

**OFFICIAL MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, July 7, 2020  
Carbon County Courthouse, Rawlins, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, July 7, 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 added a Public Health contract for action.

**VOUCHERS**

Commissioner Espy moved to approve the report of expenditures in the amount of \$301,664.14. Commissioner Barkhurst seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
Cleary Building Corp	Horse Barn Trusses Payment	\$51,676.00
Further	HRA Reimbursement 2020	\$3,813.33
RNB State Bank	Med Bow Building Lease Payment	\$14,753.40
Shepard Construction Inc.	Med Bow Shop	\$231,421.41

**CONSENT AGENDA**

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the June 16, 2020 regular meeting minutes, June 23, 2020 budget workshop meeting minutes, and monthly receipts from Planning and Zoning in the amount of \$4,415.00. Commissioner Barkhurst seconded and the motion carried unanimously.

**ELECTED OFFICIALS & DEPARTMENT HEADS**

**Public Health**

Commissioner Espy moved to authorize any commissioner to sign the Contract between the WY Department of Health, Public Health Division and Carbon County for Emergency Preparedness for a term of July 2020 through July 30, 2021 in the amount of up to \$91,000.00 pending legal review. Commissioner Barkhurst seconded and the motion carried unanimously.

**Road & Bridge**

Commissioner Espy moved to authorize the Chairman's signature on Final Acceptance Certificate for Congestion Mitigation Air Quality (CMAQ) project CM1910 – Dad/Wamsutter Road 701. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Moore moved to authorize the Chairman's signature on Lease Agreement Gravel Permit #525 with Ron Wille for aggregate out of the Miller gravel pit at a rate of pay \$500.00 per year in a lump sum for aggregate which will allow removal of up to 833 tons at the rate of \$0.60 cents per ton, the term of this lease agreement is from July 1, 2020, until June 30, 2021. Commissioner Barkhurst seconded and the motion carried unanimously.

Commissioner Barkhurst moved to authorize the Chairman's signature on an Agreement for Services between Carbon County and Dustbusters Enterprises, Inc. for the purpose of supplying, hauling and applying water and magnesium chloride to portions of County Roads 291 and 270 also known as the CMAQ project 20101, in the amount of \$313,445.00. Commissioner Espy seconded and the motion carried unanimously.

### **Buildings & Grounds**

Commissioner Espy moved to approve the Amendment to the 307 Cleaning Contract to include 812 E. Murray Street. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Espy moved to authorize the Chairman's signature on contracts for Services for 812 E. Murray with E&H Plumbing in the amount of \$3,800.00, Advanced Heating totaling \$29,880.00, ACME Electric in the amount of \$16,583.63 and Long Building Technologies in the amount of 36,920.00. Commissioner Jones seconded and the motion carried unanimously.

### **Clerk**

Commissioner Jones moved to authorize the Chairman's signature on the Annual Compensation Agreement for the Extension Office for Emily Haver in the amount of \$21,048.00 and for Kirsten Burgess in the amount of \$47,094.00 for a term beginning July 1, 2020 and ending June 30, 2021. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Barkhurst moved to authorize the Chairman's signature on the 2018 State Homeland Security Program Cybersecurity Elections Grant Award Agreement in the amount of \$100,474.00 for a period of October 15, 2018 through June 30, 2021. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Jones moved to regretfully accept the letter of resignation from Cynthia A. Chase as a board member for the Carbon County Senior Services Board. Commissioner Barkhurst seconded and the motion carried unanimously.

Commissioner Jones moved to appoint Richard Raymer as a county appointed member to the Saratoga Carbon County Impact Joint Powers Board for a 3-year term ending July 2023. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Jones moved to authorize the Chairman's signature on the Prevention Grant Agreement between the Wyoming Department of Health and Carbon County in the amount not to exceed \$273,135.00 for a term of July 1, 2020 through June 30, 2022. Commissioner Barkhurst seconded and the motion passed unanimously.

Commissioner Espy moved to appoint Lindsey West as the member and Gwynn Bartlett as the alternate to the Specific Purpose Tax Joint Powers Board for a 3-year term ending July 2023. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Jones moved to authorize the Chairman's signature on the Resolution 2020-22, A Joint Resolution Authorizing the Carbon County Treasurer to Make an Initial Distribution of \$1,524,249.26 in 2019 Specific Purpose Sales and Excise Tax Collections to Carbon County and its Municipalities. Commissioner Moore seconded and the motion passed unanimously.

### **Attorney**

Commissioner Jones moved to adopt Resolution 2020-23 Special Prosecution Resolution. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Moore moved to authorize the Chairman's signature on the Contract between the Department of Family Services and the BOCC for the Community Juvenile Services Board in the amount not to exceed \$22,500.00 for a term of July 1, 2020 through June 30, 2021. Commissioner Jones seconded and the motion passed unanimously.

Commissioner Espy moved to authorize Kristy Rowan to approve building permits and zoning certificates for the Planning & Zoning. Commissioner Barkhurst seconded and the motion carried unanimously.

Commissioner Barkhurst moved to approve Resolution 2020-24, A Resolution A Resolution of the Board of County Commissioners of Carbon County, Wyoming denying Minor Subdivision. Commissioner Moore seconded and the motion carried unanimously.

### **Commissioner**

Commissioner Jones moved to authorize the Chairman's signature on the Certificate of Substantial Completion for Dixon Runway Repair Project 6/24. Commissioner Barkhurst seconded and the motion passed unanimously.

Commissioner Jones moved to authorize the Chairman's signature on Agreement for Transfer of Entitlements from Dion Airport to Evanston-Uinta County Airport/Burns Field. Commissioner Barkhurst seconded and the motion passed unanimously.

### **Planning & Zoning**

Commissioner Barkhurst moved to accept the Certifications of Recommended Action from the Planning & Zoning Commission concerning the following case files: Zone Change 2020-06

Thomas Lopez and C.U. Case #2020-02 Sanford Schrock and to advertise and schedule a public hearing before the Board of County Commissioners on Tuesday, August 4, 2020 at 11:00 a.m. Commissioner Espy seconded and the motion carried unanimously.

### **Public Hearing - Z.C. Case #2020-03**

Chairman Johnson opened a public hearing at 11:29 a.m. to hear Planning & Zoning Z.C. Case #2020-03, Kurt and Sandra Wilson and Robert and Joanna Martinez's request for a Zone Change from Residential (RD-20) to Forestry Production and Seasonal Recreation (FPSR-19.776 for Lot 1 and FPSR-19.631 for Lot 2) located in the proposed Martinez and Wilson Minor Subdivision encompassing approximately 39.407 acres, located at 951 Savery Stock Drive, Approximately 16 miles east of Dixon off HWY 70; approximately 1 mile south of HWY 70 within the Medicine Bow National Forest. Planning and Zoning GIS Specialist Sarah Hutchins presented the case.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Espy closed the hearing at 11:32 a.m.

Commissioner Jones moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2020-25, 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 #2020-03, Kurt and Sandra Wilson and Robert and Joanna Martinez's request for a Zone Change from Residential (RD-20) to Forestry Production and Seasonal Recreation (FPSR-19.776 for Lot 1 and FPSR-19.631 for Lot 2) located in the proposed Martinez and Wilson Minor Subdivision encompassing approximately 39.407 acres, located at 951 Savery Stock Drive, Approximately 16 miles east of Dixon off HWY 70; approximately 1 mile south of HWY 70 within the Medicine Bow National Forest. Commissioner Barkhurst seconded and the motion carried unanimously.

### **Public Hearing - MIN SUB Case #2020-03**

Chairman Johnson opened a public hearing at 11:34 a.m. to hear Planning & Zoning MIN SUB Case #2020-03, Kurt and Sandra Wilson and Robert and Joanna Martinez's request to create two lots, Lot 1=19.776 acres and Lot 2=19.631 acres. Planning and Zoning GIS Specialist Sarah Hutchins presented the case.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Espy closed the hearing at 11:35 p.m.

Commissioner Espy moved to authorize the Chairman's signature on the plat for MIN SUB Case #2020-03 for Kurt and Sandra Wilson and Robert and Joanna Martinez's request to create two lots, Lot 1=19.776 acres and Lot 2=19.631 acres, located in the proposed Martinez and Wilson Minor Subdivision encompassing approximately 39.407 acres, located at 951 Savery Stock Drive, Approximately 16 miles east of Dixon off HWY 70; approximately 1 mile south of HWY 70 within the Medicine Bow National Forest. Commissioner Jones seconded and the motion carried unanimously.

### **Public Hearing - Z.C. Case File No. 2020-04**

Chairman Johnson opened a public hearing at 11:39 a.m. to hear Planning & Zoning Z.C. Case File No. 2020-04, Caleb and Helen Anne Newton's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Rural Residential Agriculture (RRA-4.51) encompassing approximately 4.51 acres located at 527 County Road 504, approximately 4.5 miles east of Saratoga off Carbon County Road #504 (Saratoga/10 Mile/Ryan Park Road) on the north side. Planning and Zoning Office Administrator, Kristy Rowan presented the case file.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 11:41 a.m.

Commissioner Jones moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2020-26, 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 File No. 2020-04, Caleb and Helen Anne Newton's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Rural Residential Agriculture (RRA-4.51) encompassing approximately 4.51 acres located at 527 County Road 504, approximately 4.5 miles east of Saratoga off Carbon County Road #504 (Saratoga/10 Mile/Ryan Park Road) on the north side. Commissioner Barkhurst seconded and the motion carried unanimously.

### **Public Hearing - Z.C. Case #2020-05**

Chairman Johnson opened a public hearing at 11:42 a.m. to hear Planning & Zoning Z.C. Case File #2020-05, Colton Newton's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Rural Residential Agriculture (RRA-8) on approximately 8 acres at 2187 State Highway 130, Approximately 1/2 mile south of Saratoga on the east side of WY HWY 130. Planning and Zoning GIS Specialist Sarah Hutchins presented the case.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Espy closed the hearing at 11:44 p.m.

Commissioner Barkhurst moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2020-27, 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 File #2020-05, Colton Newton's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Rural Residential Agriculture (RRA-8) on approximately 8 acres at 2187 State Highway 130, Approximately 1/2 mile south of Saratoga on the east side of WY HWY 130. Commissioner Espy seconded and the motion carried unanimously.

### **Public Hearing - ZRA Case #2020-01**

Chairman Johnson opened a public hearing at 11:46 a.m. to hear Planning & Zoning Resolution Amendment (ZRA) Case #2020-01, The Carbon County Planning and Zoning Commission will

consider amendments to the following Chapters of the Zoning Resolution: Chapter 2-Application of Regulations; Chapter 3-Definitions; Chapter 4-Zone District Regulations; Chapter 5-General Regulations Applying to All Districts and Uses; and Chapter 7-Administration and Enforcement. In addition, the proposed text amendment includes reorganization, reformatting, and renumbering. The proposed text amendment includes minor edits, correcting cross-reference errors, formatting inconsistencies, capitalization errors, grammatical and spelling errors, duplication and removal of duplicative sections to improve clarity and ease of administration. Planning and Zoning GIS Specialist Sarah Hutchins presented the case.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Espy closed the hearing at 11:53 a.m.

Commissioner Espy moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2020-28, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding Planning & Zoning Resolution Amendment (ZRA) Case #2020-01, The Carbon County Planning and Zoning Commission will consider amendments to the following Chapters of the Zoning Resolution: Chapter 2-Application of Regulations; Chapter 3-Definitions; Chapter 4-Zone District Regulations; Chapter 5-General Regulations Applying to All Districts and Uses; and Chapter 7-Administration and Enforcement. In addition, the proposed text amendment includes reorganization, reformatting, and renumbering. The proposed text amendment includes minor edits, correcting cross-reference errors, formatting inconsistencies, capitalization errors, grammatical and spelling errors, duplication and removal of duplicative sections to improve clarity and ease of administration. Commissioner Barkhurst seconded and the motion carried unanimously.

### **EXECUTIVE SESSION**

Commissioner Espy moved to go into executive session at 11:57 a.m. with Clerk Bartlett and Ashley Davis to discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Barkhurst seconded and the motion carried unanimously.

Commissioner Espy moved to come out of executive session at 12:28 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Barkhurst seconded and the motion carried unanimously.

### **ADJOURNMENT**

Commissioner Espy moved to adjourn the meeting at 12:28 p.m. Commissioner Barkhurst seconded and the motion carried unanimously.

A regular meeting of this Board will be held Tuesday, August 4, 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.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 20<sup>th</sup> day of July 2020.

BOARD OF COUNTY COMMISSIONERS  
CARBON COUNTY, WYOMING

-s- Willing John Johnson, Chairman