

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, June 16, 2020
Carbon County Courthouse, Rawlins, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, June 16, 2020 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. Commissioner Espy asked that the minutes from last meeting be corrected to reflect the right year.

VOUCHERS

Commissioner Jones moved to approve May 2020 payroll and benefit expenses of \$949,809.11 and insurance claim and premium expenses of \$165,502.66 and the main amount of bills totaling \$1,082,078.65 for an aggregate total today of \$2,197,390.42. Commissioner Barkhurst seconded and the motion carried unanimously.

| Vendor | Detail Line Description | Total |
|--------------------------------|---------------------------------|-------------|
| Acme Electric Company, LLC | Electrician Services | \$268.49 |
| Advanced Heating, Inc. | Baggs Senior Center HVAC System | \$10,974.00 |
| Apex Communications | Maintenance Agreement/Repeaters | \$51,149.49 |
| APG Media Of The Rockies | Misc. Ads | \$215.00 |
| API Systems Integrators | Electrician Services | \$1,360.11 |
| Axon Enterprise, Inc. | Body Cams/Taser/Holsters | \$10,666.90 |
| Baggs, Town Of | Water Services | \$29.45 |
| Balestrieri, Michelle | Postage | \$14.05 |
| Bank Of Montreal - Mastercard | Misc. Charges | \$46,476.63 |
| Bi Inc. | Monthly Monitoring Services | \$1,742.00 |
| Big Bale Company | Tire Repair | \$53.50 |
| Big Sky Communications Inc | Starset For Controller/Dispatch | \$199.00 |
| Blakeman Propane | Heating Services | \$453.20 |
| Bomgaars Supply | Misc. Parts | \$24.33 |
| Build Rite Lumber Companies | Misc. Supplies | \$631.32 |
| Carbon County Fair Association | Fair Awards | \$180.00 |
| Carbon County Treasurer | 812 E Murray St Taxes | \$2,539.41 |

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|--------------------------------------|-----------------------------------------|--------------|
| Carbon Power & Light Inc. | Electric Services | \$2,043.81 |
| Care More Turf Maintenance | Jeffrey Center Lawn Care | \$500.00 |
| CareRight Technologies, LLC | Monthly Bed Fee | \$128.70 |
| Casper Star-Tribune | Misc. Ads | \$16.09 |
| Casper Winnelson Co | Misc. Parts | \$64.10 |
| Cathedral Home For Children | Diversion Program Funding | \$22,500.00 |
| CDW Government, Inc. | Misc. It Supplies | \$40,640.97 |
| Charter Communications | Cable Services | \$120.34 |
| Circle H Roofing | Seal Leaks On Roof | \$1,000.00 |
| Civic-Plus | Website Design And Hosting | \$4,575.38 |
| CNA Surety | M. Redmond Treas. Bond For Jeff Center | \$250.00 |
| Convergeone, Inc. | Misc. Charges | \$44,023.00 |
| Couch Ii, Wayne M.D | County Health Officer | \$1,600.00 |
| Cowboy Chemical | Laundry Soap | \$285.70 |
| Cowboy Supply House | Misc. Cleaning Supplies | \$956.70 |
| Dallin Motors Inc. | Service On 2018 Ram | \$205.69 |
| Dell Marketing L.P. | Computers | \$127,162.70 |
| Dirty Boyz Sanitation, Inc. | Trash Services | \$1,536.00 |
| Dishman, Seth | It Contract Hours | \$980.50 |
| EKM&P, Inc. Dba Voorhis Assoc., Inc. | Carbon Building/ Courthouse Design Fees | \$299,218.59 |
| Elk Mountain, Town Of | Water Services | \$67.00 |
| Encampment, Town Of | Water Services | \$96.00 |
| Engineering Associates | Med Bow Shop | \$17,527.65 |
| Erickson & Roberts | Legal Services | \$809.05 |
| Fatbeam LLC | Fiber Lines | \$5,144.85 |
| Galls/Quartermaster | Deputy Shirts | \$333.25 |
| Gay, Jason | Moving Expenses | \$10,000.00 |
| Gcr Electronics, LLC | Site Rent | \$2,000.00 |
| Glaxosmithkline Pharmaceuticals | Vaccines | \$2,110.73 |
| Grainger | Air Filter | \$809.18 |
| Graphic Business Solutions, LLC | Envelopes | \$363.50 |
| Greater WY Big Bros/Sisters | County Prevention Services | \$26,463.87 |
| Greenwood Mapping, Inc. | Parcel Mapping & Support | \$1,481.25 |
| Hahn Construction | Hanna Senior Center Store Front Door | \$400.00 |
| Hanna, Town Of | Water Services | \$261.85 |
| Herman, Bobbie | Mileage | \$27.00 |
| Iron J Towing | Towing Fees | \$748.10 |
| Jack's Body & Fender Repair | Tow Charges | \$5,303.80 |
| Kaisler, Todd | Mileage | \$54.00 |
| Kilburn Tire Company | Tire | \$814.48 |
| KTGA/KBDY | Absentee Ballot Radio Ads | \$390.00 |

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|-----------------------------------|-------------------------------------|-------------|
| Medicine Bow, Town Of | Water Services | \$203.00 |
| MHCC | Psych Lock Up | \$15,519.38 |
| Merback Award Company | Plaque | \$161.81 |
| Mercedes Transcription, Inc. | Transcription Services | \$60.72 |
| Meridian Psychological, LLC | Psychological Assessment | \$1,550.00 |
| Michaels Fence | Fencing Material | \$1,233.98 |
| Montana Dept. Of Corrections | 41st Annual Northwest Shuttle Conf. | \$550.00 |
| Moss, Barbara | Mileage | \$57.60 |
| Mountain West Motors | 2014 Ford Vehicle Maintenance | \$637.51 |
| MPM Corp / Evergreen Disposal | Trash Services | \$130.00 |
| My Office Etc. | Misc. Office Supplies | \$196.48 |
| Nationwide | S. Miles Bond | \$50.00 |
| Nebraska DMV | Driver Record Request | \$3.00 |
| Oregon DMV | Driver Record Request | \$1.50 |
| Parker, Elizabeth | Mileage | \$17.50 |
| Perkins Conoco | Fuel | \$38.01 |
| Perkins Oil Co | Fuel | \$1,205.30 |
| Plainsman Printing & Supply | Binders | \$95.65 |
| Power Equipment Company | Misc. Parts | \$218.04 |
| Quill Corporation | Misc. Office Supplies | \$1,081.11 |
| Rawlins Automotive | Misc. Supplies | \$297.29 |
| Rawlins Glass Center, Inc. | Windshield | \$526.95 |
| Rawlins, City Of | Building Permit | \$1,650.00 |
| Ready, Justin | Mileage | \$48.00 |
| Relentless, LLC | Sheriff Deputy Workshop | \$599.00 |
| Ricoh USA Inc. | It Copiers | \$6,789.96 |
| Rostad Law, LLC | Legal Services | \$1,425.65 |
| Saratoga Auto Glass | Windshield Repair | \$60.00 |
| Saratoga Feed & Grain | Pellet Salt | \$343.00 |
| Saratoga Sun | Misc. Ads | \$1,707.00 |
| Saratoga, Town Of | Water Services | \$248.50 |
| Schilling & Winn Pc | Legal Services | \$3,326.65 |
| Shepard, Shandra Np | Reproductive Health Np | \$416.00 |
| Shepard's | Fuel | \$380.02 |
| Shively Hardware | Misc. Supplies | \$168.90 |
| Slow And Steady Law Office, PLLC | Legal Services | \$3,075.00 |
| Snake River Press | Newspaper Ad | \$144.00 |
| Specialized Pathology Consultants | Autopsy | \$2,350.00 |
| Staples Advantage | Misc. Office Supplies | \$118.37 |
| State Of Wyoming A & I | Mainframe | \$12.13 |
| Stinker Stores, Inc. | Fuel | \$4,768.17 |

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|------------------------------------|--------------------------------------------------------|--------------|
| Summit Food Service | Jail Meals | \$6,616.25 |
| Swanson Services Corporation | Jail Commissary Supplies | \$1,213.12 |
| Sweetwater County Sheriff's Office | Juvenile Housing | \$975.00 |
| Thomas Scientific | Covid Supplies | \$4,755.34 |
| Thomson Reuters-West Payment Ctr | West Information Charges | \$786.44 |
| Toyota Of Laramie | Vehicle Repairs | \$214.30 |
| Trudiligence, LLC | EE/Vol Background Checks | \$99.97 |
| True Value Of Rawlins | Misc. Supplies | \$713.77 |
| U S Identification Manual | Subscription Renewal | \$82.50 |
| United Healthcare Insurance Co | Ph Vaccine Refunds | \$163.04 |
| University Of WY (Ces) | Ces Support Person Salary Match | \$16,536.63 |
| Us Bank | Misc. Charges | \$12,211.52 |
| Valley Oil Company | Fuel | \$1,167.47 |
| Volunteer Firemen Pension Fund | May Vol Fire Retirement | \$990.00 |
| W.A.R.M. Property Insurance Pool | Property Assessment For July 2020-2021 | \$170,912.72 |
| Westar Printing LLC | Vinyl Decals | \$50.00 |
| Western Planning Resources, Inc. | Job Advertisement | \$75.00 |
| WexBank | Sheriff Dues & Subscriptions | \$334.44 |
| Wille, O.R. | Mileage | \$45.00 |
| Windswept Goods | Face Masks/Hand Sanitizer | \$275.84 |
| WY Behavioral Institute | Adult Mental Health Lockup | \$2,732.07 |
| WY County Assessor's Association | 2020 Association Dues | \$200.00 |
| WY County Commissioner's Assoc. | 2020 Legislative Conference | \$400.00 |
| WY Dept. Of Health | State Vehicle Rental | \$40,316.43 |
| WY Dept. Of Transportation | New Plate/Transfer Plate 2020 Peterbilt And 2019 Dodge | \$7.00 |
| WY Diesel Service | Western Star Lowboy Transport Overhaul | \$17,325.13 |
| WY Machinery Company | Misc. Parts | \$843.78 |
| WY Public Health Laboratory | Lab Fees | \$344.00 |
| Wyoming Disposal Systems | Trash Services | \$212.00 |
| 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 June 2, 2020 regular meeting minutes, monthly receipts from Road and Bridge in the amount of \$1,906.60, monthly receipts from Clerk of District Court in the amount of \$3,050.00 and County Clerk in the amount of \$36,955.00. Commissioner Moore seconded and the motion carried unanimously.

ELECTED OFFICIALS & DEPARTMENT HEADS

Planning and Zoning

Planning and Zoning Office Administrator, Kristy Rowan and others spoke in recognition of Planning Director, Sid Fox who is retiring June 30 after 10 years with the county.

Road & Bridge

Road & Bridge Coordinator Kandis Fritz presented Congestion Mitigation Air Quality (CMAQ) bids for magnesium chloride received from the following. Costs were requested for cost per mile, total price for 55 miles of mag chloride only, per mile for mag chloride and water and total for 55 miles of mag chloride and water.

Dustbusters bid \$4,699.00 per mile mag chloride only, \$258,445.00 for 55 miles of mag chloride only; \$5,699.00 per mile for mag chloride and water only and total price for 55 miles \$313,445.00.

Ready Oilfield bid \$4,950.00 per mile mag chloride only, \$272,250.00 for 55 miles of mag chloride only; \$6,435.00 per mile for mag chloride and water only and total price for 55 miles \$353,925.00.

F&S Trucking bid \$5,649.00 per mile mag chloride only, \$310,723.00 for 55 miles of mag chloride only; \$8,036.85 per mile for mag chloride and water only and total price for 55 miles \$442,027.00. Ms. Fritz will send to the state for their approval and she recommended approval of the low bid. She recommended accepting the low bid for mag chloride and water on 55 miles noting the grant will cover this.

Commissioner Espy moved to award the CMAQ bid to Dustbusters in the amount of \$258,445.00 for magnesium and water in the amount of \$5,699.00 for up to 55 miles. Commissioner Moore seconded and the motion carried unanimously.

Fire

Fire Warden Ron Brown presented fireworks permits from Seminole Boat Club, Brush Creek Ranch and The Arnold family in Saratoga for approval. Mr. Brown performed site visits on each and recommends approval. Historically the fee was waived for Mr. Arnold as his display is very small and products are all over the counter. Commissioner Barkhurst questioned if all fees would be waived for similar displays and Mr. Brown said that this individual is applying more as a courtesy. Commissioners Espy, Johnson and Jones discussed the reasons why the fee is waived and said they appreciated him even applying when others do illegal displays.

Commissioner Espy moved to accept Ron Brown's authorization on fireworks permits for Seminoe Boat Club, Brush Creek Ranch and the Arnold family in Saratoga and waive the fee for Mr. Arnold. Commissioner Jones seconded and Commissioner Barkhurst stated that he feels under the current wording on the permit he will vote no as he feels a precedence is being set. Commissioner Moore encouraged others to apply as Mr. Arnold does. The motion carried with all voting for the motion except Commissioner Barkhurst who voted against.

Sheriff

Sheriff Archie Roybal presented the Motorola Service Agreement in the amount of \$6,576.83 for a term of July 15, 2020 through July 14, 2021 for approval.

Commissioner Espy moved to authorize the Chairman's signature on the Motorola Service Agreement in the amount of \$6,576.83 for a term of July 15, 2020 through July 14, 2021. Commissioner Moore seconded and the motion passed unanimously.

Sheriff Roybal presented the Prisoner Housing Memorandum of Understanding with the Town of Saratoga for approval. The last agreement was from the 80's and needs updated. Attorney Davis discussed some proposed changes to the agreement noting that the county will return a proposed agreement to them for signature. Commissioner Espy suggested Attorney Davis and Sheriff Roybal work with each municipality to get one, uniform agreement. Attorney Davis mentioned that of the 7 sent, 4 were already signed so at this point it may be difficult to have them all uniform.

Buildings & Grounds

Jim Piche, Buildings Manager provided an update on the Medicine Bow complex stating that it's on schedule and looking good. Fair is being prepared and the week of June 22 rebuilds of areas will take place.

Emergency Management

Lenny Layman, Emergency Manager provided an update on COVID-19 noting the state is pushing out round 2 of business personal protective equipment. All counties have submitted, including 11 business in Carbon County and he has delivered these items. The Savery high wind event that recently occurred produced a tornado event north of Turpin Reservoir in Snowy Range. He has reached out to the state for financial assistance however none of the thresholds were met for governmental financial support. He is looking for individuals to work on a volunteer basis to clear livestock water ditches.

Attorney

Ashley Davis, County Attorney presented the Special Prosecution Resolution for approval due to a conflict in her office. The case would go to Albany County in exchange for a case Attorney Davis handled last fall for them.

Commissioner Espy moved to adopt Resolution 2020-19, Special Prosecution Resolution. Commissioner Barkhurst seconded and the motion carried unanimously.

Resolution 2020- 19

A Resolution of the Board of County Commissioners of Carbon County, Wyoming, "RESOLUTION FOR SPECIAL PROSECUTOR"

WHEREAS, the Carbon County and Prosecuting Attorney has entered into an agreement with Leigh Anne Manlove, District Attorney for Laramie County for the First Judicial District of Wyoming, or any of her deputy district attorneys, to assist in the case of David McCarthy vs. State

of Wyoming, in which the Carbon County and Prosecuting Attorney's Office has either a conflict of interest or which would have the appearance of impropriety if pursued by that office; and

WHEREAS, the Laramie County District Attorney's Office for the First Judicial District will provide these services free of charge to Carbon County; and

WHEREAS, Wyoming Statute § 18-3-302 authorizes such appointment with consent of the Board of County Commissioners and said action benefits Carbon County;

NOW, THEREFORE BE IT HEREBY RESOLVED that Board of County Commissioners of Carbon County, Wyoming consents to the appointment of Daniel Erramouspe or any of his deputy county attorneys to serve as special deputy county and prosecuting attorney(s) in the above referenced case.

DATED this 16 day of June, 2020.

CARBON COUNTY, WYOMING

By:-s- Willing John Johnson

Title: Chairman, Board of County Commissioners

ATTESTED:

By: -s- Gwynn Bartlett

Title: County Clerk

Attorney Davis discussed the Juvenile Services Board grant. They have applied for a renewal of a \$45,000 grant and \$20,000 per year this and the county's match funds the diversion specialist. She recently received an e-mail that this grant will be awarded for only 1 year rather than 2 and it will be half the amount.

Attorney Davis provided the Federal Aviation Administration Agreement to Transfer Rawlins Airport Entitlement to Hot Springs County for approval.

Commissioner Jones moved to authorize the Chairman's signature on the Federal Aviation Administration Agreement to Transfer Rawlins Airport Entitlement to Hot Springs County. Commissioner Espy seconded and the motion passed unanimously.

Attorney Davis presented the Gravel Lease Agreement Between Carbon County and Jim Wiant for approval.

Commissioner Espy moved to authorize the Chairman's signature on the Gravel Lease Agreement Between Carbon County and Jim Wiant for one year in the total of \$500.00 lump sum for up to 833 tons after which gravel will cost \$0.60 per ton. Commissioner Moore seconded and the motion passed unanimously.

Commissioner Jones asked if the county had electronically signed the CARES grant for the Rawlins Airport.

Commissioner Moore moved to authorize the chairman to sign the Rawlins Carbon County Airport CARES grant agreement. Commissioner Jones seconded and the motion carried unanimously.

Treasurer

County Treasurer Patty Bentsen reported that wind farm projects are doing well at compliance with mobile machinery and work permits on their employees' vehicles. Over the last couple weeks the county has brought in over \$12,000.00 from her and the Sheriff's trip to visit with them.

Clerk

Gwynn Bartlett, County Clerk reported that County Treasurer Patty Bentsen has been with the county 35 years in May and thanked her for her service.

Gwynn stated that per the county's procurement polity it is time to bid audit services. She proposed bidding for a three year term with an optional three year extension. She presented a proposed Request for Proposal outlining the terms stating she would place this on the county's website, advertise and send to known auditing firms. The BOCC approved the RFP and authorized the Clerk to bid these services. Commissioner Barkhurst volunteered to review the proposals along with Treasurer Bentsen and Clerk Bartlett.

Gwynn presented an agreement with the state for the Women, Infants and Children (WIC) program. The agreement totals \$5,476.00 of federal dollars that pass through the county for this program. She stated that this is a draft contract but because it takes effect July 1 she requested authorization pending legal approval.

Commissioner Espy moved to authorize the Chairman's signature on the Agreement Among Wyoming Department of Health, Public Health Division; Carbon County WIC Program; and Carbon County in the amount of \$5,476.00 for a term of July 1, 2020 through December 31, 2021 for the purpose of providing program benefits for the Women, Infants and Children (WIC) program pending legal approval. Commissioner Moore seconded and the motion passed unanimously.

Clerk Bartlett asked the BOCC if they would like to name the building the county purchased at 812 E. Murray Street. Commissioner Espy proposed the name of Murray Street Annex. Commissioner Jones suggested to clearly name it as temporary or interim so the public realizes this is only temporary, not permanent space. The BOCC approved the name Interim Justice Center.

Gwynn asked for a motion to expend up to \$40,000.00 for security equipment and services with Long Technologies for this facility. Equipment can take 4-6 weeks to arrive therefore needs ordered immediately.

Commissioner Moore moved to waive procurement policy because the county already contracts with Long Technologies and authorize up to \$40,000 for security equipment for the Interim Justice Center building with Long. Commissioner Espy seconded and the motion carried unanimously.

BUDGET AMENDMENT – PUBLIC HEARING

Chairman Johnson opened a public hearing at 10:30 a.m. to hear about a proposed Budget Amendment to departmental budgets for Fiscal Year 2020 and Clerk Bartlett noted the hearing was advertised in the Saratoga Sun on June 10. Gwynn reported the following departments need

amended: Building & Grounds Administration, Building & Grounds Maintenance & Repair, Coroner, and Administration. She explained the administration is primarily over because due to emergency detentions, guardian ad litem, advertising, and litigation. Jim explained the buildings & Grounds are over due to overpayments in custodial services and maintenance mostly due to repairs at the jail.

Chairman Johnson called for comments for or against the amendment. There being none, he closed the hearing at 10:37 a.m.

Commissioner Jones moved to adopt Resolution 2020-20 FY 2020 Budget Amendment Number Two for departmental budgets. Commissioner Espy seconded and the motion carried unanimously.

**RESOLUTION 2020 - 20
FY 2020 BUDGET AMENDMENT NUMBER TWO**

WHEREAS Carbon County adopted the Fiscal Year 2020 Budget in accordance with the Wyoming Uniform Municipal Fiscal Procedures Act; and

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

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

| Fund/Entity | Approved Budget | Amendment Amount | Amended Budget |
|-------------------------------|----------------------------|-----------------------------|---------------------------|
| Buildings & Grounds | \$ 460,821.08 | \$ 8,000.00 | \$ 468,821.08 |
| Building Maintenance & Repair | \$ 514,066.12 | \$ 12,000.00 | \$ 526,066.12 |
| Coroner | \$ 168,140.00 | \$ 13,000.00 | \$ 181,140.00 |
| Administration | \$4,217,150.00 | \$ 140,000.00 | \$4,357,150.00 |
| Reserves | \$ 733,693.90 | (\$173,000.00) | \$ 560,693.90 |

PASSED, APPROVED AND ADOPTED this 16th day of June 2020.

CARBON COUNTY, WYOMING

-s- Willing John Johnson, Chairman

ATTESTED:

-s- Gwynn G. Bartlett, County Clerk

CITIZEN / COMMISSIONER DISCUSSION

Commissioner Moore discussed flag notifications after a letter was received from a concerned citizen. Clerk Bartlett immediately signed up Buildings Manager Jim Piche and his staff member Craig Jones for notifications from the Governor's Office.

Commissioner Espy reported the WY Public Lands Initiative process from a couple years ago has produced a draft federal bill.

Gwynn reported she received an e-mail from Richard Raymer regarding his and Roger Cox appointments to the Saratoga Carbon County Impact Joint Powers Board. Roger is a county appointed member living in Saratoga and Richard is town appointed but living in the county. They thought this should be cleaned up considering that Roger's term is up anyhow. Commissioner Jones stated the term for Raymer should also be up and Clerk Bartlett stated she would need time to investigate that. The BOCC asked her to advertise for Roger Cox term they would consider Mr. Raymer's application at that time.

EXECUTIVE SESSION

Commissioner Espy moved to go into executive session at 10:48 a.m. with Clerk Bartlett, Sid Fox and Ashley Mayfield Davis to discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Espy moved to come out of executive session at 11:03 a.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Moore seconded and the motion carried unanimously.

CARBON COUNTY 2020 FEE SCHEDULE AMENDMENTS – PUBLIC HEARING

Chairman Johnson opened a public hearing at 11:00 a.m. to hear Planning and Zoning's Carbon County 2020 Fee Schedule Amendments. Sid Fox, County Planning Director explained the amendments. The primary reason for the proposed amendment is due to solar applications which he proposed \$3,100.

Chairman Johnson called for comments for or against the amendment. There being none, he closed the hearing at 11:09 a.m.

Commissioner Barkhurst expressed consternation with the low end of the fee increase. Commissioner Espy agreed. They thought this should be \$25.00.

Commissioner Espy moved to adopt Resolution 2020-21, Carbon County 2020 Fee Schedule Amendments. Commissioner Barkhurst seconded and the motion passed unanimously.

Resolution No. 2020 – 21

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

“FEE SCHEDULE”

WHEREAS, due to the expenses borne by the County and the current development occurring within Carbon County and in adjacent counties, the Commissioners have determined that it is in the best interest of the citizens of the County to revise the Carbon County Department of Planning and Development Fee Schedule; and

WHEREAS, the Carbon County Board of County Commissioners desires to amend the existing Fee Schedule; and

WHEREAS, in accordance with the Carbon County Zoning Resolution of 2015, as amended, Section 7.6 Zoning Resolution Amendments and Zone District\Map Amendments; Section 7.7 Conditional Use Permits and Section 6.1 Commercial Scale Energy Facilities-Overlay District, the record owner or as may be applicable, the applicant, shall pay application fees based on a fee schedule approved by the Board of County Commissioners; and

WHEREAS, in accordance with the Carbon County Zoning Resolution of 2015, as amended, Section 7.4(A), building permit application fees are required to offset the costs of administration and site inspections and shall be in accordance with the fee schedule adopted by the Board; and

WHEREAS, in accordance with Section 1.13 a filing fee shall be paid in accordance with the latest fee schedule and Section 2.09 of the Subdivision Regulations; each application for a subdivision permit shall be accompanied by a fee to be determined by the Board; and

WHEREAS, in accordance with the provisions of Wyo. Stat. §18-5-309, each application for a subdivision permit shall be accompanied by a reasonable fee not to exceed the cost of processing the application as determined by the Board. All fees collected shall be credited to the county general fund; and

WHEREAS, in accordance with the provisions of Wyo. Stat. §18-5-513, a Board of County Commissioners which receives an application under this article for the permitting of a facility as defined in Wyo. Stat. §18-5-501 may charge the applicant a reasonable fee which shall not exceed the reasonably anticipated costs of processing and considering the application and conducting public hearings; and

WHEREAS, notice of the public hearing and proposed fee schedule amendment was published in the *Saratoga Sun* on June 3, 2020; and

WHEREAS, Carbon County is desirous of providing uniform fees and charges to be assessed for applications, building and zoning certificates, and publications by resolution; and

WHEREAS, Carbon County now finds a need to increase application fees and charges to more accurately reflect the costs of processing, consideration and public hearings borne by Carbon County.

NOW THEREFORE, BE IT RESOLVED BY THE CARBON COUNTY BOARD OF COUNTY COMMISSIONERS that the attached Exhibit A Fee Schedule shall be administered by the Carbon County Department of Planning and Development including but not limited to application fees required for building permit, sign, floodplain, solar access, conditional use permits (Major and Minor) and transfers, planned unit developments, zone changes, variances, and application and permit fees for subdivisions. The purpose of the application fees listed in the fee schedule is to off-set the County's expense of processing said applications.

EXHIBIT A – FEE SCHEDULE

FEE SCHEDULE

Please make checks payable to Carbon County Planning. Application Fee and Subdivision Permit Fees must be paid at the time the application is submitted and is not refundable. The newspaper(s) will bill the applicant directly for Public Notice charges.

| APPLICATION TYPES: | FEES: Plus the cost of public notice. |
|--------------------------------------|------------------------------------------------------------------------------------|
| Conditional Use Permit (Minor) | \$300.00 |
| Conditional Use Permit (Major) | See Page 2 |
| Conditional Use Permit Transfers | \$200.00 |
| Zone Change | \$200.00 |
| Planned Unit Development ZC | \$350.00 |
| Planned Unit Development SUB | Application fees in accordance with the Subdivision Application/Filing Fees below. |
| Subdivision Application/Filing Fees: | Due upon submittal of the Application. \$200.00 (Final Plat) |
| Minor Subdivision | |
| Major Subdivision: | \$100.00 |
| • Sketch Plan | \$200.00 + \$100 per lot, up to \$1,000.00 |
| • Preliminary Plat | \$200.00 |
| • Final Plat | |
| Subdivision Permit Fee | The greater of \$100.00 or \$10.00 per lot up to \$1,000.00 |
| Variance | \$200.00 |
| Sign, Floodplain and Solar Access | \$60.00 |

| BUILDING PERMIT APPLICATION, INCLUDES ZONING CERTIFICATES: | | | |
|-----------------------------------------------------------------------------------------------|----------|-------------------------|------------|
| *VALUE OF IMPROVEMENTS OR REPLACEMENT COST NEW: | | APPLICATION FEE: | |
| \$0.00 | TO | \$5,000.00 | \$25.00 |
| \$5,001.00 | TO | \$20,000.00 | \$75.00 |
| \$20,001.00 | TO | \$100,000.00 | \$125.00 |
| \$100,001.00 | TO | \$200,000.00 | \$150.00 |
| \$200,001.00 | TO | \$300,000.00 | \$250.00 |
| \$300,001.00 | TO | \$400,000.00 | \$350.00 |
| \$400,001.00 | TO | \$500,000.00 | \$450.00 |
| \$500,001.00 | TO | \$600,000.00 | \$550.00 |
| \$600,001.00 | TO | \$700,000.00 | \$650.00 |
| \$700,001.00 | TO | \$800,000.00 | \$750.00 |
| \$800,001.00 | TO | \$900,000.00 | \$850.00 |
| \$900,001.00 | TO | \$1,000,000.00 | \$950.00 |
| \$1,000,001.00 | and over | | \$1,200.00 |
| Non-Commercial Wind Energy Generators, in accordance with above. | | | |
| *The cost including material and labor that will be incurred in constructing the improvement. | | | |
| Includes hired or contract labor but does not include owner/builder labor. | | | |

OTHER BUILDING PERMIT APPLICATION FEES:

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|-----------------------------------------------------------------------------------|
| • Commercial Wind Energy Facilities - Each Wind Turbine - \$175.00 |
| • Re-tooling\Reconstruction of Existing Facilities - Each Wind Turbine - \$175.00 |
| • Transmission Line Towers or Poles - Each Tower or Pole - \$175.00 |
| • Telecommunication and MET Towers - Each Tower or Pole - \$350.00 |

Major Conditional Use Permit Applications:

Commercial Wind and Solar Energy Facilities
Transmission Lines over 115,000KV

| Number of Project Structures- Wind Turbines: | Application Fee: \$100.00** Plus | Number of Project Structures- Transmission Towers or Poles: | Application Fee: \$100.00** Plus |
|---------------------------------------------------------|-----------------------------------------------|------------------------------------------------------------------------|-----------------------------------------------|
| 1-199 | \$3,000.00 | 1-199 | \$3,000.00 |
| 200-299 | \$4,000.00 | 200-299 | \$4,000.00 |
| 300-499 | \$5,000.00 | 300-499 | \$5,000.00 |
| 500-699 | \$7,000.00 | 500-699 | \$7,000.00 |
| 700-899 | \$9,000.00 | 700-899 | \$9,000.00 |
| 900 and over | \$10,000.00 | 900 and over | \$10,000.00 |

**Plus the actual cost of public notice charges.

Commercial Scale Solar Energy Facilities

\$3,100.00

Plus the actual cost of public notice charges.

PUBLICATIONS: available on-line: www.carbonwy.com Free

Carbon County Zoning Resolution \$25.00*

Carbon County Subdivision Regulations \$25.00*

Carbon County Land Use Plan \$50.00*

*=Plus applicable postage charges.

GIS Data and Maps:

Custom Maps: \$31.00 per hour (1 hour minimum)

Employee time for assistance with preparing a complete application may be charged as per Resolution for professional time – 1 hour minimum.

Effective Date: July 1, 2020

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of

County Commissioners of Carbon County, Wyoming, on this 16th of June, 2020.

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

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

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

**SARATOGA-RYAN PARK MUSEUM DISTRICT – PUBLIC HEARING
CONTINUATION**

Chairman Johnson re-opened the public hearing from June 2 for the proposed Saratoga-Ryan Park Museum District at 11:17 a.m.

Gwynn reported written comments were received from the Town of Encampment, Town of Elk Mountain, Tom Mansfield, Keith Bailey, Karen Shaw, Dick Perue and Ann & Ralph Hicks.

Connie Patterson again stated the Saratoga Museum is looking for a stable funding source. She mentioned she met with the clerk, gathered the required number of petition signatures, the boundaries of which were setup as electoral districts. They chose inside Saratoga, outside Saratoga and the Ryan Park voting precincts. They needed 652 signatures and received 668. She thought last time it was implied they were taking taxable land base away from other tax districts. She received 1 mill figures from the Assessor for the Hanna, Elk Mountain, medicine Bow and Leo areas would generate \$104,635.00. The Encampment Riverside areas would generate \$26,689.00 where the Saratoga one would be around \$42,000.00 at one mill. They have met with the Encampment Museum Board to try to determine how they can work together but they are not sure they want to be part of a tax district as donors may not be as willing to donate.

Ms. Patterson thought they would remain neutral on this question but work together on joint fund raising in the future. She asked that the BOCC follow the procedure as outlined and move this to the General Election. She said comments received last meeting were from individuals not living in the proposed precinct.

Nancy Anderson reported she is involved with all the museums in the county. She stated the BOCC is aware of the legislative process. She reviewed the process stating the first part is obtaining petition signatures, the petition goes to the auditor and assessor who reviewed this for conflict, overlap and gaps or other boundary issues. The BOCC shall hold a public hearing. This is the intermediate step and someone at the last hearing said let the voters decide but she feels the commissioners are the 3rd party and intermediary. The BOCC must determine if the area can be benefited by the formation of the district. She feels the boundaries do not need to follow political entities. Ms. Anderson continued that the cause has to come from the need of the area. Secondly the BOCC have the right to include or exclude territory, with the caveat that the BOCC shall consider the benefit the proposed district will have in the territory in and out of the proposed district. She stressed consideration of how this will affect the territory outside this proposed

district. Her concern, returning to the word “gap” makes her understand the property enclosed in the proposed district must be contiguous but she feels the formation of the district literally isolates Riverside and Encampment because the proposed area from cooperating with other areas north of this if another district were proposed. Ms. Anderson asked that this be a cultural issue rather than simply financial. All museums need funding.

Roger Snell, Saratoga Museum board member, reported their board has put in a considerable amount of effort and that cemetery districts around the state are setup similarly as this, with their own area. He believes a larger district effort has been tried before and failed and they would like to try this concept.

Kathy Moon, Encampment Museum board member reported she lives in the Ryan Park voting district but doesn’t own property there. Reviewing the boundaries she is upset that the Platte Valley is not separate little pieces and a common heritage is shared. She feels like this proposal is like “stepping on the toes of everyone that lives outside Saratoga”.

Ms. Patterson reported that a large proportion of signatures obtained was from outside Saratoga and the Ryan Park area, not only in Saratoga.

Shannon Craig, concerned Encampment citizen said the proposal for this district is a vast misrepresentation for the Saratoga Museum. She explained the history of the land in the proposed area stating the some of the land and history is represented by the Encampment, Hanna and Elk Mountain museums. She feels this district should only be inclusive of the incorporated area of Saratoga.

Kimberly Givens, Saratoga Museum Director stated at last Saturday’s meeting with Encampment was that if they went ahead with this district, at a later time the district, if approved, would be opened up to be expanded to them. Because of where they are and because the museum desperately needs the levy they would like to proceed.

Chairman Johnson asked Assessor Snider what a 1 mill levy would generate in various areas. She replied that the proposed area would generate approximately \$42,469.00. The Leo, Hanna, Elk Mountain, McFadden and Medicine Bow areas would generate \$104,635.00 and the Encampment/Riverside area tax districts would generate \$26,689.00.

Nancy Anderson said that the first obligation is to determine need and grant the district to fill the need – she questioned what if the need is already being met by other entities.

The BOCC asked Assessor Snider to calculate the value in tax district 200 that wasn’t included in the proposed figures and she returned stating this would take her some time to calculate.

Kimberly Givens returned and stated that she just spoke with Mr. Perue during the break and while the financial part is important, she wondered if another museum could take on their collection if they have to close. She stated the Grand Encampment Museum has a lot of exhibits because they were formed almost 16 years prior to Saratoga.

Chairman Johnson closed the public hearing at 12:11 p.m.

Commissioner Espy stated he does have reservations about bringing in tax district 200. There was discussion of excluding 11-2-1 voting district, the Ryan Park area because of Ms. Anderson's point that they then it would preclude the Encampment/Riverside area from forming a district with the area north of Interstate 80 plus the Elk Mountain area. Commissioner Barkhurst confirmed that the BOCC has the authority to assess whether this is a negative or positive impact on the communities proposed but that it could be expanded later. Commissioner Moore stated his issue is that he has trust in the process and that there is a protest period along with an election. His dilemma is that he either believes in the process all the way through or not.

Gwynn confirmed that within 30 days of the adjournment of this hearing, if landowners owning at least 35% of the assessed value of property in the proposed district present written protest the proposal to create the district shall fail. If this criteria is not met by July 16, assuming this hearing is not continued, the matter will proceed to the November ballot. If the matter proceeds, the clerk will publish a proclamation in August and absentee voting would be September 18 with the election being held November 3. The matter would pass if a simple majority voted for the proposed district.

After the protest period, if the commissioners approve the petition for formation the board shall enter an order declaring its approval and direct the clerk to hold the election including the election of 5 initial directors.

Chairman Johnson says his gut is to pull 11-2-1 out of the proposed area. Commissioner Jones said it is too bad that we are here today, divided on the issue. She said that government has a process and many have lost sight of what the process is, the most valuable tool in the process is the right to vote. She would strongly encourage that the groups get back together. Gwynn reminded the board they can include or exclude any land, not necessarily based on election district boundaries.

Attorney Davis read the statute regarding the reasons that the commissioners would include or exclude land would be based on the benefit for that territory. Commissioner Espy thought it could benefit museums in the long run to have the continuity to create a larger district.

Commissioner Jones asked if the petitioners would consider withdrawing this petition and get together with the other areas and working together. Ms. Patterson replied that this could be a make or break for their museum and was nervous about withdrawing and they may or may not be able to proceed when they have already been successful in the first steps. She asked them to proceed with the petition as-is.

Commissioner Espy moved to modify the proposed Saratoga Ryan Park Museum District petition to include only voting precincts 11-01 and 11-02 rename the district to just Saratoga Museum District. The motion died due to lack of a second.

Commissioner Barkhurst stated that in this position as commissioner, he has tried to use the law and use statutes in direction of that law. His goal is to treat everyone equally and fairly and he appreciates the petition and passion of everyone that has spoken on the matter. He feels like those individuals that signed a petition deserve the process to proceed.

Commissioner Barkhurst moved to accept the proposed petition for the Saratoga Ryan Park Museum District as submitted. Commissioner Jones seconded and the motion died with Commissioners Barkhurst and Jones voting for the motion and Commissioners Espy, Moore and Johnson voting against.

Commissioner Jones asked if the area Chairman Johnson wants to exclude is benefited or not benefited. She feels like the proposed district benefits us all.

Commissioner Espy moved to approve the petition for the Saratoga Ryan Park Museum District to include all of voting districts 11-1-0, 11-2-0 and 11-2-1 excluding T17N80W, 16N80W, 15N80W. Commissioner Moore seconded and the motion carried with all voting for the motion except Commissioner Barkhurst who voted against

Ms. Patterson confirmed that the reason the township ranges were excluded were to accommodate for a joint district of the Encampment/Riverside and Hanna areas if anyone wanted to in the future.

ADJOURNMENT

Commissioner Espy moved to adjourn the meeting at 12:49 p.m. Commissioner Moore seconded and the motion carried unanimously.

A regular meeting of this Board will be held Monday, July 20, 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.