

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, November 1, 2016
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, November 1, 2016 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were; Chairman John Espy; Vice Chairman John Johnson; Commissioners Lindy Glode, and Sue Jones. Chairman Espy announced Commissioner Chapman is excused and absent today.

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 Jones moved to approve the report of expenditures in the amount of \$366,902.93. Commissioner Glode seconded and the motion carried unanimously.

Commissioner Jones moved to approve a bill to Rawlins Automotive for \$154.61, and True Value of Rawlins for \$800.93 for an aggregate total of bills paid today of \$367,858.47. 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
ALLEN, PATRICK C MD PC	EXAM FEES	\$1,165.00
ANTON COLLINS MITCHELL LLP	AUDIT	\$13,000.00
BANK OF COMMERCE (DEBIT CARD)	ASSORTED CHARGES	\$273.82
BARKHURST, RAY	MILEAGE	\$12.00
BEHRMANN, ELEANOR	MILEAGE	\$44.40
BLOOMQUIST, CYNTHIA	MILEAGE	\$34.80
BUCHANAN, KAREN	MILEAGE	\$72.00
BUILD RITE LUMBER SUPPLY	SHIPPING FEES/MAINTENANCE ITEMS	\$119.92
CASPER WINNELSON CO	COUPLING	\$14.26
CATERPILLAR FINANCIAL SERVICES CORP	EQUIPMENT PAYMENT	\$41,719.59
CATHEDRAL HOME FOR CHILDREN	FUNDING/DIVERSION PROGRAM FUNDING	\$10,645.09
CBM FOOD SERVICE	JAIL MEALS	\$8,460.46
CENTURY LINK	PHONE LINES	\$158.00
CENTURYLINK WA	PHONE LINES	\$2,743.13

CENTURYLINK-PHOENIX	E911 LINES	\$7.47
COBECON	COBRA ACTUARY ESTIMATE	\$300.00
COMMUNITY RESOURCE CENTER	AGENCY DUES	\$35.00
COWBOY CHEMICAL	LAUNDRY SUPPLIES	\$466.30
DIRTY BOYZ SANITATION, INC	TRASH SERVICE	\$271.00
DIXON, TOWN OF	WATER/SEWER	\$462.00
ELECTION SYSTEMS & SOFTWARE, LLC	BALLOTS	\$4,831.31
ELK MOUNTAIN CONOCO	FUEL	\$246.74
ELK MOUNTAIN, TOWN OF	JUL AUG SEP 2016 SENIOR SERVICE AGREEMENT	\$1,500.00
EZELL, ANNE-TERRI	MILEAGE	\$72.00
FEDEX	SHIPPING	\$96.42
FORSTER LANDSCAPE & CONSTRUCTION, INC.	SPRINKLER SYSTEM MAINTENANCE	\$290.00
FRANCE, TARA	TRANSCRIPTION SERVICES	\$1,579.50
GENTRY, ROBERT	OVERLOOK RETREAT TRACT 13	\$2,100.00
GRAHAM, LEROY	PAYROLL	\$487.20
GRAINGER	VALVES/BATTERIES	\$146.50
HAGOOD, VICKI	MILEAGE	\$138.00
HANNA, TOWN OF	WATER/SEWER	\$90.04
HANSEN, LORETTA J.	MILEAGE	\$134.00
HELM, ANNA	MILEAGE	\$24.00
HERMAN, BOBBIE	MILEAGE	\$27.00
HIGH DESERT WELDING & MACHINE LLC	PIPE NIPPLE	\$9.58
HIGH PLAINS POWER	ELECTRIC SERVICE	\$297.47
INTERNATIONAL ACADEMICS OF EMERGENCY	MAIL-IN QUIZ-MELISA SIKES	\$5.00
J H KASPAR OIL COMPANY	FUEL	\$861.11
JOHNSON COUNTY CLERK OF COURT	CERTIFIED COPIES	\$70.57
KAISLER, TODD	MILEAGE	\$54.00
KENCO SECURITY AND TECHNOLOGY	MONITORING SERVICES	\$36.00
KILBURN TIRE COMPANY	VEHICLE MAINTENANCE	\$2,348.96
KIRSCH, ARCHIE P	OCT MEDICAL SERVICES	\$1,300.00
L N CURTIS & SONS	TRUCK EQUIPMENT	\$218.51
LACEY, JOSHUA W.	MEALS/MILEAGE	\$188.09
LOCAL GOVERNMENT LIABILITY POOL	DEDUCTIBLE	\$5,000.00
LONG BUILDING TECHNOLOGIES, INC.	SENSORS/COVERS	\$255.11
MOORE MEDICAL CORP.	JAIL HEALTH SUPPLIES	\$229.92
MORGAN COUNTY SHERIFF'S OFFICE	SUMMONS SERVICE	\$28.50
MOUNTAIN WEST MOTORS	VEHICLE REPAIRS	\$5,066.00
NORCO, INC.	CYLINDER RENTAL	\$58.23
OFFICE DEPOT	OFFICE SUPPLIES	\$60.12
PARK, RANDY	LAUNDRY REIMBURSEMENT	\$13.75

PINNACLE PUBLIC FINANCE, INC	LEASE PAYMENTS	\$185,092.30
PITNEY BOWES	INK/TAPE	\$410.52
PLAINSMAN PRINTING & SUPPLY	ENVELOPE LABELS	\$37.11
QUESTAR GAS	HEATING FUEL	\$84.14
QUILL CORPORATION	OFFICE SUPPLIES	\$457.60
RAWLINS AUTOMOTIVE	VEHICLE MAINTENANCE SUPPLIES	\$154.61
RAWLINS FIRE EXTINGUISHER	TESTING/CYLINDERS	\$770.00
ROCKY MOUNTAIN POWER	ELECTRIC SERVICE	\$7,671.30
SARATOGA AUTO PARTS, INC.	VEHICLE MAINTENANCE SUPPLIES	\$135.81
SARATOGA SUN	LEGAL AD 6846	\$144.00
SHAW, GAYLE	MILEAGE	\$24.60
SHEPARD'S	FUEL	\$159.02
SOURCE GAS	HEATING FUEL	\$6,986.64
SPECIALIZED PATHOLOGY CONSULTANTS	AUTOPSY FEES	\$2,480.00
STAPLES ADVANTAGE	OFFICE SUPPLIES	\$655.42
SWEETWATER COUNTY SHERIFF'S OFFICE	HEALTH/TRAVEL CHARGES	\$184.70
TANDAN SANITATION SERVICES	TRASH SERVICE	\$80.00
TEAM LAB	ROAD PATCH MATERIAL	\$837.50
THE MASTERS TOUCH, LLC	MAILING SERVICES-TAX NOTICES	\$2,177.62
THOMSON REUTERS-WEST PAYMENT CENTER	ANNUAL CHARGES	\$707.72
TRADING POST	FUEL	\$447.00
TRUE VALUE OF RAWLINS	BUILDING MAINTENANCE SUPPLIES	\$800.93
VALLEY OIL COMPANY	FUEL	\$212.82
VAN'S WHOLESALE LLC	BUILDING SUPPLIES	\$654.77
VENTURE TECHNOLOGIES	MAINTENANCE AGREEMENT/GATEWAYS	\$6,911.20
WARRIOR SERVICES, LLC	PEST CONTROL SERVICES	\$60.00
WILKERSON, JAMES A IV M.D.	AUTOPSY FEES	\$2,330.00
WLC ENGINEERING	SURVEYING SERVICES	\$3,515.01
WY ASSOCIATION OF COUNTY AG AGENTS	2017 NATIONAL & STATE DUES	\$150.00
WY DEPT OF HEALTH	PAYROLL	\$34,912.30
YAMPA VALLEY ELECTRIC	ELECTRIC SERVICE	\$742.46
ZIRMED, INC	CLAIMS FILED	\$3.50
Grand Total		\$367,858.47

CONSENT AGENDA

Commissioner Glode moved to approve the consent agenda. Commissioner Johnson seconded and Clerk Bartlett noted the consent agenda includes the October 18, 2016 regular meeting minutes; bond for Kindra L. Pacheco, Treasurer for Town of Sinclair in the amount of \$8,000, Planning and Development Department receipts for \$2,000. The motion carried unanimously

with Commissioner Glode pointing out that Ms. Pacheco is the Assistant Treasurer of Sinclair not the Treasurer as the bond reads. Attorney Kelly stated this was fine for approval.

Elected Officials & Department Heads

District Court

Mara Sanger requested and received approval to replace a part-time position in District Court.

Sheriff

Jerry Colson, County Sheriff requested and received approval to replace two jail deputies at the Detention Center.

Clerk

Gwynn Bartlett, County Clerk presented the grant agreement for AWOS maintenance at the Dixon Airport.

Commissioner Jones moved to approve the Request for State Airport Aid in the amount of \$5,770.00 for the Dixon Airport AWOS maintenance. Commissioner Glode seconded and the motion passed unanimously.

Ms. Bartlett reported there are only 2 people left on the Jeffrey Center Board and her office will be advertising for 3 positions. She encouraged everyone to help find applicants.

Public Hearing – FY17 Budget Amendment

Chairman Espy opened a public hearing at 9:15 a.m. to hear about a proposed budget amendment for Public Health and noted the hearing was advertised in the Rawlins Daily Times October 19.

Amanda Brown, Public Health Nurse explained the need for the amendment requesting \$7,500.00 for support services. These funds are all recovered by billing the state dollar for dollar for the services they provide.

Chairman Espy called for comments for or against the amendment. Clerk Bartlett asked if \$7,500 would be enough noting in the first quarter \$2,475 was already expended. There being none, he closed the hearing at 9:19 a.m.

Commissioner Johnson moved to approve Resolution 2016-42, Budget Amendment 1 for Fiscal Year 17 for the Public Health Department. Commissioner Glode seconded and the motion carried unanimously.

**RESOLUTION 2016- 42
FY 2017 BUDGET AMENDMENT NUMBER ONE**

WHEREAS Carbon County adopted the Fiscal Year 2017 Budget in accordance with the Wyoming Uniform Municipal Fiscal Procedures Act; and

WHEREAS the Board of Carbon County Commissioners wishes to amend the adopted budget in accordance with the same Act;

NOW, THEREFORE, BE IT RESOLVED that the following budget amendments are made.

Fund/Entity	16-17 Approved Budget	Amendment Amount	16-17 Amended Budget
Public Health	\$169,378.41	\$10,000.00	\$179,378.41
Reserves	\$1,509,406.02	(\$10,000.00)	\$1,499,406.02

PASSED, APPROVED AND ADOPTED this 1st day of November, 2016.

CARBON COUNTY, WYOMING
-s- John Espy, Chairman

ATTESTED:

-s- Gwynn G. Bartlett, County Clerk

Road & Bridge

Bill Nation, Road & Bridge Superintendent reported interpretative signs will be installed as part of the Elk Mountain Bridge project and showed the planned signs. Mr. Nation said they continue to clear culverts and work on equipment including the Dixon Airport loader. Mr. Nation stated there is a concern on the lack of employees throughout the county to cover the work that needs done but said he has two retirees that have accepted offers of part-time employment on an as-needed basis.

Chairman Espy reported he attended a meeting where bonding for county roads came up. He said all county roads should have perpetual right of way agreements and counties should ask these to be changed as they come due.

Public Hearing – Road & Bridge

Chairman Espy opened a public hearing at 9:30 a.m. to hear about a proposed work using Congestion Mitigation Air Quality (CMAQ) grant funds. Road & Bridge Superintendent Bill Nation explained gravel and magnesium chloride will be installed on County Road 608. The road services recreation, oilfield services, agriculture and other uses.

Chairman Espy called for public comments. Commissioner Glode asked what the product actually does. Mr. Nation explained CMAQ was conceived as an attempt to mitigate dust in

Wyoming. All counties have a fair chance at these funds therefore it is a competitive application process. Mr. Nation explained that magnesium chloride helps hold roads together by binding it and by eliminating dust it helps road conditions. Mr. Nation explained that the use of CMAQ funds are alternated between coalbed methane development roads one year and oil and gas used roads the next year if possible. There being no further comments Chairman Espy closed the hearing at 9:40 a.m.

Planning & Development

Sid Fox, County Planning Director discussed the final Environmental Impact Statement (EIS) for eagle take permit for the Chokecherry and Sierra Madre Phase 1 wind Energy Projects. He mentioned his draft comments support Alternative II which deals with mitigation.

Commissioner Glode moved to authorize the Chairman's signature on a comment letter regarding the final Environmental Impact Statement (EIS) for eagle take permit for the Chokecherry and Sierra Madre Phase 1 wind Energy Projects approving Alternative II and showing non-support to Alternative III after review and approval of the final comments by the Board. Commissioner Johnson seconded and the motion carried unanimously.

Mr. Fox discussed three wind energy facilities that he is working with that may qualify for a 2016 tax credit including the Little Medicine Bow Wind Energy, north of Medicine Bow on state land. He stated proponents would like to dig several foundation holes to qualify for the 2016 federal tax credits. Digging a hole normally would not require a building permit however because the foundation hole is intended to be part of a future wind energy facility, he is requesting one. He asked if there should be a bond for reclaiming the hole and the BOCC suggested there should be. Because this is state land Mr. Fox will require state\land owner authorization to proceed. The BOCC suggested the company provide a plan prior to any approval.

The next company is Intermountain Wind. Intermountain Wind is developing a wind energy project in northern Albany County which will tie into a substation in Carbon County. They are also evaluating developing a wind energy project in Carbon County and want to dig foundation holes to qualify for the 2016 tax credits. A building permit has already been issued to construct a MET tower which is on private land. The BOCC suggested the same county review process for this company. Commissioner Johnson asked why a permit is needed to dig a hole and Mr. Fox stated the action is clearly part of a wind energy project which requires a County Conditional Use Permit.

The third company is Elk Mountain Wind LLC at the old Terra Moya site, east of Highway 72 and north of Interstate 80 near Elk Mountain. The old "special use permit" was issued in 1999 but the current\new project is substantially different than the project described in 1999. The Planning & Zoning Commission indicated that they should apply for a new conditional use permit to construct and operate a wind energy facility, the Elk Mountain Wind Project. The Planning Commission recommended that they apply for a new Conditional Use Permit because the legal description and project has been significantly modified. The project is in a sage grouse core area which will require State review.

Building and Grounds

Jim Piche reported Emergency Management and the County Fire Warden have requested a formal motion for use of the building at the fairgrounds on Rodeo Street as an emergency operations center. Commissioner Johnson asked where storage for the fair board will be as they are currently using this facility and if any other agency could be safely housed in this building. Mr. Piche stated he feels they can use the building next door once it is cleaned up and the building should be solely for the EOC. Mr. Piche noted that he is working on records storage for all county offices and the fair board could be included in this.

Commissioner Johnson moved that effective December 1, 2016 to dedicate the old radio shop building at the fairgrounds on Rodeo Street for the sole purpose of being the Emergency operations center and to work to find adequate storage for the fair board that is acceptable to them. Commissioner Glode seconded and the motion carried unanimously.

Mr. Piche reported that he has offered the administrative assistant position to Julie Webb and she has accepted and will start November 8. He noted the fair board has unanimously accepted this individual as well.

Survey work is complete at the county's fire station at Ryan Park and there are no issues therefore the SLIB grant should be able to move forward.

Mr. Piche met with the Jeffrey Center Board about the potential use of the east basement room for records storage. While the board noted it was not Dr. Jeffrey's intent to use the building for this purpose, the state Fire Marshall won't allow use for any other purpose for safety reasons therefore the board has approved this.

The State of WY has requested POD storage at the Jeffrey Center however it has not been accomplished because the generator was not hooked up due to lack of funds. The Jeffrey Center Board agreed that the board would split the cost with the state and the existing contractor performing electrical upgrades there can complete this once funds are secured. The PODs will be stored in the document storage area.

Mr. Piche reported he has reviewed all buildings at the Events Center in Dixon for insurance purposes. Mr. Piche will also apply for a septic permit for the restroom at the Dixon Airport to make this more functional.

Public Hearing Northwest Ryan Park Water and Sewer District

Chairman Espy opened a public hearing at 10:45 a.m. to hear comments on the potential dissolution of the Northwest Ryan Park Water and Sewer District.

Mike Kelly discussed the requested dissolution of the Northwest Ryan Park Water and Sewer District stating this can be done by the Board of County Commissioner per W.S. 22-29-401 through 408. The NWRPWS district has requested, by resolution that this be dissolved as they are inactive. For the BOCC to dissolve the district without an election the commissioners must

find that this is in the best interest of the people and the district is not active. Mr. Kelly warned that if the BOCC dissolves the district the county would have to assume the duties of the district however the district was inactive for numerous years with no duties. Mr. Kelly also reported the clerk has the assets of the board in the form of a check for \$2,746.83.

Clerk Bartlett reported she notified Assessor Ross and the Department of Revenue of the potential dissolution and she must also notify the Department of Audit if it is dissolved.

There being no further comments Chairman Espy closed the hearing at 10:52 a.m.

Commissioner Glode moved to approve the dissolution of the Northwest Ryan Park Water and Sewer District contingent upon written confirmation from the state that wells have been capped with no cost to the county or the district. Commissioner Johnson seconded and the motion carried unanimously.

Commissioner Discussion

Chairman Espy reported the sage grouse memos from the federal level and the Bureau of Land Management is meeting this week to discuss how to implement these actions. He also reported the US Fish and Wildlife Service will be preparing a list of questions that must be answered regarding the delisting of sage grouse.

MEMORIAL HOSPITAL OF CARBON COUNTY (MHCC)

Dana Barnett, Chief Executive Officer for MHCC presented a financial analysis as of September 30, 2016. There were no board members present.

Mr. Barnett presented an update of recruiting, construction and an air medical service, Classic, who will be basing a helicopter at the hospital around next March. MHCC is working with a company to develop cost options to assist with future recommendations on whether the hospital should be renovated or rebuilt.

Industrial Siting Update

Kimber Wichmann introduced Casey Robb, Bonding Analyst, a new employee with the Industrial Siting Division.

Ms. Wichmann reported the Little Medicine Bow project was asked for an additional meeting as things were being presented to other agencies in phases but that was not the initial plan. They stated in their meeting it is a pilot project of 15 turbines and will not be a phased project. As a pilot project the ISC jurisdiction is not met therefore no bonding would be in place. Should they move beyond the pilot project industrial siting would be triggered. Commissioner Johnson asked if bonding can be added to the initial 15 turbines if the project moves forward and Ms. Wichmann stated it would depend on how a continuance was presented to ISC. She noted the county could request the company to be required to go through ISC per W.S. 35-12-102(a)(vii)(F) even if the threshold is not met.

Their office has been receiving calls about solar projects around the state but there has been no specific sites selected. The ISC dollar threshold likely will not be met for these projects even though they are large. Ms. Wichmann stated chemicals that go into soils are of concern to ISC as well as the glare and setbacks as well as wildlife migration and she warned the BOCC to consider this in their discussions if a project were to develop in Carbon County. The current threshold is \$207 million and she was unaware of how many solar panels this could be. Commissioner Johnson asked if there was any provision that would allow the BOCC to require such a project to go through ISC however there is currently no statutory provision allowing this for solar, only wind.

Ms. Wichmann reported the High Plains McFadden wind farm, Docket DEQISC08-02 from 2008, phase III may continue in the upcoming few years under an existing permit. The company must notify ISC and the impact assistance would be distributed under the old formula.

Mr. Robb reported on key dates for the industrial siting rules revisions. There was an open house October 12 and the comment period ends November 21. Comments can be made on the ISC website or via mail. Once comments are received ISC will consider comments on January 26, 2017 in Cheyenne.

Commissioner Discussion

There was discussion that the county should make formal comments on the proposed rule changes to the Industrial Siting Council.

Commissioner Johnson stated sales tax in WY is at a historic low and asked how this would affect impact assistance payments that may come from projects. Ms. Wichmann stated the period is a rolling 12 months from each point and that it is specific to the county of the majority of the footprint of the project, not a statewide sales tax average. Funding continues until construction is 90% complete noting this is under the old rules as the BOCC was referring to the Chokecherry and Sierra Madre projects.

RECESS

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

PLANNING & ZONING

Public Hearing - C.U. Case File No. 2016-11

Chairman Espy opened a public hearing at 1:30 p.m. to hear Planning & Zoning C.U. Case File No. 2016-11. Erik Devaun, Planner/GIS Specialist presented C.U. Case File No. 2016-11 Drake request for a conditional use permit the proposed business is a Family Day Care Home intended to provide day care services for the Upper North Platte Valley Area

Chairman Espy called for comments for or against the case. There being no comments, Chairman Espy closed the hearing at 1:35 p.m.

Commissioner Jones moved to approve Resolution No. 2016-43, 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 No. 2016-11 Drake request for a conditional use permit the proposed business is a Family Day Care Home intended to provide day care services for the Upper North Platte Valley Area. Commissioner Glode seconded and the motion carried unanimously.

Resolution No. 2016 – 43

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 #2016-11– “Family Day Care Home”

WHEREAS, pursuant to the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on Monday, October 3, 2016, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, October 3, 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 the Monday, October 3, 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 pursuant to the Carbon County Zoning Resolution of 2015, as amended for Carbon County, Wyoming; and

WHEREAS, the Carbon County Board of County Commissioners, pursuant to the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. §18-5-202(c) and after receipt of said certified recommendation; advertised by public notice at least 14 days prior to a public hearing to take public input and comments which said hearing occurred on Tuesday, November 1, 2016; 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 application; 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 2015, as amended, specifically, Section 5.4, 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 2015, 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 File #2016-11: A Conditional Use Permit request in the Residential (RD) Zone. The proposed business is a Family Day Care Home intended to provide day care services for the Upper North Platte Valley Area.

Petitioners: Kiana Drake (Applicant) and Gregory Drake (Land Owner)

Rural Address: 88 County Road 307

Parcel Identification Number: 18833130302000

General Site Location: Approximately 2.5 miles north of Saratoga off Carbon County Road #307 (Mountain View Estates Road)

Legal Description: Block 2, Lot 20, Amended Mountain View Estates, Carbon County, Wyoming.

TERMS AND CONDITIONS OF APPROVAL:

1. Approved for care of up to eight (8) children – including children who reside at the home.
2. The days and hours of operation are limited to 6 A.M. to 7 P.M. (Monday – Friday).
3. Prior to operation as a licensed family child care home, the applicant must provide a copy of the following to the Carbon County Planning & Development Department:
 - a. An approved inspection by the State of Wyoming Department of Fire Prevention & Electrical Safety.
 - b. An approved State license issued by the State of Wyoming Department of Agriculture.
4. The Applicant shall notify the Carbon County Planning & Development Department in writing of any material changes to the project subsequent to the County issuance of the Conditional Use Permit.
5. In accordance with Section 5.4-E, Expiration of Conditional Use Permits:
 - Any use for which a conditional use permit is granted must be commenced within two (2) years from the date of approval. If the Project is not commenced within two (2) years from the date of approval then the conditional use permit shall expire and become null and void and be of no further effect, except as extended in compliance with Section 5.4-F, Extension of Conditional Use Permits.
6. In accordance with Section 5.4-G, Transfer of Conditional Use Permits:
 - No conditional use permit shall be transferred without the prior approval of the Board of County Commissioners.
7. 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.

Amendments to Conditional Use Permits: A Conditional Use Permit may be amended pursuant to the procedures and standards as required for a new CUP application.

**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 as represented in the Conditional Use Permit (C.U. Case #2016-11 – “Family Day Care Home”).

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 1st day of November, 2016.

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

By:-s- John Espy, Chairman
On behalf of the Carbon County
Board of County Commissioners

Attest:

Gwynn G. Bartlett, Carbon County Clerk

Public Hearing - Z.C. Case File No. 2016-09

Chairman Espy opened a public hearing at 1:36 p.m. to hear Planning & Zoning Z.C. Case File No. 2016-09. Erik Devaun, Planner/GIS Specialist presented Z.C. Case File No. 2016-09 a Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR) on Tract 3 located in the Overlook Retreat Subdivision #1. 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.

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 Glode moved to approve Resolution No. 2016-44, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission presented Z.C. Case File No. 2016-09 a Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR) on Tract 3 located in the Overlook Retreat Subdivision #1. Commissioner Johnson seconded and the motion carried unanimously.

Resolution No. 2016 – 44

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 #2016-09

WHEREAS, pursuant to the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing on Monday, October 3, 2016, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the October 3, 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, October 3, 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, as amended, 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, November 1, 2016; and

WHEREAS, at said public hearing on November 1, 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, as amended; 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, as amended; and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

WHEREAS, at a regularly scheduled meeting of the Carbon County Board of County Commissioners, by majority vote, the Carbon County Board of County Commissioners moved to approve the proposed zoning amendment to the Carbon County Official Zoning Map.

Z.C. Case File #2016-09: Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Forestry Production and Seasonal Recreation (FPSR) on Tract 3 located in the Overlook Retreat Subdivision #1. 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: Gary and Carolyn Gerstner (Applicants and Land Owners)

Location: Overlook Retreat Subdivision #1 is located approximately 22 miles south of Elk Mountain and about one (1) mile north of Turpin Reservoir.

Legal Description taken from Warranty Deed: Beginning at a point which bears N0°00' West 264 feet from the SE of NE1/4 SW1/4 of Section 14, Township 17 North, Range 80 West of the 6th P.M., Wyoming. Thence N 0°00' West 528 feet to a point; thence S90°00' West 528 feet to a point on the east R.O.W. line of the Medicine Bow Basin Road; thence along said R.O.W. line to the point of beginning. Said tract to contain 2.2 acres more or less subject to the rights of said Medicine Bow Basin Road. (Also Known As: Tract 3, Overlook Retreat Subdivision, located in Section 14, T17N, R80W, 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, this 1st day of November, 2016.

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

By: -s- John Espy, Chairman
On behalf of the Carbon County
Board of County Commissioners

Attest:
Gwynn G. Bartlett, Carbon County Clerk

Public Hearing - Z.C. Case File No. 2016-10

Chairman Espy opened a public hearing at 1:40 p.m. to hear Planning & Zoning Z.C. Case File No. 2016-10. Sid Fox, County Planning Director presented a 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. The applicant, David Jaramillo confirmed animals such as horses would be allowed on the property under this zoning. Mr. Fox confirmed this. There being no comments, Chairman Espy closed the hearing at 1:47 p.m.

Commissioner Johnson moved to approve Resolution No. 2016-45, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission Zoning Z.C. Case File No. 2016-10. Sid Fox, County Planning Director or Thomas Powell, Planner/GIS Specialist presented a 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 – 45

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 #2016-10

WHEREAS, pursuant to the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission held a public hearing

on Monday, October 3, 2016, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the October 3, 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, October 3, 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, as amended, 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, November 1, 2016; and

WHEREAS, at said public hearing on November 1, 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, as amended; 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, as amended; and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

WHEREAS, at a regularly scheduled meeting of the Carbon County Board of County Commissioners, by majority vote, the Carbon County Board of County Commissioners moved to approve the proposed zoning amendment to the Carbon County Official Zoning Map.

Z.C. Case File #2016-10: Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Rural Residential Agriculture (RRA).

Petitioners: David and Nicole Jaramillo (Applicants and Land Owners)

Rural Address: 337 State Highway 71

Parcel Number: 21873040009900

Location: Approximately 3 miles south of Rawlins on the east side of State Highway 71

Legal Description taken from Warranty Deed: A tract of land in the SW1/4SE1/4 of Section 30, Township 21 North, Range 87 West, Carbon County, Wyoming, more completely described as follows: Beginning at the S1/4 corner of said Section 30; Thence N0°05'46"W, along the North-South centerline of said Section 30, a distance of 511.23 ft. to a point; Thence S89°47'55"E, parallel to the South line of said Section 30, a distance of 511.23 ft. to a point; Thence S0°05'46"E, parallel to the North-South centerline of said Section 30, a distance of 511.23 ft. to a point on the South line of said Section 30; Thence N89°47'55"W, along the South line of said Section 30, a distance of 511.23 ft. to the point of beginning, said tract containing 6.0 acres, more or less.

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, this 1st day of November, 2016.

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

By: -s- John Espy, Chairman
On behalf of the Carbon County
Board of County Commissioners

Attest:
Gwynn G. Bartlett, Carbon County Clerk

Certifications

Commissioner Jones moved to accept the Certification of Recommended Action from the Carbon County Planning & Zoning Commission for Z.C. Case File No. 2016-11 from RAM to FPSR, Samuel and Debra Taylor and schedule a public hearing for December 6, 2016 at 1:30 p.m. at the County Courthouse in Rawlins, Wyoming. Commissioner Johnson seconded and the motion carried unanimously.

SPECIAL DISTRICT DISSOLUTION

Commissioner Johnson moved to approve Resolution 2016-46 A Resolution Dissolving the Northwest Ryan Park Water and Sewer District contingent upon commissioner and attorney approval. Commissioner Glode seconded and the motion carried unanimously.

EXECUTIVE SESSION

Commissioner Glode moved to go into executive session at 1:50 p.m. with Clerk Bartlett, Bill Nation and Mike Kelly to discuss personnel and potential litigation. Commissioner Johnson seconded and the motion carried unanimously.

Commissioner Johnson moved to come out of executive session at 2:13 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 2:14 p.m. Commissioner Jones seconded and the motion carried unanimously.

A regular meeting of this Board will be held December 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.