

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, November 12, 2024, 9:00 a.m.
Carbon Building – Courthouse Annex
215 W. Buffalo St., Rawlins, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, November 12, 2024, at 9:00 a.m. at the Carbon Building-Courthouse Annex, Rawlins, WY. Attending the meeting were Chairman, Sue Jones, Vice Chairman Travis Moore, Commissioners John Johnson and John Espy. Commissioner Garrett Irene was absent.

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

ADDITIONS / CORRECTIONS

Chairman Jones added a special prosecutor resolution under the Attorney and transfer of a vehicle to the Fire District under the Clerk.

Commissioner Johnson moved to approve the agenda as amended. Vice Chairman Moore seconded and the motion passed unanimously.

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 October 15, 2024, regular meeting minutes; Carbon County Clerk in the amount of \$18,826.50 and Planning & Development receipts totaling \$19,600.00; Notice of Valuation Changes in the amount of (\$409,255.00); and Tax Roll Corrections in the amount of (\$32,011.00). Commissioner Johnson seconded and the motion passed unanimously.

VOUCHERS

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

Commissioner Espy moved to approve the main amount of invoices totaling \$643,700.99 for a grand total today of \$643,775.99. Vice Chairman Moore seconded and the motion passed unanimously.

Vendor	Detail Line Description	Total
Abels, Duane E.	County Health Officer	\$1,633.00
Advanced Network Management, Inc.	Managed Services Monthly Fee	\$6,974.00
Alliance Laundry Equipment	Door Lock Assembly	\$311.01

Amazon Capital Services	Misc. Parts and Supplies	\$389.21
APEX Communications	Radio Contract Services	\$8,453.34
APG Media of the Rockies	Misc. Ads	\$168.90
ARCA Search	Clerk Files-Digital Archiving Annual Fee	\$1,166.00
Arnold, Debra	Mileage	\$46.20
Astrophysics	Courthouse Package Scanner Contract	\$4,875.00
AT&T Mobility	CCSO MDT Service	\$1,474.16
AT&T Mobility - Sei Processing	I-pad	\$359.99
Bable, Kirsti	Service Refund	\$50.00
Bach, Carol	Mileage	\$13.20
Baggs, Town of	Office Space Rental and Water Services	\$308.05
Bank of Montreal - Mastercard	34-Ups Battery Backups	\$32,824.61
Baumgartner, Max	Flight/Baggage	\$575.40
BI Inc.	Electronic Monitoring	\$3,815.50
Bisceglia, Debra	Circuit Court Bailiff	\$75.00
Black Hills Energy	Gas Services	\$6,645.20
Black, Val	Mileage	\$44.00
Bob Ruwart Motors	2024 Chevy Upfit X2	\$40,899.00
Bomgaars Supply	Misc. Supplies	\$124.93
Boulder Associates	MHCC Site Survey	\$169.60
Brown, Amanda	Mileage	\$47.30
Browne, Hannah	Meals, Milage and Travel	\$1,163.40
Buchanan, Karen	Mileage	\$88.00
Camfil, USA Inc.	Air Filters	\$1,462.77
Carbon County Comet	Flu Clinic Ad	\$175.00
Carbon County Fair Board	Monthly Outside Agency Payment	\$2,725.00
Carbon Co. Fire Protection District	Vehicle Maintenance	\$385.00
Carbon County Library	Monthly Outside Agency Payment	\$29,247.00
Carbon County Museum	Monthly Outside Agency Payment	\$18,995.00
Carbon County Senior Services	Monthly Outside Agency Payment	\$18,212.50
Carbon Power & Light Inc.	Electric Services	\$1,691.17
CareRight Technologies, LLC	Med Right Monthly Fee	\$370.37
Casper Winnelson Co.	Hydrant/Stiffener/Coupler	\$368.95
Chesney, John	Mileage and Travel	\$886.29
Cheyenne Regional Med Center	Medical Services	\$6,820.74
CIDNET	Jail Data	\$1,500.00
Clark, Jimmy	Monitor Deposit Refund	\$820.00
Coal Creek Law	Legal Services	\$640.00
Cogswell, David	Service Refund	\$10.00
Correnti, Joey	2024 Primary Canvas Board	\$108.75
Cowboy Chemical	Cleaning Supplies	\$477.65

Cragun, Megan A.	Mileage	\$162.80
Culligan Water Conditioning	Extra Course Salt	\$250.00
Daily Times	Jail Newspapers	\$167.04
Davis, Ashley	Mileage	\$624.80
Dirty Boyz Sanitation, Inc.	Trash Services	\$1,606.00
Dixon, Town of	Water Services	\$308.00
Dominion Energy	Gas Services	\$121.04
Drummond Refrigeration LLC	Food Disposer	\$2,815.00
Dynamic Controls Inc.	Cameras and Installation	\$15,416.00
Elder, Joseph E.	Mileage	\$46.20
Elevated Health & Safety Solutions	Random Drug Screening	\$174.00
Elk Mountain, Town of	Water Services	\$67.50
Encampment, Town of	Water Services	\$105.00
Engineering Associates	Bridge Engineering	\$9,030.35
Engstrom, James D. DDS	Dental Services	\$2,500.00
Erickson & Roberts	Legal Services	\$92.48
Fatbeam LLC	Fiber and Internet Services	\$4,590.00
FFF Enterprises, Inc.	COVID Vaccine	\$12,986.68
France, Tara	Transcription Services	\$435.50
Fremont County Coroner's Office	Autopsy Fees	\$1,925.00
Fremont Motor Rawlins Inc.	Vehicle Maintenance	\$3,906.85
Further	Health Reimb. & Medical FSA	\$2,494.30
Galls/Quartermaster	CCSO Shirts	\$1,259.99
Gaugler, Lori A.	Mileage	\$134.20
Gilbert, Elijah J.	Mileage	\$37.40
GlaxoSmithKline Pharmaceuticals	Flu Vaccine	\$2,173.69
Grainger	Misc. Supplies	\$159.64
Guardian Alliance Technologies	Pre-Screening	\$125.00
Gulbrandson, Kimberly A.	Mileage	\$115.50
H.B. Lee Construction	Supplies	\$357.74
Hanna, Town of	Water Services	\$275.22
Harkins, Sarah	Training Mileage	\$892.90
Hays, Patricia	Mileage	\$49.50
Heintz Surveying & Eng., LLC	Professional GIS Services	\$67.50
Hess, Heidi R.	Mileage	\$51.70
High Plains Power	Electric Services	\$389.99
Hobbs, Angie E.	Mileage	\$37.40
Hobbs, Iyliemae	Mileage	\$61.60
Hone, Jodell	Mileage	\$46.20
Hughes, Chris	Mileage	\$25.30
Iacovetto, Karon	Janitorial Services	\$8,230.00

Jack's Body & Fender Repair	Tow Charges	\$1,448.00
Jolly, Ashley	Meal	\$15.00
Jones Simkins	Audit Services	\$44,915.00
K2 Towers III, LLC	Radio Site Rentals	\$2,318.54
Kaluzny, Emily	Personal Phone Usage	\$30.00
Kaseya US LLC	Work Order Ticketing Software	\$900.00
Kilburn Tire Company	10 Tires	\$3,139.32
Kinetic Leasing	Motor Grader Lease Payment	\$60,426.00
Koeneke, Alice	Mileage	\$44.00
KTGA/KBDY	Radio Site Rental & Ads	\$400.00
Laramie GM Auto Center	Balance/Rotate Tires	\$77.64
Lawson Products Inc.	Butt Connectors	\$434.12
Lazarkiewicz, Debora	Meal & Mileage	\$66.86
Lifetime Benefit Solutions, Inc.	Cobra Fee	\$35.00
Maddox, Karol	Mileage	\$76.45
Medicine Bow, Town of	Water Services & Fill Dirt	\$2,437.00
Merchant McIntyre & Assoc., LLC	Monthly Retainer	\$8,000.00
Merseal Law, LLC	Legal Services	\$11,671.56
MGT Tires LLC	Tire Replacement	\$155.98
Midwest Connect	Postage Machine Ink	\$497.00
Miller, Ken	Mileage	\$50.60
Miller, Taylor	Donuts For Spencer Last Day	\$17.98
Mountain Alarm	Alarm Monitoring	\$57.90
Mountain Trail Medical	Physician Services	\$6,500.00
MPM Corp / Evergreen Disposal	Trash Services	\$110.00
Napa – Saratoga	Misc. Supplies	\$49.32
Nation, Leslie H.	Mileage	\$44.00
Nitschke, Alecia	Mileage	\$46.20
Nitschke, Isaac P.	Mileage	\$46.20
Norco, Inc.	Misc. Supplies	\$555.57
Novo Benefits	Actuarial Certification	\$400.00
Office of State Lands & Investments	Annual Royalty	\$40.00
O'Reilly Auto Parts	Misc. Auto Parts and Supplies	\$382.38
Parker, Elizabeth	Mileage	\$15.40
Patterson, Connie	Mileage	\$46.20
Payne-Rogers, Frances	Mileage	\$46.20
Peggy's Creations	Patches	\$20.00
Personnel Evaluation, Inc.	Evaluations	\$75.00
Perue Printing	Door Hanger Cards	\$340.50
Pipher, Donna J.	Mileage	\$66.83
Platt, Mayvon	Mileage	\$123.75

Platt, Ronald	Mileage	\$123.75
Platte Valley Heating & Air LLC	Service Call	\$110.00
Platte Valley Plowin	Nov 2023 Snow Plowing	\$3,360.00
Price, Keith	Service Refund	\$10.00
Quill Corporation	Misc. Office Supplies	\$81.76
R.P Lumber Company, Inc.	Misc. Parts and Supplies	\$333.74
Rakoczy, Gerard A.	Circuit Court Bailiff	\$75.00
Rawlins Automotive	Oil/Oil Filter	\$2,472.36
Rawlins Carbon County Airport Board	Outside Agency Payment	\$18,600.00
Rawlins Hardware – 5410	Misc. Supplies	\$675.05
Rawlins Hardware – 5465	Rags/Soap	\$20.97
Rawlins Pack and Ship LLC	FedEx Shipping Labels	\$42.20
Rawlins, City of	Water Services and Landfill Fees	\$4,822.46
Reed, Kaitlin M.	Mileage	\$68.20
Rice - Prior, Denise	Mental Health Services	\$1,000.00
Rietveld, Toni	Mileage	\$46.20
Risner, Lynette D.	Mileage	\$5.50
Rocky Mountain Oilfield Warehouse	Microwave Installation/Troubleshoot	\$17,705.61
Rocky Mountain Power	Electric Servies	\$23,954.46
Royal, Archie	Mileage	\$51.70
Saratoga Sandwich Company	Sandwich Platter	\$470.92
Saratoga Sun	Misc. Ads	\$1,711.50
Shively Hardware	Misc. Parts	\$422.99
Sinclair, Brian C.	Mileage	\$44.00
Slow and Steady Law Office, PLLC	Legal Services	\$8,170.00
Smith, Loretta K.	Mileage	\$84.70
Snider, Gary A.	Break Beaver Dams & Remove Beavers	\$582.00
Spaulding, Dawnnette	Mileage	\$160.80
Stanley, Jodi L.	Mileage	\$84.70
Staples Advantage	Misc. Office Supplies	\$262.17
State of Wyoming A & I	State Mainframe Access & File Storage	\$113.97
State of Wyoming DCI	Sex Offender Registration	\$195.00
Stephenson, Lee Ann	Mileage	\$66.00
Stericycle, Inc.	Sterisafe Subscription	\$50.80
Stinker Stores Inc.	Fuel	\$8,661.54
Stryker Sales Corporation	Battery Replacement	\$1,281.50
Summit Food Service	Jail Meals	\$13,800.41
Sunrise Sanitation Service, LLC	Trash Services	\$75.00
Super Vacuum Mfg. Co. Inc.	Truck Decals	\$1,423.57
Swanson Services Corporation	Commissary Supplies	\$2,945.55
Swanson, Rachel A.	Meal Reimb. & Mileage	\$363.17

Symns, Robert A.	Mileage	\$124.30
Terminix	Pest Control	\$193.00
The Cowboy Couture	Housing Control/Security Shirts	\$583.60
The Quik Lube	Oil Change Labor	\$76.00
Thos. Y. Pickett & Co., Inc.	Valuation Contract Installment	\$30,000.00
Transunion Risk & Alternative Data	Trulookup Searches	\$452.80
Triple X Contracting, Inc.	Trash Services	\$820.00
Tyler Technologies, Inc.	Software Support & Web Hosting	\$12,909.46
University of Wy Extension	Boyd & Haver Salary	\$18,481.50
UPRSWDD	Trash Services	\$152.00
US Bank	Misc. Charges	\$2,888.69
Valley Oil Company	Fuel	\$731.34
Vannett, Elizabeth H.	Mileage	\$92.40
Vannorman, Cathy L.	Mileage	\$84.70
Weatherd, Jill M.	Mileage	\$46.20
West, Mary E.	Mileage	\$44.00
Wex Bank	Fuel	\$329.59
Wilson, Karon	Mileage	\$48.40
Wood, Mary	Mileage	\$67.10
WY Behavioral Institute	Medical Services	\$2,262.00
WY Brand Industries	Business Cards	\$15.00
WY Dept of Transportation	BROS County Rd 203	\$170.44
WY Dept of Workforce Svc - Unemp.	Unemployment	\$1,968.36
WY Guardians Ad Litem Program	GAL Legal Fees	\$6,848.60
WY Machinery Company	Parts	\$13,767.86
WY Rents, LLC	Misc. Rentals	\$1,738.00
WY Secretary of State	Lund Notary	\$60.00
WY State 4-H Foundation	2024 Dues	\$100.00
Wyoming Cleaning & Solutions LLC	Janitorial Services	\$7,783.33
Y2 Consultants, LLC	Land Use Plan Update	\$1,656.43
Young, Tracy	Prevention Services	\$4,125.00
Zumbrennen Electric Inc.	Electrical Repairs	\$2,599.94

Bonds

Commissioner Espy moved to approve a continuation certificate for the bond for Morgan J. Irene, Mayor for the Town of Elk Mountain in the amount of \$25,000.00 and a bond Veronica M. Fernandez, Deputy Treasurer in the amount of \$10,000.00. Vice Chairman Moore seconded and the motion passed unanimously.

EMPLOYEE RECOGNITION

Various employees were recognized for their years of service.

ELECTED OFFICIALS & DEPARTMENT HEADS

Emergency Management

Lenny Layman, Emergency Manager requested approval of a Homeland Security SHSP grant that would fund annual contracts for AlertSense, Salamander, Orion Mobile and Traffic Cloud.

Vice Chairman Moore moved to authorize the Chairman's signature on the Point of Contact Form and Grant Award Agreement Between the Wyoming Office of Homeland Security and Carbon County in the amount of \$31,881.00 for 24-SHSP-CAR-CO-IIS to fund Emergency Management subscriptions; and to authorize the Chairman's signature on the following: Quote from All Traffic Solutions for sign messaging totaling \$2,850.00; Midwest Card & ID Solutions for the Salamander badging system totaling \$2,760.00 the Statement of Work with Futurity for Orion disaster management software totaling \$1,350.00 and Konexus contract for a subscription totaling \$14,100.50, all through 11/30/25. Commissioner Espy seconded and the motion passed unanimously.

Mr. Layman reported during 2025 he will work on the THIRA planning document, he is on a statewide working group to standardize mass notifications in Wyoming around fire events, the formation of a Unified Reunification Team with Carbon County School Districts, and an update about the Hazard Mitigation Plan update process, his involvement regarding the nationwide saline shortage due to the hurricanes on the east coast and the fact that he plans to work with the county's 10 municipalities to develop an Emergency Operations Plan (EOP) to use that data to adjust the county's EOP.

Buildings & Grounds

Jeff Askins, Building & Grounds Manager presented bids for five projects that would be funded by Energy Efficiency and Conservation Block Grant funds. He and Clerk Bartlett applied for this and were awarded \$76,383.00. They divided the project into 5 options for contractors to bid on and bids were received as follows:

Fairgrounds Multiplex LED upgrade – Zumbrennen Electric bid \$15,011.87
Rawlins Senior Center LED upgrade – Zumbrennen Electric bid 6,071.78
Medicine Bow Senior Center replace two furnaces – 7220 Fire and Ice LLC bid \$11,985.82 and Advanced Heating Inc bid \$15,886.00
Fairgrounds Caretaker residence replace one furnace – 7220 Fire and Ice LLC bid \$5,814.79 and Advanced Heating Inc bid \$6,834.00
Jeffrey Center variable frequency drive replacement – Dynamic Controls Inc bid \$32,045.00

Mr. Askins recommended accepting all low bids and Clerk Bartlett added the county would have approximately \$5,453.74 remaining and could apply for another project to utilize this. In addition, she stated that Davis Bacon applies to these projects so she will monitor that.

Vice Chairman Moore moved to accept low bids from Zumbrennen Electric for LED upgrades at the Fairgrounds for \$15,011.87 and Rawlins Senior Center for \$6,071.78; 7220 Fire & Ice LLC to replace two furnaces at the Medicine Bow Senior Center for \$11,985.82 and one furnace at the Fairgrounds caretaker residence for \$5,814.79; and Dynamic Controls to replace variable frequency drives a the Jeffrey Center for \$32,045.00 totaling \$70,929.26; and to authorize any commissioner to sign contracts with each after approval by legal. Commissioner Johnson seconded and the motion passed unanimously.

Sheriff

County Sheriff Alex Bakken introduced Karigan Gates as the employee of the quarter for the Sheriff's Office. He also introduced Lucero Pena, another dispatcher who he wanted to acknowledge his appreciation for.

Sheriff Bakken made the BOCC aware of a subrecipient form he will be executing to accept homeland security grant funds.

Sheriff Bakken requested authorization to waive procurement and purchase three sheriff pursuit patrol vehicles at \$71,995.37 per unit from Bob Ruwart Motors using impact funds from Transwest, Gateway South and Rock Creek. The reasoning for waiving procurement was due to the timing of bids with approximately 8 months for delivery and because PPVs don't typically get bid in responses from vendors. In addition, Bob Ruwart Motors won the state process for bidding PPVs but the purchase window is coming to a close soon.

Commissioner Johnson moved to waive the procurement policy due to availability, liability and lack of previous bids for police patrol vehicles (PPVs) and lengthy time for delivery and purchase three PPVs at \$71,995.37 each from Bob Rowart Motors. Vice Chairman Moore seconded and the motion passed unanimously.

Road and Bridge

Kandis Fritz, Road and Bridge Coordinator thanked Crowheart Energy for providing a water truck and running with the county blade. She reported on a new hire and then discussed items she would like to purchase utilizing impact assistance funding. These include bidding a new motor grader and gravel project for approximately 7.5 miles of the Marshall Road in Medicine Bow.

Ms. Fritz does have millings already in Elk Mountain that she could utilize rather than gravel but that product needs to be hauled to CR262 and she estimates double what a Saratoga job costs which was \$90,000.00. She estimates gravel to be about double that. The BOCC stated they prefer millings but only if she can't find a gravel source in the immediate area of the road to save on hauling.

Ms. Fritz would also like to purchase a used truck from Utah totaling \$45,880.00. Commissioner Johnson asked about the necessity of purchasing diesel pickups. She replied that they haul diesel fuel and heavy equipment in addition to the fact that they have diesel tanks at their shops and save

by purchasing that in bulk. Commissioner Espy stated the transmissions of gasoline often do not hold up.

Commissioner Espy moved to waive the procurement policy due to immediate availability to purchase a 2019 Ford F350 from Wilson Motors totaling \$45,880.00 utilizing Boswell Springs impact assistance. Vice Chairman Moore seconded and the motion passed unanimously.

As far as the grader, she would like to purchase with no trade-in and instead move a model 2000 year 140-H to the Dixon Airport for use there. She has a quote from January 2024 of \$446,340.95 for a Cat 140 AWD that WY Machinery will still honor and they can deliver this unit within a couple of weeks from arrival of the attachments. This is the price from a previous bid that they will honor. The BOCC authorized this purchase noting her staff would still maintain the blade located at the Dixon Airport.

Commissioner Espy moved to piggyback on the bid from January with WY Machinery for a new CAT 140H motor grader with all attachments totaling \$446,340.95. Vice Chairman Moore seconded. Commissioner Johnson noted that she can utilize up to \$100,000.00 for equipment from the road fund which Kandis has been doing. The motion passed unanimously.

The board asked Ms. Fritz to sell the loader from the Dixon Airport.

Attorney

Attorney Ashley Davis reported their office has a conflicted case and would like to assign it to the Albany County Attorney's Office.

Commissioner Johnson moved to approve Resolution 2024-26, a Resolution for Special Prosecutor. Vice Chairman Moore seconded and the motion passed unanimously.

Resolution 2024 - 26

A Resolution of the Board of County Commissioners of Carbon County, Wyoming, "RESOLUTION FOR SPECIAL PROSECUTOR"

WHEREAS, the Carbon County and Prosecuting Attorney has entered into an agreement with Kurt Britzius, Albany County Attorney for the Second Judicial District of Wyoming, or any of his deputy county attorneys, to assist in the case of Stephanie Leenee Bergwerff vs. State of Wyoming, in which the Carbon County and Prosecuting Attorney's Office has either a conflict of interest or which would have the appearance of impropriety if pursued by that office; and

WHEREAS, the Albany County Attorney for the Second Judicial District of Wyoming will provide these services free of charge to Carbon County; and

WHEREAS, Wyoming Statute § 18-3-302 authorizes such appointment with consent of the Board of County Commissioners and said action benefits Carbon County;

NOW, THEREFORE BE IT HEREBY RESOLVED that Board of County Commissioners of Carbon County, Wyoming consents to the appointment of Kurt Britzius or any of his deputy county attorneys to serve as special deputy county and prosecuting attorney(s) in the above referenced case.

DATED this 12th day of November 2024.

CARBON COUNTY, WYOMING

By: -s- Sue Jones

Title: Chairman, Board of County Commissioners

ATTESTED:

By: -s- Gwynn G. Bartlett

Title: County Clerk

Fire

John Rutherford, County Fire Warden reported the simulcast system is up and running and is currently being tested. The coverage is better than anticipated. There is a Motorola interface still required between this system and the county's dispatch console but this is already under way. He feels the system could be improved by adding Baker's Peak and Whiskey Peak with Chalk Hill. Clerk Bartlett reported ARPA funds were utilized for the simulcast system and added there should be enough to finish the system with what John recommends. She noted ARPA must be expended by December 2026 and that the system could be designed this winter with completion next summer. The BOCC asked Rutherford to obtain pricing to add these two sites and present them at a future meeting.

Treasurer

County Treasurer Lindsey West reported she and Assessor Snider toured the county with the intent to educate taxpayers on new laws regarding property taxes. While attendance wasn't what she had hoped for, she felt that if they kept this up it may improve over time. She reported the WY Trails system is now online sales only for ORV stickers and vendors locally will be a pickup location instead and reported she has decided to no longer be a vendor for this.

Clerk

Gwynn Bartlett, Carbon County Clerk provided an update on the 2024 General Election.

Clerk Bartlett presented an agreement with Blue Cross Blue Shield of WY to act as the county's administrator and the revised Group Reopening Request to add Knova Solutions fee.

Vice Chairman Moore moved to authorize the Chairman's signature on the Administrative Services Agreement and amended ASO Group Reopening Request adding Knova Solutions fee, both with Blue Cross Blue Shield of Wyoming. Commissioner Espy seconded and the motion passed unanimously.

Memorial Hospital of Carbon County

Gerald Patton, Chief Executive Officer and Stephanie Hinkle, Chief Operating Officer with Memorial Hospital of Carbon County discussed the hospital's finances, the fact they have a strong Chief Financial Officer candidate, the failure of the hospital district, and the appointment of Ms. Hinkle as the COO.

Commissioners

Chairman Jones reported she electronically executed a grant agreement for NAVAID maintenance at the Dixon Airport and requested this be ratified.

Commissioner Johnson moved to ratify the WY Airport Improvement Program Certificate of State Grant-in-Aid for the Dixon Airport in the amount of \$4,754.40 grant funds plus \$1,188.60 county funds for NAVAID maintenance. Commissioner Espy seconded and the motion passed unanimously.

CITIZEN/COMMISSIONERS DISCUSSION

Commissioner Johnson complimented the McClains in the Elk Mountain area for towing his daughter's vehicle with no fee noting that they are providing a valuable service to the area. He thanked Jimmy Hinkle for providing auctioneer services for a local fundraiser recently.

Commissioner Espy reported he will be attending a Western Interstate Region and a US Forest Service meeting. He and Chairman Jones attended a congressional tour call last week where it was determined they want one point of contact with each county, and he recommended Chairman Jones be the contact and that the county maintain the funds for the upcoming tour.

Vice Chairman Moore encouraged the public to take part in community and charity events.

PUBLIC HEARING – C.U. Case File #2024-03 – MT Fleet Services – Jane Tierra LLC

Chairman Jones opened a public hearing at 11:35 a.m. to hear Planning & Zoning C.U. Case 2024-03, MT Fleet Services – Jane Tierra LLC's request for a Conditional Use Permit Conditional Use Permit in the Limited Industrial (IL) Zone to permit and operate an auto wrecker service – "MT Fleet Service" approximately 2 miles east of Rawlins; south of I-80 and north of HWY 76 (Old Sinclair/Lincoln Highway). Kristy Rowan, Planning & Development Coordinator and Zoning Administrator presented the case file.

Chairman Jones called for comments for or against the case. There being none, Chairman Jones closed the hearing at 11:46 a.m.

Commissioner Espy moved that based on the recommendation of the Planning & Zoning Commission and staff to authorize the Chairman's signature on Resolution No. 2024-27 A Resolution of the Board of County Commissioners of Carbon County, Wyoming for C.U. Case 2024-03, MT Fleet Services – Jane Tierra LLC's request for a Conditional Use Permit Conditional Use Permit in the Limited Industrial (IL) Zone to permit and operate an auto wrecker service – "MT Fleet Service" approximately 2 miles east of Rawlins; south of I-80 and north of HWY 76 (Old Sinclair/Lincoln Highway). Vice Chairman Moore seconded and the motion passed unanimously.

Resolution No. 2024 – 27

**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 #2024-03
“MT Fleet Service”

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

WHEREAS, at the Monday, September 30, 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, September 30, 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, November 12, 2024; and

WHEREAS, at said public hearing on November 12, 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 #2024-03: Request for a Conditional Use Permit in the Limited Industrial (IL) Zone to permit and operate an auto wrecker service – “MT Fleet Service”. The Limited Industrial Zone is intended for areas in which manufacturing and commercial uses are the desirable and predominant land uses. Limited Industrial provides for a mix of manufacturing, storage, warehousing, and office space with limited retail and service uses. The intent is to provide appropriate setbacks and screening to minimize potential nuisance conditions and assure compatibility with adjoining uses.

Petitioner: Jane Tierras LLC (Applicant and Land Owner)

Parcel Identification Number: 21872420100300

Rural Address: 8 Buffalo Road

General Site Location: Approximately 2 miles east of Rawlins; south of I-80 and north of HWY 76 (Old Sinclair/Lincoln Highway).

Legal Description (taken from Warranty Deed, Book 1396, Page 77): Lot 3, Linn Minor Subdivision, located in the NW1/4, Section 24, Township 21 North, Range 87 West 6th P.M., Carbon County, Wyoming.

TERMS AND CONDITIONS OF APPROVAL:

1. Building Permit(s) are required prior to the start of construction. Approved WDEQ and WSEO permits (if applicable) will be required and must be submitted along with the building permit application.
2. All wrecked vehicles are to be drained of their fluids at the site of the accident if needed or at the facility. This prevents potential contamination occurring on the property. In case there was a spill, the applicant would report to the WDEQ and complete necessary cleanup.
3. In the event of an emergency, an Emergency Contact Information shall be posted on the site and visible from WY HWY 76 and the private access road.
4. 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.
5. The Applicant(s) shall adhere to Chapter 4, Section 4.10-Limited Industrial, Part E-Other Regulations, #3-Screening Standards.
 - Screening Standards: All manufacturing and fabricating areas shall be enclosed in buildings, and all outside equipment and material storage areas shall be screened by walls, fences or adequate plantings to a height of not less than six feet (6').
 - All fences in Commercial and Industrial zones shall require a building permit.
6. If lighting is to be used, the Applicant(s) shall adhere to Chapter 5, Section 5.4, Part B-Lighting Standards.
 - A. 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 plane 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.
- 7. 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.

8. 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 #2024-03) – “MT Fleet Service”.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 12th day of November 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

Vice Chairman Moore left the meeting at 11:48 a.m.

EXECUTIVE SESSION

Commissioner Espy moved to go into executive session at 11:48 a.m. with Clerk Bartlett, Lindsey West and Ashley Mayfield Davis to discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Johnson seconded and the motion passed unanimously.

Commissioner Espy moved to come out of executive session at 12:21 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Johnson seconded and the motion passed unanimously.

ADJOURNMENT

Commissioner Johnson moved to adjourn the meeting at 12:22 p.m. Commissioner Espy seconded and the motion passed unanimously.

The regular meeting of this Board will be held Tuesday, December 3, 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 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.carboncountywy.gov or by calling the Clerk’s Office at (307) 328-2668 or 1-800-250-9812.