

**OFFICIAL MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, May 17, 2022
Hanna Town Recreation Center, Hanna WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, May 17, 2022, at 2:00 p.m. at the Hanna Town Recreation Center in Hanna, WY. Attending the meeting were Chairman, John Johnson, Vice Chairman, Sue Jones, John Espy, Byron Barkhurst and Travis Moore. Commissioner Espy joined the meeting via Zoom.

Chairman Johnson called the meeting to order at 2:00 p.m.

ADDITIONS / CORRECTIONS

There were no additions or corrections to the agenda. Commissioner Moore requested that under the Commissioners he would like a fire district discussion.

VOUCHERS

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

Commissioner Barkhurst moved to approve May 2022 payroll and benefit expenses of \$917,368.80 and insurance claim and premium expenses of \$170,461.33 and expenditures in the amount of \$1,240,202.15 for an aggregate total today of \$2,328,100.28. Commissioner Moore seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
Albrechtson, Mary Kay	Bailiff For Jury Trial	\$225.00
Alscos, American Linen Division	Misc. Shop Supplies	\$59.91
Anderson Co. Sheriff's Office	Nance Civil Process	\$100.00
Apex Communications	Maintenance Agreement	\$4,033.88
Apg Media Of The Rockies	2022 Primary Absentee Ad	\$210.00
Ausban, Kraig P	Mileage	\$59.50
Axis Forensic Toxicology, Inc.	Lab Fees	\$520.00
Baggs, Town Of	Fire Rescue/Water Services	\$376.15
Bank Of Montreal - Mastercard	Alcohol For Cleaning Printers	\$32,339.14
Beach, Homer	Snow Removal	\$350.00
Bi Inc.	Monthly Electronic Services	\$195.00
Bk Technologies Inc.	Coroner Radios	\$12,611.82
Blakeman Propane	Heating Services	\$2,348.13
Blue Knight Security LLC	Inmate Transport	\$6,050.00

Bob Barker Company, Inc.	Misc. Jail Supplies	\$781.92
Bomgaars Supply	Misc. Plumbing Supplies	\$187.59
Bridger Fabrication	Misc. Welding Services	\$64.00
Brightly Software, Inc.	Dude Solutions Software Maintenance	\$8,110.62
Carbon County Fair Association	Fair Awards	\$180.00
Carbon County Fair Board	Monthly Payment	\$4,166.67
Carbon County Library	Monthly Payment	\$32,500.00
Carbon County Museum	Monthly Payment	\$18,166.67
Carbon County Senior Services	Monthly Payment	\$16,666.67
Carbon County Vet. Hospital	K9 Zeus Appointment	\$125.04
Carbon Power & Light Inc	Electric Services	\$3,369.79
CareRight Technologies, LLC	Monthly Recurring Bed Fee	\$155.10
Casper Winnelson Co	Misc. Supplies	\$6,944.58
Chiu, Stephanie	Inmate Medical Services	\$6,500.00
Communication Technologies	Radio Services	\$567.68
Corthell And King, P.C.	Legal Services	\$2,550.00
Cowboy Chemical	Jail Laundry Supplies	\$979.95
Custom Creations	Beanies	\$195.00
Dallin Motors Inc	Service On Sheriff Truck	\$385.00
Davidson, Robyn	Rms 8th Grade Promotion	\$500.00
DBT Trans. Services LLC	Vhf Radio Power Supply	\$113.69
Dirty Boyz Sanitation, Inc	Trash Services	\$1,482.00
Dominion Energy	Heating Services	\$229.85
Drummond Refrigeration LLC	Dropout Disposal	\$35.00
Elevated Safety Solutions	Random Drug Tests	\$70.40
Elk Mountain, Town Of	Water Services/Rent	\$1,568.50
Encampment, Town Of	Water Services	\$102.00
Encartele	Jail Data	\$750.00
Engstrom, James D. DDS	Jail Dental Services	\$2,500.00
FCI Constructors Of Wy	Carbon County Courthouse Improvement	\$949,315.14
Galls/Quartermaster	Deputy Uniforms	\$475.20
Gonzalez Butler, Wanda I	Court Interpreter	\$40.00
Grainger	Ventilators	\$548.61
Greenwood Mapping, Inc	Election Mapping/Parcel Mapping	\$2,006.25
Grende, Steven T.	Meal Reimbursement	\$22.65
Hanna Fire Department	Drywall	\$58.74
Hanna, Town Of	Water Services	\$252.08
Herman, Bobbie	Mileage	\$27.00
Iacovetto, Karon	County Cleaning	\$9,765.00
Idemia ID & Security USA LLC	Fingerprint Machine	\$929.22
IMEG	GIS Services	\$9,588.00

Jack's Body & Fender Repair	Service Call	\$321.00
Kaisler, Todd	Mileage	\$54.00
King Soopers Customer Charges	Meeting Supplies	\$65.38
King Soopers Customer Charges	Meeting Supplies	\$48.29
Kone Elevators Escalators	Elevator Maintenance	\$9,992.00
Kostovny, Mark	Mileage	\$25.20
KTGA/KBDY	Tower Rent/Misc. Ads	\$450.00
Laramie Fire Extinguisher	Annual Inspection	\$772.00
Lascano, Valerie	Mileage	\$66.00
Lifetime Benefit Solutions, Inc	Cobra For County Employees	\$25.00
McKesson Medical-Surgical	Ointment	\$11.16
McLinskey, Leslie	Junior Class Post Prom Lock In 2022	\$500.00
Medicine Bow, Town Of	Water Services	\$200.00
M.H.C.C.	Lab Fees	\$313.00
Mercedes Transcription, Inc	Transcription Services	\$75.46
Merseal Law, LLC	Legal Services	\$3,790.00
Mike's Lock & Key	Lock Smith Services	\$172.00
Monson-Greene, Mindy	After Graduation Party 2022	\$500.00
Mountain Alarm	Monthly Monitoring Services	\$42.90
MPM Corp / Evergreen Disposal	Trash Services	\$130.00
Norco, Inc.	Cylinder Rent	\$951.29
Olde Trading Post	Fuel	\$226.39
O'Reilly Auto Parts	Misc. Parts	\$32.24
Park County	Congressional Tour 2022	\$785.00
Parker, Elizabeth	Mileage	\$85.64
Perkins Oil Co	Fuel	\$976.69
Pinal County Sheriff's Office	Wilckens Civil Process	\$32.00
Public Safety Center, Inc	Gloves	\$721.20
R.P Lumber Company, Inc.	Misc. Supplies	\$816.90
Rawlins Automotive	Misc. Parts	\$1,762.04
Rawlins Hardware	Misc. Parts	\$434.98
Rawlins, City Of	Water Services	\$1,879.00
Ready, Justin	Mileage	\$48.00
Rocky Mountain Power	Electric Services	\$16,065.69
Rodabaugh, Sherry	Bailiff For Jury Trial	\$225.00
Saratoga Sun	Misc. Ads	\$1,182.71
Saratoga, Town Of	Water Services	\$59.00
Shepard's	Fuel	\$1,985.60
Sheriff's Court Services	Civil Process Fees	\$55.00
Shively Hardware	Misc. Supplies	\$126.42
South Central Wy Ems	Basic EMT Class	\$400.00

Staples Advantage	Misc. Supplies	\$388.98
State Of Wyoming DCI	Sex Offender Changes Fees	\$50.00
Stinker Stores Inc	Fuel	\$23,134.08
Summit Food Service	Jail Meals	\$3,502.60
Sunrise Sanitation Service, LLC.	Trash Services	\$68.00
Swanson Services Corporation	Jail Commissary	\$1,402.67
Tensas Sheriff's Office	Babin Civil Process	\$76.24
The Masters Touch, LLC	Assessment Notices	\$2,069.46
Trudiligence, LLC	Background Checks	\$19.98
Valley Oil Company	Fuel	\$2,690.50
Walker, Deborah C	Patches Sewn	\$96.00
Wex Bank	Misc. Charges	\$1,657.71
Wille, O.R.	Mileage	\$45.00
Winters Griffith Architects	Construction Admin Through Apr 2022	\$8,385.00
WLC Engineering	17287 County Roads On State Lands	\$5,100.80
Wy Dept Of Transportation	Plate Transfer Co P 266	\$2.00
Wy Machinery Company	Misc. Parts	\$1,533.62
Wy Retirement System	Apr Vol Fire Retirement	\$956.25
Wyoming Disposal Systems	Trash Services	\$232.94

CONSENT AGENDA

Commissioner Moore moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the May 3, 2022, regular meeting minutes, monthly receipts from Carbon County Clerk in the amount of \$20,718.50 and Clerk of District Court in the amount of \$3,461.00, a bond for the Carbon County Library System in the amount of \$50,000.00, a bond for Brandee Nicole Forester, Clerk/Treasurer for the Town of Dixon in the amount of \$50,000.00, a bond for Gregory C. Ryan Treasurer for Highline Watershed Improvement District in the amount of \$5,000.00 and Notice of Valuation Changes in the amount of (\$603,001.00). Commissioner Barkhurst seconded and the motion passed unanimously.

ELECTED OFFICIALS & DEPARTMENT HEADS

IT

Commissioner Moore moved to approve the Lumen Master Service Agreement for Carbon County 911 for Enhanced 911 service and Wireless Enhanced 911 Service for a term until the expiration of the last Service term in the amount of \$996.85. Commissioner Jones seconded and the motion passed unanimously.

Sheriff

Commissioner Jones moved to approve the 5 Motorola XTS 2500 radios (XTS 2500 SN-407CFR0658, XTS 2500 SN-407CLH0160, XTS 2500 SN-407CKF0208, XTS 2500 SN-

407CPR0236 and XTS 2500I SN-407CPR0215), 10 batteries, and 5 charging stations to Carbon County Fire. Commissioner Barkhurst seconded and the motion passed unanimously.

Buildings & Grounds

Commissioner Barkhurst moved to approve the repairs necessary to the chiller at the Carbon Building-Courthouse Annex totaling \$12,758.00. Commissioner Jones seconded and the motion passed unanimously.

Clerk

Commissioner Jones moved to approve the Joint Resolution 2022-20 (This “Resolution”) Amending The 2019 Specific Purpose Tax Escrow Account Escrow Agreement To Permit The Carbon County Treasurer To Make Distributions From 2019 Specific Purpose Sales And Excise Tax Collections, And Interest Thereon, To Pay Administrative Fees And Expenses To The Carbon County Specific Purpose Tax Joint Powers Board As Originally Contemplated At The Time Of Entering Into Such Escrow Agreement, But Inadvertently Not Incorporated Therein. Commissioner Moore seconded and the motion passed unanimously.

Commissioners

Commissioner Jones moved to approve the Agreement for Transfer of Entitlements from Rawlins Municipal Airport/Harvey’s Field to Dixon Airport in the amount of \$68,000.00 for Fiscal Year 2021. Commissioner Barkhurst and the motion passed unanimously.

2022-2023 COMMISSIONERS’ SCHOLARSHIPS

Commissioner Espy moved to award County Commissioner’s Scholarships as follows: Jaden Campbell from Saratoga, Garrett Parker from Rawlins, and Rainey Wilson from Hanna. The alternate scholarship recipients are Geoffrey Johnson from Saratoga, Elijah Longog from Rawlins, and Jessie Jerome from Rawlins. Commissioner Barkhurst seconded and the motion carried unanimously.

Commissioner Espy moved to award the County Commissioner’s renewal scholarship to Siobhan Lally. Commissioner Barkhurst seconded and the motion carried unanimously.

EXECUTIVE SESSION

Commissioner Espy moved to go into executive session at 2:46 p.m. with Clerk Bartlett and Ashley Mayfield Davis 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 3:21p.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.W. Case #2022-01 - PacifiCorp - Rock River I Wind Energy

Chairman Johnson opened a public hearing at 3:22 p.m. to hear Planning & Zoning Case C.U.W. Case #2022-01 - PacifiCorp - Rock River I Wind Energy – PacifiCorp’s request for a Conditional Use Permit for a Commercial Wind Energy Facility in the Ranching, Agriculture and Mining (RAM) Zone. The request is to allow the applicant (PacifiCorp) to repower the “Rock River I Wind Energy Project” (Project). Currently the Project consists of 50 wind turbines and pad sites. The applicant plans to replace the 50 wind turbines with 19 new turbines. The overall Project installed nameplate capacity will increase from 50 MW to 53.58 MW. However, the total Project capacity interconnected to the transmission system will remain unchanged at 50 MW. Repowering activities will result in less than 37 acres of temporary construction disturbance. The Project includes all associated components and facilities that are necessary to generate electricity and deliver electricity to the transmission grid. The existing O&M/control building, maintenance yard(s), staging yard(s), storage area(s), substations and related facilities and equipment are expected to remain unchanged and located in the Eastern portion of Carbon County; primarily to the northeast of I-80, north of State Highway 13, and east of Carbon County Road #1 (Medicine Bow-McFadden Road). Sarah Brugger, County Planning Director presented the case file.

There being no other comments, Chairman Johnson closed the hearing at 3:38 p.m.

Commissioner Barkhurst moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2022-21, 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.W. Case #2022-01 - Rock River I Wind Energy – PacifiCorp’s request for a Conditional Use Permit for a Commercial Wind Energy Facility in the Ranching, Agriculture and Mining (RAM) Zone. The request is to allow the applicant (PacifiCorp) to repower the “Rock River I Wind Energy Project” (Project). Located in the Eastern portion of Carbon County; primarily to the northeast of I-80, north of State Highway 13, and east of Carbon County Road #1 (Medicine Bow-McFadden Road), with conditions as presented. Commissioner Jones seconded. Commissioner Jones discussed the sales tax being paid out of state noting this has occurred numerous times on various projects. She requested a solution for this issue prior to moving forward. Commissioner Barkhurst would like a solution as well and Chairman Johnson stated he feels Condition 15 should be kept and amended slightly where if the funds do not fall into a use tax, then the mitigation or impact payment would be equivalent to the total sales tax due to the county. Attorney Davis read a proposed condition regarding the matter “Point of Sale for all construction materials utilized in this Conditional Use Permit shall be Carbon County, Wyoming. For any construction materials used that cannot comply with this condition, the Owner(s), Operator(s) or Subcontractor(s) shall provide documentation to the State of Wyoming, Department of Revenue, to determine whether a Use Tax shall apply. This documentation and any determination by the Department of Revenue shall be provided to the Carbon County Clerk within 30 days of such determination. If sales and use tax do not apply, Applicant shall provide an impact assessment payment equivalent to 6 percent of the purchase price of such construction materials, which shall be distributed by the Carbon County Treasurer to the State of Wyoming and all applicable taxing entities. The Owner(s) or Operator(s) shall provide the County Treasurer with receipt(s) that include the purchase price of said construction materials and assessed payment shall be paid to the County Treasurer as certified funds within 150 days of such materials being used on

the project.” Mr. Hemstreet proposed that rather than 6% they would only pay the portion the county would receive. Commissioner Barkhurst stated concern for this solution as he cannot wrap his head around what the county needs to do to solve this issue. There was discussion of tabling the case until a more palatable solution could be finalized. Mr. Hemstreet stated a 45–60-day tabling would not affect their project timeline. Commissioner Moore asked the applicant the best remedy for this and other projects as this issue keeps arising with various projects. Commissioner Barkhurst moved to table this motion and public hearing until June 7 at after completion of other planning hearings which begin at 1:30 p.m. Commissioner Jones seconded and the motion carried unanimously.

Public Hearing - C.U. Case #2022-02-Linkville Land Holdings - Simpson Ridge Green Hydrogen Project

Chairman Johnson opened a public hearing at 4:00 p.m. to hear Planning & Zoning C.U. Case #2022-02 – “Simpson Ridge Green Hydrogen Project”, Linkville Land Holdings, LLC, and Tetrad Corporation’s request for a Conditional Use Permit in the RAM Zone to construct, operate, and maintain the Simpson Ridge Green Hydrogen Project (Project). The Project will have a hydrogen and oxygen production facility along with a hydrogen fueling station. The Project will convert renewable energy into green hydrogen and high purity green oxygen. The hydrogen will be marketed as a replacement for natural gas, propane, and other carbon-based energy carriers. This project will be located East of Elk Mountain at Exit 260 and I-80; west side of Carbon County Road #3. Sarah Brugger, County Planning Director presented the case file. She noted her office received a petition to deny the project containing approximately 30 signatures in addition to numerous other comments requesting denial and others of support. Ms. Brugger overviewed review criteria. She discussed staff recommendations noting the Planning & Zoning Commission approved these for recommendation to the BOCC.

Chairman Johnson called for comments for or against the case. There being no further comments, Chairman Johnson closed the hearing at 6:04 p.m.

Commissioner Moore moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2022-22, 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 #2022-02 – “Simpson Ridge Green Hydrogen Project”, Linkville Land Holdings, LLC and Tetrad Corporation’s request for a Conditional Use Permit in the RAM Zone to construct, operate, and maintain the Simpson Ridge Green Hydrogen Project (Project). This project will be located East of Elk Mountain at Exit 260 and I-80; west side of Carbon County Road #3. Commissioner Jones seconded. Chairman Johnson expressed concern with the narrative changing based on the audience. He added that the company is stating this is a grandfathered permit when it really isn’t. He added that the application was poor and that the socioeconomic report had misinformation in it, yet they say they care about the county and Wyoming but failed to do their research. Commissioner Espy reported he did receive a call from Mr. McKay at the Governor’s Office stating they are watching the case at this time and at this time does not support nor oppose the project although the company appeared to be representing the Governor is in favor. He stated that he will never support development in a core sage grouse area, which is where the project is proposed for. Commissioner Jones discussed the 7 land use

goals in the Land Use Plan and discussed her concerns regarding each of those related to this application. She discussed her concern for the various companies involved in the project owned by the two applicants. She added her concern for the water use by the facility and thought the idea is good, but the location was a poor choice. Commissioner Barkhurst commended the group on their forward thinking. He discussed labor concerns and the difficulties finding help and that he doesn't feel the project is quite ready to move forward at this time. Commissioner Moore didn't feel the presentation answered the question of why the location was chosen out of all the places it could have gone in the entire country. The motion failed with all commissioners voting against the motion.

ADJOURNMENT

Commissioner Moore moved to adjourn the meeting at 6:29 p.m. Commissioner Barkhurst seconded and the motion passed unanimously.

A regular meeting of this Board will be held June 21, 2022, at 9:00 a.m., A budget workshop may be held June 22, 2022, at 8:30 a.m. (if needed), at the Carbon Building-Courthouse Annex, located at 215 W. Buffalo St. Suite 240A, 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 7th day of June 2022
BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Willing John Johnson, Chairman