

**COMMISSIONERS PROCEEDINGS
REGULAR MEETING
MAY 4, 1999**

The Carbon County Board of Commissioners met for a regular meeting at 9:00 a.m. in the Commissioner Meeting Room of the Courthouse, Rawlins, Wyoming. Present were Commissioners Artlin Zeiger, Chairman, and Lee Meacham; Darrell Stubbs, Carbon County Assessor; Lindy Schmidt, Clerk of District Court; Cindy Baldwin, Carbon County Treasurer; Linda Smith, Carbon County Clerk; Alice Garvin, Chief Deputy County Clerk and Susan Haynes, Deputy County Clerk.

VOUCHERS

The following vouchers were presented and approved for payment:

VENDOR	ACCOUNT	AMOUNT
AT&T	Sheriff/Public Health	99.14
Abbott Office Systems	Carbon Building	130.34
Abbott, Charlene	County Administration	180.87
Advanced Hydraulic & Valve	Road & Bridge	161.47
Allen Veterinary Clinic	Sheriff	35.00
Amerigas	Senior Center	209.22
Arnold Ag	Road & Bridge	2,480.66
ATCO International	Road & Bridge	457.40
B&G Specialties	Sheriff	632.00
Ball, William S.	Coroner	271.75
Bartlett, Sue RN	Public Health	132.35
Best Locking Systems	Carbon Building	17.03
Best Western Douglas	County Administration	150.00
Bi-Rite Professional	Public Health	125.10
Big W. Supplies	Courthouse	3,055.90
Black Hills Ammunition	Sheriff	518.00
Bob Barker Company	Jail	27.17
Brown, Estella	Grants	94.30
Build Rite Lumber	Carbon Building	6.91
Busey, Sharalee	Public Health	174.57
C&M Auto Parts	Road & Bridge	47.12
Carbon County Senior Center	Senior Center	27,998.00
Carbon County TV	Road & Bridge	9.99
Cedar Street Texaco	Sheriff	12.00
Cesko, David MD	Grants	185.00
Chandra, V Raja MD	Grants/Administrative	516.00
Childbirth Graphics	Grants	123.75
Clark, David C.	County Administration	282.00
CMI-TECO	Road & Bridge	370.79
Communication Systems	Courthouse	205.00
Computer Software	Administration	3,294.39
Corporate Express	Various	1,074.91
Cottontree Inn	Administration	56.84
Couch, Wayne MD	Grants	51.00
Crawford, Warren	Extension	70.79
Cruz, Leonard	Courthouse	250.00
Cruz, Sally	Public Health	11.50
Custom Creations	Sheriff	53.00
D&K Sanitation	Various	232.50
Daily Times	Various	792.13
Deep Sweep	Public Health	128.00
Eagle Uniform Supply	Road & Bridge	57.70
Electronic Commerce	Public Health	206.70
Elk Mountain Texaco	Sheriff	35.00
Engstrom, J. DDS	Jail	200.00
Faulkner, Cindy	Grants	300.00
Ford, Nell	Public Health	17.50

Fred Pryor Seminars	Elections	390.00
Global Computer Supply	Administration	98.74
Gosevner, Maxine	Public Health	112.24
Heald, Tom U.E.E.	Extension	60.00
Hello Direct	Carbon Building	399.97
Herold Iron Works	Road & Bridge	333.67
Hettgar, Bridget M R	Public Health	59.78
Hobart Corporation	Senior Center	207.50
Hoffman, Hollice	Public Health	80.05
Hoke, John L.	Administration	580.00
Hyland Enterprises	Road & Bridge	30.52
IKON	Public Health	80.00
IKON Office Solution	Planning	920.15
Ivory, George	Extension	60.00
JW Brewer Tire Company	Road & Bridge	2,300.00
Jack's Body & Fender	Fire Protection	1,500.00
Jackalope Printing	Sheriff	46.93
Jax, Inc. Mercantile	Administration	941.96
Johnson Controls	Courthouse/Building & Planning	1,162.41
Kar Products	Road & Bridge	333.82
Kilburn Tire Company	Sheriff	206.92
Kirsch, A P MD	Grants/Jail	3,611.00
KN Energy Inc.	Various	3,955.80
Laramie First Inn	Treasurer	84.00
Laramie Physicians	Grants	344.00
Lawson Products, Inc.	Road & Bridge	406.98
Lentz, David	Extension	113.82
MacPherson Law Office	Administration	48.75
Martinez, Sally	Administration	64.96
McGee-Murphy, Inc.	Road & Bridge	847.39
McKee Medical Center	Administration	208.85
Meacham, Lee	Commissioners	38.95
Memorial Hospital of Carbon Co.	Administration	12,450.75
Merback Award Company	Sheriff	65.12
Munimetrix Systems	County Clerk	164.87
National Public Safety	County Attorney	99.00
National Gardening	Extension	32.00
Oakstone Legal & Business	County Attorney	119.95
Pacific Power & Light Co.	Various	970.06
Page One West	Sheriff	75.00
Pamida Inc.	Road & Bridge	71.27
Rite-Style Optical	Road & Bridge	93.00
Rocky Mountain Safety	Road & Bridge	722.91
Roberts, Mitch	Road & Bridge	172.32
Rockmount Research	Road & Bridge	222.88
Ron's Guns and Computers	Sheriff	145.71
Ross' Automotive Service	Sheriff	240.54
Rostad Mortuary	Coroner	600.00
Saratoga Auto Parts	Sheriff/Road & Bridge	272.65
Saratoga Health Mart	Grants	18.44
Seton	Courthouse	41.34
Shively Hardware	Road & Bridge	9.59
Smith, Susan	Grants/Public Health	25.76
Standard Register	Administration	270.00
Summit Medical Supply	Public Health	86.74
Symphony Rehabilitation	Public Health	2,145.00
T & M Service	Fire Protection	108.03
T & T Plumbing	Carbon Building	258.50
TCI Cablevision of Wyoming	Jail	29.39
Texaco Refining	Sheriff	13.07
Thompson Publishing	Administration	256.00
Trading Post	Sheriff	13.00
Tri State Truck & Equipment	Road & Bridge	118.90
Triangle Sheet Metal	Road & Bridge	9.00

Trib.Com	Various	84.85
True Value of Rawlins	Courthouse/Carbon Building	521.95
US Postmaster	Administration	3,275.58
US West Communication	Various	4,986.76
Union Telephone Company	Various	275.61
Valley Pharmacy	Grants	848.21
Valley Super Foods	Grants	10.06
Viewfinder, The	Administration	105.64
Waldron, Patty	Administration	68.18
Ward, Janice	Administration	30.00
Williams, Kelly & Waldrip	Administration	462.87
Wimpenny, Robert G. DDS	Grants	179.00
Woodward & Associates	Sheriff	19.30
WYO Law Enforcement	Sheriff	275.00
Wyo Paper Supply	Courthouse/Jail	191.23
Wyo Treasurer's Association	Treasurer	50.00
Xerox Corporation	Clerk/Public Health	827.46
Yampa Valley Electric	Radio Tech	30.54
Zeiger, Artlin	County Commissioners	180.16

APPOINTMENTS

A motion was made by Lee Meacham and seconded by Artlin Zeiger to accept the appointment of Jerry Kraft to the Carbon County Fair Board. The motion carried unanimously.

A motion was made by Lee Meacham and seconded by Artlin Zeiger to accept the appointment of Kathy Hiatt to the Carbon County Visitor's Council. The motion carried unanimously.

A motion was made by Lee Meacham and seconded by Artlin Zeiger to accept the appointment of Richard Chenoweth to the Old Pen Joint Powers Board. The motion carried unanimously.

May 4, 1999

It was decided to re-advertise for the appointment of a member to the Rawlins Urban Systems Board because of a lack of response from the first advertisement.

Linda Smith submitted her resignation from the Memorial Hospital of Carbon County Board, effective immediately. The Commissioners accepted the resignation with regret. The opening will be advertised.

MEDICINE BOW LIBRARY

A motion was made by Lee Meacham and seconded by Artlin Zeiger to accept the Lease Agreement between Carbon County and the Town of Medicine Bow for the use of library space in the Town Square. The motion carried unanimously.

PUBLIC HEALTH

A motion was made by Lee Meacham and seconded by Artlin Zeiger to accept the addendum to the contract between Carbon County Public Health and Nursing Services adding \$1900.00 to the contract. The motion carried unanimously. The addendum is on file.

LAWN CARE BIDS

Linda Smith reported that two bids were received for the contract position of lawn care for the County Park by Senior Services and the park North of

the Carbon Building. The bid from Phyllis McCann was for \$550.00 per month plus the cost of fertilizer. She would use her own equipment. The second bid came from Mike Baker. His bid was for \$250.00 per month, plus fertilizer, and the use of the County equipment.

A motion was made by Lee Meacham and seconded by Artlin Zeiger to accept the bid proposal of Phyllis McCann. The motion carried unanimously.

LAWN EQUIPMENT AND STORAGE

Bill Nation has made a request to Linda Smith that the lawn equipment now being stored at the Road and Bridge Shop be moved to a more convenient location, perhaps closer to the Courthouse. Linda Smith reported that the old lawnmower currently at the shop is no longer working. Replacement lawnmowers have been priced, and they range from \$1000 to \$1700 in price. A concern was also raised about the condition of the shed on the North side of the Courthouse. It has been deteriorating. Sheds have been priced from \$600 to \$1800, for both metal and wood side buildings. The building needs to be large enough to accommodate both the snow blower and riding lawnmower, plus storage room for fertilizer. The location of the shed was discussed. Mr. Zeiger recommended that a shed and riding lawnmower be purchased.

COURTHOUSE RENOVATIONS

Linda Smith presented a bid for carpet for the jury room to the Commissioners for their approval. The Commissioners were advised that Ms. Schmidt and Linda Smith will work together to get the carpet and renovations completed before the end of the fiscal year.

May 4, 1999

PUBLIC DEFENDERS OFFICE

Linda Smith submitted a request for annual payment of \$20,000 from the Public Defender's Office, which is due by June 30, 1999. She stressed to the Commissioners that this payment does not include rent, and because of that fact, Mr. Zeiger requested that the bill be reviewed by the County Attorney, Wade Waldrip.

LIQUOR LICENSE REQUEST

At 10:00 a.m., Artlin Zeiger opened the public hearing concerning the request for Malt Beverage License issuance by Charles and Kimberly Thyne for the 10-Mile Inn. Edward and Patsy Faust and Hope Miller were in attendance to speak against issuing the license. Mr. and Mrs. Thyne were in attendance to speak on their own behalf.

Mr. and Mrs. Faust presented the Commissioners with a letter of protest in which they cited that because they have a business across Highway 130 that currently holds a malt liquor license, another license in the same area would decrease the value of their property, which is for sale. They also questioned the parking facility, as it would encroach on adjoining property and quite possibly in the roadway.

Hope Miller, who owns property adjacent to the Thyne's, presented a boundary survey of the property to the Commissioners. The map shows that, because of the location of the parking area of the 10-Mile Inn and her private driveway, and because her property surrounds the 10-Mile building on three sides, the occurrences of trespassing on her property would be considerable.

Mr. Thyne stated that the malt liquor would be available for consumption on and off the property, as the building was originally built with a saloon. He also stated that the Miller driveway is sufficiently far away from his building, and posted with a "no trespassing" sign, so encroachment on her property should not be an issue. He stated that he has a new 300-gallon septic system and that he has been remodeling the building for the past three years.

Alice Garvin stated that she had spoken to Tom Montoya concerning the issue of the malt beverage license for the Thyne's and concern was raised about a dispensing area. If there is a separate dispensing area for the malt liquor, Mr. Thyne would be required to comply with article W.S. 12-5-201, where a bar setting must be separate from the dining area.

The Commissioners raised the question of appropriate zoning for the property, and because it was unclear what the zoning for Mr. Thyne's property is, it was decided to table the hearing until 2:15 p.m. when Jonathan Schnal from Planning and Zoning could offer assistance. The hearing was closed at 10:20 p.m.

TREASURER'S REPORT

Cindy Baldwin, Carbon County Treasurer, presented the severance tax report that she received earlier in the week. The report shows that severance tax for Carbon County is down by approximately \$48,000. The report also shows that the County Road Fund will be \$3,148,160. Ms. Baldwin raised the question of how that fund money is to be distributed and whether or not it had to be kept in a separate bank account. She was advised to take the question up with Wade Waldrip, Carbon County Attorney.

May 4, 1999

Y2K COMPUTER CONVERSION

Linda Smith reported to the Commissioners that the computer conversion is coming along well. Ms. Smith also reported that the conversion for titles and the motor vehicle department will cost \$6,000 and the land package for the Assessor's Office would be \$16,640. CSA representative Pat Ryan has recommended that all the offices in the Courthouse be on the same system, making records accessible to every department. Chairman Zeiger indicated the Clerk could pursue purchase if funding was available.

JOHNSON CONTROLS

Thomas Chadwick from Johnson Controls approached the Commissioners with a proposal for work to be done around the county at the Senior Centers. Ms. Smith was instructed to look into the Rawlins Fire Extinguisher contract, to ascertain if it covered the fire control panels. Mr. Chadwick agreed to return to the Commissioner's meeting at 3:45 to continue with his proposal, and was asked to have estimates on the work completed by Friday, May 7th.

WYOMING DEPARTMENT OF TRANSPORTATION

Representatives from WyDOT, Andy Long and Jay Gould, and Bill Nation, of the Carbon County Road and Bridge, presented information regarding the Hanna Access Road, Seminoe Dam Road and Brush Creek Access Road projects to the Commissioners.

Mr. Gould discussed the pending litigation on the Seminoe Dam Road project. He advised the Commissioners that part of the settlement finding will be encumbered in the current finding until litigation is completed.

Mr. Nation presented a report showing an encumbrance on the SC funds for the proposed Brush Creek Access project. The environmental impact of encroachment on the wetlands will require an alternate route with less of an

impact on the pristine wetlands while maintaining public access to the State and BLM properties in Brush Creek Canyon. He suggested that the County review alternatives to the project.

Mr. Gould then requested that the Commissioners consider discontinuing WyDOT involvement in the Hanna Connector Project. He proposed that the County oversee the final stages of the project while WyDOT could possibly remain only in an advisory position. The Commissioners will take the request under advisement.

RECESS

Chairman Artlin Zeiger convened the meeting at 12:05 p.m. for lunch. The meeting will re-convene at 2 p.m.

RE-CONVENE

The meeting of the Carbon County Commissioners was re-convened at 2:00 p.m. with Chairman Artlin Zeiger opening a public hearing on zone change requests.

WINDMILL PROJECT

Henry Hewitt reported that the special use permit for the new windmill project has been approved.

May 4, 1999

ZONING CHANGE PROPOSALS

A motion was made by Lee Meacham and seconded by Artlin Zeiger to accept a zone change for Sheila Remick, case law 99-04 to change density from RD2 to RD4.4. The motion was carried unanimously.

A motion was made by Lee Meacham and seconded by Artlin Zeiger to accept a zone change for Michael J. Farver, Mountain View Estates, case law 99-05, from Agricultural to RD10. The motion carried unanimously.

The public hearing for zone changing requests was closed at 2:10 p.m.

LIQUOR LICENSE REQUEST PUBLIC HEARING

Chairman Artlin Zeiger re-opened the public hearing for the proposed malt liquor license for the 10-Mile Inn at 2:15 p.m.

Jonathan Schnal was present to assist with the zoning question posed during the morning discussion. He stated that because the property was vacated several years ago, the zoning should revert from Highway Business to Agricultural. However, Mr. Thyne presented a letter from Sandy Pedersen, Mr. Schnal's predecessor, in which it is stated that the property is currently zoned Highway Business. Mr. Schnal will take this information under advisement.

Mr. Thyne indicated that he is currently waiting for an assessment from the EPA and Public Health and Safety concerning the viability of his water filtration system. He currently collects the water from the tin roof of the building in large drums, which are then sent through a filtration and purification system inside the building. He does have a portion of his property that he could drill a fresh water well on, however, it requires access through Hope Miller's property during the process, and she will not grant that access.

A motion was made by Lee Meacham and seconded by Artlin Zeiger to postpone the request for liquor license by Mr. and Mrs. Thyne until the EPA and Public

Health and Safety Department findings are available. The motion carried unanimously.

Mr. Zeiger informed Mrs. Miller that a notice of the public hearing in this matter will be published in the newspaper.

Mr. Zeiger closed the public hearing at 2:30 p.m.

GREAT DIVIDE SHOOTING RANGE PROPOSAL

Dave Clark brought a proposal before the Commissioners for their consideration concerning the creation of a Joint Powers Board for the new Great Divide Shooting Range facility. He stated that the involvement of the County would be minimal, and the Joint Powers Board would be responsible for seeking its own funding. Considerable funding and in-kind donations have already been obtained. Mr. Clark will also be taking the proposal to the City of Rawlins and all he asks is that the County take the proposal under advisement.

SARATOGA LIBRARY

Vicki Hitchcock from the Saratoga Library brought information to the Commissioners concerning the renovations that need done in the building. There are currently several severe cracks in the walls that could easily be fixed, and painting should be done at the same time.

May 4, 1999

A motion was made by Lee Meacham and seconded by Artlin Zeiger to postpone discussion of the renovation until the next regular meeting. The motion carried unanimously.

BAGGS SENIOR CENTER

John Perry approached the Commissioners concerning the Baggs Senior Center roof and swamp cooler. He stated that Vince Vandiver of Energy Construction looked at the roof and in his opinion, it needed replaced.

The Commissioners viewed the roof of the center last week and it was decided that the seal around the swamp cooler was the reason the roof was leaking. Thomas Chadwick from Johnson Controls concurred, stating that the swamp cooler could be removed, the seal around where it was anchored repaired, and the roof should be fine.

Mr. Chadwick stated that he believes that a split air conditioning system for the center would be the best way to cool the kitchen area. He gave an estimate for removing the swamp cooler, repairing the roof and installation of the split air conditioning system of under \$5000. He will bring a formal estimate to the Commissioners later in the week.

Mr. Chadwick was instructed to coordinate the repair of the Encampment Senior Center walk-in freezer with John Perry, since the frozen goods would have to be moved to the Saratoga Senior Center freezer during the repairs.

ROAD AND BRIDGE REPORT

Bill Nation and Gary Steele reported that the Seminoe road project is 95% complete and they plan for the construction to be completed on time.

Mr. Nation requested signatures from the Commissioners on the final cost estimates/agreement for work on the North Hanna project. He stated that \$180,000 has been received from Arch Minerals toward the project.

A motion was made by Lee Meacham and seconded by Artlin Zeiger for the

County Commissioners to sign and enter into Agreement #52226 between the County and the State of Wyoming. The motion carried unanimously.

A motion was made by Lee Meacham and seconded by Artlin Zeiger for the Road and Bridge Department to enter into an agreement with Miller Estates for the purchase of gravel. The motion carried unanimously.

A motion was made by Lee Meacham and seconded by Artlin Zeiger for Mr. Nation to pursue building an access road from Highway 71 to the County yard which would run behind Rawlins Springs. The motion carried unanimously.

Mr. Nation then presented his monthly report to the Commissioners.

ADJOURNMENT

There being no further business, the meeting was adjourned by Chairman Artlin Zeiger at 4:30 p.m.

-S-Artlin Zeiger, Chairman

-S-Linda Ann Smith, County Clerk