

**OFFICIAL MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, May 2, 2023  
Carbon Building- Courthouse Annex**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, May 2, 2023, at 9:00 a.m. at the Carbon Building-Courthouse Annex in Rawlins, WY. Attending the meeting were Chairman, Sue Jones, Vice Chairman, Travis Moore, Commissioners John Johnson, John Espy and Byron Barkhurst.

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

**ADDITIONS / CORRECTIONS**

Chairman Jones removed the Road Use Agreement under Road & Bridge and added a bond for Sheriff Bakken to the consent agenda.

Commissioner Johnson moved to approve the agenda as amended. Commissioner Barkhurst seconded and the motion passed unanimously.

**VOUCHERS**

Commissioner Barkhurst moved to approve the report of expenditures in the amount of \$281,017.29 for an aggregate total today of \$281,017.29. Commissioner Johnson seconded and the motion passed unanimously.

<b>Vendor</b>	<b>Detail Line Description</b>	<b>Total</b>
Abels, Duane E.	County Health Officer	\$1,600.00
Advanced Network Management, Inc.	Network Refresh	\$15,819.10
Asp Inc	Waist Chains/Accessory Bags	\$449.25
Aspen House	Hors D'oeuvres for Courthouse Opening	\$1,405.00
AT&T Mobility	CCSO MDT Service	\$1,822.83
Axis Forensic Toxicology, Inc.	Lab Services	\$282.00
Bank of Montreal - Mastercard	Misc. Charges	\$26,331.22
Bartlett, Gwynn	Mileage	\$50.60
Benjamin, Larry	Mileage	\$45.10
Bernaski, Kodi	Monitor & Charger Deposit Refund	\$820.00
Big Sky Communications Inc.	5 Headsets/Accessories	\$798.00
Black Hills Energy	Gas Services	\$15,377.35
Blakeman Propane	Propane Services	\$2,829.69
Bomgaars Supply	Misc. Parts	\$807.11
Buchanan, Karen	Mileage	\$88.00
Burkhart, Cindy	Snacks-Jury Trial	\$43.38

Casper Winnelson Co.	Misc. Supplies	\$581.01
Clerk of Dist. Court (Jurors)	Trial Jurors/Bailiffs	\$3,835.01
Cowboy Supply House	Misc. Supplies	\$1,258.19
Cragun, Megan A.	Mileage/Meals	\$243.69
Culligan Water Conditioning	Coarse Salt	\$312.50
Dallin Motors Inc.	Snap Ring	\$7.85
Dixon, Town of	Water Services	\$308.00
Double 8 Ranch	CR 3-Snow Removal	\$6,450.00
Drummond Refrigeration LLC	Misc. Refrigeration Repairs	\$1,064.30
Dynamic Controls Inc.	VFD Replc.-Carbon Bldg. & Jail Controller	\$5,687.00
Elk Mountain, Town of	Propane Services	\$681.26
Feldman, Richard M.	Mileage-Jury Trial	\$105.20
Fremont County Coroner's Office	Autopsy Fees	\$1,925.00
Friend, Katie	Cookies for Courthouse Grand Reopening	\$300.00
Further	Health Reimb. / Medical FSA/Dep. Care	\$6,265.16
Gulbrandson, Kimberly A .	Mileage	\$19.25
Hagan, Walter	Bailiff Jury Trial	\$75.00
Hansen, Loretta J.	Mileage	\$62.23
Hemocue	Cuvettes/Hemocue Cleaner	\$301.85
High Plains Power	Electric Services	\$495.05
Holcomb, Nancy	Meals	\$64.26
Honnen Equipment	Ext. Warranty-John Deere Motor Graders	\$36,971.33
Jack's Body & Fender Repair	Towing Services	\$300.00
K2 Towers III, LLC	Tower Rent	\$2,185.45
Kaluzny, Emily	Personal Phone Usage-April	\$30.00
Kilburn Tire Company	Wheel and Tire Repair	\$370.90
Kostovny, Mark	Mileage	\$46.20
L N Curtis & Sons	Rechargeable Battery Packs	\$880.08
Local Government Liability Pool	Membership Renewal 7/1/23-6/30/24	\$59,005.00
Mallcheck, Garrett	Fuel Reimbursement	\$38.94
McKesson Medical-Surgical	Antiseptic Towels	\$11.51
Moody's Investors Service	Annual Fee	\$500.00
Morse, Kimberley	Meals	\$76.97
Moss, Barbara	Mileage	\$138.60
Napa - Saratoga	Coolant/Light Bulbs	\$18.93
Norco, Inc.	Cylinder Rent	\$858.15
Offender Watch	Sex Offender Notification	\$230.58
Open To Interpretation	Interpreter Services	\$800.00
O'Reilly Auto Parts	Fuel Additive/Engine Restorer	\$24.48
Parker, Elizabeth	Mileage	\$86.95
Personnel Evaluation, Inc.	Pre-Employment Evaluations	\$75.00

Plainsman Printing & Supply	Folders/Folder Fasteners	\$627.50
R.P. Lumber Company, Inc.	Misc. Parts and Supplies	\$150.23
Rawlins Automotive	Misc. Parts	\$1,190.84
Rawlins Eastside Carwash	Car Wash Cards	\$66.60
Rawlins, City of	Landfill Fee	\$39.00
Riverside Ranch	Dozing Snow 2/14-2/28	\$1,800.00
Rodabaugh, Sherry	Bailiff-Jury Trial	\$75.00
Saratoga Sun	Misc. Ads	\$1,174.26
Seilaff, Melodie M.	Mileage-Jury Trial	\$105.20
Shippy, April	Interpreter Services	\$840.00
Shively Hardware	Toilet Paper/Paper Towels	\$23.98
Sikes, Melisa	Mileage & Postage	\$61.39
Skyline Motors, Inc.	Fuel Pump	\$517.78
Slow & Steady Law Office, PLLC	Legal Services	\$6,380.00
South Carolina Dept. of MV	Certified Driving Record Request	\$6.00
Spaulding, Dawnnette	Mileage	\$98.91
Staples Advantage	Misc. Office Supplies	\$213.24
State of Wyoming A & I	State Mainframe Access/File Storage	\$36.76
State of Wyoming DCI	Sex Offender Changes	\$25.00
Stinker Stores Inc.	Fuel	\$18,274.10
Stocks, Shirley	Mileage-Jury Trial	\$218.10
Summit Food Service	Jail Meals	\$4,102.54
Super Vacuum Mfg. Co. Inc.	Vehicle Graphics	\$1,486.81
Swanson Services Corporation	Jail Commissary	\$774.36
Tek84 Inc.	Body Scanner Maint 8/17/23-8/16/26	\$26,985.00
The Cowboy Couture	Sheriff Uniforms	\$217.90
Tyler Technologies, Inc	Web Support/Internet Hosting	\$565.09
UPRSWDD	Trash Services	\$190.00
Webb, Tyler	Mileage-Jury Trial	\$120.20
Wilson, Karon	Mileage	\$39.60
WLC Engineering	Cherokee Road Survey	\$4,822.51
Wohl, Judith	Mileage	\$66.00
WY Behavioral Institute	Emergency Detention Fees	\$1,700.24
WY Dept of Transportation	CR 203 Bridge Over N Platte	\$686.89
WY Retirement System	Mar Vol Fire Pension	\$806.25
Zumbrennen Electric Inc.	Electric For Elevator Tie-In to Generator	\$5,270.50

## CONSENT AGENDA

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. Clerk Bartlett noted the consent agenda includes the April 18, 2023, regular meeting minutes, and Planning and Development Department monthly receipts in the amount of

\$19,300.00 and bonds for Sarah Chavez Harkins Carbon County Attorney in the amount of \$500.00 and Alex Bakken, County Sheriff in the amount of \$4,000.00. Commissioner Barkhurst seconded and the motion passed unanimously.

### **ELECTED OFFICIALS & DEPARTMENT HEADS**

#### **Sheriff**

Commissioner Johnson moved to approve the Chairman's signature on the Memorandum of Understanding between the Carbon County Board of County Commissioners, Carbon County Wyoming, The Carbon County Sheriff, and the Town of Saratoga for the Purchase of Motorola MC5500 Dispatch Radio Consoles. Commissioner Barkhurst seconded and the motion passed unanimously.

#### **Clerk**

Commissioner Moore moved to reappoint Keith Miles to the Old Pen Joint Powers Board for a three-year term ending April 2026, Stacey Crimmins and Rocky Fiedor to the Platte Valley Community Center for a three-year term expiring June 2026, Chris Iacovetto to the Carbon County Museum Board for a three-year term ending June 2026, Jackie Wells and Natasha Martinez, both to the Carbon County Juvenile Services Board for a three-year term ending June 2026; and appoint Sheriff Alex Bakken to the Carbon County Juvenile Services Board for a three year term ending June 2026. Commissioner Barkhurst seconded and the motion passed unanimously.

Commissioner Espy moved to allow county departments to close from approximately 10:45 a.m. through 1 p.m. on May 12, 2023, for the Courthouse Grand Re-Opening. Commissioner Johnson seconded and the motion passed unanimously.

Commissioner Barkhurst moved to approve and authorize the Chairman's signature on the Temporary Assistance for Needy Families (TANF) Community Partnership Initiative (CPI) Federal Fiscal Year (FFY) 2024 Grant Application for Big Brothers, Big Sisters and Boys and Girls Club. Commissioner Johnson seconded and the motion passed unanimously.

Commissioner Espy moved to approve the extension of audit services through Jones Simkins for an additional three fiscal years in an amount not to exceed \$67,500.00. Commissioner Moore seconded and Commissioner Johnson reported that when this company started with the county, they asked him as Chairman to meet with them regarding their services to explain how they work. He thinks this is prudent to extend their contract. Commissioner Espy agreed stating this is well worth the extension. The motion passed unanimously.

#### **Planning and Development**

Commissioner Johnson moved to award the bid to Y2 Consultants in the amount of \$110,000 to make the necessary amendments to the Carbon County Land Use Plan using Chokecherry impact assistance funds. Commissioner Espy seconded and the motion passed unanimously.

Commissioner Moore moved to approve the Chairman's signature on the letter to BLM regarding the County's participation with several other Wyoming Counties with the assistance of the Wyoming County Commissioners Association (WCCA) to participate in the Plan Amendment Process for the management of Greater Sage-Grouse. Commissioner Johnson seconded and the motion passed unanimously.

### **Certifications**

Commissioner Barkhurst moved to accept Certifications of Recommended Action from the Carbon County Planning & Zoning Commission for, Z.C. Case File #2023-03 – James Bosler, Companion Case - MIN SUB Case File #2023-02 – James Bosler, Z.C. Case File #2023-04 – James Bosler, Companion Case - MIN SUB Case File #2023-03 – James Bosler, and C.U. Case File #2023-05 – Two Rives Wind LLC – “Two Rivers Transmission Line Project” and schedule a public hearing for Tuesday, June 6, 2023, at 10:30 a.m. at the Carbon Building – Courthouse Annex. Commissioner Espy seconded and the motion passed unanimously.

### **EXECUTIVE SESSION**

Commissioner Espy moved to go into executive session at 10:13 a.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 passed unanimously.

Commissioner Espy moved to come out of executive session at 10:43 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Moore seconded and the motion passed unanimously.

### **Commissioners**

Commissioner Espy moved to ratify Chairman Jones' signature on a letter requesting Mutual Aid with the Rawlins Fire Department. Commissioner Johnson seconded and the motion passed unanimously.

### **PLANNING & DEVELOPMENT**

#### **PUBLIC HEARING – Z.C. Case 2023-01 – Frank and Jeri Holzworth**

Chairman Jones opened a public hearing at 11:30 a.m. to hear Planning & Zoning Z.C. Case #2023-01 Frank and Jeri Holzworth's request for a zone change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-1.68) on Tract 66 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.

Planning Director Sarah Brugger presented the case.

Chairman Jones called for comments for or against the case. There being no comments, she closed the hearing at 11:37 a.m.

Commissioner Johnson moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2023-16, 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 #2023-01 Frank and Jeri Holzworth's request for a zone change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-1.68) on Tract 66 located in the Overlook Retreat Subdivision #1, noting a waiver of sign posting requirements. Commissioner Espy seconded and motion passed unanimously.

#### **PUBLIC HEARING – C.U. Case 2023-03 – Union Telephone Company**

Chairman Jones opened a public hearing at 11:38 a.m. to hear Planning & Zoning C.U. Case #2023-03, Union Telephone Company's request for a Conditional Use Permit (CUP) in the Ranching, Agriculture and Mining (RAM) Zone for telecommunications tower up to 155 feet tall and related facilities and equipment at the "Midway Communications Site" generally located 6.5 miles south of Interstate 80, exit 235 and WY Highway 130 on the west side. Planning Director Sarah Brugger presented the case.

Chairman Jones called for comments for or against the case. There being no comments, she closed the hearing at 11:56 a.m.

Commissioner Johnson moved to table C.U. Case #2023-03, Union Telephone Company's request for a Conditional Use Permit (CUP) in the Ranching, Agriculture and Mining (RAM) Zone for telecommunications tower up to 155 feet tall and related facilities and equipment to June 20, 2023, at 11:00 a.m. at the Carbon Building – Courthouse Annex. Commissioner Barkhurst seconded and the motion passed with all voting for except Commissioner Espy who abstained due to conflict.

#### **PUBLIC HEARING – C.U. Case 2023-04 – Union Telephone Company**

Chairman Jones opened a public hearing at 12:18 p.m. to hear Planning & Zoning C.U. Case #2023-04, Union Telephone Company's request for a Conditional Use Permit (CUP) in the Ranching, Agriculture and Mining (RAM) Zone for telecommunications tower up to 105 feet tall and related facilities and equipment at the "Savery Communications Site" generally located 1213A East State Highway 70., approximately  $\frac{3}{4}$  mile east of Savery on the north side of Highway 70. Planning Director Sarah Brugger presented the case. She specifically outlined the 'clear zone' requirement in the Zoning Regulations. This requires a radius of at least 110% of the tower height to be maintained by the permit holder and landowner. This proposed tower is located on private property; however, a portion of the clear zone is on BLM land. The applicant was advised by staff they could potentially apply for a variance due to a hardship that would prevent the tower from being placed in another location that would allow for the clear zone. There is a condition on this case currently in the resolution the BOCC will consider today.

Chairman Jones called for comments for or against the case. There being no comments, she closed the hearing at 12:52 p.m.

Commissioner Johnson moved to table C.U. Case #2023-04, Union Telephone Company's request for a Conditional Use Permit (CUP) in the Ranching, Agriculture and Mining (RAM) Zone for telecommunications tower up to 105 feet tall and related facilities and equipment at the "Savery Communications Site" until June 20, 2023, at 11:00 a.m. Commissioner Barkhurst seconded and Sarah Brugger noted due to advertising requirements the P&Z Commission cannot hear the variance until July and that's past the 60 days the county can table a case. Based on this information the motion was amended to July 5, 2023, at 11:30 a.m. The amended motion passed with Commissioner Espy abstaining due to conflict.

#### **ADJOURNMENT**

Commissioner Espy moved to adjourn the meeting at 4:05 p.m. Commissioner Moore seconded and the motion passed unanimously.

A regular meeting of this Board will be held Tuesday, June 6, 2023, at 9:00 a.m. and a Budget Workshop will be held on Wednesday, June 7, 2023, at 8:30 a.m. Both meetings will be held at the Carbon Building – Courthouse Annex, located at 215 W. Buffalo St. Suite 240C, 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 [www.carbonwy.com](http://www.carbonwy.com) or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.



*Gwynn G. Bartlett*

Gwynn G. Bartlett, Carbon County Clerk

Approved this 16<sup>th</sup> day of May 2023  
BOARD OF COUNTY COMMISSIONERS  
CARBON COUNTY, WYOMING

*Sue Jones*  
Sue Jones, Chairman