

**BOARD OF CARBON COUNTY COMMISSIONERS**  
**REGULAR MEETING**  
**Tuesday, May 4, 2004**  
**Carbon County Courthouse**  
**Rawlins, Wyoming**

The regular meeting of the Carbon County Commissioners was held on May 4, 2004, at the County Courthouse in Rawlins, WY. Attending the meeting were Chairman Artlin Zeiger; Commissioner Linda Fleming; Linda Ann Smith, Carbon County Clerk; Alice Garvin, Chief Deputy Clerk; and Gwynn Rothenberger, Deputy Clerk. Commissioner Lee Meacham was absent.

Chairman Artlin Zeiger called the meeting to order at 9:00 a.m.

**VOUCHERS**

The following vouchers were presented for payment:

AT&T	Various	\$ 50.11
Abbott, Charlene	Cooperative Extension	\$ 253.13
Alsco	Road & Bridge	\$ 73.76
Amerigas	Road & Bridge	\$ 259.09
Art's Plumbing & Heating	Senior Services	\$ 180.25
Bartlett, Sue RN	Public Health	\$ 313.09
Bob Barker Company	Jail	\$ 185.65
Bresnan Communications	Various	\$ 179.84
Build Rite Lumber Supply	Various	\$ 556.24
Busey, Sharalee	Public Health	\$ 115.53
C&B Sand & Gravel	Road & Bridge	\$ 7,579.00
California Professional Mfg.	Coroner	\$ 1,328.88
Carbon County Cooperative Extension	Cooperative Extension	\$ 48.00
Carbon County Counseling Center	Administration	\$ 5,000.00
Carbon County Senior Services	Senior Services	\$ 536.50
Caterpillar Financial	Road & Bridge	\$ 42,707.27
Cedar Street Sinclair	Sheriff	\$ 22.50
Centurytel	Various	\$ 157.90
Cesko, David MD	Various	\$ 1,526.00
Chandra, V Raja MD	Administration	\$ 390.00
Channing, L. Bete Co.	Grants	\$ 159.97
Chemsearch	Road & Bridge	\$ 311.59
Childbirth Graphics	Grants	\$ 186.18
Computer Software Associates	Administration	\$ 1,222.00
Corner Store	Emergency Management	\$ 29.00
Corporate Express	Various	\$ 157.21
Craftsman Electric	Emergency Management	\$ 43.00
Crawford, Warren	Cooperative Extension	\$ 1,286.74
Culligan Water Conditioning	Senior Services	\$ 34.50
Custom Creations	Road & Bridge	\$ 272.00
Custom Fiberglass	Fire	\$ 3,590.00
D&K Sanitation	Various	\$ 401.00
Daggett County Sheriff	Jail	\$ 718.70
Daily Times	Various	\$ 1,528.95
Eagle Uniform Supply	Carbon Building	\$ 58.98
Elk Mountain Towing	Sheriff	\$ 37.84
Engstrom, James DDS	Jail	\$ 150.00
Evergreen Disposal Service	Senior Services	\$ 85.00
Farmer Brothers	Clerk	\$ 82.25
Farster, Pamela	Grants	\$ 1,275.00
FedEx	Building & Grounds	\$ 28.27
Galls Inc	Fire	\$ 1,192.92
Geddes Productions	Grants	\$ 26.00
Golden, Mary	Public Health	\$ 8.50
Grabow, Jay	Planning	\$ 507.73
Grainger	Road & Bridge	\$ 32.70
Graphic Sports	Sheriff	\$ 35.00
Hanna, Town of	Road & Bridge	\$ 39.54
Hard Rock Aggregates	Road & Bridge	\$ 512.51
Heiman Fire Department	Fire	\$ 214.83
Hi-Tech Auto	Sheriff	\$ 106.44
High Plains Power	Senior Services	\$ 110.49
Hightree, Brian	Fire	\$ 35.00
Hilltop Lube	Sheriff	\$ 140.86
Hopkins Medical Products	Public Health	\$ 162.95

Hyland Enterprises	Fire	\$ 60.24
Intermountain Record Center	Clerk	\$ 83.00
JH Kaspar Oil	Road & Bridge	\$ 1,736.30
Jack's Body & Fender	Sheriff	\$ 90.00
Jack's Truck & Equipment	Road & Bridge	\$ 189.23
Jackalope Printing	Various	\$ 814.56
Jerry's Donuts	Commissioners	\$ 13.98
Journal Watch	Public Health	\$ 99.00
Kaiser Painting & Lawn Care	Senior Services	\$ 110.00
Kilburn Tire	Sheriff	\$ 169.82
Kirsch, AP MD	Grants	\$ 190.00
KN Energy	Various	\$ 7,543.71
Kone Elevators	Courthouse	\$ 2,133.36
Kraft, Ian	Grants	\$ 825.00
L & L Electric	Various	\$ 591.46
LN Curtis & Sons	Fire	\$ 247.00
Lariat International	Various	\$ 8,500.66
Lolly, Brian	Sheriff	\$ 396.00
Long Building Technologies	Building & Grounds	\$ 13,827.70
MHL Systems	Road & Bridge	\$ 16,311.95
MMWR	Public Health	\$ 98.00
MacPherson, Kelly & Thompson	Administration	\$ 576.08
Margo's Sewing & Upholstery	Senior Services	\$ 453.30
Massey, Daniel	Administration	\$ 865.56
Matco Tools	Road & Bridge	\$ 65.25
Med-Tech Resource	Fire	\$ 148.82
Medela Inc	Grants	\$ 29.99
Medibadge	Public Health	\$ 269.55
Medicine Bow, Town of	Senior Services	\$ 48.10
Medina, Jim	Senior Services	\$ 300.00
Memorial Hospital of Carbon County	Administration	\$ 8,073.75
Motorola	Grants	\$ 102,987.50
Noyes Health Care Center	Sheriff	\$ 105.00
Pacific Power & Light	Various	\$ 3,614.87
Page One West	Various	\$ 287.85
Pamida	Various	\$ 90.51
Pickett, Thomas	Assessor	\$ 5,350.00
Pitney Bowes	Administration	\$ 163.10
Plainsman Printing & Supply	Clerk	\$ 41.89
Plan One / Architects	Grants	\$ 15,764.98
Public Health	Public Health	\$ 66.95
Quester Gas	Senior Services	\$ 88.44
Quill Corp	Various	\$ 1,517.42
Qwest	Various	\$ 360.33
Qwest - Denver	Fire	\$ 49.00
Rawlins Automotive	Various	\$ 306.00
Rawlins Eye Care	Grants	\$ 180.00
Rawlins Glass	Various	\$ 816.67
Rawlins, City of	Various	\$ 1,484.35
Reliable	Road & Bridge	\$ 61.26
Richardson, Jill	Public Health	\$ 18.75
Ross' Automotive Service	Planning	\$ 9.00
Robert Jack Smith & Assoc	Sheriff	\$ 99.27
Royal Sanitary	Courthouse	\$ 84.10
Ryan Electronics	Various	\$ 1,847.73
Ryan, Zola	Cooperative Extension	\$ 175.21
Saratoga Auto Parts	Road & Bridge	\$ 46.08
Saratoga Sun	Various	\$ 56.00
Scoggins, William	Grants	\$ 200.00
Snap-on Tools	Road & Bridge	\$ 132.50
Southwest Professional Administrators	Road & Bridge	\$ 50.00
Spicer Eye Clinic	Grants	\$ 689.00
State of Wyoming	Elections	\$ 34.99
Townsend, Troy	Fire	\$ 47.80
True Value of Rawlins	Various	\$ 1,283.36
Union Telephone	Various	\$ 686.90
University of Wyoming	Cooperative Extension	\$ 9,381.00
Verizon Wireless	Various	\$ 436.22
Viking Office Products	Various	\$ 209.34
Voorhis Associates	Various	\$ 13,222.45
Wagon Wheel Café	Sheriff	\$ 50.90
West Group Payment Center	Attorney	\$ 409.50

Wimpenny, Robert DDS	Grants	\$ 1,231.00
WY Diesel Service	Road & Bridge	\$ 4.68
WY Machinery Co	Road & Bridge	\$ 1,120.59
WY Paper Supply	Various	\$ 363.87
Yampa Valley Electric	Various	\$ 573.25
Young, Charles MD	Grants	\$ 256.00
	<b>Total</b>	<b>\$ 307,163.37</b>

**CLERK****Minutes**

Commissioner Fleming moved to approve the minutes of the April 20, 2004 meeting as presented. Chairman Zeiger seconded and the motion carried unanimously.

**Commissioners Scholarships**

Chairman Zeiger signed the University of Wyoming's Commissioners Scholarships award forms.

**Monthly Receipts**

Clerk Smith presented monthly receipts for Road & Bridge in the amount of \$80.00.

**Jail / Pacific Power and Light**

Commissioner Fleming moved to approve the Right of Way Easement Agreement with Pacific Power & Light for an underground power line at the new jail site. Chairman Zeiger seconded and the motion carried unanimously.

**Search & Rescue / Sheriff's Office**

Clerk Smith presented a letter from Alan L. Stewart whom was involved in a plane crash on February 6, 2004 near Elk Mountain. Mr. Stewart thanked the Sheriff's Department and the Search and Rescue group and donated \$2,500.00 to each.

**Jail / LM Olson Construction**

Commissioner Fleming moved to approve LM Olson Construction payment application #10 in the amount of \$605,035.00 for the new jail project and forward this application to the Carbon County Detention Facility Joint Powers Board for payment. Chairman Zeiger seconded and the motion carried unanimously.

**Help America Vote Act / Memorandum of Understanding**

Clerk Smith presented a Memorandum of Understanding for the Board's consideration. This MOU is between the Secretary of State and the County Clerk's Office regarding recently enacted election requirements.

Commissioner Fleming moved to authorize the Chairman to sign the Voter Registration Memorandum of Understanding of April 2004 between the Secretary of State and the County to reach a common understanding of the recently enacted election requirements pursuant to the Help America Vote Act. Chairman Zeiger seconded and the motion carried unanimously.

**Fire Extinguisher Proposals**

Clerk Smith presented a proposal from Rawlins Fire Extinguisher for servicing county building's fire extinguishers for the time period of July 1, 2004 to June 30, 2005. The Board requested that the Clerk put this out for bid.

**Courthouse Stair Rails**

Clerk Smith presented a bid from Max Alderette in the amount of \$1,485.00 to replace the stair railing on the east side of the County Courthouse. This bid includes both materials and labor. The Board authorized Clerk Smith to have this work completed by Mr. Alderette.

**Bonds**

Bonds were approved for Scott Herold, Secretary/Treasurer for the Savary-Little Snake River Conservancy District in the amount of \$5,000.00 and John Cowdin, Treasurer for the Medicine Bow Conservation District in the amount of \$10,000.00.

**Dixon Airport Board**

Commissioner Fleming moved to authorize the Chairman to sign a grant application in the amount of \$157,894.00 from the Airport Development Group on behalf of the Dixon Airport for Project 3-56-0038-07 for land acquisition. Chairman Zeiger seconded and the motion carried unanimously.

**Homeland Security**

Commissioner Fleming moved to approve the Grant Award Agreement for U.S. Department of Homeland Security (DHS), Office for Domestic Preparedness (ODP), FY2004 ODP Homeland Security Grant Program



(HSGP), FY2004 Citizen Corps Program (CCP) Allocation in the amount of \$8,923.31 for project ID #04-ODP-CAR-CC-1114-ODC4 and the Grant Award for U.S. Department of Homeland Security (DHS), Office for Domestic Preparedness (ODP) FY2004 ODP Homeland Security Grant Program (HSGP), State Homeland Security Program (SHSP) Allocation in the amount of \$395,565.15 for project ID #04-ODP-CAR-CC-1114-ODS4. Chairman Zeiger seconded and the motion carried unanimously.

**Fort Steele Grant**

Clerk Smith reported that she was approached by Darrell Tremley of Wyoming State Parks about applying for a TEAL grant for the Fort Steele historical site. Mr. Tremley stated that approximately \$80,000 would be provided as a match from Wyoming State Parks and he would like the County Commissioners to sponsor the grant application and the County Clerk to administer the grant.

The Board stated that it would be interested in sponsoring the grant and would authorize the Clerk to administer the grant.

**Mental Health Counseling / Title 25 Examinations**

Commissioner Fleming moved that after a final review of the documents from the County Attorney's Office, Clerk Smith send out Requests for Proposals for Mental Health Counseling Title 25 Examinations. Chairman Zeiger seconded and the motion carried unanimously.

**SENIOR SERVICES**

Bill Michie presented his monthly report.

**WOLF LITIGATION**

Commissioner Fleming moved to contribute \$500.00 to the Wyoming County Commissioners Association to be used for the Association to intervene in the State of Wyoming wolf litigation. Chairman Zeiger seconded and the motion carried unanimously.

**JAIL COMMITTEE**

Randy Shinkle and Gary Olson appeared on behalf of the Jail Committee with architect Charlie VanOver. The men updated the Board on the progress of construction at the jail site.

**COOPERATIVE EXTENSION SERVICE**

Warren Crawford and Zola Ryan of the Cooperative Extension Service and Dave Derragon of the City of Rawlins appeared to request that a horticulture employee position be established and be based out of the Extension Office. If established, this employee would be a county employee with the City of Rawlins sharing up to half the cost.

The Board took this request under advisement and will discuss it further at a future meeting.

**PUBLIC HEALTH**

Bridget Hettgar of Public Health presented a yearly Contract Between the Wyoming Department of Health, Aging Division, and Carbon County Public Health Nursing for the Board's approval.

Commissioner Fleming moved to authorize the Chairman to sign the Contract Between the Wyoming Department of Health, Aging Division, and Carbon County Public Health Nursing in regards to the Long Term Home Care Community Based Services Waiver and the Assisted Living Facility Home and Community-Based Services Waiver. Chairman Zeiger seconded and the motion carried unanimously.

Ms. Hettgar also reported that Public Health's bioterrorism grant funding in the amount of \$68,000.00 was received and that Pam Farster will be assisting that department as bioterrorism coordinator during the period of the grant.

**HOMELAND SECURITY**

Pam Farster reported on the progress of the Homeland Security grant funding and purchasing of equipment and supplies.

**RECESS**

Chairman Zeiger recessed for lunch at 11:39 a.m. and reconvened at 2:03 p.m.

**PLANNING & ZONING**

**Public Hearing**

Chairman Zeiger called a public hearing to order at 2:04 p.m. to hear Planning & Zoning Case File #04-02, David and Rita Bustos.

Jay Grabow presented the following case:

Case File #04-02 – David and Rita Bustos: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-50 acres). The RRA Zone allows residential and agriculture activities. A parcel of land located in the W1/2 NW1/4 SW1/4, W1/2 SW1/4 NW1/4, and NE1/4 SW1/4 NW1/4, Section 31, T21N, R87W, 6<sup>th</sup> P.M., Carbon County, Wyoming.

There were no public comments on this case. Chairman Zeiger closed the public hearing at 2:08 p.m.

Commissioner Fleming moved to approve Planning & Zoning Case File #04-02, David and Rita Bustos for a request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-50 acres). Chairman Zeiger seconded and the motion carried unanimously.

Commissioner Fleming moved to approve Resolution 2004-06, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning Commission. Chairman Zeiger seconded and the motion carried unanimously.

**Resolution No. 2004 - 06**

**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 April 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 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 May 4, 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 #04-02 – David & Rita Bustos:** Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Rural Residential Agriculture (RRA-50 acres).

*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 \_\_\_\_\_ 4<sup>th</sup> day of \_\_\_\_\_ May \_\_\_\_\_, 2004.

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

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

Attest:  
Linda Ann Smith, Carbon County Clerk

Commissioner Fleming moved to set a public hearing for June 1, 2004 at 2:00 p.m. at the Carbon County Courthouse to hear Planning & Zoning Case Files #04-05 Jean E. Short Trust for a Zone Change, #04-07 Willis & Lean Greenwood for a Zone Change, #04-08 William "Ron" & Lesa Lee Wille for a Zone Change, and #04-03 Old Baldy Corporation for a Zone Change. Chairman Zeiger seconded and the motion carried unanimously.

Mr. Grabow overviewed Case #04-04, Old Baldy Corporation's request for approval of the Old Baldy Village, Seventh Addition (Block 11) Preliminary Plat. Mr. Grabow stated that the Planning Commission recommends approval of the preliminary plat.

Commissioner Fleming moved to approve the preliminary plat for Planning & Zoning Case File #04-04, Old Baldy Corporation's request for approval of the Old Baldy Village, Seventh Addition (Block 11) Preliminary Plat. Chairman Zeiger seconded and the motion carried unanimously.

Commissioner Fleming moved to set a public hearing to hear Planning & Zoning Case File #04-04, Old Baldy Corporations' request for approval of the Old Baldy Village, Seventh Addition (Block 11) Final Plat for July 6, 2004 at 2:00 p.m. Chairman Zeiger seconded and the motion carried unanimously.

Mr. Grabow also advised that Sam Morgan, Case #03-39 has been dropped at the request of the applicant. He also advised that apparently, Cassidy River Case #98-09-02 will start a new case.

#### **ROAD & BRIDGE**

Bill Nation presented his bimonthly report. Mr. Nation also presented one bid from Intermountain Construction in the amount of \$366,809.60 for chip sealing a total of twenty-one miles of county roads in various areas.

Mr. Nation requested and received approval for the purchase of chip seal from Intermountain Construction in the amount of \$366,809.60; crack seal from Farnsworth Asphalt in the amount of \$60,875.00; laminating supplies from Viking Supply in the amount of \$2,099.41; a plasma cutter from Gases Plus in the amount of \$2,995.83; and a Saratoga shop concrete apron from Catfish Concrete LLC in the amount of \$6,630.45.

#### **EXECUTIVE SESSION**

Commissioner Fleming moved to go into executive session at 3:05 p.m. with Carbon Building Manager Kandis Peach, Carbon Building Custodian Tom Sanchez, Tom Thompson, and Linda Smith to discuss personnel. Chairman Zeiger seconded, and the motion carried unanimously.

Commissioner Fleming moved to come out of executive session at 3:34 p.m. Chairman Zeiger seconded and the motion carried unanimously.

#### **SOUTH CENTRAL WYOMING HEALTHCARE & REHABILITATION**

Kent Houge, Maintenance Supervisor and Micki Hanser, Executive Director of South Central Wyoming Healthcare and Rehabilitation reported that South Central Wyoming Healthcare currently has a 30 kW generator that is not meeting current electrical standards. They would like to upgrade to a 130 kW generator. To do this, they would need to place the generator on the south side outside their facility on a 6 x 12 foot concrete pad that would run into the adjoining property.

Mr. Houge and Ms. Hanser are requesting an easement from Carbon County to build the concrete pad to house the new generator.

The Board stated that it has no problems with granting an easement but the land needs to be further researched to verify if Carbon County is the sole owner, or if Memorial Hospital of Carbon County is a joint owner of this property. Clerk Smith will conduct more research.

#### **COUNTY FIRE DEPARTMENT**

Dwight France, County Fire Warden, presented a Community Wildfire Protection Plan for Seven Forested Wildland Interface Communities within Carbon County, Wyoming proposed by Land Stewardship Associates, LLC (LSA) in Denver, Colorado.

Under this proposal, LSA would prepare an assessment of each of the seven locations and give the County an idea how to help make these locations more defensible in case of a fire. Mr. France stated that he would like to include six of the seven proposed areas in a protection plan. The seventh area includes only one owner and is currently for sale.

The Board requested that Mr. France gather more information on what entities, including conservation districts, already have fire protection plans and report back at a future meeting. The Board also requested Mr. France to contact Pam Farster, as they had referred a Wildland Fire Plan Request to her for her review and input.

**ROAD & BRIDGE**

Commissioner Fleming moved to award the bid for chip sealing twenty-one miles of county roads in various areas to Intermountain Construction in the amount of \$366,809.60. Chairman Zeiger seconded and the motion carried unanimously.

**EXECUTIVE SESSION**

Commissioner Fleming moved to go into executive session at 4:25 p.m. with Linda Smith to discuss personnel. Chairman Zeiger seconded and the motion carried unanimously.

Dave Clark joined the executive session at 4:32 p.m.

Commissioner Fleming moved to come out of executive session at 4:50 p.m. Chairman Zeiger seconded and the motion carried unanimously.

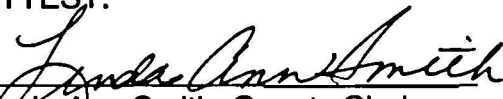
**ADJOURNMENT**

There being no further business, Chairman Zeiger adjourned the meeting at 4:51 p.m.

BOARD OF COMMISSIONERS  
CARBON COUNTY, WYOMING

  
\_\_\_\_\_  
Artlin Zeiger, Chairman

ATTEST:

  
\_\_\_\_\_  
Linda Ann Smith, County Clerk