

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
SPECIAL MEETING
Thursday, May 15, 2014
County Courthouse, Rawlins, Wyoming**

A special meeting of the Board of Carbon County Commissioners (BOCC) commenced Thursday, May 15, 2014 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were; Chairman Leo Chapman; Vice Chairman John Espy; Commissioners Sue Jones and John Johnson. Commissioner Lindy Glode was absent. Also present were County Clerk Gwynn Bartlett, County Treasurer Cindy Baldwin and Deputy County Attorney Mike Kelly. Commissioner Espy left the meeting after the morning session and did not return.

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

BUDGET

Undersheriff Archie Roybal reported he is advertising for bids for equipment to be paid for with E911 funds. He simply wanted to make the board aware that this is being advertised.

Clerk Bartlett presented the Tentative Budget Summary for 2014-2015 noting state statute requires this to be filed with the Board of County Commissioners on or before May 15 annually.

Commissioner Espy moved to authorize the Chairman's signature on the Tentative Budget for FY 2014-2015. Commissioner Jones seconded and the motion carried unanimously.

Commissioner Jones moved to authorize the Chairman's signature on grant certifications for the Dixon Airport Seal Coat and Pavement Marking project. Commissioner Johnson seconded and the motion carried unanimously.

ELECTED OFFICIALS SALARIES

Commissioner Johnson moved to untable the motion made at the previous meeting to discuss elected officials salaries. Commissioner Jones seconded and the motion carried unanimously.

Chairman Chapman discussed the current salaries of elected officials and inflation rates. He proposed no raise for 2015 then thereafter raise salaries 1%, 2%, and 3% respectively.

Commissioner Jones stated her appreciation for all elected officials but stated she has issues giving a raise. She discussed the additional cost of payroll taxes and benefits paid on the salaries. She mentioned the median wage of chief officer positions in Wyoming is approximately \$65,000.00. She stated she is not in favor of raises right now and that it is not fair for elected officials to make two to three times what employees make.

Commissioner Espy stated that he also appreciates elected officials however he cannot, in good conscious, spend money the county does not have until it is collected. He stated he agrees with Commissioner Jones.

Commissioner Johnson reported he also has a hard time expending funds without having the money first but that he understands the decision is set for 4 years. He does not foresee any significant increase in funds from the Chokecherry and Sierra Madre wind farm until 2017 or later. He also mentioned that elected officials cannot receive a bonus where other employees could.

Commissioner Espy moved to follow Commissioner Johnson's recommendation of 0% for 2015 and 2016 then 1% rounding down to \$71,700.00 for 2017 and 2% rounding down to \$73,100.00 for 2018 for the Clerk, Clerk of Court, Treasurer, Coroner, Sheriff and Assessor and leave the Attorney at \$100,000.00 for the entire 4 years. Commissioner Johnson seconded and Clerk Bartlett asked if this is on a calendar year basis and confirmed the positions being discussed. County Attorney Cal Rerucha stated he feels the BOCC is ignoring the good efforts of our State Representatives to get more money for counties. He also discussed that if the county budgets must be cut 5% then elected officials salaries should be cut 5% as well. Commissioner Johnson wanted to address the County Attorney's previous offering to give up \$10,000.00 of his salary and stated he is conflicted on this matter. There was further discussion about the fact that half of the attorney salary is reimbursed. The motion carried with Commissioners Espy and Johnson and Chairman Chapman voting for the motion and Commissioner Jones voting against the motion.

Commissioner Johnson moved to leave Commissioners salaries at \$25,000.00 for 4 years. Commissioner Espy seconded and the motion carried unanimously.

RECESS

Chairman Chapman called a recess at 9:40 a.m. and reconvened at 10:00 a.m.

ELECTED OFFICIALS SALARIES

Commissioner Espy moved to adopt Resolution 2014-09, a resolution setting elected officials salaries. Commissioner Johnson seconded and the motion carried with Commissioners Johnson and Espy and Chairman Chapman voting for the motion and Commissioner Jones voting against.

RESOLUTION NO. 2014-09

WHEREAS, Cheryl Ross, County Assessor, Cal Rerucha, County Attorney, Gwynn G. Bartlett, County Clerk, Deborah Olson, Clerk of District Court, Jerry Colson, County Sheriff, Cindy Baldwin, County Treasurer, and Paul Zamora, County Coroner, are the current elected county officers in and for Carbon County Wyoming; and

WHEREAS, Lindy Glode, Willing John Johnson, Leo Chapman, John Espy and Laura Sue Jones, are the current County Commissioners in and for Carbon County Wyoming; and

WHEREAS, pursuant to Wyo. Stat. § 18-3-107(a)(i)(C), 2013, from and after January 3, 2011, the specified full-time county officers, with the exception of the county attorney, shall receive an annual salary not less than Ten Thousand Dollars (\$10,000.00) nor more than One Hundred Thousand Dollars (\$100,000.00); and

WHEREAS, pursuant to Wyo. Stat. § 18-3-107 (a)(ii)(C) and Wyo. Stat. § 9-1-802(d), 2013, from and after January 3, 2011, the specified County Attorney shall receive an annual salary of not less than Thirty-Five Thousand Dollars (\$35,000.00) nor more than One Hundred Thousand Dollars (\$100,000.00); and

WHEREAS, pursuant to Wyo. Stat. §18-3-107(c), 2013, the salary of the commissioners shall be set by resolution and shall not be more than the lowest compensation paid any elected county officer in the same county who serves full-time; and

WHEREAS, the current salary of the County Assessor, County Clerk, Clerk of the District Court, County Sheriff, and County Treasurer is Seventy-One Thousand Twenty Dollars Fifty-Six center (\$71,020.56), annually; and

WHEREAS, the current salary of the County Attorney is One Hundred Thousand Dollars (\$100,000.00) annually; and

WHEREAS, the current salary of the County Commissioners is Twenty-Five Thousand Dollars (\$25,000.00) annually; and

WHEREAS, the board of county commissioners of each county shall meet not later than June 1, 2014, and on or before the same date each four (4) years thereafter, for the purpose of setting salaries, which shall not be changed during the term of each official for whom a salary is determined; and

WHEREAS, the undersigned are desirous that qualified, full time dedicated and professional people be attracted to county offices; and

WHEREAS, the duties of county officials will continue to increase in light of mandates by state and federal government, and impact from natural resource production and various other local changes; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Carbon County set the salary for the Carbon County Assessor, County Clerk, Clerk of District Court, County Sheriff, County Treasurer and County Coroner as follows for a period of four years to be paid in equal monthly installments:

January 1, 2015 through December 31, 2016 a salary of Seventy-one Thousand Twenty Dollars and Fifty-Six Dollars (\$71,020.56); and

January 1, 2017 through December 31, 2017, a salary of Seventy-One Thousand Seven Hundred Dollars (\$71,700.00), and

January 1, 2018 through December 31, 2018, a salary of Seventy-Three Thousand One Hundred Dollars (\$73,100.00).

BE IT FURTHER RESOLVED, that the Board of County Commissioners of Carbon County set the salary for the Carbon County Attorney as follows for a period of four years to be paid in equal monthly installments:

January 1, 2015 through December 31, 2018, a salary of One Hundred Thousand Dollars (\$100,000.00).

BE IT FURTHER RESOLVED, that the Board of County Commissioners of Carbon County set the salary for the Carbon County Commissioners as follows for a period of four years to be paid in equal monthly installments:

January 1, 2015 through December 31, 2018, a salary of Twenty-Five Thousand Dollars (\$25,000.00).

PASSED, APPROVED AND ADOPTED this 15 day of May, 2014.

Board of County Commissioners
Carbon County Wyoming
-s- Leo Chapman, Chairman
-s- John Espy
-s- Willing John Johnson
-s- Sue Jones

Attest: -s- Gwynn G. Bartlett, County Clerk

RECESS

Chairman Chapman called a recess at 10:05 a.m. and reconvened at 1:30 p.m.

OIL AND GAS DEVELOPMENT

Chairman Chapman opened the meeting by welcoming everyone and asked that each speaker keep their comments brief and welcomed public input on the topic of oil and gas development in the Little Snake River (LSR) Valley area. Commissioner Espy was absent.

Sharon O'Toole discussed the potential sale of 10 acres around the Boyer Bridge however stated she was previously assured by the Chairman this would not occur. She said it was originally used by the county as a water stop on the Savery Stock Drive and is still used today for a livestock crossing. She also stated she understood that GRMR is interested in leasing minerals under county land. She stated they have bonded on to their split estate lands in several places and not treated her neighbors very well in her opinion.

Ms. O'Toole stated the LSR Conservation District provided her with a surface use agreement and they recommend specific language be in any such agreement. She provided the BOCC with a copy of this. She urged the county to proceed carefully with that.

Ms. O'Toole stated the LSR Landowner Stakeholder Association will negotiate as a group with various types of developers. She requested the BOCC's support of the group. Commissioner Johnson asked how the BOCC can support the group. She stated she would have to request specific support in the future but at this point just simply acknowledging the formation of the group.

Commissioner Jones stated some development cannot be stopped and some could and she suggested starting over with the group once formed and companies that want to develop to

ensure all parties are happy. Ms. O'Toole replied she is not the official spokesperson for the group however she stated this is not an anti-development group but rather a group to represent the interests of landowners in the valley. Chairman Chapman stated it is not his intention to sell the 10 acres around the bridge that GRMR would like to lease. The other Commissioners agreed. Commissioner Johnson reported there may be a no overnight camping rule put on the property.

Lela Emmons of Savery stated the 10 acre parcel the county owns came about because an individual sold it before it was to be taken from her. She stated that original owner would have never sold it had she known that mineral development would later occur. She would like the property to be offered back to the family that initially sold it if it were ever considered for sale. She suggested passing a ruling for county properties that if they were taken from a family they should first be offered to those families rather than just offering them up for sale. She believes this particular property should remain as a stock drive. She suggested if a no overnight camping rule were placed on the property the BOCC exclude sheep herders and others associated with livestock. She further discussed the unregulated and unmonitored camping on the property, normally by hunters. In general, she feels large potential oil and gas development threatens to affect other uses such as hunters, ranching and vacation rentals. She stated when development occurs, it must be done in a manner where the entire area is not destroyed.

Attorney Kelly overviewed how the county came to own the 10 acre parcel. Commissioner Johnson asked if the stock drive has a legal easement with it. Ms. O'Toole stated it is historic and outlined its path. She believes a good portion of the trail has undergone a National Environmental Protection Act process through the Bureau of Land Management.

Bill Nation, County Road & Bridge Superintendent stated he concurs with the county maintaining the 10 acre parcel and he agrees with putting a no camping policy on the property. Pertaining to the oil company's right to explore, today they are purchasing 25 loads of gravel at Cherry Grove.

Lynn Bloomgarden, attorney with Crowley Law Firm appeared on behalf of GRMR Oil and Gas. She stated GRMR is committed to continuously working with landowners, groups and the county on future and current development. She stated there was a surface breach that occurred on a ranch however GRMR immediately worked on repairs but there was no order from the Oil and Gas Commission required as someone stated at the BOCC's May 6 meeting.

Commissioner Jones suggested future meetings in the LSR Valley area and declared she wants something done rather than sitting back after this meeting. She asked what the group would like to do. Ms. O'Toole stated that the landowners group will be meeting soon and she hopes at that time they will have more solid information for the Commissioners.

Bob Davis of the valley area reported the landowners group would like to inform landowners about legal and other options to try to arrive at a cooperative surface use agreement with GRMR, primarily for drilling. Commissioner Johnson asked if Mr. Davis has an agreement with GRMR and Mr. Davis stated he has leased their minerals and his experience with the company was excellent noting they have not performed seismic activity on his ground to date. Commissioner

Johnson tried to determine the need of the BOCC to be involved at this time.

Ms. Emmons requested the BOCC keep the landowners group informed of upcoming issues. Chairman Chapman noted all meetings are public, advertised, broadcast online and that people can monitor agendas and meetings for issues as well.

Commissioner Jones stated this county is poised to be heavily impacted by several types of energy and companies and individuals must be involved. She stated not one type of development should be sacrificed for the other and that she feels like everyone can work together. She encouraged the landowners group to keep open and civil discussions with the developers and she offered to be there as well.

Sid Fox, County Planning & Development Director offered that any application that comes before the BOCC such as a conditional use permit for wind energy facilities, zoning or subdivision action can be noticed to the landowners group once they have a main contact established.

Dan Massey, Rawlins City Manager distributed a landownership map around the city's water supply at Sage Creek Springs. He noted the city owns approximately 2,000 acres in the area with 24 springs that feeds approximately 10,000 people with water. The city is very sensitive about development in the area as the water supply is pristine and they are concerned the supply could be affected by development. Mr. Massey stated the state provided a mineral lease in the middle of the city's water supply on state owned land. The lease is a 5 year lease and he is hoping they do not drill. He asked that the BOCC consider letting the city know of issues that could affect them, especially in the area of the city's water supply. Commissioner Johnson reported he believes Elk Mountain has protected its water supply and suggested Rawlins contact the Wyoming Water Development Commission.

Ms. O'Toole stated that the official points of contact for the landowners group are Megan Lally and Bob Davis. Mr. Davis stated they are speaking with GRMR and will continue to work with interested parties.

ADJOURNMENT

Commissioner Johnson moved to adjourn the meeting at 2:31 p.m. Commissioner Jones seconded and the motion carried unanimously.