

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, November 3, 2015
County Courthouse, Rawlins, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, November 3, 2015 at the County Courthouse in Rawlins, Wyoming. Attending the meeting were; Vice Chairman John Johnson; Commissioners Lindy Glode, Leo Chapman and Sue Jones. Chairman John Espy was absent.

Acting Chairman Johnson 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 \$379,527.63. Commissioner Glode seconded and the motion carried unanimously.

Commissioner Chapman moved to approve a bill to Rawlins Automotive for \$103.32, Shively Hardware for \$854.68 and True Value of Rawlins for \$279.79 for an aggregate total of bills paid today of \$380,765.42. 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	SUPPLIES	\$273.79
BANK OF COMMERCE (DEBIT CARD)	DEBIT CARD CHARGES	\$8,248.26
BECK CONSULTING	15-CCWY-10-02	\$1,030.00
BOB BARKER COMPANY, INC.	JAIL SUPPLIES	\$777.20
BRUCO, INC	CLEANING SUPPLIES	\$437.15
BUCHANAN, KAREN	MILEAGE	\$48.00
CARBON COUNTY SENIOR SERVICES	CCSS HEATH SUBSIDY	\$1,750.00
CARBON COUNTY TREASURER	MILEAGE/WITNESS FEES/MEALS/NOTARY FEES	\$3,241.40
CASPER WINNELSON CO	PUMP	\$894.24
CATERPILLAR FINANCIAL SERVICES CORP	1-0554862-000 LEASE PAYMENT	\$46,665.31
CBM FOOD SERVICE	JAIL FOOD	\$7,432.16
CENTURY LINK	TELEPHONE	\$80.85
CHARTER COMMUNICATIONS	JAIL CABLE	\$34.94
COOKS CORRECTIONAL	LIDS	\$194.19
COWBOY SUPPLY HOUSE	CLEANING SUPPLIES	\$1,820.62
DAILY TIMES	RENEWAL	\$105.00

DIRTY BOYZ SANITATION, INC	TRASH SERVICES	\$3,591.50
DIXON, TOWN OF	WATER SERVICE	\$130.00
ELK MOUNTAIN, TOWN OF	WATER/GARBAGE	\$54.50
ENCAMPMENT, TOWN OF	WATER/SEWER	\$83.00
FLEXSHARE BENEFITS	FLEXSHARE BENEFITS	\$126.00
FORSTER LANDSCAPE & CONSTRUCTION, INC.	WINTERIZATION ENCAMPMENT LIBRARY	\$160.00
GALLS/QUARTERMASTER	UNIFORMS	\$195.32
GDA ENGINEERS	DIXON APRON EXPANSION	\$2,761.25
GRAHAM, LEROY	OCTOBER PAYROLL	\$921.50
HANNA, TOWN OF	WATER/GARBAGE	\$235.22
HARRINGTON & COMPANY	COLD PATCH MATERIAL	\$1,657.60
HERTER, JACQUES P. PHD	PSYCH EVAL	\$2,400.00
HIGH PLAINS POWER	MED BOW SR. CENTER ELECTRIC	\$323.25
INTERNATIONAL ACADEMICS OF EMERGENCY	RECERTIFICATION EXAM	\$100.00
J H KASPAR OIL COMPANY	FUEL	\$4,010.88
KENCO SECURITY AND TECHNOLOGY	MONITORING	\$36.00
KILBURN TIRE COMPANY	TIRES/OIL CHANGE/BRAKES	\$533.11
KING SOOPERS CUSTOMER CHARGES	SUPPLIES	\$42.43
KIRSCH, ARCHIE P	SERVICES PROVIDED OCT	\$1,300.00
MERBACK AWARD COMPANY	PLAQUE	\$89.51
MILLIKEN, ASHLEY	MILEAGE	\$15.00
MOSS, BARBARA	MILEAGE	\$39.00
MY OFFICE ETC.	PAPER/OFFICE SUPPLIES	\$209.59
PATTON, ROBERT L.	MILEAGE/MEALS	\$100.00
PINNACLE PUBLIC FINANCE, INC	CARBON BUILDING HVAC LEASE/TRUCK LEASE	\$185,092.30
QUILL CORPORATION	OFFICE SUPPLIES	\$929.33
RAWLINS AUTOMOTIVE	PARTS/TOOLS	\$103.32
RAWLINS, CITY OF	WATER/GARBAGE	\$3,763.40
ROCKY MOUNTAIN POWER	ELECTRIC SERVICE	\$6,265.32
SARATOGA AUTO PARTS, INC.	PARTS/TOOLS	\$442.33
SARATOGA, TOWN OF	WATER/SEWER	\$32.75
SHIVELY HARDWARE	TIRES	\$854.68
SOURCE GAS	GAS SERVICE	\$5,933.47
STAPLES ADVANTAGE	FOLDERS	\$195.85
STEPHENSON, LEE ANN	MILEAGE	\$10.80
TANDAN SANITATION SERVICES	TRASH SERVICES	\$80.00
TERMINIX	RAWLINS SR. CENTER EXTERMINATION	\$38.00
THE MASTERS TOUCH, LLC	MAILING SERVICES	\$2,103.99
THOMSON REUTERS-WEST PAYMENT CENTER	MONTHLY CHARGES	\$579.13
THOS. Y. PICKETT & CO., INC.	2016 VALUATION CONTRACT	\$5,500.00
TRUE VALUE OF RAWLINS	SUPPLIES	\$279.79
TYLER BUSINESS FORMS	FORMS	\$226.53
TYLER TECHNOLOGIES, INC	WEB HOSTING FEE/HARDWARE MAINTENANCE	\$8,419.52

UNION TELEPHONE COMPANY	TELEPHONE	\$210.90
US BANK TRUST N.A.	2010B & 2010C BOND PAYMENTS	\$17,000.00
VOLUNTEER FIREMEN PENSION FUND	PENSION	\$660.00
WARRIOR SERVICES, LLC	PEST CONTROL	\$60.00
WEBSTER, STUART K CPA	CR-2015-0005 TESTIMONY	\$1,800.00
WY BEHAVIORAL INSTITUTE	ADMIN EMERGENCY DETENTIONS	\$5,480.00
WY DEPT OF HEALTH	JULY-SEPT 2015 PAYROLL	\$39,273.79
WY DEPT OF WORKFORCE SERVICES	UNEMPLOYMENT CHARGES	\$1,419.89
WY MACHINERY COMPANY	WATER PUMP	\$1,656.54
YOUNG, CHARLES MD	MEDICAL SERVICES	\$150.00
YOUNGER, MICHELLE	MEALS	\$54.27
ZIRMED, INC	CLAIM FILING FEE	\$1.75
Grand Total		\$380,765.42

CONSENT AGENDA

Commissioner Glode moved to approve the consent agenda. Commissioner Chapman seconded and Clerk Bartlett noted the consent agenda includes the October 20, 2015 regular meeting minutes; County Clerk receipts for \$26,047.75. The motion carried unanimously.

ELECTED OFFICIALS / DEPARTMENT HEADS

Public Health

Jacqueline Wells, Public Health Regional Health Nurse and Amanda Brown, Interim Public Health Nurse provided an update on services the office has provided.

Planning & Development

Sid Fox, County Planning Director distributed the final Carbon County Zoning Resolution adopted October 6, 2015. Mr. Fox reported he has been meeting with Paul Martin, President of Intermountain Wind who is working on the Last Mile Transmission Line project from northern Albany County into the area north of Medicine Bow potentially to the Aeolus substation. This is still in the planning stage and they have already begun discussion with the Bureau of Land Management (BLM). This may qualify for an environmental assessment (EA) rather than a full blown environmental impact statement but this has yet to be determined. The EA is normally a quicker and less involved process. A county conditional use permit will be required as well. Mr. Fox reported Mr. Martin will likely come to the BOCC at some point in the future to make a presentation.

Mr. Fox discussed the invitation from the BLM to be a cooperating agency on the Lost Creek Uranium in Situ Recovery project. He asked if the BOCC would like to reply to the invitation and suggested the BOCC stay as a cooperator.

Commissioner Chapman moved to send a letter to the BLM accepting the invitation for cooperating agency status on the Lost Creek Uranium in Situ Recovery project. Commissioner Glode seconded and the motion carried unanimously.

Mr. Fox stated he will prepare a letter for the BOCC's signature at the next meeting.

Museum

Museum Director Kelly Bohanan reported the last time she was present there was discussion of finding an architect already licenses in Wyoming to help with the Hugus Ferguson project. She stated one visited with her and made a proposal which she is working on.

Ms. Bohanan asked if the BOCC has questions about the access policy she had developed and noted she is waiting on the attorney's response. She stated both OSHA and the Local Government Liability Pool had approved it as-is. Commissioner Glode stated she intends to make this easy and they need to wait until Attorney Davis returns to finalize the access agreement. Ms. Bohanan discussed the need for the agreement so she can have old radiators removed.

Commissioner Glode reported there will be a reception for Dan Kinnamin November 19 as the Museum is making him their Historian Emeritus.

Road & Bridge

Bill Nation, Road & Bridge Superintendent requested the BOCC approve a notice to proceed and contract with Ready Oilfield Service for the county's Congestion Mitigation Air Quality grant project.

Commissioner Glode moved to approve the Agreement for Services with Ready Oilfield Service and a Notice to Proceed for the Congestion Mitigation Air Quality grant project. Commissioner Jones seconded and the motion carried unanimously.

Mr. Nation reported he worked on the slide for the US Forest Service as previously discussed. He completed the project successfully along with his staff and he feels a culvert was appropriate. He feels if there is a slough over the bank he has made a make-shift French drain that will help hold up.

Mr. Nation reported on the Dolan Lane project on County Road #607 and the Elk Mountain Bridge replacement. The WY Department of Transportation has already created a temporary turn around for the bridge project. Mr. Nation said some mature cottonwood trees at the Flying Diamond Bridge are beginning to fall onto the bridge therefore he has had staff trim them all after obtaining permission from the landowner.

Mr. Nation reported last week he did a full review of the County Road 401 project with the central federal highways division, US Forest Service and Ace Construction. Mr. Nation reported that the paving will cease prior to entering the forest.

Clerk

Gwynn Bartlett, County Clerk explained she has an employee retiring December 1 and another out on family medical leave. The person on leave was going to replace the retiree and she would eliminate yet another position however the person on leave has opted not to return. She requested and received approval to replace a Deputy Clerk position. The BOCC agreed the Clerk could replace the position.

Clerk Bartlett discussed the three lease purchase proposals including the interest rates she has received for the five vehicles that are currently out for bid. The BOCC discussed the three received and as much as they would like to keep business local the interest rate was likely too high.

Commissioner Chapman moved to accept the lease-purchase quote from Kinetic Leasing at a rate of 2.15% for 5 years with a documentation fee of \$350.00. Commissioner Jones seconded and the motion carried unanimously.

Clerk Bartlett presented the Administrative Services Agreement with Blue Cross Blue Shield and the county for the county employees.

Commissioner Glode moved to approve the Administrative Services Agreement between Blue Cross Blue Shield of Wyoming and The County effective October 1, 2015 automatically renewing for an additional twelve month period unless terminated. Commissioner Chapman seconded and the motion carried unanimously.

Clerk Bartlett discussed the proposed 2016 Carbon County Commissioners Meeting Schedule. The BOCC added Medicine Bow.

Mr. Nation reported the BOCC previously declared two pickups surplus and there is still one available and asked if it should be traded. The BOCC stated it would like to offer this to the hospital and if they don't want it the county can bid this out.

Commissioners

Commissioner Johnson asked Mr. Nation how much it cost the county to fix the slough for the US Forest Service. Mr. Nation stated with man hours, fuel, oil and equipment approximately \$10,000.00. Mr. Nation stated there is one other area up the drainage quite a ways that is likely to fail in the future.

Project Prevention

Theresa Pacheco and Sally Patton of Project Prevention provided an update about the services their organization provides. The pair recently attended a policy maker forum and discussed that as well. Ms. Patton offered a simple no-cost process of including a checklist in a 24-hour permit to serve alcohol. She suggested this could help curb underage and binge drinking.

Ms. Pacheco discussed the group's suicide prevention activities and offered training to the BOCC.

MEMORIAL HOSPITAL OF CARBON COUNTY (MHCC)

Chelle Keplinger, Chief Financial Officer presented a financial analysis as of September 30, 2015. Board member Sherrod France was also present. The BOCC offered the surplus Road & Bridge truck to the hospital and Mr. Nation offered to meet them at his shop to show it to them.

EXECUTIVE SESSION

Commissioner Glode moved to go into executive session at 11:15 a.m. with Clerk Bartlett and Cindy Baldwin to discuss personnel or potential litigation and other matters considered confidential by law. Commissioner Chapman seconded and the motion carried unanimously.

Commissioner Chapman moved to come out of executive session at 11:28 a.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Jones seconded and the motion carried unanimously.

Commissioners

Commissioner Glode moved to approve an unpaid leave of absence for a county employee through March 2016. Commissioner Chapman seconded and the motion carried unanimously.

WYOMING BUSINESS COUNCIL (WBC) OLD PENITENTIARY (PEN) GRANT

Public Hearing

Chairman Johnson opened a public hearing at 11:30 a.m. to hear comments on the Wyoming Business Council Old Pen grant.

Tina Hill of the Old Pen reported they are applying for a Business Ready Community Grant in the amount of \$1,208,413.00 to fund the adaptive reuse of historic guards' quarter to enhance the tourism economy in Rawlins and Carbon County. The guards' quarters was constructed in 1927 and has been empty since 1981 and is only used for storage. This building is also on the National Historic Register. Because this is a business council grant the Old Pen brought in the Visitor's Council who helped write the grant for the feasibility study which will assist with this grant application.

Ms. Hill reported the Old Pen Joint Powers Board plans to provide a cash match from a Community Development Block Grant of \$500,000.00, and \$12,000.00 in in-kind labor from members of the Carbon County Visitors' Council Board and Staff and the Wyoming Frontier Prison's Board and Staff. If the BRC grant is not approved Ms. Hill can still apply for the \$500,000 grant and reapply for the BRC grant thereafter. The project will also expand Rawlins

and Carbon County's tourism economy by having additional tourists at the site for the Old Pen who can then visit the Visitor's Council.

Ms. Hill provided a conceptual floor plan for the finished space noting it includes an entrepreneurial space.

The revenue recaptured would be divided with half for operations, future repairs and other expenses with half put away for future grant matches. Also present were members of the Old Pen staff and Leslie Jefferson of the Carbon County Visitor's Council and Cindy Wallace, Economic Development Executive Director.

Clerk Bartlett noted for the record that notice of the hearing was placed in the Rawlins Daily Times October 23, 2015. She also noted she received no public comments in her office and that they were due by October 30.

Chairman Johnson called for commissioner comment. Commissioner Chapman stated the Visitor's Council is currently renting space from him and asked Attorney Kelly if this would be a conflict for him. Attorney Kelly suggested he not vote or discuss the matter.

Chairman Johnson called for public comment and Cindy Baldwin, County Treasurer asked if the roof money from years ago that is still in an account would need to be used and Ms. Hill said she would not need to use these funds. There being no further comments Chairman Johnson closed the hearing at 11:41 a.m.

Commissioner Jones moved to approve Resolution No. 2015-39, a Resolution Authorizing Submission of Application to the Wyoming Business Council under the Business Ready Community Grant and Loan Program for a Community Readiness Project on Behalf of the Governing Body of the Old Pen Joint Powers Board for the Adaptive Reuse of Historic Guards' Quarters to Enhance the Tourism Economy in Rawlins and Carbon County. Commissioner Glode seconded and the motion carried unanimously except for Commissioner Chapman who abstained due to conflict.

RESOLUTION NO. 2015 – 39

A RESOLUTION OF SUPPORT

**A RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO
THE WYOMING BUSINESS COUNCIL UNDER THE BUSINESS
READY COMMUNITY GRANT AND LOAN PROGRAM FOR A
COMMUNITY READINESS PROJECT ON BEHALF OF THE
GOVERNING BODY OF THE OLD PEN JOINT POWERS BOARD**

**FOR THE PURPOSE OF: ADAPTIVE REUSE OF HISTORIC GUARDS' QUARTERS
TO ENHANCE THE TOURISM ECONOMY IN RAWLINS AND CARBON COUNTY.**

WITNESSETH

WHEREAS, the Governing Body of the Old Pen Joint Powers Board, with Carbon County as a party to the Joint Powers Board Agreement desires to participate in the Business Ready Community Grant and Loan Program to assist in financing this project; and

WHEREAS, the Governing Body of the Old Pen Joint Powers Board, with Carbon County as a party to the Joint Powers Board Agreement recognizes the need for the continued expansion of the tourism economy and the added benefit of providing new entrepreneurial space and believes this project will address those needs; and

WHEREAS, the public benefit(s) of this project will be the expansion of Rawlins' tourism economy, which is an identified goal of Carbon County, Wyoming's only Certified Tourism Community, by providing Carbon County Visitors' Council office space and by providing a new entrepreneurial space both located in the established heart of Rawlins' tourism and the consideration is providing the Wyoming Frontier Prison with additional, non-government provided income in order to expand our services to the community and to help insure the continuance of the most visited Historic Site in Carbon County, to provide the Carbon County Visitors' Council with a centrally located, highly visited location so that they may provide their vital tourism related information to visitors and locals alike, and to provide an additional entrepreneurial space in a very high traffic location to a local business; and

WHEREAS, the specific goals and measures of success of this project are the Carbon County Visitors' Council goals include an increase in Lodging Tax collections, an increased number of visitors to their new office space, and an increase in traveler spending as measured by Annual State Economic Impact Report. The Wyoming Frontier Prison's goals are to gain additional income that we may use to expand our services to the Community, to insure the continuance of the most visited Historic Site in Carbon County, and to provide a new entrepreneurial space in a very high traffic location to a local business; and

WHEREAS, the Business Ready Community Grant and Loan Program requires that certain criteria be met, as described in the Wyoming Business Council's Rules governing the program, and to the best of our knowledge this application meets those criteria; and

WHEREAS, the Governing Body of the Old Pen Joint Powers Board plans to provide cash match to this Business Ready Community Grant and Loan Program Community Readiness project from the following source(s):

Community Development Block Grant in the amount of \$500,000.00, \$12,000.00 in in-kind labor from members of the Carbon County Visitors' Council Board and Staff and the Wyoming Frontier Prison's Board and Staff; and

WHEREAS, the Governing Body for the Old Pen Joint Powers Board has a comprehensive operation and maintenance plan including projected expenses and project income sources extending the life of the assest(s); and

WHEREAS, the Governing Body for the Old Pen Joint Powers Board will use the revenue recaptured from this project for the following economic development purposes: Half of

the revenue recapture will be placed into a restricted fund for future projects, such as match for grants and the other half will go into operations, future repairs, and the expenses that occur while managing a Historic Site of the size of the Wyoming Frontier Prison.

WHEREAS, In the event of any project cost overruns, the Old Pen Joint Powers Board will seek a Cost Plus/Not to Exceed Contract so there will be no cost overruns; and

WHEREAS, the Governing Body for the Old Pen Joint Powers Board has considered other possible funding solutions for this project which include the Wyoming Cultural Trust Fund; and

WHEREAS, the Old Pen Joint Powers Board is working in partnership with the Carbon County Visitors' Council, the City of Rawlins, and Carbon County; and

WHEREAS, Carbon County held a public hearing on November 3, 2015 to solicit testimony from citizens, and gave full consideration to all comments received; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE Old Pen Joint Powers Board, with Carbon County as a party to the Joint Powers Board Agreement, that a grant application in the amount of \$1,208,413.00 be submitted to the Wyoming Business Council for consideration of assistance in funding the **ADAPTIVE REUSE OF HISTORIC GUARDS' QUARTERS TO ENHANCE THE TOURISM ECONOMY IN RAWLINS AND CARBON COUNTY.**

PASSED, APPROVED AND ADOPTED THIS 3rd day of November, 2015.

-s- John Espy, Chairman

ATTEST:

-s- Gwynn G. Bartlett, Carbon County Clerk

CERTIFICATE

I, Gwynn G. Bartlett, Carbon County Clerk, hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of Carbon County, WY at a public meeting held on November 3, 2015 at 11:30 a.m. and that the meeting was held accordingly to law; and that said Resolution has been duly entered in the Official Report to the Minutes of the Board of County Commissioners of Carbon County, WY.

-s- Gwynn G. Bartlett, Carbon County Clerk

RECESS

Chairman Johnson called a recess at 11:42 a.m. and reconvened at 1:30 p.m.

PLANNING & ZONING

Public Hearing – Replat Subdivision Case File No. 2015-01

Commissioner Jones moved to remove from the table Replat Subdivision Case File No. 2015-01. Commissioner Chapman seconded and the motion carried unanimously.

Chairman Johnson opened a public hearing at 1:30 p.m. to hear Planning & Zoning Replat Subdivision Case File No. 2015-01. Sid Fox, County Planning Director presented Replat Sub Case File No. 2015-01, Triple D Construction and Jeremy and Robin Brown’s request for a Replat of the Ryan Park 4th Addition, Block 1, Lot 1 and Ryan Park, Tract A, located Replat Sub Case File No. 2015-01. Mr. Fox clarified there are no new lots created and lot lines are simply being adjusted to increase one lot and decrease another.

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

Commissioner Chapman moved to approve Resolution No. 2015-40, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding Subdivision Case File No. 2015-01, Replat of Lot 29, Ryan Park Tract A and replat of Lot 1, Block 1 Ryan Park – Fourth Addition. Commissioner Glode seconded and the motion carried unanimously.

Resolution No. 2015 – 40

**A Resolution of the Board of County Commissioners of Carbon County, Wyoming,
Adopting the Recommendation of the Carbon County Planning and Zoning Commission.**

REPLAT SUB Case File #2015-01

A Replat of Lot 29, Ryan Park Tract A

And

A Replat of Lot 1, Block 1, Ryan Park–Fourth Addition

WHEREAS, pursuant to the requirements of Section 2.07 of the Subdivision Regulations of Carbon County, the Carbon County Planning and Zoning Commission held a public hearing on Monday, August 31, 2015, which said hearing was advertised by public notice; and

WHEREAS, at the Monday, August 31, 2015, 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 hearing; and

WHEREAS, the Carbon County Planning and Zoning Commission in considering “A Replat of Lot 29, Ryan Park Tract A and A Replat of Lot 1, Block 1 Ryan Park–Fourth Addition” have also reviewed and considered the Carbon County Comprehensive Land Use Plan, as amended, and the Carbon County Zoning Resolution, as amended; and

WHEREAS, at the conclusion of said 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 approve “A Replat of Lot 29, Ryan Park Tract A and A Replat of Lot 1, Block 1, Ryan Park 4th Addition,” pursuant to the Carbon County Subdivision Regulations, as amended, for Carbon County, Wyoming; and

WHEREAS, the Carbon County Board of County Commissioners, pursuant to the requirements of Section 2.07 of the Carbon County Subdivision Regulations, as amended, and after receipt of said certified recommendation for approval of “A Replat of Lot 29, Ryan Park Tract A and A Replat of Lot 1, Block 1, Ryan Park 4th Addition,” as advertised by public notice within 30 days prior to a public hearing to take public input and comments on the proposed replat, which said hearing occurred on Tuesday, October 6, 2015. At the conclusion of the public hearing, with the express approval of the applicant and per the applicant’s request, the case file was tabled until November 3, 2015; 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 replat subdivision; and

WHEREAS, the Carbon County Board of County Commissioners in considering “A Replat of Lot 29, Ryan Park Tract A and A Replat of Lot 1, Block 1 Ryan Park–Fourth Addition” have also reviewed and considered the Carbon County Comprehensive Land Use Plan, as amended, and the Carbon County Zoning Resolution, as amended; and

WHEREAS, the Carbon County Board of County Commissioners have determined that “A Replat of Lot 29, Ryan Park Tract A and A Replat of Lot 1, Block 1 Ryan Park–Fourth Addition” is in general conformance with the Carbon County Comprehensive Land Use Plan, as amended, and the “A Replat of Lot 29, Ryan Park Tract A and A Replat of Lot 1, Block 1 Ryan Park–Fourth Addition” has been reviewed pursuant to the Carbon County Subdivision Regulations, 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 “A Replat of Lot 29, Ryan Park Tract A and A Replat of Lot 1, Block 1 Ryan Park–Fourth Addition”, REPLAT SUB Case File #2015-01 – Triple D Construction and Jeremy and Robin Brown (Applicants and Land Owners).

Location:

Ryan Park is located approximately 24 miles southeast of Saratoga off HWY 130.

Legal Description:

Lot 29, Ryan Park Tract A and Lot 1, Block 1, Ryan Park-4th Addition located within the SW1/4 of Section 28, T16N, R81W, of the 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 approves “A Replat of Lot 29, Ryan Park Tract A and A Replat of Lot 1, Block 1 Ryan Park–Fourth Addition,” as certified to them in writing by the Carbon County Planning and Zoning Commission.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 3rd day of November, 2015.

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

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

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

The Chairman signed the plat.

Public Hearing - Z.C. Case File No. 2015-07

Chairman Johnson opened a public hearing at 1:40 p.m. to hear Planning & Zoning Z.C. Case File No. 2015-07. Sid Fox, County Planning Director presented Z.C. Case File No. 2015-07, Sinclair Wyoming Refining Company/Steve Sondergard's request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Heavy Industrial (MH), encompassing approximately 2,061 acres. Mr. Fox noted this should be the last parcel for some time that would need a zone change. In approximately 2007 Sinclair Refinery entered into an Agreement with the Department of Environmental Quality and Carbon County and at that time the county adopted a resolution to designate a use control area.

Chairman Johnson called for comments for or against the case. Bill Nation stated County Road 351, the Seminoe Road and 324 the Sinclair Golf Course road will not be affected by this project. He was also well aware of a new access point to the county road well ahead of schedule.

Commissioner Chapman asked if the critical winter range would be affected if a road was moved and Mr. Nation stated he cannot speak for the WY Game & Fish but did say that he feels animals that are born after a project takes off wouldn't know any better. He stated as far as expansion goes he does not foresee any adverse effect on the animals from either a migration or critical winter habitat standpoint. Mr. Nation stated he proposed to Sinclair and TriHydro moving a road. There being no further comments, Chairman Johnson closed the hearing at 1:51 p.m.

Commissioner Glode moved to approve Resolution No. 2015-41, 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. 2015-07, Sinclair Wyoming Refining Company/Steve Sondergard's request for a Zone Change from Ranching, Agriculture, Mining to Heavy Industrial, encompassing approximately 2,061 acres. Commissioner Chapman seconded and the motion carried unanimously.

Resolution No. 2015 – 41

**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 #2015-07

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

WHEREAS, at the Monday, October 5, 2015, 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 5, 2015, 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 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 3, 2015; and

WHEREAS, at said public hearing on November 3, 2015, 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 2003, 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 2003, as amended; and otherwise promotes the health, safety and general welfare of the residents of Carbon County; and

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

Z.C. Case File #2015-06: Request for a Zone Change from Ranching, Agriculture, Mining (RAM) to Heavy Industrial (MH) encompassing approximately 2,061 acres. The MH Zone is intended to apply to areas devoted to normal operations of industries subject only to regulations as are needed to control congestion and protect surrounding areas.

Petitioner: Sinclair Wyoming Refining Company/Steve Sondergard (Land Owner and Applicant)

Parcel Numbers: 21861310002200, 21862310002400, 21861330002100, 21861510002600

Location: North and east of the Town of Sinclair

Legal Description:

PARCEL ONE

BEING PARCEL ONE OF THE WARRANTY DEED RECORDED AT RECEPTION NO. 0919521 (BK 1103, PG 0006) IN THE OFFICE OF THE CARBON COUNTY CLERK AND RECORDER'S OFFICE, BEING MORE PARTICULARLY DESCRIBED IN SAID DEED AS FOLLOWS;

ALL OF SECTION 13, TOWNSHIP 21 NORTH, RANGE 86 WEST, SIXTH PRINCIPAL MERIDIAN, CARBON COUNTY, WYOMING; CONTAINING 640 ACRES, MORE OR LESS.

PARCEL TWO

BEING PARCEL TWO OF THE WARRANTY DEED RECORDED AT RECEPTION NO. 0919521 (BK 1103, PG 0006) IN THE OFFICE OF THE CARBON COUNTY CLERK AND RECORDER'S OFFICE, BEING MORE PARTICULARLY DESCRIBED IN SAID DEED AS FOLLOWS;

ALL OF SECTION 14, TOWNSHIP 21 NORTH, RANGE 86 WEST, SIXTH PRINCIPAL MERIDIAN, CARBON COUNTY, WYOMING; CONTAINING 640 ACRES, MORE OR LESS.

PARCEL THREE

BEING A PORTION OF PARCEL THREE OF THE WARRANTY DEED RECORDED AT RECEPTION NO. 0919521 (BK 1103, PG 0006) IN THE OFFICE OF THE CARBON COUNTY CLERK AND RECORDER'S OFFICE, SAID PARCEL THREE BEING MORE PARTICULARLY DESCRIBED IN SAID DEED AS FOLLOWS;

THE SOUTH HALF AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 86 WEST, SIXTH PRINCIPAL MERIDIAN, CARBON COUNTY, WYOMING;

LESS THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 15 CURRENTLY ZONED HEAVY INDUSTRIAL;

PARCEL THREE AS DESCRIBED (WITH WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 15 EXCEPTED) CONTAINING 280 ACRES, MORE OR LESS.

PARCEL A

A PORTION OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 86 WEST OF THE 6TH P.M., AS RECORDED BY WARRANTY DEED AT RECEPTION NO. 0958010 (BK 1264, PG 221) IN THE OFFICE OF THE CARBON COUNTY CLERK AND RECORDER'S OFFICE, BEING MORE PARTICULARLY DESCRIBED IN SAID DEED AS FOLLOWS;

BEGINNING AT A POINT SOUTH 89°58'41" WEST 1314.547 FEET ALONG THE NORTH LINE OF SECTION 15 AND SOUTH 00°19'20" EAST 1320.942 FEET TO A BRASS CAP MARKING THE NORTHEAST SIXTEENTH CORNER OF SECTION 15, AND SOUTH 00°20'30" EAST 418.932 FEET

FROM THE NORTHEAST CORNER OF SAID SECTION 15, TOWNSHIP 21 NORTH, RANGE 86 WEST, 6TH P.M., CARBON COUNTY, WYOMING AND RUNNING THENCE SOUTH 00°20'30" EAST 902.092 FEET ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15 TO A BRASS CAP MONUMENT MARKING THE CENTER EAST SIXTEENTH CORNER OF SAID SECTION 15; THENCE SOUTH 89°57'53" WEST 3950.859 FEET ALONG THE CENTERLINE OF SAID SECTION 15 TO AN ALUMINUM CAP AND REBAR MARKING THE WEST QUARTER CORNER OF SAID SECTION 15; THENCE NORTH 00°14'16" WEST 861.374 FEET ALONG THE WEST LINE OF SAID SECTION 15 TO A POINT ON A NON TANGENT COMPOUND CURVE TO THE RIGHT FROM WHICH THE RADIUS POINT

BEARS SOUTH 07°45'49" EAST 1001.618 FEET; THENCE NORTHEASTERLY 126.808 FEET ALONG SAID CURVE, ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF THE GOLF COURSE ROAD (CARBON COUNTY ROAD NO. 324) (DELTA = 07°15'14" AND CHORD BEARS NORTH 85°51'49" EAST 126.723 FEET); THENCE NORTH 89°29'25" EAST 3822.815 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF THE GOLF COURSE ROAD (CARBON COUNTY ROAD NO. 324) A PROPOSED EIGHTY-FOOT WIDE ROAD TO THE POINT OF BEGINNING.

TOGETHER WITH AN EIGHTY FOOT WIDE EASEMENT OVER THE GOLF COURSE ROAD (CARBON COUNTY ROAD NO. 324) CONTIGUOUS WITH THE ENTIRE NORTHERLY BOUNDARY OF THE ABOVE PROPERTY FOR ACCESS, INGRESS, EGRESS, AND ALL OTHER ROAD PURPOSES, INCLUDING INSTALLATION AND MAINTENANCE OF UTILITIES AND DRIVEWAYS TO AND FROM SAID GOLF COURSE ROAD.

CONTAINING APPROXIMATELY 80.31 ACRES MORE OR LESS.

PARCEL SIX

BEING A PORTION OF PARCEL SIX OF THE WARRANTY DEED RECORDED AT RECEPTION NO. 0919521 (BK 1103, PG 0006) IN THE OFFICE OF THE CARBON COUNTY CLERK AND RECORDER'S OFFICE, SAID PARCEL SIX BEING MORE PARTICULARLY DESCRIBED IN SAID DEED AS FOLLOWS;

THAT PORTION OF SECTION 22, TOWNSHIP 21 NORTH, RANGE 86 WEST, SIXTH PRINCIPAL MERIDIAN, CARBON COUNTY, WYOMING, LYING NORTHERLY OF THE OF THE NORTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD, AND MORE COMPLETELY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 22; THENCE SOUTH 00°20' EAST, 1722.5 FEET ALONG THE EAST LINE OF SAID SECTION 22, TO THE NORTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE SOUTH 87°38'30" WEST, 5274.44 FEET, MORE OR LESS, ALONG THE NORTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD TO THE WEST LINE OF SAID SECTION 22; THENCE NORTH 00°29'30" WEST, 1915.0 FEET, MORE OR LESS, ALONG THE WEST LINE OF SAID SECTION 22 TO THE NORTHEAST CORNER OF SAID SECTION 22; THENCE NORTH 89°44' EAST, 5276.5 FEET, MORE OR LESS, ALONG THE NORTH LINE OF SAID SECTION 22 TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 201.4 ACRES, MORE OR LESS, AND EXCLUDING THAT LAND DEEDED TO THE WYOMING HIGHWAY COMMISSION AS TRACT NO. 1 AND RECORDED AND DESCRIBED IN MISCELLANEOUS RECORDS BOOK NO. 411, PAGES 563 AND 564 IN THE OFFICE OF THE COUNTY CLERK, CARBON COUNTY, WYOMING;

LESS THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 22 CURRENTLY ZONED HEAVY INDUSTRIAL;

PARCEL SIX AS DESCRIBED (WITH WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 22 AND WYOMING HIGHWAY COMMISSION TRACT EXCEPTED) CONTAINING APPROXIMATELY 147 ACRES, MORE OR LESS.

PARCEL EIGHT (A)

BEING A PORTION OF PARCEL EIGHT OF THE WARRANTY DEED RECORDED AT RECEPTION NO. 0919521 (BK 1103, PG 0006) IN THE OFFICE OF THE CARBON COUNTY CLERK AND RECORDER'S OFFICE, SAID PARCEL EIGHT (A) BEING MORE PARTICULARLY DESCRIBED IN SAID DEED AS FOLLOWS;

THAT PORTION OF THE NORTH HALF OF SECTION 22, TOWNSHIP 21 NORTH, RANGE 86 WEST, SIXTH PRINCIPAL MERIDIAN, CARBON COUNTY, WYOMING, LYING SOUTH OF THE OF THE SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD, AND THAT PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 22 LYING NORTH OF THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY I-80 AND MORE COMPLETELY DESCRIBED AS FOLLOWS;

BEGINNING AT QUARTER CORNER BETWEEN SAID SECTIONS 22 AND 23; THENCE SOUTH 89°47'30" WEST, 3952.7 FEET, MORE OR LESS, ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 22 TO THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 22; THENCE SOUTH 00°23'05" WEST, 1280.0 FEET, MORE OR LESS, ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 21 TO THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY I-80; THENCE NORTHWESTERLY, 1342.0 FEET, MORE OR LESS, ALONG THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY I-80 TO THE WEST LINE OF SAID SECTION 22; THENCE NORTH 00°23'30" WEST, 1019.0 FEET, MORE OR LESS, ALONG THE WEST LINE OF SAID SECTION 22 TO THE QUARTER CORNER BETWEEN SAID SECTIONS 21 AND 22; THENCE NORTH 00°29'30" WEST, 325.5 FEET, MORE OR LESS, ALONG THE WEST LINE OF SAID SECTION 22 TO THE SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE NORTH 87°38'30" EAST, 5274.9 FEET, MORE OR LESS, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD TO THE EAST LINE OF SAID SECTION 22; THENCE SOUTH 00°20' EAST, 519.1 FEET, MORE OR LESS, ALONG THE EAST LINE OF SAID SECTION 22 TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 74.5 ACRES, MORE OR LESS, EXCLUDING THAT LAND DEEDED TO THE WYOMING HIGHWAY COMMISSION AS TRACT NO. 1 AND RECORDED AND DESCRIBED IN MISCELLANEOUS RECORDS BOOK NO. 411, AT PAGES 563 AND 564 IN THE OFFICE OF THE COUNTY CLERK, CARBON COUNTY, WYOMING (A-1580, REFINERY, SINCLAIR);

PARCEL EIGHT (A) AS DESCRIBED (WITH WYOMING HIGHWAY COMMISSION TRACT EXCEPTED) CONTAINING APPROXIMATELY 74.5 ACRES, MORE OR LESS.

PARCEL EIGHT (B)

BEING A PORTION OF PARCEL EIGHT OF THE WARRANTY DEED RECORDED AT RECEPTION NO. 0919521 (BK 1103, PG 0006) IN THE OFFICE OF THE CARBON COUNTY CLERK AND RECORDER'S OFFICE, SAID PARCEL EIGHT (B) BEING MORE PARTICULARLY DESCRIBED IN SAID DEED AS FOLLOWS;

THAT PORTION OF SECTION 23, TOWNSHIP 21 NORTH, RANGE 86 WEST, SIXTH PRINCIPAL MERIDIAN, CARBON COUNTY, WYOMING, LYING NORTHERLY OF THE OF THE NORTH LINE OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY, SAID TRACT CONTAINING 199.00 ACRES, MORE OR LESS.

PARCELS IN TOTAL CONTAINING 2,060.81 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, Mining (RAM) to Heavy Industrial (MH).

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 3rd day of November, 2015.

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

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

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

Certifications

Mr. Fox presented Certifications of Recommended Action for Richard and Lynn Bell, Z.C. Case File No. 2015-08 and Robert Weber, Z.C Case File No. 2015-09.

Commissioner Chapman moved to accept the Certifications of Recommended Action from the Carbon County Planning and Zoning Commission for Richard and Lynn Bell, Z.C. Case File No. 2015-08 and Robert Weber, Z.C Case File No. 2015-09 and schedule a public hearing for December 1, 2015 at 1:30 p.m. at the County Courthouse in Rawlins, Wyoming. Commissioner Glode seconded and the motion carried unanimously.

EXECUTIVE SESSION

Commissioner Glode moved to go into executive session at 1:54 p.m. with Clerk Bartlett and Cindy Baldwin to discuss personnel or potential litigation and other matters considered confidential by law. Commissioner Jones seconded and the motion carried unanimously.

Cindy left the session at 2:25 p.m.

Commissioner Glode moved to come out of executive session at 2:46 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Chapman seconded and the motion carried unanimously.

Clerk

Clerk Bartlett asked the BOCC if they would allow her to pay county employees the stipend approve for this year early rather than waiting until the end of November. The BOCC agreed she could pay this as soon as she could.

Liaison

Commissioner Johnson discussed appointing a liaison for the IT Director. Commissioner Chapman volunteered and Commissioner Johnson stated he felt the Chairman should supervise. After further discussion Commissioners Glode and Chapman will be the IT Director's liaison.

ADJOURNMENT

Commissioner Jones moved to adjourn the meeting at 2:53 p.m. Commissioner Glode seconded and the motion carried unanimously.

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