

**OFFICIAL MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, September 14, 2021
Platte Valley Community Center, Saratoga, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, September 14, 2021, at 2:00 p.m. at the Platte Valley Community Center in Saratoga, 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 2:00 p.m.

ADDITIONS / CORRECTIONS

Chairman Johnson added discussion and possible adoption of a paid leave policy for employees regarding COVID-19 under the clerk.

VOUCHERS

Commissioner Barkhurst moved to approve September 2021 payroll and benefit expenses of \$945,506.95 and insurance claim and premium expenses of \$231,608.90, the report of expenditures in the amount of \$244,732.22 for an aggregate total today of \$1,421,848.07. Commissioner Espy seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
Acme Electric Company, LLC	Electrical Repairs & Scissor Lift	\$455.00
Advanced Network Mgmt., Inc.	Software Licensing	\$53,667.30
Apex Communications	Maintenance Agreement	\$7,033.88
Axis Forensic Toxicology, Inc.	Lab Services	\$420.00
Baggs, Town Of	Office Rental	\$150.00
Bank Of Montreal - Mastercard	Misc. Charges	\$21,906.03
Bi Inc.	Electronic Monitoring	\$1,911.00
Bob Barker Company, Inc.	Shorts/Underwear	\$123.25
Brown, Sharon	Monitor Deposit Refund	\$820.00
Buckingham, Maria	Daily Deposit Refund	\$42.50
Carbon Power & Light Inc	Electric Services	\$2,216.99
CareRight Technologies, LLC	Monthly Bed Fee	\$148.50
Carrot-Top Industries, Inc	Us Flags/Wyoming Flags	\$377.99
Corvinus Group LLC	Service Call For Utility Control	\$1,518.78
Daily Times	Public Legal Notices	\$75.00
Dominion Energy	Gas Services	\$30.24
Dunns Custom Machining	Engrave Carbon County Seals	\$140.00
Encartele	Jail Data	\$1,500.00

Engstrom, James D. DDS	Dental Services	\$2,500.00
E-Z Lift Garage Doors	Sally Port Door Repairs	\$132.00
Fritz Welding & Machine, Inc.	Steel/Water Jet Cutting Charge	\$2,827.00
Galls/Quartermaster	Long Sleeve Shirt	\$54.76
Gay, Jason	Mileage	\$249.00
GCR Electronics, LLC	Site Rental	\$2,121.76
Gray, Brandon Scott	Monitor Deposit Refund	\$820.00
Greater Wy Big Bros/Sisters	Aug Prevention	\$21,716.36
Jack's Body & Fender Repair	Tow Charges	\$201.00
KTGA/KBDY	Tower Rent	\$150.00
L N Curtis & Sons	Misc. Rescue Tools	\$3,259.64
Lifetime Benefit Solutions, Inc	Cobra Administration	\$75.00
Mercedes Transcription, Inc	Transcription Services	\$162.80
Midwest Card & ID Solutions, LLC	Software Maintenance Agreement	\$585.00
Motorola Solutions	Sheriff MDTs	\$79,803.07
NMS Labs	Lab Services	\$147.00
Norco, Inc.	Cylinder Rental	\$51.77
Nugent, Mark	Meal, Mileage, Motel Reimbursement	\$981.26
Olde Trading Post	Fuel	\$133.87
O'Reilly Auto Parts	Misc. Auto Parts	\$66.02
Perkins Conoco	Fuel	\$98.83
Perkins Oil Co	Fuel	\$4,138.59
Perue Printing	Tax Levy Sheets	\$10.95
Price Digests	Price Digests All Access Package	\$999.95
Quill Corporation	Misc. Office Supplies	\$547.41
R.P Lumber Company, Inc.	Fasteners	\$10.38
Rawlins Automotive	Misc. Parts	\$289.68
Rawlins Hardware	Misc. Hardware	\$3,253.17
Rawlins, City Of	Courthouse Ss Water Services	\$441.00
Saratoga Auto Glass	Replace Windshield	\$350.00
Stanislaus County Sheriff	Calderon Civil Service	\$40.00
Staples Advantage	Misc. Office Supplies	\$68.88
Stinker Stores, Inc.	Fuel	\$5,761.89
Summit Food Service	Jail Meals	\$7,055.27
Swanson Services Corporation	Jail Commissary Supplies	\$749.73
Sweetwater County Circuit Court	Seizure And Sale	\$4,000.00
Thomson Reuters-West Pymt Ctr.	Subscription Charges	\$829.42
United Tactical Systems, LLC	Non-Lethal Launchers & Projectiles	\$1,598.95
Us Bank	Misc. Charges	\$1,549.43
Valley Oil Company	Fuel	\$1,043.32
Voice Language Services LLC	Interpretation	\$2.25

Wex Bank	Fuel	\$342.17
Wy Dept of Workforce Services	Unemployment	\$17.18
Wy Diesel Service	Fire Truck Radiator Repair	\$2,695.00
Wy Law Enforcement Academy	Yardley Schooling	\$265.00

CONSENT AGENDA

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the September 7, 2021, regular meeting minutes; bond for Casey Shinkle, Treasurer for the Carbon County Visitors Council in the amount of \$100,000.00 and Notice of Valuation Changes in the amount of (\$581,855.00). Commissioner Moore seconded and the motion carried unanimously.

ELECTED OFFICIALS & DEPARTMENT HEADS

Fire Warden

Commissioner Moore moved to approve the Chairman's signature on the letter of intent with Daniels Electronics dba CODAN Communication to update the county's communications. Commissioner Barkhurst seconded, and the motion passed unanimously.

Planning & Development

Commissioner Espy moved to accept the Certification of Recommended Action from the Carbon County Planning & Zoning Commission for Z.C. Case File #2021-10 - Linda E. Ihn, C.U. Case #2021-05 – Condict and Sons Cattle Co., Inc., and Minor Subdivision Case File #2021-03 - Schleedlewitz, LLC and Delaney Bend, LLC and schedule a public hearing for Tuesday, October 19, 2021, at 3:00 p.m. at the Hanna Town Hall in Hanna, Wyoming. Commissioner Barkhurst seconded, and the motion carried unanimously.

Clerk

Commissioner moved to authorize any commissioners signature on the Carbon County Paid Leave Policy mimicking the Families First Coronavirus Response Act from 2020 with an effective date retroactively from April 1, 2021, through March 31, 2022. Commissioner Jones seconded, and the motion carried unanimously.

LEASE WITH LSRV LIONS CLUB FOR THE RUSSELL COMMUNITY PARK

Commissioner Moore moved to approve the Lease Agreement between Carbon County Commissioners and the Little Snake River Valley Lions Club to lease the Russell Events Complex and Little Snake River Events Center for a term of 5 years ending October 31, 2026, in the amount of \$10.00 per year contingent upon attorney approval of the Club's liability insurance. Commissioner Jones seconded, and the motion passed unanimously.

Public Hearing – P.U.D. Case #2021-02 – Brush Creek, LLC

Chairman Johnson opened a public hearing at 3:31 p.m. to hear Planning & Zoning file P.U.D. Case #2021-02, Brush Creek, LLC's Request for a Zone Change from Residential (RD) to a Planned Unit Development (P.U.D.) on 620+/- acres, the "Green Mountain at Brush Creek Ranch P.U.D.". The purpose and intent of the Green Mountain at Brush Creek Ranch P.U.D. is to provide commercial winter and summer recreational activities and related amenities and facilities on the property for Brush Creek Ranch guests, immediate family members and friends. In addition, the P.U.D. will include development standards and guidelines that protect the character, the surrounding area, and the environment. The P.U.D. will encompass up to 16 residential lots with each lot being 35 acres, or more, in size, that the owner may sell or gift, it is located approximately 4 miles south of WY HWY 70 off U.S.F.S. Road #550. Sarah Brugger, Planning Director, presented the case file noting there was conditional zoning approved on the parcel in 2001 and Brush Creek purchased the property in 2019. At that time the department was approached and that resulted in Resolution 2019-39 which allows for limited winter recreation uses with conditions. The Resolution noted that several building permits for yurts had been issued by the Department. Also, conditions included that Brush Creek had to submit a sketch plan for a PUD prior to May 15, 2020, and they did so. They also had to submit a PUD or rezone application by May 15, 2021, and that deadline was met as well. Ms. Brugger stated that she views this as two overlays. In the one, amongst the 620-acre parcel there is the recreational amenities associated with Brush Creek and Green Mountain Resort. The second overlay could potentially allow for 16 lots with 35 acres or greater to be conveyed separately to individual landowners. Within there would be easements to any improvements associated with the recreational amenities tied to resort activities. Within each lot there is a square footage cap of 20,000 square feet total for any improvements proposed on the property, excluding the Green Mountain Resort improvements, noting what those could include. She explained access noting access will be seasonal only with an established snowmobile trail in the winter.

Chairman Johnson again called for additional public comment and there being no comments, Chairman Johnson closed the hearing at 5:24 p.m.

Commissioner Espy moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2021-35, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission P.U.D. Case #2021-02 Brush Creek, LLC's Request for a Zone Change from Residential (RD) to a Planned Unit Development (P.U.D.) on 620+/- acres, the "Green Mountain at Brush Creek Ranch P.U.D.". The P.U.D. will encompass up to 16 residential lots with each lot being 35 acres, or more, in size, that the owner may sell or gift, it is located approximately 4 miles south of WY HWY 70 off U.S.F.S. Road #550 with all recommendations from the Planning & Zoning Commission plus the removal of VIP helicopter travel in addition to a waiver of a waiver of the survey and engineering drawings, landscaping, length of approval, extension, and expiration as outlined in Section 4.12. Commissioner Jones seconded. Commissioner Barkhurst added he would like to replace "will" with "shall" and require statistical enforceable baseline watershed data. Commissioner Moore thought that statistical data must be sent to the state and questioned if the baseline data may be covered there. Commissioner Barkhurst thought data should go directly to the town of Encampment and Ms. Brugger stated the issue there

is that the applicant for a building permit may or may not complete a sampling analysis plan. Commissioner Barkhurst reiterated that water quality plan based on data and continued monitoring be a requirement. Commissioner Jones agreed testing and quality results should go to the town rather than requiring the applicant do this. Ms. Brugger thought an amendment could be that the Planning Department would provide a copy of the submitted sample results to the town of Encampment when received. Attorney Davis clarified whether the sampling plan would be required even if the state did not require one and Commissioner Barkhurst confirmed this is his desire. He again stated he wants water quality baseline data and continued monitoring. Ms. Brugger stated that by omitting “as required by a permitting agency” language could achieve his proposed condition. Commissioner Jones stated that by statute they have no regulatory authority over water quality so asked Attorney Davis if the BOCC could place such a condition. Attorney Davis replied this could be done. Commissioner Barkhurst moved to amend the motion to remove “as may be required by any applicable permit” from item 20.g. of the Amended PUD Guide and require a copy of the submitted sampling results be sent to the town of Encampment by the Planning Department upon receipt. Commissioner Moore seconded and the amendment passed with Commissioners Moore, Barkhurst and Johnson voting for the amendment. Commissioner Barkhurst moved to remove the word “will” in all watershed protection items ... and replace with the word “shall”. Commissioner Moore seconded and the amendment carried unanimously. The amended motion carried unanimously.

ADJOURNMENT

Commissioner Espy moved to adjourn the meeting at 5:56 p.m. Commissioner Moore seconded, and the motion carried unanimously.

A regular meeting of this Board will be held October 19, 2021, at 2:00 p.m., at the Hanna Town Hall, Hanna, 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.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 5th day of October 2021.
BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Willing John Johnson, Chairman