

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, March 5, 2019
Carbon County Courthouse, Rawlins, WY**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, March 5, 2019 at the Carbon County Courthouse, Rawlins, WY. Attending the meeting were; Chairman John Johnson, Sue Jones, Byron Barkhurst, and Travis Moore. Commissioner Espy was absent.

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

ADDITIONS/CORRECTIONS

The Chairman added an amendment for an existing public health agreement under Public Health and a well application for the Fairgrounds under Buildings & Grounds.

VOUCHERS

307 PROFESSIONAL CLEAN LLC	CLEANING	\$10,485.00
ACME ELECTRIC COMPANY, LLC	ELECTRICAL WORK	\$1,884.09
AINSWORTH, STEVEN	CORONER CONFERENCE FEES	\$350.00
ALSCO, AMERICAN LINEN	SHOP SUPPLIES	\$158.07
APG MEDIA OF THE ROCKIES	PUBLIC NOTICE AD	\$111.00
ARCA SEARCH	ANNUAL HOSTING FEE	\$2,180.00
ASPEN FAMILY DENTAL	DENTAL SERVICES	\$1,813.00
BALESTRIERI, MICHELLE	CRC MEMBERSHIP DUES	\$289.75
BARKHURST, BYRON	WCCA MILEAGE	\$143.00
BLACK HILLS ENERGY	HEATING FUEL	\$17,480.10
BLAKEMAN PROPANE	HEATING FUEL	\$3,366.25
BOMGAARS SUPPLY	MISC SUPPLIES	\$38.76
BUILD RITE LUMBER SUPPLY	MISC PARTS	\$182.42
CARERIGHT TECHNOLOGIES	MONTHLY BED FEE	\$145.20
CASPER WINNELSON CO	ICE MELT	\$450.93
CBM FOOD SERVICE	JAIL MEALS	\$3,439.13
CLERK OF DIST COURT (JURORS)	JUROR/BAILIFF	\$3,700.00
CROSSROADS TOWING	TIRES	\$451.66
DAILY TIMES	NEWSPAPER SUBSCRIPTION	\$174.00
DALLIN MOTORS INC	CHIMES TURNED OFF/CRUISE	\$128.20
DIXON, TOWN OF	WATER SERVICES	\$308.00
DOMINION ENERGY	HEATING FUEL	\$297.35
EATON SALES & SERVICE LLC	FUEL PUMP	\$3,538.26

EKM&P, INC.	SECURITY PROJECT	\$2,970.00
ELK MOUNTAIN, TOWN OF	RENT	\$1,500.00
ENGINEERING ASSOCIATES	MED BOW COMPLEX	\$21,772.16
ESRI	ANNUAL MAINTENANCE	\$2,700.00
FURTHER	2018 HRA REIMBURSEMENT	\$5,888.45
GLAXOSMITHKLINE PHARMA	VACCINES	\$1,743.50
HANNA, TOWN OF	WATER SERVICES	\$118.99
HANSEN, LORETTA J.	MILEAGE	\$137.34
HEROLD IRON WORKS	MECHANIC	\$88.00
HIGH PLAINS POWER	ELECTRIC SERVICES	\$339.61
HIGH PLAINS VISION CENTER	VISION SERVICES	\$4,006.00
HOSTLERS GENERAL STORE	FUEL	\$63.60
IML SECURITY SUPPLY	KEYPAD LOCK	\$484.55
J H KASPAR OIL COMPANY	FUEL	\$7,289.62
JOHNSTON, RANAE	MILEAGE	\$73.50
KARI, DALE	MILEAGE	\$27.60
KENCO SECURITY	MONITORING ALARM	\$78.00
KIRSCH, ARCHIE P	SERVICES PROVIDED FEB	\$1,300.00
L N CURTIS & SONS	MISC PARTS	\$9,292.12
LARAMIE FIRE EXTINGUISHER	INSPECTION OF HOOD SYSTEM	\$285.00
MCKESSON MEDICAL	MEDICAL SUPPLIES	\$408.32
MERBACK AWARD COMPANY	PLAQUE W/ PLATE	\$102.64
MICHAELS FENCE	WELDED FRAME	\$3,342.29
MIRACLE EAR-RAWLINS	HEARING SERVICES	\$3,000.00
NEUBAUER, PELKEY, MERSEAL	LEGAL SERVICES	\$4,631.25
NORCO, INC.	SQUIRT BOTTLES	\$7.27
OFFENDER WATCH	SEXOFFENDERNOTIFICATION	\$70.00
ATTORNEY GENERAL	MCWHORTER FINGERPRINTS	\$15.00
O'REILLY AUTO PARTS	TOOL BAG	\$14.67
PARTSMASTER	SHOP SUPPLIES	\$1,610.27
PAUL STANLEY CONSTRUCTION	GENIE LIFT RENTAL	\$300.00
PERKINS OIL CO	FUEL	\$751.07
PETERSON, CHAD MD	DENTAL SERVICES	\$660.00
PHILLIPS 66-CONOCO-76	FUEL	\$35.97
PLAINSMAN PRINTING	CASE BINDER	\$332.84
POWER EQUIPMENT COMPANY	SNOW BLOWER PARTS	\$555.43
QUILL CORPORATION	BATTERIES/DISH SOAP	\$46.16
RAWLINS AUTOMOTIVE	MISC PARTS	\$5,195.11
RAWLINS, CITY OF	WATER SERVICES	\$1,957.00
RICOH USA INC	COPIERS	\$17,544.91
ROCKY MOUNTAIN POWER	ELECTRIC SERVICES	\$11,624.13

SAPP BROS TRUCK STOPS, INC.	BLADE TIRES	\$3,000.00
SARATOGA AUTO PARTS, INC.	ANTIFREEZE	\$243.79
SHEPARD'S	FUEL	\$139.61
SHIVELY HARDWARE	MISC PARTS	\$142.40
SPAULDING, DAWNETTE	MILEAGE	\$385.32
STANLEY CONVERGENT SECURITY SOLUTIONS	MAINTENANCE CHARGES	\$641.05
STAPLES ADVANTAGE	OFFICE SUPPLIES	\$431.72
STATE OF WYOMING A & I	MAINFRAME ACCESS TITLES	\$71.30
STODDARD, CURTIS T.	DENTAL SERVICES	\$7,498.00
SUNRISE SANITATION SERVICE,	TRASH SERVICES	\$68.00
SUPER VACUUM	REFLECTIVEGRAPHICS CCSO	\$1,959.90
SWANSON SERVICES	COMMISSARY SUPPLIES	\$1,230.42
TAYLOR, ROD	LADDER RACK	\$300.00
TIN BOY GARAGE	TIRES	\$1,261.00
TRUE VALUE OF RAWLINS	MISC PARTS	\$465.27
TYLER TECHNOLOGIES, INC	SOFTWARE MAINTENANCE	\$45,154.48
US BANK	MISC CHARGES	\$428.26
VOIANCE LANGUAGE SERVICES	INTERPRETATION SERVICES	\$23.25
WILLDAN ENERGY SOLUTIONS	LED LIGHTS	\$1,668.81
WILSON, MARGARET	PATCHES	\$16.00
WYCTYCOMMISSIONER ASSOC	CONFERENCE REGISTRATION	\$400.00
WYCTYTREASURER ASSOC	ANNUAL DUES	\$100.00
WY DEPT OF ENV QUALITY	2019 FEE FOR TANK 1	\$50.00
WY DEPT OF TRANSPORTATION	SAVERY RD PROJECT	\$1,941.96
WY MACHINERY COMPANY	MISC PARTS	\$7,742.96
WY RENTS, LLC	GENIE LIFT	\$157.50
WY RETIREMENT SYSTEM	VOLUNTEERFIRERETIREMENT	\$615.00
WY DEPT OF WORKFORCE SVCS	JAN 2019 VOL WORK COMP	\$59.85
YOCUM, LEO	MILEAGE	\$24.00
YOUNG, CHARLES MD	MEDICAL SERVICES	\$150.00
GRAND TOTAL:		\$229,155.12

Commissioner Moore moved to approve payment to Sunrise Sanitation for \$68.00. Commissioner Barkhurst seconded. The motion carried with all voting for the motion except Commissioner Jones who abstained due to personal conflicts.

Commissioner Moore moved to approve the report of expenditures in the amount of \$234,478.39 for an aggregate total today of \$234,546.39. Commissioner Barkhurst seconded and the motion carried unanimously.

CONSENT AGENDA

Commissioner Jones moved to approve the consent agenda noting any item could be removed for further discussion. The consent agenda includes the February 19, 2019 regular meeting minutes; bonds for Ashley Mayfield Davis, Prosecuting Attorney, Carbon County, in the amount of \$500.00; Kristin Amber Redding, Deputy Treasurer, Carbon County, in the amount of \$10,000.00; Patricia Bentsen, Treasurer, Carbon County, in the amount of \$100,000.00; Alethea M. Foster, Clerk/Treasurer, Town of Baggs, in the amount of \$50,000.00; and a monthly receipt for the Planning & Development Department in the amount of \$17,875.00. Commissioner Moore seconded and the motion carried unanimously.

ELECTED OFFICIALS & DEPARTMENT HEADS

Public Health

Public Health Nurse, Amanda Brown presented an amendment to their current main contract with the state for approval.

Commissioner Barkhurst moved to authorize the Chairman's signature on the Amendment One to the Contract Between Wyoming Department of Health, Public Health Division and Carbon County to increase the contract by \$20,000.00 for a new total of \$297,481.00. Commissioner Jones seconded and the motion carried unanimously.

Ms. Brown presented a schedule of upcoming events including a My Plate Walk on March 23 and a Community Baby Shower in May. Jacquelin Wells, Public Health Regional Nursing Supervisor was also present.

Buildings & Grounds

Jim Piche, Buildings & Grounds Manager reported the state requires an application to patent rights for the Fairgrounds water well.

Commissioner Jones moved to authorize the Chairman's signature on the Proof of Appropriation and Beneficial Use of Ground Water document with the State of WY for the Carbon County Fairgrounds water well. Commissioner Moore seconded and the motion carried unanimously.

Mr. Piche reported moving the men's restroom door by the Circuit Court would require removal of restroom equipment costing approximately \$10,000.00. He suggested waiting until the May election to see if the larger project passes as this restroom would go away in the larger project. The BOCC agreed.

Sheriff

Sheriff Archie Roybal reported on staffing and search and rescue activity.

Assessor

County Assessor, Renee Snider requested and received authorization to hire a replacement for a vacant position in her office.

Treasurer

County Treasurer, Patty Bentsen requested and received authorization to hire a replacement for a vacant position in her office.

Road & Bridge

Road & Bridge Superintendent, Bill Nation reported crews continue to plow snow as needed, he has received authorization for a new access to the new shop in Medicine Bow. He attended an pre-Industrial Siting application meeting for Two Rivers Wind Farm in Laramie recently with the Chairman and looks forward to their May application.

Commissioner Barkhurst expressed his gratitude and the landowner's for blowing out the Hanna Mine Road recently.

Mental Health Examiner

Mental Health Examiner, Glenn Biggs introduced Kathryn Sapp who will cover his duties during absences and requested her contract be approved.

Commissioner Jones moved to authorize the Chairman's signature on the contract for mental health examiner services with Freedom Counseling LLC, Kathryn Sapp. Commissioner Barkhurst seconded and the motion carried unanimously.

County Extension

County Extension Educator, Abby Perry introduced Emily Haver, the new 4-H Youth Development Educator for Carbon County. Ms. Perry also reported she has a couple candidates for the administrative position and asked if the position could be raised to what county employees start at, around \$32,000.00.

Planning & Development

County Planning Director, Sid Fox discussed a License Agreement with Centennial Woods noting their attorney is reviewing it.

Mr. Fox presented Certifications of Recommended Action.

Commissioner Barkhurst moved to accept the Certifications of Recommended Action for Z.C. Case File #2019-01, a request for a Zone Change from Residential (RD-40) for Forestry

Production and Seasonal Recreational (FPSR-20.309 for Lot 1 and FPSR-20.283 for Lot 2) located in the proposed Kubiak Minor Subdivision encompassing approximately 40.592 acres located approximately 16 miles east of Dixon off Hwy 70, approximately 1 mile south of Hwy 70 within the Medicine Bow National Forest; Minor Subdivision Case File #2019-01, a request to create two lots, Lot 1 = 20.309 acres and Lot 2 = 20.283 acres; and Z.C. Case File #2019-02, a request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Rural Residential Agriculture (RRA-10) located approximately $\frac{3}{4}$ mile west of Rawlins and 0.4 miles north of I-80; Z.C. Case File #2019-04, a request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-10 and FPSR-1.66) for two separate parcels located in the Woodedge Area located on Woodedge Road – Approximately 5 miles southwest of Cooper Cove Exit & I-80; approximately 7 miles southeast of Arlington; and C.U.W. Case File #2019-01-Foote Creek Rim 1 Wind Energy Facility, a request for a Conditional Use Permit for a Commercial Wind Energy Facility in the Ranching, Agriculture and Mining (RAM) Zone located in Northeast Carbon County; near Arlington and primarily to the north of I-80 and west of State Highway 13 and schedule a public hearing for each at 1:00 p.m. April 2, 2019 at the Carbon County Courthouse in Rawlins, WY. Commissioner Jones seconded and the motion carried unanimously.

Chairman Johnson stated that 68 towers at the Foote Creek Rim wind farm will be reclaimed and replaced with much less. He asked if the reclamation can meet new state standards so that farms like this will not be grandfathered in under old rules. They have a current \$2+ million bond with the BLM, but none with the county. The BLM's standards may be more stringent according to County Attorney, Ashley Davis.

Mr. Davis discussed the proposed amendment to the Opportunity Zone Amendment, 2019-02. He feels the existing resolution is fine the way it is and thought a separate resolution should be adopted for North East Carbon County rather than amending the one that was already adopted for Rawlins and some surrounding areas. He asked for more time to review the request prior to the board's adoption. Attorney Davis cautioned the tax credits are available due to the population in a poverty level in a particular location. There was already this recognition in this area qualifies for particular tax credits; however, what is being requested now is for another area that was not designated by the state or federal level and that promised tax credits may not be available.

Cindy Wallace, Economic Development Director explained that the opportunity zone is separate from the enterprise zone. The enterprise zone is simply a designation of a perished zone where there can be incentives and this was not designated by the Governor and Department of Energy. The northeast portion of Carbon County north of Hanna and Medicine Bow could have qualified for an opportunity zone but it wasn't chosen; therefore, it does qualify for an enterprise zone. This allows for federal government incentives. This request is particularly for UR Energy to obtain certain credits for a project in the Shirley Basin area. Clerk Bartlett clarified that the existing resolution did not need amended, but that a new resolution needed to be adopted and

Ms. Wallace stated this is correct. Clerk Bartlett asked Ms. Wallace to send a final resolution, in a final form with correct wording and a correct map of the area for the BOCC's consideration at the March 19 meeting.

Clerk

County Clerk, Gwynn Bartlett requested approval of the Local Government Liability Pool Renewal.

Commissioner Moore moved to authorize the Chairman's signature on the Local Government Liability Pool Renewal. Commissioner Jones seconded and the motion carried unanimously.

Attorney

County Attorney Davis reported there was a minor change by T-O Engineers to the contract signed at the last meeting and she will request the BOCC sign the updated version today however it would not require a motion.

Commissioners

Commissioner Jones nominated Commissioner Moore to serve as the commissioner representative on the Carbon County Economic Development Corporation. Commissioner Barkhurst seconded and the motion carried unanimously.

EXECUTIVE SESSION

Commissioner Moore moved to go into executive session at 10:14 a.m. with Gwynn Bartlett, Ashley Mayfield Davis, and Renee Snider to discuss matters of personnel, potential litigation and other matters considered confidential by law. Commissioner Jones seconded and the motion carried unanimously.

Commissioner Moore moved to come out of executive session at 11:06 a.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Barkhurst seconded and the motion carried unanimously.

MEMORIAL HOSPITAL OF CARBON COUNTY

Bob Quist, Interim Chief Executive Officer for the Memorial Hospital of Carbon County reported the hospital has begun drawing blood for their annual health fair to be held April 27. The search for a permanent CEO is underway and Quorum's agreement outlines that they will assist in the process. Board member Sherrod France was present and noted that QHR's contract is a 5 year agreement with a 2 year exit clause at this time. Mr. Quist provided a financial overview.

ROCKY MOUNTAIN POWER

Rod Fisher, Rocky Mountain Power Principal Project Manager provided an update on their Energy Vision 2020. This includes the Gateway West Transmission Line project, TB Flats Wind project, Ekola Flats Wind project, Cedar Springs Wind project in Converse County and repowering existing project. Energy Vision 2020 plans on a \$2.6 billion investment in WY with 3 new windfarms, 140 miles of high voltage transmission line, repowering existing wind farms. This includes around \$11 million annually in tax revenue starting 2021 growing to approximately \$14 million annually in 2024 when the wind tax takes effect. This will add approximately \$70 million in tax revenue during development and construction and will create 1,000-1,400 construction jobs in the state.

The Gateway West project, which includes 41 landowners, including Rocky Mountain Sheep who has attended previous BOCC meetings, has now executed an occupancy agreement; however, compensation is not agreed upon yet. Eminent domain actions have begun; however, they have been suspended currently in light of this agreement being signed. Construction is slated to begin April 2019. They continue to work with the BLM on a final notice to proceed.

PacifiCorp took ownership of the TB Flats Wind Project in 2018 and the WY Public Service Commission approved construction December 2018 and it will begin with mobilization in April.

PacifiCorp plans to take ownership of the Ekola Flats Wind Project this month and a Build Transfer Agreement has been executed with NextEra for the Cedar Springs Wind Project in Converse County.

Mr. Fisher then discussed repowering of the Seven Mile Hill, High Plains/McFadden Ridge, Dunlap and Foot Creek Rim projects.

PUBLIC HEARINGS

Chairman Johnson opened a public hearing at 1:40 p.m. to hear Planning & Zoning Z.C. Case File #2019-03 – Jerry and Patricia Lynch Zone Change Request from RD-40 to RRA-15.37 located approximately 10 miles east and south of Riverside; approximately 2 miles south of HWY 230, access from Carbon County Road #219. The hearing was advertised in the Rawlins Daily Times on February 13, 2019. There had been past deed issues and this process is being used to clear that up.

Chairman Johnson called for comments. Pat Jeffrey spoke on behalf of the applicant requesting approval. Chairman Johnson closed the public hearing at 1:48 p.m.

Commissioner Jones moved to approve Resolution No. 2019-04 A Resolution of the Board of County Commissioners of Carbon County, Wyoming for Z.C. Case #2019-03 Jerry and Patricia Lynch. Commissioner Barkhurst seconded and the motion carried unanimously.

Resolution No. 2019 - 04
A Resolution of the Board of County Commissioners of Carbon County, Wyoming,
adopting the recommendation of the Carbon County Planning and Zoning Commission.
Z.C. Case File #2019-03

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 held a public hearing on Monday, February 4, 2019, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, February 4, 2019, 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 said Monday, February 4, 2019, public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County Board of County Commissioners to adopt the change as an amendment to the Carbon County Official Zoning Map 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 of this zoning amendment to the Carbon County Official Zoning Map, advertised by public notice at least 14 days prior to a public hearing to take public input and comments on the proposed amendment, which said hearing occurred on Tuesday, March 5, 2019; and

WHEREAS, at said public hearing on March 5, 2019, 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 amendment; and

WHEREAS, the Carbon County Board of County Commissioners in considering the proposed amendment have also reviewed and considered the Carbon County Comprehensive Land Use Plan, as amended; and the Carbon County Zoning Resolution of 2015, as amended; and

WHEREAS, the Carbon County Board of County Commissioners have determined that the proposed amendment is in general conformance with the Carbon County Comprehensive Land Use Plan, as amended, and that the proposed zone change meets the following applicable criteria of the Carbon County Zoning Resolution of 2015, as amended;

- a. Is necessary to come into compliance with the Zoning Resolution;
- b. Existing zoning of the land was the result of a clerical error or was based on a mistake of fact; and
- c. 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 proposed zoning amendment to the Carbon County Official Zoning Map.

Z.C. Case File #2019-03: Request for a Zone Change from Residential (RD-40) to Rural Residential Agriculture (RRA-15.37). The RRA Zone is intended to be applied in areas of the County which are particularly suited for both agricultural and residential uses intermingled.

Petitioners: Jerry P. and Patricia J. Lynch (Applicants and Land Owners)

General Site Location: Approximately 10 miles east and south of Riverside; approximately 2 miles south of HWY 230, access from Carbon County Road #219

Legal Description – Warranty Deed, Book 865, Page 772:

Tracts 1 and 2 together contain approximately 15.37 acres and are considered 1 parcel.

Tract 1: A tract of land in the Southeast quarter of Section 19, Township 14 North, Range 82 West, 6th P.M., Carbon County, Wyoming, being more particularly described as follows: Beginning at the Southeast corner of Section 19; thence N. 00°27'22"W., a distance of 1327.06 feet; thence S. 89°32'38"W., a distance of 26.72 feet; thence S. 10°17'33"W., a distance of 1344.64 feet; thence S. 89°12'42"E., a distance of 277.56 feet to the point of beginning.

Tract 2: A tract of land in the Northeast quarter of Section 30, Township 14 North, Range 82 West, 6th P.M., Carbon County, Wyoming, being more particularly described as follows: Beginning at the Northeast corner of Section 30; thence N. 89°12'42"W., a distance of 277.56 feet; thence S. 08°15'28"W., a distance of 1271.34 feet; thence S. 84°43'47"E., a distance of 449.84 feet; thence N. 00°32'22"E., a distance of 1295.72 feet to the point of beginning.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF CARBON COUNTY, WYOMING:

That the Carbon County Board of County Commissioners, hereby adopts this amendment as certified to them in writing by the Carbon County Planning and Zoning Commission and the existing zone shall be changed from Residential (RD-40) to Rural Residential Agriculture (RRA-15.37) on approximately 15.37 acres.

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, 2019.

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

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

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Chairman Johnson opened a public hearing at 1:51 p.m. to hear Planning & Zoning's Zoning Resolution Amendment (ZRA) Case #2019-01 – Carbon County Proposed Text Amendments
The summary of the proposed Zoning Resolution Amendments is as follows:

- Chapter 3-Definitions-addition and modification of existing definition(s); including but not necessarily limited to the deletion of Guest House and the addition of Accessory Dwelling Unit.
- Chapter 4-Delete “Guest House” and replace with “Accessory Dwelling Unit” (ADU) as Principally Permitted Use(s) and Conditionally Permitted Use(s) in RAM-FPSR-RRA-RD Zone Districts. The proposed amendment would remove the restriction that excludes a Guest House as a rental property.
- Chapter 5-Consolidation of the Design and Development standards with the addition of standards for Accessory Dwelling Units, Lighting Standards, Renaming Solar Regulations to Solar Rights and Permits, including minor modifications.
- Adding a new Chapter 6 to be entitled “Commercial Scale Energy Systems” which incorporates the existing Wind Energy Facilities, with some edits and addition of a new Section entitled “Commercial Scale Solar Energy Facilities”, regulations, standards, and definitions.

- As a result of adding new Chapter 6, Existing Chapter 6-Administration and Enforcement will become Chapter 7 and Existing Chapter 7-Sexually Oriented Businesses will become Chapter 8. The hearing was advertised in the Rawlins Daily Times on February 13, 2019.

In addition, the proposed text amendment includes reorganization, reformatting, and renumbering. The proposed text amendment includes minor edits, correcting cross-reference errors, formatting inconsistencies, capitalization errors, grammatical and spelling errors, duplication and removal duplicative sections to improve clarity and ease of administration.

Chairman Johnson asked about Section 6.19(b)2 to “limit” certain activities including limiting in sage grouse core areas and later in Section 6C it discusses that no commercial scale shall be located in sage grouse core area and he asked if this is correct. Mr. Fox stated that this was to address Commissioner Espy’s concerns from a previous meeting. Chairman Johnson also asked if there was language about commercial solar like wind was addressed and Mr. Fox didn’t think this was intentional. The language was found in the document to clarify for Chairman Johnson.

Chairman Johnson called for comments. There being none, Chairman Johnson closed the public hearing at 2:10 p.m. Commissioner Barkhurst commended Mr. Fox and staff for their work on the document.

Commissioner Barkhurst moved to approve Resolution No. 2019-05, A Resolution of the Board of County Commissioners of Carbon County, Wyoming for ZRA Case #2019-01 – Carbon County Proposed Text Amendments. Commissioner Moore seconded and the motion carried unanimously.

Resolution No. 2019 - 05

A Resolution of the Board of County Commissioners of Carbon County, Wyoming, adopting the recommendation of the Carbon County Planning and Zoning Commission to amend the Carbon County Zoning Resolution of 2015.

ZRA Case File #2019-01
(Zoning Resolution Amendment-Text Amendment)

WHEREAS, pursuant to Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission may prepare a comprehensive plan including zoning for promoting the public health, safety, morals and general welfare of the unincorporated area of the county and in accordance with Section 6.8 of the Carbon County Zoning Resolution of 2015, Zoning Resolution Amendments and Zone District\Map Amendments, the Planning and Zoning Commission shall prepare recommendations to effectuate the Planning and Zoning purposes and certify its recommendations to the Board of County Commissioners; and

WHEREAS, on Monday, December 3, 2018, the Carbon County Planning and Zoning Commission held a joint work session with the Carbon County Board of County Commissioners, which was advertised on November 21, 2018, to review the proposed text amendments; and

WHEREAS, pursuant to Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission scheduled a public hearing for Monday, February 4, 2019, which said public hearing was advertised by public notice at least thirty (30) days prior to said regular hearing date; and

WHEREAS, prior to the Monday, February 4, 2019, 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 submitted in writing or made at said public hearing; and

WHEREAS, at the conclusion of said Monday, February 4, 2019, public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County Board of County Commissioners to adopt the text amendment to the Carbon County Zoning Resolution of 2015, as amended for Carbon County, Wyoming; and

WHEREAS, the Carbon County Board of County Commissioners provided public notice to review and consider the proposed amendment; and

WHEREAS, pursuant to Wyo. Stat. Ann. §18-5-202(c) and after receipt of said certified recommendation of this Zoning Resolution Amendment to the Carbon County Zoning Resolution of 2015, as amended for Carbon County, Wyoming, advertised by public notice at least fourteen (14) days prior to a public hearing to take public input and comments on the proposed text amendment, which said hearing occurred on Tuesday, March 5, 2019; 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 text amendment; and

WHEREAS, the Carbon County Board of County Commissioners in considering the proposed text amendment have also reviewed and considered the Carbon County Comprehensive Land Use Plan, as amended; and the Carbon County Zoning Resolution of 2015, as amended; and

WHEREAS, the Zoning Resolution Amendments are consistent with the Goals and Strategies identified in the Carbon County Comprehensive Land Use Plan as recommended by the Carbon County Planning and Zoning Commission; and

WHEREAS, the Carbon County Board of County Commissioners have determined that the proposed text amendment is in general conformance with the Carbon County Comprehensive Land Use Plan, as amended, and the applicable provisions of 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 ZRA Case File #2019-01 – Text Amendment to the Carbon County Zoning Resolution of 2015, as amended, as recommended to them by the Carbon County Planning and Zoning Commission.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF CARBON COUNTY, WYOMING: That the Carbon County Board of County Commissioners hereby adopts this text amendment as certified to them in writing by the Carbon County Planning and Zoning Commission, ZRA Case #2019-01.

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, 2019.

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

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

Board of County Commissioners

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

CLERK

Commissioner Jones moved to authorize the Chairman's signature on Real Property Lease #809716 for office space for the Public Health Area Manager. Commissioner Barkhurst seconded and the motion carried unanimously.

COMMISSIONERS

Chairman Johnson reported Amy Bach, Rawlins City Attorney drafted a letter to the legislature requested by the Carbon County Council of Governments regarding the questioning of parties during the Industrial Siting Council hearing process. Ms. Bach sent the draft letter yesterday to municipalities and the county for review. He was uncomfortable signing the letter and Commissioner Jones didn't think the letter as in good taste and a discussion should be with staff of the Department of Environmental Quality Industrial Siting Division instead and not send a letter at this time. Commissioner Moore agreed adding that there could be potential harm in sending such a letter and offered to craft a letter that would be more proactive. The other members agreed this letter should be sent and the timing of such a letter could hurt the process for upcoming hearings. Attorney Davis stated it was really one council member that had a negative tone and that the rules do not require a specific mathematical formula as that particular council member desires. She thought referring them back to the law and what applies would be helpful. She added that many of the parties of COG are not involved in the next process.

The BOCC agreed Commissioner Moore would work directly with Amy Bach to try to revise the letter in with a more positive tone or to discuss not sending the letter at all.

EXECUTIVE SESSION

Commissioner Moore moved to go into executive session at 2:32 p.m. with Gwynn Bartlett, Ashley Mayfield Davis to discuss matters of personnel, potential litigation and other matters considered confidential by law. Commissioner Barkhurst seconded and the motion carried unanimously.

Commissioner Moore moved to come out of executive session at 2:56 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Barkhurst seconded and the motion carried unanimously.

ADJOURNMENT

Commissioner Jones moved to adjourn the meeting at 2:57 p.m. Commissioner Moore seconded and the motion carried unanimously.

A regular meeting of this Board will be held April 2, 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 or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.