

**MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, May 7, 2013
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, May 7, 2013 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were Chairman Leo Chapman; Commissioners Lindy Glode, Sue Jones and John Johnson; Deputy County Attorney Mike Kelly; and County Clerk Gwynn Bartlett. Vice Chairman John Espy was absent.

Chairman Chapman called the meeting to order at 9:04 a.m.

ADDITIONS / CORRECTIONS

There were no additions or corrections.

VOUCHERS

Commissioner Jones moved to approve the report of expenditures in the amount of \$84,876.76. Commissioner Johnson seconded and the motion carried unanimously.

Commissioner Jones moved to approve payment to Rawlins Automotive in the amount of \$2,773.06 and True Value in the amount of \$112.96. Commissioner Johnson seconded and the motion carried with Chairman Chapman and Commissioners Jones and Johnson voting for the motion and Commissioner Glode abstained due to a personal conflict.

| Vendor | Detail Line Description | Total |
|-------------------------------------|--------------------------------|--------------|
| ALSCO, AMERICAN LINEN DIVISION | SHOP SUPPLIES | \$145.74 |
| AMERIGAS | PROPANE SERVICES | \$1,647.40 |
| BEACH, HOMER | SNOW REMOVAL | \$560.00 |
| BUCHANAN, KAREN | MILEAGE | \$48.00 |
| BUILD RITE LUMBER SUPPLY | SUPPLIES | \$32.48 |
| C & B SAND & GRAVEL | COBBLE ROCK | \$455.39 |
| CARBON COUNTY CHILD DEVELOPMENT CTR | APRIL 2013 CSBG | \$3,613.56 |
| CARBON POWER & LIGHT INC | ELECTRICAL SERVICES | \$268.39 |
| CENTURY LINK | TELEPHONE SERVICES | \$65.52 |
| CENTURYLINK | TELEPHONE SERVICES | \$367.00 |
| CESKO FAMILY MEDICINE, PC | MEDICAL SERVICES | \$520.00 |
| CHAPMAN, LEO | MILEAGE | \$60.00 |
| CONTECH ENGINEERED SOLUTIONS LLC | CULVERT MATERIALS | \$8,925.00 |
| DAILY TIMES | NEWSPAPER ADS | \$644.60 |
| DAVIDSON FAMILY DENTAL | DENTAL SERVICES | \$620.00 |
| DIXON, TOWN OF | WATER SERVICES | \$260.00 |
| DRUMMOND REFRIGERATION LLC | REFRIGERATION REPAIRS | \$394.24 |

| | | |
|-----------------------------------|--------------------------|------------|
| DUBOIS TELEPHONE EXCHANGE | TELEPHONE SERVICES | \$40.94 |
| ELK MOUNTAIN, TOWN OF | SENIOR CENTER/WATER SVCS | \$554.50 |
| ERICKSON & ROBERTS | LEGAL SERVICES | \$1,360.25 |
| ESPY, JOHN | MILEAGE | \$240.50 |
| FRUDE, CANDICE | MILEAGE | \$68.50 |
| GLODE, LINDY | MILEAGE | \$120.00 |
| GOLDEN, MARY | MILEAGE | \$49.50 |
| HANSON'S | RADIO MAINTENANCE | \$117.95 |
| HAYS, STEPHEN DDS | DENTAL SERVICES | \$484.00 |
| HIGH PLAINS POWER | ELECTRICAL SERVICES | \$401.99 |
| HIGH PLAINS VISION CENTER | VISION SERVICES | \$376.00 |
| HILLCREST SPRING WATER, INC. | EQUIP RENTAL/SUPPLIES | \$27.50 |
| J H KASPAR OIL COMPANY | FUEL | \$4,234.89 |
| JONES, SUE | MILEAGE | \$176.00 |
| KILBURN TIRE COMPANY | TIRE REPAIRS | \$102.73 |
| L & L ELECTRIC | ELECTRICAL REPAIRS | \$97.50 |
| LONG BUILDING TECHNOLOGIES, INC. | BUILDING MAINTENANCE | \$9,858.65 |
| MACPHERSON, KELLY & THOMPSON, LLC | LEGAL SERVICES | \$75.00 |
| MEDICINE BOW, TOWN OF | WATER SERVICES | \$75.00 |
| MOSS, BARBARA | MILEAGE | \$54.60 |
| MPM CORP / EVERGREEN DISPOSAL | GARBAGE SERVICES | \$100.00 |
| MY AUTOMOTIVE, INC. | VEHICLE MAINTENANCE | \$151.79 |
| MY OFFICE ETC. | SUPPLIES | \$554.51 |
| OPFAR, CLAUDIA | MILEAGE | \$48.00 |
| PAIN CARE CENTER | MEDICAL SERVICES | \$280.00 |
| PATTON, ROBERT L. | MILEAGE | \$25.20 |
| PLATTE VALLEY MEDICAL CLINIC | MEDICIAL SERVICES | \$180.00 |
| QUESTAR GAS | GAS SERVICES | \$105.77 |
| QUILL CORPORATION | SUPPLIES | \$599.46 |
| RAWLINS AUTOMOTIVE | PARTS | \$2,773.06 |
| RAWLINS EYE CARE | VISION SERVICES | \$225.00 |
| RAWLINS, CITY OF | WATER SERVICES | \$1,442.30 |
| ROCKY MOUNTAIN POWER | ELECTRICAL SERVICES | \$1,774.81 |
| RYAN ELECTRONICS INC | SUPPLIES | \$65.00 |
| SARATOGA AUTO PARTS, INC. | PARTS | \$14.59 |
| SARATOGA SUN | NEWSPAPER ADS | \$162.75 |
| SARATOGA, TOWN OF | WATER SERVICES | \$15.00 |
| SECRETARY OF STATE | TURNER NOTARY | \$30.00 |
| SHEPARD'S | SUPPLIES/FUEL | \$2,001.95 |
| SHOPKO PHARMACY | PRESCRIPTIONS | \$453.73 |
| SOURCE GAS | GAS SERVICES | \$3,105.78 |
| STEPHENSON, LEE ANN | MILEAGE | \$37.20 |
| TANDAN SANITATION SERVICES | GARBAGE SERVICES | \$50.00 |

| | | |
|-------------------------------------|------------------------|-------------|
| TERMINIX | PEST CONTROL | \$38.00 |
| TRUE VALUE OF RAWLINS | SUPPLIES | \$112.96 |
| TYLER TECHNOLOGIES, INC | SOFTWARE SUPPORT | \$7,163.39 |
| U W C E S | CRAIG QUARTERLY SALARY | \$5,125.50 |
| UTILITY BILL SOLUTIONS GROUP | UTILITY SAVINGS | \$188.63 |
| VALLEY OIL COMPANY | FUEL | \$4,891.39 |
| WELLS, JACQUELIN | MILEAGE | \$53.00 |
| WIMPENNY, ROBERT G DDS | DENTAL SERVICES | \$16.00 |
| WY COUNTY COMMISSIONERS ASSOCIATION | 2014 DUES | \$13,409.00 |
| WY MACHINERY COMPANY | PARTS | \$2,841.89 |
| WY STATE FORESTRY | PARTS | \$817.51 |
| WY SURGICAL ASSOCIATES, P.C. | MEDICAL SERVICES | \$88.00 |
| WY WASTE SERVICES-RAWLINS | GARBAGE SERVICES | \$887.41 |
| YAMPA VALLEY ELECTRIC | ELECTRICAL SERVICES | \$766.88 |
| YOCUM, LEO | MILEAGE | \$24.00 |
| GRAND TOTAL | | \$87,762.78 |

CLERK

Buildings Manager

Commissioner Johnson moved to hire Craig Jones as the Buildings & Grounds Manager effective May 20, 2013. Commissioner Glode seconded and the motion carried unanimously.

Minutes

Commissioner Glode moved to approve the minutes of the April 30, 2013 regular meeting of the Board of Carbon County Commissioners as presented. Commissioner Johnson seconded and the motion carried unanimously.

Bonds

Commissioner Jones moved to approve a bond for Kody R. Stocks, Secretary/Treasurer for the Reader Cemetery District of Carbon County in the amount of \$4,000.00 and Codey J. Stocks, Clerk/Treasurer for the Town of Dixon in the amount of \$50,000.00. Commissioner Glode seconded and the motion carried unanimously.

Monthly Receipts

Clerk Bartlett reported fees were collected for the County Attorney totaling \$26.30 and County Clerk totaling \$29,283.42 for April 2013.

Official Publication

Clerk Bartlett asked if the BOCC wanted to bid the official publication to the Saratoga Sun and Rawlins Daily Times this year. The BOCC requested the clerk do this.

Encampment Senior Center

Clerk Bartlett discussed the purchase of a 500 gallon propane tank and to change providers for the Encampment Senior Center. Clerk Bartlett reported the purchase will make this budget exceed its allocation and asked the BOCC to consider budgets when making these types of decisions.

Workshops

Clerk Bartlett clarified what workshops the BOCC would like to have. She stated at the last meeting the BOCC discussed setting goals and meeting with the Dixon Airport.

Commissioner Glode reported that she would like to set goals before the budget sessions.

Commissioner Johnson moved to set a workshop to discuss goals at 1:00 p.m. May 29, 2013 at the County Courthouse. Commissioner Glode seconded and the motion carried unanimously.

Letter of Appreciation

Clerk Bartlett advised she received a letter from J. Reed Brannon, President of the Aspen Highland H.O.A. in Elk Mountain expressing his thanks to Road & Bridge Superintendent Bill Nation and his crew for a good job in keeping Pass Creek Road open this past winter.

Coalition of Local Governments

Clerk Bartlett asked the BOCC if they are going to rejoin the Coalition of Local Governments. The BOCC asked her to put the figure in the budget and they would cut it if funds aren't available.

Lawn Care

Clerk Bartlett presented one lawn care bid for various county buildings in Rawlins from Hi Country Lawncare and Landscapes LLC for \$650.00 per week. She reported there are other one-time fees of \$2,200.00 for spring and fall cleanup, \$1,200.00 for turning on and testing all systems and blowing them out at the end of the season, and \$55.00 per hour for any repairs during the season.

Commissioner Johnson moved to accept the lawn care bid from Hi County Lawncare and Landscapes LLC as presented. Commissioner Glode seconded and the motion carried with Commissioners Glode, Jones and Chairman Chapman voting for the motion. Commissioner Johnson voted against stating he feels this is something that can be done internally.

Carbon Building HVAC Project

Clerk Bartlett advised she received two proposals for the lease financing of the heating, ventilation, and air conditioning (HVAC) project at the Carbon Building.

Commissioner Glode moved to approve a 15 year lease with Pinnacle Public Finance for the Carbon Building HVAC project lease financing proposal in the amount of \$4 million. Commissioner Jones seconded and the motion carried unanimously.

Board Applications

Clerk Bartlett reported she received two late applications for one position on the Museum Board. She also noted she had already received one on time and asked if the BOCC wanted to consider the late ones. The BOCC determined that unfortunately it could not consider the late applications but would encourage the applicants to reapply on future openings.

ELECTED OFFICIALS / DEPARTMENT HEADS

Cooperative Extension Service

Cathy Craig, Ron Cunningham, Michelle Rakness and May Smith were present from the Cooperative Extension Service. Mr. Cunningham reported they have a vacant position and wanted to ensure that they could move forward with hiring someone and to ensure they could provide a salary that was sufficient. The BOCC authorized them to move forward with hiring someone at the approved salary and ask for an increase in their budget.

Attorney

Deputy Attorney Mike Kelly presented Amendment One for a public health contract.

Commissioner Glode moved to approve Amendment One to the Contract Between Wyoming Department of Health Public Health Division and Carbon County Public Health Nursing Service increasing the amount to \$44,880.00. Commissioner Johnson seconded and the motion carried unanimously.

Mr. Kelly presented a mutual aid for structural fire response with the City of Rawlins to ensure there are a sufficient number of manpower and equipment available to respond to calls. He noted the agreement is effective until terminated by either party with 30 days notice.

Commissioner Jones moved to enter into an Agreement for Automatic Mutual Aid for Structure Fire Response Between Carbon County Fire Department Rawlins Division and City of Rawlins Fire Department. Commissioner Glode seconded and the motion carried unanimously.

Treasurer

County Treasurer Cindy Baldwin reported the Carbon County High Education Center will pursue collections being distributed to the state by the County Treasurer because Carbon County is a recapture district. According to a letter from David Throgmorton of the center, the state wide Association of Cooperative Educational Services will proceed with challenging this practice.

Treasurer Baldwin reported on yesterday's meeting regarding industry's 18% tax penalty and that the Treasurer's Association will likely meet next with the Wyoming County Commissioners Association soon.

Treasurer Baldwin reported the City of Rawlins requested the county expend \$45,000.00 for a backup Spillman server and that the county can use E911 funds for this purchase if interested. She stated Undersheriff Mike Morris has goals for the use of these funds for other projects but stated it would be the BOCC's decision.

Assessor

County Assessor Cheryl Ross presented abates for the Chairman's signature. Commissioner Johnson reported he has questions on how agriculture lands are valued. Assessor Ross reported agriculture land is taxed on production. Commissioner Johnson stated that some landowners' values went up as much as 18% and wondered if it was based on production how that occurred after a drought. She reported there is a range the state provides that she must comply with and the USDA provides an average yield and she must comply with this also.

Planning & Development

Planning Director Sid Fox reported he is the speaker at the Council of Government's meeting May 15. He will discuss cooperation between the towns and the county for the "buffer" zones or growth boundaries around towns. He wanted to ensure the BOCC is supportive of the concept of having memorandum of understandings (MOUs) with the towns.

Sheriff

Undersheriff Mike Morris reported he looked into the radio issues at Medicine Bow further and he spoke with the fire chief who didn't know of any issues.

IT

Matt Webster, IT Director reported new microphones have been installed. He noted there are wireless microphones available too. Mr. Webster reported that caller identification with Optimum may be available and he is awaiting final pricing. The tentative pricing for circuits is a one-time charge of \$10,430.00 plus \$900.00 per month plus taxes and fees for the circuits. He noted the monthly fee is less than the current fees.

Mr. Webster discussed the new IP phone system and that because of the new infrastructure the county installed this year the project will come in around \$800.00 per phone.

Road & Bridge

Road & Bridge Superintendent Bill Nation reported \$473 million in Title 5 funding has been approved for the State Highway Program. The rural component of \$160 million of this may include funding for the Sage Creek Road. Wyoming Department of Transportation (WYDOT) would like the county to apply for a \$7 million grant in 2016 for the final phase of paving on this road. The application is due June 2 of this year. This requires a match of potentially 10%. He stated the county will see some cost

savings because 25 miles of road the county currently maintains will be taken over by WYDOT. Chairman Chapman clarified the Forest Service will ask the county to take over maintenance of the unpaved portion and WYDOT will take over the paved portions.

Commissioner Johnson moved to authorize Mr. Nation to apply for a grant of Title 5 funds in the amount of \$7 million for County Road #401. Commissioner Glode seconded and Clerk Bartlett asked where the grant match would come from. Mr. Nation replied the road fund would have the funds by that time. The motion carried unanimously.

CLERK

Clerk Bartlett asked if the BOCC wanted to consider meeting earlier at the out of town meetings and presented a resolution to allow this.

Commissioner Jones moved to approve Resolution 2013-12 A Resolution of the Board of County Commissioners of Carbon County, Wyoming Setting Meeting Schedules. Commissioner Johnson seconded and the motion carried unanimously.

RESOLUTION NO. 2013-12

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING SETTING MEETING SCHEDULES

WHEREAS, pursuant to Wyoming State Statute 18-3-502, The Board of County Commissioners of Carbon County, Wyoming shall meet at the county seat of their respective counties on the first Tuesday in each month or at such other times as may be designated by resolution of the board or otherwise authorized by law.

NOW, THEREFORE BE IT RESOLVED THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING that The Board of County Commissioners of Carbon County, Wyoming will meet at the county seat the first Tuesday of each month beginning at 9:00 a.m. The Board of County Commissioners of Carbon County, Wyoming will also meet the third Tuesday of each month, at a time to be determined by the Board, at the county seat or at other municipalities throughout Carbon County. These meetings will be scheduled annually by the Board.

PASSED, APPROVED AND ADOPTED this 7th day of May, 2013.

Board of County Commissioners,
Carbon County, Wyoming
-s- Leo Chapman, Chairman

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Commissioner Johnson moved to amend the 2013 annual meeting schedule to allow for meetings out of town to begin at 2:00 p.m. rather than 4:00 p.m. Commissioner Jones seconded and the motion carried unanimously.

RECESS

Chairman Chapman called a recess at 10:58 a.m. and reconvened at 11:08 a.m.

MEMORIAL HOSPITAL OF CARBON COUNTY (MHCC)

Mel Muldrow of MHCC presented a financial statement as of March 31, 2013. Dr. David Cesko of the board was also present. Commissioner Johnson asked when the accounts payable will be at the industry standards. Mr. Muldrow stated the standard is 42 days and MHCC is now at 47 and hopes to be standard by the end of summer.

FIREWORKS PERMIT

Public Hearing

Chairman Chapman opened a public hearing at 11:20 a.m. to hear comments for the BOCC to consider a \$100.00 fee for a fireworks permit. John Rutherford read a proposed resolution regarding the establishment of the fireworks permit fee. Mr. Rutherford reported the fee would be for inspection costs and fuel. Clerk Bartlett noted for the record that notice of the hearing was placed in the Rawlins Daily Times April 5, 2013. There being no comments, Chairman Chapman closed the hearing at 11:23 a.m.

Commissioner Glode moved to approve Resolution No. 2013-13 A Resolution of the Carbon County Board of Commissioners for the Establishment and/or Modification of Fees or Charges to be Assessed for Permits for the Public Display of Fireworks Pursuant to Wyoming Statute §35-10-203 (2011) to charge a \$100.00 fee for a fireworks permit. Commissioner Jones seconded and the motion carried unanimously.

RESOLUTION NO. 2013 – 13

**A RESOLUTION OF THE CARBON COUNTY BOARD
OF COMMISSIONERS FOR THE ESTABLISHMENT AND/OR
MODIFICATION OF FEES OR CHARGES TO BE ASSESSED FOR
PERMITS FOR THE PUBLIC DISPLAY OF FIREWORKS
PURSUANT TO WYOMING STATUTE §35-10-203 (2011).**

WHEREAS, pursuant to Wyoming Statute §35-10-201(b), the Board of County Commissioners for Carbon County is considered the governing body for those areas within Carbon County, but outside the corporate limits of cities or towns; and

WHEREAS, Wyoming Statute §35-10-203 provides that any governing body shall have the power to grant permits, within the area under its jurisdiction, for supervised public displays of fireworks by individuals, municipalities, amusement parks and other organizations and groups, and to adopt reasonable rules and regulations for the granting of such permits; and

WHEREAS, Carbon County is desirous of providing for a uniform fee to be assessed for the granting of permits for the public display of fireworks, in order that the County may recover the cost incurred in the investigation required in the granting of said permits;

NOW THEREFORE, BE IT RESOLVED BY THE CARBON COUNTY BOARD OF COUNTY COMMISSIONERS that a One Hundred Dollar (\$100.00) fee will be imposed as an

application fee for permits seeking the public display of fireworks in those areas under the jurisdiction of Carbon County, unless otherwise prescribed by law:

Payment must be provided at the time of the submission of the application.

PASSED, APPROVED AND ADOPTED on this 7th day of May, 2013.

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

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

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

BOARD INTERVIEWS / APPOINTMENTS

Commissioner Johnson moved to reappoint July Welton and appoint Lynn Acord to the Platte Valley Community Center Joint Powers Board for three-year terms expiring June 2016, appoint DeBari Martinez to the Museum Board for a three-year unexpired term expiring July 2014; and appoint William Scoggin to the Old Penitentiary Joint Powers Board for a three-year term expiring May 2016. Commissioner Glode seconded and the motion carried unanimously.

Commissioner Jones moved to reappoint Heidi Helm and appoint Liza Sanderson to the Carbon County Community Juvenile Services Board as Department of Family Services representative and the local or regional mental health or substance abuse provider respectively for three-year terms each expiring June 2016. Commissioner Glode seconded and the motion carried unanimously.

Clerk Bartlett advised that Henry Hewitt's term on the Memorial Hospital Board will expire in July and per state statute a successor should be appointed in June. She asked if the BOCC would like to appoint Mr. Hewitt to an additional five-year term or advertise for the position. The BOCC would like to reappoint Mr. Hewitt in June assuming he is interested.

Clerk

Clerk Bartlett reported she is advertising to amend the Fire Department and Coroner's budgets and the hearing will be May 21 in Hanna during their regular meeting. There was some discussion about budget procedures.

BOARD APPOINTMENTS

Traci Blaize and Corinne Miller were interviewed in person for reappointment and appointment to the Carbon County Community Juvenile Services Board as a professional who has particular knowledge or expertise in children or young adult services. Ed Glode was interviewed for consideration for the Saratoga – Carbon County Impact Joint Powers Board. Commissioner Glode did not participate in the interview as Mr. Glode is her nephew.

Commissioner Glode moved to appoint Traci Blaize and Corinne Miller to the Carbon County Community Juvenile Services Board as the professional with expertise in children and the representative

from the public defender's office respectively for three-year terms each expiring June 2016. Commissioner Jones seconded and the motion carried unanimously.

Commissioner Johnson moved to reappoint Ed Glode to the Saratoga-Carbon County Impact Joint Powers Board for a three-year term expiring July 2016. Commissioner Jones seconded and the motion carried with Commissioners Johnson and Jones and Chairman Chapman voting for the motion and Commissioner Glode abstained due to a personal conflict.

RECESS

Chairman Chapman recessed for lunch at 12:05 p.m. and reconvened at 1:24 p.m.

BOND

Commissioner Johnson moved to approve a bond for Alethea M. Foster, Clerk Treasurer for the Town of Baggs in the amount of \$50,000.00. Commissioner Glode seconded and the motion carried unanimously.

PLANNING & ZONING

Public Hearing – Z.C. Case File No. 2013-01

Chairman Chapman opened a public hearing at 1:30 p.m. to hear Planning & Zoning Z.C. Case File No. 2013-01. Sid Fox, Planning Director and Thomas Powell GIS Specialist presented Z.C. Case File No. 2013-01 – Kyle and Lindsay McKee's request for a Zone Change from Residential (RD) to Rural Residential Agriculture (RRA-5) for the Weber Mesa Subdivision, Block 2, Lot 1.

Chairman Chapman called for comments for or against this matter. Kathy Staman, Baggs Mayor stated she feels this is appropriate for the area. There being no further comments Chairman Chapman closed the public hearing at 1:40 p.m.

Commissioner Johnson moved to approve Z.C. Case File No. 2013-01, Kyle and Lindsay McKee for a Zone Change from Residential to Rural Residential Agriculture. Commissioner Jones seconded and the motion carried with Chairman Chapman and Commissioners Johnson, Jones and Espy voting for the motion and Commissioner Glode abstained as Lindsay McKee is her niece.

Public Hearing – C.U. Case File No. 2013-04

Chairman Chapman opened a public hearing at 1:41 p.m. to hear Planning & Zoning Z.C. Case File No. 2013-04. Mr. Fox presented Planning & Zoning C.U. Case File No. 2013-04 – Town of Baggs' request for a Conditional Use Permit for the construction of a new 190,000 gallon water storage tank in the Ranching, Agriculture, Mining (RAM) Zone.

Chris Lidstone, Town of Baggs engineer reported Baggs received an EPA administrative order in 2011 regarding the fact a particular substance exceeded allowable limits. Mr. Lidstone further explained the proposal stating they originally thought they would install one new tank and fix the old one but now would likely install two new tanks and remove the old one because the old one is not capable of being repaired. The footprint of the project would be the same or smaller as the current layout. Mayor Staman

agreed this is the most cost efficient way to proceed even though this is a slightly different request to the county than the original request was. Mr. Fox agreed there is no significant problem with this change.

There being no further comments Chairman Chapman closed the public hearing at 1:55 p.m.

Commissioner Jones moved to approve Resolution No. 2013-14 A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding Z.C. Case File No. 2013-01. Commissioner Johnson seconded and the motion carried with Chairman Chapman and Commissioners Johnson, Jones and Espy voting for the motion and Commissioner Glode abstained as Lindsay McKee is her niece.

Resolution No. 2013 – 14

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 #2013-01

WHEREAS, pursuant to Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on Monday, April 1, 2013, which hearing was advertised by public notice at least thirty (30) days prior to hearing; and

WHEREAS, at the Monday, April 1, 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 public hearing; and

WHEREAS, at the conclusion of said Monday, April 1, 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 to adopt the 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 Wyo. Stat. Ann. §18-5-202(c) and after receipt of said certified recommendation of this zoning amendment(s) 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(s), which said hearing occurred on Tuesday, May 7, 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 the proposed amendment(s) have also reviewed and considered the Carbon County Comprehensive Land Use Plan, as amended; and the Carbon County Wyoming Zoning Resolution of 2003, as amended; and

WHEREAS, the Carbon County Board of County Commissioners have determined that the proposed amendment(s) is in general conformance with the Carbon County Comprehensive Land Use Plan, as amended, and the applicable provisions of 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 proposed zoning amendment(s) to the Carbon County Official Zoning Map.

Z.C. Case File #2013-01 – Kyle and Lindsay McKee (Applicants and Land Owners):

Request for a Zone Change from Residential (RD) to Rural Residential Agriculture (RRA-5) for the Weber Mesa Subdivision, Block 2, Lot 1. The RRA Zone is intended to be applied in areas of the County which are particularly suited to large lot development that allow both agricultural and residential uses.

Parcel Number: 13912730200100

Location: 10 Sage Road – approximately 2.5 miles north of the Town of Baggs; east side of HWY 789.

Legal Description: Weber Mesa Subdivision, Block 2, Lot 1, located within Section 27, T13N, R91W, 6th P.M., Carbon County, Wyoming.

**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 adopts this amendment(s) as certified to them in writing by the Carbon County Planning and Zoning Commission and the existing zone shall be changed from Residential (RD) to Rural Residential Agriculture (RRA-5). **PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 7th of May, 2013.

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

By: -s- Leo Chapman, Chairman
-s- John Johnson, Member
-s- Sue Jones, Member

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Commissioner Jones moved to approve Resolution No. 2013-15 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 File No. 2013-04 subject to the conditions as outlined in the staff report including an additional smaller tank. Commissioner Johnson seconded and the motion carried unanimously.

Resolution No. 2013 – 15

**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 #2013-04

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, April 1, 2013, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, April 1, 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, April 1, 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, May 7, 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 Conditional Use Permit; 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.

C.U. Case #2013-04 – Town of Baggs (Applicant and Land Owner): Request for a Conditional Use Permit for Public Utilities and Facilities; the construction of a new 190,000 gallon water storage tank and refurbishment or replacement of the existing water tank in the Ranching, Agriculture, Mining (RAM) Zone. The proposed project is located at 5120 State HWY 789 – at the existing town water tank site, approximately one-half mile south of the Town of Baggs, on the west side of WY HWY 789.

Parcel Number: 12910530070000

Legal Description: Beginning at a point which bears S55°00½'E, 3851.58 feet distant from the common corner of Sections 5, 6, 7, and 8, T12N, R91W; Thence N57°03'E. 299.56 feet, more or less, to a point on the West right-of-way line of Wyoming State Highway 789, said point being a 3° curve at the centerline of said highway; Thence southeasterly along said right-of-way and along said curve, having a radius of 2009.86 feet to said right-of-way, a distance of 12.75 feet, and through a central angle of 0°21'48" to the point of curvature of said curve at the west right-of-way line; Thence S34°41'E along said right-of-way line 247.45 feet to a point; Thence S57°03'W, 307.14 feet, more or less, to a point; Thence N32°57'W, 260.00 feet to the point of beginning: Said tract being in the SW1/4NE1/4, Sec. 8, T12N, R91W of the 6th P.M., in Carbon County, Wyoming, and containing 1.811 acres, more or less.

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 the building permit application be accompanied by an approved WYDOT access permit.
2. That the building permit application be accompanied by plans certified by a licensed professional engineer.
3. 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 approves this Conditional Use Permit (CUP) as certified to them in writing by the Carbon County Planning and Zoning Commission regarding the Conditional Use Permit (C.U. Case #2013-04) on approximately 1.811 acres 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 7th of May, 2013.

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

By: -s- Leo Chapman, Chairman

-s- Lindy Glode, Member

-s- John Johnson, Member

-s- Sue Jones, Member

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Certifications

Mr. Fox presented the Certifications of Recommended Action for C.U. Case File No. 2013-05, C.U. Case File No. 2013-06 and C.U. Case File No. 2013-07 for Union Telephone; Z.C. Case File #2013-03 for Curtis and Brenda James; Minor Subdivision Case File No. 2013-01 and Z.C. Case File No. 2013-02 for Brandon and Stacy Perry.

Commissioner Glode moved to schedule a public hearing for June 4, 2013 at 1:30 p.m. at the County Courthouse in Rawlins, Wyoming for C.U. Case File No. 2013-05, C.U. Case File No. 2013-06 and C.U. Case File No. 2013-07 submitted by Union Telephone Company; Z.C. Case File #2013-03 submitted by Curtis and Brenda James; Minor Subdivision Case File No. 2013-01 and Z.C. Case File No. 2013-02 submitted by Brandon and Stacy Perry. Commissioner Johnson seconded and the motion carried unanimously.

CRISIS CENTER

Dawnessa Snyder of the Carbon County Juvenile Crisis Center Board reported that things have changed with the Counseling Center running the Crisis Center. She reported the Counseling Center sent a letter to the BOCC recently basically backing out of running the center. She reported the Crisis Center Board is investigating other alternatives and does not recommend using the Counseling Center to run the facility.

The BOCC suggested other alternatives of who could run the center. Commissioner Johnson asked if there was an MOU between the county and the Counseling Center as to how this would run. There was discussion that the MOU or lease was never in place. Ms. Snyder asked the BOCC to allow her board to meet and come back with a proposal of who might run it and if nobody is willing then a request for qualifications to find someone to run it. The BOCC agreed and asked Ms. Snyder to move swiftly on the matter.

RENEWABLE ENERGY LEGISLATION

Steven Brutger from Trout Unlimited discussed the Public Lands Renewable Energy Development Act, S. 279, H.R. 596. The legislation could help guide responsible and equitable development of wind and solar energy on public lands. It ensures states and counties where projects are located receive a share of collected revenues and impacts to fish and wildlife are avoided, minimized, and mitigated. He is asking for county support to help ensure this legislation passes. He asked for a letter of support on the matter.

Commissioner Jones suggested offering the BOCC's support on the matter. Chairman Chapman stated he would like to obtain more information before supporting the idea. Commissioner Johnson stated currently he is supportive of the bill and concept however he feels this is fairly new and it wouldn't hurt the BOCC to wait and discuss this at the next meeting or in a month.

NATIONAL TRAVEL AND TOURISM PROCLAMATION

Lisa Howell, Executive Director of the Carbon County Visitors' Council provided an update. She presented a proclamation declaring May 4-12, 2013 as National Travel and Tourism Week.

Commissioner Johnson moved to approve the National Travel and Tourism Week Proclamation of the Board of County Commissioners for Carbon County. Commissioner Glode seconded and the motion carried unanimously.

RECESS

Chairman Chapman called a recess at 3:21 p.m. and reconvened at 3:28 p.m.

EXECUTIVE SESSION

Commissioner Jones moved to go into executive session at 3:28 p.m. with Clerk Bartlett and Attorney Kelly, Treasurer Baldwin, Linda Skordas, Gene Carrico, David Throgmorton, Leon Corpuz Jr., Kelly Bohanan, Lori Smith, and Jacqueline Bowlus to discuss property acquisition, personnel and other matters considered confidential by law. Commissioner Johnson seconded and the motion carried unanimously.

Treasurer Baldwin, Linda Skordas, Gene Carrico, David Throgmorton, Leon Corpuz Jr., Kelly Bohanan, Lori Smith, and Jacqueline Bowlus left the session at 4:13 p.m.

Commissioner Jones moved to come out of executive session at 4:25 p.m. noting no action was taken and directed the minutes be signed and sealed. Commissioner Johnson seconded and the motion carried unanimously.

MUSEUM

Commissioner Glode moved to allow the Museum to negotiate to purchase property. Commissioner Johnson second and the motion carried unanimously.

ADDITIONAL SERVER TO RAWLINS POLICE DEPARTMENT

Matt Webster stated this was a follow up to a discussion at the last Commissioners meeting about a backup server to be installed at the City of Rawlins Police Department for Spillman. Dan Izzo, Finance Director for the City of Rawlins stated that one question the county had is if the City of Rawlins is paying for its share of the maintenance agreements of Spillman. He advised that the police department is paying 100% of the licenses and maintenance agreements for the use of the Spillman server that is the software and the city is not paying any hardware fees. Mr. Webster advised we are still covered under warranty for maintenance. Mr. Webster stated the question is whether the twice yearly system check was maintenance. He advised that Clerk Bartlett suggested that if it is hardware maintenance that the city pay for the \$12,500.00 each year for three years. Mr. Izzo stated we do not have total redundancy with Spillman. Mr. Izzo advised the purchase price is \$70,000.00 and \$12,500.00 a year for the next three years. Mr. Izzo discussed what would happen if a server were to go down and asked for a verbal commitment from the county.

Commissioner Johnson moved to give a non binding verbal commitment to enter into an agreement with the City of Rawlins in the amount of \$35,000.00 to purchase a Spillman redundant backup server. Commissioner Glode seconded and the motion carried unanimously.

SCENIC BYPASS

John Farr presented the BOCC with custom maps showing the scenic byway marker on the pass.

FIRE PROTECTION

John Rutherford, County Fire Warden advised he has provided Sinclair Fire with a draft agreement as they have asked for help as they only have three members left. He advised that state statute does allow the county to have agreements with municipalities and his top priority is to get these agreements in place.

Mr. Rutherford advised he has spoken with Peggy Trent, attorney for the Town of Hanna and she felt that the MOU in place now is still adequate. Mr. Rutherford advised there is an amendment about leasing the fire station and there is only one payment left to purchase. Mr. Kelly advised there is no agreement that the county is providing fire service to the town. Mr. Rutherford stated he advised Ms. Trent that it was not the county's intent to not provide fire services to the Town of Hanna.

Mr. Rutherford advised he has received a wish list from Medicine Bow totaling \$488,700.00 and his operating budget last year was \$267,000.00 not including the lease purchase of a pumper for Hanna. Mr. Rutherford discussed the equipment he would like the divisions to have, what divisions the county can support and fund. He stated we do need to have rescue agreements with the Town of Baggs and Elk Mountain.

Kevin Colman, Medicine Bow Mayor discussed rescue and that the units we currently have will not cover all of the areas. He advised an MOU is needed for an agreement to use their pumper for county work. Mr. Rutherford advised there will be a division chief's meeting on May 18 to discuss different issues including the needs of the departments for budget purposes. Kenda Colman from Medicine Bow voiced her concerns.

Scott Hannum, Rawlins Fire Department Chief stated that each community is required to provide their own fire protection first and then offer services to other communities and utilizing the county resources. He advised he is here to support Mr. Rutherford's efforts as the County Fire Warden to make it safe for everyone.

Peter Andrews, Medicine Bow Fire Chief stated they do not have a fully functional county truck in his station. Mr. Rutherford discussed costs to go to different communities to suppress fires and that his priorities right now are Sinclair and Sweetwater County.

Commissioner Glode asked can we and do we levy mills for fire. Mr. Rutherford replied you can and read State Statute 18-3-509(b).

COMMISSIONERS DISCUSSION

Commissioner Glode advised June 3 the BOCC has a budget meeting for outside agencies. She advised she is on the subcommittee for the Energy and Environment Committee and she has been asked to attend a Joint Revenue Committee meeting in Cheyenne on the delinquent mineral tax issue which she would like to attend and may miss the budget meeting.

Commissioner Jones advised that regarding the broadband grant, the Casper EDA does not like the long timeline of the grant process and they may pursue private funding and if that happens, Carbon County will not be in the game.

ADJOURNMENT

Commissioner Johnson moved to adjourn the meeting at 5:34 p.m. Commissioner Jones seconded and the motion carried unanimously.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 21st day of May 2013

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Leo Chapman, Chairman