

**FREMONT COUNTY PLANNING COMMISSION  
MEETING MINUTES  
FEBRUARY 26, 2015  
7:00 PM**

**Open of Meeting:** Chairman Kristin Paulsen called the meeting to order at 7:10 p.m. The following were present: Vice Chairman Harold Albright, Planning Commissioners: JR Oakley and Tom Jones. County Commissioner Travis Becker; Planning Department Staff: Director Steve Baumann, Small Wastewater Specialist Marcel Lopez, Department Secretary Cheryl Crowson. Absent: Planning Commissioner Richard Emond.

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

**Approval of Agenda:** Vice Chairman Albright moved, Commissioner Oakley seconded to amend the Agenda to continue discussions regarding Item 1, General Conditions, Chapter III, Simple Subdivision Regulations review and rewrite after New Business. No further discussion, the motion carried unanimously.

Vice Chairman Albright moved, Commissioner Oakley seconded to approve the agenda as amended for the February 26, 2015 meeting. No further discussion, the motion carried unanimously.

**Approval of Minutes:** Commissioner Jones moved, Vice Chairman Albright seconded to approve the minutes from the January 22, 2015 meeting. No further discussion, the motion carried unanimously.

**Staff Progress Report:** Director Baumann stated after discussions with the Sheriff regarding the E911 and Master Street Address Guide MSAG, it was decided the planning department will take over as the coordinator for Fremont County and be responsible for keeping it updated and current. Mr. Lopez has researched several property transfers. Fourteen letters have been sent to adjacent landowners regarding incorporating or merging property into one parcel, allowing approximately two months to comply with the requirements. Several of the letter recipients have called asking questions. Also, there has been five subdivision violation issues, four trust related and one mortgage. These issues are in the process of being resolved. Using the affidavit process will enable better tracking of possible violations. The department is close to completing the rewrite for Small Wastewater Regulations. A copy was sent to Jodi Darrough for review, from a legal standpoint, and a copy will be provided in the Planning Commission packets for next month's review. Marcel Lopez and Steve Warner are scheduling a meeting with the DEQ to make sure they are in agreement with the new regulations.

**Unfinished Business:** None.

## **New Business:**

### **Solitude Subdivision**

Director Baumann confirmed the issues associated with the Supreme Court ruling, and adjusting access for the Carter's have been addressed. The easements have been recorded and the Judge has extinguished the issues related to the case. From our standpoint, everything is in good standing and the Meckem's have complied with the subdivisions regulations. The only issue now is a letter received this afternoon from the BLM expressing six issues. A couple could be addressed by this board, if desired. The BLM abuts the Meckem's property being subdivided on the north side. The BLM has just recently advised us to e-mail information to them rather than through the mail service, which could have prompted their response. Possibly information previously sent may not have been received by the appropriate person. Chairman Paulsen read the letter for the record and asked for any comments. Vice Chairman Albright commented there is legitimate concern in paragraph 5, but the planning commission does not have authority to impose restrictions on the subdivider as recommended in the other paragraphs. Commissioners Jones and Oakley concurred. Mr. Lopez commented the erosion issues are addressed in the small wastewater regulations. No new correspondence has been received and the utility companies are satisfied. A correspondence was previously received from one person that lives in the subdivision and didn't understand the location of the subdivision to their property. Since a better detailed map has been included in the adjacent landowner letters, we have not received any correspondence. Chairman Paulsen asked when this will be presented to the Town of Dubois. Mr. Tom Johnson of Apex Surveying answered next Tuesday (March 3, 2015). Mr. Johnson, representing Mr. Meckem, came forward to advise the board that this plat has been before the Dubois Planning Commission twice. The second meeting allowed the opportunity to review with the addition of a sixty foot wide road and was approved. Any additional changes, which there are some easements that need to be placed on the plat, are the changes that facilitate going back to them. With that understanding, it will be whatever changes requested tonight, plus those additional easements that Dubois Planning Commission will review. Mr. Johnson stated it was his understanding they do not have any other issues. Chairman Paulsen asked if the changes are already represented on this plat, this is the final based on their recommendations. Mr. Johnson answered the plat is correct with the exception of a couple of typos, which corrections have been done. Chairman Paulsen asked for comments. Commissioner Oakley wanted to clarify with Director Baumann that all legal issues have been resolved with the Judge. Director Baumann answered yes, and documents from the Judge and both attorneys have been received. Chairman Paulsen called for a motion. Vice Chairman Albright moved, Commissioner Oakley seconded to send the Solitude Subdivision, Simple Subdivision, to the County Commissioners for approval pending the approval from Dubois Planning Commission. No further discussion, motion passed unanimously.

Director Baumann commented, as a reminder, the provision for attestation of the Planning Commission Chairman signature by the county clerk. Director Baumann

commented inquiries were made of other counties of their requirements for attestation of the Planning Commission Chairman's signature. Two counties require the secretary of the county commission to attest to the signature, four counties have attesting by a clerk, four counties have just the Chairman's signature, four counties do not require a signature, and one requires a notarized signature. Director Baumann had a conversation with Julie Freese about the reasoning. Apparently, it emanated from an attorney in Teton County in an attempt to make sure all signatures were certified that the document was reviewed by that specific person and no one was nefariously signing. It is the decision of the Planning Commission to decide the use of "attest" or not. Chairman Paulsen commented it will be addressed.

### **Progress Simple Subdivision Regulations:**

#### Chapter III, Simple Subdivision

##### 1. General Conditions

- i. Item D, remove item.
- ii. Item E, accepted.
- iii. Item F, insert "*Fremont*" after "Board of".
- iv. Item G, accepted with the removal of the wording "*and existing trees*" at end of sentence.
- v. Item H, accepted with the addition of having definitions listed as "a. and b." as defined in the original Subdivision Regulations on page 46, Section 1, Number 3.

Chairman Paulsen scheduled a work meeting for Thursday, March 26, 2015, beginning 11:00 a.m. until 5:00 p.m. The work meeting date and time will be published in the Riverton Ranger.

The members set the next regular meeting for Thursday, March 26, 2015 at 7:00 p.m. There being no further business for the Planning Commission, Chairman Paulsen adjourned the meeting at 7:50 p.m.

Respectfully submitted:

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Cheryl Crowson  
Department Secretary

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Kristin Paulsen  
Chairman