

BOARD OF CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, February 3, 2004
Carbon County Courthouse
Rawlins, Wyoming

The regular meeting of the Carbon County Commissioners was held on February 3, 2004, at the Carbon 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.

VOUCHERS

The following vouchers were presented for payment:

Abbott, Charlene	CES	\$ 282.87
Alderete, Max	Courthouse	50.00
Alesco	Road & Bridge	113.42
Amerigas	Road & Bridge	669.53
Animal Eye Center, PC	Sheriff	30.98
ATD - American Co	Jail	62.59
Avaya, Inc.	Radio Tech	227.50
Bank of Commerce	Various	3,042.14
Bartlett, Sue RN	Public Health	169.75
Best Western Douglas Inn	Public Health	80.60
Bi - Rite Pharmacy	Various	1,263.54
Bresnan Communications	Sheriff	118.69
Busey, Sharalee	Public Health	169.65
Carbon County Council of Governments	Commissioners	200.00
Carbon County Senior Services	Senior Center	2,000.00
Carbon County TV & Electronics	Various	145.99
Casper - Star Tribune	Attorney	274.00
Cedar Street Sinclair	Sheriff	166.96
Centurytel	Various	144.31
Cesko, David MD	Various	531.00
Chandra, V Raja MD	Grants	57.00
Chemdry of Snowy Range	Courthouse	2,118.72
Childswork / Childsplay	Grants	172.65
Cina, Stephen J. MD	Administration	930.00
Compresource	Treasurer	535.55
Computer Software Associates	Administration	980.48
Corporate Express	Various	142.20
Country Store	Sheriff	37.27
Craftsman Electric	Road & Bridge	170.79
Crawford, Warren	CES	252.16
Creative Therapy Associates	Grants	17.00
Cruz, Sally	Public Health	10.82
Culligan Water Conditioning	Senior Center	23.00
Custom Creations	Sheriff	148.50
Cyr, Nancy	Public Health	104.28
D & K Sanitation	Various	211.00
Daily Times	Various	974.05
Deleon, John	Administration	732.00
Engstrom, James DDS	Various	408.00
Erickson & Roberts	Administration	1,884.00
ESRI	Grants	3,200.00
Evans, Morgan	Jail	105.00
Far Horizons Travel Service	Administration	1,000.70
Farmer Brothers Coffee	Various	53.54
Farster, Pamela	Grants	1,875.00
Fedex	Buildings & Grounds	25.42
Gases Plus	Road & Bridge	117.30
Glaxosmithkline Financial	Public Health	586.50
Golden, Mary	Public Health	33.33
Gosevner, Maxine	Public Health	25.41

Grainger	Road & Bridge	375.99
Graphic Sports	Various	239.65
Great North American Companies	Sheriff	381.50
Hanna, Town of	Road & Bridge	40.49
Hasco Industrial Supply	Road & Bridge	293.01
Hemocue	Public Health	90.50
Hettgar, Bridget RN	Public Health	131.67
High Plains Power	Senior Center	12.96
Hilltop Lube	Sheriff	49.49
Huber & Associates	Grants	16,600.00
Hyland Enterprises	Road & Bridge	53.00
Inberg-Miller Engineers	Grants	2,489.40
Intoximeters	Sheriff	208.00
IOS Capital	Administration	2,076.00
J H Kaspar Oil Company	Road & Bridge	314.60
Jackalope Printing	Various	616.01
Kilburn Tire Company	Various	683.04
Kimball - Midwest	Road & Bridge	237.69
KN Energy	Various	10,195.99
Kone Elevators Escalators	Various	2,134.85
Kroger	Sheriff	99.25
L & L Electric	Various	795.12
Lassle, Shannon	Public Health	16.50
Long Building Technologies	Buildings & Grounds	18,086.96
M S C	Clerk	2,045.00
MacPherson, Kelly & Thompson, LLC	Administration	653.10
Massey, Daniel	Administration	948.21
Matco Tools	Road & Bridge	153.45
Memorial Hospital Of Carbon County	Administration	5,273.05
Moore Medical Corp	Public Health	82.98
National Health Law Program	Public Health	65.00
Northern Tool Equipment	Road & Bridge	599.99
Omni Computer Products	Treasurer	200.18
Orion Industries	Administration	4,000.00
Pacific Power & Light	Various	2,660.38
Page One West	Various	287.85
Pamida	Courthouse	64.10
Phillips Petroleum	Sheriff	60.28
Pioneer Printing	Treasurer	12.34
Pitney Bowes	Administration	163.10
Plainsman Printing & Supply	Clerk	887.38
Public Safety Warehouse	Sheriff	576.00
Purchase Power	Administration	269.97
Quill Corporation	Various	409.80
Qwest	Radio Tech	360.33
Rawlins Automotive	Road & Bridge	21.40
Rawlins Glass	Road & Bridge	101.73
Rawlins, City of	Administration	75.00
Regional Juvenile Detention Center	Jail	980.00
Reis Environmental	Grants	8,519.70
Reliable	Road & Bridge	93.43
Richardson, Jill	Public Health	32.66
Robidoux Brothers	Road & Bridge	21.24
Roscoe Steel & Culvert	Road & Bridge	5,142.48
Ross' Automotive Services	Sheriff	33.20
Saratoga Auto Parts	Road & Bridge	814.23
Smith, Susan	Grants	16.17
Smooth Edge	Treasurer	193.00
Southwest Counseling Service	Sheriff	255.00
Sparky's	Senior Center	485.85
Spicer, Edward OD	Grants	180.00
Stan's Quik Lube	Sheriff	23.95
State of Wyoming	Elections	34.98
System Consulting	Treasurer	840.00
T & T Plumbing	Carbon Building	149.00
Tac View	Grants	1,880.00
Terminix	Senior Center	30.00

Tire Distribution	Road & Bridge	1,545.00
TLC Commercial Cleaning	Carbon Building	3,000.00
True Value of Rawlins	Various	243.15
Trumble Greetings	Sheriff	64.95
Union Telephone Company	Various	639.56
University of Wyoming	CES	13.60
USI	Sheriff	92.61
USP Communications	Various	388.69
Valley Food & Liquor	Public Health	17.50
Valley Oil Company	Sheriff	27.70
Valley Waste Management	Senior Center	328.66
Verizon Wireless	Various	108.30
Viking Office Products	Various	225.80
Voorhis Associates	Buildings & Grounds	8,357.12
Washboard, The	Courthouse	5.50
West Group Payment Center	Attorney	819.00
Willard Marking Devices	Public Health	25.75
Wimpenny, Robert DDS	Grants	180.00
WY Department of Family Services	WIC	56.10
WY Department of Health	Public Health	23,433.88
WY Financial Insurance	Road & Bridge	50.00
WY Machinery Company	Road & Bridge	265.46
WY Paper Supply	Various	398.09
	TOTAL	\$ 162,878.79

CLERK

Minutes

Commissioner Fleming moved to approve the minutes from the January 20, 2004 Commissioners meeting as presented. Commissioner Meacham seconded and the motion carried unanimously.

Treasurer's Office Copies

County Treasurer, Cindy Baldwin, discussed a letter received from Bill Saulcy regarding copy fees and how to pay for copies from the Treasurer's Office. Mr. Saulcy is requesting he be allowed to leave a deposit and money needed for copies may be subtracted from his balance.

The Board agreed that Ms. Baldwin should respond and state her normal office procedure and that deposits will not be kept for any customers.

Lease Agreements

Commissioner Meacham moved to approve Lease Agreement No. 8-09274 for the amount of \$86,777.60 between the Department of Administration and Information and the Carbon County Commissioners for office space in the Carbon Building to be used by the Department of Family Services; and Lease Agreement No. 8-09273 for the amount of \$11,353.80 between the Department of Administration and Information and the Carbon County Commissioners for office space in the Carbon Building to be used by the Department of Education, Visually Impaired. Commissioner Fleming seconded and the motion carried unanimously.

Monthly Receipts

Clerk Smith reported monthly receipts for the Planning & Zoning Department totaled \$206.50.

Bonds

A bond was approved for Kristi Groshart, Treasurer for Carbon County School District I in the amount of \$50,000.00.

County Road 648

Commissioner Fleming moved and Commissioner Meacham seconded to authorize the Chairman to execute the Findings of Facts, Conclusions of Law and Order in reference to the County Road 648 matter. The motion carried unanimously.

Fire Truck Bid Opening

Two sealed bids were opened for the purchase of a 1962 GMC fire truck. Candy France submitted a bid in the amount of \$751.00 and Steamboat Stone Supply, Inc. in the amount of \$1,001.00.

Commissioner Meacham moved to accept the bid of \$1,001.00 from Steamboat Stone Supply, Inc. in Steamboat Springs, CO for a 1962 GMC fire truck. Commissioner Fleming seconded and the motion carried unanimously.

Board Appointments

Letters of interest were received from Rick Caldwell and Dr. Forrest Voss who are interested in serving on the Rawlins-Carbon County Airport Board. Mr. Voss also expressed an interest in serving on the Carbon County Memorial Hospital Board.

A letter was also received from the Rawlins-Carbon County Airport Board stating it's support for Mr. Caldwell and a phone call was received from Louis Espinoza stating his support for Dr. Forrest Voss.

Commissioner Meacham moved to appoint Rick Caldwell to the Rawlins-Carbon County Airport Board. Commissioner Fleming seconded and the motion carried unanimously.

The appointment to the Carbon County Memorial Hospital Board was tabled due to a question of whether or not a doctor or chiropractor could be appointed to this board.

Heating / Cooling Project

The Board authorized Clerk Smith to contact contractors and Long and Associates to inform them that the heating and cooling project for the Carbon County Courthouse has been postponed.

ELECTED OFFICIALS

County Assessor Darrell Stubbs presented one rebate and four abates for the Board's approval.

District Court Clerk, Lindy Schmidt, requested permission to replace lighting globes in the District Court courtroom. The Board authorized Ms. Schmidt to get pricing to replace eight globes in the courtroom and bring back an estimate for its approval.

SENIOR SERVICES

Bill Michie presented his monthly report.

MEMORIAL HOSPITAL OF CARBON COUNTY

Patsy Carter, Florence Kostic, and Cathy Harshbarger came before the Board to discuss if they could use remaining Capital Facilities Tax funds to reimburse the hospital's general fund for bond payments previously made from the hospital's general fund for the revenue bonds issued to finance construction at Memorial Hospital of Carbon County.

Because of pending litigation, Commissioner Fleming moved to go into executive session at 10:55 a.m. with the representatives of the hospital to discuss funding issues. Commissioner Meacham seconded and the motion carried unanimously.

Commissioner Fleming moved to come out of executive session at 11:16 a.m. Commissioner Meacham seconded and the motion carried unanimously.

JAIL COMMITTEE

Randy Shinkle and Gary Olson appeared to discuss progress of construction for the new jail. Mr. Olson presented Change Order Number Two for the Board's consideration and approval. This Change Order would extend the date of substantial completion but not change the price of the contract.

Commissioner Meacham moved to approve the Chairman to sign Change Order Number Two, extending the date of substantial completion of the new jail construction from November 1, 2004 to December 6, 2004. Commissioner Fleming seconded and the motion carried unanimously.

HOMELAND SECURITY

Pam Farster reported that she has requested extensions for Phase I and Phase II of the Homeland Security Grant and that those extensions have been approved by the State.

Ms. Farster also reported on the status of equipment and supplies ordered and received.

SHERIFF BID OPENING

Undersheriff Ernie Hicks opened two sealed bids for the purchase of a pickup to be used by the Sheriff's Office.

Greiner Ford submitted a bid for \$19,786.00, with a trade allowance of \$500.00 for a 1993 Ford Explorer and \$500.00 trade allowance for a 1992 Ford pickup, making the total bid of \$18,786.00.

Fremont Motors Lander submitted a bid of \$20,840.57 with a \$500.00 trade allowance for a 1993 Ford Explorer and \$1100.00 trade allowance for a 1992 Ford pickup, making a total bid of \$19,240.57.

The Board requested that Mr. Hicks review the bids and return with his recommendation of which bid to accept.

LUNCH

Chairman Zeiger recessed for lunch at 11:38 a.m. and reconvened at 1:58 p.m.

JUVENILE JUSTICE

Commissioner Fleming moved to authorize the Chairman to sign the Juvenile Housing Agreement dated February 3, 2004, between Carbon County and the Regional Juvenile Detention Center, Inc. in Casper, Wyoming to house juveniles at Frontier Corrections. Commissioner Meacham seconded and the motion carried unanimously.

PLANNING & ZONING COMMISSION

Linda Fleming left the meeting at 1:59 p.m.

Public Hearing

Chairman Zeiger opened a public hearing at 2:00 p.m. to hear Planning & Zoning Case File #03-37, John & Linda Fleming, a request for a Zone Change from Open Range (OR) to Rural Residential Agriculture (RRA) for 20.5 acres.

Jay Grabow presented the following case:

Case File #03-37 John & Linda Fleming: Request for a Zone Change from Open Range (OR) to Rural Residential Agriculture (RRA – 20.5 ACRES). The RRA Zone allows residential and agricultural activities. A parcel of land located in the N 1/2 SE 1/4 NE 1/4: E 33' of the N 1/2 SW 1/4 NE 1/4, Section 7, T12N, R91W, 6th P.M., Carbon County, Wyoming.

Mr. Grabow stated that the Planning Commission has added conditions that the Flemings follow section 5.10 from the Zoning Regulations.

There were no public comments on this case.

Chairman Zeiger closed the public hearing at 2:03 p.m.

Commissioner Meacham moved to approve Planning & Zoning Case File #03-37, John & Linda Fleming for a Zone Change from Open Range (OR) to Rural Residential Agriculture (RRA – 20.5 Acres) with one principal dwelling under the conditions set forth by the Planning Commission. Chairman Zeiger seconded and the motion carried unanimously.

Resolution No. 2004 - 03

**A Resolution of the Board of County Commissioners of Carbon County, Wyoming
approving the rezoning of lands.**

WHEREAS, pursuant to Wyo. Stat. §18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on January 6, 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 and Zoning Commission provided the public the opportunity to comment and the Carbon County Planning and Zoning Commission considered any public comments which were made at said hearing; and

WHEREAS, at the conclusion of said public hearing, the Carbon County Planning and Zoning 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 February 3, 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 File #03-37 – John & Linda Fleming: Request for a Zone Change from Open Range (OR) to Rural Residential Agriculture (RRA-20.5 acres). The RRA Zone allows residential and agricultural activities. A parcel of land located in the N 1/2 SE 1/4 NE 1/4: E 33' of N 1/2 SW 1/4 NE 1/4, Section 7, T12N, R91W, 6th P.M., Carbon County, Wyoming.

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 and Zoning Commission.

PRESENTED, READ, AND ADOPTED at a regularly meeting of the Board of County Commissioners of Carbon County, Wyoming, this 3rd day of February, 2004.

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

By: -s- Artlin "Art" Zeiger, Chairman
-s- Lee Meacham

Attest:

-s- Linda Ann Smith, Carbon County Clerk

Linda Fleming returned to the meeting at 2:05 p.m.

PLANNING & ECONOMIC DEVELOPMENT

Jay Grabow expressed his interest and support for the Medicine Bow wind farm project that Robert "Bob" Kelly of DKR Development presented at the regular Commissioners meeting on January 20, 2004.

LITTLE SNAKE RIVER EVENTS CENTER

Commissioner Fleming asked Mr. Grabow to organize a meeting between his office, the Fire Marshall, County Civil Attorney Tom Thompson, and the Little Snake River Event Center Board to sort out issues with the building process at the Little Snake River Event Center.

ROAD & BRIDGE

Bill Nation presented his bi-monthly report. Mr. Nation requested the Board approve a lease agreement with Jim Waint for gravel usage.

Commissioner Fleming moved to approve Lease Agreement, Gravel Permit #425 dated February 2, 2004 between Carbon County and Jim Wiant. Commissioner Meacham seconded and the motion carried unanimously.

Mr. Nation reported that drilling has ceased on the North Hanna Access Road. Ken Wilbert of JFC Engineers and Barry Shelley with AML explained the drilling was taking place and why drilling was not done before the road was constructed. The proposed solution is to drill several holes along the side of the road to determine how much grouting will be required and the grouting will be applied at a later date. The grouting project is part of the Hanna mine reclamation near the road.

EXECUTIVE SESSION

Commissioner Fleming moved to go into executive session at 3:20 p.m. to discuss potential litigation. Commissioner Meacham seconded and the motion carried unanimously.

Commissioner Meacham moved to come out of executive session at 3:38 p.m. Commissioner Fleming seconded and the motion carried unanimously.

ROAD & BRIDGE

Mr. Nation presented FY2004 Solicitation of Public Lands Highways Discretionary (PLHD) pertaining to the Seminoe road project and requests action be taken by February 27, 2004. Mr. Nation will work the Wyoming Department of Transportation to procure as much money as possible from their funds for the project.

CARBON COUNTY SHERIFF

Undersheriff Hicks returned to report that both bids opened for the purchase of a new pickup to be used by the Sheriff's Office meet the specifications.

Commissioner Meacham moved to accept the bid from Fremont Motors Lander for the purchase of a 2004 GMC pickup to be used by the Sheriff's Office in the total amount of \$19,240.57 including trade allowances for a 1992 Ford pickup and a 1993 Ford Explorer. Commissioner Fleming seconded and the motion carried unanimously.

ADJOURNMENT

There being no further business Chairman Zeiger adjourned the meeting at 3:50 p.m.

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING



Artlin Zeiger, Chairman

ATTEST



Linda Ann Smith, County Clerk