

**REPORT TO THE  
MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, September 6, 2022  
Carbon Building – Courthouse Annex, Rawlins WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, September 6, 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 called the meeting to order at 9:00 a.m.

**ADDITIONS / CORRECTIONS**

Chairman Johnson added setting COBRA rates for the 2022-2023 year under the Clerk.

**VOUCHERS**

Commissioner Barkhurst moved to approve payment to Sunrise Sanitation for \$23.00. Commissioner Espy seconded and the motion passed 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 \$345,650.11 for an aggregate total today of \$345,673.11. Commissioner Espy seconded and the motion passed unanimously.

Vendor	Detail Line Description	Total
Abels, Duane E	County Health Officer	\$1,600.00
Advanced Heating, Inc.	240 Volt Contactor	\$50.00
Advanced Network Mgmt., Inc.	Smart Net Renewal	\$1,044.88
Affordable Tree Care, LLC	Tree Branch Removal	\$200.00
Amazon Capital Services	Wipes	\$54.37
Anderson, Michael	Chief Badges	\$440.00
APEX Communications	Antenna Light Install/Repeater Power Supply	\$1,093.18
APG Media Of the Rockies	Election, Office Closure Ads	\$404.44
Applied Concepts, Inc	Radar	\$1,978.00
Arnold, Debra	Training Mileage	\$47.30
Axis Forensic Toxicology, Inc.	Lab Fees	\$445.00
Bach, Carol	Training & Election Day Mileage	\$13.20
Bakken, Alex Scott	Fuel	\$56.19
Balestrieri, Michelle	Postage Reimbursement	\$8.70
Bank Of Commerce	Checks/Direct Deposit Slips	\$322.04

Bank Of Montreal - Mastercard	Misc. Charges	\$26,531.95
Bennett, Thomas L. M.D.	Autopsy Services	\$2,178.75
Best Western Cottontree	Hotel Room	\$96.00
Black Hills Energy	Gas Services	\$3,425.27
Black, Val	Training Mileage	\$44.00
Bob Barker Company, Inc.	Misc. Jail Supplies	\$5,419.03
Bomgaars Supply	Misc. Parts	\$9.78
Buchanan, Karen	Mileage	\$132.00
Business Radio Licensing	Radio License	\$110.00
Carbon County Fair Board	Monthly Payment	\$4,166.67
Carbon County Library	Monthly Payment	\$30,299.31
Carbon County Museum	Monthly Payment	\$18,750.00
Carbon County Senior Services	Monthly Payment	\$18,750.00
Carbon County Veterinary Hospital	Zeus Appointment	\$18.91
Casper Winnelson Co	Ice Melt & Misc. Plumbing Parts	\$1,076.46
Children's Advocacy Project, Inc	Operating Expenses FY 2023	\$3,000.00
Cowboy Chemical	Jail Laundry Supplies	\$539.95
Dominion Energy	Heating Services	\$58.11
Dustbusters, Inc.	Dust guard	\$81,770.03
Elder, Joseph E	Training Mileage	\$44.00
Elevated Safety Solutions	Dot Physical	\$150.00
Elk Mountain, Town Of	Water Services	\$12.60
Encampment, Town Of	Water Services	\$102.00
Encartele	Jail Data	\$1,500.00
Engstrom, James D. DDS	Jail Dental Services	\$2,500.00
Fleming, Linda	Training Mileage	\$86.90
Fluty, Lisa K	Training Mileage	\$47.30
Further	Medical FSA & Health Reimbursement	\$3,573.60
Galls/Quartermaster	Deputy Uniforms	\$3,530.00
Graphic Business Solutions, LLC	Envelopes	\$439.00
Hanna, Town Of	Water Services	\$516.25
Haver, Emily L.	Meal Reimbursement	\$56.53
High Plains Power	Electric Services	\$373.89
Hobbs, Angie E	Election Day Mileage	\$37.40
Holcomb, Nancy	Fingerprinting	\$5.00
Iacovetto, Karon	Contract Cleaning	\$9,765.00
Jack's Body & Fender Repair	Tow Charges	\$100.00
Johnson, Micah	Mileage	\$261.25
Jones, Hope	Training Mileage	\$49.50
K2 Towers III, LLC	Tower Rent	\$2,185.45
Kaluzny, Emily	Personal Phone Usage	\$30.00

Kilburn Tire Company	Tire Repair & Tire	\$366.95
King Soopers Customer Charges	Meeting Snacks	\$59.32
Koeneke, Alice	Training Mileage	\$44.00
KTGA/KBDY	Tower Rent	\$150.00
Maddox, Karol	Training Mileage	\$30.16
Morse, Kimberley	Fingerprint Reimbursement	\$5.00
Mountain Alarm	Alarm Monitoring	\$47.90
MPM Corp / Evergreen Disposal	Trash Services	\$130.00
Nation, Leslie H	Mileage	\$66.00
Nitschke, Alecia	Election Day Mileage	\$46.20
Nitschke, Isaac P	Election Day Mileage	\$103.40
Old Penitentiary Joint Powers Board	Quarterly Payment	\$8,750.00
O'Reilly Auto Parts	Goo Gone	\$75.55
Parker, Virginia I	Training Mileage	\$68.20
Patterson, Connie	Training Mileage	\$46.20
Payne-Rogers, Frances	Training Mileage	\$44.00
Perkins Oil Co	Fuel	\$6,590.14
Priority Dispatch	System License Renewal	\$6,180.00
Quill Corporation	Thermal Receipt Paper	\$60.99
R.P Lumber Company, Inc.	Misc. Parts and Ups Shipping	\$1,225.41
Radar Shop, the	Recertify Radar Units	\$273.00
Rawlins Automotive	Misc. Parts	\$748.67
Rawlins Hardware	Misc. Parts	\$488.46
Rawlins, City Of	Water Services	\$4,437.70
Rerucha, Cal	Mileage	\$101.00
Ricoh USA Inc	IT Copiers	\$371.01
Ricoh USA, Inc	IT Copiers	\$3,148.23
Rietveld, Toni	Training Mileage	\$46.20
Risner, Lynette D	Training And Election Day Mileage	\$90.20
Runyan, Linda L	Training Mileage	\$49.50
Saratoga Auto Parts, Inc.	Misc. Parts	\$204.54
Saratoga Sun	Ads And Legal Notices	\$404.19
Secretary Of State	Shauna Trujillo Notary Certificate	\$60.00
Shepard's	Fuel	\$5,963.22
Shippy, April	Interpreter Services	\$40.00
Sikes, Melisa	Postage Reimbursement	\$66.10
Smith, Loretta K	Election Day Mileage	\$84.70
South Central Wy Ems	Quarterly Payment	\$11,250.00
State Of Wyoming DCI	Harnden Changes	\$25.00
Stinker Stores Inc	Fuel	\$1,563.24
Summit Food Service	Jail Meals	\$8,523.22

Sunrise Sanitation Service, LLC.	Trash Services	\$23.00
Swanson Services Corporation	Commissary Supplies	\$962.33
Symns, Bob	Election Day Mileage	\$0.00
Symns, Robert A	Training And Election Day Mileage	\$133.10
Taggart, Kimberly	Monitor Deposit Refund	\$820.00
The Masters Touch, LLC	Tax Statement Mailing	\$6,750.00
Thos. Y. Pickett & Co., Inc.	Valuation Contract Installment	\$10,000.00
Tin Boy Garage	Air And Oil Filters	\$96.97
T-O Engineers	Construction Administration	\$293.75
Trapp, Larry W	Fuel	\$93.55
Tyler Technologies, Inc	Web Hosting	\$3,421.36
United States Postal Service	Postage	\$15,000.00
UPRSWDD	Trash Services	\$190.00
Us Bank	Misc. Charges	\$7,205.39
V.I.P Marketing, LLC.	Fire District Marketing Services	\$6,312.17
Vannett, Mistina N	Election Day Mileage	\$46.20
Vannorman, Cathy L	Training Mileage	\$81.40
Wainwright, Bruce A	Training Mileage	\$46.20
Weatherd, Jill M.	Training Mileage	\$46.20
Weiland, Helen	Mileage	\$126.50
Western Plains Business Solutions	Envelopes	\$492.50
Wiant, James	Gravel Lease Agreement	\$500.00
Wille, Ron	Gravel Lease Agreement	\$500.00
Wohl, Judith	Mileage	\$24.20
Wy Retirement System	Aug Volunteer Fire Retirement	\$937.50
Yocum, Leo	Mileage	\$44.00

### **CONSENT AGENDA**

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the August 23, 2022, regular meeting minutes, monthly receipts from Carbon County Clerk in the amount of \$22,177.50, Clerk of District Court in the amount of \$5,640.56, Planning & Development in the amount of \$38,410.00, and a bond for Owen Williams, Treasurer of the Medicine Bow Conservation District. Commissioner Moore seconded and the motion passed unanimously.

### **EMPLOYEE RECOGNITION**

County Clerk Gwynn Bartlett reported that periodically she will report to the board on years of service for county employees thanking them all and noting the accomplishment. Today she recognized that earlier this year Kristy Rowan with Planning & Development hit 20 years of service, she herself has 25 years this year, Shawn Kelley (Sheriff), Robin Umberger (Sheriff),

Ashley Jolly (Clerk), Eileen Keller (Treasurer) and Matt Webster (IT) all have 15 years of service.

Sarah Miles (Sheriff) has 10 years of service. Alex Bakken, Darren Willis, and Libby Jurado (All Sheriff), Kurt Olson, Kenneth O'Leary, and Michael Ellis (all Road & Bridge), Brianna Gonzalez and Tina Turner (Clerk of District Court), Sarah Bruggar (Planning & Development) and Stacey Ward (Treasurer) all have 5 years of service.

In addition, there are 4 others with over 20 years of service, 11 with over 15 years of service, 13 with over 10 years of service and 18 with over 5 years.

## **ELECTED OFFICIALS & DEPARTMENT HEADS**

### **Emergency Management**

Emergency Management Coordinator Lenny Layman reported HF Sinclair donated a drone for both the county and Town of Encampment noting the Encampment drone was purchased by the county and needs donated to Encampment. Mr. Layman also noted Williams donated \$2,500.00 to the C4: Emergency Operations Center for use on any expenses as needed when the center is activated. Mr. Layman introduced representatives from both companies to discuss their donations.

With the drone program there will be a formal training program in which various individuals in the county will participate to be able to utilize the drones. He asked that one of these be disposed of and donated to Encampment today.

Commissioner Jones moved to dispose of a drone, serial number 4GCC6QROBOQPW and donate the item to the Town of Encampment. Commissioner Espy seconded and the motion passed unanimously.

Lenny discussed a generator installed at the C4 building using funds through Public Health noting a second generator is to be installed at the Interim Justice Center (IJC). He asked that since everyone will be moving out of the IJC soon if this would be a good use of the generator. Finally, he believes the generator at the Jeffrey Center is undersized and it could potentially be traded with one at the County Fire Department. Mike Newbrough discussed the various generators thinking the generator called for at the IJC could be used at the Jeffrey Center and the Jeffrey Center generator moved to the C4. The BOCC discussed the need for a generator at the IJC at this time and will reassess after the Courthouse is complete. After further discussion the BOCC asked for an inventory of generators, the need for each building and the cost to install and/or move them. Mr. Newbrough will report back with that at a future meeting.

Mr. Layman recently attended various training exercises and toured various water plants throughout the county. Next, he is planning a tour of the abandoned mine land project that is ongoing in Hanna.

### **Public Health**

Public Health Nurse Amanda Brown reported on various trainings and educational activities her office is providing. She discussed two Wyoming cases of Monkeypox. Carbon County is administering vaccines. There is also a new COVID vaccine available containing the original COVID strain and the Omicron variant together in one.

### **Economic Development Corporation**

Yvonne Johnson, Director of the Economic Development Corporation provided a quarterly report including current and upcoming projects, investments and more. Ms. Johnson asked for direction on the wind blade installation at the Carbon County Fairgrounds noting it was scaled back to one at the entry rather than a seating area as previously discussed. The BOCC thought the Fair Board should be asked one last time for feedback as they may not be as excited as initially thought. Yvonne mentioned that Hanna really wanted it and the BOCC asked Yvonne to work with them.

### **Sheriff / IT**

IT Director Matt Webster discussed the implementation of text to 911 services and presented a quote from ComTech totaling \$15,000 for the first year plus an additional \$5,000 per year thereafter making the total agreement \$35,000. Matt recommended using ComTech as it integrates with the existing system through CallWorks even though other vendors offer this at a lower price.

Commissioner Espy moved to waive the procurement policy and approve the quote from ComTech in the amount of \$15,000.00 for the first year for text to 911 plus an additional \$5,000 per year noting the original \$15,000 would be paid from the E911 fund with the annual amount thereafter to come from the IT budget. Commissioner Barkhurst seconded and the motion passed unanimously.

### **EXECUTIVE SESSION**

Commissioner Espy moved to go into executive session at 10:06 a.m. with Clerk Bartlett, Attorney Davis, and Matt Webster to discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Moore seconded and the motion passed unanimously.

Matt left the session at 10:12 a.m.

Commissioner Espy moved to come out of executive session at 10:33 a.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Moore seconded and the motion passed unanimously.

### **Building and Grounds**

Mike Newbrough, Interim Building and Grounds Manager presented quotes to tear down the county owned property at 222 West Pine Street. Quotes were received from F&S Trucking in the amount of \$12,150.00 and Steve Hays in the amount of \$13,000.00. Commissioner Jones asked what the landfill fee is and Mr. Newbrough noted neither quote included the landfill fee. Mike noted that the bid from Mr. Hays includes the removal of the east side retaining wall and the

concrete for the crawl space and the hole would be filled. The bid submitted from F&S had the crawl space pushed in and buried. The BOCC opted to review the block and decide later what exactly to do from there.

Mr. Newbrough noted that the boilers at the fairgrounds will arrive this week and should be installed using county labor.

### **South Central WY Emergency Medical Service**

Stayton Mosby, Director of the South-Central WY Emergency Medical Service requested approval of two resolutions authorizing grant submissions to purchase new ambulances. Each member of the Joint Powers Board must authorize grant submissions prior to application. Each ambulance is approximately \$290,000.00 and is all-inclusive of the equipment needed for each.

Commissioner Jones moved to approve Resolutions No. 2022 - 38 A Resolution Authorizing Submission of an Emergency Rural Health Care Grant on behalf of South Central Wyoming Emergency Medical Services for the Purpose of Purchasing an Ambulance(s) and Resolution No. 2022 - 39 A Resolution Authoring Submission of a Federal Mineral Royalty Capital Construction Grant on behalf of South Central Wyoming Emergency Medical Services for the purpose of Purchasing an Ambulance(s). Commissioner Espy seconded and the motion passed unanimously.

### **RESOLUTION NO. 2022-38**

#### **A RESOLUTION AUTHORIZING SUBMISSION OF AN EMERGENCY RURAL HEALTH CARE GRANT ON BEHALF OF SOUTH CENTRAL WYOMING EMERGENCY MEDICAL SERVICES FOR THE PURPOSE OF PURCHASING AN AMBULANCE(S)**

**WHEREAS**, South Central Wyoming Emergency Medical Services Joint Powers Board (SCWEMS) desires to participate in the UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT EMERGENCY RURAL HEALTH CARE GRANT program to assist in financing this request; and

**WHEREAS**, South Central Wyoming Emergency Medical Services Joint Powers Board (SCWEMS) recognizes the need for the request; and

**WHEREAS**, the Emergency Rural Health Care Grant program requires that certain criteria be met, as described in the USDA Rural Development Application Guide governing the program, and to the best of our knowledge this application meets those criteria; 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 United States Department of Agriculture, Rural Development, Emergency Rural Health Care Grant, accepting grant monies offered, and all other necessary requirements to fulfill this grant process.

**NOW THEREFORE CARBON COUNTY, WYOMING RESOLVES**, to participate in the Emergency Rural Health Care Grant Program.

**PASSED, APPROVED AND ADOPTED THIS 6th DAY OF SEPTEMBER 2022.**

-s- John Johnson, Chairman

Attest:

-s- Gwynn Bartlett, Clerk

**RESOLUTION NO. 2022 -39**

**A RESOLUTION AUTHORIZING SUBMISSION OF A FEDERAL MINERAL ROYALTY CAPITAL CONSTRUCTION ACCOUNT GRANT ON BEHALF OF SOUTH CENTRAL WYOMING EMERGENCY MEDICAL SERVICES FOR THE PURPOSE OF PURCHASING AN AMBULANCE(S)**

**WHEREAS**, South Central Wyoming Emergency Medical Services Joint Powers Board (SCWEMS) desires to participate in the FEDERAL MINERAL ROYALTY CAPITAL CONSTRUCTION ACCOUNT GRANT program to assist in financing this request; and

**WHEREAS**, South Central Wyoming Emergency Medical Services Joint Powers Board (SCWEMS) recognizes the need for the request; and

**WHEREAS**, the Federal Mineral Royalty Capital Construction Account Grant program requires that certain criteria be met, as described in the State Loan and Investment Board's Rules and Regulations governing the program, and to the best of our knowledge this application meets those criteria; 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 State Land and Investment Board Federal Mineral Royalty Capital Construction Account Grant Program, accepting grant monies offered, and all other necessary requirements to fulfill this grant process.

**NOW THEREFORE CARBON COUNTY, WYOMING RESOLVES**, to participate in the State Land and Investments Board Federal Mineral Royalty Capital Construction Account Grant Program.

**PASSED, APPROVED AND ADOPTED THIS 6th DAY OF SEPTEMBER 2022.**

-s- John Johnson, Chairman

Attest:

-s- Gwynn Bartlett, Clerk

**Road and Bridge**

Kandis Fritz, Road and Bridge Coordinator requested approval to close out two congestion mitigation air quality (CMAQ) magnesium chloride projects.

Commissioner Espy moved to authorize the Chairman's signature on the Final Acceptance Certificates for Projects CM21101 and CM21101, Congestion Mitigation Air Quality Projects. Commissioner Barkhurst seconded and the motion passed unanimously.



Kandis requested the Chairman's signature on four cooperative agreements with the state of Wyoming Department of Transportation for bridge replacements. Surveying has begun and there is no cost to the county for all of these.

Commissioner Moore moved to authorize the Chairman's signature on Cooperative Agreements for Federal Project H1-BFP CN06070 Bridge over Third Sand Creek – Bridge Structure DMR – County Road 3 (Elk Mountain); Federal Project H1-BFP CN06069 Bridge over Muddy Creek – Bridge Structure DMW – County Road 702 (Baggs); Federal Project H1-BFP CN06071 Bridge over Four Mile Creek – Bridge Structure FPX – County Road 603 (Baggs); and Federal Project H1-BFP CN06072 Bridge over North Platte River – Bridge Structure DMK – County Road 660 (Encampment). Commissioner Espy seconded and the motion passed unanimously.

Ms. Fritz presented a chip seal proposal from McGarvin – Moberly Construction for County Road 700 using impact funding from the Gateway South check we received from Rocky Mountain Power project totaling \$132,872.03. The contractor is working on a state road in the area.

### **Clerk**

Gwynn Bartlett, County Clerk reported that absentee ballots for the General Election will be sent September 23. She recently attended the Corporations Committee meeting where various election bills were discussed including a bill that will be considered at their next meeting regarding the possibility of an election commission or other form of group that would oversee elections in Wyoming rather than the power being left solely with the Secretary of State (SOS). This is out of concern from some committee members of the next likely SOS and his views on elections in WY. She will follow all these bills and update the board accordingly.

Clerk Bartlett reported she had sent the board a letter from the Office of the State Public Defender requesting feedback on the proposed appointment of Robert Piper as a part-time Assistant Public Defender. The BOCC had no feedback.

Gwynn reported COBRA rates have been calculated for the October 1, 2022, through September 30, 2023, plan year. She asked the Board to adopt the new rates.

Commissioner Jones moved to authorize the Chairman's signature on the COBRA rate verifications as follows: for the October 1, 2022, through September 30, 2023, health plan year as follows: Plan A – Single \$1,414.00 and all other tiers \$3,499.00; Plan B – Single \$1,354.00 and all other tiers \$3,342.00. Commissioner Barkhurst seconded and the motion passed unanimously.

### **Memorial Hospital of Carbon County**

Ken Harmon, Chief Executive Officer for Memorial Hospital of Carbon County reported on the financials for the hospital for July and August 2022 as well as staffing and recruitment.

### **Attorney**

Carbon County Attorney Ashley Mayfield Davis presented an Agreement with APEX Communications LLC noting the Sheriff and IT still need to review it so she asked for conditional approval.

Commissioner Espy moved to authorize any commissioner's signature on the Agreement with APEX Communications LLC for radio maintenance services, for a 6-month term upon attorney, sheriff, and IT review. Commissioner Barkhurst seconded and the motion passed unanimously.

**PUBLIC HEARING – Z.C. Case No. 2022-11, Timothy and Kimala Kelbert**

Chairman Johnson opened a public hearing at 11:17 a.m. to hear Z.C. Case No. 2022-11, Timothy and Kimala Kelbert's request for a zone change from RAM to FPSR-20.66 located approximately 13.5 miles southwest of Encampment north of WY 70 off U.S.F.S. Road #862.1A on the north side. Sid Fox, contractor covering during Director Sarah Bruggar's absence was present and Kristy Rowan overviewed the case file.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 11:20 a.m.

Commissioner Barkhurst moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2022- 40 A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission concerning Z.C. Case No. 2022-11, Timothy and Kimala Kelbert's request for a zone change from RAM to FPSR-20.66 located approximately 13.5 miles southwest of Encampment north of WY 70 off U.S.F.S. Road #862.1A on the north side. Commissioner Espy seconded, and the motion passed unanimously.

**Resolution No. 2022-40**

**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 #2022-11**

**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, July 11, 2022, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, July 11, 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, July 11, 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, September 6, 2022; and

**WHEREAS**, at said public hearing on September 6, 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 #2022-11:** Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-20.66) on approximately 20.66 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:** Timothy and Kimala Kelbert (Applicants and Landowners)

**Parcel Identification Number:** 14861610004400

**General Site Location:** Approximately 13.5 miles southwest of Encampment north of WY 70 off U.S.F.S. Road #862.1A on the north side.

**Legal Description (taken from Warranty Deed, Book 1380, Page 197):** The Echo load mining claim, being a part of that mineral surveyor designated by the Surveyor General as Lot No. 384, embracing a portion of Sections 9 and 16, Township 14 North, Range 86 West, 6<sup>th</sup> P.M., Carbon County, Wyoming and more particularly described in Patent recorded April 28, 1942, in Book 227, Page 403, 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 Forestry Production and Seasonal Recreation (FPSR-20.66) encompassing approximately 20.66 acres.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 6<sup>th</sup> of September 2022.

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

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

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

Board of County Commissioners

**PUBLIC HEARING - Z.C. Case 2022-12 – Thomas Garbutt-Benson**

Chairman Johnson opened a public hearing at 11:21 a.m. to hear Z.C. Case No. 2022-12, Thomas Allan Garbutt-Benson’s request for a zone change from RAM to FPSR-0.16 approximately 13 miles southwest of Encampment off WY Highway 70 on the north side. Mr. Fox overviewed the case file. He made special note of the fact that the zone change does not include the public right of way. Chairman Johnson asked why the Old Battle Townsite road does not provide public access. Commissioner Espy noted there were issues years ago and suggested the county let the landowners proceed as desired.

Chairman Johnson called for comments for or against the case. There being no public comments, Chairman Johnson closed the hearing at 11:29 a.m.

Commissioner Barkhurst moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2022- 41 A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission concerning Z.C. Case No. 2022-12, Thomas Allan Garbutt-Benson’s request for a zone change from RAM to FPSR-0.16 approximately 13 miles southwest of Encampment off WY Highway 70 on the north side noting the waiver of the minimum lot size and that the zone change does not include the public right of way. Commissioner Moore seconded, and the motion passed unanimously.

**Resolution No. 2022-41**

**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 #2022-12**

**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, August 1, 2022, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, August 1, 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, August 1, 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, September 6, 2022; and

**WHEREAS**, at said public hearing on September 6, 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 #2022-12:** Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-0.16) on approximately 0.16 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:** Thomas Allan Garbutt-Benson (Applicant) and Robert Benson (Landowner)

**Parcel Identification Number:** 14852921103400

**General Site Location:** Approximately 13 miles west of Encampment off WY HWY 70 on the north side.

**Legal Description (taken from Book 1313, Page 303):** All that portion of Section 29, Township 14 North, Range 85 West of the 6<sup>th</sup> P.M., Carbon County, Wyoming, said tract of land lying within the boundaries of the Townsite of "Battle Lake" in the So Different Lode, a plat of which is recorded in the offices of the County Clerk of Carbon County in Book 51 at Page 257, being more particularly described as follows, to-wit: Beginning at a point on the centerline of Second Street in the Townsite of Battle Lake, said point being 199 feet North along said centerline from the South boundary line of said townsite; thence South along said centerline a distance of 132 feet more or less to a point on the North boundary of Wyoming State Secondary Highway No. 0401; thence Southwesterly along said highway boundary a distance of 120 feet more or less to a point; thence North a distance of 180 feet more or less to a point on the South line of Block 7 in said townsite; thence East along said South line of said Block 7, and a projection thereof a distance of 110 feet to the original 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 Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-0.16) encompassing approximately 0.16 acres.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 6<sup>th</sup> of September 2022.

**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 - C.U. Case 2022-03 – Union Telephone Company – Rawlins North  
Water Tank Communication Site Project**

Chairman Johnson opened a public hearing at 11:30 a.m. to hear C.U. Case 2022-03 – Union Telephone Company – Rawlins North Water Tank Communication Site Project, a Conditional Use Permit in the RAM zone requesting the existing 45-foot tower with associated equipment for the Rawlins North Water Tank Communications Site, located outside of City limits next to the Rawlins Water Tank on the west side of US HWY 287. Ms. Rowan overviewed the case file. She noted on March 18 the county denied the original request.

Chairman Johnson asked the significant differences between the denied application and this one. Originally Ms. Rowan stated there was an 80’ tower with a potential 20’ extension where this is for an existing structure.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 11:41 a.m.

Commissioner Barkhurst moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2022- 42 A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission concerning C.U. Case 2022-03 – Union Telephone Company – Rawlins North Water Tank Communication Site Project, a Conditional Use Permit in the RAM zone requesting the existing 45-foot tower with associated equipment for the Rawlins North Water Tank Communications Site, located outside of City limits next to the Rawlins Water Tank on the west side of US HWY 287. Commissioner Espy seconded, and the motion passed unanimously.

**Resolution No. 2022–42**

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

**C.U. Case File #2022-03– “Rawlins North Water Tank Communications Site”**

**WHEREAS**, pursuant to the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission advertised to hold a public hearing on Monday, July 11, 2022, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, July 11, 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 the Monday, July 11, 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 pursuant to the Carbon County Zoning Resolution of 2015, as amended for Carbon County, Wyoming; and

**WHEREAS**, the Carbon County Board of County Commissioners, pursuant to the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. §18-5-202(c) and after receipt of said certified recommendation; advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on Tuesday, September 6, 2022; and

**WHEREAS**, at said public hearing on September 6, 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 application; and

**WHEREAS**, the Carbon County Board of County Commissioners in considering said application have also reviewed and considered the Carbon County Comprehensive Land Use Plan, as amended; and the Carbon County Zoning Resolution of 2015, as amended, specifically, Section 7.7, Conditional Use Permits; and

**WHEREAS**, the Carbon County Board of County Commissioners have determined that the proposed permit is in general conformance with the Carbon County Comprehensive Land Use Plan, as amended, and the Carbon County Zoning Resolution of 2015, as amended, and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

**WHEREAS**, at a regularly scheduled meeting of the Carbon County Board of County Commissioners, by majority vote, the Carbon County Board of County Commissioners moved to approve the following Conditional Use Permit Application:

**C.U. Case File #2022-03:** Request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to permit the existing 45-foot tower with associated equipment.

**Project/Site Name:** Rawlins North Water Tank Communications Site

**Applicant:** Union Telephone Company

**Landowner:** City of Rawlins

**Parcel Identification Number:** 21870810000500

**Rural Address:** 194 US HWY 287-Rawlins

**General Site Location:** Rawlins North Water Tank Communications Site is located outside of City limits next to the Rawlins Water Tank on the west side of US HWY 287.

**Legal Description:** A 100-foot x 100-foot parcel of land located in the NE1/4 NE1/4, Section 8, T21N, R87W, 6<sup>th</sup> P.M., Carbon County, Wyoming.

**TERMS AND CONDITIONS OF APPROVAL:**

1. An area with a radius equal to at least 110% of the tower height must be maintained by the landowner and the permit holder as a Clear Zone. Habitable structures unrelated to the operation of the tower shall not be located within the clear zone.
2. The Applicant or owner must post a sign at the entrance that includes the facility name and the name and phone number of the responsible person in event of an emergency.

3. Any modifications to the structure that increase its surface footprint or is over the permitted tower height will require a new Conditional Use Permit.
4. Building Permit(s) are required prior to the start of construction.
5. The Applicant shall provide a copy of the FCC Phase II Compliance to the Carbon County Planning & Zoning Department along with any application for new communication towers and modifications to existing communication towers.

FCC Website Address: <https://www.fcc.gov/general/enhanced-9-1-1-wireless-services>.

6. The Applicant or owner must notify the Carbon County Planning & Development Department in writing of any material changes to the project subsequent to the County issuance of the Conditional Use Permit.

7. Upon approval by the Board, the following provisions from the Zoning Resolution will be incorporated into the final Resolution:

- a. Section 7.7-H--Expiration of Conditional Use Permits.

Any use for which a conditional use permit is granted must be commenced within two (2) years from the date of approval. If the Project is not commenced within two (2) years from the date of approval then the conditional use permit shall expire and become null and void and be of no further effect, except as extended in compliance within this section.

If any such use cannot be commenced until construction of structures, buildings and other physical assets associated with the use are completed, then construction of such structures, buildings and other physical assets must be commenced, absent any valid extension, not later than two (2) years from the date of approval of the conditional use permit and completed within a reasonable amount of time in accordance with the timeframe normally required for such construction. If such construction is not commenced and completed as required, then the conditional use permit shall become null and void and be of no further effect and any uses approved in accordance with the permit shall not be permitted without further action on the part of Carbon County.

- b. Section 7.7-I--Extension of Conditional Use Permits.

If the project has not been commenced as required, the Applicant(s) may request from the Board an extension of the permit for a period of up to twenty-four (24) months upon a showing of good cause. The Applicant(s) shall apply to the County, through the Department, in writing for the extension no later than ninety (90) days prior to the expiration of the permit or any previously granted extension. At the time of the application for the extension, the Applicant(s) shall provide such information as is necessary for the County to determine whether good cause exists for the extension. Good cause may include, but is not limited to, good faith efforts to obtain required authorization from other agencies with jurisdiction, delay in construction due to weather conditions, pending litigation, or other causes which have delayed the project and which are beyond the reasonable control of the Applicant(s). The Applicant(s) may request not more than two (2) separate extensions from the Board, with such total extension period not to exceed forty-eight (48) months. The Board shall promptly consider the application for the extension and either allow it or deny it.

1. Requests for subsequent extensions of the permit shall first be presented to the Commission no later than ninety (90) days prior to the expiration of the permit or any previously granted extension. The Commission shall recommend to the Board



either approval or denial of the extension of the permit. The recommendation of the Commission shall be considered by the Board at their next regular meeting.

2. No permit shall expire during the time the decision on the extension is being considered.
- c. Section 7.7-J--Transfer of Conditional Use Permits.  
No conditional use permit shall be transferred without the prior approval of the Board in accordance with the following:
  1. The Board may authorize transfers of permits to a different person if:
    - a. The permit transfer request is initiated by a written request from the current permit holder and accompanied by a written acceptance of the permit, its terms and conditions by the prospective transferee.
    - b. The permit transfer request is heard by the Board at a public meeting after notice is published.
    - c. The permit transfer administrative fee has been paid.
    - d. Board approval shall not be unreasonably withheld upon good cause shown.
- d. Section 7.7-K--Amendments to Conditional Use Permits.

A Conditional Use Permit may be amended pursuant to the procedures and standards as required for a new Conditional Use Permit application.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:**

That the Carbon County Board of County Commissioners hereby approves this Conditional Use Permit (CUP) as certified to them in writing by the Carbon County Planning and Zoning Commission as represented in the Conditional Use Permit (C.U. Case #2022-03 – “Rawlins North Water Tank Communications Site”).

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 6<sup>th</sup> day of September 2022.

**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 - C.U. Case #2022-04 – Amazon Kuiper Infrastructure LLC – CPR 501 Rawlins Communication Site**

Commissioner Espy noted as owner of Blake Sheep Company, he recused himself from the entire discussion and decision on the matter.

Chairman Johnson opened a public hearing at 11:42 a.m. to hear C.U. Case #2022-04 – Amazon Kuiper Infrastructure LLC – CPR 501 Rawlins Communication Site, a request to permit, construct, operate and maintain a telecommunications facility on approximately 0.27 acres located approximately 5.5 miles west of Rawlins; approximately 1 mile south of I-80 off Hadsell Road. Ms. Rowan overviewed the case file.

Chairman Johnson called for comments for or against the case. Paul Whitley appeared on behalf of the applicant to answer any questions. Commissioner Barkhurst asked if this is a line-of-sight service and Mr. Whitley replied dish antennas are line of sight however in this case they are satellite connected. The purpose of the facility is to communicate with satellites noting this is one of a national project. Once facilities are all in place satellites will be launched.

There being no further comments, Chairman Johnson closed the hearing at 11:51 a.m.

Commissioner Barkhurst moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2022- 43 A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission concerning C.U. Case #2022-04 – Amazon Kuiper Infrastructure LLC – CPR 501 Rawlins Communication Site, a request to permit, construct, operate and maintain a telecommunications facility on approximately 0.27 acres located approximately 5.5 miles west of Rawlins; approximately 1 mile south of I-80 off Hadsell Road. Commissioner Moore seconded and the motion passed with all voting for the motion except Commissioner Espy who abstained due to conflict.

### **Resolution No. 2022–43**

#### **A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission.**

##### **C.U. Case File #2022-04– “CPR 501 Rawlins Communications Site”**

**WHEREAS**, pursuant to the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission advertised to hold a public hearing on Monday, July 11, 2022, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, July 11, 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 the Monday, July 11, 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 pursuant to the Carbon County Zoning Resolution of 2015, as amended for Carbon County, Wyoming; and

**WHEREAS**, the Carbon County Board of County Commissioners, pursuant to the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. §18-5-202(c) and after receipt of said certified recommendation; advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on Tuesday, September 6, 2022; and

**WHEREAS**, at said public hearing on September 6, 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 application; and

**WHEREAS**, the Carbon County Board of County Commissioners in considering said application have also reviewed and considered the Carbon County Comprehensive Land Use Plan, as amended; and the Carbon County Zoning Resolution of 2015, as amended, specifically, Section 7.7, Conditional Use Permits; and

**WHEREAS**, the Carbon County Board of County Commissioners have determined that the proposed permit is in general conformance with the Carbon County Comprehensive Land Use Plan, as amended, and the Carbon County Zoning Resolution of 2015, as amended, and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

**WHEREAS**, at a regularly scheduled meeting of the Carbon County Board of County Commissioners, by majority vote, the Carbon County Board of County Commissioners moved to approve the following Conditional Use Permit Application:

**C.U. Case File #2022-04:** Request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to permit the construction, operation, and maintenance a telecommunications facility on approximately 0.27 acres.

**Project/Site Name:** CPR 501 Rawlins Communications Site

**Applicant:** Amazon Kuiper Infrastructure, LLC

**Landowner:** Blake Sheep Company

**Parcel Identification Number:** 21881910004600-Parent Parcel

**General Site Location:** CPR 501 Rawlins Communications Site is located approximately 5.5 miles west of Rawlins; approximately 1 mile south of I-80 off Hadsell Road.

**Legal Description:** A tract of land in the east ½ of section 19, Township 21 North, Range 88 West, 6<sup>th</sup> p.m., Carbon County, Wyoming, more completely described as follows: beginning at a point on the east line of said section 19, monumented with 5/8" rebar and al. Cap, which bears s0°14'33" ne, 120.00 ft. From the east ¼ corner of said section 19; thence, s0°14'33" ne, 323.63 ft. Along the east line of said section 19 to a point on the northerly right-of-way line of Union Pacific railroad right-of-way monumented with a 5/8" rebar and al, cap; thence n66°45'33" w, 834.28 ft. Along the northerly right-of-way line of said Union Pacific right-of-way to a point monumented with a 5/8" rebar and al. Cap; thence n36°53'18" e 305.45 ft. To a point monumented with a 5/8" rebar and al. Cap; thence n66°45'33" e, 633.25 ft. Parallel with the northerly right-of-way line of said Union Pacific right-of-way to the point of beginning.

**TERMS AND CONDITIONS OF APPROVAL:**

1. The Applicant or owner must post a sign at the entrance that includes the facility name and the name and phone number of the responsible person in event of an emergency.
2. Any modifications to the structure that increase its surface footprint or is over the permitted height will require a new Conditional Use Permit.
3. Building Permit(s) are required prior to the start of construction.
4. The Applicant or owner must notify the Carbon County Planning & Development Department in writing of any material changes to the project subsequent to the County issuance of the Conditional Use Permit.
5. Upon approval by the Board, the following provisions from the Zoning Resolution will be incorporated into the final Resolution:
  - e. Section 7.7-H--Expiration of Conditional Use Permits.  
Any use for which a conditional use permit is granted must be commenced within two (2) years from the date of approval. If the Project is not commenced within two (2) years from the date of approval then the conditional use permit shall expire and become

null and void and be of no further effect, except as extended in compliance within this section.

If any such use cannot be commenced until construction of structures, buildings and other physical assets associated with the use are completed, then construction of such structures, buildings and other physical assets must be commenced, absent any valid extension, not later than two (2) years from the date of approval of the conditional use permit and completed within a reasonable amount of time in accordance with the timeframe normally required for such construction. If such construction is not commenced and completed as required, then the conditional use permit shall become null and void and be of no further effect and any uses approved in accordance with the permit shall not be permitted without further action on the part of Carbon County.

f. Section 7.7-I--Extension of Conditional Use Permits.

If the project has not been commenced as required, the Applicant(s) may request from the Board an extension of the permit for a period of up to twenty-four (24) months upon a showing of good cause. The Applicant(s) shall apply to the County, through the Department, in writing for the extension no later than ninety (90) days prior to the expiration of the permit or any previously granted extension. At the time of the application for the extension, the Applicant(s) shall provide such information as is necessary for the County to determine whether good cause exists for the extension. Good cause may include, but is not limited to, good faith efforts to obtain required authorization from other agencies with jurisdiction, delay in construction due to weather conditions, pending litigation, or other causes which have delayed the project and which are beyond the reasonable control of the Applicant(s). The Applicant(s) may request not more than two (2) separate extensions from the Board, with such total extension period not to exceed forty-eight (48) months. The Board shall promptly consider the application for the extension and either allow it or deny it.

3. Requests for subsequent extensions of the permit shall first be presented to the Commission no later than ninety (90) days prior to the expiration of the permit or any previously granted extension. The Commission shall recommend to the Board either approval or denial of the extension of the permit. The recommendation of the Commission shall be considered by the Board at their next regular meeting.

4. No permit shall expire during the time the decision on the extension is being considered.

g. Section 7.7-J--Transfer of Conditional Use Permits.

No conditional use permit shall be transferred without the prior approval of the Board in accordance with the following:

2. The Board may authorize transfers of permits to a different person if:

e. The permit transfer request is initiated by a written request from the current permit holder and accompanied by a written acceptance of the permit, its terms and conditions by the prospective transferee.

f. The permit transfer request is heard by the Board at a public meeting after notice is published.

g. The permit transfer administrative fee has been paid.

h. Board approval shall not be unreasonably withheld upon good cause shown.

h. Section 7.7-K--Amendments to Conditional Use Permits.

A Conditional Use Permit may be amended pursuant to the procedures and standards as required for a new Conditional Use Permit application.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:**

That the Carbon County Board of County Commissioners hereby approves this Conditional Use Permit (CUP) as certified to them in writing by the Carbon County Planning and Zoning Commission as represented in the Conditional Use Permit (C.U. Case #2022-04 – “CPR 501 Rawlins Communications Site”).

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 6<sup>th</sup> day of September 2022.

**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

**Commissioners**

Commissioner Jones reported the county needs to contract with DBT Transportation for three years for maintenance of the Dixon Airport AWOS system.

Commissioner Jones moved to approve the Aviation Support and Maintenance Service Agreement with DBT Transportation Services for the Dixon Airport in the amount of up to \$20,829.00 noting the Clerk has applied for a grant to cover \$5,769.00 of this. Commissioner Barkhurst seconded and the motion passed unanimously.

**CITIZEN & COMMISSIONERS DISCUSSION**

Commissioner Moore reported that the proposed fire district website is now live along with a live Facebook page, both with information for the public to consider prior to voting on the proposal at the November General Election. Candidate filing closed with 10 individuals filing for the 5 open positions and public informational meetings will be held throughout the county soon. He and John Rutherford are also both conducting various public interviews with media and others.

Commissioner Espy reported at the upcoming NACO meeting wildfire mitigation will be discussed. Next week he will attend the Payment in lieu of Taxes (PILT) Fly-In in Washington DC to ensure both PILT and Secure Rural Schools are both fully funded.

**ADJOURNMENT**

Commissioner Espy moved to adjourn the meeting at 12:00 p.m. Commissioner Moore seconded and the motion passed unanimously.

A regular meeting of this Board will be held Tuesday, October 4, 2022, at 9:00 a.m., at the Carbon Building Courthouse Annex, located in 215 West Buffalo, Suite 240C, 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.