

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, May 4, 2021
Carbon County Courthouse, Rawlins, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, May 4, 2021 at 9:00 a.m. at the Carbon County Courthouse in Rawlins, WY. Attending the meeting were Chairman, John Johnson, Vice Chairman, Sue Jones, John Espy, Travis Moore and Byron Barkhurst.

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

ADDITIONS / CORRECTIONS

The Chairman reported the BOCC will discuss a letter from the Governor regarding gathering of wild horses. There were no other additions or corrections to the agenda.

VOUCHERS

Commissioner Barkhurst moved to approve the report of expenditures in the amount of \$1,636,038.07. Commissioner Espy seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
Ackerman, Patrick CJ	Mileage	\$7.28
Acme Electric Company, LLC	Led Upgrade at Baggs Senior Center	\$3,658.00
AlSCO, American Linen Division	Shop Towels/Soap/Laundry Bag	\$56.90
Asbestos & Technical Svcs, Inc.	Removal and Disposal of Asbestos	\$30,500.00
Bank of Commerce	CCSO/Fire Vehicle Lease Payment	\$29,351.65
Barkhurst, Vernon	Reimburs. For Damage to Snowmobile	\$275.00
Bartlett, Gwynn	Fuel Reimbursement	\$40.30
Bennett Law Group, Pc	Legal Fees	\$483.33
Black Hills Energy	Gas Services	\$17,344.00
Blakeman Propane	Heating Fuel	\$2,460.18
Bomgaars Supply	Fasteners	\$1.84
Brown, Amanda	Mileage	\$62.50
Brown's Towing & Recovery	Tow Charges	\$750.00
Buchanan, Karen	CCSS Boards Mileage	\$48.00
C & B Sand & Gravel	MHSA Training	\$170.00
Candy Mountain	Water	\$25.50
Carbon Co. Child Develop. Ctr.	Rachel's Challenge Program	\$200.00
CareRight Technologies, LLC	Monthly Bed Fee	\$112.20
Casper Winnelson Co	Diaphragm/Strainer	\$676.88

CDW Government, Inc.	Toner	\$388.22
Charter Communications	Jail Tv Subscription	\$119.68
Conover, Sterling	CCSS Boards Mileage	\$25.20
Convergeone, Inc.	It Switches and Cables	\$14,984.34
Cowboy Chemical	Jail Laundry/Kitchen Supplies	\$528.40
Culligan Water Conditioning	Water Softener Repair	\$89.00
Dale, Kari	CCSS Boards Mileage	\$27.60
Dallin Motors Inc	Mount & Balance New Tires/Brake Repair/Oil Change	\$1,348.50
Dixon, Town Of	Water Services	\$483.40
Dude Solutions	Maintenance Software	\$569.64
Elk Mountain, Town Of	Water Services/3rd Qtr. FY 2020-21 Rent	\$2,083.29
Encartele	Data for Jail	\$1,500.00
Engstrom, James D. DDS	Inmate Dental Fees	\$2,500.00
Erickson & Roberts	Legal Services	\$333.50
FCI Constructors of Wy	Carbon Building Project	\$1,131,462.67
Fired Up Rescue	Citro Squeeze/Demo Bunker Coat/Pant	\$1,139.99
Flack, Sheresa	Class Of 2021 - After Grad Party	\$300.00
Fleming, Linda	Library Board Mileage	\$46.80
Further	HRA Reimbursement 2021/Medical FSA	\$5,367.68
Galls/Quartermaster	Uniform Pants/Equipment	\$709.43
Goodwin, Mandy	Library Board Mileage	\$24.60
Hanna, Town Of	Hanna R&B Water Services	\$245.48
Herring, Jeff	Grease	\$133.50
High Plains Power	Electric Services	\$345.68
Interior Galore	Jail Carpet	\$990.00
Iron J Towing	Towing Services	\$825.00
Jack's Body & Fender Repair	Towing Services	\$595.00
JW Hugus & Co	Food for Firefighters/Brush Creek Fire	\$420.75
Kilburn Tire Company	Tires & Balancing	\$392.80
Knotwell, Marcy	Soberlink Refund	\$820.00
Knotwell, Skyler	Soberlink Refund	\$68.00
Kussmaul Electronics	Weatherproof Cover	\$96.83
Lehr, Casey	Reimbursement for Dog Food	\$82.66
Loadometer	Wheel Load Weighers	\$40,760.00
Merck Sharp & Dohme Corp.	Vaccine	\$808.94
Mountain Trail Medical	County Health Officer	\$1,600.00
My Office Etc.	Tape	\$13.78
Offender Watch	Community Notification Mail Out	\$70.40
Office of State Lands & Invests.	App. For Rock and Assort. Minerals	\$90.00
O'Reilly Auto Parts	Air strut	\$553.46

Pathfinder Ranches	Water for Mag. Chloride	\$750.00
Perkins Oil Co	Fuel	\$683.60
Phillips 66-Conoco-76	Fuel/Late Fees	\$69.17
Quadient, Inc.	Postage Machine Ink	\$194.91
Quill Corporation	Post-Its & Pens	\$72.95
R.P Lumber Company, Inc.	Misc. Supplies/Ups Shipping	\$124.65
Rawlins Automotive	Misc. Parts	\$849.23
Rawlins Glass Center, Inc.	Glass/Mirror	\$45.72
Reed Smith LLP	Admin Litigation	\$5,604.62
Rice, Denise	2021 Annual Conf. & Generations Conf.	\$459.00
Rietveld, Toni	Tai Chi Membership	\$10.34
RNB State Bank	Blade Lease Payoff	\$250,401.89
Roberts, Shauna	Rms 8th Grade Promotion	\$300.00
Saratoga Auto Parts, Inc.	Misc. Parts	\$389.15
Security Transport Services, Inc.	Extradition Fees	\$1,282.60
Shepard, Shandra Np	Apr 2021 Services	\$208.00
Shepard's	Fuel	\$51.01
Shively Hardware	Misc. Parts	\$132.38
Spaulding, Dawnette	Mileage Reimbursement	\$201.60
Staples Advantage	Misc. Office Supplies	\$105.12
Stephenson, Lee Ann	CCSS Board Mileage	\$37.20
Summit Food Service	Jail Meals	\$9,580.63
Swanson Services Corporation	Jail Commissary	\$1,179.35
Terminix	Monthly Service	\$175.00
T-O Engineers	DWX Master Plan 03/01/2021 – 03/31/2021	\$3,990.00
True Value of Rawlins	Misc. Supplies	\$54.17
Uline	Mobile Training	\$1,032.91
UPRSWDD	Trash Services	\$175.00
Us Bank	Misc. Charges	\$5,832.06
Voiance Language Services LLC	Interpretation Services	\$2.25
Walker, Jeanette R.	Mileage Reimbursement	\$61.20
Wex Bank	Fuel	\$2,009.38
Wy Behavioral Institute	Emergency Detentions	\$3,016.00
Wy Dept Of Health	2nd Qtr. Oct/Dec 2020	\$32,128.58
Wy Dept Of Transportation	Savery Creek Road Project	\$43.67
Wy Machinery Company	Mechanic Services	\$361.60
Wy Retirement System	Vol Fire Pension	\$1,443.75
Wyoming Trader	Social Media Marketing	\$250.00
Y2 Consultants, LLC	Natural Resource Mgmt. Plan	\$12,717.60
Yocum, Leo	CCSS Board Mileage	\$24.00
Zeller, Jack	Soberlink Refund	\$820.00

CONSENT AGENDA

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the April 20, 2021 regular meeting minutes, monthly receipts from Planning and Development in the amount of \$1,575.00 and Notice of Valuation Changes in the amount of (\$131,604.00). Commissioner Barkhurst seconded, and the motion carried unanimously.

ELECTED OFFICIALS & DEPARTMENT HEADS

Public Health

Amanda Brown, Public Health Nurse presented the Memorandum of Understanding regarding grant funds for COVID-19 vaccination campaign activities and an agreement with Shandra Shepard for Nurse Practitioner services.

Commissioner Espy moved to approve the Chairman's signature on the Nurse Practitioner Agreement with Shandra Shepard for a term of one year and thereafter auto-renewing at a rate of \$208.00 per clinic day for services rendered. Commissioner Jones seconded and the motion carried unanimously.

Commissioner Espy moved to approve the Memorandum of Understanding between Wyoming Department of Health, Public Health Division and Carbon County for the purpose of setting forth the terms and conditions by which the County shall utilize grant funds for COVID-19 vaccination campaign activities for a term of December 31, 2020 through December 31, 2021 in an amount not to exceed \$159,602.00 pending legal review. Commissioner Moore seconded and the motion passed unanimously.

Ms. Brown stated there is an increase in positive COVID-19 tests including a small outbreak at the WY State Penitentiary. Various vaccine clinics will be held throughout the county. Her office has a full-time and part-time nurse position.

UW Extension Office

Abby Perry, Southeast Area Range Educator for County Extension and Emily Haver, 4-H Educator requested authorization to fill a temporary administrative assistant position. There was discussion about the budget and whether or not the county would be able to refill the full-time position. Clerk Bartlett suggested if the BOCC approves a temporary position that it could be a contract position under the county. The BOCC authorized a temporary contract employee through the county or a ¾ time position through the University.

Fire Warden

John Rutherford, Interim Fire Warden reported he is working with departments to ensure they are promptly and accurately issuing their fire reports, departments are training, fire investigations

continue, and fires have already begun. He is working on finalizing the fire truck specifications for the SLIB grant fire truck. He recently held a chiefs meeting and will continue to do so. Commissioner Jones reported Brush Creek Ranch told her they were appreciative of the volunteers that assisted with a recent fire there.

Interim Fire Warden Rutherford presented 2021 Wildland Fire Management Annual Operating Plan.

Commissioner Espy moved to approve the Chairman's signature on the 2021 Wildland Fire Management Annual Operating Plan. Commissioner Jones seconded and the motion carried unanimously.

Sheriff

Archie Roybal, County Sheriff presented an agreement with Natrona County to house juveniles in their facility. He expects to have a similar agreement with Sweetwater County soon.

Commissioner Jones moved to authorize the Chairman's signature on the Provider Agreement for Juvenile Detention with Natrona County for two years ending July 1, 2023 at a rate of \$195.00 per day per juvenile. Commissioner Moore seconded and the motion carried unanimously.

Sheriff Roybal stated that his staff worked with one company near Medicine Bow to obtain temporary registrations. He and others will go to Converse County tomorrow to be trained on scales.

Road & Bridge

Kandis Fritz, Road & Bridge Coordinator presented an update on the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program for County Road 351, the Seminoe Road. She has hired an engineer to obtain a report of work that needs done. She is considering a second grant for County Road 504 noting that she would work with another party to be the main applicant with the county being a co-applicant.

Ms. Fritz updated the BOCC on the status of the Road and Bridge vehicles and heavy equipment that she is having issues with.

Ms. Fritz also presented a Road Use Agreement with Brian Locke Trucking for Commissioner approval and Chairman's signature. Attorney Davis reported there is a \$50,000 bond required and noted this contractor is still bidding the project but wanted to have this in place first. She asked if the BOCC wanted to do the agreement conditionally upon Locke Trucking being awarded the project.

Commissioner Espy moved to approve and authorize the Chairman's signature on the Brian Locke Trucking Road Use Agreement on the condition the agreement is effective if they are awarded the bid for the project. Commissioner Moore seconded and the motion carried unanimously.

Buildings & Grounds

Buildings & Grounds Manager Jim Piche requested and received approval to enter into an agreement with Kone Care which would address each elevator individually, including a once per year inspection of each. Mr. Piche stated the agreement total \$433.84 per elevator inspection. If the county has an elevator issue, Kone will come look at it with this agreement. Mr. Piche stated there is an exit clause and he still needs legal review.

Commissioner Espy moved to authorize any commissioner to sign agreements with Kone for elevator inspections in the amount of \$433.84 each and service on an as-needed basis contingent upon legal review. Commissioner Moore seconded and the motion carried unanimously.

Mr. Piche again requested authorization to transfer the 2010 Ford half-ton pickup VIN 1FTEX1E87AKC00269 from Planning, to his department and provide Planning with the 2008 Ford Explorer, VIN 1FMEU73E78UA75093 from the Assessor which they don't need. The BOCC authorized the move as long as the half-ton truck is not used for the snowplow.

Mr. Piche noted the fairgrounds caretaker house is vacant and he would like to recarpet it and revisit what to do with the residence.

Treasurer

County Treasurer Patty Bentsen reported that the Treasurer's Association will meet in Casper next week, including with the Departments of Revenue and Audit. They will be discussing sales tax, especially on wind equipment and trying to find out how counties can know when and where companies are paying.

Treasurer Bentsen is working with local law enforcement to ensure temporary workers are obtaining the proper vehicle licensing. In addition, she is working with Assessor Renee Snider on taxing windfarms construction in progress. There is confusion amongst Assessors, the state and Treasurers on how this can be accomplished.

Treasurer Bentsen discussed revenues for next year's budget. She anticipates approximately \$541,000 less PILT, wind energy looks to be approximately \$55,000 less as estimated by the WY County Commissioners Association. The County's value is estimated to decline approximately \$47 million which equates to just over \$500,000 in tax dollars. This in addition to the new law for monthly payments.

Clerk

Clerk Bartlett stated that W.S. §22-7-103 discusses establishing or altering election districts or precincts and became effective in 2002. The law requires that the board put on the record why precincts cross municipal boundaries, if any. At the April 2, 2002 Commissioners meeting some precinct boundary changes were adopted by Resolution 2002-01 but nothing stated in those minutes or the resolution the reasons why some precincts cross municipal boundaries. The Clerk's

Office has searched back decades and doesn't see any reasoning why however Clerk Bartlett recommended keeping boundaries as-is for now and reviewing during next year's redistricting process. In addition, if a precinct such as 01-02 was split and the portion outside Rawlins was separated into its own precinct there would only be 139 registered voters as of last month. Of those, 120 are registered Republican and only 11 are registered Democratic. This could make it fairly easy to determine how someone voted.

Joe Correnti, Republican Party Chairman stated he was looking into this wondering why and thought redistricting was the appropriate place to review this.

Commissioner Espy move that in order to comply with W.S. 22-7-103, Carbon County confirm that all election districts and precincts boundaries will remain as currently designated, including precincts that cross municipal boundaries primarily because with redistricting next year all precincts would be reviewed at that time and partly because of low population either in or out of town that could make it easier in some instances to reveal how someone voted, and that election districts and precincts boundaries be reviewed during the redistricting process in 2022 and any changes to any boundaries will be adopted by resolution in 2022. Commissioner Jones seconded and the motion passed unanimously.

Clerk Bartlett asked the BOCC for authorization to pay comp time earned after working with departments to ensure employees don't already have plans to use the time. She stated the total payoff would be approximately \$62,602.00 plus taxes. The county's personnel policy was changed to pay out comp time by December 31st of each year but the BOCC can also pay it out at other times as well.

Commissioner Jones moved to pay out all accrued comp time earned with the June 2021 payroll. Commissioner Espy seconded and the motion carried unanimously.

Attorney

Ashley Davis, Carbon County Attorney presented a Resolution for a Zone Change for Whistle Pig Saloon recognizing it as highway commercial on the County Zoning Map, based on prior zoning action taken by the Town of Saratoga from 1994 when zoning of the parcel was within the Town's zoning authority.

Commissioner Jones moved to authorize the Chairman's signature on Resolution No. 2021-14 a Resolution for a Zone Change for Whistle Pig Saloon recognizing it as highway commercial on the County Zoning Map. Commissioner Barkhurst seconded, and the motion carried unanimously.

Resolution No. 2021 -14

**A Resolution of the Board of County Commissioners of Carbon County, Wyoming,
adopting and recognizing the existing zone district for "Whistle Pig Saloon".**

"Whistle Pig Saloon"

WHEREAS, the Town of Saratoga Town Council (“Town Council”) held a public hearing on January 3, 1994, discussing a zone change application submitted by Applicant Dan Davidson for a parcel of land with a highway business located south of Saratoga; and

WHEREAS, the Town Council had jurisdictional zoning authority for the parcel of land at the time; and

WHEREAS, at a January 3, 1994, public hearing, the Town Council provided the public the opportunity to comment, and the Town Council considered any public comments which were made at said public hearing; and

WHEREAS, at the conclusion of said January 3, 1994, public hearing, the Town Council approved the zone change; and

WHEREAS, the Carbon County Official Zoning Map for Carbon County, Wyoming, was never properly updated to recognize the zone change for the parcel; and

WHEREAS, the Carbon County Board of County Commissioners currently have jurisdictional zoning authority for the parcel of land; and

WHEREAS, at a regularly scheduled meeting on Tuesday, May 4, 2021, the Carbon County Board of County Commissioners changed the zone district for the parcel from Ranching, Agriculture, Mining (RAM) to Highway Commercial (C-2) as an amendment to the Carbon County Official Zoning Map for Carbon County, Wyoming, pursuant to the prior zoning action taken by Town Council; and

WHEREAS, the Carbon County Board of County Commissioners in considering the 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 Highway Commercial (C-2) zone district is in general conformance with the Carbon County Comprehensive Land Use Plan, as amended, and that this zone district meets the Carbon County Zoning Resolution of 2015, as amended; and

WHEREAS, the Carbon County Board of County Commissioners have determined that the (Highway Commercial – C-2) zone district is consistent with the prior action taken by Town Council on January 3, 1994; 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 zone change amendment from Ranching, Agriculture and Mining (RAM) to Highway Commercial (C-2) on the Carbon County Official Zoning Map.

Petitioners: Schleedlewitz LLC and Delaney Bend Farm, LLC (Landowners)

General Site Location: Located south of the Town of Saratoga on the east side of WY HWY 130.

Legal Description: Approximately 25 acres legally described as the west 500 feet lying east of Highway 130 in the SW1/4 NW1/4 NW1/4 and the SW1/4 NW1/4, Section 24, T17N, R84W, Carbon County, Wyoming.

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 and recognizes the zone district shall be amended from Ranching, Agriculture and Mining (RAM) to Highway

Commercial (C-2) on approximately 25 acres in conformance with the prior action of Town Council and that the Carbon County Official Zoning Map shall reflect this zone change.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 4th of May 2021.

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

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

Attest: -s- Gwynn G. Bartlett, Carbon County Clerk

Attorney Davis requested and received authorization to refill a legal secretary position in her office.

Commissioner Espy moved to authorize any commissioner's signature on the Amended and Restated Cooperative Agreement Between the Wyoming Department of Transportation, City of Rawlins and Carbon County after the City of Rawlins approval or legal review if the City makes substantial changes. Commissioner Moore seconded and the motion carried unanimously.

COMMISSIONERS

Chairman Johnson discussed a letter from the WY Governor regarding wild horse gathering. Commissioner Espy felt the action should be supported as there are many permittees that operate in that area and natural resources need protected.

Commissioner Espy moved to authorize any commissioner to sign a letter of support to the Governor's proposal regarding wild horse gathering. Commissioner Moore second and the motion carried unanimously.

Chairman Johnson presented Resolution No. 2021-15, A Resolution of the Board of County Commissioners of Carbon County, Wyoming to name Paul A. Zamora Coroner Building in honor of County Coroner Paul Zamora.

Commissioner Moore moved to authorize the Chairman's signature on Resolution No. 2021- A Resolution of the Board of County Commissioners of Carbon County, Wyoming to name Paul A. Zamora Coroner Building in honor of County Coroner Paul Zamora. Commissioner Espy seconded and the motion carried unanimously.

Resolution No. 2021 – 15

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

"To Name Paul A. Zamora Coroner Building"

WHEREAS, the Board of Carbon County Commissioners recognize the extraordinary contributions that Paul A. Zamora has made to Carbon County at large as the County Coroner;

WHEREAS, Paul A. Zamora has been an integral part and partner with current and past County Commissioners and has provided great leadership, and;

WHEREAS, Paul A. Zamora has great vision and discipline in financial and management affairs of the Coroner's Office and has provided the County with a consistent road map for success, and;

WHEREAS, Paul A. Zamora has the personality and the natural gift to deal with crises and the public on a day to day basis, freeing the Board of Carbon County Commissioners to focus on issues affecting growth and the way in which our community develops and sustains itself, and;

WHEREAS, Paul A. Zamora is loved and appreciated by an overwhelming majority of the County and always is there to assist in any way, and;

WHEREAS, Paul A. Zamora's affection has always been for the citizens of Carbon County, and the Board of Carbon County Commissioners want to demonstrate a fitting tribute to all the contributions Paul A. Zamora has made; and

WHEREAS, Paul A. Zamora encouraged the Board of County Commissioners to invest in a Coroner facility that would provide a professional and safe working environment for staff to complete forensic examinations and a calm and compassionate atmosphere for the family members of decedents; and

WHEREAS, Paul A. Zamora worked hand in hand with architects to design a facility that would meet the needs of Carbon County and benefit Carbon County residents and any individuals in need of coroner services for many years to come; and

WHEREAS, the naming of a facility is an appropriate recognition for Paul A. Zamora's dedication and service in and on behalf of Carbon County, and as a distinguished member of the Carbon County community.

NOW THEREFORE, BE IT RESOLVED BY THE CARBON COUNTY BOARD OF COUNTY COMMISSIONERS that this board does hereby name the Carbon County Coroner's Building located at 322 4th Street in Rawlins, Wyoming as the **Paul A. Zamora Coroner Building** and provide appropriate signage for the interior and the exterior of the building designating such naming of the building in honor of Paul A. Zamora.

APPROVED, PASSED, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 4th day of May 2021.

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

Attest: -s- Gwynn G. Bartlett, Carbon County Clerk

Carbon County Visitor's Council

Leslie Jefferson, Executive Director for the Carbon County Visitor's Council presented a Proclamation for National Travel and Tourism Week. Casey Shinkle, the county's appointee for the Visitor's Council was present as well. He recently attended a Best Western national conference, and they are bringing local staff back now. The Chairman read the proclamation.

Commissioner Espy moved to authorize the Chairman's signature on the Proclamation for National Travel and Tourism Week. Commissioner Barkhurst seconded, and the motion carried unanimously.

Proclamation National Travel and Tourism Week

May 2 – 8, 2021

WHEREAS, tourism is Wyoming’s second largest industry.

WHEREAS, travelers to and within Wyoming spent more than \$3.05 billion in 2020, generated \$160 million in taxes and supported 40,720 jobs.

WHEREAS visitation to and within Carbon County created \$163 million in travel-generated spending, supported over 1,440 jobs, and \$8.8 million in travel-generated taxes in 2020 and had travelers visiting and experiencing local offerings, including main streets, museums, state parks, historic sites and more.

WHEREAS tourism contributes to visitors’ experiences and adds to Wyoming’s presence around the world.

WHEREAS last year, the coronavirus pandemic devastated every sector of the travel industry with staggering declines in 2020 compared to 2019, including Wyoming.

WHEREAS the travel industry cannot recover without the full return of leisure and business travel, as well as meetings and events, by both domestic and international visitors.

WHEREAS the rebound of travel will drive the rebuilding of the U.S. economy and American workforce.

WHEREAS the Power of Travel will revive Carbon County, Wyoming, and the United States and drive us forward to a more prosperous future.

Now, therefore, I, John Johnson, Chairman of the Carbon County Board of Commissioners, do hereby proclaim May 2-8, 2021 as National Travel and Tourism Week in Carbon County, Wyoming and encourage the residents of Carbon County to join me in celebrating the travel, tourism, and hospitality industry.

IN WITNESS THEREOF, I have hereunto set my hand this *4th* day of *May*, in the Year of our Lord, Two Thousand and twenty-one.

-s- John Johnson, Chairman
Carbon County Board of Commissioners

Attest: -s- Gwynn Bartlett, Carbon County Clerk

Public Hearing - Adoption of Amendments to the Rules and Regulations Governing the Licensing of Liquor and Malt Beverages Sales, Carbon County, Wyoming

Chairman Johnson opened a public hearing at 11:02 a.m. to hear public comments if any for the proposed adoption of Amendments to the Rules and Regulations Governing the Licensing of Liquor and Malt Beverages Sales, Carbon County, Wyoming.

Clerk Bartlett reported per the Administrative Procedures Act the proposed policy notice was published March 10, 2021 for public comment however her office has received none. The proposed changes resulted from House Bill 13, passed by the Wyoming Legislature in its 2021 session. The changes are to add statute references to the fee schedule, remove references to the required fees for retail and restaurant licenses within a 5-mile range of a municipality, and remove references to dispensing rooms. These will keep the county’s rules consistent with the new law and Clerk Bartlett noted she did have the WY Liquor Division review her recommended changes to ensure compliance.

Gwynn asked if the BOCC wanted to consider adding anything in the rules about how a license would be granted if the BOCC was allocated additional licenses. She suggested the county could delay the adoption until a future meeting and consider the rules then.

She suggested a July 1, 2021 effective date as that is when HB0013 takes effect.

Chairman Johnson called for comments for or against and there were none. There being no comments, Chairman Johnson closed the hearing at 11:08 a.m.

Commissioner Barkhurst moved to schedule a public hearing for June 1 to discuss liquor license rule amendments. Commissioner Espy seconded and the motion carried unanimously.

MEMORIAL HOSPITAL OF CARBON COUNTY (MHCC)

Ken Harmon, Chief Executive Officer for Memorial Hospital of Carbon County presented a monthly update on the status of MHCC including financials, physician recruitment, as well as COVID cases, testing and vaccines.

PLANNING & ZONING

Certifications

Kristy Rowan Office Manager and Deputy Zoning Administrator and Sarah Brugger, Planner/GIS Specialist, presented Certification of Recommended Actions for Z.C. Case File #2021-06 – Clayton Desmond and P.U.D. Case 2021-01 Timothy and Courtney Ney.

Commissioner Moore moved to accept the Certification of Recommended Action from the Carbon County Planning & Zoning Commission for Z Z.C. Case File #2021-06 – Clayton Desmond and P.U.D. Case 2021-01 Timothy and Courtney Ney and schedule a public hearing for Tuesday, June 1, 2021 at 11:15 a.m. at the County Courthouse in Rawlins, Wyoming. Commissioner seconded and the motion carried unanimously.

Public Hearing – Z.C. Case File No. 2021-04

Chairman Johnson opened a public hearing at 11:15 a.m. to hear Planning & Zoning file type Z.C. Case File #2021-04, Rocky Gap LLC's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-40). The FPSR Zone is intended to be applied to areas of the County in which timber production and seasonally accessible recreation uses are the desirable predominant uses and agriculture is the secondary use, it is located on Pedro Mountain Ranches approximately 2 miles west of Carbon County Road #291 (Hanna Leo-Kortes Road) near Pathfinder Reservoir. Sarah Brugger, Planner/GIS Specialist, presented the case file.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 11:24 a.m.

Commissioner Jones moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2021-16, 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 #2021-04, Rocky Gap LLC's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-40). The FPSR Zone is intended to be applied to areas of the County in which timber production and seasonally accessible recreation uses are the desirable predominant uses and agriculture is the secondary use, it is located on Pedro Mountain Ranches approximately 2 miles west of Carbon County Road #291 (Hanna Leo-Kortes Road) near Pathfinder Reservoir. Commissioner Barkhurst seconded, and the motion carried unanimously.

Resolution No. 2021 - 16

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 #2021-04

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, April 5, 2021, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, April 5, 2021, 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, April 5, 2021, 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 zone 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, May 4, 2021: and

WHEREAS, at said public hearing on May 4, 2021, 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; 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 #2021-04: Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-40). The FPSR Zone is intended to be applied to areas of the County in which timber production and seasonally accessible recreation uses are the desirable predominant uses and agriculture is the secondary use.

Petitioners: Rocky Gap LLC (Applicant and Landowner)

Rural Address: 40 Rocky Gap Road

Parcel Identification Number: 28832110001300

General Site Location: Pedro Mountain Ranches is located approximately 2 miles west of Carbon County Road #291 (Hanna Leo-Kortes Road) near Pathfinder Reservoir.

Legal Description taken from Warranty Deed in Book 1363, Page 115:

NE1/4 NE1/4, Section 21, T28N, R83W, 6th P.M., Carbon County, Wyoming.

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 Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreational (FPSR-40) on approximately 40 acres.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 4th of May 2021.

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

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

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Public Hearing - REPLAT SUB Case #2021-01

Chairman Johnson opened a public hearing at 11:28 a.m. to hear Planning & Zoning Replat Sub Case #2021-01 - Old Baldy Corporation; Gary Lyons, Trustee; Jerald and Marcia Donnan's request for a Replat of the "Old Baldy Village Fifth Addition, Replat Lots 1-4, Block 7" located in a portion of Section 18, T17N, R83W. The purpose of the Replat is to: Vacate the lot lines between Lots 1, 2 and 3 and merge the S1/2 of Lot 1 and the N1/2 of Lot 3 into Lot 2, which will be now known as Lot 2. The N1/2 of Lot 1 remaining will be now known as Lot 1. Vacate the lot line between Lots 3 and 4 and merge the S1/2 of Lot 3 into Lot 4, which will be now known as Lot 4. The general site is located in Old Baldy Village approximately 3/4 of a mile east of Saratoga off Carbon County Road #504 (Saratoga/10 Mile/Ryan Park Road). Sarah Brugger, Planner/GIS Specialist, presented the case.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 11:30 p.m.

Commissioner Jones moved that based on the recommendation of the Planning & Zoning Commission and staff to approve the Replat Sub Case #2021-01 - Old Baldy Corporation; Gary Lyons, Trustee; Jerald and Marcia Donnan's request for a Replat of the "Old Baldy Village Fifth Addition, Replat Lots 1-4, Block 7" located in a portion of Section 18, T17N, R83W. The purpose of the Replat is to: Vacate the lot lines between Lots 1, 2 and 3 and merge the S1/2 of Lot 1 and the N1/2 of Lot 3 into Lot 2, which will be now known as Lot 2. The N1/2 of Lot 1 remaining will be now known as Lot 1. Vacate the lot line between Lots 3 and 4 and merge the S1/2 of Lot 3 into Lot 4, which will be now known as Lot 4. The general site is located in Old Baldy Village approximately 3/4 of a mile east of Saratoga off Carbon County Road #504 (Saratoga/10 Mile/Ryan Park Road). Commissioner Barkhurst seconded, and the motion carried unanimously.

Public Hearing – Z.C. Case File No. 2021-05

Chairman Johnson opened a public hearing at 11:32 a.m. to hear Planning & Zoning file type Z.C. Case File #2021-05, Zachary and Brianna Weber's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD-2.60) on approximately 2.60 acres. The RD Zone is intended to provide land for residential development that is typically single family detached and located within Town Expansion Areas and within or nearby Rural Centers. Residential single-family zones are intended to be located in areas planned for residential development that are easily accessible and infrastructure already exists or is readily available, located Approximately 1 to 1.5 miles north of Baggs off Carbon County Road #700 (Poison Butte/Government Road) on the north side. Sarah Brugger, Planner/GIS Specialist, presented the case file.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 11:35 a.m.

Commissioner Barkhurst moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2021-17, 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 #2021-05, Zachary and Brianna Weber's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD-2.60) on approximately 2.60 acres. The RD Zone is intended to provide land for residential development that is typically single family detached and located within Town Expansion Areas and within or nearby Rural Centers. Residential single-family zones are intended to be located in areas planned for residential development that are easily accessible and infrastructure already exists or is readily available, located Approximately 1 to 1.5 miles north of Baggs off Carbon County Road #700 (Poison Butte/Government Road) on the north side. Commissioner Espy seconded and the motion carried unanimously.

Resolution No. 2021 - 17

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 #2021-05

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, April 5, 2021, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, April 5, 2021, 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, April 5, 2021, 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 zone 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, May 4, 2021; and

WHEREAS, at said public hearing on May 4, 2021, 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; 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 #2021-05: Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD-2.60) on approximately 2.60 acres. The RD Zone is intended to provide land for residential development that is typically single family detached and located within Town Expansion Areas and within or nearby Rural Centers. Residential single-family zones are intended to be located in areas planned for residential development that are easily accessible and infrastructure already exists or is readily available.

Petitioners: Zachary and Brianna Weber (Applicants and Landowners)

Rural Address: 11 CR 700

Parcel Identification Number: 13913240004700

General Site Location: Approximately 1 to 1.5 miles north of Baggs off Carbon County Road #700 (Poison Butte/Government Road) on the north side

Legal Description (taken from Deed in Book 1049, Page 62): A parcel of land located within a parcel of land described in Book 965 at Page 314 in the records of Carbon County, Wyoming, also within Tract No. 44, Section 32, T13N, R91W of the 6th P.M., Carbon County, Wyoming being more particularly described as follows: Beginning at a point on the west line of said Tract No. 44 lying N00°10'00"W, 590.00 feet from Corner No. 2 of Tract No. 45, Section 32, T13N, R91W; thence N90°00'00"E, 251.31 feet to a point on the boundary line of a parcel of land described in Book 965 at Page 314 in the records of Carbon County, Wyoming; thence N00°10'00"W, 260.00 feet; thence S90°00'00"W, 251.31 feet to a point on said west line of Tract No. 44; thence S00°10'00"E, 260.00 feet to the point of beginning. Containing 1.5000 acres more or less. The west line of said Tract No. 44 is considered to bear N00°10'00" W between Corner No. 2 of said Tract No. 45 and Corner No. 5 of said Tract No. 44.

Legal Description (taken from Deed in Book 1150, Page 53): A parcel of land lying in Tract 44 in Section 32, Township 13 North, Range 91 West of the 6th Principal Meridian, Carbon County, Wyoming, described as follows: Beginning at the Southwest corner of a parcel of land described in Book 723, page 564, in the records of Carbon County, Wyoming, said parcel being a 5/8 inch rebar and plastic cap, and lying South 46 degrees 03 minutes 22 seconds West, 1826.42 feet from the closing corner of said Tract 44; thence North 89 degrees 53 minutes 09 seconds West, 91.20 feet to a point on the West line of said Tract 44; thence along said West line North 00 degrees 18 minutes 02 seconds West, 547.92 feet; thence North 89 degrees 12 minutes 48 seconds East, 84.42 feet to the Northwest corner of said parcel described in Book 723, page 564, said corner being a 5/8 inch rebar and plastic cap; thence along the West line of said parcel South 01 degrees 00 minutes 26 seconds East, 549.34 feet to the point of beginning. The line between the closing corner of said Tract 44 and the Northeast corner of said Section 32 is considered to bear North 00 degrees 24 minutes 58 seconds East. SUBJECT TO Right of Way Agreement recorded on March 23, 1984, in Book 779, page 161, Records of Carbon County, Wyoming.

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 Ranching, Agriculture and Mining (RAM) to Residential (RD-2.60) on approximately 2.60 acres.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 4th of May 2021.

BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING

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

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

DEMOLITION DERBY – Mr. Lonnie Pacheco

Mr. Lonnie Pacheco approached the BOCC for approval of having some fireworks at the Demolition Derby, soon to be known as the RawTown Riot during the National Anthem. He has received a letter of approval from the Carbon County Fairgrounds and has had discussion with the Rawlins Police Department. He also plans to meet with the Rawlins City Council and is working with the Rawlins City Fire Department. He noted they will already have fire and EMS there to support the event. The BOCC fully supported the concept.

RECESS

Chairman Johnson called a recess at 11:45 a.m. and reconvened at 1:30 p.m.

Carbon County Planning and Zoning Commission – Joint Work Session

Members of the Planning & Zoning Commission Jay Grabow, Richard Wilson, Joan McGraw and Diana Berger were present. Topics discussed were 35+ acre parcels, a temporary moratorium on wind development but no decisions were made and large-scale wind development on public lands. The BOCC asked the P&Z Commission to come back after they have had an opportunity to consider the topics further.

Commissioner Moore left at approximately 3:00 p.m.

EXECUTIVE SESSION

Commissioner Espy moved to go into executive session at 3:17 p.m. with Clerk Bartlett and Ashley Mayfield Davis to discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Barkhurst seconded, and the motion carried unanimously.

Commissioner Espy moved to come out of executive session at 3:32 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Barkhurst seconded, and the motion carried unanimously.

CORONER APPOINTMENT

Chairman Johnson reported the Carbon County Republican Party has submitted three names to fill the County Coroner position. The three names were Joey Correnti IV, Loretta Hansen and Brittany Nyman. In their letter they state that “As Ms. Nyman has the full confidence, support, and endorsement of the members of the Carbon County Republican Party, Ms. Hansen and Mr. Correnti respectfully withdraw their names from consideration...”.

Due to this fact Chairman Johnson called on Ms. Nyman to explain why she wants the job and her qualifications, and she did so.

Commissioner Espy moved to appoint Brittany Nyman as Carbon County Coroner effective immediately. Commissioner Jones seconded and the motion carried unanimously.

Former County Coroner presented Ms. Nyman with her badge and District Court Judge Snyder gave her the Oath of Office.

COMMISSIONER DISCUSSION

Commissioner Espy will be meeting with the sage grouse implementation team and afterwards will work on the mule deer migration project.

Commissioner Barkhurst stated that landowners and concerned citizens in the county have called him regarding the 30-30 plan, Executive Order 14008 and the BOCC is trying to figure out what the county can do about it.

ADJOURNMENT

Commissioner Espy moved to adjourn the meeting at 3:47 p.m. Commissioner seconded, and the motion carried unanimously.

A regular meeting of this Board will be held Tuesday, June 1, 2021 at 2:00 p.m., and a budget workshop will be held June 2, 2021 at 8:30 a.m. and June 3, 2021 at 10:00 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.