

**REPORT TO THE  
MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, May 7, 2024, 9:00 a.m.  
Carbon Building- Courthouse Annex,  
215 W. Buffalo Street, Second Floor, Rawlins, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, May 7, 2024, 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 and Garrett Irene. Commissioner John Espy was absent due to attending the Western Interstate Region Conference in CA.

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

**ADDITIONS / CORRECTIONS**

Chairman Jones added acceptance of LED lighting bids under the Clerk.

Commissioner Johnson moved approve the agenda as amended. Vice Chairman Moore seconded and the motion passed unanimously.

**VOUCHERS**

Vice Chairman Moore moved to approve payment to Sunrise Sanitation for \$75.00. Commissioner Johnson seconded and the motion passed with all voting for the motion except Chairman Jones who abstained due to personal conflict.

Vice Chairman Moore moved to approve the report of expenditures in the amount of \$485,218.18 for an aggregate total today of \$485,293.18. Commissioner Irene seconded and the motion passed unanimously.

<b>Vendor</b>	<b>Detail Line Description</b>	<b>Total</b>
Abels, Duane E.	County Health Officer	\$1,633.33
Acme Electric Company, LLC	Performed Locates at Fairgrounds	\$295.00
Advanced Network Mgmt., Inc.	Managed Services Fee	\$2,430.00
All In One	Pump Grease Trap Cleaning	\$850.00
Amazon Capital Services	Office Supplies	\$105.16
Angel Armor	Sheriff Supplies Uniforms	\$62.97
Apex Communications	Radio Maintenance & Repair	\$2,641.89
AT&T Mobility	CCSO MDT Service	\$1,243.99
Axis Forensic Toxicology, Inc.	Coroner Expense Exam Fees	\$1,413.00
Bartlett Oilfield Service, Inc.	Blade CR 100-Contract Services	\$1,656.26
Bartlett, Gwynn	Mileage	\$46.20

Beach, Homer	Ryan Park Fire Dept Snow Plowing	\$560.00
Black Hills Energy	Gas Services	\$15,160.47
Blakeman Propane	Propane Services	\$2,044.40
Bob Barker Company, Inc.	Inmate Uniform and Supplies	\$791.59
Bob Ruwart Motors	2024 Chevy Silverado Truck X2	\$101,410.56
Buchanan, Karen	Mileage	\$88.00
Capital Business Systems Inc.	Copiers	\$2,549.24
Capitol Communications	Annual Telecom Support Services	\$3,444.34
Carbon County Fair Board	Monthly Outside Agency Payment	\$2,833.33
Carbon Co. Higher Ed. Center	Care Fair Banners	\$155.00
Carbon County Library	Monthly Outside Agency Payment	\$31,170.16
Carbon County Museum	Monthly Outside Agency Payment	\$20,833.33
Carbon County Senior Services	Monthly Outside Agency Payment	\$19,583.33
CareRight Technologies, LLC	Monthly Bed Fee	\$183.15
Casper Interagency Dispatch Ctr.	Dispatch Center Assessment	\$1,000.00
Casper Winnelson Co.	Flush & Faucet Valve Repair Kits	\$128.34
CIDNET	Jail Data	\$1,500.00
Cna Surety	Bond Fees	\$100.00
Communication Technologies	Portable Radio Installation	\$1,754.95
Consolidated Elect. Dist. Inc.	Rewire Fairgrounds Rodeo Panel & Sensor	\$3,285.22
Core Legal, LLC	Legal Services	\$4,415.00
Cowboy Chemical	Power Wash/Dish Detergent/Dish Sanitizer	\$501.05
Daikin Applied	Chiller Compressor 3 Replacement	\$13,650.00
Dixon, Town of	Water Services	\$308.00
Dominion Energy	Gas Services	\$304.30
Elevated Safety Solutions	Random UA	\$144.00
Engstrom, James D. DDS	Inmate Dental Services	\$2,500.00
Erickson & Roberts	Legal Services	\$2,741.68
Fatbeam LLC	IT Internet, Website & Wide Area Network	\$15,510.00
Fremont Co. Coroner's Office	Coroner Expense Exam Fees	\$1,925.00
Further	Health & Medical Reimb. & Part. Fees	\$6,267.19
Galls/Quartermaster	Sheriff Uniforms	\$1,574.02
Grainger	Misc. Supplies	\$288.58
Greater Wy Big Bros/Sisters	County Prevention Services April 2024	\$10,375.46
Greenwood Mapping, Inc.	Planning Contract Services	\$581.25
Gulbrandson, Kimberly A.	Mileage	\$188.65
Hagan, Walter	Repair Front Entrance Door Frame	\$105.00
Hanna, Town of	Water Services	\$254.22
High Plains Power	Electric Services	\$533.04
Hughes, Caleb	Travel	\$23.10
Iacovetto, Karon	Monthly Janitorial Services	\$8,230.00

Jack's Body & Fender Repair	Service Call & Abandoned Vehicle Tow	\$1,310.00
Jasso, Oscar	Soberlink Refund	\$916.00
K2 Towers III, LLC	Radio Site Rent	\$2,251.02
Kaluzny, Emily	Personal Cell Phone Use April	\$30.00
Kilburn Tire Company	Oil Service	\$73.11
KTGA/KBDY	Radio Site Rent	\$150.00
Legal & Liability Risk Mgmt.	Sheriff Deputy Schooling	\$1,300.00
Lifetime Benefit Solutions, Inc.	Cobra Fee	\$25.00
Local Government Liability Pool	Membership Renewal FY 25	\$79,820.00
McKesson Medical-Surgical	Jail Health	\$163.10
Medicine Bow, Town of	Call Out	\$452.00
Merchant McIntyre & Assoc., LLC	May 2024 Monthly Retainer	\$8,000.00
Modern Marketing, Inc.	Wrist Restraints	\$281.32
Montoya, Robert	Soberlink Refund	\$871.00
Montoya, Yvette	Daily Rental Refund	\$68.00
Moss, Barbara	Mileage	\$100.10
Motorola Solutions	Portable Radio Programming	\$7,572.92
Mountain Alarm	Youth Crisis Center Alarm Monitoring	\$57.90
Napa - Saratoga	Refrigerant	\$19.98
Newberry, Michael R.	Personal Vehicle Usage	\$460.22
Norco, Inc.	Custodial Supplies	\$726.99
Offender Watch	Sex Offender Notification	\$160.80
Office of the Attorney General	Background Check	\$39.00
Olde Trading Post	March Fuel	\$80.50
O'Reilly Auto Parts	Misc. Auto Parts & Supplies	\$184.91
Out Doors	Repair Big Service Door B&G	\$467.50
Phillips 66 Co./SYNCB	Fuel	\$37.30
Pueblo County Sheriff's Office	Sheriff Deputy Schooling	\$600.00
Quarles Petroleum	Fire Fuel	\$1,383.92
R.P. Lumber Company, Inc.	Misc. Supplies	\$1,496.84
Rapid Fire Protection, Inc.	Annual Sprinkler & Backflow Inspection	\$760.00
Rawlins Automotive	Misc. Auto Parts & Supplies	\$1,343.22
Rawlins Hardware - 5405	Connectors	\$29.98
Rawlins Hardware - 5410	Misc. Parts and Supplies	\$421.18
Rawlins, City of	Water Services & Landfill Fees	\$2,901.09
RDO Equipment Co.	Filters/Oil/O Rings	\$659.24
Republic Services #642	Trash Services	\$169.36
Rice-Prior, Denise	Inmate Mental Health Services	\$1,350.00
Rietveld, Toni	Travel, Dues & Subscriptions	\$67.50
RNB State Bank	Rosacker, Lanette	\$29.95
Rocky Mountain Power	Electric Services	\$19,978.33

Rocky's Quik Stop	Fuel	\$3,037.80
Rosales, Angel Alex	Soberlink Refund	\$820.00
Saratoga Sun	Misc. Ads	\$833.75
Schofield, Stephanie M.	Arson Canine Shots	\$165.93
Sheridan County Public Health	Crossbody Totes	\$485.45
Shively Hardware	Misc. Supplies	\$368.88
Sikes, Sammy D.	Install Decals-Tylers Pickup	\$150.00
Snake River Press	Subscription Renewal	\$40.00
Spaulding, Dawnnette	Mileage	\$268.67
Staples Advantage	Misc. Office Supplies	\$183.31
State of Wyoming A & I	File Storage & State Mainframe Access	\$34.20
State of Wyoming DCI	Sex Offender Notification	\$50.00
Stericycle, Inc.	Safe Budget Subscription	\$95.70
Stinker Stores Inc.	Diesel	\$3,918.06
Summit Food Service	Jail Meals	\$13,260.78
Sunrise Sanitation Service, LLC	Trash Services	\$75.00
Swanson Services Corporation	Jail Commissary Supplies	\$1,975.17
T.W. Enterprises, Inc.	Jail Generator Repair	\$713.25
Terminix	Jail Pest Control	\$193.00
Tin Boy Garage	Oil Filter/Air Filter	\$169.96
Trudiligence, LLC	Admin Background Checks	\$11.99
Tyler Technologies, Inc.	Web Hosting/Service Support	\$579.56
UPRSWDD	Trash Services	\$190.00
Warne, Samuel J.	Fuel Reimbursement	\$20.00
Webster, Matthew S.	IT Travel	\$221.10
West End Sinclair	S&R Fuel	\$44.79
Wilson, Karon	Mileage	\$39.27
WLEA-ADVTRNG	Deputy Schooling	\$472.00
Wohl, Judith	Mileage	\$66.00
Wreck-A-Mend	Windshield Install	\$409.91
WY Department of Agriculture	Weights & Measures Device Registration	\$75.00
WY Dept of Health	Mileage & State Vehicle Rental	\$351.68
WY Dept of Transportation	DWX Fuel License Renewal, Plate Transfer & CR 203/Br Over N Platte	\$559.27
WY Machinery Company	250 Service Hour Maint. & Troubleshoot	\$1,737.34
Wy Retirement System	Volunteer Fire Fighter/EMT Pension	\$731.25
WY Cleaning & Solutions LLC	Monthly Janitorial Services-Courthouse	\$6,583.33
Y2 Consultants, LLC	Chokecherry P&Z Land Use Plan Update	\$18,179.75

## CONSENT AGENDA

Vice Chairman Moore moved to approve the consent agenda noting any item could be removed for separate action. Deputy Clerk Smith noted the consent agenda includes the April 16, 2024, regular meeting minutes; monthly receipts from Road and Bridge in the amount of \$100.00, Planning and Zoning in the amount of \$1,100.00, County Clerk in the amount of \$19,554.75, and a bond for Janiel Kay Ebell, Deputy Treasurer for the Carbon County in the amount of \$10,000.00. Commissioner Johnson seconded and the motion passed unanimously.

## **ELECTED OFFICIALS & DEPARTMENT HEADS**

### **Sheriff**

Alex Bakken, Carbon County Sheriff requested to declare 2 patrol trucks, one fire department truck and a Road & Bridge flatbed trailer as surplus and request authorization to auction them off at the next Sheriff's sale. The board will determine by the next meeting if there will be any minimum bids for any of the items. Sheriff Bakken plans to have the sale on May 14, 2024.

Commissioner Johnson moved to declare the following vehicles as surplus and directed the Sheriff to auction them off at the May 14, 2024 Sheriff's sale: 2017 Ram Patrol Pickup VIN #1C6RR7KT9HS813549, 2018 Ram Patrol Pickup VIN #1C6RR7XT3JS193036, Road and Bridge 1974 Belshe flatbed trailer VIN #S42368W, and a 2007 Ford F-150 fire department pickup VIN #1FTPX14537KD10020. Vice Chairman Moore seconded and the motion passed unanimously.

Sheriff Bakken provided a contract for health services at the jail for board approval and Chairman's signature.

Vice Chairman Moore moved to approve the Contract for Health Services with Dr. Couch to provide inmate health care at the Carbon County Jail for a term ending June 30, 2025, in the amount of \$6,500.00 per month. Commissioner Irene seconded and the motion passed unanimously.

Sheriff Bakken reported that on May 13<sup>th</sup> at 5:00 p.m. there will be a combined dispatch workshop in Saratoga.

### **Road & Bridge**

Kandis Fritz, Road & Bridge Superintendent presented informal bids received to haul gravel to 7 miles of county roads for the Saratoga gravel project. She initially thought the county would handle the project with staff, however it turned into a larger project than anticipated. Gravel was not bid formally per the county's procurement process so she requested the board waive the procurement policy. She did obtain informal bids from three companies and kept that confidential from each of the other bidders. F&S trucking bid \$88,350.00, Bartlett Oilfield \$82,500.00, and Bo Stocks \$90,000.00. Mrs. Fritz recommended the low bid from Bartlett Oilfield in the amount of \$82,500.00.

Commissioner Johnson moved to waive the procurement policy as bids were obtained but informally rather than through a sealed process and award the bid to Bartlett Oilfield in the amount

of \$82,500.00 to haul gravel to 7 miles of county roads 550, 205 and 207. Vice Chairman Moore seconded and the motion passed unanimously.

### **Certifications of Recommended Action**

Kristy Rowan, Planning & Development Coordinator presented Certifications of Recommended Action and requested public hearings be scheduled. The applicant is Z.C. Case #2024-05 and MIN Sub Case #2024-01 Richard and June George.

Commissioner Irene moved to accept the Certifications of Recommended Action from the Carbon County Planning & Zoning Commission for Z.C. Case #2024-05 and MIN Sub Case #2024-01 Richard and June George and schedule a public hearing for June 4, 2024, at 11:30 a.m. at the Carbon Building – Courthouse Annex in Rawlins, Wyoming. Vice Chairman Moore seconded and the motion passed unanimously.

### **Public Health**

County Health Officer, Dr. Duane Abels provided an update for public health on behalf of Amanda Brown. He discussed the recent mail received in two other counties with white powder residue that was tested and came back as negative for any harmful substance. He provided directions on what to do if we get mail with any residue. He also discussed the new COVID variant.

### **Fire**

Fire Warden John Rutherford provided an update on the fire district regarding budgeting and transferring accounts and other minor details that are being handled. The District signed the Annual Operating Plan. He discussed calls he has been receiving from individuals wanting to use floating fire lanterns and he is discouraging it for numerous safety reasons mentioning that it is also littering.

### **Clerk**

Chief Deputy County Clerk, Lisa Smith discussed possibly donating a parcel of land located near the corner of W. State St. and Bennett St. on southside in Rawlins. The City of Rawlins is willing to take the parcel and Lisa noted that it really needs to be surveyed but the cost was over \$5,000 for this and the City of Rawlins is willing to take it without the survey for their own use.

Vice Chairman Moore moved to approve the donation of an unplattd tract of land lying South of U.P. Fourth Addn. located near the corner of W. State St. and Bennett St. on the southside of Rawlins to the City of Rawlins, approve Resolution 2024-08 - A Resolution of the Board of County Commissioners of Carbon County, Wyoming, "Donation of Vacant Land", and to authorize any commissioner to sign closing documents. Commissioner Johnson seconded and the motion passed unanimously.

### **Resolution No. 2024-08**

A Resolution of the Board of County Commissioners of Carbon County, Wyoming,

**“Donation of Vacant Land”**

**WHEREAS**, the Carbon County Commissioners have been reviewing county owned real property to determine whether it should continue to be owned by Carbon County, or donated or sold to others in accordance with the Carbon County Procurement Policy; and,

**WHEREAS**, the Carbon County Commissioners recognize the importance of owning property that can be utilized by the County and when property cannot be utilized by Carbon County, the Carbon County Commissioners recognize the benefit of declaring it surplus and donating the property to another governmental agency which is able to utilize the property; and,

**WHEREAS**, the City Manager for the City of Rawlins has confirmed to the Carbon County Commissioners that the City of Rawlins desires and agrees to own a lot of vacant land on State Street, lying South of the U.P. Fourth Addition, in the City of Rawlins, more specifically identified in Exhibit 1, attached and incorporated herein by reference; and

**WHEREAS**, said property is not being utilized by Carbon County, and the City of Rawlins has indicated it has a use for the vacant land.

**NOW THEREFORE, BE IT RESOLVED BY THE CARBON COUNTY BOARD OF COUNTY COMMISSIONERS** hereby donate the vacant land identified in Exhibit 1 to the City of Rawlins for its' use pursuant to the Carbon County Procurement Policy, as it is in the best interest of Carbon County and its residents to have the property owned by another governmental agency with use for the property.

**APPROVED, PASSED, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 7<sup>th</sup> day of May 2024.

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

By: -s- Sue Jones, Chairman  
On behalf of the Carbon County  
Board of County Commissioners

Attest:

-s- Lisa Smith, Chief Deputy County Clerk

**“Exhibit 1”**



## Detail of R0016274

Parcel
PIDN: 21871740080000
Tax District: 0152
Property Owner(s): CARBON COUNTY BOARD OF COMMISSIONERS
Mailing Address: GENERAL DELIVERY
RAWLINS, WY 82301
Location: UNPLATTED TRACT LYING SOUTH OF U.P. FOURTH ADDN TAX CODE 0152

Chief Deputy Clerk Smith presented the Annual Compensation Agreement for the Extension Administrative Assistant for the remainder of the fiscal year.

Commissioner Irene moved to authorize the Chairman's signature on the Annual Compensation Agreement for Extension Administrative Assistant currently held by Laurie Boyd, in the amount of \$12,829.50 through June 2024. Vice Chairman Moore seconded and the motion passed unanimously.

Chief Deputy Clerk Smith presented an email received from Tamilyn Fager resigning her position from the Carbon County Senior Services Board.

Commissioner Johnson moved to regretfully accept the resignation from Tamilyn Fager for the Carbon County Senior Services Board and direct the County Clerk to advertise the vacant position. Vice Chairman Moore seconded and the motion passed unanimously.

Chief Deputy Clerk Smith presented board applications received for the Platte Valley Community Center Joint Powers Board for reappointment.

Commissioner Johnson moved to reappoint Joe Glode, Danny Runner, and Judy Welton to the Platte Valley Community Center Joint Powers Board each for 3-year terms ending June 2027. Commissioner Irene seconded and the motion passed unanimously.

Chief Deputy Clerk Smith presented a letter of support for Union Wireless application for Broadband Funding to install fiber in and around Ryan Park for board approval and Chairman's signature.

Commissioner Irene moved to approve and authorize the Chairman's signature on a Letter of Support for Union Wireless Broadband Funding. Vice Chairman Moore seconded and the motion passed unanimously.

Buildings & Grounds put out to bid LED lighting upgrades at the Fairgrounds for the grandstands and arena. Only one bid was received from Zumbrennen Electrical Inc. She noted that per Jeff Askins this will be paid for using a grant from the Carbon County School District #1 Recreation Board of \$45,000.00.

Vice Chairman Moore moved to accept the sole bid received from Zumbrennen for the Fairgrounds grandstand LED upgrade totaling \$7,661.11 and Fairgrounds arena LED upgrade totaling \$37,307.39 to be paid for by the Fair Board with a Recreation Board grant. Commissioner Johnson seconded the motion passed unanimously.

**Attorney**

Attorney Davis presented a Contract for Sale for the Interim Justice Center at 812 E. Murray for board approval and Chairman's signature and a resolution outlining the benefit of the sale to the county. She explained that the county will lease back portions of the building for IT wiring with security cameras and storage.

Commissioner Johnson moved to approve Resolution 2024-09, A Resolution of the Board of County Commissioners of Carbon County, Wyoming regarding the Sale of Real Property and to authorize the Chairman's signature on the Contract for Sale with Carbon County Fire Protection District for the Interim Justice Center at 812 E. Murray Street; a Lease Agreement Between the Carbon County Fire Protection District and Carbon County Commissioners in the amount of \$10 per year for 6 years past signature and on any closing documents necessary to complete the sale. Commissioner Irene seconded and the motion passed unanimously.

**Resolution No. 2024-09**

**A Resolution of the Board of County Commissioners of Carbon County, Wyoming,  
"Sale of Real Property"**

**WHEREAS**, the Carbon County Commissioners have been reviewing county owned real property to determine whether it should continue to be owned by Carbon County, or donated or sold to others in accordance with the Carbon County Procurement Policy; and,

**WHEREAS**, the Carbon County Commissioners recognize the importance of owning property that can be utilized by the County and when property cannot be utilized by Carbon County, the Carbon County Commissioners recognize the benefit of declaring it surplus and selling the property to another governmental agency which is able to utilize the property; and,

**WHEREAS**, the Carbon County Fire Protection District has indicated a desire to purchase the building located at 812 E. Murray Street, Rawlins, Wyoming, to the Carbon County Commissioners; and

**WHEREAS**, only a nominal portion of the building is being utilized by Carbon County, and the Carbon County Fire Protection District has indicated it has a use for the property.

**NOW THEREFORE, BE IT RESOLVED BY THE CARBON COUNTY BOARD OF COUNTY COMMISSIONERS** hereby declare the property located at 812 E. Murray Street, Rawlins, Wyoming, surplus pursuant to the Carbon County Procurement Policy, and hereby resolves to sell the property to the Carbon County Fire Protection District as it is in the best interest of Carbon County and its residents to have the property owned by another governmental agency with use for the property.

**APPROVED, PASSED, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 7<sup>th</sup> day of May 2024.

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

By: -s- Sue Jones, Chairman  
on behalf of the Carbon County  
Board of County Commissioners

Attest: -s- Lisa Smith, Chief Deputy County Clerk

Attorney Davis presented a resolution to appoint a special prosecutor for board approval and Chairman's signature.

Vice Chairman Moore moved to authorize the Chairman's signature on Resolution 2024-10, Resolution for a Special Prosecutor. Commissioner Johnson seconded and the motion passed unanimously.

**Resolution 2024-10**

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

**WHEREAS**, the Carbon County and Prosecuting Attorney has entered into an agreement with Loretta R. Howieson, Uinta County Attorney for the Third Judicial District of Wyoming, or any of her deputy county attorneys, to assist in the cases of Byron Barkhurst vs. State of Wyoming, in which the Carbon County and Prosecuting Attorney's Office has either a conflict of interest or which would have the appearance of impropriety if pursued by that office; and

**WHEREAS**, the Uinta County Attorney for the Third Judicial District of Wyoming will provide these services free of charge to Carbon County; and

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

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

**DATED** this 7<sup>th</sup> day of May 2024.

**CARBON COUNTY, WYOMING**

By: -s- Chairman, Board of County Commissioners

**ATTESTED:**

By: -s- Lisa Smith, Chief Deputy County Clerk

**EXECUTIVE SESSION**

Commissioner Johnson moved to go into executive session at 9:54 a.m. with Deputy Clerk Smith, Ashley Mayfield Davis and Matt Webster to discuss personnel, potential litigation and other matters considered confidential by law. Vice Chairman Moore seconded and the motion passes unanimously.

Vice Chairman Moore moved to come out of executive session at 10:55 a.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Johnson seconded and the motion passed unanimously.

### **PUBLIC HEARING – Budget Amendment**

Chairman Jones opened a public hearing at 10:56 a.m. to hear about a proposed Budget Amendment to departmental budgets for Fiscal Year 2024 and Deputy Clerk Smith noted the hearing was advertised in the Saratoga Sun on April 25. Lisa outlined the need for the amendment stating that during last year's budgeting process she estimated the amount to be expended from Fund 134, the LATCF fund at \$9,020,529.39 and there was more interest accrued than she anticipated. When the county paid off financing for the Courthouse improvements the expenditure exceeded the budgeted amount.

Chairman Jones called for comments for or against the amendment. There being none, she closed the hearing at 10:57 a.m.

Vice Chairman Moore moved to adopt Resolution 2024-11 - FY 2024 Budget Amendment Number One for departmental budgets. Commissioner Johnson seconded and the motion passed unanimously.

### **RESOLUTION 2024 - 11 FY 2024 BUDGET AMENDMENT NUMBER ONE**

**WHEREAS** Carbon County adopted the Fiscal Year 2024 Budget in accordance with the Wyoming Uniform Municipal Fiscal Procedures Act; and

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

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

Fund/Entity	Approved Budget	Amendment Amount	Amended Budget
LATCF Fund 134	\$9,020,529.39	\$218,056.00*	\$9,238,585.39

*\*Revenue to cover amendments in special revenue funds are covered by revenue deposited into that fund, interest earned on that fund or money transferred into that fund*

**PASSED, APPROVED AND ADOPTED** this 7<sup>th</sup> day of May 2024.

CARBON COUNTY, WYOMING  
-s- Sue Jones, Chairman

ATTESTED:

-s- Lisa M. Smith, Carbon County Chief Deputy Clerk

### **MEMORIAL HOSPITAL OF CARBON COUNTY (MHCC)**

Rod Waeckerlin, Chairman of the Memorial Hospital of Carbon County Board provided a handout and asked the BOCC for funding. Mr. Waeckerlin discussed building improvements but asked for \$577,495 in funding for direct costs associated with their ambulance operations.

Dan Starr and Janessa Mann both who are MHCC ambulance employees detailed how ambulance services have increased in areas outside of Rawlins city limits. These services are separate from South Central WY Emergency Medical Service (SCWEMS).

Commissioner Johnson asked how these calls are dispatched. Mr. Starr detailed that there's a mutual aid agreement where dispatch will call whoever is closest for the quickest response time or if SCWEMS can't meet the response. These calls are typically covered by an individual's vehicle or medical insurance depending on the reason for the call and if they are insured. 40% of all the hospital's income receivables have come out of the ER and 45% of those receivables are from outside our zip code, which makes it incredibly difficult to collect.

Chairman Jones asked if they are taking advantage of their critical access status with their billing. She said the billing issues are more of an issue than the self-pay issues. She said the intentions are good with covering Sweetwater County but if it's not sustainable then they cannot service these areas. Mr. Starr mentioned that discussion with the Wamsutter Hospital District and Sweetwater County could happen for potential coverage of some of these costs. Dr. Ables mentioned state law requires MHCC to meet Sweetwater County halfway if they have no coverage.

Vice Chairman Moore discussed the struggle of maintaining employees. He didn't feel like a comparison could be made between SCWEMS with the ER model. He asked if other avenues have been researched for sustainability and Mr. Starr said more and more trends for EMS services are going to hospital-based services.

#### **PUBLIC HEARING - Z.C. Case #2024-03 - Arrow Shield Land and Cattle, LLC**

Chairman Jones opened a public hearing at 11:32 a.m. to hear Planning & Zoning Z.C. Case #2024-03 - Arrow Shield Land and Cattle, LLC's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-10.16) on approximately 10.16 acres. 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 and is located approximately 35 miles south of Rawlins off Carbon County Road #401 (Sage Creek Road) on the west side. Kristy Rowan, Planning & Development Coordinator and Zoning Administrator presented the case file.

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

Commissioner Johnson moved that based on the recommendation of the Planning & Zoning Commission and staff to authorize the Chairman's signature on Resolution No. 2024-13 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 #2024-03 - Arrow Shield Land and Cattle, LLC's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-10.16) on approximately 10.16 acres and located approximately 35 miles south of Rawlins off Carbon County Road #401 (Sage Creek Road) on the west side. Vice Chairman Moore seconded and the motion passed unanimously.

**Resolution No. 2024 – 13**

**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 #2024-03**

**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, April 1, 2024, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, April 1, 2024, 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, April 1, 2024, 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, May 7, 2024; and

**WHEREAS**, at said public hearing on May 7, 2024, 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 #2024-03:** Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-10.16) on approximately 10.16 acres. 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.

**Petitioners:** Arrow Shield Land and Cattle, LLC (Applicant and Landowner)

**Parcel Identification Number:** 16871830001000-Parent Parcel

**General Site Location:** Approximately 35 miles south of Rawlins off Carbon County Road #401 (Sage Creek Road) on the west side.

**Legal Description:** A parcel of land located in Lots 7 and 12 of Section 18, T16N, R87W of the 6<sup>th</sup> P.M., Carbon County, Wyoming being more specifically described as follows: Commencing at the West One-Quarter Corner of Section 18, as monumented with a 2012 BLM brass cap; Thence S89°46'33"E, along the North line of Lot 9, of Section 18, a distance of 905.81 feet to the Center Eighty Sixteenth Corner of said Section 18, as monumented with a 2012 BLM brass cap; Thence S89°46'43"E, along the North line of Lot 8, of section 18, a distance of 1321.27 feet to the Center-West Sixteenth Corner of Section 18, as monumented with a 2023 aluminum cap, and the Point of Beginning of the herein described parcel; Thence S00°18'53"W, along the Center-West centerline of said Section 18, a distance of 1321.54 feet to the Southwest Sixteenth Corner of Section 18, as monumented with a 2023 aluminum cap; Thence S00°18'53"W, along the Center-West centerline of said Section 18, a distance of 637.04 feet to the intersection of the Center-West centerline of Section 18 and the centerline of County Road 401, said point being the Southerly corner of the herein described parcel; Thence along the centerline of County Road 401, 505.78' along the arc of a curve deflecting to the right, said curve having a radius of 1643.80 feet, and a long chord which bears N12°30'26"E, a distance of 503.79 feet; Thence N21°19'18"E, along the centerline of County Road 401, a distance of 338.76 feet; Thence along the centerline of County Road 401, 530.47 feet along the arc of a curve deflecting to the left, said curve having a radius of 1471.80 feet, and a long chord which bears N10°36'59"E, a distance of 527.60 feet; Thence N00°41'52"E, along the centerline of County Road 401, a distance of 253.16 feet; Thence along the centerline of County Road 401, 313.87 feet along the arc of a curve deflecting to the right, said curve having a radius of 667.54 feet, and a long chord which bears N14°10'04"E, a distance of 310.99 feet; Thence N27°38'16"E, along the centerline of County Road 401, a distance of 86.01 feet to the East-West centerline of Section 18, the Northeast corner of the herein described parcel; Thence N89°46'43"W, along the North line of Lot 7, of Section 18, a distance of 437.83 feet to the Point of Beginning. Said parcel of land contains 10.16 acres, more or less, and is subject to any easements, restrictions, and/or reservations of record.

**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 Forestry Production and Seasonal Recreation (FPSR-10.16) on approximately 10.16 acres.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 7<sup>th</sup> of May 2024.

**BOARD OF COUNTY COMMISSIONERS OF  
CARBON COUNTY, WYOMING**  
By: -s- Sue Jones, Chairman  
On behalf of the Carbon County  
Board of County Commissioners

Attest:

-s- Lisa M. Smith, Carbon County Chief Deputy Clerk

**PUBLIC HEARING - Z.C. Case #2024-04 - Arrow Shield Land and Cattle, LLC**

Chairman Jones opened a public hearing at 11:39 a.m. to hear Planning & Zoning Z.C. Case #2024-04 - Arrow Shield Land and Cattle, LLC's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-11.18) on approximately 11.18 acres. 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 and is located approximately 35 miles south of Rawlins off Carbon County Road #401 (Sage Creek Road) on the west side. Kristy Rowan, Planning & Development Coordinator and Zoning Administrator presented the case file.

Chairman Jones called for comments for or against the case. There being no other comments, Chairman Jones closed the hearing at 11:40 a.m.

Commissioner Irene moved that based on the recommendation of the Planning & Zoning Commission and staff to authorize the Chairman's signature on Resolution No. 2024-12 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 #2024-04 - Arrow Shield Land and Cattle, LLC's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-11.18) on approximately 11.18 acres and located approximately 35 miles south of Rawlins off Carbon County Road #401 (Sage Creek Road) on the west side. Vice Chairman Moore seconded and the motion passed unanimously.

**Resolution No. 2024 – 12**

**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 #2024-04**

**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, April 1, 2024, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, April 1, 2024, 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, April 1, 2024, 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, May 7, 2024; and

**WHEREAS**, at said public hearing on May 7, 2024, 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 #2024-04:** Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR-11.18) on approximately 11.18 acres. 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.

**Petitioners:** Arrow Shield Land and Cattle, LLC (Applicant and Landowner)

**Parcel Identification Number:** 16871830001000-Parent Parcel

**General Site Location:** Approximately 35 miles south of Rawlins off Carbon County Road #401 (Sage Creek Road) on the west side.

**Legal Description:** A parcel of land located in Lot 12 of Section 18 and Lot 1 of Section 19, T16N, R87W of the 6<sup>th</sup> P.M., Carbon County, Wyoming being more specifically described as follows: Commencing at the Southwest Corner of Section 18, as monumented with a 2012 BLM brass cap; Thence S02°21'35"E, along the West line of said Section 19, a distance of 1325.25 feet to the North Sixteenth Corner of said Section 19; Thence N89°51'25"E, along the South lines of Lots 2 and 3 of said Section 19, a distance of 2034.67 feet to the Southwest Corner of said Lot 1, of Section 19, and the Point of Beginning; Thence N89°51'25"E along the South line of said Lot 1, of Section 19, a distance of 576.60 feet to the intersection of the South line of Lot 1, of Section 19 and the centerline of County Road 401, said point being the Southeast Corner of the herein described parcel; Thence N12°13'22"W, along the centerline of County Road 401, a distance of 176.79 feet; Thence along the centerline of County Road 401, 31.53 feet along the arc of a curve deflecting to the left, said curve having a radius of 207.81 feet, and a long chord which bears N16°34'03"W, a distance of 31.52 feet; Thence N20°55'18"W, along the centerline of County Road 401, a distance of 1184.15 feet; Thence along the centerline of County Road 401, 512.36 feet along the arc of a curve deflecting to the right, said curve having a radius of 1643.80 feet, and a long chord which bears N11°59'33"W, a distance of 510.29 feet to the Center-West centerline of Section 18, said point being the Northerly Corner of the herein described parcel; Thence S00°18'53"W, along the Center-West centerline of Section 18, a distance of 490.64 feet to the West Sixteenth Corner common to Section 18 and Section 19, as monumented with a 2023 aluminum cap; Thence S00°03'37"E, along the Center-West centerline of Section 19, a distance of 1319.03 feet to the Point of Beginning. Said parcel of land contains 11.18 acres, more or less, and is subject to any easements, restrictions, and/or reservations of record.

**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 Forestry Production and Seasonal Recreation (FPSR-11.18) on approximately 11.18 acres.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 7<sup>th</sup> of May 2024.

**BOARD OF COUNTY COMMISSIONERS OF  
CARBON COUNTY, WYOMING**  
By: -s- Sue Jones, Chairman  
On behalf of the Carbon County  
Board of County Commissioners

Attest:

-s- Lisa M. Smith, Carbon County Chief Deputy Clerk

**PUBLIC HEARING - C.U. Case #2024-02 - Excomm, LLC and Tawnya Saier**

Chairman Jones opened a public hearing at 11:41 a.m. to hear Planning & Zoning C.U. Case #2024-02 - Excomm, LLC and Tawnya Saier's request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to permit an existing telecommunications tower with the overall tower height being 310 feet and related facilities/equipment and is located approximately 3 miles northeast of Saratoga and approximately 1.3 miles east of Carbon County Road #205. Kristy Rowan, Planning & Development Coordinator and Zoning Administrator presented the case file.

Chairman Jones called for comments for or against the case. There being no other comments, Chairman Jones closed the hearing at 11:54 a.m.

Vice Chairman Moore moved that based on the recommendation of the Planning & Zoning Commission and staff to authorize the Chairman's signature on Resolution No. 2024-14 A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding C.U. Case #2024-02 - Excomm, LLC and Tawnya Saier's request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to permit an existing telecommunications tower with the overall tower height being 310 feet and related facilities/equipment and is located approximately 3 miles northeast of Saratoga and approximately 1.3 miles east of Carbon County Road #205. Commissioner Irene seconded and the motion passed unanimously.

**Resolution No. 2024 – 14**

**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 #2024-02**

***“Saratoga Communications Site #2”***

**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, April 1, 2024, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, April 1, 2024, 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, April 1, 2024, 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, May 7, 2024; and

**WHEREAS**, at said public hearing on May 7, 2024, 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 File #2024-02:** Request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to permit an existing telecommunications tower with the overall tower height being 310 feet and related facilities/equipment.

**Project/Site Name:** Saratoga Communications Site #2

**Petitioners:** Excomm, LLC (Applicant) and Tawnya Saier (Landowner)

**Parcel Identification Number:** 17830540103600

**Rural Address:** 116 Blazing Saddles Road

**General Site Location:** Approximately 3 miles northeast of Saratoga and approximately 1.3 miles east of Carbon County Road #205.

**Legal Description:** A tract of leased land (100' x 100' or 10,000 sq. ft.) located all that parcel of land in the County of Carbon and State of Wyoming as more fully described in Deed Book 1282 Page 148 and Parcel #20030358, being known and designed as: Tract 8, Mountain View Estates No. 3 plated over a portion of Section 5, Township 17 North, Range 83 West of the 6<sup>th</sup> P.M., Carbon County Wyoming.

#### **TERMS AND CONDITIONS OF APPROVAL:**

If the telecommunication tower is removed from service pursuant to this Conditional Use Permit, the Applicant shall reclaim the existing foundation to a depth of 36 inches or to the existing depth required at the time of reclamation, whichever standards are more stringent shall apply.

Co-location is encouraged. Towers must be designed to accommodate at least three (3) antenna arrays oriented in vertical succession and associated equipment.

Additional users and associated equipment shall not add to the permitted tower height, nor shall it cause the tower to exceed design wind load rating.

All plans for towers shall be stamped by an engineer and include the wind load rating.

Commercial wireless telecommunication service providers must not unreasonably exclude other providers from co-locating on the same tower when co-location is structurally, technically or otherwise possible.

An area with a radius equal to at least 110% of the tower height must be maintained by the landowner and the permit holder as a Clear Zone. Habitable structures unrelated to the operation of the tower shall not be located within the clear zone.

The Applicant or owner must post a sign at the entrance that includes the facility name and the name and phone number of the responsible person in event of an emergency.

Any modifications to the structure that increase its surface footprint or are over the permitted tower height will require a new Conditional Use Permit.

Building Permit(s) are required prior to the start of construction.

The Applicant shall provide a copy of the FCC Phase II Compliance to the Carbon County Planning & Zoning Department along with any application for new communication towers and modifications to existing communication towers. FCC Website Address: <https://www.fcc.gov/general/enhanced-9-1-1-wireless-services>.

The Applicant or owner must 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.

Upon approval by the Board, the following provisions from the Zoning Resolution will be incorporated into the final Resolution:

#### 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.

#### 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.

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.

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

#### 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:

The Board may authorize transfers of permits to a different person if:

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.

The permit transfer request is heard by the Board at a public meeting after notice is published.

The permit transfer administrative fee has been paid.

Board approval shall not be unreasonably withheld upon good cause shown.

#### 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.

### **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 #2024-02) – “Saratoga Communications Site #2”.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 7<sup>th</sup> day of May 2024.

**BOARD OF COUNTY COMMISSIONERS OF  
CARBON COUNTY, WYOMING**  
By: -s- Sue Jones, Chairman  
On behalf of the Carbon County  
Board of County Commissioners

Attest:

-s- Lisa M. Smith, Carbon County Chief Deputy Clerk

### **COMMISSIONER & CITIZEN DISCUSSION**

Commissioner Irene gave commendation to area educators notably Jennifer Bowen at Hanna Elk Mountain school.

Vice Chairman Moore attended the WCCA board of directors meeting and approved the budget and other items. He also stated that it is National Teacher Appreciation Week and that Executive Director Jennifer Moore for the Carbon County Higher Education Center was awarded the Distinguished Alumni award from the University of Wyoming, College of Business.

Chairman Jones said they were asked to host the WCCA meeting and NEPA training and said they received many compliments for how everything was run and thanked the area vendors such as Bellas and Brush Creek Ranch.

### **EXECUTIVE SESSION**

Commissioner Johnson moved to go into executive session at 12:37 p.m. with Deputy Clerk Smith, Ashley Mayfield Davis along with Rod Waeckerlin, Mark Kostovny, Gwynn Bartlett via phone, Abbi Forwood virtually to discuss personnel, potential litigation and other matters considered confidential by law. Vice Chairman Moore seconded and the motion passes unanimously.

Vice Chairman Moore moved to come out of executive session at 2:02 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Johnson seconded and the motion passed unanimously.

### **ADJOURNMENT**

Vice Chairman Moore moved to adjourn the meeting at 2:02 p.m. Commissioner Johnson seconded and the motion passed unanimously.

A regular meeting of this Board will be held Tuesday, June 4, 2024, at 9:00 a.m. at the Carbon Building – Courthouse Annex located at 215 W. Buffalo St., 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](http://www.carbonwy.com) or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.