

**REPORT TO THE  
MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, November 16, 2021  
Carbon County Courthouse, Rawlins WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, November 16, 2021, 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 and Byron Barkhurst. Commissioner Travis Moore was absent.

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

**ADDITIONS / CORRECTIONS**

Chairman Johnson added a Blue Cross amendment under the Clerk and approval of depositories for 2022 under the Clerk of District Court.

**VOUCHERS**

Commissioner Barkhurst moved to approve November 2021 payroll and benefit expenses of \$1,028,530.38 and insurance claim and premium expenses of \$338,666.01 plus the main amount of bills in the amount of \$1,266,118.04. Commissioner Jones seconded, and the motion carried unanimously.

Commissioner Barkhurst moved to approve payment to Sunrise Sanitation for \$113.00 for an aggregate total today of \$2,633,427.43. Commissioner Espy seconded, and the motion carried with all voting for the motion except Commissioner Jones who abstained due to personal conflicts.

Vendor	Detail Line Description	Total
Acme Electric Company, LLC	Electrician Services	\$2,673.76
Advanced Network Management, Inc.	Svs. Contract/Wireless Access Points	\$35,497.32
Albrechtson, Mary Kay	Bailiff Jury Trial	\$75.00
All Traffic Solutions Inc.	App Messaging Suite	\$1,422.00
AXIS Forensic Toxicology, Inc.	Lab Fees	\$245.00
Baggs, Town Of	Oct Rent/Water Services	\$175.65
Balestrieri, Michelle	Po Box Renewal	\$130.00
Bank Of Montreal - Mastercard	Misc. Charges	\$32,214.07
Bennett, Thomas L. M.D.	Autopsy Fees	\$3,894.56
BI Inc.	Electronic Monitoring Services	\$1,092.00
Blakeman Propane	Heating Services	\$1,191.67
Bob Barker Company, Inc.	Misc. Jail Supplies	\$627.34
Capitol Communications	Network Technician Services	\$262.50
Carbon Power & Light Inc	Electric Services	\$2,182.45

CareRight Technologies, LLC	Recurring Bed Fee	\$158.40
Command Ballistics, Inc.	Ammunition	\$607.50
Cowboy Supply House	Misc. Cleaning Supplies	\$1,119.24
Dallin Motors Inc	Vehicle Maintenance	\$126.50
Dennis Supply Company	Honeywell Relay	\$217.61
Dirty Boyz Sanitation, Inc	Trash Services	\$1,652.00
Dolan Consulting Group	Training Class	\$95.00
Dominion Energy	Electric Services	\$249.74
Drummond Refrigeration LLC	A/C Repair Jail	\$2,197.35
Dynamic Controls Inc	Jail Valve Body	\$159.34
Elevated Safety Solutions	Random Drug Testing	\$170.80
Elk Mountain, Town Of	Water Services	\$71.50
Encampment, Town Of	Water Services	\$102.00
Encartele	Jail Data	\$750.00
Engineering Associates	Beaver Creek Bridge Repair	\$1,285.51
Engstrom, James D. DDS	Dental Services	\$2,500.00
FCI Constructors Of Wy	Carbon Building Construction	\$796,356.00
Fritz Welding & Machine, Inc.	Repair Pedestal	\$109.76
Futurity It, Inc	Orion License Renewal	\$787.50
Galls/Quartermaster	Deputy Uniforms	\$471.64
GCR Electronics, LLC	Site Rentals	\$2,121.76
Grainger	GP Motor	\$923.91
Greater Wy Big Bros/Sisters	Oct 1-31, 2021, Prevention	\$12,491.91
Hanna, Town Of	Water Services	\$283.57
Honnen Equipment	Roller	\$80,000.00
IML Security Supply	Push Arm Auto Operating Kit	\$1,781.20
Jones Simkins	Auditing Services	\$24,648.54
Keil, Gary J	Bubble wrap	\$12.66
Kinetic Leasing	John Deere Motor Grader Payment	\$60,426.00
Konexus	AlertSense Core	\$1,350.00
KTGA/KBDY	Tower Rent	\$150.00
Lifetime Benefit Solutions, Inc	Cobra	\$25.00
M. Gonzales Trucking, Inc.	Tires	\$528.62
McGraw, Joan	Mileage	\$24.00
Medicine Bow, Town Of	Water Services	\$200.00
Memorial Hospital Of Carbon County	Lab/Medical/Prevention Services	\$23,023.58
Mercedes Transcription, Inc	Transcription Reports	\$81.40
Merseal Law, LLC	Legal Services	\$5,590.00
Mid-Mtn Concrete Pumping LLC	Concrete	\$950.00
Midwest Connect	Postage Machine Ink	\$210.00
Mike's Lock & Key	CCYCC Replace Lock Core	\$497.67

Mountain Alarm	CCYCC Monitoring	\$42.80
Mountain West Motors	Vehicle Maintenance	\$783.45
MPM Corp / Evergreen Disposal	Trash Services	\$130.00
Natrona County Circuit Court	Certified Copy	\$2.00
NatureScapes LLC	Landscaping At Carbon Bldg.	\$13,100.00
Norco, Inc.	Cylinder Rental	\$1,204.96
Offender Watch	Sex Offender Notification Cards	\$35.00
O'Reilly Auto Parts	Oil Filter/Oil	\$183.05
Perkins Oil Co	Fuel	\$3,729.65
Pocket Press Inc	Wyoming Criminal/Traffic Laws	\$199.80
Porter, Emily	Witness Fee	\$30.00
Quadient, Inc.	Postage Machine Ink	\$194.91
Quill Corporation	Office Supplies	\$631.71
R.P Lumber Company, Inc.	Misc. Parts	\$194.44
Rawlins Automotive	Parts	\$988.16
Rawlins Hardware	Misc. Parts	\$638.32
Rawlins, City Of	Water Services/Landfill Charges	\$3,054.10
Ricoh USA, Inc	It Copiers	\$3,748.36
Rocky Mountain Power	Electric Services	\$16,565.80
Rodabaugh, Sherry	Bailiff Jury Trial	\$75.00
Rural Physicians Group-Pannu	Medical Service	\$1,540.00
Safeguard Business Systems	Blank Checks Stock	\$345.28
Saratoga Auto Parts, Inc.	Misc. Supplies	\$505.32
Saratoga Feed & Grain	Deputy Uniforms	\$97.14
Saratoga Sun	Legal Ads	\$418.50
Saratoga, Town Of	Water Services	\$109.00
Sheets, Ed	Hole Repair CCYCC	\$75.00
Shively Hardware	Batteries	\$179.89
Sikes, Melisa	Postage	\$50.12
Simple Distributors, LLC	1/2 Truckload Copy Paper	\$18,300.00
Slow And Steady Law Office, PLLC	Legal Services	\$6,330.00
Snake River Press	Yearly Subscription	\$40.00
Staples Advantage	Office Supplies	\$396.55
State Of Wyoming DCI	Sex Offender Changes	\$195.00
Stinker Stores, Inc.	Fuel	\$12,214.47
Summit Food Service	Jail Meals	\$3,520.53
Sunrise Sanitation Service, LLC	Trash Services	\$113.00
Swanson Services Corporation	Commissary Supplies	\$1,358.42
Thomson Reuters-West Pymt. Center	Subscription Charges	\$832.34
Tin Boy Garage	Misc. Supplies	\$281.76
Trevathan, Sabrina RDR	Transcription Services	\$923.80

Triple X Contracting, Inc.	Trash Service	\$100.00
Tyler Business Forms	Envelopes	\$291.85
Uline	Mobile Pedestal/Table	\$495.66
United States Postal Service	Postage Machine Funds	\$10,000.00
Us Bank	Misc. Charges	\$3,523.22
Valley Oil Company	Fuel	\$1,996.64
Valley Ready-Mix, LLC	Concrete Encampment Senior Center	\$572.20
Voiance Language Services LLC	Interpretation Services	\$10.50
Webb, Julie	Mileage For Fair Board/Waf Meeting	\$241.00
Weickum, Terry	Public Health Signs	\$75.00
Westjohn, Dana	Witness Fee	\$30.00
Wille, O.R.	Mileage	\$45.00
Winters Griffith Architects	Mech. Eng. Of Chiller Replacement	\$34,812.00
Wy Behavioral Institute	Medical Services	\$1,508.00
Wy Dept Of Workforce Svs-Unemp.	Unemployment	\$50.12
Wy Machinery Company	Misc. Parts	\$10,416.95
Wy Rents, LLC	Scissor Rental	\$157.50
Wy Retirement System	Oct Vol Fire Retirement	\$768.75
Wyoming Disposal Systems	Trash Services	\$211.59
Wyoming Service & Controls, Inc	Heating Coil To Vav/Controllers	\$1,377.50

## **CONSENT AGENDA**

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the November 2, 2021, regular meeting minutes; monthly receipts from the Carbon County Clerk in the amount of \$21,696.00, monthly receipts from Planning and Development in the amount of \$1,825.00, monthly receipts from the Clerk of District Court in the amount of \$2,762.05, a Dishonesty Bond for Saratoga-Ryan Park Museum District in the amount of \$50,000.00, a bond for Veronica Fernandez, Deputy Treasurer for Carbon County in the amount of \$10,000 and a Tax Roll Correction in the amount of (\$126,564.00). Commissioner Barkhurst seconded, and the motion carried unanimously.

## **ELECTED OFFICIALS & DEPARTMENT HEADS**

### **Clerk of District Court**

Commissioner Espy moved to approve the Bank of Commerce as the depository for 2022 for the Clerk of District Court. Commissioner Barkhurst seconded, and the motion carried unanimously.

### **Emergency Management**

Lenny Layman, Emergency Management Coordinator presented a Homeland Security grant award agreement for approval. This covers volunteer hours at \$28.54 per hour and he can use that amount to match this 50/50 grant for equipment for his office.

Commissioner Espy moved to approve the Chairman's signature on the Grant Award Agreement Between Wyoming Office of Homeland Security and Carbon County for an in-kind match of volunteer hours at a rate of \$28.54 per hour for the period of July 1, 2021, through September 30, 2022, in the amount of \$28.54 per hour not to exceed \$20,000.00. Commissioner Barkhurst seconded, and the motion passed unanimously.

Mr. Layman presented a Memorandum of Understanding between the City of Rawlins Police Department and Office of Emergency Management to network with RPD Communications. Motorola will install the dispatch equipment this week and the C4 should be setup by Friday to provide dispatch services when needed.

Commissioner Espy moved to approve the Chairman's signature on the Memorandum of Understanding between City of Rawlins Police Department (RPD) Emergency Communications Center and Office of Emergency Management to allow the Carbon County Coordination Center (C4) to network with RPD communications. Commissioner Jones seconded, and the motion passed unanimously.

Mr. Layman provided training updates for the Office of Emergency Management. There will be Infrastructure Protection Certification training coming in 2022. This is necessary to receive THIRA certification. Mr. Layman provided an update on the Salamander Credentialing noting all employees in the remodeled Courthouse will wear badges. He also reported the High Savery EAP meeting was held yesterday.

### **Road & Bridge**

Kandis Fritz, Road & Bridge Coordinator reported that the employee paid with impact assistance funds will be done in January and there will be left over funds. She requested authorization to purchase an end dump with those funds. She expects to have approximately \$213,000 in that account. Chairman Johnson asked her to provide a list of equipment with hours. The BOCC authorized Ms. Fritz to begin looking for end dump trailers and a truck. Clerk Bartlett noted that if the hesitation of the purchase is because these are impact assistance funds the county has American Rescue Plan funds.

Ms. Fritz discussed the possibility Road and Bridge employees donating lost vacation time to the county wide bank. Employees lose time over 240 hours, or a prorated share for those working less than 40 hours a week, at the end of the year.

Commissioner Espy moved to allow donations of lost vacation time at the end of December that employees will lose to the donation bank to be used as sick time under county policy. Commissioner Jones seconded, and Commissioner Espy asked if that time expires and Clerk Bartlett explained it will be available until it is completely used. The motion carried unanimously.

### **Building and Grounds**

Jim Piche, Building and Grounds Manager explained the overhead crane system at Road and Bridge needs repair. When repaired the company will also recertify the system. His staff has tried

to repair the system however it keeps having the same issue. He proposes Crane & Hoist repair the system in the amount of \$9,592.32 noting this would be paid from his maintenance budget. This is the only company he can find to do the work therefore he doesn't see a bid process being beneficial.

Commissioner Espy moved to authorize Crane & Hoist Sales to repair the crane system at the Rawlins Road & Bridge Shop in the amount of \$9,592.32. Commissioner Barkhurst seconded, and the motion carried unanimously.

Mr. Piche also discussed the Roto-mill material that is on county property across the street from the Fairgrounds. The roto-mill came from Lewis & Lewis from the Walnut Street project and the company has released it to the county however it needs processed to refine it. He would like to use this roto-mill for the rest of the parking lot at the fairgrounds.

Mr. Piche reported the county "garage" sale held last weekend sold about half the items available. The rest will be disposed of. There will be a larger sale mid-December for Courthouse items along with vehicles.

Commissioner Espy moved to advertise county building rental policies under the Administrative Procedures Act. Commissioner Jones seconded, and the motion carried unanimously.

### **Fire Warden**

John Rutherford, Fire Warden would like to offer his sincere condolences to one of the fire fighters in Hanna who has lost his mother. The support system for the volunteer fire fighters is important and the loss of one is significant.

Mr. Rutherford also stated that Robert Maddox is the new Fire Chief in Medicine Bow as Peter Andrews has retired. Mr. Rutherford would like to welcome Mr. Maddox as the new Chief and would like to thank Mr. Andrews for his years of service with the fire department as well as being chief.

Mr. Rutherford thanked Vice-Chairman Sue Jones for her support with the Baggs Fire Department and getting the agreements with the Town of Baggs.

### **IT**

Matt Webster, IT Specialist discussed a Memorandum of Understanding with Wyoming Supreme Court. The MOU delineates the responsibility between the Supreme Court and the county for installation of IT equipment and technology systems both during the remodel of the Courthouse and beyond. He and Clerk Bartlett commented to the County Attorney yesterday on the agreement therefore it isn't in final form yet. She offered to work the details out with the state and present it at a future meeting. WY Statute requires the county to provide furniture and fixtures and the state to provide installation and maintenance thereof. He thinks the MOU puts more work on the county, specifically Section 6. Attorney Davis explained statutes and the agreement. The BOCC

determined it would wait until December to consider this, so they know if the Supreme Court had any additional changes.

### **Planning and Zoning**

Sarah Brugger, County Planning Director presented a Transfer Request for a Special Use Permit/Conditional Use Permit #78-52 for 9 Mile Hill Communication Site transferring from GCR Electronics, LLC to K2 Towers III, LLC.

Commissioner Barkhurst moved to schedule a public hearing for the Transfer Request of Special Use Permit/Conditional Use Permit #78-52 for the 9 Mile Hill Communication Site transferring from GCR Electronics, LLC to K2 Towers III, LLC for December 7, 2021, at 11:15 a.m. at the Carbon County Courthouse in Rawlins, Wyoming. Commissioner Espy seconded, and the motion carried unanimously.

Ms. Brugger stated FEMA will issue a final notice for the flood plain planning and this will start a 6-month period for the county to adopt the maps.

### **Treasurer**

Patty Bentsen, Carbon County Treasurer discussed choosing an ATM provider for the Carbon Building. She asked the three local banks if they were interested and the only response she received was from Meridian Trust. The BOCC agreed to use Meridian Trust FCU.

### **Clerk**

Gwynn Bartlett, County Clerk discussed the County's Life Insurance Benefit. Currently the county pays \$10,000.00 life insurance for employees with Unum. This includes \$2,000.00 spouse and \$1,000.00 dependent to the age of 26 at a cost of approximately \$465.00 per month. The county also offers a plan through Prudential that employees self-pay \$16.00 per month as well as products from Aflac and Colonial.

Clerk Bartlett had Novo Benefits shop around for life coverage and she recommends changing from Unum to Standard and changing the broker of record to Jan Mock with Novo. Standard offers additional coverages like line of duty benefits for our law enforcement which could triple a deputy's benefit in some circumstances. She offered various options but recommended offering \$15,000 or \$20,000 coverage to the employee, dropping dependent coverage and offering to the employees at the same amounts as Unum for \$1.21 per month per family. This recommendation would be approximately \$480.00 per month for \$15,000 employee coverage or approximately \$612 per month for \$20,000 in coverage.

She also recommended terminating the offering of the Prudential plan at the end of 2022 but noted she would like to wait so employees will have the Standard voluntary life option at that time. Because it's so late in the year and she would like this effective January 1, 2022, she noted she will review voluntary life for 2023 where employees could pick up more insurance at their own cost for themselves and possibly more for dependents.

Commissioner Jones moved to approve the county's employer paid life insurance coverage to Standard covering \$20,000 for employees with employee paid dependent coverage and to change the broker to Jan Mock with Novo for this benefit. Commissioner Barkhurst seconded, and the motion passed unanimously.

Clerk Bartlett presented board applications received from Joan McGraw and Richard Wilson both for re-appointment to the Planning and Zoning Commission, from Robert O'Connell for re-appointment and Jerry Steele as a new appointment to the Predator Management Board, and Karon Wilson to the Library Board. These were advertised November 10<sup>th</sup>. Positions for the Upper Platte River Solid Waste Disposal District, Jeffrey Center Board, Predator Management District, Senior Services Board, and Rawlins-Carbon County Airport Board were advertised on November 10<sup>th</sup> and no other applications were received. Clerk Bartlett reminded the BOCC that if Robert O'Connell is reappointed to the Sportsman position on the Predator Management Board that he will only be able to serve until December 2023 because no appointed member may serve for a consecutive period of more than 6 years.

Commissioner Jones moved to reappoint Joan McGraw and Richard Wilson to the Planning and Zoning Commission both for a 3-year term ending November 2024; Robert O'Connell to the Predator Management Board as Sportsman for a 2-year term ending December 2023 and Jerry Steele to the Predator Management Board as an At-Large for an unexpired term ending December 2023; and Karon Wilson to the Carbon County Library Board for a 3-year term ending June 2024. Commissioner Barkhurst seconded, and the motion passed unanimously.

Clerk Bartlett reported Beth Shorma has resigned from the Carbon County Weed and Pest Board effective immediately and requested to advertise for this vacant position.

Commissioner Barkhurst moved to regretfully accept Beth Shorma's resignation from the Carbon County Weed and Pest Board and approve advertising the vacant position. Commissioner Jones seconded, and the motion passed unanimously.

Clerk Bartlett requested the board appointment of Patty Bentsen as the interim Treasurer effective after her retirement on December 3. This would only be until the vacancy is filled but allows the county to maintain seamless operation as Treasurer Bentsen is the signer on the county's accounts. Gwynn has made unofficial notification to the Democratic Party that the vacancy will occur and asked that they present the BOCC with the names of 3 qualified individuals to fill the vacancy immediately after the vacancy so she anticipates it could be filled as soon as December 7.

Commissioner Jones moved to authorize the Chairman's signature on the letter to the Democratic Party officially notifying them of the vacancy effective December 3, 2021. Commissioner Barkhurst seconded, and the motion carried unanimously.

Commissioner Espy moved to approve Resolution No. 2021-41 A Resolution to appoint Patty Bentsen as the Interim Treasurer effective December 4, 2021, until an appointment is made for her replacement. Commissioner Barkhurst seconded, and the motion passed unanimously.

**Resolution No. 2021 – 41**

**A Resolution of the Board of County Commissioners of Carbon County, Wyoming,  
“INTERIM TREASURER”**

**WHEREAS**, the duly elected Treasurer of Carbon County has notified the Carbon County Board of County Commissioners of her resignation from her office on December 3, 2021; and,

**WHEREAS**, the Carbon County Commissioners recognize the importance for the Carbon County Treasurer’s Office to continue to function and provide statutory services until the vacancy has been filled pursuant to Wyoming Statute §22-18-111; and

**WHEREAS**, in accordance with Wyoming Statute §18-3-808, the county treasurer is required to deliver all books, papers and monies to the successor treasurer, and the county treasurer will be unable to fulfill her obligations until a successor trustee has been appointed by the Board of County Commissioners; and

**WHEREAS**, appointment of Patty Bentsen as Interim Treasurer with compensation as set by the Carbon County Board of County Commissioners by resolution will allow the continued function of the Carbon County Treasurer’s Office without disruption and will allow Treasurer Bentsen to meet her statutory obligations.

**NOW THEREFORE, BE IT RESOLVED BY THE CARBON COUNTY BOARD OF COUNTY COMMISSIONERS** that Patty Bentsen shall be and hereby is appointed Interim Carbon County Treasurer to carry out the statutory obligations of the Carbon County Treasurer, and to be compensated at an annual rate as outlined in Resolution 2018-18 adopted by the Carbon County Board of County Commissioners on May 15, 2018, from December 3, 2021, until the vacancy has been filled.

**APPROVED, PASSED, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 16<sup>th</sup> day of November 2021.

**BOARD OF COUNTY COMMISSIONERS OF  
CARBON COUNTY, WYOMING**  
By: -s- Willing “John” Johnson, Chairman

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Clerk Bartlett discussed the 2022 meeting schedule and asked if the BOCC had any changes. She recommended moving the August 16 meeting to August 23 as the 16<sup>th</sup> is Election Day.

Gwynn presented a health plan change form with Blue Cross Blue Shield noting these are ACA changes required. There is one optional amendment for applied behavioral analysis (ABA) therapy

however if not adopted the county would not be complaint with the mental health parity act therefore Novo Benefits recommended adoption.

Commissioner Jones moved to authorize the Chairman's signature on the ASO Group Plan Change with Blue Cross Blue Shield. Commissioner Barkhurst seconded, and the motion carried unanimously.

### **Attorney**

Ashley Mayfield Davis, Carbon County Attorney presented a letter to Memorial Hospital of Sweetwater County for commissioner approval and signature. They had an emergency detention patient they are billing for from 2020, over the county's one year policy to pay for such services.

Commissioner Barkhurst moved to approve the Chairman's signature on the letter to the Memorial Hospital of Sweetwater County for a bill for an emergency detention that occurred in February 2020. Commissioner Espy seconded, and Commissioner Jones stated one year is the standard deadline for insurance and Medicare. The motion passed unanimously.

Attorney Davis stated rental policy contracts are currently pre-signed by a board member or commissioner. She proposed allowing a department head or designee to sign each contract real time. Clerk Bartlett noted the purpose is to have one contract, one set of rules and one fee schedule for all county facilities.

### **Commissioners**

Attorney Davis presented a resolution for Emergency Moratorium for Energy Development in Carbon County for commissioner approval and signature. Ms. Bruggar stated there are various options including township/ranges she selected that could be considered the "Shirley Basin" area for the moratorium boundary. Commissioner Jones thought the county should follow the pronghorn heard map. Attorney Davis clarified this is for 120 days as an emergency moratorium while the commissioners followed a public input process to extend the moratorium. She also suggested updating the 2015 Zoning Resolution during the process for development. Attorney Davis confirmed those with an already approved county permit would not be affected, only those permits considered going forward. Commissioner Espy expressed concerns about those that have filed for a state permit but not yet received a county permit because this is taking private property rights away. These companies have a prior existing right as they began the process before any moratorium was considered. Attorney Davis will determine if any such state permits exist for the proposed location and the BOCC asked that this be on the December 7 agenda.

Chairman Johnson discussed a letter that was received from BayWa r.e. regarding Maestro Wind, LLC pursuing a Wind Lease with the Wyoming Office of State Land and Investments to develop a commercial wind farm in Carbon County. They are requesting comments for or against no later than November 26, 2021. Commissioner Espy thought the BOCC should reply with a letter notifying them that the county is considering a temporary moratorium on development in that area.

Commissioner moved to authorize Attorney Davis to draft a response to a letter from BayWa r.e. regarding Maestro Wind LLC's pursuit of a wind lease with the WY Office of State Lands and Investments. Commissioner Jones seconded, and the motion carried unanimously.

### **EXECUTIVE SESSION**

Commissioner Espy moved to go into executive session at 11:10 a.m. with Clerk Bartlett and Ashley Mayfield Davis to discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Barkhurst seconded, and the motion carried unanimously.

Commissioner Espy moved to come out of executive session at 12:13 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Barkhurst seconded, and the motion carried unanimously.

### **COMMISSIONERS**

Commissioner Espy moved to allow Commissioner Jones to negotiate agreements as needed to open the Carbon County Youth Crisis Center. Commissioner Barkhurst seconded, and the motion carried unanimously.

Commissioner Barkhurst moved to authorize an employee to take administrative leave with authorization of department heads. Commissioner Espy seconded, and the motion carried unanimously.

### **PUBLIC HEARING – C.U. Case File#2021-06**

Chairman Johnson opened a public hearing at 1:30 p.m. to hear Planning & Zoning file C.U.W. Case File #2021-01 – Rock Creek Wind Energy Project, for a Conditional Use Permit-Wind for a Commercial Scale Wind Energy Facility in the Ranching, Agriculture and Mining (RAM) Zone. The request is to allow the applicant (Rock Creek Wind, LLC, and Invenergy LLC) to install, construct, operate, and maintain the “Rock Creek Wind Energy Project” in Carbon County, Wyoming. The approximate location will span across Albany and Carbon Counties and is planned to occupy approximately 14,900 acres in Carbon County (32,620 acres in Albany County, for a total of 47,520 acres) of open rangeland in the eastern portion of Carbon County, near the Arlington and McFadden region; south of WY HWY 13 and north of Cooper Cove Exit and I-80. Planner Brugger presented the case. She noted the project would be turned over to PacifiCorp upon completion.

James Williams and Chase Marston of Rock Creek LLC, under Invenergy were present along with Greg Weisz legal counsel for Rock Creek LLC.

Mr. Marston overviewed a handout dated November 16 for the project. The project is split between Carbon and Albany counties, and they look to continue development of both wind and solar in the future in Carbon County. The project is two phases, Rock Creek I and II with a total 590-megawatt capacity and could be up to 129 turbines, only 10-15 permitted in Carbon. They plan commercial operation ready the end of 2024. The project is located 25 miles northwest of Laramie on

approximately 32,600 acres in Albany County and 14,900 in Carbon on all private and state lands. They plan to interconnect at part II at Aeolus and part I at Foote Creek Substations.

Chairman Johnson confirmed that Carbon has permitted 15 turbines, but the presentation only showed 10. Mr. Marston stated the siting plan is not final at this time.

Various environmental surveys are under way and construction is anticipated spring 2023 through 2024. They anticipate 450 construction jobs with 30-35 full-time operation jobs.

The industrial siting process has begun, and they expect an early spring 2022 meeting for that permit. Chairman Johnson called for comments for or against the case.

Chairman Johnson called Cory Lewis, attorney for the Wheatland Irrigation District via telephone. Ms. Lewis expressed support from the district for this project. Chairman Johnson called for additional comments and there being none he closed the hearing at 2:13 p.m.

Commissioner Espy discussed recommended condition 17, the point of sale required to be in Carbon County. Ms. Bruggar stated this is already required under condition 19 quarterly. Chairman Johnson discussed condition 20 and Commissioner Jones the county should require Aircraft Detection Lighting System (ADLS), and the project company should report this to the FAA. Mr. Weisz replied that in Albany County they will require ADLS unless the FAA doesn't approve it for a specific tower. Mr. Weisz stated this is an FAA decision, not a commissioner decision. Rock Creek will request approval of ADLS for the entire project from the FAA and they suspect it will be approved and if a particular tower was not approved by the FAA, he hoped the permit could proceed.

Commissioner Jones shared an e-mail from the FAA regarding ADLS. This seems to state that local government can require ADLS. Attorney Davis provided suggested language for condition 20. Mr. Williams stated they would be willing to submit a plan to install an ADLS system and commented on Attorney Davis' suggested language. He suggested leaving the language the applicant shall submit a plan to the FAA to install and maintain an ADLS system, remove the "if approved by the FAA" language but leave the final sentence of proposed condition 20. The county can require the applicant to submit their plan to the FAA however the FAA is not required to approve the plan therefore they would like the project to proceed regardless.

Mr. Weisz stated his client objects to proposed language as the micro-siting plan, where a tower is located, is out of the hands with the proposed language. Having to come back to a commission for something like this could jeopardize their project financing. Mr. Williams agreed and thought condition 20 as originally written satisfies the intent. Commissioner Jones confirmed they are not asking the applicant to return. The applicant would submit the plan to the FAA, the county would get notice of all tower locations outside the standard and can then comment and it won't be necessary for the applicant to return in front of this board.

Mr. Weisz stated they agree with the last sentence suggested by the county attorney however language about a secondary plan that would have to be approved is not acceptable, but they are agreeable to show the plan the FAA approves.

Chairman Johnson asked Mr. Marston about Condition 14. Because Rock Creek I and II are different projects they would like to be able to separate those projects from Rock Creek so sub assets can be identified. He suggested adding “or to a separate Invenergy subsidiary” to the existing condition 14. The BOCC had no objection to this.

Mr. Marston suggested Condition 22 be amended to allow the company to work with the Wyoming Game & Fish on construction timing. Commissioner Espy thought this was appropriate as G&F could allow construction during a light winter.

Chairman Johnson confirmed the 30-35 jobs were specific to this project and not shared with another and Mr. Marston confirmed this. He also asked the status of a road use agreement to which Mr. Marson confirmed there is a draft, but it has yet to be finalized.

Commissioner Espy moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2021-42, 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.W. Case File #2021-01 – Rock Creek Wind Energy Project with amendments to recommended conditions 14, 20, 21 and 22, request for a Conditional Use Permit-Wind for a Commercial Scale Wind Energy Facility in the Ranching, Agriculture and Mining (RAM) Zone. The request is to allow the applicant (Rock Creek Wind, LLC, and Invenergy LLC) to install, construct, operate, and maintain the “Rock Creek Wind Energy Project” in Carbon County, Wyoming. The approximate location will span across Albany and Carton Counties and is planned to occupy approximately 14,900 acres in Carbon County (32,620 acres in Albany County, for a total of 47,520 acres) of open rangeland in the eastern portion of Carbon County, near the Arlington and McFadden region; south of WY HWY 13 and north of Cooper Cove Exit and I-80. Commissioner Jones seconded, and the motion carried unanimously.

#### **Resolution No. 2021 – 42**

#### **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.W. Case File #2021-01 Commercial Scale Wind Energy Facility “ROCK CREEK WIND ENERGY PROJECT”**

**WHEREAS**, pursuant to Wyo. Stat. Ann. Title 18, Ch. 5, Art. 5 Wind Energy Facilities; and §18-5-502, County Regulation of Wind Energy Project; and

**WHEREAS**, pursuant to Section 6.1-Commercial Scale Energy Facilities-Overlay District and Section 6.2-Commercial Scale Wind Energy Facilities, of the Carbon County Zoning Resolution of 2015, as amended, the Carbon County Planning and Zoning Commission held a public meeting on Monday, November 1, 2021, which said meeting was advertised by public notice prior to said meeting; and

**WHEREAS**, at said public meeting, 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 meeting; and

**WHEREAS**, at the conclusion of said meeting, 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, specifically, Section 6.2-Commercial Scale Wind Energy Facilities (Part A, Item #13, Part E), for Carbon County, Wyoming; and

**WHEREAS**, notice of the proposed Wind Energy Facility was published by the Applicant twice in two different weeks in the official newspaper of general circulation in Carbon County at least twenty (20) days prior to the public hearing required by Section 6.2 and W.S. §18-5-506. The notice, published in both the Rawlins Times and Saratoga Sun on October 13, 2021, and October 20, 2021, included a brief summary of the Wind Energy Facility, invited the public to submit comments and identified the time and date of the hearing. As required by Section 6.2(Part A, Item #13, Part C), the Applicant did submit affidavits of public notice in their application for Conditional Use Permit prior to the Board's hearing. In addition, the County prepared a notice and published said notice in the Saratoga Sun on October 6, 2021, that included a brief summary of the proposed Wind Energy Facility and invited the public to submit comments and identified the time and date of the hearing; and

**WHEREAS**, the Applicant has provided to Carbon County an affidavit which certified that the Applicant has undertaken reasonable efforts to provide written notice to all owners of land within one (1) mile of the property line of the proposed Wind Energy Facility and to all cities and towns located within twenty (20) miles of the Wind Energy Facility; and

**WHEREAS**, the Applicant has provided to Carbon County an affidavit which certified that the Applicant has undertaken reasonable efforts to provide written notice to the record owners of mineral rights located on or under the lands where the proposed Rock Creek Wind Energy Project will be constructed. Said notice included a statement of the applicant's intention to construct the Rock Creek Wind Energy Project, features of the project, a legal description of the boundaries of the project, and where the application may be examined and persons to contact for additional information; and

**WHEREAS**, the Carbon County Board of County Commissioners, pursuant to Section 6.2-Commercial Scale Wind Energy Facilities of the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. Title 18, Ch. 5, Art. 5, Wind Energy Facilities and after receipt of said certified recommendation from the Carbon County Planning and Zoning Commission; held a public hearing, which said public hearing occurred on Tuesday, November 16, 2021; and

**WHEREAS**, at said public hearing, 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 Wind Energy Facility; and

**WHEREAS**, the Carbon County Board of County Commissioners in considering said application have also reviewed and considered Wyo. Stat. Ann. Title 18, Ch. 5, Art. 5 Wind Energy Facilities and the Carbon County Comprehensive Land Use Plan, as amended; and the Carbon County Zoning Resolution of 2015, as amended, specifically, Section 6.2-Commercial Scale Wind Energy Facilities; and

**WHEREAS**, the Carbon County Board of County Commissioners have received certification that the proposed WECS project will comply with all the standards required by W.S. 18-5-504; and

received certification that the proposed WECS project will comply with all applicable zoning and county land use regulations; and determined that the proposed Wind Energy Facility is in general conformance with the Carbon County Comprehensive Land Use Plan, 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 for a Commercial Wind Energy Facility.

**C.U.W. Case #2021-01:** Request for a Conditional Use Permit-Wind for a Commercial Scale Wind Energy Facility in the Ranching, Agriculture and Mining (RAM) Zone. The request is to allow the applicant (Rock Creek Wind, LLC, and Invenergy LLC) to install, construct, operate, and maintain the “Rock Creek Wind Energy Project” in Carbon County, Wyoming.

**Project Description:** The Rock Creek Wind Energy Project (Project) is planned to span across both Albany and Carbon Counties. For Carbon County’s portion, the Project consists of constructing, operating, maintaining, and decommissioning up to approximately 15 wind turbine generators and all associated components and facilities that are desirable to generate electricity and deliver electricity to the transmission grid. Overall, the Project has a potential of generating up to approximately 590 megawatts and includes all wind energy system components associated with the wind turbine generators. The Project includes all associated components and facilities that are necessary to generate electricity and deliver electricity to the transmission grid, including but not necessarily limited to the following major components:

- Wind energy generating systems, including supporting towers, foundations, and other associated equipment or structures;
- Overhead and underground electrical distribution, collection and, transmission systems;
- Electric transformers and substations;
- Energy storage facilities, and all of the interconnection facilities;
- Telecommunication equipment, lines and facilities;
- Road network, crane pads and staging areas;
- Met towers and wind measurement equipment;
- On-site Utilities such as water supply and treatment and sewage treatment;
- All accessory uses necessary for operations and maintenance of the Wind Energy Facility, including an operations & maintenance center, storage, parking facilities, and similar support facilities.

**Petitioners:** Rock Creek Wind, LLC, and Invenergy LLC (Applicants) and Various Landowners (Private and State Lands)

**Application Area/General Location:** The Application Area will span across Albany and Carton Counties and is planned to occupy approximately 14,900 acres in Carbon County (32,620 acres in Albany County, for a total of 47,520 acres) of open rangeland in the eastern portion of Carbon County, near the Arlington and McFadden region; south of WY HWY 13 and north of Cooper Cove Exit and I-80.

**Legal Description--Carbon County:**

**Rock Creek I (190 MW)**

T19N R78W

Section 23 E ½

Section 24 All

Section 25 All

**T19N R77W**

Section 19 All

Section 20 W ½

Section 29 W ½

Section 30 All

Section 31 All

Section 32 W ½

**T18N R77W**

Section 5 W ½

Section 7: area NE of the I-80 ROW

Section 8 NW ¼

Section 17: W ½ area NE of I-80 ROW

**CONDITIONS OF APPROVAL:**

1. Conditional Use Permit is granted for up to 15 wind turbines and accessory uses as generally described in the application. The Applicant(s) shall notify the Carbon County Planning and Development Department in writing of any material changes to the Project subsequent to the County issuance of the Conditional Use Permit.
2. Nothing in this permit's conditions is intended to preempt other applicable State and Federal laws or regulations. All WECS Project facilities shall be constructed to meet and be maintained in compliance with all Federal, State, and County requirements, including all Wyoming Industrial Siting Council requirements. If compliance issues arise at any time during the review, development or operational phases, the Applicant(s) or Owner(s), at the discretion of the County may be requested to provide additional studies or reports prepared by qualified professionals addressing the issues and mitigation measures that may be needed to maintain compliance.
3. This permit is subject to final approval and issuance of a permit by the Industrial Siting Council. The Applicant(s) shall submit a copy of all subsequent Federal and State approvals, including all required studies, reports and certifications prior to the issue of any applicable building permits.
4. All structures proposed within the application area require a building permit. Multiple WECS Towers may be permitted with a single application as long as the site plan or plan of development includes all relevant details adequate to determine general conformance with the applicable standards and conditional use permit conditions. Project structures other than WECS Towers require an individual building permit application for each structure.
5. Each building permit application shall include a letter of consent from the surface private property owners upon which the WECS project will be located or other legal documentation which demonstrate consent of the surface property owner.
6. When not conflicting with colors required by the Federal Aviation Administration or other Federal Agencies, towers and blades shall be painted off-white or another non-reflective, unobtrusive color. The color selected is intended to help the Project blend with the natural visual character of the area.
7. The Applicant(s) shall enter into a Public Road Use Agreement (PRUA) for review by the County Road Superintendent and County Attorney and approval by the Board of County Commissioners prior to use of County roads by the Project's traffic. The Applicant(s) shall

provide financial assurance for County road construction and maintenance as determined by the Board.

8. Site Specific Setback Waiver: The Applicant(s) shall submit site specific tower locations as part of the building permit application. Any tower closer than the minimum setbacks as listed in the County Commercial WECS Setbacks and Standards shall be forwarded to the Board to request a setback waiver. The Applicant(s) shall submit an explanation and justification as to why each setback waiver is necessary. In all cases, the setbacks shall comply with the minimum standards provided in §18-5-504, Minimum Standards.
9. Operations and Maintenance:
  - a. Routine scheduled maintenance shall include the repainting of painted equipment and painted structures, and maintenance of grounds or landscaping as appropriate to the location.
  - b. All solid wastes and hazardous materials related to the construction, operation, maintenance and decommissioning of a Project shall be handled, stored or disposed of in accordance with the approved waste management plan and in accordance with all applicable Federal, State, and County laws and regulations. The permittee shall be responsible for litter control including the regular clean-up of litter blown from dumpsters and similar storage areas.
  - c. On April 1st of every even numbered year after the third anniversary of the permit, the Owner(s) or Operator(s) of the WECS shall submit to the Carbon County Planning and Development Department a statement that lists all WECS currently inoperative for longer than six continuous (6) months. All WECS that remain inoperative for eighteen (18) continuous months or longer must be removed unless the Owner(s) provides a written plan and schedule acceptable to the Carbon County Planning and Zoning Commission for refurbishing and\or reactivating the inoperative WECS.
  - d. The Owner(s) or Operator(s) of the WECS shall control and eradicate noxious and invasive weed species within the disturbed areas of the project. Weed control shall be maintained as directed by the Carbon County Weed and Pest District or the appropriate public entity having jurisdiction.
10. The Applicant(s) shall provide the applicable wireless telecommunication service providers, the Wyoming Department of Transportation and local emergency service provider(s) (911 operators) copies of the Project's summary and site plan. To the extent that the above provider(s) demonstrate a likelihood of interference with their communications resulting from the WECS(s), the Applicant(s) shall take reasonable measures to mitigate such anticipated interference.
  - a. If, after construction of the WECS(s), the Owner(s) or Operator(s) receives a written complaint related to interference with emergency services communications, local broadcast of residential television or other communication venues, the Owner(s) or Operator(s) shall assess whether there has been signal degradation as a result of the WECS and then in the event of degradation shall reasonably cooperate to respond to the complaint and take reasonable measures with the cooperation of the complainant as necessary to alleviate or mitigate the interference.

- b. The Owner(s) or Operator(s) shall mitigate light impact on existing residences that are visible within one (1) mile of a Project WECS Tower light/beacon while still meeting applicable FAA lighting requirements.
- 11. If there are any variations in the Project's construction which would materially impact the original Emergency Management Plan, the Emergency Management Plan shall be supplemented and revised following construction of the WECS project and approved by the County Sheriff and Emergency Management Coordinator.
- 12. To the extent not inconsistent with confidentiality and security obligations under State and\or Federal law, the Owner(s) or Operator(s) shall provide the Carbon County Planning and Development Department with a detailed map of the site within ninety (90) days after operation begins. The Project Map will include the geographic coordinates of each WECS structure, all roads within the WECS Project area, and public roads and turnouts connecting to roads of the WECS Project. The Project Map shall be updated by the Owner(s) or Operator(s) every five (5) years or after the completion of any significant additional construction.
- 13. The Owner or Operator(s) of a Commercial Energy Project shall maintain a current general liability policy issued by an insurance company authorized to business in Wyoming covering bodily injury and property damage with limits of at least \$1 million per occurrence and \$1 million in the aggregate. The Applicant(s) shall provide proof of insurance to the Board prior to the Board's approval of the submitted application or otherwise demonstrate adequate self-insurance. If the application is approved, the Owner(s) or Operator(s) of the Commercial Energy Project shall provide proof of insurance to the Board annually. Proof of insurance may be made by providing a certificate of insurance.
- 14. No conditional use permit shall be transferred without the prior approval of the Board of County Commissioners. The Board's approval shall not be unreasonably withheld upon good cause shown. Any transferee shall agree in writing to be bound by the terms of the Conditional Use Permit. It is specifically understood and agreed that after the completion of construction of the Project, the Applicant intends to transfer this permit to PacifiCorp for operation of the Project. The Board hereby approves of such transfer to PacifiCorp or to a separate Invenergy subsidiary, subject to PacifiCorp or separate Invenergy subsidiary agreeing in writing to be bound by all terms of the Conditional Use Permit as the owner of the permit. This Conditional Use Permit shall not have any additional transfers other than the aforementioned transfer under this paragraph without prior approval of the Board of County Commissioners.
- 15. Within six (6) months of the Board's approval, and on an annual basis thereafter until construction is completed, the permit holder shall provide a progress report of the WECS Project to the County Planning and Zoning Commission. The annual report\progress report shall include a written summary of Project's progress and include an appearance at a regularly scheduled County Planning and Zoning Commission meeting.
- 16. Any contractors involved in construction activities shall appoint a representative to attend a meeting with all Carbon County department heads impacted by said activities prior to commencement of construction.
- 17. Point of Sale for all construction materials utilized within Carbon County, Wyoming in this Conditional Use Permit, shall be Carbon County, Wyoming.

18. All machinery and motorized equipment utilized in construction activities for this Conditional Use Permit shall obtain necessary registration, plates, and permits from the Carbon County Treasurer's Office and Carbon County Road and Bridge Department prior to being utilized for construction.
19. The Owner(s) or Operator(s) of the WECS Project shall provide copies of all reports and payments of sales tax to the County Clerk and County Treasurer related to this project on a quarterly basis.
20. Installation and maintenance of an aircraft detection lighting systems (ADLS) is required in order to mitigate light impacts. Such FAA approved systems shall require the turbine tower warning lights to be off except when necessary to alert aircraft in the area. Lights shall remain off at night unless aircraft are detected within FAA proximity minimums in the area by the ADLS or if FAA requirements dictate otherwise. If the FAA does not approve an aircraft detection lighting system for any of the towers in the project, then the applicant shall provide a secondary lighting plan approved by the FAA to the Board.
21. The County shall require an update to Appendix 32, Site Characterization Report to reflect the approved project boundary area prior to issuance of any building permit.
22. The Owner(s) or Operator(s) shall limit construction activity in areas that have been designated by Wyoming Game & Fish Department as big game crucial winter range from November 15-April 30. In the event the owners or operators need to carry out construction activities in this time period and within said ranges, it shall notify and consult with both the Wyoming Game & Fish Department and Carbon County to determine how the activity in question will be carried out without undue harm to big game populations.
23. 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 CARBON COUNTY BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:**

That the Carbon County Board of County Commissioners, hereby approve the Conditional Use Permit – Commercial Wind Energy Facility (C.U.W. Case #2021-01) as certified to them in writing by the Carbon County Planning and Zoning Commission in the Ranching, Agriculture and Mining (RAM) Zone for the “Rock Creek Wind Energy Project”.

**Expiration of Conditional Use Permits for Commercial Scale Energy Facilities:**

Any Commercial Energy Project 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, and no authorized extension granted, then the conditional use permit shall expire and become null and void and be of no further effect. If the Project is not operational within two (2) years from the date of commencement, or any authorized extension, then the conditional use permit shall expire and become null and void and be of no further effect. Commencement of construction of Project Structures, buildings and other physical assets, including roadways, of the Project shall be considered commencement of the project. A Commercial Energy Project shall be considered to be operational if the project is generating electricity.

**Extension of Conditional Use Permits for Commercial Scale Energy Facilities.**

If the Commercial Energy Project has not been commenced or has not become operational 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 for the Project from other agencies with jurisdiction, such as the Wyoming Industrial Siting Council, 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.

- A. 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.
- B. No permit shall expire during the time the decision on the extension is being considered.

**Transfer of Conditional Use Permits for Commercial Scale Energy Facilities.**

- A. No conditional use permit shall be transferred without the prior approval of the Board.
- B. The Board may authorize transfers of permits to a different person if:
  1. 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.
  2. The permit transfer request is heard by the Board at a public meeting after notice is published.
  3. The permit transfer administrative fee has been paid.
  4. Board approval of the transfer shall not be unreasonably withheld.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 16<sup>th</sup> day of November 2021.

**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

## **CITIZEN & COMMISSIONERS DISCUSSION**

Chairman Johnson asked for public comment on a proposed fire district however no citizens were present.

Chairman Johnson thanked Treasurer for her service to the county.

Commissioner Jones discussed fencing at the Dixon Airport noting some confusion in the valley that fencing may encroach on the Little Snake River Events Center however this is not the case. She will send this information to the LSR Press for publication to help alleviate any misinformation.

## **EXECUTIVE SESSION**

Commissioner Espy moved to go into executive session at 3:41 p.m. with Clerk Bartlett and Ashley Mayfield Davis to discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Barkhurst seconded, and the motion carried unanimously.

Commissioner Espy moved to come out of executive session at 4:01 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Jones seconded, and the motion carried unanimously.

## **COMMISSIONERS**

Commissioner Espy moved to authorize Commissioner Barkhurst to negotiate the purchase of properties. Commissioner Jones seconded, and the motion carried unanimously.

## **ADJOURNMENT**

Commissioner Espy moved to adjourn the meeting at 4:02 p.m. Commissioner Jones seconded, and the motion carried unanimously.

A regular meeting of this Board will be held December 21, 2021, at 9:00 a.m., at the Carbon Building-Courthouse Annex, located at 215 West Buffalo, 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.