

FREMONT COUNTY PLANNING COMMISSION
MEETING MINUTES
7:00 PM, OCTOBER 29, 2015
450 N. 2ND ST., ROOM 205
LANDER, WY 82520

Open of Meeting: Chairman Kristin Paulsen called the meeting to order at 7:02 p.m. The following were present: 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 Department Secretary Cheryl Crowson. Absent: Vice Chairman JR Oakley.

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

Approval of Agenda: Commissioner Albright moved, Commissioner Jones seconded to approve the Agenda of October 29, 2015. No further discussion, the motion carried unanimously.

Approval of Minutes: Commissioner Albright moved, Commissioner VonHoltum seconded to approve the Regular Meeting Minutes from the September 24, 2015 meeting. No further discussion, the motion carried unanimously.

Staff Progress Report: Director Baumann reviewed the Monthly Progress Report for September provided to the County Commissioners. Also discussed: (a) the department has spent several hours working on the draft of the proposed Regular Subdivision Regulations; (b) Small Wastewater Department has reviewed revisions to the Small Wastewater Regulations and will be sending them to Jodi Darrough before bringing them before the Planning Commission for review; (c) As stated in last month's meeting, research into Urbigkeit Road for Mr. Colby Gillespie. The findings were, Urbigkeit Road never had the necessary easements associated with it, specifically because there were too many different allotment holders to secure the 50% required to be able to acquire the easements. The county maintained the road, but it was never a county road. Officially, the Tribes have taken authority of the road; (d) While reviewing the deeds for the county, there have been a few properties with issues. The properties need to be merged or a subdivision, unless it was a boundary adjustment with the owner of adjacent property. Letters have been sent to the parties involved. Three additional letters have been sent out today of similar issues, and will continue to followup. (e) Steve Warner has taken over the GIS Department; (f) Marcel Lopez has been busy with septic system site evaluations and inspections; (g) Discussion on Urbigkeit Road, Wilderness Road and Old Yellowstone Highway. Wilderness Road had enough privately owned land, it is a county road. On Urbigkeit Road, the Burris Lenore Bridge was in need of repair and Ray Price tried to get easements, without success, to allow traffic to go through to haul gravel to the bridge. Mr. Price wrote a letter to WYDOT stating he

was not able to get the easements, so WYDOT just fixed the bridge. Mr. Lopez commented he had previously researched the Old Yellowstone Highway and discovered when the highway ceased to be used as the main highway the Federal Government, under a previous Agreement, returned the easements to the Tribes; (h) Chairman Paulsen and Director Baumann attended a conference for WYOPASS in Casper. Valuable information was obtained regarding boundary adjustments and legally merging parcels. The attorney that represents both Natrona and Carbon counties was present and indicated the newest language that came in 2013 under the exemptions rule, stating "The following subdivisions are subject to a requirement, which may be adopted by the Board of County Commissioners, regarding documentation for the proper use and implementation of the following exemptions". He said because that language is introduced into the exemptions, the county can do what it wants, as far as the method of implementation of the use of the exemptions. His comment was to make it clear. In the regulations where boundary line adjustments and implementation method is discussed, include a complete new boundary line survey quitclaiming from yourself to yourself. Director Baumann questioned, since the Survey Community attended the meetings that precipitated the discussion, would it suffice as enough description to allow us to follow through on our implementation since there was discussion expressed to the survey community what our thoughts were and how we were going to implement it and they had the opportunity to comment on it, the county attorney believed it was. It is probably beneficial to include in the new version of the Regular Subdivision Regulations verbiage to make perfectly clear to all, and sometime in the future there are items that should be addressed in the Simple Subdivision Regulations. Remainder of discussion was mainly how plats should be prepared, title searches should be run and documents for the filing process. Chairman Paulsen spent a great deal of time assisting other planners with questions regarding titling and how important making sure everything is correct on the plat. Chairman Paulsen commented that Natrona County was represented there and had a discussion on how they included a road standard. What Natrona County is doing with their roads is requiring a special improvement district for every road that is created, so there isn't any question later on who is responsible for it, how it will be maintained and if making a subdivision on top (building out farther) the maintenance of that road is already taken care of. Their health/welfare officer goes out and physically inspects each site. Their process seemed pretty simple. It was interesting they have implemented it in such a large community, how easily it works and how simple it was for them to put into place. With this, there is no question who is going to take care of the road. Several other counties were interested as well because they are dealing with the same issues we are. Chairman Paulsen requested the Planning Commission to review the road procedure. County Commissioner Becker commented there are some problems with the Special Improvement Districts; they do not always follow through on the reporting piece to the State, County or whomever they report to. If the paperwork isn't done properly, the Treasurer will hold the money and will just sit in the account until reporting is properly completed. If the Special Improvement District doesn't do the report, someone has to follow up to make sure it gets done. Chairman Paulsen stated WYOPASS will be holding another conference in Fremont County next March or May and would be a good

conference to attend. It is interesting to know what is working in other counties, what issues they are dealing with, how they are dealing with them and what they are doing to get through those issues.

Unfinished Business: None.

New Business:

Director Baumann commented there was a document sent to all the Planning Commissioners concerning the soil conservation service review; the reason it was sent was because of the issues with Upper Slate Creek. Our regulations state "State Statute 18-5-306(b) states (Director Baumann read the statute). In our proposed Simple Subdivision Regulations under the heading "Requirements Prior to Planning Commission Review", states "The applicant shall submit to the Planning Commission evidence that it has complied with Wyoming State Statute 18-5-306(b) regarding review of the simple subdivision by the local conservation district. A copy of the letter from the local conservation district with recommendations shall be placed on file in the Office of the Planning Department. The Planning Department shall notify the Planning Commission of the receipt of verification by the local conservation district." This is where we had an issue with our own regulations last month. Later, in Chapter IV, 3. Preliminary Plat, Item VIII, states "The Subdivider shall provide evidence that the appropriate Soil Conservation Service district office has been contacted, that the proposed subdivision will be reviewed, and the appropriate recommendation letter will be delivered to the Planning Department prior to the next scheduled meeting of the Planning Commission." Our regulations need to be consistent. The Simple Subdivision Checklist has that it needs to be done twenty-one (21) days prior to the Planning Commission meeting. It is not clear exactly how this should work. Consequently, a new document has been produced that would be attached to the Subdivision Checklist, which is a Soil Conservation Document paper trail. Essentially, when the soil conservation district fills in and signs the document stating receipt of a request for a subdivision review, it has been put on the agenda (filling in date), then the document is signed and returned to the Planning Department. This will provide evidence the subdivider has taken it to the soil conservation district and anticipate their formal letter prior to the next Planning Commission meeting. The intent is for the subdivider to take in the plat and the document to the soil conservation district. Using this document will enable the subdivision to proceed, ignoring the fact that the Planning Department has to be in receipt of the final letter twenty-one (21) days prior to the Planning Commission meeting. Point of discussion is, does it matter one way or another or would the Planning Commission rather have it upheld that twenty-one (21) days prior we need to have the letter from the Soil Conservation District? After discussion, the consensus was it is acceptable to have the information provided to the Planning Commission by the Planning Department, and making sure the letter from the Soil Conservation District is received by the Planning Department prior to the Planning Commission meeting on the subdivision in question.

Review Chapters 3, 4, 5, 6, 7 and 8 of Regular Subdivision Regulations. Draft copy dated 10-9-15.

Chapter III, Platting Procedures.

Page 1 through 8 - Agree with exception to Page 7, Item III; add additional wording to sentence "a letter from the subdivision engineer certifying the following:"

Chapter IV, Information Requirements, Regular Subdivisions.

Page 1 and 2 - Agree.

Page 3 - Agree with exception to 1, The Water Distribution Plan. This item to be reviewed again at the next Planning Commission meeting.

Page 4 - Agree.

Page 5 – Agree with exception to VII, regarding the topography. This item to be reviewed again at the next Planning Commission meeting.

Page 6 – Agree with the following corrections/additions:

- i. VIII - Delete.
- ii. IX – add "on the plat" to the end of the sentence. This item to be reviewed again at the next Planning Commission meeting.
- iii. X – include appropriate State Statute (18-5-306(a)(ii)(C) to end of sentence.

Pages 7 through 11 – Agree.

Page 12 – Agree with the following corrections/additions:

- i. XIV – add "minimum" to all listed requirements.
- ii. XV – this item will be reviewed again at the next Planning Commission meeting.
- iii. XX – change wording to "All easements shall include location, width and proposed use."
- iv. XVI – change first sentence to "All lots shall be numbered consecutively throughout the plat and shall include all dimensions." No change to the remainder of sentence.

Page 13 – Agree with the following corrections:

- i. XVIII – correct punctuation after "hazard".
- ii. XX – correct spelling "Fremont".

Pages 14 through 21 – Agree.

Page 22 – Agree with the following additions:

- i. 7, A. – include the State Statute 18-5-306(a)(xii) in paragraph.
- ii. 7, A., II – insert this item which was inadvertently omitted.

Page 23 – Agree with the following corrections:

- i. D. – Director Baumann will rewrite this paragraph.
- ii. 8., A., replace "his" with "the".

Page 24 – Agree with the following addition:

- i. A. Insert “shall” after subdivision, no change to remainder of sentence.

Due to Thanksgiving holiday in November, the regular scheduled meeting is changed to Thursday, December 3, 2015 at 7:00 p.m.

No further discussions, meeting adjourned at 9:48 p.m.

Respectfully submitted:

Cheryl Crowson
Department Secretary

Kristin Paulsen
Chairman