

**REPORT TO THE  
MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, July 5, 2022  
Carbon Building – Courthouse Annex, Rawlins WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, July 5, 2022, at 9:00 a.m. at the Carbon Building-Courthouse Annex in Rawlins, WY. Attending the meeting were Chairman, John Johnson, Vice Chairman, Sue Jones, John Espy, Byron Barkhurst and Travis Moore. Chairman Johnson was present via Zoom.

Chairman Johnson called the meeting to order at 9:00 a.m. and turned the meeting over to Vice Chair Jones.

**ADDITIONS / CORRECTIONS**

Vice Chair Jones removed the IT item for Capital Business Systems to the agenda.

**VOUCHERS**

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

Commissioner Barkhurst moved to approve the report of expenditures in the amount of \$167,803.36 for an aggregate total today of \$167,871.36. Commissioner Espy seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
AT&T Mobility	CCSO MDT Services	\$855.72
Beck Total Office Interiors	Desk Furniture	\$3,581.70
Benjamin, Larry	Mileage	\$9.60
Black Hills Energy	Gas Services	\$6,095.07
Blakeman Propane	Heating Services	\$1,607.70
Bob Barker Company, Inc.	Inmate Supplies	\$394.23
Bomgaars Supply	3 Way Valve/Hole Saw	\$26.98
Boyles, Denise	Mileage	\$199.00
Casper Winnelson Co	Misc. Supplies	\$272.60
Dixon, Town Of	Water Services	\$308.00
Dominion Energy	Heating Services	\$66.11
Drummond Refrigeration LLC	Misc. Refrigeration Repairs	\$2,079.41
Election Sys. & Software, LLC	Election Software Agreement	\$25,812.50
Encartele	Jail Data	\$750.00
Fatbeam LLC	Fiber/Internet	\$5,170.00

FBI-LEEDA	Dues	\$695.00
Fleming, Linda	Mileage	\$79.80
Foxit Software Incorporated	Software Renewal	\$1,505.70
Further	Health Reimbursement	\$4,667.19
Galls/Quartermaster	Nameplate/Uniforms	\$234.74
Gonzalez Butler, Wanda I	Interpreter Services	\$40.00
Goodwin, Mandy	Mileage	\$33.90
Grainger	Belt/Air Filter	\$383.40
Greenwood Mapping, Inc	Parcel Mapping	\$787.50
High Plains Power	Electric Services	\$432.93
Jack's Body & Fender Repair	Towing Services	\$186.00
Kilburn Tire Company	Oil Change/Air Filter/Washer Fluid/Rotation	\$79.92
Kussmaul Electronics	5 Place Terminal Strip	\$38.42
L N Curtis & Sons	Respirators/Air Packs	\$45,877.00
Loco Creek Contracting	Weed Spraying At Airport	\$1,209.50
Martinez, Natasha K., P.C	Legal Services	\$120.00
Medicine Bow, Town Of	Water Services/Vehicle Accident	\$578.00
Mike's Lock & Key	Lock Smith Services	\$155.54
Moss, Barbara	Mileage	\$64.80
Mountain Alarm	Monthly Test	\$47.90
Nation, Leslie H	Mileage	\$33.60
Norco, Inc.	Cylinder Rent	\$619.48
O'Reilly Auto Parts	Misc. Parts	\$52.25
Perkins Oil Co	Fuel	\$1,414.91
Quadiant, Inc.	Ink/Postage Machine Labels	\$256.55
Quill Corporation	Misc. Supplies	\$204.60
R.P Lumber Company, Inc.	Misc. Parts	\$168.90
Rawlins Automotive	Misc. Parts	\$438.68
Rawlins Hardware	Batteries	\$17.99
Shippy, April	Interpreter Services	\$50.00
Staples Advantage	Misc. Supplies	\$204.99
State Of Wyoming DCI	Sex Offender Changes/Reg	\$145.00
Stinker Stores Inc	Fuel	\$194.90
Summit Food Service	Jail Meals	\$7,836.57
Sunrise Sanitation Service, LLC.	Trash Services	\$68.00
Swanson Services Corporation	Jail Commissary/ Credit	\$1,884.27
The Cowboy Couture	Embroidery	\$60.00
Thos. Y. Pickett & Co., Inc.	Valuation Contract	\$7,000.00
T-O Engineers	DWX Fence Relocation/Seal Coat & Mark	\$32,191.05
Tyler Technologies, Inc	Converting Hard Copies To Digital	\$1,400.00
United States Treasury	Quarterly Fed Excise Tax Payment	\$670.32

UPRSWDD	Trash Services	\$190.00
W.A.R.M. Property Ins. Pool	Crime Coverage 2022-2023	\$779.33
Weiland, Helen	Mileage	\$38.40
Wilson, Karon	Mileage	\$34.20
WLEA	Sheriff Deputy Schooling	\$550.00
WLEA	Sheriff Deputy Schooling	\$1,476.20
Wohl, Judith	Mileage	\$20.40
Wrigley, Robert L	Expenses	\$506.06
Wy Behavioral Institute	Emergency Detentions	\$3,016.00
Wy County Assessor's Assoc.	Summer Meeting Registration	\$200.00
Wy Rents, LLC	Rentals	\$705.35
Wy Retirement System	Volunteer Firefighter Pension	\$937.50
Wy Secretary Of State	Notary Fee	\$60.00

### **CONSENT AGENDA**

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the June 21, 2022, regular meeting minutes, monthly receipts from Planning and Development in the amount of \$9,475.00, a bond for Jana C. Cook, Clerk/Treasurer for the Town of Riverside in the amount of \$50,000.00 and a bond for Darrin H. Jennings, Superintendent for Carbon County School District #2 in the amount of \$50,000.00. Commissioner Moore seconded and the motion passed unanimously.

### **ELECTED OFFICIALS & DEPARTMENT HEADS**

#### **Public Health**

Public Health Nurse, Amanda Brown reported pediatric Covid vaccine and will be administering it beginning today.

#### **South Central Wyoming Emergency Medical Services (SCWEMS)**

Stayton Mosbey, Director for the South-Central Wyoming Emergency Medical Services presented a resolution for the authorization of a grant application for the purpose of purchasing WYOLINK compatible radios.

Commissioner Barkhurst moved to adopt Resolution No. 2022-26 A Resolution Authorizing Submission Of A Grant Application to The State Of Wyoming Department Of Transportation On Behalf Of The South-Central Wyoming Emergency Medical Services Joint Powers Board For The Purpose Of Purchasing WyoLink Compatible Radios. Commissioner seconded and the motion passed unanimously.

### **RESOLUTION NO. 2022 - 26**

**A RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE STATE OF WYOMING DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE SOUTH-CENTRAL WYOMING EMERGENCY MEDICAL SERVICES JOINT POWERS BOARD FOR THE PURPOSE OF PURCHASING WYOLINK COMPATIBLE RADIOS.**

**WHEREAS**, South Central Wyoming Emergency Medical Services was invited to submit a grant application for communications equipment and radios that are WYOLINK compatible from the State of Wyoming Department of Transportation; and

**WHEREAS**, the State of Wyoming Department of Transportation would provide grant funding toward the purchase of WYOLINK compatible radios; and

**WHEREAS**, these radios would expand the radio capabilities and coverage of South-Central Wyoming Emergency Medical Services and support the planned WYOLINK coverage expansion in the Platte River Valley around Saratoga; and

**WHEREAS**, these radios would provide volunteers and staff the latest technology to respond to calls for service as quickly and safely as possible; and

**WHEREAS**, participating in this program would add value to South Central Wyoming Emergency Medical Services and state of the art capabilities to the residents served.

**BE IT RESOLVED**, we the Participating Agencies of South-Central Wyoming Emergency Medical Services grant the authorities to participate in the State of Wyoming Department of Transportation for radios by submitting application, accepting grant monies offered, and all other necessary requirements to fulfill this grant process.

**NOW THEREFORE THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING RESOLVES**, to participate in the State of Wyoming Department of Transportation for radios.

**PASSED, APPROVED AND ADOPTED THIS 5<sup>TH</sup> DAY OF JULY 2022.**

-s- Sue Jones, Vice Chairman

Attest:

-s- Gwynn G. Bartlett, County Clerk

**Sheriff**

Shawn Kelly, Carbon County Undersheriff requested to waive procurement for the purchase of a body scanner for the jail. There was another quote received totaling \$179,000.00 compared to the purchased one of \$139,000.00.

Commissioner Espy moved to waive procurement and allow the Sheriff's Department to purchase a body scanner in amount of \$139,000.00 using American Rescue Plan Act (ARPA) funds. Commissioner Moore seconded and the motion passed unanimously.

Undersheriff Kelly presented a Contract with Denise Rice for mental health services at the jail for approval and Chairman's signature.

Commissioner Moore moved to approve the Chairman's signature on a Contract for Mental Health Services at the Carbon County Jail with Denise Rice-Prior in the amount of \$100.00 per hour and

for a term lasting until terminated. Commissioner Espy seconded and the motion passed unanimously.

Undersheriff Kelly presented a Contract with APEX Communications for approval and Chairman's signature. He noted Apex will now only cover the 911 consoles and no longer provide radio installation services under a contract. Attorney Davis reported that she does not recommend signature at this time as she is still negotiating a contract with APEX and she may be ready this afternoon.

Undersheriff Kelly requested flags be flown at half-mast in honor of the passing of Sheriff Deputy Jeff Walton. The BOCC authorized this to be done at county buildings through this week or at least through a funeral occurs.

### **Planning and Development**

Sarah Brugger, County Planning Director presented a Certification of Recommended Action for C.U. Permit Transfer Requests for C.U. Case #2015-04 – Slater Creek Livestock, LLC/Benjamin and Hallie Noland/Sage Veterinary Services request to approve the transfer of Conditional Use Permit Case File #2015-04 to Brown Horse Cattle Co., LLC and Baggs Veterinary Services, LLC.

Commissioner Barkhurst moved to schedule a public hearing for the C.U. Permit Transfer Requests for C.U. Case #2015-04 – Slater Creek Livestock, LLC/Benjamin and Hallie Noland/Sage Veterinary Services request to approve the transfer of Conditional Use Permit Case File #2015-04 to Brown Horse Cattle Co., LLC and Baggs Veterinary Services, LLC. for August 2, 2022, at 11:15 a.m. at the Carbon Building Courthouse Annex in Rawlins, Wyoming. Commissioner Espy seconded, and the motion carried unanimously.

### **Fire**

Fire Warden John Rutherford reported he intends to submit a grant for WyoLink capable radios through The WY Department of Transportation for just over \$64,000.00. The CODAN equipment shipped and will arrive soon.

### **Attorney**

Ashley Mayfield Davis, Carbon County Attorney presented a contract for the Community Juvenile Services Board for approval and Chairman's signature. Typically, there is \$45,000 for the diversion program but this will only cover approximately \$20,000 for diversion and \$5,000 for funding geared towards at-risk youth per year.

Commissioner Espy moved to approve any commissioner's signature on the Contract between the Department of Family Services and Carbon County Board of County Commissioners for a term of July 1, 2022, through June 30, 2024, and in the amount not to exceed \$50,000.00 pending legal review. Commissioner Moore seconded and the motion passed unanimously.

Attorney Davis has a meeting scheduled with Volunteers of America regarding emergency detentions. The county is still accepting applications for the position and looking at other contract options.

Attorney Davis met with Kandis Fritz of Road & Bridge regarding completed speed index surveys on county roads. Once she receives signed certificates from the engineer, she anticipates recommending speed limits on certain roads through a resolution at a future meeting.

### **Clerk**

Gwynn Bartlett, County Clerk presented a purchase agreement for the Hugus Ferguson Building for approval and Chairman's signature. She noted that the Rawlins Downtown Development Authority had not commented yet and suggested waiting until they review to ensure there are no changes.

Clerk Bartlett presented Contract for Service Agreements between the Board of Carbon County Commissioners and outside agencies for approval and Chairman's signature.

Commissioner Espy moved to approve the Chairman's signature on the Contract for Services Agreement between the Board of Carbon County Commissioners and the Old Pen Joint Powers Board in an amount not to exceed \$35,000.00 for a term of July 1, 2022 through June 30, 2023, Carbon County Museum Board in an amount not to exceed \$225,000.00 for a term of July 1, 2022 through June 30, 2023, Carbon County Library Board in an amount not to exceed \$363,591.68 for a term of July 1, 2022 through June 30, 2023, Carbon County Fair Board in an amount not to exceed \$50,000.00 for a term of July 1, 2022 through June 30, 2023, Carbon County Senior Services in an amount not to exceed \$225,000.00 for a term of July 1, 2022 through June 30, 2023, South Central Wyoming Emergency Medical Services in an amount not to exceed \$45,000.00 for a term of July 1, 2022 through June 30, 2023 and for Carbon County Economic Development Corporation in an amount not to exceed \$15,000.00 for a term of July 1, 2022 through June 30, 2023. Commissioner Moore seconded and the motion passed unanimously.

### **Commissioners**

Clerk Bartlett explained W.S. 18-3-515 requested the board to direct her to publish a Statement of Receipts and Expenditures for fiscal year just after each one ends. She requested the BOCC direct her to do so noting she would publish this in the next available publication in the Saratoga Sun.

Commissioner Espy moved to instruct the clerk to publish the statement of receipts and expenditures for the fiscal year ending June 30, 2022, per W.S. 18-3-515 to be published in the Saratoga Sun. Commissioner Moore seconded and the motion carried unanimously.

### **CITIZEN & COMMISSIONERS DISCUSSION**

Vice Chair Jones asked for public comment on a proposed fire district however no citizens were present.

Commissioner Moore state the fire district public education effort is going well. He and Fire Warden Rutherford continue to travel around to various public meetings and are encouraging individuals to file for a director position.

Commissioner Jones reported the wildlife fence at the Dixon Airport is almost complete. The grant agreement should be forthcoming with electronic signatures from the Federal Aviation Administration.

Commissioner Espy moved to authorize Chairman Johnson's and Attorney Davis' electronic signature on the Dixon Airport fence relocation grant agreement. Commissioner Barkhurst seconded and the motion carried unanimously.

### **EXECUTIVE SESSION**

Commissioner Espy moved to go into executive session at 9:58 a.m. with Clerk Bartlett and Ashley Mayfield Davis to discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Espy moved to come out of executive session at 10:50 a.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Moore seconded and the motion carried unanimously.

### **Commissioners**

Commissioner Espy moved to authorize the Chairman's signature on a letter to the Bureau of Land Management after attorney review. Commissioner Barkhurst seconded and the motion carried unanimously.

### **Public Hearing – Budget Amendment**

Vice Chairman Jones opened a public hearing at 10:58 a.m. to hear about a proposed Budget Amendment to departmental budgets for Fiscal Year 2022 and Clerk Bartlett noted the hearing was advertised in the Saratoga Sun on June 30. Gwynn outlined the amendments by department.

Vice Chairman Jones called for comments for or against the amendment. There being none, he closed the hearing at 11:03 a.m.

Commissioner Barkhurst moved to adopt Resolution 2022-27 FY 2022 Budget Amendment Number Three for departmental budgets. Commissioner Espy seconded and the motion passed unanimously.

## **RESOLUTION 2022 - 27 FY 2022 BUDGET AMENDMENT NUMBER THREE**

**WHEREAS** Carbon County adopted the Fiscal Year 2022 Budget in accordance with the Wyoming Uniform Municipal Fiscal Procedures Act; and

**WHEREAS** the Board of Carbon County Commissioners wishes to amend the adopted budget in accordance with the same Act

**NOW, THEREFORE, BE IT RESOLVED** that the following budget amendments are made.

<b>Fund/Entity</b>	<b>Approved Budget</b>	<b>Amendment Amount</b>	<b>Amended Budget</b>
Department 410 Commissioners	\$ 151,725.00	\$ 3,804.39	\$ 155,529.39
Department 472 Buildings & Grounds	\$ 367,395.00	\$ 6,331.54	\$ 373,726.54
Department 480 Coroner	\$ 167,290.00	\$ 7,750.25	\$ 175,040.25
Department 570 Administration	\$ 4,562,839.21	\$ 737,201.18	\$5,300,040.39
Department 595 Reserves	\$ 1,941,919.90	(\$755,087.36)	\$1,186,832.54
American Rescue Plan Fund 131 Abandoned Vehicle	\$0.00	\$ 369,149.64*	\$ 369,149.64
Fund 150 Self-Funded	\$ 7,200.00	\$ 906.00*	\$ 8,106.00
Fund 230	\$ 2,956,464.03	\$ 1,004,997.74*	\$ 3,961,461.77

*\*Revenue to cover these amendments are covered by revenue deposited or money transferred into that fund*

**PASSED, APPROVED AND ADOPTED** this 5<sup>th</sup> day of July 2022.

CARBON COUNTY, WYOMING  
-s- Sue Jones, Vice Chairman

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

**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.

**Public Hearing – Z.C. Case #2022-09 – Lance Stewart**

Vice Chair Jones opened a public hearing at 11:13 a.m. to hear Planning & Zoning Z.C. Case File #2022-09, Lance Stewart’s request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-10.33) on approximately 10.33 acres. 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. The approximate location is 6 miles west of Encampment off WY HWY 70 on the south side and east of U.S.F.S. Road 550. Sarah Brugger, Planner/GIS Specialist, presented the case file noting this is pre-existing



and non-conforming and the case is simply to bring the land into conformance in case they wanted to build in the future.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 11:16 a.m.

Commissioner Barkhurst moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2022-28 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 #2022-09, Lance Stewart's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-10.33) on approximately 10.33 acres located 6 miles west of Encampment off WY HWY 70 on the south side and east of U.S.F.S. Road 550. Commissioner Espy seconded, and the motion passed unanimously.

### **Resolution No. 2022 – 28**

#### **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 #2022-09**

**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, June 6, 2022, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, June 6, 2022, 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, June 6, 2022, 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, July 5, 2022; and

**WHEREAS**, at said public hearing on July 5, 2022, 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 #2022-09:** Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-10.33) on approximately 10.33 acres. 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.

**Petitioner:** Lance Stewart (Applicant and Land Owner)

**Rural Address:** 15 Forest Road 550

**Parcel Identification Number:** 14841920003500

**General Site Location:** Approximately 6 miles west of Encampment off WY HWY 70 on the south side and east of U.S.F.S. Road 550.

**Legal Description (taken from Warranty Deed, Book 1376, Page 184):** West One-Half (½) of the Black Panther patented Lode Claim, Survey #304 in Section 19, Township 14, Range 84 West of the 6<sup>th</sup> P.M., Carbon County, Wyoming as the said Black Panther Lode mining claim is described in the Patent on record in the office of the County Clerk and Ex-Officio Register of Deeds of Carbon County, Wyoming, in Book 255 at Page 414, containing 10.33 acres, more or less, together with all buildings and improvements thereon situate and appurtenances thereunto belonging.

**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 Recreation (FPSR-10.33) on approximately 10.33 acres.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 5<sup>th</sup> of July 2022.

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

By: Sue Jones, Vice Chairman

On behalf of the Carbon County

Board of County Commissioners

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

**Public Hearing – Z.C. Case #2022-10 – Alan Harding of Brown & Hiser, LLC and John Gillam II**

Vice Chair Jones opened a public hearing at 11:16 a.m. to hear Planning & Zoning Z.C. Case File #2022-10, Alan Harding of Brown & Hiser, LLC and John Gillam II's request for a Zone Change

from Ranching, Agriculture and Mining (RAM) to Rural Residential Agriculture (RRA-80) encompassing approximately 80 acres. The RRA Zone is intended to be applied in areas of the County which are particularly suited to large-lot development that allow both agricultural and residential uses intermingled. The approximate location is 1 mile east of Carbon County Road #291(Hanna/Leo/Kortes Road) and approximately 4.5 miles south of the Natrona County Line. Sarah Brugger, Planner/GIS Specialist, presented the case file.

Chairman Johnson called for comments for or against the case. Alan Harding of Brown & Hiser spoke for the applicant noting he prepared the application and was in favor of approval. There being no comments, Chairman Johnson closed the hearing at 11:22 a.m.

Commissioner Barkhurst moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2022-29, 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 #2022-10, Alan Harding of Brown & Hiser, LLC and John Gillam II's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Rural Residential Agriculture (RRA-80) encompassing approximately 80 acres. The approximate location is 1 mile east of Carbon County Road #291(Hanna/Leo/Kortes Road) and approximately 4.5 miles south of the Natrona County Line. Commissioner Moore seconded and the motion passed unanimously.

#### **Resolution No. 2022 – 29**

#### **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 #2022-10**

**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, June 6, 2022, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, June 6, 2022, 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, June 6, 2022, 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, July 5, 2022; and

**WHEREAS**, at said public hearing on July 5, 2022, 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 #2022-10:** Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-80) encompassing approximately 80 acres. 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.

**Petitioners:** Alan Harding of Brown and Hiser, LLC (Applicant) and John Fredrick Gillam II, (Land Owner)

**Parcel Identification Number:** 28832230007600

**General Site Location:** Approximately 1 mile east of Carbon County Road #291 (Hanna/Leo/Kortes Road) and approximately 4.5 miles south of the Natrona County Line.

**Legal Description (taken from Quitclaim Deed, Book 1386, Page 198):** S1/2 SW1/4, Section 22, Township 28 North, Range 83 West, 6<sup>th</sup> 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 Recreation (FPSR-80) encompassing approximately 80 acres.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 5<sup>th</sup> of July 2022.

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

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

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

**Public Hearing – MIN SUB Case File #2022-02 – Blake Kawcak**

Commissioner Espy moved to untable Minor Subdivision Case File 2022-02, Blake Kawcak's request to create five (5) lots: Lot 1 = 18.413 acres, Lot 2 = 11.862 acres, Lot 3 = 15.351 acres, Lot 4 = 7.872 acres, and Lot 5 = 6.379 acres. Commissioner Barkhurst seconded and the motion carried unanimously.

Vice Chair Jones opened a public hearing at 11:25 a.m. to hear Planning & Zoning Minor Subdivision Case File #2022-02, Blake Kawcak's request to create five (5) lots: Lot 1 = 18.413 acres, Lot 2 = 11.862 acres, Lot 3 = 15.351 acres, Lot 4 = 7.872 acres, and Lot 5 = 6.379 acres. The applicant is also applying for a zone change request (see above Z.C. Case #2022-06) to comply with the Carbon County Zoning Resolution of 2015, as amended and is located approximately 3 miles northeast of Baggs off Carbon County Road #702 (Baggs/Dixon Road). Sarah Brugger, Planner/GIS Specialist, presented the case file. The applicant submitted a request to postpone this case and the zone change case file until July 5 as an easement has not yet been obtained, specifically to the northern portion of the subdivision. Sarah noted there was one amendment to the covenants that no structures could be constructed on a pipeline easement.

Mr. Kawcak reported covenants were amended and signed by all three property owners. He added that in response to Commissioner Espy's questions previously about water rights noting that as long as he is there, water rights are valid.

Vice Chair Jones called for comments for or against the case. There being no comments he closed the hearing at 11:29 a.m.

Commissioner Espy moved to authorize the Chairman's signature on the plat for Minor Subdivision Case File #2022-02, Blake Kawcak's request to create five (5) lots: Lot 1 = 18.413 acres, Lot 2 = 11.862 acres, Lot 3 = 15.351 acres, Lot 4 = 7.872 acres, and Lot 5 = 6.379 acres. Commissioner Moore seconded and the motion passed unanimously.

### **PUBLIC HEARING – Z.C. CASE #2022-06 – Blake Kawcak**

Commissioner Espy moved to untable Planning & Zoning Z.C. Case File #2022-06, Blake Kawcak's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Rural Residential Agriculture (RRA) for Lots 1 thru 5, located in the proposed Kawcak Minor Subdivision encompassing approximately 64 acres. Commissioner Moore seconded and the motion carried unanimously.

Vice Chairman opened a public hearing at 11:32 a.m. to hear Planning & Zoning Z.C. Case File #2022-06, Blake Kawcak's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Rural Residential Agriculture (RRA) for Lots 1 thru 5, located in the proposed Kawcak Minor Subdivision encompassing approximately 64 acres. RRA-18.413 (Lot 1); RRA-11.862 (Lot 2); RRA-15.351 (Lot 3); RRA-7.872 (Lot 4); RRA-6.379 (Lot 5). The RRA Zone is intended to be applied in areas of the County which are particularly suited to large-lot development that allow both agricultural and residential uses intermingled. The approximate location is 3 miles northeast of Baggs off Carbon County Road #702 (Baggs/Dixon Road). Sarah Brugger, Planner/GIS Specialist, presented the case file.

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

Commissioner Moore moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2022-30, 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 #2022-06, Blake Kawcak's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Rural Residential Agriculture (RRA) for Lots 1 thru 5, located in the proposed Kawcak Minor Subdivision encompassing approximately 64 acres. The approximate location is 3 miles northeast of Baggs off Carbon County Road #702 (Baggs/Dixon Road). Commissioner Espy seconded, and the motion passed unanimously.

**Resolution No. 2022 – 30**

**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 #2022-06**

**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, May 2, 2022, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, May 2, 2022, 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, May 2, 2022, 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, June 7, 2022; and

**WHEREAS**, at said public hearing on June 7, 2022, 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**, at the conclusion of the Tuesday, June 7, 2022, public hearing, the Carbon County Board of County Commissioners tabled the request until Tuesday, July 5, 2022, per the Applicant's request; and

**WHEREAS**, the Carbon County Board of County Commissioners held and reopened said public hearing on Tuesday, July 5, 2022; and provided the public the opportunity to comment; 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 #2022-06:** Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Rural Residential Agriculture (RRA) for Lots 1 thru 5, located in the proposed Kawcak Minor Subdivision encompassing approximately 64 acres. RRA-18.413 (Lot 1); RRA-11.862 (Lot 2); RRA-15.351 (Lot 3); RRA-7.872 (Lot 4); RRA-6.379 (Lot 5). The RRA Zone is intended to be applied in areas of the County which are particularly suited to large-lot development that allow both agricultural and residential uses intermingled.

**Companion Case--Minor Subdivision Case File #2022-02:** Request to create five (5) lots: Lot 1 = 18.413 acres, Lot 2 = 11.862 acres, Lot 3 = 15.351 acres, Lot 4 = 7.872 acres, and Lot 5 = 6.379 acres. The applicant is also applying for a zone change request (see above Z.C. Case #2022-06) to comply with the Carbon County Zoning Resolution of 2015, as amended.

**Minor Subdivision Name:** Kawcak Minor Subdivision

**Petitioner:** Blake Kawcak (Applicant and Land Owner)

**Rural Address:** 263B CR 702

**Parcel Identification Number:** 13913440004300

**General Site Location:** Approximately 3 miles northeast of Baggs off Carbon County Road #702 (Baggs/Dixon Road)

**Legal Description:** A parcel of land situate within Section 34, Township 13 North, Range 91 West of the 6th Principal Meridian, Carbon County, Wyoming being more particularly described as follows: Government Lot 4 and Government Lot 5 of said Section 34 and the South 40' of the North ½ of the Southeast ¼ of said Section 34, excepting the Parcel as described in the Quitclaim Deed filed and recorded in Book 1237, Page 70, Records of Carbon County, Wyoming and excepting the Parcel as described in the Quitclaim Deed filed and recorded in Book 1237, Page 69, Records of Carbon County, Wyoming, and excepting the Parcel as described in the Quitclaim Deed filed and recorded in Book 1236, Page 190, Records of Carbon County, Wyoming. Said described remaining parcel contains 64.281 Acres more or less and is subject to any right-of-ways, easements, reservations and/or restrictions of record.

**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 Rural Residential Agriculture (RRA) for Lots 1 thru 5, located in the proposed Kawcak Minor Subdivision encompassing approximately 64 acres, more specifically, RRA-18.413 (Lot 1); RRA-11.862 (Lot 2); RRA-15.351 (Lot 3); RRA-7.872 (Lot 4); RRA-6.379 (Lot 5).

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 5<sup>th</sup> of July 2022.

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

By: -s- Sue Jones, Vice Chairman

On behalf of the Carbon County  
Board of County Commissioners

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

### **Planning & Development**

Ms. Bruggar reported the fee schedule amendments are on the August 2 BOCC agenda for formal review and action.

### **COMMISSIONERS**

Clerk Bartlett requested authorization for county department heads to close should they wish so employees can attend Sheriff Deputy Jeff Walton's funeral.

Commissioner Moore moved to authorize department heads to close their offices as they choose for employees to attend Jeff Walton's funeral. Commissioner Espy seconded and the motion carried unanimously.

### **ADJOURNMENT**

Commissioner Espy moved to adjourn the meeting at 11:37 a.m. Commissioner Moore seconded and the motion passed unanimously.

A regular meeting of this Board will be held Tuesday, August 2, 2022, at 9:00 a.m., at the Carbon Building-Courthouse Annex, located at 215 W. Buffalo St. Suite 240A, 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](http://www.carbonwy.com) or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.