

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, June 4, 2019
Carbon County Courthouse, Rawlins, WY**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, June 4, 2019 at the Carbon County Courthouse, Rawlins, WY. Attending the meeting were; Chairman, John Johnson, Vice Chairman, Sue Jones, John Espy, Travis Moore, and Byron Barkhurst.

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

ADDITIONS/CORRECTIONS

There were no changes to the agenda.

VOUCHERS

Commissioner Barkhurst moved to approve the report of expenditures in the amount of \$327,744.65. Commissioner Espy seconded and the motion carried unanimously.

307 PROFESSIONAL CLEAN LLC	JUNE CONTRACT CLEANING	\$10,485.00
ACME ELECTRIC COMPANY, LLC	ELECTRICAL WORK	\$91.18
ALSCO, AMERICAN LINEN DIVISION	SHOP SUPPLIES	\$106.88
ASPEN FAMILY DENTAL	DENTAL SERVICES	\$422.06
AXIS FORENSIC TOXICOLOGY, INC.	LAB FEES	\$230.00
BELANGER, GWENDOLYN W.	MILEAGE	\$105.00
BIG HORN ROOFING, INC	HANNA SENIOR CENTER ROOF	\$8,121.00
BLACK HILLS ENERGY	HEATING FUEL	\$9,359.90
BLACKWATER SEPTIC SOLUTIONS	SUMP CLEAN OUT	\$300.00
BLAKEMAN PROPANE	HEATING SERVICES	\$248.00
BOMGAARS SUPPLY	MISC SUPPLIES	\$50.16
BUCHANAN, KAREN	BOARDS SENIOR SVC MILEAGE	\$73.20
BUILD RITE LUMBER COMPANIES	ROOF EDGE RETURNED	\$224.31
CARBON COPY	DECALS	\$225.00
CARBON COUNTY SENIOR SERVICES	OUT AGENCY CC SENIOR SERVICES INC	\$50,000.00
CARBON COUNTY WEED & PEST	WEED KILLER	\$816.28
CBM FOOD SERVICE	JAIL MEALS	\$6,898.41
CENTURY LINK	PHONE LINES	\$334.53
CENTURYLINK WA	PHONE LINES	\$12,070.22
CENTURYLINK-PHOENIX	PHONE LINES	\$847.21

CET FIRE PUMPS MFG	ELECTRIC VALVE	\$380.00
CHARM-TEX, INC.	JAIL SUPPLIES	\$544.80
CHRIST, CODY A.	WITNESS FEES	\$60.00
CHRIST, JON R.	MILEAGE	\$1,025.80
CHRIST, KAYSIE	WITNESS FEES	\$60.00
CHRIST, VANESSA A.	WITNESS FEES	\$60.00
CIVIC-PLUS	ANNUAL MAINTENCE	\$4,357.50
CLERK OF DIST COURT (JURORS)	JURORS (DISTRICT COURT)	\$3,937.00
COWBOY CHEMICAL	GALLON BUCKET	\$94.20
COWBOY SUPPLY HOUSE	MISC JAIL SUPPLIES	\$860.61
DALLIN MOTORS INC	MISC AUTO WORK	\$1,400.75
DIRTY BOYZ SANITATION, INC	TRASH SERVICES	\$710.00
DIXON, TOWN OF	WATER SERVICES	\$308.00
DOMINION ENERGY	HEATING SERVICES	\$135.82
ELK MOUNTAIN CONOCO	FUEL	\$915.65
ELK MOUNTAIN, TOWN OF	WATER SERVICES/4TH QRT INVOICE	\$1,558.00
EMBLEM ENTERPRISES, INC.	UNIFORM PATCH	\$300.62
FOLAND, SHERYL	GRANTS VAWA LAW 18-19	\$125.00
FRANCE, TARA	TRANSCRIPTION SERVICES	\$2,206.75
FRITZ WELDING & MACHINE, INC.	MOWER TRAILER WELDING WORK	\$181.71
FURTHER	HEALTH REIMBURSEMENT	\$7,821.48
HAHN CONSTRUCTION	REPAIR WINDOW JEFFERY CENTER	\$150.00
HIGH PLAINS POWER	ELECTRIC SERVICES	\$418.55
HI-TECH AUTO	OIL/OIL FILTER	\$245.95
INTERNATIONAL ACADEMICS OF EMERG	SHERIFF DEPUTY SCHOOLING	\$25.00
J H KASPAR OIL COMPANY	FUEL	\$187.65
JOHNSTON, RANAE	MILEAGE	\$42.00
KELLY, MICHAEL K.	MILEAGE	\$45.60
KENCO SECURITY AND TECHNOLOGY	MONITORING ALARM	\$78.00
KILBURN TIRE COMPANY	TIRES	\$2,142.16
KINETIC LEASING	LEASES/BONDS FAIR MULT - KINETIC DEC 2019	\$77,992.00
KING SOOPERS CUSTOMER CHARGES	PHARMACY	\$106.28
KIRSCH, ARCHIE P	PH PR HEALTH OFFICER	\$1,300.00
LARAMIE FIRE EXTINGUISHER	YEARLY INSPECTION	\$306.00
LOCAL GOVERNMENT LIABILITY POOL	ADMIN INSURANCE & BONDS	\$50,700.00
LONG BUILDING TECHNOLOGIES, INC.	JAIL WATER HEATER/BATTERY	\$1,586.90
MAGURANY, JARAD W	MILEAGE	\$105.00
MCALLISTER, MARY E	JURY TRIAL MEAL	\$80.04
MCKESSON MEDICAL	MEDICAL SUPPLIES	\$383.71
MEDICINE BOW, TOWN OF	STRUCTURE FIRE	\$1,418.00

MEMORIAL HOSPITAL OF CC	BLOOD WORK FEES	\$225.00
MILLER, CORINNE	MILEAGE	\$201.86
MOSS, BARBARA	BOARDS SENIOR SVC MILEAGE	\$79.80
MOUNTAIN WEST MOTORS	WIRING HARNESS CONNECTOR	\$9.95
MY OFFICE ETC.	SHERIFF SUPPLIES	\$60.68
NEUTRON INDUSTRIES	GLASS CLEANER	\$302.96
NEWMAN TRAFFIC SIGNS	SPECIAL TRAFFIC SIGNS	\$358.34
NSFM PIZZA INC	ADMIN DISTRICT COURT EXPENSES	\$58.90
OFFENDER WATCH	SEX OFFENDER NOTIFICATION	\$70.00
O'REILLY AUTO PARTS	FUEL HOSE/HITCH BALL KIT	\$51.31
PARTSMASTER	CAP SCREW	\$195.71
PARTSMASTER	CAP SCREW	\$173.02
PATTON, ROBERT L.	BOARDS SENIOR SVC MILEAGE	\$10.80
PERKINS OIL CO	FUEL	\$1,703.62
PERRY, ABBY	SUPPLIES FOR WORM ACTIVITY AT HEAD START	\$17.06
PLATTE VALLEY COMM CENTER	RENT FOR ELECTION DAY	\$125.00
PRIORITY DISPATCH	IT SOFTWARE MAINTENANCE	\$8,099.99
PROFORCE	GLOCK TRAINING PISTOL	\$1,816.00
QUILL CORPORATION	COPY PAPER/ENVELOPES	\$167.72
RAWLINS AUTOMOTIVE	MISC PARTS	\$489.82
RAWLINS GLASS CENTER, INC.	WINDOW LATCH	\$404.27
RAWLINS, CITY OF	WATER SERVICES	\$1,728.60
REGISTRATIONMAX, LLC	FAIR ENTRY PROGRAM	\$750.00
RMA ARMAMENT, INC	ARMOR PLATE	\$6,096.87
SAFARILAND GROUP	SYRINGE TUBES	\$134.73
SAPP, KATHRYN C.	MENTAL HEALTH CONTRACT SERVICES	\$729.30
SHAW, GAYLE	BOARDS SENIOR SVC MILEAGE	\$24.00
SHIVELY HARDWARE	FOR NEW BRIDGE SIGNS ENCAMPMENT	\$3.99
SOUTH CENTRAL WY EMS	OUT AGENCY SOUTH CENTRAL WY EMS	\$11,250.00
STAPLES ADVANTAGE	MISC OFFICE SUPPLIES	\$140.41
STATE OF WYOMING A & I	MAINFRAME ACCESS FOR TITLES	\$37.69
STUNTRONICS, LLC	BAND IT USER MANUAL	\$520.00
SWANSON SERVICES CORP	JAIL COMMISSARY SUPPLIES	\$1,367.42
TRUE VALUE OF RAWLINS	SUPPLIES	\$1,930.70
TYLER TECHNOLOGIES, INC	MISC SOFTWARE	\$1,396.03
ULINE	UPRIGHT POSTS	\$74.91
VOICE PRODUCTS INC.	ANNUAL MAINT. ON SHERIFF RECORDER	\$8,970.00
WLC ENGINEERING	CARBON COUNTY BUILDING GUIDELINES	\$11,252.25
WY COUNTY ASSESSOR'S ASSOC	WCAA DUES	\$200.00
WY DEPT OF TRANSPORTATION	STATE ASSIGNED VIN FOR COUNTY TRAILER	\$20.00
WY LAW ENFORCEMENT ACADEMY	ANNUAL DUES/REGISTRATION	\$200.00

WY MACHINERY COMPANY	R&B MAINT & REPAIR CAT PARTS	\$224.57
WY RENTS, LLC	B&G MAINT & REPAIR FAIR	\$682.50
YOCUM, LEO	BOARDS SENIOR SVC MILEAGE	\$24.00

CONSENT AGENDA

Commissioner Espy moved to approve the consent agenda noting any item could be removed for further discussion. The consent agenda includes the May 20 and May 21, 2019 budget workshop and regular meeting minutes; a bond for Brandee Nicole Forster, Clerk/Treasurer for the Town of Dixon in the amount of \$50,000.00 and monthly receipts for the Planning & Zoning in the amount of \$3,562.00. Commissioner Moore seconded and the motion carried unanimously.

ELECTED OFFICIALS & DEPARTMENT HEADS

Assessor

County Assessor Renee Snider requested and received approval to fill a vacant Deputy Assessor position.

Ms. Snider presented quotes for GIS parcel mapping services from Greenwood Mapping for an estimated amount not to exceed \$7,500 per year billed at \$75 per hour plus a web map server for \$5,200 per year with optional add-ons of \$1,200 totaling \$13,900 if all options are chosen and from Geographic Innovations totaling \$24,000.00. The BOCC asked for time to review the proposals and consider this at the next meeting.

Public Health

Public Health Nurse Manager, Amanda Brown provided an update of services her office has provided. She stated that her RN and LPN positions are both retiring in the next year or so and she'll request the state maintain both positions but make them both full-time RNs.

Buildings & Grounds

Buildings and Grounds Manager, Jim Piche requested to begin the bid process for the Jail and Jeffrey Center roofs. The jail roof will be paid for from jail operations and maintenance funds and the Jeffrey Center from the county's general fund. Mr. Piche proposes to put a membrane roof on the Jeffrey Center as the building expands and contracts heavily creating voids. He would like to bid the roofs at the same time but as separate projects. The BOCC authorized Mr. Piche to accept sealed bids. The Jeffrey Center Board will match 10% of the project.

Mr. Piche reported they have been working on lawns and the microwave repeater system on this building is completed and the inspection was satisfactory.

Sheriff

County Sheriff Archie Roybal requested and received authorization to fill two open positions. One of the current deputies recently received his own and his K9 certifications for service. The fire drill at the Courthouse was successful and department heads recently attended armed aggressor training with the city of Rawlins.

Attorney

County Attorney Ashley Davis discussed a Maintenance Agreement with Apex Communications LLC. She has met with all the department heads that this contract affects and she proposes some specific time frames and other language be added to this renewal then allow the contractor to review the proposed changes before the BOCC's consideration.

Ms. Davis reported that she has requested changes from the state on the lease agreement with Wyoming Department of Administration and Information General Services Division for office space in the Carbon Building for the Department of Health, WIC. When those are returned she will present the agreement.

Clerk

County Clerk, Gwynn Bartlett presented the Carbon County Extension Annual Compensation Agreements between the University of Wyoming and Carbon County Commissioners for approval. She stated these include salary increases from the University of WY therefore would be committing the county to paying these next fiscal year.

Commissioner Espy moved to authorize the Chairman's signature on two Carbon County Extension Annual Compensation Agreements for the 4-H educator and support staff in the amount of \$46,887.00 and \$21,474.00 annually. Commissioner Moore seconded and the motion carried unanimously.

Clerk Bartlett presented a resolution for the BOCC's consideration that would grant the Town of Dixon 13/14 Countywide Consensus funds to use towards their meter replacement project. They would like to reallocate funding they had left over from their previous project in addition to using a small amount that was turned back from another entity.

Commissioner Jones moved to approve Resolution 2019-14 County Wide Consensus Block Grant Application Form BY 13/14 Funding. Commissioner Espy seconded and the motion carried unanimously.

**Resolution 2019- 14
County Wide Consensus Block Grant Application Form
BY13/14 Funding**

JOINT RESOLUTION

We, the undersigned Carbon County Board of Commissioners hereby certify that the Board and at least seventy percent (70%) of the incorporated population within Carbon County have

reached agreement on the following project(s) to be funded under Chapter 26, Section 324 and in compliance with rules promulgated by the State Loan and Investment Board, Chapter 32.

County Consensus List

Priority List

Project Owner	Project Name	Total Estimated Project Cost	Total Funding Secured & In Place	Amounts of Grants, Loans, and other types of previously secured funding	Grant #, Loan #, Other Information for Previously secured funding	Local match if any	Local Match if any (please provide detail)	Other Match	Other Match if any (Please provide detail)	Percentage of Total Project Already Funded	Balance of Project funding needed	Project Share requested from this consensus list	Amount of Project not funded after consensus list funding request	Percentage of Project not yet funded
Town of Dixon	Dixon Lagoon Update Project			Re-allocate \$7,365.00 from CWC-15192 to new project								(7,365.00)		
Town of Dixon	Dixon Meter Replacement Project	9,583.60										7,365.00		
Town of Dixon	Dixon Meter Replacement Project	9,583.60	280.60		280.60					2.93%	2,128.60	1,938.00	-	%
Page 1 Consensus Total:											1,938.00	1,938.00		
Page 2 Consensus Total:											0			
Balance after Priority Listing:														

**BOARD OF COUNTY COMMISSIONERS OF
CARBON COUNTY, WYOMING**
-s- Willing John Johnson, Chairman
On behalf of the Carbon County
Board of County Commissioners

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Clerk Bartlett presented a resolution that would allow for the county to be reimbursed from proceeds from revenue bond sales for expenditures made now for its specific purpose tax project.

Commissioner Barkhurst moved to approve Resolution 2019-15 Preliminary Authorizing the Expenditure of Funds Prior to the Issuance of Revenue Bonds to Finance Projects for the County; and Declaring the Official Intent of the County to have the Expenditures Reimbursed by a Joint Powers Board with Proceeds from the Future Sale of the Bonds. Commissioner Jones seconded and the motion carried unanimously.

R E S O L U T I O N 2019 - 15

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING, PRELIMINARILY AUTHORIZING THE EXPENDITURE OF FUNDS PRIOR TO THE ISSUANCE OF REVENUE BONDS TO FINANCE PROJECTS FOR THE COUNTY; AND DECLARING THE OFFICIAL INTENT OF THE COUNTY TO HAVE THE EXPENDITURES REIMBURSED BY A JOINT POWERS BOARD WITH PROCEEDS FROM THE FUTURE SALE OF THE BONDS.

WHEREAS, Carbon County, Wyoming ("Carbon County") is a body corporate duly organized and existing under the laws of the State of Wyoming (the "State"), authorized by Wyo. Stat. § 18-2-101 to provide for renovations, repairs, replacements and improvements To County facilities; and

WHEREAS, pursuant to the Wyoming Joint Powers Act, Wyo. Stat. §§ 16-2-102 to 16-1-109, Carbon County and nine out of the ten municipalities therein (collectively, the "Participating Agencies") previously approved that certain Carbon County 2009 Specific Purpose Tax Joint Powers Board, Joint Powers Agreement dated May 15, 2009 (the "Joint Powers Agreement") and formed the Carbon County 2009 Specific Purpose Tax Joint Powers Board (the "Joint Powers Board") for the purpose of providing methods of financing for capital facilities projects that are unavailable to the Participating Agencies operating independently; and

WHEREAS, the Participating Agencies intend to amend the Joint Powers Agreement in order to change the official name of the Joint Powers Board and to add Hanna, Wyoming, as a member, and the Joint Powers Board will issue revenue bonds to finance a portion of the Participating Agencies' projects that were approved by Carbon County electors at a specific purpose tax election held in Carbon County on Tuesday, May 7, 2019; and

WHEREAS, Carbon County may need to expend funds in a maximum principal amount of \$18,000,000 from its Reserve Account on all or a portion of Courthouse and Carbon Building renovations, repairs, replacements and improvements (the "County Projects") prior to issuance of the revenue bonds; and

WHEREAS, to comply with the provisions of the Internal Revenue Code of 1986 (the "Code") and the Treasury Regulations promulgated thereunder, Carbon County desires this resolution to constitute its "official intent" for reimbursement of such expenditures with proceeds from the revenue bonds;

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

Section 1. Reimbursement of Expenditures. Carbon County intends to expend funds to finance costs of its County Projects prior to the issuance and sale of the revenue bonds, and reasonably expects to have such expenditures reimbursed to it by the Joint Powers Board from proceeds of the revenue bonds

Section 2. Reimbursement Period. The reimbursement allocation to be made with respect to original expenditures will occur not later than 18 months after the later of (1) the date on which the expenditure is paid, or (2) the respective dates the County Projects are placed in service or abandoned, but in no event more than three years after the original expenditure is paid. No reimbursement allocation will be made with respect to an original expenditure paid prior to the 60-day period preceding the date of this resolution. Reimbursement allocations for preliminary expenditures, up to an amount not in excess of 20% of the aggregate issue price of the revenue bonds, need not occur within the time restraints outlined in the previous paragraph. Preliminary expenditures include architectural, engineering, surveying, soil testing, reimbursement bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of the County Projects, other than land acquisition, site preparation and similar costs incident to commencement of construction.

Section 3. Action by Carbon County Representatives. The appropriate Carbon County representatives are hereby authorized and directed to take all action necessary to accomplish the purposes of this resolution, including negotiation of agreements in connection with the financing of the County Projects.

Section 4. Severability. Should any part or provision of this resolution ever be judicially determined to be invalid or unenforceable, such determination shall not affect the remaining parts and provisions hereof, the intention being that each part or provision of this resolution is severable.

APPROVED AND ADOPTED this 4th day of June 2019.

CARBON COUNTY, WYOMING
-s- Willing John Johnson, Chairman

ATTESTED:

-s- Gwynn G. Bartlett, County Clerk

Clerk Bartlett presented the Finalized Request for Qualifications for Construction Manager At Risk for the Courthouse and Carbon Building Improvement Project for approval. The BOCC approved the final RFQ.

Commissioner Espy moved to authorize the Chairman's signature on the Request for Qualifications for Construction Manager At Risk for the Courthouse and Carbon Building Improvement Project. Commissioner Moore seconded and the motion carried unanimously.

Prevention

Sally Patton, who manages the Prevention grant the county receives from the Department of Health provided an update on services the grant is providing including suicide and drug prevention measures.

Road & Bridge

Road & Bridge Superintendent, Bill Nation presented cost estimates for a Blade in Medicine Bow. CAT provided a quote for a 140M3AWD for \$344,759.93 with various financing or buy-back options and a 30 day delivery. John Deere subsequently quoted a 772G 6WD at \$346,000 with a 2 year/2000 warranty, \$350,200 for a 3 years/3000 warranty, \$365,700 for a 6 year/6000 warranty with a buy back at 6 years of \$175,000 and the same price and warranty with financing. All John Deere options included travel time and mileage in the warranty with a 60 day delivery.

Clerk Bartlett solicited financing quotes from various entities and explained each.

Commissioner Espy moved to waive the procurement policy and authorize the purchase of a CAT 140M3AWD blade from WY Machinery in the amount of \$344,759.93. Commissioner Jones seconded and Clerk Bartlett asked if the Board would be exercising the buy-back option offered by CAT Financial. The BOCC discussed the option but would like to own this machine at the end of the term. The motion carried unanimously.

Commissioner Espy moved to accept the financing quote from the Rawlins State Bank formerly known as Rawlins National Bank for a blade to be paid for with impact assistance funds from the TB Flats Project and the construction of the Medicine Bow Road & Bridge shop to be paid for with impact assistance funds from the Ekola Flats project. Commissioner Moore seconded and Commissioner Barkhurst questioned if the county is committing funds if impact payments do not come. Clerk Bartlett stated unfortunately the state will not provide funding up front but rather during or after these items need to be in place to mitigate impacts. Chairman Johnson added that the project company needs to be asked to bond these amounts up front. The motion carried unanimously.

Mr. Nation will work on hiring an individual for the Medicine Bow area, also using impact assistance funding.

Mr. Nation and the BOCC discussed the potential payout of comp time that the Road and Bridge employees have accrued. He requested that the board allow those that have earned comp time to use it by December 31 or to withhold any portion thereof for use later. Clerk Bartlett recommended paying the entire balance now adding that if paid later it would likely be at a higher rate if raises are given and that the county should not carry this liability.

Clerk Bartlett noted that other departments were paid out in May per the BOCC's previous direction. She asked the BOCC to be consistent throughout the county and should not single one department out and allow use of some of the time rather than paying it out.

R&B has over 629 hours accrued in the past year and suggests paying this out. The county will owe it at some point through either time off or payment and if raises are provided before it is paid out it will be paid at the higher rate.

The BOCC requested that the clerk pay employee by employee for only the Road & Bridge Department this time.

Mr. Nation requested authorization to send building plans for the Medicine Bow Road & Bridge shop to the Fire Marshall and Department of Environmental Quality for final approval. Commissioner Barkhurst stated he has heartburn about the vinyl fence as he questions the longevity and integrity of the material. Mr. Nation stated that the fence will not necessarily be vinyl but a more durable material but vinyl is the terminology for the bids.

Commissioner Espy moved to approve final plans for the Medicine Bow Road & Bridge building and submit those to the Fire Marshall, Department of Environmental Quality and all other permitting agencies and to and bid the project after attorney and commissioner review of the bid documents. Commissioner Barkhurst seconded and the motion carried unanimously.

Mr. Nation reported the bid for the Savery Creek Bridge will be opened July 11. Commissioner Espy asked about damage to the south road from what appeared to be tire chains. Mr. Nation stated that signs will be placed in the forest area and likely logging activity has caused this. Mr. Nation would like to offer a resolution to temporarily reduce speeds in construction areas and the BOCC agreed this would be prudent. He and Attorney Davis will review applicable laws and provide a recommendation in the future.

Commissioner Barkhurst asked Mr. Nation what his policy is for road repairs that are pointed out to employees. Mr. Nation stated that if it is a dangerous situation he typically responds within the same day and contacts a commissioner immediately then provides necessary repairs. Commissioner Barkhurst discussed concerns he and other residents have about County Roads 270 and 291 north of Hanna and he asked Mr. Nation how he felt the road condition is. Bill said he was on the road, but didn't specify which one, yesterday and it was a downpour and about 4 miles of the road was very deep with mud but the rest was well maintained. Operators have been consistently maintaining since recent discussions and will continue work. He has ordered 4 culverts for the area and there must be planning and preparation prior to implementing bridge, culvert and other repairs. In his opinion the time to replace culverts is in the fall, not the spring with wet conditions. Commissioner Barkhurst again asked Mr. Nation to rate the condition of the road and his answer was better than some and not as good as others. He explained that weather has a lot to do with conditions. Commissioner Barkhurst stated he has received numerous complaints and has told those individuals to submit their complaints in writing to the clerk and board.

Public Hearing – Elk Mountain Conoco and Towing Special Malt Beverage License Transfer

Chairman Johnson opened a public hearing at 10:45 a.m. to hear a request to transfer a Malt Beverage Permit from Michael Konrath dba Elk Mountain Conoco to Seith Konrath dba Elk Mountain Conoco and Towing.

Clerk Bartlett stated notices were placed in the Rawlins Daily Times for two consecutive weeks on May 22 and 29.

Chairman Johnson called for public comments for or against the renewals. There being none, he closed the hearing at 10:46 a.m.

Commissioner Jones moved to approve the transfer of Malt Beverage Permit from Michael Konrath dba Elk Mountain Conoco to Seith Konrath dba Elk Mountain Conoco and Towing expiring August 31, 2019. Commissioner Barkhurst seconded and the motion carried unanimously.

Public Hearing – Budget Amendment 1

Chairman Johnson opened a public hearing at 10:35 a.m. to hear about a proposed budget amendment for Buildings & Grounds Administration and Maintenance and Repair budgets, Treasurer and Reserves. County Treasurer Patty Bentsen reported she has contracted with an auditing firm from Casper to assist with accounting correcting entries as well as paying a clerk's office employee extra to assist in her office. Mr. Piche explained his proposed amendments

Chairman Johnson called for comments for or against the amendment. There being none, he closed the hearing at 11:03 a.m.

Commissioner Espy moved to adopt Resolution 2019-16 FY 2019 Budget Amendment Number One for Buildings & Grounds Administration, Maintenance and Repair, Treasurer and Reserves. Commissioner Moore seconded and the motion carried unanimously.

RESOLUTION 2019 - 16 FY 2019 BUDGET AMENDMENT NUMBER ONE

WHEREAS Carbon County adopted the Fiscal Year 2019 Budget in accordance with the Wyoming Uniform Municipal Fiscal Procedures Act; and

WHEREAS the Board of Carbon County Commissioners wishes to amend the adopted budget in accordance with the same Act;

NOW, THEREFORE, BE IT RESOLVED that the following budget amendments are made.

Fund/Entity	Approved Budget	Amendment Amount	Amended Budget
Treasurer	\$285,608.78	\$14,000.00	\$299,608.78
Buildings & Grounds Administration	\$444,154.00	\$12,685.00	\$456,839.00
Buildings & Grounds Maintenance & Repair	\$198,590.00	\$40,145.00	\$238,735.00
Dixon Airport	\$ 46,030.00	\$ 5,100.00	\$ 51,130.00
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Reserves	\$757,337.13	(\$71,930.00)	\$685,407.13
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PASSED, APPROVED AND ADOPTED this 4th day of June 2019.

CARBON COUNTY, WYOMING
-s- Willing John Johnson, Chairman

ATTESTED:

-s- Gwynn G. Bartlett, County Clerk

Museum

Museum Director, Steven Dinero along with board members presented his budget request for fiscal year 2019 – 2020. Board member Ken Klouda mentioned they are working on the Hugus Ferguson building once again and they will now name the facility the Heritage and Cultural Center of Carbon County.

The current lease at Merrill Hill was discussed and whether or not there is a need for continuance of the lease. The BOCC will look into whether or not the lease can be terminated.

MEMORIAL HOSPITAL OF CARBON COUNTY

Interim CEO, Bob Quist provided an update on finance and operations at Memorial Hospital of Carbon County. Sherrod France from the board of trustees was also present. The pair also reviewed their \$1.2 million budget request to the county.

PUBLIC HEARINGS

Z.C. Case #2019-07 – Shepard and Western Hills and Minor Subdivision Case #2019-02 – Shepard and Western Hills

Chairman Johnson opened a public hearing at 11:41 a.m. to hear Planning and Zoning Z.C. Case File #2019-07 and Minor Subdivision Case File #2019-02 Walter and Kathleen Shepard and Western Hills Campground LLC. County Planning Director, Sid Fox presented the case, a request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Highway Commercial (C-2 for Lot 1) and Residential (RD-1.11 for Lot 2 and RD-1.93 for Lot 3) located in the proposed Shepard Minor Subdivision encompassing approximately 24.46 acres.

Mr. Fox also explained Planning and Zoning Minor Subdivision Case #2019-02 Walter and Kathleen Shepard and Western Hills Campground LLC request to create three lots, Lot 1 – 21.42 acres, Lot 2 – 1.11 acres, and Lot 3 – 1.93 acres noting that this case accompanies a minor subdivision for the same parcel. Lot 1 would accompany the existing Western Hills Campground. Lots 2 and 3 are proposed for residential development with an existing residence on Lot 2. He stated one requirement is that the lots that are created would be serviced by water,

sewer and access. The City of Rawlins serves the property now with water and sewer even though they are outside city limits but considers those private improvements. On the proposed plat for this case there is a note about water supply for Lots 2 and 3 noting this is a private waterline extension connecting to the city water supply.

Chairman Johnson called for public comments for or against the conditional use permit. There being no comments, he closed the hearing at 11: a.m.

Commissioner Jones moved to approve Resolution No. 2019-17 A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission Z.C. Case #2017-07 Shepard – Western Hills for a request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Highway Commercial (C-2 for Lot 1) and Residential (RD-1.11 for Lot 2 and RD-1.93 for Lot 3) located in the proposed Shepard Minor Subdivision encompassing approximately 24.46 acres. Commissioner Barkhurst seconded and the motion carried unanimously.

Resolution No. 2019 - 17

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

Z.C. Case File #2019-07

WHEREAS, pursuant to the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on Monday, May 6, 2019, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, May 6, 2019, 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 public hearing; and
WHEREAS, at the conclusion of said Monday, May 6, 2019, public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County Board of County Commissioners to adopt the change as an amendment to the Carbon County Official Zoning Map for Carbon County, Wyoming; and

WHEREAS, the Carbon County Board of County Commissioners, pursuant to the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. §18-5-202(c) and after receipt of said certified recommendation of this zoning amendment to the Carbon County Official Zoning Map, advertised by public notice at least 14 days prior to a public hearing to take public input and comments on the proposed amendment, which said hearing occurred on Tuesday, June 4, 2019; and
WHEREAS, at said public hearing on June 4, 2019, the Carbon County Board of County Commissioners provided the opportunity for the public to comment and for the Carbon County Board of County Commissioners to consider any comments which were made on the proposed amendment; and

WHEREAS, the Carbon County Board of County Commissioners in considering the proposed amendment have also reviewed and considered the Carbon County Comprehensive Land Use Plan, as amended; and the Carbon County Zoning Resolution of 2015, as amended; and

WHEREAS, the Carbon County Board of County Commissioners have determined that the proposed amendment is in general conformance with the Carbon County Comprehensive Land Use Plan, as amended, and that the proposed zone change meets the following applicable criteria of the Carbon County Zoning Resolution of 2015, as amended; and

WHEREAS, at a regularly scheduled meeting of the Carbon County Board of County Commissioners, by majority vote, the Carbon County Board of County Commissioners moved to approve the proposed zoning amendment to the Carbon County Official Zoning Map.

Z.C. Case File #2019-07: Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Highway Commercial (C-2 for Lot 1) and Residential (RD-1.11 for Lot 2 and RD-1.93 for Lot 3) located in the Shepard Minor Subdivision encompassing approximately 24.46 acres. The C-2 Zone is to provide for highway oriented business development at appropriate locations in the County and to apply to areas where more complete commercial facilities are necessary for community convenience. The RD Zone is to provide land for residential development that is typically single family detached and located within Town Expansion Areas and within or nearby Rural Centers.

Petitioners: Walter and Kathleen Shepard (Applicants) and Western Hills Campground LLC (Land Owner)

Rural Address: 21 Wagon Circle Road

Parcel Identification Number: 21871830008600

General Site Location: Just west of the City of Rawlins, on the north side of Wagon Circle Road.

Legal Description: A tract of land in the E½SW¼ of Section 18, Township 21 North, Range 88 West of the 6th P.M., Carbon County, Wyoming, more completely described as follows: Beginning at a point on the North/South centerline of the SW¼ of said Section 18, which bears N0°20'32"E, 378.77 feet from the West 1/16 corner between Section 18 and Section 19, said point being the Northwest corner of a tract of land as described and recorded in Book 775, page 415, Records of the Carbon County Clerk; thence N0°20'32"E, 724.92 feet along the North/South centerline to a point; thence N83°00'32"E, 257.06 feet to a point; thence N13°58'54"W, 215.19 feet to a point; thence N85°06'35"E, 442.78 feet to a point; thence S30°03'16"E, 165.85 feet to a point; thence N85°11'07"E, 354.22 feet to a point; thence S7°40'26"E, 725.36 feet to a point on the northerly right-of-way of Wagon Circle Road; thence S66°37'15"W, (against a call bearing of S66°37'42"W), 1048.00 feet along the northerly right-of-way of Wagon Circle Road, to the Southeast corner of a tract of land as described and recorded in Book 775, page 415, Records of Carbon County Clerk; thence N23°42'14"W, 312.92 feet, along the East line of said Book 775, page 415 tract, (against a deed call of N23°22'18"W, 314.29 feet) to the Northeast corner of said Book 775, page 415 tract; thence S66°31'33"W, 102.25 feet along the North line of said Book 775, page 415 tract, (against a deed call of S66°37'42"W, 104.41 feet) to the point of beginning, said tract containing 24.46 acres, more or less.

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

That the Carbon County Board of County Commissioners, hereby adopts this amendment as certified to them in writing by the Carbon County Planning and Zoning Commission and the existing zone shall be changed from Ranching, Agriculture and Mining (RAM) to Highway Commercial (C-2 for Lot 1) and Residential (RD-1.11 for Lot 2 and RD-1.93 for Lot 3) located in the Shepard Minor Subdivision encompassing approximately 24.46 acres.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 4th of June, 2019.

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

-s- Willing John Johnson, Chairman
On behalf of the Carbon County
Board of County Commissioners

Attest: -s- Gwynn G. Bartlett, Carbon County Clerk

Commissioner Barkhurst moved to approve the Minor Subdivision Case File #2019-02 Walter and Kathleen Shepard and Western Hills Campground LLC for a request to create three lots, Lot 1 – 21.42 acres, Lot 2 – 1.11 acres, and Lot 3 – 1.93 acres and authorize the Chairman to sign the plat. Commissioner Espy seconded and the motion carried unanimously.

C.U. Case #2019-05 Adobe Butte – Dennis Criswell

Chairman Johnson opened a public hearing at 11:53 a.m. to hear Planning and Zoning C.U. Case File #2019-05 Adobe Butte Feed Company and Dennis Criswell. County Planning Director, Sid Fox presented the case, a request for a Condition Use Permit in the Ranching, Agriculture and Mining (RAM) Zone District – Industrial Agriculture/Confined animal feeding operation/feedlot. This case is for a proposed wild horse feeding facility in conjunction with the Bureau of Land Management, North-Northwest of Baggs with access from County Road 700. The applicant has agreed to reduce the number of horses to be served to 1,250. Mr. Fox overviewed comments received by his office to date. The Planning Commission's recommendation to approve was a split vote of 3-1 with conditions.

Dennis Criswell, applicant presented a PowerPoint on the project noting the WY herd size has increased by about 6.35% from 2018-2019, even after a Green Mountain gathering. The only holding facility is currently near Rock Springs. He stated the need for the facility is due to the state's over population which affects ranchers and livestock, sportsmen and wildlife as well as vegetation that diminishes resulting in invasive weeds. The proposed facility would hold horses for 1-5 years as a staging point to be adopted or sent to other facilities for long term care. All horses would receive vaccinations and be dewormed, Coggins testing every 6 months or prior to transport, hoof trimming every 90 days depending on need. The site is fully engineered with 6' pipe corrals, state of the art working chute meeting BLM standards for humane treatment, a vegetation and tree barrier on the eastern and southern borders and approximately 512 square feet per animal.

There is an emergency capacity increase built in that would allow an increase to 1,500 limit for 7 days, open only to BLM wild horses primarily to accommodate for closed roads. As a contractor to the BLM they would be required to feed once per day, water as needed with automatic troughs, check health and welfare and clean pens as needed.

They plan to manage flies with fly predator insets which eat the fly pupae before they develop. The predator flies do not reproduce and have a somewhat short life span. These will be used

along with fly traps in office and other working areas along with spraying or other methods as needed but they prefer non-chemical solutions.

It is expected that less than 1% of the facilities population would die annually. They propose to dispose of remains at the Baggs Solid Waste Disposal District and should this not be available now or in the future the BLM rendering services would be used and paid for by the BLM.

Mr. Criswell provided aerial photos of a 2,500-3,000 horse facilities showing they are closer to their neighbors than his proposed facility would be.

Commissioner Barkhurst asked if there was plans for growth and the applicant stated they would have to purchase land in order to grow and they would only want to if they needed to accommodate increasing populations. They have no set plans for growth now. He also asked that if the need for the facility went away what would happen to the facility. He wanted to ensure this would not be used for another purpose such as cattle. The applicant said it would not be used for any other purpose but horses.

Chairman Johnson called for public comments for or against the conditional use permit. Anna Waldron, Baggs Mayor stated the town received one complaint about the potential urine smell however the Council was for the proposed facility, unofficially 4-1. She added that in her experience with the Criswell family they are very clean.

Tracy Herold, Baggs Landfill Manager stated they have no concerns with the proposal and that Criswells are very clean and well kept. She believes the horse manure will assist them with composting.

There being no further comments, he closed the hearing at 12:38 p.m.

Commissioner Barkhurst asked what the plan is for horses that escape. Mr. Criswell stated that typically horses will circle back to the food and water source but there is exterior perimeter fencing as well and plans to improve that in the future.

Chairman Johnson asked about the state permits timeline. The permit to construction should be 30-45 days from the Department of Environmental Quality approval and would include things like surface runoff, water quality. He added that if they can't meet ground requirements, including absorption of urine, they would not be permitted to move forward from the DEQ.

Commissioner Moore moved to approve Resolution No. 2019-18 A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission C.U. Case File #2019-05 Adobe Butte Feed Company and Dennis Criswell, Little Snake River Feedlot for a request for a Condition Use Permit in the Ranching, Agriculture and Mining (RAM) Zone District – Industrial Agriculture/Confined animal feeding operation/feedlot. Commissioner Espy seconded and the motion carried unanimously.

Resolution No. 2019 - 18

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

C.U. Case File #2019-05 – “Little Snake River Feedlot”

WHEREAS, pursuant to the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission advertised to hold a public hearing on Monday, May 6, 2019, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, May 6, 2019, 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 public hearing; and

WHEREAS, at the conclusion of the Monday, May 6, 2019, public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County Board of County Commissioners pursuant to the Carbon County Zoning Resolution of 2015, as amended for Carbon County, Wyoming; and

WHEREAS, the Carbon County Board of County Commissioners, pursuant to the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. §18-5-202(c) and after receipt of said certified recommendation; advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on Tuesday, June 4, 2019; and

WHEREAS, at said public hearing on June 4, 2019, the Carbon County Board of County Commissioners provided the opportunity for the public to comment and for the Carbon County Board of County Commissioners to consider any comments which were made on the proposed application; and

WHEREAS, the Carbon County Board of County Commissioners in considering said application have also reviewed and considered the Carbon County Comprehensive Land Use Plan, as amended; and the Carbon County Zoning Resolution of 2015, as amended, specifically, Section 7.7, Conditional Use Permits; and

WHEREAS, the Carbon County Board of County Commissioners have determined that the proposed permit is in general conformance with the Carbon County Comprehensive Land Use Plan, as amended, and the Carbon County Zoning Resolution of 2015, as amended, 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 Board of County Commissioners, by majority vote, the Carbon County Board of County Commissioners moved to approve the following Conditional Use Permit Application:

C.U. Case #2019-05: Request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone District-Industrial Agriculture\confined animal feeding operation. The request is to allow the construction, operation, and maintenance of the "Little Snake River Feedlot" as a short-term wild horse and burro containment facility.

Project Name: Little Snake River Feedlot

Petitioners: Adobe Butte Feed Company (Applicant) and Dennis Criswell (Land Owner)

Rural Address: 86 CR 700

Parcel Identification Number: 13913140002400

General Site Location: Approximately 1 mile directly west of HWY 789; approximately 1/4 mile west of the 44 Subdivision; and approximately 2 miles northwest of the Town of Baggs.

Legal Description: 40 acres located in the SE1/4 SE1/4, Section 31, T13N, R91W, Carbon County, Wyoming.

TERMS AND CONDITIONS OF APPROVAL:

1. The maximum capacity permitted is 1,250 horses. The permit allows for an additional 250 head for up to (7) seven days in response to emergency conditions such as road closures.
2. The Permittee must post a sign at the entrance that includes the facility name, the name and phone number of the responsible person in event of emergency.
3. The water well and the surface drainage improvements must be installed prior to receiving horses.
4. The proposed vegetation barrier\tree rows, including weed barrier and drip irrigation, must be installed within one (1) year of permit approval. Dead or diseased trees must be replaced on an annual basis.
5. If exterior lighting is installed, the Permittee must construct the exterior lighting to be compliant with the Carbon County Lighting Standards. Currently contained in Chapter 5, Section 5.4, Part E-Lighting Standards.
6. Any new building(s) will require the submittal of a building permit application(s).
7. The Applicant must submit a copy of all required state or federal permits or authorizations within two (2) years of Board's approval or if available sooner with the building permit application.
8. If the scope of the operations changes or increases beyond those described in the Conditional Use Permit application, the applicant shall notify the Carbon County Planning & Development Department in writing describing the proposed changes.
 - a. Upon receipt of a notice of proposed change or increase in the operations, the Planning Department shall place the notice of the proposed change to the scope of the operation on the next available Planning and Zoning Commission agenda. The Planning and Zoning Commission shall determine whether the use remains in general conformance with this Conditional Use Permit or if a new Conditional Use Permit Application must be submitted.
9. Upon approval by the Board, the following provisions from the Zoning Resolution will be incorporated into the final Resolution:
 - a. In accordance with Section 7.7.H, Expiration of Conditional Use Permits:
 - Any use for which a conditional use permit is granted must be commenced within two (2) years from the date of approval. If the Project is not commenced within two (2) years from the date of approval then the conditional use permit shall expire and become null and void and be of no further effect, except as extended in compliance with Section 7.7.I, Extension of Conditional Use Permits.
 - b. In accordance with Section 7.7.J, Transfer of Conditional Use Permits:
 - No conditional use permit shall be transferred without the prior approval of the Board of County Commissioners.
 - c. In the event the actions occurring pursuant to this permit are found to be in material violation of the terms and conditions of this permit, or are found to have been obtained by fraud, this permit shall be subject to all remedies allowed by law. Violation of any of the above restrictions can be grounds for terminating this Conditional Use Permit.

Amendments to Conditional Use Permits: A Conditional Use Permit may be amended pursuant to the procedures and standards as required for a new CUP application.

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

That the Carbon County Board of County Commissioners hereby approves this Conditional Use Permit (CUP) as certified to them in writing by the Carbon County Planning and Zoning Commission as represented in the Conditional Use Permit (C.U. Case #2019-05 – “Little Snake River Feedlot”).

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 4th day of June, 2019.

BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING

-s- Willing John Johnson, Chairman
On behalf of the Carbon County
Board of County Commissioners

Attest: -s- Gwynn G. Bartlett, Carbon County Clerk

Certifications of Recommended Action

County Planning Director, Sid Fox presented Certifications of Recommended Action.

Commissioner Barkhurst moved to accept the Certification of Recommended Action for Z.C. Case #2019-08 Casey and Sammi Staman, and schedule a public hearing at 11:15 a.m. July 2, 2019 at the Carbon County Courthouse in Rawlins, WY. Commissioner Jones seconded and the motion carried unanimously.

Commissioner Espy moved to accept the Certification of Recommended Action from the Planning & Zoning Commission for the proposed 2019 Fee Schedule and schedule a Public Hearing for June 18, 2019 at 10:30 a.m. Commissioner Moore seconded and the motion carried unanimously.

Citizen / Commissioners Discussion

Commissioner Espy recommended appointing Judge Stipe, Gwynn Bartlett, Sid Fox, Chairman Johnson and himself to review RFQ documents for the hiring of a construction manager. The BOCC agreed and chose Option 2 for the amendment to the EKM&P agreement. This allows for the county to proceed with selection of a CMAR and fully complete schematic design of both the Carbon Building and Courthouse with construction pricing from the CMAR.

EXECUTIVE SESSION

Commissioner Espy moved to go into executive session with Ashley Davis, Clerk Bartlett and Bill Nation to discuss personnel, potential litigation and other matters considered confidential by law at 12:55 p.m. Commissioner Moore seconded and the motion carried unanimously.

Bill Nation left the session at 1:17 p.m.

Commissioner Espy moved to come out of executive session at 1:55 p.m. noting no action was taken and the minutes be signed and sealed as written. Commissioner Moore seconded and the motion carried unanimously.

ADJOURNMENT

Commissioner Espy moved to adjourn the meeting at 1:55 p.m. Commissioner Moore seconded and the motion carried unanimously.

A budget workshop will be held June 25, 2019 at 8:30 a.m. at the Carbon County Courthouse, Rawlins, WY. A regular meeting of this Board will be held July 2, 2019 at 9:00 a.m. at the Carbon County Courthouse, Rawlins, WY. The public is invited to attend or you can listen online at the website listed below. To get on the agenda, call the Clerk's Office by the Thursday before the meeting. Per Wyo. Stat. §18-3-516(f), access to county information can be obtained at or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.