

**OFFICIAL MINUTES OF THE BOARD OF
CARBON COUNTY COMMISSIONERS
REGULAR MEETING
Tuesday, September 1, 2020
Carbon County Courthouse, Rawlins, WY**

A regular meeting of the Board of Carbon County Commissioners (BOCC) commenced Tuesday, September 1, 2020 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 Amanda Brown, Public Health Nurse to the agenda.

VOUCHERS

Commissioner Barkhurst moved to approve the report of expenditures in the amount of \$548,411.53. Commissioner Jones seconded and the motion carried unanimously.

Vendor	Detail Line Description	Total
Acme Electric Company, LLC	Misc. Electrician Services	\$13,830.03
Advanced Heating, Inc.	Completion of Remodel	\$14,940.00
Axis Forensic Toxicology, Inc.	Lab Panel	\$160.00
Bomgaars Supply	Impact Driver/ Drill Bit	\$120.89
Casper Winnelson Co	Misc. Building Supplies	\$237.22
Conoz, Manuel	Murray St Painting Services	\$2,500.00
Cowboy Chemical	Jail Laundry	\$331.95
Cowboy Supply House	Misc. Cleaning Supplies	\$593.23
Creagan, Lauren	Facebook Ads	\$1,237.50
Custom Builders	Sewer Replacement	\$4,137.97
DustBusters, Inc.	Mag Chloride/Grant	\$120,533.85
Encartele	Data Purchased	\$300.00
Erickson & Roberts	Legal Services	\$2,101.00
Further	HRA Reimbursement/FSA	\$2,022.04
GlaxoSmithKline Pharmaceuticals	Vaccines	\$2,201.57
Grainger	Misc. Supplies	\$460.70
Graphic Business Solutions, LLC	Business Cards	\$83.00
Greater Wy Big Bros/Sisters	July 2020 County Prevention	\$2,847.09
Hagan, Walter	Bailiff For Jury Trial	\$75.00
High Plains Power	Electric Services	\$815.23
Honnen Equipment	Tie Rod Repair on Blade	\$223.96

IML Security Supply	Keypad Entry	\$455.70
Jack's Body & Fender Repair	Service Call	\$145.00
Kenco Security and Technology	Monthly Monitoring	\$44.00
King Soopers Customer Charges	Misc. Charges	\$62.77
Martz, Ladessa	Mileage	\$168.40
McKesson Medical-Surgical	Sanitizing Wipes	\$6.72
Memorial Hospital of Carbon County	Lab Fees	\$376.75
MetroCount USA Inc.	Traffic Counters	\$1,230.00
My Office Etc.	Office Supplies	\$9.91
Parker, Elizabeth	Lysol Wipes	\$17.46
Perkins Oil Co	Fuel	\$1,078.15
PMCH	Audit Services	\$71,731.77
Quill Corporation	Toner	\$408.99
R.P Lumber Company, Inc.	Misc. Supplies	\$115.32
Ricoh USA Inc	It Copiers	\$690.59
Rodabaugh, Sherry	Bailiff for Jury Trial	\$75.00
Saratoga Auto Parts, Inc.	Misc. Parts	\$92.64
Saratoga Sun	Misc. Ads	\$8,052.00
Sheets, Ed	Hang/Tape/Texture Sheetrock	\$2,820.00
Shepard Construction Inc	Misc. Const. Svcs. Med Bow Bldg.	\$137,523.00
Shepard's	Fuel	\$393.31
Shively Hardware	New 4wd Tractor/Tires	\$49,130.00
Shred-It USA	County Offices Shred Services	\$2,976.55
Slow and Steady Law Office, PLLC	Legal Services	\$3,010.00
State of Wyoming A & I	Titles Mainframe Access	\$14.46
Stinker Stores, Inc.	Fuel	\$3,133.95
Summit Food Service	Jail Meals	\$3,281.83
Terminix	Pest Control Services	\$175.00
The Cowboy Couture	Embroidery on Shirts	\$25.00
Thos. Y. Pickett & Co., Inc.	2nd Installment 2021 Valuation Contract	\$6,000.00
Tin Boy Garage	Welder Tire Replacement	\$222.00
T-O Engineers	DWX Repair Runway 6/24	\$15,240.40
Trudiligence, LLC	Driving Record/Background Checks	\$20.74
True North Steel	Cattleguard Blocks	\$5,400.00
True Value of Rawlins	Misc. Parts	\$1,841.99
Tyler Technologies, Inc	IDOC/ITAX/IREG	\$3,128.90
Volunteer Firemen Pension Fund	July Vol Fire Retirement	\$1,200.00
Wohl, Judith	Mileage	\$36.00
Wy Machinery Company	New Lowboy Trailer	\$58,325.00

CONSENT AGENDA

Commissioner Espy moved to approve the consent agenda noting any item could be removed for separate action. The consent agenda includes the August 25, 2020 regular meeting minutes, August 25 & 28, 2020 Special Meeting Minutes, monthly receipts from Planning and Development in the amount of \$1,925.00, and monthly receipts from Road and Bridge in the amount of \$200.00. Commissioner Moore seconded and the motion carried unanimously.

ELECTED OFFICIALS & DEPARTMENT HEADS

Emergency Management

Commissioner Jones moved to approve the Chairman's signature on Amendment #1 to the 2019 State Homeland Security Program (SHSP) Award 19-SHSP-CAR-SC-HEP19 for Carbon County to change the language to "Public Alert and Warning System" from "Code Red". Commissioner Espy seconded and the motion carried unanimously.

Buildings & Grounds

Commissioner Barkhurst moved to accept the low bid from Advanced Heating in the amount of \$69,340.00 to remove and replace heating and air conditioning with six units at the Rawlins Senior Center. Commissioner Espy seconded and the motion carried unanimously.

Commissioner Espy moved to authorize Jim Piche to advertise completion of the Medicine Bow complex once documentation has been provided from the engineer to the board of county commissioner and the clerk. Commissioner Barkhurst seconded and the motion carried unanimously.

IT

Commissioner Barkhurst moved to authorize the Chairman to sign the SpyCare Service Agreement for a term of 3 years in the amount of \$3,150.00 per year. Commissioner Moore seconded and the motion carried unanimously.

EXECUTIVE SESSION

Commissioner Espy moved to go into executive session at 10:49 a.m. with Clerk Bartlett and Ashley Mayfield Davis to discuss personnel, potential litigation and other matters considered confidential by law. Commissioner Moore seconded and the motion carried unanimously.

Commissioner Espy moved to come out of executive session at 11:02 a.m. noting no action was taken and that the minutes be signed and sealed. Commissioner Barkhurst seconded and the motion carried unanimously.

Public Hearing - Z.C. Case #2020-07

Chairman Johnson opened a public hearing at 11:23 a.m. to hear Planning & Zoning Z.C. Case #2020-07, Michael and Nina Martin's request for a Zone Change from Ranching, Agriculture and

Mining (RAM) to Rural Residential Agriculture (RRA-80) encompassing approximately 80 acres; located approximately 14 miles east of Rawlins on the north side of I-80, just east of the Fort Steele Rest Area off Tie Town Road. The RRA Zone is intended to be applied in areas of the County which are particularly suited to large-lot development that allow both agricultural and residential uses intermingled. Planning and Zoning GIS Specialist Sarah Hutchins presented the case.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 11:25 a.m.

Commissioner Espy moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2020-38, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding Z.C. Case #2020-07, Michael and Nina Martin's request for a Zone Change from Ranching, Agriculture and Mining (RAM) to Rural Residential Agriculture (RRA-80) encompassing approximately 80 acres; located approximately 14 miles east of Rawlins on the north side of I-80, just east of the Fort Steele Rest Area off Tie Town Road. Commissioner Jones seconded and the motion carried unanimously.

Public Hearing – C.U. Case #2020-04

Chairman Johnson opened a public hearing at 11:27 a.m. to hear Planning & Zoning C.U. Case #2020-04, Michael and Nina Martin's application for a Conditional Use Permit in the Rural Residential Agriculture (RRA) Zone. The request is to permit a business (construction business – "High Desert Construction") that will not substantially distract from the agricultural or residential character of the area, located approximately 14 miles east of Rawlins on the north side of I-80, just east of the Fort Steele Rest Area off Tie Town Road. Planning and Zoning GIS Specialist Sarah Hutchins presented the case noting the case is essentially to add a shop to the property.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 11:29 a.m.

Commissioner Jones moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2020-39, 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 #2020-04, Michael and Nina Martin's application for a Conditional Use Permit in the Rural Residential Agriculture (RRA) Zone. The request is to permit a business (construction business – "High Desert Construction") that will not substantially distract from the agricultural or residential character of the area, located approximately 14 miles east of Rawlins on the north side of I-80, just east of the Fort Steele Rest Area off Tie Town Road. Commissioner Moore seconded and the motion carried unanimously.

Public Hearing – C.U. Case #2020-06

Chairman Johnson opened a public hearing at 11:30 a.m. to hear Planning & Zoning C.U. Case #2020-06, Union Telephone Company's request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to permit an increase in the height of an

existing telecommunication tower height from 45 feet to 140 feet; at the Needles Peak Site located approximately 5-6 miles north of the Town of Encampment and approximately 1-2 miles east of State HWY 230. Planning and Zoning GIS Specialist Sarah Hutchins presented the case in addition to the next three cases that will be heard. She briefly explained each case noting these are communications towers and the applicant wants to add a new tower and leave the existing tower for up to 4 years so they can put microwave equipment on the new tower. Most towers are 42'-45' currently and the new could be permitted up to 140'. What would be constructed would be less than what is requesting to be permitted to allow them in the future to build taller if needed without going through the conditional use process but rather obtain a building permit at that time. Ms. Hutchins state that Jeb Steward did submit a letter regarding his concerns to the visual impact of the permit.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 11:57 a.m.

Commissioner Espy moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2020-40, A Resolution of the Board of County Commissioners of Carbon County, Wyoming adopting the recommendation of the Carbon County Planning and Zoning Commission regarding C.U. Case #2020-06, Union Telephone Company's request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to permit an increase in the height of an existing telecommunication tower height from 45 feet to 140 feet; at the Needles Peak Site located approximately 5-6 miles north of the Town of Encampment and approximately 1-2 miles east of State HWY 230. Commissioner Moore seconded and the motion carried with Commissioners Espy, Jones and Moore voting for the motion and Commissioner Barkhurst and Chairman Johnson voting against.

Public Hearing – C.U. Case #2020-07

Chairman Johnson opened a public hearing at 11:59 a.m. to hear Planning & Zoning C.U. Case #2020-07, Union Telephone Company's request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to permit an increase in the height of an existing telecommunication tower height from 32 feet to 140 feet; located at the Hanna Hill Site approximately 2 miles north of Elmo and approximately 1 mile west of Carbon County Road #291 (Hanna-Leo/Kortes Road). Sarah Hutchins presented the case and partially explained the case in the hearing for 2020-06 earlier today.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 12:03 p.m.

Commissioner Jones moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2020-41, 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 #2020-07, Union Telephone Company's request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to permit an increase in the height of an existing telecommunication tower height from 32 feet to 140 feet; located at the Hanna Hill Site approximately 2 miles north of Elmo and

approximately 1 mile west of Carbon County Road #291 (Hanna-Leo/Kortes Road). Commissioner Espy seconded and the motion carried with Commissioners Espy, Jones and Moore voting for the motion and Commissioner Barkhurst and Chairman Johnson voting against.

Public Hearing – C.U. Case #2020-08

Chairman Johnson opened a public hearing at 12:04 p.m. to hear Planning & Zoning C.U. Case #2020-08, Union Telephone Company’s request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to permit an increase in the height of an existing telecommunication tower height from 82 feet to 100 feet; at the Shirley Mountain Site located approximately 5.1 miles southwest from State HWY 77 and approximately 22 miles north northeast of the Town of Hanna. Sarah Hutchins presented the case and partially explained the case in the hearing for 2020-06 earlier today.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 12:07 p.m.

Commissioner Moore moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2020-42, 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 #2020-08, Union Telephone Company’s request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to permit an increase in the height of an existing telecommunication tower height from 82 feet to 100 feet; at the Shirley Mountain Site located approximately 5.1 miles southwest from State HWY 77 and approximately 22 miles north northeast of the Town of Hanna. Commissioner Espy seconded and the motion carried with Commissioners Espy, Jones and Moore voting for the motion and Commissioner Barkhurst and Chairman Johnson voting against.

Public Hearing – C.U. Case #2020-09

Chairman Johnson opened a public hearing at 12:08 p.m. to hear Planning & Zoning C.U. Case #2020-09, Union Telephone Company’s request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The request is to permit an increase in the height of an existing telecommunication tower height from 45 feet to 100 feet; at the Weber Mesa Site located approximately 1 mile north of Carbon County Road #702 (Baggs-Dixon Road) near Baggs, Wyoming. Sarah Hutchins presented the case and partially explained the case in the hearing for 2020-06 earlier today.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 12:11 p.m.

Commissioner Jones moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2020-43, 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 #2020-09, Union Telephone Company’s request for a Conditional Use Permit in the Ranching, Agriculture and Mining (RAM) Zone. The

request is to permit an increase in the height of an existing telecommunication tower height from 45 feet to 100 feet; at the Weber Mesa Site located approximately 1 mile north of Carbon County Road #702 (Baggs-Dixon Road) near Baggs, Wyoming. Commissioner Espy seconded and the motion carried with Commissioners Espy, Jones and Moore voting for the motion and Commissioner Barkhurst and Chairman Johnson voting against.

Clerk

Commissioner Jones moved to authorize the Chairman's signature on Contract Between Wyoming Department of Family Services and Carbon County Commissioners in the amount of \$24,500.00 for the Temporary Assistance for Needy Families Community Partnership Initiative (TANF CPI) grant. Commissioner Barkhurst seconded and the motion carried unanimously.

Commissioner Espy moved to ratify the Chairman's signature on Memorandum of Understanding for Gateway South Impact Assistance Funds. Commissioner Moore seconded and the motion carried unanimously.

Public Hearing – C.U. Case #2020-03

Chairman Johnson opened a public hearing at 1:26 p.m. to hear Planning & Zoning C.U. Case #2020-03, PacifiCorp doing business as Rocky Mountain Power's request for a Conditional Use Permit for the Gateway South Transmission Project (Project). Kristy Rowan Office Manager and Deputy Zoning Administrator presented the case. The Project consists of a single circuit, 500 kV transmission line between the Aeolus Substation and the Moffatt County, Colorado border. The request is to construct the Carbon County segment of the Gateway South Transmission Project (which includes expansion of the Aeolus Substation). The Gateway South Transmission line is generally co-located and off set from the existing Gateway West Transmission line. The Project will consist of 500-kV alternating current (AC) electric transmission lines and associated substation facilities as part of the PacifiCorp Energy Vision 2020 Plan. The general site location is approximately 107.7 miles through Carbon County from the Aeolus Substation to the border with Colorado.

Chairman Johnson called for comments for or against the case. There being no comments, Chairman Johnson closed the hearing at 2:10 p.m.

Commissioner Jones moved that based on the recommendation of the Planning & Zoning Commission and staff to approve Resolution No. 2020-44, 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 #2020-03, PacifiCorp doing business as Rocky Mountain Power's request for a Conditional Use Permit for the Gateway South Transmission Project (Project), with the change to the proposed resolution that condition #6 be amended requiring that Rocky Mountain Power negotiates in good faith and enters into road use agreement(s) with the county and any other impacted Carbon County entity party to the Memorandum of Understanding for Impact Assistance Funds for the Gateway South Transmission Line ("MOU"), and if Carbon County impacted entities which are party to the MOU are not granted full-funding of impact assistance payments, the Applicant will address any unfunded road

impacts with impacted entities in road use agreement(s), and an added condition that sales tax reporting and payments will be provided to the County Clerk and County Treasurer on a quarterly basis. Commissioner Moore seconded and the motion carried unanimously.

ADJOURNMENT

Commissioner Barkhurst moved to adjourn the meeting at 2:16 p.m. Commissioner Moore seconded, and the motion carried unanimously.

A regular meeting of this Board will be held Tuesday, October 6, 2020 at 2:00 p.m. at the Carbon County Courthouse, Rawlins, WY. The public is invited to attend, or you can listen online at the website listed below. To get on the agenda, call the Clerk's Office by the Thursday before the meeting. Per Wyo. Stat. §18-3-516(f), access to county information can be obtained at or by calling the Clerk's Office at (307) 328-2668 or 1-800-250-9812.

-s- Gwynn G. Bartlett, Carbon County Clerk

Approved this 15th day of September 2020.

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

-s- Willing John Johnson, Chairman