

**REPORT TO THE  
MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, May 14, 2019  
Carbon County Courthouse, Rawlins, WY**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, May 14, 2019 at the Carbon County Courthouse, Rawlins, WY. Attending the meeting were; Chairman John Johnson, Sue Jones, John Espy, Travis Moore, and Byron Barkhurst.

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

**ADDITIONS/CORRECTIONS**

Chairman Johnson added an Amendment to the Contract for the County's Health Officer Public Health.

**VOUCHERS**

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

Commissioner Espy moved to approve the report of expenditures in the amount of \$592,406.50 for an aggregate total today of \$592,474.50. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Espy moved to correct the main amount of bills from the April 16, 2019 meeting from \$1,215,049.59 to \$161,709.00 for a grand total of \$1,215,117.59 rather than the \$2,268,458.18 that was previously approved. Commissioner Jones seconded and the motion carried unanimously.

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| 307 PROFESSIONAL CLEAN LLC     | COUNTY BUILDINGS CLEANING            | \$10,485.00 |
| ABSOLUTE SOLUTIONS             | LIGHT PACKAGE FOR NEW WARDEN PICKUPS | \$3,166.40  |
| ACME ELECTRIC COMPANY, LLC     | ELECTRICAL WORK                      | \$382.78    |
| ADAMS, LOGAN                   | WITNESS EXPENSES                     | \$57.00     |
| ALSCO, AMERICAN LINEN DIVISION | SHOP SUPPLIES                        | \$106.88    |
| APEX COMMUNICATIONS            | MAY RADIO SERVICES                   | \$4,033.88  |
| APG MEDIA OF THE ROCKIES       | MISC ADS                             | \$537.54    |
| API SYSTEMS INTEGRATORS        | FIRE ALARM SYSTEM REPAIR             | \$2,451.00  |
| ASPEN FAMILY DENTAL            | DENTAL SERVICES                      | \$1,177.00  |
| ASPEN MOUNTAIN CONSTRUCTION    | GUTTERS FOR CCYCC                    | \$590.00    |
| BAGGS, TOWN OF                 | RENT/WATER SERVICES                  | \$183.95    |
| BAKKEN, ALEX SCOTT             | FUEL                                 | \$76.73     |

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| BALESTRIERI, MICHELLE               | MILEAGE/MEALS                        | \$301.77    |
| BANK OF COMMERCE                    | DEPOSIT TICKETS                      | \$29,454.35 |
| BANK OF MONTREAL - MASTERCARD       | MISC CHARGES                         | \$16,090.16 |
| BARAHAL MD, DAVID                   | INMATE HEALTH SERVICES               | \$460.00    |
| BARKHURST COLLISION CENTER          | GRILL GAURD NEW SHERIFF PICKUPS      | \$3,545.00  |
| BEST WESTERN COTTONTREE             | WITNESS MEALS/ROOM                   | \$644.01    |
| BI INC.                             | APRIL ELECTRONIC MONITORING SERVICES | \$981.50    |
| BIG SKY COMMUNICATIONS INC          | RADIOS                               | \$1,194.00  |
| BLACK HILLS ENERGY                  | HEATING SERVICES                     | \$10,687.72 |
| BLACK, VAL                          | MILEAGE                              | \$40.00     |
| BLAKEMAN PROPANE                    | HEATING FUEL                         | \$2,010.04  |
| BOB BARKER COMPANY, INC.            | MISC JAIL SUPPLIES                   | \$429.82    |
| BOMGAARS SUPPLY                     | BLADE                                | \$49.99     |
| BOWLUS, JACQUELINE                  | JURORS MEALS CR-2018-0062            | \$71.46     |
| BOYS & GIRLS CLUBS OF CARBON COUNTY | GRANTS TANF DFS CPI 18-19            | \$2,840.34  |
| BRANNON, J REED                     | MILEAGE                              | \$60.00     |
| BRIDGER FABRICATION                 | METAL WELDING                        | \$169.01    |
| BROWN, DORIS                        | MILEAGE                              | \$60.00     |
| BUCHANAN, KAREN                     | MILEAGE                              | \$48.00     |
| BUCKINGHAM LUMBER CO                | POST FOR NEW BRIDGE SIGNS            | \$1,666.34  |
| BUILD RITE LUMBER COMPANIES         | DOOR FRAME                           | \$1,165.34  |
| C & B SAND & GRAVEL                 | MSHA CLASS BAGGS                     | \$160.00    |
| CARBON COPY                         | ENVELOPES                            | \$465.00    |
| CARBON COUNTY FAIR ASSOCIATION      | 2019 FAIR TROPHIES                   | \$180.00    |
| CARBON COUNTY PUBLIC HEALTH         | INMATE MEDICAL TESTS                 | \$168.00    |
| CARBON COUNTY YOUTH CRISIS CENTER   | GRANTS TANF DFS CPI 18-19            | \$174.88    |
| CARBON POWER & LIGHT INC            | ELECTRIC SERVICES                    | \$2,438.71  |
| CARE MORE TURF MAINTENANCE          | POWER RAKING                         | \$2,250.00  |
| CARERIGHT TECHNOLOGIES, LLC         | RECURRING BED FEE                    | \$445.10    |
| CASPER WINNELSON CO                 | MISC SUPPLIES                        | \$1,900.75  |
| CATHEDRAL HOME FOR CHILDREN         | GRANTS DFS JUVE SERVICES BOARD 16-17 | \$5,000.00  |
| CBM FOOD SERVICE                    | APRIL 25- MAY 1 JAIL MEALS           | \$14,310.52 |
| CENTRAL WYOMING UROLOGICAL ASSC     | INMATE HEALTH SERVICES               | \$100.00    |
| CHARM-TEX, INC.                     | JAIL SUPPLIES                        | \$1,519.10  |
| CHARTER COMMUNICATIONS              | CABLE SUBSCRIPTION                   | \$119.84    |
| CHAVEZ, SARAH                       | MILEAGE                              | \$42.00     |
| CLARK, KAYLEIGH                     | WITNESS EXPENSES                     | \$350.00    |
| CLERK OF DIST COURT (JURORS)        | JURORS/BAILIFFS PAY                  | \$5,445.00  |
| COWBOY CHEMICAL                     | LAUNDRY SUPPLIES                     | \$204.20    |
| COWBOY SUPPLY HOUSE                 | MISC SUPPLIES                        | \$2,559.07  |
| CULVER, VIRGILIA S.                 | LEGAL SERVICES                       | \$392.00    |
| DALLIN MOTORS INC                   | FILTER/OIL                           | \$268.10    |
| DIRTY BOYZ SANITATION, INC          | TRASH SERVICES                       | \$660.00    |

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| DIXON, TOWN OF                       | WATER SERVICES                   | \$308.00    |
| DJ'S                                 | TRUCK MIRRORS                    | \$1,351.34  |
| DOMINION ENERGY                      | HEATING SERVICES                 | \$187.18    |
| DUNCKLEY, ANNETTE J                  | MILEAGE                          | \$104.00    |
| ELEVATED TRAINING SOLUTIONS          | R&B FIRST AID/CPR TRAINING       | \$935.00    |
| ELK MOUNTAIN, TOWN OF                | HEATING SERVICES                 | \$477.21    |
| ENCAMPMENT, TOWN OF                  | WATER SERVICES                   | \$96.00     |
| ENCARTELE                            | INMATE PHONE CARDS               | \$4,000.00  |
| ENGINEERING ASSOCIATES               | MED BOW COMPLEX ENGINEERING      | \$4,600.00  |
| ENGSTROM, JAMES D. DDS               | APRIL 2019 JAIL SERVICES         | \$2,500.00  |
| EPP, CORNELIA                        | MILEAGE                          | \$6.00      |
| ERICKSON & ROBERTS                   | GAL SERVICES                     | \$90.00     |
| FATBEAM LLC                          | FIBER LINES                      | \$15,734.25 |
| FOX, SID                             | EXPENSES                         | \$187.83    |
| FRONT RANGE FIRE APPARATUS           | MISC SUPPLIES                    | \$266.25    |
| FURTHER                              | HEALTH REIMB APR                 | \$5,152.91  |
| GALLS/QUARTERMASTER                  | UNIFORM SHIRTS/VESTS             | \$3,765.99  |
| GCR ELECTRONICS, LLC                 | MONTHLY SITE RENTAL              | \$1,200.00  |
| GLAXOSMITHKLINE PHARMACEUTICALS      | VACCINES                         | \$1,782.50  |
| GRAINGER                             | HEAT TRANSFER PASTE              | \$10.98     |
| GRAPHIC BUSINESS SOLUTIONS, LLC      | NOTARY STAMP                     | \$38.95     |
| GRAY, BRANDON                        | WITNESS EXPENSES                 | \$99.00     |
| GREATER WY BIG BROS/SISTERS          | GRANTS TANF DFS CPI 18-19        | \$12,300.57 |
| HAMANN, TALON                        | WITNESS EXPENSES                 | \$99.00     |
| HANNA, TOWN OF                       | WATER SERVICES                   | \$245.98    |
| HANSEN, LORETTA J.                   | MILEAGE                          | \$197.78    |
| HARRIS GOVERN FT. COLLINS USER GROUP | 2019 HGFC USER GROUP DUES        | \$150.00    |
| HEIMAN FIRE DEPARTMENT               | MISC SUPPLIES                    | \$232.66    |
| HEROLD, DORRYL                       | MILEAGE                          | \$7.00      |
| HERTER, JACQUES P. PHD               | PSYCH EVAL M.BEAUBIEN            | \$575.00    |
| HIGH PLAINS POWER                    | ELECTRIC SERVICES                | \$407.76    |
| HOBBS, ANGIE E                       | MILEAGE                          | \$80.00     |
| INTERIOR GALORE                      | CARPET FOR JAIL                  | \$5,537.50  |
| IRON J TOWING                        | ABANDONED VEHICLE TOW            | \$336.00    |
| J H KASPAR OIL COMPANY               | FUEL                             | \$11,187.17 |
| JACK'S BODY & FENDER REPAIR          | SERVICE CALL                     | \$270.00    |
| JOHNSTON, RANAE                      | MILEAGE                          | \$36.00     |
| JOLLY, ASHLEY                        | MILEAGE                          | \$85.00     |
| JONES, HOPE                          | MILEAGE                          | \$50.00     |
| KAPLAN & MELLO PLANNING, LLC         | GRANTS DIXON AIRPORT MASTER PLAN | \$2,500.00  |
| KARI, DALE                           | MILEAGE                          | \$27.60     |
| KELLEY, SHAWN                        | FOOD FOR SEARCH                  | \$83.73     |
| KELLY, MICHAEL K.                    | MILEAGE                          | \$130.00    |

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| KENCO SECURITY AND TECHNOLOGY      | MONITORING SYSTEM TEST           | \$78.00      |
| KINETIC LEASING                    | LEASE PAYMENT ON 5 2016 VEHICLES | \$43,254.00  |
| KING SOOPERS CUSTOMER CHARGES      | PRESCRIPTIONS                    | \$27.65      |
| KIRKPATRICK, HOLLY R               | MILEAGE                          | \$42.00      |
| KIRSCH, ARCHIE P                   | PH PR HEALTH OFFICER             | \$1,300.00   |
| KRAFT, PAMELA                      | MILEAGE                          | \$10.00      |
| KTGA/KBDY                          | TOWER RENT                       | \$430.00     |
| L N CURTIS & SONS                  | ADAPTER                          | \$250.30     |
| LARAMIE FIRE EXTINGUISHER          | YEARLY INSPECTION                | \$21.00      |
| LAZARKIEWICZ, DEBORA               | MEALS                            | \$76.25      |
| MABERRY, AGRIPPINA M.              | INTERPRETER                      | \$50.00      |
| MADDOX, KAROL                      | MILEAGE                          | \$56.00      |
| MICCARDELL, LARAE S.               | WITNESS EXPENSES                 | \$147.00     |
| MCKESSON MEDICAL                   | JAIL MEDICAL SUPPLIES            | \$251.71     |
| MEDICINE BOW, TOWN OF              | WATER SERVICES                   | \$190.00     |
| MEMORIAL HOSPITAL OF CARBON COUNTY | PRE EMPLOYMENT LAB WORK          | \$394.76     |
| MERCEDES TRANSCRIPTION, INC        | HEALTH REPORTS                   | \$112.75     |
| MERCK SHARP & DOHME CORP.          | VACCINES                         | \$6,383.57   |
| MICHAEL'S BIG CITY GRILLE          | WITNESS MEALS                    | \$146.10     |
| MICHAELS FENCE                     | SADDLE CLAMP                     | \$32.03      |
| MID-AMERICAN RESEARCH CHEMICAL     | CINTRONELLA REPELLENT            | \$111.34     |
| MIKE'S LOCK & KEY                  | REKEY/BLANK KEY                  | \$49.50      |
| MILLER, CORINNE                    | MEALS/MILEAGE                    | \$348.85     |
| MODERN MARKETING, INC              | SHERIFF STICKERS                 | \$523.15     |
| MOSS, BARBARA                      | MILEAGE                          | \$54.30      |
| MPM CORP / EVERGREEN DISPOSAL      | TRASH SERVICES                   | \$130.00     |
| NATASHA K. MARTINEZ, P.C.          | LEGAL SERVICES                   | \$90.00      |
| NEBRASKA DEPT OF MOTOR VEHICLES    | CERTIFIED DRIVING RECORD         | \$6.00       |
| NEUBAUER, PELKEY, MERSEAL AND      | GAL SERVICES                     | \$3,256.25   |
| NORCO, INC.                        | ACETYLENE CYLINDER               | \$866.88     |
| OFFENDER WATCH                     | SEX OFFENDER NOTIFICATIONS       | \$73.70      |
| O'REILLY AUTO PARTS                | SNOW BRUSH/3PK PAPER             | \$32.47      |
| PERKINS OIL CO                     | TANK RENTAL                      | \$3,046.05   |
| PINNACLE PUBLIC FINANCE, INC       | LEASES/BONDS CARBON BLDG HVAC    | \$158,740.93 |
| QUILL CORPORATION                  | FILES, STICKY NOTES, INK         | \$2,024.20   |
| RAWLINS AUTOMOTIVE                 | FILTERS                          | \$3,605.95   |
| RAWLINS EASTSIDE CARWASH           | WASH CARDS                       | \$207.10     |
| RAWLINS, CITY OF                   | WATER SERVICES                   | \$1,892.40   |
| REBLE, GERALDINE                   | WITNESS EXPENSES                 | \$325.00     |
| RICOH USA INC                      | COPIERS                          | \$793.18     |
| RICOH USA, INC                     | COPIER LEASE PAYMENTS            | \$15,262.28  |
| ROCKY MOUNTAIN POWER               | ELECTRIC SERVICES                | \$15,831.73  |
| ROGERS, PAMELLA K                  | MILEAGE                          | \$6.00       |

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| ROSTAD LAW, LLC                   | LEGAL SERVICES                    | \$2,435.25  |
| ROWAN, KRISTY                     | ELECTIONS MEAL/MILEAGE            | \$174.15    |
| SALT LAKE WHOLESALE SPORTS        | AMMO                              | \$570.00    |
| SAPP, KATHRYN C.                  | MENTAL HEALTH CONTRACT SERVICES   | \$2,056.84  |
| SARATOGA AUTO PARTS, INC.         | WIPER BLADER/DEICER               | \$494.82    |
| SARATOGA SUN                      | SUBSCRIPTION                      | \$317.50    |
| SARATOGA, TOWN OF                 | WATER SERVICES                    | \$151.93    |
| SCHAFFER MFG CO                   | DIESEL                            | \$1,250.15  |
| SCHERMETZLER, SHEELA M ED.S.      | CONTRACT LSBG WORK JAN 22-APR 26  | \$2,468.33  |
| SCHILLING & WINN PC               | GAL SERVICES                      | \$3,986.35  |
| SECURITY TRANSPORT SERVICES, INC. | INMATE TRANSFER                   | \$1,764.65  |
| SHAHADEY, MATTHEW                 | WITNESS EXPENSES                  | \$141.00    |
| SHEPARD'S                         | DIESEL                            | \$5,435.53  |
| SHIVELY HARDWARE                  | TRASH BAGS                        | \$49.83     |
| SHORMA, BETH L.                   | MILEAGE                           | \$5.00      |
| SIMPLE DISTRIBUTORS, LLC          | A-Z PLASTIC SELF STICK TABS       | \$29.50     |
| SKYLINE MOTORS, INC.              | AIR FILTER                        | \$1,676.92  |
| SLOW AND STEADY LAW OFFICE, PLLC  | LEGAL SERVICES                    | \$2,330.00  |
| SMITH, LORETTA K                  | MILEAGE                           | \$75.00     |
| SNAKE RIVER PRESS                 | NEWSPAPER SUBSCRIPTION RENEWAL    | \$240.00    |
| SPAULDING, DAWNETTE               | PER DIEM TRAVEL                   | \$78.76     |
| SPECIALIZED PATHOLOGY CONSULTANTS | FORENSIC AUTOPSY                  | \$1,175.00  |
| STAPLES ADVANTAGE                 | JAIL SUPPLIES                     | \$384.15    |
| STATE OF OREGON MOTOR VEHICLE DIV | CERTIFIED DRIVING RECORD          | \$3.00      |
| STATE OF WY - PUBLIC DEFENDER     | FY2019 PUBLIC DEFENDER SUPPLEMENT | \$46,764.08 |
| STEPHENSON, LEE ANN               | MILEAGE                           | \$37.20     |
| STEWART STREETER, SANDRA          | MILEAGE                           | \$104.00    |
| STUNTRONICS, LLC                  | SHERIFF DEPUTY SCHOOLING          | \$590.00    |
| SUNRISE SANITATION SERVICE, LLC.  | TRASH SERVICES                    | \$68.00     |
| SWANSON SERVICES CORPORATION      | JAIL COMMISSARY SUPPLIES          | \$2,654.35  |
| THE MASTERS TOUCH, LLC            | ASSESSMENT NOTICES                | \$6,181.97  |
| THE WILDFIRE PROJECT              | INITIAL SCREENING                 | \$100.00    |
| THOMSON REUTERS-WEST PAYMENT      | MONTHLY DATABASE CHARGES          | \$771.02    |
| TRADING POST                      | FUEL                              | \$284.51    |
| TRIMBLE, CONNIE MARIE             | WITNESS EXPENSES                  | \$60.00     |
| TRUE VALUE OF RAWLINS             | MISC HARDWARE                     | \$437.37    |
| U W C E S                         | CES PR 4-H SALARY MATCH           | \$4,532.00  |
| ULINE                             | FREIGHT CHARGE                    | \$21.49     |
| UNITED STATES POSTAL SERVICE      | POSTAGE FEES                      | \$15,000.00 |
| VALLEY OIL COMPANY                | APRIL FUEL                        | \$688.05    |
| VOIANCE LANGUAGE SERVICES LLC     | INTERPRETATION                    | \$42.75     |
| VOLUNTEER FIREMEN PENSION FUND    | MAR VOL FIRE RETIREMENT           | \$1,215.00  |
| W C & P A A                       | DUES FOR FY 2019                  | \$700.00    |

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| WEX BANK                          | FUEL                           | \$235.64   |
| WILLE, O.R.                       | MILEAGE                        | \$45.00    |
| WILSON, MARGARET                  | PATCHES                        | \$12.00    |
| WLC ENGINEERING                   | SURVEYING FEES                 | \$750.00   |
| WY COUNTY TREASURER'S ASSOCIATION | REGISTRATION FEES              | \$45.00    |
| WY DEPT OF TRANSPORTATION         | MED BOW BRIDGE CN06062 PORTION | \$454.65   |
| WY DEPT OF WORKFORCE SVCS         | HAMMACK                        | \$924.00   |
| WY LAW ENFORCEMENT ACADEMY        | SHERIFF DEPUTY SCHOOLING       | \$550.00   |
| WY MACHINERY COMPANY              | HOSE & CLIP                    | \$1,590.37 |
| WY PEACE OFFICERS ASSOC           | BODWIN MEMBERSHIP              | \$10.00    |
| WY STATE BAR                      | JOB POSTING ON ONLINE JOB BANK | \$100.00   |
| WY STATE FIREMEN'S ASSOCIATION    | DEATH BENEFIT                  | \$774.00   |
| WYOMING HEALTH FAIRS              | DATA FEED REPORTING            | \$1,677.00 |
| WYOMING MEDICAL CENTER            | JAIL HEALTH                    | \$4,019.20 |
| YAMPA VALLEY ELECTRIC             | ELECTRIC SERVICES              | \$936.39   |
| YOCUM, LEO                        | MILEAGE                        | \$24.00    |
| YOUNG, CHARLES MD                 | PRE EMPLOYMENT PHYSICAL        | \$450.00   |

## **CONSENT AGENDA**

Commissioner Espy moved to approve the consent agenda noting any item could be removed for further discussion. The consent agenda includes the April 16, 2019 regular meeting minutes; a bond for Donald R. Brinkman, Treasurer for the Carbon County Recreation Board – School District No. 1 in the amount of \$10,000.00; bond rider for Stacy Holt changing her name to Stacey Ward; monthly receipts for the Planning and Development Department in the amount of \$56,135.00, the County Clerk's Office in the amount of \$31,132.75 and the Clerk of District Court in the amount of \$3,030.00 and notice of value changes totaling (\$902,717.00). Commissioner Moore seconded and the motion carried unanimously.

## **ELECTED OFFICIALS & DEPARTMENT HEADS**

### **Public Health**

Public Health Regional Nursing Supervisor, Jacquelin Wells presented Amendment One to the Contract Between Carbon County and State Public Health Department and Carbon County Public Health Office for the purpose of changing the funding source from federal funds under CFDA #93.069 to Trust Agency Funds account #6201.

Commissioner Jones moved to approve the Amendment One to the Contract Between Carbon County and State Public Health Department and Carbon County Public Health Office changing the funding source from federal funds under CFDA #93.069 to Trust Agency Funds account #6201. Commissioner Barkhurst seconded and the motion carried unanimously.

Emily Kaluzny, Public Health Response Coordinator discussed a vehicle lease noting the county had agreed to purchase a vehicle and lease it to the state. Her office requested the County

Attorney draft a lease with the state at which time Clerk Bartlett said she would help put the vehicle out for bid for the BOCC's ultimate approval.

### **EXECUTIVE SESSION**

Commissioner Espy moved to go into executive session with Ashley Davis and Clerk Bartlett to discuss personnel, potential litigation and other matters considered confidential by law at 9:10 a.m. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Espy moved to come out of executive session at 9:23 a.m. noting no action was taken and the minutes be signed and sealed as written. Commissioner seconded and the motion carried unanimously.

### **Commissioners**

Commissioner Jones moved to approve a Settlement Agreement with Three Forks Ranch Corp. and Dixon Airport. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Jones moved to authorize the Chairman's signature on the Amendment to Lease and Fixed Base Operator Agreement with Three Forks Ranch pending legal and board approval. Commissioner Espy seconded and the motion carried unanimously.

### **Coroner**

County Coroner, Paul Zamora presented his budget request for fiscal year 2019 – 2020.

### **Public Comment**

Nate Davidson, Branch Manager from Bank of the West in Rawlins discussed the Valor Run that Pamela Torres, US Marine is performing to bring awareness to the 161 service women killed since 911. She begins the run May 26 and expects to arrive in Rawlins June 4. He requested the community's support.

### **Road & Bridge**

Road & Bridge Superintendent, Bill Nation discussed the conditions of the Congestion Mitigation Air Quality (CMAQ) Grant with WYDOT. He noted that the work would be done to County Road 701, the Dad/Wamsutter Road. This road is an important part of the oil and gas industry in Carbon County accounting for 500-700 hits per day. This is also a public road to public land, especially for recreationalists. The proposed work would allot 18.9 miles to be treated with magnesium chloride spring or early fall 2020. Chairman Johnson called for public comment however there was none.

Mr. Nation requested the board ratify Amendment No. 2 to the Professional Services Agreement with Engineering Associates for work on the Medicine Bow Road and Bridge Complex. The

amendment is for additional meetings and work due to changes made by the BOCC recently and to extend the completion date to May 14.

Commissioner Jones moved to ratify Amendment No. 2 to the Professional Services Agreement with Engineering Associates for the Medicine Bow Road and Bridge Complex to add a \$7,500.00 fee and extend the completion date to May 14, 2019. Commissioner Barkhurst seconded and the motion carried unanimously.

Commissioner Jones asked if Mr. Nation could have crews improve County Roads 270 and 291 for the likely increase to traffic from wind and transmission line projects. He stated crews are actively looking at this.

Bill reported a Road Use Agreement with PacifiCorp was approved for the Gateway Transmission has been signed by the project company. This was previously approved at the Board's regular meeting March 19 and he requested the Chairman's signature. He also reported that he has tens of thousands of sand bags throughout the county ready for use for any flooding that may occur. Crews are recertified with CPR and first aid and they continue to blade as needed.

Chairman Johnson asked about the purchase of a blade and hiring of a temporary position for Road & Bridge. He stated the TB Flats project impact payments have begun and wants Mr. Nation to move forward. Chairman Johnson asked that specifications for a blade require a 30 day or less delivery. The BOCC agreed he should move forward on both fronts.

### **Fire**

County Attorney Ashley Davis presented the 2019 Wildland Fire Management Annual Operating Plan noting it is basically the same agreement as was approved last year.

Commissioner Espy moved to authorize the Chairman's signature on the 2019 Wildland Fire Management Annual Operating Plan. Commissioner Moore seconded and the motion carried unanimously.

### **Sheriff**

County Sheriff Archie Roybal presented a Service Agreement with Motorola for communications services in the amount of \$6,386.00 noting a \$186.00 increase from the previous year.

Commissioner Barkhurst moved to approve the Motorola Solutions Service Agreement in the amount of \$6,386.00 for the period of July 15, 2019 through July 14, 2020 pending legal review. Commissioner Moore seconded and the motion carried unanimously.

Sheriff Roybal discussed a renewal lease with GCR Electronics for the county to lease eight communications sites and change the fee from \$150.00 per month each to \$250.00 per month each plus a 3% per annum automatic increase. Attorney Davis stated that the owner has

requested these changes be made to the agreement sent to him December 2018. The BOCC asked that she make the proposed changes and they be considered at the next meeting to allow the BOCC time to review. Commissioner Espy recused himself from the conversation due to personal conflict.

Sheriff Roybal reported a deputy had a minor crash while responding to a call. He will work with the clerk to submit an insurance claim. His staff helped with a highway cleanup recently.

### **Buildings & Grounds**

Buildings and Grounds Manager, Jim Piche presented a Renewal Contract for 307 Professional Clean for consideration. The initial agreement allows for a one year extension at the BOCC's option with no price increase.

Commissioner Moore moved to authorize the Chairman's signature on a letter to 307 Professional Clean to extend their cleaning contract for the Courthouse and Carbon Building for one year. Commissioner Espy seconded and the motion carried unanimously.

Mr. Piche requested authorization to hire a part-time administrative assistant to help during the month of the county fair. He has budget funds in the current budget but the position would not begin until next fiscal year. He estimates the cost to be \$2,500.00 total. Commissioner Espy stated with the decline of volunteerism the position is necessary. The BOCC authorized him to begin advertising for the position.

Mr. Piche reported that Warren Resources would like a month-to-month lease at \$1,500.00 for the property at 322 4<sup>th</sup> Street. The BOCC had no issue with preparation of a lease. He also requested and received authorization to submit plans for the new Coroner building to the State for review and approval.

Commissioner Espy moved to authorize the Chairman to sign closing and any other necessary documents for the purchase of 322 4<sup>th</sup> Street. Commissioner Moore seconded and the motion carried unanimously.

Mr. Piche reported jail carpet installation should be complete this week. The Courthouse fire drill went well and fire ladders are located throughout landings at the Courthouse. Baby changing stations are now located in the Courthouse restrooms per the BOCC's recent request. The security camera update will begin June 4 and a new sound system will be installed in District Court June 10. The Fairgrounds well is now registered with the state as required.

### **Economic Development Corporation**

Executive Director of the Economic Development Corporation, Cindy Wallace and board member, Tammy Mortensen presented EDC's budget requests for fiscal year 2019-2020.

### **ADOPTION OF PROCUREMENT POLICY**

Chairman Johnson opened a public hearing at 10:49 a.m. to hear the proposed amendments to the Carbon County Procurement Policy. Clerk Bartlett presented the amendments to the Procurement Policy. Public notices of intent to amend the Procurement Policy were advertised in the Rawlins Times on February 13<sup>th</sup>, 20<sup>th</sup>, and 27<sup>th</sup> of 2019. Chairman Johnson requested that Section 1.2 be changed from “to be achieved” to “is encouraged”. Dean Michel asked what the effects of the changes are and how those would change how the county conducts business. Clerk Bartlett responded the major changes are to the asset policy to conform with current procedures in the clerk’s office.

Chairman Johnson called for public comment for or against the adoption of the amended Carbon County Procurement Policy. There being none, Chairman Johnson closed the public hearing at 10:54 a.m.

Commissioner Espy moved to adopt the Carbon County Procurement Policy & Fiscal Procedures for Fixed and Controlled Asset effective May 14, 2019. Commissioner Jones seconded and the motion carried unanimously.

### **Clerk of District Court**

Clerk of District Court, Mara Sanger presented her budget requests for fiscal year 2019-2020.

### **MEMORIAL HOSPITAL OF CARBON COUNTY**

Interim CEO, Bob Quist and Rod Waeckerlin, MHCC Trustee provided an update on operations at Memorial Hospital of Carbon County. They requested that an agreement be signed today for the hospital to locate a communications antenna on the Courthouse to assist them with communications from the hospital to their new clinic.

Attorney Davis presented an agreement with the Memorial Hospital of Carbon County allowing them to use an existing tower on the top of the Courthouse for communications at their new clinic.

Commissioner Barkhurst moved to approve the Memorandum of Understanding Between the Memorial Hospital of Carbon County and the Carbon County Board of Commissioners allowing MHCC to use a microwave repeater/transmitter at the Courthouse for an indefinite term unless terminated with 180 days written notice. Commissioner Moore seconded and the motion carried unanimously.

### **PUBLIC HEARINGS**

#### **C.U. Case File #2019-04: Three Forks Lodge**

Chairman Johnson opened a public hearing at 11:15 a.m. to hear Planning and Zoning C.U. Case File #2019-04 – Three Forks Lodge. County Planning Director, Sid Fox presented the case, a request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone District located approximately 35 miles east of Baggs off Carbon County Road #710 in Section 16, T12N, R86W, to expand the existing spa facility and increase the number of guest accommodations at

the Three Forks Lodge and in addition to increasing the employee housing on the subject property. Public notices were published in the Rawlins Times on April 10, 2019 and in the Snake River Press on May 3, 2019.

Chairman Johnson called for public comments for or against the conditional use permit. Eric Smith from ESA Architects and Jenn Clements from the ranch were present for questions. There being no comments, he closed the hearing at 11:20 a.m.

Commissioner Jones moved to approve Resolution No. 2019-11 C.U. Case File #2019-04-Three Forks Lodge with conditions as presented in the resolution. Commissioner Espy seconded and the motion carried unanimously.

**Resolution No. 2019 – 11**  
**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 #2019-04 – “Three Forks Lodge”**

**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, April 1, 2019, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, April 1, 2019, public hearing, the Carbon County Planning and Zoning Commission provided the public the opportunity to comment and the Carbon County Planning and Zoning Commission considered any public comments which were made at said public hearing; and

**WHEREAS**, at the conclusion of the Monday, April 1, 2019, public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County Board of County Commissioners 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, May 14, 2019; and

**WHEREAS**, at said public hearing on May 14, 2019, the Carbon County Board of County Commissioners provided the opportunity for the public to comment and for the Carbon County Board of County Commissioners to consider any comments which were made on the proposed 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 #2019-04:** Request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone District. The request is to expand the existing spa facility and increase the number of guest accommodations at the Three Forks Lodge and in addition increase the employee housing on the subject property.

**Project Name:** Three Forks Lodge

**Petitioner:** ESA Architects (Applicant) and Three Forks Ranch Inc. (Owner)

**Rural Address:** 1445 County Road 710

**Parcel Identification Number:** 12861610001100

**General Site Location:** Approximately 35 miles east of Baggs off Carbon County Road #710 (Snake River Spur)

**Legal Description:** All of Section 16, T12N, R86W, Carbon County, Wyoming.

**TERMS AND CONDITIONS OF APPROVAL:**

1. Applicant and/or Land Owner must submit an approved WDEQ Storm Water Protection Permit (SWPP) to the Planning & Development Department prior to issuance of building permit(s) and implement best management practices with the implementation of proper inspection and reporting protocols.
2. Setbacks:
  - A thirty (30') foot strip of land measured horizontally from the identifiable high water mark on each side of any stream shall be protected in its natural state. Certain improvements may be located within the stream setback as long as site disturbance is minimized to the greatest extent possible, including but not limited to the following: improvements pursuant to a floodplain development permit, footpaths and trails intended for non-motorized use, bridges, fences, all irrigation related construction and structures, hydroelectric facilities, including piping and ditches, flood control and bank stabilization devices.
  - Utilities may be located within the stream setback if designed by a professional engineer licensed in Wyoming and approved as part of the county review process.
3. If the scope of the operation changes or increases beyond those described in the Conditional Use Permit application, the applicant shall notify the Carbon County Planning & Development Department in writing describing the proposed changes.
  - a. Upon receipt of a notice of proposed change or increase in the scope of operations, the Planning Department shall place the notice of the proposed change to the scope of the operation on the next available Planning and Zoning Commission agenda. The Planning and Zoning Commission shall determine whether the Recreation use remains in general conformance with this Conditional Use Permit or if a new Conditional Use Permit Application must be submitted.
4. Upon approval by the Board, the following provisions from the Zoning Resolution will be incorporated into the final Resolution:
  - a. In accordance with 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 with Section 7.7.I, Extension of Conditional Use Permits.

- b. In accordance with Section 7.7.J, Transfer of Conditional Use Permits:
  - No conditional use permit shall be transferred without the prior approval of the Board of County Commissioners.
- c. 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 #2019-04 – “Three Forks Lodge”).

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 14th day of May, 2019.

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

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

Attest:

Gwynn G. Bartlett, Carbon County Clerk

**Z.C. Case File #2019-06: Overland Trail Cattle Company**

Chairman Johnson opened a public hearing at 11:22 a.m. to hear Planning and Zoning Z.C. Case File #2019-06 – Overland Trail Cattle Company. County Planning Director, Sid Fox presented the case and companion case, a request for a Zone Change from Residential (RD) to Ranching, Agriculture and Mining (RAM) on approximately 61.97 acres approximately 3.5 miles southeast of Saratoga on the east side of HWY 130 off of Carbon County Road #209 to preserve historic uses and open space areas of the County while at the same time permit ranching, agriculture, animal husbandry, forestry, and mining in a manner that attains this purpose and a request for a Conditional Use Permit in the RAM Zone District to operate a guest ranch/recreational lodge that provides guest accommodations and recreational activities for guests. Paul Hickey, attorney along with Mike Johnson, Ranch Manager, and Kara Morgan with Anchutsz were present for questions. Public notices were published in the Rawlins Times and the Saratoga Sun on April 10, 2019.

Allen Harding with Brown & Hiser, representing the Sanger family, the adjacent property owner stated that a shooting range was present with the previous owner however it was only used a couple time per year. The new, current owner then used it for guests and group shooting events.

This issue was ended but with the submission of these applications the issue was brought up again with the filings of these applications. He stated these cases will solve the issues and urged the BOCC to adopt with the recommended conditions presented by Planning & Zoning. Chairman Johnson called for public comments for or against the conditional use permit. There being none, he closed the hearing at 11:32 a.m.

Commissioner Espy moved to approve Resolution No. 2019-12 Z.C. Case File #2019-06 - Overland Trail Cattle Company with any recommended conditions as listed in the resolution. Commissioner Moore seconded and the motion carried unanimously.

**Resolution No. 2019 - 12**

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

**Z.C. Case File #2019-06**

**WHEREAS**, pursuant to the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on Monday, April 1, 2019, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, April 1, 2019, public hearing, the Carbon County Planning and Zoning Commission provided the public the opportunity to comment and the Carbon County Planning and Zoning Commission considered any public comments which were made at said public hearing; and

**WHEREAS**, at the conclusion of said Monday, April 1, 2019, public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County Board of County Commissioners to adopt the change as an amendment to the Carbon County Official Zoning Map for Carbon County, Wyoming; and

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

**WHEREAS**, at said public hearing on May 14, 2019, the Carbon County Board of County Commissioners provided the opportunity for the public to comment and for the Carbon County Board of County Commissioners to consider any comments which were made on the proposed amendment; and

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

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

**WHEREAS**, at a regularly scheduled meeting of the Carbon County Board of County Commissioners, by majority vote, the Carbon County Board of County Commissioners moved to approve the proposed zoning amendment to the Carbon County Official Zoning Map.

**Z.C. Case File #2019-06:** Request for a Zone Change from Residential (RD) to Ranching, Agriculture and Mining (RAM) on approximately 61.97 acres. The RAM Zone is to preserve historic uses and open space areas of the County while at the same time permit ranching, agriculture, animal husbandry, forestry, and mining in a manner that attains this purpose.

**Petitioner:** The Overland Trail Cattle Company LLC (Applicant and Land Owner)

**Rural Address:** 52 Riverbend Road

**Parcel Identification Number:** 17832820000800

**General Site Location:** Approximately 3.5 miles southeast of Saratoga; east side of HWY 130 off Carbon County Road #209 (Cedar Ridge Road)

**Legal Description:** The calls of this legal description are based on a survey drawing by Martin A. Pedersen, PLS 544, dated 6/27/2011 and signed on 7/14/2011. This legal description is for the purpose of rezoning and should not be used for land title transfer. A parcel of land situated within the North ½ Section 29 and the North West ¼ of Section 28, T17N, R83W of the 6<sup>th</sup> P.M., Carbon County, Wyoming, being more specifically described as follows; Commencing at the North 1/16<sup>th</sup> corner between Section 28 and Section 29, said 1/16<sup>th</sup> corner being the True Point of Beginning of the herein described parcel; Thence N 89°44'00"W, for a distance of 2154.57' to a point; Thence N 86°10'50"W, for a distance of 93.61' more or less to the centerline of the North Platte River; Thence N 38°28'23"W, for a distance of 252.50' more or less, along the centerline of the North Platte River to a point on the north-south centerline of Section 29; Thence N 49°23'31"E, for a distance of 710.23' more or less to a point; Thence N 81°14'36"E, for a distance of 2643.17' more or less to a point, said point being on the centerline of Carbon County Road # 209; Thence S 27°56'25"E along said centerline of Carbon County Road #209, for a distance of 809.19' more or less to a point; Thence S 48°19'29"W, for a distance of 40.91' to a point; Thence S 48°18'02"W, for a distance of 498.63' to a point; Thence S 89°36'58"W, for a distance of 722.82' to the North 1/16<sup>th</sup> between Section 28 and Section 29 and the True Point of Beginning; Said parcel contains 61.97 Acres more or less and is subject any restrictions, reservations, easements and/or right-of-ways of record.

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

That the Carbon County Board of County Commissioners, hereby adopts this amendment as certified to them in writing by the Carbon County Planning and Zoning Commission and the existing zone shall be changed from Residential (RD) to Ranching, Agriculture and Mining (RAM) on approximately 61.97 acres.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 14th of May, 2019.

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

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

Attest:

Gwynn G. Bartlett, Carbon County Clerk

**C.U. Case #2019-03 Riverbend Lodge**

Chairman Johnson opened a public hearing at 11:34 a.m. to hear Companion Case: C.U. Case #2019-03 – Riverbend Lodge. Mr. Fox discussed this during the previous public hearing as this is a companion case. The predominant use is for the family.

Chairman Johnson called for public comments for or against the conditional use permit. There being none, he closed the hearing at 11:36 a.m.

Commissioner Jones moved to approve Resolution No. 2019-13 C.U. Case File #2019-03 – Riverbend Lodge with any recommended conditions as listed in the resolution. Commissioner Espy seconded and the motion carried unanimously.

**Resolution No. 2019 – 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 #2019-03 – “Riverbend Lodge”**

**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, April 1, 2019, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, April 1, 2019, public hearing, the Carbon County Planning and Zoning Commission provided the public the opportunity to comment and the Carbon County Planning and Zoning Commission considered any public comments which were made at said public hearing; and

**WHEREAS**, at the conclusion of the Monday, April 1, 2019, public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County Board of County Commissioners 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, May 14, 2019; and

**WHEREAS**, at said public hearing on May 14, 2019, the Carbon County Board of County Commissioners provided the opportunity for the public to comment and for the Carbon County Board of County Commissioners to consider any comments which were made on the proposed 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 #2019-03:** Request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone District. The request is to operate a guest ranch/recreational lodge that provides guest accommodations and recreational activities for guests.

**Project Name:** Riverbend Lodge

**Petitioner:** The Overland Trail Cattle Company LLC (Applicant and Land Owner)

**Rural Address:** 52 Riverbend Road

**Parcel Identification Number:** 17832820000800

**General Site Location:** Approximately 3.5 miles southeast of Saratoga; east side of HWY 130 off Carbon County Road #209 (Cedar Ridge Road)

**Legal Description:** The calls of this legal description are based on a survey drawing by Martin A. Pedersen, PLS 544, dated 6/27/2011 and signed on 7/14/2011. This legal description is for the purpose of rezoning and should not be used for land title transfer. A parcel of land situated within the North 1/2 Section 29 and the North West 1/4 of Section 28, T17N, R83W of the 6<sup>th</sup> P.M., Carbon County, Wyoming, being more specifically described as follows; Commencing at the North 1/16<sup>th</sup> corner between Section 28 and Section 29, said 1/16<sup>th</sup> corner being the True Point of Beginning of the herein described parcel; Thence N 89°44'00"W, for a distance of 2154.57' to a point; Thence N 86°10'50"W, for a distance of 93.61' more or less to the centerline of the North Platte River; Thence N 38°28'23"W, for a distance of 252.50' more or less, along the centerline of the North Platte River to a point on the north-south centerline of Section 29; Thence N 49°23'31"E, for a distance of 710.23' more or less to a point; Thence N 81°14'36"E, for a distance of 2643.17' more or less to a point, said point being on the centerline of Carbon County Road # 209; Thence S 27°56'25"E along said centerline of Carbon County Road #209, for a distance of 809.19' more or less to a point; Thence S 48°19'29"W, for a distance of 40.91' to a point; Thence S 48°18'02"W, for a distance of 498.63' to a point; Thence S 89°36'58"W, for a distance of 722.82' to the North 1/16<sup>th</sup> between Section 28 and Section 29 and the True Point of Beginning; Said parcel contains 61.97 Acres more or less and is subject any restrictions, reservations, easements and/or right-of-ways of record.

**TERMS AND CONDITIONS OF APPROVAL:**

1. Construction or reconstruction of the shooting range is not permitted on this parcel. Use of this parcel for recreational shooting activities with firearms, including, but not limited to, skeet, trap, and target shooting, shall not be permitted on this parcel.
2. Setbacks:
  - A thirty (30') foot strip of land measured horizontally from the identifiable high water mark on each side of any stream shall be protected in its natural state. Certain improvements may be located within the stream setback as long as site disturbance is minimized to the greatest extent possible, including but not limited to the following: improvements pursuant to a floodplain development permit, footpaths and trails intended for non-motorized use, bridges, fences, all irrigation related construction and structures,

hydroelectric facilities, including piping and ditches, flood control and bank stabilization devices.

- Utilities may be located within the stream setback if designed by a professional engineer licensed in Wyoming and approved as part of the county review process.
- 3. If the scope of the operation changes or increases beyond those described in the Conditional Use Permit application, the applicant shall notify the Carbon County Planning & Development Department in writing describing the proposed changes.
  - a. Upon receipt of a notice of proposed change or increase in the scope of operations, the Planning Department shall place the notice of the proposed change to the scope of the operation on the next available Planning and Zoning Commission agenda. The Planning and Zoning Commission shall determine whether the Recreation use remains in general conformance with this Conditional Use Permit or if a new Conditional Use Permit Application must be submitted.
- 4. Upon approval by the Board, the following provisions from the Zoning Resolution will be incorporated into the final Resolution:
  - d. In accordance with 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 with Section 7.7.I, Extension of Conditional Use Permits.
  - e. In accordance with Section 7.7.J, Transfer of Conditional Use Permits:
    - No conditional use permit shall be transferred without the prior approval of the Board of County Commissioners.
  - f. 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 #2019-03 – “Riverbend Lodge”).

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 14th day of May, 2019.

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

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

Attest:

Gwynn G. Bartlett, Carbon County Clerk

## **Certifications of Recommended Action**

County Planning Director, Sid Fox presented Certifications of Recommended Action.

Commissioner Moore moved to accept the Certifications of Recommended Action for Z.C. Case #2019-07 Walter and Kathleen Shepard and Western Hills Campground LLC, Minor Subdivision Case #2019-02 – Shepard Minor Subdivision and C.U. Case #2019-05 – Adobe Butte Feed Company and Dennis Criswell and schedule a public hearing for each at 11:15 a.m. June 4, 2019 at the Carbon County Courthouse in Rawlins, WY. Commissioner Espy seconded and the motion carried unanimously.

## **Planning & Zoning**

Planning and Zoning Director, Sid Fox provided an update on the proposed fee schedule. This would include county GIS data online and eliminating any fee for this as it would be readily available. Special requests for additional information or maps could require a fee.

Mr. Fox discussed the Memorandums of Understanding with the Town of Encampment and Town of Saratoga for planning, zoning and development review surrounding the corporate limits of Encampment.

Encampment requested the agreement and it does not obligate the town to do anything. The county would have to refer certain types of applications to the town if they are in the boundary and require public notice. The town would comment and the BOCC would take those comments into consideration.

Saratoga's town planning commission and Saratoga Council has reviewed and recommended some changes including removal of Old Baldy building permits being approved by the town as this is in the unincorporated area therefore the county should be issuing those. The BOCC requested that both Encampment and Saratoga sign the MOU's first then send back for county approval.

Mr. Fox invited the BOCC to the meeting with Adobe Butte Feed Company in Baggs May 17. It is a public presentation for the public's and county's benefit regarding their proposed feed lot application. Commissioner Jones requested they setup remote participation if possible.

Commissioner Espy did not return from lunch.

## **Clerk**

County Clerk, Gwynn Bartlett asked if the BOCC wanted to payout accrued comp time earned by employees over the past year. She stated county policy allows for the board to pay this out annually in June. She stated there was additional comp time earned by R&B employees this year due to the severity of the weather. The total payout if all was paid is approximately \$92,000 plus whatever is turned in by departments for May's payroll. She stated if her office is notified that someone intends to use some of the time they will payout whatever is not planned to be used.

The BOCC wanted the clerk to ask department heads if they wanted to maintain any time for their employees that has already been scheduled and payout the remainder.

Commissioner Jones moved to appoint Rocky Fiedor to the Platte Valley Community Center Joint Powers Board for an unexpired 3-year term ending June 2020. Commissioner Barkhurst seconded and the motion carried unanimously.

Clerk Bartlett requested and received authorization to replace an open position in her office. She also reported the May 7 election ran smooth with only a 29% turnout.

### **EKM&P**

John Milosovich of EKM&P discussed the Courthouse and Carbon Building project design and construction delivery methods. These two buildings were the county's Specific Purpose Tax project and would be funded with bond proceeds which would be repaid with 6<sup>th</sup> penny tax collections. Jamie Winters of Noel Griffith & Associates, architect for the project was also present.

To date the county has an AIA contract with EKM&P for design. That contract needs amended to continue with design. Currently the county had only authorized schematic design until after the May 7 election for the specific purpose tax which would fund the majority of this project.

Mr. Milosovich presented project delivery methods and mentioned it is helpful for the design team to know how the county will move forward. The delivery consists of planning, design; construction and other services to organize execute and complete a facility. The types of delivery methods would be design-bid build, construction management, construction management at risk and design-build, the last of which is not applicable. The main differences are who holds contracts.

Under the design-bid-build the general contractor holds the contract and then that individual contracts with subcontractors. The design team holds a separate contract. Design is complete, the project is bid and then it is built. The input isn't gained from the general contractor during design but rather when bids are received. This project will be very complex and this may not be the best method as the input could be valuable during the design phase. This method also takes the longest amount of time. This is the traditional low bid wins model. If a project comes in over budget then items would be cut after bids are received.

Using the construction management method the owner hires a construction manager (CM) who oversees the construction. This could be an individual or a firm who is selected on qualifications, not by a bidding process. The owner holds contracts with numerous subcontractors, the number of which would be determined. The CM has no legal contract to oversee subcontractors therefore the CM could have issue of enforcement of contracts. Because the county does not have a designated department to oversee multiple contracts and because sequencing will be a large part of this project this may not be the best method. The CM would be involved early and will help fast track and obtain the lowest bids possible.

Another option is a construction manager at risk (CMAR). The county would hire a construction manager based on qualifications and fees who is also the general contractor later on. With this

method the CMAR assist early with pre-construction, design, budgets and logistics and this firm would turn into the contractor later on. This allows for them to provide their costs very early on with subcontractor prices to come later. This firm would hold contracts with subcontractors and can create bid packages for those subs as they desire. These could be smaller packages that may allow more local involvement. The CMAR would provide a guaranteed maximum price (GMP) that is set for the duration of the project. This is typically done at approximately 95% design completion. The budget could be raised later increasing the GMP but typically a CMAR will work with the county to stay within the budget.

Comparing the three methods explained the pair recommended CMAR for the county due to the complexity of the project with multiple phases. If a CMAR is chosen, the pair would devise a request for qualifications then narrow down through those qualifications who is qualified and can bond and manage the project. The final firm would be chosen through a request for proposal process and after a detailed interview. This selection could be made within 45-60 days from the beginning of the process for preconstruction assistance.

Mr. Milosovich and Mr. Winters presented an addendum to their existing contract to begin design of the Courthouse 4<sup>th</sup> floor now. If the BOCC decides to use a CMAR they would begin work on the RFQ now.

The BOCC opted for a CMAR and indicated they would like to move forward with Courthouse 4<sup>th</sup> floor Design now. An AIA Amendment was presented for legal review. Clerk Bartlett noted that she wants to be sure the county can contract prior to adopting a reimbursement resolution to ensure it can be reimbursed from bond sales.

The BOCC asked Clerk Bartlett and Jim Piche to work with EKM&P on revising the Supreme Court grant to use those funds towards the master project.

### **EXECUTIVE SESSION**

Commissioner Moore moved to go into executive session with Ashley Davis and Clerk Bartlett to discuss personnel, potential litigation and other matters considered confidential by law at 3:25 p.m. Commissioner Jones seconded and the motion carried unanimously.

Commissioner Moore moved to come out of executive session at 3:51 p.m. noting no action was taken and the minutes be signed and sealed as written. Commissioner Jones seconded and the motion carried unanimously.

### **ATTORNEY**

Attorney Davis reported she has had one legal assistant and one attorney resign and she received authorization to advertise to replace the positions.

### **ADJOURNMENT**

Commissioner Moore moved to adjourn the meeting at 3:52 p.m. Commissioner Jones seconded and the motion carried unanimously.

A regular meeting of this Board will be held on June 4, 2019 at 9:00 a.m. at the Carbon County Courthouse. The public is invited to attend or you can listen online at the website listed below. To get on the agenda, call the Clerk's Office by the Thursday before the meeting. Per Wyo. Stat. §18-3-516(f), access to county information can be obtained at or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.