

**OFFICIAL MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, July 2, 2019
Carbon County Courthouse, Rawlins, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, July 2, 2019 at 9:00 a.m. at the Carbon County Courthouse, Rawlins, WY. Attending the meeting were; Chairman, John Johnson, Vice Chairman, Sue Jones, John Espy, Travis Moore, and Byron Barkhurst.

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

ADDITIONS/CORRECTIONS

Chairman Johnson added citizen Jim McNeese to the agenda.

VOUCHERS

Commissioner Espy moved to approve the report of expenditures in the amount of \$89,005.05 for FY2019. Commissioner Moore seconded and the motion carried unanimously.

ACME ELECTRIC COMPANY, LLC	\$1,243.36	TROUBLESHOOT/ELECTRICAL WORK
AIRPORT IFE SERVICES, INC	\$2,850.00	REPAIR RUNWAY 6/24 PROJECT
APEX COMMUNICATIONS	\$3,907.03	NEW RADIO AND INSTALL FOR NEW CAT BLADE
BLACK HILLS ENERGY	\$6,951.49	HEATING SERVICES
CLERK OF DIST COURT (JURORS)	\$3,483.00	ADMIN JURORS (DISTRICT COURT)
DELL MARKETING L.P.	\$6,311.80	COMPUTERS FOR NEW CAMERA SYSTEM
DIXON, TOWN OF	\$308.00	WATER SERVICES
FURTHER	\$3,635.42	HEALTH REIMB/MED FSA/DEP CARE
GRAINGER	\$1,078.49	MISC PARTS
HIGH PLAINS POWER	\$424.16	ELECTRIC SERVICES
LONG BUILDING TECH, INC.	\$47,681.00	GRANTS H.S. HSG COURTHOUSE SECURITY 18-19
ROCKY MOUNTAIN POWER	\$10,832.30	ELECTRIC SERVICES
TERMINIX	\$299.00	BAIT BOXES

CONSENT AGENDA

Commissioner Espy moved to approve the consent agenda noting any item could be removed for further discussion. The consent agenda includes the June 18, 2019 regular meeting minutes, June 25, 2019 Special Meeting and Budget Workshop minutes; monthly receipts for the Road & Bridge in the amount of \$50.00 and Planning & Zoning in the amount of \$33,300.00; a bond for Suzie Cox, Clerk/Treasurer for the Town of Saratoga for \$50,000.00 and Russell Waldner, Treasurer for the Saratoga Carbon County Impact Joint Powers Board for \$25,000.00.

Commissioner Barkhurst seconded and the Chairman pulled the regular meeting minutes for June 18, 2019. The motion carried unanimously.

Commissioner Espy moved to approve the June 18, 2019 meeting minutes. Commissioner Barkhurst seconded and Chairman Johnson stated that the regular minutes will be published however a full report of the meeting is available in writing on the county's website and he encouraged everyone to read it including the reporter from the Rawlins Daily Times. The motion carried unanimously.

ELECTED OFFICIALS & DEPARTMENT HEADS

Public Health

Commissioner Barkhurst moved to authorize the Chairman's signature on the Contract Between Wyoming Department of Health, Public Health Division and Carbon County for the County Health Officer in the amount not to exceed \$9,600.00 through June 30, 2020 for the County Health Officer. Commissioner Jones seconded and the motion carried unanimously.

EXECUTIVE SESSION

Commissioner Espy moved to go into executive session with Ashley Davis, Paul Zamora and Clerk Bartlett to discuss personnel, potential litigation and other matters considered confidential by law at 9:37 a.m. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Espy moved to come out of executive session at 10:07 a.m. noting no action was taken and the minutes be signed and sealed as written. Commissioner Barkhurst seconded and the motion carried unanimously.

Planning & Zoning

Commissioner Jones moved to authorize the Chairman's signature on the Memorandum of Understanding with the Town of Saratoga and a separate Memorandum of Understanding with the Town of Encampment, both for Planning, Zoning and Development Review Surrounding the Corporate Limits of the Town . Commissioner Barkhurst seconded and the motion carried unanimously.

Certifications of Recommended Action

Commissioner Espy moved to accept the Certification of Recommended Action for Z.C. Case #2019-09 Henry and Jane Pratte and Z.C. Case #2019-10 Rich and Shelly Seldomridge, and schedule a public hearing at 11:15 a.m. August 6, 2019 at the Carbon County Courthouse in Rawlins, WY. Commissioner Moore seconded and the motion carried unanimously.

Clerk

Commissioner Moore moved to approve Resolution 2019-22 A Resolution for Lease and Option to Purchase Agreement with RNB State Bank F/K/A Rawlins National Bank for a blade. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Jones moved to reappoint Mindy Monson (Green) to the Carbon County Community Juvenile Services Board for a three year term ending June 30, 2022. Commissioner Moore seconded and the motion carried unanimously.

RECESS

Chairman Johnson called a recess at 10:25 a.m. and reconvened at 10:30 a.m.

PUBLIC HEARING

Z.C. Case #2019-08 – Casey and Sammi Staman

Commissioner Espy moved to approve Resolution No. 2019- 23 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 #2017-08 Casey and Sammi Staman for a request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD – 3.212) on approximately 3.212 acres. Commissioner Barkhurst seconded and the motion carried unanimously.

Attorney

County Attorney Ashley Davis presented a proposed press release and the Chairman asked her to read the entire release. This is a statement regarding an alleged illegal executive session and the full version is contained in this report.

CARBON COUNTY BOARD OF COUNTY COMMISSIONERS

*John Johnson, Chairman
Sue Jones, Vice-Chairman
Byron Barkhurst, Commissioner
John Espy, Commissioner
Travis Moore, Commissioner*

PRESS RELEASE

FOR IMMEDIATE RELEASE

DATE: July 2, 2019

Carbon County Commissioners Statement Regarding Completely False Newspaper Article on an “Illegal Executive Session” Published by the Rawlins Times on June 19, 2019

On June 19, 2019, the Rawlins Times published a front page article that the Carbon County Commissioners held an illegal executive session after a heated argument. The Carbon County Commissioners held a meeting on June 18, 2019, in accordance with Wyoming Open Meeting laws. During an open meeting, the discussion between a department head and a county commissioner became heated. Recognizing the confidential nature of the issues being raised, the Chairman suggested handling the matter during the already scheduled executive session. Then, the Commissioners briefly recessed the meeting for a short break.

After the break, the regular meeting was resumed in open session. After the commissioners asked for public comment, Commissioner Espy made a motion to go into executive session to discuss matters of personnel, potential litigation or other matters considered confidential by law. The motion was seconded by Commissioner Moore, and the entire board voted in favor of going into executive session. After the executive session a motion was made by Commissioner Espy to come out of executive session, noting that no action was taken during the session and for the minutes to be signed as written and sealed. The motion was seconded by Commissioner Barkhurst and voted in favor of by the Board.

There were no other executive sessions held during the Carbon County Commissioner's meeting on June 18, 2019, and certainly no "illegal executive sessions." Any reports to the contrary are inaccurate and false. A Rawlins Times reporter was present during the meeting when the Board made a motion to go into executive session. The comment made about going into executive session to settle an argument was taken out of context. The reason to enter the executive session was to discuss matters of personnel, potential litigation or other matters considered confidential by law, as indicated in the motion made. Any statements that the topic of the executive session was illegal are reckless assumptions.

The Carbon County Commissioners appreciate having media present to cover the issues raised in Carbon County Commissioner's meetings and disseminate this information to the public; however, it is the media's responsibility to report the facts accurately and responsibly.

Commissioner Espy moved to approve the Press Release to be distributed. Commissioner Jones seconded and the motion carried unanimously.

Commissioners

Commissioner Espy moved to authorize the Chairman's signature on the Dixon Airport Work Order 2019-01 Master Plan Update with T-O Engineers, AIP# 3-56-0038-017-2019, State Grant # ADW001A. Commissioner Espy seconded and the motion carried unanimously.

Public Records Contact

Commissioner Espy moved to approve Resolution 2019-24 Designation of a Public Records Request Contact, the County Attorney. Commissioner Moore seconded and the motion carried unanimously.

PUBLIC HEARING

Power Company of Wyoming

Commissioner Jones moved to extend the deadline for Power Company of WY to commence operations for the Chokecherry and Sierra Madre projects to September 2024. Commissioner Barkhurst seconded and the motion carried with all voting for except Commissioner Espy who abstained due to personal conflict.

ADJOURNMENT

Commissioner Espy moved to adjourn the meeting at 11:31 a.m. Commissioner Moore seconded and the motion carried unanimously.

A regular meeting of this Board will be held Tuesday, August 6, 2019 at 9:00 a.m. at the Carbon County Courthouse, 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 or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 15th day of July 2019.

BOARD OF COUNTY COMMISSIONERS
CARBON COUNTY, WYOMING

-s- Willing John Johnson, Chairman