

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, April 5, 2016
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, April 5, 2016 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were; Chairman John Espy; Vice Chairman John Johnson; Commissioners Lindy Glode, Leo Chapman and Sue Jones.

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

ADDITIONS / CORRECTIONS

There were no additions or corrections to the agenda.

VOUCHERS

Commissioner Chapman moved to approve the report of expenditures in the amount of \$294,399.07. Commissioner Glode seconded and the motion carried unanimously.

Commissioner Chapman moved to approve bills to Rawlins Automotive for \$1,030.18, Shively Hardware for \$321.44 and True Value of Rawlins for \$481.91 for an aggregate total of bills paid today of \$296,232.60. Commissioner Jones seconded and the motion carried with all voting for the motion except Commissioner Glode who abstained due to personal conflicts.

Vendor	Detail Line Description	Total
ALCOPRO	BREATHALYZER MOUTHPIECES	\$262.00
ALSCO, AMERICAN LINEN DIVISION	SHOP TOWELS/SOAP	\$72.68
ANTON COLLINS MITCHELL LLP	FINAL BILLING FOR AUDIT	\$1,000.00
ASPEN FAMILY DENTAL	DENTAL SERVICES	\$336.00
BAGGS, TOWN OF	WATER/SEWER/RENT	\$170.80
BANK OF COMMERCE (ACH)	DEPOSIT TICKETS	\$55.34
BARGREEN ELLINGSON	DETERGENT	\$59.39
BEACH, HOMER	FEBRUARY SNOW REMOVAL	\$420.00
BI INC.	ELECTRONIC MONITORING	\$1,456.00
BLAKEMAN PROPANE	HEATING FUEL	\$514.83
BOB BARKER COMPANY, INC.	ID WRISTBANDS	\$552.42
BUILD RITE LUMBER SUPPLY	ASSORTED MAINTENANCE SUPPLIES	\$76.16
CARBON COUNTY BAR ASSOCIATION	2016 DUES	\$240.00
CARBON COUNTY COUNSELING CENTER	COUNSELING SERVICES	\$150.00
CARBON COUNTY HIGHER EDUCATION CENTER	CPR/FIRST AID TRAINING	\$550.00
CARBON COUNTY SENIOR SERVICES	2015/2016 4TH QUARTER MATCHING	\$65,000.00
CARBON COUNTY TREASURER	ASSORTED CASH ITEMS	\$1,757.56

CARBON COUNTY VETERINARY HOSPITAL	DOG FOOD FOR K-9	\$52.00
CARBON POWER & LIGHT INC	ELECTRIC SERVICE	\$1,485.41
CATHEDRAL HOME FOR CHILDREN	FEB 2016 FUNDING	\$500.00
CBM FOOD SERVICE	JAIL FOOD	\$12,146.32
CEDARS HEALTH	MEDICAL SERVICES	\$85.00
CENTURY LINK	PHONE SERVICE	\$81.74
CHARTER COMMUNICATIONS	JAIL CABLE	\$120.08
CLASS OF 2016	GRADUATION PARTY	\$500.00
CLASS OF 2020	PROMOTION DANCE	\$500.00
COWBOY SUPPLY HOUSE	VACUUM BAGS	\$26.41
CUSTOM CREATIONS	SHERIFF HATS	\$352.00
DAILY TIMES	JAIL NEWSPAPERS/ADVERTISING	\$386.80
DIXON, TOWN OF	WATER/SEWER	\$276.00
ELK MOUNTAIN CONOCO	FUEL	\$265.79
ELK MOUNTAIN, TOWN OF	QUARTER 3 RENT	\$1,500.00
ENGSTROM, JAMES D. DDS	DENTAL SERVICES	\$2,500.00
GLOBAL EQUIPMENT COMPANY	VACUUM BAGS	\$489.35
GRAHAM, LEROY	FEB 2016 PAYROLL	\$317.97
GRAINGER	VACUUM REPAIR KIT/BATTERIES	\$176.45
GREINER MOTOR COMPANY	2016 FORD	\$72,566.00
HAGOOD, VICKI	MILEAGE	\$22.50
HANNA, TOWN OF	WATER/SEWER	\$23.77
HIGH PLAINS POWER	ELECTRIC SERVICE	\$293.58
HIGH PLAINS VISION CENTER	VISION SERVICES	\$585.00
HILLTOP CONOCO	FUEL	\$19.61
J H KASPAR OIL COMPANY	FUEL/MOTOR OIL	\$1,103.90
JACKALOPE PRINTING	ENVELOPES	\$420.00
JOHN E. REID AND ASSOCIATES INC.	INTERVIEW/INTERROGATION SEMINAR	\$1,100.00
KALUZNY, EMILY	MILEAGE	\$150.00
KENCO SECURITY AND TECHNOLOGY	MONITORING SERVICES	\$36.00
KILBURN TIRE COMPANY	VARIOUS VEHICLE MAINTENANCE	\$2,646.17
KING SOOPERS CUSTOMER CHARGES	PHARMACY	\$131.27
KIRSCH, ARCHIE P	MEDICAL SERVICES	\$1,300.00
KONE ELEVATORS ESCALATORS	BUILDING MAINTENANCE	\$1,290.16
MEDICINE BOW, TOWN OF	WATER/SEWER	\$89.00
MEMORIAL HOSPITAL OF CARBON COUNTY	MEDICAL SERVICES/SUPPLIES	\$28,186.42
MILLIKEN, ASHLEY	MILEAGE	\$14.50
MOORE MEDICAL CORP.	ASSORTED JAIL HEALTH SUPPLIES	\$3,107.55
MOTOROLA	RADIO ACCESSORIES/RADOS	\$7,989.40
MPM CORP / EVERGREEN DISPOSAL	TRASH SERVICE	\$100.00
MURANE & BOSTWICK, LLC.	PROFESSIONAL SERVICES	\$432.00
MY OFFICE ETC.	ASSORTED OFFICE SUPPLIES	\$529.94
NATIONAL SHERIFF'S ASSN	TRAINING PROGRAM/DUES	\$251.57
NORCO, INC.	CYLINDER RENTAL	\$56.29

NORTH PARK PROPANE, LLC	PROPANE	\$185.95
OFFICE DEPOT	ASSORTED OFFICE SUPPLIES	\$132.46
O'REILLY AUTO PARTS	HEADLIGHT BULB	\$61.74
PATTON, SALLY	MILEAGE	\$45.00
PERKINS OIL CO	FUEL	\$590.70
PHILLIPS 66-COCONOCO-76	FUEL	\$94.51
PITNEY BOWES	LEASING CHARGES	\$1,478.19
POWER EQUIPMENT COMPANY	BOLTS MINUS SALES TAX	\$189.28
PRAIRIE DOG ELECTRIC, LLC	LIGHT REPLACEMENT	\$59.76
QUESTAR GAS	PROPANE	\$204.92
QUILL CORPORATION	ASSORTED OFFICE SUPPLIES	\$883.87
RAPID FIRE PROTECTION, INC	SPRINKLER INSPECTION	\$300.00
	ASSORTED VEHICLE MAINTENANCE	
RAWLINS AUTOMOTIVE	PARTS	\$1,030.18
RAWLINS EASTSIDE CARWASH	PATROL VEHICLE WASHES	\$53.10
RAWLINS FIRE EXTINGUISHER	INSPECTION	\$268.00
	WATER/SEWER/FAÇADE MATCH/DAILY	
RAWLINS, CITY OF	USE FEES	\$8,737.00
REDWOOD TOXICOLOGY LABORATORY, INC	TESTING KITS	\$150.72
RIETVELD, TONI	KEY COPIES	\$9.29
ROBIDOUX ENTERPRISES	OIL CHANGE	\$55.44
ROCKY MOUNTAIN POWER	ELECTRIC SERVICE	\$5,601.93
	ASSORTED VEHICLE MAINTENANCE	
ROSS' AUTOMOTIVE SERVICES	PARTS	\$734.76
RYAN ELECTRONICS INC	LIGHTBARS/INSTALLATION/SIRENS	\$5,906.86
SAPP BROS TRUCK STOPS, INC.	TIRE REPAIRS	\$378.00
	ASSORTED VEHICLE MAINTENANCE	
SARATOGA AUTO PARTS, INC.	PARTS	\$283.80
SARATOGA, TOWN OF	WATER/SEWER	\$20.00
SHEPARD'S	FUEL	\$311.91
SHERIFF'S DEPARTMENT, LOS ANGELES COUNTY	SERVICES	\$40.00
SHIVELY HARDWARE	ASSORTED MAINTENANCE SUPPLIES	\$321.44
SKYLINE MOTORS, INC.	VEHICLE MAINTENANCE/TIRES	\$1,784.68
SNAP-ON TOOLS	PRY BAR SET	\$309.00
SOURCE GAS	HEATING FUEL	\$9,290.42
	OIL CHANGE/WIPER	
SQUIRREL TREE AUTOMOTIVE LLC.	BLADES/INSTALLATION	\$166.61
STAPLES ADVANTAGE	ASSORTED OFFICE SUPPLIES	\$274.37
STODDARD, CURTIS T.	DENTAL SERVICES	\$240.00
SWEETWATER COUNTY SHERIFF'S OFFICE	MARCH 2016 MEDICAL COST	\$1,613.91
TANDAN SANITATION SERVICES	TRASH SERVICE	\$80.00
TERMINIX	EXTERMINATION SERVICE	\$199.00
THOMSON REUTERS-WEST PAYMENT CENTER	SUBSCRIPTION SERVICES	\$1,514.64
	BALANCE ON 2016 VALUATION	
THOS. Y. PICKETT & CO., INC.	CONTRACT	\$11,815.00

TREVATHAN, SABRINA RMR	TRANSCRIPTION SERVICES	\$768.30
TRIPLE X CONTRACTING, INC.	TRASH SERVICE	\$400.00
TRUE VALUE OF RAWLINS	ASSORTED MAINTENANCE SUPPLIES	\$481.91
UINTA COUNTY SHERIFF'S OFFICE	SUBPOENA CR-2014-0063	\$100.00
UNION TELEPHONE COMPANY	PHONE SERVICES	\$216.96
V-1 PROPANE	PROPANE	\$1,423.27
VAN'S WHOLESALE LLC	ASSORTED BUILDING SUPPLIES	\$870.09
WALKER, JEANETTE R.	MILEAGE	\$7.75
WARRIOR SERVICES, LLC	PEST CONTROL SERVICES	\$60.00
WEX BANK	FUEL	\$356.32
WHITE, ALAN	MILEAGE/MEAL	\$503.09
WILSON, MARGARET	SEWING SERVICES	\$16.00
WIMPENNY, ROBERT G DDS	DENTAL SERVICES	\$247.00
WY BEHAVIORAL INSTITUTE	MENTAL HEALTH SERVICES	\$2,740.00
WY BRAND INDUSTRIES	MAILING LABELS	\$168.00
WY COUNTY TREASURER'S ASSOCIATION	DUES/TRAINING/REGISTRATION FEE	\$300.00
WY DEPT OF FAMILY SERVICES	SCREENING FEE	\$10.00
WY DEPT OF HEALTH	2009 CHEVY MALIBU	\$127.00
WY DEPT OF TRANSPORTATION	MEDICINE BOW RIVER BRIDGE	\$2,924.15
WY DIESEL SERVICE	FIRE TRUCK REPAIR/FILTERS	\$651.21
WY LAW ENFORCEMENT ACADEMY	BASIC TRAINING AMMO/TRAINING	\$1,540.80
WY MACHINERY COMPANY	VEHICLE REPAIRS	\$3,915.56
WY RENTS, LLC	SCISSOR LIFT RENTAL	\$387.50
WY SECRETARY OF STATE	ROBINSON NOTARY	\$30.00
WY STATE FORESTRY	SHIPPING CHARGES	\$9.66
WYOMING DEPARTMENT OF WORKFORCE SERVICES	MARCH WORK COMP	\$35.70
WYOMING MEDICAL CENTER	MEDICAL SERVICES	\$4,377.86
YAMPA VALLEY ELECTRIC	ELECTRIC SERVICE	\$799.75
YOCUM, LEO	MILEAGE	\$24.00
ZIRMED, INC	PROFESSIONAL CLAIMS	\$15.15
ZOCO UNLIMITED, INC.	SEPTIC MAINTENANCE SERVICE	\$430.00
Grand Total		\$296,232.60

CONSENT AGENDA

Commissioner Johnson moved to approve the consent agenda. Commissioner Jones seconded and Clerk Bartlett noted the consent agenda includes the March 15, 2016 regular meeting minutes; County Clerk receipts for \$24,033.25, Planning and Development Department receipts for \$750.00; Road & Bridge receipts for \$50.00. The motion carried unanimously.

ELECTED OFFICIALS / DEPARTMENT HEADS

Fire

John Rutherford, County Fire Warden reported the following bids were received and publically opened for the truck to be purchased with 50% State Lands & Investment Board grant funds. The county will match the other 50% with special project funds and the truck will be located at McFadden. Ferrara bid \$123,296 for a Ford F550; Greiner in Casper bid \$113,375 for a Ford F550; Greiner in Douglas bid \$117,088 for a 2017 Ram 5500; Apparatus Equipment & Service Inc bid \$138,832 for a 2016 Dodge 5500; Danko Emergency Equipment Co bid \$119,440 for a 2016 Dodge 5500; Fremont Motors Lander bid \$109,706 for a 2016 Dodge 5500; CET bid \$101,035 for a 2016 Ford F550 which included freight, less freight it's \$98,735.00; and Front Range Fire Apparatus bid \$152,250 for a Dodge 5500.

Commissioner Glode moved to accept the low bid from CET Fire Apparatus totaling \$98,735.00 for a 2016 Ford F550 paid for with SLIB grant funds and matched by county funds. Commissioner Johnson seconded and Commissioner Johnson asked what the low bid in the United States was and it was Fremont Motors Lander at \$109,706.00. Commissioner Glode offered to rescind her motion noting she would like to purchase in the United States. After further discussion Mr. Rutherford noted the vehicle was purchased in United States and will be retrofitted in Canada. The motion carried with all voting for the motion except Commissioner Johnson who voted against the motion.

Public Health

Public Health Nurse Amanda Brown provided an update on services her office has provide.

Planning & Development

County Planning Director Sid Fox reminded the board the deadline for comments on the Chokecherry and Sierra Madre project environmental assessment is coming up and offered to write comments for the BOCC.

Attorney

Ashley Mayfield Davis, Deputy County Attorney discussed a proposed resolution to rescind a zoning memorandum of understanding with the City of Rawlins regarding subdivision, code enforcement and building permits within one half mile around the city. She hopes to present this at the next meeting after review by the City of Rawlins' attorney.

Ms. Davis discussed the South Central Wyoming EMS Hanna and Encampment leases.

Commissioner Chapman moved to approve a Lease Agreement with South Central Wyoming Emergency Medical Service for space at the Road & Bridge Shop in Encampment for \$10.00 per year, one year term renewing automatically noting that \$7,200.00 of the county's annual SWEMS contribution is in exchange for the \$10.00 lease. Commissioner Johnson seconded and the motion carried unanimously. Commissioner Chapman moved to amend his motion to include a lease for the county's fire station at Hanna with the same terms as the Encampment lease. Commissioner Johnson seconded and the motion to amend carried unanimously. The amended motion carried unanimously.

Ms. Davis presented a letter to appoint the Planning & Development Office Manager as secretary to the Planning and Zoning Commission.

Commissioner Johnson moved to authorize the Chairman's signature on a letter appointing the Planning & Development Office Manager as secretary to the Planning and Zoning Commission. Commissioner Jones seconded and the motion carried unanimously.

Ms. Davis reported the contract for the hospital's heating and air conditioning renovations should be completed soon for the Chairman's signature. She noted there would be an additional agreement from the architect to act as the prime consultant and the county may need to sign off on this agreement even though the total cost would be the responsibility of the hospital.

Treasurer

County Treasurer Cindy Baldwin reported on receipt of the county's forest reserve funds. The special projects account is approximately \$311,000 after paying for the fire truck approved earlier today. She reported on other account balances as well. Treasurer Baldwin is still waiting to hear on several bankruptcies filed by major tax payers to determine if and when the county will be paid. She also reported the tax relief program was continued by the legislature and over 250 individuals used this program in Carbon County last year.

Road & Bridge

Road & Bridge Superintendent Bill Nation provided an update on services his office has provided including budgetary savings on building replacement parts rather than purchasing them.

Clerk

Gwynn Bartlett, County Clerk presented a three month no cost time extension with the contract with Voorhis for the county's space needs study.

Commissioner Jones moved to approve a three month no cost extension with the contract with Voorhis. Commissioner Chapman seconded and the motion carried unanimously.

Nation Crime Victim's Rights Week

Loretta Hansen Victim/Witness Coordinator for Carbon County presented a proclamation declaring April 10-16 National Crime Victim's Rights Week.

Commissioner Glode moved to proclaim April 10-16 Nation Crime Victim's Rights Week. Commissioner Chapman seconded and the motion carried unanimously.

PROCLAMATION

National Crime Victim's Rights Week

April 10 – 16, 2016

Whereas, we acknowledge that Americans are victims of more than 20 million crimes each year and crime can touch the lives of anyone;

Whereas, we acknowledge that many victims face challenges in finding appropriate services;

Whereas, we acknowledge that the entire community has a role to play;

Whereas, serving crime victims and rebuilding their trust restores hope to victims and survivors, as well as the community;

Whereas, the Carbon County Sheriff's Office Victim/Witness Program is dedicated to "Serving Victims; Building Trust; Restoring Hope;" for justice and healing;

And THEREFORE, BE IT RESOLVED, the Board of Carbon County Commissioners does recognize the week of April 10 through April 16, 2016 as

National Crime Victims' Rights Week

And reaffirm the Board of Carbon County Commissioners' commitment to creating a victim service and criminal justice response that assists victims of all crime during National Crime Victims' Rights Week and throughout the year.

Dated this 5th day of April, 2016. **BOARD OF CARBON COUNTY COMMISSIONERS**

-s- John Espy, Chairman

ATTEST:

-s- Gwynn Bartlett, Carbon County Clerk

HEALTH INSURANCE CONSULTANT SERVICES

Clerk Bartlett reported she received four responses to the request for proposals for health insurance consultants. She noted she and the BOCC are the committee to interview respondents and determine which one, if any, to hire for the upcoming plan year. The group decided to interview all four respondents next Tuesday, April 12 at an advertised meeting.

CITIZEN/COMMISSIONERS DISCUSSION

Chairman Espy reported the wilderness study through the Wyoming Public Lands Initiative is progressing. There was discussion of the positions that will serve on a board and Commissioner Johnson volunteered on behalf of Carbon County.

COUNTY PERSONNEL POLICY

Chairman Espy opened a public hearing at 10:30 a.m. to hear comments on amendments to the Carbon County Personnel and Benefits Policy. Clerk Bartlett reported this hearing was advertised in the Saratoga Sun February 10, 2016 and she suggested one amendment to Section 56 of the published version regarding Use of County Vehicles. The county's liability carrier

adopts driving criteria from time to time and rather than list those criteria in the policy and have to change them as the carrier amends them, she suggests removing them simply listing a general statement that the criteria exist. She also reported no written or verbal comments were received by her office.

Chairman Espy called for comments for or against the amendments. There being no comments, Chairman Espy closed the hearing at 10:33 a.m.

Commissioner Johnson moved to adopt the Second Amendments to the Carbon County Personnel and Benefits Manual and appendices effective May 1, 2016. Commissioner Jones seconded and the motion carried unanimously.

Commissioner Jones moved to adopt Resolution No. 2016-12 A Resolution of the Board of Carbon County Commissioners Adopting Holiday Closures and Other Closures. Commissioner Chapman seconded and the motion carried unanimously.

Resolution No. 2016 - 12
A Resolution of the Board of Carbon County Commissioners Adopting
Holiday Closures and Other Closures

WHEREAS, Chapter 6, Section 38 of the Carbon County Personnel and Benefits Manual, as amended, provides the dates of official holidays and allows for other closures as proclaimed by the Board of County Commissioners; and

WHEREAS, per Wyoming Statute § 18-3-103(b) county officers shall keep their offices open during the usual business hours of each day excluding Saturdays, Sundays, legal holidays and other days as established by the County commissioners through resolution; and

WHEREAS, it is understood that this resolution shall not apply to all county departments as some are required to be in operation continuously however the employees of those departments shall be compensated per county or department policy; and

WHEREAS, this resolution supersedes any and all previous resolutions setting holiday or other closures.

NOW, THEREFORE BE IT RESOLVED by the Board of Carbon County Commissioners that the following holidays and other days have been recognized and adopted by Carbon County and the Courthouse and applicable county offices are closed as follows:

- (i) New Year's Day (January 1)
- (ii) Equality Day (Martin Luther King's Birthday, Third Monday in January)
- (iii) President's Day (Third Monday in February)
- (iv) Memorial Day (Last Monday in May)
- (v) Independence Day (July 4)
- (vi) Labor Day (First Monday in September)
- (vii) Veteran's Day (November 11)
- (viii) Thanksgiving (Fourth Thursday in November and the following Friday)
- (ix) Christmas Eve from noon to 5:00 p.m. (December 24), see (xi) below for exception.
- (x) Christmas Day (December 25)
- (xi) Whenever Christmas Day falls on Thursday, the Courthouse and County

Offices will be closed on the following Friday in lieu of being closed on Christmas Eve Day. Whenever New Year's Day falls on Thursday, the Courthouse and County Offices will also be closed on the following Friday. Whenever a holiday falls on a Sunday, it shall be observed on the following Monday. Whenever a holiday falls on a Saturday, it shall be observed on the preceding Friday. While the Courthouse and County Offices may be closed, some employees in some departments may be required to work, due to regular scheduling due to the department and/or due to the nature of the work performed by the particular department.

PASSED APPROVED AND ADOPTED this 5th day of April, 2016.

BOARD OF CARBON COUNTY COMMISSIONERS
-s- John Espy, Chairman

Attest:

-s- Gwynn G. Bartlett, County Clerk

CITIZEN/COMMISSIONERS DISCUSSION

Commissioner Johnson moved to appoint Al Santilli of Elk Mountain to serve on the vacant position on the Elk Mountain Senior Services Board representing the Elk Mountain area. Commissioner Glode seconded and the motion carried unanimously.

MEMORIAL HOSPITAL OF CARBON COUNTY (MHCC)

Dana Barnett, Chief Executive Officer and Chelle Keplinger, Chief Financial Officer for MHCC presented a financial analysis as of February 29, 2016. Mr. Barnett updated the board on the HVAC project. He stated the physical therapy remodel which should be completed by mid-June, the health fair is this Saturday in Rawlins, a new nurse practitioner will be starting soon and other recruitment is ongoing.

RECESS

Chairman Espy called a recess at 11:20 a.m. and reconvened at 1:00 p.m.

CCCJSB

Eric Brooks, Carbon County Youth Crisis Center Director, Nichole House, Executive Director of Cathedral Home for Children and Mike Kelly of the Carbon County Attorney's Office discussed the possibility of continued operations of the center by Cathedral Home. The operation has doubled in size with the allowance of four additional beds this year. Mr. Brooks requested authorization to use funding the county has granted them towards building on to the facility. Under the current agreement the county allocates \$100,000 for operation of the facility annually however with the additional group beds came funding allowing Cathedral Home not to require the county's funding. This has freed up this funding for the possibility of an addition to the building. The expansion is estimated at \$125,000 and County Buildings Manager Jim Piche

further explained the potential plan. He reported the Cathedral Home indicated they can fully furnish the facility.

The county attorney's office has asked Cathedral Home to take over the diversion program which also facilitates the need for expansion. Staff work from home and the expansion would allow for additional office space for these staff members.

Commissioner Johnson confirmed this expansion would suffice for a number of years to come. Mr. Brooks explained there is \$100,000 from this year unused and \$30,000 from previous years. He added a future contract would request \$70,000 per year beginning next fiscal year. Sheriff Colson reported that with him terminating the diversion program from his budget it will save the county approximately \$68,000 with salary and benefits.

The BOCC asked Mr. Piche to provide a more firm cost estimate at the next meeting while the attorney's office would work on a renewal contract for the Cathedral Home to run the facility.

PLANNING & ZONING

Public Hearing – C.U. Case File No. 2016-04

Chairman Espy opened a public hearing at 1:30 p.m. to hear Planning & Zoning Case File No. 2016-04. Sid Fox, County Planning Director presented Case File No. 2016-04, Brush Creek Ranch request for a Conditional Use Permit in a Ranching, Agriculture, Mining (RAM) Zone. Over the years by acquiring additional land, resort services have been expanded. The current process doesn't allow amendment of an existing conditional use permit therefore this is basically a request to renew or reapply for a permit to expand existing services. Mr. Fox overviewed numerous public comments received.

Gayle Rider, Owner Representative for Brush Creek LLC along with Ron Hawkins, Ranch Manager and Dave Schultz with Sage Engineering appeared on behalf of the owner. Ms. Rider overviewed the ranch's history and current operations.

Commissioner Glode agreed that what Ms. Rider explained was true and the owners are good stewards of the property and assist with quality of life in the Platte Valley.

Chairman Espy called for comments for or against the case.

Spencer Amen, adjacent landowner reported that he commented through letters and he feels like he has lost something that he can not get back, his peace and quiet. He feels the shooting range is incredibly disruptive and he has some suggestions to help to alleviate this. In addition, he was hopeful that questions he has posed will generate answers.

Borgia Noel from the State Fire Marshall's Office reported he has noticed construction on the property should have plan reviews. He encouraged cooperation from the ranch in the future.

Les Barkhurst, resident of the brush creek drainage near Brush Creek Ranch, stated he is not against what the ranch is doing and there are many positive things. He is concerned about the ways things are getting done. He asked who oversees a conditional use permit and was answered the Planning & Development Office. Mr. Barkhurst asked the BOCC to be "vigilant" in their review. He asked if the Sanger Ranch is planning future development and if the BOCC is planning for the future drainage of the area. Mr. Barkhurst added that Commissioner Glode discussed all the positive things the ranch does but he pointed out the construction trucks cause the road to need additional blading, he wonders if the ranch is adding to the tax base to cover the additional blading or additional fire suppression efforts that may be needed and asked the BOCC to consider this.

Bill Nation, County Road & Bridge Superintendent, stated that every instance of traffic control concerns, dust, road conditions, etc... he has tried to work with the ranch and has done so successfully to the benefit of both operations.

County Fire Warden John Rutherford reported he has no position and provided information only. In the past the ranch has been supportive of emergency services and he has never had issues with them. Mr. Rutherford stated the more folks and structures, the more impacts on emergency services.

Jim Piche, Assistant Fire Chief in Ryan Park reported they have been great neighbors with the ranch. He stated the need for a larger facility in Ryan Park is becoming more evident. They will be inheriting a retired ambulance from the South Central Wyoming Emergency Medical Services which will need to remain outside because there is no room and he hopes the ranch will be a good neighbor in this matter. He stated they will do their best to keep services going.

Commissioner Johnson asked Mr. Fox for clarification of whether the shooting range is being addressed and he was told yes, as a land use in the permit. Commissioner Johnson reported the assessed valuation matter has been addressed by the County Assessor.

Commissioner Glode asked if language could be added to #2 of the recommended conditions, requiring a shooting range plan be submitted within 6 months. She requested adding input from the neighbors to this condition and Mr. Fox stated public input was the intent. Mr. Fox stated Ms. Rider committed to working with neighbors and she agreed they are working on a work session with neighbors already.

Commissioner Chapman discussed his concern for approving the permit today without knowing the results of an upcoming meeting between the ranch and the neighbors. Mr. Fox reported condition 2 requires the shooting range operations plan to become part of the permit therefore he believes this is enforceable by the BOCC. The conclusion of the shooting range plan will be at a public meeting of the Planning & Zoning Commission within 6 months.

Commissioner Johnson asked what happens if the P&Z Commission does not approve the shooting range plan. Mr. Fox stated there could be an argument that the use is preexisting without the need for a permit and there could be another argument that it's part of the permit therefore can not be operable if the plan isn't approved.

Commissioner Glode again suggested adding language to condition 2. Chairman Espy suggested the shooting range plan will be approved by the Planning & Zoning Commission after a public hearing and this would allow the adequate public comment.

Ms. Rider stated the operating plan would address the schedule and work with the Wyoming Game & Fish as well as incorporating a stewardship plan. Basically a plan to address all of the concerns voiced without hindering the operation. Commissioner Glode stated she feels today is the public meeting and another would not need done and again suggested her previous language be inserted. Mr. Fox reported the intent is only a hearing with the P&Z Commission.

Commissioner Jones reported a Game & Fish biologist contacted her yesterday about their desire for the ranch to become part of a wildlife working group. She suggested some time frame requirements to keep the ranch moving forward. She stated a huge issue is fire and emergency medical services and she suggests within 6 months the ranch meet with the Ryan Park volunteer group for these services as their services have been increased due to the ranch's operations. She encouraged continued cooperation. She stated the local landfill will have to start transferring trash and she encouraged the ranch to meet with the landfill board and she suggests they increase recycling efforts. Commissioner Jones also asked if the ranch is applying for well and septic permits and pond permits and if other entities that need permits issued could be caught up within a time frame. Commissioner Jones reported that the ranch has applied for building permits for buildings already constructed and encouraged them to follow the process and apply prior to construction in the future. Mr. Fox reported that the law requires valid well and septic permits must be in place prior to issuance of a building permit and with the lag time from the state the building permits haven't been issued however construction has proceeded at times.

Commissioner Jones also asked the ranch to cooperate with proper permitting for their contractor's vehicle license plates. She asked that everyone be better neighbors and at least within the next 6 months these items be talked about. Treasurer Cindy Baldwin reported that she has already visited with Ms. Rider about these permits so she is aware of the requirements.

Chairman Espy stated the appearance today is a sign of good faith and he encouraged continuance of this. There being no comments, Chairman Espy closed the hearing at 2:48 p.m.

Commissioner Glode moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2016-13, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding C.U. Case File No. 2016-04, Brush Creek Ranch request for a Conditional Use Permit in a Ranching, Agriculture, Mining (RAM) Zone with the recommended conditions 1-6 with the additional language: "The shooting range operations plan shall be reviewed and approved by the Planning & Zoning Commission after a public hearing and become part of the conditional use permit." Commissioner Jones seconded and the motion carried unanimously.

Resolution No. 2016 – 13

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 #2016-04 – “Brush Creek Ranch”

WHEREAS, pursuant to the Carbon County Zoning Resolution of 2015, and Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on Monday, February 29, 2016, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, February 29, 2016, 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, February 29, 2016, 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 for Carbon County, Wyoming; and

WHEREAS, the Carbon County Board of County Commissioners, pursuant to the Carbon County Zoning Resolution of 2015, 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, April 5, 2016; and

WHEREAS, at said public hearing, the Carbon County Board of County Commissioners provided the opportunity for the public to comment and for the Carbon County Board of County Commissioners to consider any comments which were made on the proposed 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, specifically, Section 5.4, Conditional Use Permits; and

WHEREAS, the Carbon County Zoning Resolution of 2015, specifically, Section 5.3, Signs requires a written application, payment to the Zoning Officer and issuance of a permit prior to the erection, hanging, attachment or display of a sign; however, does not address the number and type of signs necessary for a guest ranch and resort and all of the associated recreational uses and associated support facilities which require directional and locational signs to support the health and safety of visitors on the property. Said signs have been reviewed and authorized as part of this Conditional Use Permit; 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, 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 #2016-04: A Conditional Use Permit Request in the Ranching, Agriculture and Mining (RAM) Zone. The request is to permit the expansion of the Brush Creek Ranch guest ranch and resort along with associated recreational uses and associated support facilities that will be operated

in context and in conjunction with the historic ranching operations. It contains 13,150 acres, including a 3,434 acre conservation easement.

The overall property

Petitioner: Brush Creek LLC (Land Owner & Applicant)

Rural Address: 66 Brush Creek Road – Saratoga

Primary Location: Approximately 1.6 miles from HWY 130 off Carbon County Road #203 (Brush Creek Road)

Legal Description:

Warranty Deed, Book 1166, Page 35 – Exhibit A:

In Township 16 North, Range 82 West, 6th P.M., Carbon County, Wyoming, to wit:

Section 13: S1/2, SW1/4 NW1/4

Section 14: S1/2, S1/2 N1/2, NW1/4 NW1/4

Section 15: All

Section 16: E1/2, EXCEPTING that tract as conveyed to the Wyoming Stock Growers Agricultural Trust, a Wyoming non-profit corporation, in General Warranty Deed recorded September 24, 2002, in Book 1025, Page 0048, Records of Carbon County, Wyoming

Section 21: E1/2 E1/2, W1/2 E1/2

Section 22: All

Section 23: S1/2, S1/2 N1/2, N1/2 N1/2

Section 24: S1/2, S1/2 N1/2, N1/2 N1/2

Section 25: N1/2

Section 26: N1/2, N1/2 S1/2, SW1/4 SW1/4

Section 27: N1/2, S1/2

Section 28: E1/2 NE1/4, SE1/4, W1/2 NE1/4

(consisting of 5,874 acres more or less)

Warranty Deed – Exhibit A:

In Township 16 North, Range 82 West, 6th P.M., Carbon County, Wyoming, to wit:

Section 11: SW1/4 SE1/4, SE1/4 SW1/4

Section 14: NE1/4 NW1/4, NW1/4 NE1/4

(consisting of 160 acres more or less)

Attachment “B” as given by the applicant:

PARCEL I:

Township 16 North, Range 82 West, 6th P.M., Carbon County, Wyoming:

Section 21: E1/2 E1/2

Section 22: All, excepting the NE1/4 NE1/4

Section 23: S1/2, S1/2 N1/2

Section 24: S1/2, S1/2 N1/2

Section 26: N1/2

Section 27: N1/2

Section 28: E1/2 NE1/4

PARCEL II:

Township 16 North, Range 82 West, 6th P.M., Carbon County, Wyoming:

Section 11: SW1/4 SE1/4, SE1/4 SW1/4

Section 13: S1/2, SW1/4 NW1/4

Section 14: All, excepting the NE1/4 NE1/4

Section 15: All

Section 16: E1/2, excepting that tract as conveyed to the Wyoming Stock Growers Agricultural Land Trust, a Wyoming non-profit corporation, in General Warranty Deed recorded September 24, 2002, in Book 1025, Page 0048, Records of Carbon County, Wyoming.

Section 21: W1/2E1/2

Section 22: NE1/4NE1/4

Section 23: N1/2N1/2

Section 24: N1/2N1/2

Section 25: N1/2

Section 26: N1/2S1/2, SW1/4SW1/4

Section 27: S1/2

Section 28: SE1/4, W1/2NE1/4

TZ Ranch – Legal Description:

Warranty Deed, Book 1192, Page 140 – Exhibit A

In Township 16 North, Range 83 West of the 6th P.M., Carbon County, Wyoming:

Section 13: E1/2 SE1/4

Exhibit B to Warranty Deed – Permitted Encumbrances

Easement and other interests disclosed in a Warranty Deed from Winthrop C. Condict and Elsie E. Condict to Wynn G. Condict and Barbara Ann Condict recorded July 22, 1988 in Book 797, Page 807.

Warranty Deed, Book 1192, Page 141 – Exhibit A

In Township 16 North, Range 82 West of the 6th P.M., Carbon County, Wyoming:

Section 19: All of Lot 1, also known and described as the NW1/4NW1/4 **EXCEPTING THEREFROM** the N1/2NE1/4NW1/4NW1/4

Warranty Deed, Book 1192, Page 142 – Exhibit A

In Township 16 North, Range 81 West of the 6th P.M., Carbon County, Wyoming:

Section 7: All Lots 3 and 4, E1/2SW1/4, SW1/4SE1/4 lying North and East of U.S. Highway 130

Section 18: All that portion of NW1/4NE1/4 and NE1/4NW1/4 lying North and East of Wyoming State Highway 130 **excepting therefrom** that land conveyed to Alden R. Condict in United States Marshal Deed recorded November 3, 1980 in Book 724, page 510 and **excepting therefrom** that portion of the W1/2NE1/4 described on Pages 210 and 211 of the Supplemental Agreement recorded March 21, 1995 in Book 917, page 174 AND the Corrective Deed recorded March 21, 1995 in Book 917, page 309.

In Township 16 North, Range 82 West of the 6th P.M., Carbon County, Wyoming:

Section 2: All Lots 5, 6, 9, and 10 lying South of Carbon County Road 504

Section 3: All Lot 8, E1/2 Lot 9 and S1/2

Section 4: All Lots 5,6,7, and 10, W1/2 Lot 9, S1/2

Section 5: S1/2

Section 6: SE1/4, E1/2SW1/4

Section 7: All Lot 4, NE1/4NE1/4, W1/2E1/2, E1/2W1/2

Section 8: N1/2N1/2

Section 9: N1/2NW1/4, E1/2

Section 10: N1/2, SE1/4

Section 11: N1/2N1/2, SW1/4NE1/4, S1/2NW1/4, N1/2SW1/4, SW1/4SW1/4, N1/2SE1/4

Section 12: NW1/4NE1/4, N1/2NW1/4, SE1/4NW1/4, S1/2NE1/4N1/2SW1/4 and all that portion of the SE1/4 lying Northerly of Wyoming State Highway 130.

Section 18: All Lots 1 and 2, E1/2NW1/4, NW1/4NE1/4

In Township 16 North, Range 83 West of the 6th P.M., Carbon County, Wyoming:

Section 12: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 13: NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 23: S $\frac{1}{2}$ N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and all that portion of the W $\frac{1}{2}$ SE $\frac{1}{4}$ lying North and West of the "Pierce Field Fence Line" which is recorded on Page 209 of the Supplemental Agreement recorded March 21, 1995 in Book 917, page 174 and Corrective Warranty Deed recorded March 21, 1995 in Book 917, page 218, {described on pages 223 and 224 and shown on page 226}.

Section 24: N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ **excepting therefrom that land known as the "Pierce Field Irregular Tract"** lying in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, described in Corrective Deed from Alden R. Condict and Karen K. Condict, husband and wife, to Wynne G. Condict, a/k/a Wynn George Condict and Barbara Ann Condict, husband and wife, and O. Mark Condict, a/k/a Otto Mark Condict, and Valerie A. Condict, a/k/a Valerie Ann Condict, husband and wife, and TZ Land & Cattle Co., a Wyoming corporation recorded March 21, 1995 in Book 917, page 300.

Section 26: E $\frac{1}{2}$ NW $\frac{1}{4}$ and that portion of the NE $\frac{1}{4}$ lying North and West of the "Pierce Field Fence Line".

TERMS AND CONDITIONS OF APPROVAL:

1. The staff is recommending that the applicant set-up a wildlife working group with the Wyoming Game & Fish (WG&F) Department to review project development plans and operations. The purpose of the wildlife working group is to exchange information on the existing and proposed wildlife mitigation and enhancement programs and to solicit WG&F department input on potential wildlife mitigation and enhancement programs. This condition is dependent upon WG&F cooperation and participation. The applicant will report back to the County Planning & Zoning Commission on the activities of the wildlife working group at the one (1) year anniversary date of this CUP.
2. Within six (6) months of the Board's approval, the applicant shall prepare and submit a shooting range operations plan that addresses, at a minimum, the following:
 - a. Schedule of operations.
 - b. Noise mitigation.
 - c. Wildlife disturbance.
3. Setbacks and Lighting:
 - a. 50 feet from natural creeks for new structures except for structures directly associated with such water bodies such as docks and pump houses. Irrigation ditches and head gates are exempt from this setback requirement. Additions to existing structures within the setback shall be allowed so long as they do not encroach farther into the setback than the existing structure and are otherwise the minimum necessary to achieve the purpose of the addition. Existing structures can be replaced or maintained in the current locations. Notwithstanding above setbacks, replacement structures shall be allowed in adjacent locations to facilitate construction schedules and engineering requirements.
 - b. Lighting: 90% cutoff down cast lighting except for agricultural use lighting.
4. All existing and proposed signs will require the submittal of individual sign permit applications.

5. The Applicant(s) shall 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.
6. Upon approval by the Board, the following provisions from the Zoning Resolution will be incorporated into the final Resolution:
 - a. In accordance with Section 5.4-E, 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 with Section 5.4-F, Extension of Conditional Use Permits.

In accordance with Section 5.4-G, Transfer of Conditional Use Permits:

- No conditional use permit shall be transferred without the prior approval of the Board of County Commissioners.
- b. In the event the actions occurring pursuant to this permit are found to be in material violation of the terms and conditions of this permit, or are found to have been obtained by fraud, this permit shall be subject to all remedies allowed by law. Violation of any of the above restrictions can be grounds for terminating this Conditional Use Permit.

Amendments to Conditional Use Permits:

A Conditional Use Permit may be amended pursuant to the procedures and standards as required for a new CUP 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 #2016-04 – “Brush Creek Ranch”) encompassing approximately 13,500 acres in the Ranching, Agriculture and Mining (RAM) Zone.
PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 5th day of April, 2016.

**BOARD OF COUNTY COMMISSIONERS
OFCARBON COUNTY, WYOMING**

-s- John Espy, Chairman

Willing John Johnson, Vice Chairman

Leo Chapman, Member

Lindy Glode, Member

Sue Jones, Member

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Certifications

Commissioner Chapman moved to accept the Certification of Recommended Actions from the Carbon County Planning & Zoning Commission for the following: C.U. Case File No. 2016-05 for Jonathan Ogburn Conditional Use Permit at the Herrera Subdivision; C.U. Case File No. 2016-06 for Civeo and Carbon County Conditional Use Permit for Living Facilities at Skyline Acres; and C.U. Case File No. 2016-05 for D&S Management LLC Conditional Use Permit within the Wille Subdivision near Baggs, WY and schedule a public hearing for May 3, 2016 at 1:30 p.m. at the County Courthouse in Rawlins, Wyoming to hear all cases. Commissioner Johnson seconded and the motion carried unanimously.

Building and Grounds

Jim Piche, Buildings and Grounds Manager presented his thirty day plan noting he would like to access the majority of county buildings so he can better plan and budget. He discussed numerous projects and priorities he and the staff are working on.

Mr. Piche discussed the Rawlins Senior Center and feels the parts are in place and he can repair the grease interceptor personally. The issue was only half addressed and had been cleaned out. He will install a new valve system as well as replacing a small amount of sewer line.

Mr. Piche reported the fair board has funding to install a well at the Fairgrounds and he requested authorization to have this completed as soon as possible and the City of Rawlins is supportive of this according to Mr. Piche. He will receive a few quotes per the procurement policy and report back.

Mr. Piche discussed his desire to review utility costs at all buildings and develop cost saving ideas.

Mr. Piche also discussed the purchase of a vehicle for his department. He received informal bids as follows: Laramie GM \$33,000 for a 2016 Chevrolet; Fremont Motors Lander \$33,069.26 for a 2015 Chevrolet, \$30,285.54 for a 2016 Ford F-250, \$32,657 for a 2015 Ford F-250, and \$32,397 for a 2015 Dodge $\frac{3}{4}$ ton; Skyline Motors \$30,893 for a 2016 Chevrolet supercab; and Dallin Motors \$28,690 for a 2016 Dodge supercab. All previous vehicles were new and a bid for one used vehicle was received from Quality Motors totaling \$25,000 for a 2014 Dodge crew cab. He added Fremont Motors Lander submitted a price of \$28,691.00 for a 2016 Dodge. Mr. Piche recommended accepting the bid from Dallin Motors rather than the used vehicle due to having a warranty for only \$3,690 more.

Commissioner Chapman moved to waive the procurement policy for formal bids and purchase a 2016 Dodge $\frac{3}{4}$ ton from Dallin Motors in the amount of \$28,690.00 to be paid for from the buildings & Grounds budget. Commissioner Johnson seconded and the motion carried unanimously.

ADJOURNMENT

Commissioner Johnson moved to adjourn the meeting at 3:30 p.m. Commissioner Chapman seconded and the motion carried unanimously.

A regular meeting of this Board will be held May 3, 2016 at 9:00 a.m. at the County Courthouse, 415 W. Pine St., Rawlins, WY. This board also serves as the County Board of Equalization and will hold a meeting May 3, 2016 upon adjournment of the regular BOCC meeting. The public is invited to attend or you can listen online at the website listed below. To get on the agenda, call the Clerk's Office by the Thursday before the meeting. Per Wyo. Stat. §18-3-516(f), access to county information can be obtained at www.carbonwy.com or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.