

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, July 5, 2005
County Courthouse
Rawlins, Wyoming**

The regular meeting of the Carbon County Commissioners was held Tuesday, July 7, 2005 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Artlin Zeiger; Commissioners Lee Meacham and Terry Weickum; County Clerk, Linda Ann Smith; Chief Deputy Clerk, Diana Obe; and Deputy Clerk, Gwynn Rothenberger.

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

CLERK

Monthly Receipts

Commissioner Meacham moved to approve Clerk's Office monthly receipts for May 2005 in the amount of \$27,105.00 and June 2005 receipts in the amount of \$19,685.25. Commissioner Weickum seconded and the motion carried unanimously.

Courthouse Heating & Cooling Project

Clerk Smith reported a walkthrough to review the Courthouse heating and cooling project is scheduled for July 20, 2005. A punch list of items that need completed will be reviewed for completion.

20-Mile and Wild Cow Road Project

Clerk Smith presented a letter from the Office of State Lands and Investments regarding the 20 Mile and Wild Cow Road grant application submitted by the Road & Bridge Department. The letter states the application cannot be accepted as it was submitted after the deadline and that all funding has been obligated to other projects.

Minutes

Commissioner Weickum moved to approve the minutes from the June 21 & 22, 2005 minutes as presented. Commissioner Meacham seconded and the motion carried unanimously.

Medicine Bow Library

Clerk Smith presented a letter from the Town of Medicine Bow giving 30-day notification that the Town will no longer be able house the library at the school that is now Village Square Building. The letter also states if the county wants to move into the old senior center, the Town will provide water, sewer, trash, and mosquito control at no cost to the county.

Vicky Hitchcock, Library Director, was present, and stated she would like to view the old Senior Center to make sure it would work and report back with her recommendation.

SENIOR SERVICES

Terri Archer presented proposals from Long Building Technologies for repairs to the icemaker in the amount of \$832.00 and the air conditioning unit in the amount of \$704.00, both at the Rawlins Senior Center.

Ms. Archer presented the most current copy of the Senior Services Board Bylaws. She pointed out a paragraph in the bylaws stating that after three consecutive absences a member can be removed from the Senior Services Board. Ms. Archer requested clarification on how to proceed if there is a vacancy.

Ms. Smith replied the Senior Services Board would declare the vacancy, notify the Board of County Commissioners in writing, and the Commissioners would then begin the process to appoint an individual to fill the vacancy.

ELECTED OFFICIALS

Assessor

Darrell Stubbs reported that the County Valuation for 2005-2006 is \$667,954,557.00. Mr. Stubbs stated this is an increase of \$108,072,509.00 from 2004-2005 primarily due to oil and gas production.

JAIL COMMITTEE

Sheriff Colson reported the new jail Grand Opening is scheduled for Friday, July 15, 2005 at 2:00 p.m.

Sheriff Colson stated the current municipal rate for incarcerating prisoners is \$40.00. Mr. Colson asked if the Board wanted to consider raising the rate. The Board will consider raising the rate in the future but stated it hesitates to do so now as most municipalities have already approved their budgets.

GIS / GPS – RURAL ADDRESSING

Karen Larsen presented a sample of rural addressing, and reported she is in the process of comparing the list of data she has for residences to a list of residences from the county assessor to ensure the data is accurate. Ms. Larsen will continue to update her information and periodically report to the Board.

ROAD & BRIDGE

Area Work

Bill Nation reported on area work stating gravel hauling will begin this week in the Saratoga area on various county roads. One motor grader radiator will be repaired. Culvert work, blading, and fence painting is being done in the Medicine Bow, Elk Mountain and Hanna areas. South of Rawlins and in the Baggs area, portions of County Road 608 will be graveled in cooperation with Anadarko.

Forest Highway 26 Project

Mr. Nation reported that beginning fiscal year 2007, the Highway Department will perform NEPA process on segments 1, 2 and 3 on this road.

Seminole Dam Road Project

Mr. Nation reported the Seminole Dam Road project is in the final phase of construction. He stated that Dudley & Associates has decided to stop pumping water out of the coalbed methane.

Off Road Vehicles

Mr. Nation stated that by the end of August 2005, all county roads are scheduled to be marked with the designated Off Road Vehicle (ORV) signs.

Mr. Nation stated he will present a copy of a flyer for youth ORV training given by the State to Tom Thompson and request his input on possibly using county roads or county lots for this training.

Historical Sign Project

Mr. Nation presented samples of various interpretative signs prepared by Candy Moulton. These signs will be posted on various county roads stating historical events that have occurred in those areas.

Mr. Nation stated he has submitted a grant application to match funding to build and install these signs.

RECESS

Chairman Zeiger recessed for lunch at 11:27 a.m. and reconvened at 1:30 p.m.

EXECUTIVE SESSION

Commissioner Weickum moved to go into executive session with Tom Thompson and Linda Smith to discuss litigation at 1:30 p.m. Commissioner Meacham seconded and the motion carried unanimously.

Commissioner Meacham moved to come out of executive session at 1:59 p.m. Commissioner Weickum seconded and the motion carried unanimously.

Chairman Zeiger stated no action was taken.

PLANNING & ZONING

Public Hearing

Chairman Zeiger opened a public hearing at 2:03 p.m. to hear Planning & Zoning Case File #05-14. Jonathan Schnal presented the following Case File:

Planning & Zoning Case File #05-14, Edward P. Reisch & Deanna M. Reisch, Trustees of the Edward P. Reisch Trust dated November 15, 2004, and the Deanna M. Reisch Trust dated November 15, 2004, a request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-6.96) on approximately 6.96 acres.

There were no public comments on the case. Chairman Zeiger closed the public hearing at 2:06 p.m.

Commissioner Meacham moved to approve Planning & Zoning Case File #05-14, Edward P. Reisch & Deanna M. Reisch, Trustees of the Edward P. Reisch Trust dated November 15, 2004, and the Deanna M. Reisch Trust dated November 15, 2004, a request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-6.96) on approximately 6.96 acres. Commissioner Weickum seconded and the motion carried unanimously.

Commissioner Meacham moved to approve Resolution No. 2005-23, A Resolution of the Board of County Commissioners, Carbon County, Wyoming, adopting the recommendation of the Carbon County Planning Commission. Commissioner Weickum seconded and the motion carried unanimously.

Resolution No. 2005 - 23**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 7, 2005, 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 5, 2005; 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 #05-14 – Edward P. Reisch & Deanna M. Reisch, Trustees of the Edward P. Reisch Trust dated November 15, 2004, and the Deanna M. Reisch Trust dated November 15, 2004: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Residential (RD-6.96) on approximately 6.96 acres. The RD Zone allows residential activities. A tract of land located in a portion of the NE1/4NE1/4SW1/4SE1/4, NW1/4NW1/4SE1/4SE1/4, SE1/4NE1/4SW1/4SE1/4, SW1/4NW1/4SE1/4SE1/4, and the SE1/4NW1/4SE1/4SE1/4 of Section 28, T16N, R81W, Carbon County, Wyoming, and more completely described as follows:

SOUTHEAST PARCEL:

A portion of the SE1/4NE1/4SW1/4SE1/4, SW1/4NW1/4SE1/4SE1/4, and the SE1/4NW1/4SE1/4SE1/4 of Section 28, T16N, R81W, Carbon County, Wyoming, and more completely described as follows: Beginning at a point in the center of an existing road on the South line of the SW1/4NW1/4SW1/4SE1/4 which bears N89°32'14"E, 16.04 ft. from the Southwest corner of said SW1/4NW1/4SW1/4SE1/4; Thence following the centerline of said existing road, N37°49'19"W, 198.88 ft. to a point; Thence N26°47'59"W, 113.88 ft. to a point; Thence N22°55'23"W, 5.88 ft. to the beginning of a non-tangent curve to the left; Thence along said curve an arc distance of 117.92 ft. on a radius of 100 ft. through a central angle of 67°33'39" to a point; Thence S88°58'23"E, 116.06 ft. to a point; Thence N82°22'29"E, 67.83 ft. to a point; Thence N75°45'10"E, 69.00 ft. to a point; Thence N75°00'31"E, 49.85 ft. to the beginning of a curve to the left; Thence along said curve an arc distance of 80.10 ft. on a radius of 149.88 ft. through a central angle of 30°36'56" to a point of reverse curvature to the right; Thence along said curve an arc distance of 121.07 ft. on a radius of 133.27 ft. through a central angle of 52°02'55" to a point; Thence S83°33'27"E, 234.30 ft. to a point on the East line of the SE1/4NW1/4SE1/4SE1/4; Thence S0°30'36"E, 291.75 ft. along the east line of said SE1/4NW1/4SE1/4SE1/4 to the Southeast corner of said SE1/4NW1/4SE1/4SE1/4; Thence S89°32'14"W, 632.24 ft. more or less, along the South line of the NW1/4SE1/4SE1/4, to the point beginning, said tract containing 4.33 acres, more or less.

WEST PARCEL:

A portion of the NE1/4NE1/4SW1/4SE1/4 and the SE1/4NE1/4SW1/4SE1/4 of Section 28, T16N, R81W, Carbon County, Wyoming, and more completely described as follows: Beginning at the Northwest corner of said NE1/4NE1/4SW1/4SE1/4; Thence N89°28'18"E, 141.55 ft., more or less, to the centerline of an existing road; Thence following the centerline of said existing road, S2°37'53"W, 241.61 ft. to the beginning of a curve to the left; Thence along said curve an arc distance of 83.93 ft. on a radius of 200 ft. through a central angle of 24°02'38" to a point; Thence S21°31'00"E, 85.07 ft. to a point; Thence S26°47'59"E, 113.88 ft. to a point; Thence S37°49'19"E, 198.88 ft. to a point on the South line of the SE1/4NE1/4SW1/4SE1/4; Thence S89°32'19"W, 341.77 ft., more or less to the Southwest corner of said SE1/4NE1/4SW1/4SE1/4; Thence N0°34'11"E, 662.91 ft. to the point of beginning, said tract containing 2.63 acres, more or less.

Pursuant to the recommendations of the Carbon County Planning & Zoning Commission: Density on the subject parcel shall not exceed one (1) single-family dwelling and associated structures are permitted on 6.96 acres (RD-6.96).

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 _____ 5th day of _____, July, 2005.

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

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

Attest:

-s- Linda Ann Smith, Carbon County Clerk

Planning & Zoning – Case File #98-09-02

Mr. Schnal reported the Board originally tabled Case File #98-09-02, Cassidy River Ranch, in 1998 awaiting BLM approval. Because the BLM still has not reviewed the matter, Mr. Schnal and William Speer stated the Planning Commission held a hearing today to recommend approval to the Board of County Commissioners.

Commissioner Weickum questioned if there is currently clear-cut access to the property. Mr. Schnal and Mr. Speer stated there is access within the subdivision, but they still need BLM's approval for access across some of its property to the subdivision.

Commissioner Meacham moved to accept Planning & Zoning Case File 98-09-02, and set a public hearing for August 2, 2005 at 2:00 p.m. at the County Courthouse, Rawlins, Wyoming. Commissioner Weickum seconded and the motion carried unanimously.

Planning & Zoning – Case File #05-08

Jonathan Schnal presented the case. John Baxter answered questioned from the Board regarding placement of wells and water supply for fire concerns.

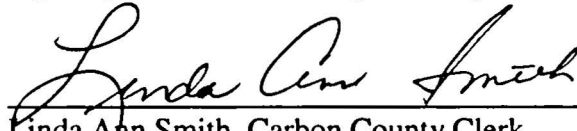
Commissioner Weickum moved to accept Planning & Zoning Case File #05-08, Old Baldy's request to present the Lyons Development Final Plat for Subdivision Review, the Lyons Development is zoned RD9002 and will consist of 10 two-bedroom cottages on Lots 1-10 of tract 12A, and 3 single-family homes on Lots 1-3 of Tract 12B, and set a public hearing for August 2, 2005 at 2:00 p.m. at the County Courthouse, Rawlins, Wyoming. Commissioner Meacham seconded and the motion carried unanimously.

Planning Commission

Mr. Schnal reported the Planning Commission has finalized the proposed amendments to the subdivision regulations. The Planning Commission will hold a public hearing, then if the amendments are adopted, the Board of County Commissioners will need to hold a public hearing on the amended subdivision regulations.

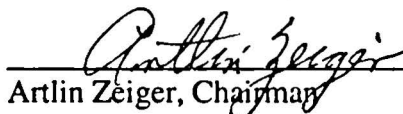
ADJOURNMENT

There being no further business, Chairman Zeiger adjourned the meeting at 2:47 p.m.


Linda Ann Smith, Carbon County Clerk

Approved this 11th day of July, 2005.

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


Artlin Zeiger, Chairman