

**REPORT TO THE  
MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, August 4, 2020  
Carbon County Courthouse, Rawlins, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, August 4, 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 Change Order and a Certificate of Substantial Completion for procurement of the Medicine Bow Modular and removed the Public Health contract for today.

**VOUCHERS**

Commissioner Moore moved to approve the report of expenditures in the amount of \$275,917.60. Commissioner Espy seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
71 Construction	Recycle Asphalt Product	\$1,152.00
Acme Electric Company, LLC	Electrician Services on New Horse Barn	\$12,909.95
Alesco, American Linen Division	Misc. Shop Supplies	\$58.93
APG Media Of the Rockies	Scholarship Ad	\$1.62
Ayala, Megan	Reimbursement for Travel/Supplies	\$197.15
Bank of Commerce	Checks	\$21.54
Barcodes	Label Rolls	\$696.69
Blakeman Propane	Gas Services	\$149.80
Blue360 Media, LLC	Law Books	\$1,139.25
Bob Barker Company, Inc.	Jail Supplies	\$406.16
Bomgaars Supply	Drill Batteries/Water	\$125.96
Build Rite Lumber Companies	Door Hardware/Screws	\$431.82
Carbon County Fair Association	2020 Fair Booth Rental for Victim Witness	\$25.00
Carbon County Higher Education Center	Face Shields COVID Funds	\$630.00
Casper Winnelson Co	Misc. Parts/Tools	\$3,149.61
CDW Government, Inc.	Misc. IT Supplies for Interim Justice Center	\$2,663.73
Chavez, Regina	Official Court Reporter	\$594.75
Colorado State University	Lab Expenses	\$200.00
Convergeone, Inc.	Smart Renewal	\$15,782.50

Couch Ii, Wayne M.D.	Carbon County Health Officer	\$1,600.00
Cowboy Supply House	Misc. COVID/Cleaning Supplies	\$1,507.79
Creagan, Lauren	Facebook Ads for Voting	\$850.00
Dallin Motors Inc	Fuel Filters/Install Trailer Brake Controller	\$526.58
F & S Trucking, Inc	Gravel for Fairgrounds/Set Up Fuel Tank	\$1,895.00
Forster Landscape & Construction	Turn on Irrigation	\$80.00
Further	Various Health Programs Payments	\$4,007.90
Grainger	Misc. Parts/Supplies	\$687.04
Herring, Paul	Grease	\$0.00
Jack's Body & Fender Repair	Towing Service	\$311.00
Johnston, Ranae	Mileage	\$9.00
Kari, Dale	Mileage	\$27.60
Kenco Security and Technology	Alarm Monitoring	\$83.00
Kilburn Tire Company	Tires	\$1,129.23
Laramie Fire Extinguisher	Extinguisher Inspections/Maintenance	\$217.00
Martinez, Natasha K., P.C	Legal Services	\$1,015.00
Memorial Hospital of Carbon County	Lab Fees	\$1,285.10
My Office Etc.	Hole Punch	\$12.84
Oftedal Construction, Inc	291/270 Gravel	\$100,163.95
O'Reilly Auto Parts	Cargo Straps/Gas Can	\$95.94
Partsmaster	Misc. Parts	\$2,847.45
Perkins Oil Co	Fuel	\$996.31
Personnel Evaluation, Inc.	Personnel Eval For A. Ohstad	\$20.00
Post and Associates	Pre-Employment Exam	\$400.00
Quill Corporation	Misc. Cleaning/COVID Supplies	\$212.99
R.P Lumber Company, Inc.	Misc. Building Supplies	\$2,736.03
Rawlins Automotive	Misc. Parts	\$369.90
Rawlins Glass Center, Inc.	Replace. Arm & Drop Plate for Door Closer	\$19.90
Saratoga Auto Parts, Inc.	Hexbit	\$176.69
Saratoga Sun	Various News Paper Ads	\$1,683.00
Shepard, Shandra Np	Reproductive Health Nurse	\$416.00
Shepard's	Fuel/Def Fluid	\$2,567.68
Shively Hardware	Mechanic Tool Set/Paint Supplies	\$248.06
Spaulding, Dawnnette	Mileage	\$134.55
State of Wyoming A & I	Titles Mainframe Access	\$82.75
Summit Food Service	Jail Meals	\$6,448.21
Swanson Services Corporation	Jail Commissary	\$950.76
Team Lab	Cold Patch Repair	\$5,175.00
Terminix	Pest Control	\$175.00
The Cowboy Couture	Embroidery	\$157.50
Thomson Reuters-West Payment Center	Court Rules	\$440.00

Thos. Y. Pickett & Co., Inc.	Valuation Contract	\$6,000.00
Trevathan, Sabrina RMR	Transcription Services	\$1,303.40
True Value of Rawlins	Adhesive	\$11.98
Us Imaging	Imaging/Digitizing Clerk Records	\$71,477.54
Wille, Ron	Gravel Lease	\$500.00
Wy Behavioral Institute	Acute Adult Unit	\$8,294.00
Wy Machinery Company	Misc. Mechanic Services/Parts	\$5,891.67
Yocum, Leo	Mileage	\$24.00

## **CONSENT AGENDA**

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the July 20, 2020 regular meeting minutes, monthly receipts from Planning and Development Department in the amount of \$9,200.00, a bond for Jana Cook, Clerk/Treasurer for the Town of Riverside in the amount of \$50,000.00, a bond for Pamela A. Thayer, Treasurers for the Board of Cooperative Higher Education Services in the amount of \$50,000.00 and a bond for Taylor B. Smith, Trustee for the Medicine Bow Rural Health Care District in the amount of \$5,000.00. Commissioner Barkhurst seconded and the motion carried unanimously.

## **ELECTED OFFICIALS & DEPARTMENT HEADS**

### **Emergency Management**

Emergency Management Coordinator Lenny Layman reported self-counting for the 2020 Census goes through October. Mr. Layman presented information on Information Liaison Officer (ILO) training that he will be attending later this month. Homeland Security is working on distributing personal protective equipment such as masks and hand sanitizer. Mr. Layman is the distribution point.

Mr. Layman reported that Sinclair Oil was set to donate \$5,000 to the Incident Management Team prior to him joining the county. After he arrived, he has worked with Sinclair Oil to increase the award and use it towards the county's coordination center instead. The donation will be \$15,000.00 and they would like to present the donation to the BOCC next meeting.

Homeland Security has created a new EMPG-S grant and he feels he could use this for an array of things related to a coordination center. He would like to apply. He also invited the BOCC next week to view the Larimer County Colorado emergency coordination center so the BOCC has an opportunity to see what one could look like for Carbon County.

Mr. Layman presented the AlertSense, Inc. Master Service Agreement and Quote for Commissioner approval and signature. AlertSense, Inc. provides state, local and federal government agencies the ability to do mass emergency notifications to its citizens. The quote that was received is \$4,900.00 for a term of one year to begin once the agreement is signed. The agreement will automatically renew for an additional 12 months unless a written notice of

termination is received. AlertSense will replace the Code Red system and is grant funded. Transitioning to AlertSense will save the County over \$6,400.00 per year.

Mr. Layman overviewed the mass notification update. As the Emergency Management Coordinator, he is the IPAWS Coordinator. IPAWS are alerts he would initiate or approve sent to cell phones without any requirement to opt in, including the traveling public. There can also be public messages that require residents or others to opt in to the service. The City of Rawlins has been using Code Red and owns a three-year contract to do this and the county has been using a grant from Homeland Security to pay for their system. There is one year left on their contract and the cost is typically \$11,390.00 however Mr. Layman has negotiated their final year price down by several thousand on their behalf. The grant that paid for Code Red was not renewed by the county earlier in 2020 therefore there would be no funds to pay for Code Red next year. Because of this he has been working on a solution and found that AlertSense offers a very similar, easy to use system that could migrate the data of those that have opted in to notifications. He has done an online demo including the City of Rawlins, Town of Saratoga and the county dispatchers and said all liked the system. The cost is \$4,900 per year and he has negotiated a two-year contract. The state will allow the existing grant to pay for two years. The grant must be amended and is required to be signed by September 1<sup>st</sup>. He expects data migration to occur by end of September then implement.

Commissioner Moore moved to authorize the Chairman's signature on an amendment to a Homeland Security Grant for emergency alert systems pending legal and commissioner review. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Jones moved to approve and authorize the Chairman's signature on the AlertSense, Inc. Master Service Agreement for a term of one year in the amount of \$4,900.00 to renew automatically for one-year terms thereafter with written notice. Commissioner Espy seconded and the motion carried unanimously.

Mr. Layman provided an update on COVID-19 statewide and county metrics on behalf of Public Health. He stressed that new cases are concerning and increasing.

### **Buildings & Grounds**

Jim Piche, Buildings & Grounds Manager presented Change Order #3 for the Medicine Bow Road & Bridge Complex. There are things added and removed from plans resulting in a total credit of \$2,167.00. He also reported that the county needs to accept substantial completion of the modular building at Medicine Bow. The new fuel system is in place there and will be operational likely today.

Commissioner Moore moved to authorize the Chairman's signature on Change Order 3 on the Medicine Bow Road & Bridge Complex in the credit amount of \$2,167.00. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Barkhurst moved to authorize the Chairman to sign the Certification of Substantial Completion of the Medicine Bow Modular procurement. Commissioner Moore seconded and the motion carried unanimously.

Bids received for the roof replacement at the Interim Justice Center. Bids were received from Shepard Construction Solutions, Inc in the amount of \$94,300.00 for steel roofing (option 1), \$78,800.00 for shingles (option 2) and \$8,500.00 for gutters (option 3) and from Monte Vista Construction in the amount of \$74,357.00 for shingles (option 2) and \$6,800.00 for gutters (option 3).

Mr. Piche's recommendation was to award the bid to Monte Vista Construction for shingles.

Commissioner Espy moved to accept the low bid from Monte Vista Construction in the total amount of \$81,157.00 for the roof replacement and gutters at Interim Justice Center. Clerk Bartlett reported this would put the project over budget and Mr. Piche stated he will be under budget elsewhere, so this won't be an issue. Commissioner Moore seconded and the motion carried unanimously.

#### **Assessor**

County Assessor Renee Snider presented the 2020 Mill Levies for adoption.

Commissioner Espy moved to adopt the 2020 Mill Levies. Commissioner Jones seconded and the motion passed unanimously.

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

#### **Sheriff**

County Sheriff Archie Roybal reported on recent trainings deputies have been and are currently receiving.

#### **IT**

Matt Webster, IT Director presented an Employee Cellphone/Equipment Agreement for Commissioner approval. This agreement would require employees to sign a user agreement when they use county owned equipment such as cell phones and laptops. This will be incorporated into the county's personnel policies when they are updated in the next month or so.

#### **Road & Bridge**

Road & Bridge Coordinator Kandis Fritz thanked the Sheriff dispatch and Deputy Adam Kelly for assisting her department with a blade that broke down in the road. Ms. Fritz reported that mag chloride began yesterday on County Roads 291 and 270. County roads continue to be bladed around the county and mowing is occurring on various rights of way.

Ms. Fritz requested authorization to use the equipment reserve fund for equipment repairs. Clerk Bartlett asked if the BOCC wanted to use a reserve fund for ongoing maintenance and the BOCC determined it would use the Road & Bridge budget and amend if necessary.

Ms. Fritz is looking for a lowboy trailer and requested authorization to bid online. There is a 3% service charge for purchasing at the auction.

Ms. Fritz presented a Road Use Agreement with Trout Unlimited for High Savery for Commissioner approval and signature. This agreement is to harvest rock from the Slater Pit to improve an access road off county road 401 below High Savery Dam.

Commissioner Espy moved to approve and authorize the Chairman's signature on the Road Use Agreement with Trout Unlimited for the Sage Creek Road & Browns Hill, Roads 401 and 602. Commissioner Jones seconded and the motion carried unanimously.

Ms. Fritz is planning to use a central federal highway grant on the Seminoe Road. She will work on the application prior to the due date.

### **Planning & Zoning**

Sarah Hutchins, Planning and Zoning GIS Specialist presented a preliminary Flood Insurance Study from FEMA to the BOCC for comment. In this study, FEMA collected flood hazard information for the entire county including unincorporated areas. Then they drafted a Flood Insurance Rate Map (FIRM) and a Flood Insurance Study (FIS) report for Carbon County to review the affected communities and identify changes or corrections to the non-technical information, such as corporate limits, road names, and stream names on the FIRM or in the FIS report.

Ms. Hutchins reported there will be a Community Official meeting August 12, 2020 at 11:00 a.m. via Zoom and the purpose of that meeting is to discuss and general issues with the maps themselves. Public hearings will be held at 5:00 p.m. via Zoom on September 14<sup>th</sup> in Saratoga, September 15<sup>th</sup> in Baggs and September 16<sup>th</sup> in Elk Mountain for public comment. There will be a period where someone could appeal the process that FEMA had used in drafting the maps. After the appeal period FEMA will provide an official letter of determination for the maps around January 2021. Then the county will have approximately 6 months to get our flood plain regulations compliant with the FEMA maps.

When the maps become official there will be some impacts to the public as there have been significant changes to the special flood hazard area since the last study in the 1970's. One change is that in an area where there is a 1% chance of flooding in any given year flood insurance may be required.

Mr. Layman reported that he was impacted by this just recently because he was required to get flood insurance at least for the first year when he moved to Saratoga. Mr. Layman feels that we are going to get a lot of public outcry due some community members not having to have flood insurance prior to the study and now they are required to have flood insurance.

**Clerk**

Gwynn Bartlett, County Clerk asked if the BOCC would be suspending travel for this year for their regular meetings due to COVID-19 or continue with the schedule as-is. After discussion the BOCC opted to leave the schedule as-is for now. There was discussion of changing the August 25 meeting to 1 p.m. start rather than 2 p.m. to allow time to finish prior to another 4 p.m. meeting some board members will attend.

Commissioner Espy moved to approve Resolution 2020-33 to change the start time of the regular meeting August 25, 2020 to 1 p.m. Commissioner Jones seconded, and the motion carried unanimously.

**RESOLUTION 2020-33**

**AMENDMENT NUMBER 5 (FIVE) TO RESOLUTION 2013-12, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, CARBON COUNTY WYOMING SETTING MEETING SCHEDULES**

**WHEREAS**, pursuant to Wyo. Stat. §18-3-502, the Board of County Commissioners shall meet the first Tuesday of each month or at such other times as may be designated by resolution of the board; and

**WHEREAS**, pursuant to Carbon County Resolution 2013-12 the Board of County Commissioners of Carbon County Wyoming will also meet the third Tuesday of each month; and

**WHEREAS**, the first or third Tuesday of the month may occasionally fall on a holiday, a day the board is unable to meet or a day when it may be more convenient to meet on an alternate date; and

**WHEREAS**, this resolution shall constitute the fifth amendment to Resolution 2013-12, A Resolution of the Board of County Commissioners, Carbon County Wyoming Setting Meeting Schedules.

**THEREFORE BE IT RESOLVED** because of a scheduling conflict with another meeting, the regular meeting of the Board of Carbon County Commissioners originally scheduled for August 25<sup>th</sup> at 2:00 p.m. in Saratoga, Wyoming will be moved to 1:00 p.m.

**PASSED, APPROVED, AND ADOPTED** this 4<sup>th</sup> day of August, 2020.

-s- John Espy, Commissioner

Attest:

-s- Gwynn G. Bartlett, County Clerk

Clerk Bartlett requested approval for the Clerk's Office to be closed on August 18, 2020 for the Primary Election as she is short staffed and sends most staff to polling locations. The land office would remain open as required in Title 22 of the Wyoming Statutes.

Commissioner Espy moved to close the County Clerk's Office except for the land office and elections on August 18, 2020 for the Primary Election. Commissioner Barkhurst seconded and the motion carried unanimously.

Clerk Bartlett presented the amended Rules and Regulations Governing the Licensing of Liquor and Malt Beverage Sales for Carbon County. The current rules have been in place for 3 years so it was time to do an update to include all of the various permits that have been authorized through legislation to include prohibiting individuals in providing alcohol to immediate family members, legal wards or medical patients under the age of 21.

The BOCC had no changes therefore Clerk Bartlett will advertise for the changes to be adopted pursuant to the Administrative Procedures Act.

Clerk Bartlett reported that Resolution No. 2020-28 had mistakenly been used twice and requested the BOCC renumber the second resolution that used that number to the next available number.

Commissioner Espy moved to assign the Appropriations Resolution number 2020-32. Commissioner Moore seconded and the motion carried unanimously.

The county received a notice from the WY Department of Environmental Quality Industrial Siting Division that Gateway South has filed an Industrial Siting Application. We have scheduled a joint meeting to talk about impact assistance funding for any unmitigated impacts for August 25<sup>th</sup> at 4:00 p.m. with the communities that will be affected. Rather than trying to do the meeting in person and online it would be easier to just have the meeting online. Clerk Bartlett requested to schedule a special meeting with department heads for August 13 at 8:30 at the Carbon County Courthouse to discuss any potential impacts the county will have with the new Gateway South project.

Commissioner Barkhurst moved to authorize the Chairman's signature on a party request letter to the DEQ to become a party to the Gateway South permit application. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Jones moved to regretfully accept the letter of resignation from Sid Fox as a board member for the Urban Systems Committee and the Great Divide Economic Development Coalition. Commissioner Moore seconded and the motion carried unanimously.

### **Commissioner**

Clerk Bartlett asked if the BOCC wanted to consider the letter presented in support for the Seminoe Pumped Storage Project. The BOCC has not considered permits for this project yet and therefore will decline to support the project to avoid any conflicts.

Clerk Bartlett presented a Grant Agreement for the Rawlins Municipal Airport/Harvey Field Grant Agreement No. RWL-NMG-3-56-0023-019-2020 for ratification of the Chairman's signature.

Commissioner Moore moved to ratify Chairman John Johnson's signature on the Rawlins Municipal Airport/Harvey Field Grant Agreement No. RWL-NMG-3-56-0023-019-2020. Commissioner Jones seconded and the motion carried unanimously.

## **COMMISSIONERS DISCUSSION**

Commissioner Moore discussed progress on the Natural Resource Management Plan and the requirement of regular meetings.

Commissioner Espy reported that the WY Public Lands bill will likely be introduced by Senator Barrasso's office in the next few weeks. There are a couple conservation groups in Wyoming opposing the bill. Tomorrow he will be meeting with the Governor's Office on Migration Corridors.

Commissioner Barkhurst reported he watched a video feed between the WY Taxpayer's Association and the State of Wyoming. He also invited the public to the fair noting there are COVID-19 precautions in place.

Commissioner Jones reported the Dixon Airport WACIP meeting is coming up and she will participate on behalf of the county. She also thanked elected officials and department heads for their hard work with shoestring budgets and skeleton staff.

## **Public Hearing - Z.C. Case #2020-06**

Chairman Johnson opened a public hearing at 11:02 a.m. to hear Planning & Zoning Z.C. Case #2020-06, Thomas Lopez's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-1.16) on Tract 91 located in the Overlook Retreat Subdivision #1 Approximately 22 miles south of Elk Mountain on Carbon County Road #101 (Medicine Bow Ranger Station Road) and on U.S. Forest Service Road #105 about one mile north of Turpin Reservoir.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Espy closed the hearing at 11:04 a.m.

Commissioner Jones moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2020-34 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 #2020-06, Thomas Lopez's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-1.16) on Tract 91 located in the Overlook Retreat Subdivision #1 Approximately 22 miles south of Elk Mountain on Carbon County Road #101 (Medicine Bow Ranger Station Road) and on U.S. Forest Service Road #105 about one mile north of Turpin Reservoir. Commissioner Barkhurst seconded and the motion carried unanimously.

## **Resolution No. 2020-34**

**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 #2020-06**

**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, July 6, 2020, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, July 6, 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, July 6, 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, August 4, 2020; and

**WHEREAS**, at said public hearing on August 4, 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 #2020-06:** Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-1.16) on Tract 91 located in the Overlook Retreat Subdivision #1. The FPSR Zone is intended to be applied to areas of the County in which timber production and seasonally accessible recreation uses are the desirable predominant uses.

**Petitioner:** Thomas E. Lopez (Applicant and Landowner)

**Parcel Identification Number:** 17801430609100

**General Site Location:** Approximately 22 miles south of Elk Mountain on Carbon County Road #101 (Medicine Bow Ranger Station Road) and on U.S. Forest Service Road #105 about one mile north of Turpin Reservoir.

**Legal Description--taken from Book 1162, Page 138:** A parcel of land situate in Section 14, Township 17 North, Range 80 West of the 6<sup>th</sup> Principal Meridian, Carbon County Wyoming, being known and designated as Tract 91, as shown on the record plat entitled "Overlook Retreat Subdivision" and recorded on November 8, 1971, in Book 570, page 3, Records of Carbon County, Wyoming.

**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 Forestry Production and Seasonal Recreation (FPSR-1.16) on Tract 91 located in the Overlook Retreat Subdivision #1.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming on this 4<sup>th</sup> of August, 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 – C.U. Case File No. 2020-02**

Chairman Johnson opened a public hearing at 11:05 a.m. to hear Planning & Zoning C.U. Case File No. 2020-02, Sanford Schrock's request for a Conditional Use Permit in the Rural Residential Agriculture (RRA) Zone. The request is to permit a business (garage doors and openers – "E-Z Lift Garage Doors") that will not substantially distract from the agricultural or residential character of the area located approximately 1/2 mile north of Wagon Circle Road off Carbon County Road #451 (Cherokee Road) on the east 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 11:07 a.m.

Commissioner Barkhurst asked the applicant if he has scrap that could become a nuisance to neighbors. The applicant Mr. Schrock was present and stated that he does have a scrap pile started but plans to clear it every once in a while. Commissioner Barkhurst asked if the applicant would be willing to hide the pile with fence and he agreed that he would like to hide it, even from his own view.

Commissioner Barkhurst moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2020-35, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding C.U. Case File No. 2020-02, Sanford Schrock's request for a Conditional Use Permit in the Rural Residential Agriculture (RRA) Zone. The request is to permit a business (garage doors and openers – "E-Z Lift Garage Doors") that will not substantially distract from the agricultural or residential character of the area located approximately 1/2 mile north of Wagon Circle Road off Carbon County Road #451 (Cherokee Road) on the east side. Commissioner Moore seconded and the motion carried unanimously.

**Resolution No. 2020 – 35**

**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 #2020-02 – "E-Z Lift Garage Doors"**

**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, July 6, 2020, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, July 6, 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 the Monday, July 6, 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 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, August 4, 2020; and

**WHEREAS**, at said public hearing on August 4, 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 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 File #2020-02:** Application for a Conditional Use Permit in the Rural Residential Agriculture (RRA) Zone. The request is to permit a business (garage doors and openers – “E-Z Lift Garage Doors”) that will not substantially distract from the agricultural or residential character of the area.

**Project Name:** E-Z Lift Garage Doors

**Petitioner:** Sanford Schrock (Applicant and Landowner)

**Parcel Identification Number:** 21881340002600-Parent Parcel

**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:** Lot 1, Lose Minor Subdivision located in the E1/2 SE1/4, Section 13, T21N, R88W, 6<sup>th</sup> P.M., Carbon County, Wyoming.

**TERMS AND CONDITIONS OF APPROVAL:**

1. Building Permit(s) are required prior to the start of construction. Approved WDEQ and WSEO permits (if applicable) will be required and must be submitted along with the building permit application.
2. In the event of an emergency, an Emergency Contact Information shall be posted on the site and visible from Carbon County Road #451.
3. The Applicant(s) shall notify the Carbon County Planning & Development Department in writing of any material changes to the project subsequent to the County issuance of the Conditional Use Permit.
4. 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 #2020-02 – “E-Z Lift Garage Doors”).

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 4<sup>th</sup> day of August 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

**Certifications of Recommended Action**

Commissioner Jones moved to accept the certifications of recommended applications and schedule public hearings for September 1, 2020 at 11:15 a.m. for the following cases: Union Telephone Company C.U. Case File #2020-06, C.U. Case File #2020-07, C.U. Case File #2020-08, and C.U. Case File #2020-09; Z.C. Case File #2020-07 and Companion Case C.U. Case File #2020-04 for Michael and Nina Martin; and a public hearing at 1:30 p.m. for C.U. Case #2020-03 - Gateway South. Commissioner Barkhurst seconded and the motion carried unanimously.

**EXECUTIVE SESSION**

Commissioner Espy moved to go into executive session at 11:17 a.m. with Clerk Bartlett and Ashley Mayfield 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 11:36 a.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Barkhurst seconded and the motion carried unanimously.

**FCI Constructors, Inc. – Courthouse and Carbon Building Project Update**

Brandon Munz of FCI Constructors of WY, the county's Construction Manager at Risk reported on their work the past several months. They have been working on final plans with the design team to obtain subcontractor pricing and will continue on this route until they present a guaranteed maximum price (GMP). Commissioner Moore asked if the FCI sees any issues with supply chain due to COVID-19. Mr. Munz doesn't anticipate any significant delays and mentioned with the county providing space to store items he feels like they will likely order items well ahead of time and have them on site ready to use.

Clerk Bartlett suggested that two commissioners be appointed to attend weekly meetings and make decision on the project then report back to the entire board.

Commissioner Jones moved to appoint Commissioners Espy and Johnson as the county's representatives on behalf of the board and authorize these two to jointly approve change orders of up to \$75,000.00. Commissioner Moore seconded and the motion carried unanimously.

## **COMMISSIONERS DISCUSSION**

Commissioner Moore moved to authorize any commissioners signature on an offer of employment to the candidate selected for the mental Health position. Commissioner Barkhurst seconded and the motion carried unanimously.

## **ADJOURNMENT**

Commissioner Espy moved to adjourn the meeting at 11:50 a.m. Commissioner Moore seconded and the motion carried unanimously.

A regular meeting of this Board will be held Tuesday, September 1, 2020 at 2:00 p.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.