

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

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

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

**ADDITIONS/CORRECTIONS**

Chairman Johnson added citizen Jim McNeese to the agenda.

**VOUCHERS**

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

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

**CONSENT AGENDA**

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

Treasurer for the Saratoga Carbon County Impact Joint Powers Board for \$25,000.00. Commissioner Barkhurst seconded and the Chairman pulled the regular meeting minutes for June 18, 2019. The motion carried unanimously.

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

## **ELECTED OFFICIALS & DEPARTMENT HEADS**

### **Extension**

Extension Director, Abby Perry discussed the recent resignation of the Administrative Assistant Position in her office. They likely won't have someone on board during fair they will be looking into temporary help options and may have additional closures as they will be out of the office doing field work.

### **Public Health**

Public Health Nurse Amanda Brown presented Contract Between Wyoming Department of Health, Public Health Division and Carbon County for the County Health Officer for approval. She stated Dr. Wayne Couch was the only one interested in the position, the BOCC authorized Ms. Brown to negotiate with Dr. Couch to serve in the position.

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

### **County Road 291**

Jim McNees from Leo discussed County Road 291 and said the road has been bladed and has been improved. He feels like without application of gravel the road will go back to its previous state. When a transmission line is installed he feels like the workers will need the road. Chairman Johnson reported they tentatively plan to budget for some improvements. Commissioner Jones stated she thought a road use agreement was discussed for this. Kandis Fritz, Road & Bridge Administrative Assistant stated that their office plans to ask for this in an upcoming impact assistance request. Sid Fox suggested this be looked at in a road use agreement and Attorney Davis stated that once a haul route is identified then those roads would be negotiated for upgrades.

Mr. McNees stated that a portion of the road is traveled daily by Bureau of Reclamation employees towards the Seminoe Dam and asked if the BOCC could look into them assisting with repairs.

## **Road & Bridge**

Road & Bridge Administrative Assistant Kandis Fritz reported that the removal of the Medicine Bow Road & Bridge shop is estimated by the engineer to cost \$30,000 and would the BOCC rather bid this out for the public to remove this. The BOCC stated they would like to pursue this as an option. The BOCC was also adamant that the shop remain operational during the winter and a power pole be moved if necessary to accomplish this.

Ms. Fritz reported they will need emergency repairs on County Road 351 from Sinclair to the Golf Course as industry is now using this portion heavily. They will be receiving a quote likely to be paid for from the road fund. Commissioner Moore asked if that section needs to be cost analyzed then the entire road planned for future major improvements. Attorney Davis asked if the trucking company has a travel permit for industrial purposes and Ms. Fritz stated she wasn't aware of one.

Commissioner Jones asked if seal coat will be applied soon on the Brush Creek Road and Ms. Fritz stated it is expected to be done this week.

## **EXECUTIVE SESSION**

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

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

## **Planning & Zoning**

Planning Director, Sid Fox presented two Memorandums of Understanding with the Towns of Saratoga and Encampment requiring the county to notify these municipalities of planning actions approximately 1 mile around each. Saratoga's MOU notes that the Town of Saratoga used to issue building permits for Old Baldy Club however because it is within the unincorporated area the county will be issuing those permits.

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

## **Certifications of Recommended Action**

Mr. Fox presented Certifications of Recommended Action.

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

**Clerk**

County Clerk, Gwynn Bartlett presented a resolution and Lease and Option to Purchase Agreement with Rawlins National Bank for a blade for approval. Attorney Davis said the documents meet legal approval.

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

**RESOLUTION NO. 2019 - 22**

**LEASE AND OPTON TO PURCHASE AGREEMENT**

**A RESOLUTION AUTHORIZING THE NEGOTIATION, EXECUTION, AND DELIVERY OF A LEASE AND OPTION TO PURCHASE AGREEMENT BETWEEN RAWLINS NATIONAL BANK, A WYOMING BANKING CORPORATION, AS LESSOR, AND CARBON COUNTY, WYOMING, AS LESSEE, UNDER WHICH THE LESSEE WILL LEASE CERTAIN EQUIPMENT; AND PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH.**

WHEREAS, the governing body (the “Governing Body”) of the Carbon County Commissioners, of Carbon County, Wyoming, (the “Lessee”) has determined that the needs of Lessee include certain equipment.

WHEREAS, pursuant to this resolution (the “Authorizing Resolution”), Lessee intends to enter into a Lease with RNB State Bank, to which this Authorizing Resolution constitutes EXHIBIT 1, to provide for the payment of the costs of acquisition of the Equipment; and

WHEREAS, Lessee is duly organized and validly existing under the constitution and laws of the State of Wyoming; and

WHEREAS, Lessee has the requisite power and authority to execute and deliver a Lease Agreement and to incur and perform the obligations of Lessee as set forth in the Agreement; and

WHEREAS, a Lease Agreement will be duly authorized and executed by Lessee and will be valid and binding agreement of Lessee, enforceable in accordance with its terms, except insofar as the enforcement thereof may be limited by any applicable bankruptcy, insolvency, moratorium, reorganization or other laws or equitable principles of general application or of application to public entities such as Lessee affecting remedies or creditors’ rights; and

WHEREAS, the authorization and execution of the Lease and all other proceedings of Lessee, relating to the transactions contemplated thereby, including without limitation the acquisition and

operation of the Equipment will be performed in accordance with all open meeting laws, public bidding laws and all other applicable laws.

WHEREAS, Lessee will obtain all necessary licenses, permits and approvals, if any, required by all governing bodies or agencies having jurisdiction over the acquisition and operation of the Equipment; and

WHEREAS, the Equipment to be leased constitutes personal property and when subjected to use by Lessee, will not be or become a fixture under applicable law; and

WHEREAS, to the knowledge of Lessee, there is no proceeding pending or threatened against or affecting Lessee, in any court or before any governmental authority or arbitration board or tribunal that, if adversely determined would adversely affect the validity or enforceability of the Lease, or the ability of Lessee to perform its obligations under the Lease, the transactions contemplated by the Lease or the security interest of Lessor or its assigns in the Equipment; and

WHEREAS, Lessee desires to authorize certain officers and members to proceed to finalize the form of the Lease and all other documents necessary to effectuate the financing and to negotiate the necessary terms and provisions thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOARD OF COUNTY COMMISSIONERS, CARBON COUNTY, WYOMING, THAT:

Section 1. All actions heretofore taken (not inconsistent with the provisions of this Authorizing Resolution) by the governing body of Lessee toward the financing or leasing of the Equipment, are hereby ratified, approved and confirmed.

Section 2. The Lease, including the Exhibits, is in substantially the same form as presented at this meeting, with such additions, omissions and changes as may be requested by Lessee, or its Legal Counsel and persons executing the same, their execution being conclusive evidence of their approval of any such additions, omissions, and changes, and John Johnson its' Chairman is authorized and directed to affix his/her signature to this Resolution and to the Lease documents to bind the Lessee.

Section 3. Lessee hereby represents that the reasonably anticipated amount of qualified tax-exempt obligations which have been and will be issued by Lessee does not exceed \$10,000,000 for the 2014 calendar year and hereby designates the Lease to be a "qualified tax-exempt obligation" pursuant to Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 4. If any section, paragraph, clause or provision of this Authorizing Resolution shall for any reason be held to be invalid or unenforceable, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Authorizing Resolution.

Section 5. All resolutions, or parts thereof, inconsistent with this Authorizing Resolution or with any of the documents hereby approved, are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed as reviving any resolution or part thereof.

Section 6. This Authorizing Resolution shall be in full force and effect upon its passage and adoption.

ADOPTED AND APPROVED as of the 2<sup>nd</sup> day of July, 2019.

LESSEE: Carbon County, Wyoming  
-s- Willing John Johnson  
Title: Chairman, Board of County Commissioners

ATTEST:  
-s- Gwynn Bartlett  
Title: County Clerk

Clerk Bartlett discussed a resolution to designate a public records request. Attorney Davis recommended she be the point of contact for records requests. She will work with the clerk to develop a process for an employee in her office to deal directly with county elected officials or other staff regarding the requests.

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

Gwynn reported the FY20 budget summary is as follows: the levy requirements would be as follows - County General Fund-\$7,224,741.69 Museum-\$183,752.75; Library-\$311,779.47; Hospital \$150,000.00 and Fair \$67,964.58. This is subject to change and she noted it will be published July 3.

She also reported she will publish the summary of the total expenditures and revenues per WY Statute 18-3-515 for fiscal year 2019 and place on the county's website.

Gwynn reported the design team for the Courthouse and Carbon Building was here last week and met with numerous individuals about their spaces. Their main focus was the Courthouse occupants and they will return mid-July to focus on the Carbon Building.

Gwynn recommended the county cover Cologuard, a screening option available to individuals by prescription only to assist in the detection of colorectal cancer. She stated the language in a potential amendment could be for those only over 50 years old and only once every 5-10 years depending. She recommended this be covered at 100% as a preventative benefit. She asked the BOCC's opinion and state if favorable she would have a plan amendment prepared.

## **RECESS**

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

## **PUBLIC HEARING**

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

Chairman Johnson opened a public hearing at 10:30 a.m. to hear Planning and Zoning Z.C. Case File #2019-08 Casey and Sammi Staman. County GIS Specialist Sarah Hutchins and County Planning

Director, Sid Fox presented the case, a request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD – 3.212) on approximately 3.212 acres to provide land for residential development that is typically single family detached and located with town expansion areas.

Chairman Johnson called for public comments for or against the conditional use permit. There being no comments, he closed the hearing at 10:33 a.m.

Commissioner Espy moved to approve Resolution No. 2019- 23 A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission Z.C. Case #2017-08 Casey and Sammi Staman for a request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD – 3.212) on approximately 3.212 acres. Commissioner Barkhurst seconded and the motion carried unanimously.

### **Resolution No. 2019 – 23**

#### **A Resolution of the Board of County Commissioners of Carbon County, Wyoming, adopting the recommendation of the Carbon County Planning and Zoning Commission.**

#### **Z.C. Case File #2019-08**

**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, June 3, 2019, which hearing was advertised by public notice at least thirty (30) days prior to said hearing; and

**WHEREAS**, at the Monday, June 3, 2019, 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, June 3, 2019, public hearing, the Carbon County Planning and Zoning Commission voted to certify in writing its recommendation to the Carbon County Board of County Commissioners to adopt the change as an amendment to the Carbon County Official Zoning Map for Carbon County, Wyoming; and

**WHEREAS**, the Carbon County Board of County Commissioners, pursuant to the Carbon County Zoning Resolution of 2015, as amended, and Wyo. Stat. Ann. §18-5-202(c) and after receipt of said certified recommendation of this zoning amendment to the Carbon County Official Zoning Map, advertised by public notice at least 14 days prior to a public hearing to take public input and comments on the proposed amendment, which said hearing occurred on Tuesday, July 2, 2019; and

**WHEREAS**, at said public hearing on July 2, 2019, the Carbon County Board of County Commissioners provided the opportunity for the public to comment and for the Carbon County Board of County Commissioners to consider any comments which were made on the proposed amendment; and

**WHEREAS**, the Carbon County Board of County Commissioners in considering the proposed amendment have also reviewed and considered the Carbon County Comprehensive Land Use Plan, as amended; and the Carbon County Zoning Resolution of 2015, as amended; and

**WHEREAS**, the Carbon County Board of County Commissioners have determined that the proposed amendment is in general conformance with the Carbon County Comprehensive Land Use Plan, as amended, and that the proposed zone change meets the following applicable criteria of the Carbon County Zoning Resolution of 2015, as amended; 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 #2019-08:** Request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Residential (RD-3.212) on approximately 3.212 acres. The RD Zone is to provide land for residential development that is typically single family detached and located within Town Expansion Areas.

**Petitioners:** Casey and Sammi Staman (Applicants and Land Owners)

**Parcel Identification Number:** 12910910004800

**General Site Location:** Approximately 1 mile east of Baggs, on the north side of HWY 70

**Legal Description – taken from Warranty Deed (Book 1327, Page 199):** A tract or parcel of land situated in the W1/2NE1/4, Section 9, Township 12 North, Range 91 West, 6<sup>th</sup> P.M., Carbon County, Wyoming, being more particularly described as follows: Beginning at a point on the Northerly R.O.W. of State Highway 70 which is S00°03'E, 964.00 feet from the N1/4 corner of said Section 9; thence S83°06'18"E, 563.23 feet; thence South 500.00 feet to the Northerly R.O.W. of State Highway No. 70; thence along the arc of a curve to the right, which has a central angle of 2°27' and a radius of 1834.9 feet, (for an arc length of) 78.46 feet; thence N44°36'W along said R.O.W. 716.09 feet to the point of beginning.

**NOW THEREFORE BE IT RESOLVED BY THE**

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

That the Carbon County Board of County Commissioners, hereby adopts this amendment as certified to them in writing by the Carbon County Planning and Zoning Commission and the existing zone shall be changed from Ranching, Agriculture and Mining (RAM) to Residential (RD-3.212) encompassing approximately 3.212 acres.

**PRESENTED, READ, AND ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Carbon County, Wyoming, on this 2nd of July, 2019.

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

-s- Willing John Johnson, Chairman

On behalf of the Carbon County

Board of County Commissioners

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

**Clerk**



Clerk Bartlett asked if the BOCC could consider a lease rate for the Courthouse. Currently no space at the Courthouse is leased however with the upgrade, project space is planned to be leased. Those entities being planned for have been asking what the lease amount per square foot would be to determine if they would lease the space or not. The BOCC asked Mr. Piche to investigate what the lease rate should be for the Courthouse after the remodel is completed.

### **Attorney**

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

## **CARBON COUNTY BOARD OF COUNTY COMMISSIONERS**

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

### **PRESS RELEASE**

**FOR IMMEDIATE RELEASE**

**DATE: July 2, 2019**

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

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

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

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

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

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

### **Commissioners**

Commissioner Jones presented the Dixon Airport Work Order 2019-01 Master Plan Update with T-O Engineers for approval.

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

Commissioner Espy stated the county's best interest would be to relocate a county owned skid steer from Road & Bridge to Buildings & Grounds and pay for maintenance from B&G. Road & Bridge can use it as needed and workout such a schedule between the two departments.

### **Museum**

Museum Director Steven Dinero discussed the Merrill Hill lease, the previously planned site for a new museum. He stated the Museum Board unanimously voted to terminate the lease and no longer include this property in the future planning of the museum. They will move forward with the Hugus Ferguson building plans. Commissioner Espy asked for a letter from their board indicating that decision.

### **MEMORIAL HOSPITAL OF CARBON COUNTY**

Interim CEO, Bob Quist provided an update on finance and operations at Memorial Hospital of Carbon County. Rod Waeckerlin, MHCC Trustee was also present.

Mr. Quist stated he recently visited the Rawlins Museum to look into the history of healthcare in Rawlins. The new board member, Jerry Steele attended his first meeting and the new election of officers has Mr. Waeckerlin as the Chairman.

## **Public Records Contact**

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

### **RESOLUTION 2019 - 24**

#### Designation of a Public Records Person

**WHEREAS**, pursuant to 2019 Legislation from the Wyoming Legislature (Senate File 57, Enrolled act No. 72) each governmental entity is required to designate prior to July 1, 2019, a person to receive all applications for public records; and

**WHEREAS**, pursuant to the newly created section (e) of Wyoming Statute §16-4-202 the governmental entity shall submit the name, business email address and business mailing address of the designated public records person to the Wyoming Department of Administration and Information for publication on the Department of Administration and Information official website; and

**WHEREAS**, also pursuant to Wyoming Statute §16-4-202(e), the designated public records person shall serve as a point of contact between the governmental entity and applicants seeking public records; and

**NOW THEREFORE**, having duly met at a regular meeting and considered the matter, it is

**RESOLVED**, that the Carbon County Board of County Commissioners hereby designate the Carbon County Attorney as the designated public records person for all public records involving Carbon County including: the Carbon County Board of County Commissioners, Carbon County Sheriff, Carbon County Assessor, Carbon County Treasurer, Carbon County Coroner, Carbon County and Prosecuting Attorney, Carbon County Clerk, Carbon County Clerk of District Court, Carbon County Emergency Management, Carbon County Public Health for any applicable county records, not for state records, Carbon County Buildings & Grounds, Mental Health Examiner, Carbon County Planning & Development, Carbon County Road and Bridge Department, and Carbon County Information Technology Department.

**IT IS FURTHER RESOLVED**, the nothing within this resolution will prohibit any elected official of Carbon County or any appointed department head from receiving and responding to any request for public records so long as response to such a request is made in compliance with all relevant laws and procedures, including, but not limited to Wyo. Stat. §16-4-202. The County Attorney shall serve as the designated public records person for those elected officials, solely for the purpose of serving as a point of contact between the elected officials' offices and the applicant seeking the public records. The public records person is not responsible if the applicable department fails to provide complete records or respond in a timely manner.

Adopted on the 2<sup>nd</sup> day of July, 2019.

**CARBON COUNTY BOARD OF COUNTY COMMISSIONERS**

-s- Willing John Johnson, Chairman

Attest:

-s- Gwynn G. Bartlett, Carbon County Clerk

**PUBLIC HEARING**

**Power Company of Wyoming**

Commissioner Espy noted he will abstain from all discussion and decisions due to personal conflict.

Chairman Johnson opened a public hearing at 11:15 a.m. to hear Power Company of Wyoming Request to Extend Deadline to Commence Operations to September 2024 for Chokecherry and Sierra Madre Wind Energy Projects C.U.W. Case #2012-01.

Mr. Fox introduced the certification to recommend from the Planning Commission recommending approval of the extension. The current permit is valid for two years and can be extended for commencement of operations. The commencement of operations means generation of electricity according to Mr. Fox.

Ryan Jacobson, Director of Engineering and Construction for Power Company of Wyoming requested a five year extension to commence operations. He noted September 9, 2016 construction was commenced and since turbine pads and access roads have been worked on to establish access to the project site. To date they have constructed 80 miles of roads and 80 turbine pads. They have established an on-site rock quarry to support the construction and various water stations. They employ just over 100 people at peak and have invested over \$50 million on the project. They expect turbine installation in 2022 and plan to wrap up around 2026. This schedule is in line with what was previously presented to the Department of Environmental Quality earlier this year. Lisa Christensen, Associate General Counsel for Power Company of Wyoming was also present.

Chairman Johnson called for public comments for or against the case. There being no comments, he closed the hearing at 11:21 a.m.

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

Attorney Davis stated she would prepare a resolution for the next meeting regarding this case.

**Citizen / Commissioners Discussion**

Commissioner Jones received an e-mail from the Odd Fellows regarding snow removal and dumpster at the Saratoga Public Health building. Commissioner Jones read the letter essentially stating the lease would need to be terminated. Commissioner Jones stated that the Town of Saratoga does the snow removal of the lot and that she would ensure the Sheriff would be notified of what trash container to use. She will also let the town know about the issues with snow plowing. The BOCC asked Jim Piche to look into whatever damage was alleged to have occurred.

Commissioner Espy attended a migration corridors meeting as the Governor's Task Force representative and he will continue to serve and attend these meetings. Commissioner Espy also learned from Sweetwater County that during the installation of power from Aeolus to Bridger substation there are some spaces where landowners were going to be required to install rabbit fences however other livestock can get caught in those and those landowners should contact the Rawlins Bureau of Land Management for more information.

Commissioner Moore reported he has delivered "Think" signs to Carbon County School District 2 and will do the same for District 1. Larger signs will be placed on county roads soon too.

### **ADJOURNMENT**

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

A regular meeting of this Board will be held Tuesday, August 6, 2019 at 9:00 a.m. at the Carbon County Courthouse, Rawlins, WY. The public is invited to attend or you can listen online at the website listed below. To get on the agenda, call the Clerk's Office by the Thursday before the meeting. Per Wyo. Stat. §18-3-516(f), access to county information can be obtained at or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.