

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, December 16, 2014
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, December 16, 2014 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.

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

ADDITIONS / CORRECTIONS

There were no additions or corrections to the agenda.

VOUCHERS

Commissioner Jones moved to approve the report of expenditures in the amount of \$306,368.26. Commissioner Glode seconded and the motion carried unanimously.

Commissioner Espy moved to approve bills to Sunrise Sanitation for \$80.00. Commissioner Johnson seconded and the motion carried with all voting for the motion except Commissioner Jones who abstained due to a personal conflict.

Commissioner Espy moved to pay bills to Rawlins Automotive for \$370.00, Shively Hardware for \$454.67 and True Value of Rawlins for \$1,613.56 for an aggregate total of bills paid today of \$308,886.49. Commissioner Jones seconded and the motion carried with all voting for the motion except Commissioner Glode who abstained due to personal conflicts.

Vendor	Detail Line Description	Total
ACTION SERVICES, INC	PLUMBING REPAIRS	\$ 335.95
ALL IN ONE	PLUMBING REPAIRS	\$ 800.00
BAGGS, TOWN OF	WATER SERVICES	\$ 23.20
BANK OF COMMERCE (DEBIT CARD)	VARIOUS CHARGES	\$ 4,355.63
BEACH, HOMER	SNOW REMOVAL	\$ 70.00
BEHAVIORAL INTERVENTIONS	ELECTRONIC MONITORING	\$ 3,593.80
BESEL, KEN	MILEAGE	\$ 48.00
BOB BARKER COMPANY, INC.	SUPPLIES	\$ 661.61
BOYS & GIRLS CLUBS OF CARBON CTY	GRANT FUNDS	\$ 1,837.23
BROWN'N GOLD CONTRACTING	SNOW REMOVAL	\$ 40.00
BUILD RITE LUMBER SUPPLY	SHIPPING/SNOW PLOW	\$ 75.40
C & D FABRICATION	VEHICLE MAINTENANCE	\$ 3,000.00
CARBON COUNTY SENIOR SERVICES	HEALTH SUBSIDY/MEALS	\$ 1,798.00

CARBON COUNTY TREASURER	VARIOUS CASH ITEMS	\$ 978.00
CARBON COUNTY YOUTH CRISIS CTR	GRANT FUNDS	\$ 7,426.11
CARBON MERCANTILE CORPORATION	SHERIFF UNIFORMS	\$ 31.99
CARBON POWER & LIGHT INC	ELECTRICAL SERVICES	\$ 3,179.76
CARERIGHT TECHNOLOGIES, LLC	MEDRIGHT MOBI	\$ 225.00
CASPER WINNELSON CO	SUPPLIES	\$ 148.27
CBM FOOD SERVICE	JAIL MEALS	\$ 8,227.57
CENTRAL RESTAURANT PRODUCTS	SUPPLIES	\$ 120.76
CENTURYLINK	TELEPHONE SERVICES	\$ 3,953.21
CENTURYLINK-PHOENIX	TELEPHONE SERVICES	\$ 383.26
CH2M HILL	DIXON AIRPORT EXPANSION	\$ 2,400.00
CHARTER COMMUNICATIONS	CABLE/INTERNET/FIBER LINE SVCS	\$ 3,146.21
CMI-TECO	PARTS	\$ 773.24
COCA-COLA BOTTLING CO HIGH CTRY	EQUIPMENT RENTAL	\$ 15.00
DAILY TIMES	NEWSPAPER ADS	\$ 1,828.80
DELEON, JOHN	LEGAL SERVICES	\$ 1,467.00
DEVINE LAW	LEGAL SERVICES	\$ 4,686.25
DIXON, TOWN OF	WATER SERVICES	\$ 130.00
DJ'S	WINDSHIELD REPAIRS	\$ 200.00
DUBOIS TELEPHONE EXCHANGE	TELEPHONE SERVICES	\$ 844.40
EASTMAN, PATRICK	MILEAGE	\$ 27.60
EICHENBERGER, MELISSA	MILEAGE	\$ 206.50
ELK MOUNTAIN CONOCO	TIRES/FUEL	\$ 1,187.51
ELK MOUNTAIN, TOWN OF	WATER SERVICES	\$ 54.50
ENCAMPMENT, TOWN OF	WATER SERVICES	\$ 79.00
ENGSTROM, JAMES D. DDS	DENTAL SERVICES	\$ 2,500.00
ERICKSON & ROBERTS	PROFESSIONAL SERVICES	\$ 786.73
FASTENAL	PARTS	\$ 80.51
FEDEX	SHIPPING CHARGES	\$ 25.20
FOX, SID	MEALS	\$ 100.00
FREMONT MOTORS – LANDER	FIRE VEHICLE	\$ 65,654.19
FREMONT MOTORS – RAWLINS	VEHICLE MAINTENANCE	\$ 1,011.39
FRUDE, CANDICE	MEALS	\$ 76.19
GALLS/QUARTERMASTER	SHERIFF UNIFORMS	\$ 375.50
GCR ELECTRONICS, LLC	SITE RENTALS	\$ 1,200.00
GRAINGER	SUPPLIES	\$ 95.21
HAGOOD, VICKI	MILEAGE	\$ 16.50
HANNA, TOWN OF	WATER SERVICES	\$ 214.00
HIGH PLAINS POWER	ELECTRICAL SERVICES	\$ 370.43
J H KASPAR OIL COMPANY	FUEL	\$ 7,657.36
JACKALOPE PRINTING	OFFICE SUPPLIES	\$ 807.54
JACK'S BODY & FENDER REPAIR	VEHICLE MAINTENANCE	\$ 2,583.47
KARL'S AUTO REPAIR	BATTERIES	\$ 270.00

KENCO SECURITY AND TECHNOLOGY	ALARM MONITORING	\$ 36.00
KILBURN TIRE COMPANY	VEHICLE MAINTENANCE	\$ 1,236.47
KINETIC LEASING	LEASE PAYMENTS	\$ 61,776.00
L & L ELECTRIC	ELECTRICAL REPAIRS	\$ 1,410.09
L N CURTIS & SONS	SUPPLIES	\$ 288.31
LEXBO LLC	OFFICE RENTAL	\$ 500.00
MADER, TSCHACHER, PETERSON & CO.	ADMIN AUDIT	\$ 4,000.00
MEDICINE BOW, TOWN OF	WATER SERVICE	\$ 154.00
MEMORIAL HOSPITAL OF CARBON CTY	MEDICAL SERVICES	\$ 896.80
MERCK SHARP & DOHME CORP.	PH HEALTH VACCINE	\$ 597.52
MILLER CONSTRUCTION	BUILDING REPAIRS	\$ 1,313.00
MOORE MEDICAL CORP.	MEDICAL SUPPLIES	\$ 374.44
MOSS, BARBARA	MILEAGE	\$ 54.60
MPM CORP / EVERGREEN DISPOSAL	GARBAGE SERVICES	\$ 120.00
MT HOOD SOLUTIONS	CLEANING SUPPLIES	\$ 447.20
MY OFFICE ETC.	OFFICE SUPPLIES	\$ 977.19
NORCO, INC.	CYLINDER RENTAL/SUPPLIES	\$ 4,080.13
NORTH PARK PROPANE, LLC	PROPANE SERVICES	\$ 432.25
OFFICE DEPOT	OFFICE SUPPLIES	\$ 150.13
O'REILLY AUTO PARTS	BATTERIES	\$ 310.48
ORION PLANNING GROUP	REGULATION UPDATE	\$ 3,850.00
PATTON, ROBERT L.	MILEAGE	\$ 26.40
PERKINS OIL CO	FUEL	\$ 3,202.66
PERUE PRINTING	VOUCHERS	\$ 228.00
PICKETT, CHAD	MILEAGE	\$ 40.20
PLAINSMAN PRINTING & SUPPLY	INK/LABELS	\$ 61.43
PUBLIC SAFETY CENTER, INC	SUPPLIES	\$ 433.05
QUESTAR GAS	GAS SERVICES	\$ 112.37
QUILL CORPORATION	SUPPLIES	\$ 308.66
RADAR SHOP, THE	RECERTIFY UNITS	\$ 218.50
RAWLINS AUTOMOTIVE	PARTS	\$ 370.00
RAWLINS EASTSIDE CARWASH	WASH CARDS	\$ 54.00
RAWLINS, CITY OF	WATER SERVICES	\$ 191.10
REYNOLDS, DEZIREE	MEALS	\$ 65.70
RICOH USA INC	IT COPIERS	\$ 2,639.51
RICOH USA, INC	IT COPIERS	\$ 804.81
RIEHL, MATTHEW E. P.C.	LEGAL SERVICES	\$ 502.50
RIETVELD, TONI	FUEL/MEALS	\$ 53.54
ROBIDOUX ENTERPRISES	OIL CHANGE	\$ 55.44
ROCKY MOUNTAIN POWER	ELECTRICAL SERVICES	\$ 3,197.45
ROWAN, KRISTY	MEALS	\$ 10.47
RYAN ELECTRONICS INC	CONTRACT FEE/SUPPLIES	\$ 5,311.46
SARATOGA AUTO PARTS, INC.	PARTS	\$ 213.90

SARATOGA, TOWN OF	WATER SERVICES	\$ 132.10
SHEPARD'S	FUEL	\$ 3,109.30
SHIVELY HARDWARE	SUPPLIES	\$ 454.67
SHOPKO	MEDICAL SUPPLIES	\$ 37.45
SHOPKO PHARMACY	PRESCRIPTIONS	\$ 283.55
SKYLINE MOTORS, INC.	VEHICLE MAINTENANCE	\$ 598.50
SOURCE GAS	GAS SERVICES	\$ 1,044.23
SUNRISE SANITATION SERVICE, LLC.	GARBAGE SERVICES	\$ 80.00
SWEETWATER CTY SHERIFF'S OFFICE	INMATE HOUSING/MEDICAL	\$ 7,306.91
TANDAN SANITATION SERVICES	GARBAGE SERVICES	\$ 80.00
TERMINIX	PEST CONTROL	\$ 38.00
THE QUIK LUBE	OIL CHANGE	\$ 54.93
TRUE VALUE OF RAWLINS	SUPPLIES	\$ 1,613.56
U S POSTMASTER-RAWLINS	PO BOX RENT	\$ 608.00
UNION TELEPHONE COMPANY	TELEPHONE SERVICES	\$ 2,371.86
US BANK	SUPPLIES/FUEL/MEALS	\$ 3,722.45
V-1 PROPANE	PROPANE/TANK RENT	\$ 2,252.13
VAN'S WHOLESALE LLC	SUPPLIES	\$ 1,222.67
VOIANCE LANGUAGE SERVICES LLC	INTERPRETATION	\$ 10.50
VOSBERG, JAMIE	MEALS/MILEAGE	\$ 101.34
WELLS, JACQUELIN	MEALS/SUPPLIES	\$ 91.06
WEX BANK	FUEL	\$ 364.38
WORLD WASH LLC	EXHAUST SYSTEM CLEANING	\$ 475.00
WY DEPT OF HEALTH	VEHICLE BILLING	\$ 127.00
WY DEPT OF TRANSPORTATION	ELK MNT BRIDGE REPLACE	\$ 33,708.70
WY MACHINERY COMPANY	VEHICLE MAINTENANCE	\$ 3,274.96
WY PUBLIC HEALTH LABORATORY	LAB SERVICES	\$ 14.00
WY WASTE SERVICES-RAWLINS	GARBAGE SERVICES	\$ 1,511.33
YAMPA VALLEY ELECTRIC	ELECTRICAL SERVICES	\$ 885.17
YOCUM, LEO	MILEAGE	\$ 24.00
GRAND TOTAL		\$ 308,886.49

CONSENT AGENDA

Commissioner Johnson moved to approve the consent agenda. Commissioner Jones seconded and Clerk Bartlett noted the consent agenda includes the December 2, 2014 regular meeting minutes; a bond for Doreen Harvey, Clerk/Treasurer for the Town of Encampment in the amount of \$25,000.00; and Clerk of District Court receipts for \$1,667.03. The motion carried unanimously.

ELECTED OFFICIALS / DEPARTMENT HEADS

Attorney

Mike Kelly, Deputy Attorney reported DKRW will hold its second bi-annual meeting December 18 in Hanna. Mr. Kelly also reported there was an inter-disciplinary team meeting for the Transwest Express project and currently the Environmental Impact Statement is in agency review with the final being released February 2015.

Treasurer

Cindy Baldwin, County Treasurer reported in the last legislative session a new law was passed that trailers with living quarters must now be licensed by weight rather than a flat \$15.00 fee. This portion of the registration fee could be as much as \$60.00.

Chairman Chapman reported he talked with a member of the Jeffrey Center Board who would try to get their information to the auditors for completion of the county's audit.

Planning & Development

Sid Fox, County Planner reported he recently spoke with the Yampa Valley Sustainability Council regarding solid waste disposal and they are applying for USDA grant funds and asked that the county send a letter of support. Mr. Fox said their sample letter would commit the county to providing trans and recycling data from Carbon County and that this may be a good idea for the county to do anyway as it has never been done before. The BOCC was fine with support but did not want to commit the Planning Office to providing the data noting the county is not in the landfill business anyway. Mr. Kelly agreed that commitment may not be a good idea at this time and Commissioner Jones added it is not necessary as the Department of Environmental Quality is already having a firm compile similar data. The BOCC noted this should be brought up at Carbon County Council of Governments (COG). Commissioner Glode stated she would like to personally read about the council before she would approve a letter of support. Mr. Fox stated he would bring this back at a future meeting.

Mr. Fox updated the BOCC on his recent meeting with the Saratoga-Encampment-Rawlins Conservation District about planting vegetation along Interstate 80 on the county's property at Skyline Acres. He has contacted some other property owners to determine their interest however none have been interested so far.

Commissioner Jones asked about progress of transferring Skyline Acres to the Carbon County Economic Development Corporation. Mr. Kelly reported this was done in Albany County and he is still investigating and he has not made a final determination of whether this would be legal.

Mr. Fox also reported in Laramie County, they charge a community facilities fee and each time a new lot is created there is a fee assessed at the time the plat or other document is approved. Each time a new lot is created there are additional demands for services including fire services and he asked if the BOCC would be interested in Mr. Fox investigating this to be implemented in Carbon County. He noted he would foresee this being designated for fire protection including potentially for grant matches for fire. The BOCC agreed he should pursue this and stated they would like the fund to be used for fire protection only and not swallowed up by the general fund.

IT

Matt Webster, IT Director discussed a contract to lease one copier from Ricoh for the Planning Department in the amount of \$691.80 per quarter for 48 months for a total of \$11,068.80. He noted he did obtain competitive quotes and this is by far the best price and added that the agreement was reviewed and approved by the County Attorney.

Commissioner Glode moved to approve a Lease Agreement between Carbon County and Ricoh for a total of \$11,068.80. Commissioner Johnson seconded and Commissioner Espy asked if the procurement policy was followed. Mr. Webster reported he contacted three other companies and there was no other company that came within \$100.00 of this quote. The motion carried unanimously.

Commissioner Johnson asked about an e-mail Mr. Webster sent about internet streaming and asked him to discuss this. Mr. Webster stated he has recently seen an increase in streaming data which due to our shared internet connection with many offices, the internet speed slows down for everyone. Clerk Bartlett reported that she sees it as a Department Head control issue with their employees. Mr. Webster agreed that many departments need to be able to stream certain data for example law enforcement however he feels it may be being used in excess of a need.

Road & Bridge

Bill Nation, Road & Bridge Superintendent discussed the inspection results of the Sanger Bridge, Structure DMK on County Road #660 review by the Wyoming Department of Transportation (WYDOT). There was a critical finding on the side of the bridge that is not pinned down that has reduced the load rating significantly. The replacement cost could be as much as \$2 million but Mr. Nation recommended stabilizing beams, remove the dirt abutment replacing with metal, then chip out rotted concrete and pour a new deck up to new bearing plates. Mr. Nation reported Brush Creek Ranch is the property owner on both sides and would like this repaired as soon as possible. Mr. Nation recommends concrete and dirt work as well as some I-beam placement be supplied by Brush Creek and the county will supply other items. PMPC is undergoing the engineering already but he would like the BOCC's approval for his recommended scope of work with the end result being the old load rating or an increased load rating. Brush Creek Ranch will also develop and document their low water crossing. Long-term there may be a need for a total bridge replacement and Mr. Nation has had a conversation with the Ranch Manager about this. Mr. Nation reported he estimates the total cost to the county of \$5,000 to \$10,000 and he would use the road fund for this. Commissioner Jones asked if Mr. Nation must go out for engineering bids as he had to on the last bridge. Mr. Nation reported that he would like to fast track this but bids may be required. Commissioner Glode asked if he needed a written agreement with Brush Creek Ranch and Mr. Nation replied that the Ranch Manager is on board either way. Mr. Kelly reported the county's procurement policy would require informal bids or a waving of the policy by the BOCC. Mr. Nation confirmed WYDOT must approve his proposed scope and chosen engineer. Mr. Nation stated the work has already begun and Mr. Kelly asked if there is a permitting problem with water disturbance. Mr. Nation stated he does not feel he needs special permits for maintenance and repair of bridges, he already has a blanket "404" permit that covers 5 acres or less of disturbance.

Commissioner Johnson moved to waive the procurement policy and approve Mr. Nation to move forward with his proposed plan for repair of the Sanger Bridge, Structure DMK and asked that Mr. Nation try to get something in writing with Brush Creek Ranch noting this is subject to approval by WYDOT. Commissioner Espy seconded and the motion carried unanimously.

Mr. Nation stated he will notify WYDOT in writing on how he will proceed and ask for a fully open bridge for public use and weight rated at no less than what it was prior to the inspection.

Mr. Nation reported he will be reviewing signs to determine if they meet sign reflectivity standards and if not, he will be replacing signs.

Commissioner Jones asked if there are other bridges being inspected that the BOCC should be concerned about. He replied there is nothing critical at this time.

RECESS

Chairman Chapman called a recess at 10:30 a.m. and reconvened at 10:43 a.m.

EXECUTIVE SESSION

Commissioner Glode moved to go into executive session at 10:43 a.m. with Clerk Bartlett and Attorney Mike Kelly to discuss personnel and potential litigation and other matters considered confidential by law. Commissioner Johnson seconded and the motion carried unanimously.

Mr. Kelly left the session at 11:00 a.m.

Commissioner Johnson moved to come out of executive session at 11:20 a.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Espy seconded and the motion carried unanimously.

EMERGENCY DETENTION REMODEL

Sheriff Colson reported he has had four meetings with hospital staff regarding how to move forward with emergency detention patients during construction of the rooms. He is concerned that his deputies would be in rooms that are not secure is not a valid option as there is increased liability to the county and hospital. For each patient having a deputy monitor patients for one 24 hour period would be \$825.00 in overtime pay. Sheriff Colson recommended transporting these patients to Wyoming Behavioral Institute (WBI) in Casper during construction as the safest and most cost effective option. He noted that the Rawlins Police Department may be able to help with transports during the process.

Mr. Kelly reported that a representative from WBI is present and could update on costs and procedures. He reported that he is concerned that if someone needed transported by ambulance this may be a huge cost to the county and there is no process in place for this currently. Mr. Kelly spoke with District Court Judge Waldrip and he was fine with Section 109 and 110 hearings being held via video however Natrona County does not have this capability. The best

course for the short-term is to transport these individuals to Casper and contract with the Natrona County Attorney's Office to handle the hearings on our behalf.

Commissioner Glode asked if the patient's comfort for transport would be addressed and asked what Glenn Biggs role would be as the County's Mental Health Officer. Mr. Biggs reported if a patient was too unstable to be transported they would likely be held in the intensive care unit until stable or released. Others that need detained are transferred directly from the hospital to WBI and Mr. Biggs would not be involved in those.

Dr. Cesko of the Memorial Hospital of Carbon County Board stated he understood the expense of having a deputy on site 24/7 however many of the patients have taken a tremendous amount of medications that would prevent them from being transported, even by ambulance. He stated if the county chooses to transport to WBI he strongly encouraged the county to stipulate that the emergency room physician make the determination if the patients are stable for transport.

Emily Quarterman Genoff from WBI added that statute stipulates that before WBI can bill the county for psychiatric care they must determine if the patient has alternate means of payment. She noted that WBI is a psychiatric hospital and they do not have the ability to care for someone that is medically unstable. Ms. Quarterman Genoff reported that there are also rare instances that WBI is full and may not be able to accept patients. She also said they prefer that adolescents not be involuntarily committed but rather a family decision but confirmed they do accept these patients. Mr. Kelly reported he has a simply agreement with WBI that would allow us to send patients there and allow WBI to accept the patients.

Commissioner Jones stated it's in the best interest of the county to work with WBI and that the involved parties have patient safety as the top priority so she is comfortable with the solution. Commissioner Johnson asked Sheriff Colson if his deputies are equipped to transport individuals and he stated that once the individual is released with no medical need his deputies are equipped. As long as they are detained for needed medical care he would provide security as needed on a case by case basis.

Chairman Chapman asked if the county needed to contract with a second facility in case WBI does not have available beds but Mr. Kelly determined the current proposal should be sufficient.

Commissioner Jones moved to authorize the Chairman's signature on a letter of Agreement with Wyoming Behavioral Institute to care for emergency detention patients from Carbon County. Commissioner Glode seconded and the motion carried unanimously.

Commissioner Glode moved to allocate up to \$25,000.00 of hospital mill levy funds for a contingency for the emergency detention account. Commissioner Johnson seconded and the motion carried unanimously.

Commissioner Espy moved to approve the Chairman to sign a Contract with Shepard Construction, Inc. for the hospital emergency detention remodel in the amount of \$207,650.00 and Change Order #1 in the amount of \$7,874.00 for additional plumbing required noting the contract amount removed \$3,000.00 from the bid because the architect indicated fire dampeners

are not required. Commissioner Johnson seconded and the motion carried unanimously.

Commissioner Espy moved to set a per day penalty for the Shepard Construction contract for the emergency detention rooms at \$750.00 per day. Commissioner Johnson seconded and the motion carried unanimously.

RECESS

Chairman Chapman called a recess at 12:00 p.m. and reconvened at 1:30 p.m.

PLANNING & ZONING

Public Hearing – C.U. Case File No. 2014-04

Chairman Chapman opened a public hearing at 1:31 p.m. Thomas Powell, Planner/GIS Specialist presented C.U. Case File No. 2014-04 – Atlas Tower Holdings, LLC’s request for a Conditional Use Permit for a communications tower 190 feet in height and associated structures on approximately 5,600 sq. ft.

Caleb Crossland with Atlas Tower Holdings LLC was present. Chairman Chapman called for comments for or against this case. There being no comments, Chairman Chapman closed the hearing at 1:38 p.m.

Commissioner Glode moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2014-35, 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. 2014-04, Atlas Tower Holdings, LLC’s request for a Conditional Use Permit for a communications tower 190 feet in height and associated structures on approximately 5,600 sq. ft. with conditions as outlined in the staff report. Commissioner Johnson seconded and the motion carried unanimously.

Resolution No. 2014 – 35

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 #2014-04 – “Sinclair Rabbit Communications Site”

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, December 1, 2014, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, December 1, 2014, public hearing, the Carbon County Planning and Zoning Commission provided the public the opportunity to comment and the Carbon County Planning and Zoning Commission considered any public comments which were made at said public hearing; and

WHEREAS, at the conclusion of the Monday, December 1, 2014, 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 §5.6(c) Carbon County Zoning Resolution of 2003, as amended and after receipt of the certified recommendation, advertised by public notice at least 7 days in advance of the hearing to take public input and comments which said hearing occurred on Tuesday, December 16, 2014; 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.

C.U. Case #2014-04 – Atlas Tower Holdings, LLC (Applicant) and Troy & Andrea Shepard (Land Owners): Request for a Conditional Use Permit in the Rural Residential Agricultural (RRA) Zone. The request is to permit a communications tower 190 feet in height and its associated structures on approximately 5,600 SQ. FT.

Location: Southeast of the Town of Sinclair along the CIG Plant Road.

Legal Description: On a portion of Section 23, Township 21 North, Range 86 West, 6th P.M., Carbon County, Wyoming, lying South of the South right-of-way of U.S. Interstate Highway I-80 as described in the Records of Carbon County, Wyoming, in Book 577, Page 376.

Subdivision Exemption: This parcel is exempt from subdivision requirements pursuant to Wyo. Stat. Ann. §18-5-303(a)(xi), Exemptions from provisions, which provides that “[a] division of land creating a parcel five (5) acres or less for the purpose of establishing unmanned communication facilities, compressor stations, metering stations, fiber optic booster stations or similar unmanned facilities”.

CONDITIONS OF APPROVAL:

1. That the applicant obtains a WYDOT access permit prior to submitting an application for a building permit; and that a copy of the permit is submitted along with the building permit application.
2. That the terrestrial considerations, to the extent applicable, listed in the Game and Fish letter dated 11/17/2014 be put into practice during construction.
3. That an area surrounding the tower with a radius equal to the height of the tower be maintained as a fall zone around the tower site by the land owner.

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.

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

That the Carbon County Board of County Commissioners, hereby approves this Conditional Use Permit (CUP) as certified to them in writing by the Carbon County Planning and Zoning Commission regarding the Conditional Use Permit (C.U. Case #2014-04 – “Sinclair Rabbit Communications Site”) on approximately 5,600 sq. ft. in the Rural Residential Agriculture (RRA) Zone.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 16th day of December, 2014.

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

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

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Chairman Chapman reported that he received a letter from an Encampment resident regarding the need for additional cell phone service in that area and he asked Mr. Crossland to get in touch with this person.

Public Hearing – C.U. Case File No. 2014-05

Chairman Chapman opened a public hearing at 1:41 p.m. Mr. Powell presented C.U. Case File No. 2014-05 – SourceGas Distribution, LLC’s request for a Conditional Use Permit for a natural gas utility processing and compressor station on approximately 4 acres.

Cliff Dick, Kelli Schermerhorn, Mitch Pebley, Marty Roessing and Rod Wietzki all with SourceGas were present.

Chairman Chapman called for comments for or against this case. Chairman Chapman asked how the discussions with adjacent landowners were resolved. Mr. Wietzki reported he met with the landowners who indicated they were fine with the matter after the discussion.

Ms. Schermerhorn reported SourceGas looked at four locations along the transmission line. Each location was substantially more expensive than this location making it the best site as it is in the best interest of the customer base to keep costs down. There being no other comments, Chairman Chapman closed the hearing at 1:54 p.m.

Commissioner Espy moved to approve Resolution No. 2014-36, 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. 2014-05 – SourceGas Distribution, LLC’s request for a Conditional Use Permit for a natural gas utility

processing and compressor station on approximately 4 acres. Commissioner Jones seconded and the motion carried unanimously.

Resolution No. 2014 –36

**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 #2014-05 – “Chokecherry Compressor Station”

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, December 1, 2014, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, December 1, 2014, public hearing, the Carbon County Planning and Zoning Commission provided the public the opportunity to comment and the Carbon County Planning and Zoning Commission considered any public comments which were made at said public hearing; and

WHEREAS, at the conclusion of the Monday, December 1, 2014, 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 §5.6(c) Carbon County Zoning Resolution of 2003, as amended and after receipt of the certified recommendation, advertised by public notice at least 7 days in advance of the hearing to take public input and comments which said hearing occurred on Tuesday, December 16, 2014; 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.

C.U. Case #2014-05– SourceGas Distribution, LLC (Applicant) and Anadarko Land Corp. (Land Owner): Request for a Conditional Use Permit in the Ranching, Agriculture, Mining (RAM) Zone. The request is to permit the Chokecherry Compressor Station and associated facilities on approximately 4 acres.

Location: Northwest of Walcott Junction off Carbon County Road #215N (Stock Drive Way)

Legal Description: A parcel of land in the NW¹/₄ of Section 35, T21N, R84W, 6th P.M., Carbon County, Wyoming, being more completely described as follows: Beginning at the Northwest

corner of said parcel which bears S88°18'46"E, 672.18 feet from the Northwest corner of said Section 35; Thence S89°53'57"E, 380.36 feet to the Northeast corner of said parcel; Thence S14°55'16"E, 119.82 feet to an angle point of said parcel; Thence S46°14'48"E, 294.28 feet to the Southeast corner of said parcel; Thence S59°34'59"W, 40.24 feet to an angle point of said parcel; Thence S75°59'13"W, 468.69 feet to the Southwest corner of said parcel; Thence N16°29'18"W, 473.29 feet to the point of beginning, said parcel containing 4.00 acres, more or less.

Subdivision Exemption: This parcel is exempt from subdivision requirements pursuant to Wyo. Stat. Ann. §18-5-303(a)(xi), Exemptions from provisions, which provides that "[a] division of land creating a parcel five (5) acres or less for the purpose of establishing unmanned communication facilities, compressor stations, metering stations, fiber optic booster stations or similar unmanned facilities".

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.

NOW THEREFORE BE IT RESOLVED BY THE

BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING:

That the Carbon County Board of County Commissioners, hereby approves this Conditional Use Permit (CUP) as certified to them in writing by the Carbon County Planning and Zoning Commission regarding the Conditional Use Permit (C.U. Case #2014-05 – "Chokecherry Compressor Station") on approximately 4 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 16th day of December, 2014.

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

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

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Commissioners

Commissioner Jones discussed the revised Wyoming Aviation Capital Improvement Program (WACIP) from the Wyoming Department of Transportation Aeronautics Division. The WACIP includes NAVAID Maintenance 2015 that has been granted; expansion of the west apron fiscal year 2015 that has been approved; upgrade beacon, relocate taxiway edge lights and grade safety areas fiscal year 2017; seal coat and mark airside pavements fiscal year 2018; relocate fence fiscal year 2019; and conduct master plan fiscal year 2021.

Commissioner Jones moved to approve the WACIP for the Dixon Airport as presented. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Jones discussed the WACIP for the Rawlins-Carbon County Airport noting they are due for seal coat and marking, runway rehabilitation, apron expansion and parking,

Clerk

Clerk Bartlett discussed the Predator Management District board and advised Roger Cox, current at-large member submitted an application to be the sportsmen member however after discussion with Attorney Kelly pursuant to Wyoming Statute 11-6-202(a)(iv) this may not be allowed. Mr. Kelly suggested that after a lapse of one year he felt Mr. Cox could be reappointed. Clerk Bartlett suggested that Mr. Cox could still actively participate however not be an appointed member then after the lapse, if nobody else has been appointed he could reapply. Commissioner Espy agreed to contact Mr. Cox and Clerk Bartlett will also write him.

Clerk Bartlett reported she received an application from John Page for the South Central Wyoming Emergency Medical Services Joint Powers Board (SCWEMSJPB) however since he is a town councilman for Elk Mountain, SCWEMSJPB's Joint Powers Agreement seems to preclude him from serving as a board member. Commissioner Jones reported that she spoke with Mr. Page and thought it may be a good idea to amend the Joint Powers Agreement to allow this. Commissioner Johnson reported that he thinks it would be worth investigating and Mr. Kelly noted the reason the current clause may exist is because a town council member would be voting on funds going to the board which creates an obviously ethical issue. Clerk Bartlett said she would write Mr. Page and notify him that he is ineligible.

Clerk Bartlett reminded the BOCC that the county is hosting the January COG meeting in Rawlins.

Clerk Bartlett said that at a prior meeting one of the Commissioners had asked why the county deeded the Little Snake River Rural Healthcare building to the district but still maintains ownership of the Medicine Bow Healthcare District building. She asked if the BOCC had plans to deed Medicine Bow's building to them. Commissioner Jones agreed to call and ask their level of interest in owning the property.

IT

Mr. Webster reported that the county pays \$2,500.00 on a month to month lease for a dark fiber network connection from the Carbon Building to the Jail. He has been unsuccessful in getting Optimum to lower the lease rate so he has worked with other companies and has a proposal from Connex to install a line of sight wireless network between these two buildings for \$4,999.00 and if the service did not work, the company would buy back the equipment for \$3,000.00. Mr. Webster noted there is no monthly fee for the equipment and stated the City of Rawlins uses a wireless network and it works seamlessly for them. Mr. Webster suggested putting the wireless network in place while leaving the hard fiber and once he knows the wireless network is feasible he could disconnect the fiber. Clerk Bartlett asked if there were maintenance fees and if the company would maintain the equipment and Mr. Webster stated he would address that if the

wireless network ended up working. The BOCC agreed that Mr. Webster should move forward.

ROAD & BRIDGE

Mr. Nation returned and noted he talked with the Brush Creek Ranch Manager who is fine with a written agreement with the county for the bridge work. He thinks that this, along with PMPC's specifications and his scope of work, would be approved by WYDOT. He has already asked PMPC to start the work.

CITIZEN/COMMISSIONERS DISCUSSION

Commissioner Jones reported the Federal Aviation Administration approved the price and selection for the apron expansion engineering. She added that Millhouse Electronics may be installing a cell phone tower in the Encampment/Riverside area.

Commissioner Johnson asked what software the Planning Department used and noted there is a company that is changing their imagery to a higher resolution than the county currently has. To buy in and use this in Carbon County would cost \$18,000.00 and he asked Tom Powell if this would be worth it. Mr. Powell reported he can get the data at one meter for \$75.00 but this isn't as close as the company that Commissioner Johnson is discussing. He noted they do not do much photo interpretation at this point and it would not be worth it for his purposes but it would be helpful for engineering level assessments or projects. Mr. Powell noted it may help the Assessor and potentially Road & Bridge.

Chairman Chapman discussed an e-mail received from the Western Governors Association about sage grouse and he asked if the BOCC would like to reply to a questionnaire on the topic.

ADJOURNMENT

Commissioner Espy moved to adjourn the meeting at 2:59 p.m. Commissioner Johnson seconded and the motion carried unanimously.

A regular meeting of this Board will be held January 20, 2015 at 9:00 a.m. at the County Courthouse, 415 W. Pine St., Rawlins, WY. The public is invited to attend or you can listen online at the website listed below. To get on the agenda, call the Clerk's Office by the Thursday before the meeting. Per Wyo. Stat. §18-3-516(f), access to county information can be obtained at www.carbonwy.com or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.