

**BOARD OF CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, July 6, 2004
Carbon County Courthouse
Rawlins, Wyoming**

The regular meeting of the Carbon County Commissioners was held July 6, 2004 at the County Courthouse in Rawlins, WY. Attending the meeting were Chairman Artlin Zeiger; Commissioners Linda Fleming and Lee Meacham; Linda Ann Smith, Carbon County Clerk; and Gwynn Rothenberger, Deputy Clerk.

Chairman Artlin Zeiger called the meeting to order at 9:05 a.m.

CLERK

Bonds

Commissioner Meacham moved and Commissioner Fleming seconded to approve bonds for Harriett M. Carlson, Secretary/Treasurer for the Carbon County Memorial Hospital in the amount of \$25,000.00, and Robert E. Cooper, Treasurer for Carbon County School District #2 in the amount of \$10,000.00. The motion carried unanimously.

Fire Extinguisher Services

Commissioner Fleming moved to accept the bid from Rawlins Fire Extinguisher Service to service the county's fire extinguishers for a period of July 1, 2004 through June 30, 2005 in an amount to be based on services provided. Commissioner Meacham seconded and the motion carried unanimously.

Monthly Receipts

Clerk Smith presented monthly receipts from Road & Bridge in the amount of \$40.00 and Clerk's Office receipts in the amount of \$28,617.50.

WCCA/OJJDP Grant Agreement

Commissioner Fleming moved to authorize the Chairman to sign the WCCA/OJJDP "Non-Participating" Grant Agreement for FY 2004-2005, Federal Grant 2004-JS-FX-K006, CFDA#16.541, dated July 1, 2004 in the amount of \$48,000.00. Commissioner Meacham seconded and the motion carried unanimously.

WY Department of Transportation – Saratoga Shop

Clerk Smith reported that she has responded to a letter from WYDOT asking the County if it is interested in purchasing a building in Saratoga for a Road & Bridge shop. She advised WYDOT that the County is in receipt of its letter but is still discussing the possibility of the purchase.

Carbon Building & Carbon Park

Chief Deputy Clerk, Alice Garvin, reported that the Southwest side of the Carbon Building has flooded twice in recent weeks from heavy rains. A contractor and a geologist are reviewing the building and will recommend a solution for the flooding and the molds produced by the flooding.

Ms. Garvin also reported on the condition of the park located across the alley from the Carbon Building. T&T Plumbing recently dug extensive holes to repair sewer lines under the property. The lot needs to be leveled and road base and concrete need to be removed. Ms. Garvin presented a bid from Chris Earl to level the lot and plant grass seed.

The Board authorized the Clerk's Office to hire Chris Earl, the regular lawn care provider for this property, to level this lot and remove the road base and concrete. Grass seed will be planted at a later date after the lot has settled.

ELECTED OFFICIALS

County Treasurer, Cindy Baldwin, reported that she is in receipt of a letter from CIG regarding protest to their taxes from tax years 1993 through 1997. Ms. Baldwin has forwarded this letter to civil attorney, Tom Thompson, for review.

SENIOR SERVICES

Bill Michie presented his monthly report. Don Mayfield also appeared with Mr. Michie to report on the progress of the new Center in Medicine Bow.

JAIL COMMITTEE

Sheriff Jerry Colson, Randy Shinkle of the Sheriff's Office and Gary Olson of LM Olson Inc reported on the progress of construction of the new jail.

L.M. Olson, Inc. was previously granted a three-week extension rather than a requested six-week extension. Mr. Olson explained LM Olson's request for the extension and requested that the Board reconsider granting the full six-weeks. He stated that due to an uncontrollable delay in delivery of hollow metal frames, the masonry work was delayed.

Commissioner Meacham moved to rescind the motion from June 15, 2004 granting L.M. Olson, Inc. a three-week extension, and based on further explanation of the request by Gary Olson, authorize the requested six-week extension to complete construction of the new jail. Commissioner Fleming seconded and the motion carried unanimously.

COURTHOUSE HEATING & COOLING PROJECT

Dave Kenik and Dick Johnson of Long Building Technologies reported on the progress of the Courthouse heating and cooling project.

The men reported that an environmental study of the Courthouse has been completed. One boiler has asbestos inside of it and there are existing floor tiles containing asbestos. There will be a special team hired to remove the asbestos as required.

Mr. Kenik stated that they have not received any word on the building permit requests submitted to the City of Rawlins. Mr. Kenik also stated that he is in the process of revising the contract with US Mechanical to lower the price and it would be available soon for the Board's and Tom Thompson's review.

Commissioner Fleming moved and Commissioner Meacham seconded to authorize the Chairman to sign a contract between US Mechanical and Carbon County for the Courthouse heating and cooling project, contingent on the approval of the contract by the county's civil attorney's office. The motion carried unanimously.

RECESS

Chairman Zeiger recessed for lunch at 11:28 a.m. and reconvened at 1:30 p.m.

EXECUTIVE SESSION

Commissioner Meacham moved to go into executive session with Linda Smith at 1:31 p.m. to discuss possible property acquisition. Commissioner Fleming seconded and the motion carried unanimously.

Commissioner Meacham moved and Commissioner Fleming seconded to come out of executive session at 2:00 p.m. The motion carried unanimously.

PLANNING & ZONING

Commissioner Fleming moved to take Case File #04-07, Willis & Catherine "Lean" Greenwood off the table. Commissioner Meacham seconded and the motion carried unanimously.

Commissioner Fleming moved to approve Case File #04-07, Willis & Catherine "Lean" Greenwood, a zone change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-20 acres). Commissioner Meacham seconded and the motion carried unanimously.

Public Hearing - Case File #04-04

Chairman Zeiger opened a public hearing at 2:04 p.m. to hear Case File #04-04, Old Baldy Corporation.

Jay Grabow presented the following case file:

Case File #04-04: Old Baldy Corporation - Request for approval of the Old Baldy Village, Seventh Addition (Block 11) Final Plat

There were no public comments on this case. Chairman Zeiger closed the hearing at 2:07 p.m.

Commissioner Meacham moved and Commissioner Fleming seconded to table Case File #04-04, Old Baldy Corporation until further information can be obtained. The motion carried unanimously.

Public Hearing - Case File #04-10

Chairman Zeiger opened a public hearing at 2:09 p.m. to hear Case File #04-10, Rusena F. Cobb.

Jay Grabow presented the following case:

Case File #04-10 – Rusena F. Cobb: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD) on Lot 15 (1.27 total acres). The RD Zone allows a single family or a duplex dwelling unit on each lot. Beginning at a point 515 feet from the East $\frac{1}{4}$ Corner of Section 9, T12N, R91W, 6th P.M., Carbon County, Wyoming, on the South Line of the NE $\frac{1}{4}$ of Section 9, said point being the southeast corner of Lot 15 and the southwest corner of Lot 16; Thence westerly along the South Line of the NE $\frac{1}{4}$ of Section 9 a distance of 254 feet to a point, said point being the southeast corner of Lot 14 and the southwest corner of Lot 15; Thence northeasterly a distance of 280 feet, more or less, to a point on the southerly right-of-way of the Baggs-Dixon Highway a distance of 215 feet to a point, said point being the northwest corner of Lot 16 and the northeast corner of Lot 15; Thence southerly a distance of 192 feet, more or less, to the point of beginning. Said lot containing 1.27 acres, more or less.

There were no public comments on this case. Chairman Zeiger closed the public hearing at 2:11 p.m.

Commissioner Fleming moved to approve Case File #04-10, Rusena F. Cobb, for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD) on Lot 15 (1.27 total acres). Commissioner Meacham seconded and the motion carried unanimously.

Public Hearing - Case File #04-11

Chairman Zeiger opened a public hearing at 2:12 p.m. to hear Case File #04-11, Orchard Ranches – Robert & Gladine Orchard.

Jay Grabow presented the following case:

Case #04-11 – Orchard Ranches – Robert & Gladine Orchard: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-10) on approximately 21.3 acres. The RRA Zone allows residential and agricultural activities. A tract of ground located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T12N, R91W, 6th P.M., Carbon County, Wyoming, more completely described as follows: Beginning at a point on the west line of NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10; said point of beginning bears S22°54'E, 3444.83 ft., more or less from the northwest corner of said Section 10; thence S65°44'E, 456.17 ft., more or less; thence S53°52'E, 600.20 ft.; thence N58°49'E, 269.30 ft.; thence N19°08'E, 54.21 ft. to a point on the southerly side of the State Secondary Baggs-Dixon Highway which is opposite Sta. 115+00 on the Highway centerline; thence southeasterly, a distance of 493.61 ft. along a curve to the left on the southerly side of the said Baggs-Dixon Highway through a central angle of 4°49'52", said curve having a radius of 5,854.1 ft.; thence S76°16'E, 1016.9 ft. along the southerly side of the said Baggs-Dixon Highway; thence N13°44'E, 25.00 ft. along the offset in the said Baggs-Dixon Highway right of way; thence S76°16'E, 42.50 ft., more or less along the southerly side of the said Baggs-Dixon Highway to the east side of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 10; thence S0°00'E, 73 ft., more or less to the southeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 10; thence S90°00'W, 2658 ft., more or less along the south lines of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 10 to the southwest corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 10; thence N0°00'E, 787 ft., more or less along the west line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 10 to the point of beginning; said Tract containing 21.3 acres, more or less.

There were no public comments on this case. Chairman Zeiger closed the public hearing at 2:14 p.m.

Commissioner Fleming moved to approve Case File #04-11, Orchard Ranches – Robert & Gladine Orchard, for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-10) on approximately 21.3 acres. Commissioner Meacham seconded and the motion carried unanimously.

Public Hearing - Case File #04-12

Jay Grabow presented the following case:

Case #04-12 – William G. & Marilyn K. Woodward, David A. & Mary Ann Woodward, Robert A. & Lois A. Woodward: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Forestry Production & Seasonal Recreation (FPSR-7) on approximately 21 acres. The FPSR Zone allows seasonal recreational and residential activities. The Amethyst lode mining claim, designated by the Surveyor-General as Lot No. 66, Patent recorded in Book 193, Page 611 of the records of Carbon County, Wyoming, and located in portion of Section 17, T15N, R86W, 6th P.M., Carbon County, Wyoming, and more particularly described as follows: Beginning at corner No. 1 the same being corner No. 1 of survey No. 64, the Carbonate Lode claim, a pine post 4 inches square marked 1/66, in mound of stone, from which U.S. Locating Monument Carbonate bears S. 33°31'E., 864.5 feet distant; a pine 20 inches in diameter blazed and marked B. T. 1/66 bears N. 5°30'W., 91.2 feet distant; a cross chiseled on rock in place marked B. R. 1/66 bears N. 65°W., 12.8 feet distant; the mount of a tunnel bears S. 72°14'45"E., 1,110.5 feet distant, and discovery shaft bears S. 88°27'54"E., 591.69 feet distant. Thence, first course, magnetic variation 15°35'E., N 32°E., 600 feet to corner No. 2; Thence, second course, magnetic variation 15°30'E., N 58°E., 1,500 feet to corner No. 3; Thence, third course, magnetic variation 15°31'E., S 32°W., 600 feet to corner No. 4; Thence, fourth course, magnetic variation 15°30'E., N 58°W., 1,500 feet to corner No. 1, the place of beginning.

There were no public comments on this case. Chairman Zeiger closed the hearing at 2:20 p.m.

Commissioner Meacham moved and Commissioner Fleming seconded to approve Case File #04-13, William G. & Marilyn K. Woodward, David A. & Mary Ann Woodward, Robert A. & Lois A. Woodward for a Zone Change from Ranching, Agriculture, Mining (RAM) to Forestry Production & Seasonal Recreation (FPSR-7) on approximately 21 acres. The motion carried unanimously.

Public Hearing - Case File #04-13

Chairman Zeiger opened a public hearing at 2:21 to hear Case File #04-13, William G. & Marilyn K. Woodward, David A. & Mary Ann Woodward, Robert A. & Lois A. Woodward.

There were no public comments on this case. Jay Grabow presented the following case:

Case #04-13 – William G. & Marilyn K. Woodward, David A. & Mary Ann Woodward, Robert A. & Lois A. Woodward: Request for a Variance in a Forestry Production & Seasonal Recreation Zoning District (FPSR-7). The request is to vary the side setback from the required 30' to 7'. The Amethyst lode mining claim, designated by the Surveyor-General as Lot No. 66, Patent recorded in Book 193, Page 611 of the records of Carbon County, Wyoming, and located in portion of Section 17, T15N, R86W, 6th P.M., Carbon County, Wyoming, and more particularly described as follows: Beginning at corner No. 1 the same being corner No. 1 of survey No. 64, the Carbonate Lode claim, a pine post 4 inches square marked 1/66, in mound of stone, from which U.S. Locating Monument Carbonate bears S. 33°31'E., 864.5 feet distant; a pine 20 inches in diameter blazed and marked B. T. 1/66 bears N. 5°30'W., 91.2 feet distant; a cross chiseled on rock in place marked B. R. 1/66 bears N. 65°W., 12.8 feet distant; the mount of a tunnel bears S. 72°14'45"E., 1,110.5 feet distant, and discovery shaft bears S. 88°27'54"E., 591.69 feet distant. Thence, first course, magnetic variation 15°35'E., N 32°E., 600 feet to corner No. 2; Thence, second course, magnetic variation 15°30'E., N 58°E., 1,500 feet to corner No. 3; Thence, third course, magnetic variation 15°31'E., S 32°W., 600 feet to corner No. 4; Thence, fourth course, magnetic variation 15°30'E., N 58°W., 1,500 feet to corner No. 1, the place of beginning.

There were no public comments on this case. Chairman Zeiger closed the public hearing at 2:24 p.m.

Commissioner Fleming moved to approve Case File #04-13, William G. & Marilyn K. Woodward, David A. & Mary Ann Woodward, Robert A. & Lois A. Woodward: Request for a Variance in a Forestry Production & Seasonal Recreation Zoning District (FPSR-7) from 30 feet to 7 feet. Commissioner Meacham seconded and the motion carried unanimously.

Public Hearing - Case File #04-14

Chairman Zeiger opened a public hearing at 2:25 p.m. to hear Case File #04-14, Larry D. Harrington & Angie K. Casey & Chic Weber.

Jay Grabow presented the following case:

Case #04-14 – Larry D. Harrington & Angie K. Casey & Chic Weber: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD) on Lot 9 (2.27 total acres). The RD Zone allows a single family or a duplex dwelling unit on each lot. A parcel of land located in the S½ NE¼, Section 9, T12N, R91W, 6th P.M., Carbon County, Wyoming, more particularly described as follows: Beginning at a point 1577 feet from the East ¼ corner of Section 9, T12N, R91W, 6th P.M., Carbon County, Wyoming, on the South line of the NE¼ of Section 9, said point being the Southwest corner of Lot 10, and the Southeast corner of Lot 9; thence Westerly along the South line of the NE¼ of Section 9 a distance of 195 feet to a point, said point being the Southwest corner of Lot 9 and the Southeast corner of Lot 8; thence Northeasterly a distance of 630 feet, more or less, to a point on the Southerly right-of-way of the Baggs-Dixon Highway, said point being the Northwest corner of Lot 9, and the Northeast corner of Lot 8; thence Southeasterly along said Southerly right-of-way of the Baggs-Dixon Highway a distance of 150 feet to a point, said point being the Northwest corner of Lot 10, and the Northeast corner of Lot 9; thence Southerly a distance of 562 feet, more or less, to the point of beginning.

There were no public comments on this case. Chairman Zeiger closed the public hearing at 2:26 p.m.

Commissioner Meacham moved to approve Case #04-14 – Larry D. Harrington & Angie K. Casey & Chic Weber, a request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD) on Lot 9 (2.27 total acres). Commissioner Fleming seconded and the motion carried unanimously.

Planning Commission

Commissioner Fleming moved to set a public hearing to hear Case File #04-16, James & Sandra Pedersen, for Tuesday, August 3, 2004 at 2:00 p.m. at the County Courthouse. Commissioner Meacham seconded and the motion carried unanimously.

Commissioner Meacham moved to set a public hearing to hear Case File #04-18, Jeffery M. and Luann Mercer, for Tuesday, August 3, 2004 at 2:15 p.m. at the County Courthouse. Commissioner Fleming seconded and the motion carried unanimously.

Planning & Zoning Resolutions

Commissioner Fleming moved to approve Resolution No. 2004-11, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission; Resolution No. 2004-12, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission; Resolution No. 2004-13, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission; Resolution 2004-14, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission; Resolution

2004-15, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission; Resolution 2004-16, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission. Commissioner Meacham seconded and the motion carried unanimously.

Resolution No. 2004 - 11

A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission.

WHEREAS, pursuant to Wyo. Stat. §18-5-202(b), the Carbon County Planning Commission held a public hearing on May 4, 2004, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at said public hearing, the Carbon County Planning Commission provided the public the opportunity to comment and the Carbon County Planning Commission considered any public comments which were made at said hearing; and

WHEREAS, at the conclusion of said public hearing, the Carbon County Planning Commission voted to certify in writing its recommendation to the Carbon County Commissioners to adopt this amendment to the Carbon County Zoning Resolution of 2003 for Carbon County, Wyoming; and

WHEREAS, the Carbon County Commissioners, pursuant to Wyo. Stat. §18-5-202(c) and after receipt of said certified recommendation for approval of this amendment to the Carbon County Zoning Resolution of 2003, advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on June 1, 2004; and

WHEREAS, at said public hearing, the Carbon County Commissioners provided the opportunity for the public to comment and for the Carbon County Commissioners to consider any comments which were made on the proposed amendments; and

WHEREAS, the Carbon County Commissioners in considering the said amendment have also reviewed and considered the Carbon County Land Use Plan of 1998; and

WHEREAS, the Carbon County Commissioners have determined that the proposed amendment is in conformity with the Carbon County Land Use Plan of 1998 and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

WHEREAS, at a regularly scheduled meeting of the Carbon County Commissioners, by majority vote, the Carbon County Commissioners moved to approve the following amendment(s) to the Carbon County Zoning Resolution of 2003.

(1) Case #04-07 – Willis & Catherine “Lean” Greenwood: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-20 acres). A parcel of land located in the W½ NW¼ SW¼, Section 5, T14N, R83W, 6th P.M., Carbon County, Wyoming.

Any contingency conditions of approval of the above case(s) are listed in the “Notice of Final Action”. This is sent to the applicant and on file in the Planning Office.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:

1. That the Carbon County Board of Commissioners, hereby adopt these amendment(s) as certified to them in writing by the Carbon County Planning Commission.

PRESENTED, READ, AND ADOPTED at a regularly meeting of the Board of County Commissioners of Carbon County, Wyoming, this 6th day of July, 2004.

**BOARD OF COUNTY COMMISSIONERS OF
CARBON COUNTY, WYOMING**

By: -s- Artlin “Art” Zeiger, Chairman
-s- Linda L. Fleming
-s- Lee Meacham



Attest:

-s- Linda Ann Smith, Carbon County Clerk

Resolution No. 2004 - 12**A Resolution of the Board of County Commissioners
of Carbon County, Wyoming adopting the recommendation
of the Carbon County Planning Commission.**

WHEREAS, pursuant to Wyo. Stat. §18-5-202(b), the Carbon County Planning Commission held a public hearing on June 1, 2004, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at said public hearing, the Carbon County Planning Commission provided the public the opportunity to comment and the Carbon County Planning Commission considered any public comments which were made at said hearing; and

WHEREAS, at the conclusion of said public hearing, the Carbon County Planning Commission voted to certify in writing its recommendation to the Carbon County Commissioners to adopt this amendment to the Carbon County Zoning Resolution of 2003 for Carbon County, Wyoming; and

WHEREAS, the Carbon County Commissioners, pursuant to Wyo. Stat. §18-5-202(c) and after receipt of said certified recommendation for approval of this amendment to the Carbon County Zoning Resolution of 2003, advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on July 6, 2004; and

WHEREAS, at said public hearing, the Carbon County Commissioners provided the opportunity for the public to comment and for the Carbon County Commissioners to consider any comments which were made on the proposed amendments; and

WHEREAS, the Carbon County Commissioners in considering the said amendment have also reviewed and considered the Carbon County Land Use Plan of 1998; and

WHEREAS, the Carbon County Commissioners have determined that the proposed amendment is in conformity with the Carbon County Land Use Plan of 1998 and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

WHEREAS, at a regularly scheduled meeting of the Carbon County Commissioners, by majority vote, the Carbon County Commissioners moved to approve the following amendment(s) to the Carbon County Zoning Resolution of 2003.

(1) Case #04-10 – Rusena F. Cobb: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD) on Lot 15 (1.27 total acres). The RD Zone allows a single family or a duplex dwelling unit on each lot. Beginning at a point 515 feet from the East ¼ Corner of Section 9, T12N, R91W, 6th P.M., Carbon County, Wyoming, on the South Line of the NE ¼ of Section 9, said point being the southeast corner of Lot 15 and the southwest corner of Lot 16; Thence westerly along the South Line of the NE ¼ of Section 9 a distance of 254 feet to a point, said point being the southeast corner of Lot 14 and the southwest corner of Lot 15; Thence northeasterly a distance of 280 feet, more or less, to a point on the southerly right-of-way of the Baggs-Dixon Highway a distance of 215 feet to a point, said point being the northwest corner of Lot 16 and the northeast corner of Lot 15; Thence southerly a distance of 192 feet, more or less, to the point of beginning. Said lot containing 1.27 acres, more or less.

Any contingency conditions of approval of the above case(s) are listed in the "Notice of Final Action". This is sent to the applicant and on file in the Planning Office.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:

1. That the Carbon County Board of Commissioners, hereby adopt these amendment(s) as certified to them in writing by the Carbon County Planning Commission.

PRESENTED, READ, AND ADOPTED at a regularly meeting of the Board of County Commissioners of Carbon County, Wyoming, this 6th day of July, 2004.

**BOARD OF COUNTY COMMISSIONERS OF
CARBON COUNTY, WYOMING**

By: -s- Artlin "Art" Zeiger, Chairman *Artlin Zeiger*
-s- Linda L. Fleming
-s- Lee Meacham

Attest:

-s- Linda Ann Smith, Carbon County Clerk

Resolution No. 2004 - 13

**A Resolution of the Board of County Commissioners
of Carbon County, Wyoming adopting the recommendation
of the Carbon County Planning Commission.**

WHEREAS, pursuant to Wyo. Stat. §18-5-202(b), the Carbon County Planning Commission held a public hearing on June 1, 2004, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at said public hearing, the Carbon County Planning Commission provided the public the opportunity to comment and the Carbon County Planning Commission considered any public comments which were made at said hearing; and

WHEREAS, at the conclusion of said public hearing, the Carbon County Planning Commission voted to certify in writing its recommendation to the Carbon County Commissioners to adopt this amendment to the Carbon County Zoning Resolution of 2003 for Carbon County, Wyoming; and

WHEREAS, the Carbon County Commissioners, pursuant to Wyo. Stat. §18-5-202(c) and after receipt of said certified recommendation for approval of this amendment to the Carbon County Zoning Resolution of 2003, advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on July 6, 2004; and

WHEREAS, at said public hearing, the Carbon County Commissioners provided the opportunity for the public to comment and for the Carbon County Commissioners to consider any comments which were made on the proposed amendments; and

WHEREAS, the Carbon County Commissioners in considering the said amendment have also reviewed and considered the Carbon County Land Use Plan of 1998; and

WHEREAS, the Carbon County Commissioners have determined that the proposed amendment is in conformity with the Carbon County Land Use Plan of 1998 and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

WHEREAS, at a regularly scheduled meeting of the Carbon County Commissioners, by majority vote, the Carbon County Commissioners moved to approve the following amendment(s) to the Carbon County Zoning Resolution of 2003.

(1) Case #04-11 – Orchard Ranches – Robert & Gladine Orchard: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-10) on approximately 21.3 acres. The RRA Zone allows residential and agricultural activities. A tract of ground located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T12N, R91W, 6th P.M., Carbon County, Wyoming, more completely described as follows: Beginning at a point on the west line of NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10; said point of beginning bears S22°54'E, 3444.83 ft., more or less from the northwest corner of said Section 10; thence S65°44'E, 456.17 ft., more or less; thence S53°52'E, 600.20 ft.; thence N58°49'E, 269.30 ft.; thence N19°08'E, 54.21 ft. to a point on the southerly side of the State Secondary Baggs-Dixon Highway which is opposite Sta. 115+00 on the Highway centerline; thence southeasterly, a distance of 493.61 ft. along a curve to the left on the southerly side of the said Baggs-Dixon Highway through a central angle of 4°49'52", said curve having a radius of 5,854.1 ft.; thence S76°16'E, 1016.9 ft. along the southerly side of the said Baggs-Dixon Highway; thence N13°44'E, 25.00 ft. along the offset in the said Baggs-Dixon Highway right of way; thence S76°16'E, 42.50 ft., more or less along the southerly side of the said Baggs-Dixon Highway to the east side of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 10; thence S0°00'E, 73 ft., more or less to the southeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 10; thence S90°00'W, 2658 ft., more or less along the south lines of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 10 to the southwest corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 10; thence N0°00'E, 787 ft., more or less along the west line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 10 to the point of beginning; said Tract containing 21.3 acres, more or less.

Any contingency conditions of approval of the above case(s) are listed in the "Notice of Final Action". This is sent to the applicant and on file in the Planning Office.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY,
WYOMING:**

1. That the Carbon County Board of Commissioners, hereby adopt these amendment(s) as certified to them in writing by the Carbon County Planning Commission.

PRESENTED, READ, AND ADOPTED at a regularly meeting of the Board of County Commissioners of Carbon County, Wyoming, this 6th day of July, 2004.

**BOARD OF COUNTY COMMISSIONERS OF
CARBON COUNTY, WYOMING**

By: -s- Artlin "Art" Zeiger, Chairman
-s- Linda L. Fleming
-s- Lee Meacham



Attest:

Linda Ann Smith, Carbon County Clerk

Resolution No. 2004-14

**A Resolution of the Board of County Commissioners of
Carbon County, Wyoming adopting the recommendation
of the Carbon County Planning Commission.**

WHEREAS, pursuant to Wyo. Stat. §18-5-202(b), the Carbon County Planning Commission held a public hearing on June 1, 2004, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at said public hearing, the Carbon County Planning Commission provided the public the opportunity to comment and the Carbon County Planning Commission considered any public comments which were made at said hearing; and

WHEREAS, at the conclusion of said public hearing, the Carbon County Planning Commission voted to certify in writing its recommendation to the Carbon County Commissioners to adopt this amendment to the Carbon County Zoning Resolution of 2003 for Carbon County, Wyoming; and

WHEREAS, the Carbon County Commissioners, pursuant to Wyo. Stat. §18-5-202(c) and after receipt of said certified recommendation for approval of this amendment to the Carbon County Zoning Resolution of 2003, advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on July 6, 2004; and

WHEREAS, at said public hearing, the Carbon County Commissioners provided the opportunity for the public to comment and for the Carbon County Commissioners to consider any comments which were made on the proposed amendments; and

WHEREAS, the Carbon County Commissioners in considering the said amendment have also reviewed and considered the Carbon County Land Use Plan of 1998; and

WHEREAS, the Carbon County Commissioners have determined that the proposed amendment is in conformity with the Carbon County Land Use Plan of 1998 and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

WHEREAS, at a regularly scheduled meeting of the Carbon County Commissioners, by majority vote, the Carbon County Commissioners moved to approve the following amendment(s) to the Carbon County Zoning Resolution of 2003.

(1) Case #04-12 – William G. & Marilyn K. Woodward, David A. & Mary Ann Woodward, Robert A. & Lois A. Woodward:
Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Forestry Production & Seasonal Recreation (FPSR-7) on approximately 21 acres. The FPSR Zone allows seasonal recreational and residential activities. The Amethyst lode mining claim, designated by the Surveyor-General as Lot No. 66, Patent recorded in Book 193, Page 611 of the records of Carbon County, Wyoming, and located in portion of Section 17, T15N, R86W, 6th P.M., Carbon County, Wyoming, and more particularly described as follows: Beginning at corner No. 1 the same being corner No. 1 of survey No. 64, the Carbonate Lode claim, a pine post 4 inches square marked 1/66, in mound of stone, from which U.S. Locating Monument Carbonate bears S. 33°31'E., 864.5 feet distant; a pine 20 inches in diameter blazed and marked B. T. 1/66 bears N. 5°30'W., 91.2 feet distant; a cross chiseled on rock in place marked B. R. 1/66 bears N. 65°W., 12.8 feet distant; the mount of a tunnel bears S. 72°14'45"E., 1,110.5 feet distant, and discovery shaft bears S. 88°27'54"E., 591.69 feet distant. Thence, first course, magnetic variation 15°35'E., N 32°E., 600 feet to corner No. 2; Thence, second course, magnetic variation 15°30'E., N 58°E., 1,500 feet to corner No. 3; Thence, third course, magnetic variation 15°31'E., S 32°W., 600 feet to corner No. 4; Thence, fourth course, magnetic variation 15°30'E., N 58°W., 1,500 feet to corner No. 1, the place of beginning.

Any contingency conditions of approval of the above case(s) are listed in the "Notice of Final Action". This is sent to the applicant and on file in the Planning Office.

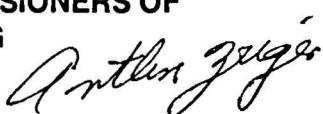
NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:

1. That the Carbon County Board of Commissioners, hereby adopt these amendment(s) as certified to them in writing by the Carbon County Planning Commission.

PRESENTED, READ, AND ADOPTED at a regularly meeting of the Board of County Commissioners of Carbon County, Wyoming, this 6th day of July, 2004.

BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING

By: -s- Artlin "Art" Zeiger, Chairman
-s- Linda L. Fleming
-s- Lee Meacham



Attest:

-s- Linda Ann Smith, Carbon County Clerk

Resolution No. 2004 - 15

A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission.

WHEREAS, pursuant to Wyo. Stat. §18-5-202(b), the Carbon County Planning Commission held a public hearing on June 1, 2004, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at said public hearing, the Carbon County Planning Commission provided the public the opportunity to comment and the Carbon County Planning Commission considered any public comments which were made at said hearing; and

WHEREAS, at the conclusion of said public hearing, the Carbon County Planning Commission voted to certify in writing its recommendation to the Carbon County Commissioners to adopt this amendment to the Carbon County Zoning Resolution of 2003 for Carbon County, Wyoming; and

WHEREAS, the Carbon County Commissioners, pursuant to Wyo. Stat. §18-5-202(c) and after receipt of said certified recommendation for approval of this amendment to the Carbon County Zoning Resolution of 2003, advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on July 6, 2004; and

WHEREAS, at said public hearing, the Carbon County Commissioners provided the opportunity for the public to comment and for the Carbon County Commissioners to consider any comments which were made on the proposed amendments; and

WHEREAS, the Carbon County Commissioners in considering the said amendment have also reviewed and considered the Carbon County Land Use Plan of 1998; and

WHEREAS, the Carbon County Commissioners have determined that the proposed amendment is in conformity with the Carbon County Land Use Plan of 1998 and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

WHEREAS, at a regularly scheduled meeting of the Carbon County Commissioners, by majority vote, the Carbon County Commissioners moved to approve the following amendment(s) to the Carbon County Zoning Resolution of 2003.

(1) Case #04-13 – William G. & Marilyn K. Woodward, David A. & Mary Ann Woodward, Robert A. & Lois A. Woodward:

Request for a Variance in a Forestry Production & Seasonal Recreation Zoning District (FPSR-7). The request is to vary the side setback from the required 30' to 7'. The Amethyst lode mining claim, designated by the Surveyor-General as Lot No. 66, Patent recorded in Book 193, Page 611 of the records of Carbon County, Wyoming, and located in portion of Section 17, T15N, R86W, 6th P.M., Carbon County, Wyoming, and more particularly described as follows: Beginning at corner No. 1 the same being corner No. 1 of survey No. 64, the Carbonate Lode claim, a pine post 4 inches square marked 1/66, in mound of stone, from which U.S. Locating Monument Carbonate bears S. 33°31'E., 864.5 feet distant; a pine 20 inches in diameter blazed and

marked B. T. 1/66 bears N. 5°30'W., 91.2 feet distant; a cross chiseled on rock in place marked B. R. 1/66 bears N. 65°W., 12.8 feet distant; the mount of a tunnel bears S. 72°14'45"E., 1,110.5 feet distant, and discovery shaft bears S. 88°27'54"E., 591.69 feet distant. Thence, first course, magnetic variation 15°35'E., N 32°E., 600 feet to corner No. 2; Thence, second course, magnetic variation 15°30'E., N 58°E., 1,500 feet to corner No. 3; Thence, third course, magnetic variation 15°31'E., S 32°W., 600 feet to corner No. 4; Thence, fourth course, magnetic variation 15°30'E., N 58°W., 1,500 feet to corner No. 1, the place of beginning.

Any contingency conditions of approval of the above case(s) are listed in the "Notice of Final Action". This is sent to the applicant and on file in the Planning Office.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:

1. That the Carbon County Board of Commissioners, hereby adopt these amendment(s) as certified to them in writing by the Carbon County Planning Commission.

PRESENTED, READ, AND ADOPTED at a regularly meeting of the Board of County Commissioners of Carbon County, Wyoming, this 6th day of July, 2004.

**BOARD OF COUNTY COMMISSIONERS OF
CARBON COUNTY, WYOMING**

By: -s- Artlin "Art" Zeiger, Chairman
-s- Linda L. Fleming
-s- Lee Meacham

Attest:

-s- Linda Ann Smith, Carbon County Clerk

Resolution No. 2004 - 16

**A Resolution of the Board of County Commissioners of
Carbon County, Wyoming adopting the recommendation
of the Carbon County Planning Commission.**

WHEREAS, pursuant to Wyo. Stat. §18-5-202(b), the Carbon County Planning Commission held a public hearing on June 1, 2004, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at said public hearing, the Carbon County Planning Commission provided the public the opportunity to comment and the Carbon County Planning Commission considered any public comments which were made at said hearing; and

WHEREAS, at the conclusion of said public hearing, the Carbon County Planning Commission voted to certify in writing its recommendation to the Carbon County Commissioners to adopt this amendment to the Carbon County Zoning Resolution of 2003 for Carbon County, Wyoming; and

WHEREAS, the Carbon County Commissioners, pursuant to Wyo. Stat. §18-5-202(c) and after receipt of said certified recommendation for approval of this amendment to the Carbon County Zoning Resolution of 2003, advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on July 6, 2004; and

WHEREAS, at said public hearing, the Carbon County Commissioners provided the opportunity for the public to comment and for the Carbon County Commissioners to consider any comments which were made on the proposed amendments; and

WHEREAS, the Carbon County Commissioners in considering the said amendment have also reviewed and considered the Carbon County Land Use Plan of 1998; and

WHEREAS, the Carbon County Commissioners have determined that the proposed amendment is in conformity with the Carbon County Land Use Plan of 1998 and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

WHEREAS, at a regularly scheduled meeting of the Carbon County Commissioners, by majority vote, the Carbon County Commissioners moved to approve the following amendment(s) to the Carbon County Zoning Resolution of 2003.

(1) Case #04-14 – Larry D. Harrington & Angie K. Casey & Chic Weber: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD) on Lot 9 (2.27 total acres). The RD Zone allows a single family or a duplex dwelling unit on each lot. A parcel of land located in the S½ NE¼, Section 9, T12N, R91W, 6th P.M., Carbon County, Wyoming, more particularly described as follows: Beginning at a point 1577 feet from the East ¼ corner of Section 9, T12N, R91W, 6th P.M., Carbon County, Wyoming, on the South line of the NE¼ of Section 9, said point being the Southwest corner of Lot 10, and the Southeast corner of Lot 9; thence Westerly along the South line of the NE¼ of Section 9 a distance of 195 feet to a point, said point being the Southwest corner of Lot 9 and the Southeast corner of Lot 8; thence Northeasterly a distance of 630 feet, more or less, to a point on the Southerly right-of-way of the Baggs-Dixon Highway, said point being the Northwest corner of Lot 9, and the Northeast corner of Lot 8; thence Southeasterly along said Southerly right-of-way of the Baggs-Dixon Highway a distance of 150 feet to a point, said point being the Northwest corner of Lot 10, and the Northeast corner of Lot 9; thence Southerly a distance of 562 feet, more or less, to the point of beginning.

Any contingency conditions of approval of the above case(s) are listed in the "Notice of Final Action". This is sent to the applicant and on file in the Planning Office.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:

1. That the Carbon County Board of Commissioners, hereby adopt these amendment(s) as certified to them in writing by the Carbon County Planning Commission.

PRESENTED, READ, AND ADOPTED at a regularly meeting of the Board of County Commissioners of Carbon County, Wyoming, this 6th day of July, 2004.

**BOARD OF COUNTY COMMISSIONERS OF
CARBON COUNTY, WYOMING**

By: -s- Artlin "Art" Zeiger, Chairman
-s- Linda L. Fleming
-s- Lee Meacham

Attest:

-s- Linda Ann Smith, Carbon County Clerk

ROAD & BRIDGE

Bill Nation presented his bimonthly report.

Commissioner Meacham moved to execute a letter of concurrence for Phase 4, Seminoe Dam project, Federal #ACSTP-0C06-00(060) at a total cost of \$4,777,581.00. Commissioner Fleming seconded and the motion carried unanimously.

COALBED METHANE COALITION

Mickey Steward of the Coalbed Methane Coalition reported on the impact that mineral development would have on local government. She also explained how an impact fund or county trust fund that would work to help Carbon County. Ms. Steward will compile information for Carbon County that would impact the fund and will report back at a later date.

EXECUTIVE SESSION

Commissioner Meacham moved to go into executive session at 4:28 p.m. with Linda Smith and Harry Lovato to discuss personnel. Commissioner Fleming seconded and the motion carried unanimously.

Commissioner Fleming moved to come out of executive session at 5:29 p.m. Commissioner Meacham seconded and the motion carried unanimously.

ADJOURNMENT

There being no further business, Chairman Zeiger adjourned the meeting at 5:30 p.m.

BOARD OF COMMISSIONERS
CARBON COUNTY, WYOMING

Artlin Zeiger
Artlin Zeiger, Chairman

ATTEST:

Linda Ann Smith
Linda Ann Smith, County Clerk