

**REPORT TO THE  
MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, December 3, 2019  
Carbon County Courthouse, Rawlins, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, December 3, 2019 at 9:00 a.m. at the Carbon County Courthouse, Rawlins, WY. Attending the meeting were; Chairman, John Johnson, Vice Chairman, Sue Jones, John Espy, Travis Moore, and Byron Barkhurst.

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

**ADDITIONS / CORRECTIONS**

There were no additions or corrections to the agenda.

**VOUCHERS**

Commissioner Espy moved to approve the report of expenditures in the amount of \$371,444.93. Commissioner Moore seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
307 PROFESSIONAL CLEAN LLC	CUSTODIAL SERVICES	\$10,485.00
ACME ELECTRIC COMPANY, LLC	MISC ELECTRICIAN SERVICES	\$5,510.75
ANTON COLLINS MITCHELL LLP	AUDIT SERVICES	\$20,000.00
APEX COMMUNICATIONS	EQUIP. INSTALL ON SHERIFF TRUCK	\$3,747.14
BAGGS, TOWN OF	WATER SERVICES	\$192.95
BANK OF MONTREAL - MASTERCARD	AED BATTERIES AND PADS	\$26,265.34
BIG HORN ROOFING, INC	JAIL ROOF REPLACEMENT	\$41,130.00
BLACK HILLS ENERGY	HEATING SERVICES	\$11,870.19
BOMGAARS SUPPLY	MISC PARTS	\$36.87
BOWLUS, JACQUELINE	JURY TRIAL LUNCH REIMBUR.	\$41.65
BUILD RITE LUMBER COMPANIES	MISC SUPPLIES	\$1,401.10
BULBS.COM	LIGHT BULBS	\$366.68
CAMPBELL, D. JASON	MILEAGE	\$27.00
CARBON COUNTY LAW LIBRARY	DAVIS 2019 DUES	\$200.00
CASPER STAR-TRIBUNE	RUNWAY REPAIR BID REQUESTS	\$692.00
CASPER WINNELSON CO	MISC PARTS	\$415.66
CLERK OF DIST COURT (JURORS)	DISTRICT COURT JURORS	\$4,974.00
CMI-TECO	DIESEL EXHAUST FLUID	\$61.02
CNA SURETY	BLACK NOTARY BOND	\$50.00
COLORADO STATE UNIVERSITY	LAB SERVICES	\$200.00
COLSON ROBERTS, ASHLEA A	FUEL REIMBURSEMENT	\$30.00

COUCH II, WAYNE M.D	COUNTY HEALTH OFFICER	\$1,600.00
COWBOY CHEMICAL	DISH SOAP/CLEANER	\$508.30
CULLIGAN WATER CONDITIONING	WATER SOFTENER SALT	\$285.00
DALLIN MOTORS INC	OIL CHANGE	\$34.43
DIRTY BOYZ SANITATION, INC	TRASH SERVICES	\$1,496.00
DIXON, TOWN OF	WATER SERVICES	\$308.00
DOI/BLM - ROCK SPRINGS	CARBON CEMETERY LEASE	\$250.00
ELEVATED TRAINING SOLUTIONS	RANDOM DRUG TEST	\$30.00
ELK MOUNTAIN, TOWN OF	PROPANE SERVICES	\$80.18
ENCARTELE	PREPAID INMATE PHONE CARDS	\$4,000.00
E-Z LIFT GARAGE DOORS	REPAIR SALLY PORT DOOR	\$1,998.00
FURTHER	HRA REIMBURSEMENT	\$1,794.66
GALLS/QUARTERMASTER	NAMEPLATES	\$26.00
GRAINGER	MISC PARTS	\$458.55
GRAPHIC BUSINESS SOLUTIONS, LLC	WINDOW ENVELOPES	\$363.50
HANNA, TOWN OF	WATER SERVICES	\$222.51
HEMMERT, RUSSELL	FOOD REIMBURSEMENT	\$250.59
HERMAN, BOBBIE	MILEAGE	\$27.00
HERNANDEZ, BRENDA	INTERPRETER SERVICES	\$25.00
HIGH DESERT WELDING & MACHINE	METAL/CUTS	\$71.04
HIGH PLAINS POWER	ELECTRIC SERVICES	\$23.02
HUCKE, HENRY	DOT PHYSICAL REIMBURSEMENT	\$103.00
INTERSTATE ALL BATTERY CENTER	TRANSMITTER BATTERY BACKUP	\$1,010.80
JOHNSTON, RANAE	MILEAGE	\$75.50
KAISLER, TODD	MILEAGE	\$54.00
KARI, DALE	MILEAGE	\$28.80
KINETIC LEASING	FIRE TRUCK LEASE PAYMENT	\$25,038.00
LOADER, JEAN	MILEAGE	\$175.50
MCKESSON MEDICAL-SURGICAL	MEDICAL SUPPLIES	\$162.87
MERCEDES TRANSCRIPTION, INC	TRANSCRIPTION SERVICES	\$108.35
MEYER, ROBERT K	FUEL REIMBURSEMENT	\$25.75
MIDWEST CONNECT	CARBON BLDG POSTAGE LABELS	\$85.00
MILLER, CORINNE	MEAL REIMBURSEMENT	\$170.20
MOSS, BARBARA	MILEAGE	\$54.60
MY OFFICE ETC.	OFFICE SUPPLIES	\$137.84
NEWBROUGH, MIKE	FUEL REIMBURSEMENT	\$24.50
NUMON, JERRY	FUEL REIMBURSEMENT	\$210.10
O'REILLY AUTO PARTS	MISC PARTS	\$71.24
PARKER, ELIZABETH	PLANNER/MILEAGE	\$20.82
PLAINSMAN PRINTING & SUPPLY	LABELS/CASE BINDERS	\$723.22
PUBLIC SAFETY CENTER, INC	TACTICAL JACKETS	\$276.00
QUILL CORPORATION	PAPER	\$169.90
RAWLINS AUTOMOTIVE	IDLER PULLEY	\$699.43

READY, JUSTIN	MILEAGE	\$48.00
ROSTAD LAW, LLC	LEGAL SERVICES	\$2,630.56
SARATOGA HOT SPRINGS RESORT	MEALS	\$64.00
SCHAEFFER MFG CO	OIL	\$1,120.35
SHEPARD, SHANDRA NP	REPRODUCTIVE HEALTH NURSE	\$150.00
SHIVELY HARDWARE	SNOWCAT TIRE REPAIR	\$78.13
SLOW AND STEADY LAW OFFICE	LEGAL SERVICES	\$15,750.00
STAGE STOP GENERAL STORE	MEALS	\$92.03
STAPLES ADVANTAGE	MISC OFFICE SUPPLIES	\$216.93
STINKER STORES, INC.	FUEL	\$5,773.35
SUMMIT FOOD SERVICE	JAIL MEALS	\$7,434.58
SWANSON SERVICES CORPORATION	COMMISSARY SUPPLIES	\$945.93
T.W. ENTERPRISES, INC.	GENERATOR SUPPLIES	\$3,545.85
TERMINIX	PEST CONTROL	\$175.00
TERRACON	CARBON BLDG SHEAR WALL STUDY	\$4,500.00
THOMSON REUTERS-WEST PAYMENT	WEST INFORMATION CHARGES	\$786.44
THOS. Y. PICKETT & CO., INC.	VALUATION CONTRACT INSTALLMENT	\$6,000.00
TIGER MART	FUEL	\$527.95
T-O ENGINEERS	PROJECT 190035 SRVS JULY 2019	\$74,394.85
TRADING POST	FUEL	\$360.90
TREVATHAN, SABRINA RMR	TRANSCRIPTION SERVICES	\$610.40
TRUE VALUE OF RAWLINS	MISC PARTS	\$514.71
VALLEY OIL COMPANY	FUEL	\$1,113.73
VOLUNTEER FIREMEN PENSION FUND	NOV VOLUNTEER FIRE PENSION	\$480.00
WLC ENGINEERING	CONTRACT ADMINISTRATION	\$153.00
WY DEPT OF TRANSPORTATION	SAVERY BRIDGE REPLACEMENT	\$4,040.61
WY MACHINERY COMPANY	MISC PARTS/LEASE PMT	\$68,939.08
YOCUM, LEO	MILEAGE	\$24.00

## CONSENT AGENDA

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the November 19, 2019 regular meeting minutes, a bond for Jim D. Copeland, Superintendent for Carbon County School District #2 in the amount of \$50,000.00 and Notice of Valuation Changes in the amount of (\$3,235,202.00). Commissioner Barkhurst seconded and the motion carried unanimously.

## ELECTED OFFICIALS & DEPARTMENT HEADS

### Fire Warden

Fire Warden John Rutherford and Sheriff Archie Roybal discussed the vacant Emergency Management Coordinator position currently filled by Ron Brown as the interim. The initial plan

was to combine the Fire Warden and Emergency Manager positions however after further review and some incidents they think combining the positions may not be in the best interest of the county.

A group of individuals including Assistant Fire Warden Ron Brown, Public Health Response Coordinator Emily Kaluzny, Clerk Gwynn Bartlett, Commissioner Travis Moore, Albany County Emergency Manager Amy Benning and Sheriff Archie Roybal met and determined the position should be a stand-alone, full-time position. The group also recommended the position be located in the Courthouse for now and near the Fire Warden in the Carbon Building after the renovation project. The pay is recommended around \$55,000/year. There was discussion of who would supervise the person and the Sheriff offered noting there would be coordination with the fire warden. The BOCC agreed this should be under the Sheriff and a full-time position at the pay range presented. Sheriff Roybal backed off a bit and said he would need more thought put into the matter before proceeding.

There was also discussion of potentially making the fire warden a full-time position and that the emergency manager would make more sense to work under that position and that they may need a shared administrative assistant in the future that could also be shared with the IT Department.

After being asked Mr. Rutherford's recommendation was for a full-time fire warden with a part-time emergency manager under that person if the county could not afford both full-time positions. Ron Brown, interim Emergency Manager also stated that the county would do best with both full-time positions.

The BOCC asked for budget scenarios with further discussion on whether the county should advertise for a full-time emergency management coordinator. They would like to hear more about a full-time fire warden in the future. Commissioners Jones and Barkhurst both mentioned investigating further into a countywide fire district as well. Ultimately the BOCC asked the group to look into the matter further and bring back budgets and more information about three options – a full-time emergency manager and part-time fire warden, full-time fire warden and part-time emergency manager and full-time for both. Clerk Bartlett stated her office would provide further information including a timeline for a potential countywide fire district.

### **Public Health**

Public Health Nurse Amanda Brown presented information on services her office has provided. Flu is expected to increase over the upcoming months and more vaccinations have been provided this year by her office. They plan to increase participation in the Ryan White Program for HIV case management.

Emily Kaluzny, Public Health Response Coordinator stated the WY Cancer Resource provided their entire stock of sunscreen for next year. These will be strategically located throughout the county.

### **Sheriff**

Sheriff Archie Roybal, Carbon County Victim Witness Coordinator Loretta Hansen and Victim Witness Assistant Dawnnette Spaulding presented the Carbon County Victim Witness Program's report card from the Wyoming Attorney General's Division of Victim Services. The Carbon County Victim Witness Program had a successful on-site and was found to be in substantial compliance, the highest level of compliance, with the Division of Victim Services (DVS) rules as required by the State. A finding of substantial compliance is required for continued funding from DVS.

### **Road & Bridge**

Road & Bridge Coordinator Kandis Fritz thanked the staff for stepping up with recent storms and doing a great job.

### **Buildings & Grounds**

Buildings & Grounds Manager Jim Piche reported the engineer expects multiple bids for the Medicine Bow complex project. The new garage doors at the Rawlins Fire Department are installed, Saratoga Library roof has reached substantial completion, the Encampment Senior Center roof will be held off until better weather in the spring, the jail roof is approximately 85% complete, the Coroner cooler arrived last week, and snow removal has been a priority. He thanked the City of Rawlins for helping haul the snow away.

### **Planning and Zoning**

Planning Director, Sid Fox discussed the Brush Creek Ranch Green Mountain First Amendment to the Declaration of Covenants. The original declaration provides that "No dwelling shall hereafter be constructed or installed on the Property unless the dwelling is constructed pursuant to (a) a Planned Unit Development application, approved by the Commission, which integrates an alpine ski facility with residential uses and related amenities..." Brush Creek Ranch wishes to temporarily utilize the four yurts\warming huts to provide commercial guest services as provided pursuant to the Amendment, which would require the amendment. The BOCC asked Mr. Fox to work with the landowner for language for protective covenants. The applicant wanted two winter seasons and at the last meeting the BOCC seemed to indicate that was their preference. Since the last meeting he and Attorney Davis have been working with the applicant. The main elements of the amendment is that they can use the mountain for winter recreational activities for this winter and next winter, the applicant is committing to submit a Planned Unit Development (PUD) sketch plan by May 15, 2020 and as part of that will be a report on the current winter activities. May 15, 2021 they would submit their final PUD which would require final zoning action by the county.

Attorney Davis stated the allowed timeframe would provide them time to research usage with the goal being the sketch plan would trigger a public input process prior to the 20-21 winter season. The current covenants that exist state they will terminate when a PUD application is approved or a subsequent application for rezoning is approved. Mr. Fox will return at a future meeting with a resolution.

Mr. Fox presented a certification of recommended action for Case File #2019-07 for Brush Creek Ranch.

Commissioner Espy moved to accept the Certification of Recommended Action for Case File 2019-07 for Brush Creek Ranch, an Amendment to an existing Conditional Use Permit for expansion of the guest ranch and resort along with associated recreational uses and support facilities that will be operated in context and in conjunction with the historic ranching operations. This amendment is intended to obtain authorization for new and future building improvements throughout the Brush Creek Ranch properties; including The Farms at Brush Creek Ranch, The American Wagyu Beef/Brush Creek Agricultural Center Buildings, Employee Housing and the Rendezvous Camp. The overall property contains approximately 13,150 acres, including a 3,434 acre conservation easement. The motion schedules a public hearing for January 7, 2020 at 11:15 a.m. Commissioner Moore seconded and the motion carried unanimously.

**Clerk**

Gwynn Bartlett, County Clerk requested the Chairman's signature on the Amendment to the Professional Services Agreement for EKM&P. This Amendment is required for EKM&P to complete their architectural services. Attorney Davis has reviewed and stated it meets her legal approval. Commissioner Barkhurst asked for additional time to review.

Ms. Bartlett requested the Chairman's signature on a resolution for Pinnacle to allow reimbursement from our upcoming lease/purchase for the blades. We owe about \$70,000 now for the two blades already delivered then we will owe some when the third is delivered around January and we trade the final one. The end dump should also be delivered around the same time.

Commissioner Jones moved to approve Resolution No. 2019-37, A Resolution Providing Official Intent to Reimburse Certain Capital Expenditures from Bonds, Notes or Other Financing Obligation. Commissioner Espy seconded and the motion carried unanimously.

Resolution No. 2019 - 37

**RESOLUTION PROVIDING OFFICIAL INTENT TO  
REIMBURSE CERTAIN CAPITAL EXPENDITURES FROM  
BONDS, NOTES, OR OTHER FINANCING OBLIGATION.**

WHEREAS, Carbon County, Wyoming (the "County") has made, or expects to make, capital expenditures in connection with the purchase of three new blades and one end dump truck (the "Project");

WHEREAS, to the extent that a portion of such expenditures have already been incurred, such expenditures have been paid no earlier than sixty (60) days prior to adoption of this Resolution;

WHEREAS, the County intends to reimburse itself for such expenditures with the proceeds of bonds, notes, or other financing obligation;

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Carbon County, Wyoming, as follows:

RESOLVED, that the County intends to reimburse the capital expenditures related to the Project;

RESOLVED, that the County reasonably expects the maximum principal amount of the bonds, notes, or other financing obligation to be issued for the Project is \$490,000.00

ADOPTED by the Board of County Commissioners, Carbon County Wyoming this 3rd day of December, 2019.

-s- Willing John Johnson, Chairman

ATTEST:

-s- Gwynn G. Bartlett, Carbon Clerk

Clerk Bartlett reported the county's Courthouse & Carbon Building project design team continues to look at entry ways for the north side of the Carbon Building. The entries may be cost prohibitive and employees parking in the back lot may still need to enter on the east side. She will present more information later but confirmed the BOCC wanted the team to investigate use of the freight elevator as a potential entryway.

### **Attorney**

County Attorney, Ashley Davis presented a job description for a Mental Health Examiner and notes she will review the earlier proposed Emergency Management Coordinator description as well. In the interim Melissa Eichenberger who was a former employee for the county has offered to provide services at the jail at a rate much lower than the county was previously paying. She will be under a contract interim basis not working as an employee.

Attorney Davis discussed the Elmo Property going out for bid. Currently Carbon County owns a vacant lot on 2112 3<sup>rd</sup> Street, Elmo Addition. The county obtained this property through a Treasurer's Tax Deed on October 11, 1996. The County has no interests in this property and would like to put the property out to bid for purchase. The assessed value is \$612.00 and the actual value per the Assessor is \$6,438.00

Commissioner Jones moved to approve the Notice of Sale of Real Property Located in Elmo, WY and Agreement for Sale of Real Estate. Commissioner Barkhurst seconded and the motion carried unanimously.

Attorney Davis reported years ago the county approved a Quitclaim Deed to the City of Rawlins for a fishing pond to be located on land the county owned behind the county jail. The project was not completed therefore the property has now reverted back to the county per the reversionary

clause in the deed. The City thinks the property will be developed in the next year however they both agreed a new deed with a three year reversionary clause would be ideal to ensure development has time to occur.

Commissioner Jones moved to authorize the Chairman's signature on the Quitclaim Deed to the City of Rawlins for the land located within the NE1/4 of Section 16, Township 21, North Range 87 West, 6<sup>th</sup> P.M., City of Rawlins, Carbon County, Wyoming. Commissioner Espy seconded and Commissioner Moore stated his concern that the City of Rawlins has not updated the county. He asked to be kept up to date about the project as the city proceeds. Attorney Davis stated the deed could be delayed until the city provides an update. The motion was tabled until December 17 and he requested the City of Rawlins come with an update at that time.

Attorney Davis has reviewed the Underwriter Engagement Agreement between Stifel, Nicolaus & Company, Incorporated ("Stifel") and Carbon County Specific Purpose Tax Joint Powers Board. She also discussed this with bond attorney Barbara Bonds and she recommends the group hire a financial advisor. The amended joint powers agreement was recently turned into to WY Attorney General's Office and the JPB can't sign it until that agreement has been approved.

This agreement will provide non-exclusive capital markets advisory and related services specializing in helping state and local government agencies raise capital to build and maintain essential infrastructure in the communities they serve.

### **Executive Session**

Commissioner Espy moved to go into executive session at 11:04 a.m. with Attorney Davis, Patty Bentsen and Clerk Bartlett to discuss matters of personnel, potential litigation and other matters considered confidential by law. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Espy moved to come out of executive session at 11:40 a.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Barkhurst seconded and the motion carried unanimously.

### **Attorney**

Attorney Davis requested and received authorization to refill an attorney position in her office. She also asked if the BOCC would like to opt into a negotiated class in the opiate litigation.

Commissioner Jones moved to opt into a negotiated class in the existing opiate litigation. Commissioner Espy seconded and the motion carried unanimously.

### **Ron and Mayvon Platt**

Republican State Committeewoman Mayvon Platt and Committeeman Ron Platt presented Wyoming Resolutions Calling Upon the Republic to Audit the Federal Government in Accordance with the U.S. Constitution that was passed by the Republican State Central Committee on May 4,

2019. They are concerned about federal overreach to states and asked for the BOCC's support of the resolution. The resolution is being drafted into a bill for Congress to consider. She stated this is different than the Article 5 Convention.

Ms. Platt also wanted to know if there was going to be an option for the public to volunteer for a Steering Committee for the county's Natural Resource Management Plan. She stated Big Horn County proceeded with this process with a steering committee and recommended this for Carbon County. She and Ron volunteered to be on the committee. According to her Big Horn hired the same consultant as Carbon County and their steering committee ended up doing all the work. Mr. Platt also encouraged the committee and suggested he could provide names of others qualified to serve.

Ms. Platt asked if a steering committee would be formed. Chairman Johnson stated the county would start with the process and work with the hired consultant and determine the need for a committee during the process. Chairman Johnson added they have three conservation districts in the county that he would like involvement from and explained they are not far enough into the process. Mr. Platt agreed but encouraged involvement from "people of the county, not government employees". Commissioner Espy stated WY Statute 16-4-401 through 408 outlines the process and requires a public input process. Ms. Platt suggested that prior to the public process the county have a draft plan in place for the public to consider.

### **Commissioners**

Commissioner Barkhurst moved to authorize the Chairman's signature on the Amendment 2 to the Professional Services Agreement for EKM&P for their fees using a total construction budget of \$18 million. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Jones presented the Dixon Runway Repair project bids that were opened November 25 in the Clerk's Office as advertised. Bids were received from B Jackson Construction in the amount of \$374,539.60, United Companies in the amount of \$456,794.80 and from X Field Services in the amount of \$512,716.85. She recommended accepting the low bid and the board agreed. The county will be responsible for 4% of the total project totaling \$23,662.28. This is approximately \$10,000 more than anticipated and will come from the Dixon Airport fund. A notice to proceed and contract will be presented at a later date.

### **PUBLIC HEARINGS**

#### **C.U.W. Case #2019-02-Two Rivers Wind Energy Project and C.U.W. Case #2019-03-Lucky Star Wind Energy Project**

Chairman Johnson opened a public hearing at 1:32 p.m. to hear Planning & Zoning C.U.W. Cases #2019-02-Two Rivers Wind Energy Project, Request for a Conditional Use Permit for a Commercial Wind Energy Facility in the Ranching, Agriculture and Mining (RAM) Zone and Planning & C.U.W. Case #2019-03-Lucky Star Wind Energy Project, request for a Conditional Use Permit for a Commercial Wind Energy Facility in a Ranching, Agriculture and Mining (RAM) Zone. Sid Fox, County Planning Director presented the case files.

October 15, 2019 there were previous hearings on these cases and the BOCC requested additional information. First according to Mr. Fox the applicant has come to agreement with Anadarko Petroleum. Next the BOCC expressed concern about the lack of progress through the Bureau of Land Management federal NEPA process and whether a full Environmental Impact Statement (EIS) or just an Environmental Assessment (EA) would be sufficient.

Gareth McDonald with Blue Earth Renewables, representing the applicant reported that Anadarko had withdrawn their complaint and are negotiating a shared use agreement for the two sites. Mr. McDonald said they just finished meeting with the BLM today and the cost recovery schedule is to be received today. They anticipate an EA process rather than EIS and it should begin in January and all studies have been completed that were requested.

Kandis Fritz, R&B Coordinator asked that the group be aware that any construction or improvements that may need done prior to them using the road would be at their expense. The pair acknowledged this and said they plan to leave the roads in better condition than found. She also requested a joint tour of the roads prior to and after usage and Mr. McDonald suggested a video representation be made.

Attorney Davis reviewed the staff report which lists other options than straight approval. She said that within 45 days of a hearing the BOCC should grant or deny the application. She added that no permit shall be granted if all necessary permits have not been obtained. She stated the decision would be made by resolution.

An e-mail in favor of the Two Rivers Wind Project was received from Bill Bailey owner and manager of the Two Rivers Ranch next to Medicine Bow, WY. In the letter Mr. Bailey states "BluEarth and Intermountain Wind have been doing everything they can to develop this project properly by being sensitive to the environmental and cultural resources out there..."

Chairman Johnson called for additional comments for or against the case. There being none he closed the public hearing at 1:42 p.m.

Commissioner Espy asked how long after a cost recovery account is setup would the draft EA be released. The applicant expects 3-6 months for both projects. He also asked if the applicant would obtain a permit with US Fish & Wildlife service and they replied that they are developing an eagle conservation plan within 6 months and an eagle take permit needs to be in place within a month before units begin to spin so potentially one year from now.

Commissioner Jones said that in her tenure as a Commissioner these are the first projects to come through that don't seem to be in order for the county's precedent. The county's zoning regulations for wind energy says a list of all state and federal agencies requiring approval and proof of those are to be produced. The CUP should be conditional upon receipt of those permits. She is concerned that the applicant has not followed the process.

Chairman Johnson stated that the county's policies have to be protected to make the process sustainable into the future. He would like to see this permit after the BLM's record of decision is released.

Commissioner Jones moved to deny C.U.W. Case #2019-02-Two Rivers Wind Energy Project request for Conditional Use Permit for a Commercial Wind Energy Facility in a Ranching, Agriculture and Mining (RAM) Zone located in Northeast Carbon County; north of US Highway 30 and the Town of Medicine Bow and C.U.W. Case #2019-03-Lucky Star Wind Energy Project request for a Conditional Use Permit for a Commercial Wind Energy Facility in a Ranching, Agriculture and Mining (RAM) Zone located South of Highway 30 and the Town of Medicine Bow in Carbon County. The Application Area is located on approximately 79,818 total acres (with 15,802 acres located in Carbon County) and the remainder in Albany County. Commissioner Espy seconded and Chairman Johnson stated he does not feel he is saying not the project but rather the process. He feels policy has been set to give direction to the process. Commissioner Moore asked if the process is sped up if the applicant reapplies and Mr. Fox replied that the public notices would have to be redone if the applicant reapplied. He clarified that the industrial siting permit is good for three years and a condition of that permit is that the county issues the permit within that timeframe. Mr. Fox estimated 3-4 months from a reapplication to approval/denial. Mr. McDonald stated they would likely only feel comfortable reapplying once the BLM permit has been issued. He asked if the project could be permitted with a condition of a BLM permit being issued. The motion passed unanimously.

#### **ADJOURNMENT**

Commissioner Espy moved to adjourn the meeting at 2:04 p.m. Commissioner Moore seconded and the motion carried unanimously.

A regular meeting of this Board will be held Tuesday, January 7, 2020 at 9:00 a.m. at the Carbon County Courthouse, Rawlins, WY. The public is invited to attend or you can listen online at the website listed below. To get on the agenda, call the Clerk's Office by the Thursday before the meeting. Per Wyo. Stat. §18-3-516(f), access to county information can be obtained at or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.