

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING**

**Tuesday, March 5, 2024, 9:00 a.m.
Carbon Building- Courthouse Annex,
215 W. Buffalo Street, Second Floor, Rawlins, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, March 5, 2024, 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 Espy, John Johnson and Garrett Irene.

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

ADDITIONS / CORRECTIONS

Commissioner Johnson moved to remove the Memorial Hospital of Carbon County from the agenda and approve the agenda as amended. Commissioner Espy seconded and the motion passed unanimously.

VOUCHERS

Vice Chairman Moore moved to approve payment to Sunrise Sanitation for \$75.00. Commissioner Espy seconded and the motion passed with all voting for the motion except Commissioner Jones who abstained due to personal conflicts.

Vice Chairman Moore moved to approve payment to Commissioner John Espy for \$793.00. Commissioner Johnson seconded and the motion passed with all voting for the motion except Commissioner Espy who abstained due to personal conflicts.

Vice Chairman Moore moved to approve the report of expenditures in the amount of \$228,246.13 for an aggregate total today of \$229,114.13. Commissioner Espy seconded and Commissioner Johnson explained what Commissioner Espy does as the Vice President for the Western Interstate Region for the public's benefit. The motion passed unanimously.

Vendor	Detail Line Description	Total
Abels, Duane E.	County Health Officer	\$1,633.33
Advanced Network Mgmt., Inc.	Managed Services Contract	\$2,430.00
APG Media of the Rockies	Office Closure Ad	\$40.00
AT&T Mobility	Phone Services & CCSO MDT Service	\$1,728.77
B&M Suppliers	Nitrile Gloves	\$359.96
Baggs, Town of	Water Services	\$48.70
Bearcom	MDT Screen Supports	\$592.00
Black Hills Energy	Gas Services	\$20,306.08

Blakeman Propane	Propane Services	\$6,091.20
Bob Ruwart Motors	2 - 2023 Ram 1500 & Tahoe Upfit	\$99,963.83
Bomgaars Supply	Misc. Supplies Parts	\$25.19
Carbon Co. Veterinary Hospital	Canine Vaccinations	\$483.40
Carbon Power & Light Inc.	Electric Services	\$2,502.95
Casper Winnelson Co.	Misc. Plumbing Parts & Supplies	\$1,009.36
Center for Internet Security, Inc.	Crowd Strike for Election Machines	\$57.58
CIDNET	Jail Data	\$750.00
Cowboy Chemical	Power Wash/Solid Wash	\$284.35
Culligan Water Conditioning	Coarse Salt Ice Melt	\$250.00
Daily Times	Misc. Ads & Subscriptions	\$563.76
Dallin Motors Inc.	Replace Crank Case Vent Filter	\$310.20
Dixon, Town of	Water Services	\$308.00
Drummond Refrigeration LLC	Mini Refrigerator Disposal	\$20.00
Elevated Safety Solutions	Random UA's	\$72.00
Espy, John	Flight Reimbursement & Mileage	\$793.00
Galls/Quartermaster	Deputy Uniforms & Equipment	\$1,513.80
Graphic Business Solutions, LLC	Window Envelopes	\$214.50
Gulbrandson, Kimberly A.	Mileage	\$144.65
High Plains Power	Electric Services	\$554.24
Hughes, Chris	Mileage	\$16.50
Jack's Body & Fender Repair	Service Call Abandoned Vehicle	\$220.00
K2 Towers III, LLC	Radio Site Rent	\$2,251.02
Kaluzny, Emily	Personal Phone Usage-February	\$30.00
Kilburn Tire Company	4 Tires & Bore Valve/Valve Stem	\$1,511.78
Kostovny, Mark	Mileage	\$46.20
Merseal Law, LLC	Legal Services	\$455.00
Mike's Lock & Key	Med Bow Library-Rekey Cylinders	\$180.00
Morse, Kimberley	PH Travel	\$56.41
Moss, Barbara	Mileage	\$100.10
Mountain Alarm	Alarm Monitoring-Crisis Center	\$57.90
Myers, Adelaide	Mileage	\$46.20
Napa - Saratoga	Wire Wheel Brush & Cutting Wheel	\$54.47
Norco, Inc.	Cylinder Rent & Misc. Paper Supplies	\$977.77
On Time Sports	HEM Jr/Sr High School Sponsorship	\$399.00
O'Reilly Auto Parts	Misc. Auto Supplies	\$172.14
QT Pod	Network Support Agreement & Supplies	\$3,068.75
Quadient, Inc.	Postage Supplies	\$265.05
Quill Corporation	Labels	\$56.94
R.P. Lumber Company, Inc.	Misc. Parts & Supplies	\$1,109.67
Rawlins Automotive	Misc. Auto Parts & Supplies	\$3,109.39

Rawlins Hardware - 5405	Misc. Supplies	\$23.36
Republic Services #642	Trash Services	\$110.27
RNB State Bank	Gift Cards for EE Years of Service	\$89.85
Rocky Mountain Power	Electric Services	\$30,495.14
Saratoga Sun	Misc. Ads	\$730.25
Saratoga, Town of	Water Services	\$48.50
Schaeffer Mfg. Co.	Oil	\$1,570.25
Shively Hardware	Misc. Supplies	\$122.73
Spaulding, Dawnette	Mileage	\$37.34
Staples Advantage	Misc. Office Supplies	\$141.43
State of Wyoming A & I	State Mainframe Access	\$15.58
State of Wyoming DCI	Sex Offender Fees	\$25.00
Stericycle, Inc.	Safe Budget Subscription	\$47.74
Stinker Stores Inc.	Fuel	\$2,657.59
Summit Food Service	Jail Meals	\$8,696.96
Sunrise Sanitation Service, LLC	Trash Services	\$75.00
Swanson Services Corporation	Jail Commissary Supplies	\$1,071.02
Terminix	Jail Pest Control	\$193.00
Tin Boy Garage	Tires/Mount/Balance/Disposal & Repair	\$1,177.00
TM Custom Framing	Glass	\$39.00
Triple X Contracting, Inc.	Trash Services	\$260.00
Tyler Technologies, Inc.	Web Hosting/Internet	\$275.63
UPRSWDD	Trash Services	\$190.00
Valence Health Corp.	Inmate Medical Services	\$6,500.00
WACO	2024 Annual Dues & Reg. Fees	\$725.00
Wex Bank	Finance Charges	\$75.00
Wilson, Karon	Mileage	\$46.20
WLEA-ADVTRNG	Sheriff Training	\$3,103.00
Wreck-A-Mend	Fender Repair-B&G 08 F-250	\$2,638.42
WY Behavioral Institute	Admin Emergency Detentions	\$1,508.00
WY Dept of Transportation	County Road 203 Bridge	\$1,134.28
WY Machinery Company	Batteries & Bushings	\$1,175.81
WY Secretary of State	Notary Renewal	\$60.00
WY State Forestry	Incident Response Pocket Guidebooks	\$300.67
Y2 Consultants, LLC	Land Use Plan Update	\$3,418.75
Zumbrennen Electric Inc.	Return LED Project Bond	\$3,101.22

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 February 20, 2024, regular meeting minutes; monthly receipts from Planning and Development in the amount of \$1,400.00;

and a bond for John Hansen, Treasurer for Carbon County Predator Management District Board in the amount of \$25,000.00. Vice Chairman Moore seconded and the motion passed unanimously.

2023 LEADERSHIP CARBON COUNTY

Pam Thayer with the City of Rawlins introduced the participants of Leadership Carbon County 2024.

EMPLOYEE APPRECIATION

Department heads overviewed employees having reached years of service milestones in March.

ELECTED OFFICIALS & DEPARTMENT HEADS

Public Health Officer

Public Health Officer Dr. Duane Ables spoke about COVID deaths and vaccines as well as a high number of measles outbreaks.

Clerk of District Court

Mara Sanger, Clerk of District Court requested and received approval to fill a vacant position.

Information Technology

IT Director Matt Webster announced the county's domain has changed from carbonwy.com to carboncountyywy.gov. This will include the county's website and employee email addresses.

Sheriff

Alex Bakken, Carbon County Sheriff requested approval of a Memorandum of Understanding for the purchase of K9 Zeus to Casey Lehr. Sheriff Bakken discussed the lifespan of such an animal noting its typically 7-9 years.

Commissioner Espy moved to approve the Chairman's signature on the Memorandum of Understanding between Carbon County and Casey Lehr for the purchase of K9 Zeus in the amount of \$10.00. Vice Chairman Moore seconded and the motion passed unanimously.

Sheriff Bakken requested approval to move allocated impact MDT funds to vehicle purchase funds.

Commissioner Johnson moved to approve the reallocation of impact MDT funds from Gateway South in the amount of \$57,000.00 and Rock Creek in the amount of \$19,000.00 for the purchase of a patrol vehicle. Commissioner Espy seconded and the motion passed unanimously.

Sheriff Bakken requested authorization to bypass the procurement policy to purchase two outfitted vehicles, totaling \$133,790.38 from Gateway South and Rock Creek impact assistance funds. There are two vehicles on the lot at Bob Ruwart motors currently and rather than waiting 6 months to a year after bidding, ordering and upfitting he can obtain these within 1-3 months. He had one vehicle totaled recently and two that lost engines so he is short currently. The available vehicles were a surplus from the state's bidding process.

Commissioner Johnson moved to waive procurement due to long lead times on ordering vehicles and the current availability of these state bid vehicles and authorize Sheriff Bakken to purchase two vehicles from Bob Ruwart Motor totaling \$133,790.38. Commissioner Espy seconded and Commissioner Irene asked how many vehicles he needs to be whole. The Sheriff stated that the current vehicles, if purchased would assist him to replace three recently lost vehicles then he will constantly be needing new vehicles through the bidding process due to long lead times. The motion passed unanimously.

Sheriff Bakken provided a department update including donations received and he will recognize the donors at a future meeting. Discussion was held regarding joint dispatch and Level 1 Avalanche Training. On the dispatch discussion he clarified that the county is not interested in "taking over" any particular dispatch but rather forming a new agency to run a dispatch center, likely run by a joint powers board.

Road & Bridge

Kandis Fritz, Road & Bridge Superintendent opened bids received for the County Road 401 mag chloride project, the FY24 mag chloride project to apply on approximately 86 miles of County roads that will be paid for with county and impact funds and not paid with grant funds and a bid for the Saratoga gravel project.

Bids were received from Plattoga Holdings for Saratoga gravel project the in the amount of \$188,500.00, F&S Trucking for the CR401 mag chloride and blade prep in the amount of \$130,403.00 and Dustbusters Enterprises, Inc. for FY24 mag chloride project in the amount of \$533,200.00. There is a grant from Secure Rural Schools funds to pay for the CR401 project.

Commissioner Espy moved to award the bid for the CR401 mag chloride project to F&S Trucking in the amount of \$130,403.00; the bid for FY24 mag chloride project to Dustbusters Enterprises, Inc. in the amount of \$533,200.00; and the bid for the Saratoga area gravel project to Plattoga Holdings in the amount of \$188,500.00. Commissioner Johnson seconded and the motion passed unanimously.

Planning and Development

Kristy Rowan, Planning & Development Coordinator and Zoning Administrator presented a Certifications of Recommended Action and requested public hearings be scheduled. The applicant is SUB Case #79-17 – "River Bend Estates Mobile Home Subdivision" Amended and Gerald Dunnegan and Z.C. Case File #2024-02 – AZ Transportations Services, Inc and Gerald Dunnegan.

Commissioner Irene moved to accept the Certifications of Recommended Action from the Carbon County Planning & Zoning Commission for SUB Case #79-17 – “River Bend Estates Mobile Home Subdivision” Amended and Gerald Dunnegan and Z.C. Case File #2024-02 – AZ Transportations Services, Inc and Gerald Dunnegan and schedule public hearings for Tuesday, April 2, 2024, at 11:30 a.m. at the Carbon Building – Courthouse Annex in Rawlins, Wyoming. Vice Chairman Moore seconded and the motion passed unanimously.

Ms. Rowan reported that comments are due for the Section 368 Energy Corridor Revisions and the Land Use Plan Steering Committee met February 28.

Carbon County Comprehensive Land Use Plan

Doug Boyd with WLC Engineering and Bree Burton and Megan Nelms both with Y2 Consultants provided an update on the Carbon County Comprehensive Land Use Plan.

UW Extension

Abby Perry, UW Extension Ag and Natural Resources Educator and Leslie Jefferson, CEO for the Carbon County Visitors Council discussed the Carbon County Park Challenge. The Carbon County Park challenge is a collaboration between Carbon County Extension and the municipalities in the County. The project encourages all ages and abilities to visit every park, approximately 25 in the county. Each park will have an interpretive sign with a park-specific medallion, social media cues, and QR codes to encourage detours to restaurants and shops along the way. The medallion is rubbed with a writing implement and paper, once all 25 different rubbings are collected, the participant will be eligible to collect a Carbon County Park Challenge Sticker. The focus of year one is to kick-off the sticker challenge. In year two, the municipalities will have the opportunity to participate in cost-share projects to diversify their parks systems with a pollinator-friendly landscape, installing variations of little free libraries, or add interactive stencils to park sidewalks. The project encourages travel and spending for economic growth and family time outside.

Clerk

Gwynn Bartlett, Carbon County Clerk, planned to present two COBRA administration agreements with Lifetime Benefit Solutions for board approval however LBS has not yet replied to Attorney Davis’s request for comments to date. She requested this be postponed until the next meeting.

Clerk Bartlett requested board approval and Chairman’s signature on a grant agreement for NAVAID maintenance at the Dixon Airport. The agreement will be sent through e-mail upon approval of the application.

Vice Chairman Moore moved to approve and authorize the Chairman’s electronic signature on a grant agreement for NAVAID maintenance at Dixon Airport for October 2023 through September 2024 in the amount of \$4,754.40 state funds plus a county match of \$1,188.60 totaling \$5,943.00. Commissioner Johnson seconded and the motion passed unanimously.

Clerk Bartlett presented an email that she received from Jatana Lopez resigning from the Old Pen Joint Powers Board. The Old Pen board approved her resignation at their February 8th meeting.

Commissioner Johnson moved to regretfully accept the resignation from Jatana Lopez and instructed the Clerk to advertise for the vacant position. Commissioner Irene seconded and the motion passed unanimously.

Clerk Bartlett presented a service agreement for board approval and Chairman's signature.

Commissioner Irene moved to approve and authorize the Chairman's signature on the Merchant McIntyre Associates Service Agreement to assist in identifying federal grant opportunities for Carbon County in the amount of \$8,000 per month through February 2025. Vice Chairman Moore seconded and the motion passed unanimously.

Commissioners

Chairman Sue Jones requested to have her signature ratified on a letter to WYDOT for land acquisition at Dixon Airport for the hangar project.

Commissioner Johnson moved to ratify the Chairman's signature on the letter to WYDOT regarding land acquisition at Dixon Airport. Vice Chairman Moore seconded and the motion passed unanimously.

TOWN OF SINCLAIR – Mr. Brennan Dunlap, Councilman

Brennan Dunlap, Councilman for the Town of Sinclair and Monte Thayer, Community Events Director for Town of Sinclair, discussed the 100-year celebration for the Town of Sinclair that will be Saturday, August 17, 2024. This will be a collaboration between the Town of Sinclair and HF Sinclair. They are applying for a firework permit through the Carbon County Fire Warden if necessary and are looking for board approval. Attorney Davis clarified that the BOCC does not have to authorize this and it would be more of a courtesy notice from the Town. The BOCC thanked Mr. Dunlap for the courtesy notice and states its support.

EXECUTIVE SESSION

Commissioner Espy moved to go into executive session at 10:50 a.m. with Clerk Bartlett, Ashley Mayfield Davis and Matt Webster to discuss personnel, potential litigation and other matters considered confidential by law. Vice Chairman Moore seconded and the motion passed unanimously.

Matt left the session at 11:18 a.m.

Commissioner Espy moved to come out of executive session at 11:40 a.m. noting no action was taken and that the minutes be signed and sealed. Vice Chairman Moore seconded and the motion passed unanimously.

PUBLIC HEARING – C.U. Case File #2024-01- KB Energy, LLC, and Audrey Brokaw

Chairman Jones opened a public hearing at 11:40 a.m. to hear Planning & Zoning C.U. Case File No. 2024-01, KB Energy, LLC, and Audrey Brokaw's request for a Conditional Use Permit in the Highway Commercial (C-2) to permit and allow automotive sales encompassing approximately 22,500 sq. ft. of a 2.93-acre parcel. The C-2 Zone is to provide for highway-oriented business development at appropriate locations in the County and to apply to areas where more complete commercial facilities are necessary for community convenience and is located at the intersection of State Highway 13 and I-80; approximately 1/4 mile north of Exit #272. Kristy Rowan, Planning & Development Coordinator and Zoning Administrator presented the case file.

Chairman Jones called for comments for or against the case. There being no comments, Chairman Jones closed the hearing at 11:55 a.m.

Commissioner Espy moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2024-04 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. 2024-01, KB Energy, LLC and Audrey Brokaw's request for a Conditional Use Permit in the Highway Commercial (C-2) to permit and allow automotive sales encompassing approximately 22,500 sq. ft. of a 2.93-acre parcel and is located at the intersection of State Highway 13 and I-80; approximately 1/4 mile north of Exit #272. Vice Chairman Moore seconded and the motion passed unanimously except for Commissioner Irene who abstained due to conflict.

Resolution No. 2024 – 04

**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 #2024-01

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, February 5, 2024, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, February 5, 2024, 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, February 5, 2024, 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, March 5, 2024; and

WHEREAS, at said public hearing on March 5, 2024, 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 #2024-01: Request for Conditional Use Permit in the Highway Commercial (C-2) to permit and allow automotive sales encompassing approximately 22,500 sq. ft. of a 2.93-acre parcel. The C-2 Zone is to provide for highway-oriented business development at appropriate locations in the County and to apply to areas where more complete commercial facilities are necessary for community convenience.

Petitioners: KB Energy, LLC (Applicant) and Audrey Brokaw (Landowner)

Parcel Identification Number: 19781930001300

General Site Location: Intersection of State Highway 13 and I-80; approximately 1/4 mile north of Exit #272.

Legal Description (taken from Book 1143, Page 76): A tract of land lying in the S1/2 of Section 19, T19N, R78W, of the 6th P.M., Carbon County, Wyoming, more completely described as follows: In Lot 2 of Overland Trail Inn, Inc., beginning at the point of intersection of the southwesterly right-of-way line of Colorado Interstate Gas Company and the easterly right-of-way line of State Highway 13; thence S21°14'W a distance of 705.65 feet to a T-bar set on the easterly right-of-way line of said Highway 13; thence S72°27'E, along said right-of-way line, a distance of 24.88 to a T-bar; thence S17°33'W, along said right-of-way line, a distance of 132.4 feet; thence S72°27'E a distance of 150.0 feet to a point; thence N18°20'E a distance of approximately 780.0 feet to a point on the aforementioned Colorado Interstate Gas Company right-of-way line; thence N50°33'W a distance of 150.0 feet to the point of beginning, together with all improvements thereon situate.

TERMS AND CONDITIONS OF APPROVAL:

1. Building Permit(s) are required prior to the start of construction. A building permit is required for fencing. Approved WDEQ and WSEO permits (if applicable) will be required and must be submitted along with the building permit application.

2. If a new WYDOT Access Permit is required, the Applicant(s) will provide a copy of the issued and approved WYDOT Access Permit to the Carbon County Planning & Development Department.
3. In the event of an emergency, Emergency Contact Information shall be posted on the site and visible from State Highway 13.
4. The Applicant(s) shall adhere to Chapter 5, Section 5.4-Design and Development Standards, Part B-Lighting Standards. Lighting Standards are as follows:
 - B. Lighting Standards.
 1. The purpose of this section is to maintain dark skies while allowing necessary and reasonable lighting of public and private property for the safety, security and convenience of occupants and the general public while eliminating or reducing the nuisance and hazards of light pollution.
 2. All exterior lighting, unless exempted below, shall comply with the standards set forth in this section.
 - a. Exempt Lighting.
 1. Lighting in the public right of way.
 2. Open flame gas lamps.
 3. Flagpole lighting that is shielded and directed downward from the top of the flagpole.
 4. Underwater lighting in swimming pools and other water features.
 5. Lighting that is used by emergency response personnel.
 6. Lighting that is used primarily for agricultural purposes.
 7. Warning or notice lights that are associated with public works facilities.
 8. Lighting or beacons required by Federal Aviation Administration (FAA) for towers such as airport, wind, and telecommunication towers.
 - b. Lighting as approved through a Conditional Use Permit or other County approval process.
 3. Standards.
 - a. Downcast Lighting: Exterior lighting shall be designed so that light is directed inward, towards the interior of the subdivision or site.
 - b. Shielded Light Fixtures: Fixtures shall be mounted such that no light is emitted above the horizontal plane of the fixture. Light fixtures that project light above the horizontal plan of the fixture may be used where the architecture of the building restricts the light above the horizontal plane.
 - c. Light Trespass: All lighting fixtures shall limit horizontal light levels such that no light falls onto the adjacent property.
 4. Prohibited Lighting.
 - a. No blinking, flickering or flashing lights shall be permitted except as permitted by issuance of a sign permit.
 - b. No searchlights, laser lights, aerial lasers or holograms are permitted.
 - c. The direct or reflected light from any light source shall not create a traffic hazard. Colored lights shall not be used in such a way as to be confused or construed as traffic control devices.
 5. Height Limitations.
 - a. Light sources which exceed 40 feet in height shall not be permitted except for temporary holiday displays or as required by local, State or Federal regulations.

6. Complex Uses.

- a. Complex uses such as stadiums, athletic fields, outdoor rinks, ski areas, fairground & rodeo grounds, special events, construction sites, parking structures, theme and amusement parks, lighting of bridges, public monuments, statuary and public buildings, correctional facilities, drilling rigs and industrial sites all have unique requirements for nighttime visibility and often limited hours of operation. These and similar complex uses shall be exempted from the standards of this section when reviewed and approved through a Conditional Use Permit or other County approval process.

5. 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.

6. Upon approval by the Board, the following provisions from the Zoning Resolution will be incorporated into the final Resolution:

- a. Section 7.7-H--Expiration of Conditional Use Permits.

Any use for which a conditional use permit is granted must be commenced within two (2) years from the date of approval. If the Project is not commenced within two (2) years from the date of approval then the conditional use permit shall expire and become null and void and be of no further effect, except as extended in compliance within this section.

If any such use cannot be commenced until construction of structures, buildings and other physical assets associated with the use are completed, then construction of such structures, buildings and other physical assets must be commenced, absent any valid extension, not later than two (2) years from the date of approval of the conditional use permit and completed within a reasonable amount of time in accordance with the timeframe normally required for such construction. If such construction is not commenced and completed as required, then the conditional use permit shall become null and void and be of no further effect and any uses approved in accordance with the permit shall not be permitted without further action on the part of Carbon County.

- b. Section 7.7-I--Extension of Conditional Use Permits.

If the project has not been commenced as required, the Applicant(s) may request from the Board an extension of the permit for a period of up to twenty-four (24) months upon a showing of good cause. The Applicant(s) shall apply to the County, through the Department, in writing for the extension no later than ninety (90) days prior to the expiration of the permit or any previously granted extension. At the time of the application for the extension, the Applicant(s) shall provide such information as is necessary for the County to determine whether good cause exists for the extension. Good cause may include, but is not limited to, good faith efforts to obtain required authorization from other agencies with jurisdiction, delay in construction due to weather conditions, pending litigation, or other causes which have delayed the project and which are beyond the reasonable control of the Applicant(s). The Applicant(s) may request not more than two (2) separate extensions from the Board, with such total extension period not to exceed forty-eight (48) months. The Board shall promptly consider the application for the extension and either allow it or deny it.

1. Requests for subsequent extensions of the permit shall first be presented to the Commission no later than ninety (90) days prior to the expiration of the permit or any previously granted extension. The Commission shall recommend to the Board either approval or denial of the extension of the permit. The recommendation of the Commission shall be considered by the Board at their next regular meeting.
 2. No permit shall expire during the time the decision on the extension is being considered.
- c. Section 7.7-J--Transfer of Conditional Use Permits.
No conditional use permit shall be transferred without the prior approval of the Board in accordance with the following:
1. The Board may authorize transfers of permits to a different person if:
 - a. The permit transfer request is initiated by a written request from the current permit holder and accompanied by a written acceptance of the permit, its terms and conditions by the prospective transferee.
 - b. The permit transfer request is heard by the Board at a public meeting after notice is published.
 - c. The permit transfer administrative fee has been paid.
 - d. Board approval shall not be unreasonably withheld upon good cause shown.
 - d. Section 7.7-K--Amendments to Conditional Use Permits.
A Conditional Use Permit may be amended pursuant to the procedures and standards as required for a new Conditional Use Permit application.

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.

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 #2024-01).

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 5th day of March 2024.

BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING

By: -s- Sue Jones, Chairman
On behalf of the Carbon County
Board of County Commissioners

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

COMMISSIONER & CITIZEN DISCUSSION

Commissioner Espy stated the WY County Commissioner Association is requesting a letter of support for Secure Rural Schools Act funding and suggested the county provide the letter. The BOCC agreed that the funding is critical.

Commissioner Johnson moved to authorized Commissioner Espy to provide and sign a letter of support to Congress to pass Secure Rural Schools Act Funding. Commissioner Irene seconded and the motion passed unanimously.

Vice Chairman Moore reported he recently met regarding the National Heritage Area and they are working on a feasibility study and funding. The group is looking for contributions to a preliminary budget for the first 5 years. Late April there will be a NEPA training and offered that to the BOCC to attend.

EXECUTIVE SESSION

Commissioner Espy moved to go into executive session at 12:03 p.m. with Clerk Bartlett and Ashley Mayfield Davis to discuss personnel, potential litigation and other matters considered confidential by law. Vice Chairman Moore seconded and the motion passed unanimously.

Commissioner Espy moved to come out of executive session at 12:36 p.m. noting no action was taken and that the minutes be signed and sealed. Vice Chairman Moore seconded and the motion passed unanimously.

BUDGET WORKSOP

A budget workshop was held to review the county's budget current and upcoming budget.

ADJOURNMENT

Commissioner Espy moved to adjourn the meeting at 3:30 p.m. Commissioner Johnson seconded and the motion passed unanimously.

A regular meeting of this Board will be held Tuesday, April 2, 2024, at 9:00 a.m. at the Carbon Building – Courthouse Annex located at 215 W. Buffalo St., 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 or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.