

**REPORT TO THE  
MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, October 19, 2021  
Hanna Town Hall, Hanna, WY – Held via Zoom**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, October 19, 2021, at 2:00 p.m. at the Hanna Town Hall in Hanna, WY via Zoom. 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 a homeland security grant agreement under the Emergency Manager and an WY Department of Transportation grant agreement for the Dixon Airport under the Clerk.

**VOUCHERS**

Commissioner Espy moved to approve payment to Sunrise Sanitation for \$23.00. Commissioner Moore seconded, and the motion carried with all voting for the motion except Commissioner Jones who abstained due to personal conflicts.

Commissioner Espy moved to approve September 2021 payroll and benefit expenses of \$954,242.57 and insurance claim and premium expenses of \$369,088.96. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Espy moved to approve the report of expenditures in the amount of \$955,929.45 for an aggregate total of \$2,279,283.98. Commissioner Moore seconded and the motion carried unanimously.

ADAMS, JENNY	\$820.00	ELECTRONIC MONITORING REFUND
APEX COMMUNICATIONS	\$9,417.64	PAGER/ANTENNA/CASE/MAINT AGREEMENT
API SYSTEMS INTEGRATORS	\$102.00	MONITORING SERVICE 11/08/2021 - 02/07/2022
AXIS FORENSIC TOXICOLOGY, INC.	\$175.00	BLOOD PANEL
BAGGS, TOWN OF	\$380.37	WATER SERVICES
BALESTRIERI, MICHELLE	\$62.42	MILEAGE/POSTAGE
BARTLETT OILFIELD SERVICE, INC	\$3,471.63	H-VAC TRUCK FOR HUGUS FERGUSON BLDG
BEORCHIA, DANIEL	\$25.50	DAILY DEPOSIT REFUND
BI INC.	\$1,345.50	MONTHLY ELECTRONIC MONITORING SERVICES
BIG HORN ROOFING, INC	\$344.50	SNOW SLIDE FOR HANNA SENIOR CENTER
BLAKEMAN PROPANE	\$199.20	PROPANE FOR RYAN PARK FIRE
BOB BARKER COMPANY, INC.	\$646.93	SHAMPOO/LOTION/BUCKET

BOYD, THOMAS	\$820.00	MONITOR/CHARGER DEPOSIT REFUND
BOYS & GIRLS CLUBS OF CARBON COUNTY	\$1,893.03	2021 Q3 TANF
CARBON COUNTY CIRCUIT COURT	\$96.54	STORAGE BOXES
CARBON COUNTY FAIR BOARD	\$4,562.00	ADMIN FAIRGROUNDS RENTAL FEES
CARBON COUNTY VETERINARY HOSPITAL	\$80.26	DOG VACCINES
CARBON COUNTY WEED & PEST	\$792.68	SPRAY WILLOWS ALONG COUNTY ROADS
CARBON POWER & LIGHT INC	\$2,053.86	ELECTRIC SERVICES
CARERIGHT TECHNOLOGIES, LLC	\$138.60	SEPT MONTLY BED FEE
CASPER WINNELSON CO	\$827.20	MISC. SUPPLIES
CDW GOVERNMENT, INC.	\$296.25	PLANTRONICS HEADSETS
CHARTER COMMUNICATIONS	\$239.36	CABLE SERVICES
CNA SURETY	\$100.00	FERNANDEZ BOND
COUNTY CLERKS ASSOCIATION OF WYOMING	\$300.00	CLERK DUES & SUBSCRIPTIONS
COWBOY CHEMICAL	\$476.15	DETERGENT AND CLEANER
COWBOY SUPPLY HOUSE	\$340.48	SANITARY NAPKIN CONTAINER
DBT TRANSPORTATION SERVICES LLC	\$1,667.44	AWOS MAINTENANCE
DENNIS SUPPLY COMPANY	\$420.22	MISC. SUPPLY
DEPARTMENT OF HEALTH	\$31,191.95	MCH SGF 20-22/TANF 20-22/NURSE SALARY
DIRTY BOYZ SANITATION, INC	\$1,652.00	TRASH SERVICES
DOMINION ENERGY	\$61.57	ELECTRIC SERVICES
DRUMMOND REFRIGERATION LLC	\$886.46	REPLACE COIL
ELK MOUNTAIN, TOWN OF	\$1,500.00	LEASE/BONDS ELK MTN SENIOR CENTER RENT
ENCAMPMENT, TOWN OF	\$102.00	ENCAMPMENT R&B WATER SERVICES
ENCARTELE	\$1,500.00	DATA FOR JAIL
ENGSTROM, JAMES D. DDS	\$2,500.00	DENTAL SERVICES FOR INMATES
FCI CONSTRUCTORS OF WY	\$599,380.20	CARBON BLDG IMPROVEMENT PRJT
GALLS/QUARTERMASTER	\$317.66	DEPUTY UNIFORMS
GCR ELECTRONICS, LLC	\$2,121.76	MONTHLY SITE RENTAL
GLAXOSMITHKLINE PHARMACEUTICALS	\$10,456.12	FLULAVAL/FLUARIX/HAVRIX/BOOSTRIX
GRAINGER	\$722.84	GP MOTOR/FILTERS
GREATER WY BIG BROS/SISTERS	\$13,811.52	COUNTY PREVENTION SVCS/Q3 2021 TANF
HANNA, TOWN OF	\$335.67	WATER SERVICES
IAAO	\$225.00	MEMBERSHIP DUES
JACK'S BODY & FENDER REPAIR	\$333.00	TOW CHARGES
JEFFREY CENTER BOARD	\$2,500.00	JULY - SEPT ADMIN JEFFREY CENTER RENTAL FEES
JONES SIMKINS	\$20,500.00	AUDIT OF June 30, 20201 FINANCIAL STMTS.
KILBURN TIRE COMPANY	\$1,710.64	TIRES
KTGA/KBDY	\$150.00	TOWER RENT
LARAMIE FIRE EXTINGUISHER	\$111.00	YEARLY INSPECTIONS OF EXTINGUISHERS
LIFETIME BENEFIT SOLUTIONS, INC	\$25.00	COBRA - EMPLOYEES
MARTIN, KATHLEEN	\$820.00	MONITOR/CHARGER DEPOSIT REFUND

MEDICINE BOW, TOWN OF	\$200.00	WATER SERVICES
MEMORIAL HOSPITAL OF CARBON COUNTY	\$986.00	BLOOD DRAW/LAB FEES
MERCEDES TRANSCRIPTION, INC	\$65.67	TRANSCRIPTION SERVICES
MERSEAL LAW, LLC	\$5,010.00	LEGAL FEES
MIDWEST CONNECT	\$132.00	MAIL MACHINE LABELS
MIKE'S LOCK & KEY	\$83.00	KEY MACHINE CHARGE/CALL OUT
MOTOROLA	\$30,000.00	C4 COMMUNICATION EQUIP
MPM CORP / EVERGREEN DISPOSAL	\$130.00	TRASH SERVICES
NATURESCAPES LLC	\$10,000.00	LANDSCAPING AT CARBON BLDG
NORCO, INC.	\$787.52	CYLINDER RENTAL
OFFENDER WATCH	\$66.00	SEX OFFENDER NOTIFICATION
O'REILLY AUTO PARTS	\$241.08	BATTERY/WIPES
PERKINS OIL CO	\$571.43	FIRE FUEL
PROFORCE	\$482.85	FIREARMS
PUBLIC SAFETY CENTER, INC	\$790.00	NITRILE GLOVES
QUILL CORPORATION	\$42.09	USB/RULER/COFFEE FILETERS
R.P LUMBER COMPANY, INC.	\$799.28	MISC. SUPPLIES
RAWLINS AUTOMOTIVE	\$1,272.12	PARTS/FILTERS/FLUIDS
RAWLINS EASTSIDE CARWASH	\$90.00	WASH CARDS
RAWLINS FIRE EXTINGUISHER	\$156.00	FIRE SUPPRESSION INSPECTION
RAWLINS HARDWARE	\$3.59	KEY
RAWLINS, CITY OF	\$5,351.20	WATER SERVICES
RERUCHA, CAL	\$202.00	MILEAGE REIMBURSEMENT
RICOH USA INC	\$267.24	IT COPIERS
RICOH USA, INC	\$5,789.34	IT COPIERS
ROCKY MOUNTAIN POWER	\$15,441.34	ELECTRIC SERVICES
ROCKY MOUNTAIN POWER-RAWLINS	\$7,348.00	SWITCHBOARD METERING AND SERVICE WIRES
ROSTAD LAW, LLC	\$176.76	ADMIN GUARDIAN AD LITEM
SARATOGA AUTO PARTS, INC.	\$592.62	PARTS/FLUIDS
SARATOGA SUN	\$1,257.00	BOCC MINUTES/ADS
SARATOGA, TOWN OF	\$54.50	WATER SERVICES
SCHILLING & WINN PC	\$2,973.34	LEGAL FEES
SCHWINCK, JUSTIN	\$42.50	DAILY DEPOSIT REFUND
SHAKIROV, MAKSIM	\$17.00	DAILY DEPOSIT REFUND
SHEPARD'S	\$2,661.03	FUEL
SHIVELY HARDWARE	\$127.82	HARDWARE AND SUPPLIES
SIKES, MELISA	\$13.75	NETWORK CABLE
SILVERSAGE PLUMBING LLC	\$270.00	SWEAT COPPER FITTINGS
SMITH PSYCHOLOGICAL SERVICES	\$400.00	PRE EMPLOYMENT EVALUATION
SPAULDING, DAWNETTE	\$151.20	MILEAGE
STAPLES ADVANTAGE	\$571.49	MISC. OFFICE SUPPLIES

STATE OF WYOMING A & I	\$16.76	MAINFRAME SERVICES
STATE OF WYOMING DCI	\$49.00	SEX OFFENDER CHANGES/FINGERPRINTS
STC CONSTRUCTION CO INC	\$34,212.50	HOT MIX PAVING
STINKER STORES, INC.	\$22,642.24	FUEL
STUNTRONICS, LLC	\$213.00	REPAIR OF BAND IT UNIT
SUMMIT FOOD SERVICE	\$6,599.09	JAIL MEALS
SUNRISE SANITATION SERVICE, LLC.	\$23.00	SARATOGA PH TRASH SERVICES
SWANSON SERVICES CORPORATION	\$675.65	INMATE COMMISSARY
SWEETWATER COUNTY CIRCUIT COURT	\$2,088.50	SHERIFF SALE
THE COWBOY COUTURE	\$37.50	EMBROIDERY
T-O ENGINEERS	\$50.00	TRACT 9B RESEARCH
TREVATHAN, SABRINA RDR	\$6,070.60	TRANSCRIPTION SERVICES
TRIPLE X CONTRACTING, INC.	\$100.00	TRASH SERVICES
TRUE NORTH STEEL	\$12,980.00	4 BLM CATTLE GUARDS
ULINE	\$713.93	GLOVES AND BOOT COVERS
US BANK	\$2,082.90	MISC. CHARGES
VALLEY OIL COMPANY	\$821.92	FUEL
WALKER, DEBORAH C	\$132.00	PATCHES
WALKER, JEANETTE R.	\$159.40	CRISIS RESPONSE STIPEND/MILEAGE
WEST END SINCLAIR	\$96.47	FUEL FOR SEARCH AND RESCUE
WESTJOHN, DANA	\$820.00	ELECTRONIC MONITORING
WEX BANK	\$220.55	FUEL
WILLE, O.R.	\$45.00	MILEAGE REIMBURSEMENT
WINTERS GRIFFITH ARCHITECTS	\$29,347.00	CONSTRUCTION ADMINISTRATION
WLC ENGINEERING	\$7,539.75	INSPECTIONS/ENGINEERING
WORLD WASH LLC	\$925.00	CLEAN AND DEGREASE EXHAUST SYSTEM
WY DEPT OF TRANSPORTATION	\$190.90	ELK MTN AND SAVERY CREEK BRIDGE
WY DIESEL SERVICE	\$2,413.66	TRUCK REPAIRS
WY LAW ENFORCEMENT ACADEMY	\$1,457.40	PEACE OFFICER BASIC
WY MACHINERY COMPANY	\$1,162.90	MAINTENANCE AND REPAIRS
WY PUBLIC HEALTH LABORATORY	\$547.00	LABS
WY SECRETARY OF STATE	\$300.00	NOTARY FEES
WY STATE 4-H FOUNDATION	\$100.00	2020 NAE4-HYDP & WAE4-HYDP MEMBER DUES
WYOMING DISPOSAL SYSTEMS	\$242.92	TRASH SERVICES
WYOMING TRADER	\$250.00	SOCIAL MEDIA MARKETING

## **CONSENT AGENDA**

Commissioner Moore moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the October 5, 2021, regular meeting minutes; monthly receipts for County Clerk in the amount of \$22,732.50 and Clerk of District Court in the amount of \$4,360.00, and a bond for Stephanie Ann Irvine, Treasurer for Carbon County Weed

and Pest in the amount of \$50,000.00 Commissioner Barkhurst seconded and the motion carried unanimously.

## **ELECTED OFFICIALS & DEPARTMENT HEADS**

### **Emergency Management**

Lenny Layman, Emergency Management Coordinator introduced Joan McGraw of the Medicine Bow Conservation District who provided and update on the Hanna 316 Fire grant noting the county was approved.

Mr. Layman discussed funding for two drones, one for the Town of Encampment and one for the county, each costing \$7,512.99 or a total of \$15,025.98 for a kit of two. There is a 50% match requirement and the county's portion would be \$3,756.50 for a drone. This includes batteries, forward facing infrared, interface capabilities and training. He noted the county would likely loan its drone to other agencies as needed. This would be a homeland security grant Clerk Bartlett suggested using Chokecherry funds and the BOCC approved the request.

Mr. Layman presented a homeland security grant agreement for equipment.

Commissioner Moore moved to authorize any commissioners signature on the Subrecipient Grant Award Agreement for U.S. Department of Homeland Security Federal Emergency Management Agency, Grant Programs Directorate, State Homeland Security Program Grant Fiscal Year 2021, Project ID 21-SHSP-CAR-HS in the amount of \$44,000.00 pending attorney approval. Commissioner Jones seconded and the motion carried unanimously.

Mr. Layman gave an update after attending the County Fair Board meeting. The fairgrounds will be the primary off-site evacuation and sheltering site. This was unanimously approved by the fair board and a Memorandum of Understanding is currently being drafted for approval. Mr. Layman requested to purchase a Conex container for sheltering supplies. The container is 40'x8'x9' and the estimated cost is \$2,500 - \$4,000. The BOCC asked him to watch for availability and report back.

Mr. Layman said that he held a community preparedness church presentation on October 5 where fifteen attended.

Mr. Layman provided various updates. He discussed the AlertSense Community Video that aired on October 13 in partnership with the City of Rawlins. Mr. Layman said that on October 15 Jared Allen of the National Weather Service will be taking a tour of the C4 building. He stated on October 16 the Red Cross will be conducting a shelter exercise.

Mr. Layman stated that he and Rawlins Fire Chief, Blain Schumacher will be attending the Wyoming Water Quality and Pollution Control Association Training Conference in Casper on October 26.

Mr. Layman detailed the annual contract renewals process for TraffiCloud variable message boards, Konexus (AlertSense) mass notification system, Futurity (Orion Mobile) damage assessment and pre plan tool and Salamander Credentialling/Accountability, which was FY2021 SHSP grant funded from December 1, 2021 through November 30, 2022.

Mr. Layman requested and received authorization to hold a MGT-312 course, Senior Officials Workshop for All-Hazards Preparedness. He must have at least 30 participants and attempted to gain commitments from all commissioners and others today.

As part of the EMPG grant he put in for a vehicle.

### **Fire Warden**

John Rutherford, Fire Warden reported that he and others recently performed site visits for communications towers in the county. He is concerned about access to those to ensure we have legal access that is guaranteed and that the county can improve those roads as needed. He will investigate this further.

Mr. Rutherford requested to waive the procurement policy for the purchase of Hurst rescue tools. He wants the same brand countywide so they are interchangeable and volunteers from various areas know how to use them. He provided a quote from LN Curtis for \$42,733.00. He has \$64,000 budgeted for this.

Commissioner Moore moved to waive the procurement policy for ease of service and interoperability of use for the purchase of Hurst rescue tools in the amount of \$42,733.00. Commissioner Barkhurst seconded and the motion passed unanimously.

### **Buildings & Grounds**

Jim Piche, Buildings & Grounds Manager presented quotes from Bison State Electric totaling \$3,450.00 and Acme Electric totaling \$3,234.80 to upgrade the Saratoga Public Health building to all LED lighting. The BOCC authorized him to move forward with ACME electric.

### **Road & Bridge**

Chairman Johnson briefly left the meeting at approximately 2:50 p.m.

Kandis Fritz, Road & Bridge Coordinator presented bids for replacement of a culvert on County Road 15. Bids were received as follows: TDS Construction \$216,364.00; Western Plains Logistics \$213,470.00; Knife River \$223,906.75; PEI Wyoming LLC \$381,777.63; Rocky Mountain Sand & Gravel \$200,242.50 and 71 Construction \$495,500.00. The engineer from WLC and herself reviewed the bids and recommend the low bid.

Commissioner Moore moved to approve the Notice of Award for Rocky Mountain Sand & Gravel in the amount of \$200,242.50 for County Road 15 culvert replacement and authorize the

chairman's signature on the contract after drafted by the County Attorney. Commissioner Jones seconded and the motion passed unanimously.

Ms. Fritz stated the Baggs Solid Waste Disposal District requested the county assist clearing borrow ditches using county equipment. Commissioner Espy requested that they use local contractors and the BOCC agreed.

### **Attorney**

Ashley Mayfield Davis, Carbon County Attorney presented the Memorandum of Understanding with the Town of Saratoga for prisoner housing at \$100 per day per prisoner. Cost increases shall be in effect by April 1 annually so municipalities can budget accordingly.

Commissioner Moore moved to authorize Commissioner Espy's signature on the Memorandum of Understanding between the Carbon County Board of Commissioners, the Carbon County Sheriff and the Town of Saratoga to provide housing for any Town of Saratoga prisoners at a rate of \$100.00 per day per prisoner. Commissioner Jones seconded and the motion passes unanimously.

### **Clerk**

Gwynn Bartlett, County Clerk requested authorization for the Chairman to sign a grant agreement for NAVAID maintenance at the Dixon Airport. The agreement will be sent through e-mail upon approval of the application.

Commissioner Moore moved to authorize the Chairman's signature on a grant agreement for NAVAID maintenance at the Dixon Airport for October 2021 through September 2022 in the amount of \$5,769.00. Commissioner Barkhurst seconded and the motion carried unanimously.

Clerk Bartlett asked if the BOCC would like to rebid custodial services or renew a contract with KI Cleaning for an additional year as allowed by the existing contract. Per Jim Piche's recommendation the BOCC opted to renew with KI Cleaning.

### **Public Hearing – Z.C. Case File No. 2021-10**

Commissioner Espy opened a public hearing at 3:01 p.m. to hear Planning & Zoning file type Z.C. Case File #2021-10, Linda E. Ihn's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD-0.33) on approximately 0.33 acres. The RD Zone is intended to provide land for residential development that is typically single family detached and located within Town Expansion Areas and within or nearby Rural Centers. Residential single family zones are intended to be located in areas planned for residential development that are easily accessible and infrastructure already exists or is readily available and is located approximately 4 miles east of Dixon on the north side of WY Hwy 70. Sarah Brugger, Planner/GIS Specialist, presented the case file.

Commissioner Espy called for comments for or against the case. There being no comments, he closed the hearing at 3:04 p.m.

Commissioner Jones moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2021-37, 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 #2021-10, Linda E. Ihn's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD-0.33) on approximately 0.33 acres. The RD Zone is intended to provide land for residential development that is typically single family detached and located within Town Expansion Areas and within or nearby Rural Centers. Residential single family zones are intended to be located in areas planned for residential development that are easily accessible and infrastructure already exists or is readily available and is located approximately 4 miles east of Dixon on the north side of WY Hwy 70. Commissioner Moore seconded, and the motion carried unanimously.

**Resolution No. 2021 – 37**

**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 #2021-10**

**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, September 13, 2021, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, September 13, 2021, 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, September 13, 2021, 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 zone 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, October 19, 2021; and

**WHEREAS**, at said public hearing on October 19, 2021, 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 #2021-10:** Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD-0.33) on approximately 0.33 acres. The RD Zone is intended to provide land for residential development that is typically single family detached and located within Town Expansion Areas and within or nearby Rural Centers. Residential single family zones are intended to be located in areas planned for residential development that are easily accessible and infrastructure already exists or is readily available.

**Petitioner:** Linda E. Ihn (Applicant and Land Owner)

**Parcel Identification Number:** 12890720003800

**Rural Address:** 1133 Highway 70

**General Site Location:** Approximately 4 miles east of Dixon on the north side of WY HWY 70

**Legal Description (taken from Warranty Deed, Book 1340, Page 21):** A tract of land in the Northwest ¼ of Sec. 7, T12N, R89W, Carbon County, Wyoming, more completely described as follows: Beginning at the West corner of said tract, a point on the North right of way line of Wyoming Highway 70 and the Southeasterly line of a tract of land as described in Bk. 850, Pg. 261 Misc. Records of Carbon County Clerk, Rawlins, WY. which bears N39°47'22"E, 3384.0 ft. from the Southwest corner of said Sec. 7; Thence along said Southeasterly line of Bk. 850, Pg. 261 tract, N61°33'30"E, 17.92 ft.; Thence along said Southeasterly line of Bk. 850, Pg. 261 tract, N57°23'17"E, 73.08 ft.; Thence along said Southeasterly line of Bk. 850, Pg. 261 tract, N55°10'30"E, 119.06 ft. to the Northwesterly corner of a tract of land as described in Bk 155-A, Pg. 394, Misc. Records of Carbon County Clerk; Thence S0°52'40"W, 169.68 ft. (against a call of South 169.33 ft.) along the West line of said Bk 155-A, Pg. 394 tract, to a point on the North right of way of said Wyoming Highway 70; Thence N87°06'10"W, 86.44 ft. along the North right of way of said Highway 70 to a WYDOT Right of Way Monument; Thence N2°18'58"E, 44.96 ft. along the said right of way to a WYDOT right of Way Monument; Thence N87°06'10"W, 88.06 ft. along the said right of way to the point of beginning.

**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 Ranching, Agriculture and Mining (RAM) to Residential (RD-0.33) encompassing approximately 0.33 acres.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 19th of October 2021.

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

By: -s- John Espy, Commissioner  
On behalf of the Carbon County  
Board of County Commissioners

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

**Public Hearing – C.U. Case File #2021-05**

Chairman Johnson returned to the meeting at approximately 3:04 p.m.

Commissioner Espy opened a public hearing at 3:05 p.m. to hear Planning & Zoning file type C.U. Case File #2021-05 – Condict and Sons Cattle Co., Inc. request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to permit/allow 3 cabins used for seasonal employee housing and recreational and seasonal hunting, lodging accommodations for an outfitting and guide operation. The proposed project area encompasses approximately 2+- acres. The overall property contains approximately 2,172 acres, which includes Condit and Sons Cattle Co. Inc. and is located approximately 12 miles southeast of Saratoga off WY Hwy 130 on the north side near mile marker 65. Sarah Brugger, Planner/GIS Specialist, presented the case file.

Commissioner Espy called for comments for or against the case. There being no comments, he closed the hearing at 3:10 p.m.

Commissioner Moore moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2021-38, 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 #2021-05 – Condict and Sons Cattle Co., Inc. request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to permit/allow 3 cabins used for seasonal employee housing and recreational and seasonal hunting, lodging accommodations for an outfitting and guide operation. The proposed project area encompasses approximately 2+- acres. The overall property contains approximately 2,172 acres, which includes Condit and Sons Cattle Co. Inc. and is located approximately 12 miles southeast of Saratoga off WY Hwy 130 on the north side near mile marker 65. Commissioner Jones seconded, and the motion carried unanimously.

#### **Resolution No. 2021 – 38**

#### **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 #2021-05 – “Grand Slam Outfitters and Condict and Sons Cattle Company”**

**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, September 13, 2021, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, September 13, 2021, 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, September 13, 2021, 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, October 19, 2021; and

**WHEREAS**, at said public hearing on October 19, 2021, 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 #2021-05:** Request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to permit/allow 3 cabins used for seasonal employee housing and recreational and seasonal hunting, lodging accommodations for an outfitting and guide operation. The proposed project area encompasses approximately 2+- acres. The overall property contains approximately 2,172 acres, which includes Condit and Sons Cattle Co. Inc.

**Project/Site Name:** Grand Slam Outfitters and Condict and Sons Cattle Company

**Petitioner:** Condict and Sons Cattle Co., Inc. (Applicant and Land Owner)

**Parcel Identification Number:** 16830120000400-Parent Parcel

**General Site Location:** Approximately 12 miles southeast of Saratoga off WY HWY 130 on the north side near mile marker 65

**Legal Description:** Approximately 2 acres located within NW1/4 NW1/4, Section 24, T16N, R83W, Carbon County, Wyoming, being part of the larger Condict and Sons Cattle Co., Inc. Entire legal description recorded in Book 1314, Page 62 and Book 1018, Page 202.

**TERMS AND CONDITIONS OF APPROVAL:**

1. Emergency Contact Information shall be posted on the site and visible from WY HWY 130.
2. The Applicant(s) shall notify the Carbon County Planning & Development Department in writing of any material changes to the project subsequent to the County issuance of the Conditional Use Permit.
3. Upon approval by the Board, the following provisions from the Zoning Resolution will be incorporated into the final Resolution:
  - a. 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 within this section.

If any such use cannot be commenced until construction of structures, buildings and other physical assets associated with the use are completed, then construction of such structures, buildings and other physical assets must be commenced, absent any valid extension, not later than two (2) years from the date of approval of the conditional use permit and completed within a reasonable amount of time in accordance with the timeframe normally required for such construction. If such construction is not commenced and completed as required, then the conditional use permit shall become null and void and be of no further effect and any uses approved in accordance with the permit shall not be permitted without further action on the part of Carbon County.

b. Section 7.7-I--Extension of Conditional Use Permits.

If the project has not been commenced as required, the Applicant(s) may request from the Board an extension of the permit for a period of up to twenty-four (24) months upon a showing of good cause. The Applicant(s) shall apply to the County, through the Department, in writing for the extension no later than ninety (90) days prior to the expiration of the permit or any previously granted extension. At the time of the application for the extension, the Applicant(s) shall provide such information as is necessary for the County to determine whether good cause exists for the extension. Good cause may include, but is not limited to, good faith efforts to obtain required authorization from other agencies with jurisdiction, delay in construction due to weather conditions, pending litigation, or other causes which have delayed the project and which are beyond the reasonable control of the Applicant(s). The Applicant(s) may request not more than two (2) separate extensions from the Board, with such total extension period not to exceed forty-eight (48) months. The Board shall promptly consider the application for the extension and either allow it or deny it.

1. Requests for subsequent extensions of the permit shall first be presented to the Commission no later than ninety (90) days prior to the expiration of the permit or any previously granted extension. The Commission shall recommend to the Board either approval or denial of the extension of the permit. The recommendation of the Commission shall be considered by the Board at their next regular meeting.
2. No permit shall expire during the time the decision on the extension is being considered.

c. Section 7.7-J--Transfer of Conditional Use Permits.

No conditional use permit shall be transferred without the prior approval of the Board in accordance with the following:

1. The Board may authorize transfers of permits to a different person if:
  - a. The permit transfer request is initiated by a written request from the current permit holder and accompanied by a written acceptance of the permit, its terms and conditions by the prospective transferee.
  - b. The permit transfer request is heard by the Board at a public meeting after notice is published.
  - c. The permit transfer administrative fee has been paid.
  - d. Board approval shall not be unreasonably withheld upon good cause shown.

- d. Section 7.7-K--Amendments to Conditional Use Permits.  
A Conditional Use Permit may be amended pursuant to the procedures and standards as required for a new Conditional Use Permit application.
- 4. 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.

**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 #2021-05 – “Grand Slam Outfitters and Condict and Sons Cattle Company”).

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 19th day of October 2021.

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

By: -s- John Espy, Commissioner  
On behalf of the Carbon County  
Board of County Commissioners

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

**Public Hearing – Minor Subdivision Case File #2021-03**

Commissioner Espy opened a public hearing at 3:11 p.m. to hear Planning & Zoning file type Minor Subdivision Case File #2021-03 Scheedlewitz, LLC and Delaney Bend LLC request for a Minor Subdivision to create one (1) lot (Lot 1 = 3.39 Acres) in the Highway Commercial (C-2) Zone located approximately 1,400 feet south of the Town of Saratoga off WY Hwy 130 on the east side. Sarah Brugger, Planner/GIS Specialist, presented the case file.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 3:18 p.m.

Commissioner Barkhurst moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Minor Subdivision Case File #2021-03 Scheedlewitz, LLC and Delaney Bend LLC request for a Minor Subdivision to create one (1) lot (Lot 1 = 3.39 Acres) in the Highway Commercial (C-2) Zone located approximately 1,400 feet south of the Town of Saratoga off WY Hwy 130 on the east side. Sarah Brugger, Planner/GIS Specialist, presented the case file and to authorize signature on the plat. Commissioner Johnson seconded, and the motion carried unanimously.

**Planning & Development**

Sarah Brugger, County Planning Director confirmed that there will be a workshop November 2 between the BOCC and the Planning Commission.

## **Commissioners**

Commissioner Jones provided the estimated cost for the Dixon Airport 2022 Crack Sealing Project in the amount of \$22,039.50 with \$17,631.60 being the responsibility of WYDOT and \$4,407.90 being the responsibility of the County.

Commissioner Jones moved to approve the Dixon Airport 2022 Crack Sealing Project Number AGMP33B in the amount of \$22,039.50 with the county's estimated amount due of \$4,407.90. Commissioner Barkhurst seconded and the motion passed unanimously.

Commissioner Moore moved to approve Resolution No. 2021-39, A Resolution Supporting Passenger Rail Expansion in the Greater Northwest and letters of support to Senator, John Barrasso, Senator, Cynthia Lummis, Representative, Liz Cheney, US. Secretary of Transportation, Pete Buttigieg, Federal Railroad Deputy Administrator Amit Bose, Governor, Mark Gordon and WYDOT Director, Major General Luke Reiner. Commissioner Barkhurst seconded and the motion passed unanimously.

## **RESOLUTION 2021 - 39**

### **A RESOLUTION SUPPORTING PASSENGER RAIL EXPANSION IN THE GREATER NORTHWEST.**

**WHEREAS**, much of rural America is underserved by long-distance intercity passenger rail options and Amtrak's recent service announcement and accompanying ConnectUs plan service map fails to recognize that shortcoming and bring passenger rail service to long overlooked communities in much of rural America, including the Greater Northwest, defined as Washington, Oregon, Idaho, Utah, Colorado, Wyoming, Montana, North Dakota, South Dakota, and portions of Minnesota and Wisconsin; and

**WHEREAS**, for many years, Americans living in the Greater Northwest have not had good access to passenger rail services; and

**WHEREAS**, the lack of rail service, loss of air service at smaller airports in the region, and significant economic impact intercity passenger rail service can provide has fueled interest at the local, county, and state level in the Greater Northwest region to join forces to find innovative ways to move our people; and

**WHEREAS**, Long-distance passenger train routes are ideal for connecting major urban areas with each other and with smaller cities and communities—many in rural areas—which are becoming more isolated as regional airline and intercity bus services disappear.

**WHEREAS**, passenger rail has multiple service capabilities that airlines cannot match, a single rail line can simultaneously serve local, regional, and long-distance travel needs safely transporting some passengers long distances while carrying local passengers to work, medical providers, or social events; and

**WHEREAS**, passenger rail serves a variety of travelers needs in places where other modes of travel are not available or less convenient including those travelers who cannot drive, prefer not to drive in inclement weather or otherwise prefer the choice of rail travel.

**WHEREAS**, passenger rail provides multiple environmental benefits as one of the greenest modes of ground transportation, such as approximately three times more efficient in greenhouse gas emissions per passenger as travel by car.

**WHEREAS**, in 2008, Congress directed Amtrak to review several routes across the Greater Northwest as part of the Railroad Safety Enhancement Act of 2008 and that study proposed restoring the Pioneer line from Portland through Boise to Salt Lake City and the North Coast Hiawatha line serving Montana and North Dakota, yet the Pioneer and Hiawatha Lines were not restored; and

**WHEREAS**, President Biden has expressed interest in “sparking the second great railroad revolution.”

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

**Section 1.** To support restoration of daily Amtrak passenger rail service on the Pioneer route from Portland to Salt Lake City through Boise and other cities in Idaho and eastern Oregon and the North Coast Hiawatha route serving Montana and southern North Dakota and connecting in Idaho to the Pioneer and Empire Builder routes by:

- a. Advocating to a bipartisan group in Congress representing this region to work toward restoring passenger rail service to the Greater Northwest
- b. Requesting passage of legislation in the 117<sup>th</sup> Congress that direct the Secretary of Transportation to study discontinued long-distance Amtrak routes and determine if they should be restored to the national system.
- c. Supporting passage of the Interstate Rail Compacts Advancement Act of 2021 by the 117<sup>th</sup> Congress, which authorizes the formation of up to ten Interstate Passenger Rail Compacts/Commissions, modeled after the Southern Rail Commission, to carry the Secretary’s studies forward to implementation.
- d. Supporting congressionally authorized funding sufficient to restore and revitalize passenger rail service in the United States for rural long-distance routes through a combination of reinvestment in existing long-distance routes and expansion of the national rural long-distance network to include restoration of both the Pioneer and North Coast Hiawatha routes.

**Section 2.** That this Resolution shall be in full force and effect immediately upon its adoption and approval.

**PASSED, APPROVED, AND ADOPTED** this 19<sup>th</sup> day of October 2021.

**BOARD OF COUNTY COMMISSIONERS OF**

## **CARBON COUNTY, WYOMING**

By: -s- John Espy, Commissioner  
On behalf of the Carbon County  
Board of County Commissioners

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

### **CITIZEN & COMMISSIONERS DISCUSSION**

Chairman Johnson discussed contact from a concerned landowner regarding wind turbine expansion in the Medicine Bow area. The person requested a moratorium until the pronghorn migration corridor study is completed. He asked for more discussion and a possible resolution.

Commissioner Moore reported he attended a recent Town of Encampment council meeting to discuss the possibility of forming a fire district in the unincorporated area of the county. He will also attend a City of Rawlins workshop to push forward the idea of a joint 911 dispatch center.

Commissioner Espy recently attended the Western Interstate Region and the NACO fall board meeting in Salt Lake City.

### **ADJOURNMENT**

Commissioner Moore moved to adjourn the meeting at 3:33 p.m. Commissioner Johnson seconded, and the motion carried unanimously.

A regular meeting of this Board will be held November 16, 2021, 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.

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