

**REPORT TO THE
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
Alesco, 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.

STEPPING STONES YOUTH HOME

Matti Irvine, Lead Youth Mentor with Stepping Stones Youth Home and Jon Tengesdal Director of Youth and Outreach Services with Volunteers of America Northern Rockies, introduced themselves.

Chairman Johnson presented the pair with a \$100.00 check made payable to the Stepping Stones Youth Home from Carbon County. The County selected the youth home as the recipient of this non-profit donation due to the County receiving the Community Builder Award from the City of Rawlins for the month of April.

ELECTED OFFICIALS & DEPARTMENT HEADS

IT

Matt Webster, IT Specialist presented an agreement for the Carbon County E911 services for approval and Chairman's signature.

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

Archie Roybal, County Sheriff requested to surplus radios to Carbon County Fire.

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

Jim Piche, Buildings & Grounds Manager discussed repair to the chiller at the Carbon Building-Courthouse Annex. He is working through Dynamic Controls on this as the county is contracted with them.

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.

Emergency Management

Lenny Layman, Emergency Management Coordinator presented a monthly update for the Office of Emergency Management to include meetings, and trainings. He believes the Rainbow Family Gathering will still be held in Colorado in Grand County Colorado however the location is still being finalized.

Clerk

County Clerk Gwynn Bartlett presented an amended funding resolution on behalf of County Treasurer Lindsey West for the Carbon County Specific Purpose Tax Joint Powers Board. The original escrow agreement adopted by all entities did not include a mechanism for the board to be funded as originally intended. The board needs funds for things like audits and this resolution will correct that issue. This resolution amends the originally adopted escrow agreement to allow the

Carbon County Treasurer to disperse specific purpose funds to the Joint Powers Board for operating expenses.

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.

Road & Bridge

Road & Bridge Coordinator Kandis Fritz reported that magnesium chloride is being applied all over the county on busy roads. Soon the Congestion Mitigation Air Quality grant will begin which will pay for additional mag chloride on industrial roads.

Attorney

Attorney Davis reported that the CODAN communications project is ongoing. She requested a list of site needs from CODAN however they let her know they would provide that list during the project. The BOCC would like the site list with proposed work ahead of signing a contact, so they know what to expect cost wise. She will continue to work with CODAN on additional changes.

Attorney Davis requested and received authorization to replace an open position in her office.

South Central WY Emergency Medical Services

Carrie Lake, Chairman for South Central Wyoming Emergency Medical Service. He reported on cash and reserves as well as volunteers and stations they operate. They are working on funding a new ambulance through grants and other sources.

Commissioners

Commissioner Moore discussed the upcoming fire district noting the commissioners will be placing the measure for a district in the unincorporated areas on the 2022 General Election ballot.

Vice-Chairman Sue Jones presented an Agreement for Transfer of Entitlements from Rawlins Municipal Airport/Harvey’s Field to Dixon Airport. The agreement allows for transfer of Rawlins’ annual entitlement noting Rawlins would receive it back from Dixon’s future entitlement.

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.

Commissioner Espy joined the meeting via Zoom.

2022-2023 COMMISSIONERS' SCHOLARSHIPS

The BOCC discussed commissioner scholarship applicants noting the Clerk's Office tries to redact any personal information, so the BOCC bases the decision on the criteria of ACT, GPA, and extra-curricular activities.

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.

Tim Hemstreet, Aaron Anderson, and Shane Siberal were present and overviewed the project and provided a PowerPoint presentation.

Chairman Johnson discussed Condition 15 regarding a use tax for the State of Wyoming. Mr. Hemstreet stated that if a higher tax payment is made in another state, they may have a credit on any use tax.

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.

Cornelius “Con” Fitzgerald, Nicholas Bair, Tyler Boswell, Chris Copeland, and Jesse Black were all present on behalf of the applicant. Mr. Fitzgerald explained renewal source of energy into an electrolyzer. The water comes from a renewal source and goes into the electrolyzer then comes out as energy. With the wind energy, this project is strategically placed along with the Interstate for transportation. He then discussed water quantities and the source. He stated the facility uses the same amount of water as 4 standard garden hoses run 24 hours daily, at a peak 25 gallons per minute over a 24-hour day. The application is for 100 gallons per minute and various possible sources. According to the handout, there is a MOU to purchase 100% of water needs from a local non-potable source. They could also explore an aquifer with a steel cased well following all state laws according to Mr. Bair.

The facility is designed for 60 MW of renewable energy power sourced from either the Simpson Ridge Wind project or a private developer wind project in Carbon County.

Additionally the group discussed a weed management plan which they stated has been submitted in conformance with the requirements of the county; decommissioning including full funding and bonding prior to construction; a winter weather plan with trucks being able to operate inside a closed section of Interstate 80; the industrial siting council noting the project is below this; land lease status is secured with Tetrad with a full lease to be executed as the project advances; and a communications plan with various local and state agencies.

Mr. Fitzgerald discussed the economic benefits including 5 times revenue annually, 10-15 full-time permanent jobs along with 50-150 construction jobs during the 18-24-month construction period. There is also a promise of approximately \$1.5 million in taxes for major equipment to be offloaded in Carbon County.

Mr. Baer stated that only approximately half of the signatures on the petition to deny that Ms. Brugger discussed earlier are legible.

Chairman Johnson called for comments for or against the case.

The following spoke in favor of the case: Cynthia Chace thought the project would help support the communities including healthcare. Troy Maddox thought any industry is a good thing for the county and old industries are tired and gone. Ken Casner stated he was neutral on the project, later stating he was for the project. He compared the water usage to the Sinclair Holly Refinery. He asked what the issue is as 3 communities are starving including Elk Mountain, Medicine Bow and Hanna.

Joan McGraw stated she was on the Planning Commission and voted to proceed the project through the process. She stated the project now is connected to the Simpson Ridge project and feels if that's the case there should be an environmental impact process and some approach to the state and as far as she knows neither has been done.

Yvonne Johnson, Carbon County Economic Development Director stated EDCs support for the project. She recently attended an energy summit regarding Carbon Capture Utilized Stability and Hydrogen in Cheyenne and thinks the county needs to think about its future and how fast the energy sector is changing, and the county could reap the benefits of this early.

Mark Kostovny researched the project and feels comfortable with this as it won't be a high-pressure plant and it will add 40 more trucks a day to an already busy Interstate. He feels this is progress and oil and gas is dying. He also feels a bond would cover decommissioning so there shouldn't be a concern. While he still has questions about the project he feels since there is not public money being used the project should be allowed to proceed.

Patrick Gonzales feels that the project could seem farfetched and that if Carbon County doesn't take chances the county will die as residents continue to leave at a rate higher than anywhere else in the state. He recognized concerns of others but felt the project should be given a chance. Opportunities must be created to keep youth in our communities.

The following individuals spoke against the project. Joyce Menke asked what happens to the wastewater and where it would be stored. The building is over an AT&T buried line and that concerned her. From her personal experience she knows that semis divert through Elk Mountain. She asked what hydrogen vehicles are made in the United States and asked if the Governor's Office has endorsed the project. Both individuals she talked to stated they have not endorsed it where they said earlier today the Governor had. She asked how the company would support Elk Mountain.

Luke Grant stated the location concerns him, not the idea. He feels hydrogen is volatile and safety is a primary concern regardless of safety plans, primarily due to human error and transportation. He feels the green energy is one of the most expensive ways of doing things and will increase the price of vehicles. He stated he moved to Elk Mountain to get away from cities to avoid industrial development and suggested the location be changed.

Danette Toth stated her fear of the project and thought it should be moved to a more industrial area. She stated concern for the price of hydrogen and for recreationalists that may be diverted due to the project.

Bobbie Herman stated she heard an idea today but not a project and knows no more today about hydrogen than she did before coming today and listing to the company's presentation.

Pat Eastman stated his concern about water. He stated the town could keep tanks full but had to pump in the summer where in the winter an artesian flow was relied on. The town's wells are approximately 3,000 feet deep in the Cloverleaf formation and if this were to be tapped into a hydrologist should be consulted regarding any effects on the town's source.

Francis "Bugs" Menke asked about the reverse osmosis system for the clean water and how much water would be used. A Sieman's Company representative stated the 25 gallons per minute average daily would be needed. The maximum allowed is 100 gallons per minute per a permit, but they only need 25 gallons per minute. They are currently testing water samples.

Debra Benton discussed that when government subsidies, grants or other benefits subside then companies are stuck with projects.

Sheriff Archie Roybal discussed concerns of the width of County Road 3 and that if 40-50 trucks are going to travel this road, he felt the road would need widened. He stated is concern for the water.

Tom Toth stated his concern for the scenic area that they are in with Elk Mountain and while he thinks this is a great project, he feels it should be located elsewhere.

Tyler Boswell, Bair Energy Safety Director addressed safety. He acknowledged human error but noted many systems are in place to help deal with human error.

Mr. Baer replied there are many permits required and that conditions can be placed on those permits. He noted the availability, applicability, relationships, and opportunities made the site decision. The application was deemed complete by the Planning staff and that a conditional use permit doesn't need a full and complete project plan prior to the CUP being issued. He felt CUP conditions could be placed to maintain safety.

Mr. Fitzgerald addressed the tax benefits noting zero tax benefits have been used on the project, because they are not available for green hydrogen, and this has passed the economics in the design process without the need for such funding.

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.