94
State of Wyoming	Public Health	94.60
Summit Medical Supply	Public Health	56.43
Sweet, Jeffrey C. DDS	Grants	47.00
T & M Service	Sheriff	28.99
TCI Cablevision of Wyoming	Sheriff	28.38
Texaco Refining & Marketing	Sheriff	64.75
Trans Equipment & Supply	Road & Bridge	192.50
Trib.Com	Grants	12.50
U P R R Litigation	County Administration	35.50
U.S. Postmaster	County Administration	44.00
U.S. West Communications	Various	4,379.73
Union Telephone Company	Various	554.51
USI	Sheriff	22.23
Valley Pharmacy	Grants	69.05
Viewfinder, The	Sheriff	105.58
W A C O	Clerk	150.00
West Group Payment Center	Attorney	182.50
Williams, Kelly & Waldrip	County Administration	202.38

Wimpenny, Robert G. DDS	Grants	365.00
Wyoming Diesel Service	Road & Bridge	51.49
Wyoming Paper Supply	Jail	79.15
Wyoming Financial Insurance, Inc.	Clerk	120.00
Wyoming Machinery Company	Road & Bridge	1,561.05
Xerox Corporation	Clerk	59.08
Yampa Valley Electric	Radio Tech/Senior Services	993.23

ASSESSOR

Darrell Stubbs, Carbon County Assessor presented the following abatements and rebates for approval from the County Commissioners.

ABATEMENTS

James Brown	Valuation Adjustment
Vita Gigliuto	Valuation Adjustment
Robert F. Konrath	Valuation Adjustment
Johnny R. Elizondo	Valuation Adjustment
Everett & Margery Higdon	Valuation Adjustment
Everett & Margery Higdon	Valuation Adjustment
Everett & Margery Higdon	Valuation Adjustment
Everett & Margery Higdon	Valuation Adjustment
Dennis M. & Catherine A. Wick	Valuation Adjustment
John D. & Kenneth Swanson	Valuation Adjustment
John D. & Kenneth Swanson	Valuation Adjustment

REBATES

John D. & Kenneth Swanson	Valuation Adjustment
John D. & Kenneth Swanson	Valuation Adjustment
John D. & Kenneth Swanson	Valuation Adjustment
Cashway Supply	Valuation Adjustment
Pearl Ivy Elwood	Valuation Adjustment
Victor W. & Lois L. McMullin	Valuation Adjustment

Cashway Supply
Dennis M. & Catherine A. Wick

Valuation Adjustment
Valuation Adjustment

SEVERANCE TAX

McGee-Murphy Incorporated County Administration \$23,678.00

CUSTODIAN

A motion was made by Linda Fleming, seconded by Lee Meacham and unanimously carried to advertise immediately for two (2) custodial positions at the Courthouse effective March 1, 1999.

ANNUAL TRAINING

A motion was made by Lee Meacham, seconded by Linda Fleming and unanimously approved to have employee annual training for the Sheriff's office on sexual harassment, chemical awareness and bloodborne pathogens to be compliant with OSHA.

CLERK

Linda Smith, Carbon County Clerk presented the formal resolution that named the official depositories that was approved at the January 5, 1999 meeting.

RESOLUTION NO. 1999-1

A RESOLUTION PROVIDING FOR THE NAMING OF LEGAL DEPOSITORIES AND INVESTMENT FIRMS FROM JANUARY 1, 1999 THROUGH DECEMBER 31, 1999

WHEREAS, Wyoming Statutes §§9-4-801 through 9-4-832 provide procedures for the deposit of county monies in local, state and national banks; and

WHEREAS, it is necessary for interested banks to pledge and provide security for such deposits; and

WHEREAS, Wyoming Statute §9-4-831 permits the County Treasurer to invest public funds, and whereas such investments are made through investments firms;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF

THE COUNTY OF CARBON, that the following local banks be and hereby are named local depositories for county funds in the year 1999, subject to the County Treasurer receiving required documentation for such deposits and discretion of the County Treasurer: The Rawlins National Bank of Rawlins, Wyoming; Bank of Commerce; and Community First National Bank.

PASSED, APPROVED AND ADOPTED THIS 5th day of January, 1999.
BOARD OF CARBON COUNTY COMMISSIONERS

By: -s- Artlin Zeiger, Chairman
-s- Lee Meacham, Member
-s- Linda Fleming, Member

ATTEST: -s- Linda Ann Smith, County Clerk

SCHOLARSHIPS

Linda Smith presented a proposed information sheet and advertisement for the Carbon County Commissioners scholarships. Discussion followed on the requirements, how candidates are chosen, and related issues.

IMPACT FUNDING

Cindy Baldwin, Carbon County Treasurer was in attendance to update the Commissioners on the impact money that is generated to the County from the wind farms. \$260,076.05 has been received to date but because the money is not earmarked, it reverts to the General Fund. Discussion followed on funding the proposed building of a fire building/community hall in McFadden with some of the impact money.

JEFFREY CENTER

A request was received from the Jeffrey Center Board Chairman that they would like to restrict parking from light pole to light pole directly in front of the Jeffrey Center. The Commissioners suggested a letter be written to the Jeffrey Center Board to have them inform the Courthouse supervisors where employees are permitted to park.

FIRE EXTINGUISHER BID

A motion was made by Linda Fleming, seconded by Lee Meacham and unanimously carried to award the contract to Rawlins Fire Extinguisher Service for the period from December 1, 1998 to November 30, 1999, in the amounts set forth in the firm's proposal.

MEMORIAL HOSPITAL OF CARBON COUNTY

Patsy Carter, acting Administrator for the hospital was in attendance to update the Commissioners on the installation of new transformers. With this installation, they learned that the emergency power needs to be increased to adequately take care of the hospital needs. The Hospital Board finalized a 3-year strategic plan, which would include emergency power.

The Department of Health performed an inspection of the hospital. Some items are in non-compliance, and the hospital will have six (6) months to correct such violations.

The hospital is looking for a General Practitioner who will also do obstetrics. They are interviewing an anesthesiologist but still looking for an orthopedic surgeon.

BAGGS SENIOR CENTER

Linda Fleming reported on the roof at the Baggs Senior Center. There are water stains by the vent in the kitchen ceiling and also the outside shingles are starting to curl. Consensus was that the roof needs repairs but not replacement of the whole roof. Commissioner Fleming suggested that John Peery, Executive Director, obtain 2 bids from local contractors in Baggs and return to Commissioners.

CARBON COUNTY LIBRARY BOARD

Vicki Hitchcock, Library Director and three library board members were in attendance to update the Commissioners on the maintenance of branch buildings. Mrs. Hitchcock distributed a proposed branch maintenance schedule to the Board of Commissioners. The water damage on the Saratoga building needs to be addressed before it becomes worse. Chairman Zeiger suggested that the Board contact a couple of contractors to bid on the repair. It was suggested that the \$7,000 budgeted for other library building repairs, be used to repair such problems. Other maintenance issues need to be addressed at budget time.

Discussion was held on the lease for the use of the meeting room in the Carbon County's Little Snake River Valley Library in Baggs, Wyoming for the purpose of the Drivers License Division. This room will be used on the first Thursday of every month.

A motion was made Linda Fleming, seconded by Lee Meacham and unanimously carried to enter into the lease agreement between the Carbon County Commissioners and The Wyoming Department of Transportation with the following exceptions:

1. All rental payments would be made to Carbon County to go into the General Fund.
Shall pay a deposit fee of \$360.00
Keys not to be duplicated

SENIOR SERVICES

James Mahan reported on a personnel issue to the Commissioners. The matter was referred to Attorney Wade Waldrip

INTERESTED CITIZEN

Stan Brooks brought in a news article in regarding to the Platte River area to share with the County Commissioners.

RECESS

The Carbon County Board of Commissioners adjourned for lunch at 12:00 p.m. (Noon)

RECONVENEMENT

The Board of County Commissioners reconvened at 1:30 p.m.

INTERMOUNTAIN INSURANCE (CBSA)

Dale Lyman was in attendance to update the Commissioners on the county health insurance program. Mr. Lyman will work on setting up two (2) scenarios that will help the department heads during budget time. The Commissioners also discussed accessing outside agencies for insurance, and whether such should be included under coverage.

PUBLIC HEARING - PLANNING & ZONING

Henry Hewitt and Jonathan Schnal representing the Planning & Development Commission were in attendance to present two (2) public hearings that were both postponed previously.

Case 98-16 Ralph & Pat Zordel/Larry Barrailler. Request to rezone from RAM to RD

At 2:09 p.m., a motion was made by Linda Fleming, seconded by Lee Meacham and unanimously carried to open a public hearing to discuss this case. A recommendation was made by Wade Waldrip to approve the easement and a recommendation by Henry Hewitt, Planning & Zoning Chairman was made to approve the zone change.

The hearing was opened to the public for any comments. Pat Zordel spoke on their behalf. She assured the Commissioners that this property would not be developed any further.

A motion was made by Linda Fleming, seconded by Lee Meacham and unanimously carried to close this public hearing on Case 98-16.

RECONVENEMENT

A motion was made by Lee Meacham, seconded by Linda Fleming and unanimously carried to reconvene the regular commissioners meeting following the public hearing.

CASE 98-16

A motion was made by Linda Fleming, seconded by Lee Meacham and unanimously approved to accept the following resolution:

RESOLUTION 1999-2

**A RESOLUTION APPROVING AND ADOPTING
AMENDMENT OF THE CARBON COUNTY ZONING MAPS**

Whereas, Ralph & Patricia Zordell and Larry Barrailler, hereafter known as "Applicant," have submitted an Application for Amendment of the Zoning Map, hereafter known as "Application," wherein the Applicant has requested a rezone of the following described property, now in a Ranch-Agriculture-Mining zoning district, to a Residential Development zoning district:

**W¹/₂, NE¹/₄, NE¹/₄, and the SE¹/₄, NE¹/₄, NE¹/₄
of Section 33, Township 18N, Range 83W**

Whereas, the Carbon County Planning Commission held a publicly noticed open hearing during their regular meeting on February 2, 1999, and at that time considered: 1) comments received at the public hearing regarding the Application; 2) the Carbon County Planning & Development Staff Report; 3) verbal and written submittals from adjacent landowners; and 4) verbal and written submittals from public and governmental agencies.

Whereas, the Carbon County Planning Commissioners deemed the Application to meet the requirements of Section 570 of the Carbon County Zoning Resolution and to represent appropriate County planning practices and, therefore, recommended its adoption.

Whereas, the Board of Carbon County Commissioners, held a publicly noticed open hearing during their regular meeting on February 2, 1999. They heard the Application, as submitted by the Carbon County Planning Commissioners, took public testimony and, based upon all evidence presented at that public hearing, deemed the Application to meet the requirements of Section 570 of the Carbon County Zoning Resolution and to represent appropriate County planning practices.

Now, therefore, it is hereby resolved that the Carbon County Board of Commissioners hereby approve and adopt this amendment to the Carbon County Zoning Map, as amended.

Approved and adopted at the Carbon County Courthouse, Rawlins, Wyoming, this 2nd day of February, 1999.

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Artlin Zeiger, Chairman
-s- Linda Fleming, Commissioner
-s- Lee Meacham, Commissioner

Attest: -s- Linda Ann Smith, County Clerk

PUBLIC HEARING CASE #98-09

A motion was made by Lee Meacham, seconded by Linda Fleming and unanimously carried to recess the regular meeting for public hearing Case #98-09. This case deals with the subdivision change to residential.

The Planning Commission approved this PUD (Planned Unit Development) with four (4)

changes. Discussion followed on the definition of commercial agriculture. Steve Adams was in attendance to comment on clarification of this term. Henry Hewitt said that the Planning Commission is working on defining such terms. There was a recommendation that the final draft be approved by counsel before the document is actually recorded.

The developer was in attendance and spoke in favor of approval.

A motion was made by Lee Meacham, seconded by Linda Fleming and unanimously carried to return to the regular meeting.

CASE FILE #98-09

A motion was made by Lee Meacham, seconded by Linda Fleming and unanimously approved to adopt the following resolution:

RESOLUTION 1999-3

A RESOLUTION APPROVING AND ADOPTING AMENDMENT OF THE CARBON COUNTY ZONING MAPS

Whereas, Levin & Menzies, hereafter known as "Applicant", has submitted an Application for Amendment of the Zoning Map, hereafter known as "Application," wherein the Applicant has requested a rezone of the following described property, now in a Ranch-Agriculture-Mining zoning district, to encompass a Planned Unit Development:

**Part Section 5 & Part Section 6, South of River;
Section 7, 8, 17, W½ Section 18, 19 and 29 in Township 23 North, Range 77 West
and South and East of River, Part of Section 1, Part 11, Part 12, Section 13,
N½ Section 14, Section 23 and 25 in Township 23 North, Range 78 West.**

Whereas, the Carbon County Planning Commission held a publicly noticed open hearing during their regular meeting on February 2, 1999, and at that time considered: 1) comments received at the public hearing regarding the Application; 2) the Carbon County Planning & Development Staff Report; 3) verbal and written submittals from adjacent landowners; and 4) verbal and written submittals from public and governmental agencies.

Whereas, the Carbon County Planning Commissioners deemed the Application to meet the requirements of Section 570 of the Carbon County Zoning Resolution and to represent appropriate county planning practices and, therefore, recommended its adoption.

Whereas, the Board of Carbon County Commissioners, held a publicly noticed open hearing during their regular meeting on February 2, 1999, heard the Application, as submitted by the Carbon County Planning Commissioners, and deemed the Application to meet the requirements of Section 570 of the Carbon County Zoning Resolution and to represent appropriate County planning practices and, therefore, recommended its adoption.

Now, therefore, it is hereby resolved that the Carbon County Board of Commissioners hereby approve and adopt this amendment to the Carbon County Zoning Maps, as amended.

Approved and adopted at the Carbon County Courthouse, Rawlins, Wyoming, this 2nd day of February, 1999.

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Artlin Zeiger, Chairman
-s- Linda Fleming, Commissioner
-s- Lee Meacham, Commissioner

Attest: -s- Linda Ann Smith, County Clerk

PLANNING

The next issue that was presented by Henry Hewitt and Jonathan Schnal was the recommended code compliance policy that they wanted endorsement from the Commissioners.

A motion was made by Linda Fleming, seconded by Lee Meacham and unanimously carried to endorse the code compliance policy as adopted by the Planning Commission.

The Planning Commission would also like to recognize Peter Thierot and Dr. Lunt for their large conservation easement donations to the Nature Conservancy. An appreciation dinner is being planned in their honor in the near future and they would like Art Zeiger as chairman of the Carbon County Commissioners to make the presentation.

EXECUTIVE SESSION

At 3:00 p.m. a motion was made by Linda Fleming, seconded by Lee Meacham and unanimously carried to go into Executive Session with Wade Waldrip and the Planning Commission members to discuss a "cease and desist order" on an ongoing violation.

A motion was made by Linda Fleming, seconded by Lee Meacham and unanimously carried to come out of Executive Session at 3:25 p.m.

PUBLIC HEALTH

Bridgett Hettgar was in attendance to discuss public health issues. Bridgett also explained the immunization contract to the board. Wade Waldrip will review the contract for the board.

CARBON BUILDING

Patty Schuler was in attendance to open carpet bids for the Rawlins Extension office kitchen and the children's auditorium at the Rawlins Library. Two bids were presented:

Build Rite Lumber & Supply - Rawlins
Home & Building Fashions - Saratoga

A motion was made by Linda Fleming, seconded by Lee Meacham and unanimously approved to accept the low bid of \$4467.56 from Home and Building Fashions in Saratoga to carpet the extension kitchen and the library children's auditorium.

Discussion was held regarding snow removal on the West End of the Carbon Building.

EXECUTIVE SESSION

A motion was made by Linda Fleming, seconded by Lee Meacham and unanimously carried to go into Executive Session at 3:55 p.m. to discuss personnel.

A motion was made by Linda Fleming, seconded by Lee Meacham and unanimously carried to come out of Executive Session at 4:05 p.m.

No action was placed of record.

CARBON BUILDING

Commissioners inquired about rent issues with the School District. The Commissioners requested Patty Schuler prepare two scenarios for their review.

Mrs. Schuler that reported Montgomery Kone is coming to do some minor repairs on the elevator in the Carbon Building.

EXECUTIVE SESSION

A motion was made by Lee Meacham, seconded by Linda Fleming and unanimously carried to go into Executive Session at 4:20 p.m. with Wade Waldrip, Bill Nation and Bart Evans to discuss pending litigation.

A motion was made by Linda Fleming, seconded by Lee Meacham and unanimously carried to come out of Executive Session at 5:00 p.m.

No action was placed of record.

ROAD & BRIDGE

Gary Steele from PMPC Engineering Consultants and Andy Long from the Wyoming Department of Transportation (WDOT) updated the Commissioners on the 351 Road Project.

Bill Nation gave an administrative report and also presented a schedule for spring and summer road & bridge projects.

FIRE DEPARTMENT

Dwight France updated the Commissioners on the proposed fire building in McFadden. Discussion following on what type of building is needed. Dwight will obtain design specifications for a 60' x 60' steel insulated building with 12' roll up doors and 16' walls. The Clerk advised that a public hearing would need to be held sometime in March if an application is to be made to the Farm Loan Board by April 15th 1999.

Attorney Waldrip was instructed to negotiate a written contract with Olin Sims reflecting the conditions outlined in Mr. Sims' letter to Dwight, including the condition that the County can obtain funding for the project.

ADJOURNMENT

There being no further business, the meeting was adjourned at 5:55 p.m. The next meeting will be held at the Hanna Senior Center at 7:00 p.m. on February 16, 1999.

-s- Artlin Zeiger, Chairman

Attest: -s- Linda Ann Smith, County Clerk