

**REPORT TO THE  
MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, March 16, 2021 &  
Thursday, March 18, 2021  
Carbon County Courthouse, Rawlins, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) was scheduled for March 16, 2021 but postponed to Thursday, March 18, 2021 at 9:00 a.m. at the Carbon County Courthouse in Rawlins, WY due to lack of quorum as three commissioners could not attend due to road closures.

The meeting was called to order March 18, 2021 Attending the meeting were Chairman, John Johnson, Vice Chairman, Sue Jones, John Espy, Travis Moore. Commissioner Byron Barkhurst was absent.

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

**ADDITIONS / CORRECTIONS**

Chairman Johnson reported Goshen Help and Leadership Carbon County will not be on today's agenda as published and he added Public Health Nurse, Amanda Brown.

**VOUCHERS**

Commissioner Jones moved to approve March 2020 payroll and benefit expenses of \$929,016.34 and insurance claim and premium expenses of \$234,611.84, expenditures in the amount of \$1,494,498.70 for an aggregate total today of \$2,658,126.88. Commissioner Moore seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
Alesco, American Linen Division	Misc. Shop Supplies	\$56.90
Apex Communications	Batteries/Agreement/Repeater Trailer	\$4,838.88
Axis Forensic Toxicology, Inc.	Labs	\$653.00
Ayala, Megan	Mileage/Meals	\$211.00
Baggs, Town Of	Water Services/Rent	\$183.90
Balestrieri, Michelle	Certified Mail	\$16.10
Bank of Montreal - Mastercard	Various Charges	\$23,704.21
Barrier Systems LLC	Sandbags/Attachment for Skid Steer	\$14,423.91
Beach, Homer	Snow Plowing Services	\$560.00
Belford, Casey	Mileage for Witness/Witness Fees	\$292.00
Belford, Montana	Full Day Witness Fees	\$60.00
Bennett Law Group, P.C.	Legal Services	\$458.33
Bi Inc.	Monthly Electronic Monitoring Svcs.	\$2,080.00

Blakeman Propane	Heating Services	\$2,502.72
Bob Barker Company, Inc.	Shampoo	\$488.73
Bomgaars Supply	Supplies	\$163.66
Bridger Fabrication	Angle Iron	\$19.40
Carbon County Veterinary Hosp.	Zeus Vet Services	\$50.00
Carbon Power & Light Inc	Electric Services	\$2,509.62
CareRight Technologies, LLC	Monthly Bed Fee	\$122.10
Casper Winnelson Co	Boiler Project	\$1,382.82
CDW Government, Inc.	Toner/Tripp Surge	\$1,482.84
Clerk of Dist. Court (Jurors)	District Court Jurors	\$4,531.00
Convergeone, Inc.	Office Security	\$4,320.00
Cowboy Chemical	Jail Laundry Supplies	\$407.05
Cowboy Supply House	Misc. Cleaning Supplies	\$1,037.04
CSG Forte Payments, Inc.	Credit Card Machine	\$328.51
Dirty Boyz Sanitation, Inc	Trash Services	\$1,684.00
Elevated Training Solutions	Random Drug Tests	\$70.40
Elk Mountain, Town Of	Water Services/Propane	\$459.00
Engstrom, James D. DDS	Inmate Dental Services	\$2,500.00
Erickson & Roberts	Legal Services	\$620.00
FCI Constructors of Wy	Carbon Building Project Const.	\$1,190,332.80
Figolah, Judy	Meal Reimbursement for Jury Trial	\$15.58
Forensic Pieces, Inc.	Crime Scene Invest. Training	\$1,190.00
France, Tara	Court Reporter Services	\$973.25
Fremont Motors-Casper	2021 Ram 3c6ur5cj5mg545855	\$30,254.00
Gale, Gwen	Mileage COVID-19 Clinics	\$33.50
Galls/Quartermaster	Deputy Uniforms	\$4,866.70
GCR Electronics, LLC	Monthly Site Rent	\$2,000.00
Grainger	Parts	\$384.05
Greater Wy Big Bros/Sisters	County Prevention Services	\$6,323.44
Hagan, Walter	Bailiff for Circuit Court	\$75.00
Henderson, Daniel	Electronic Monitor Refund	\$845.50
Iacovetto, Karon	Monthly Janitorial Services	\$16,065.00
IML Security Supply	Tapered Housing	\$52.54
Jack's Body & Fender Repair	Towing Services	\$2,020.00
Johanson, Shirley	Electronic Monitor Refund	\$820.00
Johnsons K9, LLC	K9 Training	\$7,200.00
Kenco Security & Tech.	Monthly Monitoring	\$83.00
Kilburn Tire Company	Tire	\$225.18
KNF Flex Pak Corp.	Body Bags	\$1,098.34
KTGA/KBDY	Radio Ads/Rent	\$410.00
Lucero, Angelo	Full Day Witness Fees	\$30.00

Marsh, Mazie	Witness Fees	\$60.00
Marsh, Soon Hai	Witness Fees/Meals	\$477.53
McKesson Medical-Surgical	Jail Med Supplies	\$100.22
M.H.C.C.	Psych Lockup	\$17,265.42
Mercedes Transcription, Inc	Transcription Reports	\$60.28
Merseal Law, LLC	Legal Services	\$5,940.00
Nationwide	Bond Renewal J. Martinez	\$50.00
Neutron Industries	Auto scent Packs/Alc. Sanitary Wipes	\$145.36
Norco, Inc.	Cylinder Rental/Supplies	\$1,120.66
Offender Watch	Sex Offender Notification	\$87.45
Olde Trading Post	Fuel	\$128.78
O'Reilly Auto Parts	Parts	\$142.31
Perkins Oil Co	Fuel	\$3,939.00
Perue Printing	Mailing Labels	\$129.00
Plus Electric Inc.	Crane Repair	\$732.75
Quill Corporation	Office Supplies	\$942.04
R.P Lumber Company, Inc.	Supplies	\$892.66
Rawlins Automotive	Parts	\$1,077.45
Rawlins Fire Extinguisher	Peterbilt Truck	\$65.00
Rawlins Glass Center, Inc.	Custom Glass Cut Size	\$124.50
Ricoh USA Inc	IT Copiers	\$892.12
Rocky Mountain Power	Electric Services	\$24,582.03
Rocky's Quik Stop	Fuel	\$1,247.02
Rodabaugh, Sherry	Bailiff for Jury Trial	\$225.00
Rollman, Bryan	Electronic Monitor Refund	\$820.00
Saratoga Sun	Newspaper Ads	\$1,271.50
Saratoga, Town Of	Water Services	\$53.25
Schaeffer Mfg. Co	Oil Drums	\$5,770.80
Schilling & Winn Pc	Legal Services	\$3,577.93
Shepard's	Fuel	\$279.59
Shively Hardware	Supplies	\$142.08
Stinker Stores, Inc.	Fuel	\$6,981.68
Stryker Sales Corporation	Battery	\$585.71
Summit Food Service	Jail Meals	\$6,597.89
Swanson Services Corporation	Jail Commissary	\$1,630.85
Symns, Bob	Electronic Monitor Refund	\$820.00
T.W. Enterprises, Inc.	Replace Radiator	\$4,117.80
Terminix	Pest Control	\$175.00
Thomson Reuters-West Pymt Ctr	Monthly Access Fee	\$802.17
Tin Boy Garage	Oil Filter	\$47.98
T-Mobile	Sheriff Phones	\$400.02

T-O Engineers	DWX Master Plan Jan 1-31st 2021	\$6,324.99
True Value of Rawlins	Supplies	\$182.96
Tyler Technologies, Inc	IDOC/ITAX	\$275.63
U S Postmaster-Rawlins	Post Office Box Renewal	\$76.00
United States Postal Service	Postage Machine Funds	\$10,000.00
Valley Oil Company	Fuel	\$1,485.77
Vaughn Concrete Products Inc	Manhole Risers	\$130.00
Voiance Language Services LLC	Over the Phone Interpretation	\$3.00
Walker, Deborah C	Deputy Patches	\$84.00
Webb, Julie	Mileage	\$169.00
Webster, Matthew S	Mileage	\$62.50
Western Detention Products Inc.	Motor	\$1,365.00
Western States Fire Protection Co	Annual Fire Sprinkler/Alarm/Backflow	\$475.00
Wex Bank	Fuel	\$1,147.07
Winters Griffith Architects	Construction Administration	\$26,962.00
Wy Behavioral Institute	Acute Adult Unit	\$3,016.00
Wy Dept Of Transportation	Savery Bridge	\$7.27
Wy Machinery Company	Parts	\$2,887.63
Wy Public Health Laboratory	Lab Fees	\$1,299.00
Wy Secretary of State	Notary Renewals	\$90.00
Wyoming Disposal Systems	Trash Services	\$219.00
Wyoming Service & Controls, Inc	Control Valves and Actuators	\$3,096.00
Wyoming State Treasurer	Circuit Court Move To 812 Murray St	\$3,125.05

## **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 2, 2021 regular meeting minutes, monthly receipts from Carbon County Clerk in the amount of \$17,176.50 and monthly receipts from the Clerk of District Court in the amount of \$3,277.00, a bond for Kristen Redding, Carbon County Deputy Assessor in the amount of \$10,000.00 and a bond for Ryan John Mikesell, Treasurer for Little Snake River Rural Health Care District in the amount of \$10,000.00. Commissioner Moore seconded, and the motion carried unanimously.

## **ELECTED OFFICIALS & DEPARTMENT HEADS**

### **Emergency Management**

Lenny Layman, Emergency Management Coordinator introduced Annette Penman of Sinclair Wyoming Refining Company who presented a donation of \$14,425.00 and Sarah Williams of the Saratoga Hot Springs Resort who presented a donation of \$500.00 for the Sand Master Sandbagger and sandbags.

Mr. Layman discussed the recent winter storm. He would like to create a more robust situational report for future use. During this storm there were livestock concerns and he mentioned he has no rancher contact group and asked the BOCC if they knew of a group he could reach out to for more information. The BOCC suggested that he go through the Livestock Association.

Mr. Layman discussed POETE - Planning Organizing Equipping Training and Exercises. The C4 will host the Carbon County Council of Governments Meeting March 31. He will be working with various county departments to apply for various homeland security grants. This will include the mass notification system, AlertSense.

Mr. Layman discussed the Colorado Highway 13 reconstruction project at the Colorado state line near Baggs. While this is in Colorado it is close to the border, so he wanted to keep the BOCC informed. Mr. Layman provided an update on the Wyoming 130 bridge. Kandis Fritz, Road & Bridge Coordinator reported that the WY Department of Transportation would like to use County Road 504, but she wasn't sure exactly when or how long. While the BOCC would like to help members they were hesitant because of the road conditions in the spring and fear that the road cannot handle the traffic. They asked her to have WYDOT investigate alternate routes.

### **Public Health**

Amanda Brown, Public Health Nurse requested and received authorization to refill a vacant Maternal Child Health nurse position in her office. The employee is moving to a state position. Her office is now moving to phase 2 for COVID-19 vaccines.

### **Fire**

Henry Hucke, Baggs Fire Chief was present and discussed a letter he had sent to the BOCC regarding how the county determines what department gets funded for equipment needs.

Chairman Johnson discussed the effort to form a fire district years ago that would have been a more reliable funding source and that it may need looked at again. Commissioner Jones discussed the possibility of a Mutual Aid Agreement between the Town of Baggs and the county as the county already does with Medicine Bow. The town would be responsible for employees and volunteers, equipment and operations and the county would reimburse them on a per call basis using a predetermined fee schedule. Commissioner Jones said many departments feel the same and she suggested the county should meet with all chiefs to determine current equipment and needs. Commissioners Moore and Jones volunteered to put together a working group to discuss all these things. Chairman Johnson thought other emergency services should be involved such as South-Central WY EMS.

### **Government Class**

Rawlins High School government class students were present and introduced by Commissioner Moore. The group attended as a requirement of their class to observe.

### **Buildings & Grounds**

Jim Piche, Buildings & Grounds Manager discussed the review of fire extinguisher services for county buildings. He provided pricing from Laramie Fire Extinguisher, Rawlins Fire Extinguisher and Valley Fire Extinguisher Services and recommended the board continue to use Laramie Fire extinguisher simply due to savings based on the provided pricing.

Mr. Piche reported that revisions to the HVAC system at the Interim Justice Center is approximately 70% complete and should be completed soon.

### **Road & Bridge**

Kandis Fritz, Road & Bridge Coordinator presented Congestion Mitigation Air Quality (CMAQ) bids for magnesium chloride that were received. Costs were requested for cost per mile, total price for 60 miles of mag chloride only, per mile for mag chloride and water and total for 60 miles of mag chloride and water.

F&S Trucking bid \$344,580.00 or \$5,743.00 per mile and Dust Busters bid \$269,940.00 or \$4,499.00 per mile. She recommended the low bidder. The county budgeted \$150,000.00 from the Road Fund plus \$136,415.00 from impact assistance. Her office will provide water for the project.

Commissioner Espy moved to award the bid for 60 miles of mag chloride to Dust Busters in the amount of \$269,940.00, or \$4,499.00 per mile. Commissioner Moore seconded. Chairman Johnson asked what impact project and Ms. Fritz stated Gateway West and that the county road is impacted by that project. The motion carried unanimously.

Ms. Fritz is working with WLC for engineering specifications for the project so the road fund can be used.

### **Sheriff**

Archie Roybal, County Sheriff reported he planned to request the Chairman's signature on the Cooperative Law Enforcement Agreement between the Sheriff Office and the Forest Service however he has not yet received it. The Sheriff provided an update for his office.

### **Attorney**

Attorney Davis reported that Travis Helm was recently appointed as a public defender and the BOCC had no comments.

### **Treasurer**

Patty Bentsen, County Treasurer reported last year 43% of taxes were uncollected and this year it is 48%. She discussed the receipt of money for oversized and overweight vehicles. The BOCC wanted to wait until budget sessions and see what was collected at that time and decide later.

Treasurer Bentsen is still trying to determine what the loan program will look like from the State Treasurer.

### **Clerk**

Gwynn Bartlett, Carbon County Clerk discussed board applications that she received from Sterling J. Conover for appointment to the Carbon County Senior Services Board for the Hanna area, Barbara J. Moss for re-appointment to the Carbon County Senior Services Board for the Dixon area and Lee Ann Stephenson for re-appointment to the Carbon County Senior Services Board for the Encampment area.

Commissioner Jones moved to appoint Sterling J. Conover to the Carbon County Senior Services Board for the Hanna area for an unexpired term ending March 2022, Barbara J. Moss to the Carbon County Senior Services Board for Dixon for a 3-year term ending March 2024 and LeeAnn Stephenson to the Carbon County Senior Services Board for Encampment for a 3-year term ending March 2024. Commissioner Espy seconded and the motion passed unanimously.

Clerk Bartlett asked if the BOCC wanted to continue to require masks in county buildings since the statewide mask mandate has been lifted. The BOCC asked her to revise signs that masks will be highly encouraged.

Clerk Bartlett discussed Senate File 145 regarding runoff elections. The Senate Corporations Committee passed this out of committee last week and it is on general file in the Senate today. She stated clerks don't oppose this but want an interim study to deal with cost issues and timeline issues during redistricting years.

Clerk Bartlett and Treasurer Bentsen asked what budget message the BOCC would like to send to departments. She stated mineral production estimates show a 10% reduction from the prior year and discussed the challenges coming up with a 3-month shortfall in tax collection beginning January 2022 when mineral producers go to a monthly payment based on real production rather than biannually based on past production. The BOCC would like two budgets, one very similar to the current and another showing what a 10% reduction would look like.

### **Citizen Discussion**

Jackie King, the Field Representative for Carbon County from Senator Lummis office introduced herself.

### **EXECUTIVE SESSION**

Commissioner Espy moved to go into executive session at 11:00 a.m. with Clerk Bartlett, Ashley Mayfield Davis, Lenny Layman and Kandis Fritz to discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Espy moved to come out of executive session at 11:15 a.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Moore seconded and the motion carried unanimously.

#### **Public Hearing - C.U. Case #2020-11-Union Telephone Company and City of Rawlins**

Commissioner Espy moved to un-table C.U. Case #2020-11 Union Telephone Company and City of Rawlins. Commissioner Moore seconded and the motion passed unanimously.

Chairman Johnson opened a public hearing at 11:17 a.m. to hear Planning & Zoning Case File No. C.U. Case #2020-11-Union Telephone Company and City of Rawlins, request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to replace the existing 45-foot tower with a permanent 80-foot tower, capable of a 20-foot future extension, with the total structure height being 107 feet including appurtenances, located at Rawlins North Water Tank Communications Site outside of City limits next to the Rawlins Water Tank on the west side of US HWY 287. Sarah Brugger presented the file noting that Union hosted a meeting with various landowners to discuss the location of the tower. Ryan Schmidt of Union Wireless reported on the meeting and landowners wanted this  $\frac{1}{4}$  mile away from the nearest residence. If they moved it there was a loss of elevation and they needed a 150' or taller tower. Of the 7 landowners that attended their meeting 4 of them have been actively involved in the entire process. Mr. Schmidt stated that they did a preliminary vote on who wanted the tower to be moved and who wanted to leave the tower where it was and out of the 7 that attended, 3 wanted the tower to stay where it was at and the other 4 wanted the tower moved up the hill.

Ken Wilson, area resident reported that out of 3 that voted to leave the tower where it is, one is a Union employee another is her father and the last is a friend who doesn't live there. Mr. Wilson thought they wouldn't need a taller tower as they could have taken the tower straight west up the hill. He doesn't like the view from his residence, and he feels like the negative health effects are played down by Union Telephone Company. He feels Union Telephone Company would not be out money by moving it up the hill  $\frac{1}{4}$  mile and stated he thinks they are only building the new tower to lease the bottom portion to their competitors. Mr. Wilson stated that Evanston makes Union decorative towers, so they don't look like towers.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 11:29 a.m.

Commissioner Moore asked Attorney Davis to refresh him on the FCC rules and Attorney Davis stated he is to determine if the use is in line with surrounding land uses and consistent with the Land Use Plan, not if the tower is a health hazard. He also asked if Union has done camouflage sites and Mr. Schmidt stated that depending on the area surrounding, they can try to blend the tower in with the landscape. Lastly, Mr. Moore wanted to point out that the Planning & Zoning Commission members are volunteers, not elected officials.

Commissioner Espy moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2021-12, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County

Planning and Zoning Commission regarding Case File No. C.U. Case #2020-11-Union Telephone Company and City of Rawlins, request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to replace the existing 45-foot tower with a permanent 80-foot tower, capable of a 20-foot future extension, with the total structure height being 107 feet including appurtenances, located at Rawlins North Water Tank Communications Site outside of City limits next to the Rawlins Water Tank on the west side of US HWY 287. Commissioner Moore seconded and the motion failed with all voting against the motion.

Attorney Davis reported that whenever a radio transmitter tower has been denied the BOCC has done a denial resolution and asked if the BOCC would like to do this. The BOCC would like a resolution prepared for consideration at the next meeting.

### **Commissioner Discussion**

Commissioner Moore reported he is working with Y2 and Fallen Law to review the draft Natural Resource Management Plan for grammar and statutory references.

Commissioner Espy participated in the NACO session virtually. The lone resolution was from Wyoming and would require a board of county commissioners to approve a federal land purchase in the state.

### **EXECUTIVE SESSION**

Commissioner Espy moved to go into executive session at 11:43 a.m. with Clerk Bartlett and Ashley Mayfield Davis discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Espy moved to come out of executive session at 12:13 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Moore seconded and the motion carried unanimously.

### **COMMISSIONERS**

Commissioner Moore moved to designate Commissioner Espy and Chairman Johnson to appoint an interim fire warden. Commissioner Jones seconded and the motion carried unanimously.

### **ADJOURNMENT**

Commissioner Espy moved to adjourn the meeting at 12:16 p. m. Commissioner Moore seconded, and the motion carried unanimously.

A regular meeting of this Board will be held Tuesday, April 20, 2021 at 2:00 p.m. at the Medicine Bow Senior Center, in Medicine Bow, 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.

