

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, September 6, 2016
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, September 6, 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

There were no additions or corrections to the agenda.

VOUCHERS

Commissioner Chapman moved to approve the report of expenditures in the amount of \$79,227.96. Commissioner Glode seconded and the motion carried unanimously.

Commissioner Chapman moved to approve a bill to Rawlins Automotive for \$642.33 and True Value of Rawlins for \$278.04 for an aggregate total of bills paid today of \$80,148.33. 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
ALSCO, AMERICAN LINEN DIVISION	SHOP TOWELS/SOAP	\$39.84
AYALA, MEGAN	STAFF MEETING MEAL	\$21.02
BANGS, DANIELLE	STAFF MEETING MEAL/MILEAGE	\$58.49
BARKHURST COLLISION CENTER	GRILLE GUARD	\$1,750.00
BEHRMANN, ELEANOR	MILEAGE	\$74.40
BLACK HILLS AMMUNITION	AMMUNITION	\$642.00
BUILD RITE LUMBER SUPPLY	PLUMBING SUPPLIES/SHIPPING	\$89.57
BUSINESS RADIO LICENSING	COMPLIANCE APPLICATIONS	\$240.00
C & B SAND & GRAVEL	MSHA CLASS	\$75.00
CARBON COUNTY VETERINARY HOSPITAL	DOG FOOD	\$48.84
CARBON MERCANTILE CORPORATION	UNIFORM PANTS	\$63.98
CASPER WINNELSON CO	COUPLINGS/PIPE	\$66.13

CBM FOOD SERVICE	JAIL MEALS	\$8,203.28
CHARTER COMMUNICATIONS	CABLE CHARGES	\$123.03
CIVIL AIR PATROL MAGAZINE	ADVERTISEMENT	\$195.00
COWBOY CHEMICAL	SOAP	\$302.10
COWBOY SUPPLY HOUSE	ASSORTED BUILDING MAINTENANCE SUPPLIES	\$3,796.28
CUSTOM BUILDERS	DRY WALL REPAIRS	\$251.71
DALLIN MOTORS INC	OIL CHANGE	\$49.46
DBT TRANSPORTATION SERVICES LLC	MAINTAINENCE	\$2,422.22
DIRTY BOYZ SANITATION, INC	TRASH SERVICE	\$220.00
DIXON, TOWN OF	WATER/SEWER	\$154.00
ERICKSON & ROBERTS	LEGAL SERVICES	\$660.00
FLEXSHARE BENEFITS	AUG 2016 ADMIN FEE	\$99.00
FLOORS 'N' MORE	COVE BASE	\$14.00
GALLS/QUARTERMASTER	UNIFORM ITEMS	\$227.77
GCR ELECTRONICS, LLC	MONTHLY SITE RENTALS	\$1,200.00
GOLDEN, MARY	STAFF LUNCH MEAL/MILEAGE	\$51.69
GRAINGER	MOTOR/GREASE GUN/GREASE	\$267.61
HIGH PLAINS POWER	ELECTRIC SERVICE	\$407.74
HUGHES, RICK	FUELS MITIGATION COST	\$3,713.22
INTERMOUNTAIN LOCK & SECURITY	DOGGING KEY	\$29.45
J H KASPAR OIL COMPANY	FUEL	\$1,438.75
JACKALOPE PRINTING	REMAINING BALANCE	\$20.10
JACK'S BODY & FENDER REPAIR	TOWING SERVICES/SERVICE CALL	\$485.00
JOHNSTON, RANAE	STAFF MEETING MEAL/MILEAGE	\$175.00
KEITH COUNTY COURT	COPIES/POSTAGE	\$4.18
KENCO SECURITY AND TECHNOLOGY	MONITORING SERVICES	\$36.00
KIELY, RICHARD	SKYLINE ROAD 201 B	\$6,598.82
KILBURN TIRE COMPANY	VEHICLE MAINTAINENCE	\$1,777.23
KING SOOPERS CUSTOMER CHARGES	DERBY MEALS FOR DEPUTIES	\$153.53
KIRSCH, ARCHIE P	COUNTY HEALTH OFFICER	\$1,300.00
LONG BUILDING TECHNOLOGIES, INC.	SERVICE CALL/UPDATE/TEST IP ADDRESSES	\$418.00
MAKINEN, LACEY	RAWLINS JUDGES MEALS	\$455.00
MORLAN, GENE	LAWN CARE	\$160.00
MOUNTAIN WEST MOTORS	REGULATOR REPAIR	\$637.83
MY OFFICE ETC.	ENVELOPES/FASTENERS/TAPE	\$180.25
NATIONAL PUBLIC SAFETY INFO BUREAU	DIRECTORY LISTING	\$447.00

NORTH PARK PROPANE, LLC	HEATING FUEL	\$106.10
PERKINS OIL CO	FUEL	\$1,748.79
PICHE, BRADY	REPLACEMENT GLASS	\$267.08
PLAINSMAN PRINTING & SUPPLY	LABELS/NUMBERING MACHINE/CASE BINDERS	\$2,215.48
POTTER, JORDAN	LAWN CARE	\$30.00
QUESTAR GAS	HEATING FUEL	\$12.00
QUILL CORPORATION	SHIPPING LABELS	\$37.97
RAWLINS AUTOMOTIVE	VEHICLE MAINTAINENCE	\$642.33
ROBIDOUX ENTERPRISES	OIL CHANGE	\$82.24
ROCKY MOUNTAIN POWER	ELECTRIC SERVICE	\$123.29
ROSS' AUTOMOTIVE SERVICES	OIL CHANGE	\$57.09
RYAN ELECTRONICS INC	MAINTENANCE CONTRACT FEE	\$4,127.88
SARATOGA AUTO PARTS, INC.	ADAPTER	\$26.00
SARATOGA LUMBER & SUPPLY	PAINTING SUPPLIES	\$93.80
SOURCE GAS	HEATING FUEL	\$2,017.79
TREVATHAN, SABRINA RMR	TRANSCRIPTION SERVICES	\$1,567.80
TRIPLE X CONTRACTING, INC.	TRASH SERVICE	\$150.00
TRUE VALUE OF RAWLINS	BUILDING MAINTENANCE ITEMS	\$278.04
VAN'S WHOLESALE LLC	TOWELS/TRASH BAGS/TOILET PAPER	\$255.04
VOLUNTEER FIREMEN PENSION FUND	AUG FIRE DEPT RETIREMENT	\$540.00
WARRIOR SERVICES, LLC	PEST CONTROL SERVICES	\$60.00
WATSON WELL	FAIR WELL	\$20,074.00
WY BRAND INDUSTRIES	NOTE PADS	\$47.40
WY MACHINERY COMPANY	EQUIPMENT REPAIRS	\$5,744.69
Grand Total		\$80,148.33

CONSENT AGENDA

Commissioner Johnson moved to approve the consent agenda. Commissioner Glode seconded and Clerk Bartlett noted the consent agenda includes the August 23, 2016 regular meeting minutes; bonds Garry L. Goergen, Memorial Hospital of Carbon County Treasurer in the amount of \$25,000.00, Shyanne K. Peterson Chief Deputy Assessor in the amount of \$5,000.00, and Linda L. Crane, Carbon County Visitor's Council Treasurer in the amount of \$100,000.00; County Clerk receipts for \$22,063.75, Planning and Development Department receipts for \$3,195.00. The motion carried unanimously.

ELECTED OFFICIALS / DEPARTMENT HEADS

Library

Joyce Menke, Library Board Chairman introduced Jacob Michelsen the Library Director. Mr. Michelsen discussed usage, grants, and a recent director's orientation that he attended. He stated he learned about funds the library has at the state for various purposes totaling over \$194,000.00.

Ms. Menke stated the Library Board will not need the additional \$36,000.00 the BOCC budgeted this fiscal year.

Public Health

Amanda Brown, Public Health Nurse provided an update on services provided for the past month. She also provided an annual report of statistics for the state.

Ms. Brown reported the Sheriff's Health Services Administrator, Amber Waldron requested that Public Health (PH) provide blood work and vaccination services for sheriff employees. PH can provide these services cheaper than Memorial Hospital of Carbon County saving almost \$900 per employee.

Buildings & Grounds

Jim Piche Buildings Manager updated the commission that the Jail Boiler was complete as well as the electrical construction at the Jeffery Center. He is hoping to be able to complete Phase 2 and 3 of the electrical project by approaching the Jeffrey Center Board for funding and he hopes to obtain Homeland Security funds for the generator.

Mr. Piche presented the bids for the propane and trash services bids that were received. Trash bids were for 3 yard containers. Dirty Boyz bid \$59.00 per month for weekly pickup, \$118.00 per month for two pickups per week, \$175.00 for three pickups per week and \$40.00 for extra pickups. Wyoming Waste bid \$80.00 per month for one pickup, \$145.00 for two pickups, \$210.00 for three pickups and \$30.00 for additional pickups. WY Waste has a contract on the Courthouse and Carbon Building through December. Commissioner Jones suggested asking trash companies to donate services during fair week in turn for some advertising around the property.

Commissioner Glode moved to approve the low bid from Dirty Boyz for Trash Services for county building in Rawlins. Commissioner Johnson seconded and the motion carried unanimously.

Propane bids were received from Amerigas of \$0.37 per gallon over area index, noting the current price is \$0.87 per gallon. Amerigas did not provide a guaranteed price per gallon per year. Blakeman Propane guaranteed \$0.89 per gallon for one year. Both companies offered free tank rentals and free exchanges for one year. He recommended Blakeman's guaranteed price for the year noting they will transfer propane to Blakeman tanks for no fee. Mr. Piche stated last year the county paid as high as almost \$3.00 per gallon throughout the county.

Commissioner Johnson moved to accept Jim Piche's recommendation and accept the low bid from Blakeman Propane at a rate of \$0.89 per gallon for one year for all county building on propane. Commissioner Glode seconded and the motion carried unanimously.

Mr. Piche updated the Commissioners on the County Fire Station at Ryan Park. There is an issue with the road right-of-way and he has been working with County Planner Sid Fox on this matter. A survey is necessary for right-of way corrections. The move easement needs moved to where the road actually is. WLC estimates not to exceed \$4,000.00 for the survey. The other item is that the Army Corps of Engineers must survey the area for a new building to be constructed at the site. The new building is matched by private funds and a grant has been applied for the other half of funding. The Corps does not feel there are issues but there must be a wetlands delineation identification which will result in a study proving what is wetlands where the station currently sits. The entire county property will be surveyed for approximately \$1,700.00. The Ryan Park Volunteers have committed to fund the surveys but would like reimbursed eventually.

Commissioner Jones moved to authorize expenditure of up to \$5,700 for survey and engineering work for the right-of-way road and wetlands at the County fire station property at Ryan Park. Commissioner Chapman seconded and the motion carried unanimously.

Mr. Piche reported bids were solicited for the Hugus Ferguson building roof but grant restrictions are being worked through.

Jim updated the Commissioners that the School District 1 old kitchen equipment has been secured for the Fairgrounds. He noted there may be a small expense to move the equipment.

Road & Bridge

Bill Nation, Road & Bridge Superintendent gave an update on the United States Forest Service (USFS) road issue. He stated WLC provided him with a scope of work to make the road at county road standards so the county could take over the work. An estimated for the work was provided at \$35,400 and Mr. Nation stated the Saratoga Encampment Rawlins Conservation District offered to pay 75% of this. Commissioner Glode expressed her concern for waiving the procurement policy. Commissioner Johnson stated he is not convinced the county wants to take on another road but knows the results of the field work study is necessary to have the information to make the decision.

Commissioner Jones stated this road will be used by off road vehicles. She suggested applying to the WY State Trails program for a grant to pay for the planning of the road/trail. The landowner must apply for this grant, therefore the USFS, and she suggested following up on this lead. Commissioner Jones offered to look into this.

Mr. Nation asked for direction if he is to continue to follow up on this road or if he should sit and wait on the USFS to come forward. The BOCC recommended Mr. Nation to continue moving forward but members discussed their desire not to waive the county's procurement policy to perform the study. Clerk Bartlett asked how there could be a fair bid process at this point knowing one of the potential bidders price as it was mentioned earlier today.

Commissioner Johnson moved to waive the county's procurement policy and expend up to \$8,850.00 of the total \$35,400.00 from special projects for work from WLC Engineering on the USFS road #261 (Cedar Pass Road) and to provide Bill Nation the leeway to move forward and try to lower the county's cost. Commissioner Glode noted her nay vote will be due to the waiving of the procurement policy. Commissioner Chapman seconded and the motion carried with all voting for the motion except Commissioner Glode who voted against the motion.

Planning & Development

County Planning Director, Sid Fox discussed comments on the West Side Snowy Range Travel Management Project. Commissioner Johnson suggested a couple of changes to Mr. Fox's proposed comments.

Commissioner Johnson moved to authorize the Chairman's signature on the letter to the West Side Snowy Range Travel Management Project as prepared by Sid Fox and amended. Commissioner Glode seconded and Mr. Fox reported he will return later today with the revised letter for signature and asked that Commissioner Jones deliver the letter. The motion carried unanimously.

Cathedral Homes – Introduction of Diversion Specialist – Megan Crow

Eric Brooks from Cathedral Homes introduced Megan Crow as the new Diversion Specialist. Mr. Brooks updated the board on the operations at Cathedral Homes noting they have also hired a part-time counselor at the center.

Mr. Brooks discussed approximately \$100,000 set aside for the center asking if this could be used to add on to the center. This was previously discussed and he stated this is becoming more necessary for operations. Mr. Piche reported a fire system would be approximately \$50,000 without a utility hookup and there would likely need some engineering done with a formal county bid. Mr. Piche stated the addition would likely cost around \$200,000 to \$250,000. Deputy County Attorney and member of the Community Juvenile Services Board, Dawnessa Snyder stated the importance of this project. The BOCC directed Mr. Piche to obtain additional information on the project including costs.

MEMORIAL HOSPITAL OF CARBON COUNTY (MHCC)

Dana Barnett, Chief Executive Officer and Chelle Keplinger, Chief Financial Officer for MHCC presented a financial analysis as of June 2016 and July 2016. Board member Henry Hewitt was also present. Mr. Barnett also discussed recruiting efforts and construction at the facility. The billing company will be changing mid-November.

Ms. Keplinger discussed mill levy funds and asked to move funds from closed projects into the regular funds.

Commissioner Chapman moved to approve \$31,543.00 of mill levy funds for a dishwasher. Commissioner Johnson seconded and the motion carried unanimously.

Commissioner Johnson moved to move leftover balances in the hospital's mill levy funds to uncommitted category in the amount of \$17,500.00. Commissioner Chapman seconded and the motion carried unanimously.

PUBLIC HEARING – SECURE RURAL SCHOOLS ACT FUNDS (FOREST RESERVE FUNDS)

Chairman Espy opened a public hearing at 11:28 a.m. to discuss the use of Secure Rural Schools Act Funds otherwise known as Forest Reserve funds. Clerk Bartlett reported the county normally uses these funds for reimbursement to the county for search and rescue and emergency services on national forest lands. The county will have \$73,677.67 this year. Chairman Espy closed the hearing at 11:30 a.m.

Commissioner Glode moved to use Secure Rural Schools Act Funds to reimbursement the county for search and rescue and emergency services including equipment on forest lands up to \$73,677.67. Commissioner Johnson seconded and the motion carried unanimously.

CARBON COUNTY COMMUNITY WILDFIRE PROTECTION PLAN UPDATE

Chris Weydeveld reported he was hired to update the county's Community Wildfire Protection Plan, last updated in 2006. He is being paid with Urban Interface grant funds and the plan is required to be updated every 5-10 years.

Attorney

Ashley Mayfield Davis, Deputy County Attorney requested a resolution be approved for a special prosecutor.

Commissioner Glode moved to approve Resolution 2016-37, appointing a special prosecutor from Fremont County. Commissioner Johnson seconded and the motion carried unanimously.

Resolution 2016- 37

A Resolution of the Board of County Commissioners of Carbon County, Wyoming,

“RESOLUTION FOR SPECIAL PROSECUTOR”

WHEREAS, the Carbon County and Prosecuting Attorney has entered into an agreement with Patrick LeBrun, Fremont County Attorney for the Ninth Judicial District of Wyoming, or any of his deputy county attorneys, to assist in the case of State v. Candace Washburne, in which the Carbon County and Prosecuting Attorney’s Office has either a conflict of interest or which would have the appearance of impropriety if pursued by that office; and

WHEREAS, the Fremont County Attorney’s Office for the Ninth Judicial District will provide these services free of charge to Carbon County; and

WHEREAS, Wyoming Statute § 18-3-302 authorizes such appointment with consent of the Board of County Commissioners and said action benefits Carbon County;

NOW, THEREFORE BE IT HEREBY RESOLVED that Board of County Commissioners of Carbon County, Wyoming consents to the appointment of Patrick LeBrun or any of his deputy county attorneys to serve as special deputy county and prosecuting attorney(s) in the above referenced case.

DATED this 6th day of September, 2016.

(S E A L)

CARBON COUNTY, WYOMING

By: -s- John Espy
Title: Chairman, Board of County Commissioners

ATTESTED:

By: -s- Gwynn G. Bartlett, Title: County Clerk

Clerk

Gwynn Bartlett, County Clerk presented a request from Cody Resources dba/A Bar A Ranch to have the “Guest Ranch” Designation for their Retail Liquor License.

Commissioner Chapman moved to approve the “Guest Ranch” designation for Cody Resources dba A Bar A Ranch. Commissioner Jones seconded and the motion carried unanimously.

Commissioner Johnson moved to approve the Grant Award for U.S. Department of Homeland Security Federal Emergency Management Agency (FEMA), Grant Programs Directorate, Emergency Management Performance Grant (EMPG) Grant for Fiscal Year 2016, Project ID 16-GPD-CAR-EM-GCF16 in the amount of \$34,500.00 with a \$34,500.00 match. Commissioner Chapman seconded and the motion carried unanimously.

RECESS

Chairman Espy called a recess and reconvened at 1:30 p.m.

PLANNING & ZONING

Public Hearing - Z.C. Case File No. 2016-07

Chairman Espy opened a public hearing at 1:30 p.m. to hear Planning & Zoning Z.C. Case #2016-07 Smerekanic. Sid Fox, County Planning Director and Erik Devaun, Planner/GIS Specialist presented Z.C. Case #2016-07, Smerekanic request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD).

Chairman Espy called for comments for or against the case. There being no comments, Chairman Espy closed the hearing at 1:34 p.m.

Commissioner Glode moved to approve Resolution No. 2016-38, 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 #2016-07, Smerekanic request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD). Commissioner Johnson seconded and the motion carried unanimously.

Resolution No. 2016 - 38

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 #2016-07

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, August 1, 2016, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, August 1, 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, August 1, 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, September 6, 2016; and

WHEREAS, at said public hearing on September 6, 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 #2016-07: Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD).

Petitioners: Marc Smerekanicz and Rachel Zeman (Applicants and Land Owners)

Rural Address: 40 Sand Hill Lane – Ryan Park

Parcel Identification Number: 16812840005900

Location: Property borders the Ryan Park Commons Area and the Ryan Park 2nd Addition on the east side. Ryan Park is located approximately 24 miles southeast of Saratoga off HWY 130.

Legal Description taken from Warranty Deed: The NE¹/₄SE¹/₄SW¹/₄SE¹/₄ and a portion of the NW¹/₄SW¹/₄SE¹/₄SE¹/₄ of Sec. 28, T16N, R81W, Carbon County, Wyoming, more completely described as follows: Beginning at the NW corner of said NE¹/₄SE¹/₄SW¹/₄SE¹/₄; Thence S0°45'47"E, 331.47 ft. along the West line of said NE¹/₄SE¹/₄SW¹/₄SE¹/₄ to the SW corner of said NE¹/₄SE¹/₄SW¹/₄SE¹/₄; Thence N89°34'53"E, 325.40 ft. along the South line of said NE¹/₄SE¹/₄SW¹/₄SE¹/₄, to the SE corner of said NE¹/₄SE¹/₄SW¹/₄SE¹/₄; Thence N89°34'53"E, 172.93 ft. along the South line of the said NW¹/₄SW¹/₄SE¹/₄SE¹/₄ to the center of a gravel road; Thence N26°20'54"W, 37.28 ft. along the center of said road to a point; Thence N15°08'25"W, 170.58 ft. along the center of said road to a point; Thence N37°40'58"W, 167.22 ft. along the center of said road to a point on the North line of said NW¹/₄SW¹/₄SE¹/₄SE¹/₄; Thence S89°33'46"W, 14.02 ft. along the North line of said NW¹/₄SW¹/₄SE¹/₄SE¹/₄ to the NE corner of said NE¹/₄SE¹/₄SW¹/₄SE¹/₄; Thence S89°33'46"W, 326.59 ft. along the North line of said NE¹/₄SE¹/₄SW¹/₄SE¹/₄ to the Point of Beginning.

**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 Residential (RD).

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 6th day of September, 2016.

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

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

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Public Hearing - Z.C. Case File No. 2016-08

Chairman Espy opened a public hearing at 1:35 p.m. to hear Planning & Zoning Z.C. Case #2016-08 Hopkins. Sid Fox, County Planning Director presented Z.C. Case #2016-08 Hopkins request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Rural Residential Agriculture (RRA).

Chairman Espy called for comments for or against the case. There being no comments, Chairman Espy closed the hearing at 1:38 p.m.

Commissioner Chapman moved to approve Resolution No. 2016-39, 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 #2016-08 Hopkins request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Rural Residential Agriculture (RRA). Commissioner Johnson seconded and the motion carried unanimously.

Resolution No. 2016 – 39

**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 #2016-08

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, August 1, 2016, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, August 1, 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, August 1, 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, September 6, 2016; and

WHEREAS, at said public hearing on September 6, 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 #2016-08: Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Rural Residential Agriculture (RRA).

Petitioner: Lonnie Hopkins (Applicant and Land Owner)

Rural Address: 10057 Unit A State Highway 230

Parcel Identification Numbers: 14830620004700 & 15833130002300

Location: Approximately 150 yards east of Riverside and north of HWY 230

Legal Descriptions taken from Warranty Deed: A tract of ground located in Lot 3, Section 6, Township 14 North, Range 83 West, 6th P.M., Carbon County, Wyoming, more particularly described as follows: Beginning at a point on the North line of Lot 3, Section 6, T14N, R83W, 6th P.M., said point of beginning bears S89°51'39"E, 696 feet from the Northwest corner of said Lot 3, and is identical with the Southeast corner of the Cornell property as described in Book 556, Page 150, Misc. Records in the Office of the County Clerk, Carbon County, Wyoming; thence S0°08'21"W, 50 feet, more or less, to the Northerly right-of-way of State Highway No. 230; thence Northeasterly 231.5 feet, more or less, along the Northerly right-of-way of said State Highway No. 230, to the intersection with the North line of said Lot 3; thence N89°51'39"W, 226 feet, more or less, along the North line of said Lot 3, to the point of beginning AND A parcel of land in the SE1/4 SW1/4 (shown as SE1/4, SW1/4), of Section 31, Township 15 North, Range 83 West, 6th P.M., Carbon County, Wyoming, described as follows: Beginning at a point on the

South line of Section 31, 366 feet East of the Southwest Corner of the SE1/4 SW1/4 (shown as SE1/4, SW1/4) of Section 31, T15N, R83W; thence East 330 feet to a point on said South line; thence North 660 feet to a point; thence West 330 feet to a point; thence South 660 feet, being the point of beginning, said parcel containing an area of 5 acres, more or less; said parcel lies adjacent to and East of tract described in Book 239, Page 522, (correcting Book 188, Page 531), County Clerk's Records.

**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 Rural Residential Agriculture (RRA).

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 6th day of September, 2016.

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

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

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Mr. Fox reported he is working with Saratoga on assisting them with mapping of their zoning. Commissioner Johnson mentioned some bills in the upcoming legislative session that may affect zoning directly around municipalities.

CITIZEN/COMMISSIONERS DISCUSSION

Commissioner Chapman reported that he listened on the wilderness initiative noting Carbon County may be ahead as this BOCC has already chosen the committee.

Chairman Espy reported tomorrow is the US Forest Service conference call.

Commissioner Jones reported she attended the Broadway Fire public meeting last week and said there was much frustration on how the US Forest Service is managing fires. She also thanked Sinclair Refinery for their donation to the upgrades at the Fairgrounds and are working with Senior Centers throughout the county.

Commissioner Glode is working with the WY County Commissioners Association on a letter regarding the proposed increase to wind tax. Commissioner Jones reported Sid Fox had some ideas about wind taxation and suggested the BOCC attend the legislative meeting with a compromise in mind to assist the process in moving forward. Commissioner Glode stated that there are other players any such compromise should be discussed with and that compromise

should not be offered at the first meeting. There was further discussion and all agreed to attend and listen.

Commissioner Glode reported the WCCA Board of Directors is coming up and they will vote on many proposed bills.

Chairman Espy mentioned that the Library Board has an opening and someone interested applying. The BOCC asked Clerk Bartlett to advertise the opening.

ADJOURNMENT

Commissioner Johnson moved to adjourn the meeting at 2:15 p.m. Commissioner Chapman seconded and the motion carried unanimously.

A regular meeting of this Board will be held October 4, 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.