

**REPORT TO THE  
MINUTES OF THE BOARD OF  
CARBON COUNTY COMMISSIONERS  
REGULAR MEETING  
Tuesday, March 6, 2018  
Carbon County Courthouse, Rawlins, WY**

The regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, March 6, 2018 at the Carbon County Courthouse, Rawlins, WY. Attending the meeting were; Chairman John Johnson; Commissioners Leo Chapman, Bob Davis, John Espy and Sue Jones.

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

**ADDITIONS / CORRECTIONS**

Deputy Attorney Ashley Davis requested to add a Revised Lease with the Town of Baggs and the Sheriff's Office to change the Sheriff's name. There were no other changes to the agenda.

**VOUCHERS**

Commissioner Chapman moved to approve the report of expenditures in the amount of \$123,844.58. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Chapman moved to approve payment to Sunrise Sanitation for \$65.00 for an aggregate total today of \$123,909.58. Commissioner Espy seconded and the motion carried with all voting for the motion except Commissioner Jones who abstained due to personal conflicts.

ALVEY, LACEY LEIGH	\$15.00	WITNESS FEE
ANTON COLLINS MITCHELL LLP	\$4,000.00	AUDIT
AXIS FORENSIC TOXICOLOGY, INC.	\$775.00	TESTING SERVICES
AYALA, MEGAN	\$190.94	MILEAGE/MEALS
BANGS, DANIELLE	\$11.00	MILEAGE
BANK OF COMMERCE (DEBIT CARD)	\$15,931.20	VARIOUS CHARGES
BARKHURST COLLISION CENTER	\$1,750.00	GRILLE GUARD/INSTALLATION
BARTLETT, GWYNN	\$167.00	MILEAGE
BIG HORN ROOFING, INC	\$1,053.50	ROOF REPAIRS
BLACK DIAMOND ELECTRIC	\$2,994.65	RPVFD INTERIOR ELECTRICAL WORK
BLACK HILLS ENERGY	\$18,670.60	GAS SERVICES
BLAKEMAN PROPANE	\$716.30	HEATING FUEL
BLOOMQUIST, CYNTHIA	\$24.60	MILEAGE
BOMGAARS SUPPLY	\$69.98	WRENCH/STORAGE RACK
BUILD RITE LUMBER SUPPLY	\$1,090.81	BUILDING SUPPLIES
C N A SURETY	\$170.00	BOND RD

CASPER WINNELSON CO	\$225.08	PUMP
CBM FOOD SERVICE	\$7,038.09	JAIL MEALS
CEDARS HEALTH	\$360.00	TESTING/MEDICAL SERVICES
COOKS CORRECTIONAL	\$326.21	PANS
COWBOY CHEMICAL	\$283.00	LAUNDRY SUPPLIES
COWBOY SUPPLY HOUSE	\$1,972.61	CUSTODIAL SUPPLIES
DIXON, TOWN OF	\$308.00	WATER SERVICE
DOMINION ENERGY	\$344.54	HEATING FUEL
E-IMAGE DATA CORP.	\$10,140.00	FICHE READERS
ELK MOUNTAIN, TOWN OF	\$53.00	WATER SERVICE
ENCAMPMENT, TOWN OF	\$92.00	WATER SERVICE
ERICKSON & ROBERTS	\$15.00	LEGAL SERVICES
FEDEX	\$43.81	SHIPPING FEES
FLEMING, LINDA	\$48.00	MILEAGE
FRANCE, JANET K	\$75.00	CIRCUIT COURT BAILIFF
GDA ENGINEERS	\$3,156.51	DIXON AIRPORT BEACON/LIGHTING
GOLDEN, MARY	\$288.60	MEALS/MILEAGE
GRAINGER	\$233.70	REPAIR ITEMS
HANNA, TOWN OF	\$208.04	WATER SERVICE
HERMAN, BOBBIE	\$27.00	MILEAGE
HIGH PLAINS POWER	\$554.96	ELECTRIC SERVICE
J H KASPAR OIL COMPANY	\$1,733.86	FUEL
JOHNSTON, RANAE	\$125.52	PARKING FEES/MILEAGE/SUPPLIES
KAISLER, TODD	\$54.00	MILEAGE
KENCO SECURITY AND TECHNOLOGY	\$37.00	MONITORING SERVICES
KERBS, CORSON	\$27.00	MILEAGE
KILBURN TIRE COMPANY	\$1,004.88	TIRES
KIRSCH, ARCHIE P	\$1,300.00	MEDICAL SERVICES
LONG BUILDING TECHNOLOGIES, INC.	\$816.00	REPAIR ITEMS
MACPHERSON, KELLY & THOMPSON, LLC	\$609.88	LEGAL SERVICES
MEDICINE BOW, TOWN OF	\$189.00	WATER SERVICE
MEMORIAL HOSPITAL OF CARBON COUNTY	\$1,937.25	EXAM FEES
MILLER, TAYLOR	\$6.70	POSTAGE
MOORE MEDICAL CORP.	\$468.03	MEDICAL SUPPLIES
MOORE, JOHN	\$1.93	POSTAGE
NATRONA COUNTY SHERIFF'S OFFICE	\$6,045.00	JUVENILE HOUSING
NEUBAUER, PELKEY, MERSEAL AND	\$1,476.25	LEGAL SERVICES
NMS LABS	\$618.00	TESTING SERVICES
NORCO, INC.	\$1.72	CYLINDER RENTAL
O'REILLY AUTO PARTS	\$89.99	JUMPSTART
PEGGY'S CREATIONS	\$8.00	SERGEANT PATCHES
PERKINS OIL CO	\$652.30	FUEL

PLATTE VALLEY HEATING & AIR LLC	\$85.00	HEATER REPAIR
PLUS ELECTRIC INC.	\$353.43	ELECTRICAL REPAIRS
QUILL CORPORATION	\$224.67	OFFICE SUPPLIES
RAMKOTA HOTEL & CONFERENCE CENTER	\$83.00	LODGING
RAWLINS AUTOMOTIVE	\$472.45	VEHICLE MAINTENANCE ITEMS
RAWLINS EYE CARE	\$350.00	VISION SERVICES
RAWLINS, CITY OF	\$1,716.90	WATER/SEWER
READY, JUSTIN	\$42.00	MILEAGE
RERUCHA, CAL	\$75.00	MILEAGE
ROCKY MOUNTAIN POWER	\$11,154.20	ELECTRICAL SERVICES
RODABAUGH, SHERRY	\$75.00	CIRCUIT COURT BAILIFF
RYAN ELECTRONICS INC	\$1,064.81	CLONING CABLE/CONSOLE UNIT
SAFEGUARD BUSINESS SYSTEMS	\$332.54	CHECK STOCK
SARATOGA AUTO PARTS, INC.	\$16.56	SEALANT/FUEL LINE
SECURITY TRANSPORT SERVICES, INC.	\$1,240.65	TRANSPORTATION SERVICES
SHEPARD'S	\$262.76	FUEL
SHIVELY HARDWARE	\$116.91	FUEL/BATTERIES
SPECIALIZED PATHOLOGY CONSULTANTS	\$1,175.00	AUTOPSY
SPILLMAN TECHNOLOGIES	\$160.00	PASSKEYS
STAPLES ADVANTAGE	\$247.24	JAIL SUPPLIES
STATE OF WY DEPT OF FIRE PREVENTION & STODDARD, CURTIS T.	\$1,250.60	CRISIS CENTER PLAN REVIEW
STRYKER SALES CORPORATION	\$677.52	BEARINGS
SUNRISE SANITATION SERVICE, LLC.	\$65.00	TRASH SERVICE
TRAPP, LARRY W	\$149.01	HOTEL REIMBURSEMENT
TRUE VALUE OF RAWLINS	\$213.72	BUILDING SUPPLIES
WESTERN STATES FIRE PROTECTION CO	\$1,736.59	SPRINKLER HEAD REPLACEMENT
WESTERN TRUCK REPAIR	\$423.50	DRIVELINE/U JOINT
WILKERSON, JAMES A IV M.D.	\$2,350.00	AUTOPSY FEES
WIMPENNY, ROBERT G DDS	\$1,000.00	DENTAL SERVICES
WOODWARD & ASSOCIATES, INC.	\$1,924.00	OFFICE CARPETING
WY LAW ENFORCEMENT ACADEMY	\$650.00	FIELD TRAINING
WY RENTS, LLC	\$24.56	PIN LOCK LONG
WY SECRETARY OF STATE	\$30.00	NOTARY CERTIFICATE PP
WYOMING DEPARTMENT OF WORKFORCE SERVICES	\$55.36	WORKERS COMP
YAMPA VALLEY ELECTRIC	\$1,096.21	ELECTRIC SERVICE
YOUNG, CHARLES MD	\$950.00	MEDICAL SERVICES
ZIRMED, INC	\$7.35	CLAIMS
<b>Grand Total</b>	\$123,909.58	

**CONSENT AGENDA**

Commissioner Espy moved to approve the consent agenda which includes the February 20, 2018 regular meeting minutes; bonds for Kristin Redding, Carbon County Deputy Treasurer for \$10,000.00 and Lezlee Musgrave, Clerk/Treasurer for the Town of Sinclair for \$8,000.00; County Clerk receipts for February 2018 for \$16,730.00; and notice of valuation changes in the amount of -\$5,530.00. Commissioner Chapman seconded and the motion carried unanimously.

### **Planning & Development**

Sid Fox, County Planning Director discussed correspondence to the BOCC regarding the appeal of a building permit issued earlier in 2018.

### **Attorney**

Ashley Mayfield Davis, Deputy County Attorney discussed that her office has been fairly busy with the South Central WY Emergency Medical Service meetings and revisions to the agreement to be presented later today.

### **Weed & Pest**

Reese Irvine reported there are possible deed issues at the Weed & Pest building and asked for the building to properly be deeded to the Weed & Pest Board. Clerk Bartlett reported she will investigate this and report at the next meeting.

### **Buildings & Grounds**

Building Manager Jim Piche reported he and the clerk's office are working on the asset and insurance lists to clean them up. The Ryan Park Fire Station is complete and kitchen cabinets will be installed tomorrow.

The Buildings & Grounds Office is complete and they will move in this week. The Crisis Center addition plans are complete and the project should be bid around the March 23 with an opening the second April meeting. There will be five bids including the building, parking lot and paving, fire system, security system and the landscaping all separately for better cost control.

He recently met with the State Fire Marshall about food licensing for the new county fairgrounds kitchen facility. The County Attorney is now reviewing a kitchen use agreement and he would like to finalize the agreements for facilities and rate schedules at the next meeting. He mentioned the Fair Board and Jeffrey Center Board will review the agreements and schedules prior to the BOCC's consideration.

Chairman Johnson asked Mr. Piche if he could use funding from the Ryan Park Volunteers to cover his department labor on the new building and Mr. Piche wanted to visit with that group prior to answering. Commissioner Jones stated that she feels that she would like this reimbursed to the county. He mentioned there are still some outstanding issues at the building including a concrete approach, leech field for the septic system and likely the purchase of a fuel system. The Ryan Park Volunteers donated up to \$35,000.00 and the Clerk has received \$20,000.00 of this.

### **Circuit Court Judge**

Susan Stipe, Circuit Court Judge introduced herself.

### **Coroner**

County Coroner, Paul Zamora requested the BOCC visit his office today after the meeting.

### **Treasurer**

Patty Bentsen, County Treasurer reported delinquent tax notices have been dispersed and noted cash flow is tight during this time until taxes are due in May.

### **Road & Bridge**

Bill Nation, Road & Bridge Superintendent reported he will meet with Oftedal, contractor for the County Road 121 and the Ekola Bridge project. Mr. Nation said there is a change of ownership at the bridge location and that will be hammered out at tomorrow's meeting. He is working on road use agreements for Ekola, Sage Creek Road and the TB Flats projects.

WW Clyde has been awarded the bid on work to the Sage Creek Road. This will include paving 33 miles and recondition 6 miles of County Road 601 and 10 miles through US Forest Service 801. Completion is expected on this December 2018.

Two Road & Bridge pickups will be delivered today and he noted he has several with over 150,000 miles but a couple may be able to serve other departments. Two John Deere blades that the county agreed to purchase will be delivered sometime this month. He will keep one on standby through winter and the other will replace a blade in Saratoga.

### **Attorney**

Attorney Davis presented an amended agreement with the Town of Baggs.

Commissioner Davis moved to take into consideration and authorize the Chairman's signature on a the Memorandum of Understanding Between the Carbon County Sheriff's Office and the Town of Baggs for leasing a portion of the Baggs Town Hall. Commissioner Espy seconded and the motion carried unanimously.

### **Commissioners**

Attorney Davis reported there was a meeting of all participating agencies of South Central Wyoming Emergency Medical Services Joint Powers Board (SCWEMS) to review the joint powers agreement. Proposed language will allow member entities to allow elected officials to sit on the board and will remove a potential conflict where employees could sit on the board, it also

clarifies what a quorum is. The majority of participating agencies must approve the changes then submit it to the Attorney General for final approval.

Commissioner Jones moved to approve the Second Amendment To Joint Powers Agreement Between the Town of Elk Mountain, Wyoming, the Town of Medicine Bow, Wyoming, the Town of Saratoga, Wyoming, the Town of Riverside, Wyoming, the Town or Encampment, Wyoming, the Town of Hanna, Wyoming, and Carbon County, Wyoming creating the Joint South Central Wyoming Emergency Medical Services Joint Powers Board Agreement. Commissioner Chapman seconded and the motion carried unanimously.

Commissioner Jones reported that as of March 5, 2018 Donna Pipher resigned as the county's representative on the South Central Wyoming Emergency Medical Services Joint Powers Board. Other entities are appointing members currently to ensure the business can still operate with as many board members as possible.

Commissioner Jones moved to regretfully accept Donna Pipher's resignation from the South Central Wyoming Emergency Medical Services Joint Powers Board. Commissioner Chapman seconded and the motion carried unanimously.

Commissioner Jones moved to appoint John Rutherford as the County's representative on SCWEMS for the remainder of Donna Pipher's term through June 2018. Commissioner Espy seconded and the motion carried unanimously.

### **Cooperative Extension Service**

Abby Perry, County Coordinator introduced Cooperative Extension educators from the area. Each overviewed programs they provide in the area.

### **Public Hearing – C.U. Case #2018-02 – Verizon Wireless and John and Carol Dishong**

Chairman Johnson opened a public hearing at 10:30 a.m. to hear Planning & Zoning C.U. Case # 2018-02 Verizon Wireless and John and Carol Dishong. Sid Fox, County Planning Director presented a Conditional Use Permit request for a telecommunications tower up to 195 feet tall and related facilities in the Ranching, Agriculture and Mining (RAM) Zone District located at WY3 – HWY 72 & 30 Communications Site. Mr. Fox overviewed the seven staff recommendations. Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 10:39 a.m.

Commissioner Jones moved to approve Resolution No. 2018-07 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 # 2018-02 Verizon Wireless and John and Carol Dishong for a telecommunications tower up to 195 feet tall and related facilities in the Ranching, Agriculture and Mining (RAM) Zone District located at WY3 – HWY 72 & 30 Communications Site. Commissioner Chapman seconded and the motion carried unanimously.

**Resolution No. 2018 –07**

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 #2018-02– “WY3 – HWY 72 & 30 Communications Site”

**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 advertised to hold a public hearing on Monday, February 5, 2018, which said hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, February 5, 2018, 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, February 5, 2018, 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, March 6, 2018; and

**WHEREAS**, at said public hearing on March 6, 2018, 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 #2018-02:** A Conditional Use Permit request for a telecommunications tower up to 195 feet tall and related facilities in the Ranching, Agriculture and Mining (RAM) Zone District.

**Project/Site Name:** WY3 – HWY 72 & 30 Communications Site

**Petitioners:** Verizon Wireless c/o Digital Skylines, Inc. (Applicant) and John and Carol Dishong (Land Owners)

**Parcel Identification Number:** 22813010003600

**General Site Location:** Approximately 1/2 mile south of Hanna; approximately 1/2 mile west of WY HWY 72; north of US 30

**Legal Description:** A Parcel of land for the purpose of a telecommunications equipment lease area, situate within the E1/2NW1/4NE1/4 of Section 30, T.22N., R.81W., 6th P.M., Carbon County, Wyoming, said Parcel being more particularly described as follows; Commencing at a 3-1/4" Brass Cap marking the Northeast Comer of said Section 30 located N.00'28'07"W., 2642.07 feet from a 1-1/2" Aluminum Cap marking the East 1/4 Corner of said Section 30; thence S.66'53'05"W., 1647.83 feet to the POINT OF BEGINNING of said Parcel; thence N.56'59'21"W., 50.00 feet; thence N.33'00'39"E., 50.00 feet; thence S.56'59'21"E., 50.00 feet; thence S.33'00'39"W., 50.00 feet to the POINT OF BEGINNING; said parcel of land contains 2500 square feet or 0.057 acres.

**TERMS AND CONDITIONS OF APPROVAL:**

1. The Applicant\Permittee must submit a Density Disturbance Calculation Tool (DDCT) analysis and worksheet to the Wyoming Game and Fish Department (WG&F) prior to submitting the building permit application to Carbon County. The Applicant\Permittee must include a copy of the WG&F Department's response to the DDCT analysis and worksheet with the building permit application.
2. An area with a radius equal to at least 110% of the tower height must be maintained by the land owner and the permit holder as a Clear Zone. Habitable structures unrelated to the operation of the tower shall not be located within the clear zone.
3. A security fence must be constructed around the 2,500 square feet (0.057 acres, more less) permit area. The fenced area must be illustrated on the site plan submitted with the building permit application.
4. The applicant or owner must post a sign at the entrance that includes the facility name and the name and phone number of the responsible person in event of an emergency.
5. Any modifications to the structure that increase its surface footprint or add to the tower height will require a new Conditional Use Permit.
6. The Applicant or owner must 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.
7. Upon approval by the Board, the following provisions from the Zoning Resolution will be incorporated into the final Resolution:
  - a. 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.
  - b. 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.
  - c. 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 #2018-02 – “WY3 – HWY 72 & 30 Communications Site”).

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, this 6th day of March, 2018.

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

-s- Willing John Johnson, Chairman  
On behalf of the Carbon County  
Board of County Commissioners

**Attest:**

Gwynn G. Bartlett, Carbon County Clerk

**Public Hearing – C.U. Case #2018-01 Salvation Army**

Chairman Johnson opened a public hearing at 10:40 a.m. to hear Planning & Zoning C.U. Case # 2018-01 Salvation Army. Sid Fox, County Planning Director presented Conditional Use Permit request in the Ranching, Agriculture and Mining (RAM) Zone District – to operate a “recreation area”, a base camp for wilderness leadership and character development programs located at Aspen Alley Ranch. Mr. Fox reported it is basically a church camp and the main concerns are activity (how many people will be there at one time or over a particular season) and how much infrastructure, where and the size. The applicant has included a forest stewardship plan and a land management strategy which are not a requirement of the Zoning Resolution. The Planning Commission was concerned about, or spoke about road impacts, potentially increased search & rescue needs, wastewater permits, human/bear conflicts, a potential loss of property tax revenue, and noted that staff is recommending approval with conditions.

Will Raihl, Divisional Property Director for the Salvation Army and Lyle Laverty, Board Chairman were present. Mr. Raihl reported the Salvation Army is a church and operate fresh air camps and wilderness camps and has for over a century. They hire temporary staff for these camps, typically college students and they have rigorous background checks for those that will have involvement with children. Those doing wilderness camps have first aid and wilderness specific training. In 2014, the property owner donated the property to the Salvation Army and they have since determined that the proposed camp is the best use of the property. They determined no permanent residential structures would be built and it would be maintained in its

current state as much as possible. He then stated two permanent structures would be constructed. The operations center, a barn like structure used as an office and administrative hub and for storing equipment, upstairs would be sleeping quarters for 5-10 staff. The other building would be a bath house with laundry facilities. The plan is to be minimalist semi-primitive.

The top end numbers of people will be approximately 400. There will also be five outbuildings are called adirondacks, emergency 3-sided shelters. The youth groups will primarily come from Utah, Wyoming, Colorado and Montana. All youth must have a physical prior to attending a camp.

Mr. Raihl stated that winter use is not envisioned “at this point” or in the near future so winter search & rescue will not be an issue. He stated as far as summer searches he would not anticipate any and other similar camps have not had any in the five years. Staff is well trained and they have visited Classic Air Medical and established procedures for searches just in case. They have also met with local area search & rescue personnel.

Mr. Lavery discussed the forest management plan and presented pictures of the area and explained the management efforts they plan for Aspen Alley.

Tom Thompson, nearby landowner of Mill Creek Ranch LLC, approximately 2 miles from the proposed camp, discussed that he did not appear at the Planning Commission meeting as the county must supply notice to adjacent property owners and that the Zoning Resolution does not take into account that in the forest landowners may be miles away. He encouraged the board to look at this in the future. The proposed use was a minimum of 200 people with a maximum of 400 per month, basically a commercial campground to Mr. Thompson. He asked if there would be day trips, where at, if this is a 200-400 people per month situated within the 500 acres, much of which is covered with vegetation. He is also concerned about the septic and water source. He believes there is currently a filtration system from Little Sandstone and if the operation will service up to 400 people per month will a municipal type system be necessary to provide potable water to these users. The sewage is an issue from a shower house, septic and while some human waste will be composted this is still an issue.

Mr. Thompson stated when the county first adopted the Land Use Regulations these types of developments would be situated around existing municipalities and this still exists in the regulations today. The permit would be greater in size than municipalities existing in Carbon County and while the project is admirable he questions if this is a commercial operation, will users be charged, can the county control the numbers of users and how is that enforced. All questions from Mr. Thompson.

The Land Use Plan (The Plan) has seven focuses, one being to protect water supplies of established users. Downstream are the towns of Dixon, Baggs and Savery and he asked what the BOCC would be approving for water use and is the county protecting the water supply. An inadequate septic system could cause issues for downstream water users.

Another focus is sustaining scenic areas, habitat and other open spaces. Mr. Thompson’s greatest attraction to Carbon County are the open spaces and while he believes in private property rights

this particular property is adjacent to two scenic corridors in Carbon County, Aspen Alley and the Battle Highway, the characteristics of the county are changed, therefore contrary to the Land Use Plan.

The fourth focus of the Plan is the sustain ranching and agriculture in rural areas. He believes that would not occur here. The fifth is to locate new residential developments and commercial sites in proximity to municipalities. This is a significant development and while there are many recreational users he doesn't believe it comes anywhere close to what would be added with this project. The sixth is to have infrastructure in place going back to concerns over septic and water systems that would serve the project.

Mr. Thompson asked if the BOCC would allow the applicants to answer questions of whether or not this is a commercial operation. He doesn't feel like Carbon County residents are aware of this with the lack of press surrounding the project.

Steve Kovachevich, Carbon County citizen applauded Mr. Thompson for his research as well as the applicant for their efforts. As a land user of the multi-use lands in the county he has concerns. He feels like this is not the proper place for such a facility and the area is important for many things and cautioned the BOCC and stated he is opposed.

Patty Bentsen stated that being born and raised in the county, she feels questions that may need to be answered about what types of groups will come here and that the facility could cause strain on law enforcement and search & rescue.

Ashley Davis reported that Sheriff Roybal was unable to attend today and that he has met with the applicants. Sheriff Roybal had requested to know where and when individuals will be and that she feels the Salvation Army agreed to accommodate this and plans to have radios and satellite phones. She added that statutorily search & rescue will have to go through the Sheriff, not volunteers. The Sheriff was also concerned that other churches may be able to rent the facility and if there would be requirements in place for those users. Ashley stated that the Salvation Army has programs with past substance abuse or other issues and she asked if this would be a camp for those people and asked for clarification about this.

John Sjogren stated he is opposed to the idea and that Mr. Thompson stated many of his concerns. He stated due to traffic and potential spread of weeds and asked if there would be a weed management plan.

Mr. Laverty stated the numbers of up to 400 is the maximum that could ever be there. They anticipate more realistically up to 100 at one point in time spread throughout the adrondiacks and the property will be managed as a semi-primitive experience. The property would not be developed more than shown on a site plan presented earlier today. The septic tank would meet all required county specs and building requirements. The water source is via well and that item 4 goal is retaining the agriculture feel of the property. Last summer they had 300-400 sheep on the property along with cattle and these are the kinds of experiences they want participants to partake in.

Mr. Raihl stated they don't anticipate ever having 400 and they have 5 identifiable camping areas that keep the campers separated and there are other areas suitable for tent camping. The Estes Park camp they operate is approximately 10 miles away from a municipality with its own waste treatment plant proving they recognize their responsibility. This is not a commercial venture and most of the costs are provided by donors. Periodically the family may need to pay \$10 for a week. There are no fees except for what is provided by donors. The creek will be rehabilitated through the property and they may stock fish in conjunction with the WY Game & Fish. They plan to continue sheep and cattle for the "ranch feel". The forest management plan will not allow minors to handle chainsaws. They will have a satellite phone and feel they are trying to cover all bases for a safe environment. He feels like Aspen Alley will not exist in the future as it needs serious help to preserve it.

Mr. Lavery stated program activities will likely include day hikes into forest land and the other principal they follow is to leave no trace. He added invasive species already exist on the property and they have already begun to mitigate those concerns internally and by working with local Weed & Pest.

Mr. Raihl stated that while they operate recover camps, this is not one. Once someone completes their recovery they may bring those individuals to this camp. These individuals are always under supervision. Outside groups that are associated with the Salvation Army may periodically use the location but they are groups they have existing relationships with. Chairman Johnson closed the public hearing and asked for BOCC comments.

Commissioner Espy asked about the 1,800 – 12,000 use days per month and asked how the Department of Environmental Quality permit will be proposed on as far as use days. Mr. Raihl stated they will work out the numbers as far as the maximums and work with DEQ on the appropriate size they may need. Mr. Fox stated the septic permit will require a professionally designed system.

Commissioner Davis asked if the agricultural permittees were notified about this and Mr. Fox stated the agricultural permittees were not notified. Mr. Davis clarified that sheep dogs will be in the area with the sheep and asked if those have been considered as they are very intimidating. The two were aware. He asked what the state requirements are for staff to children ratios. Mr. Raihl stated 1-10 is the ratio for Protect the Mission (PTM) and stated this is above state requirements. Commissioner Davis stated that there is heavier traffic in the fall and he believes timber trucks are likely in the area and wondered if traffic has been addressed. Mr. Raihl stated that traffic concerns were discussed with Mr. Nation. Most activity will occur June, July and August. He asked about mitigation of deer flies and mosquitos and they said it was part of the wilderness experience.

Commissioner Jones clarified that they will not rent facilities and the pair said no, they will not rent. She asked Mr. Fox about the big picture of what goes on in the area. She stated the road will be paved and will likely increased traffic and asked Mr. Fox how to make this all work. Mr. Fox stated mitigation – how to allow a permit without being incompatible with existing uses is always a balancing act.

Commissioner Chapman stated he has received numerous calls about impacts and potential control.

Chairman Johnson stated there is a fragile ecosystem in all of Carbon County and while 500 acres is significant with the density of populations and use days there will be water quality issues, weed issues, wildlife uses and patterns will likely be disrupted and he would like to see this addressed, and he asked if they collect grazing fees, the answer being no.

Mr. Fox explained a conditional use in the RAM zone. It would be a permit to allow uses that are not necessarily compatible with the principally permitted uses. Mr. Fox thought through additional site plan review and incorporating minimum setbacks from the Forest Service road to assure new facilities would not be intrusive to the traveling public through Aspen Alley. There could be a maximum building height condition, limits on usage dates and number of guests, require an annual review or report, and additional site specific development plan review.

Mr. Thompson stated an application is typically pushed through and fixed after the fact. With the current situation and as admirable as the application is there remains many “what ifs”. He stated he feels much of the public that lives here, works here and recreates here would not be in favor of the application and encourage the BOCC to have all the answers then vote on it.

Chairman Johnson stated that he feels like he personally needs additional answers prior to voting on the matter. Commissioner Espy asked that this go back through the Planning Office for additional answers. Chairman Johnson stated he would also like public notice to landowners in the area prior to the next meeting. Commissioner Jones wants additional answers on numbers of users. The BOCC asked if March 20 was adequate time for the applicant to respond.

After additional discussion, Mr. Raihl asked for Mr. Fox’s assistance setting up a meeting with landowners to address concerns. Mr. Fox indicated that he could provide the applicant with a list of land owners in the area.

Commissioner Espy moved to table C.U. Case # 2018-01 Salvation Army Conditional Use Permit request in the Ranching, Agriculture and Mining (RAM) Zone District – to operate a “recreation area”, a base camp for wilderness leadership and character development programs located at Aspen Alley Ranch until April 3. Commissioner Davis seconded and the motion carried unanimously.

### **Public Hearing – Z.R.A. Case #2018-01 – Zoning Resolution Amendment**

Chairman Johnson opened a public hearing at 12:29 p.m. to hear Planning & Zoning Z.R.A. Case # 2018-01 Zoning Resolution Amendment. Sid Fox, County Planning Director presented Carbon County Zoning Resolution Amendments to the Zoning Resolution and Zoning District Map Amendments. Mr. Fox explained some of the amendments.

Carl Miners with Tri-State reported that they have a 115 Kv line as well as telecommunication sites and electrical substations. The threshold for the cutoff was over 115 Kv and he suggests it be above 115 and 115 and below be a use by right. Mr. Fox stated it is written to be over 115.

Chairman Johnson called for comments for or against the case. There being no further comments, Chairman Johnson closed the hearing at 12:41 p.m.

Commissioner Chapman moved to approve Resolution No. 2018-08 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.R.A. Case # 2018-01 Carbon County Zoning Resolution Amendments to the Zoning Resolution and Zoning District Map Amendments including a one additional change of 69Kv lines being changed to 115Kv and under to be principally permitted. Commissioner Espy seconded and the motion carried unanimously.

### **Resolution No. 2018 - 08**

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 #2018-01** **(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, February 5, 2018, 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, February 5, 2018, 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, February 5, 2018, 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, as amended 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, March 6, 2018; 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 #2018-01 – Text Amendment to 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 #2018-01.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 6th day of March, 2018.

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

-s- Willing John Johnson, Chairman  
On behalf of the Carbon County  
Board of County Commissioners

Attest:

Gwynn G. Bartlett, Carbon County Clerk

**Certifications of Recommended Action**

Commissioner Espy moved to accept the Certification of Recommended Action from the Carbon County Planning & Zoning Commission for C.U. Case File 2018-03 – Peterson Outfitters, LLC request for a Conditional Use Permit for an outfitting business and related facilities in the Ranching, Agriculture and Mining (RAM) Zone District, C.U. Case File 2018-04 – Spur Outfitters, LLC request for a Conditional Use Permit to expand and operate a commercial shooting range including archery, shotgun, pistol and rifle range in the Ranching Agriculture and Mining (RAM) Zone District, C.U. Case File 2018-05 - Spur Outfitters, LLC Elk Hollow Lodge

request for a Conditional Use Permit to operate a commercial recreational lodge that provides guest accommodations and recreational activities for guest in the Ranching, Agriculture and Mining (RAM) Zone District and C.U.W. Case File 2018-01, TB Flats Wind Energy Project request for a Conditional Use Permit for a Commercial Wind Energy Facility in a Ranching, Agriculture, Mining (RAM) Zone and schedule public hearings for April 3, 2018 at approximately 10:30 a.m. and 2:00 p.m. for TB Flats Commissioner Chapman seconded and the motion carried unanimously.

### **Clerk**

County Clerk, Gwynn Bartlett presented the BMO E-Purchasing Solutions Corporate Master Card Program Member Account Agreement for approval.

Commissioner Jones moved to authorize the chairman's signature on the BMO E-Purchasing Solutions Corporate Master Card Program Member Account Agreement. Commissioner Espy seconded and the motion carried unanimously.

Ms. Bartlett presented the Local Government Liability Pool County Membership Renewal Application for approval.

Commissioner Chapman moved to authorize the chairman's signature on the Local Government Liability Pool County Membership Renewal Application. Commissioner Davis seconded and the motion carried unanimously.

### **Commissioners & Citizen Discussion**

Cindy Wallace, Economic Development Corporation Director discussed an opportunity zone for potential investors and she can identify areas of the county to qualify for this. She is responding on behalf of all of the county and its ten municipalities.

Commissioner Davis asked if the BOCC was going to consider participating in the cloud seeding effort proposed by the WY Water Development Office per their February 23 letter. He did not see a reason to participate. The BOCC stated they may discuss this at a future meeting after finding out more information.

Chairman Johnson called for nominations of a Vice Chairman.

Commissioner Chapman moved to appoint Commissioner Jones as the Vice Chairman. Commissioner Davis seconded and the motion carried unanimously.

### **EXECUTIVE SESSION**

Commissioner Espy moved to go into executive session at 1:15 p.m. with Ashley Davis, Gwynn Bartlett and Sid Fox to discuss personnel, 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 1:30 p.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Espy seconded and the motion carried unanimously.

### **RESPONSE LETTER**

Commissioner Espy moved to authorize the Chairman's signature on a letter to Mr. Kunz. Commissioner Chapman seconded and the motion carried unanimously.

### **ADJOURNMENT**

Commissioner Espy moved to adjourn the meeting at 1:33 p.m. Commissioner Chapman seconded and the motion carried unanimously.

A regular meeting of this Board will be held April 3, 2018 at 9:00 a.m. at the Carbon County Courthouse, 415 W. Pine Street, 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](http://www.carbonwy.com) or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.