

**COMMISSIONER'S PROCEEDINGS
REGULAR MEETING
FEBRUARY 3, 1998**

The Commissioners met at 9:00 a.m. in the Commissioner's Meeting Room of the Courthouse, Rawlins, Wyoming. Commissioners Artlin Zeiger, Gary Graalman and Linda Fleming were present. Artlin Zeiger, Chairman.

The following vouchers were presented and approved for payment:

A T & T	Various	610.00
A T & T	Public Health	2.61
Allen Insurance	Attorney	50.00
American Guidance Service	Grants	616.23
Amerigas	Road & Bridge/Senior Services	791.01
Bach Supply	Road & Bridge	309.51
Baggs, Town of	Sheriff	78.50
Bartlett, Sue RN.	Public Health	102.81
Beaton, Donald E. DDS	Grants	230.00
Best Locking Systems	Carbon Building	894.84
Best West Hitching Post	Commissioners	57.42
Bob's Computers	Attorney	30.00
Boleman, Eleanor	County Administration	84.60
Brown, Erickson & Hiser	County Administration	174.00
Brown, Estella	Grants	84.64
Build Rite Lumber & Supply	Carbon Building/Road & Bridge	37.27
Burke's Conoco	Sheriff	7.80
Busey, Sharalee	Public Health	141.45
C & M Auto Parts	Sheriff	7.19
Carbon County Clinic, PC	Grants	74.00
Carbon County Council of Govts	Commissioners	200.00
Carbon Power & Light, Inc.	Radio Maintenance	103.91
Cesko, David MD.	Grants	255.50
Chandra, V. Raja MD.	Grants	37.00
City Market, Incorporated #12	Public Health	47.36
Cloud Peak Terminix	Carbon Building	35.00
Connecting Point Computer	County Administration	428.00
Corporated Express	Various	804.31
Couch, Wayne MD.	Grants	135.00
Cruz, Sally	Public Health	8.05
D & K Sanitation	Various	367.50
Davis, E. Edwin	Sheriff	500.00
Delgadillo, Lillian	County Administration	25.00
Domino's Pizza	Grants	23.93
E C S	County Administration	6,972.00
Eagle of Cody Printing	Assessor	1,928.08

Eagle Uniform Supply	Carbon Building/Road & Bridge	106.05
Elk Mountain Texaco	Sheriff	39.50
Engstrom, J. DDS	Grants	83.00
Eric Smith Painting	Courthouse	850.00
Evergreen Disposal Services	Senior Services/Road & Bridge	90.00
Extraditions International	Sheriff	400.71
Faulkner, Cindy	Grants	53.82
Fell, Tanya J.	Extension	150.24
Fleming, Linda L.	Commissioners	127.82
Gosevner, Maxine	Public Health	86.94
Herold Iron Works	Road & Bridge	54.32
Hettgar, Bridget M. RN.	Public Health	24.95
High Plains Power	Senior Services/Road & Bridge	135.09
Hoffman, Hollice	Public Health	13.57
Hoke, John L.	County Administration	1,740.00
Hyland Enterprises	Road & Bridge	176.00
Ikon	Treasurer/County Administration	931.00
International University Press	Grants	93.00
J.H. Kaspar Oil Company	Assessor	24.31
J.W. Brewer Tire Company	Road & Bridge	352.76
Jackalope Printing	Sheriff	363.00
Johnson Controls	Building & Grounds	115.70
Johnson, John R.	Grants	379.00
KN Energy, Incorporated	Various	9,582.76
Kilburn Tire Company	Sheriff	189.05
Kirsch, A.P., MD.	Grants/Jail	1,519.00
Laramie Physicians	Grants	90.00
Lucent Technologies	Radio Maintenance	104.33
Lunt, John MD.	Grants	221.00
MacPherson Law Offices	County Administration	161.00
Massey, Daniel T.	County Administration	592.99
McBrides Valley Super	Public Health	10.14
McGee-Murphy, Incorporated	Road & Bridge	105.02
McIlvaine, Robert & Betty	Public Health	350.00
Medela Incorporated	Grants	53.73
Medicine Bow, Town of	Building & Grounds	539.00
Memorial Hospital Carbon County	Road & Bridge	144.75
Montgomery Kone Incorporated	Courthouse	564.55
Mosby-Year Book	Public Health	27.06
N A C R C	Clerk	50.00
National Public Safety Information	Sheriff	178.00
National Pen Corporation	Clerk	42.89
Nursing 98	Public Health	27.95
OfficeMax	County Administration	25.97
Omni Computer Products	Treasurer	425.79
Overhead Door Company	Road & Bridge	487.75

Pacific Power & Light Company	Various	1,040.83
Pamida, Incorporated	Public Health	55.87
Parkway Plaza	Extension	70.00
Perkins Oil Company	Road & Bridge	1,131.00
Phil's Iron Metal	Sheriff	35.00
Pitney Bowes Credit Corporation	County Administration	599.00
Platte Valley Automotive	Road & Bridge	242.04
Questar Gas	Senior Services	157.55
Quill Corporation	Public Health	31.20
Rawlins Automotive	Road & Bridge	318.08
Rawlins, City of	Various	498.83
Rawlins Newspapers, Incorporated	County Administration	188.07
Rawlins Optometric	Grants	82.00
Reynolds, Douglas A.	Extension	40.36
Ryan Electronics, Incorporated	Radio Maintenance	135.00
Saratoga Auto Parts, Incorporated	Road & Bridge	86.42
Saratoga Health Mart	Grants	16.37
Shepard's	Sheriff	137.26
Shively Hardware	Road & Bridge	5.16
Skyline Motors, Incorporated	Sheriff	404.59
Smith, Susan	Public Health	7.59
Square Shooters Eating House	County Administration	18.60
State of Wyoming	Public Health	35,416.60
Summit Medical Supply	Public Health/WIC	166.25
TCI Cablevision of Wyoming	Sheriff	25.80
Terry's Towing Service	Sheriff	40.00
Thompson Publishing Group	County Administration	275.00
Tipton Computer Service	County Administration	2,252.88
True Value of Rawlins	Courthouse	89.93
U.S. West Communications	Various	5,145.68
U.S. West Dex	Public Health	8.30
Union Telephone Company	Various	698.26
UW Conferences & Institutes	Extension	20.00
Valley Pharmacy	Grants	19.00
Viewfinder, The	County Administration	613.50
West Group Payment Center	Attorney	51.28
Western Wyo Family Planning	Grants	930.00
Wimpenny, Robert G. D.D.S	Grants	356.00
Wyo Machinery Company	Road & Bridge	533.82
Wyo Paper Supply	Jail/Carbon Building	362.87
Xerox Corporation	Public Health	112.00
Xerox Corporation	Clerk/Grants	338.00
Xerox Corporation	Sheriff	140.39
Yampa Valley Electric	Various	1,088.83
Young, Charles MD	Grants	200.00
Zeiger, Artlin	Commissioners	288.28

SEVERANCE TAX

Wee Folks Place	Social Services	625.00
Carbon County Predatory Animal Board	Community Service	625.00
Carbon County Economic Development Corp	Community Development	4,250.00
C.O.V.E.	Social Services	750.00
Carbon County Counseling Center	Social Services	1,250.00
Baggs EMTs	Health	950.00
Western Wyoming Family Planning	Social Services	250.00
Old Penitentiary Joint Powers Board	Community Development	2,500.00
Noyes Health Care Center	Health	11,250.00
Medicine Bow Health Care District	Health	20,000.00
Encampment PreSchool	Social Services	375.00
Encampment EMTs	Health	1,125.00

BONDS

Janet R.B. Herold Clerk/Treasurer	Town of Baggs January 27, 1998 to January 27, 1999	25,000.00
Michelle L. Mueggler Treasurer	Carbon County School District #2 January 2, 1998 to January 2, 1999	50,000.00
Leonard A. Page Board Member	Memorial Hospital of Carbon County August 25, 1997 to August 25, 1998	25,000.00
Barbara G. Smith Treasurer	Town of Hanna December 26, 1997 to December 26, 1998	100,000.00

ABATEMENTS

Burlington Resources Oil & Gas Company Elroy Allen	Erroneous Assessment	5659.06
Burlington Resources Oil & Gas Company Elroy Allen	Erroneous Assessment	1996.14
Burlington Resources Oil & Gas Company Elroy Allen	Erroneous Assessment	7705.34

CIVIL ATTORNEY

Wade Waldrip, Deputy County Attorney, updated the Commissioners on various administrative issues.

KUHN ROAD ISSUE

A motion was made by Fleming, seconded by Graalman and unanimously carried to dismiss with prejudice the application of David Kuhn for a private road (property in Section 27, T18N, R78W, 6th p.m.).

TREASURER

Carbon County Treasurer, Cindy Baldwin gave an administrative report.

CORONER

A motion was made by Graalman, seconded by Fleming, and unanimously carried to accept the resignation of Curtis Rostad as Carbon County Coroner.

A motion was made by Graalman, seconded by Fleming, and unanimously carried to declare the office of Carbon County Coroner vacant and notify the Republican Central Committee chairman in writing of the vacancy.

CAPITAL FACILITIES TAX

A motion was made by Fleming, seconded by Graalman, and unanimously carried to approve the following resolution:

RESOLUTION 1998 - 1

**A JOINT RESOLUTION ESTABLISHING THE PRIORITIES
FOR APPLICATION OF THE PROCEEDS OF THE 1%
CAPITAL FACILITIES SALES AND USE TAX COLLECTED
FOR THE EXCLUSIVE PURPOSE OF FUNDING PROJECTS
IN CARBON COUNTY, WYOMING**

WHEREAS, pursuant to W.S. 39-6-412 (k), counties may impose an excise tax not to exceed one percent (1%) upon retail sales of tangible personal property, admissions and services made, and upon storage, use and consumption of tangible personal property within the county, for specified purposes and in specified amounts as authorized by the qualified electors (the "Tax"); and

WHEREAS, the Board of County Commissioners (the "Commissioners") of Carbon County, Wyoming (the "County") and the governing bodies of the Towns of Baggs, Wyoming; Dixon, Wyoming; Elk Mountain, Wyoming ; Encampment, Wyoming; Hanna, Wyoming; Medicine Bow, Wyoming; Riverside, Wyoming; Saratoga, Wyoming; and Sinclair, Wyoming; and the governing body of the City of Rawlins, Wyoming (hereinafter sometimes singularly referred to as "*Baaas*" "*Dixon*" "*Elk Mountain*" "*Encampment*" "*Hanna*" "*Medicine Bow*" "*Riverside*", "*Saratoga*", "*Sinclair*", and "*Rawlins*", respectively, and sometimes collectively referred to as "Sponsoring Entities"), desired to make such source of funding available for certain projects within and for the Sponsoring Entities (the "Projects"); and

WHEREAS, on Tuesday, November 4, 1997, there was submitted to and approved by the qualified electors of the County the following ballot question:

"Shall Carbon County, Wyoming, be authorized to adopt and cause to be imposed a one percent (1%) capital facilities sales and use tax and collect a total of \$10,120,583, the proceeds from which and the interest earned thereon to be used and applied in the manner determined by the Sponsoring Entities for funding the planning, engineering, improving, upgrading, construction or reconstruction, equipment and repairs and, to the extent necessary and allowed by law, the pledge

to or payment of debt service and/or lease payments thereon, in the specified principal amounts and for the specified principal amounts and for the specified purposes provided below:

\$1,500,000 to Carbon County for the payment of debt service on outstanding revenue obligations for Carbon County Memorial Hospital (\$1,000,000), for roof, gutter and downspout repairs at the Wyoming Frontier Prison (Old Pen) (\$300,000) and for the purchase of ambulances (\$200,000);

\$250,000 to the Town of Baggs for the construction of water system improvements (\$200,000) and sewer system improvements (\$50,000);

\$200,000 to the Town of Elk Mountain for the payment of debt service on outstanding water debt;

\$687,500 to the Town of Encampment for the construction of water system improvements;

\$852,500 to the Town of Hanna for the purchase of a fire truck (\$187,500), for the construction of water system improvements (\$646,250) and for sewer system improvements (\$18,750);

\$735,000 to the Town of Medicine Bow for the construction of sewer system improvements (\$675,000) and for the payment of debt service on outstanding water debt (\$60,000);

\$209,000 to the Town of Riverside for the payment of debt service on outstanding water and sewer debt;

\$761,583 to the Town of Saratoga for the construction of water system improvements (\$126,930) and street improvements (\$634,653);

\$400,000 to the Town of Sinclair for the construction of water system improvements; and

\$4,375,000 to the City of Rawlins for the construction of a water supply, treatment and transmission system.

WHEREAS, the Tax commenced on January 1, 1998; and

WHEREAS, pursuant to W.S. 39-66-412 (k)(vii), the revenues collected from the Tax will be distributed monthly by the State of Wyoming to the Carbon County Treasurer (the "Treasurer") for immediate distribution by the Treasurer to the Sponsoring Entities; and

WHEREAS, the Sponsoring Entities wish to formally approve a distribution formula for said Tax monies;

NOW, THEREFORE, BE IT RESOLVED BY THE SPONSORING ENTITIES THAT:

Section 1. **Prorata Distribution of Tax Monies.** Within three (3) days of receipt of each monthly distribution of Tax monies, the Treasurer shall make a prorata distribution to the Sponsoring Entities, for the benefit of the Projects, as follows: (a) County - 14.82%; Baggs - 2.4%; Dixon - 1.48%; Elk Mountain -

1.98%; Encampment - 6.79%; Hanna - 8.42%; Medicine Bow - 7.26%;
Riverside - 2.07%; Saratoga - 7.53%; Sinclair - 3.95%; and Rawlins - 43.23%.

Section 2. **Financing of the Projects.** To the extent that any of the Sponsoring Entities desire to finance all or any part of the Projects through the formation of a joint powers board and the issuance by said board of its revenue obligations, the individual Sponsoring Entities which participate in the joint powers board will further adopt the appropriate resolution (s) for the engagement of the services of an escrow account for the joint deposit and reinvestment of their respective prorata distributions.

Section 3. **Ratification and Approval of Prior Actions.** All actions heretofore taken by the officers and members of the Sponsoring Entities not inconsistent with the provisions of this resolution, relating to the imposition and distribution of the Tax, are hereby ratified, approved and confirmed.

Section 4. **Resolution Irrepealable.** This resolution shall be irrepealable until the Tax shall terminate pursuant to operation of Wyoming law.

Section 5. **Repealer Clause.** All resolutions or parts thereof in conflict with this resolution are hereby repealed.

Section 6. **Severability.** Should any part or provision of this resolution ever be judicially determined to be invalid or unenforceable, such determination shall not affect the remaining parts and provisions hereof, the intention being that each part or provision of this resolution is severable.

THIS RESOLUTION, dated as of the ~~k~~ day of February, 1998, is made and duly executed in accordance with the authorization by majority vote of the Carbon County Commissioners, at a regular meeting held on February 3, 1998; by majority vote of the duly elected members of the governing body of Baggs, at a regular meeting held on February 10, 1998; by majority vote of the duly elected members of the governing body of Dixon, at a regular meeting held on February 10, 1998; by majority vote of the duly elected members of the governing body of Elk Mountain, at a regular meeting held on February 9, 1998; by majority vote of the duly elected members of the governing body of Encampment, at a regular meeting held on February 12, 1998; by majority vote of the duly elected members of the governing body of Hanna, at a regular meeting held on February 10, 1998; by majority vote of the duly elected members of the governing body of Medicine Bow, at a regular meeting held on February 9, 1998; by majority vote of the duly elected members of the governing body of Riverside, at a regular meeting held on February 2, 1998; by majority vote of the duly elected members of the governing body of Saratoga, at a regular meeting held on February 2, 1998; by majority vote of the duly elected members of the governing body of Sinclair, at a regular meeting held on February 5, 1998; and by majority vote of the duly elected members of the governing body of Rawlins, at a regular meeting held on February 3, 1998.

CARBON COUNTY, WYOMING

-s-Artlin Zeiger, Chairman
Board of County Commissioners

ATTESTED:

-s- Teddy A. Yockey, Deputy County Clerk

CARBON BUILDING

Patricia Schuler, Carbon Building administrator, updated the Commissioners on the activities at the Carbon Building.

DELINE ROAD

Cathy MacPherson, John MacPherson, and Kermit Brown, legal representatives of various parties interested in the progression of the Deline road issue, urged action toward resolution.

SHERIFF

County Sheriff Jerry Colson, Deputy County Attorney Wade Waldrip, and BLM representative, Karla Swanson met with the Commissioners to discuss co-op law enforcement in Carbon County.

A motion was made by Graalman, seconded by Fleming, and unanimously carried to enter into an agreement between the Bureau of Land Management (BLM), Rawlins Field Office and the Carbon County Sheriff for law enforcement services.

COOPERATIVE EXTENSION SERVICE

Doug Reynolds of the Carbon County Cooperative Extension Service presented an administrative report.

PLANNING

A motion was made by Fleming, seconded by Graalman, and carried to remove from the table Case File 97-12, William R. "Bill" and William R. "Rick" Saulcy, Rezone from RAM to RD-40 (tabled at January 6, 1998 meeting).

A motion was made by Fleming, seconded by Graalman, and unanimously carried to accept with stipulations Case File 97-12.

BAGGS GOLD MILLING OPERATION

Dale Wille, representing North Side Concerned Citizens Coalition presented the organization's concerns regarding the proposed pilot project milling operation in the Baggs area of Carbon County.

Tom Grieve, Baggs area resident, School District #1 representative, and real estate agent presented another view of the proposed operation.

HELPING ENDANGERED LANDMARK PROPERTIES. INC.

Sandy Meyers, vice-chair of the Helping Endangered Landmark Properties, Inc. presented the organization's bylaws and gave a brief explanation of the purpose of the corporation.

NORTH HANNA ACCESS ROAD

A motion was made by Graalman, seconded by Fleming, and unanimously carried to enter into an agreement with the State Loan and Investment Board for partial funding of the North Hanna Access Road.

ROAD & BRIDGE

Carbon County Road & Bridge supervisor, Bill Nation presented his administrative report.

ADJOURNMENT

There being no further business, the meeting was adjourned. The next regularly scheduled meeting of the Board will be at 7:00 p.m. on February 17th, 1998 in the Hanna Senior Center.

-s-Artlin Zeiger, Chairman

Attest: -s- Teddy A. Yockey, Deputy Clerk