

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING**

**Tuesday, January 7, 2025, 9:00 a.m.
Carbon Building – Courthouse Annex
215 W. Buffalo St., Rawlins, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, January 7, 2025, at 9:00 a.m. at the Carbon Building-Courthouse Annex, Rawlins, WY. Attending the meeting were Chairman, Sue Jones, Vice Chairman Travis Moore, Commissioners John Johnson, John Espy and Gwynn Bartlett.

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

Nomination of Chairman

Carbon County Attorney Ashley Davis reported that the BOCC needs to nominate a Chairman and Vice Chairman. Chairman Jones turned the meeting over to Interim Clerk Lisa Smith.

Commissioner Espy nominated Travis Moore for Chairman. Commissioner Johnson seconded, there was no discussion and the motion passed unanimously.

Commissioner Johnson nominated Gwynn Bartlett for Vice Chairman. Chairman Moore seconded, there was no discussion and the motion passed unanimously.

ADDITIONS / CORRECTIONS

Chairman Jones removed PacifiCorp and Union Leases and added a letter of support for Vistabeam Broadband Projects.

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

VOUCHERS

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

Vice Chairman Bartlett moved to approve the report of expenditures in the amount of \$300,538.76 for an aggregate total today of \$300,613.76. Commissioner Espy seconded and the motion passed unanimously.

Vendor	Detail Line Description	Total
Abels, Duane E.	Health Officer	\$1,633.00

Amazon Capital Services	Dust Mop Head Refills	\$334.06
APEX Communications	Service Calls	\$451.50
APG Media of the Rockies	Weed and Pest Director Nomination	\$60.00
Black Hills Energy	Gas Services	\$17,983.48
Blakeman Propane	Propane Services	\$4,238.64
Bomgaars Supply	Misc. Supplies	\$208.72
Boulder Associates	MHCC Building Study 24-25	\$7,014.56
Brown & Hiser LLC	Legal Services	\$1,030.00
Carbon County Comet	Ads & Subscription Fees	\$114.00
Carbon County Fair Board	Monthly Outside Agency Payment	\$2,725.00
Carbon County Library	Monthly Outside Agency Payment	\$29,247.00
Carbon County Museum	Monthly Outside Agency Payment	\$18,995.00
Carbon County Senior Services	Monthly Outside Agency Payment	\$18,212.50
Carbon Power & Light Inc.	Electric Services	\$1,938.17
Casper Winnelson Co.	Misc. Parts & Supplies	\$1,719.88
CNA Surety	Bartlett Commissioner Bond	\$340.00
County Clerks Assoc. of WY	2025 Dues	\$500.00
Culligan Water Conditioning	Extra Course Salt Delivered	\$250.00
DBT Transp. Services LLC	AWOS Periodic Maintenance	\$1,735.75
Dixon, Town of	Water Services	\$308.00
Drummond Refrigeration LLC	Refrigeration Services	\$685.00
Duffy, Bryon	Witness Travel Reimbursement	\$2,266.61
Dynamic Controls Inc.	Compressor Replacement	\$34,776.00
Elevated Health & Safety Sol.	Drug and Alcohol Testing	\$1,040.00
Elk Mountain, Town of	Propane Services	\$489.66
Employers Council	Consulting Membership	\$7,350.00
Enbridge Gas Ut Wy Id	Gas Services	\$322.01
Encampment, Town of	Water Services	\$105.00
Engineering Associates	Engineering Services	\$9,572.12
ETG Systems, Inc.	Surge Protector Jail	\$250.00
Further	Med. FSA, Part. Fees & Health Reimb.	\$2,173.43
Grainger	Snap Action Switch Lever	\$73.80
Gulbrandson, Kimberly A.	Mileage Reimbursement	\$78.65
Hanna, Town of	Utilities	\$256.46
HealthEquity	2025 FSA Funding	\$19,099.80
Herman, Bobbie	Boards Fair Mileage	\$49.50
High Plains Power	Electric Services	\$362.34
Iacovetto, Karon	Monthly Janitorial Services	\$8,230.00
K2 Towers III, LLC	Radio Site Rent	\$2,318.54

Kaisler, Todd	Boards Fair Mileage	\$99.00
Kaluzny, Emily	Personal Phone Usage	\$30.00
Kostovny, Mark	Boards MHCC Mileage	\$92.40
MGT Tires LLC	Swap Tires from Truck to Truck	\$311.92
Moody's Investors Service	Annual Account Service Fee	\$500.00
Moss, Barbara	Mileage Reimbursement	\$105.60
Mountain Alarm	Monitoring Alarm	\$57.90
MPM Corp/Evergreen Disposal	Trash Services	\$110.00
Napa - Saratoga	Misc. Auto Parts & Supplies	\$271.10
Norco, Inc.	Misc. Welding Supplies	\$300.12
Parker, Elizabeth	Mileage Reimbursement	\$9.79
Perkins Oil Co.	Def	\$297.98
Quill Corporation	Misc. Office Supplies	\$794.96
R.P. Lumber Company, Inc.	Misc. Parts & Supplies	\$605.88
Rawlins Automotive	Misc. Auto Parts & Supplies	\$3,204.48
Rawlins Hardware - 5410	Misc. Parts & Supplies	\$343.12
Rice - Prior, Denise	Mental Health Contract Services	\$900.00
RNB State Bank	Ee's Years of Service Gift Cards	\$434.65
Shively Hardware	Misc. Parts & Supplies	\$196.82
Stericycle, Inc.	Steri-Safe Budget Subscription	\$50.80
Stinker Stores Inc.	Fuel	\$12,655.75
Sunrise Sanitation Service, LLC	Trash Services	\$75.00
T.W. Enterprises, Inc.	Generator Maintenance	\$6,195.38
Terra GIS	Software Maintenance	\$2,332.00
The Quik Lube	Oil Change Labor	\$38.00
Three Mile Construction	Contract Blading County Rd 402	\$412.50
Tin Boy Garage	Tire Services & Vehicle Maintenance	\$6,078.85
United States Postal Service	Postage	\$10,000.00
UPRSWDD	Trash Services	\$152.00
Wohl, Judith	Mileage	\$66.00
WY Behavioral Institute	Emergency Detentions	\$1,508.00
WY Dept of Health	1st Quarter July Thru Sep 2024	\$42,902.15
WY Machinery Company	Parts	\$102.61
WY Rents, LLC	Gasket/Misc Parts	\$151.88
WY State Archives	Digital Archives Storage	\$18.61
WY Cleaning & Solutions LLC	Monthly Janitorial Services Courthouse	\$6,583.33
Y2 Consultants, LLC	GIS Maps	\$1,087.00
Young, Tracy	Dec 2024 Carbon County Prevention	\$3,000.00

CONSENT AGENDA

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. Interim Clerk Smith noted the consent agenda includes the December 17, 2024, regular meeting minutes; monthly receipts from the Clerk of District Court in the amount of \$3,359.00 and Planning and Development in the amount of \$10,500.00; bonds for Cheryl Engstrom, Treasurer for Carbon County Board of Cooperative Higher Education in the amount of \$50,000.00, Tanya S. Evans, Treasurer for Carbon County School District #1 in the amount of \$50,000.00, Doreen Harvey, Clerk/Treasurer for the Town of Encampment in the amount of \$75,000.00, Meghan O Lally, Treasurer for Little Snake River Conservation District in the amount of \$10,000.00, Georgia Miller, Treasurer for Carbon County School District #2 in the amount of \$50,000.00, John Hansen, Treasurer for Predator Management District Board in the amount of \$25,000.00, Gwynn Bartlett, Carbon County Commissioner in the amount of \$10,000.00, Riders for Laura J. Jones, Carbon County Commissioner in the amount of \$10,000.00 and John R. Espy, Carbon County Commissioner in the amount of \$10,000.00 and a Continuation Certificate for Heidi Hess, Clerk/Treasurer for the Town of Elk Mountain in the amount of \$25,000.00. Vice Chairman Bartlett seconded and the motion passed unanimously.

ELECTED OFFICIALS & DEPARTMENT HEADS

Planning and Development

Kristy Rowan, Planning & Development Coordinator and Zoning Administrator provided an update on the Two Rivers Wind Energy and Transmission Projects. Their application has been received and is under legal review.

Treasurer

County Treasurer, Lindsey West requested the Chairman's signature on Resolution No. 2025-01 Carbon County Investment Policy and to designate depositories for the county.

Vice Chairman Bartlett moved to authorize the Chairman's signature on Resolution No. 2025-01 Carbon County Investment Policy. Commissioner Jones seconded and the motion passed unanimously.

RESOLUTION NO. 2025-01 CARBON COUNTY INVESTMENT POLICY

WHEREAS, W.S. §9-4-831(h) mandates every political subdivision adopts "a statement of investment policy"; and

WHEREAS, CARBON COUNTY desires to adopt an investment policy at least as restrictive with respect to the types of investment as authorized by W.S. §9-4-831(a), a copy of which is affixed hereto and incorporated herein by this reference.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF CARBON COUNTY, WYOMING:

- (a) The CARBON COUNTY financial accounting procedures are divided among the County Commissioners, the County Clerk and the County Treasurer. The County Clerk is designated as budget officer (W.S. § 16-4-102(a)(iv)); the County Treasurer is in charge of the county treasury (W.S. § 18-3-804) and 18-3-805. Warrants for payment from the treasury must be authorized by the Board of County Commissioners (W.S. § 18-3-504 and 18-3-805);
- (b) It shall be the policy of the Carbon County Treasurer to invest public funds in a manner which will provide the highest investment return with the maximum security, and conforming to all federal, state and local laws and regulations governing the investment of public funds;
 - (1) To the extent possible, the Carbon County Treasurer will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the Carbon County Treasurer will not directly invest in securities maturing more than two (2) years from the date of purchase.
 - (2) Funds in excess of cash flow requirements may be invested in securities maturing not more than five (5) years from the date of purchase, if the maturity of such investments is made to coincide as nearly as practicable with the expected use of funds.
- (c) Any person affecting an investment transaction on behalf of CARBON COUNTY, or offering investment advice, shall sign a statement indicating he or she has read this policy and agrees to abide by this policy and by applicable federal, state and local laws, with respect to the advice given and transactions undertaken on behalf of the County.
- (d) The Carbon County Treasurer shall be, and is hereby authorized to make such statutory investments, at his or her discretion, as will conform to this policy which shall be deemed at least as restrictive as the types of investments authorized by W.S. § 9-4-831(a).
 - (1) The County shall diversify its instruments by security type and institution. With the exception of U.S. Treasury securities, certificates of deposits and authorized pool, no more than twenty-five percent (25%) of the County's total investment portfolio will be invested in a single security type.
 - (2) To provide assurance that the County will be able to continue financial operations without interruption and dependent upon interest rates and satisfaction with services, the County will generally attempt to utilize at least two financial institutions as depositories.
- (e) Pursuant to Constitutional Amendment A, the Treasurer may invest County funds in equities to the extent and in the manner the legislature may allow by law which is enacted by a two-thirds vote of both houses of the legislature.
- (f) The Treasurer is charged with the responsibility of providing a monthly financial report, to include investment activity and returns, in the County's Financial Report.
- (g) This policy shall be effective through the calendar year 2025.

WHEREFORE, be it resolved that the Board of County Commissioners adopts the aforementioned policy and this policy shall be reviewed on an annual basis.

ADOPTED this 7th day of January 2025.

BOARD OF COUNTY COMMISSIONERS
-s- Travis Moore, Chairman

-s- Gwynn G. Bartlett, Vice Chairman
-s- John Espy, Commissioner
-s- Willing "John" Johnson, Commissioner
-s- Sue Jones, Commissioner

ATTEST:

-s- Lisa Smith, Interim County Clerk

Commissioner Johnson moved to designate Bank of Commerce and Rawlins National Bank as the 2025 depositories for Carbon County. Vice Chairman Bartlett seconded and the motion passed unanimously.

Clerk

Lisa Smith, Interim County Clerk reported that financial disclosures are on file for all commissioners, Interim County Clerk Lisa Smith, County Treasurer Lindsey West and Deputy Treasurers Sondra Rydberg, Stacey Ward, Veronica Fernandez, and Janeil Ebell.

Interim Clerk Smith presented the Blue Cross Blue Shield plan document and summary plan for board approval and Chairman's signature.

Vice Chairman Bartlett moved to approve and authorize the Chairman's signature on the WY Blue Cross Blue Shield Plan Document and Summary Plan Description Restated October 1, 2024. Commissioner Espy seconded and the motion passed unanimously.

Interim Clerk Smith presented a letter to the Republican Party regarding County Clerk Gwynn Bartlett's resignation for board approval and Chairman's signature.

Commissioner Espy moved to approve and authorize the Chairman's signature on the letter to the Republican Party regarding County Clerk Gwynn Bartlett's resignation. Vice Chairman Bartlett seconded and the motion passed unanimously.

Attorney

Attorney Ashley Davis presented an amendment to a resolution for board approval and Chairman's signature.

Commissioner Jones moved to approve and authorize the Chairman's signature on Resolution 2025-02 an Amended Resolution 2018-44 – C.U. Case File #2018-14 – "TransWest Express Transmission Project." Commissioner Espy seconded and the motion passed unanimously.

Resolution No. 2025-02 (Amending Resolution No. 2018 – 44)

**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 #2018-14 – "TransWest Express Transmission Project"**

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, November 5, 2018, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, November 5, 2018, 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, November 5, 2018, 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, December 18, 2018; and

WHEREAS, at said public hearing on December 18, 2018, 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 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 5.4, Conditional Use Permits; and

WHEREAS, the Carbon County Board of County Commissioners determined on December 18, 2018, that the proposed permit was 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 promoted 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, on December 18, 2018, the Carbon County Board of County Commissioners moved to approve Conditional Use Permit Application C.U. Case Number #2018-14 – “TransWest Express Transmission Line” through resolution number 2018-44 of the Board of County Commissioners of Carbon County; and

WHEREAS, resolution number 2018-44 of the Board of County Commissioners of Carbon County does not contain any conditions to define the time frame for commencement of operation of the TransWest Express Transmission Line; and

WHEREAS, Section 7(H) of Carbon County's Zoning Resolution of 2015, as Amended in 2020 provides as follows:

“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.”; and

WHEREAS, the applicant (TransWest Express, LLC) submitted a letter on December 3, 2024, stating that applicant (TransWest Express, LLC) and contractors have concluded that approximately five and half years, will be necessary to complete construction and commence operation and use of the TransWest Express Transmission Line, and provided an anticipated commencement of operation and use to occur on or before June 1, 2029; and

WHEREAS, the applicant (TransWest express, LLC) is requesting confirmation that completion of construction and commencement of operation and use of the TransWest Express Transmission Line by June 1, 2029, will qualify as being “. . . completed within a reasonable amount of time in accordance with the timeframe normally required for such construction” in accordance with Section 7(H) of Carbon County's Zoning Resolution of 2015, as Amended in 2020; 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 determined that completion of construction and commencement of operation and use of the TransWest Express Transmission Line by June 1, 2029, does qualify as being “. . . completed within a reasonable amount of time in accordance with the timeframe normally required for such construction” in accordance with Section 7(H) of Carbon County's Zoning Resolution of 2015, as Amended in 2020; 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 an amendment to the following Conditional Use Permit Application by the incorporation of Amended Condition (8):

C.U. Case #2018-14: Conditional Use Permit to construct the TransWest Express Transmission Project that will transmit the electricity generated at the Chokecherry Sierra Madre Wind (CCSM) Energy Facility and other sources. The project includes all associated components and facilities that are necessary to generate electricity and deliver electricity to the transmission grid, including an interconnection with an existing 230kV line that will feed energy into the Wyoming grid as demand arises.

Project/Site Name: TransWest Express Transmission Project

Petitioner: TransWest Express, LLC

General Site Location: The Project begins south of Rawlins and will proceed west to the Sweetwater County line and then south generally along the Carbon and Sweetwater County line where it will enter Colorado.

AMENDED TERMS AND CONDITIONS OF APPROVAL:

1. TransWest must submit the updated Project POD and Implementation Plans to the Planning and Development Department within 30 days of approval by the BLM.

2. TransWest must update the Commission and Board regarding any changes to the Project and proposed schedule following the BLM's issuance of the Final Notice to Proceed, during the building permit review process, or as otherwise requested.
3. Building Permit\Site Plan Approval is required prior to construction. Building permit application(s) must include final engineering/survey drawings as part of the building permit application.
4. The Applicant will submit proof of legal access to the Carbon County Planning & Development Department as part of the building permit application and review process.
5. The Applicant may adjust the location of Project Facilities to address landowner concerns, engineering constraints, or unforeseen environmental conflicts in accordance with the following:
 - a. If adjustments to the Project Facilities are required beyond those described in the Conditional Use Permit application, the applicant shall:
 - i. Notify the Carbon County Planning & Development Department in writing describing the proposed adjustments.
 - ii. Upon receipt of a notice of proposed adjustments to Project Facilities, the Planning Director shall approve the adjustments by issuance of a building permit\zoning certificate; or,
 - iii. If the proposed adjustments are deemed significant by the Planning Director, the applicant may be required to submit a new Conditional Use Permit Application.
 - iv. Any decision concerning this condition may be appealed to the Board of County Commissioners.
6. The Applicant shall obtain and provide copies of all required Wyoming and Federal permits.
7. Any use for which a conditional use permit is granted must be commenced within two (2) years from the date of approval. Because the BLM's Record of Decision precludes the Applicant from commencing construction until the BLM issues its Final Notice to Proceed, this two (2) year period is tolled and shall not begin to run until the date on which the BLM issues its Final Notice to Proceed. If the Project is not commenced within two (2) years from the date on which the BLM issues its Final Notice to Proceed, then the Conditional Use Permit shall expire and become null and void and be of no further effect, except as extended in compliance with Section 5.4-I, Extension of Conditional Use Permits.
8. *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, and no authorized extension granted, then the conditional use permit shall expire and become null and void and be of no further effect. If construction of the TransWest Express Transmission Line is not completed for commencement of operation and use on or before June 1, 2029, 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. Commencement of use occurs once the Project becomes operational for the purpose for which it was approved.*
9. Upon approval by the Board, the following provisions from the Zoning Resolution will be incorporated into the final Resolution:
 - a. In accordance with Section 5.4-J, Transfer of Conditional Use Permits:

- No Conditional Use Permit shall be transferred without the prior approval of the Board of County Commissioners.
- b. In the event the actions occurring pursuant to this permit are found to be in material violation of the terms and conditions of this permit, or are found to have been obtained by fraud, this permit shall be subject to all remedies allowed by law. Violation of any of the above restrictions can be grounds for terminating this Conditional Use Permit.

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

That the Carbon County Board of County Commissioners hereby approves this amendment to the Conditional Use Permit (CUP) as was previously certified to them in writing by the Carbon County Planning and Zoning Commission as represented in the Conditional Use Permit (C.U. Case #2018-14 – “TransWest Express Transmission Project”). Furthermore, the permit, and all terms and conditions thereof, issued through resolution number 2018-44 of the Board of County Commissioners of Carbon County, where not inconsistent with the requirements herein, shall remain otherwise in full force and effect.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 7th day of January 2025.

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

By: -s- R. Travis Moore, Chairman
On behalf of the Carbon County
Board of County Commissioners

Attest:

-s- Lisa Smith, Interim Carbon County Clerk

Fire

John Rutherford, County Fire Warden gave an update on the Fire District.

Building and Grounds

Jeff Askins, Building and Grounds Manager provided an update on the Road and Bridge fencing.

Road and Bridge

Kandis Fritz, Road and Bridge Coordinator provided an update and recognized that Kurt Olsen has been with the county now for 8 years. She discussed road closures during the winter months for County Road 401. She will look at pricing for electronic road signs. Emergency Manager, Lenny Layman will assist to see what is available.

IT

Matt Webster, IT Director provided a brief update for his office.

Public Health

Amanda Brown, Public Health provided an update for her office. She stated that the Saratoga Public Health office is moving to a full time. The goal for the new year is to increase women's health awareness and they will be partnering with the Wyoming Health Council and they will have a doctor come in once a month. Care Fair planning is also underway. She recognized that Emily Kaluzny has been an employee for 10 years.

Dr. Ables, County Health Officer, provided an update on the avian flu situation nationwide. He also discussed the Anthrax exposure that occurred earlier in Carbon County. The state is working to streamline communication efforts.

Sheriff

Alex Bakken, Carbon County Sheriff, recognized employees who have reached years of service for January.

Sheriff Bakken recognized community partnerships with HF Sinclair and CCSD #1 & #2 Superintendents Hammel and Jennings for their school resource efforts. He also recognized Ashton Hanson for her help with training and certifications of K-9s and the officers. She has graciously been donating these services.

Sheriff Bakken also wished to thank HF Sinclair for their donation of funds for radios for patrol vehicles.

WEED AND PEST BOARD APPOINTMENTS

Interim Clerk Smith presented board applications for the County Weed & Pest Control District, Applicants were Stephanie Irvine for Area I (Rawlins), Shelly Dunmire for Area III (Elk Mountain), and Ray Barkhurst for Area IV (Saratoga). The nomination petitions were submitted and the signatories were verified as landowners for the respective areas.

Vice Chairman Bartlett moved to reappoint Stephanie Irvine, Shelly Dunmire and Ray Barkhurst to the County Weed & Pest Control District for four-year terms expiring January 2029 in Areas I, III and IV respectively. Commissioner Espy seconded and the motion passed unanimously.

Commissioners

Commissioner Sue Jones presented a letter of support for board approval and Chairman's signature.

Commissioner Jones moved to approve and authorize the Chairman's signature on the letter of support to Vistabeam Broadband Projects in Carbon County. Vice Chairman Bartlett seconded and the motion passed unanimously.

CITIZEN & COMMISSIONER DISCUSSION

Josh Woods gave accolades to Emergency Management Coordinator Lenny Laymen and the importance of communication. He asked if the BOCC had received the letter from the Saratoga Sun's attorney and Attorney Davis said they had.

Commissioner Jones discussed US Forrest Service Jason Armbruster is leaving and said she wanted to publicly thank him for his service and contributions and wished him well.

Commissioner Johns said he's looking forward to meeting with the legislatures this afternoon.

Commissioner Espy said natural resources issues are quiet until a new administration takes office.

Chairman Moore gave appreciation for all the employees and their years of service and dedication.

EXECUTIVE SESSION

Commissioner Espy moved to go into executive session at 1018: a.m. with Interim Clerk Smith and Ashley Mayfield Davis to discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Johnson seconded and the motion passed unanimously.

Commissioner Espy moved to come out of executive session at 11:15 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 – C.U. Case #2024-04 – SAC Wireless, Union Telephone Company, and Bear Creek Cattle Company

Chairman Moore opened a public hearing at 11:15 a.m. to hear Planning & Zoning C.U. Case#2024-04 – SAC Wireless on behalf of Union Telephone Company and Bear Cattle Creek Company's request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to replace the existing 65-foot tower with a permanent 120-foot lattice tower with foundation with the overall total tower height being 126 feet including appurtenances and related facilities and is located approximately 1.2 miles east on Wagonhound Road from I-80 and Exit 267. Kristy Rowan, Planning & Development Coordinator and Zoning Administrator presented the case file.

Chairman Moore called for comments for or against the case. There being no comments, Chairman Moore closed the hearing at 11:21 a.m.

Vice Chairman Bartlett asked if there is a timeframe for reclamation for number 1 of staff recommendations. Planner Rowan said there is not. She asked if they should be setting the reclamation time for the same two-year period. Commissioner Espy said he wants to see that a reclamation plan is established with the surface owner. Attorney Davis said the additional language could be added for the reclamation time frame.

Vice Chairman Bartlett asked about recommendation 7 and whether a depth requirement should be required. Planner Rowan said this is covered in recommendation 1. Vice Chairman Bartlett also asked about the definition of commenced.

Vice Chairman Bartlett moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2025-03, 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#2024-04 – SAC Wireless on behalf of Union Telephone Company and Bear Cattle Creek Company's request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone and is located approximately 1.2 miles east on Wagonhound Road from I-80 and Exit 267. Commissioner Jones seconded and the motion passed unanimously.

Resolution No. 2025 - 03

**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 #2024-04

“Wagonhound Communications Site”

WHEREAS, pursuant to the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission advertised to hold a public hearing on Monday, September 30, 2024, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, September 30, 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, September 30, 2024, public hearing, the Carbon County Planning and Zoning Commission tabled the request until Monday, December 2 2024, per the Applicant's request; and

WHEREAS, the Carbon County Planning and Zoning Commission held and reopened said public hearing on Monday, December 2, 2024; and provided the public the opportunity to comment; and

WHEREAS, at the conclusion of the Monday, December 2, 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, January 7, 2025; and

WHEREAS, at said public hearing on January 7, 2025, 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 #2024-04: Request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to replace the existing 65-foot tower with a permanent 120-foot lattice tower with foundation with the overall total tower height being 126 feet including appurtenances and related facilities.

Project/Site Name: Wagonhound Communications Site

Petitioners: SAC Wireless on behalf of Union Telephone Company (Applicant) and Bear Creek Cattle Company (Landowner)

General Site Location: Approximately 1.2 miles east on Wagonhound Road from I-80 and Exit 267.

Legal Description: A communication facility lease site located in the NE1/4SE1/4, Section 9, T.19N., R.79W., 6th P.M., Carbon County, Wyoming more particularly described as follows: Commencing at the northeast corner of the SE1/4, sad Section 9, from which the southeast corner of said Section 9 bears S01°47'31" E 2603.69 feet. thence S30°33'32"W 467.08 feet to the point of beginning; thence N90°00'00"W 80.00 feet; thence S00°00'00"E 80.00 feet; thence N90°00'00"E 80.00 feet; thence N00°00'00"E 80.00 feet to the point of beginning of this description containing 6,400 square feet more or less.

TERMS AND CONDITIONS OF APPROVAL:

1. If the telecommunication tower approved through this Conditional Use Permit (126-foot tower) is removed from service, the Applicant shall reclaim the existing foundation in accordance with a Reclamation Plan approved by the Surface Owner(s) to a depth of 36 inches or to the existing depth required at the time of reclamation, whichever standards are more stringent shall apply. Removal of the tower and reclamation shall begin within two (2) years from the date the telecommunication tower approved through this Conditional Use Permit is removed from service and until completed to the satisfaction of the Surface Owner(s).
2. Co-location is encouraged. Towers must be designed to accommodate at least three (3) antenna arrays oriented in vertical succession and associated equipment.
 - a. 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.
 - b. All plans for towers shall be stamped by an engineer and include the wind load rating.
 - c. 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.
3. 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.

4. 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.
5. Any modifications to the structure that increase its surface footprint or are over the permitted tower height will require a new Conditional Use Permit.
6. Building Permit(s) are required prior to the start of construction.
7. The existing smaller communications tower (65 Foot) shall be removed, and the Applicant shall reclaim the existing foundation in accordance with a Reclamation Plan approved by the Surface Owner(s) to a depth of 36 inches or to the existing depth required at the time of reclamation, whichever standards are more stringent shall apply. Removal of the smaller telecommunications tower and reclamation shall begin within two (2) years from the date of approval of the Conditional Use Permit and until completed to the satisfaction of the Surface Owner(s).
8. The Applicant shall provide a copy of the FCC Phase II Compliance to the Carbon County Planning & Development 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>.

9. 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.
10. The Applicant shall contact and work with the Carbon County Weed & Pest District Best Management Practices to minimize and control potential environmental problems that might result from the proposed use.
11. Upon approval by the Board, the following provisions from the Zoning Resolution will be incorporated into the final Resolution:

a. Section 7.7-H--Expiration of Conditional Use Permits.

Any use for which a conditional use permit is granted must be commenced within two (2) years from the date of approval. If the Project is not commenced within two (2) years from the date of approval then the conditional use permit shall expire and become null and void and be of no further effect, except as extended in compliance within this section.

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

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

If the project has not been commenced as required, the Applicant(s) may request from the Board an extension of the permit for a period of up to twenty-four (24) months upon a showing of good cause. The Applicant(s) shall apply to the County, through the Department, in writing for the extension no later than ninety (90) days prior to the expiration of the permit or any previously granted extension. At the time of the application for the extension, the Applicant(s) shall provide such information as is

necessary for the County to determine whether good cause exists for the extension. Good cause may include, but is not limited to, good faith efforts to obtain required authorization from other agencies with jurisdiction, delay in construction due to weather conditions, pending litigation, or other causes which have delayed the project and which are beyond the reasonable control of the Applicant(s). The Applicant(s) may request not more than two (2) separate extensions from the Board, with such total extension period not to exceed forty-eight (48) months. The Board shall promptly consider the application for the extension and either allow it or deny it.

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

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

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

1. The Board may authorize transfers of permits to a different person if:
 - a. The permit transfer request is initiated by a written request from the current permit holder and accompanied by a written acceptance of the permit, its terms and conditions by the prospective transferee.
 - b. The permit transfer request is heard by the Board at a public meeting after notice is published.
 - c. The permit transfer administrative fee has been paid.
 - d. Board approval shall not be unreasonably withheld upon good cause shown.
- d. Section 7.7-K--Amendments to Conditional Use Permits.

A Conditional Use Permit may be amended pursuant to the procedures and standards as required for a new Conditional Use Permit application.

**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 #2024-04) – “Wagonhound Communications Site”.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 7th day of January 2025.

**BOARD OF COUNTY COMMISSIONERS OF
CARBON COUNTY, WYOMING**
By: -s- R. Travis Moore, Chairman
On behalf of the Carbon County
Board of County Commissioners

Attest:

-s- Lisa Smith, Interim Carbon County Clerk

PUBLIC HEARING – Z.C. Case #2024-10 – Mark and Valerie Condict

Chairman Moore opened a public hearing at 11:36 a.m. to hear Planning & Zoning Z.C. Case #2024-10 – Mark and Valerie Condict's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD) for Lots 1-4 located in the proposed Condict Minor Subdivision encompassing approximately 12.39 acres. RD-2.48 (Lot 1); RD-2.48 (Lot 2); RD-2.48 (Lot 3); RD-4.95 (Lot 4). The RD Zone is to provide land for residential development that is typically single family detached and located within Town Expansion Areas and within or nearby Rural Centers. Residential single-family zones are intended to be located in areas planned for residential development that are easily accessible and infrastructure already exists or is readily available; and is located approximately 24 miles southeast of Saratoga off WY HWY 130 near Ryan Park. Kristy Rowan, Planning & Development Coordinator and Zoning Administrator presented the case file.

Chairman Moore called for comments for or against the case. There being no comments, Chairman Moore closed the hearing at 11:41 a.m.

Commissioner Johnson discussed the permitted boundary of this property and noticed surrounding lots are smaller. Planner Rowan said there is a variety of lot sizes in Ryan Park. Commissioner Johnson also inquired about Ryan Park's sewer and water.

Commissioner Jones mentioned the DEQ discussion during Brush Creek Ski area that water and sewer requirements are regulated by the state and the BOCC does not have authority over this.

Commissioner Johnson moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2025-04, 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 #2024-10 – Mark and Valerie Condict's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD) for Lots 1-4 located in the proposed Condict Minor Subdivision encompassing approximately 12.39 acres and is located approximately 24 miles southeast of Saratoga off WY HWY 130 near Ryan Park. Vice Chairman Bartlett seconded and the motion passed unanimously.

Resolution No. 2025 – 04

**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 #2024-10**

WHEREAS, pursuant to the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on Monday, December 2, 2024, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, December 2, 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, December 2, 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, January 7, 2025; and

WHEREAS, at said public hearing on January 7, 2025, 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 #2024-10: Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD) for Lots 1-4 located in the proposed Condict Minor Subdivision encompassing approximately 12.39 acres. RD-2.48 (Lot 1); RD-2.48 (Lot 2); RD-2.48 (Lot 3); RD-4.95 (Lot 4). The RD Zone is to provide land for residential development that is typically single family detached and located within Town Expansion Areas and within or nearby Rural Centers. Residential single-family zones are intended to be located in areas planned for residential development that are easily accessible and infrastructure already exists or is readily available.

Companion Case--Minor Subdivision Case File #2024-02: Minor Subdivision Request to create four (4) lots (Lot 1 = 2.48 Acres; Lot 2 = 2.48 Acres; Lot 3 = 2.48 Acres; Lot 4 = 4.95 Acres). The applicant is also applying for a zone change request (see above Z.C. Case #2024-10) to comply with the Carbon County Zoning Resolution of 2015, as amended.

Minor Subdivision Name: Condict Minor Subdivision

Petitioners: Mark and Valerie Condict (Applicants and Landowners)

Parcel Identification Number: 16812840003200

General Site Location: Approximately 24 miles southeast of Saratoga off WY HWY 130 near Ryan Park.

Legal Description: A parcel of land in the SE1/4 of Section 28, T.16N. R.81W., more particularly described as follows: The NE1/4SE1/4NW1/4SE1/4, NW1/4SW1/4NE1/4SE1/4, NE1/4SW1/4NE1/4SE1/4, SE1/4SE1/4NW1/4SE1/4, and the SW1/4SW1/4NE1/4SE1/4 of Section 28 T.16N. R.81W., containing 12.39 acres more or less.

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

That the Carbon County Board of County Commissioners, hereby adopts this amendment as certified to them in writing by the Carbon County Planning and Zoning Commission and the existing zone shall be changed from Ranching, Agriculture and Mining (RAM) to Residential (RD) for Lots 1-4 located in the proposed Condict Minor Subdivision encompassing approximately 12.39 acres, more specifically, RD-2.48 (Lot 1); RD-2.48 (Lot 2); RD-2.48 (Lot 3); RD-4.95 (Lot 4).

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 7th of January 2025.

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

By: -s- R. Travis Moore, Chairman
On behalf of the Carbon County
Board of County Commissioners

Attest:

-s- Lisa Smith, Interim Carbon County Clerk

PUBLIC HEARING – MIN SUB Case #2024-02 – Mark and Valerie Condict

Chairman Moore opened a public hearing at 11:46 a.m. to hear Planning & Zoning MIN Sub Case File No. 2024-02, Mark and Valerie Condict's Minor Subdivision request to create four (4) lots (Lot 1 = 2.48 Acres; Lot 2 = 2.48 Acres; Lot 3 = 2.48 Acres; Lot 4 = 4.95 Acres) and is located approximately 25 miles southeast of Saratoga off WY HWY 130 near Ryan Park. The applicant is also applying for a zone change request (see above Z.C. Case #2024-10) to comply with the Carbon County Zoning Resolution of 2015, as amended. Kristy Rowan, Planning & Development Coordinator and Zoning Administrator presented the case file.

Chairman Moore called for comments for or against the case. There being no comments, Chairman Moore closed the hearing at 11:50 a.m.

Commissioner Jones moved that based on the recommendation of the Planning & Zoning Commission and staff to authorize the Chairman's signature on the plat regarding MIN Sub Case File No. 2024-02, Mark and Valerie Condict's Minor Subdivision request to create four (4) lots (Lot 1 = 2.48 Acres; Lot 2 = 2.48 Acres; Lot 3 = 2.48 Acres; Lot 4 = 4.95 Acres) and is located approximately 25 miles southeast of Saratoga off WY HWY 130 near Ryan Park. Commissioner Espy seconded and the motion passed unanimously.

PUBLIC HEARING – C.U. Case #2024-05 – Petroleum Resource Management Corp./Carmony Exploration, LLC and Donald and Roberta Corson

Chairman Moore opened a public hearing at 11:51 a.m. to hear Planning & Zoning C.U. Case#2024-05 – Petroleum Resource Management Corp./Carmony Exploration, LLC and Donald and Roberta Corson's request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone District to permit, construct, operate, and maintain a small gas processing facility, "Baggs Facility", on approximately 2.41 Acres and is located approximately 1.2 miles

south of Baggs; approximately 0.5 miles west of WY HWY 789 off Carbon County Road #772 (Four Mile Extension) on the south side. Kristy Rowan, Planning & Development Coordinator and Zoning Administrator presented the case file.

Chairman Moore called for comments for or against the case. There being no comments, Chairman Moore closed the hearing at 11:58 a.m.

Clerk Bartlett stated she again has questions about the proposed reclamation timeframe again. She also inquired about the emergency response portion on number 11 of staff comments. Emergency Manager Lenny Layman said he's working with the applicant and said they would be a tier II client which would require them to have an emergency action plan with the EPA.

Commissioner Jones moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2025-05, 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#2024-05 – Petroleum Resource Management Corp./Carmony Exploration, LLC and Donald and Roberta Corson's request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone District to permit, construct, operate, and maintain a small gas processing facility, "Baggs Facility", on approximately 2.41 Acres and is located approximately 1.2 miles south of Baggs; approximately 0.5 miles west of WY HWY 789 off Carbon County Road #772 (Four Mile Extension) on the south side. Commissioner Espy seconded and the motion passed unanimously.

Resolution No. 2025 – 05

**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 #2024-05

"Baggs Facility"

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, December 2, 2024, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, December 2, 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, December 2, 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, January 7, 2025; and

WHEREAS, at said public hearing on January 7, 2025, 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 #2024-05: Request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone District to permit, construct, operate, and maintain a small gas processing facility, "Baggs Facility", on approximately 2.41 Acres.

Project Name: Baggs Facility

Petitioners: Petroleum Resource Management Corp./Carmony Exploration, LLC (Applicant) and Donald and Roberta Corson (Landowners)

Parcel Identification Number: 12911710007700

General Site Location: Approximately 1.2 miles south of Baggs; approximately 0.5 miles west of WY HWY 789 off Carbon County Road #772 (Four Mile Extension) on the south side.

Legal Description: A parcel located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Township 12 North, Range 91 West, 6th P.M., more particularly described as follows: Beginning at a point in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 17, which bears North 42°17'12" East a distance of 1054.43 feet from the Center Quarter Corner of said Section 17, thence North a distance of 350.00 feet to a point, thence East a distance of 300.00 feet to a point, thence South 350.00 feet to a point, thence West a distance of 300.00 feet to the point of beginning, containing 2.410 acres more or less.

An access road located in the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 17, Township 12 North, Range 91 West, 6th P.M., lying between parallel right of way lines 30.00 feet apart, being 15.00 feet on each side when measured at right angles to the following described centerline (said parallel lines begin on the North line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 17 and end at a point in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 17): Beginning at a point on the North line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 17 which bears North 89°21'43" East a distance of 681.89 feet from the North Quarter Corner of said Section 17, thence South 26°45'13" West a distance of 207.86 feet to a point, thence South 30°51'52" West a distance of 542.34 feet to a point of curve to the left whose radius point bears South 59°08'08" East a distance of 300.00 feet, thence along said curve to the left through a central angle of 53°05'56" an arc distance of 278.03 feet and having a chord whose bearing is South 4°18'54" West a distance of 268.18 feet to a point, thence South 22°14'04" East a distance of 46.12 feet to a point of curve to the left whose radius point bears North 67°45'56" East a distance of 300.00 feet, thence along said curve to the left through a Central angle of 44°54'18" an arc distance of 235.12 feet and having a chord whose bearing is South 44°41'13" East a distance of 229.15 feet to a point, thence south 67°08'22" East a distance of 42.50 feet to a point of curve to the right whose radius point bears

South 22°51'38" West a distance of 500.00 feet, thence along said curve to the right through a central angle of 53°21'13" an arc distance of 465.60 feet and having a chord whose bearing is South 40°27'45" East a distance of 448.96 feet to a point, thence South 13°47'08" East a distance of 57.59 feet to a point in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 17 which bears North 35°36'42" East a distance of 1389.98 feet from the Center Quarter Corner of said Section 17, containing 1.278 acres more or less.

TERMS AND CONDITIONS OF APPROVAL:

12. If the facility approved through this Conditional Use Permit is removed from service, the Applicant shall reclaim the existing foundation in accordance with a Reclamation Plan approved by the Surface Owner(s) to a depth of 36 inches or to the existing depth required at the time of reclamation, whichever standards are more stringent shall apply. Removal of the facility and reclamation shall begin within two (2) years from the date the facility approved through this Conditional Use Permit is removed from service and until completed to the satisfaction of the Surface Owner(s).
13. 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.
14. Building Permit(s) are required prior to the start of construction.
4. During the construction phase(s), restrict all ground-disturbing activity and other project-related activity, minimizing traffic and human presence, at the site between November 15th and April 30th.
5. 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.
6. The Applicant shall contact and work with the Carbon County Weed & Pest District for Best Management Practices to minimize and control potential environmental problems that might result from the proposed use.
7. If water is to be used, the Applicant shall submit issued and approved Wyoming State Engineer's Office (WSEO) well permit(s) or temporary water use agreement(s) to the Carbon County Planning & Development Department prior to the start of construction.
8. The Applicant shall submit the issued and approved Wyoming Department of Environmental Quality (WDEQ) Air (emission) Quality Permit to the Carbon County Planning & Development Department prior to the start of construction.
9. The Applicant shall submit the issued and approved Wyoming Department of Environmental Quality (WDEQ) Stormwater Pollution & Prevention Planning (SWPPP) Permit to the Carbon County Planning & Development Department prior to the start of construction.
10. The Applicant shall submit the issued and approved Environmental Protection Agency (EPA), Spill Prevention, Control, and Countermeasure Plan (SPCC) and Permit (if permit is associated and applicable) to the Carbon County Planning & Development Department prior to the start of construction.
11. The Applicant must submit the initial Emergency Response Plan to the Carbon County Planning & Development Department and the Carbon County Office of Emergency Management for review no later than 30 days before the construction start date. Upon approval, the finalized Emergency Response Plan must also be submitted to both departments before construction begins.

12. The Applicant shall work with the adjacent property owners regarding noise levels and dust abatement process and procedure.
13. The Applicant shall obtain all necessary access, road, and bridge (if applicable) permits from the Carbon County Road & Bridge Department. The Applicant shall submit all approved permits to the Carbon County Planning & Development Department along with their Building Permit Application submittal(s) prior to the start of construction.
14. Upon approval by the Board, the following provisions from the Zoning Resolution will be incorporated into the final Resolution:
 - e. 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.
 - f. 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.

 3. 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.
 4. No permit shall expire during the time the decision on the extension is being considered.

g. 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:

2. The Board may authorize transfers of permits to a different person if:
 - e. 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.
 - f. The permit transfer request is heard by the Board at a public meeting after notice is published.
 - g. The permit transfer administrative fee has been paid.
 - h. Board approval shall not be unreasonably withheld upon good cause shown.

h. 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 #2024-05) – “Baggs Facility”.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 7th day of January 2025.

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

By: -s- R. Travis Moore, Chairman
On behalf of the Carbon County
Board of County Commissioners

Attest:

-s-Lisa Smith, Interim Carbon County Clerk

ADJOURNMENT

Commissioner Espy moved to adjourn the meeting at 12:20 p.m. Commissioner Johnson seconded and the motion passed unanimously.

The regular meeting of this Board will be held Tuesday, February 4, 2025, 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 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.carboncountywy.gov or by calling the Clerk’s Office at (307) 328-2668 or 1-800-250-9812.