

**COMMISSIONERS PROCEEDINGS
REGULAR MEETING
JULY 21, 1998**

The Carbon County Board of Commissioners met at 8:00 a.m. in the Commissioner Meeting Room of the Courthouse, Rawlins, Wyoming. Commissioners Artlin Zeiger, Gary Graalman and Linda Fleming were present. Artlin Zeiger, Chairman.

The following vouchers were presented and approved for payment:

| | | |
|-------------------------------|-------------------------------|-----------|
| AT & T | Various | 417.80 |
| Amerigas | Road & Bridge | 120.00 |
| Anderson Highway Signs | Road & Bridge | 503.21 |
| Bach Supply | Road & Bridge | 636.33 |
| Beaton, Donald E. DDS | Grants | 100.00 |
| Becker Fire Equipment | Fire Department | 299.00 |
| Bi-Rite Professional | Grants | 278.95 |
| Bi-Rite Sporting Goods | Extension | 24.76 |
| Bottom Line/Health | Extension | 29.95 |
| Boys Town National Training | Grants | 675.00 |
| Brad's Welding & Machine | Fire Department | 233.65 |
| Build Rite Lumber & Supply | Road & Bridge/Fire Department | 392.51 |
| C & M Auto Parts | Road & Bridge | 101.24 |
| California Contractors | Road & Bridge | 119.70 |
| Carbon County Senior Services | Senior Services | 27,933.00 |
| Carbon County Power & Light | Various | 941.15 |
| CenturyTel | Road & Bridge | 74.12 |
| Cesko, David MD | Grants | 112.00 |
| ChemSearch | Road & Bridge | 164.20 |
| City Market | Various | 472.50 |
| Cloud Peak Terminix | Carbon Building | 35.00 |
| CMI-TECO | Road & Bridge | 130.12 |
| Corporate Express | Various | 773.33 |
| Couch, Wayne MD | Grants | 109.00 |
| D & K Sanitation | Various | 232.50 |
| Day, Dave | Carbon Building | 3,000.00 |
| Dixon, Town of | Road & Bridge | 33.50 |
| Don's Repair Service | Senior Services | 25.00 |
| Drive Train Industries | Road & Bridge | 53.28 |
| Dubois Telephone Exchange | Road & Bridge | 91.13 |
| Eagle Uniform Exchange | Carbon Building/Road & Bridge | 190.78 |
| Eaton Tire & Service | Road & Bridge | 26.00 |
| Elk Mountain, Town of | Road & Bridge | 45.00 |
| Encampment, Town of | Road & Bridge | 45.00 |
| Engstrom J. DDS | Grants | 170.00 |
| Eric Smith Painting | Senior Services | 2,385.00 |
| Evergreen Disposal | Senior Services/Road & Bridge | 90.00 |
| Facts and Comparisons | Public Health | 244.00 |
| FedEx | Planning | 11.50 |
| Fleming, Linda L. | Commissioners | 220.08 |
| Flock, William MD | Grants | 300.00 |
| Franks, Jim | Building & Grounds | 200.00 |
| Fred Pryor Seminars | Clerk | 178.00 |
| Frontier Pharmacy | Grants | 97.56 |
| G. Neil Companies | Road & Bridge | 34.60 |
| Gases Plus | Road & Bridge/Fire Department | 290.34 |
| Glode, Mary D. | County Administration | 1,913.26 |
| Golden Rule Computer | Road & Bridge | 440.00 |
| Hanna, Town of | Road & Bridge | 77.50 |
| Hardware Hank | Road & Bridge | 17.54 |
| Harrison & Massey, LLC | County Administration | 353.35 |
| Harvey, Janice | Senior Services | 44.00 |
| Hasco Industrial Supply | Fire Department | 269.95 |
| Hello Direct | Attorney | 391.96 |
| Herold Iron Works | Road & Bridge | 22.40 |
| High Plains Power | Senior Services | 86.60 |
| Hoke, John L. | County Administration | 1,880.00 |
| Hot Springs REA Incorporated | Road & Bridge | 18.75 |
| IBM Corporation | Clerk | 550.29 |

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|---------------------------------|--------------------------------|----------|
| Ideal Foods | Public Health | 10.08 |
| IKON | Attorney | 347.25 |
| J.H. Kaspar Oil Company | Various | 3,000.08 |
| J.W. Brewer Tire Company | Road & Bridge | 550.00 |
| Johnson Controls | Senior Services | 1,740.24 |
| Johnson, John R. | Grants | 90.00 |
| Kirsch, A.P. MD | Grants | 156.00 |
| KN Energy, Incorporated | Various | 2,425.56 |
| L & L Electric | Courthouse | 279.21 |
| Lexis Law Publishing | County Administration/Attorney | 306.96 |
| Lubrication Engineers | Road & Bridge | 273.25 |
| Lunt, John MC | Grants | 468.00 |
| M Lee Publishing | Attorney | 137.00 |
| MacPherson Law Offices | County Administration | 63.75 |
| Mathis, Brandy | Planning | 30.00 |
| McCann, Phyllis C. | Various | 1,000.00 |
| McIlvaine, Robert & Betty | Public Health | 350.00 |
| Medibadge | Grants | 171.15 |
| Medicine Bow, Town of | Various | 189.20 |
| Memorial Hospital of Carbon Co | Various | 2,873.96 |
| Mobile Concrete, Incorporated | Road & Bridge | 1,012.50 |
| Montgomery Kone Incorporated | Various | 1,511.19 |
| Mountain Hideaway | Fire Department | 20.18 |
| Myron Manufacturing Corp | Road & Bridge | 171.95 |
| North American Wildfire, Inc. | Fire Department | 45.00 |
| Nursing Management | Public Health | 34.20 |
| Pacific Power & Light Company | Various | 5,045.08 |
| Pantry, The | Planning | 54.58 |
| Parrie's Electronics | Senior Services | 205.00 |
| Pedersen Planning | Planning | 75.00 |
| Perkins Oil Company | Road & Bridge | 1,322.00 |
| Perue Printing | County Administration | 59.00 |
| Pickett, Thomas Y. & Associates | Assessor | 2,500.00 |
| Plainsman Printing & Supply | Various | 732.12 |
| Polk Company, The | Clerk | 10.95 |
| Questar Gas | Senior Services | 15.05 |
| Rawlins Automotive | Road & Bridge/Fire Department | 1,077.09 |
| Rawlins Fire Extinguisher | Various | 556.30 |
| Rawlins Glass | Road & Bridge | 67.26 |
| Rawlins Newspapers, Inc. | Various | 635.15 |
| Rawlins Optometric | Grants | 98.00 |
| Rawlins, City of | Various | 2,458.71 |
| Re-Charge Plus | Clerk | 85.00 |
| Reliable | Clerk of District Court | 94.15 |
| Richard's Service | Senior Services | 200.00 |
| Rip Griffin's Truck Service | Road & Bridge | 8.00 |
| Robidoux Brothers | Road & Bridge | 6040 |
| Rockmount Research & Alloys | Road & Bridge | 222.52 |
| S & L Industrial | Road & Bridge | 1,451.40 |
| S & S Disposal | Road & Bridge | 20.00 |
| S E D Medical Laboratory | Senior Services/Road & Bridge | 110.00 |
| Saratoga Auto Parts, Inc. | Road & Bridge/Fire Department | 1,086.39 |
| Saratoga Health Mart | Grants | 98.76 |
| Saratoga Sun | Planning | 51.75 |
| Saratoga, Town of | Road & Bridge | 36.00 |
| Schnal, Jonathan C. | Planning | 47.24 |
| Scoggins, William E. | Grants | 26.00 |
| Seton | Courthouse | 44.09 |
| Shepard's | Road & Bridge | 107.70 |
| Sheshunoff Information Services | Clerk | 299.75 |
| Shine, Robert MD | Grants | 140.00 |
| Shively Hardware | Road & Bridge | 42.07 |
| Southwest Professional | Road & Bridge | 25.00 |
| Spicer, Edward OD | Grants | 58.00 |
| State of Wyoming | Elections | 190.85 |
| Stevens Publishing | Public Health | 113.00 |
| Sturbridge Yankee Workshop | Various | 659.94 |
| Summit Medical Supply | Public Health | 32.87 |
| Sweet, Jeffrey C. DDS | Grants | 45.00 |
| Three Forks Muddy Gap Service | Fire Department | 14.04 |
| T & M Service | Senior Services | 17.32 |

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|------------------------------|---------------------------------|-----------|
| T & T Plumbing & Service | Carbon Building/Senior Services | 1,236.00 |
| Techniscan Incorporated | Building & Grounds | 166.34 |
| Tipton Computer Service | County Administration | 2,249.00 |
| True Value of Rawlins | Various | 327.93 |
| U.S. Postal Service | County Administration | 10,000.00 |
| U.S. Postmaster | County Administration | 360.60 |
| U.S. West Communications | Various | 397.13 |
| U.S. West Dex | County Administration | 57.63 |
| Union Telephone Company | Various | 558.33 |
| V-1 Propane | Fire Department | 65.89 |
| Valley Oil Company | Road & Bridge | 759.64 |
| Valley Waste Management | Senior Services | 65.00 |
| Van's Wholesale | Carbon Bldg/Bldg & Grounds | 654.91 |
| Viking Office Products | Clerk of District Court | 343.43 |
| West Express Lawn Service | Building & Grounds | 118.13 |
| West Group Payment Center | Attorney | 142.75 |
| Wille, Ron | Road & Bridge | 185.00 |
| Wilson, Ruth D. | Extension | 398.57 |
| Wise Agency, The | Clerk | 20.00 |
| Western Wyo Family Planning | Grants | 1,119.00 |
| Wyoming Diesel Service | Road & Bridge | 625.41 |
| Wyoming Machinery Company | Road & Bridge | 2,586.21 |
| Xerox Corporation | Clerk of DST CT/Public Health | 399.71 |
| Yampa Valley Electric | Various | 615.15 |
| Young, Charles MD | Grants/County Administration | 476.00 |
| Youngberg Plumbing & Heating | Senior Services | 219.14 |
| Zeiger, Artlin | Commissioners | 309.39 |

ABATEMENTS

| | | |
|---|-----------------------------------|------|
| Marathon Oil Company Leach, Glenn R. | Affidavit of Erroneous Assessment | 7.92 |
|---|-----------------------------------|------|

REBATES

| | | |
|---|-----------------------------------|-------|
| Marathon Oil Company Leach, Glenn R. | Affidavit of Erroneous Assessment | 76.94 |
|---|-----------------------------------|-------|

FINANCIAL REPORTS

Commissioners approved financial reports from the County Clerk and the Clerk of District Court for June 1998.

ELECTION JUDGES

The following list of judges was presented:

DISTRICT 1 PRECINCT 1

| | |
|-----------------|--------------------|
| R SHIRLEY DAVIS | D EVANGELINA LOPEZ |
| R MADGE TAYLOR | D DOROTHY SAULINO |
| | D DELCEY MOULDER |

DISTRICT 1 PRECINCT 2

| | |
|-------------------|-----------------|
| R JUDY RICHARDSON | D MYRTLE BOGGS |
| R JUDY SANDERS | D EMMA GONZALES |
| | D LINDA NULLE |

DISTRICT 2 PRECINCT 1

| | |
|-------------------|--------------|
| R SHIRLEY MOELLER | D JUDY VASEY |
| R PEGGY PENMAN | |

DISTRICT 2 PRECINCT 2

| | |
|----------------------|------------------|
| R PHYLLIS WINZENREID | D FRANCIS ORTEGA |
| R LOIS MORRISON | |
| R JUDY SANBORN | D CHERYL HINMAN |

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R JOYCE KELLEY

D ALICIA SMYTH

DISTRICT 3 PRECINCT 1

R MARIE PETERSON

D MARJORIE BLAKESLEE

R BURLA HELLER

D FRANCIS HUNER

R SUSANN WARD

D MARGARET SALLADE

DISTRICT 3 PRECINCT 2

R LINDA ANDERSON

D JOYCE PETERSON

R MARIE JACOBSEN

D ROSE KRYSL

R JANET FRANCE

DISTRICT 4 PRECINCT 1

R JUDY RAYMOND

D ROBERTA ERICKSON

R CINDY COLLINS

DISTRICT 5 PRECINCT 1

D MELISSA BROWNELL

DISTRICT 6 PRECINCT 1

R SHIRLEY FORSBERG

D TARYL FORSBERG

R SUSAN HISER

D KIMBERLY KORTES

DISTRICT 7 PRECINCT 1

R PATRICIA ELLIS

D MARGARET PARR

R PAT SIMS

D KATHERINE CURRY

R BONNIE CULVER

D REBECCA DOLLING

DISTRICT 8 PRECINCT 1

R DIXIE SHEA

D DORIS LANE

R JUNE WEST

D VIRGINIA CARLSON

D JO ANN AINSLIE

DISTRICT 9 PRECINCT 1

R DENISE L. SHERWOOD

D BETTY AMAN

NP HEIDI CUSTIS

NP ROSS SKIVER

DISTRICT 10 PRECINCT 1

R LANA CLARK

D MARY PERRY

R MARY DUNMIRE

DISTRICT 11 PRECINCT 1

R GERTRUDE HEROLD

D JANET LASCO

R MABEL HENDERSON

R SONJA COLLAMER

DISTRICT 11 PRECINCT 2

R DIXIE JOHNSON

D ARDYCE HOEM

R DIANA WIAIT

DISTRICT 12 PRECINCT 1

R KAREN CASSON

D LOIS HARTSELL

R ROSEMARY CRAIGHEAD

D ALMA ARMSTRONG

R MARGARET PERDUE

DISTRICT 12 PRECINCT 2

R BETTY MERRILL

D CHARLOTTE KRAFT

R SANDRA MILLER

D DORA MARTIN

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DISTRICT 14 PRECINCT 1

| | |
|-------------------|----------------|
| R RUTH MOORE | D REBA SHEEHAN |
| R ANNA MAE HUTTON | |

DISTRICT 15 PRECINCT 1

| | |
|-------------------|-----------------|
| R DORA PEARSON | D CAROL ORCHARD |
| R MARJORIE MEYERS | D SUSIE CENTA |

DISTRICT 16 PRECINCT 1

| | |
|------------------|------------------|
| R BARBARA SHELBY | D LOVINA PIERSON |
| | D ALICE KOENEKE |
| | D RUBYALICE ROSS |

PRIMARY ELECTION PROCLAMATION

PRIMARY ELECTION PROCLAMATION

CARBON COUNTY

AUGUST 18, 1998 - PRIMARY ELECTION DAY

July 17, 1998 is the last day to register with the County Clerk or the Town Clerks. Registration is also permitted at the polls on Primary Election Day.

FILING DATES AND OFFICES

May 14 - June 5 Federal and State candidates, including State Legislature, file with the Secretary of State.

County, Special District Trustee and Precinct Committeemen and Committeewomen, file with the County Clerk.

Municipal candidates file with the Town or City Clerks.

STATE OF WYOMING)
) SS
COUNTY OF CARBON)

In accordance with Section 22-2-109, Wyoming Statutes 1977, Public Notice is hereby given that a Primary Election will be held in all the districts and precincts located in Carbon County, on Tuesday, August 18, 1998, for the purpose of electing or nominating the following officers to-wit:

OFFICERS TO BE ELECTED AT THE PRIMARY

| NUMBER | TITLE | TERM |
|-------------------------|--|---------|
| TWENTY-ONE (21) PAIR | Republican Precinct Committeemen & Women | 2 YEARS |
| TWENTY-TWO (22) PAIR | Democratic Precinct Committeemen & Women | 2 YEARS |
| THREE (3) | MEDICINE BOW RURAL HEALTH CARE TRUSTEES | 4 YEARS |

PARTISAN OFFICERS TO BE NOMINATED BY EACH PARTY AT THE PRIMARY

| | | |
|---------|--|---------|
| ONE (1) | U.S. Representative | 2 YEARS |
| ONE (1) | Governor | 4 YEARS |
| ONE (1) | Secretary of State | 4 YEARS |
| ONE (1) | State Auditor | 4 YEARS |
| ONE (1) | State Treasurer | 4 YEARS |
| ONE (1) | State Superintendent of Public Instruction | 4 YEARS |
| ONE (1) | State Senator, Senate District 11 | 4 YEARS |
| ONE (1) | State Representative, House District 15 | 2 YEARS |
| ONE (1) | State Representative, House District 16 | 2 YEARS |

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| | | |
|---------|---|---------|
| ONE (1) | State Representative, House District 47 | 2 YEARS |
| TWO (2) | County Commissioners | 4 YEARS |
| ONE (1) | County Coroner | 4 YEARS |
| ONE (1) | County Attorney | 4 YEARS |
| ONE (1) | County Sheriff | 4 YEARS |
| ONE (1) | County Clerk | 4 YEARS |
| ONE (1) | County Treasurer | 4 YEARS |
| ONE (1) | County Assessor | 4 YEARS |
| ONE (1) | Clerk of District Court | 4 YEARS |

**NONPARTISAN OFFICERS TO BE NOMINATED AT
THE PRIMARY ELECTION**

| <u>NUMBER</u> | <u>TOWN OF BAGGS</u> | <u>TERM</u> |
|----------------------|-----------------------------|--------------------|
| ONE (1) | Mayor | 2 YEARS |
| TWO (2) | Council members | 4 YEARS |

| | <u>TOWN OF DIXON</u> | <u>TERM</u> |
|---------|-----------------------------|--------------------|
| ONE (1) | Mayor | 2 YEARS |
| TWO (2) | Council members | 4 YEARS |

| | <u>TOWN OF ELK MOUNTAIN</u> | |
|---------|------------------------------------|---------|
| ONE (1) | Mayor | 2 YEARS |
| TWO (2) | Council members | 4 YEARS |

| | <u>TOWN OF ENCAMPMENT</u> | |
|---------|----------------------------------|---------|
| ONE (1) | Mayor | 2 YEARS |
| TWO (2) | Council members | 4 YEARS |

| | <u>TOWN OF HANNA</u> | |
|---------|-----------------------------|-------------------|
| ONE (1) | Mayor | 2 YEARS |
| ONE (1) | Council member | UNEXPIRED 2 YEARS |
| TWO (2) | Council members | 4 YEARS |

| | <u>TOWN OF MEDICINE BOW</u> | |
|---------|------------------------------------|---------|
| ONE (1) | Mayor | 2 YEARS |
| TWO (2) | Council members | 4 YEARS |

| | <u>CITY OF RAWLINS</u> | |
|---------|-------------------------------|---------|
| ONE (1) | WARD 1 Council member | 4 YEARS |
| ONE (1) | WARD 2 Council member | 4 YEARS |
| ONE (1) | WARD 3 Council member | 4 YEARS |
| ONE (1) | AT LARGE Council member | 4 YEARS |

| | <u>TOWN OF RIVERSIDE</u> | |
|---------|---------------------------------|---------|
| ONE (1) | Mayor | 2 YEARS |
| TWO (2) | Council members | 4 YEARS |

| | <u>TOWN OF SARATOGA</u> | |
|---------|--------------------------------|---------|
| ONE (1) | Mayor | 2 YEARS |
| TWO (2) | Council members | 4 YEARS |

| | <u>TOWN OF SINCLAIR</u> | |
|---------|--------------------------------|---------|
| ONE (1) | Mayor | 2 YEARS |

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TWO (2) Council members 4 YEARS

1998 GENERAL ELECTION FILING INFORMATION

FILING DATES: August 5 - August 24, 1998

Filing forms for the following non-partisan officers to be elected at the General Election are to be filed with the County Clerk.

CARBON COUNTY SCHOOL DISTRICT #1 TRUSTEES

| NUMBER | | TERM |
|-----------|--|---------|
| THREE (3) | All Trustees in Carbon County School District #1 to be elected at large. | 4 YEARS |

CARBON COUNTY SCHOOL DISTRICT #2 TRUSTEES

| | | |
|---------|---|---------|
| ONE (1) | AREA 1 (all of CCSD #2 North of Interstate 80) | 4 YEARS |
| ONE (1) | AREA 2 (all of CCSD #2 South of Interstate 80 not including Saratoga Town Limits) | 4 YEARS |
| ONE (1) | AREA 3 (inside Saratoga Town Limits) | 4 YEARS |
| TWO (2) | AT LARGE (anywhere in CCSD #2) | 4 YEARS |

SPECIAL DISTRICT TRUSTEES

LITTLE SNAKE RIVER CONSERVATION DISTRICT

| | | |
|---------|----------------|-------------------|
| TWO (2) | Rural Trustees | 4 YEARS |
| ONE (1) | Urban Trustee | UNEXPIRED 2 YEARS |

MEDICINE BOW CONSERVATION DISTRICT

| | | |
|---------|----------------|---------|
| TWO (2) | Rural Trustees | 4 YEARS |
|---------|----------------|---------|

SARATOGA-ENCAMPMENT-RAWLINS CONSERVATION DISTRICT

| | | |
|-----------|----------------------------|---------|
| TWO (2) | Rural Trustees | 4 YEARS |
| THREE (3) | Baggs Cemetery Trustees | 4 YEARS |
| THREE (3) | Reader Cemetery Trustees | 4 YEARS |
| THREE (3) | Saratoga Cemetery Trustees | 4 YEARS |

The following State Judicial Officers shall be voted on for retention in office at the General Election.

| | | |
|---------|------------------------|---------|
| TWO (2) | Supreme Court Justices | 8 YEARS |
| ONE (1) | District Court Judge B | 6 YEARS |

VOTING ASSISTANCE

Any elector who requires assistance to vote because of blindness, disability, or inability to read or write, may be given assistance by a person of the elector's choice, other than the elector's employer or an agent of that employer or an officer or agent of the elector's union (W.S. 22-13-113 (a)).

If you have any questions regarding the accessibility of your polling place, please contact the County Clerk's office at 328-2650.

CAMPAIGN REPORTING REQUIREMENTS

Every candidate, whether successful or not, shall file under oath a fully itemized statement of receipts and expenditures within ten (10) days after any Primary, General or Special Election (W.S. 22-25-106). A candidate who fails to file, within the time required, a full and complete itemized statement

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of receipts and expenditures, or who violates W.S. 22-25-102 is guilty of a misdemeanor, and shall not receive a certificate of nomination or election, nor shall enter upon the duties of the office, as the case may be, and a vacancy exists.

Every political action committee and the candidate's campaign committee formed under W.S. 22-25-101 shall file a fully itemized statement of receipts and expenditures with fourteen (14) days after any Primary, General, or Special Election with the appropriate filing officers.

(Published in accordance with W.S. 22-2-109, 1977)

TEDDY A. YOCKEY
Carbon County Clerk

CARBON BUILDING

Dave Day presented a report on progress of the Carbon Building roofing project.

BUDGET RESOLUTIONS

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

RESOLUTION 1998 - 12

RESOLUTION TO PROVIDE INCOME NECESSARY TO FINANCE BUDGET

WHEREAS, on the 21st day of July, 1998, this Board adopted a County Budget for the 1998-99 fiscal year ending June 30, 1999 calling for the following appropriations:

| | |
|----------------|-------------|
| General Fund | \$8,734,719 |
| Fair Fund | \$ 141,439 |
| Jeffrey Center | \$ 63,299 |
| Hospital Fund | \$ 249,906 |
| Library Fund | \$ 374,630 |
| Museum | \$ 47,869 |
| TOTAL | \$9,611,862 |

And WHEREAS, after deducting all other cash and estimated revenue, it is necessary that the following amounts be raised by general taxation, and in order to raise such sums of money, it is necessary that levies be made for the 1998-99 fiscal year ending June 30, 1999 as shown opposite each fund:

| | Amount to Be-raised | Mill Levy |
|----------------|------------------------|-----------|
| General Fund | \$ 3,557,958 | 9.966 |
| Fair Fund | \$ 91,394 | .256 |
| Jeffrey Center | \$ 62,119 | .174 |
| Hospital Fund | \$ 249,906 | .700 |
| Library Fund | \$ 278,467 | .780 |
| Museum | \$ 44,269 | .124 |

NOW, BE IT RESOLVED by the Board of County Commissioners that the foregoing levies be made for the 1998-99 fiscal year ending June 30, 1999.

Dated this 21st day of July, 1998.

-s- Artlin Zeiger
-s- Linda Fleming
-s- Gary Graalman

Board of County Commissioners
of Carbon County

Attest:

-s- Teddy A. Yockey, County Clerk

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

RESOLUTION 1998 - 13

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APPROPRIATION RESOLUTION

WHEREAS, on the 8th day of July 1998, Teddy A. Yockey, Carbon County Clerk the budget making authority, prepared and submitted to the Board a county Budget for the 1998-99 fiscal year ending June 30, 1999.

WHEREAS, such a budget was duly entered at large upon the records of this Board and a copy thereof was made available for public inspection at the office of the County Clerk; and

WHEREAS, notice of a public hearing on such budget, together with the summary of said budget, was published in the Daily Times, a legal newspaper published and of general circulation in the county on the 11th and 18th days of July, 1998 and

WHEREAS, a public hearing was held on such budget at the time and place specified in said notice, at which time all interested parties were given an opportunity to be heard; and

WHEREAS, following such public hearing certain alterations and revisions were made in such proposed budget, all of which more fully appear in the minutes of this Board.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners that the county budget, as so revised and altered, be adopted as the official county budget for the 1998-99 fiscal year ending June 30, 1999.

BE IT FURTHER RESOLVED, that the following appropriations be made for the 1998-99 fiscal year ending June 30, 1999 and that the expenditures of each officer, department or spending agency be limited to the amount herein appropriated.

GENERAL FUND

| | |
|-----------------------------------|-------------|
| County Commissioners | \$ 57,400 |
| County Clerk | \$ 412,253 |
| County Treasurer | \$ 215,475 |
| County Assessor | \$ 200,000 |
| County Sheriff | \$1,222,888 |
| County Attorney | \$ 262,450 |
| County Building & Grounds | \$ 850,416 |
| County Coroner | \$ 31,500 |
| Extension Office | \$ 81,270 |
| Clerk of District Court | \$ 131,056 |
| Planning | \$ 70,226 |
| Public Health/W.I.C. | \$ 243,892 |
| Road & Bridge | \$1,040,850 |
| Fire Protection | \$ 154,875 |
| Emergency Management | \$ 25,460 |
| Severance Tax | \$ 363,694 |
| Senior Centers | \$ 211,419 |
| Grants | \$ 453,700 |
| County Administration | \$1,769,150 |
| Total General Fund Appropriations | \$7,797,974 |
| Cash Reserve Fund | \$ 750,000 |
| Depreciation Reserve Funds | \$ 186,745 |

TOTAL REQUIREMENTS \$8,734,719

| | |
|-----------------|------------|
| County Fair | \$ 141,439 |
| County Museum | \$ 47,869 |
| County Hospital | \$ 249,906 |
| County Library | \$ 374,630 |
| Jeffrey Center | \$ 63,299 |

TOTAL APPROPRIATIONS \$9,611,862

Dated this 21st day of July 1998.

**BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY**

-s- Artlin Zeiger

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- s- Artlin Zeiger
- s- Linda Fleming
- s- Gary Graalman

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

LIQUOR LICENSE

A hearing was held at 10 a.m. to discuss liquor licenses. A motion was made by Gary Graalman, seconded by Linda Fleming and unanimously approved to accept the following licenses:

**1998-99 LIQUOR LICENSE RENEWALS
SEPTEMBER 1, 1998 TO AUGUST 31, 1999**

| | |
|---------------------------------|------------|
| LIMITED RETAIL LIQUOR LICENSES: | \$1,500.00 |
| Sinclair Golf Club | \$ 750.00 |
| Old Baldy Club, Inc. | \$ 750.00 |

RETAIL LIQUOR LICENSES: \$5,500.00

| | |
|----------------------|------------|
| A Bar A Ranch | \$1,000.00 |
| Flying J Ranch Plaza | \$1,000.00 |
| 4K County Club | \$1,000.00 |
| Mountain Hideaway | \$1,000.00 |
| Whistle Pig Saloon | \$1,500.00 |

COUNTY RETAIL MALT BEVERAGE PERMITS: \$1,500.00

| | |
|---------------------------|-----------|
| Arlington Outpost | \$ 300.00 |
| Elk Mountain Conoco | \$ 300.00 |
| Seminole Boat Club | \$ 300.00 |
| 3-Forks Muddy Gap Service | \$ 300.00 |
| Walcott Service | \$ 300.00 |

TOTAL LIQUOR LICENSE FEES: \$8,500.00

RULES OF PRACTICE

A hearing was held at 10:30 a.m. concerning rules of practice governing hearing & contested cases before the Carbon County Board of County Commissioners that were reviewed by Wade Waldrip. Art Zeiger called for public comment. Commissioners acknowledged written comments received from Jon R. "Dick" Gray. Artlin Zeiger declared the hearing closed.

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

RESOLUTION 1998-14

**RESOLUTION TO ADOPT AND SUPERSEDE RULES OF PRACTICE
GOVERNING HEARINGS AND CONTESTED CASES BEFORE
THE CARBON COUNTY BOARD OF COMMISSIONERS**

BE IT RESOLVED by the governing body of Carbon County, Wyoming pursuant to W.S. 16-3-103, that the Rules of Practice Governing Hearing and Contested Cases before the Carbon County Board of Commissioners are hereby adopted as attached hereto and specifically incorporated herein by reference.

**RULES OF PRACTICE
GOVERNING HEARINGS AND CONTESTED CASES
BEFORE THE CARBON COUNTY BOARD OF COUNTY COMMISSIONERS**

SECTION 1 - AUTHORITY

These rules are promulgated pursuant to the Wyoming Administrative Procedure Act, W.S. 16-3-103, as amended. Whether or not herein set forth, the provisions of the Wyoming

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Administrative Procedure Act, W.S. 16-3-101 through 16-3-115, as amended, shall, in addition to these rules, govern all hearings and adjudications under these rules of practice, except that where a conflict shall arise between the statutes and these rules, the statute shall govern and control.

SECTION 2 - DEFINITIONS

As used in these rules:

- (A) "Affidavit" means a written notarized statement of facts made voluntarily under oath.
- (B) "Agency" means any authority, bureau, board, commission, department, division, officer or employee of the state, a county or other political subdivision of the state or county, except the governing body of a city or town, the state legislature, or the judiciary.
- (C) "Board" means the Carbon County Board of County Commissioners.
- (D) "Chairman" means the Chairman of the Carbon County Board of County Commissioners.
- (E) "Clerk" means that employee of a County Clerk's Office who serves the Board as their secretary.
- (F) "Contested Case" means a proceeding including, but not restricted to, rate making, price fixing, permitting, licensing, or a petition filed pursuant to W.S. 24-9-101, in which legal rights, duties or privileges of a party are required by law to be determined by the board after an opportunity for hearing.
- (G) "Hearing" includes contested cases and those instances where by policy or resolution appeal to the Board is provided.
- (H) "Party" means each person or agency named or admitted as a party, or properly seeking and entitled as of right to be admitted as a party.
- (I) "Person" means an individual, partnership, corporation, association, municipality, governmental subdivision, or public or private organization or any character other than an agency.

SECTION 3 - APPLICABILITY OF RULES

- (A) The following rules shall apply to all hearings of appeals required to be heard before the Board, pursuant to federal or state law, policy of any county department, any resolution of this board, or hearings required to be held pursuant to the Wyoming Administrative Procedure Act.
- (B) Hearings not in compliance with these rules may be held by the Board upon express written agreement by all parties.
- (C) All petitions filed with the Board in the form of appeals from agency decisions shall be handled under these rules to the extent that they are applicable.

SECTION 4 - DOCKET

When a proceeding is instituted by the filing of a petition, the clerk shall assign a number and enter the proceedings, with the date of its filing on a separate page of a docket provided for such purposes. The clerk shall establish a separate file for each docketed case, in which shall be systematically placed all papers, opinions, documents, transcripts and evidence pertaining thereto, and all such items shall have noted thereon the docket number assigned and the date of the filing.

SECTION 5 - REPRESENTATION

All parties have a right to represent themselves or to be represented by counsel. The filing of a petition or other similar representation by any attorney constitutes his appearance for the party for whom the representation is made. The Board must be notified in writing of any withdrawal from the case by any attorney who has previously entered an appearance. Any person appearing before the Board at a hearing in a representative capacity shall be precluded from examining or cross-examining any witness, unless such person shall be an attorney licensed to practice in the State of Wyoming, or a non-resident attorney associated with a Wyoming attorney.

SECTION 6 - COUNTY ATTORNEY

In all matters under these rules, the Chairman shall request the County Attorney or a deputy to be present to assist and advise the Board or to represent the County or to serve as a hearing officer. If there is a conflict in the County Attorney acting as an advisor for the Board, the Board shall authorize the employment of special counsel to act either as an attorney for the Board or attorney for the County.

SECTION 7 - PETITION; CONTENTS

Any person or agency desiring to come before the Board for a hearing pursuant to the Administrative Procedure Act resolution or departmental policy of the county must file with the Board, in its office at Rawlins, Wyoming, a petition requesting a hearing setting forth:

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- (A) The person's name, address and telephone number.
- (B) A statement in ordinary or concise language setting forth the action or decision desired by the petitioner.
- (C) The name, address and telephone number of the attorney for the petitioner, if any.
- (D) The legal attorney, if any, known at the time of the filing of a petition upon which the petitioner relies.
- (E) If the petition involves a matter, which by resolution of the board departmental policy or the Wyoming Administrative Procedure Act requires that the petition constitutes a contested case, the Board shall, within thirty (30) days after receiving the petition:
 - (1) Decide in favor of the petitioner;
 - (2) Notify the petitioner that a contested case hearing shall be held; or
 - (3) Deny the request for a contested case. Following denial, the Board shall issue findings and an order. The order shall be the Board's final decision, and if governed by the provisions of the Wyoming Administrative Procedure Act, may be appealed to the District Court pursuant to that Act.

SECTION 8 - NOTICE OF HEARING

The clerk shall cause written notice of any hearing held under these rules to be served upon each party, personally or by certified mail, as much time in advance of the date set for the hearing as is reasonably practicable, or in any specific time limit required by statute. Such notice shall include a statement of:

- (A) The time, place and nature of hearing;
- (B) The docket number assigned to the case;
- (C) The legal authority and jurisdiction under which the hearing is to be held;
- (D) The particular sections of the statutes, rules, resolutions, policies or court decisions involved;
- (E) A short plain statement of the matters asserted. If the clerk is unable to state the matters in detail, the time the notice is served, the initial notice may be limited to a statement of the issues involved, and thereafter upon application, a more definite and detailed statement shall be furnished by the petitioner.

SECTION 9 - INFORMAL INTERVIEW AND DISPOSITION

The Board may request an informal interview with the petitioner and any other party before holding a contested case. Either party may be represented by counsel during the interview, and unless precluded by law, any case may be finally disposed of by stipulation, agreed settlement, consent order, default of the parties, or approved by the Board. Any order shall be entered in the case record.

SECTION 10 - HEARING OFFICER

- (A) The Board may appoint a hearing officer to preside over any hearing held pursuant to these rules, or the hearing may be conducted by the chairman. The appointed hearing officer shall not have participated in preliminary investigation or case preparation. The appointment of a hearing officer shall not necessarily require the absence of the Board at any proceeding or hearing.
- (B) The hearing officer shall be the presiding officer at the hearing and shall conduct all proceedings in an impartial manner.
- (C) If a hearing officer is appointed, the hearing officer shall be a qualified member of the Wyoming State Bar.
- (D) The hearing officer shall withdraw from a case if he or she deem themselves to be disqualified. The hearing officer shall provide a written explanation to the Board before withdrawing.
- (E) A party may make a written request for the removal of the hearing officer. The request shall be made immediately after the party has reasonable grounds to believe that the hearing officer is a subject to disqualification. The written request shall explain the reasons for the requested disqualification and may be accompanied by affidavits. If the hearing officer denies the request, they shall issue a written explanation of their denial and enter the explanation into the record. If the hearing officer grants the request, the Board shall appoint a new hearing officer as soon as possible.
- (F) The Board may assess all costs incurred as a result of the services of a hearing officer equitably amongst the parties.

SECTION 11 - DUTIES AND POWERS OF PRESIDING OFFICER

- (A) The hearing officer or, in the absence thereof, the Chairman of the Board shall have all powers necessary to conduct a fair and impartial contested hearing, including but not limited to the following:
 - (1) Administrate oaths and affirmations.
 - (2) Issue subpoenas.

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- (3) Provide for and determine the scope of discovery.
- (4) Take or cause depositions to be taken.
- (5) Hold pre-hearing conferences.
- (6) Preside over and regulate the course of the hearing.
- (7) Dispose of Procedural requests and similar matters.
- (8) Rule upon offers of proof and receive relevant evidence.
- (9) Recess the hearing or grant continuances for good cause, provided, however, that no continuance shall be granted which shall extend the time for hearing beyond the time within which such a hearing must be held as provided by law unless stipulated to by both parties.
- (10) Allow parties to submit written briefs and allow parties to cause a transcript of the hearing to be made, at their own expense.
- (11) Develop proposed findings of fact and conclusions of law or request that the parties submit proposed findings of fact and conclusions of law.
- (12) Take any other action authorized by law consistent with these rules or required to fulfill any of these duties.
- (B) The presiding officer and the Board may examine any witness called by any party and may further direct questions to any party or any attorney representing any party during the course of the hearing.

SECTION 12 - APPLICABLE RULES OF CIVIL PROCEDURE

The rules of practice and procedure contained in the Rules of Civil Procedure of the State of Wyoming, insofar as the same may be applicable, shall apply in all hearings before the Board or hearing officer. For the application of such rules, the Clerk is designated to be in the same relationship to the Board or hearing officer as a Clerk of Court to a Court.

SECTION 13 - SUBPOENAS

The hearing officer, chairman or Clerk of the Board, upon written application of any party or his attorney, shall issue a subpoena requiring the appearance of witnesses for the purpose of taking evidence or requiring the production of any books, papers or other documents relevant or material to the inquiry, all subject to the provisions of Wyoming law.

SECTION 14 - PRE-HEARING CONFERENCE

- (A) At any time before the hearing date, the hearing officer may hold a pre-hearing conference to consider simplifying the issues, amending the pleadings, clarifying or limiting the evidence, formulating procedures to govern the hearing, and any other matters which will aid in the disposition of the case.
- (B) Such a conference shall be conducted informally. A memorandum will be prepared by the presiding officer or hearing examiner, which recites the actions taken at the conference, amendments allowed, agreements of the party, and limitations of the issues to those not disposed of by admissions or agreements of counsel and the parties. The pre-hearing memorandum will control the course of the hearing unless modified by the presiding officer or hearing examiner to prevent manifest injustice.

SECTION 15 - EVIDENCE AND TESTIMONY

- (A) Admissibility of Evidence. Irrelevant, immaterial and unduly repetitious information shall be excluded. All documentary or physical evidence shall be marked as exhibits. Petitioner exhibits shall be marked by letters of the alphabet beginning with "A". Respondent exhibits shall be marked with numbers beginning with "1".
- (B) Objections. Grounds for objections to offered evidence shall be briefly stated. All objections and rulings shall be entered onto the record.
- (C) Witnesses. A testifying witness shall be identified by stating their name and address. All witnesses shall stand and be administered the following oath by the presiding officer: "Do you swear (or affirm) to tell the truth, the whole truth and nothing but the truth in the matter now before the Board?"
- (D) Privileged and Confidential Information. The hearing officer may recognize any privilege at law in considering evidence.
- (E) Judicial Notice. Judicial notice may be taken of any information in the nature of traditional matters of judicial notice.

SECTION 16 - ORDER OF PROCEDURE AT HEARING

- (A) If the petitioner or his representative fails to appear, the hearing examiner may:
 - (1) Grant a continuance;
 - (2) Conduct the proceedings in the absence of the petitioner or his representative; or
 - (3) Declare the petitioner to be in default and rule against the petitioner in all matters in default.
- (B) To the extent practicable, contested hearings shall be conducted in the following

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manner:

- (1) The hearing shall be held in public, except insofar as such hearings may be closed pursuant to the provisions of W.S. 16-4-405 or the provisions of any other applicable law.
- (2) The hearing officer shall commence the hearing by calling the docket number and title of the case to be heard. The hearing officer shall ask if the parties are ready to proceed. The hearing officer may also allow the parties to dispose of any preliminary matters.
- (3) The hearing officer may allow all parties to give a brief opening statement to explain their position and outline the evidence they propose to offer.
- (4) The hearing officer shall administer the oath to all witnesses at the beginning of the hearing or before each witness testifies.
- (5) The petitioner shall present its evidence first, followed by the respondent. The petitioner may then submit rebuttal evidence, and witnesses may be cross-examined by the opposing party or by the Board.
- (6) Closing statements will be made in the following sequence:
 - (a) Petitioner
 - (b) Adverse party
 - (c) Petitioner rebuttal
- (7) The time for opening and closing statements may be limited by the presiding officer at the presiding officer's discretion.
- (8) Following the closing statements, the hearing officer may dismiss and excuse all witnesses and declare the hearing closed.

SECTION 17 – DECISION AND ORDER

The Board may consult with the hearing officer, who shall also assist the Board in drafting findings of fact and conclusions of law, which findings of fact and conclusions of law shall be rendered within thirty (30) days after the conclusion of the hearing, unless otherwise provided by law. Said order of decision shall be filed by the clerk in the file of the matter and shall contain the vote on the decision. Findings of fact as set forth in the statutory language shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings, and the parties shall be notified either personally or by certified mail of the decision or order, and a copy of the decision and order shall be delivered personally or mailed by certified mail forthwith to each party or his attorney of record.

SECTION 18 – MEMBER OF BOARD PRESENT

No member of the Board shall vote upon a decision of the Board unless he or she shall have been present at the hearing or has read the transcript of proceedings or heard a recording of the proceedings and examined the official record of the hearing.

SECTION 19 – RECORD

- (A) All hearings shall be recorded verbatim stenographically or by other appropriate means designed to provide a full and complete record of the hearing.
- (B) The record in contested cases shall consist of:
 - (1) Petition.
 - (2) Formal and informal notices, pleadings, motions, written requests, intermediate rulings or decisions, and stipulations.
 - (3) Evidence received or considered, including matters official noticed.
 - (4) Questions and offers of proof, objections and rules.
 - (5) Transcript of all recorded proceedings.
 - (6) Proposed findings and objections.
 - (7) The Board's final order of decision.

SECTION 20 – NOTICE

All notices provided shall be personally served or sent by certified mail.

SECTION 21 – EX PARTE MATTERS

Unless otherwise provided for by law, the hearing officer and the Board shall not consult with any individual or party on any matter at issue, except as allowed in W.S. 16-3-111.

SECTION 22 – PREVIOUS RULES SUPERSEDED

From and after the effective date of these rules, any and all previous filed Rules of Practice of the Carbon County Board of County Commissioners shall be superseded and shall be of no further effect.

SECTION 23 – SEVERABILITY

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If any provisions of these Rules of Practice or the application thereof to any matters held invalid, the applications of these rules which can be given affect without the invalid provision or application, and for this purpose the provisions of these rules are severable.

Pursuant to W.S. 16-3-103 and Chapter 1 of the Rules of the Wyoming Secretary of State, these rules are approved and adopted, after public notice and hearing, by the Board of County Commissioners of Carbon County, Wyoming, this 21st day of July, 1998.

-s- Artlin Zeiger, Chairman
-s- Linda Fleming, Member
-s- Gary Graalman, Member

PRESENTED, READ AND ADOPTED this 21st day of July, 1998.

BOARD OF CARBON COUNTY COMMISSIONERS

-s- Artlin Zeiger, Chairman

ATTEST: -s- Teddy A. Yockey, Carbon County Clerk

Reviewed and approved as to form: -s- Wade Waldrip, Civil Deputy

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

RESOLUTION 1998-15

STATEMENT OF REASONS/RULES OF PRACTICE GOVERNING HEARINGS AND CONTESTED CASES BEFORE THE CARBON COUNTY BOARD OF COMMISSIONERS

The adoption of Rules of Practice Governing Hearings and Contested Cases Before the Carbon County Board of Commissioners, in accordance with W.S. 16-3-101, is necessary to promote and protect the public health, safety, and general welfare of the citizens of Carbon County; to insure the orderly administration and the rights of due process for those matters appropriately brought before the Board as a contested case.

DATED this 21st day of July, 1998.

BOARD OF CARBON COUNTY COMMISSIONERS

-s- Artlin Zeiger, Chairman

ATTEST: -s- Teddy A. Yockey, Carbon County Clerk

Reviewed and approved as to form: -s- Wade Waldrip, Civil Deputy

EXECUTIVE SESSION

A motion was made by Linda Fleming and seconded by Gary Graalman to enter into Executive Session to discuss personnel. (11:00 AM)

A motion was made by Linda Fleming and seconded by Gary Graalman to come out of Executive Session. (11:45 AM)

INTERMOUNTAIN BENEFIT ASSOCIATES - HEALTH INSURANCE

Dale Lyman, representing IBA reviewed the countys health insurance plan for period of October 1, 1997 through June 30, 1998 which showed claims were 5% higher than the previous year and announced the effective date of the new prescription card is September 1, 1998.

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ADJOURNMENT

The meeting adjourned for lunch. (12:15 PM)

RECONVENMENT

The meeting reconvened following lunch. (2:00 PM)

COUNTY ROAD 201

Bill and Judy Saulcy discussed access to public land using County Road #201. The Barrett to Butler Bridge road was also discussed. A formal meeting involving the County Attorney, interested parties and their attorneys is scheduled for August 4, 1998 at 10:30 AM. in the Commissioner Meeting Room of the Courthouse.

ROAD & BRIDGE

Bill Nation, Carbon County Road & Bridge department supervisor presented an administrative report on completed and pending work, and also discussed vehicle purchases.

EXECUTIVE SESSION

A motion was made by Gary Graalman, seconded by Linda Fleming and unanimously carried to enter into executive session to discuss pending litigation. (3:40 PM)

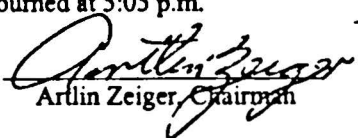
A motion was made by Linda Fleming, seconded by Gary Graalman and unanimously carried to come out of executive session. (4:25 PM)

ADJOURNMENT

THERE BEING NO FURTHER BUSINESS, the meeting adjourned at 5:05 p.m.

Attest:


Teddy A. Yockey, County Clerk


Arlin Zeiger, Chairman