

**REPORT TO THE
MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, October 18, 2016
Medicine Bow Senior Center, Medicine Bow, Wyoming**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, October 18, 2016 at the Medicine Bow Senior Center in Medicine Bow, Wyoming. Attending the meeting were; Chairman John Espy; Vice Chairman John Johnson; Commissioners Lindy Glode, Leo Chapman and Sue Jones.

Chairman Espy called the meeting to order at 2:00 p.m.

ADDITIONS / CORRECTIONS

Commissioner Chapman moved accept the agenda as presented. Commissioner Johnson seconded and the motion carried unanimously.

VOUCHERS

Commissioner Chapman moved to approve the report of expenditures in the amount of \$395,573.93. Commissioner Glode seconded and the motion carried unanimously.

Commissioner Chapman moved to approve a bill to Sunrise Sanitation for \$65.00. Commissioner Johnson seconded and the motion carried with all voting for the motion except Commissioner Jones who abstained due to a personal conflict.

Commissioner Chapman moved to approve a bill to Rawlins Automotive for \$1,529.27, Shively Hardware for \$279.76 and True Value of Rawlins for \$594.30 for an aggregate total of bills paid today of \$398,042.26. Commissioner Johnson seconded and the motion carried with all voting for the motion except Commissioner Glode who abstained due to personal conflicts.

Vendor	Detail Line Description	Total
ALSCO, AMERICAN LINEN DIVISION	SHOP SUPPLIES	\$36.93
ARMENTA, PATRICIA	HIDDEN VALLEY	\$1,904.85
AVFUEL CORPORATION	AVIATION FUEL	\$6,130.98
AYALA, MEGAN	MEALS	\$38.87
BAGGS, TOWN OF	RENT/WATER/SEWER	\$215.05
BANGS, DANIELLE	MILEAGE	\$40.00
BANK OF COMMERCE (DEBIT CARD)	ASSORTED CHARGES	\$5,708.87
BARKHURST, RAY	MILEAGE	\$34.80
BENNETT, H MICHAEL	LEGAL SERVICES	\$1,522.50
BI INC.	MONITORING SERVICES	\$1,040.00
BOYS & GIRLS CLUBS OF CARBON COUNTY	QTR 3 2016 TANF/SEP 16 CSBG	\$4,182.13

BUILD RITE LUMBER SUPPLY	ASSORTED BUILDING SUPPLIES	\$392.67
CARBON COUNTY TREASURER	ASSORTED CASH ITEMS	\$698.91
CARBON COUNTY VETERINARY HOSPITAL	DOG FOOD	\$52.79
CARBON POWER & LIGHT INC	ELECTRIC SERVICE	\$1,937.99
CARERIGHT TECHNOLOGIES, LLC	JAIL HEALTH	\$225.00
CASPER WINNELSON CO	PLUMBING SUPPLIES	\$2,292.03
CATHEDRAL HOME FOR CHILDREN	JUL-SEP FUNDING	\$17,500.00
CBM FOOD SERVICE	JAIL MEALS	\$8,385.86
CDW GOVERNMENT, INC.	IT SUPPLIES	\$5,388.26
CENTURY LINK	TELEPHONE SERVICES	\$211.41
CENTURYLINK WA	TELEPHONE SERVICES	\$6,433.68
CENTURYLINK-PHOENIX	TELEPHONE SERVICES	\$784.41
CHARTER COMMUNICATIONS	CABLE/INTERNET	\$381.44
CORTHELL AND KING, P.C.	LEGAL SERVICES	\$774.22
COWBOY CHEMICAL	LAUNDRY SUPPLIES	\$288.00
COWBOY SUPPLY HOUSE	B&G SUPPLIES	\$1,544.36
DAILY TIMES	ADVERTISING/NEWSPAPERS	\$304.20
DALLIN MOTORS INC	VEHICLE MAINTENANCE	\$438.72
DBT TRANSPORTATION SERVICES LLC	MAINTENANCE CONTRACT	\$1,667.44
DEVINE LAW	LEGAL SERVICES	\$3,089.75
DOI/BLM	INTERAGENCY FIRE DISPATCH CONTRIBUTION	\$500.00
DUBOIS TELEPHONE EXCHANGE	PHONE SERVICES	\$1,473.62
ELK MOUNTAIN, TOWN OF	WATER/SEWER	\$54.50
ENCAMPMENT, TOWN OF	WATER/SEWER	\$85.00
FATBEAM LLC	FIBER LINES/INTERNET	\$10,489.50
FIRST AMERICAN TITLE INSURANCE COMPANY	CLOSING FEE/TITLE INSURANCE	\$362.50
FLEXSHARE BENEFITS	COBRA/DEP CARE/MED REIMBURSEMENT	\$1,473.49
G & R CONTROLS, INC	BOILER DESCALER	\$240.61
GCR ELECTRONICS, LLC	SITE RENTAL FEES	\$1,200.00
GRAINGER	BUILDING MAINTENANCE SUPPLIES	\$1,030.74
GREATER WY BIG BROS/SISTERS	QTR 3 2016 TANF	\$2,361.60
HANNA, TOWN OF	WATER/SEWER/BULLET PROOF VEST	\$847.70
HELM, ANNA	MILEAGE	\$48.00
HERMAN, BOBBIE	MILEAGE	\$53.40
HIGH DESERT WELDING & MACHINE LLC	SNOW BLOWER REPAIR	\$400.00
INTERMOUNTAIN LOCK & SECURITY	DOOR KEYS/CYLINDER HOUSINGS	\$110.75
J H KASPAR OIL COMPANY	FUEL	\$11,044.54

JACKALOPE PRINTING	SHERIFF SUPPLIES	\$78.00
JACK'S BODY & FENDER REPAIR	REPAIRS/TOWING SERVICE	\$1,376.33
JOHNSON, JOHN	HOTEL REIMBURSEMENT	\$218.00
JOHNSTON, RANAE	MILEAGE/MEALS	\$182.24
KENCO SECURITY AND TECHNOLOGY	MONITORING SERVICES	\$36.00
KILBURN TIRE COMPANY	VEHICLE MAINTENANCE	\$1,009.63
KONE ELEVATORS ESCALATORS	MAINTENANCE CONTRACT FEE	\$347.43
L M OLSON CONSTRUCTION	HVAC PROJECT	\$174,821.01
LARAMIE TIRE FACTORY	TIRE BALANCING	\$194.00
LARAMIE YOUTH CRISIS CENTER	QTR 3 TANF	\$1,472.72
MCGRAW, JOAN	MILEAGE	\$24.00
MEDICINE BOW, TOWN OF	WATER/SEWER	\$90.00
MEMORIAL HOSPITAL OF CARBON COUNTY	HEALTH FAIR SCREENINGS	\$4,345.00
MENDOZA, TERRI	TRANSLATION SERVICES	\$25.00
MERCEDES TRANSCRIPTION, INC	TRANSCRIPTION SERVICES	\$168.96
MERSEAL LAW, LLC	LEGAL SERVICES	\$940.00
MILLER, JIM	MILEAGE	\$30.60
MOORE MEDICAL CORP.	JAIL HEALTH/FIRST AID KIT/AED BATTERIES	\$1,873.76
MORLAN, GENE	LAWN SERVICES	\$90.00
MPM CORP / EVERGREEN DISPOSAL	TRASH SERVICE	\$20.00
MY OFFICE ETC.	OFFICE SUPPLIES	\$610.05
NEWMAN TRAFFIC SIGNS	25 MPH SIGNS	\$52.77
NORCO, INC.	CYLINDER RENTAL/NOZZLE ASSEMBLIES	\$838.86
NSFM PIZZA INC	MEETING MEAL	\$48.94
PERKINS OIL CO	FUEL/GREASE	\$1,532.44
PERUE PRINTING	NOTARY STAMP/ADDRESS LABELS	\$142.95
PHILLIPS 66-CONOCO-76	FUEL	\$53.38
PITNEY BOWES	POSTAGE	\$356.32
PLUS ELECTRIC INC.	ELECTRICAL WORK	\$5,419.93
POCKET PRESS INC	TRAFFIC LAWS	\$78.42
PUBLIC SAFETY CENTER, INC	BAG	\$69.99
QUILL CORPORATION	OFFICE SUPPLIES	\$159.01
RAWLINS AUTOMOTIVE	VEHICLE MAINTENANCE SUPPLIES	\$1,529.27
RAWLINS NATIONAL BANK, RAWLINS	RENTENTION PAYMENT	\$9,201.11
RAWLINS, CITY OF	WATER/SEWER	\$6,364.50
REDWOOD BIOTECH	TEST KITS	\$81.46
RESERVE ACCOUNT	POSTAGE	\$10,000.00

RICOH USA INC	COPIERS	\$4,277.27
RICOH USA, INC	IT COPIERS	\$13,105.28
RIETVELD, TONI	MEALS	\$48.81
ROCKY MOUNTAIN POWER	ELECTRIC SERVICE	\$11,213.11
ROWAN, KRISTY	MEETING SNACKS	\$10.47
RYAN ELECTRONICS INC	MAINTENANCE CONTRACT FEE	\$4,127.88
SARATOGA LUMBER & SUPPLY	PAINTING SUPPLIES	\$35.82
SARATOGA SUN	ADVERTISING	\$216.00
SARATOGA, TOWN OF	WATER/SEWER	\$133.03
SCHAEFFER MFG CO	MOTOR OIL	\$1,017.50
SCHILLING & WINN PC	LEGAL SERVICES	\$353.44
SHEPARD'S	FUEL	\$1,531.84
SHIVELY HARDWARE	ASSORTED VEHICLE MAINTENANCE SUPPLIES	\$279.76
SOCIETY FOR HUMAN RESOURCE MANAGEMENT	SUBSCRIPTION RENEWAL	\$199.00
SOUTHWEST M.R.O., LLC	TESTING SERVICES	\$25.00
STANLEY CONVERGENT SECURITY SOLUTIONS	MONITORING SERVICES	\$2,709.90
STATE OF WYOMING A & I	MAINFRAME ACCESS FOR TITLES	\$3.44
SUNRISE SANITATION SERVICE, LLC.	TRASH SERVICE	\$65.00
SWEETWATER COUNTY SHERIFF'S OFFICE	HOUSING/HEALTH SERVICES	\$630.66
THOS. Y. PICKETT & CO., INC.	NOV INSTALLMENT OF VALUATION CONTRACT	\$5,500.00
TONI DECKLEVER, INC. DBA CPR PLUS	CPR INSTRUCTOR CLASS	\$430.00
TRUE VALUE OF RAWLINS	ASSORTED BUILDING SUPPLIES	\$594.30
TYLER TECHNOLOGIES, INC	ITAX & IDOC HOSTING FEES	\$275.63
UNION TELEPHONE COMPANY	PHONES	\$1,955.78
US BANK	ASSORTED CHARGES	\$5,701.07
VALLEY OIL COMPANY	FUEL	\$226.67
VAN'S WHOLESALE LLC	JAIL SUPPLIES	\$746.05
VERIZON WIRELESS	CELL PHONE	\$589.42
VOIANCE LANGUAGE SERVICES LLC	TRANSLATION SERVICES	\$4.50
WEX BANK	FUEL	\$613.90
WY CLERKS OF DISTRICT COURT ASSOCIATION	ANNUAL DUES	\$125.00
WY DEPT OF HEALTH	STATE VEHICLE LEASE/UNUSED CSBG	\$1,097.13
WY DEPT OF TRANSPORTATION	ROAD PROJECTS	\$4,740.40
WY MACHINERY COMPANY	EQUIPMENT MAINTENANCE	\$3,316.19
WY PUBLIC HEALTH LABORATORY	TESTING SERVICES	\$672.00
WY SHERIFF'S ASSOCIATION	2016 DUES	\$587.00

WY WASTE SERVICES-RAWLINS	TRASH SERVICE	\$1,579.86
Grand Total		\$398,042.26

CONSENT AGENDA

Commissioner Johnson moved to approve the consent agenda. Commissioner Chapman seconded and Clerk Bartlett noted the consent agenda includes the November 4, 2016 regular meeting minutes; Clerk of District Court receipts for \$2,693.97. Commissioner Chapman asked that the minutes be corrected to reflect County Road #261 changed to US Forest Service Road #261. The motion carried unanimously.

ELECTED OFFICIALS / DEPARTMENT HEADS

Sheriff

Jerry Colson, County Sheriff reported the City of Rawlins donated a command trailer to the county recently to be used for long-term situations that may arise needing a mobile command center. In light of this he would like to replace a 1980 Ford school bus that has been used as the command trailer and asked that this be declared surplus and he would likely include this in the upcoming public auction his office will hold.

Commissioner Glode moved to declare the 1980 Ford school bus VIN: B70HVJD6222 as surplus property. Commissioner Johnson seconded and the motion carried unanimously.

Attorney

Mike Kelly, Deputy County Attorney presented a resolution concerning the dissolution of the Northwest Ryan Park Water and Sewer District (NWRPWASD). The funds remaining will be transferred to the county totaling \$2,746.83. The BOCC set the matter for public hearing

Commissioner Johnson moved to set the dissolution of the Northwest Ryan Park Water and Sewer District at 10:45 a.m. at the County Courthouse in Rawlins WY. Commissioner Jones seconded and the motion carried unanimously.

Clerk

Gwynn Bartlett, County Clerk presented the applicants for the Baggs Solid Waste Disposal District, Brian Lally and Randy Davis.

Commissioner Johnson nominated Brian Lally and Commissioner Jones nominated Randy Davis. Commissioners Johnson and Glode voted for Mr. Lally and Commissioners Jones, Chapman and Chairman Espy voted for Mr. Davis therefore Mr. Davis was appointed for an unexpired term on the Baggs Solid Waste Disposal District ending September 2018.

Clerk Bartlett requested and received approval to hire a replacement for a Deputy Clerk position.

Fire

County Fire Warden John Rutherford presented the grant documents for the Cooperative Agreement for the sub-award of the 2013 Western States Wildland Urban Interface Grant between the Office of State Lands and Investments Wyoming State Forestry Division and Carbon County. This grant allows for private property owners to receive reimbursement for part of the fire fuel reduction work on their properties. He noted that Attorney Kelly reviewed the document and recommends approval.

Commissioner Johnson moved to authorize the chairman to sign the Cooperative Agreement for the sub-award of the 2013 Western States Wildland Urban Interface Grant between the Office of State Lands and Investments Wyoming State Forestry Division and Carbon County. Commissioner Glode seconded and the motion carried unanimously.

Mr. Rutherford reported that after an active fire season his volunteer wage budget is depleted. He informed the board one brush truck will need a rebuilt engine and he will do his best to stay within budget and the BOCC stated that going into this budget they knew there would likely be a need for additional funds for volunteers and they encouraged him to complete necessary tasks and to not sacrifice safety.

Road & Bridge

Bill Nation, Road & Bridge Superintendent reported they continue to blade county roads, especially because this is cattle shipping season. He stated a notice to proceed was issued for the Wild Cow Road #608 from the Congestion Mitigation Air Quality grant staff and there will be a public hearing at the next BOCC meeting regarding the use of these funds. He continues to work on landowner approvals for bridge inspections.

Commissioner Jones read the response from the US Forest Service regarding the potential move of one of their roads, #261, to the county. Basically the US Forest Service is not able to obligate funding towards a study however they have tentatively budgeted over \$11,000 for this project out of their next fiscal year's budget. Commissioner Jones stated WY State Trails still has not responded to a request for funding towards this.

Buildings & Grounds

Jim Piche Buildings Manager reported a potential donor would like to remodel the fairgrounds concession building and this new facility would be capable of cooking meals and transporting them to the multipurpose facility as well. Mr. Piche has secured donated kitchen equipment for the project from the School District to be used in the new facility.

Mr. Piche asked the status of the potential move of the emergency operations center to the fairgrounds can be located at the fairgrounds noting a representative from the BOCC recently met with fair board members. Commissioner Johnson stated they need to find some place to store fair board records but in the interim he felt like the county could store the new mobile command center there.

Mr. Piche is working with the hospital and may team up on contractual services to try to get better pricing. He is working to hire an administrative assistant. Winterization of sprinklers at county buildings in Rawlins has been completed. Survey work is complete at Ryan Park and he will meet with the Army Corp of Engineers next week. He expects no issues but will report at a later date. County Planning Director Sid Fox reported that his office will need to issue a building permit for the proposed county fire station addition at Ryan Park. The existing road is outside the boundary where it should be therefore he feels an easement would correct the issue. This will require cooperation of adjacent property owners which he expects will not be an issue.

Mr. Piche is working towards finding a central records storage site for all county offices to utilize and proposed the east basement room of the Jeffrey Center. This building is centrally located between the Carbon Building and Courthouse and the room is mostly empty. Both the State Fire Marshall and the City of Rawlins have no issues with this plan noting they both feel the space can only be used for something like this and not a public space. He proposed working with county departments and developing a cost estimate to transition the room noting the Jeffrey Center Board would need to approve the request as well. He is trying to get the Jeffrey Center Board to respond to a request for a meeting.

The Department of Environmental Quality has permitted the installation of a leech field for the Dixon Airport pilot's lounge and this will be installed later in October.

PLANNING & ZONING

Public Hearing - Zoning Resolution Amendment (ZRA) Case #2016-01 Text Amendment

Chairman Espy opened a public hearing at 3:00 p.m. to hear Planning & Zoning Resolution Amendment (ZRA) Case #2016-01 Text Amendment Sid Fox, County Planning presented ZRA Case File No. 2016-01, a request to consider proposed amendments to the text to Chapter 3-Definitions and Chapter 4-Zone District Regulations, Section 4.4-Ranching, Agriculture and Mining (RAM) Zone District to allow for animal crematorium in industrial and RAM zones. Mr. Fox noted if a rancher needed to deal with animals on a ranch, this is already a use by right however since an animal crematorium is not on site and part of a ranching operation this is not currently allowed.

Toby Smith stated he serves on a landfill board asked if the animal crematorium would handle animal waste in 2020 when their landfill closes. Mr. Fox reported this could handle it however Katie Hones, the applicant for the conditional use permit stated her intent is for private pet memorial and that all animals will be returned to their owners.

Bill Nation complimented Katie Hones on her cleanup efforts on the property she plans to utilize for this project.

Chairman Espy called for comments for or against the case. There being no comments, Chairman Espy closed the hearing at 3:08 p.m.

Commissioner Glode moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2016-40, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding ZRA Case File No. 2016-01, a request to consider proposed amendments to the text to Chapter 3-Definitions and Chapter 4-Zone District Regulations, Section 4.4-Ranching, Agriculture and Mining (RAM) Zone District. Commissioner Chapman seconded and the motion carried unanimously.

Resolution No. 2016 – 40

A Resolution of the Board of County Commissioners of Carbon County, Wyoming, adopting the recommendation of the Carbon County Planning and Zoning Commission to amend the Carbon County Zoning Resolution of 2015.

ZRA Case File #2016-01 **(Zoning Resolution Amendment-Text Amendment)**

WHEREAS, pursuant to Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission may prepare a comprehensive plan including zoning for promoting the public health, safety, morals and general welfare of the unincorporated area of the county and in accordance with Section 6.8 of the Carbon County Zoning Resolution of 2015, Zoning Resolution Amendments and Zone District/Map Amendments, the Planning and Zoning Commission shall prepare recommendations to effectuate the Planning and Zoning purposes and certify its recommendations to the Board of County Commissioners; and,

WHEREAS, pursuant to Wyo. Stat. Ann. §18-5-202(b), the Carbon County Planning and Zoning Commission scheduled a public hearing for Monday, September 12, 2016, which said public hearing was advertised by public notice at least thirty (30) days prior to said regular hearing date; and,

WHEREAS, prior to the Monday, September 12, 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 submitted in writing or made at said public hearing; and

WHEREAS, at the conclusion of said Monday, September 12, 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 text amendment to the Carbon County Zoning Resolution of 2015 for Carbon County, Wyoming; and

WHEREAS, the Carbon County Board of County Commissioners provided public notice to review and consider the proposed amendment; and,

WHEREAS, pursuant to Wyo. Stat. Ann. §18-5-202(c) and after receipt of said certified recommendation of this Zoning Resolution Amendment to the Carbon County Zoning Resolution of 2015, as amended for Carbon County, Wyoming, advertised by public notice at least fourteen (14) days prior to a public hearing to take public input and comments on the proposed text amendment, which said hearing occurred on Tuesday, October 18, 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 text amendment; and

WHEREAS, the Carbon County Board of County Commissioners in considering the proposed text 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 Zoning Resolution Amendments are consistent with the Goals and Strategies identified in the Carbon County Comprehensive Land Use Plan as recommended by the Carbon County Planning and Zoning Commission; and

WHEREAS, the Carbon County Board of County Commissioners have determined that the proposed text 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 ZRA Case File #2016-01 – Text Amendment “Animal Crematorium” the Carbon County Zoning Resolution of 2015, as amended, as recommended to them by the Carbon County Planning and Zoning Commission.

**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 text amendment as certified to them in writing by the Carbon County Planning and Zoning Commission, ZRA Case #2016-01.

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 18th day of October, 2016.

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

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

Attest:
-s- Gwynn G. Bartlett, Carbon County Clerk

C.U. Case #2016-10 – Peterson/Hones - Animal Crematorium

Chairman Espy opened a public hearing at 3:10 p.m. to hear Planning & Zoning C.U. Case #2016-10 – Peterson/Hones - Animal Crematorium Sid Fox, County Planning Director or Thomas Powell, Planner/GIS Specialist presented a request for a Conditional Use Permit in the RAM Zone for the construction, operation, and maintenance of an animal crematorium. The incinerator will be free standing and placed on an existing 23’x23’ concrete pad. An air emissions permit from the WY Department of Environmental Quality is necessary for the proposed crematorium however the county must approve the application prior to application for this permit.

Chairman Espy called for comments for or against the case. Katie Hones, applicant spoke for approval of the case. She stated that this is a clean burning unit and the DEQ engineer stated it is exempt from the permit however they must formally state that after application is made. The unit may run 3-5 hours weekly at the current rate. At this time this is not intended for the disposal of mass animal waste and they will not spread ashes. If ashes are abandoned they will be sent to a landfill. There being no comments, Chairman Espy closed the hearing at 3:17 p.m.

Commissioner Glode moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2016-41, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding C.U. Case #2016-10 – Peterson/Hones - Animal Crematorium with 8 recommended conditions. Commissioner Chapman seconded and Mr. Fox recommended condition 7 not be included. The BOCC agreed and the motion was approved unanimously without condition 7 included.

Resolution No. 2016 – 41

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 #2016-10– “Animal Crematorium”

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, September 12, 2016, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

WHEREAS, at the Monday, September 12, 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, September 12, 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, October 18, 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 #2016-10: Request for a Conditional Use Permit in the RAM Zone for the construction, operation, and maintenance of an animal crematorium as more specifically described at the public hearing and in the application.

Petitioners: Katherine Hones, DVM / Hones Veterinary Service LLC (Applicant) and Peterson Livestock LLC (Land Owner)

Rural Address: 21803 State Highway 76

General Site Location: Approximately 3 miles east of Rawlins; north of HWY 76 (Old Lincoln Highway); south of I-80

Parcel Identification Number: 21861910002700

Legal Description: A 0.50 acre tract of land located north of the HWY 76 and south of I-80, located in Section 19, T21N, R86W, 6th P.M., Carbon County, Wyoming.

TERMS AND CONDITIONS OF APPROVAL:

1. The Applicant shall submit an approved WDEQ Air Quality Permit to the Carbon County Planning and Development Department.
2. The facility must post a sign at the entrance that includes the facility name, the name and phone number of the responsible person in event of an emergency.

3. The Applicant(s) 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. Minor modifications to the site, such as the addition of an enclosure may be approved by the Planning Director as part of the building permit approval process.
4. 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.
5. 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.
6. 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.
7. ~~C.U. Case #2016-10 is subject to the approval of the companion case file ZRA Case #2016-01 Text Amendment – “Animal Crematorium”.~~ Removed in Commissioners motion.
8. Permit approval for the ½ acre site as represented on the site plan.

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 #2016-10 – “Animal Crematorium”).

PRESENTED, READ, AND ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 18th day of October, 2016.

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

By: -s- John Espy, Chairman
-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

CITIZEN/COMMISSIONERS DISCUSSION

Commissioner Jones asked Mr. Fox to update the BOCC on the Saratoga planning update. Mr. Fox stated there is a small working group that is obtaining buy-in from the town planning commission on the draft memorandum of understanding after which the process will move forward.

Mr. Fox discussed calls he has received on wind energy development and the federal tax credits for alternative energy. Terra Moya northwest of Elk Mountain was permitted for a facility in 1999 but never proceeded and they are set to update the Planning Commission and potentially apply for a new permit.

PUBLIC COMMENT

Bonnie Culver, Medicine Bow Library Manager reported she has had lights to be installed at her facility for over a year and they were finally installed recently and thanked Mr. Piche for making this happen.

Toby Smith, Medicine Bow Senior Center Board President asked if the county will continue to cut funds next fiscal year and asked about cut funding for the local medical center. Commissioner Jones explained the cuts that outside agencies and county departments took and may continue to take. Kenda Colman asked if wind energy tax goes to the general fund of the county because she thought communities impacted by wind energy should be funded by this. Commissioner Jones stated some of the county's money is returned to Medicine Bow through funding to its center, law enforcement and other services the county provides. She contended there was only seven employees of the various wind farms living in the area therefore the impact was not great. The BOCC made it clear they worked hard to fund statutorily required services while still keeping quality of life services in various areas of the county.

Commissioner Chapman reported Carbon County Economic Development will hold a chili cook off fundraiser in Baggs soon.

Commissioner Glode clarified on the budget discussion that the BOCC cares about employees and positions that were cut were done so mostly through attrition, not by layoffs.

Mike Kelly reported he attended the Bureau of Land Management energy conference last week and provided updates on various projects including the Continental Divide Creston project will have 600 gas wells in Carbon County. The Environmental Impact Statement (EIS) on the Gateway West Project has finally been completed and a record of decision will be expected soon.

EXECUTIVE SESSION

Commissioner Johnson moved to go into executive session at 4:18 p.m. with Clerk Bartlett and Mike Kelly to discuss personnel and potential litigation. Commissioner Glode seconded and the motion carried unanimously.

Commissioner Johnson moved to come out of executive session at 4:28 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Chapman seconded and the motion carried unanimously.

ADJOURNMENT

Commissioner Johnson moved to adjourn the meeting at 4:28 p.m. Commissioner Jones seconded and the motion carried unanimously.

A regular meeting of this Board will be held November 15, 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.