

CARBON COUNTY BOARD OF COMMISSIONERS
Regular Meeting
Tuesday, December 4, 2001
Carbon County Courthouse, Rawlins, Wyoming

The regular meeting of the Board of Carbon County Commissioners was held on Tuesday, December 4, 2001, in the Commissioners Meeting Room of the Carbon County Courthouse, Rawlins, Wyoming. Attendees of the meeting were Chairman Artlin Zeiger and Commissioner Linda Fleming; Linda Ann Smith, Carbon County Clerk; Alice Garvin, Chief Deputy County Clerk; and Shelley Welsh, Deputy County Clerk.

The meeting was called to order by Chairman Zeiger at 9:05 a.m.

VOUCHERS

The following vouchers were presented for payment.

AT&T	Various	\$570.37
AT&T Cable Service	Sheriff	\$47.37
AG Revolving 4-20146	Cooperative Extension	\$5,102.25
Alco	Grants	\$51.42
American Linen	Road & Bridge	\$59.50
Anderson Highway Signs	Road & Bridge	\$624.81
Bartlett, Sue RN	Public Health	\$129.12
Best Western Douglas	Grants	\$400.19
Bob Barker Company	Jail	\$19.64
Brown, Estella	Grants	\$77.22
Busey, Sharalee	Public Health	\$121.11
Canon Financial Service	Admin	\$523.01
Cedar Street Sinclair	Courthouse	\$7.06
Cesko, David MD	Admin	\$255.00
CMI-Teco	Road & Bridge	\$206.62
Computer Software Assoc.	Admin	\$26,371.00
Corporate Express	Various	\$423.36
Cruz, Sally	Public Health	\$16.50
D&K Sanitation	Various	\$243.50
D&L Service	Jail	\$50.50
Daily Times	Admin	\$349.18
Double D Tires	Sheriff	\$20.00
Eagle Computer Systems	Clerk of Court	\$3,438.56
Eagle Uniform Supply	Carbon Building	\$27.42
Elk Mountain Towing	Sheriff	\$44.34
Energy Construction	Building & Grounds	\$7,706.00
Erickson, Frank	Severance Tax	\$238.62
Evergreen Disposal Service	Senior Center / R&B	\$105.00
Food & Fitness Advisor	Cooperative Extension	\$20.00
Ford, Nell	Public Health	\$16.50
Gosevner, Maxine	Public Health	\$23.76
Hettgar, Bridget M. RN	Public Health	\$62.04
High Plains Power	Senior Center	\$85.96
Hyland Enterprises	R&B / Building & Grounds	\$192.53
Ikon Office Solutions	Admin	\$204.30
Jackalope Printing	Various	\$378.40
Kar Kraft Inc.	Sheriff	\$63.46
Kilburn Tire Company	Road & Bridge	\$601.80
Kirsch, A.P. MD	Admin	\$335.00
KN Energy Inc.	Various	\$2,133.48
Long Building Technology	Building & Grounds	\$1,477.26
Losseleaf Law Public	Attorney	\$44.70
M/A Digital Service	Jail	\$874.95
M/A Digital Service	Jail	\$69.00
Massey, Daniel T.P.	Admin	\$932.68
Meacham, Lee	Commissioners	\$48.00
Medical Arts Press	Public Health	\$40.01
Medicine Bow, Town of	Senior Center	\$45.60

Memorial Hospital	Admin	\$12,988.75
Merck Human Health	Public Health	\$548.80
Moriarity, Catherine	Admin	\$659.75
National Rifle Association	Sheriff	\$25.00
Pacific Power & Light	Various	\$357.29
Page One West	Sheriff / Attorney	\$277.96
Pamida Inc.	Grants / Courthouse	\$52.27
Perigon Medical Distributing	Public Health	\$11.37
Pitney Bowes Inc.	Admin	\$287.50
Plainsman Printing	Clerk	\$482.37
Q Business Source	Admin	\$118.81
Quality Landscape	Courthouse	\$75.00
Questar Gas	Senior Center	\$32.08
Quill Corporation	Clerk	\$56.70
Quinn / Richardson / Kucera	Building & Grounds	\$615.44
Qwest	Sheriff / Radio Tech	\$332.64
Rasmussen Furniture	Emergency Management	\$780.98
Rawlins Glass	Road & Bridge	\$217.72
Rawlins, City of	Various	\$1,342.21
Redmond, Charles	Building & Grounds	\$105.00
Reliable	Public Health	\$132.22
River Street Motors	Sheriff	\$324.65
Royal Sanitary Supply	Courthouse	\$49.19
Saratoga Construction	Road & Bridge	\$23.30
Saratoga Inn	Commissioners	\$441.60
Saratoga Sun	Commissioners / Admin	\$235.24
Smith, Susan	Grants	\$17.49
State of Wyoming	Severance Tax	\$30.00
Texaco Refining	Sheriff	\$29.00
Thayer, Bruce	SC / Road & Bridge	\$10,560.00
Trib.com	Grants / Public Health	\$32.45
True Value of Rawlins	Various	\$501.64
US Postmaster	Public Health	\$204.00
Valley Super Foods	Public Health	\$10.00
Viking Office Products	Courthouse	\$30.27
Voorhis Associates	Building & Grounds	\$8,143.79
WACO	Commissioners	\$250.00
West Group Payment Ctr.	Attorney	\$299.20
Willems Rentals	Grants	\$850.00
Wilson's Self Service	Sheriff	\$13.70
Woodward & Associates	Emergency Management	\$1,430.00
WY Association of EX 2002	Cooperative Extension	\$60.00
WY Machinery	Road & Bridge	\$2,936.18
WY Paper Supply	Courthouse / Jail	\$421.53
Wyeth-Ayerst Lab	Public Health	\$2,636.90
Yampa Valley Electric	Radio Tech / Senior Center	\$477.63
TOTAL		\$104,385.72

CLERK

Linda Ann Smith advised the commissioners of the invoice from Rostad Mortuary in regard to the \$1.50 per mile charge for mileage. The total amount of the invoice was \$1,264.50. County Attorney Ed Risha advised he had ordered the autopsy to be performed by Rostad Mortuary. This had involved using the hearse to transport the body from another site back to Rawlins to perform the autopsy. Linda Fleming suggested the commissioners meet with Bill Ball in regard to this being considered a county burial.

Bill Ball did meet with the commissioners at approximately 9:20 a.m.

Commissioner Fleming moved to go into executive session for the purpose of possible litigation issues at 9:23 a.m. Chairman Zeiger seconded. The motion carried unanimously. Commissioner Fleming moved to come out of executive session at 9:40 a.m. Chairman Zeiger seconded. The motion carried unanimously.

Commissioner Fleming moved to approve the minutes of November 20, 2001 as written. Chairman Zeiger seconded. The motion carried unanimously.

Chairman Zeiger and Commissioner Fleming expressed their appreciation to a handful of county employees for their participation in the Wyoming County Commissioners Association meetings held in Saratoga on November 26-28, 2001. Certificates of appreciation were presented to Cindy Baldwin, Patty Bentsen, Alice Garvin, Gwynn Rothenberger, Helen Winningham, Liz Greenwood, Jamie Smith and Linda Ann Smith.

BOARD APPOINTMENTS

Commissioner Fleming moved to appoint Bernie Caracena to the Senior Services Board to fill the unexpired term of Shirley Herold. His term will expire in April of 2004. Chairman Zeiger seconded. The motion carried unanimously.

Commissioner Fleming moved to appoint Catherine MacPherson to a three-year term on the Saratoga-Carbon County Joint Powers Board to fill an expired position on the board. Her term will run from July, 2001 to July, 2004. Chairman Zeiger seconded. The motion carried unanimously.

Letters of interest for the Memorial Hospital of Carbon County Board of Trustees were received from Joe E. Jones, Susan K. Flack, and Roxy Bell. Commissioner Fleming moved to appoint Joe E. Jones to the Board to fill the unexpired term of William Coffman. His term will expire January, 2003. Chairman Zeiger seconded. The motion carried unanimously.

Letters of interest were received for appointment to the Carbon County Planning and Development Commission Board from Henry Hewitt, D'aun (DeeDee) Roberts, James Jenison, and William Ellis. Chairman Zeiger advised a decision would be made on these at 2:00 p.m. when Carbon County Planning has their usual appointment with the Board of Commissioners.

ASSESSOR'S OFFICE

Darrell Stubbs appeared before the board and presented them with 27 rebates to be signed, 21 of which are from PP&L.

Linda Ann Smith will write letter to Forest Service to be a cooperating status with the state. No action will be taken on this at this time.

Linda Ann Smith advised she had received a letter from Lt. Shinkle of the Carbon County Sheriff's Office in regard to the heating situation in the jail. He advised it is critical at this time and the jail is not meeting heating standards. Linda advised Long and Associates will be on site tomorrow to try and correct the problem quickly and efficiently.

CARBON COUNTY SENIOR SERVICES

Bill Michie presented his bi-monthly report to the Board.

JAIL COMMITTEE

Sheriff Colson advised he had recently met with the architect and a person that provides security for jails (cameras, sliding doors, etc.). The security company advised Sheriff Colson that Big Horn County was putting in a new jail at this time, which is comparable to ours. They would like to visit this new jail before inmates are housed there and see how their system is used.

The Jail Committee is meeting on December 5, 2001 with their consultant and the architect. They will be discussing the final draft of the master plan and the schematic design. The master plan will be completed by December 31, 2001.

Sheriff Colson advised he met with the Stockgrowers Association and gave them a presentation on the new jail. He did advise them of the location across from the fairgrounds and advised that this portion of land was being donated to Carbon County by the City of Rawlins. He advised the group that the water and sewer hook-ups were being provided by the city.

Chairman Zeiger advised he had heard, in the last few days, who had advised that the proposed location for the new jail was only to be used by the fair board or agricultural usage. County Attorney Ed Risha advised the Board that since the County had signed the contract with the City of Rawlins and the County had completed their "end of the bargain" on the new golf course road, that the City was obligated to provide the water and sewer hook-ups for the new jail.

Sheriff Colson advised the Jail Committee may wish to get on the ballot for next year with the new jail. The County Clerk advised she will have election schedule information very soon. Linda Smith advised the County Clerk's Office must adhere to a strict April deadline to give them time to prepare their ballots.

Sheriff Colson advised he had submitted the necessary paperwork, with Donna Messerlie's assistance, in regard to the Juvenile Justice Grant (WCCA non-participating grant). He should have a response by December 17.

Sheriff Colson advised overcrowding is an issue in the jail now. They will be going from 26 to 22 beds soon. They are looking into using arm bands for inmates in a house arrest type situation. The cost will be \$5 per day to be paid by the inmate. They also have the capability to hook up an alcohol monitoring system, if needed, for an additional \$5 per day to be paid by the inmate.

Commissioner Fleming suggested to Sheriff Colson that the commissioners and the jail committee have a special meeting with all the town councils, or a representative from each town council, and make a decision if this issue must be put on the ballot. Chairman Zeiger suggested we send out a letter to each council member advising them of the importance of their input at this meeting. The meeting will be set for Wednesday, December 19, 2001 at 6:00 p.m. in the Land Office. The commissioners will make their decision as to what type of ballot will be used in the next general election.

EMERGENCY MANAGEMENT

Greg Zabel presented his bi-monthly report to the Board of Commissioners.

COUNTY ROAD 351

Dan Brownell appeared before the Board of Commissioners and presented them with a signed petition in regard to County Road 351.

Bill Nation advised that to rebuild this road and repair it to a quality standard would probably cost approximately \$1.5 million.

Chairman Zeiger suggested we send a letter to the Wyoming Bureau of Reclamation and request a meeting with them to discuss this matter. Dan Brownell gave the name of John H. Lawson at Post Office Box 1630 in Mills, Wyoming. He suggested the commissioners meet with Mr. Lawson.

Lunch break at 12:00 to 1:30 p.m.

Commissioner Fleming moved to enter executive session at 1:40 p.m. to discuss personnel issues. Chairman Zeiger seconded. The motion carried unanimously.

Commissioner Fleming moved to come out of executive session at 1:47 p.m. Chairman Zeiger seconded. The motion carried unanimously.

Commissioner Fleming moved that the Carbon County Commissioners be authorized to sign the letter that is being sent to the members of the Select Mineral Committee in from the Wyoming Co Comm Assoc. in regard to right to appeal decisions made by the Department of Revenue. Chairman Zeiger seconded. The motion carried unanimously.

Alice Garvin presented a LGLP official ballot and the Board is asked each year to cast their votes. This year there are nominations for one 3 year term for the county commissioner position and two nominations for an at-large 3 year term. The choices are Jack Skates and Mark Kucera (currently serving).

Commissioner Fleming moved to cast the ballot to the Wyoming Local Government Liability Pool for Kathy Davis and Jack Skates. Chairman Zeiger seconded. The motion carried unanimously.

LIQUOR LICENSE RESOLUTION

Commissioner Fleming moved to adopt Resolution 2001-12, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CARBON, STATE OF WYOMING, PROVIDING FOR THE REGULATION AND CONTROL OF THE SALE, DISTRIBUTION, POSSESSION, AND TRAFFIC OF ALCOHOLIC LIQUOR AND MALT BEVERAGES. Chairman Zeiger seconded. The motion carried unanimously.

RESOLUTION NO. 2001-12

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CARBON, STATE OF WYOMING, PROVIDING FOR THE REGULATION AND CONTROL OF THE SALE, DISTRIBUTION, POSSESSION, AND TRAFFIC OF ALCOHOLIC LIQUOR AND MALT BEVERAGES WHEREAS, the Board of County Commissioners of the County of Carbon intends to provide for the regulation and control of the sale, distribution, possession and traffic of alcoholic liquor and malt beverages; and

WHEREAS, the Board of County Commissioners of the County of Carbon has determined that it is in the best interest of the County to rescind Resolution No. 1996-7 and create Resolution No. 2001-12 to insure proper compliance by the licensees that hold liquor licenses;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CARBON, THAT Resolution No. 1996-7 be rescinded and Resolution No. 2001-12 be, and the same is hereby created and shall read as follows:

Alcoholic Beverages

Article I. Definitions and General Provisions

Section 1.10: Definitions. Except as otherwise noted below, definitions used in this chapter shall be as found in W.S. §12-1-101:

A. "Clerk": shall mean the County Clerk of the County of Carbon, State of Wyoming.

Section 1.20: Compliance Required.

A. For the protection of the health, safety and welfare of the residents, citizens and guests hereof, that the sale, distribution, possession and traffic of alcoholic liquor and malt beverages shall be regulated to the extent that all such activity be, and the same hereby is, prohibited, except as provided in this chapter, and that no sale at retail or possession of such substances shall occur within the jurisdictional limits of the County as authorized herein and exceptions provided in Wyo. Stat. §12-1-101, et seq., reserving certain powers to the State of Wyoming. It is the intent of this chapter to comply and coincide with provisions of Wyo. Stat. §12-1-101, et seq., which regulate such substances.

Article II. License Application

Section 2.10: Application for Annual License.

A. Any person desiring an annual license as authorized by this chapter shall make application to the County by delivering to the County Clerk, or County Clerks' designated representative, on the form prepared by the Attorney General pursuant to Wyo. Stat. §12-4-701 and provided to the applicant by the clerk, a completed, verified and signed form. The license fee, or any other fees related to a license shall be paid to the clerk at the time the application is filed or the clerk shall not commence processing the application. The information contained in the applications shall conform to the requirements of Wyo. Stat. §12-4-102.

B. Upon receipt of an application, the clerk shall send one copy of the application to the Wyoming Liquor Commission and shall promptly prepare a notice of application, place a copy of the notice in a conspicuous place at the location shown in the application and publish the notice in a newspaper of general circulation in the county, once a week for four (4) consecutive weeks. The notice shall comply with the provisions of Wyoming. Stat. § 12-4-104.

C. On behalf of the licensing authority, the clerk is authorized to request supporting documentation in conjunction with applications filed for a license or permit. Prior to issuance, review and inspections of the proposed premises may be conducted by various County department representatives as required by the county clerk. Representatives of County departments may enter licensed and permitted premises during regular business hours to make reasonable inspections.

Section 2.20. Restrictions upon Applicants and License.

- A. Except as provided in subsection (B), all permits and license recipients must post the license or permit in a conspicuous place within the licensed dispensing room described in the application.
- B. Any license issued pursuant to Wyo. Stat. § 12-4-103(a)(iv) shall be held by the clerk in the clerk's office, or other location as designated by the clerk, until the license can be placed in a physically functional building.

Section 2.30. Grounds for Denial of License. A license shall not be issued, renewed or transferred if the Board of County Commissioners finds from evidence presented at the hearing required under Wyo. Stat. § 12-4-104, any of the conditions found under Wyo. Stat. § 12-4-104(b), including:

- A. The holder of an expired annual license or one due for expiration, has a preference right to a renewal of that license for the same location, but such preference exists only to the extent explicitly authorized under Wyo. Stat. § 12-4-104(c). No other preference rights are authorized or recognized by Carbon County. The preference right granted under this section shall expire thirty (30) days after the expiration date shown on the most recently issued license or permit.

Section 2.40. Transfer of Annual License. A person seeking to transfer an annual license shall submit a new application form and shall pay to the clerk at the time of such application a non-refundable additional license fee of one hundred dollars (\$100.00). The transfer application shall be set for public hearing and otherwise considered by the Board of County Commissioners in a manner consistent with Wyo. Stat. § 12-4-601.

Section 2.50. Terms of Annual License.

- A. Annual licenses shall be for a period of not more than one (1) year, expiring each year on August 31. Annual licenses shall be a personal privilege of the licensee.
- B. The executor or administrator of the estate of a deceased licensee, when the estate consists in whole or in part of a business selling alcoholic or malt beverages under an annual license issued by the County, may exercise the personal privilege of the deceased licensee under terms of the license until the expiration date of the license. If the license of the deceased licensee has not been transferred prior to the annual expiration date, the Board of County Commissioners shall consider the license of the deceased licensee as an unissued license.

LICENSES AND PERMITS

Section 3.10. Annual Licenses.

- A. The Board of County Commissioners of Carbon County is hereby authorized to issue the following annual licenses pursuant to state law and this chapter:
 - 1) Retail Liquor License, as defined Wyo. Stat. § 12-4-201.
 - 2) Limited Retail Liquor (Special Club) License, as defined Wyo. Stat. § 12-4-301.
 - 3) Retail Malt Beverage Permit, as defined Wyo. Stat. § 12-4-201.
 - 4) Restaurant Liquor License, as defined in Wyo. Stat. § 12-4-407.
 - 5) Microbrewery Permit, as defined Wyo. Stat. § 12-4-412.
 - 6) Winery Permit, as defined in Wyo. Stat. § 12-4-412.
 - 7) Special Malt Beverage Permit for Public Auditoriums, as defined in Wyo. Stat. § 12-4-504.
 - 8) Motel/Hotel Minibar License, as defined in Wyo. Stat. § 12-5-201(e).
- B. The annual fee for each license shall be payable at the time of application, and shall be in the full amount as shown for each class of license below:

- 1) Retail Liquor License annual fee shall be one thousand dollars (\$1,000.00).
- 2) Limited Retail Liquor (Special Club) License annual fee shall be seven hundred fifty dollars (\$750.00).
- 3) Retail Malt Beverage Permit annual fee shall be three hundred dollars (\$300.00).
- 4) Restaurant Liquor License annual fee shall be one thousand dollars (\$1,000.00).
- 5) Microbrewery Permit annual fee shall be five hundred dollars (\$500.00).
- 6) Winery Permit annual fee shall be five hundred dollars (\$500.00).
- 7) Special Malt Beverage Permit for Public Auditoriums annual fee shall be one thousand five-hundred dollars (\$1,500.00).
- 8) Motel/Hotel Minibar License annual fee shall be one-half (½) the fee paid for the original license.

C. No refund of all or any part of any license fee shall be made at any time following the issuance of the license.

Section 3.20. Temporary Licenses and Permits.

A. The Board of County Commissioners of Carbon County is hereby authorized to issue the following temporary licenses pursuant to state law and this chapter:

- 1) Extended Club Hours Permit, as defined in Wyo. Stat. § 12-5-101(b).
- 2) Temporary Dispensing Room Permit, as defined in Wyo. Stat. § 12-4-504 and 12-5-201(f), (g), (h), and (j).
- 3) Temporary Dispensing Room Permit fee shall be ten dollars (\$10.00) per twenty four (24) hour period.
- 4) For an extended Club Hours Permit there shall be no fee.

B. The Carbon County Clerk is hereby authorized to issue the following 24-hour permits:

- 1) Malt Beverage Permit as defined in Wyo. Stat. § 12-4-502(a).
- 2) Catering Permit as defined in Wyo. Stat. § 12-4-502(b).
- 3) Malt Beverage Permit fee shall be ten dollars (\$10.00) per twenty-four (24) hour period.
- 4) Catering Permit fee shall be ten dollars (\$10.00) per twenty-four (24) hour period.

C. Application for any 24-hour permit issued under this chapter shall be made on the form for such provided by the county clerk. The clerk shall issue the requested permit in those cases authorized by this chapter. The clerk shall then notify the Carbon County Sheriff's Office of the issuance of the permit. Where reason for denial is determined by the clerk, the clerk may deny the issuance of the permit. In those instances where the clerk has refused to issue the requested permit, the applicant may request an appearance before the Board of County Commissioners and the clerk shall place the matter upon the agenda for the Board of County Commissioners' determination.

D. No refund of all or any part of any temporary license or permit fee shall be made at any time following the issuance of the license.

E. Upon application in writing to the county clerk and upon approval of the Board of County Commissioners, persons holding an operating limited retail (club) or restaurant liquor license who are operating golf clubs may sell and dispense alcoholic beverages within the boundaries of the golf club premises.

Article IV. Restrictions

Section 4.10. Hours of Operation.

- A. All licensees and permittees holding an annual or temporary license under this chapter shall be controlled by the schedule of hours set forth in subsection C of this section.
- B. The hours of operation for all licensees and permittees shall be as follows:
 - 1) On all days a licensee may open the dispensing room no earlier than six o'clock (6:00) a.m. and shall close the dispensing room and cease the sale of alcoholic and malt beverages not later than two o'clock (2:00) a.m. the

following day, and the licensee shall clear the dispensing room of all persons other than employees no later than two-thirty o'clock (2:30) a.m.

C. Excessive drinking of alcoholic liquor and malt beverages or disorderly conduct in any place licensed under this chapter shall not be permitted by the licensee. In addition to any penalty provided by the code or state law, excessive drinking or disorderly conduct may be cause for the initiation of suspension and/or revocation procedures.

Section 4.20. Drive-in Facilities. Upon approval of the original application by the Board of County Commissioners, or the renewal thereof, a drive-in area adjacent to or contiguous with the licensed room may be used by the holder of a retail liquor license for taking orders, making delivery of, and receiving payment for alcoholic or malt beverages under the terms and conditions found in W.S. § 12-5-301.

Article V. Violations

Section 5.10. Falsification of Application.

A. It is unlawful for any person or organization to knowingly submit false information or false facts as true, or to submit a fact or piece of information without knowing such to be true or false, on an application for any license or permit authorized by this chapter, and that each application is being submitted shall be sworn to be true to the best of the knowledge by the person submitting such application.

B. If, in the opinion of the County Attorney, a liquor license holder has acted in violation of this section, the County Attorney shall upon action of the licensing authority take action on behalf of the licensing authority pursuant to W.S. § 12-7-201 seeking revocation of the license or permit. Such action shall be in addition to any other penalties which may accrue to the license holder for violation of this section.

Section 5.20. Possession by Underage Persons. It is unlawful for any person under the age of twenty-one (21) years to possess, buy, sell, drink, consume or otherwise solicit the sale or purchase of alcoholic liquor or malt beverages in the County. As used in this section, possession shall also include alcohol which has been consumed and is present within the body at the time of determination.

Section 5.30. Sales to Underage Persons. It is unlawful for any person to sell, give or deliver any alcoholic liquor or malt beverage to any person under the age of twenty-one (21) years, provided, however, that such prohibition shall not apply to any parent or guardian providing such to his or her child in the confines of their home.

Section 5.40. Use of False Proof of Age or Identity. It is unlawful for any person under the age of twenty-one (21) years to make, use or possess any identification which falsely indicates the person's age as greater than twenty-one (21) years, whether in the person's correct name or not, or attempt to obtain any alcoholic liquor or malt beverage using any false identification.

Section 5.50. Dispensing Room Restrictions.

A. It is unlawful for any person under the age of twenty-one (21) years to enter or remain in the dispensing room or brewing area of any premises licensed or permitted under this chapter to dispense or brew alcoholic liquor or malt beverages, except as provided for in this section.

B. No licensee, permittee or agent, employee or servant to a licensee or permittee shall permit any person under the age of twenty-one (21) years to enter or remain in a dispensing room or brewing area of a licensed premise owned, operated, leased or managed by them.

C. This subsection shall not apply to a licensee's employee under the age of twenty-one (21) years when, in the course of his employment, the employee is in the dispensing room and the dispensing room or brewing area is not open for the sale or dispensing of alcoholic beverages or brewing of malt beverages.

D. This subsection does not apply to a person under the age of twenty-one (21) years if the underage person is in a dining or waiting area within the dispensing room with an adult no later than ten o'clock (10:00) p.m. Used herein, "adult" is defined as a person over the age of twenty-one who is the parent or legal guardian of the person under the age of twenty-one (21) years, and "dining or waiting area" means specifically delineated area which has been submitted with

the licensee's application.

All resolutions or parts of resolutions in conflict herewith are hereby repealed.

PASSED, APPROVED AND ADOPTED this 4th day of December, 2001.

Board of County Commissioners
of The County of Carbon
State of Wyoming

-s-Artlin Zeiger, Chairman

Attest:

-s- Linda Ann Smith, County Clerk

PLANNING DEPARTMENT

Jay Grabow and Henry Hewitt appeared before the Board and presented their monthly report to the commissioners.

Commissioner Fleming moved to reappoint Bill Ellis and Henry Hewitt to the Carbon County Planning and Zoning Commission. Chairman Zeiger seconded. The motion carried unanimously.

NOYES HEALTH CLINIC

Ron Taylor, Emergency Department Coordinator, from Noyes Health Clinic appeared before the Board. He presented the annual report on ambulance service calls in the Little Snake River area to the commissioners.

ROAD AND BRIDGE

Bill Nation presented his bi-monthly report to the Board.

CLERK

Louis Espinoza report for Chicano Studies Cultural Program. He is requesting \$10,000 and he did submit this after our budget had passed. Linda advised there was no completion date listed for these projects on the list from Louis Espinoza.

- III. Wyoming Mexican History Book.
- IV. Public Cultural Program: Cinco de Mayo.

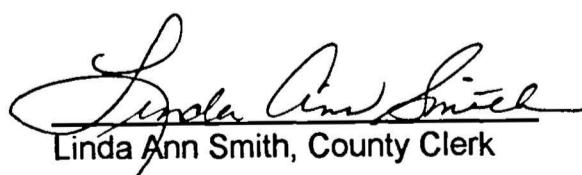
Commissioner Fleming moved that the commissioners give \$5,000 to the Chicano Studies Cultural Program with the preference noted that they request to see #3 (Wyoming Mexican History Book) and #4 Public Cultural Program: Cinco de Mayo. Linda Ann Smith will request Louis Espinoza to have the CSCP give us updates and let us know where the funding is being spent.

There being no further business, the meeting was adjourned by Chairman Zeiger at 3:41 p.m.

BOARD OF CARBON COUNTY COMMISSIONERS


Artlin Zeiger, Chairman

Attest:


Linda Ann Smith, County Clerk