

**OFFICIAL MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, May 2, 2023
Carbon Building- Courthouse Annex**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, May 2, 2023, at 9:00 a.m. at the Carbon Building-Courthouse Annex in Rawlins, WY. Attending the meeting were Chairman, Sue Jones, Vice Chairman, Travis Moore, Commissioners John Johnson, John Espy and Byron Barkhurst.

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

ADDITIONS / CORRECTIONS

Chairman Jones removed the Road Use Agreement under Road & Bridge and added a bond for Sheriff Bakken to the consent agenda.

Commissioner Johnson moved to approve the agenda as amended. Commissioner Barkhurst seconded and the motion passed unanimously.

VOUCHERS

Commissioner Barkhurst moved to approve the report of expenditures in the amount of \$281,017.29 for an aggregate total today of \$281,017.29. Commissioner Johnson seconded and the motion passed unanimously.

| Vendor | Detail Line Description | Total |
|-----------------------------------|---------------------------------------|--------------|
| Abels, Duane E. | County Health Officer | \$1,600.00 |
| Advanced Network Management, Inc. | Network Refresh | \$15,819.10 |
| Asp Inc | Waist Chains/Accessory Bags | \$449.25 |
| Aspen House | Hors D'oeuvres for Courthouse Opening | \$1,405.00 |
| AT&T Mobility | CCSO MDT Service | \$1,822.83 |
| Axis Forensic Toxicology, Inc. | Lab Services | \$282.00 |
| Bank of Montreal - Mastercard | Misc. Charges | \$26,331.22 |
| Bartlett, Gwynn | Mileage | \$50.60 |
| Benjamin, Larry | Mileage | \$45.10 |
| Bernaski, Kodi | Monitor & Charger Deposit Refund | \$820.00 |
| Big Sky Communications Inc. | 5 Headsets/Accessories | \$798.00 |
| Black Hills Energy | Gas Services | \$15,377.35 |
| Blakeman Propane | Propane Services | \$2,829.69 |
| Bomgaars Supply | Misc. Parts | \$807.11 |
| Buchanan, Karen | Mileage | \$88.00 |
| Burkhart, Cindy | Snacks-Jury Trial | \$43.38 |

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| Casper Winnelson Co. | Misc. Supplies | \$581.01 |
| Clerk of Dist. Court (Jurors) | Trial Jurors/Bailiffs | \$3,835.01 |
| Cowboy Supply House | Misc. Supplies | \$1,258.19 |
| Cragun, Megan A. | Mileage/Meals | \$243.69 |
| Culligan Water Conditioning | Coarse Salt | \$312.50 |
| Dallin Motors Inc. | Snap Ring | \$7.85 |
| Dixon, Town of | Water Services | \$308.00 |
| Double 8 Ranch | CR 3-Snow Removal | \$6,450.00 |
| Drummond Refrigeration LLC | Misc. Refrigeration Repairs | \$1,064.30 |
| Dynamic Controls Inc. | VFD Replc.-Carbon Bldg. & Jail Controller | \$5,687.00 |
| Elk Mountain, Town of | Propane Services | \$681.26 |
| Feldman, Richard M. | Mileage-Jury Trial | \$105.20 |
| Fremont County Coroner's Office | Autopsy Fees | \$1,925.00 |
| Friend, Katie | Cookies for Courthouse Grand Reopening | \$300.00 |
| Further | Health Reimb. / Medical FSA/Dep. Care | \$6,265.16 |
| Gulbrandson, Kimberly A . | Mileage | \$19.25 |
| Hagan, Walter | Bailiff Jury Trial | \$75.00 |
| Hansen, Loretta J. | Mileage | \$62.23 |
| Hemocue | Cuvettes/Hemocue Cleaner | \$301.85 |
| High Plains Power | Electric Services | \$495.05 |
| Holcomb, Nancy | Meals | \$64.26 |
| Honnen Equipment | Ext. Warranty-John Deere Motor Graders | \$36,971.33 |
| Jack's Body & Fender Repair | Towing Services | \$300.00 |
| K2 Towers III, LLC | Tower Rent | \$2,185.45 |
| Kaluzny, Emily | Personal Phone Usage-April | \$30.00 |
| Kilburn Tire Company | Wheel and Tire Repair | \$370.90 |
| Kostovny, Mark | Mileage | \$46.20 |
| L N Curtis & Sons | Rechargeable Battery Packs | \$880.08 |
| Local Government Liability Pool | Membership Renewal 7/1/23-6/30/24 | \$59,005.00 |
| Mallcheck, Garrett | Fuel Reimbursement | \$38.94 |
| McKesson Medical-Surgical | Antiseptic Towels | \$11.51 |
| Moody's Investors Service | Annual Fee | \$500.00 |
| Morse, Kimberley | Meals | \$76.97 |
| Moss, Barbara | Mileage | \$138.60 |
| Napa - Saratoga | Coolant/Light Bulbs | \$18.93 |
| Norco, Inc. | Cylinder Rent | \$858.15 |
| Offender Watch | Sex Offender Notification | \$230.58 |
| Open To Interpretation | Interpreter Services | \$800.00 |
| O'Reilly Auto Parts | Fuel Additive/Engine Restorer | \$24.48 |
| Parker, Elizabeth | Mileage | \$86.95 |
| Personnel Evaluation, Inc. | Pre-Employment Evaluations | \$75.00 |

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|--------------------------------|---|-------------|
| Plainsman Printing & Supply | Folders/Folder Fasteners | \$627.50 |
| R.P. Lumber Company, Inc. | Misc. Parts and Supplies | \$150.23 |
| Rawlins Automotive | Misc. Parts | \$1,190.84 |
| Rawlins Eastside Carwash | Car Wash Cards | \$66.60 |
| Rawlins, City of | Landfill Fee | \$39.00 |
| Riverside Ranch | Dozing Snow 2/14-2/28 | \$1,800.00 |
| Rodabaugh, Sherry | Bailiff-Jury Trial | \$75.00 |
| Saratoga Sun | Misc. Ads | \$1,174.26 |
| Seilaff, Melodie M. | Mileage-Jury Trial | \$105.20 |
| Shippy, April | Interpreter Services | \$840.00 |
| Shively Hardware | Toilet Paper/Paper Towels | \$23.98 |
| Sikes, Melisa | Mileage & Postage | \$61.39 |
| Skyline Motors, Inc. | Fuel Pump | \$517.78 |
| Slow & Steady Law Office, PLLC | Legal Services | \$6,380.00 |
| South Carolina Dept. of MV | Certified Driving Record Request | \$6.00 |
| Spaulding, Dawnnette | Mileage | \$98.91 |
| Staples Advantage | Misc. Office Supplies | \$213.24 |
| State of Wyoming A & I | State Mainframe Access/File Storage | \$36.76 |
| State of Wyoming DCI | Sex Offender Changes | \$25.00 |
| Stinker Stores Inc. | Fuel | \$18,274.10 |
| Stocks, Shirley | Mileage-Jury Trial | \$218.10 |
| Summit Food Service | Jail Meals | \$4,102.54 |
| Super Vacuum Mfg. Co. Inc. | Vehicle Graphics | \$1,486.81 |
| Swanson Services Corporation | Jail Commissary | \$774.36 |
| Tek84 Inc. | Body Scanner Maint 8/17/23-8/16/26 | \$26,985.00 |
| The Cowboy Couture | Sheriff Uniforms | \$217.90 |
| Tyler Technologies, Inc | Web Support/Internet Hosting | \$565.09 |
| UPRSWDD | Trash Services | \$190.00 |
| Webb, Tyler | Mileage-Jury Trial | \$120.20 |
| Wilson, Karon | Mileage | \$39.60 |
| WLC Engineering | Cherokee Road Survey | \$4,822.51 |
| Wohl, Judith | Mileage | \$66.00 |
| WY Behavioral Institute | Emergency Detention Fees | \$1,700.24 |
| WY Dept of Transportation | CR 203 Bridge Over N Platte | \$686.89 |
| WY Retirement System | Mar Vol Fire Pension | \$806.25 |
| Zumbrennen Electric Inc. | Electric For Elevator Tie-In to Generator | \$5,270.50 |

CONSENT AGENDA

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. Clerk Bartlett noted the consent agenda includes the April 18, 2023, regular meeting minutes, and Planning and Development Department monthly receipts in the amount of

\$19,300.00 and bonds for Sarah Chavez Harkins Carbon County Attorney in the amount of \$500.00 and Alex Bakken, County Sheriff in the amount of \$4,000.00. Commissioner Barkhurst seconded and the motion passed unanimously.

ELECTED OFFICIALS & DEPARTMENT HEADS

Sheriff

Commissioner Johnson moved to approve the Chairman's signature on the Memorandum of Understanding between the Carbon County Board of County Commissioners, Carbon County Wyoming, The Carbon County Sheriff, and the Town of Saratoga for the Purchase of Motorola MC5500 Dispatch Radio Consoles. Commissioner Barkhurst seconded and the motion passed unanimously.

Clerk

Commissioner Moore moved to reappoint Keith Miles to the Old Pen Joint Powers Board for a three-year term ending April 2026, Stacey Crimmins and Rocky Fiedor to the Platte Valley Community Center for a three-year term expiring June 2026, Chris Iacovetto to the Carbon County Museum Board for a three-year term ending June 2026, Jackie Wells and Natasha Martinez, both to the Carbon County Juvenile Services Board for a three-year term ending June 2026; and appoint Sheriff Alex Bakken to the Carbon County Juvenile Services Board for a three year term ending June 2026. Commissioner Barkhurst seconded and the motion passed unanimously.

Commissioner Espy moved to allow county departments to close from approximately 10:45 a.m. through 1 p.m. on May 12, 2023, for the Courthouse Grand Re-Opening. Commissioner Johnson seconded and the motion passed unanimously.

Commissioner Barkhurst moved to approve and authorize the Chairman's signature on the Temporary Assistance for Needy Families (TANF) Community Partnership Initiative (CPI) Federal Fiscal Year (FFY) 2024 Grant Application for Big Brothers, Big Sisters and Boys and Girls Club. Commissioner Johnson seconded and the motion passed unanimously.

Commissioner Espy moved to approve the extension of audit services through Jones Simkins for an additional three fiscal years in an amount not to exceed \$67,500.00. Commissioner Moore seconded and Commissioner Johnson reported that when this company started with the county, they asked him as Chairman to meet with them regarding their services to explain how they work. He thinks this is prudent to extend their contract. Commissioner Espy agreed stating this is well worth the extension. The motion passed unanimously.

Planning and Development

Commissioner Johnson moved to award the bid to Y2 Consultants in the amount of \$110,000 to make the necessary amendments to the Carbon County Land Use Plan using Chokecherry impact assistance funds. Commissioner Espy seconded and the motion passed unanimously.

Commissioner Moore moved to approve the Chairman's signature on the letter to BLM regarding the County's participation with several other Wyoming Counties with the assistance of the Wyoming County Commissioners Association (WCCA) to participate in the Plan Amendment Process for the management of Greater Sage-Grouse. Commissioner Johnson seconded and the motion passed unanimously.

Certifications

Commissioner Barkhurst moved to accept Certifications of Recommended Action from the Carbon County Planning & Zoning Commission for, Z.C. Case File #2023-03 – James Bosler, Companion Case - MIN SUB Case File #2023-02 – James Bosler, Z.C. Case File #2023-04 – James Bosler, Companion Case - MIN SUB Case File #2023-03 – James Bosler, and C.U. Case File #2023-05 – Two Rives Wind LLC – “Two Rivers Transmission Line Project” and schedule a public hearing for Tuesday, June 6, 2023, at 10:30 a.m. at the Carbon Building – Courthouse Annex. Commissioner Espy seconded and the motion passed unanimously.

EXECUTIVE SESSION

Commissioner Espy moved to go into executive session at 10:13 a.m. with Clerk Bartlett and Ashley Mayfield Davis to discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Moore seconded and the motion passed unanimously.

Commissioner Espy moved to come out of executive session at 10:43 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Moore seconded and the motion passed unanimously.

Commissioners

Commissioner Espy moved to ratify Chairman Jones' signature on a letter requesting Mutual Aid with the Rawlins Fire Department. Commissioner Johnson seconded and the motion passed unanimously.

PLANNING & DEVELOPMENT

PUBLIC HEARING – Z.C. Case 2023-01 – Frank and Jeri Holzworth

Chairman Jones opened a public hearing at 11:30 a.m. to hear Planning & Zoning Z.C. Case #2023-01 Frank and Jeri Holzworth's request for a zone change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-1.68) on Tract 66 located in the Overlook Retreat Subdivision #1. The FPSR Zone is intended to be applied to areas of the County in which timber production and seasonally accessible recreation uses are the desirable predominant uses.

Planning Director Sarah Brugger presented the case.

Chairman Jones called for comments for or against the case. There being no comments, she closed the hearing at 11:37 a.m.

Commissioner Johnson moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2023-16, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding Z.C. Case #2023-01 Frank and Jeri Holzworth's request for a zone change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-1.68) on Tract 66 located in the Overlook Retreat Subdivision #1, noting a waiver of sign posting requirements. Commissioner Espy seconded and motion passed unanimously.

PUBLIC HEARING – C.U. Case 2023-03 – Union Telephone Company

Chairman Jones opened a public hearing at 11:38 a.m. to hear Planning & Zoning C.U. Case #2023-03, Union Telephone Company's request for a Conditional Use Permit (CUP) in the Ranching, Agriculture and Mining (RAM) Zone for telecommunications tower up to 155 feet tall and related facilities and equipment at the "Midway Communications Site" generally located 6.5 miles south of Interstate 80, exit 235 and WY Highway 130 on the west side. Planning Director Sarah Brugger presented the case.

Chairman Jones called for comments for or against the case. There being no comments, she closed the hearing at 11:56 a.m.

Commissioner Johnson moved to table C.U. Case #2023-03, Union Telephone Company's request for a Conditional Use Permit (CUP) in the Ranching, Agriculture and Mining (RAM) Zone for telecommunications tower up to 155 feet tall and related facilities and equipment to June 20, 2023, at 11:00 a.m. at the Carbon Building – Courthouse Annex. Commissioner Barkhurst seconded and the motion passed with all voting for except Commissioner Espy who abstained due to conflict.

PUBLIC HEARING – C.U. Case 2023-04 – Union Telephone Company

Chairman Jones opened a public hearing at 12:18 p.m. to hear Planning & Zoning C.U. Case #2023-04, Union Telephone Company's request for a Conditional Use Permit (CUP) in the Ranching, Agriculture and Mining (RAM) Zone for telecommunications tower up to 105 feet tall and related facilities and equipment at the "Savery Communications Site" generally located 1213A East State Highway 70., approximately $\frac{3}{4}$ mile east of Savery on the north side of Highway 70. Planning Director Sarah Brugger presented the case. She specifically outlined the 'clear zone' requirement in the Zoning Regulations. This requires a radius of at least 110% of the tower height to be maintained by the permit holder and landowner. This proposed tower is located on private property; however, a portion of the clear zone is on BLM land. The applicant was advised by staff they could potentially apply for a variance due to a hardship that would prevent the tower from being placed in another location that would allow for the clear zone. There is a condition on this case currently in the resolution the BOCC will consider today.

Chairman Jones called for comments for or against the case. There being no comments, she closed the hearing at 12:52 p.m.

Commissioner Johnson moved to table C.U. Case #2023-04, Union Telephone Company's request for a Conditional Use Permit (CUP) in the Ranching, Agriculture and Mining (RAM) Zone for telecommunications tower up to 105 feet tall and related facilities and equipment at the "Savery Communications Site" until June 20, 2023, at 11:00 a.m. Commissioner Barkhurst seconded and Sarah Brugger noted due to advertising requirements the P&Z Commission cannot hear the variance until July and that's past the 60 days the county can table a case. Based on this information the motion was amended to July 5, 2023, at 11:30 a.m. The amended motion passed with Commissioner Espy abstaining due to conflict.

ADJOURNMENT

Commissioner Espy moved to adjourn the meeting at 4:05 p.m. Commissioner Moore seconded and the motion passed unanimously.

A regular meeting of this Board will be held Tuesday, June 6, 2023, at 9:00 a.m. and a Budget Workshop will be held on Wednesday, June 7, 2023, at 8:30 a.m. Both meetings will be held at the Carbon Building – Courthouse Annex, located at 215 W. Buffalo St. Suite 240C, 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 www.carbonwy.com or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.



Gwynn G. Bartlett

Gwynn G. Bartlett, Carbon County Clerk

Approved this 16th day of May 2023
BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

Sue Jones
Sue Jones, Chairman