

**MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, March 5, 2013  
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, March 5, 2013 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Leo Chapman; Vice Chairman John Espy; Commissioners Lindy Glode, Sue Jones and John Johnson; Deputy County Attorney Mike Kelly; and County Clerk Gwynn Bartlett.

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

**VOUCHERS**

Commissioner Jones moved to approve the report of expenditures in the amount of \$234,168.54. Commissioner Espy seconded and Commissioner Johnson asked why the Coroner’s laptop cost over \$3,000.00. The motion carried unanimously.

Commissioner Espy moved to approve payment to Rawlins Automotive in the amount of \$351.33 and True Value in the amount of \$72.73. Commissioner Johnson seconded and the motion carried with Chairman Chapman and Commissioners Jones, Espy and Johnson voting for the motion and Commissioner Glode abstained due to a personal conflict.

Vendor	Detail Line Description	Total
ACTION SERVICES, INC	PLUMBING REPAIRS	\$400.00
AIRPORT LIGHTING EQUIPMENT	SUPPLIES	\$391.28
ALSCO, AMERICAN LINEN DIVISION	SUPPLIES	\$294.28
AMERIGAS	PROPANE SERVICES	\$5,682.53
BANK OF COMMERCE (DEBIT CARD)	VARIOUS CHARGES	\$7,112.83
BEACH, HOMER	SNOW REMOVAL	\$840.00
BEST WESTERN COTTONTREE	MOTEL CHARGES	\$77.00
BOB BARKER COMPANY, INC.	SUPPLIES	\$627.92
BRESNAN COMMUNICATIONS	CABLE SERVICES	\$26.39
BRUCO, INC	SUPPLIES	\$282.62
BUILD RITE LUMBER SUPPLY	SUPPLIES	\$399.20
C & D FABRICATION	VEHICLE MAINTENANCE	\$580.00
CANDY MOUNTAIN	SUPPLIES/EQUIPMENT RENTAL	\$52.50
CARBON COUNTY 4-H	SUPPLIES REIMBURSEMENT	\$65.43
CARBON COUNTY ECONOMIC DEVELOPMENT	SEVERANCE PAYMENT	\$6,250.00
CARBON COUNTY HIGHER EDUCATION CENTER	MEALS	\$42.75
CARBON COUNTY TREASURER	VARIOUS CASH ITEMS	\$304.64
CBM FOOD SERVICE	JAIL MEALS	\$3,405.16

CENTURY LINK	TELEPHONE SERVICES	\$66.46
CESKO FAMILY MEDICINE, PC	MEDICAL SERVICES	\$715.00
CHAPMAN, LEO	MILEAGE	\$287.50
CNA SURETY	BONDS	\$150.00
CO DEPT OF PUBLIC HEALTH & ENVIRONMENT	DEC 2012 TOXICOLOGY	\$210.00
CONLEY, MARCI	LOVE & LOGIC FACILITATION	\$198.00
COUNTRY STORE	FUEL	\$357.44
COWBOY SUPPLY HOUSE	SUPPLIES	\$40.50
DAILY TIMES	NEWSPAPER CHARGES	\$877.20
DAVIDSON FAMILY DENTAL	DENTAL SERVICES	\$254.00
DELL MARKETING L.P.	CORONER LAPTOP	\$3,055.87
DIXON, TOWN OF	WATER SERVICES	\$260.00
EASTMAN, PATRICK	MILEAGE	\$28.20
ELK MOUNTAIN, TOWN OF	WATER SERVICES	\$55.34
ENCAMPMENT, TOWN OF	WATER SERVICES	\$72.00
ERICKSON & ROBERTS	LEGAL SERVICES	\$2,688.13
FARMER BROTHERS COFFEE	SUPPLIES	\$275.47
FORSTER LANDSCAPE & CONSTRUCTION, INC.	BUILDING MAINTENANCE	\$436.98
GALLS, AN ARAMARK COMPANY	SUPPLIES	\$99.47
GRAINGER	SUPPLIES	\$82.71
GRAPHIC SPORTS	SUPPLIES	\$39.95
HANNA, TOWN OF	WATER SERVICES	\$91.85
HAYS, STEPHEN DDS	DENTAL SERVICES	\$300.00
HEROLD, BARY	SNOW REMOVAL	\$80.00
HERTER, JACQUES P. PHD	PSYCHOLOGICAL EVALUATION	\$550.00
HIGH PLAINS POWER	ELECTRICAL SERVICES	\$442.86
HIGH PLAINS VISION CENTER	VISION SERVICES	\$445.00
HILLCREST SPRING WATER, INC.	EQUIPMENT RENTAL	\$28.00
INTERMOUNTAIN RECORD CENTER, INC.	MICROFILM	\$2,608.45
IRON J TOWING	TOW CHARGES	\$443.00
J H KASPAR OIL COMPANY	FUEL	\$8,995.84
JACKALOPE PRINTING	SUPPLIES	\$15.39
JAMAR TECHNOLOGIES, INC.	SUPPLIES	\$459.73
JERRY'S DONUTS	SUPPLIES	\$31.47
KENCO SECURITY AND TECHNOLOGY	ALARM MONITORING	\$34.00
KILBURN TIRE COMPANY	VEHICLE MAINTENANCE	\$676.49
KIRSCH, ARCHIE P	COUNTY HEALTH OFFICER	\$1,500.00
L & L ELECTRIC	ELECTRICAL REPAIRS	\$427.40
LARAMIE FORD	VEHICLE MAINTENANCE	\$821.42
LONG BUILDING TECHNOLOGIES, INC.	BUILDING MAINTENANCE	\$2,559.51
MEDICINE BOW HEALTH CENTER	SEVERANCE PAYMENT/HEALTH SUBSIDY	\$12,493.66
MEMORIAL HOSPITAL OF CARBON COUNTY	MEDICAL SERVICES	\$10,560.75

MOORE MEDICAL CORP.	SUPPLIES	\$211.10
MOSS, BARBARA	MILEAGE	\$54.60
MY OFFICE ETC.	SUPPLIES	\$1,046.16
NATIONAL 4-H COUNCIL-SUPPLY SERVICE	SUPPLIES	\$29.95
OLD PENITENTIARY JOINT POWERS BOARD	SEVERANCE PAYMENT	\$8,052.50
O'REILLY AUTO PARTS	SUPPLIES	\$49.99
PERSONNEL CONCEPTS	SUPPLIES	\$15.90
PHILLIPS 66-CONOCO-76	FUEL	\$857.79
PITNEY BOWES	RENTAL CHARGES	\$271.00
PUBLIC SAFETY CENTER, INC	SUPPLIES	\$86.99
QUILL CORPORATION	SUPPLIES	\$480.17
RAWLINS AUTOMOTIVE	PARTS	\$351.33
RAWLINS CARBON COUNTY AIRPORT BOARD	SEVERANCE PAYMENT	\$7,670.00
RAWLINS EASTSIDE CARWASH	WASH CARDS	\$194.40
RAWLINS EYE CARE	VISION SERVICES	\$90.00
RAWLINS FAMILY MEDICAL, P.C.	MEDICAL SERVICES	\$118.00
RAWLINS, CITY OF	WATER SERVICES	\$964.20
RELM WIRELESS CORPORATION	FIRE DEPT RADIOS	\$62,169.00
RENDEZVOUS LODGE LLC.	FUEL/OIL	\$60.46
RESERVE ACCOUNT	POSTAGE	\$10,000.00
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICES	\$6,044.75
ROSS' AUTOMOTIVE SERVICES	VEHICLE MAINTENANCE	\$63.61
RYAN ELECTRONICS INC	FIRE DEPT PAGERS/RADIO REPAIR	\$15,720.00
SARATOGA AUTO PARTS, INC.	SUPPLIES	\$12.08
SARATOGA SUN	NEWSPAPER CHARGES	\$271.25
SARATOGA, TOWN OF	WATER SERVICES	\$51.50
SHEA, DIXIE F	MILEAGE	\$24.00
SHEPARD'S	FUEL	\$617.21
SHOPKO PHARMACY	PRESCRIPTIONS	\$207.32
SNAP-ON TOOLS	SUPPLIES	\$86.80
SOURCE GAS	GAS SERVICES	\$13,519.66
SOUTH CENTRAL WY EMS	SEVERANCE PAYMENT	\$12,500.00
SOUTHWEST M.R.O., LLC	RANDOM TESTING	\$25.00
SPAN PUBLISHING, INC.	LAW ENFORCEMENT DIRECTORY	\$864.00
STAPLES ADVANTAGE	SUPPLIES	\$189.97
STAR AWARDS & SIGNS	SUPPLIES	\$60.30
STEPHENSON, LEE ANN	MILEAGE	\$37.20
SWISHER HYGIENE FRANCHISEE TRUST	SUPPLIES	\$97.42
TERMINIX	PEST CONTROL	\$720.00
THE FOOT CLINIC	MEDICAL SERVICES	\$192.00
TRADING POST	FUEL	\$15.87
TREVATHAN, SABRINA RPR	TRANSCRIPTION	\$372.00

TRUE VALUE OF RAWLINS	SUPPLIES	\$72.73
UPS	POSTAGE	\$26.25
UTILITY BILL SOLUTIONS GROUP	UTILITY SAVINGS	\$137.79
VALLEY OIL COMPANY	FUEL	\$2,489.12
VAN'S WHOLESALE LLC	SUPPLIES	\$590.05
WAILES, FIO	INTERPRETER SERVICES	\$25.00
WEST PAYMENT CENTER	MONTHLY CHARGES	\$1,346.83
WILLE, WILLIAM R	BUILDING MAINTENANCE	\$200.00
WILSON, MARGARET	PATCHES	\$9.00
WIMPENNY, ROBERT G DDS	DENTAL SERVICES	\$989.00
WORLD DATA CORPORATION	2013 POLK BOOK	\$110.00
WY COUNTY TREASURER'S ASSOCIATION	2013 DUES	\$100.00
WY MACHINERY COMPANY	PARTS	\$1,291.18
WY RENTS	EQUIPMENT RENTAL	\$265.00
WY STATE FIRE ADVISORY BOARD	FIRE DUES & SUBSCRIPTIONS	\$300.00
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	\$883.38
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICES	\$617.52
YOCUM, LEO	MILEAGE	\$24.00
ZIRMED, INC	PROFESSIONAL CLAIMS	\$0.70
GRAND TOTAL		\$234,592.60

### **ADDITIONS / CORRECTIONS**

Commissioner Glode moved to add the time of 1:30 p.m. on the agenda for the public hearing and to add Judy Dixon, applicant for the Urban Systems Committee for an interview to the agenda at 2:55 p.m. Commissioner Johnson seconded and the motion carried unanimously.

### **CLERK**

#### **Minutes**

Commissioner Glode moved to approve the minutes of the February 19, 2013 regular meeting of the Board of Carbon County Commissioners as presented. Commissioner Espy seconded and the motion carried unanimously.

#### **Bonds**

Commissioner Espy moved to approve a bond for Rusena Cobb, Treasurer for the Little Snake River Museum District of Savery in the amount of \$2,000.00. Commissioner Jones seconded and the motion carried unanimously.

### **Monthly Receipts**

Commissioner Johnson moved to accept the monthly statement of fees collected for February 2013 for the County Clerk in the amount of \$11,631.50. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Glode moved to approve the fees collected for the Planning and Development Department for the month of February 2013 in the amount of \$1,145.00. Commissioner Johnson seconded and the motion carried unanimously.

### **Harshman Street Extension Grant**

Clerk Bartlett presented the final Memorandum of Understanding with the City of Rawlins and the Carbon County Board of Cooperative Higher Education Services for the Harshman Street extension grant. She stated the BOCC approved the Chairman's signature at a previous meeting and requested he now sign the final document.

### **Citizen Letter**

Clerk Bartlett discussed a letter received from a citizen regarding charges at Memorial Hospital of Carbon County and copied the letter to the BOCC.

### **Health Insurance Report**

Clerk Bartlett provided a health insurance report for February 2013.

### **Payroll Publication**

Clerk Bartlett presented the payroll publication with names and positions as of March 1 to be published per Wyoming Statute.

Commissioner Jones moved to approve the Payroll Publication with Names and position for full-time employees in effect March 1, 2013. Commissioner Glode seconded and the motion carried unanimously.

### **Memorandum of Understanding (MOU)**

Clerk Bartlett presented a revised MOU with the Sweetwater County Sheriff to house juveniles. She noted the original MOU was approved February 5 and the other party changed two words to read "requesting" party rather than "responding party". She noted that Deputy Attorney Mike Kelly and Sheriff Jerry Colson have both approved the revised MOU.

Commissioner Espy moved to approve the corrected Memorandum of Understanding with the Sweetwater County Sheriff to house the county's juveniles. Commissioner Johnson seconded and the motion carried unanimously.

## **Commissioner Liaisons Correspondence**

Clerk Bartlett presented two draft memos providing the Commissioners employees and boards information on their appointed Commissioner liaisons.

## **Hospital District Formation**

Clerk Bartlett discussed Senate Enrolled Act 27 regarding hospital district formation. She stated she wanted the BOCC to be aware of the process and potential election dates in case they are asked or decide to use this new law to form a district.

## **Budget**

Clerk Bartlett discussed the budget and asked the BOCC if they would like to prepare their own budget or turn the requests to her. She also asked if the BOCC wants to pay county appointed board members mileage noting the current rate is \$0.30 per mile. She also asked if the BOCC wanted to leave the county employee mileage reimbursement at \$0.50 per mile. The IRS rate is currently \$0.565 per mile. The BOCC asked the board mileage budget be calculated at both \$0.30 and \$0.50 per mile and leave county employees at \$0.50.

## **Skyline Acres**

Clerk Bartlett presented close-out documents from the Wyoming Business Council for the Skyline Acres grant.

Commissioner Johnson moved to authorize the Chairman's signature on the Construction Close-Out & Evaluation Phase document for the Skyline Acres Industrial Site Clean-Up Project grant. Commissioner Jones seconded and the motion carried unanimously.

Clerk Bartlett also discussed a report of activities and costs she recently prepared for the BOCC. She asked how the board would like to proceed with the property.

## **ELECTED OFFICIALS / DEPARTMENT HEADS**

### **Attorney**

Deputy Attorney Mike Kelly noted that he received a notice from the United States Department of Agriculture Forest Service about the Laramie District North Wildland Urban Interface Fuels Reduction and Watershed Improvement project. Mr. Kelly stated he feels the county needs to keep a close eye on the situation as there are prescribed burns scheduled for the area.

Mr. Kelly reported the Carbon Building HVAC project is being negotiated with Long Mechanical Solutions for construction management services. They would like a Notice to Proceed before the contract is negotiated however there was discussion that the BOCC is not comfortable doing this.

Commissioner Johnson moved to authorize the Chairman's signature on the Contractor Notice to Proceed for Long Technologies for the Carbon Building HVAC. Commissioner Espy seconded and

there was discussion that the BOCC would have liked to have more information. The motion carried unanimously.

### **Treasurer**

County Treasurer Cindy Baldwin reported wind energy tax funds were received for tax year 2012 totaling \$279,000.00. This is reported by industry based on \$1.00 per KW hour.

Treasurer Baldwin presented a letter from Ken Salazar about a 5.1% or \$61,000.00 reduction in payment in lieu of taxes (PILT). She reported that last year Congress took the State of Wyoming's abandoned mine lands funds to pay the nation's PILT funds.

Treasurer Baldwin reported recovery zone bonds were used for the specific purpose tax projects which included a 45% discount and there is now a question if this could be given or reduced. This could cost up to \$6 million for Carbon County if Congress removes it.

### **Assessor**

County Assessor Cheryl Ross presented abates for the Chairman's signature.

### **Mental Health**

Glenn Biggs, County Mental Health Examiner, reported that he works with anyone detained in the county due to danger of harming themselves or others. He also does jail visits and screens inmates and helps them adjust to the jail setting. He reported there were 90 emergency detentions last year. He also provides suicide prevention classes for Sheriff employees.

Mr. Biggs requested funding to attend an upcoming seminar from the National Commission on Correctional Healthcare.

Commissioner Glode moved to allow Mr. Biggs up to \$1,500.00 for the National Commission on Correctional Healthcare. Commissioner Jones seconded and the motion carried unanimously.

### **Planning & Development**

Planning Director Sid Fox reported the Bureau of Land Management (BLM) and the City of Rawlins meet periodically about various issues affecting the area. Thomas Powell of the Planning Office reported he recently attended this coordination meeting and oil and gas leasing in the Sage Creek basin was discussed. The city is concerned as they have water rights and that is their main water supplier in the area. The BLM reported they have ceased leasing oil and gas in this area largely because of the city's concern.

Mr. Powell reported that there is a new BLM agency preferred route for the Transwest Express Transmission Project and he presented a map of the route. Chairman Chapman asked if the BLM has considered that three counties and the Governor support the applicant proposed route. Commissioner Glode discussed the Ft. Steele area and that residents there do not want the lines near their residences.

The city also discussed potential landfill locations in the future at the recent meeting as well as recreation ideas for the area.

### **Emergency Management Coordinator**

Emergency Management Coordinator John Zeiger talked about what will be discussed in the upcoming six hour senior officials' workshop as well as updates on other upcoming classes.

Mr. Zeiger reported that two FEMA funded projects from the 2011 and 2012 floods and another project will possibly pay for some bank stabilization through the Town of Saratoga.

### **Road & Bridge**

Road & Bridge Superintendent Bill Nation reported during regular maintenance they unfreeze and unclog culverts. Mr. Nation reported the proposed projects to bring fiber optics from I-80 to Saratoga may be able to run down County Road #404 to eliminate the need to negotiate with various private landowners.

### **Public Health**

County Public Health Manager Bridget Hettgar reported the Wyoming County Commissioners Association will be sending the Commissioners a survey about public health and she wanted to discuss this briefly.

### **RECESS**

Chairman Chapman called a recess at 11:15 a.m. and reconvened at 11:20 a.m.

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

David Pike, Chief Financial Officer presented a financial statement as of January 31, 2013. Ned Hill, Chief Executive Officer and Dr. David Cesko of the board were also present. There was discussion that hospital employed clinics in town are not expected to make money but rather to break even. The hope is also that these clinics will generate hospital revenue by the services that are referred to MHCC.

Mr. Hill reported that with President Obama approving sequestration this will mean an approximate 2% reduction equating to a \$70,000.00 per year loss in Medicare reimbursement beginning April 1.

### **TRANSWEST EXPRESS TRANSMISSION PROJECT**

Sharon Knowlton, Bureau of Land Management Project Manager and Heather Shultz of the Rawlins BLM field office and Steve Blazek of the Western Area Power Administration appeared to discuss the Transwest Express Transmission Project.

There was explanation given on why the current agency preferred alternative was designed including a potential historic site the county preferred alternative would cross and the fact that the agency alternative follows an existing road in the area. The BOCC discussed the concerns by residents in the Little Snake

River Valley that they don't want to see the lines from their towns but they also don't want them seen from the highway. Ms. Knowlton provided a visual analysis from the Baggs area showing what routes can be seen and she stated another analysis would need to be done showing what can be visualized from the highway. Ms. Knowlton offered to send the visual analysis with the BOCC before the upcoming public meetings.

## **CORONER**

County Coroner Paul Zamora reported on the question earlier about the cost of his current laptop. He noted this computer has a 1 terabyte hard drive and that he can use it for a mobile data system when in the field. He noted it's ruggedized with a touch screen for the mobile data.

## **RECESS**

Chairman Chapman recessed for lunch at 12:00 p.m. and reconvened at 1:07 p.m.

## **BOARD INTERVIEWS / APPOINTMENTS**

Commissioner Johnson moved to reappoint Patrick Eastman to the Senior Services Board, Elk Mountain area, appoint Robert Patton to the Senior Services Board, Hanna area for three-year terms expiring April 2016. Commissioner Espy seconded and the motion carried unanimously.

Jewel Allen was interviewed in person for reappointment to the Senior Services Board.

Commissioner Glode moved to reappoint Jewell Allen to the Senior Services Board for a three-year term expiring April 2016. Commissioner Jones seconded and there was discussion by Commissioner Johnson that there are other applicants that should be interviewed before the appointment is made. Commissioner Glode moved to table her motion until after other applicants are interviewed.

There was discussion by the BOCC of whether or not they want to interview applicants. Commissioner Glode indicated it may not be necessary in all situations, Commissioner Jones indicated when there is one applicant it may not be necessary and Commissioner Espy thought it might work to have all applicants come at one time if they wanted to come. Clerk Bartlett asked for clear direction noting that at a previous meeting she understood that the BOCC still desired to interview all applicants.

Debari Martinez was interviewed via telephone for appointment to the Senior Services Board and Pam Bailey-Fross was interviewed in person for appointment to the Senior Services Board and Memorial Hospital Board.

Commissioner Espy moved to bring the original motion to appoint Jewell Allen off the table. Commissioner Johnson seconded and the motion carried unanimously.

Commissioner Glode moved to reappoint Jewell Allen to the Senior Services Board for a three-year term expiring April 2016. Commission Jones seconded and the motion carried unanimously.

## **PLANNING & ZONING**

### **Public Hearing – Renewal C.U. Case File No. 07-25/C.U. Case File No. 2013-01**

Chairman Chapman opened a public hearing at 1:34 p.m. to hear Planning & Zoning Renewal C.U. Case File No. 07-25/C.U. Case File No. 2013-01. Sid Fox, Planning Director was present and Tom Powell of the Planning Office presented C.U. Case File No. 2013-01 – Leslie and Tammy Barkhurst’s request to renew C.U. Case File No. 07-25 to allow church facilities which were approved and permitted by the Carbon County Planning & Zoning Commission in January 2008.

Chairman Chapman called for comments for or against this matter. Les Barkhurst reported he is in favor of the permit.

There being no comments Chairman Chapman closed the public hearing at 1:45 p.m.

Commissioner Glode moved to approve Resolution No. 2013-07 A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding Renewal C.U. Case File No. 07-25/C.U. Case File No. 2013-01 with the four conditions read in the staff report. Commissioner Johnson seconded and the motion carried unanimously.

### **RESOLUTION NO. 2013 – 07**

**A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission.**

#### **Renewal of C.U. Case File #07-25** **C.U. Case File #2013-01**

**WHEREAS**, pursuant to the Carbon County Zoning Resolution of 2003, as amended, and Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on Monday, February 4, 2013, which said hearing was advertised by public notice at least within thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, February 4, 2013, 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 hearing; and

**WHEREAS**, at the conclusion of the Monday, February 4, 2013, 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 2003, as amended for Carbon County, Wyoming; and

**WHEREAS**, the Carbon County Board of County Commissioners, pursuant to the Carbon County Zoning Resolution of 2003, 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, March 5, 2013; and

**WHEREAS**, at said public hearing, the Carbon County Board of County Commissioners provided the opportunity for the public to comment and for the Carbon County Board of County Commissioners to consider any comments which were made on the proposed amendment(s); 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 2003, as amended, specifically, Section 5.6, 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 2003, 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.

**Renewal of C.U. Case #07-25 as C.U. Case #2013-01 – Leslie “Les” L. Barkhurst and Tammy L.**

**Barkhurst (Applicants and Land Owners):** This permit application is to renew C.U. Case #07-25 as per Condition #7. Conditional Use Permit to allow Church facilities which were approved and permitted by the CCPZ Commission in January, 2008. The subject property is located approximately 7 miles south of Saratoga off HWY 130.

**Parcel Number:** 16830430002400

**Rural Address:** 2741 STATE HIGHWAY 130

**Legal Description:** One (1) acre located within the E1/2NE1/4 and that portion of W1/2NE1/4 lying east of Highway 130, Section 8, T16N, R83W, 6<sup>th</sup> P.M., Carbon County, Wyoming.

**VIOLATION:** 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.

**CONDITIONS OF APPROVAL:**

1. That this CUP both supersedes and replaces the original permit and its conditions.
2. This permit is for the continued operation of a church and Sunday school in the RAM Zone District.
3. That the church is permitted to operate on these facilities as built. Any expansion of the facilities will require a new or an amendment Conditional Use Permit.
4. In the event the actions occurring pursuant to this permit are found to be in material violation of the terms and conditions of this permit, or are found to have been obtained by fraud, this permit shall be subject to all remedies allowed by law. Violation of any of the above restrictions can be grounds for terminating this Conditional Use Permit.

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

1. That the Carbon County Board of County Commissioners, hereby approve this Conditional Use Permit (CUP) as certified to them in writing by the Carbon County Planning and Zoning Commission regarding the Conditional Use Permit (Renewal C.U. Case #07-25 as C.U. Case #2013-01) on approximately 1 acre in the Ranching, Agriculture, Mining (RAM) Zone.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 5th day of March, 2013.

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

By: -s- Leo Chapman, Chairman  
John Espy, Vice Chairman  
Lindy Glode, Member  
John Johnson, Member  
Sue Jones, Member

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

**Certifications**

Mr. Powell presented the Certifications of Recommended Action for C.U. Case File No. 2013-02 and C.U. Case File No. 2013-03.

Commissioner Espy moved to schedule a public hearing for April 2, 2013 at 1:15 p.m. at the County Courthouse in Rawlins, Wyoming for Conditional Use Permit Case File No. 2013-02 and Conditional Use Permit Case File No. 2013-03 both submitted by PacifiCorp DBA Rocky Mountain Power. Commissioner Jones seconded and Commissioner Johnson asked why the matter would not be handled at the next meeting. Clerk Bartlett replied that the notice requirements are such that it would not allow time for advertising. The motion carried unanimously.

**BOARD INTERVIEWS / APPOINTMENTS**

Robert Patton who was appointed to the Senior Services Board earlier today introduced himself. Terry Weickum, Steven Olson, and Henry Hewitt were interviewed in person for appointment to the Memorial Hospital Board. Mr. Olson was specifically asked about a potential conflict with a family member working at the hospital and he stated he was aware of how to handle potential conflicts.

Chairman Chapman called for public comment on the applicants. Leigh Nation stated that she values Terry Weickum's contribution to the county and thinks he would be an excellent board member. There was lengthy discussion by the BOCC about all applicants.

Commissioner Jones moved to appoint Henry Hewitt to the Memorial Hospital Board for a five-year unexpired term expiring July 2013. Commissioner Espy seconded and the motion carried unanimously.

**RAWLINS WORKFORCE CENTER**

Leigh Nation and Connie Summers provided an overview of services they provide at the Rawlins Workforce Center including the work opportunity tax credit, workforce investment act, youth programs, available training, veterans and adult services, bonding programs and a career readiness certificate.

**BOARD INTERVIEW / APPOINTMENT**

Judy Dixon was interviewed in person for appointment to the Urban Systems Committee.

Commissioner Glode moved to appoint Judy Dixon to the Urban Systems Committee for a four-year unexpired term expiring January 2016. Commissioner Espy seconded and the motion carried unanimously.

### **MEDICINE BOW RIVER BRIDGE**

Jake Lonn and Pat Persson both of the Wyoming Department of Transportation (WYDOT) discussed the Medicine Bow River Bridge a/k/a Elk Mountain Bridge. Mr. Persson reported the county came to WYDOT for the Bridge Replacement Off System (BROS) Program to replace this bridge. The program provides for a 90.49% federally funded and 9.51% county funded project. He stated the current bridge is owned by the county as will the new bridge and reminded the BOCC that maintenance of the new bridge should be considered when designing the new bridge. Mr. Persson clarified the preliminary plan is for an October 2014 bid letting with 2015 construction.

Commissioner Glode asked if during the design of the bridge, could the Town of Elk Mountain request specific items and pay for those items. Mr. Persson stated that if the county wanted to have its own agreement with that town that would be acceptable.

Mr. Lonn clarified there will be a temporary bridge in place and he presented a map of where the alignment is proposed. The design of the temporary bridge is not complete yet however he would prefer a legal load size structure.

Susan Havers of the Elk Mountain Hotel stated she feels there have been open house style meetings and not formal public meetings. She requested WYDOT have a more formal meeting with plans including cost and design presented and public comment taken. Mr. Persson stated there have been approximately 10 public meetings to date, and he feels the information that is known has been presented to the public. He advised he will not always have answers to the questions at this point and reminded everyone the bridge hasn't even been designed yet.

There was discussion about the length and design of the bridge and whether or not water might exceed its banks. Bob Johnson stated he has lived there for almost 80 years and he does not ever remember this occurring. Mr. Lonn reported the hydrologist has requested a more extensive survey of the area therefore WYDOT will be conducting an almost 1 mile wide and ½ mile long study.

Kelly Bohanan of the Museum reported they held a meeting yesterday and the Museum Board would like to acquire the old bridge as part of its collection. Ms. Bohanan stated they currently have a lease with the BLM south of Rawlins and the bridge could be housed there with interpretation about the bridge and the Town of Elk Mountain. She presented e-mails from Julie Francis archeologist with WYDOT and Mary Hopkins discussing the historical significance. Chairman Chapman stated he would be adamant the bridge not be used for vehicles. Commissioner Jones stated the importance of discussing the disposal of the bridge with the residents of Elk Mountain. Mr. Lonn stated this is the time to be discussing the disposal. He stated through the environmental process they approached governmental entities about the bridge and then the public however they are stepping back now knowing the Museum is interested.

Commissioner Johnson stated he feels the people in the area would like to see the bridge stay in that area. Bob Johnson proposed some ideas for the new location of the bridge in the area.

Commissioner Espy asked when the Museum would be able to properly display it. Ms. Bohanan replied she has already contacted a contractor to provide them with the best options to be able to display it. The bridge would likely be incorporated into a walking path that is slated to be installed at the site this fiscal year.

There was further discussion about the county's procurement policy and disposal of the current bridge. It was clarified that the county must first offer its surplus assets to other offices, departments, county appointed boards, and other governmental entities then if they do not want it, offer it for sale to the general public.

Gene Carrico of the Museum Board stated that the best plan is for Ms. Bohanan to meet with the Elk Mountain Town Council, gather more public input and facts and appear in the future.

### **Continental Divide – Creston Junction Project**

Deputy County Attorney Mike Kelly discussed the Continental Divide – Creston Junction Project Environmental Impact Statement and the fact the deadline for comments is 5:00 p.m. tomorrow. He advised he and Sid Fox prepared draft comments and previously submitted these to the BOCC for review. He addressed a few key points including his recommendation for Alternative D. He asked for the BOCC's preference on an alternative.

Commissioner Espy reported he is leaning towards Alternative D with language in the final draft that the BLM waive other wildlife issues to allow year-round occupation of well pads at least until drilling operations have been completed. He feels this would be the least surface disturbance but still allow extraction.

Commissioner Glode concurred she prefers Alternative D and that the incomplete socioeconomic assessment as well as the lack of a preferred alternative from the BLM makes it difficult to comment.

Commissioner Johnson agreed with Alternative D and possibly a combination of Alternatives B and D. He complimented Mr. Fox on his comments. Mr. Fox clarified the BLM does plan on declaring an alternative in the future and he feels the lack of one now may provide the county with the opportunity to influence their decision.

Mr. Kelly suggested including support for Wyoming County Commissioners Association (WCCA) and Sweetwater County's requests to expedite the project or the Record of Decision (ROD). The BOCC agreed to expedite the ROD.

Commissioner Johnson moved to authorize the Chairman's signature on the county's final comments to the draft Environmental Impact Statement Continental Divide - Creston Junction Project. Commissioner Espy seconded and the motion carried unanimously.

Mr. Kelly agreed to copy the final comments to all BOCC.

## **COMMISSIONERS DISCUSSION**

Chairman Chapman reported he will be unable to attend a walkthrough meeting April 1 for the Harshman Street extension grant and asked the Vice Chairman to attend. Chairman Chapman reported he spoke with Kent Conley about possibly rejoining the Coalition of Local Governments and that the coalition may hold its next meeting in Rawlins. He also discussed a potential meeting with Lloyd Drain of the Wyoming Infrastructure Authority March 26.

Commissioner Jones reported the Economic Development Corporation met last night. She also discussed the Little Rascals Preschool grant application was completed in time with the entire match obtained in time as well and thanked all who worked on it.

Commissioner Johnson asked who would be attending the April WCCA meeting. He presented a letter from Todd Heward discussing past snow clearing on a county road near his property. The route was formerly plowed with a fire apparatus with a plow rather than a grader.

Clerk Bartlett again asked for direction on how they would like to handle board appointment interviews. The BOCC determined it would not interview applicants if they were the only applicant for a single seat.

Commissioner Glode reported she was elected to the Upper Platte Valley Water Conservation Board. She also discussed that she would like to tour buildings with the Buildings Manager.

## **ADJOURNMENT**

Commissioner Espy moved to adjourn the meeting at 4:58 p.m. Commissioner Johnson seconded and the motion carried unanimously.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 19th day of March 2013

BOARD OF COUNTY COMMISSIONERS  
CARBON COUNTY, WYOMING

-s- Leo Chapman, Chairman