

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, March 17, 2020
Carbon County Courthouse, Rawlins, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, March 17, 2020 at 9:00 a.m. 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

Chairman Johnson reported that the county will discuss a policy for Covid 19 under the attorney's time.

VOUCHERS

Commissioner Espy moved to approve March 2020 payroll and benefit expenses of \$875,748.50 and insurance claim and premium expenses of \$291,796.79. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Espy moved to approve payment to Sunrise Sanitation for \$68.00. Commissioner Barkhurst seconded and the motion carried with all voting for the motion except Commissioner Jones who abstained due to personal conflicts.

Commissioner Espy moved to approve the report of expenditures in the amount of \$453,727.36 for an aggregate total today of \$1,621,340.65. Commissioner Moore seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
307 PROFESSIONAL CLEAN LLC	COUNTY CLEANING	\$10,485.00
ALCOPRO	MOUTHPIECES	\$147.89
ALSCO, AMERICAN LINEN DIVISION	TOWELS/SOAP/MATS	\$112.16
APEX COMMUNICATIONS	MAINTENANCE AGREEMENT	\$4,033.88
APG MEDIA OF THE ROCKIES	MISC ADS	\$2,342.50
AVFUEL CORPORATION	FUEL	\$375.00
BAGGS, TOWN OF	WATER SERVICES	\$16.70
BANK OF MONTREAL - MASTERCARD	MISC CHARGES	\$43,127.84
BARTLETT OILFIELD SERVICE, INC	PLOW LOOKING FOR CATTLE	\$3,165.50
BEACH, HOMER	SNOW REMOVAL	\$1,120.00

BI INC.	ELECTRONIC MONITORING	\$2,021.50
BIG BALE COMPANY	TIRE REPAIR	\$57.20
BLAKEMAN PROPANE	PROPANE SERVICES	\$919.20
BOB BARKER COMPANY, INC.	JAIL SUPPLIES	\$811.12
BOMGAARS SUPPLY	BATTERIES	\$23.98
BRIDGER FABRICATION	MISC PARTS	\$2,527.12
BUILD RITE LUMBER COMPANIES	MISC SUPPLIES	\$66.53
BULBS.COM	LIGHT BULBS	\$109.90
CAMPBELL, D. JASON	MILEAGE	\$27.00
CARBON POWER & LIGHT INC	ELECTRICAL SERVICES	\$2,689.88
CARERIGHT TECHNOLOGIES, LLC	MONTHLY BED FEE	\$265.74
CASPER STAR-TRIBUNE	ATTORNEY JOB AD	\$394.91
CASPER WINNELSON CO	ICE MELT	\$420.00
CENTRAL WYOMING SKIN	MEDICAL SERVICES	\$120.00
CHARTER COMMUNICATIONS	CABLE SERVICES	\$120.34
CHEYENNE REGIONAL MED CENTER	MEDICAL SERVICES	\$4,241.22
CLEARY BUILDING CORP	HORSE BARN DOWN PAYMENT	\$14,765.00
CLERK OF DIST COURT (JURORS)	JUROR/BAILIFF PAY	\$3,239.00
CLOUD PEAK COUNSELING CENTER	EMERGENCY DETENTION SERVICES	\$975.00
CMI-TECO	EXHAUST FLUID	\$61.02
CNA SURETY	ROYBAL NOTARY	\$50.00
COWBOY CHEMICAL	LAUNDRY DETERGENT/DISH SOAP	\$764.35
DALLIN MOTORS INC	VEHICLE MAINTENANCE	\$36.35
DECKER AUTO GLASS	GLASS REPAIRS	\$205.92
DOMINION ENERGY	ELECTRIC SERVICES	\$328.38
ELK MOUNTAIN, TOWN OF	WATER SERVICES	\$67.00
ENCAMPMENT, TOWN OF	WATER SERVICES	\$96.00
ENGINEERING ASSOCIATES	MED BOW SHOP ENGINEERING	\$19,169.14
ESPY, JOHN	NACO FLIGHT REIMBURSEMENT	\$779.80
F & S TRUCKING, INC	SNOW BLOWER ON SEMINOE RD	\$2,100.00
FATBEAM LLC	FIBERLINES	\$5,144.85
GALLS/QUARTERMASTER	SHIRTS	\$245.00
GCR ELECTRONICS, LLC	MONTHLY SITE RENTALS	\$2,000.00
GRAINGER	MISC PARTS	\$928.30
GREATER WY BIG BROS/SISTERS	FEB 2020 PREVENTION	\$6,153.79
GREENWOOD MAPPING, INC	GIS PARCEL MAPPING	\$2,737.50
HANNA, TOWN OF	WATER SERVICES	\$247.96
HARTSHORN, ZACHARY C	FIRST AID / CPR	\$420.00

HERMAN, BOBBIE	MILEAGE	\$27.00
HIGH PLAINS POWER	INSTALL NEW SERVICE & UPGRADE SERVICE	\$6,368.00
HONNEN EQUIPMENT	EQUIPMENT REPAIR	\$1,136.59
IML SECURITY SUPPLY	BROKEN KEY PULLER	\$76.95
JACK'S BODY & FENDER REPAIR	TOW CHARGES	\$962.00
JOHNSTON, RANAE	MILEAGE	\$72.50
KAISLER, TODD	MILEAGE	\$54.00
KILBURN TIRE COMPANY	TIRES	\$345.58
KING SOOPERS CUSTOMER CHARGES	JAIL SUPPLIES	\$116.21
KONE ELEVATORS ESCALATORS	ELEVATOR MAINTENANCE	\$9,172.44
KTGA/KBDY	TOWER RENT	\$150.00
LITTLE SNAKE RIVER EMS	FIRST AID & CPR/AED TRAINING	\$44.00
LOCAL GOVERNMENT LIABILITY POOL	SPT JPB INSURANCE	\$167.00
LONG BUILDING TECHNOLOGIES, INC.	CAMERA REPAIRS	\$1,637.73
MACKIE, BARBARA	MISC REIMBURSEMENT	\$854.43
MEDICINE BOW, TOWN OF	WATER SERVICES	\$200.00
MERCEDES TRANSCRIPTION, INC	TRANSCRIPTION SERVICES	\$134.86
MERSEAL LAW, LLC	LEGAL SERVICES	\$6,190.00
MID-AMERICAN RESEARCH CHEMICAL	MISC CLEANING SUPPLIES	\$1,036.84
MOUNTAIN WEST MOTORS	LATCH/CABLE	\$325.11
MPM CORP / EVERGREEN DISPOSAL	TRASH SERVICES	\$130.00
MY OFFICE ETC.	OFFICE SUPPLIES	\$78.89
NORCO, INC.	MISC SUPPLIES	\$744.91
NORTHERN TRUCK EQUIPMENT CO	ICE CUTTERS FOR SNOW BLOWER	\$919.06
NSFM PIZZA INC	PLANNING & ZONING COMMISSION MEAL	\$70.31
OFFICE OF THE STATE PUBLIC DEFENDER	FUARDIAN AD LITEM FEES	\$46,764.08
PARKER, ELIZABETH	MILEAGE	\$47.50
PERKINS OIL CO	FUEL	\$5,099.14
PERRY, ABBY	WOOL FOR FELTING PROJECTS	\$69.75
PLATTE VALLEY PLOWIN	PLOWING SERVICES	\$180.00
PMCH	PROFESSIONAL SERVICES	\$12,364.36
POWER EQUIPMENT COMPANY	BEARINGS/ICE CUTTER	\$1,208.26
PUBLIC SAFETY CENTER, INC	TACTICAL JACKETS	\$949.34
QUILL CORPORATION	YEAR LABELS	\$54.47

RADAR SHOP, THE	RADAR UNITS RECERTIFIED	\$683.00
RAWLINS AUTOMOTIVE	MISC PARTS	\$1,697.08
RAWLINS, CITY OF	WATER SERVICES	\$2,328.60
RAYMOND, PHYLLIS	CIRCUIT COURT BAILIFF	\$75.00
READY, JUSTIN	MILEAGE	\$48.00
RICOH USA INC	IT COPIERS	\$2,888.45
RIETVELD, TONI	MILEAGE	\$45.00
ROCKIN' M PAINTING	PAINT SHOWERS	\$2,779.00
ROCKY MOUNTAIN POWER	B&G UTL B&G OFFICE ELECTRIC	\$17,186.89
RODABAUGH, SHERRY	CIRCUIT COURT BAILIFF	\$75.00
SANGER, JOHN S.	SHOWER STALL EPOXY AT JAIL	\$672.00
SARATOGA AUTO PARTS, INC.	MISC PARTS	\$312.01
SARATOGA SUN	MISC ADS	\$1,392.00
SARATOGA, TOWN OF	WATER SERVICES	\$149.50
SCHAEFFER MFG CO	OIL	\$1,120.35
SCHILLING & WINN PC	LEGAL SERVICES	\$1,603.50
SHEPARD'S	FUEL/FILTER	\$1,769.68
SHIVELY HARDWARE	MISC PARTS	\$660.26
SLOW AND STEADY LAW OFFICE, PLLC	LEGAL SERVICES	\$5,240.57
SNAKE RIVER PRESS	DIXON AIRPORT MASTER PLAN AD	\$96.00
SNAKE RIVER PRESS	SCHOLARSHIP AD	\$72.00
STINKER STORES, INC.	FUEL	\$9,487.59
SUMMIT FOOD SERVICE	JAIL MEALS	\$7,805.09
SUNRISE SANITATION SERVICE, LLC.	TRASH SERVICES	\$68.00
SWANSON SERVICES CORPORATION	COMMISSARY SUPPLIES	\$2,823.41
SWEETWATER COUNTY SHERIFF'S OFFICE	INMATE HOUSING	\$1,170.00
TERMINIX	PEST CONTROL	\$350.00
THOMSON REUTERS-WEST PAYMENT CENTER	INFORMATION CHARGES	\$786.44
TRUE VALUE OF RAWLINS	BALL VALVE	\$57.13
U S POSTMASTER-RAWLINS	PO BOX RENTAL	\$76.00
VALLEY OIL COMPANY	FUEL	\$1,315.32
VOIANCE LANGUAGE SERVICES LLC	INTERPRETATION SERVICES	\$43.50
WAILES, SADITH FIORELLA	INTERPRETATION	\$50.00
WEX BANK	MISC CHARGES	\$154.01
WILSON, MARGARET	PATCHES	\$164.00
WOODWARD & ASSOCIATES, INC.	CARPET	\$587.00

WRECK-A-MEND	VEHICLE REPAIRS	\$1,670.24
WY DEPT OF HEALTH	VEHICLE RENTAL	\$80.00
WY LAW ENFORCEMENT ACADEMY	MISC SUPPLIES	\$1,484.50
WY MACHINERY COMPANY	MISC PARTS/SNOW BLOWER	\$145,819.44
WY PUBLIC HEALTH LABORATORY	LAB SERVICES	\$433.00
WY STATE BAR	ATTORNEY JOB AD	\$98.00
WYOMING DISPOSAL SYSTEMS	TRASH SERVICES	\$56.00
WYOMING GEOSPATIAL ORGANIZATION	MEMBERSHIP FEES	\$25.00
WYOMING REPORTING SERVICE, INC.	TRANSCRIPTION	\$290.02

CONSENT AGENDA

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the March 3, 2020 regular meeting minutes, the March 5, 2020 special meeting minutes, monthly receipts from Carbon County Clerk in the amount of \$15,119.00, monthly receipts from the Clerk of District Court in the amount of \$1,916.00 and Monthly receipts from Road & Bridge in the amount of \$25.00. Commissioner Jones seconded and the motion carried unanimously.

ELECTED OFFICIALS & DEPARTMENT HEADS

Buildings and Grounds

Buildings and Grounds Manager, Jim Piche presented the bids received for the Carbon County Fairgrounds new horse barn. There were two separate bids. One for the erection of the horse barn and one for the electrical only and all bids were received in the Clerk's Office by the due date/time and opened at that time last week.

Bids for the barn were received as follows: VAP Construction Inc. in the amount of \$80,983.00 and Cleary Building Corp. in the amount of \$75,663.00. He noted that the bid included sales tax so they have reduced it to \$73,823.00.

Bids for electrical were received as follows: Infinity Power and Controls in the amount of \$30,000.00 and ACME Electric Co. in the amount of \$26,343.31.

Mr. Piche recommended to award both bids to the low bidders reminding the board that the Fair Board would pay for the building and the county will pay for electric. Clerk Bartlett recommended the Fair Board provide funds to the county and the county directly pay for the entire project as this will be a county asset. Mr. Piche stated the Fair Board is on board with his recommendation.

Commissioner Espy moved to award bids for the fairgrounds horse barn to Cleary Building Corp. in the amount of \$73,823.00 and the electrical to ACME Electric Co. in the amount of \$26,343.31 and to authorize the Chairman to sign the Cleary/Owner Project Contracted – Erected in the

amount of \$73,823.00 and a contract with ACME Electric when available. Commissioner Moore seconded and the motion carried unanimously.

Mr. Piche presented an agreement with High Plains Power to install power at the new Medicine Bow Road & Bridge/Sheriff complex.

Commissioner Jones moved to authorize the Chairman's signature on the Agreement of Electric Service with High Plains Power, Inc. for the Road & Bridge/Sheriff Complex. Commissioner Barkhurst seconded and the motion carried unanimously.

The main roof on the Jeffrey Center should be done today followed by gutters and finish work over the next week. Yesterday involved parties met at Medicine Bow and devised a plan to proceed with the new Sheriff and Road & Bridge complex.

Assessor

County Assessor Renee Snider reported she has a long-term employee leaving and has another vacant position. She requested and received authorization to replace both positions.

Emergency Management

Ron Brown, Interim Emergency Manager reported he is working closely with Public Health, DCI and the Department of Homeland Security

Public Health

Public Health Nurse, Amanda Brown reported seven new cases of COVID-19 were diagnosed in Fremont County yesterday so there are now ten in Wyoming. There is still no confirmation of the possible case in Carbon County.

Ms. Brown read a letter from Wayne Couch II regarding recommendations he proposes for the county to follow. He recommends closure of gathering places, sick employees stay home, and allow employees to work from home if at all possible. Essential functions should consider having a call-in option and drop boxes if at all possible. Those with chronic diseases should be sent home.

Ms. Brown mentioned that non-essential services are being closed throughout the state both at the county and municipal level. Attorney Davis asked if the county's trigger for Dr. Couch's recommendations be when the county has a positive case or now. Dr. Couch is recommending acting proactively and doing this now.

Commissioner Espy stated that he feels the county should tighten up now and release moving forward and be proactive at this time. Commissioner Moore agreed, he thought waiting until there is a confirmed case would be irresponsible. Commissioner Jones agreed and thought the county should follow Governor Gordon's lead and consider the economic impact. Commissioner Barkhurst agreed and thought Public Health's idea of screening questions is borderline invasive however we have to protect our population. Chairman Johnson also agreed.

Commissioner Moore moved to accept and follow the recommendations of the County Health Officer Wayne Couch MD as they pertain to Carbon County. Commissioner Barkhurst seconded and the motion carried unanimously.

Attorney

County Attorney Davis discussed a proposed plan for dealing with the Coronavirus. She discussed an order from Teton County limiting gatherings of 50 or more including requiring restaurants to seat people at least 6 feet apart. She modified this to discuss transportation concerns noting that any such order would only apply to areas outside of municipalities in the Carbon County. The health officer must also approve any Order prior to it being effective.

The second plan would relate to what triggers certain activities by the county and whether or not leave would be charged. Commissioner Moore asked what federal or other funding may be available for any needed items and Mr. Brown stated he is waiting for that paperwork to trickle down but it hasn't made its way to him yet.

There was discussion of a sick leave policy, use of the Courthouse drop box, phone, e-mail and mail for business. Public Health recommends closing the building, making people call first and screen those that want to enter the building with specific questions. Ms. Brown stated that self-isolation is recommended for anyone knowingly exposed. If someone is found to have COVID-19 Public Health will do an evaluation of those that they came into contact with and make recommendations from there.

Commissioner Moore read the order presented by Attorney Davis.

Commissioner Moore moved to adopt Carbon County Health Officer Public Health Order 20-01 Commissioner Espy seconded and the motion carried unanimously.

CARBON COUNTY HEALTH OFFICER PUBLIC HEALTH ORDER #20-1

ORDER FORBIDDING LARGE GATHERINGS OVER 50 PEOPLE WITHIN CARBON COUNTY, WYOMING

WHEREAS, Dr. Marvin Wayne Couch, II, M.D. serves as the Carbon County Health Officer pursuant to Wyoming Statute § 35-1-306(a); and

WHEREAS, Wyoming Statute § 35-1-227 gives authority to the Wyoming Department of Health to direct and supervise county health officers in the state in making decisions in their judgment best suited to maintain the public health; and

WHEREAS, as evidenced by her signature below, Dr. Alexia Harrist, the Wyoming State Health Officer, has reviewed and now directs the issuance of this Order by Dr. Marvin Wayne Couch, II, M.D., the Carbon County Health Officer; and

WHEREAS, the Carbon County Board of County Commissioners have reviewed the order and agree, recommend, and affirm the issuance of this Order by Dr. Marvin Wayne Couch, II, M.D., the Carbon County Health Officer; and

WHEREAS, the World Health Organization declared the Coronavirus as a worldwide pandemic as of March 11, 2020, and

WHEREAS, the President of the United States declared a national emergency concerning the novel coronavirus disease (COVID-19) on March 13, 2020, specifically stating that in “December 2019 a novel (new) coronavirus known as SARS-CoV-2 (“the virus”) was first detected in Wuhan, Hubei Province, People’s Republic of China, causing outbreaks of the coronavirus disease (COVID-19) that has now spread globally. . . . The spread of COVID-19 within our Nation’s communities threatens to strain our Nation’s healthcare systems. . . . Additional measures . . . are needed to successfully contain and combat the virus in the United States.” The National Emergency Declaration went on to declare that the COVID-19 outbreak in the United States constitutes a national emergency, and

WHEREAS, Mark Gordon, Governor of the State of Wyoming, declared a State of Emergency for the State of Wyoming on March 13, 2020, stating that on March 11, 2020 an individual within the State of Wyoming tested presumptive positive for COVID-19 and the State of Wyoming is experiencing a public health emergency in response to the evolving outbreak of the novel coronavirus as of March 11, 2020. The Declaration of a State of Emergency directs the Director of the Wyoming Department of Health to take all appropriate and necessary actions and in the Director’s judgment any actions necessary to provide aid to those locations where there is a threat or danger to public health, safety and welfare; and

WHEREAS, Carbon County, Wyoming is on the transportation corridor with Interstate 80 and U.S. Highway 287 and attracts individuals from across the country and the world; and

WHEREAS, this Order may reduce the likelihood that individuals that may have been exposed to COVID-19 will spread the virus to others. By reducing the spread of the virus, this Order will help preserve critical and limited healthcare capacity in Carbon County. This Order is issued to prevent circumstances often present in large gatherings that may exacerbate the spread of the virus such as, 1) the increased likelihood that gatherings will attract people from a broad geographic area; 2) the prolonged time period in which significant numbers of people are in close proximity, 3) the difficulty in tracking exposure when many people attend a single event, and 4) the inability to ensure that attendees follow adequate hygiene practices for many gatherings; and

WHEREAS, implementation and limitations on large gatherings and use of social distancing prevent initial exposure and secondary transmission to our most vulnerable populations, and are especially important for people over 60 years old and those with chronic health conditions due to the higher risk of severe illness from COVID-19; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has issued guidance as of March 15, 2020, that for the next 8 weeks, organizers cancel or postpone in person events that consist of 50 people or more. This recommendation does not apply to the day to day operation of organizations such as schools, institutes of higher learning, or businesses.

NOW THEREFORE, the following is prohibited in Carbon County, Wyoming, and in Carbon County owned facilities:

Gatherings of 50 people or more for social, spiritual, and recreational activities including, but not limited to, community, civic, public, leisure, faith based, or sporting events, parades, concerts, festivals, conventions, fundraisers, and similar activities; and

IT IS FURTHER ORDERED, that this Order does not apply to day to day

operations of organizations such as schools, institutes of higher learning, or businesses, and specifically does not apply to grocery stores, airports, or the hospital, and

IT IS FURTHER ORDERED, that all restaurants and liquor establishments within Carbon County, Wyoming, will limit the number of people within any single room in the establishment to 50 persons or the amount allowed by fire code whichever is less. A room being defined as a part of division of a building enclosed by floor, ceiling and wall, the latter of which exist for at least 75% of the square footage; and

IT IS FURTHER ORDER, that the Carbon County Health Officer may grant exceptions on a case by case basis after evaluating the request; and

IT IS FURTHER ORDERED, that this Order shall remain in effect until such time as the Carbon County Health Officer issues an Order revoking or modifying this Order; and

IT IS FURTHER ORDERED, that any person or legal entity that violates this Order shall be subject to criminal prosecution under Wyoming Statutes §35-105 and 35-1-106; and

IT IS RECOMMENDED that the space in all public settings be able to accommodate patrons with at least six (6) feet distance from other patrons. This can be accomplished by asking patrons to queue with larger distances between them, removing tables and chairs, and encouraging the use of outside tables as springtime temperatures approach.

DATED THIS _____ DAY OF _____, 2020.

Dr. Marvin Wayne Couch, II, M.D.
Carbon County Health Officer

Direction to Issue Order

I, Dr. Alexia Harrist, the Wyoming State Health Officer, hereby state that I have reviewed the above Order and hereby direct, pursuant to Wyoming Statutes §§ Wyoming Statute 35-1-227 and -240(a)(i) and (iv), the Carbon County Health Officer to issue the above Order Forbidding Large Gatherings over 50 people in Carbon County, Wyoming. As the Wyoming State Health Officer, I will reassess the necessity of this order as appropriate to do so and according to accepted epidemiological and medical standards.

Dr. Alexia Harrist
Wyoming State Health Officer

Reviewed and Affirmed

The Carbon County Board of County Commissioners meeting in open public meeting on Tuesday March 17, 2020 have received a complimentary copy of the Order being issued by the Carbon County Health Officer and state that the board has reviewed the Order and affirm the Order.

-s- Willing John Johnson, Chairman

Carbon County Board of County Commissioners

Attest:

-s- Gwynn Bartlett, Carbon County Clerk

Commissioner Jones moved to adopt the Carbon County Pandemic Response Plan effective immediately. Commissioner Barkhurst seconded and the motion carried unanimously.

Public Hearing - Z.C. Case #2020-01 and MIN SUB Case #2020-01-Scott Lose

Chairman Johnson opened a public hearing at 11:00 a.m. to hear Planning & Zoning file Z.C. Case #2020-01, Scott Lose. Sid Fox, County Planning Director presented the case file.

Chairman Johnson called for comments for or against the case. Herman Whitmer and Sanford Shrub both stated they were in favor of the case. There being no further comments, he closed the hearing at 11:04 a.m.

Commissioner Espy moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2020-11, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding Z.C. Case #2020-01. Commissioner Jones seconded and the motion carried unanimously.

Chairman Johnson opened a public hearing at 11:06 a.m. to hear Planning & Zoning MIN SUB Case #2020-01-Scott Lose. Sid Fox, County Planning Director presented the case file.

Chairman Johnson called for comments for or against the case. Herman Whitmer and Sanford Shrub both stated they were in favor of the case. There being no comments, he closed the hearing at 11:08 a.m.

Commissioner Espy moved to approve MIN SUB Case #2020-01 and authorize the Chairman's signature on the plat for Scott Lose, Lose Minor Subdivision encompassing approximately 10 acres. The RRA Zone is intended to be applied in areas of the County which are particularly suited to large-lot development that allow both agricultural and residential uses intermingled. Mr. Lose also request to create two lots, Lot 1 = 5 acres and Lot 2 = 5 acres. Commissioner Moore seconded and the motion carried unanimously.

Resolution No. 2020-11

**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 #2020-01

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, February 3, 2020, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, February 3, 2020, 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, February 3, 2020, 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 zone 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, March 17, 2020; and

WHEREAS, at said public hearing on March 17, 2020, 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 #2020-01: Request for a Zone Change from Rural Residential Agriculture (RRA-10) to Rural Residential Agriculture (RRA-5 for Lot 1 and RRA-5 for Lot 2) located in the proposed Lose Minor Subdivision encompassing approximately 10 acres. The RRA Zone is intended to be applied in areas of the County which are particularly suited to large-lot development that allow both agricultural and residential uses intermingled.

Companion Case – Minor Subdivision Case File #2020-01: Request to create two lots, Lot 1 = 5 acres and Lot 2 = 5 acres. The applicant is also applying for a zone change (See Z.C. Case #2020-01).

Minor Subdivision Name: Lose Minor Subdivision

Petitioner: Scott Lose (Applicant and Land Owner)

Rural Address: 27 County Road 451

Parcel Identification Number: 21881340002600

General Site Location: Approximately 1/2 mile north of Wagon Circle Road off Carbon County Road #451 (Cherokee Road) on the east side

Legal Description: A parcel of land located in the E½SE¼ of Section 13, Township 21 North, Range 88 West of the 6th P.M., Carbon County, Wyoming, more particularly described as follows:

Beginning at the Southeast corner of Section 13; thence N00°08'29"E along the Easterly section line of said Section 13 a distance of 692.25 feet; thence N89°03'00"W a distance of 629.31 feet; thence S00°08'29"W a distance of 692.25 feet to a point on the Southerly section line of said Section 13; thence S89°03'00"E along the Southerly section line of said Section 13 a distance of 629.31 feet to the point of beginning.

**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 Rural Residential Agriculture (RRA-10) to Rural Residential Agriculture (RRA-5 for Lot 1 and RRA-5 for Lot 2) located in the proposed Lose Minor Subdivision encompassing approximately 10 acres.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 17th of March, 2020.

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

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

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Public Hearing – Brush Creek – “Green Mountain” Planned Unit Development (P.U.D.) Sketch Plan

Chairman Espy opened a public hearing at 11:15 a.m. to review a sketch plan or conceptual development plan for the Green Mountain Planned Unit Development (P.U.D.) in accordance with Resolution 2019-39. Sid Fox, County Planning Director presented the case file. The Green Mountain Planned Unit Development (P.U.D.) parcel is surrounded by USFS lands and is located approximately 9.3 miles SW of Encampment, Wyoming. The purpose of the Green Mountain P.U.D. is to plan for the use of Green Mountain for winter recreational activities and with the potential for up to (16) sixteen, (35) thirty-five acre or larger lots. Water supply will be supplied by the State Engineers Office permitted wells and septic systems permitted by the Wyoming Department of Environmental Quality-Water Quality Division

Jim Foley of the Foley Group, representing Brush Creek and Gayle Grider present via phone. Mr. Foley reported the site is 620 acres 9 miles north of the CO / WY border. The intent is to use Green Mountain for winter activities for guests plus employees, their immediate family and friends. They also want to construct additional recreational amenities.

Mr. Foley overviewed what is currently there and what is planned. Currently there is a shed, four canvass yurt huts, and ski runs that were installed with an overabundance of caution. They would

like to expand trails, add some connector trails, improve the access road, buildings to support recreation, add on to the yurts for overnight accommodations, caretaker's accommodations, small cabin for overnight accommodations, and communications stations on the property's edge. They would like to provide some ponds to enhance habitat, electrical improvements (likely underground), and 4 helipads for safety. These should be the long-term plan for many years however there may be some comfort stations along trails, ski lifts and rehab of some existing historic cabins in the distant future.

In the very distant future the owner may want a way to gift some land to family members or be able to sell to friends to construct homes. They propose 16, 35 acre or larger parcels that would include a couple new roads to provide for legal access. Mr. Foley clarified this is not the immediate plan but when the owner ages he may want to provide for this. They are working on covenants to maintain open space as it is today. The density would be 38.7 acres per house with open space on at least 75% of the overall property leaving it with very low density.

This is a sketch plan, specific to the site development and is only a concept. The applicant will come back with a more detailed plan and zone change application later on. Brush Creek continues to work on maintaining habitat noting this is a conservation minded project. Water testing will take place when it leaves the property.

Chairman Espy called for comments for or against the case. Randy Raymer, builder and developer in Saratoga mentioned he owns property near this. He stated his concern would be the talk of something that may be done and if permitted those items will be allowed by anyone in the future. He would like to see them either happen or not and only approve what will occur. Additional concerns he has are those with cabins in the area use ATVs and cabins and the Forest road get a lot of traffic. He was concerned that if homes or cabins are constructed on the 35+ acres, that the county or forest service would receive pressure to keep the road open for vehicle traffic year round. He wondered if Brush Creek Corporation knew they are under the authority of the WY State Fire Marshal for review of the buildings that could be constructed. As the Chairman of the local Solid Waste Disposal District, Brush Creek has never contacted the landfill district about potential waste volumes and he encouraged increased communication.

Brush Creek/Hayden District Ranger Jason Armbruster with the US Forest Service mentioned there are restrictions and a permitting process for power lines. Points of access could be limited and likely no allowance for multiple access points. Mr. Armbruster mentioned that the road access is also, and will likely remain seasonal.

Mr. Fox added that letters of support were received from Pat Lynch and Pat Jeffrey. Sandy Martin also called in to express support. There being no further comments, Chairman Espy closed the hearing at 11:55 a.m.

Commissioner Barkhurst stated he is "dubious" to the word "may" being used in the application. He would prefer an application state facts of what the plan is but also understands it is a moving target. He does have grave concern about water quality as part of this water goes to ranchers for irrigation and to the Town of Encampment. In mid-January Brush Creek did receive an order from

the Environmental Protection Agency regarding water. Mr. Foley stated the use of the term “may” are part of the plan. Ms. Grider stated the EPA’s order is nowhere near Green Mountain.

Commissioner Jones asked if the owner has plans to develop the upper end of the mountain and if so there would need to be direction to work with the US Forest Service.

The BOCC acknowledged receipt of the staff’s comments on the sketch plan. The next step would be consideration of a zone change with a Planned Unit Development.

Attorney

Attorney Davis asked for clarification from the BOCC on its intended plan for the county and the policy behind employment leave.

The BOCC determined that signage should be placed on the exterior Courthouse and Carbon Building doors but for now all doors remain open to the public. The Chairman would be authorized to issue any other sanctions or direction that may need issued prior to the next meeting including a press release from the Chairman as needed. The plan adopted earlier would trigger if stricter steps would be taken.

Commissioner Espy moved to authorize Chairman Johnson to approve all press releases between now and the BOCC’s next meeting. Commissioner Moore seconded and the motion carried unanimously.

Planning and Zoning and Y2 Consultants

An attempt was made to have a teleconference with Y2 Consultants and Sid Fox however due to technological difficulties the meeting was postponed until April 7.

Attorney

County Attorney Ashley Davis discussed correspondence that she has received regarding taxing entities.

Commissioner Espy moved to authorize the chairman’s signatures on a letter to all taxing entities in the county. Commissioner Moore seconded and the motion carried unanimously.

Attorney Davis discussed the MOU between the Town of Medicine Bow and the Carbon County Sheriff’s Office to house inmates who are brought in to the county jail on Municipal charges. The Town of Medicine Bow had hired a retired Trooper from California and he resigned his position after three days of service. The Town of Medicine Bow has since hired David Redding as the new Chief of Police and he will begin service in April. She outlined some of the requirements of the county for the BOCC’s consideration and discussed fees that we charge.

Clerk

Gwynn Bartlett, County Clerk presented a board application for the Urban Systems Committee from Judy Dixon. She noted there is still an open seat on the Juvenile Services Board.

Commissioner Jones moved to reappoint Judy Dixon to the Urban Systems Committee for a 4-year term ending January 31, 2024. Commissioner Moore seconded and the motion carried unanimously.

Clerk Bartlett requested an amendment to the Carbon County Commissioner Meeting Schedule moving the July 21 meeting to July 20 so the county can hold the budget hearing and adopt the budget on the same day. The original schedule was intended to have this date.

Commissioner Moore moved to amend the Carbon County Commissioner Meeting Schedule moving the July 21st to July 20th for budget purposes. Commissioner Espy seconded and the motion carried unanimously.

Clerk Bartlett reported that the legislature previously made an appropriation for new election equipment and the state also received federal funds for this purpose. Recently she served on a selection committee along with four other clerks and representatives from the Secretary of State's Office to select new equipment for the entire state. She announced that ES&S has now contracted with Wyoming for new equipment that will be deployed and ready for the 2020 elections. ES&S has been in Wyoming for years in 20 of the 23 counties however Carbon, Goshen and Laramie Counties all used Dominion. Carbon County used this vendor because it already had part of their equipment before the rest of the state received new equipment in 2003. ES&S equipment and ballots are very similar to what Carbon County has previously used and she doesn't see much change for voters except for that we will no longer have tabulating touchscreens and everyone will vote on paper. The state will pay for all equipment but it is still being determined if other items such as cases will be paid for. If not she mentioned she started a fund using reimbursements from towns and districts to hold for equipment replacement or the like.

Commissioners

Commissioner Jones moved to approve the Dixon Airport Runway Improvement Grant Agreement. Commissioner Barkhurst seconded and the motion carried unanimously.

Commissioner Espy discussed that the Fair Board would like all commissioners at a pre-fair walkthrough. He told them that would create a quorum and suggested that the MOU stand as-is.

Commissioner Espy moved to appoint the following individuals to the Y2 Steering Committee: Shannon Sims, Joan McGraw, Dan Mika, Joe Parsons, Trent & Don Arnell, and Commissioner Moore. Commissioner Jones seconded and Commissioner Barkhurst stated he feels like the committee should contain individuals from each industry. Chairman Johnson stated that many of these individuals already represent various industries. Commissioner Barkhurst hopes the steering committee can open the meetings up to the public. Chairman Johnson clarified he would foresee the group to allow public comment at each meeting. The motion carried unanimously.

Commissioner Moore discussed a possible emergency services district for the county but noted it's in the initial stages right now

ADJOURNMENT

Commissioner Espy moved to adjourn the meeting at 2:20 p.m. Commissioner Moore seconded and the motion carried unanimously.

A regular meeting of this Board will be held Tuesday, April 21, 2020 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.