

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, August 2, 2016
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, August 2, 2016 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were; Chairman John Espy; Vice Chairman John Johnson; Commissioners Lindy Glode, Leo Chapman and Sue Jones.

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

ADDITIONS / CORRECTIONS

Chairman Espy added a stop loss recommendation under the Clerk. There were no other changes to the agenda.

VOUCHERS

Commissioner Chapman moved to approve the report of expenditures in the amount of \$313,121.45. Commissioner Jones seconded and the motion carried unanimously.

Commissioner Chapman moved to approve a bill to Rawlins Automotive for \$933.62, Shively Hardware for \$37.00 and True Value of Rawlins for \$967.90 for an aggregate total of bills paid today of \$315,059.97. Commissioner Johnson 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
ALSCO, AMERICAN LINEN DIVISION	SHOP TOWELS/SOAP	\$39.84
AMERICAN BAR ASSOCIATION	16/17 DUES	\$260.00
BANK OF COMMERCE (DEBIT CARD)	ASSORTED CHARGES	\$972.37
BARKHURST, RAY	MILEAGE	\$34.80
BEHRMANN, ELEANOR	MILEAGE	\$74.40
BOB BARKER COMPANY, INC.	SHAMPOO/RAZORS/TOOTHBRUSHES	\$289.37
BUILD RITE LUMBER SUPPLY	ASSORTED BUILDING MAINTENANCE SUPPLIES	\$1,500.50
CAPITOL COMMUNICATIONS	CABLING FOR BM OFFICES	\$4,907.18
CARBON COUNTY ECONOMIC DEVELOPMENT	JUNE 16 RENT	\$2,400.00
CARBON COUNTY FAIR ASSOCIATION	EXHIBIT BOOTH	\$125.00
CARBON COUNTY TREASURER	VARIOUS CASH ITEMS	\$6,891.52
CARBON COUNTY VETERINARY HOSPITAL	K-9 FOOD	\$48.84
CARBON POWER & LIGHT INC	ELECTRIC SERVICE	\$433.74

CASPER WINNELSON CO	JAIL REPAIRS	\$353.71
CBM FOOD SERVICE	JAIL MEALS	\$11,995.20
CDW GOVERNMENT, INC.	INK	\$293.94
CENTURY LINK	PHONE LINES	\$175.11
CENTURYLINK WA	PHONE SERVICES	\$5,931.55
CENTURYLINK-PHOENIX	PHONE SERVICES	\$372.46
CHARTER COMMUNICATIONS	INTERNET	\$14.14
COWBOY CHEMICAL	CLEANING SUPPLIES	\$589.80
COWBOY SUPPLY HOUSE	CLEANING SUPPLIES	\$3,618.57
DAILY TIMES	PROPERTY TAX RELIEF AD	\$83.40
DALLIN MOTORS INC	OIL CHANGE	\$43.77
DELEON, JOHN	LEGAL SERVICES	\$2,679.00
DIRTY BOYZ SANITATION, INC	TRASH SERVICE	\$490.00
DIXON, TOWN OF	WATER/SEWER	\$340.00
DUBOIS TELEPHONE EXCHANGE	PHONE SERVICE	\$735.23
ELK MOUNTAIN CONOCO	FUEL	\$83.37
ENGSTROM, JAMES D. DDS	DENTAL SERVICES	\$2,500.00
FLEXSHARE BENEFITS	DISBURSEMENTS	\$2,315.72
FRITZ, CHRISTOPHER	MEALS	\$50.99
FRONT RANGE FIRE APPARATUS	CHARGER/COMPRESSOR SYSTEM	\$959.98
GRAHAM, LEROY	JUNE/JULY PAYROLL	\$320.85
GRAINGER	BUILDING MAINTENANCE ITEMS	\$1,236.15
HANNA, TOWN OF	WATER/SEWER	\$248.62
HERMAN, BOBBIE	MILEAGE	\$27.00
HIGH DESERT WELDING & MACHINE LLC	WELDING SERVICES	\$47.20
HIGH PLAINS POWER	ELECTRIC SERVICE	\$360.63
HORIZONS UNLIMITED, LLC	I VOTED STICKERS	\$108.00
J H KASPAR OIL COMPANY	FUEL	\$2,146.33
JACKALOPE PRINTING	COLOR PAPER	\$30.30
JACK'S BODY & FENDER REPAIR	TOWING CHARGE	\$200.00
JERRY'S DONUTS	JURY DONUTS	\$54.95
JOHNSTON, RANAE	TRAVEL EXPENSES	\$229.36
KAISLER, TODD	MILEAGE	\$54.00
KIRSCH, ARCHIE P	MEDICAL SERVICES	\$1,300.00
KOVACHEVICH, STEVE	HIDDEN VALLEY ESTATES	\$2,100.00
L N CURTIS & SONS	LADDERS/BRACKETS	\$1,464.60
LOCAL GOVERNMENT LIABILITY POOL	SETTLEMENT	\$4,841.00
MENDOZA, TERRI	TRANSLATION SERVICES	\$25.00
MERSEAL LAW, LLC	LEGAL SERVICES	\$435.00
MILLER, JIM	MILEAGE	\$30.60
MODERN ELECTRIC COMPANY	RADIO CONTROLLER/INSTALLATION	\$9,540.00
MOORE MEDICAL CORP.	MEDICAL SUPPLIES	\$280.89
MPM CORP / EVERGREEN DISPOSAL	TRASH SERVICE	\$15.00

MURANE & BOSTWICK, LLC.	LEGAL SERVICES	\$384.00
NATIONWIDE MUTUAL INS COMPANY	NOTARY BOND SM	\$50.00
NORCO, INC.	CYLINDER RENTAL	\$101.77
PATTON, ROBERT L.	MILEAGE	\$72.00
PERKINS OIL CO	FUEL	\$173.99
PLATTE VALLEY WELL & CONSTRUCTION, LLC	SEPTIC TANK PUMPING	\$400.00
PLUS ELECTRIC INC.	POLE LIGHTING REPAIR/PROGRAMMING	\$1,740.63
POTTER, JORDAN	LAWN CARE	\$30.00
PROFESSIONAL OXYGEN SUPPLY	TANK TESTING/OXYGEN	\$40.00
PUBLIC SAFETY CENTER, INC	BAG	\$48.44
QUESTAR GAS	HEATING FUEL	\$12.00
QUILL CORPORATION	ASSORTED OFFICE SUPPLIES	\$437.83
RAWLINS AUTOMOTIVE	ASSORTED VEHICLE MAINTENANCE ITEMS	\$900.14
RAWLINS EYE CARE	VISION SERVICES	\$318.00
RAWLINS FIRE EXTINGUISHER	TESTING/RECHARGING	\$800.00
RAWLINS NATIONAL BANK, RAWLINS	MHCC HVAC RETAINAGE #1	\$500.00
RAWLINS, CITY OF	BUILDING PERMIT	\$118.80
RICOH USA INC	ADDITIONAL COPY FEES	\$452.72
RICOH USA, INC	COPIER RENT	\$8,223.09
ROBIDOUX ENTERPRISES	VEHICLE MAINTAINENCE	\$1,348.17
ROCKY MOUNTAIN INFO NETWORK	MEMBERSHIP DUES 16/17	\$100.00
ROCKY MOUNTAIN POWER	ELECTRIC SERVICE	\$6,595.67
SAFARILAND GROUP	PEPPER SPRAY	\$271.00
SAGE CREEK EXCAVATING	FILL	\$202.80
SARATOGA AUTO PARTS, INC.	FUEL PUMP/BATTERY	\$348.41
SARATOGA SUN	ADVERTISING	\$219.25
SARATOGA, TOWN OF	WATER/SEWER	\$20.00
SHEPARD'S	FUEL	\$199.89
SHIVELY HARDWARE	FILTER	\$37.00
SHOPKO PHARMACY	MEDICATION	\$99.79
SIMPLE DISTRIBUTORS, LLC	ELECTION SUPPLIES	\$580.18
SNAKE RIVER PRESS	BOARD OPENING AD	\$72.00
SOURCE GAS	GAS SERVICE	\$2,722.21
STAPLES ADVANTAGE	STAPLES	\$197.45
STEPHENSON, LEE ANN	MILEAGE	\$37.20
T.W. ENTERPRISES, INC.	GENERATOR REPAIR	\$307.26
TERMINIX	EXTERMINATION SERVICES	\$645.00
THE MASTERS TOUCH, LLC	POSTAGE FOR MAILERS	\$4,400.00
THOMSON REUTERS-WEST PAYMENT CENTER	SUBSCRIPTION CHARGES	\$285.00
THOS. Y. PICKETT & CO., INC.	AUG INSTALLMENT OF VALUATION CONTRACT	\$5,500.00

TRADING POST	FUEL	\$595.67
TRUE VALUE OF RAWLINS	ASSORTED BUILDING MAINTENANCE SUPPLIES	\$967.90
TYLER TECHNOLOGIES, INC	HOSTING FEES/ANNUAL SUPPORT	\$1,850.63
UNION TELEPHONE COMPANY	PHONE SERVICE	\$1,827.21
US BANK	TRAVEL EXPENSES	\$997.67
VALLEY OIL COMPANY	FUEL	\$182.79
VAN'S WHOLESALE LLC	TOILET TISSUE/TRASH BAGS	\$203.68
W.A.R.M. PROPERTY INSURANCE POOL	PROPERTY INSURANCE	\$149,515.01
WACO	WACO REGISTRATION	\$255.00
WARRIOR SERVICES, LLC	PEST CONTROL SERVICES	\$60.00
WY DEPT OF HEALTH	CHEVY MALIBU/PAYROLL	\$7,470.20
WY GUARDIANS AD LITEM PROGRAM	FY 15/16 QTR 3 MATCH	\$4,652.98
WY LAW ENFORCEMENT ACADEMY	TRAINING	\$742.50
WY MACHINERY COMPANY	EQUIPMENT MAINTAINENCE	\$4,534.53
WY RENTS, LLC	AUGER RENTAL	\$131.50
WY STATE FORESTRY	2017 PREMIUM	\$24,685.03
YOCUM, LEO	MILEAGE	\$48.00
ZOCO UNLIMITED, INC.	SEPTIC TANK HAULING/HOLE DRILLING	\$649.00
Grand Total		\$315,059.97

CONSENT AGENDA

Commissioner Johnson moved to approve the consent agenda. Commissioner Jones seconded and Clerk Bartlett noted the consent agenda includes the July 18, 2016 regular meeting minutes; County Clerk receipts for \$26,892.25, Planning and Development Department receipts for \$1,985.00. The motion carried unanimously.

ELECTED OFFICIALS / DEPARTMENT HEADS

Assessor

Cheryl Ross, County Assessor presented the 2016 Levy's for approval.

Commissioner Jones moved to approve the 2016 Levy's. Commissioner Chapman seconded and the motion passed unanimously.

Sheriff

Undersheriff Archie Roybal requested consideration for filling two vacant detention deputy positions and one vacant patrol position. The BOCC authorized the replacement of these open positions.

Buildings & Grounds

Jim Piche, Buildings Manager reported the lighting at the Dixon Airport has been completed and he asked about the purchase of the new snow removal equipment. The BOCC authorized the purchase previously and asked that it be taken from Dixon Airport fund.

Mr. Piche reported the buildings crews will be close to complete with all items the Fair Board requested today. Commissioner Glode asked if the restrooms would be kept clean during fair and Mr. Piche reported there is a contracted cleaning service during fair and he will follow up after fair to ensure the final cleaning by the contractor is sufficient. The well at the fairgrounds is running and they should be able to shut off 90% of the City water after fair. Mr. Piche reported he may be able to obtain kitchen equipment from the old high school for the fairgrounds prior to demolition. The hood system in the concessions building will need updated prior to next fair.

Mr. Piche discussed pricing for the jail boiler replacement noting it's \$10,614.00. By ordering it and replacing the first of September he was able to save shipping and altitude adjustment costs of approximately \$1,000.00. There is a backup boiler should heat be needed prior to September.

The engineering company testing the structural integrity of the Ferguson building began today. They will ensure the existing structure is adequate for renovation. The first line of rebuild is to stabilize walls and a new roof and the director assured him funding is in place for the first round of renovations.

Mr. Piche reported the electrical contract for the Jeffery Center will be completed soon.

Public Health

Public Health Nurse, Amanda Brown provided an update of their offices services.

Treasurer

County Treasurer explained property tax due dates and the tax sale process. She stated that individuals are provided up to three notices and her office does their best to notify residents but they are still responsible to pay even with no notice or bill.

Clerk

Commissioner Johnson moved to accept Gerber Life's quote for the county's stop loss insurance for 2016-2017 year. Commissioner Glode seconded and Commissioner Chapman asked if Gerber had any lasers and the Clerk replied no. The motion carried unanimously.

Gwynn Bartlett, County Clerk presented information on the "Guest Ranch" designation. Water Valley Ranch has submitted a letter requesting this designation for their Restaurant Liquor License.

Commissioner Chapman moved to approve the “Guest Ranch” Designation for Water Valley LLC dba as Water Valley Ranch on their Restaurant Liquor License. Commissioner Johnson seconded and the motion passed unanimously.

Clerk Bartlett presented the Board Position Applications for the Upper Platte River Solid Waste District and the Baggs Solid Waste Disposal District.

Commissioner Johnson moved to reappoint Sue Jones and Randy Raymer to a 3-year term expiring September 2019 for the Upper Platte River Solid Waste District. Commissioner Chapman seconded and the motion carried with all voting for the motion except Commissioner Jones who abstained due to conflict.

Commissioner Chapman nominated Oliver Wille. Commissioner Jones nominated Dustin Habel. Chairman Espy noted that Dustin Habel’s father works for him and asked Attorney Davis if that would be a conflict. Attorney Davis advised the Chairman that would not rise to the level of a conflict.

Commissioners Johnson, Glode and Jones voted for Mr. Habel and he was therefore appointed 3-year term expiring September 2019 for the Baggs Solid Waste Disposal District.

Road & Bridge

Bill Nation, Road & Bridge Superintendent reported that in 1981 landowners presented a petition to make a road near Savery a county road. It was subsequently done and named County Road #561 South however the process was not completed and paperwork was not submitted to the County Clerk as required. He will be working with Attorney to complete the process. Mr. Nation reported he received a letter noting the Savery Creek Bridge on this road could be designated as a historical bridge and this is being contemplated by the state.

Mr. Nation reported that he is hoping for rain soon so he can more effectively blade roads without affecting nearby hay crops. He asked for the public’s patience in the matter.

Mr. Nation reported he has not received a response to his letter to the US Forest Service regarding Road 261. If the county were to take the road for any reason, he suggested taking a portion of Forest Road 101 to the beginning of Forest Road 261 and a portion of Brush Creek Road to the Snowy Range Road so the entire portion would be county, not simply a segregated portion in the middle.

Mr. Nation reported he evaluated the Dixon Airport loader and he recommends before returning the unit to Dixon, having a full service on the unit for approximately \$1,800.00.

Sandridge Energy

Linda McDonald, Directory of Regulatory and Government Affairs for Sandridge Energy reported they are discussing installing an oil and gas pipeline south of Elk Mountain with oil going to Sinclair and gas possibly going to Kinder Morgan. Bill Nation suggested that Elk

Mountain and potentially other towns in the area are looking for natural gas service where only propane exists and Ms. McDonald stated they will keep this in mind.

Commissioners

Commissioner Johnson reported he went to the Library Board meeting in Elk Mountain and the board and new director was very proactive.

Commissioner Glode reported other counties are considering resolutions to preserve the wind tax as Carbon County recently passed. She also recently spoke with the Chairman of the hospital board who noted they are happy with her involvement as their commissioner liaison. She noted she had been criticized recently and wanted it on the record that she is involved as much as these boards want.

Commissioner Chapman reported the Carbon County Economic Development Corporation has a bus to transport individuals to the legislative committee meeting regarding a possible wind tax increase.

Commissioner Glode reported county commissions around the state are concerned about special district oversight from counties. She also noted she has had positive feedback on the BOCC's appointments to Carbon County's WY Public Lands Initiative Committee.

EXECUTIVE SESSION

Commissioner Glode moved to go into executive session at 10:47 a.m. with Clerk Bartlett and Ashley Mayfield Davis to discuss personnel and potential litigation. Commissioner Chapman seconded and the motion carried unanimously.

Attorney Davis left the session at 11:13 a.m.

Commissioner Johnson moved to come out of executive session at 11:22 a.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Glode seconded and the motion carried unanimously.

PLANNING & ZONING

Public Hearing - Z.C. Case File No. 2016-06

Chairman Espy opened a public hearing at 1:30 p.m. to hear Planning & Z.C. Case File No. 2016-06. Sid Fox, County Planning Director presented Z.C. Case File No. 2016-06, Gray/Magargle request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR).

Chairman Espy called for comments for or against the case. There being no comments, Chairman Espy closed the hearing at 1:37 p.m.

Commissioner Glode moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2016 - 34, 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. 2016-06, Gray/Magargle request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR). Commissioner Chapman seconded and the motion carried unanimously.

Resolution No. 2016 – 34

**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 #2016-06

WHEREAS, pursuant to the Carbon County Zoning Resolution of 2015, and Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on Monday, July 11, 2016, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, July 11, 2016, 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, July 11, 2016, 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 the Carbon County Zoning Resolution of 2015, and Wyo. Stat. Ann. §18-5-202(c) and after receipt of said certified recommendation of this zoning amendment to the Carbon County Official Zoning Map, advertised by public notice at least 14 days prior to a public hearing to take public input and comments on the proposed amendment, which said hearing occurred on Tuesday, August 2, 2016; and

WHEREAS, at said public hearing on August 2, 2016, the Carbon County Board of County Commissioners provided the opportunity for the public to comment and for the Carbon County Board of County Commissioners to consider any comments which were made on the proposed amendment; and

WHEREAS, the Carbon County Board of County Commissioners in considering the proposed amendment have also reviewed and considered the Carbon County Comprehensive Land Use Plan, as amended; and the Carbon County Zoning Resolution of 2015; and

WHEREAS, the Carbon County Board of County Commissioners have determined that the proposed amendment is in general conformance with the Carbon County Comprehensive Land Use Plan, as amended, and the applicable provisions of the Carbon County Zoning Resolution of 2015; 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 to the Carbon County Official Zoning Map.

Z.C. Case File #2016-06: Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR) encompassing approximately 40 acres. The FPSR Zone is intended to be applied to areas of the County in which timber production and seasonally accessible recreation uses are the desirable predominant uses.

Petitioners: Roy and Joyce Gray (Applicants) and Jeffrey and Julia Magargle (Land Owners)

Parcel Number: 28833210003400

Location: Pedro Mountain Ranches is located approximately 3-1/2 miles west of Carbon County Road #291 (Hanna Leo-Kortes Road) near Pathfinder Reservoir.

Legal Description: SE1/4 NE1/4, Section 32, T28N, R83W, 6th P.M., Carbon County, Wyoming.

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

That the Carbon County Board of County Commissioners, hereby adopts this amendment as certified to them in writing by the Carbon County Planning and Zoning Commission and the existing zone shall be changed from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR).

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 2nd day of August, 2016.

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

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

Attest:
Gwynn G. Bartlett, Carbon County Clerk

Certifications

Sid Fox, County Planning Director presented a Certification of Recommended Action for Case File No. 2016-07, Zone Change for Marc Smerekanicz and Rachel Zeman.

Commissioner Chapman moved to accept the Certification of Recommended Action from the Carbon County Planning & Zoning Commission Zone Change Case File No. 2016-07 for for Marc Smerekanicz and Rachel Zeman at 40 Sand Hill Land at Ryan Park and Zone Change Case File No. 2016-08, Lonnie Hopkins 10057 Unit A, State Highway 230 and schedule a public hearing for September 6, 2016 at 1:30 p.m. at the County Courthouse in Rawlins, Wyoming. Commissioner Johnson seconded and the motion carried unanimously.

CITIZEN/COMMISSIONERS DISCUSSION

Pam Thayer, City of Rawlins Downtown Development Authority Director thanked the BOCC for the county's and Fair Board assistance during the recent concert at the Fairgrounds. The façade easement program is moving forward and bids are going out currently with some work to be done in 2016.

EXECUTIVE SESSION

Commissioner Johnson moved to go into executive session at 1:51 p.m. with Clerk Bartlett and Ashley Mayfield Davis to discuss personnel and potential litigation. Commissioner Glode seconded and the motion carried unanimously.

Sheriff Colson left and Attorney Davis rejoined the session at 2:01 p.m.

Commissioner Johnson moved to come out of executive session at 2:27 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Glode seconded and the motion carried unanimously.

ADJOURNMENT

Commissioner Johnson moved to adjourn the meeting at 2:33 p.m. Commissioner Glode seconded and the motion carried unanimously.

A regular meeting of this Board will be held September 6, 2016 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.