

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, December 4, 2018
Carbon County Courthouse, Rawlins, WY**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, December 4, 2018 at the Carbon County Courthouse, Rawlins, WY. Attending the meeting were; Chairman John Johnson; Commissioners John Espy, Leo Chapman and Sue Jones. Commissioner Bob Davis was not in attendance.

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

ADDITIONS/CORRECTIONS

Chairman Johnson added Amanda Brown to the agenda to replace a position in her office.

VOUCHERS

ALSCO, AMERICAN LINEN DIVISION	MISC SHOP SUPPLIES	\$100.80
APEX COMMUNICATIONS	MAINTENANCE AGREEMENT	\$4,533.88
API SYSTEMS INTEGRATORS	FIRE ALARM SERVICES	\$1,815.90
BANK OF MONTREAL - MASTERCARD	VARIOUS CHARGES	\$24,387.99
BIG BALE COMPANY	TIRES	\$774.40
BLACK HILLS ENERGY	GAS SERVICES	\$12,510.85
BLAKEMAN PROPANE	FUEL	\$833.75
BUILD RITE LUMBER SUPPLY	MISC HARDWARE	\$100.81
C & B SAND & GRAVEL	ROADBASE HAULED	\$989.73
CARBON COUNTY ECONOMIC DEVELOPMENT	GRANT MATCH	\$1,400.00
CBM FOOD SERVICE	JAIL MEALS	\$3,336.14
CENTURYLINK WA	PHONE LINES	\$24,928.26
CHARM-TEX, INC.	JAIL SUPPLIES	\$130.70
CNA SURETY	NOTARY BONDS	\$200.00
COWBOY CHEMICAL	JAIL SUPPLIES	\$278.55
DIXON, TOWN OF	WATER SERVICES	\$308.00
DOT FHWA	SOUTH ROAD PROJECT	\$434,353.44
EXPRESSTOLL	TRAVEL	\$13.65
E-Z LIFT GARAGE DOORS	DOOR & WEATHER SEAL	\$2,185.00
FLOYD'S TRUCK CENTER	REPAIRS	\$213.64
FOLAND, SHERYL	MILEAGE	\$56.54
HIGH PLAINS POWER	ELECTRIC SERVICES	\$395.85
IML SECURITY SUPPLY	KEY	\$60.56
INTERIOR GALORE	EPOXY GLUE	\$170.00

J H KASPAR OIL COMPANY	FUEL	\$2,782.11
J.L. WAGNER CONSTRUCTION, INC.	BEACON GRADING PROJECT	\$8,722.50
JACK'S BODY & FENDER REPAIR	SERVICE CALL	\$100.00
JOHNSTON, RANAE	MILEAGE	\$30.50
KENCO SECURITY AND TECHNOLOGY	MONITORING ALARM	\$78.00
KILBURN TIRE COMPANY	TIRES/ALIGNMENT	\$1,243.88
KINETIC LEASING	LEASE PAYMENT	\$25,038.00
KING SOOPERS CUSTOMER CHARGES	EVIDENCE MODULE TRAINING	\$63.32
KIRSCH, ARCHIE P	SERVICES FOR OCT	\$1,300.00
KTGA/KBDY	RADIO ADS	\$35.00
L N CURTIS & SONS	FLOATING DOCK STRAINER	\$481.42
LARAMIE FIRE EXTINGUISHER	YEARLY INSPECTIONS	\$1,122.00
LIFE SKILLS	REFUND JAN 2019 RENT	\$1,059.33
MEDICINE BOW, TOWN OF	FIRE SERVICES	\$347.50
MEMORIAL HOSPITAL OF CARBON COUNTY	FRYER TESTING	\$374.95
MPM CORP / EVERGREEN DISPOSAL	TRASH SERVICES	\$130.00
MY OFFICE ETC.	SHERIFF SUPPLIES/CERTIFICATE	\$101.14
NEUBAUER, PELKEY, MERSEAL AND	LEGAL SERVICES	\$2,588.75
OFFENDER WATCH	NOTIFICATIONFORSEXOFFEDERS	\$56.50
OFFICE OF THE ATTORNEY GENERAL	GOODRO FINGERPRINTS	\$15.00
PATTON, SALLY	MILEAGE	\$49.05
PERKINS OIL CO	FUEL	\$3,039.72
PLUS ELECTRIC INC.	COMMERCIAL SWITCHES	\$15.72
QUILL CORPORATION	SUPPLIES	\$785.07
RAWLINS AUTOMOTIVE	MISC PARTS	\$356.29
RAWLINS, CITY OF	WATER SERVICES	\$2,958.00
RERUCHA, CAL	MILEAGE	\$43.00
RICOH USA, INC	COPIER LEASE PAYMENT	\$4,320.38
ROCKY MOUNTAIN INFO NETWORK	ANNUAL RMIN MEMBERSHIP	\$100.00
ROSENTERER, CATHY	MEAL	\$8.49
SAFE LIFE DEFENSE	MULTI THREAT VEST	\$479.70
SAGE CREEK EXCAVATING	ROCK REMOVAL	\$270.00
SALT LAKE WHOLESALE SPORTS	AMMUNITION	\$269.00
SAPP BROS TRUCK STOPS, INC.	HEAVY EQUIP PARTS	\$6,300.00
SARATOGA AUTO PARTS, INC.	MISC PARTS	\$871.03
SARATOGA SUN	ADS	\$66.00
SCHAEFFER MFG CO	GEAR LUBE	\$1,264.40
SHEPARD'S	FUEL	\$2,285.31
SHIVELY HARDWARE	MISC SUPPLIES	\$50.04
SPILLMAN TECHNOLOGIES	ANNUAL MAINTENANCE	\$38,863.23
STAPLES ADVANTAGE	OFFICE SUPPLIES	\$360.61

SWANSON SERVICES CORPORATION	JAIL COMMISSARY	\$686.02
T-O ENGINEERS	BEACON GRADING PROJECT	\$1,586.25
TRADING POST	FUEL	\$52.07
TRUE VALUE OF RAWLINS	MISC SUPPLIES	\$91.11
UNION TELEPHONE COMPANY	PHONE LINES	\$123.54
UNITED STATES POSTAL SERVICE	PREPAID POSTAGE ACCT 8055880	\$10,000.00
US BANK	ANNUAL MEMBERSHIP FEE	\$45.00
VOLUNTEER FIREMEN PENSION FUND	NOV VOL FIRE RETIREMENT	\$630.00
WESTERN STATES FIRE PROTECTION CO	ANNUAL INSPECTION	\$475.00
WILSON, MARGARET	SHERIFF UNIFORMS	\$144.00
WTLA	TRAINING	\$145.00
WY BEHAVIORAL INSTITUTE	EMERGENCY DETENTIONS	\$4,524.00
WY DEPT OF ENVIRONMENTAL QUALITY	CSF UNDER PROJECT RAWLINS	\$200.00
WY DEPT OF HEALTH	PAYROLL	\$37,838.43
WY DEPT OF TRANSPORTATION	SAVERY ROAD PROJECT	\$759.12
WY MACHINERY COMPANY	MISC PARTS	\$4,483.11
WY RENTS, LLC	CAT RENTAL	\$200.00
WY STATE FORESTRY	FIRE PARTS	\$963.85
WY DEPARTMENT OF WORKFORCE SERVICES	VOL WORK COMP	\$102.60
ZIRMED, INC	PROFESSIONAL CLAIMS FILED	\$10.15
GRAND TOTAL		\$685,562.63

Commissioner Chapman moved to pay the main amount of bills in the amount of \$685,562.63. Commissioner Jones seconded and the motion carried unanimously.

CONSENT AGENDA

Commissioner Espy moved to approve the consent agenda noting any item could be removed for further discussion. The consent agenda includes the November 20, 2018 regular meeting minutes; bonds for Jim D. Copeland, Superintendent, Carbon County School District #2 in the amount of \$50,000.00 and Doreen Harvey, Clerk, Town of Encampment in the amount of \$25,000.00; and monthly receipts for the Planning and Development Department in the amount of \$3,150.00. Commissioner Chapman seconded and the motion carried unanimously.

ELECTED OFFICIALS & DEPARTMENT HEADS

Public Health

Public Health Nurse Amanda Brown requested and received authorization to fill an open administrative assistant in her office. Ms. Brown stated she still has an open Maternal Child Health (MCH) nurse position and they will not accept any new patients until the position is filled. She also provided an update on vaccines and services her office has provided.

Planning & Development

Planning and Zoning Director, Sid Fox presented a resignation letter from Planning and Zoning Commission member, Byron Barkhurst. Mr. Barkhurst is resigning as of December 31, 2018 to accept a seat on the Board of Carbon County Commissioners. Mr. Fox stated that the replacement must be from the unincorporated area of the county.

Commissioner Chapman moved to regretfully accept Byron Barkhurst's resignation from the Planning and Zoning Commission as of December 31, 2018 and authorize the Clerk to advertise the vacancy. Commissioner Espy seconded and the motion passed unanimously.

Mr. Fox confirmed that if the county proceeds with proposed zoning resolution amendments the county would have to proceed with a public hearing process. He would expect this to be heard by the BOCC in March.

Clerk of District Court

Clerk of District Court, Mara Sanger requested approval to continue using Bank of Commerce for her office's primary operating account.

Commissioner Jones moved to approve the continued use of Bank of Commerce for the District Court's primary operating account. Commissioner Chapman seconded and the motion passed unanimously.

Road & Bridge

County Road and Bridge Superintendent, Bill Nation reviewed the engineering quotes to design and manage contracts for a new sheriff and road & bridge complex in Medicine Bow to be paid for with industrial siting impact assistance funds. WLC Engineers proposes \$136,000 for design plus construction administration of \$89,000. Engineering Associates proposes \$95,000 for design and \$85,000 for construction administration. Mr. Nation recommended accepting lowest proposal.

Commissioner Chapman moved to approve the proposal from Engineering Associates in the amount of \$95,000.00 to design a new Road and Bridge/Sheriff's Complex in Medicine Bow. Commissioner Espy seconded and there was discussion about the funding stream. Treasurer Bentsen suggested financing the project. Mr. Nation stated the design would need paid for now with construction management later. There was further discussion about only approving the design portion today. The motion passed unanimously.

Mr. Nation discussed using trackers on Road and Bridge equipment stating that a cellular service model costs \$650.00 installation plus \$140.00 per year with cellular service with AT&T or Union Wireless. The other is satellite with a clear view of the southern sky for \$2,967.00 per unit plus \$140.00 per year maintenance. This unit does not provide information if the asset is running. Commissioner Jones stated she sees no need for this whatsoever. She feels the machines are well maintained, she feels there will be many areas where there will be no contact

and she isn't sure why this was requested in the first place. Commissioner Espy stated he and Commissioner Davis were curious as to the cost and now that he knows the cost he feels this is not worth it and that it is a solution to a problem this county doesn't have.

Mr. Nation reported he wrote to various GIS service providers last year that when the interstate and other highways are closed to put a disclaimer that other routes may not be available or safe in inclement weather. He did receive a response from Garmin and subsequently provided the appropriate data for warnings. He now has ordered flashing red lights and new signs regarding closed roads and he may install a gate on the Sage Creek Road #402.

County Treasurer

County Treasurer, Patty Bentsen discussed draft bills that the BOCC will hear during their upcoming association meeting. One is regarding depreciation for county fees for vehicle registration and the Treasurer's Association believes this will create a statewide loss of over \$3 million.

Buildings & Grounds

Building & Grounds Manager, Jim Piche reported the Carbon County Youth Crisis Center addition is complete and a certificate of occupancy has been issued. Carpeting will be installed at the Rawlins Museum in January and the facility will likely be closed during this time. The Watts Smart program began this week and the majority of facilities will be done by the end of the month. The county's surplus action yielded \$4,398.25 for his department and he would like to put this aside for a skid steer. The BOCC asked him to hold this request for budgeting next year.

Document storage at the Jeffrey Center continues and all records will be moved from the Courthouse in the next couple weeks.

Mr. Piche stated asbestos will be abated at 218 West Pine Street project by around January 7 and he will remove the house at that time with the assistance of City side dump trucks. He also noted the city waived dump fees for the project.

County Attorney

Attorney Davis requested approval of the Mental Health Contract Service Agreements for coverage for Glenn Biggs, Mental Health Examiner.

Commissioner Espy moved to authorize the Chairman's signature on the Contractor Agreements for mental health examiners with Marci Conley and Sheryl Foland to cover for Glenn Biggs as needed. Commissioner Chapman seconded and the motion carried unanimously.

Mr. Biggs reported that these individuals will hopefully have hospital privileges by the end of the year. Currently, the hospital's heating system is down and patients have been sent to Casper as needed.

Attorney Davis requested approval of a letter to the Memorial Hospital of Carbon County Board.

Commissioner Jones moved to ratify the Chairman's signature on the letter of response to the Memorial Hospital of Carbon County Board of Trustees. Commissioner Chapman seconded and the motion passed unanimously.

Clerk

County Clerk, Gwynn Bartlett requested and received approval for \$7,853.96 from two vehicle sales for the Sheriff's office be used to purchase bullet proof vests.

Clerk Bartlett presented an amendment to the county's Women Infant and Children (WIC) contract.

Commissioner Jones moved to approve Amendment One to the Agreement Among Wyoming Department of Health, Public Health Division, Carbon County WIC Program, and Carbon County. Commissioner Espy seconded and the motion carried unanimously.

Clerk Bartlett requested the designation of a list of individuals as volunteers for the county noting that the Local Government Liability Pool requests this be done in a public meeting periodically.

Commissioner Espy moved to designate the following emergency volunteers: ALAMEDA, WAYNE B ;ALEXANDER, RYON B ;ALLEN, ELI ;ANDERSON, ARON T ;ANDERSON, MICHAEL ;ARNOLD, RUSTY J ;BAER, WILLIAM H ;BARKHURST, RAYMOND J ;BARKHURST, VERNON H ;BARNES, LOGAN T ;BARTHOLOMEW, THOMAS E ;BEACH, CAROL B ;BEACH, DONALD L ;BEACH, DONNA M ;BEACH, ELIZABETH M ;BEACH, HOMER JR;BENTSEN, JUSTIN A ;BJORK, RYAN P ;BLIGHT, JAMES P ;BORAH, GARY C ;BORN, TIMOTHY C ;BROKAW, RALPH ;BROWN, ELIZABETH A ;BROWN, RON C ;BURKE, JASON W ;BUTTERFIELD, CODY R ;CARPENTER, BRENT S ;CARY, BRADFORD C ;CARY, NICHOLAS L ;CASSON, NICHOLAS M ;CHEESBROUGH, CASEY R ;CHRIESTENSON, BRENT N ;CHRISTEN, TYLER T ;COBB, JOHN T ;COLE, RICHARD R ;COLE, SHERRY L ;COLLINS, ROBBIE LEE ;COLSON ROBERTS, ASHLEA A ;COOPER, TIMOTHY P ;COX, MATTHEW A ;CRAGOE, RANDY ;CROSIER, BEAU W ;DETERER, CODY S ;DRAKE, JAMES L ;DRAKE, MATTHEW B ;DREHER, ANDREW J ;DUNCAN, WILLIAM T ;DUNMIRE, GARRETT L ;DUNMIRE, LESLIE L ;EJLERSEN, JOSH D ;ELLIS, JONATHAN F ;ERICKSON, FRANK E ;FARVER, MICHAEL J ;FINNEY, RYAN N ;FORSTER, REGINALD S ;FOSTER, ALETHEA M ;FOWLER, JOSHUA M ;FOWLER, TRACY L ;FRINK, SHAWN T ;FRITZ, CHRISTOPHER A ;FRITZ, STEPHEN A ;FULLMAN, MELANIE B ;GAUDES, JOSEPH B ;GERMAN, JENNIFER ;GOETZ, EUGENE J ;GRAY, BRANDON S ;GULBRANDSON, CHRISTOPHER D ;HAMANN, TALON J ;HARVEY, DOREEN ;HARVEY, RON ;HAYS, KAREN L ;HAYS, PAUL

;HOLMES, EVAN A ;HUBBS, JAKOB L ;HUCKE, HENRY ;HUNT, THOMAS P ;HYTREK, ANDREW W ;IRBY, DAVID W ;IRENE, GARRETT O ;JAGO, DANIEL W ;JAMES, CREED W ;JOHNSTON, JOSEPH D ;KELLY, BRENT L ;KENNEDA, RYAN J ;KOSTOVNY, MARK ;LAMPRECHT, MICHAEL A ;LANG, KELBY ;LASCANO, JOSEPH R ;LASCANO, LUIS R ;LASCANO, LUIS W ;LAWRENCE, TIMOTHY W ;LEWIS, RYAN N ;LUJAN, JOSEPH M ;MADDOX, LUKE ;MARTIN, BRICE L ;MCBRIDE, SHAUN ;MCGUIRE, LANDON R ;MCKEE, KYLE J ;MCVEY, CHARLES F ;MECOMBER, STEVEN R ;MEYER, MARK J ;MEYER, ROBERT K ;MICHIE, DAVE F ;MILLER, COLTON R ;MITCHELL, MATTHEW C ;MOORE, JOHN W ;MURRY, THOMAS R ;MYERS, ANDREW J ;NEWBROUGH, MICHAEL L ;NEWKIRK, JODI KAY ;NEWKIRK, RONNY C ;NUHN, CORY M ;NUHN, KATRINA L ;NUHN, TYLER MORGAN ;OCONNER, BRIAN ;PACHECO, LONNIE S ;PAINTIN, JACOB W ;PEARSON, KAMERON K ;PERRY, BRANDON W ;PICHE, BRADY J ;PICHE, JAMES R ;PICHE, MARY F ;PICHE, SHELBY L ;PORTER, LEVI R ;PYLE, CARROLL A ;RANDALL, SCOTT M ;REID, BRICE A ;REMICK, CARL ;REMICK, JAMES R ;REMICK, JOE B ;ROBERTS, MATTHEW ;ROBIDOUX, ZACHARY M ;ROBINSON, KATHERINE E ;ROGERS, ZACKREY R ;ROMIOS, BRUCE W ;ROSENTRETER, CATHERINE P ;ROSENTRETER, JAMES K ;RYAN, WILLIAM J ;SCHINKEL, TRAVIS L ;SCOGGIN, WILLIAM ;SHERWOOD, WILLIAM G ;SIKES, RANDAL M ;SIKES, SAMMY D ;SIMS, SHANON ;SIMS, TYLER ;SKELDON, JENNIFER K ;STINSON, TATE J ;STOCKS, KODY R ;STOCKWELL, THOMAS G ;STREETER, JEFFREY W ;STREETER, ROBERT W ;SUN, JOSEPH ;SUTTON, LUCAS E ;TAYLOR, BOBBY J ;THEESFELD, JASON M ;THOMAS, CARLTON T ;THOMPSON, LESTER E ;THRAILKILL, RYAN R ;TRAPP, LARRY W ;TRAPP, WESLEY M ;TRIMBLE, STEPHANIE R ;VANDIVER, VINCE ;VECHNAK, CLINTON L ;VILLAR GARCIA, MAURILLIO J ;VING, PATRICK E ;WAGNER, MARK T ;WALISER, PATRICK B ;WATSON, KELLIE DON ;WEST, PAUL S ;WESTRING, THOMAS L ;WHEATON, MICHAEL S ;WILDER, MICHAEL R ;WILLE, JARED B ;WILLIS, JAMES R ;WILSON, STEPHENE R ;YOUNG, WILLIAM A ;ZARAGOZA, MARCOS JR;ZENT, AARON R. Commissioner Chapman seconded and the motion passed unanimously.

Clerk Bartlett requested the acceptance of Willis Williams' resignation from the Weed & Pest Board. Mr. Williams will be moving out of the area he serves and will no longer be a qualified elector.

Commissioner Espy moved to regretfully accept Willis Williams resignation from the Weed & Pest Board. Commissioner Chapman seconded and the motion passed unanimously.

Gwynn presented two proposals from EKM&P for the courthouse security updates to be paid with Supreme Court and Homeland Security grant funds and the other for a coroner and sheriff storage facility as part of the county's long term planning process. Chairman Johnson stated the Courthouse Security Proposal is in good faith towards the county's end goal of enhanced security measures for this building.

Commissioner Jones moved to approve the design proposal from EKM&P for the Courthouse Security Proposal. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Espy moved to approve the design proposal from EKM&P for the Coroner/Sheriff Storage standalone facility and authorize them to assist with site selection. Commissioner Chapman seconded and the motion carried unanimously.

The Chairman requested a couple commissioners, the clerk, coroner, sheriff and building manager schedule a meeting regarding this. Commissioner Espy volunteered.

Clerk Bartlett reported that the county's and each of the ten municipality's specific purpose tax projects should be continuing on to a May 2019 ballot. The total will be approximately \$52 million to be paid at a maximum 16 years, but likely much sooner. Chairman Johnson stated that wind energy development funds were not figured into the equation and could pay it off quicker.

Commissioner Jones moved to authorize Fire Warden Rutherford to purchase rescue tools for Rock Creek in the amount of \$30,363.00 from Boswell Springs impact assistance funds. Commissioner Chapman seconded and the motion carried unanimously.

Commissioners

Commissioner Jones moved to authorize the Chairman's signature on Change Order #1 to the Dixon Airport Beacon and Grading Project in the amount of \$2,250.00 for seeding and mulching. Commissioner Chapman seconded and the motion carried unanimously.

Chairman Johnson reported that at COG there were concerns about the industrial siting impact assistance process and a disconnect between the council and the rules. He had signed a letter and planned to ask for ratification; however, he subsequently removed his signature from the letter and City Attorney Amy Bach will now revise the letter. He also mentioned a letter from a representative regarding the industrial siting impact assistance process that was brought to his attention in the Gateway West Transmission Line Hearing. He would like to request authorization to obtain a copy of the letter for Commissioner review.

Commissioner Espy moved to authorize the Chairman's signature on a letter to the Industrial Siting Division of the Department of Environmental Quality to request a copy of the letter from the representative to the council mentioned during the Gateway Hearing. Commissioner Chapman seconded and the motion carried unanimously.

EXECUTIVE SESSION

Commissioner Espy moved to go into executive session at 10:31 a.m. with Gwynn Bartlett, Ashley Mayfield Davis and Sid Fox. Commissioner Chapman seconded and the motion carried unanimously.

Mr. Fox left the session at 10:46 a.m.

Commissioner Espy moved to come out of executive session at 10:52 a.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Chapman seconded and the motion carried unanimously.

MEETING SCHEDULE

Commissioner Espy moved to amend the 2019 Meeting Schedule from January 22 to January 15. Commissioner Chapman seconded and the motion carried unanimously.

LITTLE MEDICINE BOW WIND

Commissioner Espy moved to schedule a contested case public hearing for the Little Medicine Bow Winds S LLC Order on either January 7 or January 15 at 1:30 p.m. at the Carbon County Courthouse. Commissioner Chapman seconded and the motion carried unanimously.

PUBLIC HEARING

Chairman Johnson opened a public hearing at 10:56 a.m. to hear Planning & Zoning C.U. Case File #07-20 – Expedition Southern Cross Commercial Oilfield Wastewater Disposal Facility. Expedition Southern Cross LLC requests to transfer a conditional use permit from Southern Cross Environmental Services, LLC and Bluegrass Southern Cross, LLC to their sole ownership. The permit authorized the construction, maintenance, and operation of an oil and gas well produced water evaporation and recycling ponds in the RAM Zone located approximately 5 miles west of Dad and 22 miles north of Baggs totaling approximately 160 acres. Mr. Fox stated he received a letter dated November 15 from Paragon Consultants representing the new owners requesting the transfer occur. The hearing was advertised in the Rawlins Daily Times on November 21st.

Chairman Johnson called for comments and there being none he closed the public hearing at 10:57 a.m.

Commissioner Jones moved to approve Resolution No. 2018-41 A Resolution of the Board of County Commissioners of Carbon County, Wyoming for C.U. Case #07-20 Transfer of Permit for Expedition Southern Cross Commercial Oilfield Wastewater Disposal Facility to only Expedition Southern Cross LLC. Commissioner Espy seconded and the motion carried unanimously.

Resolution No. 2018 – 41

A Resolution of the Board of County Commissioners of Carbon County, Wyoming.

C.U. Case #07-20

TRANSFER OF PERMIT

“Expedition Southern Cross Commercial Oilfield Wastewater Disposal Facility”

WHEREAS, pursuant to the Carbon County Zoning Resolution of 2015, as amended, specifically, Section 5.4 (J) – Conditionally Permitted Uses – Transfer of Conditional Use Permits, “No conditional use permit shall be transferred without the prior approval of the Board of County Commissioners.”; and

WHEREAS, the Paragon Consulting Group, Inc. on behalf of Expedition Southern Cross LLC (the prospective facility owner/operator) and Bluegrass Southern Cross, LLC (the current facility owner/operator) submitted a letter, attached as Exhibit A, to the Chairman dated November 15, 2018, requesting the Board transfer Conditional Use Permit Case File #07-20; and **WHEREAS**, the Paragon Consulting Group, Inc. on behalf of Expedition Southern Cross LLC and Bluegrass Southern Cross, LLC requested that the permit transfer be effective only upon closing of the transaction, which is anticipated on December 6, 2018, which must be confirmed in writing; and

WHEREAS, the Carbon County Board of County Commissioners advertised to hold a public hearing by public notice; and

WHEREAS, at said public hearing, 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 permit transfer; and

WHEREAS, the Carbon County Board of County Commissioners having considered said request to transfer the Conditional Use Permit, and having found good cause for the permit transfer and having also reviewed and considered the Carbon County Zoning Resolution of 2015, as amended, specifically, Section 5.4 (J) – Conditionally Permitted Uses – Transfer of Conditional Use Permits; and

WHEREAS, the Carbon County Board of County Commissioners have determined that the request to transfer the Conditional Use Permit, is in conformance with 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 Transfer subject to receipt of written confirmation upon closing of the transaction:

C.U. Case File #07-20

Project Name: “Expedition Southern Cross Commercial Oilfield Wastewater Disposal Facility”

Applicants/Permittees:

Applicant in Original Application: Southern Cross Environmental Services, LLC

Current Facility Owner/Operator: Bluegrass Southern Cross, LLC

Proposed Facility Owner/Operator: Expedition Southern Cross LLC

Land/Property Owners:

Property Owner in Original Application: Patrick and Judith Sheehan

Current Property Owner: Mexican Flats, LLC

Location: Approximately 5 miles west of Dad; approximately 22 miles north of Baggs

Legal Description: Dependent Resurvey – Lots 2 and 3, SW1/4NE1/4, NW1/4SE1/4, Section 3, T15N, R93W, 6th P.M., Carbon County, Wyoming

VIOLATION: In the event the actions occurring pursuant to this request are found to be in material violation of the terms and conditions of the permit, or are found to have been obtained by fraud, this transfer and associated permit shall be subject to all remedies allowed by law.

TERMS AND CONDITIONS OF APPROVAL:

1. All development must be in conformance with the current Carbon County Zoning Resolution. Zoning (building) permits are required.
2. Any future development proposals for the subject property may require review and approval of the Carbon County Planning and Development Department and/or the Carbon County Planning & Zoning Commission.
3. Any building construction on the subject property will require an application for a building permit.
4. All construction should conform to the International Building Code (IBC).
5. The applicant will provide a traffic study report on state highways and county roads of the proposed site to the Carbon County Planning & Development Department to determine safe and adequate access and circulation to the proposed site.
- 5A. All access and maintenance agreements that apply must go through and with the Carbon County Road & Bridge Department.
6. The applicant will provide a copy of all site plans/maps consisting of the construction, operations, and maintenance of the proposed project.
7. The applicant will work with the Little Snake River Conservation District.
8. Carbon County Planning and Development Department Planning Staff reserves the right to and will provide interpretation and clarification of these conditions.
9. Carbon County Planning and Development Department Planning Staff reserves the right to inspect and insure compliance of the proposed project. A 24-hour notice will be given to the applicant and owner prior to inspection.
10. Violation of any of the above restrictions can be grounds for terminating this Conditional Use Permit.
11. Upon approval by the Board, the following provisions from the Zoning Resolution will be incorporated into the final Resolution:
 - a. In accordance with Section 5.4-J, Transfer of Conditional Use Permits:
 - No conditional use permit shall be transferred without the prior approval of the Board of County Commissioners.
 - b. 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 CARBON COUNTY
BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:**

1. That the Carbon County Board of County Commissioners, hereby approves this transfer of CUP-Conditional Use Permit for the “Expedition Southern Cross Commercial Oilfield Wastewater Disposal Facility” Conditional Use Permit Case File #07-20.
2. The new permittee is: Expedition Southern Cross LLC.
Expedition Southern Cross LLC
2015 Clubhouse Drive, Suite 201
Greeley, CO 80634

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 4th day of December, 2018.

**BOARD OF COUNTY COMMISSIONERS OF
CARBON COUNTY, WYOMING**

-s- Willing John Johnson, Chairman
On behalf of the Carbon County
Board of County Commissioners

Attest:

Gwynn G. Bartlett, Carbon County Clerk

CARBON COUNTY ECONOMIC DEVELOPMENT CORPORATION

Cindy Wallace, Economic Development Director presented Commissioner Chapman with a certificate of recognition for his years of service on the board.

COMMISSIONERS DISCUSSION

Commissioner Jones reported that the Memorial Hospital of Carbon County Steering Committee recently heard presentations from Quorum Health Resources, the current management company and WY Medical Center along with Intermountain Health Centers who desire to work together to manage the hospital and affiliate. The committee will make a recommendation to the hospital board on their thoughts and she may have this meeting on December 11. The hospital board will have to determine how to move forward January 1 as the contract for management will likely not be completed by that time.

Chairman Johnson thanked Clerk Bartlett for her and her staff's work on the recent specific purpose tax meetings.

ADJOURNMENT

Commissioner Espy moved to adjourn the meeting at 11:06 a.m. Commissioner Chapman seconded and the motion carried unanimously.

A regular meeting of this Board will be held January 7, 2019 at 9:00 a.m. at the Carbon County Courthouse, 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.