

**FREMONT COUNTY PLANNING COMMISSION
MEETING MINUTES
7:00 PM, AUGUST 25, 2016
450 N. 2ND ST., ROOM 205
LANDER, WY 82520**

Open of Meeting: Chairman Paulsen called the meeting to order at 7:00 p.m. The following were present: Vice Chairman Oakley; Planning Commissioners: Harold Albright, Tom Jones and Chris VonHoltum; County Commissioner Travis Becker; Planning Department Staff: Director Steve Baumann, Small Wastewater Specialist Marcel Lopez and Secretary Cheryl Crowson. Guests: See attached sheet.

Pledge of Allegiance: Chairman Paulsen led those present in the Pledge of Allegiance.

Approval of Agenda: Vice Chairman Oakley moved, Commissioner VonHoltum seconded to approve the Agenda of the August 25, 2016 meeting with the addition of an item under New Business the Review Small Wastewater Regulations from the update of the DEQ's new regulations. No further discussion, the motion carried unanimously.

Approval of Minutes: Commissioner VonHoltum moved, Commissioner Jones seconded to approve the Minutes from the July 28, 2016 meeting. No further discussion, the motion carried unanimously.

Staff Progress Report: Director Baumann reviewed the Staff Progress report presented to the County Commissioners for July 2016, including the year-end report. The department is ahead on septic permits than this time last year; addresses are about half what they were year. Last year Dubois decided to re-do a part of the city, so they received a number of addresses. Steve Warner is continuing to work on address reconciliations in Dubois; new roads proposed by the local residents and some new roads that are required due to more than three residences on the same road. The Lander Area Study had the first public meeting with several bicyclists present. The primary focus of the comments from the public during the meeting was North Second was hazardous for bicycles. Within the next two weeks, the draft report should be ready for the committee to review. Another public meeting will be scheduled for September or October 2016. Director Baumann attended the Functional Classification meeting with the City of Lander and WYDOT. The functional classification of North Second was changed from local to arterial moving it up in classification, which can provide additional funding; specifically the bridges on North Second, Squaw Creek and Baldwin Creek. No further questions or discussion.

Unfinished Business: None.

New Business:

River Rock Gardens Subdivision

Dan Hart, The Company, Inc., came forward to represent the subdivision. It is a two lot subdivision on Mortimore Lane with each lot having its own water source. The City of Lander has given unanimous approval. Director Baumann received correspondence from three utility companies, Rocky Mountain Power, Black Hills Energy and Century Link. All three received the first copy of the plat which didn't have the easements around the property, so they all indicated they would like to see easements and that has been taken care of. Also, Loren Smith from the State Engineers Office missed the water plan on the plat, so his comment was to put a water plan on the plat.

Chairman Paulsen called for a motion. Commissioner VonHoltum moved, Commissioner Jones seconded, to send the River Rock Gardens Subdivision to the Fremont County Commissioners for approval. No further discussion, motion carried unanimously.

Review Chapter VII of Regular Subdivision Regulations (Draft dated 7-26-16)

Procedural Requirements and Design Standards – acceptable as presented with changes.

1. General Requirements

- A. Mobile Home Park and Micro Home Subdivisions – acceptable.
- B. RV Park
 - I. Acceptable as written.
 - II. Remove this item.
- C. Change title to "Temporary Housing/Event Facility."
Delete Items I, II and III and replace with "Any temporary housing facility must receive a license issued by the Fremont County Commissioners".
See Attached Addendum.

2. Platting Requirements – this section is acceptable as presented with changes.

3. Additional Engineering Information – this section is acceptable as presented with changes.

4. Additional Improvements Required – this section is acceptable as presented.

Discussion regarding Temporary Housing/Man-Camps. Commissioner Albright commented regarding the recent fire emergency, Dubois had approximately 1,300 people housed in a man-camp. The impact this has on communities brought up items of consideration for such temporary housing/man-camps such as:

- a. Power – Noise and light pollution. They provided their own generators used for producing electricity needed.

- b. Fuel Delivery Trucks – Roads being traveled and maintained.
- c. Water – Where does the water come from. Additional traffic and dust control. What entity would be responsible for maintaining?
- d. Sewer – The town of Dubois would not accept the man-camp's septic waste due to the amount of chemicals placed in them, so it had to be hauled out.
- e. Garbage – Does the local waste companies take care of it or is it hauled out.
- f. Storm water control – How will the excess water be controlled and disposed.
- g. EMS services – Who will provide emergency services.

There may be a need for a permit that would have guidelines and checklist on how to handle the issues listed above and address them up front instead of as they occur.

Discussion regarding how an emergency situation, such as the Lava Mountain fire near Dubois, is a drain on the system and impacts a community. It was asked if the man-camp for the fire was set up and maintained by a company or if it was set up by each different entity that was called to assist. Initially, it was set up by each entity then a company came in to take over. There were some conflicts, but were eventually worked out. Discussion regarding what is a definition of "Temporary"; different levels of classification such as emergency (i.e. fire) versus a planned event. Sometimes they will start out small and then expand. With the Eclipse happening next year, there are people planning on setting up man-camps for at least two weeks. There is the need to consider water, waste, emergency services, security etc. being impacted during the times there are specific events taking place (i.e. handcart event, ball camps, etc). It was discussed if a deposit/bond could be required, which would be returned if, upon leaving, the area is left in good condition. Otherwise, the funds would be used to clean-up and/or fix any damage. The possibly having a contract in place so the people/entity setting up the temporary housing would have services in place to take care of roads, water, fuel, waste, septic waste, etc. prior to receiving approval. Another discussion item, the BLM always require a permit no matter the length of stay. They use a checklist that determines the fee amount for the permit. Director Baumann checked with other counties within the state and neighboring states. The only problem found was Carbon County had a man-camp within city limits. The city council didn't want them located in town, so when it was moved outside city limits there were no issues. Also, in North Dakota the main problem was overtaxing the system. There were large numbers of people in the man-camps, which affects the infrastructure. Look into planning for issues related to large sized man-camps and possibly having a permit for waste, septic, water, etc., whether it will be hauled in/out. We want to encourage people to come to our county. By having meetings with the Planning Commission to pre-plan their event; explaining the facilities that are available and where things should be disposed; having them advise how many people are anticipated to attend; possibly charging a fee to take

care of any additional items necessary to take care of their additional requirements; helping make their experience better so they will return. Discussion that any planned event projected to last an extended period of time and depending on the number of people attending, must have a required license to address the impact of public health and welfare. The license should be a “stand-alone”, checklist type document that the Planning Commission and Planning Department will oversee. This document can be tailored to fit the event and could be easily amended. Director Baumann will research how other entities handle this type of situation, to discuss at the next meeting.

Ingress and Egress

Recently, a parcel of land, 280' +/- wide and 40' deep, was part of an estate that was divided into six lots. As a consequence, at the surveyor's discretion, decided that a fifteen foot road was adequate. These six lots will be able to subdivide again after a year. So, a year from now there is a possibility one of the back lots could have a three lot subdivision and be stuck with a fifteen-foot road right-of-way to get back to the proposed subdivision. Two options to handle this, one is to tell them sorry you can't do it because there isn't adequate access; and the second would be they could ask for a variance to the road standards. State Statute 18-5-303, requires the Planning Director to review all previous deeds and in any sale larger than thirty-five acres, making sure those have a forty-foot ingress and egress to each one of the thirty-five acres or greater sales, but nothing is required on anything smaller. What is interesting about the statute, it states “Unless the method of sale or other disposition is adopted for the purpose of evading the provisions of this article, this article shall not apply to the following subdivisions of land however, the following subdivisions are subject to requirements which may be adopted by the board of county commissioners regarding documentation of the proper use and implementation of the following exemptions.” There is the ability for the county to require an ingress and egress for any land transaction, specifically related to those that meet the exemption on the subdivision. Our subdivision regulations already have it. Those that meet the requirements of the exemption will call, we provide them the information and they figure out a way to put in the necessary road and utilities, but not always. In this case, we have one survey company that wants to come up with their own set of regulations. If we had the ability to put into place the minimum limitation on ingress and egress so there has to be forty feet for any exemption, not just greater than thirty-five acre exemption. There would be the ability to require ingress and egress to meet our regulations at that time. If looking into trying to keep consistency, there would need to be an implementation date and the others would need to be grandfathered in.

Small Wastewater Regulations

On June 3, 2016, the DEQ Small Wastewater Regulations had the public review, there were no comments and the document was approved. Two weeks ago, our department had a chance to see the new regulations. Our department decided to take the State Statutes and substitute them entirely as our regulations, except for a few additional

items we thought needed to be included. We took the Small Wastewater Regulations previously provided to the Planning Commission, broke it down into chapter by chapter. Chapters 1 and 2 are the internal office changes. The changes defined with highlighted colors are: yellow – changes we recently made; green – items taken from DEQ (except for Chapter 3); red – are changes/additions including some from State Statute. Adding “Incorporated Cities and Municipalities”, this was not in the previous version. Several definitions used from DEQ are in green, ours are in yellow. Since the DEQ regulations have already been promulgated, we need to get our version of the regulations to the County Commissioners. Jodi Darrough is reviewing them one last time. Director Baumann is planning on reviewing the changes with the County Commissioners on September 6th, so the forty-five day comment period can start. Right now, our department is following the DEQ’s regulations, even though they are not the same as our current regulations. It is not a requirement that the Planning Commission approve the Small Wastewater Regulations. The Planning Commission will review them and recommend forwarding them to the County Commissioners. It is not an approval or denial, only a recommendation as a courtesy. It is requested the Planning Commission review them and direct any questions or comments to Director Baumann or Marcel Lopez. The section dealing with the delegation of authority from the State to us is contained in Chapter 3 and is entirely from the State regulations. The procedures followed are our own and have been developed by Steve Warner, Marcel Lopez and Director Baumann and are what was in the previous version of the Small Wastewater Regulations, with the addition of a large section of what our requirements are for inspections. The enforcement section is from previous regulations, based on State Statute. Mr. Lopez commented that the reason for the rush is we received a letter from the DEQ stating their regulations have gone into effect. We received their regulations on August 9, 2016, and a letter stating they went into effect on July 17, 2016. We did not receive prior notice. Their regulations state that as of July 17, 2016, everything has to comply with their current regulations. Right now, things are being figured according to our old regulations and the new DEQ regulations. Where there is a conflict, they are being changed to comply with DEQ. The section Enforcement is in black, which is a copy of the old regulations. The selection highlighted in “red” is a request from Jody Darrough for a change; changed to read Fremont County Small Wastewater Regulations or a change indicating where to look in the regulations for that change. Director Baumann will be presenting the regulations to the County Commissioners explaining what is being done and why the changes and will prompt a time to begin the forty-five day comment period. If within that forty-five day comment period, the Planning Commission has any changes or comments, they can still be made within that time frame. The forty-five day comment period should begin September 13, 2016, as per comment of Commissioner Becker.

Brief discussion of the Planning Department’s involvement with the Lander Area Study.

The members set the next regular meeting for Thursday, September 29, 2016 at 7:00 p.m. The Notice of the date change will be published in the local newspapers. There being no further business for the Planning Commission, Chairman Paulsen adjourned the meeting at 8:50 p.m.

Respectfully submitted:

Cheryl Crowson
Department Secretary

JR Oakley
Vice Chairman